

## Governor Gregoire's Education Bill Falls Short of Race to the Top Requirements

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**"We would have to say, 'Look, we helped you. We tried.  
You're just not cut out to be a teacher.'"**

*Ms. Randi Weingarten, President, American Federation of Teachers,  
on the importance of firing poor-performing teachers.*

Governor Gregoire is promoting legislation she says will qualify Washington to receive up to \$250 million from President Obama's Race to the Top education grant program.<sup>1</sup> The requirements of Race to the Top are based on years of experience in the states and high-quality research on proven policies that raise academic outcomes for students. Olympia lawmakers lag far behind their colleagues in other states in adopting these reforms, which is why Washington does not currently qualify for any Race to the Top funding.

Close analysis indicates that passage of Governor Gregoire's bill won't help. Her plan falls far short of meeting key requirements of the Race to the Top program. The state's education establishment has stoutly resisted innovative changes in how public school students are taught in Washington, and this entrenched view is reflected in the Governor's legislation.

The following study describes the requirements of the Race to the Top program, and examines the Governor's bill in light of what President Obama requires. The analysis finds that the bill fails to provide Washington schools with the proven reform policies required by the President's program.

### Race to the Top Program Requirements

In submitting their Race to the Top applications to the Department of Education, states can win up to 500 points, which would qualify a state to receive maximum funding. These points are divided into seven policy areas:

- State success factors (125 points);
- Setting standards and assessments (70 points);
- Adopting data systems to support instruction (47 points);
- Encouraging great teachers and great leaders (138 points);
- Turning around the lowest-achieving schools (50 points);
- Allowing charter or innovation schools (55), and;
- Increasing math and science instruction (15 points).

Governor Gregoire's proposal fails to meet these requirements in four key areas: 1) setting standards and assessments; 2) encouraging great teachers; 3) helping low-achieving schools, and; 4)

<sup>1</sup> SB 6696, "Regarding Education Reform," Washington state legislature, introduced January 21, 2010.

allowing charter or innovation schools. The following sections compare these program elements with Governor Gregoire's bill.

## **I. Setting Standards and Assessments**

The Race to the Top program requires that states develop a common set of standards and that new student tests be aligned with these standards. The Governor's bill calls for adoption of Washington state Common Core Standards, but it includes no requirement that student testing be based on these new standards.

For this reason the bill fails to meet the federal program's requirement that states adopt a meaningful common standard by August 2010, and that this standard be used to measure actual student achievement.

## **2. Promoting Great Teachers and Great Leaders**

This is the area in which the Governor's bill is most notably lacking in complying with the Race to the Top requirements. The federal program asks states to create a rigorous, transparent and fair evaluation system for teachers and principals. This evaluation system is supposed to be used to make decisions about tenure, provide teachers and principals with coaching and professional development, offer teachers performance pay, and allow administrators to remove ineffective teachers and principals from public schools.<sup>2</sup>

Evaluators are supposed to use actual educational outcomes for children, such as student learning, data on student progress, and graduation rates, to measure teacher and principal effectiveness.<sup>3</sup>

The Governor's proposal does not take this approach. Instead it proposes a four-tier rating system based on the motions and mechanics of teachers and principals in their daily work, not on demonstrable measures of students learning. Here are the criteria the Governor proposes for evaluating teachers:

- 1.Centering instruction on high expectations for student achievement
- 2.Demonstrating effective teaching practices
- 3.Recognizing individual student learning needs and developing strategies to address those needs
- 4.Providing clear and intentional focus on subject matter content and curriculum
- 5.Fostering and managing a safe, positive learning environment
- 6.Using multiple student data elements to modify instruction and improve student learning
- 7.Communicating with parents and school community
- 8.Exhibiting collaborative and collegial practices focused on improving instructional practice and student learning

Almost all of these criteria focus on process, not results. The Governor's plan allows the use of some student data for evaluating teachers, but evaluators can ignore this data or reduce it to a

<sup>2</sup> "Race to the Top Fund, Notice Inviting Applications for New Awards for Fiscal Year 2010," Overview Information, U.S. Department of Education, *Federal Register*, Volume 74, No. 221, November 18, 2009.

<sup>3</sup> "Race to the Top Fund, Notice Inviting Applications for New Awards for Fiscal Year 2010," Overview Information, U.S. Department of Education, *Federal Register*, Volume 74, No. 221, November 18, 2009, Section V. (D), State Reform Conditions Criteria, "Great Teachers and Great Leaders."

minor measure of teacher performance. Administrators can decide instead that process inputs like, “communicate with parents and school community” or “fostering and managing a safe, positive learning environment,” are more important than student learning.

In addition, the Governor’s plan provides a large escape clause for the use of data on student learning:

“When student growth data, if available and appropriate, is referenced in the evaluation process it must be based on multiple measures that include classroom-based, school-based, district-based and state-based tools.”<sup>4</sup>

Under this language, school administrators can ignore information on poor student learning if they decide it is “inappropriate” or “unavailable.” In addition, the measure of student learning can be developed by teachers and school administrators without reference to any academic standard or nationally-recognized test. Without a recognized standard, local school officials may inaccurately assess student achievement. This loose approach lacks the rigor required by the Race to the Top program, which requires evaluators to use high-quality assessments to measure actual student learning.

In addition, there are four other Race to the Top requirements in the area of promoting great teachers and great leaders which the Governor’s proposal fails to meet.

#### **a) The Governor’s Plan Does Not Allow Schools to Offer Performance Pay to Highly Effective Teachers**

The Governor’s plan does not allow school principals to award performance pay to compensate, promote and retain the best teachers. The Governor’s plan only allows additional pay for implementing certain narrowly-defined activities as directed by the school district. These activities do not assess a teacher’s actual effectiveness in class.

#### **b) The Governor’s Plan Does Not Create an Objective Evaluation System for Granting Teachers Tenure**

The Governor’s plan extends from two years to three years the time which must pass before a teacher is granted lifetime tenure. At that time tenure is granted automatically, not because a teacher has demonstrated real instructional skills or an ability to impart knowledge to students.

Prospective teachers would be required to pass more tests and meet more credential requirements, but once a teacher secures tenure, the Governor’s plan allows them to get by with only “short-form” annual evaluations.

#### **c) The Governor’s Plan Does Not Assign Effective Teachers to High-Poverty, High-Minority Schools**

The Governor’s plan does nothing to ensure the equitable assignment of effective teachers and principals to high-poverty or high-minority schools. Collective bargaining agreements will continue to control the assignment of teachers to schools. In this area the bill does not conform to the rules or expectations of the Race to the Top program.<sup>5</sup>

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<sup>4</sup> SB 6696, Section 202(2)(c).

<sup>5</sup> “Race to the Top Fund, Notice Inviting Applications for New Awards for Fiscal Year 2010,” Overview Information, U.S. Department of Education, *Federal Register*, Volume 74, No. 221, November 18, 2009, D (2) “Improving teacher and principal effectiveness based on performance.”

#### **d) The Governor's Plan Prohibits School Districts from Creating a Better Process for Evaluating Teachers, and for Firing Poor-Performing Teachers**

The Governor's plan prohibits the use of any other teacher evaluation process than the one described by the bill.<sup>6</sup> This means that a school district wishing to evaluate teachers on their ability to teach students would be prohibited from doing so.

The primary factor in whether children learn is the quality of the teacher in the classroom. The Governor's bill would make it difficult for a school district to say, as President Randi Weingarten of the American Federation of Teachers put it recently, "Look, we helped you. We tried. You're just not cut out to be a teacher."<sup>7</sup>

In sum, the Governor's criteria for evaluating teachers and principals lacks rigor, and is not based on demonstrating that students are learning. The plan fails to meet the Race to the Top's requirement that student growth data be a "significant measure" of teacher effectiveness.

### **3. Helping Low-Achieving Schools**

The Governor's plan erects considerable barriers to state intervention, although the State Board of Education reports that over 70,500 students are trapped in persistently underperforming schools in Washington.

The Governor's bill allows the state to intervene in school districts with struggling schools. However, her plan provides that in the event federal funds are not available, intervention will not occur. The language of Section 106 of the bill indicates that any plan to intervene in a struggling school will not happen be allowed if Washington state does not receive Race to the Top Funding.

The Governor's plan also creates considerable procedural hurdles before the state can act in turning around low-achieving schools. In the meantime, children would continue to be allowed to attend a failing public school, greatly reducing their life chances of receiving a quality education.

By erecting numerous financial, procedural, and legislative barriers to state intervention in Washington's struggling schools, the Governor's plan falls short of both the spirit and intent of the Race.

### **4. Allow Charter or Innovation Schools**

The Governor's plan does not allow for the creation of charter or innovation schools. The Governor's bill expressly states that "a district may not establish a charter school under a federal intervention model without express legislative authority." This is the exact opposite of the approach and purpose of the President's Race to the Top program.

The Department of Education strongly favors public charter schools. Professional experience and detailed research over the last five years has found that overall, charter schools regularly outperform traditional public schools in teaching students.<sup>8</sup> Most public charter schools flourish, and some struggle, but charter schools' performance is superior to traditional public schools because school administrators are directly accountable for academic results. Public charter schools that fail

<sup>6</sup> SB 6696, Section 202 (10).

<sup>7</sup> Quoted in, "A Serious Proposal," by Bob Herbert, *The New York Times*, January 12, 2010.

<sup>8</sup> "An Unplanned Revolution is Happening in L.A.'s public schools; Enrollment at charter schools is soaring, changing the face of education; Some flourish and some struggle, but overall they outscore traditional campuses," by Mitchell Landsberg, Doug Smith, and Howard Blume, *Los Angeles Times*, Front page, Sunday, January 15, 2010.

to teach students must close. In contrast, school districts often keep failing public schools open year after year, due to community pressure or local politics.

In response to Race to the Top, states with charters are lifting their caps on the number of such schools allowed, and states, like Washington, that ban charter schools, such as Maine and Alabama, are considering legislation to legalize charters or innovation schools within their borders.

## **How Washington Can Succeed in The Race to the Top Program**

There is no question that public education in Washington could use some help. A 2008 State Board of Education report classifies Washington's schools as follows:

- 13% of schools are persistently underperforming
- 70,500 students are stuck in these schools
- Only 32% of schools are rated as good
- Only 4% of schools are exemplary
- 64% of Washington's schools are rated as struggling or barely adequate
- One-third of our students drop out of high school
- Only 45% of 10th graders passed the 2008 math WASL
- Only 38% of 10th graders passed the 2008 science WASL

Public schools so poorly prepare students for college that 52% of students at community colleges must take remedial courses in reading, math and writing. Half of the students required to take remedial courses eventually drop out of college. Washington ranks 43rd in the nation in college graduation rates.

Lack of money is not the problem. Washington's taxpayers generously fund public schools. Schools receive over \$10 billion a year, spending \$10,274 per pupil in 2008-09. Since 1998, per pupil funding has increased by 63%, up sharply from the \$6,318 per pupil spent in the 1998-99 school year.

Yet only 59 cents of every education dollar reaches the classroom, and more than half of public school employees are not classroom teachers. Strict union work rules protect weak principals and poor-performing teachers. The problems of public education in Washington lie in how money is spent, not in how much of it is provided by taxpayers.

## **Conclusion**

The Governor's proposal falls significantly short of meeting the requirements of President Obama's Race to the Top program. It is unlikely her plan will significantly improve Washington's chances of succeeding in the nationwide competition for these funds. A bill that gives Washington the strongest application in the competition for Race to the Top funding would include the following policy elements:

## **Policy Recommendations**

1. Allow the state to takeover failing schools

2. Legalize charter or innovation schools
3. Allow performance pay for good teachers
4. Commit to core standards and aligned student testing to these standards.

Washington public schools do not need more funding to succeed in educating children, but the President's Race to the Top program offers state leaders a powerful incentive to change the way public schools are managed. Successful reform would transfer school decision-making from legislatures and central districts to school principals. Making principals responsible for budgets, teacher pay and meeting academic standards would raise student achievement and bring clear accountability to public schools.

Washington should start with Race to the Top reforms, and then give school principals the budget and management tools they need to improve public education for all students.

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