

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

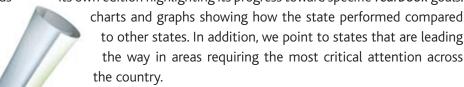
Each report also contains

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 Tennessee

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 Tennessee's Teacher Policy

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



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

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 Tennessee:

Teacher Evaluation:

The state now requires that all teachers be evaluated annually. Also, 50 percent of the evaluation must be based on student achievement data. Thirty-five percent of a teacher's yearly evaluation must rely on student growth data from the Tennessee Value-Added Assessment System (TVAAS). The remaining 15 percent must be based on other measures of student achievement.

Chapter 2 of the Public Acts of 2010

Teacher Dismissal:

The state now allows all tenured teachers who receive a notice of dismissal (not just those in Nashville and Memphis) to have the right to demand a hearing on the charges before an impartial hearing officer selected by the local board. *Chapter 2 of the Public Acts of 2010*

Compensation:

Tennessee now allows districts to submit their own proposed salary schedules for approval by the commissioner, as opposed to its former requirement that all districts use the state-formulated schedule based on training and experience factors.

Chapter 2 of the Public Acts of 2010

■ Tennessee 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.

Tennessee was helpful in providing NCTQ with additional information about 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 connecting teacher evaluation to effectiveness; elementary teacher preparation to teach reading; middle school teacher preparation and teacher preparation program accountability, Tennessee should turn its immediate attention to the following six issues.



Critical Attention: Tennessee policies that need to better connect to teacher effectiveness

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 is a critical attention area in

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

tenure should only be awarded to teachers who have consistently demonstrated their effectiveness. Tennessee should require a clear process, such as a hearing, for districts to use when considering whether a teacher advances from probationary to permanent status.

Such a process would ensure that the local district reviews the teacher's performance before making a determination. Tennessee 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:

Although Tennessee has recently taken significant steps to improve its evaluation system, the state's current process for terminating ineffective teachers may undermine those efforts. Tennessee should explicitly make teacher ineffectiveness grounds for dismissal so that dis-

Dismissal is a critical attention area in

states.

States on the right track include Oklahoma and Rhode Island.

tricts 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 Tennessee, the process is the same regardless of the grounds for dismissal, which include "incompetence, inefficiency, neglect of duty, unprofessional conduct and insubordination."

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.

This statute remaining on the books could be at odds with Tennessee's new evaluation legislation, which clearly intends to empower districts to remove underperforming teachers.

Evidence of student learning is teacher eleations riveron in is seen in it is a seen in it is a seen in it is it is a seen in it is it is a seen in it is it Figure 1 Is classroom effectiveness considered in teacher evaluations and tenure decisions? Alabama Alaska Arizona П П Arkansas California П Colorado Connecticut Delaware District of Columbia¹ Florida П Georgia Hawaii Idaho П Illinois Indiana Iowa Kansas Kentucky Louisiana Maine Maryland² П Massachusetts Michigan Minnesota Mississippi П 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 South Dakota **TENNESSEE** П Texas Utah П Vermont Virginia П Washington West Virginia Wisconsin Wyoming 16 10 4

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%.



Critical Attention: Tennessee policies that fail to ensure that teachers are well prepared

ENSURE THAT ELEMENTARY TEACHERS KNOW ELEMENTARY CONTENT MATH:

Aspiring elementary teachers must begin to acquire a deep conceptual knowledge of the mathematics they will teach, moving well beyond mere procedural understanding. Leading mathematicians and math educators have found that elementary teachers are not well served by mathematics courses designed for a general audience and that methods courses do not provide sufficient content preparation.

Preparation to teach mathematics is a critical attention area in

states.

A state on the right track is Massachusetts.

Although Tennessee's standards address areas such as algebra, geometry and statistics, the state should specifically articulate that preparation programs deliver mathematics content geared to the explicit needs of elementary teachers. Tennessee should also adopt a rigorous mathematics assessment, such as the one required by Massachusetts. At the very least, the state should consider requiring a mathematics subscore on its general content knowledge test, not only to ensure that teacher candidates have minimum mathematics knowledge but also to allow them to test out of coursework requirements.

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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.

² 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.



Critical Attention: Tennessee policies that license teachers who may lack subject-matter knowledge

CLOSE LICENSURE LOOPHOLES TO ENSURE THAT TEACHERS KNOW THE CONTENT THEY TEACH:

All students are entitled to teachers who know the subject matter they are teaching. Permitting individuals who have not yet passed state licensing tests to teach neglects the needs of students, instead extending personal consideration to adults who may not be able to meet minimal state standards. Licensing tests are

Licensure loopholes are a critical attention area in

states

States on the right track include Mississippi, Nevada and New Jersey.

an important minimum benchmark in the profession, and states that allow teachers to postpone passing these tests are abandoning one of the basic responsibilities of licensure.

Tennessee should ensure that all teachers pass all required subject-matter

licensure tests before they enter the classroom so that students will not be at risk of having teachers who lack sufficient or appropriate content-area knowledge. The state allows new teachers who have met all licensure requirements, except for passing scores on the licensing exams, to teach under the Interim License Type B, which is valid for one year and may be renewed once. Tennessee also allows new teachers who have not passed content tests to teach on a Transitional License for two years. If conditional or provisional licenses are deemed necessary, then the state should only issue them under limited and exceptional circumstances and for no longer than a period of one year.

ENSURE THAT ELEMENTARY 5. CONTENT TESTS ADEQUATELY **ASSESS CONTENT KNOWLEDGE IN EACH SUBJECT AREA:**

Although Tennessee requires that all new elementary teachers must pass a Praxis II general subject-matter test, this assessment does not report teacher performance in each subject area, meaning that it is possible

to pass the test and still fail some subject areas. The state should require separate passing scores for each area because without them it is impossible to measure knowledge of individual subjects, especially given the state's current low passing score for the elementary content

Elementary licensure tests are a critical attention area in

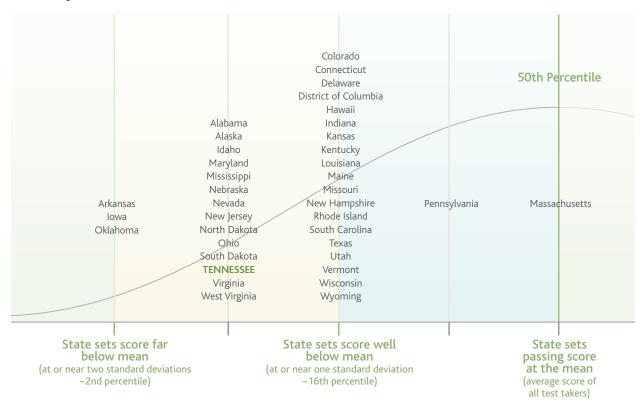
states

A state on the right track is Massachusetts.

test. According to published test data, Tennessee has set its passing score for this test so far below the mean, the average score of all test takers, that it is questionable whether this assessment is indeed providing any assurance of content knowledge.



Figure 3
Where do states set the passing score on elementary content licensure tests?¹



¹ 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.



Critical Attention: Tennessee policies that limit the teacher pipeline

6. CANDIDATES HAVE SUFFICIENT CONTENT KNOWLEDGE:

Tennessee should require all alternate route candidates to pass a subject-matter test. The concept behind the alternate route into teaching is that the nontraditional candidate is able to concentrate on acquiring professional knowledge and skills because he or she has strong subject-area knowledge. This must be demonstrated in advance of entering the classroom. Currently, a content-area test is not an admission requirement for all alternate route candidates.

Alternate route admissions is a critical attention area in

38 states.

States on the right track include Michigan and Oklahoma.



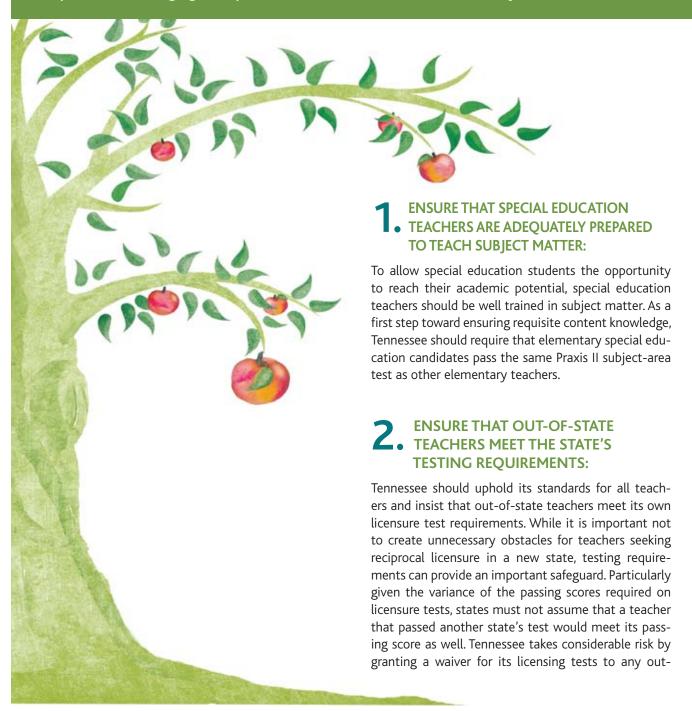
¹ Alaska's alternate route is operated by the state department of education.

² ABCTE is also an approved provider.

³ North Dakota does not have an alternate route to certification.

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.



of-state teacher who has three years of experience or has a full license through a traditional route. The state should not provide any waivers of its teacher tests unless an applicant can provide evidence of a passing score under its own standards. The negative impact on student learning stemming from a teacher's inadequate subject-matter knowledge is not mitigated by the teacher's having experience or an out-of-state license.

3. EVALUATE NEW TEACHERS EARLY IN THE YEAR:

Although Tennessee commendably requires multiple evaluations for new teachers, the state should explicitly require that the first of these evaluations be conducted during the first half of the school year. This will allow new teachers to receive immediate feedback, as well as get the support they need sooner rather than later, especially for those that may be struggling. A plan for improvement can then be implemented, rather than potentially allowing an ineffective new teacher to remain in the classroom without any evaluation or support until late in the year.

4. ENSURE THAT STRUGGLING TEACHERS RECEIVE SUPPORT:

Tennessee 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.

5 REQUIRE SUBJECT-MATTER TEST AS CONDITION OF ADMISSION TO ALTERNATE ROUTE:

Tennessee currently permits candidates to test out of coursework requirements through a content-area test, yet does not require that all alternate route teachers pass such a test. As discussed previously in the Critical Attention section of this report, the state should expand the use of its content-area test, requiring that all alternate route candidates demonstrate their subject-matter knowledge through the content test, without also requiring a major or equivalent coursework.

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, including Tennessee, 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. 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. Tennessee is already working to ensure that evaluations measure teacher effectiveness. As the state continues to move 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.

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.

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 Tennessee, 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 switch-

\$499,972

Amount Tennessee pays for each teacher that retires at an early age with unreduced benefits until that teacher reaches age 65⁴ ers 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 systems 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 Tennessee's 2007 actuarial report, its system was 96.2 percent funded; however, 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)³
- 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.

Tennessee, like most states, sets an exceedingly low bar for the content knowledge that special education teachers must have. The state does not require that elementary special education teachers take any subject-matter coursework or demonstrate content knowledge on a subject-matter test. Further, although 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.

But the problem requires a more systemic fix than just raising content requirements for elementary and secondary special education teachers. The overarching issue is that too many states make no distinction between elementary and secondary special education teachers, certifying such teachers under a generic K-12 special education license. Even though Tennessee offers an early education endorsement (PK-3) for special education teachers, it also certifies special education teachers under a generic K-12 license. While this broad umbrella may be appropriate for teachers of low-incidence special education students, such as those with severe cognitive disabilities, it is deeply problematic for high-incidence special education students, who are expected to learn grade-level content. And because the overwhelming majority of special education students are in the high-incidence category, the result is a fundamentally broken system.

It is virtually impossible and certainly impractical for states to ensure that a K-12 teacher knows all the subject matter he or she is expected to be able to teach. And the issue is just as valid in terms of pedagogical knowledge. Teacher preparation and licensure for special education teachers must distinguish between elementary and secondary levels, as they do for general education. The current model does little to protect some of our most vulnerable students.



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¹ New policy goes into effect January 1, 2013.

