

'Highly Qualified' Teachers: Pretense or Legal Requirement?



While the No Child Left Behind Act recognizes the importance of “highly qualified teachers” to standards-based reform, there has been little effort to date by the federal government to address the issue seriously, Mr. Rebell and Ms. Hunter report. Some states, however, have begun to take the initiative.

**BY MICHAEL A. REBELL AND
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WHEN THE federal “No Child Left Behind” (NCLB) Act was signed into law with great fanfare in January 2002, it offered a vision of widespread achievement gains among students and a hefty increase in federal funding to support those gains. In contrast to this optimistic rhetoric, however, implementation of the new law has been dis-

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appointing. NCLB proclaims high standards but does not actually require them, applying instead whatever standards a state chooses to set. Perhaps even more problematic, because it is less well known, NCLB promises that only "highly qualified" teachers will be permitted to instruct the nation's youths, but the NCLB regulations perpetuate practices in many states that funnel individuals with limited qualifications into the teaching profession and especially into the classrooms of minority and low-income students.

A basic premise of standards-based reform is that students will be taught by highly qualified teachers who are well trained in the state learning standards and fully prepared to impart that knowledge to the diverse range of students they will encounter in their classrooms. Although NCLB pays lip service to the importance of teacher quality to serious education reform, no real effort is being made by the federal government or by many of the states to ensure that new teachers are properly prepared to meet these new demands or that incumbent teachers are being retrained to effectively implement new state standards. There is little evidence that the federal government is holding states accountable for ensuring that only teachers who are "highly qualified" are instructing the low-income and minority students who are the intended beneficiaries of NCLB.

Although NCLB has large loopholes with regard to teacher preparation, there are states that have implemented teacher preparation and certification programs that seem capable of meeting the goal of ensuring that only "highly qualified" teachers enter the classroom. NCLB and its regulations should require all states to adopt similar reforms — a requirement that may be compelled by state courts as a result of litigation based on the concept of educational adequacy.

QUALIFIED TEACHERS KEY TO SUCCESS

Educators know that qualified and effective teachers are the most important building blocks for improving student achievement, especially that of "at-risk" students. Although high-quality teachers are key to educational opportunity, in the urban and rural schools that educate most low-income and minority students today, unqualified and underqualified teachers abound. For example, in a recent lawsuit over educational adequacy in New York State, the trial court found that 14% of all teachers in New York City's schools were uncertified and that 31% of all recently hired teachers — over 40% in math and science — performed poorly on teacher certification examinations testing for

minimum competency.¹ In California, over 37,000 teachers (12% in the state overall and 18% in the state's high-poverty districts) lacked full certification in 2000-01.²

Clearly, closing this "teacher gap" is crucial to closing the student achievement gap. Studies of student achievement conducted in Texas, Tennessee, Boston, and elsewhere have found that effective teachers have an enormous positive impact on student learning. These studies indicate that, cumulatively over a number of years and even during a single school year, students starting at the same achievement level attain vastly different academic outcomes, depending on the quality of their teachers. Furthermore, low-achieving students appear to benefit most from effective teachers.³ The 1999 National Education Summit, a meeting convened by President Clinton and attended by the governors of most states and leading corporate CEOs, identified highly qualified teachers as *the most critical single resource affecting student outcomes*,⁴ a conclusion with which the current U.S. Department of Education (ED)⁵ and numerous state courts considering the core elements of an "adequate education" under their state constitutions appear to agree.⁶

'RIGOROUS TESTING' AND 'HIGHLY QUALIFIED' TEACHERS

NCLB expressly acknowledges the need for a "highly qualified" teacher in every classroom. According to the statute, all newly hired teachers in schools receiving Title I funds — generally, those schools educating low-income students — must be "highly qualified," and, by the end of the 2005-06 school year, all public school teachers teaching core subjects must be "highly qualified."⁷ The core subject areas include most academic subjects: English, reading/language arts, math, science, foreign languages, civics and government, economics, the arts, history, and geography.

NCLB defines "highly qualified" differently for new teachers and experienced teachers. A *new* elementary school teacher must pass a "rigorous" state test of the elementary curriculum and teaching skills. A *new* middle or high school teacher must pass a "rigorous" state academic subject test or complete an academic major (or a graduate degree or "advanced certification or credentialing") in each subject he or she will teach.⁸ Experienced teachers can be deemed "highly qualified" based either on the same criteria as those used for new teachers or on a "high objective uniform state standard of evaluation."⁹

State tests for initial teacher certification and, where they exist, for incumbent teachers historically have been far from

"rigorous." The Education Trust, a nonprofit research and advocacy group committed to improving educational opportunities for poor and minority students, recently analyzed teacher certification testing in the 50 states and concluded, "Unfortunately, existing mechanisms are not even close to adequate for assuring teacher quality."¹⁰ The Education Trust found that seven states have no licensing examinations for teachers¹¹ and that testing standards in some of the remaining 43 states and the District of Columbia are so anemic that they are "effective in excluding only the weakest of the weak."¹² Specifically, the study found that the credentialing exams were usually testing content at the high school level — and sometimes even at the middle school level — and that the exams rarely used challenging formats, such as essay questions and complex multiple-choice questions.

A committee of the National Research Council also conducted reviews of teacher credentialing practices and concluded that numerous improvements were needed. The committee's recommendations for more rigorous testing emphasized the importance of technically sound test development and encouraged the use of performance assessments.¹³ ED itself has noted that "there is little compelling evidence that certification requirements, as currently structured in most states, are related to teacher effectiveness."¹⁴ Yet, in implementing NCLB, ED has taken no steps to bolster current state certification requirements.

CERTIFICATION OF MINIMALLY COMPETENT TEACHERS

The federal regulations adopted in 2002 to implement NCLB did not include any substantive definition of "rigorous testing." Instead, determinations regarding teacher preparation and teacher qualifications were left entirely to the states — despite the widely acknowledged weaknesses of present practices in many of them.¹⁵ The NCLB regulations require only that teachers hold a bachelor's degree and obtain state certification or licensure; they do not provide any baseline criteria for determining the goals or content of state certification requirements.

NCLB's stated aim is to ensure that every child meets state academic standards. To fulfill this intent and substantially reduce the current achievement gap, every state should be required — at a minimum — to show that its certification process will ensure that all teachers have 1) sufficient knowledge of the content of the state's standards in their subject area and 2) a capacity to instruct students from diverse backgrounds in that content. Existing federal regulations, however, contain no such requirements. They fail to

define "rigorous state test" and, in essence, permit states to continue to test only for minimum competence — far removed from the level of actual knowledge and skill that would be necessary for instruction that would enable students to meet challenging state learning standards.¹⁶

Similarly, NCLB's stated intent to ensure that incumbent teachers are all "highly qualified" by 2006 has been undermined by the regulations. Although the statute requires that current teachers be evaluated using criteria that are "aligned with challenging state academic content and student . . . achievement standards and developed in consultation with [appropriate educational specialists],"¹⁷ the regulations speak only in terms of demonstrating "competency in each academic subject area in which the teacher teaches."¹⁸ The regulations do not link subject-matter knowledge to the state academic standards for student achievement or to any ability to impart that knowledge to students in the classroom.

Why are the NCLB regulations so vapid and so out of synch with the law's stated intent? There are three basic reasons. First, there is a tension between the traditional reluctance of the federal government to impose substantive education policy on the states and the goals, accountability mechanisms, and sanctions in NCLB, which already place enormous federal obligations on the states. These federal goals and obligations cannot be met unless they are funded and serious efforts are made to ensure that the teachers in all classrooms are, in fact, "highly qualified." Such halfway federal policy intervention is worse than no federal intervention at all and, in effect, sets many schools up to "fail."

Second, the drafters of the federal regulations seem oblivious to the meaning of standards-based education and the extensive changes that are needed to implement it in practice. If all students are truly to master the content of newly adopted state academic standards, then the curriculum at state teacher training institutions must ensure that future teachers both know the detailed subject-matter content of the state standards and are able to teach that material to students. Moreover, since most incumbent teachers received their training before the new state standards were enacted, they need professional development that is aligned with the content of the new standards and that provides effective techniques for meeting the instructional needs of all students. To ensure that this has been accomplished, states should adopt recertification requirements.

Finally, the ineffectual federal regulations reflect a disdain for training in pedagogical knowledge and techniques that has little grounding in educational research and that is blatantly inconsistent with standards-based reform. ED has

bluntly stated that the only “teacher attributes that relate directly to improved student achievement are strong verbal ability and solid content knowledge.”¹⁹ NCLB and its regulations permit secondary school teachers to be deemed “highly qualified” if they have majored in the academic subject that they now teach. The teachers are not required to show that they can translate that academic knowledge into effective instruction for even the easiest-to-educate students, much less for disadvantaged students. Most education professionals agree that it is precisely in the teaching of the groups most targeted for improvement under NCLB — i.e., poor and minority students, English-language learners, and students with disabilities — that skillful instructional techniques are most necessary.²⁰

However, in 2002, the secretary of education’s first annual report on teacher quality favored eliminating student teaching requirements — despite the fact that most educational research supports more mentoring, not less — and urged states to streamline alternative certification routes for career-changing professionals. In response to widespread criticism, the secretary’s second annual report backed off this stance somewhat, stating that “neither last year’s report nor the present report contends that attributes like training in pedagogy or time spent in the field practice teaching are not valuable. All the report suggests is that the

evidence linking these attributes to increases in student achievement is weak, and certainly not as strong as the evidence linking general cognitive ability, experience and content knowledge to teacher effectiveness.”²¹

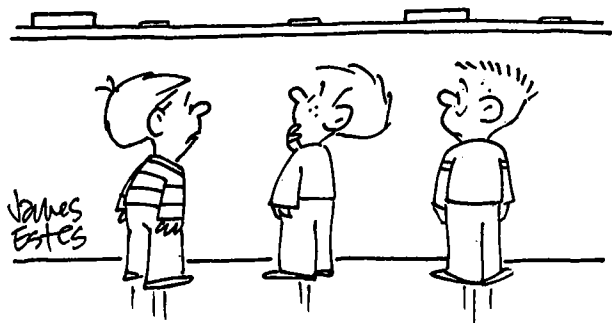
ED recently provided a \$35-million grant to a new organization that plans to certify teachers who have no pedagogical training or student teaching experience. The American Board for Certification of Teacher Excellence (ABCTE) plans to develop multiple-choice subject-matter exams for alternative certification candidates, which are not tied to any state’s student learning standards, and to provide a “virtual” mentoring program for new teachers. ED is also permitting alternative certification candidates to function as teachers of record, despite the general requirement of the regulation that all newly hired teachers be “highly qualified.”²²

TYING TRAINING AND CREDENTIALING TO STANDARDS-BASED REFORM

Despite the lack of substantive regulation or meaningful guidance from the federal government, some states, in response to standards-based education reform and research on effective teaching, have begun to upgrade their teacher training and credentialing requirements to ensure that all of their teachers are indeed “highly qualified” to help students meet higher standards. Massachusetts, New York, and Texas, for example, are imposing new rigor on teacher preparation programs by threatening to impose sanctions on programs in which less than 80% of graduates pass the state teacher certification examinations. In addition to significantly raising teacher salaries, Connecticut and North Carolina have improved teacher education, raised licensing standards, initiated beginning teacher mentoring, and required ongoing professional development. These two states have seen impressive gains in student achievement and a narrowing of the achievement gap. Moreover, in spite of current shortages in teacher supply, a number of states, including Connecticut, Kentucky, and New York, are eliminating waivers for uncertified or out-of-field teaching.

Few states have, however, focused directly on the need to review and reconsider their teacher training programs and their teacher certification requirements to ensure that they are fully aligned with their student learning standards. States need to reconsider the curriculum at teacher training institutions and recast the credentialing requirements and testing approaches of these institutions to reflect the content and pedagogical needs of new state learning standards, as well as the new legal requirement established in NCLB that *all* children can and must learn at these levels.

Aa Bb Cc Dd Ee Ff Gg Hh Ii Jj Kk Ll Mm Nn Oo Pp Qq



“I think we’ll enjoy board work more when we’re taller.”

The Standards-based Teacher Education Project (STEP), a collaborative effort of the Council for Basic Education and the American Association of Colleges for Teacher Education, exemplifies the type of thorough and ongoing efforts that must be made to align the curriculum at teacher training institutions with new student learning standards. The STEP process, which so far has been undertaken by 25 universities in five states, requires task forces, chaired by the deans of education and arts and sciences, to review the existing teacher training curriculum in light of the state's learning standards and then develop a specific plan to align the two.²³

The use of teacher certification tests to identify "highly qualified" teachers requires rigor in test development. Proper test development entails a thorough commitment to validation — i.e., ensuring that the test measures what it is supposed to measure.²⁴ In teacher certification testing, as in other forms of credential testing, the focus of validation efforts is on the knowledge and skills that are actually required on the job. From that purpose flow the three basic activities of test development: 1) defining the content to be measured, 2) preparing test questions to measure the specified content, and 3) establishing a passing score. These activities build on one another. If the identification of the content to be measured is off the mark, the test questions and passing score will be grossly flawed and possibly misleading.

In the NCLB context, the student learning standards articulated by each state are, by state law, the definition of what students should be taught and, therefore, necessarily constitute the content to be measured on teacher certification tests. In many other credentialing or industrial contexts, a "job analysis" of skills used in the workplace is the prime starting point for a validation analysis of an exam. In contrast, the major emphasis of a validation analysis in the current standards-based reform context should be on aligning the test content with the new student learning requirements — even if these are not yet being fully implemented in the field. In short, psychometric validation of teacher certification tests must confirm the alignment of the tests' content with state student learning standards. NCLB's failure to require such validation substantially undermines the effectiveness of the law.

Oklahoma is one of the few states that have undertaken an effort to systematically align teacher certification requirements with student learning standards.²⁵ The policies for teacher education and teacher certification of the Oklahoma State Board of Education are explicitly based on the premise that the teacher understands and is able to develop instructional strategies/plans based on the state's core

curriculum.²⁶ To implement this mandate, the Oklahoma Commission for Teacher Preparation (OCTP) has aligned all of its teacher certification tests — including tests of subject-area knowledge required of undergraduate education majors — with the state's student learning standards. These tests are built on the state board's "Full Subject-Matter Competencies for Licensure and Certification," which were developed through analyses of what teachers need to know and be able to do to instruct all students in the new student learning standards.²⁷ The competencies were informed by teacher standards created by relevant professional associations, such as the National Council of Teachers of Mathematics, and were closely aligned with the Oklahoma core curriculum.²⁸

Another Oklahoma certification test assesses pedagogical knowledge. Candidates are tested on competencies based on 10 standards from the Interstate New Teacher Assessment and Support Consortium (INTASC), such as the ability to use a variety of strategies to help students develop critical thinking and problem-solving skills.²⁹ The test also assesses a number of state-specified competencies, such as being able to apply career concepts to the curriculum and understanding the legal rights and responsibilities of students, parents, and teachers.

Oklahoma is also taking a number of steps to increase the rigor of its teacher certification process. It is reviewing its testing methodologies to ensure that all subject-area teacher certification examinations measure appropriate college-level knowledge and require essays that assess critical-thinking abilities in relation to subject-area content. In addition, the state has a two-year resident teacher program, which is modeled after medical residency programs. For experienced teachers, the OCTP funds scholarships for National Board Certification, as well.³⁰

Oklahoma has also moved to wed its teacher preparation programs directly to the certification process by including several higher education faculty members in test development and by connecting the accreditation of teacher preparation programs to standards-based reform. OCTP has partnered with the National Council for Accreditation of Teacher Education (NCATE) in developing its accreditation standards and in reviewing the programs at all teacher education programs in the state. The goal is to upgrade teacher preparation and the rigor of teacher certification tests concurrently.³¹

California is another state that is taking significant steps to align its teacher preparation and credentialing requirements with its student learning standards. In 1994, after California students earned extremely low reading scores on the National Assessment of Educational Progress (NAEP),

