

2010 State Teacher Policy Yearbook



National Council on Teacher Quality

#### **Acknowledgments**

#### **STATES**

State education agencies remain our most important partners in this effort, and their extensive experience has helped to ensure the factual accuracy of the final product. Although this year's *Blueprint for Change* did not require the extensive review typically required of states, we still wanted to make sure that states' perspectives were represented. As such, each state received a draft of the policy updates we identified this year. We would like to thank all of the states for graciously reviewing and responding to our drafts.

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### About the Yearbook

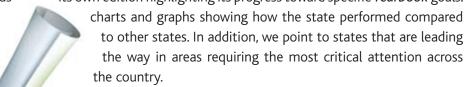
Each report also contains

The 2010 *Blueprint for Change* is the National Council on Teacher Quality's fourth annual review of state laws, rules and regulations that govern the teaching profession. This year's *Yearbook* takes a different approach than our past editions, as it is designed as a companion to the 2009 *State Teacher Policy Yearbook*, NCTQ's most recent comprehensive report on state teacher policies.

The comprehensive *Yearbook*, a 52-volume state-by-state analysis produced biennially, examines the alignment of states' teacher policies with goals to improve teacher quality. The 2009 report, which addressed key policy areas such as teacher preparation, evaluation, alternative certification and compensation, found that states had much work to do to ensure that every child has an effective teacher. Next year we will once again conduct a comprehensive goal-by-goal analysis of all aspects of states' teacher policies.

In 2010, an interim year, we set out to help states prioritize among the many areas of teacher policy in need of reform. With so much to be done, state policymakers may be nonplussed about where to begin. The 2010 *Yearbook* offers each state an individualized blueprint, identifying state policies most in need of attention. Although based on our 2009 analyses, this edition also updates states' progress in the last year, a year that saw many states make significant policy changes, largely spurred by the Race to the Top competition. Rather than grade states, the 2010 *Blueprint for Change* stands as a supplement to the 2009 comprehensive report, updating states' positive and negative progress on *Yearbook* goals and specifying actions that could lead to stronger policies for particular topics such as teacher evaluation, tenure rules and dismissal policies.

As is our practice, in addition to a national summary report, we have customized this year's *Blueprint for Change* so that each state has its own edition highlighting its progress toward specific *Yearbook* goals.



We hope that this year's *Blueprint for Change* serves as an important guide for governors, state school chiefs, school boards, legislatures and the many advocates seeking reform. Individual state and national versions of the 2010 *Blueprint for Change*, as well as the 2009 *State Teacher Policy Yearbook*—including rationales and supporting research for our policy goals—are available at www.nctq.org/stpy.

# **Blueprint for Change in Massachusetts**

he 2009 State Teacher Policy Yearbook provided a comprehensive review of states' policies that impact the teaching profession. As a companion to last year's comprehensive state-by-state analysis, the 2010 edition provides each state with an individualized "Blueprint for Change," building off last year's Yearbook goals and recommendations.

State teacher policy addresses a great many areas, including teacher preparation, certification, evaluation and compensation. With so many moving parts, it may be difficult for states to find a starting point on the road to reform. To this end, the following brief provides a state-specific roadmap, organized in three main sections.

- Section 1 identifies policy concerns that need critical attention, the areas of highest priority for state policymakers.
- Section 2 outlines "low-hanging fruit," policy changes that can be implemented in relatively short order.
- Section 3 offers a short discussion of some longer-term systemic issues that states need to make sure stay on the radar.

### Current Status of Massachusetts' Teacher Policy

In the 2009 State Teacher Policy Yearbook, Massachusetts had the following grades:



Area 1: Delivering Well Prepared Teachers	C+
Area 2: Expanding the Teaching Pool	С
Area 3: Identifying Effective Teachers	D-
Area 4: Retaining Effective Teachers	D+
Area 5: Exiting Ineffective Teachers	D

#### 2010 Policy Update:

In the last year, many states made significant changes to their teacher policies, spurred in many cases by the Race to the Top competition. Based on a review of state legislation, rules and regulations, NCTQ has identified the following recent policy changes in Massachusetts:

#### Teacher Dismissal:

In a school deemed chronically low performing, a nonprobationary teacher can be dismissed for "good cause" so long as the teacher is given written notice five days prior to the dismissal. The teacher has the right to appeal. SB 2247

### Massachusetts Response to Policy Update:

States were asked to review NCTQ's identified updates and also to comment on policy changes that have occurred in the last year, other pending changes or teacher quality in the state more generally.

Massachusetts confirmed that the identified update represents a complete and accurate list of recent policy changes.

### **Section 1: Critical Attention Areas**

This section identifies the highest priority areas as states work to advance teacher quality. These are the policy issues that should be at the top of the list for state policymakers. While other states need also to address many facets of teacher preparation, including ensuring subject matter knowledge and preparation to teach elementary reading and math, as well as expanding the teacher pipeline through alternative certification, Massachusetts should turn its immediate attention to the following three issues.



## Critical Attention: Massachusetts policies that need to better connect to teacher effectiveness

**ENSURE THAT TEACHER EVALUATIONS ASSESS EFFECTIVENESS IN THE** CLASSROOM:

**Evaluation** is a critical attention area in

Z states

States on the right track include Colorado, Louisiana and Rhode Island.

The fundamental purpose of teachers' formal evaluations should be to determine whether the teachers are effective in the classroom. To achieve this purpose, evaluations must be based primarily on teachers' impact on students. While it is certainly appropriate to

include subjective factors, such as classroom observations, Massachusetts should adopt a policy that requires objective evidence of student learning-including but not limited to standardized test scores—to be the preponderant criterion of teacher evaluations.

In order to ensure that teachers' strengths are optimized and weaknesses addressed, it is critical that teachers are evaluated with sufficient frequency. Massachusetts should require that all new teachers be evaluated at least twice a year. Further, the state should also require that the first evaluation for probationary teachers occur during the first half of the school year, so that new teachers are provided with feedback and support early on.

Massachusetts's winning bid for Race to the Top funds includes a significant focus on teacher evaluation. However, the state's proposal fails to articulate the

extent to which student achievement will count in teacher evaluations. Until objective measures of student learning are the preponderant criteria, this remains a critical area of attention for Massachusetts.

### **CONNECT TENURE DECISIONS TO** TEACHER EFFECTIVENESS:

The point at which a teacher's probationary period ends, commonly referred to as tenure, should be a significant milestone. Although the awarding of tenure is a

local decision, state policy should reflect the fact that tenure should only be awarded to teachers who have consistently demonstrated their effec-Massachusetts tiveness. should require a clear process, such as a hearing, for districts to use when considering whether a teacher

Tenure is a critical attention area in

States on the right track include Colorado. Delaware and Rhode Island.

advances from probationary to permanent status. Such a process would ensure that the local district reviews the teacher's performance before making a determination. Massachusetts should also ensure that evidence of effectiveness is the preponderant criterion for making tenure decisions. In addition, the current policy of granting tenure after just three years does not allow for the accumulation of sufficient data on teacher performance to support meaningful decisions. Extending the probationary

period—ideally to five years—would prevent effective teachers from being unfairly denied tenure based on too little data and ineffective teachers from being granted tenure prematurely.

# PREVENT INEFFECTIVE TEACHERS FROM REMAINING IN THE CLASSROOM INDEFINITELY:

Dismissal is a critical attention area in

46 states.

States on the right track include Oklahoma and Rhode Island.

Massachusetts should explicitly make teacher ineffectiveness grounds for dismissal so that districts do not feel they lack the legal basis for terminating consistently poor performers, and it should steer clear of euphemistic terms that are ambiguous at best

and may be interpreted as concerning dereliction of duty rather than ineffectiveness. In Massachusetts, the process is the same regardless of the grounds for dismissal, which include "inefficiency, incompetency, incapacity, conduct unbecoming a teacher, insubordination or failure on the part of the teacher to satisfy teacher performance standards."

Nonprobationary teachers who are dismissed for any grounds, including ineffectiveness, are entitled to due process. However, cases that drag on for years drain resources from school districts and create a disincentive for districts to attempt to terminate poor performers. Therefore, the state must ensure that the opportunity to appeal occurs only once and only at the district level and involves only adjudicators with educational expertise.

- 1 The District of Columbia has no state-level policy, but District of Columbia Public Schools requires that student academic achievement count for 50% of evaluation score.
- 2 Legislation articulates that student growth must account for a significant portion of evaluations, with no single criterion counting for more than 35% of the total performance evaluation. However, the State Board is on track to finalize regulations that limit any single component of student growth, such as standardized test scores, to 35%, but add other measures of student progress for a total of 50%.

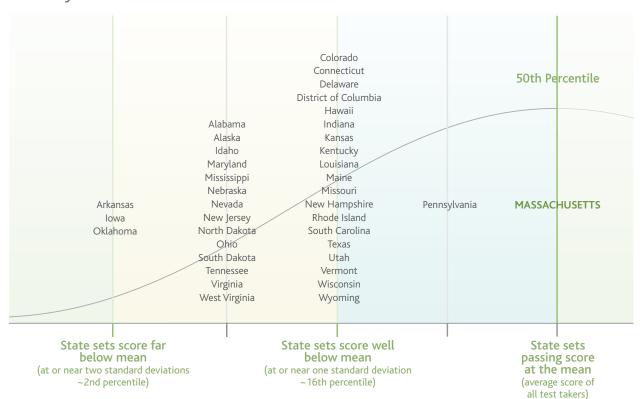
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# How is Massachusetts faring in areas that are priorities for other states?

■ ENSURE THAT ELEMENTARY CONTENT TESTS **ADEQUATELY ASSESS CONTENT KNOWLEDGE:** 

Figure 2 Where do states set the passing score on elementary content licensure tests?1



<sup>1</sup> Data not available for Arizona, California, Florida, Georgia, Illinois, Michigan, Minnesota, New Mexico, New York, North Carolina, Oregon, and Washington. Montana does not require a content test. Colorado cut score is for Praxis II, not PLACE.

■ ENSURE THAT ELEMENTARY TEACHERS ARE WELL PREPARED TO TEACH READING AND MATH AND MIDDLE SCHOOL TEACHERS HAVE ADEQUATE SUBJECT-MATTER PREPARATION:

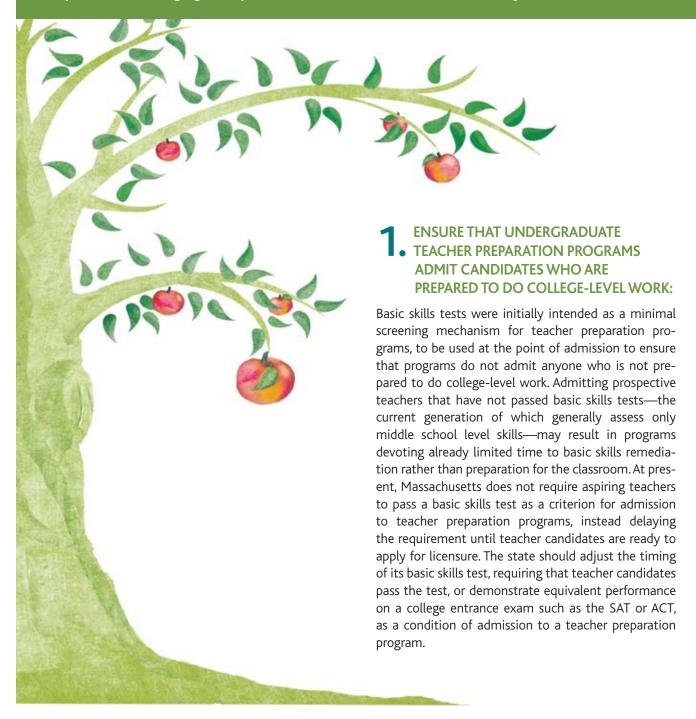
Figure 3 Do states ensure that teachers are well prepared? Alabama Alaska П Arizona Arkansas **1** California Colorado Connecticut Delaware District of Columbia \_\_\_ 2 Florida Georgia Hawaii Idaho Illinois Indiana Iowa Kansas Kentucky Louisiana П Maine Maryland **MASSACHUSETTS** Michigan Minnesota Mississippi Missouri Montana Nebraska Nevada New Hampshire New Jersey New Mexico New York North Carolina North Dakota П Ohio Oklahoma Oregon Pennsylvania Rhode Island South Carolina П South Dakota Tennessee Texas Utah Vermont Virginia Washington West Virginia Wisconsin Wyoming 2 29 6

<sup>1</sup> Although California has a standalone test of reading pedagogy, the ability of this test to screen out candidates who do not know the science of reading has been questioned.

<sup>2</sup> Florida's licensure test for elementary teachers includes a strong focus on the science of reading but does not report a separate subscore for this content.

## **Section 2: Low-Hanging Fruit**

This section highlights areas where a small adjustment would result in significantly stronger policy. Unlike the more complex topics identified in Section 1, the issues listed in this section represent low-hanging fruit, policies that can be addressed in relatively short order.



# 2. STRENGTHEN TEACHER PREPARATION PROGRAM ACCOUNTABILITY:

As part of its successful Race to the Top application, Massachusetts has commendably made objective outcomes a central component of its teacher preparation program approval process. However, the state should codify these requirements so that they continue to be in effect even when the four-year grant period has expired.

# 3. TEACHERS RECEIVE SUPPORT:

Massachusetts should adopt a policy whereby all teachers that receive a single unsatisfactory evaluation are placed on a structured improvement plan, regardless of whether or not they have tenure. These plans should focus on performance areas that directly connect to student learning and should list noted deficiencies, define specific action steps necessary to address these deficiencies and describe how and when progress will be measured. Consequences for continued poor performance should also be articulated.

### **Section 3: Systemic Issues**

This section discusses some of the longer-term systemic issues related to teacher quality that states also need to address. While these may not be "front-burner" issues in many states, they are important to an overall reform agenda.

## 1. Performance Management

The critical relationship between teacher quality and student achievement has been well established, and ensuring that all students have teachers with the knowledge and skills to support their academic success has become a national priority. Yet the policy framework that governs the teaching profession in most states is almost entirely disconnected from teacher effectiveness. Although states largely control how teachers are evaluated, licensed and compensated, teacher effectiveness in terms of student learning has not been a central component in these policies.

Fortunately, this is starting to change. Fifteen states have made progress in their requirements for teacher evaluation in the last year alone. As evaluation ratings become more meaningful, states should plan to connect teacher evaluation to an overall system of performance management. The current siloed approach, with virtually no connection between meaningful evidence of teacher performance and the awarding of tenure and professional licensure, needs a fundamental overhaul.

1 Includes changes to state policies regulating the frequency of evaluations for probationary and nonprobationary teachers as well as requirements that teacher evaluations consider classroom effectiveness. These elements must not be thought of as isolated and discrete, but as part of a comprehensive performance system. This system should also include compensation strategies as well as new teacher support and ongoing professional development, creating a coordinated and aligned set of teacher policies.

Meaningful evaluation is at the center of a performance management system, and, as discussed in the Critical Attention section of this report, Massachusetts has considerable work to do to ensure that evaluations measure teacher effectiveness. But as the state moves forward, it should keep in mind the larger goal of creating a performance management system.

A successful performance management system—one that gives educators the tools they need to be effective, supports their development, rewards their accomplishments and holds them accountable for results—is essential to the fundamental goal of all education reform: eliminating achievement gaps and ensuring that all students achieve to their highest potential.

### 2. Pension Reform

State pension systems are in need of a fundamental overhaul. In an era when retirement benefits have been shrinking across industries and professions, teachers' generous pensions remain fixed. In fact, nearly all states, including Massachusetts, continue to provide teachers with a defined benefit pension system, an expensive and inflexible model that neither reflects the realities of the modern workforce nor provides equitable benefits to all teachers.

The current model greatly disadvantages teachers who move from one state to another, career switchers who enter teaching and those who teach for fewer than 20 years. For these reasons alone, reform is needed. But the dubious financial health of states' pension sys-

\$594,296

Amount Massachusetts pays for each teacher that retires at an early age with unreduced benefits until that teacher reaches age 65<sup>4</sup> tems makes this an area in need of urgent attention. Some systems carry high levels of unfunded liabilities, with no strategy to pay these liabilities down in a reasonable period, as defined by standard accounting practices. According to

Massachusetts's 2008 actuarial report, its system was only 73.9 percent funded, significantly below recommended benchmarks, and that was before the recent market downturn. When funding cannot keep up with promised benefits, a new approach is clearly needed. And changes must be made immediately to alter the long-term outlook for the state, as it is exceedingly difficult to reduce promised benefits once a teacher is a member of the system—regardless of whether the state can afford them.

Systemic reform should lead to the development of a financially sustainable, equitable pension system that includes the following:

■ The option of a fully portable pension system as teachers' primary pension plan, either through a defined contribution plan or a defined benefit plan that is formatted similar to a cash balance plan²

- Reasonable district and teacher contribution rates
- Vesting for teachers no later than the third year of employment
- Purchase of time in a defined benefit plan for unlimited previous teaching experience at the time of employment, as well as for all official leaves of absence, such as maternity and paternity leave
- The option in a defined benefit plan of a lump-sum rollover to a personal retirement account upon employment termination, which includes teacher contributions and all accrued interest at a fair interest rate
- Funds contributed by the employer included in withdrawals due to employment termination
- A neutral formula for determining pension benefits, regardless of years worked (eliminating any multiplier that increases with years of service or longevity bonuses)<sup>3</sup>
- Eligibility for retirement benefits based solely on age, not years of service, in order to avoid disincentives for effective teachers to continue working until conventional retirement age.

- Public Fund Survey, http://www.publicfundsurvey.org/www/publicfundsurvey/ actuarialfundinglevels.asp.
- 2 A cash balance pension plan is a benefit plan in which participants, and their employers if they choose, periodically contribute a predetermined rate to employees' individual pension accounts. These contributions grow at a guaranteed rate. Upon retirement or withdrawal, the participant may receive the full account balance in one lump sum, so long as the benefits are fully vested. (Based on Economic Research Institute, http://www.eridlc.com/resources/index.cfm?fuseaction=resource.glossary)
- 3 The formula may include years of service (i.e., years of service x final average salary x benefit multiplier), but other aspects of the benefit calculation, such as the multiplier, should not be dependent on years of service.
- 4 Calculations are based on a teacher who starts teaching at age 22, earns a starting salary of \$35,000 that increases 3 percent per year, and retires at the age when he or she is first eligible for unreduced benefits. Calculations use the state's benefit formula for new hires, exclude cost of living increases, and base the final average salary on the highest three years. Age 65 is the youngest eligibility age for unreduced Social Security benefits.

# 3. Certification of Special Education Teachers

States' requirements for the preparation of special education teachers are one of the most neglected and dysfunctional areas of teacher policy. The low expectations for what special education teachers should know stand in stark contradiction to state and federal expectations that special education students should meet the same high standards as other students.

Massachusetts, like most states, sets a low bar for the content knowledge that special education teachers must have. The state appropriately requires elementary special education teachers to meet the same subject-matter requirements and pass the same content test as all other elementary teachers. However, even

though secondary special education teachers must be highly qualified in every subject they will teach, the state does not require that teacher preparation programs graduate teachers who are highly qualified in any core academic areas.

Massachusetts is commended for distinguishing between elementary and secondary special education licenses, and for not allowing a generic K-12 special education license ubiquitous in many states. But its certification process still does not ensure that all special education teachers know all the subject matter they are expected to teach.



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<sup>1</sup> New policy goes into effect January 1, 2013.

