

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.

#### **FUNDERS**

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## About the Yearbook

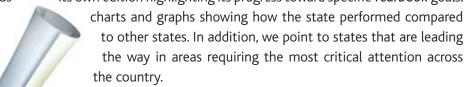
Each report also contains

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 West Virginia

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 West Virginia's Teacher Policy**

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



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

#### 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 West Virginia:

No recent policy changes were identified.

### West Virginia 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.

West Virginia confirmed that there are no recent policy changes to report.

## **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 middle school teacher preparation and licensure loopholes that allow teachers in the classroom with inadequate subjectmatter knowledge, West Virginia should turn its immediate attention to the following nine issues.



## Critical Attention: West Virginia policies that need to better connect to teacher effectiveness

#### **ENSURE THAT TEACHER EVALUATIONS ASSESS EFFECTIVENESS IN THE CLASSROOM:**

The fundamental purpose of teachers' formal evaluations should be to determine whether the teachers are effective in the classroom. To achieve this purpose, evaluations must be based primarily on teachers' impact on students. While it is certainly appropriate to

Evaluation is a critical attention area in

**2** states.

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

include subjective factors, such as classroom observations, West Virginia should adopt a policy that requires objective evidence of student learning—including but not limited to standardized test scores—to be the preponderant criterion of teacher evaluations.

In order to ensure that teachers' strengths are optimized and weaknesses addressed, it is critical that teachers are evaluated with sufficient frequency. West Virginia should require that all nonprobationary teachers be evaluated annually regardless of their previous performance.

#### **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 should only be awarded to teachers who have consistently demonstrated their effectiveness. West Virginia 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. West Virginia should also

Tenure is a critical attention area in

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

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:

Dismissal is a critical attention area in

46 states.

States on the right track include Oklahoma and Rhode Island.

West Virginia should explicitly make teacher ineffectiveness grounds for dismissal so that districts 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 West Virginia, the process is the same regardless of the grounds for dismissal, which include "drunkenness, untruthfulness, immorality, or for any physical, mental or moral defect which would render him/her unfit for the proper performance of his or her duties, or for any neglect of duty or refusal to perform the same, or for using fraudulent, unapproved or insufficient credit; or for any other cause which would have justified the withholding of a certificate when the same was issued."

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.

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<sup>1</sup> 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.

<sup>2</sup> 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: West Virginia policies that fail to ensure teachers are well prepared

#### **ENSURE THAT ELEMENTARY TEACHERS** KNOW THE SCIENCE OF READING:

Although West Virginia requires that its teacher preparation programs provide teacher candidates with training in the science of reading, the state should also require an assessment prior to certification that tests whether teachers indeed possess the requisite knowledge in scientifically based reading instruction. Ideally this would be a stand-alone test (such as the excellent assessments required by Massachusetts, Connecticut

Preparation to teach reading is a critical attention area in

states

States on the right track include Connecticut, Massachusetts and Virginia. and Virginia), but if it were combined with general pedagogy or elementary content, the state should require a separate subscore for the science of reading.

#### **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. West Virginia should specifically articulate that preparation programs deliver mathematics content geared to the explicit needs of elementary teachers, including coursework in foundations, algebra and geometry, with some statistics. The state should also adopt a rigorous mathematics assessment, such as the one required by Massachusetts. At the very least, West Virginia should consider requiring a mathematics subscore on its general content knowl-

edge test, not only to ensure that teacher candidates have minimum mathematics knowledge but also to allow them to test out of coursework requirements.

Preparation to teach mathematics is a critical attention area in

states.

A state on the right track is Massachusetts.

# 6. ENSURE THAT TEACHER PREPARATION PROGRAMS ARE ACCOUNTABLE FOR THE QUALITY OF THE TEACHERS THEY PRODUCE:

States should consider factors related to program performance in the approval of teacher preparation programs. Although the quality of both the subject-matter preparation and professional sequence is crucial, there are also additional measures that can provide the state and the public with meaningful, readily understandable indicators of how well programs are doing when it comes to preparing teachers to be successful in the classroom. West Virginia should make objective outcomes that go beyond licensure pass rates, such as graduates' evaluation results, retention rates and students' academic achievement gains, a central compo-

Teacher preparation program accountability is a critical attention area in

30 states.

States on the right track include Colorado and Louisiana.

nent of its teacher preparation program approval process, and it should establish precise standards for program performance that are more useful for accountability purposes.

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<sup>1</sup> 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.

<sup>2</sup> 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: West Virginia policies that license teachers who may lack subject-matter knowledge

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

Although West Virginia 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 for each area because without them it is impossible to measure knowledge of individual subjects, especially

areas. The state should require separate passing scores

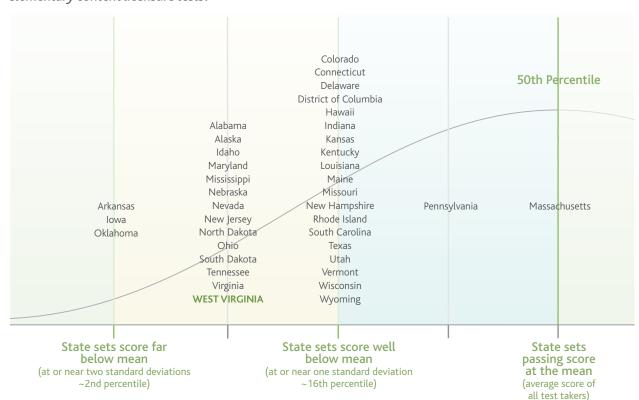
given the state's current low passing score for the elementary content test. According to published test data, West Virginia has set its passing score for this test so far below the mean, the average score of all test takers, that it is questionable whether this assessment is indeed providing any assurance of content knowledge.

**Elementary licensure** tests are a critical attention area in

states.

A state on the right track is Massachusetts.

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



<sup>1</sup> 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: West Virginia policies that limit the teacher pipeline

## PROVIDE FLEXIBILITY TO ALTERNATE ROUTE TEACHERS IN DEMONSTRATING CONTENT KNOWLEDGE:

Alternative certification can create a new pipeline of potential teachers for those with valuable knowledge and skills who did not prepare to teach as undergraduates. While it is critical that all teachers know the content they will teach, requiring alternate route teachers to have a major in their subject area rules out talented individuals with deep knowledge that may have been gained through related study or work experience. Such candidates will likely be disinclined to fulfill the requirements of a new degree and should be permitted

Alternate route admissions is a critical attention area in

38 states.

States on the right track include Michigan and Oklahoma.

to demonstrate their content knowledge by passing a rigorous test. West Virginia currently does not provide a test-out option for its alternate route teacher candidates, instead requiring that they have a content-area major and pass a content-area test. The state

should permit candidates to demonstrate their subject-matter knowledge through the content test without also requiring a major or equivalent coursework.

## 9. BROADEN ALTERNATE ROUTE USAGE:

West Virginia should allow alternate route teachers to teach across all grades, subjects and geographic areas. Currently, the state places restrictions on its alternate

route, certifying candidates to teach only in critical shortage districts and subject areas. These limitations prevent West Virginia's alternate route from providing a true alternative pathway into the teaching profession.

Alternate route diversity is a critical attention area in

28 states.

States on the right track include Illinois, New York and Washington.

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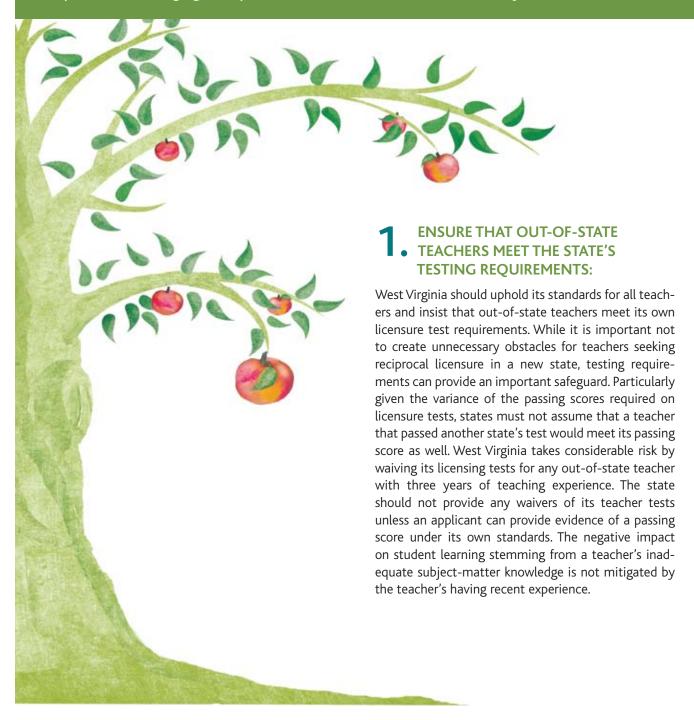
<sup>1</sup> Alaska's alternate route is operated by the state department of education.

<sup>2</sup> ABCTE is also an approved provider.

<sup>3</sup> 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.



# 2. ENSURE THAT SPECIAL EDUCATION TEACHERS ARE ADEQUATELY PREPARED TO TEACH SUBJECT MATTER:

To ensure that secondary special education teachers are adequately prepared to teach multiple subjects, West Virginia should require that teacher preparation programs graduate secondary special education teacher candidates who are highly qualified in at least two subjects. The state's current dual certification policy only requires candidates to be highly qualified in one academic area. The most efficient way to accomplish this objective is to require that teacher candidates earn the equivalent of two subject-area minors and pass tests in those areas.

## 3 STRENGTHEN SELECTIVITY OF ALTERNATE ROUTE PROGRAMS:

Because nontraditional candidates enter the classroom with little or no preparation, states should require alternative certification programs to be selective in whom they admit. Alternate route programs should require some measure of past academic performance, such as a GPA, that is higher than what is generally expected of teacher candidates in traditional preparation programs. Currently, West Virginia's requirement of a minimum 2.5 GPA falls short of being a sufficient indicator of selectivity. The state should raise its minimum GPA requirement to at least 2.75 for alternate route candidates, making accommodations as appropriate for career changers.

## **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 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, and, as discussed in the Critical Attention section of this report, West Virginia has considerable work to do to ensure that evaluations measure teacher effectiveness. But as the state moves 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.

<sup>1</sup> 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 West Virginia, 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 switchers who enter teaching and those who teach for fewer than 20 years. For these reasons alone, reform is needed.

\$577,686

Amount West Virginia pays for each teacher that retires at an early age with unreduced benefits until that teacher reaches age 65<sup>4</sup> 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 West Virginia's 2009 actuarial report, its system was only 41.3 percent funded, significantly below recommended benchmarks. 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)<sup>3</sup>
- 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.

West Virginia, like most states, sets a low bar for the content knowledge that special education teachers must have. The state appropriately requires elementary special education teachers to pass the same content test as all other elementary teachers; however, as described in the Critical Attention section of this report, West Virginia's requirement of the Praxis II general elementary subject-matter test does not ensure that any elementary teacher has appropriate

subject-matter knowledge relevant to the elementary classroom. Further, although secondary special education teachers must be highly qualified in every subject they will teach, the state's dual certification policy only ensures that teacher preparation programs graduate teachers who are highly qualified in one core academic area.

West Virginia is commended for distinguishing between elementary and secondary special education licenses and for not allowing a generic K-12 special education license, ubiquitous in many states. However, ensuring that all special education teachers are well prepared and know all the subject matter they will be expected to teach requires significant changes to the state's certification process.



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Nebraska  Nevada  New Hampshire  New Jersey  New Mexico  New York  North Carolina  North Dakota  Ohio  Oklahoma  Oregon  Pennsylvania¹  Rhode Island  South Carolina  South Dakota  Tennessee  Texas  Utah  Vermont  Virginia  Washington  WEST VIRGINIA  Wisconsin				
Nevada New Hampshire New Jersey New Mexico New York North Carolina North Dakota Ohio Oklahoma Oregon Pennsylvania¹ Rhode Island South Carolina South Carolina South Dakota Tennessee Texas Utah Vermont Virginia Washington WEST VIRGINIA Wisconsin				
New Hampshire  New Jersey  New Mexico  New York  North Carolina  North Dakota  Ohio  Oklahoma  Oregon  Pennsylvania¹  Rhode Island  South Carolina  South Dakota  Tennessee  Texas  Utah  Vermont  Virginia  Washington  WEST VIRGINIA  Wisconsin				
New Jersey				
New Mexico                     New York                     North Carolina                     North Dakota                     Ohio                     Oklahoma                     Oregon                     Pennsylvania¹                     Rhode Island                     South Carolina                     South Dakota                     Tennessee                     Texas                     Utah                     Vermont                     Virginia                     Washington                     WEST VIRGINIA                     Wisconsin				
New York  North Carolina  North Dakota  Ohio  Oklahoma  Oregon  Pennsylvania¹  Rhode Island  South Carolina  South Dakota  Tennessee  Texas  Utah  Vermont  Virginia  Washington  WEST VIRGINIA  North Carolina				
North Carolina  North Dakota  Ohio  Oklahoma  Oregon  Pennsylvania¹  Rhode Island  South Carolina  South Dakota  Tennessee  Texas  Utah  Vermont  Virginia  Washington  WEST VIRGINIA  North Carolina				
North Dakota Ohio Oklahoma Oregon Pennsylvania¹ Rhode Island South Carolina South Dakota Tennessee Texas Utah Vermont Virginia Washington WEST VIRGINIA Wisconsin				
Ohio Oklahoma Oregon Pennsylvania¹ Rhode Island South Carolina South Dakota Tennessee Texas Utah Vermont Virginia Washington WEST VIRGINIA Wisconsin		_		
Oklahoma Oregon Pennsylvania¹ Rhode Island South Carolina South Dakota Tennessee Texas Utah Vermont Virginia Washington WEST VIRGINIA Wisconsin		_		
Oregon		_		
Pennsylvania¹		_		_
Rhode Island  South Carolina  South Dakota  Tennessee  Texas  Utah  Vermont  Virginia  Washington  WEST VIRGINIA  Wisconsin				
South Carolina South Dakota Tennessee Texas Utah Vermont Virginia Washington WEST VIRGINIA Wisconsin		_		
South Dakota				
Tennessee		_		
Texas  Utah  Vermont  Virginia  Washington  WEST VIRGINIA  Wisconsin				
Utah  Vermont  Virginia  Washington  WEST VIRGINIA  Wisconsin				
Vermont  Virginia  Washington  WEST VIRGINIA  Wisconsin				
Virginia				
Washington				
WEST VIRGINIA		_		
Wisconsin				
			_	
Wyoming	Wyoming			
22 17 12		22	17	12
		_		

<sup>1</sup> New policy goes into effect January 1, 2013.

