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Testimony to the Senate Education Committee By Holly Eaton, Director of Professional Development and Advocacy Regarding SB 1, 79th 3rd called session April 20, 2006

We'd like to start by noting that we appreciate the fact that this education reform bill has a much narrower focus than, and eliminates many of the controversial items contained, in previous reform bills. In fact, we have few concerns about most of the reforms addressed in the bill. Our primary concern has to do with the salary and incentive provisions in the bill. Although we support the structure of the salary increase for teachers in the bill, particularly the fact that the escalator is maintained, we do wonder why, in Section 4.03 of the bill, there's new language allowing school districts to pay educators pursuant to the minimum salary schedule based on factors other than experience as determined by the commissioner. Additionally, we note that the bill provides effectively only a \$1500 overall pay increase for teachers when factoring in conversion of the existing health insurance supplement to salary and conversion of reinstatement of the full supplement to salary. Also, the bill does not reinstate the full health insurance supplement for all employees. Not only that, but the bill uses at least another \$1500 per teacher (about \$500 million for two years for two incentive pay programs) for incentive pay rather than overall salary increases. This large of an amount of money dedicated to teacher incentive pay is of great concern to us, particularly since the discussion of late has been to enact teacher incentive pay only on top of a significant salary increase for teachers.

The bill proposes two teacher incentive programs. The first, the Student Achievement Awards program, is largely based on the current Governor's Educator Excellence Award program, although it expands the number of eligible campuses and increases funding for the program tenfold per year. As an article on Teacher Performance Pay in the April 5 edition of Education Week stated, "Ultimately, the promise of the Texas Educator Excellence Award program lies not only in the balance it strikes between state and local control and the well-crafted ingredients that guide its incentive-program designs, but also in the state's willingness to have a third party independently observe, evaluate, and report on programmatic successes and failures before taking the program to scale."

We agree. The pilot nature of the Governor's Educator Excellence Award program and the built-in evaluation component provide this state with the very opportunity of which the article in Education Week speaks. The same article states that "There is an unjustified rush to policy implementation rather than experimentation" based on the fact that we still don't know enough about things like how successfully statistically determined estimations of teacher-performance effects can guide education practice and provide incentives for teachers to change practice."

Accordingly, we would urge caution in greatly expanding the program at this point in time when the original program has not even been implemented in schools yet.

Yet the bill goes on to institute a second teacher incentive program called the Educator Excellence Awards program at a cost we figure to be about \$130 million the first year, and \$180 million the second year. Not only is this a large amount of money, but we are unclear of the need for this second incentive program in the bill. It appears to accomplish most of the same goals as the first program, except it is not limited to campuses with large numbers of economically disadvantaged students, which most would agree is the area of highest need.

In short, there is a disproportionate amount of funding committed to unproven incentive programs.

That being said, we have some suggestions about ways to improve the Student Achievement Awards program. It does not allow teachers on the campus selected to decide whether to individually opt into the incentive program. Yet this has been identified as one of the key factors in the success of the Denver Pro Comp program and the Milken Teacher Advancement Program.

It does not require a majority vote of approval by teachers on the campus (to address situations like what happened in Denver in which the vote was restricted to the Denver Classroom Teachers Association members, and of those, only 2700 out of 3200 members voted, with only 1593 (59%) of those voting actually approving the plan. Thus, in the end, they had less than ½ of the members voting to approve the plan. Additionally, it does not require the campus committee to approve the plan; rather the campus committee just develops the plan.

The experts agree that our state assessment system cannot currently be used for value-added assessment and that the state has not identified a proven model for districts to use to isolate teacher effects on student performance. Accordingly, we do not think it is appropriate for the state to require districts who want to participate in either of the incentive programs in the bill to structure incentive plans in such a way that teachers who receive an incentive payment demonstrate success in improving student performance using objective, quantifiable measures.

Additionally, the Student Achievement Awards program requires that 75% of the funds be used for teacher performance pay, based on student performance, and that the remaining 25% can be used for incentives for other school personnel such as teachers who did not receive the incentive under Part I, counselors, speech therapists, instructional coaches, teacher aides, nurses, librarians, custodial staff and other campus personnel who have contributed to increased student achievement, professional development, mentoring, activities to support Common planning time and curriculum development, etc. (Part II). The Educator Excellence Awards Program in the bill requires that 60% of the funds be used for teacher performance pay based on student performance, while the remainder must be used for mentoring, subject shortage areas, hard to staff schools, and implementing the Milken Teacher Advancement program. We would suggest that, because of the problem noted above, at the very least, much more flexibility should be granted in determining how incentive dollars should be used.

With regard to the allowable uses for the remaining 25% of the funds for the Student Achievement Awards program, one of them is signing bonuses for classroom teachers **new to the campus** who are teaching in high-needs subject areas. We do not understand why this option is restricted to teachers who are new to the campus. It seems that the option should be available to any teacher assigned to high-needs subject areas, not just new teachers. Besides, many districts already boost the salaries of new teachers, and so restricting this additional funding to just new teachers seems redundant. The focus should be on teaching in high-needs subject areas, not on being a new teacher.

Finally, there is language in the Student Achievement Awards program that seems to require the stipend be between \$3,000 and \$10,000. The current Governor's program does not require this, but rather suggests it, for the purpose of allowing districts to pay as many teachers as fit the criteria. This eliminates the possibility of conflict due to someone meeting the criteria but there not being enough funding to pay them, as was experienced with the old career ladder.

Regarding Section 2.14 of the bill having to do with interventions, sanctions, and management of low performing schools, we would note that the bill does not contain some good language that was present in the HB 2 conference committee report which outlined factors to be considered by the campus intervention team, such as the percentage of certified teachers teaching in their field, the number of new teachers and teacher turnover rates, compliance with class-size limits as well as waivers of such, the quality, quantity, and appropriateness of instructional materials, parental involvement strategies and their effectiveness, the extent and quality of any mentoring program, the type and quality of professional development provided to the staff, disciplinary incidents and school safety information etc. These are all important factors that should be included in the language to guide campus intervention teams in their comprehensive on-site evaluation of the campus.

We thank you for this opportunity to testify and appreciate your consideration of our views.