



May 1, 2015

Dr. Michael W. Kirst, President
State Board of Education
1430 N Street, Suite #5111
Sacramento, CA 95814

RE: State Board of Education Agenda Item #14 – California Educator Equity Plan

Dear President Kirst:

As organizations working to close opportunity and achievement gaps for low-income students and students of color, we write in coalition to request that you reject the California Department of Education's (CDE) draft Educator Equity Plan. For over 15 years our organizations had worked to address teacher quality inequities in California, from the *Williams v. California* litigation, through ETW's groundbreaking *Hidden Gaps* report in 2006, through *Renee v. Duncan*, 623 F.3d 787 (2010), supplemented by 686 F.3d 1002 (2012), we have highlighted the very serious gaps in teacher preparation, experience, and even effectiveness that exists in low-income, low-performing schools. In our view, this plan, which has been presented to the State Board of Education in advance of submission by June 1, 2015 to the U.S. Department of Education, is woefully inadequate.

In meeting state plan requirements set forth under Section 1111(b)(8)(C) of the Elementary and Secondary Education Act (ESEA), each State Education Agency (SEA) must describe the steps it will take to "ensure that poor and minority children are not taught at higher rates than other children by inexperienced, unqualified, or out-of-field teachers, and must describe the measures that the SEA will use to evaluate and publicly report the progress of the SEA with respect to such steps." Additional guidance on what these plans must include was provided by the U.S. Department of Education in fall 2014. No state, including California, has had this ESEA provision waived. To the contrary, it retains the full force of law and deserves the full attention of the state in attempting to address its ongoing teacher equity gaps as required. Unfortunately, California's plan does not come anywhere close to meeting the six major guidelines.

California's draft plan does not even attempt to meet the six requirements set out in the guidance. Below are the requirements and how California's plan fails to address them:

1. Describe and provide documentation of the steps the SEA took to consult with LEAs, teachers, principals, pupil service personnel, administrators, other staff, and parents.

California's plan claims that LCFF stakeholder input events held between 2013 and 2015 count toward this requirement, even though these events were not focused on issues of educator equity. Further, the LCAP and the state's eight state priorities, which were set forth under LCFF, do not require districts to address educator equity.

The plan also references the 2012 convening of the Educator Excellence Task Force (EETF). While this work was more relevant to issues of educator quality, it does not constitute feedback specific to *equity* and is not sufficiently timely. The reality is that the State has not seriously analyzed the existing teacher equity gaps that exist across the state to craft a plan in response at all and, as such, has not had a specific conversation with stakeholders on what the State should be

doing to improve equitable access to fully prepared, properly assigned and experienced teachers.

2. Identify equity gaps using the most recently available data.

At a minimum, State plans must **calculate equity gaps** for poor and minority students for each of the three statutory terms—“inexperienced,” “unqualified,” and “out-of-field”. Yet, California’s plan includes *no data* on equity gaps, not even drawing upon readily available data on how many educators are Highly Qualified Teacher (HQT) or inexperienced or the California Commission on Teacher Credentialing’s (CTC) annual Teacher Supply report,¹ which includes key teacher equity reporting requirements as a result of the *Williams* settlement legislation. The plan also ignores the Department of Education’s encouragement to define teacher effectiveness and to share any data relevant to that definition.

We would expect a reasonable plan to include data on HQT, missassignments, years of experience, alternative certifications, and vacancies, with analysis of whether schools or districts with high concentrations of poverty or students of color have equitable access. And although not required by ESEA, we believe that in California it is also important to look at how many teachers of English learners have authorization for English language development.

By way of example, data presented in the CTC’s Teacher Supply report show that, in 2013-14, 4.4% of SFUSD’s teachers were not fully qualified (*i.e.*, were teaching on an intern credential, permit, or waiver), as compared to just 2% statewide and only 1.5% in Los Angeles USD. Why is one of the state’s largest urban districts over double the state average and three times LAUSD in terms of under-qualified teachers? What can the State do to prevent such inequitable distribution for low-income students of color in SFUSD? CDE’s proposed plan makes no attempt to fulfill its duty to analyze the data much less answer the question.

3. Explain the likely root causes of identified gaps.

California’s plan claims that “in a state as large and diverse as California, statewide root cause analyses...are unlikely to yield information on strategies that will be relevant or useful at the local level.” This flatly ignores root causes that are indeed impacted by statewide systems and decisions, including: systems of teacher preparation and credentialing, teacher professional development, teacher evaluation policies, education funding, policies related to bilingual education, and many others.

The State has an overarching duty to maintain the quality of its teaching force for all its students as indicated not just by the ESEA provision at issue here but the constitutional obligation of the State to ensure basic equality of educational opportunity under a long line of California Supreme Court cases. The devolution of many aspects of educational decision-making under LCFF does not erase the ongoing fundamental role of the State to fulfill these overarching quality and equality obligations. The proposed plan’s utter refusal to examine root causes of inequitable teacher quality is highly troubling.

In fact, a number of issues currently exist for which the State itself must take responsibility for addressing in order to improve teacher quality equity in California. Most pressing is the fact that

¹ See <http://www.ctc.ca.gov/commission/agendas/2015-04/2015-04-4D.pdf>.

the state is graduating many fewer teachers from its institutions of higher education. Credentials candidates enrolled in teacher preparation programs have plummeted from 77,700 in 2001-02 to 19,933 in 2012-13, the last year for which data is available (CTC, 2013; Freedberg, 2013). Credentials awarded to program completers have dropped from 17,797 in 2008-09 to 11,081 in 2012-13, a 38% decline in four years (*ibid.*). Whatever the precise cause, the state is making no concerted effort to increase teacher supply and prevent shortages, which are already beginning to emerge—and which always disproportionately hit low-income students, English Learners, and students of color the hardest. In the past, loan forgiveness, grants, and other incentives have helped attract new teachers. The state needs, aggressively, to return to such programs to rebuild its teacher pipeline before shortages become acute.

The State’s elimination of its role in ensuring the ongoing functioning of the Beginning Teacher Support and Assessment (BTSA) is a concern as well. The solid induction offered through BTSA, which has significantly helped retain qualified teachers in our neediest classrooms, is now unevenly available and left to the whims of local LEAs.

In recent years, the State eliminated the emerging CALTIDES teacher quality database. The lack of a comprehensive teacher quality information system severely undercuts the state’s ability to assess the quality of its teaching force as a whole, spot trends that require state or local policy responses, and develop professional development programming. It has also reverted public education officials to relying on a laborious paper process for monitoring and correcting out-of-field and under-qualified teacher misassignments. As a consequence, corrections to misassignments often happen late or not at all during the actual period of the teaching assignment (See Cal. Educ. Code § 44258.9; CTC, 2014).

The State continues to operate a decades-old evaluation system under the Stull Act that judges nearly all teachers as performing satisfactorily and does little to identify and improve ineffective teachers. To date, the State has failed to improve its teacher evaluation system in a way that ensures all students have access to effective teachers and that low-income, students of colors, and ELs are not disproportionately visited with ineffective teachers.

These are but a few of the “root cause” issues that the State is failing to analyze and consider in abdicating its duty to proffer a plan to improve equitable access to qualified, experienced and properly assigned teachers across California.

4. Set forth the SEA’s plan to eliminate identified equity gaps.

California does have in place a prior Educator Equity Plan and operates a Compliance Monitoring, Intervention, and Sanctions (CMIS) program that monitors HQT, including equitable access to HQT. This new plan describes this CMIS program but does not describe how that program might be adjusted, expanded, or augmented going forward beyond noting that the U.S. Dept. of Education gave it a commendation at its September 2014 monitoring visit. Nor does it address the effectiveness of the program, which it ought to do, including data on how many districts have been served and what their improvement has been under the program.

CDE's new draft plan does identify a few of the state activities underway that address recommendations from *Greatness by Design*, which is the 2012 report describing the recommendations of the EETF. Yet, it could and should go much further in describing that work and making connections between that work and implications for equitable access to quality teachers.

5. Describe the measures the SEA will use to evaluate progress toward eliminating gaps, including the method and timeline for the evaluation.

This is absent from California's plan, aside from prior references to CMIS.

6. Describe how the SEA will publicly report on its progress.

This is absent from California's plan, aside from prior references to CMIS.

We urge the SBE to request substantial changes to this plan, addressing the above shortcomings, before the plan is submitted, even if that may affect the ability of the state to meet the June 1 deadline. We also particularly urge the SBE to request a meaningful stakeholder engagement process specifically related to educator equity, even if that means setting forth a proposal for doing so in the plan submitted to the U.S. Department of Education. We are committed to working closely with CDE and SBE to ensure that California's students, including low-income students and students of color, have access to teachers and school leaders who enter the profession well-prepared to succeed and who prove themselves effective once there.

Sincerely,

Ryan J. Smith
Executive Director
The Education Trust – West

John T. Affeldt
Managing Attorney/Education Program Director
Public Advocates Inc.

cc: Members of the California State Board of Education
Karen Stapf Walters, Executive Director, California State Board of Education