January 20, 2015

Sophia McArdle  
U.S. Department of Education  
1990 K Street, NW, Room 8017  
Washington, DC 20006

RE: Proposed Notice of Proposed Rule-Making (NPRM) for Higher Education Act (HEA)  
Title II Report Cards on Teacher Credentialing and Preparation (December 3, 2014)

Dear Ms. McArdle,

By way of context, the California State University (CSU) is one of the largest producers of teachers in the nation. It currently averages approximately 7,500 new teacher graduates annually, as reflected in the most recent federal Title II Report data. CSU has the longest track record of any teacher preparation program in the nation in accountability, having begun assessing program effectiveness through comprehensive annual surveys of graduates and their employers twelve years ago. Findings of CSU’s detailed substantive analysis of the NPRM follow.

Summary of Comments Submitted Earlier to OMB

On December 29, 2014, the CSU submitted time and cost burden estimates (attached) for the proposed regulations to the Office of Management and Budget (OMB) based on rigorous analyses of component costs. The significant new costs—more than $4.7 million to the CSU system—are of deep concern. The system and its campuses do not have the resources to make the proposed changes and, most importantly, the proposed approaches lack reliability, validity, and utility.

The high costs of the proposed regulations have substantive as well as fiscal dimensions. They represent an economic hardship due to the large cost burden, at least ten times as great as identified in the regulations. These regulations would materially increase college/university expenses associated with teacher education.

The cost burden would adversely affect institutions of higher education having teacher preparation programs not only in the CSU, but also across California and nationally. Even if there was value in the proposed regulations, which there is not, large federal support would need to be provided to institutions and states for the costs of implementing them, or the substantial required expenditures would need to be financed by higher education institutions, their students (e.g., fees, grants, loans), and/or new state funding.
Teacher Education Program Accountability in the CSU System

CSU already has data-driven accountability as a central feature of its in teacher preparation programs. It builds upon this approach to continuously improve its teacher preparation programs.

For more than a decade, CSU has conducted comprehensive annual surveys of teacher preparation program graduates (at the end of their first year of teaching) and their employers. The surveys are thorough assessments of the quality of all major aspects of its teacher preparation programs. Campuses are required to carefully review the survey results and prepare an annual teacher education accountability and program improvement plan. They collaborate with partner school districts to make changes in teacher preparation in areas where improvements are needed.

If teacher performance in an area is identified as needing attention—such as preparing new teachers to address the needs of English learners in multi-lingual classrooms, best practices from within and outside the CSU system are identified and examined. If the challenge is a shared one, teacher educators across CSU are brought together to address it, and they use the data from the annual surveys to identify and disseminate best practices, based on high ratings of success. The results have demonstrated significant improvements through this process that began more than a decade ago.

The signatures of the CSU approach are data based continuous improvement and recognizing and celebrating excellence. In this regard, it is relevant to note the comment Governor Brown made in his 2015 Inaugural Address about teachers, “They need our encouragement, not endless regulations and micro-management from afar.” The CSU approach to advancing quality in teacher preparation reflects the same view related to institutions. Most recently, CSU proposed, and the California Commission on Teacher Credentialing (CTC), supported, its recommendation to create a California Academy for Excellence in Teacher Preparation to identify, recognize, reward, and share the practices of the most outstanding educator preparation programs in the state—a landmark initiative now in progress.

Substantive Review of Recommendations
There is outstanding expertise regarding accountability for teacher preparation across the 23 CSU campuses, and the review of the proposed regulations involved a broad range of experts. The unanimous conclusion is that there are serious problems in every component of the proposed regulations. Below we have suggested positive changes or potential alternatives to each component, and elimination of provisions that simply can’t be implemented.

Overall, in view of the fact that none of the proposed regulations meet all three criteria that CSU considers to be critical for new Title II reporting requirements, we recommend that none be adopted. The criteria, discussed in more detail later in these comments, are that proposed revisions:

a. Yield reliable and valid data that can be used for continuous program improvement
b. Make a change that adds value to the teacher preparation accountability process
c. Can be implemented within available resources and do not require sizable new funds.

Our comments on the primary components of the Title II Report Card NPRM are provided below.

1. Program Level Institutional Report Card (IRC). CSU has carefully analyzed the proposed changes related to (a) adjusting record-keeping systems to address the proposed NPRM revisions, which also includes moving reporting up six months on an annual basis, (b) changing Title II data
collection and reporting to the program level from the current institutional level reporting, and (d) posting the Title II IRC on institution of higher education (IHE) and teacher preparation program Web sites. A summary of CSU’s cost findings related to these changes as well as additional substantive comments and recommendations to address each component follow.

a. *Moving reporting up six months; adjusting record keeping for IRC program level reporting*

Comment. CSU reported in its OMB comments the high costs of adjusting the multiple data systems involved in institutional Title II reporting, which are ten times larger than the estimates in the NPRM. Of significant added concern is the proposed six months acceleration in the date for reporting. Currently, the teacher preparation program IRC report date is April 30 of the year after the program completer graduates from the program.

*The NPRM would move up the date to October (six months earlier), which is simply not feasible.* Local educational agencies have limited staffing and cannot provide needed assistance during the summer, the time when data would need to be collected. Teacher hiring often occurs in August, and there would not be sufficient time to collect reliable employment data with an October due date. The NPRM states this would ensure more timely feedback on performance to programs and the public and more rapid program improvement. In fact, the change would make it impossible to collect reliable data on several factors and for large numbers of recent program graduates.

Recommendation. Eliminate the provision for moving up IRC reporting six months.

b. *IRC data collection and entry at the program level*

Comment. CSU reported the high costs of program level data collection and entry in its OMB comments, noting that actual costs would again be ten times larger than the NRPM cost estimates. Once again, the bigger concern is with the problems the change would create. One example that illustrates the problems associated with requiring that all data be at a disaggregated program level is in science, technology, engineering, and math (STEM) fields. These are a high priority for CSU and the Nation, and special exceptions are made for them in the NPRM regarding TEACH funds.

CSU campuses have separate programs, as required by the CTC, that prepare high school teachers for the state’s credentials in biological sciences, earth science, chemistry, and physics. Many CSU science teacher candidates earn credentials simultaneously in two or more science fields, an approach CSU encourages both to address shortages in STEM fields and in relation to the cross-disciplinary connections within the Next Generation Science Standards (NGSS). It would not be feasible to collect and report student outcome data or survey data separately by credential program in a meaningful way because the state administers one science test, CSU graduates typically teach two or more science disciplines, and job placements are typically in at least two fields.

The question of what size of program should be subject to separate reporting is also a complex one, especially because size tends to fluctuate considerably from year to year. In view of variations across years in program size and in the state structure of credential programs, it is not possible to mandate a single federal approach to disaggregated program reporting for the entire nation.

Recommendation: Government Accounting Office (GAO) analyze the cost and feasibility of options for an IRC that reports each teacher preparation program rather than institutional data.
c. Posting of IRC on IHE Web site and teacher preparation portion of Web site

Comment. The proposed requirement is puzzling because in California, the CTC, which is responsible for the state report card, posts its detailed report prominently on its web site and retains the reports for several years. The public would be able to obtain considerably more meaningful information by reviewing data for individual institutions that are included in the CTC state report than examining data for one institution only for a limited number of years, potentially only the most recent one.

Recommendation: Revise NPRM to require each IHE to post a link to the state report card.

2. Outcome Data Requirements in Proposed Regulations. The major time and cost burdens associated with the proposed new Title II regulations derive from additional outcome reporting requirements. The biggest CSU substantive concerns of CSU pertain to the proposed changes in these three areas and the likely adverse affects that would be associated with each.

a. Student learning outcomes

Comment: The NPRM would require states to report for each teacher preparation program either aggregate learning outcomes of students taught by their graduates or teacher evaluation data from employers that includes student learning growth as a significant factor, or both. The high costs of doing this in California are a primary factor in the total development cost of the NPRM to the state being $242,939,000 and the total annual cost for ongoing implementation being $485,272,859.

The required approaches for measuring student learning outcomes and for using teacher evaluation data to assess student learning have been demonstrated to be extremely costly and not to be either reliable or valid. In fact, these approaches yield data that are unstable from year to year and often result in reports that are known to be uninformative and are frequently misleading. The student learning outcome measures drawn upon value-added measures (VAM) and other similar approaches that suffer from the same limitations that have been shown repeatedly in VAM studies.

CSU experts believe that broader measures should be considered in examining ways new teachers influence K-12 schools. CSU campus data show that graduates also affect student learning in deep and lasting ways (e.g., including student habits of minds and learning dispositions) that are reflected in assessments of learning that are far more sophisticated than traditional test scores. CSU graduates also influence such factors as grades, courses taken, attendance, participation in extracurricular activities, and college and career readiness.

Equally as important is the fact that the nation is moving to new models of student assessment under the Smarter Balanced Assessment Consortium (SBAC) and the Partnership for Assessment of Colleges and Careers (PARCC). There will be a considerable period of time before states will have longitudinal databases from these significant new assessments that can be used in meaningfully evaluating student performance. There is no question that a number of years from now a whole new generation of research will be available to better inform decisions regarding how to assess impacts on student learning outcomes of current teachers and teacher preparation.

Recommendation: Provide funding through the Institute for Education Studies for a comprehensive program of research of approximately five years to pilot a variety of measures for assessing the range of K-12 student outcomes associated with teacher preparation.
b. Employment outcomes: teacher placement and teacher retention rates

Comment: CSU analyses demonstrates that, if entire populations are involved and large numbers of new teachers are to be reported on, it is costly to collect accurate teacher placement and retention data. Unanticipated costs include determining whether the graduate is teaching at the grade level, span, and subject area of preparation.

However, the fundamental issues that need to be addressed here are broader and relate to the validity of the data—as well as to the extent of sampling and the frequency of data collection. The validity issue is particularly important. Teacher hiring, placement, and retention are influenced more by the economy and by K-12 school funding and budgets than they are by any program quality dimensions. Hence, using these as measures of program quality does not make sense.

The NPRM proposed regulations would require that these data be collected and reported annually. CSU analyses indicate that, if these data are to be collected and used for a purpose other than assessing program quality, sampling would yield data that are at least as and potentially more accurate than collecting data from an entire population. In addition, CSU analyses raise the question of whether the reporting needs to be annual since multi-year data are more reliable.

Recommendation: The GAO analyze the validity, cost, and feasibility of options for reporting teacher placement and retention data, including sampling and biennial or triennial reporting.

c. Graduate and employer surveys

Comment: The NPRM requirements for annual surveys of teacher preparation programs by states represent a change that is associated with major concerns for CSU. A number of flagship institutions of higher education currently conduct rigorous surveys of teacher preparation program graduates and their employers. In the case of CSU, the survey data constitute a comprehensive 12-year database that allows for meaningful analyses of program changes and their impacts. The survey is highly detailed, providing fine-grained information in response to questions that identify the particular areas where programs are doing well and where improvements are warranted.

The NPRM proposed requirement entails having a uniform state-level survey. It is not possible to obtain high response rates by individuals for two surveys addressing the same area. Hence, the extensive longitudinal survey databases established by CSU and some other of the best teacher education programs in the nation will be at risk. The baseline data, the annual data, and the continuous improvement systems associated with these surveys are all likely to be lost despite years of investment in them and substantial demonstrated benefits.

Recommendation: The proposed regulations specifically should allow institutions themselves to conduct and report annual survey data for teacher graduates and employers.

d. Weighting of Factors and Categorizing of Teacher Preparation Programs

The proposed regulations require states to consult with stakeholders to develop a weighting system for student learning, employment, and survey outcomes, and to develop four distinct categories of teacher preparation programs: low performing, at-risk, effective, and exceptional.

Comment: From the time of the Negotiated Rule-Making in 2012, CSU has expressed its deep reservations about the categorizing of programs for determining which programs are eligible for TEACH grants—the purpose of the categories in the NPRM. CSU does not think that federally
mandated program ratings should be used for withholding federal financial aid in the form of TEACH or any other federal grants. CSU has several deep concerns about this intended process.

The first concern is about this as a precedent. Withholding financial aid from qualified students based on federally prescribed institutional report cards is not sound policy in general, but especially in a case like this in which the measures to be used are unproven or, in some cases, proven to be faulty.

The second concern is that the approach may quickly create institutional incentives that are counter to national needs. For example, it is widely recognized that the regulations may create disincentives to increase diversity in teacher preparation programs, reducing efforts to recruit students who themselves are from the nation’s highest need schools and communities.

The third concern relates to fairness. States vary in their accreditation standards and will have varying cut-off levels associated with TEACH eligibility. Some may designate a number of programs as being ineligible to receive TEACH grants while others may not designate any.

Most fundamentally, CSU is concerned about the teacher candidates who will be adversely affected by the proposed regulations, which are likely to disproportionately be students in Historically Black Colleges and Universities (HBCUs) and Hispanic Serving Institutions (HSIs)—the latter group including the majority of CSU campuses. Graduates of these institutions often return to the high poverty, ethnically diverse communities where they resided as youth and wish to serve as teachers. The frequent pattern of poor test scores among low-income students and those of color on standardized achievement tests will, based on the proposed institutional rating criteria in the NPRM, disproportionately jeopardize TEACH funding for candidates at HBCUs and at HSIs.

**Recommendation**: Do not link TEACH grant institutional eligibility to Title II Report Cards.

**Summary**

CSU’s analyses have shown that the proposed regulations do not meet the criteria that the system considers are essential for making major changes in Title II Teacher Report Cards. The reasons are discussed below in response to the three primary criteria identified earlier (page 2).

1. **Would the proposed regulations yield reliable and valid data that can be used for continuous program improvement?**

   No. There is no evidence that *any* of the proposed changes would yield reliable and valid data, and the required procedures do little to address continuous program improvement. An entirely different approach, and one the CSU favors, would be to seek from institutions information about their accountability procedures and how results are used in continuous program improvement. This is the approach taken by the Western Association of Schools and Colleges (WASC), and it has helped to create a culture of data and continuous improvement across the entire CSU system.

2. **Would the proposed regulations make a change that adds value to the teacher preparation accountability process?**

   No. In order to add value, new approaches need to be tried that go beyond those currently available. Those in the proposed regulations are based on outdated models. They have repeatedly been demonstrated to be unsound scientifically. They are discredited approaches that yield erroneous findings and are completely unreliable in any effort to assess teacher preparation.
Wholly new approaches are needed. Analyzing, for example, how best to report aggregated and disaggregated outcomes in the era of cross-disciplinary instruction fostered by the CCSS and NGSS requires attention. Considering impacts of teacher graduates overall on K-12 schools—not simply looking at student academic learning outcomes on standardized tests—is critical. Assessing when sampling may yield more robust data than population studies is essential. CSU recommends that the GAO conduct an overall feasibility and cost analysis of the proposed regulations. In doing this, the GAO could also provide recommendations regarding potential alternative ways to proceed.

3. Can the proposed regulations be implemented within available resources without requiring sizable new funds?

No. The costliness of the proposed new procedures makes them prohibitive. CSU recognizes that California has distinctive challenges as a result of its size and the nature of its education data systems, but the fact is that institutions of higher education in every state will have costs that are as large or larger than those of CSU, reflecting the fact that the CSU system is ahead of the nation in many aspects of teacher education program accountability. In a number of cases, CSU recommends eliminating requirements. In one case—the measurement of student learning outcomes, the system recommends that the Institute for Education Studies (IES) support research on a range of K-12 student outcomes associated with teacher preparation programs.

Conclusions. CSU noted in its comments to the Office of Management and Budget that the proposed regulations represent an economic hardship due to their large cost burden, more than three times the $100,000,000 associated with a significant regulatory action. The adverse effects that the proposed regulations would cause if implemented go well beyond their economic impacts. The regulations will interfere with the functioning of teacher preparation programs, requiring them to devote substantial added attention and resources to collecting and reporting data that will be of little benefit and may even lead to misunderstandings and erroneous conclusions.

Most fundamentally, they would represent a dramatic shift in the responsibilities of the federal and state governments in teacher preparation. The regulation of teacher preparation is a function that is performed by the states. It is far too complex for the federal government to impose one size fits all requirements. Rather than leading to the encouragement, identification, and recognition of excellent programs, the regulations would impose a minimum level of acceptable performance. They fail to build on the momentum toward world-class programs that has been gained in California and elsewhere and in fact would interfere with these important movements.

CSU is opposed to the proposed regulations, hopes you will consider the system’s recommendations for improving the individual components, and requests that the Department not proceed with the implementation of the NPRM. Should you have questions about these comments, please do not hesitate to contact me at Byoung@calstate.edu or at (562) 951-4747.

Sincerely,

Dr. Beverly Young
Assistant Vice Chancellor, Academic Affairs

Attachment