

Teacher Quality Roadmap

&
Improving
Policies and
Practices in
LAUSD

About this study

This study was undertaken on behalf of the 672,000 children who attend school in the Los Angeles Unified School District.

About NCTQ

The National Council on Teacher Quality (NCTQ) is a non-partisan research and policy organization committed to restructuring the teaching profession, led by our vision that every child deserves effective teachers.

Partner and Funders

This study is done in partnership with the United Way of Greater Los Angeles and a coalition of groups including, Parent Organization Network, Families in Schools, Alliance for a Better Community, Asian Pacific American Legal Center, Los Angeles Urban League and the Mexican American Legal Defense and Education Fund. Additional funding for this study was provided by the Bill & Melinda Gates Foundation.

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Introduction



At the request of the United Way of Greater Los Angeles, the National Council on Teacher Quality (NCTQ) undertook this analysis of the teacher policies in the Los Angeles Unified School District (LAUSD). A coalition of civil rights groups were also involved in this project, including Parent Organization Network, Families in Schools, Alliance for a Better Community, Asian Pacific American Legal Center, Los Angeles Urban League and the Mexican American Legal Defense and Educational Fund.

Not unlike students in other urban districts in this country, far too many LAUSD students are under-performing academically. LAUSD's graduation rate hovers just below 60 percent and only 11 percent of 4th grade students scored proficient in reading on the "nation's report card," the National Assessment of Educational Progress (NAEP).

In the face of these challenges, recently appointed Superintendent John Deasy has mapped out an aggressive series of goals for improving graduation rates, student performance, attendance and school safety. The district plans to drive these changes through a targeted human capital initiative focused on performance-based management and accountability.

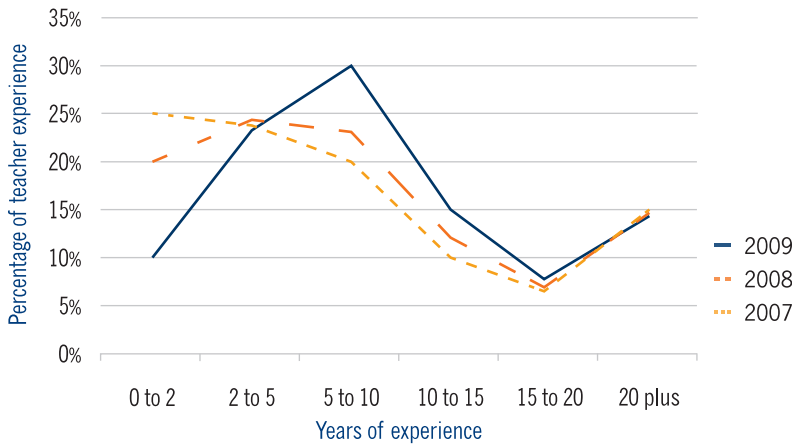
Snapshot of LAUSD

- 2nd largest district in the county
- 27 cities, in addition to Los Angeles, included in the school district
- ~800 schools
- 2,000 administrators
- ~29,000 teachers
- ~672,000 K-12 students
 - 79 percent receive free or reduced lunch
 - 30 percent are English language learners

Race/ethnicity	Students (percent)	Teachers (percent)
Black or African American	9	11
American Indian	0	0.6
Asian	4	9
Filipino	2	3
Hispanic or Latino	75	33
White	9	44

The backdrop to these reform efforts is a \$408 million budget shortfall for the 2012 fiscal year which likely guarantees significant teacher layoffs and furloughs for the third consecutive year. Teacher performance, student performance and solutions to the district's financial crisis are interconnected to an unprecedented degree. These changes have dramatically changed the make-up of the teacher workforce; the number of teachers in the beginning of their careers has fallen by nearly 15 percent, due to seniority driven layoff policies.

Figure 1. Changing workforce in LAUSD



Source: LAUSD Human Resources

Also shaping the local context are the varying school models within LAUSD that provide students a choice of where they attend school. These various school models (whether Partnership, pilot, magnet or school-based management) also give the adults in the building increased autonomy (most notably in staffing and work schedules) in exchange for greater accountability.

What this report seeks to accomplish

This report seeks to shed light on the policies that can improve the quality of the teaching force in LAUSD. We explore these policies both as they are written on paper and as they play out in practice.

NCTQ frames this analysis around five standards supported by research and best practices from the field for improving teaching quality:

- 1. Teacher Assignment.** District policies facilitate schools' access to top teacher talent.
- 2. Evaluations.** The evaluation of teacher performance plays a critical role in advancing teacher effectiveness.
- 3. Tenure.** Tenure is a meaningful milestone in a teacher's career and advances the district's goal of building a corps of effective teachers.
- 4. Compensation.** Compensation is strategically targeted to attract and reward high quality teachers, especially in hard-to-staff positions.
- 5. Work Schedule.** Work schedule and attendance policies maximize instruction.

Under each standard we provide several recommendations, some for LAUSD and some for the state of California.



This symbol denotes recommendations that the **LAUSD central office** can initiate without changes to the teacher contract.



This symbol denotes recommendations whose implementation requires negotiation in the **collective bargaining agreement** between the school district and the teachers union.



This symbol denotes recommendations that require a change in **state policy** to implement.

Methodology

To undertake this study, NCTQ first reviewed the district's current collective bargaining agreement with its teachers union, the United Teachers of Los Angeles (UTLA), along with any relevant school board policies. We also looked for state laws affecting local policy. We compared the laws and policies in LAUSD and California with the 100-plus school districts found in our TR³ database (www.nctq.org/tr3). This exercise allowed us to determine where LAUSD falls along the spectrum of teacher quality policies and identify practices that LAUSD might emulate.

NCTQ then held focus groups with community leaders and parents to hear about their experiences in LAUSD. We also spoke with teachers, principals, district administrators and union leaders to deepen our understanding of how policies play out in practice.

We surveyed teachers and principals to gain a broader sense of staff attitudes and experiences; 1,317 teachers (4.5 percent) and 247 principals (31 percent) completed the surveys. Quotations in this report come from these surveys and focus groups. These quotations are not necessarily statements of fact, but rather teacher and principal *perceptions* about LAUSD policies and practices.

Finally, we looked at a range of teacher personnel data to give us a better understanding of the outcomes of teacher hiring, transfer, evaluation, attendance and compensation policies.

A draft of our analysis was shared with LAUSD, UTLA and the Associated Administrators of Los Angeles (AALA) to verify its accuracy. Both LAUSD and UTLA provided feedback that was incorporated in the final report.

Standard 1.

Teacher Assignment

District policies facilitate schools' access to top teacher talent.

Indicators on which this standard was assessed:

- 1.1 Teachers apply directly to vacancies at schools; principals and/or school committees select applicants they wish to interview and have final say over teacher assignment.
- 1.2 When positions must be cut, teacher performance is a key factor in deciding who stays or goes.
- 1.3 The district's staffing timeline ensures that the majority of vacancies are filled by June of each school year; accordingly teachers who are retiring and resigning provide notice *before* transfers occur.
- 1.4 The district recruits an ample supply of candidates who have the personal and professional characteristics found to correlate with teacher effectiveness.

1.1 Teachers apply directly to vacancies at schools; principals and/or school committees select applicants they wish to interview and have final say over teacher assignment.

FINDING: LAUSD practices some elements of mutual consent staffing, but restrictive state laws and contractual rules prevent full implementation.

When teachers in LAUSD seek a new position in the district they apply directly to individual schools which have advertised vacancies. This rather progressive policy is a departure from the standard practice of most large American school districts, in which teachers must first go through the district's HR department to find a new assignment, often having to rank their preferences and securing a new position according to seniority.

Although seniority is not a factor in deciding where teachers are placed when they transfer schools, it is a factor in deciding who teaches which classes within each school. Article IX-A of the UTLA contract permits

“I don’t think it makes sense to cut people by seniority. I used to be a manager of a restaurant. If I have to get rid of servers, I’m going to keep the ones who are most effective.”

- LAUSD teacher

teachers to rank their preference for the classes they want to teach, with seniority being the deciding factor. This provision is unusual; few contracts in our TR³ database formally grant teachers seniority preferences in determining which class they will teach.

Seniority is also a factor in deciding which positions will be cut when school populations shift or when layoffs must be made.¹ In the past two years, as LAUSD has significantly downsized (the result of state budget cuts and declining student enrollment), thousands of teachers have been either laid off or “displaced.” LAUSD principals are often pressured to hire teachers who lost their position at one school who then land on the “priority placement” list, commonly known as the “must-place” list, before they are allowed to consider other applicants. Principals also report that this priority placement pool delays other staffing decisions.

Not unlike most districts, in LAUSD, teachers who have lost their position in one school in the district are guaranteed a position at another school in the district. It is this guarantee that proves problematic and is the motivation for the policy changes being made elsewhere in the country.²

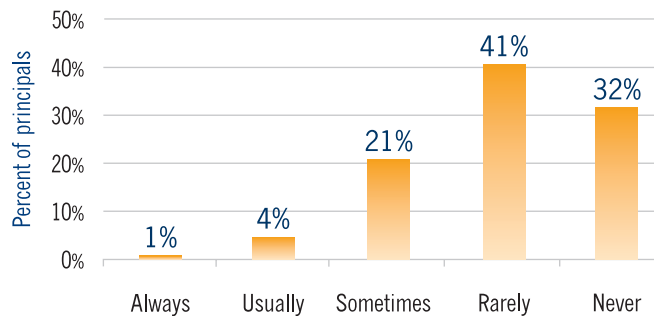
Districts are relatively powerless to change this dynamic. California state law does not allow a district to release a tenured teacher on the basis of not being able to find another position in the district. LAUSD and other California districts are left with little choice: they can either force principals to accept teachers who have been displaced or find funds to keep teachers on the payroll without a school assignment. The latter practice is costly but some districts are still taking on the expense: New York City estimates it spends \$100 million to pay 1,000 displaced teachers not to teach.

1 With the introduction of school-based budgeting, principals have some say over which programs will be cut and therefore some indirect influence on which teachers will be displaced.

2 Colorado, for example, passed a law in 2010 that allows teachers who are without a classroom assignment after one year to be placed on unpaid leave.



Figure 2. How often are teachers hired from the “priority placement” list a good fit for your school?



Source: NCTQ Survey of LAUSD Principals, Feb/Mar 2011. n=201

While teachers are displaced on the basis of seniority and not performance, there is nonetheless a stigma associated with being on the priority placement list. Principals and teachers both commented in focus groups that the excellent teachers who do end up on the list are snatched up quickly. LAUSD principals are frustrated with effectively being forced to hire teachers from this pool. Three-quarters of principals surveyed by NCTQ said that they were unable to hire their teacher of choice because they needed to hire from the priority placement list. Three-quarters of principals surveyed also said that teachers on the must-place list are rarely if ever a good fit for their school.

FINDING: Both California law and the LAUSD teachers’ contract provide principals some latitude over staffing, but principals are either unaware of or reticent to take advantage of special provisions that allow them to refuse forced placement of teachers.

State law allows principals at California’s academically struggling schools the right to refuse placement of *voluntarily* transferring teachers.³ At the local level, the UTLA teacher contract also permits principals to make exceptions to the provision requiring teachers to be displaced by seniority when such an approach to not be in the best interest of the school.⁴ It is unclear what burden of evidence rests on principals to

3 Schools afforded the right to refuse teachers by California Education Code 35036 are those with an academic performance index of 1, 2 or 3, on a scale of 1 to 10.

4 Principals have discretion over excessing if the teacher has a unique set of skills or areas of expertise or hardship or medical issues.

“I’ve gotten a R.I.F. notice 3 out of the 4 years that I have been a teacher. What kind of appreciation or support is that? It is demoralizing.”

- LAUSD teacher

argue for these exceptions. Principal focus groups as well as survey responses suggest that principals do not feel they have the authority to use the exceptions.

Pilot, charter and school-based management schools have significantly greater autonomy in staffing than traditional schools. Pilot schools (schools whose teachers have an amended work agreement from the UTLA contract) are not required to hire teachers from the priority placement list, except when the district is engaged in a Reduction in Force (RIF), which it has been now for three years.⁵

1.2 When positions must be cut, teacher performance is a key factor in deciding who stays or goes.

FINDING: LAUSD's recent settlement with the ACLU and Public Counsel spares the neediest schools from layoffs by requiring layoffs to be distributed more evenly across the district, but it falls short of a more permanent solution to the staffing problems created by seniority-based policies.⁶

California law requires that districts use seniority as the determining factor in layoffs. California is one of only 12 states *mandating* that layoffs be conducted according to reverse seniority, with most states deciding not to weigh in on the subject. In the last 18 months, a handful of states have changed laws to now prohibit seniority as the primary determinant in layoff decisions (Arizona, Florida and Idaho). Other states now require a teacher's performance to be the top criterion for determining who will be laid off (Colorado, Indiana and Oklahoma).

While California law requires that layoffs be conducted according to reverse seniority, it does provide some flexibility. Districts may lay off teachers out of seniority order for either "pedagogical reasons" or to ensure students' rights to a quality education. LAUSD has interpreted the flexibility granted by the law narrowly. In the 2008-2009 school year, LAUSD laid off 590 teachers out of seniority order whose credentials did not meet No Child Left Behind's "Highly Qualified Teacher" requirement. It has not used the provision to protect a newer, effective teacher, while laying off an older, ineffective teacher.

Worth noting is that LAUSD negotiated a provision into its current contract that gives even greater weight to seniority than the state law. The contract provision requires that seniority determinations be made district-wide, as opposed to *within* each school. This approach results in more disruption to the highest needs schools that often employ the least senior teachers.

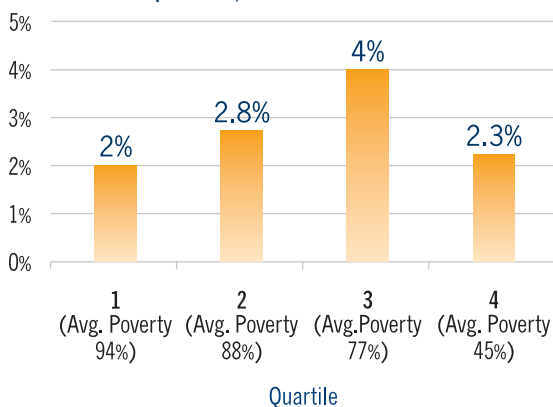
- 5 Teachers who work in a pilot school must sign an "elect to work" agreement that is an addendum to the UTLA contract. The work agreement for pilot schools is designed and ratified at each school site. Teachers are reviewed annually against this document, which also contains an expedited arbitration process should it be determined that a teacher is not fit for the school. Teachers dismissed from pilot schools are still guaranteed a position elsewhere in the district. The agreement is frequently short (often only five pages), and teachers maintain nearly all of the rights and protections of UTLA membership, including accruing seniority, salary and benefits.
- 6 The premise of the case was that the impact of teacher layoffs at certain schools was so severe and destabilizing that it compromised the constitutional rights of students at those schools.



The 2011 settlement with the ACLU and Public Counsel protects up to 45 of the highest-poverty schools from layoffs entirely, but those schools comprise only about 6 percent of the 792 schools in the district. LAUSD anticipates that this year nearly three times as many teachers will lose their jobs as last year. Consequently, virtually all schools in LAUSD will be affected to an unprecedented degree by budget cuts. Even though the district's very poorest schools will be spared, 153 of schools in the first poverty quartile (with an average poverty rate of 94 percent) will still be affected.

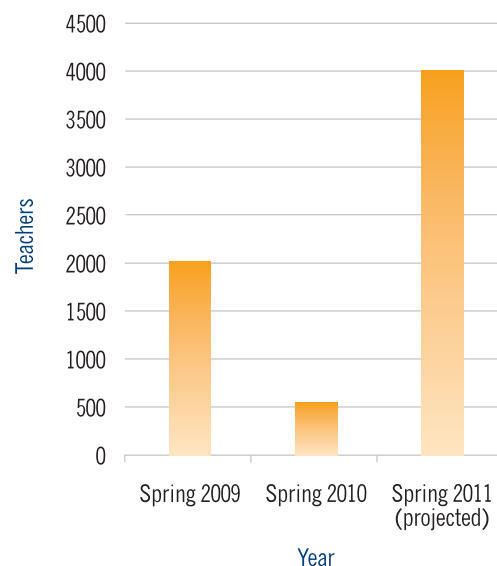
As it turns out, the highest numbers of inexperienced teachers (those in their first and second years) are now *not* working in the poorest schools, rather, they are employed in somewhat more affluent schools. This shift is not surprising because the district's poorest schools have already felt the brunt of layoffs in the previous two years.

Figure 3. Inexperienced teachers by poverty quartile, 2009-2010



Source: LAUSD Human Resources

Figure 4. LAUSD teacher layoffs



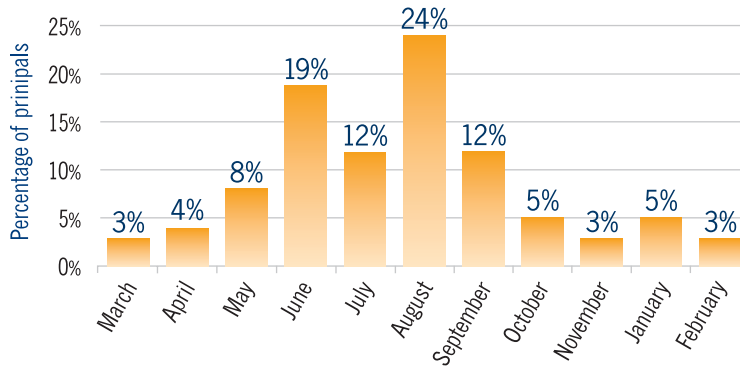
Source: LAUSD Human Resources

1.3 The district hiring timeline ensures that the majority of vacancies are filled by June of each school year; accordingly, retiring and resigning teacher provide notice before transfers occur.

FINDING: Teaching vacancies in LAUSD are still being created well into the summer, compromising the district's ability to recruit top candidates and schools' opportunities to work with their teams over the summer.

In surveys, principals report filling vacancies in the summer months more than any other time—and often near the start of the new school year.

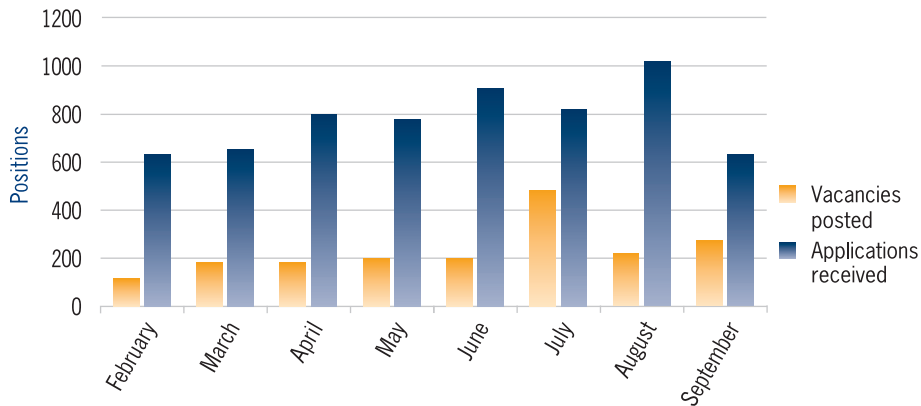
Figure 5. Month principals report filling the most vacancies



Source: NCTQ survey, February/March 2011. Respondents: 247 principals

LAUSD does not require that retiring and resigning teachers have to notify the district of their intention to leave until June 30 of each year.⁷ While this late deadline is common among many large urban school districts, it hinders schools’ abilities to hire the best teachers. LAUSD HR data show that the number of vacancies is highest in July, but the number of job applications received (and positions filled) is highest in August. This timeline places a high burden on HR and principals to fill positions close to the first day of school, with the district having to hire hundreds of teachers in the month before the new school year begins.

Figure 6. Timing of teacher hiring in LAUSD



Source: LAUSD Human Resources, 2010

7 LAUSD Personnel Policy Guide, E-14

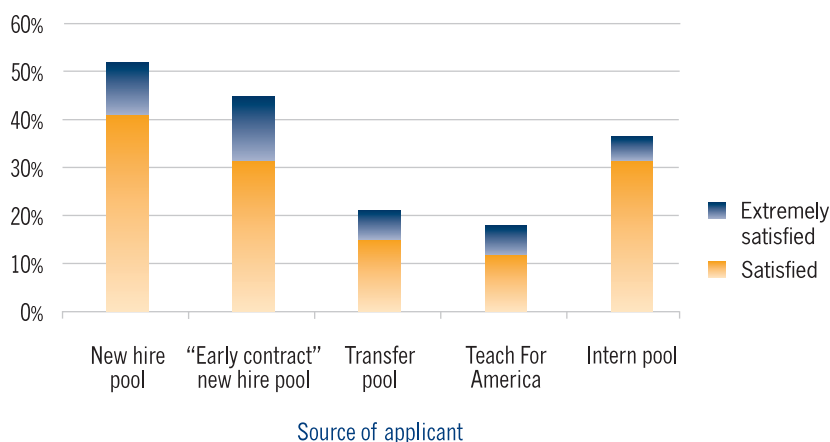


For two years LAUSD tried implementing an “early declaration incentive” to encourage departing teachers to give early notice of their plans to leave. The program began in the 2008-2009 school year, paying teachers \$300 if they gave notice in April and was increased in 2009-2010 to \$1,000.⁸ LAUSD reports that neither amount increased the rate of early notices.

1.4 The district makes principals jobs easier by recruiting teacher candidates who have the personal and professional characteristics found to correlate with teacher effectiveness.

FINDING: Principals had mixed reviews about the quality of the applicants screened by HR.

Figure 7. Principal satisfaction with teacher applicant sources



Source: NCTQ survey, Feb/Mar 2011. Respondents: 247 principals

Of the various sources of teacher candidates, principals are most satisfied with new hires.

FINDING: LAUSD limits schools’ access to teacher candidates by permitting them to interview only teachers who have been teaching in the same “local district”.

FINDING: The interview process at the school level lacks rigor.

Although LAUSD provide principals guidance on how to conduct interviews, such guidance does not include asking a candidate to teach a sample

⁸ In the 2008-2009 school year, 429 teachers notified early, and in the 2009-2010 school year, 623 teachers notified early.

“I think in the past 4 to 5 years, HR has done an incredible job of preliminary screening, questioning and calling about new candidates! Their process has improved greatly and it shows in the caliber of persons that we interview!”

- LAUSD principal

“ Human resources needs to do a better job of screening applications. We recently interviewed nine candidates and asked, ‘How did seven of these get past HR?’”

- LAUSD principal

lesson. Consequently most candidates are not assessed on the skill for which teachers are presumably hired: their ability to teach. According to surveyed teachers hired since the 2006-2007 school year, the majority (89 percent) were interviewed by their principal as part of their application process for their current position, but only 13 percent had to teach a sample lesson as part of their interview.

FINDING: Less than half of LAUSD’s teachers graduated from more selective academic institutions.

One important indicator of teacher promise is a teacher’s academic background. There have been many studies over the years showing that teachers with higher scores on tests of verbal ability, such as the SAT or ACT, or teachers who have graduated from more selective colleges, are more likely to be effective.⁹ It is by no means a guarantee that they will be more effective, but a teacher’s own academic performance is an attribute that districts are well-advised to consider when reviewing applications.¹⁰

To explore this measure of a teacher’s academic capital, NCTQ reviewed the undergraduate institutions of teachers working in LAUSD for the 2009-2010 school year. Based on selectivity rankings set by *U.S. News & World Report*, only a third of teachers graduated from a school ranked as either “most” or “more” selective, the top 25 percent of institutions (352 colleges and universities).

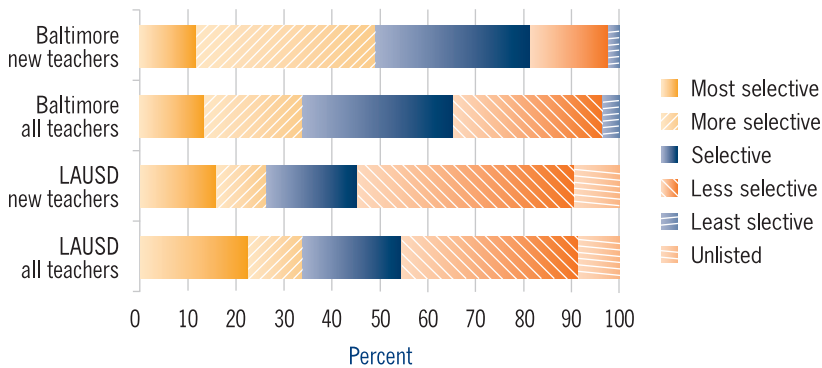
LAUSD is recruiting most of its teachers from schools with relatively low admissions standards, even though, with fewer vacancies, it can afford to be more selective about whom it hires. Baltimore, for example, has significantly improved the academic caliber of its newly hired teachers, as it too has faced similar declines in enrollment and funding to LAUSD.

9 Boyd, D., Lankford, H., Loeb, S., Rockoff, J., & Wyckoff, J. (2007). *The narrowing gap in New York City teacher qualifications and its implications for student achievement in high poverty schools*. Washington, DC: Urban Institute.

10 For example, a study by the Illinois Education Research Council found the following measures to be linked to a teacher’s ability to produce academic gains among students: the selectivity of a teacher’s undergraduate institution, a teacher’s own SAT or ACT scores (not just the average for the institution) and a teacher’s pass rate on state licensure exams. There was a particularly strong correlation between effectiveness and teachers who only had to take their licensing test once. In sum, teachers who were themselves good students tended to be good teachers.



Figure 8. Changing undergraduate selectivity of teaching corps (2009)



Source: LAUSD and Baltimore City Human Resources

New teachers hired in LAUSD come from less selective institutions than the workforce as a whole. Given that LAUSD is hiring fewer new teachers, now is a good time to improve the quality of new recruits.

Figure 9. Five largest producers of LAUSD teachers (2009)

College/ University	U.S. News and World Report ranking*	% of LAUSD teacher corps**
1. California State University, Northridge	Less selective	16%
2. California State University, Los Angeles	Less selective	12%
3. University of California, Los Angeles	Most selective	10%
4. California State University, Dominguez Hills	Less selective	7%
5. California State University, Long Beach	Selective	5%

* US News and World Report rankings are: Least selective (25), Less selective (282), Selective (704), More selective (287) and Most selective (70).

** LAUSD was missing data on the undergraduate institution of 25 percent of its teachers. District officials report that they are currently in the process of obtaining this information.

There will always be a certain percentage of candidates who are strong but who lack a solid academic record, particularly older career-switchers. Strong recruiters of teachers such as Teach For America and The New Teacher Project consider a candidate’s academic caliber early on in the process of selecting their initial pool of candidates, but then turn to more complex, personal characteristics best judged in the interview process when making final decisions. The average GPA of a Teach For

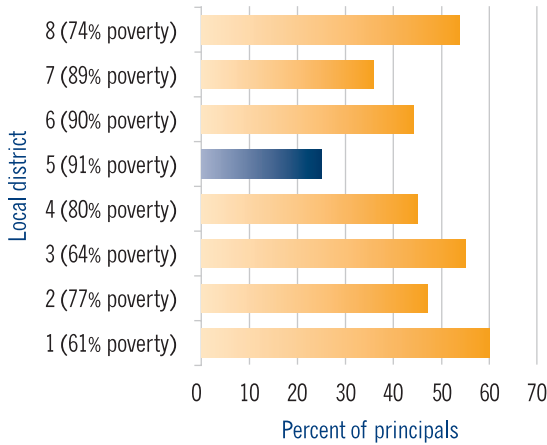
“The process [of applying to charter schools] is grueling — interviews by staff, deans, principals, even parents and students, plus you’re required to teach two sample lessons. Compare that to the cake walk of LAUSD.”

- LAUSD teacher

America corps member is 3.6. The average GPA of a teaching fellow in The New Teacher Project is 3.3, but both groups will report that they do hire some candidates who were not academically strong and that they rule out many candidates who were very strong students.

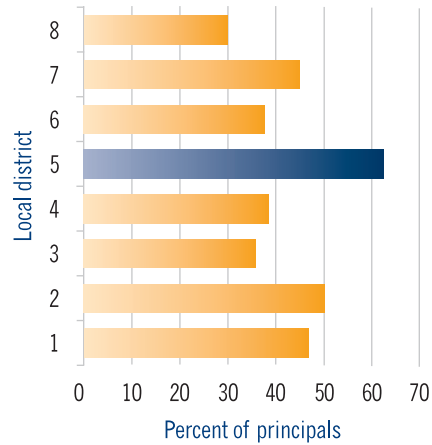
LAUSD divides its schools into eight local districts, each managed by its own regional superintendent. Teachers transfer first *within* local districts and not *across* local districts. Principals rightly feel their options to hire teachers that are a good fit for their building are limited by this smaller applicant pool. Principals in the poorest local district (District 5) report that they receive few high-quality applicants in high-need subject areas like mathematics and science.¹¹

Figure 10. Percentage of principals reporting they received enough qualified applicants for high-need subject areas, by LAUSD subdistrict



Source: NCTQ survey, February/March 2011 n=247

Figure 11. Percentage of principals reporting hiring the most teachers in August and September, by LAUSD subdistrict



Source: NCTQ survey, February/March 2011 n=247

11 The poverty rate for LAUSD as a whole is 76 percent. To weigh the poverty rates of schools in each local district, NCTQ used the count of teachers as a proxy for school size instead of the student count, which was unavailable.



Recommendations for LAUSD



1. Eliminate the priority placement list. The priority placement list forces LAUSD to compromise on its commitment to mutual consent staffing. While districts bear the financial burden of keeping teachers without a permanent assignment on the payroll, it is preferable to forcing a principal to hire a teacher who is not a good fit. As other districts have done in the face of restrictive state laws and financial challenges, LAUSD should more actively identify and counsel low performing teachers from the profession who cannot find a new placement.



2. Educate principals in high-poverty schools on their right to refuse placement of teachers in the priority placement pool. Too few principals are aware of their right to refuse a transfer. LAUSD should take a page from the UTLA, which does a good job of informing teachers of their rights, such as how to file a grievance (see evaluation goal for more detail). The district administration need to provide similar guidance to principals on how to utilize the flexibility and tools available to them.



3. Establish an earlier resignation notification date to help principals anticipate vacancies earlier in the year. With financial incentives proving ineffective, LAUSD simply needs to move up the notification deadline for all teachers in order to fill vacancies sooner.



4. Improve applicant recruitment and screening in HR to ensure that high caliber candidates are sent to schools.



5. Remove contract language that grants teachers seniority preference in selecting which classes they will teach. The most effective teachers should be given the assignments where they can have the greatest impact on student learning, and perhaps should be compensated to do so.



6. Take advantage of the state flexibility in layoffs. State law permits districts to lay off teachers for “pedagogical reasons.” Although LAUSD interpreted this to mean when teachers are not fully certified, it presumably could take a broader interpretation that would include poor performance.

Recommendations for California



1. Permit districts to dismiss teachers who are without an assignment after one year (two hiring cycles). Currently, California law does not allow school boards to terminate a teacher’s contract for a failure to find a position. Several other states, however, do afford districts this authority. This so-called “exit strategy” is critical if districts are to fully implement mutual consent hiring.

In the absence of such an exit strategy, districts are left to pay the salaries of unassigned teachers who remain on the district payroll until they are hired by a principal—an expense that no district can justify over the long term.



2. Allow performance to be used as a factor in determining which teachers will be laid off. Not only is experience a poor predictor of teacher effectiveness after the first few years, it results in more teachers being laid off.¹² If California is unable to make performance a determining factor in layoffs across the board, here are several compromises that remove at least some of the preference for seniority:

- **Lay off first-year teachers first.** Research shows that teachers who have been teaching only for a year are not likely to match other teachers' effectiveness. Targeting first-year teachers is preferable to treating all nontenured teachers as the same.
- **Lay off nontenured teachers on the basis of performance, so that at least some of the lowest performers go first.** The point is that protections for tenured and nontenured teachers can be treated differently.
- **Lay off teachers on the basis of a weighted system that gives more points to performance and fewer to seniority.**

If California does change its layoff policy it would also need to reconsider the rights it grants to laid-off teachers to be reinstated to their jobs. Currently teachers have rights to a position for up to 39 months after they were laid off if the district later resumes hiring.



3. Expand California's Education Code 55036 (the "lemon law") to give principals the right of refusal, regardless of whether a teacher is transferring voluntarily or involuntarily. California's current policy is a good first step in giving schools more autonomy over staffing, but it does not go far enough because it does not apply when teachers are *involuntarily* transferring schools, which occurs most often when positions are cut due to a change in student enrollment. No school should be required to accept a teacher who is not a good fit.

¹² Goldhaber, D., & Hansen, M. (2009). *Assessing the potential of using value-added estimates of teacher job performance for making tenure*. Seattle, WA: Center on Reinventing Public Education.

Standard 2.

Evaluation



Teacher evaluations serve to enhance the quality of the teaching force.

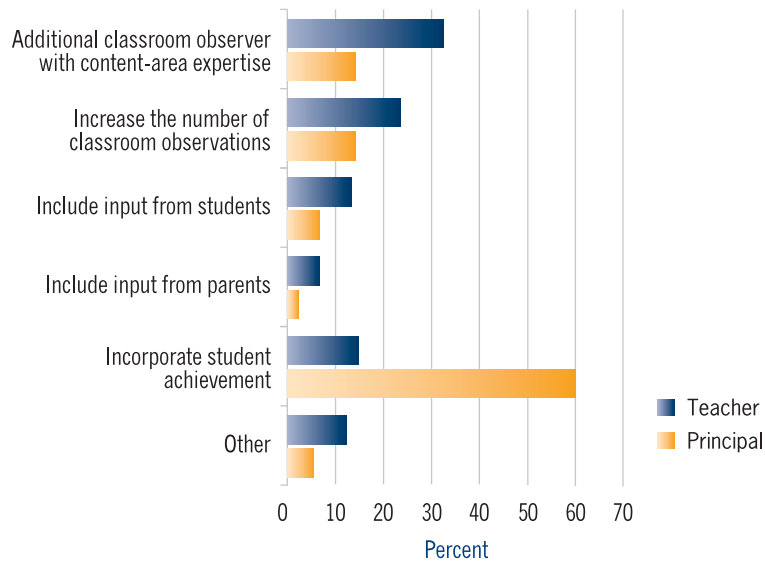
Indicators on which this standard is assessed:

- 2.1 All teachers receive an annual evaluation rating.
- 2.2 Objective evidence of student learning is the preponderant criterion on which teachers are evaluated.
- 2.3 Classroom observations focus on a set of observable standards that gauge student learning.
- 2.4 Evaluations factor in multiple observations by multiple parties, such as school administrators, department heads, trained exemplary teachers, central office evaluators and content experts. These observers provide regular feedback to teachers on their classroom instruction.
- 2.5 Evaluations offer multiple ratings to distinguish differences in performance among teachers.
- 2.6 Observations occur early enough in the school year to provide sufficient time for struggling teachers to improve and for administrators to make a final decision about a teacher's continued employment by year's end.
- 2.7 Decisions to terminate a poorly performing teacher occur swiftly and are made by educational leadership, not a court of law.

During the 2010-2011 school year, LAUSD convened a task force to examine district practices and policies on teacher effectiveness, with the goal of revising its teacher evaluation policies. The district's core strategy is to develop multiple-measure performance reviews. In large part, LAUSD is moving in a direction that mirrors many of the evaluation goals articulated here.

Two-thirds of surveyed principals said that the number one change they would make to improve teacher evaluations would be to factor in a teacher's impact on student achievement;

Figure 12. What change would you most recommend to improve teacher evaluations?



Source: NCTQ survey, February/March 2011 principals n=254; teachers n=1317

2.1 All teachers receive an annual evaluation rating.

FINDING: In LAUSD, not all teachers receive an annual evaluation. In the 2009-2010 school year, LAUSD evaluated only 40 percent of its tenured teachers and 70 percent of nontenured teachers.

Half of all states require that teachers be evaluated annually. Annual evaluations help both the district and principals understand the performance distribution of their staff. They also ensure that all teachers, both strong and weak, receive feedback on their instruction. However, California law requires that only nontenured teachers and tenured teachers who previously received a low rating are evaluated annually. Tenured teachers with a previous satisfactory evaluation only have to be evaluated every other year. The state also permits principals to reduce the frequency of evaluations to once every five years for teachers with more than 10 years of experience.¹³

Unfortunately, the district’s current evaluation proposal to the LAUSD Board of Education makes no recommendation for increasing the frequency of evaluations for tenured instructors. As is common in many districts, state minimum requirements become the local *de facto* policy, although no state laws preclude a school district and a union from negotiating more frequent evaluations. This practice is the case of LAUSD; the teacher contract mirrors state law.

13 California Education Code 44664



2.2 Objective evidence of student learning is the preponderant criterion on which teachers are evaluated.

FINDING: Although LAUSD intends to incorporate objective evidence of student learning into teacher evaluations, its current tool, the Stull evaluation, fails to so.

In the current system, principals and teachers set teachers' professional goals at the beginning of the school year, a process which could potentially include student outcomes. There is little guidance from the district, however, on what would constitute rigorous and measurable goals.

Incorporating student growth into the evaluation system is an important objective for the district, but is much easier said than done, as Los Angeles teachers know better than most. The use of value-added data in assessing teacher effectiveness has played a prominent role in the national discussion about how to best account for student achievement in teacher evaluations. This method of statistical analysis is a particularly sensitive issue in Los Angeles, where the *Los Angeles Times* commissioned its own value-added analysis of about 11,500 elementary teachers working in the district between 2004 and 2010.¹⁴ They have controversially published individual teacher ratings on the newspaper's website for two consecutive years. Among their findings from the 2011 analysis were the following:

- More than 8,000 students were assigned the poorest rated teachers two years in a row.
- The quality of instruction varied more within schools than across the district. In other words, there are very good teachers and very weak teachers in nearly every school. The strongest teachers were not necessarily in the most affluent schools.

The analysis has, unfortunately, created an emotionally charged atmosphere in LAUSD. While intending to show the merits of value-added data, the public release of teachers' value-added scores demoralized many teachers, as indicated in NCTQ focus groups. Although this experience has left some less willing to consider the constructive role value-added data can play in teacher evaluations, it at least initiated a public conversation about using data on student learning to evaluate teacher performance.

At the end of the 2010-2011 school year, LAUSD is privately sharing with teachers their value-added scores, also referred to as "academic growth over time." For at least this year, the district has pledged not to factor in teachers' value-added scores in their rating; whether they are ultimately used is subject to future negotiations with the UTLA.

14 The analysis evaluated teachers based on student growth in math and English Language Arts.

“ A principal’s feedback isn’t based on what’s going on in the classroom — it’s whether you are signed up for committees or other things. I had a principal who loved me and who praised me up and down and I had maybe had two or three conversations with her ever.”

- LAUSD teacher

2.3 Classroom observations focus on a set of observable standards that gauge student learning.

Although value-added assessments have dominated national debates, classroom observations offer another valuable component through which evidence of a teacher’s impact on student learning can be assessed.

FINDING: LAUSD’s current evaluation instrument focuses on teacher behaviors, not on the impact those behaviors have on student learning.

The Stull component that rates a teacher’s classroom performance has little to do with well-executed instruction and more to do with whether teachers utilize specific materials when planning instruction. Delivery of academic content is not evaluated.

The following comparison demonstrates the differences between three evaluation rubrics that assess a teacher’s ability to develop students’ critical thinking abilities through effective questioning and discussion.

D.C. Public Schools’ IMPACT rubric explicitly describes good instruction for observers and teachers, and requires the observer to cite detailed evidence describing the teacher’s performance. LAUSD’s *current* Stull assessment is too vague; it provides insignificant guidance for evaluators. LAUSD’s *new* rubric, currently under development, is less vague; it includes two standards that address observable classroom instruction, yet how the components will be weighted has yet to be decided. Ultimately, the revision still falls short in providing the level of specificity and detailed examples found in D.C.’s IMPACT rubric.

Figure 13.

DCPS-IMPACT LAUSD Current Rubric – LAUSD Proposed Rubric
 Rubric Format

<p>Rubric with a description and examples for each of the four ratings a teacher can receive.</p>	<p>Rubric/checklist with limited examples of what warrants only the highest rating.</p>	<p>Rubric with a brief description of the ratings a teacher can receive.</p>
<p>Component</p> <p>Component: Teaching and Learning Framework Standard: “Develop higher-level understanding through effective questioning.”</p>		
<p>How the teacher’s effectiveness is assessed</p>		
<p><i>Teacher is assigned a numerical score of 1 to 4 for the standard and supporting comments, based on the description provided for each level.</i></p> <p>Level 4: Teacher is highly effective at developing higher-level understanding through effective questioning. <i>For Level 4, nearly all of the evidence listed under Level 3 is present, as well as some of the following:</i></p> <ul style="list-style-type: none"> ■ The teacher asks higher-level questions at multiple levels of Bloom’s taxonomy, if appropriate to the lesson. ■ Students are able to answer higher-level questions with meaningful responses, showing that they are accustomed to being asked these kinds of questions. ■ Students pose higher-level questions to the teacher and to each other, showing that they are accustomed to asking these questions. <p>Level 3: Teacher is effective at developing higher-level understanding through effective questioning. <i>The following best describes what is observed:</i></p> <ul style="list-style-type: none"> ■ The teacher frequently develops higher-level understanding through effective questioning. ■ Nearly all of the questions used are effective in developing higher-level understanding. ■ The teacher uses a variety of questions. <p>Notes:</p> <ol style="list-style-type: none"> 1. A teacher may ask higher-level questions in response to students’ correct answers, as part of the delivery of content, or in another context. All of these uses of questioning should be included in the assessment of this standard. 2. A teacher should receive credit for developing higher-level understanding by posing a more difficult problem or setting up a more challenging task, even if these are not necessarily phrased as questions. 3. At some points in a lesson, it is not appropriate to immediately ask questions to develop higher-level understanding (for example, if students are rehearsing a basic skill). A teacher should not be penalized for failing to probe for higher-level understanding in these cases. However, over the course of a 30-minute observation, there should be some opportunities to probe for higher-level understanding. As a result, this category cannot be scored as “Not Applicable.” 4. The frequency with which a teacher should use questions to develop higher-level understanding will vary depending on the topic and type of lesson. For example, in a high school history lesson on the Industrial Revolution, a teacher should be asking questions to develop higher-level understanding much of the time. In contrast, in a part of a lesson on the appropriate use of punctuation, a teacher might not do so quite as frequently. Still, questioning to promote higher-level understanding should be present in every lesson. 5. All of the techniques in the list of examples to the right can be effective types of questions to develop higher-level understanding if they are well-executed and appropriate to the lesson objective. However, each of these techniques can also be used ineffectively. A teacher should not receive credit simply for using a technique on the list. In order to be credited as effective, the question must be well-executed and appropriate to the objective and thus succeed in developing higher-level understanding.” <p><i>For descriptors of performance on teacher rating levels 1 and 2 see appendix.</i></p>	<p><i>Teacher is assigned one of three ratings, with the presence of all of the following presumably being evidence of the highest.</i></p> <p>Example practices:</p> <ul style="list-style-type: none"> ■ ESLR’s [Essential School-wide Learning Results] (Complex thinking; Effective Communication) ■ Lab reports ■ Inquiry-based learning activities ■ Expository writing based on open-ended prompts ■ Provide daily opportunities that support authentic literacy (reading, writing, listening, speaking) 	<p><i>Teacher is assigned one of four ratings, with descriptors for what behaviors the observer should look for.</i></p> <p>Highly Effective Teacher’s questions challenge students to think and invite students to demonstrate reasoning. Students formulate many questions to advance their understanding.</p> <p>Effective Most of teacher’s questions are open in nature and engage students in further instruction.</p> <p>Developing Teacher’s questions are a combination of open and closed. Only some invite a thoughtful response.</p> <p>Ineffective Teacher’s questions are largely closed in nature. Questions do not invite a thoughtful response.</p>

“I teach high school but my principal taught elementary school, so she didn’t have any idea about my work or subject areas.”

- LAUSD teacher

2.4 Evaluations factor in multiple observations by multiple parties, including school administrators, department heads, trained exemplary teachers central office evaluators and content experts. These observers provide regular feedback to teachers on their classroom instruction.

FINDING: Currently, LAUSD bases a teacher’s evaluation on a single observation by the school principal. LAUSD does not encourage principals to incorporate others expertise. Both the UTLA contract and state law prohibit teachers from evaluating peers.

Among other recommendations, teachers surveyed by NCTQ most frequently suggested having an additional classroom observer with content-area expertise. Moving to more frequent evaluations also requires broadening the pool of observers so as to not unfairly burden principals. Unfortunately, the current UTLA contract prohibits members of the same bargaining unit from evaluating each other. Furthermore, California state law requires that anyone performing an evaluation of a teacher hold an administrator’s license. These kinds of requirements greatly limit the pool of potential evaluators. These same rules apply to nontenured teachers, even though they are eligible to receive two observations during the year.

In its new evaluation system, LAUSD seeks to involve other trained observers, including teacher leaders and peers, along with surveys of parents, students and employees. In order for these changes to occur, both the UTLA contract and state law must be changed.

FINDING: Teachers receive little feedback on their instruction, but want more.

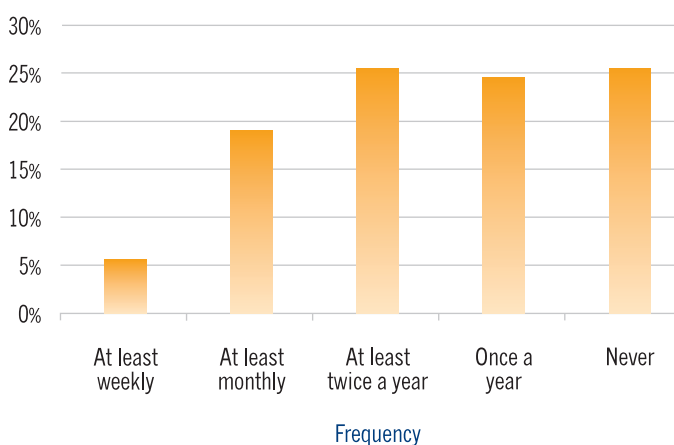
LAUSD’s contract states that observations should be followed with conferences to discuss performance, but in our surveys teachers report that these conferences often do not happen.

One quarter of teachers surveyed reported that they never receive any feedback from their principal, but of those that do, over 60 percent of teacher respondents reported that this feedback is at least somewhat helpful.¹⁵

¹⁵ Principals, on the other hand, claimed to give teachers feedback at least monthly.



Figure 14. Frequency at which teachers report receiving feedback from their principal



Source: NCTQ survey, February/March 2011 n=1,317

Commendably, the LAUSD contract does not require that observations be scheduled in advance. This practice allows principals or their designees to assess a typical lesson, instead of a rehearsed one, and is likely one of the reasons many teachers find administrator feedback helpful.

Some LAUSD schools have implemented schoolwide student evaluations of their teachers. While these evaluations do not formally contribute to teachers' ratings, teachers interviewed for this study reported receiving "rich feedback" from the results of almost 2,000 student surveys conducted at their school. Teachers said that the student feedback was not only helpful for their own instruction, but also that it confirmed colleagues' own estimation about who was struggling.

The experience of these teachers is consistent with research on the validity of student feedback that finds a correlation between student feedback on teacher instruction and value-added scores.¹⁶

“I have rarely been evaluated properly or been given constructive comments since my student teaching 15 years ago.”

- LAUSD teacher

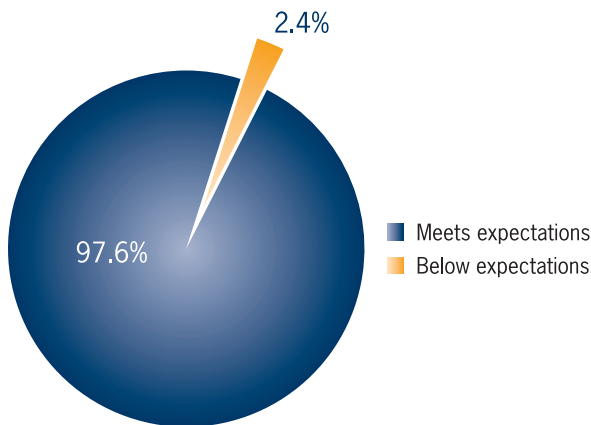
16 *Learning about Teaching: Initial Findings from the Measures of Effective Teaching Study*, The Bill and Melinda Gates Foundation, December 2010

2.5 Evaluations offer multiple ratings to clearly distinguish differences in performance among teachers.

FINDING: Teachers are assigned one of two ratings on the final evaluation: “meeting standard performance” and “below standard performance.” Teachers are rated on individual indicators using three ratings: “Meets,” “Needs Improvement” and, oddly, “No.”

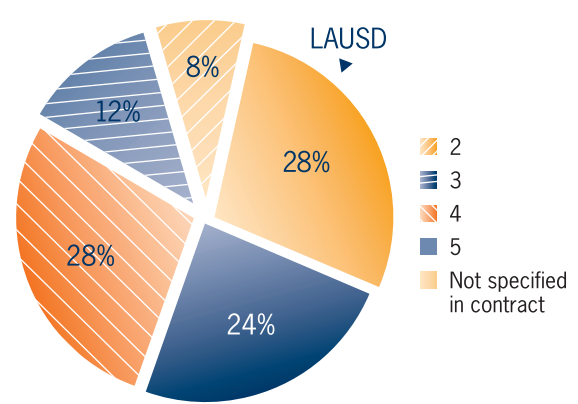
This reductionist approach does not differentiate between teachers whose weaknesses could be remedied with more professional support and those who are fundamentally ill-suited for the profession. Furthermore, it fails to differentiate truly *outstanding* teachers from those who are merely competent.

Figure 15. LAUSD teacher evaluation ratings, 2009-2010



Source: LAUSD Human Resources

Figure 16. Number of evaluation ratings in the largest 25 U.S. districts

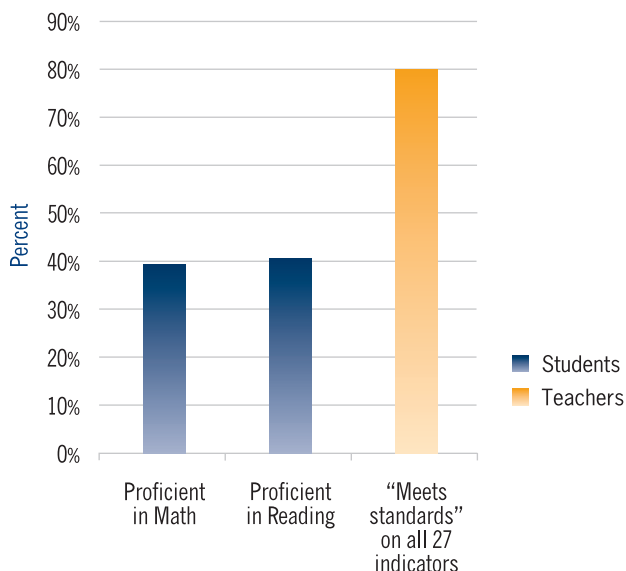


Source: NCTQ's TR³ database, www.nctq.org/tr3

Of the 11,000 LAUSD teachers evaluated in the 2009-2010 school year, 79 percent met the standard in *all 27* indicators, signaling that they did not need *any* improvement. Contrast teachers' apparent extraordinary level of performance with student performance: only 41 percent of students scored proficient on the state language arts exam and only 39 percent scored proficient in mathematics.¹⁷

17 Average proficiency of grades 3-11. September 2010 LAUSD “District Goals Data Update”

Figure 17. LAUSD student and teacher performance, 2009-2010

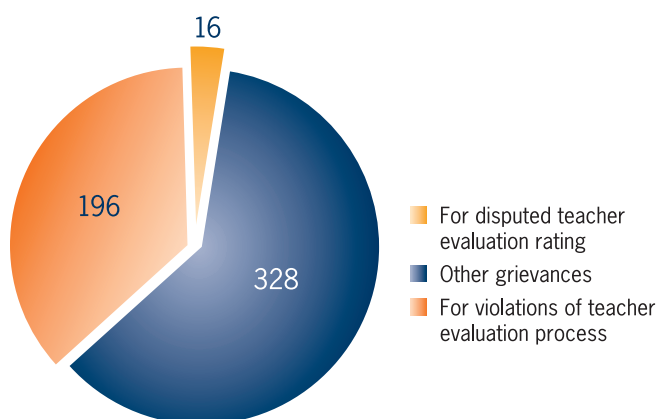


Source: LAUSD Human Resources

Principals are reluctant to rate teachers “below standards” for a number of reasons. First, the evaluation instrument is prone to grievance. Any evaluation where an educator received a “below standard” rating is subject to a grievance.¹⁸ An evaluation reflecting a “significant disparity” between the overall rating and the feedback on the evaluation form is also subject to grievance. Of the 540 UTLA grievances filed against LAUSD last year, nearly 40 percent were related to teacher evaluations.

A quarter of districts in NCTQ’s TR³ database do not allow a teacher to grieve an evaluation rating.

Figure 18. UTLA grievances filed during 2009–2010 school year



Source: LAUSD Human Resources

18 The UTLA’s 11-page handbook to the Stull evaluation contains a three-page checklist of “constraints [that] keep teachers and students from achieving their potential.” This document is essentially a guide for teachers in how to respond to—and grieve over—a negative evaluation. The handbook has a 43-item checklist of potential problems in teachers’ work environment. Examples include “closed stock rooms” to “insufficient number of telephones.”

Perverse incentives may dissuade school leaders from executing their management responsibilities. For example, the online evaluation system, includes a pop-up warning telling principals who have selected “needs improvement” for 3 or more of the 27 indicators to contact Staff Relations and present documentation to reinforce the ratings. This step likely gives administrators pause; if they have not diligently collected evidence, or feel that pursuing a negative rating will take too much time, they may decide it is not worth the effort. In this case a principal may likely limit herself to highlighting only two “needs to improve” areas. There should be a high burden of evidence and feedback for every rating—both negative and affirmative.

Other problems with the current instrument include the following:

- The instrument does not indicate how many of the 27 indicators a teacher must meet in order to be rated as “meets standards.”
- All 27 indicators appear equally weighted despite differing importance.
- There is nothing to prevent two teachers from receiving the same rating on each indicator, but a different “Overall Evaluation” ratings.

2.6 Observations occur early enough in the school year to provide sufficient time for struggling teachers to improve and for administrators to make a final decision about a teacher’s continued employment by year’s end.

FINDING: LAUSD allows observations to occur late in the year, leaving struggling teachers floundering for months.

Even highly effective teachers stand to benefit from early feedback that gives them time in the school year to adjust their practice. Although the contract requires that teachers and principals meet “soon after commencement of the academic year” to agree upon teachers’ performance goals, there is no deadline for these conferences. It is unclear whether these goal-setting conferences actually happen, as the district does not require any documentation from these meetings.

Observations can occur at any point in the school year provided the principal submits the final evaluation report at least 30 days before the last school day. The lack of a timely observation requirement means that many teachers may not be observed until the school year is almost over.

A teacher receiving an overall rating of “Below Standard Performance” must receive a written description of deficiencies, recommendations for improvement and assistance to be given. According to state law, tenured teachers receiving this rating must participate in Peer Assistance and Review (PAR), through which they receive support from trained, consulting teachers who offer personalized assistance but who do not evaluate. One year after the initial “below standards” rating, teachers are reevaluated by their principal. This timeline is significantly more protracted compared to other districts where teachers are



reevaluated one or two times after an initial unsatisfactory rating and all within the same school year.

2.7 Decisions to terminate a poorly performing teacher occur swiftly and are made by educational leadership, not a court of law.

FINDING: In 2009-2010, less than 2.5 percent of the LAUSD teacher workforce received a low rating, though the district now appears to be taking evaluations more seriously.

As figure 19 shows, few LAUSD teachers historically have been dismissed for poor performance, largely because it was not a priority in prior LAUSD administrations. In the past 18 months, the number of poorly performing tenured teachers given notice of their dismissal has greatly increased, but it is still only a tiny fraction of the nearly 29,000 teachers in the LAUSD workforce.

Figure 19. LAUSD workforce dismissal

School year	Dismissals of tenured teachers	Resignations to avoid dismissals	Dismissals of nontenured teachers	Total
2005-2006	6	10	81	97
2006-2007	3	15	44	62
2007-2008	6	55	25	86
2008-2009	7	62	52	121
2009-2010	10	182	89	281
2010-2011	94 (as of April 25)	36 (as of January 19)	150 (as of April 25)	280

Source: LAUSD Human Resources

68 percent of surveyed teachers said that there were tenured teachers currently working in their schools who should be dismissed for poor performance.

34 percent of principals surveyed said that they did not even try to dismiss a poor performing teacher because the process was unlikely to result in dismissal.

“I began the dismissal process, but then teacher offered to be displaced.”

- LAUSD principal

“I was in process of dismissing a teacher, but the teacher requested a voluntary transfer and I was advised to accept it.”

- LAUSD principal

According to California state education code, the following steps must occur in order to dismiss a poorly performing tenured teacher. Principals must:¹⁹

1. Document a teacher as “below standards” in an evaluation;
2. Include detailed recommendations as to areas of improvement in the performance of the employee;
3. Notify the employee in writing and describe the unsatisfactory performance; and,
4. Meet with the employee to recommend improvements in the employee’s performance and assist the employee making those improvements.

Although none of the state’s requirements appears overly onerous, principals asserted that they have only enough time to dismiss one or two teachers a year. More frequently, principals will counsel an under-performing teacher to voluntarily transfer from their school (66 percent of surveyed principals admitted to using this strategy). Teachers themselves may offer to transfer as well. It is a lot less cumbersome to have a low-performing teacher transfer to another school than to have to evaluate the teacher out of the district via the formal dismissal process.

19 California Education Code 44664



Recommendations for LAUSD

Perhaps more than any policy change, LAUSD's central administration needs to send a strong signal to principals about the importance of evaluations for improving teacher performance and for holding teachers accountable.



- 1. Make student performance the preponderant criterion on which teachers are evaluated.** The impact of LAUSD's proposed redesign will be determined by how each domain is ultimately weighted, and whether the most weight is given to a teacher's observable performance in the classroom along with student outcomes.

Standardized test results provide one source of evidence that students are learning, but there are others sources districts can and must use since standardized testing does not occur in all grades and subjects. Alternatives are often more difficult to implement consistently and are less technologically advanced. Their application also requires more human judgment, which is not necessarily a negative, given many teachers' expressed discomfort over the interpretation of value-added scores absent important context.

One option is for LAUSD to develop a set of standards for how much learning should occur in a given year for each subject or grade. That process of standard setting is best done by teams of exemplary teachers for each grade level or subject area. For example, LAUSD might assemble the city's best Spanish teachers to arrive at a metric that describes superlative, acceptable or unacceptable progress for students to make in any given year of Spanish. The metric would be applied during the evaluation process as a tool that provides the evaluator with a yardstick by which to measure growth or mastery.

The evaluator would need to weigh a teacher's performance on the metric with other factors—such as the level of progress students made in the previous year under a different Spanish teacher. For example, the evaluator notes that a teacher only covered three-quarters of the material she should have gotten through for a Spanish II class, but also that students clearly had mastered the material that was covered. Putting these results in context, the evaluator also knows that the Spanish I teacher was extremely weak and that the Spanish II teacher had to spend a good deal of time on catch-up. The Spanish II teacher earns an adequate rating for covering about a year's worth of material. This display of judgement is exactly the sort of process that good principals have engaged in for years, even though it was not part of the official district policy.

Skirting the hard work of developing these alternatives, course by course, grade by grade, is only likely to make the system too dependent on standardized test scores.

Where it's been done:

Washington, D.C., provides one of the strongest examples of a district requiring that student achievement be the preponderant criterion of evaluations. For teachers in viable grades and subject areas, 50 percent of their rating is determined by value-added data. Those teaching in other grade levels and subjects set goals to capture students' growth or mastery of academic content. It is important to note that the teacher evaluation policies in the District of Columbia are not subject to negotiation with the local union, but are a management right.

In consultation with its teachers' union, the **New Haven** public school system recently revamped its evaluation instrument. Almost half of a teacher's rating is determined by student growth goals. Measures of progress include standardized tests, district assessments and student work. The remainder of a teacher's rating is largely determined by classroom observation, which focuses on evidence of student learning rather than on teacher behaviors. Also, when the teacher's rating from the observation does not match the teacher's student growth rating, the mismatch generates an automatic review by the central office, an important check and balance to the system. Teachers who receive either the highest or lowest evaluation rating from their principal are also automatically reviewed by another evaluator.



- 2. Develop a team of independent evaluators to validate principal evaluations and provide content-specific feedback on teacher instruction.** Evaluations that regularly incorporate the views of multiple, *trained* observers allow the district to gauge the robustness of individual principal ratings. When a principal's observations closely match those of an outside evaluator, teachers can be more confident that the principal is unbiased and skilled at evaluation. If the ratings conflict, the school district needs to investigate reasons for the variance. Even if only one teacher in a building is checked by a third-party evaluator, principals will take this task more seriously.

Where it's been done:

Hillsborough County Schools employs a team of 75 content experts, usually former teachers in the system, to evaluate teachers. These observations happen in addition to those done by school administrators. Observations by both master teachers and administrators factor into the teacher's evaluation rating.



- 3. Adjust the observation schedule so that educators receive feedback on their instruction no later than the end of the first semester, increasing their opportunities to demonstrate improvement.**



- 4. Collect and examine student feedback on teacher instruction.** Feedback from students can help teachers improve and can give evaluators a better sense of teacher instructional practices. A questionnaire for student feedback might look like the following.

Figure 20. How much do you agree or disagree with the following statements?

Check one box after each question.

	Strongly agree	Agree	Disagree	Strongly disagree
1. When I work hard in this class, an important reason is that the teacher demands it.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. I don't like asking the teacher in this class for help, even if I need it.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. The teacher in this class calls on me, even if I don't raise my hand.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. I have pushed myself hard to completely understand my lessons in this class.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. If I were confused in this class, I would handle it by myself, not ask for help.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. One of my goals in this class is to keep others from thinking I'm not smart.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Source: The Bill & Melinda Gates Foundation

Recommendations for California



- 1. Make the evaluation tool and process a management right not subject to negotiation with the union.** Changing the scope of bargaining to explicitly declare evaluations as a management right would remove many hurdles and local political battles that impede evaluations.



- 2. Require annual evaluations for all teachers.** State policy, intended only to establish the minimum frequency of evaluations, too often becomes the de facto maximum in most districts. It is critical that the state establish stronger guidance to ensure that all teachers, even good ones, are evaluated annually.



- 3. Revise requirements for evaluator eligibility so that observers are not required to hold an administrator's license.** Currently, peer evaluations can be used to inform principals and help struggling teachers, but are not incorporated into the evaluation. For LAUSD to establish a cohort of trained peer evaluators, California must remove its current requirement that all evaluators hold an administrator's license. This change will greatly expand the pool of applicants who can observe.



Standard 3.

Tenure

Tenure is a meaningful milestone in a teacher's career and advances the district's goal of building a corps of effective teachers.

Indicators on which this standard was assessed:

- 3.1 Teachers are eligible for tenure after no fewer than four years in order to factor in multiple years of meaningful data into tenure decisions.
- 3.2 Evidence of effectiveness is the preponderant criterion in tenure decisions.
- 3.3 Tenure decisions are decided by a panel of reviewers in a process that looks at a teacher's record and impact on student performance.

3.1 Teachers are eligible for tenure after no fewer than four years in order to factor in three years of meaningful data into tenure decisions.

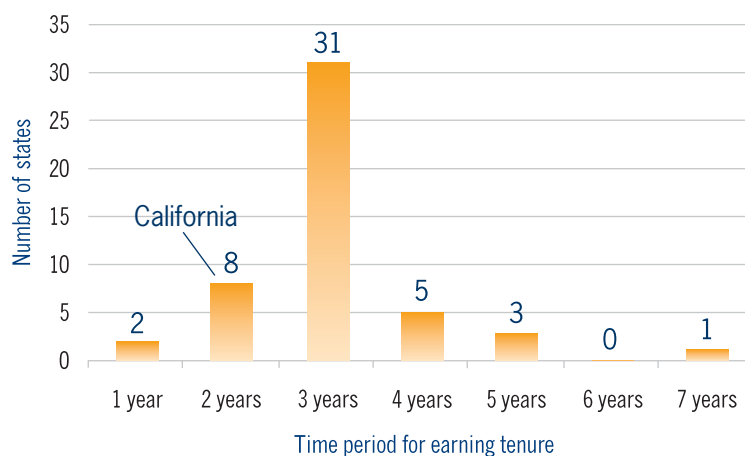
FINDING: California state law impedes LAUSD's ability to incorporate important evidence into tenure decisions.

Tenure for public school teachers is, in theory, a guarantee of due process; in practice however, it is a \$2 million decision by a school district factoring in combined salary, benefits and pension over the course of a teacher's career. Tenure should be considered a significant milestone for teachers who have consistently demonstrated effectiveness and commitment. Unfortunately, in most states, including California, tenure is often awarded automatically, after a teacher has been in the classroom for two or three years. No other profession, including higher education, offers practitioners this benefit after only a few years of working in the field. Ideally, districts would examine three years of data on a teacher's performance before awarding tenure.

Districts decide whether to award teachers tenure, but state law sets the terms. California mandates that teachers must be considered for tenure after only two years of teaching. Even with such a short probationary period for tenure, California has no provision allowing districts to extend the probationary period an additional year, as do 12 other states.



Figure 21. Time period for earning tenure



Source: NCTQ TR³ database, www.nctq.org/TR3

Not surprisingly principals surveyed by NCTQ suggested that two years is not enough time to make informed decisions on teacher tenure, with the majority of principals saying they need at least three years. As research on the impact of teacher experience shows, teachers greatly improve their craft in the first three years of their career.²⁰ A longer probationary period gives new teachers the benefit of the doubt and more time to show their improvement.

3.2 Evidence of effectiveness is the preponderant criterion in tenure decisions.

FINDING: A teacher's effectiveness only matters nominally in LAUSD tenure decisions.

According to state law, an LAUSD teacher is eligible for tenure provided his or her most recent evaluation resulted in a satisfactory rating. This single criterion does not appear to serve as an effective screen, as historically in LAUSD virtually all teachers have received a satisfactory evaluation.

Figure 22. Length of experience

Length of experience in LAUSD	Teachers below standard performance	Teachers meeting standard performance
Fewer than 2 years	3%	97%
More than 2 years	2.5%	97.5%

²⁰ Goldhaber, D., & Hansen, M. (2009). *Assessing the potential of using value-added estimates of teacher job performance for making tenure*. Seattle, WA: Center on Reinventing Public Education.

Only 3 percent of nontenured teachers in LAUSD were rated “below standard,” virtually the same percentage as tenured teachers. If tenure were a meaningful designation, teacher evaluation ratings between less experienced teachers and those who have earned tenure would presumably look quite different.

3.3 Tenure decisions are decided by a panel of reviewers in a process that looks at a teacher’s impact on student performance.

FINDING: In recent years, LAUSD has made tenure a more meaningful designation by requiring principals to actively approve a teacher for tenure.

In 2009 LAUSD began an “affirmative” tenure process, whereby principals actively approve a teacher for tenure. In the 2009-2010 school year, LAUSD reports that 89 teachers were denied tenure, approximately 10 percent of those eligible and a 60 percent increase over the prior year. This year LAUSD officials estimate that approximately 120 teachers in their first year and 30 teachers in their second year will not be invited back for performance reasons.

Teachers interviewed and surveyed by NCTQ overwhelmingly expressed the sentiment that the teaching profession is not given due respect, frequently contrasting teaching with more prestigious careers such as academia, medicine and law. The relative selectivity for entry into these fields contributes to public esteem. The lack of selectivity at every stage of the teaching career, including the automatic nature of tenure decisions, only serves to feed a public perception of teaching as low status.

Figure 23. Academic caliber of teacher recruits




Finland	top 10 percent
South Korea	top 5 percent
Hong Kong	top 30 percent
Singapore	top 30 percent
United States	bottom third

Source: Barber, M., & Mourshed, M. (2007). How the world's best performing school systems come out on top. McKinsey & Company.

Without teacher preparations programs and state licensure policies raising the bar for entry into the field, the onus rests on districts to not just do a better job recruiting and hiring top teachers, but also in deciding who gets tenure.




Recommendations for LAUSD

-  **1. Hold a tenure review to decide whether to award tenure.** Tenure should be a significant milestone in a teacher's career and awarded only after deliberate and thoughtful consideration of a teacher's performance. LAUSD should develop a review process in which both the principal and teacher must present the cumulative evidence of teacher's professional success and potential.
-  **2. Make performance the primary factor on which teacher tenure is decided.** Sound tenure decisions should be directly dependent on a robust and informative evaluation instrument. The ability to know the areas in which a teacher excels and struggles and how her performance compares to others' in the teacher corps should be the crux of any decision. To adopt this strategy requires more time to collect data on individual teacher performance than 20 months permits.
-  **3. Reward teachers who earn tenure with a significant pay increase.** A meaningful tenure process should be accompanied by a salary structure that recognizes the teacher's accomplishments. See Standard 4 for more ideas on how LAUSD's salary schedule can work toward attracting, retaining and rewarding effective teachers.

Food for thought:

Economists recommend that districts should routinely dismiss at least the bottom-performing 25 percent of teachers eligible for tenure in order to build a high-quality teaching corps that is capable of making significant gains in student achievement. Denying tenure to the least effective teachers would have an effect comparable to reducing class size by five students per class.*

* Goldhaber, D., & Hansen, M. (2009). *Assessing the potential of using value-added estimates of teacher job performance for making tenure decisions*. Seattle, WA: Center on Reinventing Public Education.

-  **4. Provide teachers with intensive development during their probationary years.** A more deliberate process leading up to tenure could include intensive investments in probationary teachers, including instructional coach support, frequent classroom observations by content experts, videotaping lessons for reflection and critique, release time to observe master teachers and other specialized professional development. Many of these and similar supports are included in the district's own "Teacher Effectiveness Task Force" recommendations. Tenure panel should have multiple years' worth of a teacher's performance when deliberating the teacher's tenure decision.

Recommendations for California



1. Extend the probationary period for teachers to earn tenure from two years to at least four years. A compromise to extending the tenure decision to four years statewide would be to permit principals to extend the probationary period. A quarter of states grant local administrators this right.



2. Move the March 15 deadline for tenure decisions to the end of the school year. California policy results in districts using fewer than two years of information—and possibly only one formal evaluation—to assess a teacher’s candidacy for tenure. The March deadline is also problematic for districts that lack a formal deliberation process because it may easily be missed—the result is automatic tenure for new teachers. Furthermore, as districts move to incorporate value-added data into teacher evaluations, this March 15 deadline for notifying nontenured teachers will become even more problematic. State test results are not available until after the school year ends. A principal could technically non-renew a nontenured teacher’s contract without a second evaluation on file, but such practice is unfair to teachers and should be discouraged by LAUSD.

Standard 4.

Compensation

Compensation is strategically targeted to attract and retain high-quality teachers, especially in hard-to-staff positions.

Indicators on which this standard was assessed:

- 4.1 Raises are tied to a teacher's impact on student learning and not indiscriminately to advanced degrees or solely to years in the classroom.
- 4.2 The district's salaries are competitive with other school districts in the area.
- 4.3 The district offers differentiated pay to employ and retain effective teachers in high-need schools and critical shortage content areas.
- 4.4 Teachers receive a significant pay increase after earning tenure.

Any discussion of teacher salaries at this juncture must acknowledge LAUSD's unprecedented financial crisis. This analysis explores the structure of LAUSD's pay system and attempts to offer alternative models to strategically compensate teachers, absent additional funding.

4.1 Raises are tied to a teacher's impact on student learning and not indiscriminately to advanced degrees or solely to years in the classroom.

FINDING: LAUSD teachers have one option for earning higher pay: accumulating an extraordinary number of graduate course credits.

LAUSD spends 25 percent of its teacher payroll (\$519 million a year) to compensate teachers for completing graduate coursework.²¹ While virtually all districts boost teacher pay for completing additional

21 The district degree expenditure is calculated by determining what the district's payroll could be if all teachers (regardless of educational attainment) were paid according to the base salary lane—with differentials only awarded for experience—and not coursework. The percentage is reported as the difference between the current and "possible" payroll as a portion of the total current payroll. This figure is intended for illustrative purposes only.

“I think LAUSD should renegotiate how raises are determined. Taking classes to get salary points does not make anyone a better teacher.”

- LAUSD teacher

“Moving up a salary ladder for completing coursework should be discontinued. Too many people game the system to reach top pay way before they are worth it.”

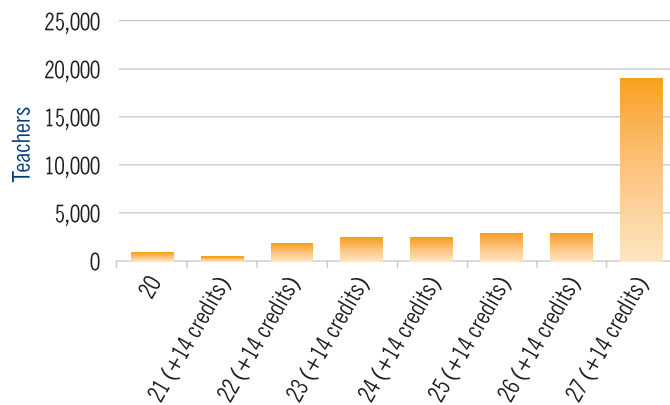
- LAUSD teacher

coursework and advanced degrees, LAUSD’s pay structure is unusual. It encourages teachers to take any coursework, regardless of its connection to a degree. For instance, advancing one lane on the salary schedule, which requires the coursework equivalent to half a master’s degree, earns a teacher five times as much as holding a master’s degree (advancing one lane on the salary schedule equals a raise of \$2,613; the stipend for having a master’s degree is \$584 a year).

In LAUSD, completing additional coursework is virtually the only way to qualify for raises (other than cost-of-living increases) once a teacher has been working for nine years or more. It is no surprise, then, that LAUSD teachers take a lot of coursework, with 60 percent of LAUSD teachers currently having earned at least 98 graduate course credits. In fact, this number of credits is roughly equivalent to *three master’s degrees*.

After completing 98 credits of coursework teachers also qualify for additional raises for experience that teachers who have not completed such coursework do not.

Figure 24. LAUSD teachers qualifying for each salary tier



Source: LAUSD payroll data 2009-2010 school year

The degree to which LAUSD’s pay structure is tied to coursework completion is problematic on a number of fronts.

- 1. Research concludes that graduate coursework does not make teachers more effective.** We provide a meta analysis here that summarizes all of the research on the impact of master’s degrees on teacher effectiveness, as measured by student learning.

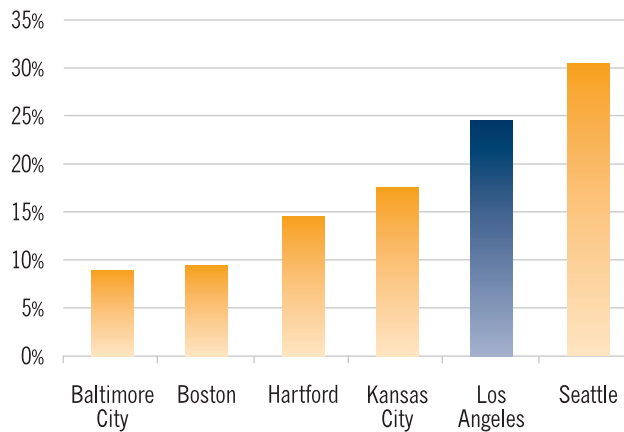
Of the five districts where NCTQ has completed a similar policy analysis, only Seattle spends a larger percentage of its payroll on raises associated with additional coursework.

2. LAUSD policy requires that coursework taken by teachers must be directly related to the subjects “commonly taught in the District (pre-K through grade 12),” but there is no policy requiring that the coursework relate to a teacher’s own content area. Approval for such courses should be considered only in relation to the subjects a teacher actually teaches.

There are two schools of thought on how to better align any continuing education with district goals, given that districts are getting poor return on their investments and teachers are burdened with pressure to take more coursework. Some argue that districts should restrict additional compensation to those master’s degrees that are in the subject area taught or a specialist degree, such as in reading or special education. Others argue that teachers should never be compensated for coursework *per se*, that any increase in compensation should be linked to evidence of student learning gains in the classroom. In other words, only increased effectiveness should be awarded.

3. Teachers are given salary credit for repeating courses they have already taken as long as they are spaced more than five years apart.

Figure 26. Percent of teacher payroll spent on coursework-based compensation



Source: NCTQ district policy analyses



FINDING: LAUSD's salary schedule penalizes teachers who have not completed the maximum coursework by capping their annual raises after nine years. To reach the top of the pay scale, teachers must take excessive amounts of coursework and even then it takes roughly 30 years to reach the top of the scale.²²

Most school districts have a salary schedule that requires teachers to work 20 to 25 years before earning their peak salary. A shorter salary schedule works to teachers' advantage as it means higher lifetime earnings. Furthermore, it is a pay structure more comparable to other professions.

Figure 27. Year maximum salary is reached

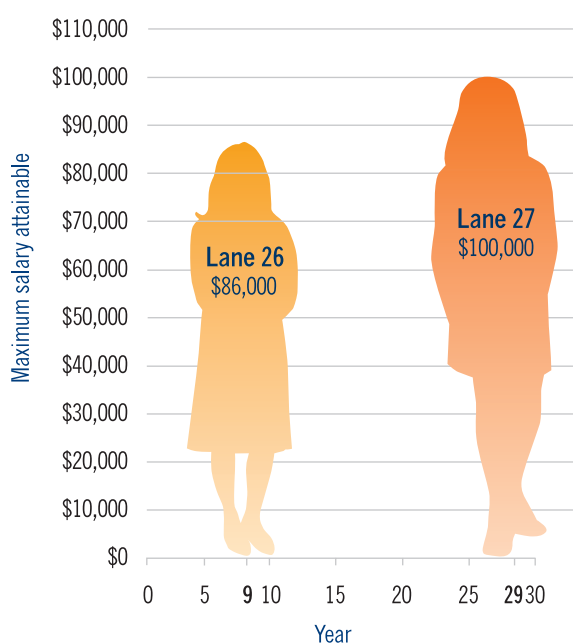
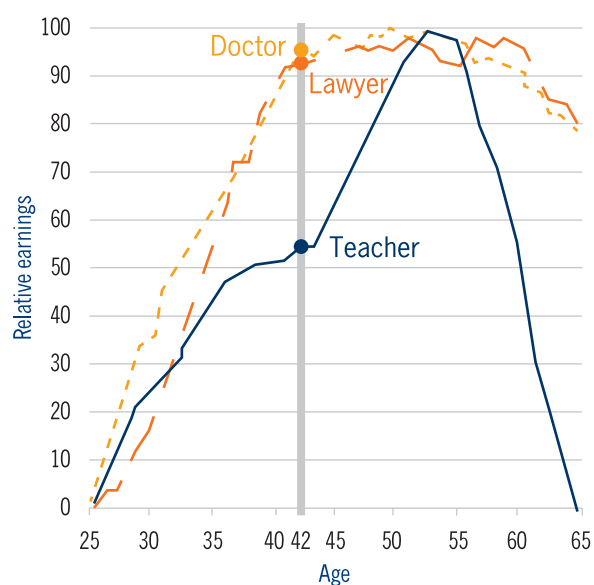


Figure 28. Teacher relative earnings compared to doctor and lawyer



Source: Vigdor, Jacob. *Scrap the Sacrosanct Salary Schedule*, Education Next. Fall 2008, Vol. 8, No. 4

4.2 The district's salaries are competitive with other school districts in the area.

FINDING: Teacher salaries in LAUSD start off relatively competitive with surrounding school districts, but quickly lose ground as teachers gain more experience.²³

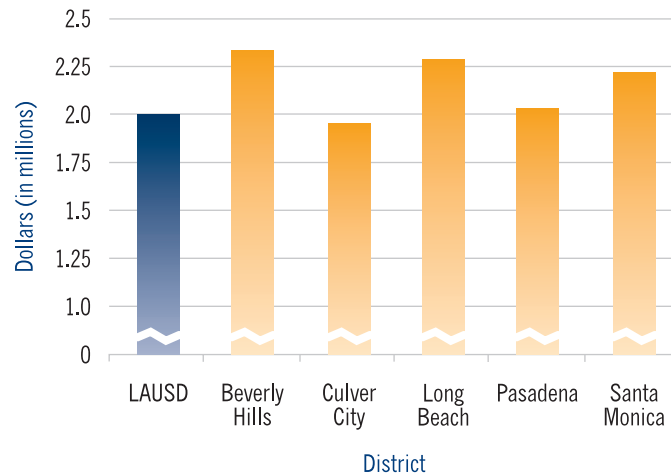
New LAUSD teachers with a bachelor's degree and no prior work experience earn \$44,071 a year, comparable to nearby districts. As LAUSD teachers progress through their careers their salaries do not keep pace. Consequently lifetime earnings (based on an estimated 25-year career) are lower in LAUSD than in most of the surrounding school districts.

- 22 It takes 29 years for teachers on lane 27 to achieve the maximum salary. Teachers on lane 27 move to the 1st Career Increment (CI) after completing step 14 (CI 1 is essentially step 15); teachers on lane 27 move to the 2nd CI after five years on CI 1 (essentially after 19 years of experience); teachers on lane 27 move to the 3rd CI after five years on CI 2 (essentially after 24 years of experience); teachers on lane 27 move to the 4th CI after five years on CI 3 (essentially after 29 years of experience).
- 23 One component of the compensation package not included in this analysis is health and other fringe benefits. LAUSD pays approximately \$14,000 a year per employee for these benefits. LAUSD pays the entire premium. LAUSD is one of only seven districts in the largest 25 school districts nationally where teachers receive health insurance at no cost. (Source: NCTQ TR³ database, www.nctq.org/tr3).

“I think that LAUSD does little to recognize teacher excellence. I’ve set up three computer labs and the district did nothing to recognize it. I’ve won numerous awards from outside organizations, even a commendation from the city, but never has the district done anything to applaud or recognize the contributions that I have made.”

- LAUSD teacher

Figure 29. Lifetime earnings in LAUSD and surrounding districts (based on a 30-year career)



Source: LAUSD and surrounding district salary schedules (2010-2011)

4.3 The district offers financial incentives to employ and retain effective teachers in high-needs schools and critical shortage areas.

FINDING: LAUSD has experimented with salary differentials for teachers working in high-demand areas, differentials are small and are not targeted to the most effective teachers.²⁴

These bonuses represent typical pay differentials in many districts, but none of the bonuses are targeted at recruiting teachers in the subjects that principals frequently cite as hard-to-staff (e.g., mathematics and science) or in schools that are deemed more challenging. Additionally, these bonuses are primarily awarded to teachers based on their positions and certifications, instead of their effectiveness in those areas.

24 California state law encourages local districts to award incentives to teachers in areas of highest need and to recognize factors in lieu of traditional educational units/degrees and years of experience in determining teacher salaries; California Education Code: 45028(e).



Figure 30. Types of additional pay available to teachers

Stipend	Who qualifies	Amount of award
Master Plan	Teachers of English as a second language and teachers with some level of bilingual certification serving in predominately minority schools	\$1,020-\$5,100 per year, depending on the level of bilingual certification achieved and the school demographics
Advanced Placement	Teachers of Advanced Placement courses	Hourly rate of pay for extra hours worked (\$43 - \$75 per hour)
National Board	Teachers with National Board Certification: according to the National Board For Professional Teaching Standards, 1,546 LAUSD teachers have completed National Board Certification.	7.5 percent bonus on top of base pay; an additional 7.5 percent raise is available to National Board-certified teachers who provide 92 hours of service, beyond their regular hours (minimum of \$3,194 to \$5,523, figure does not include additional pay for 92 hours of service)
Consulting teachers with the Peer Assistance and Review program	Teachers who provide review, assistance and guidance to new or struggling teachers (non-permanent, permanent teachers with sub-par evaluations or permanent teachers with positive evaluations who elect to participate)	\$1,680 - \$2,150 per semester (stipend depends on contract year)
Instructional coach	“Teachers [who] increase the opportunities of success for both teachers and students by demonstrating, teaching and inspiring excellence in the profession.”	\$162 per month

4.4 Teachers receive a significant pay increase after earning tenure.

FINDING: Commendably, LAUSD teachers receive a large pay increase when they earn tenure, but as the tenure distinction holds little weight and comes too early in a teacher’s career, the significance of the raise as a milestone is diminished.

Recommendations for LAUSD

LAUSD's teacher pay structure makes little strategic sense, not only because there is no connection between course credits and effective teaching, but because it does not encourage coursework that would lead to a more skilled workforce. Because overhaul of the salary schedule demands both a politically favorable environment and a viable budget, we present a variety of approaches to incrementally shift teacher pay, some of them mutually beneficial for teachers and the district.



1. Phase out salary differentials for earning course credit. This policy can be automatic for incoming LAUSD teachers and optional for veteran instructors. Redirect “savings” to award teachers substantive bonuses for their effectiveness.



2. Provide a substantial raise when teachers earn tenure, provided tenure becomes a real milestone in a teacher's career. LAUSD's current pay increase, coinciding with the two-year tenure mark, comes too soon and with too little recognition. Moving tenure to four years and making it a real milestone in a teacher's career should be the time teachers earn a big pay increase.



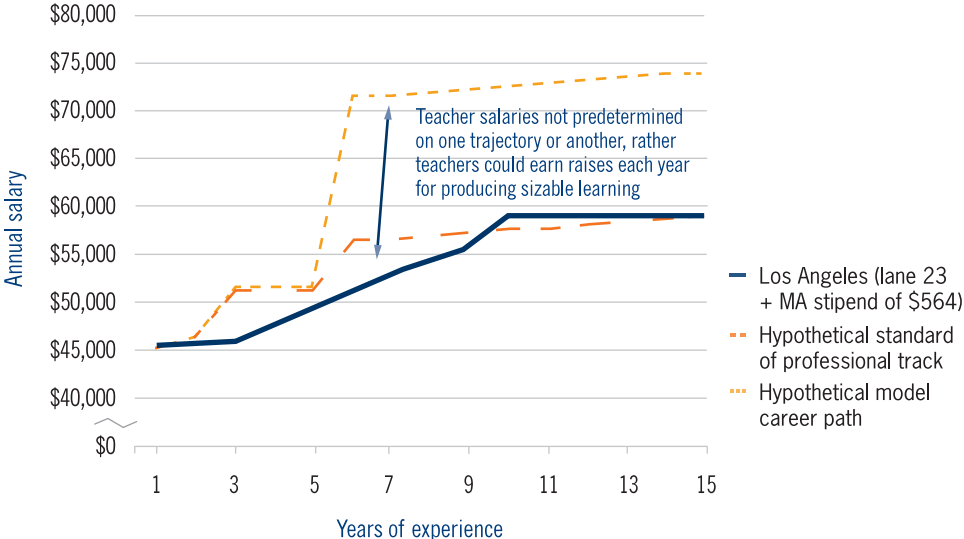
3. Offer higher salaries to the top teachers who consistently produce the greatest learning gains. Performance pay should not be viewed as a means to change teacher behavior, but rather as a means to reward teachers who are already doing a great job. Performance pay serves two important purposes: 1) it signals to potential teachers that teaching is a career that rewards talent and hard work, and 2) it provides the best teachers salaries that are competitive with other professions, making it more likely they will stay. Bonuses that can come and go will not serve these two purposes. While there is no harm in providing many or all of the teachers in a building with a nice bonus for a job particularly well done one year, districts still need to find a way to compensate their star teachers (e.g. the top 5 percent) at a higher salary level.

Below we model an alternative teacher pay scale to illustrate how LAUSD could revise its salary schedule to better reflect the core principles of this recommendation. In this approach, teachers who earn tenure would be awarded a sizable bonus at the tenure mark. Raises at other points in a teacher's career would be determined by a teacher's impact on student learning. There would be no automatic raises for experience, apart from cost-of-living adjustments. Even assuming that 25 percent of teachers qualify for the “model career path” for the most effective instructors, this approach actually results in a savings of \$59.6 million, a 2.8 percent reduction in payroll costs.²⁵

²⁵ The structure presented above represents a salary increase of approximately \$1,000 after one year, \$5,000 after two years and either \$5,000 or \$15,000 depending on performance level after five years, with small increases (think COLA) in all other years. This is the general pattern; slight adjustments have been made to ensure that all teachers on the model path (with effective or highly effective evaluations) earn salaries that are higher than the current pay structure.



Figure 31. Alternative pay structure for LAUSD teachers



Source: NCTQ

Where it's been done:

Baltimore's new contract created a new and innovative pay structure for teachers that eliminates automatic raises for experience and reconsiders the weight given to coursework completion. Furthermore, the pay system allows teachers who want to assume greater responsibilities and leadership positions in their school to also earn higher salaries without leaving the classroom, known as a career ladder approach.



Standard 5.

Work Schedule

Work schedule and attendance policies maximize instructional opportunities.

Indicators on which this standard was assessed:

- 5.1 Teachers' on-site work schedule is eight hours to allow substantial time beyond the instructional hours for individual and common planning.
- 5.2 Sick leave is commensurate with the number of months a teacher works per year (e.g., 10-month contract provides 10 days of sick leave)
- 5.3 The district provides the technology and support that facilitates principals' ability to monitor attendance and prevent abuse of leave policies.

Fostering a professional and collaborative culture goes well beyond what any policy attempts to mandate and is largely dependent on strong leadership. Nonetheless, smart policies can help provide consistent structure that school leaders can leverage, especially when difficult financial times frustrate educational initiatives.

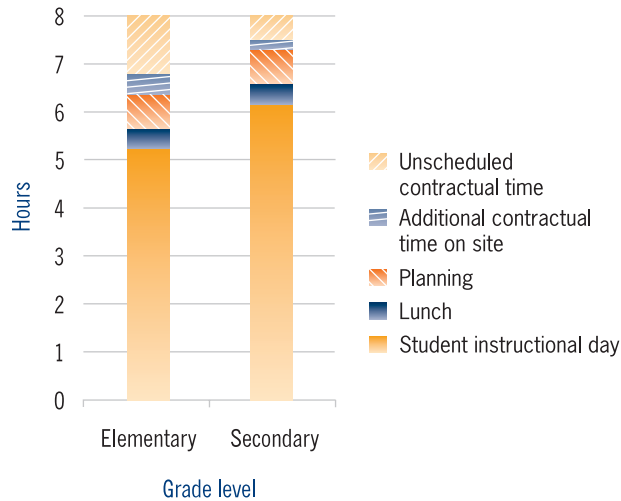
5.1 Teachers' on-site work schedule is eight hours to allow substantial time beyond the instructional day for individual and common planning.

FINDING: Although the UTLA contract sets an expectation of an eight hour workday, elementary teachers are only required to be on-site for 31 minutes beyond the student day and high school teachers for 13 minutes.

No doubt many teachers work beyond this time but, setting an on-site expectation for all teacher helps ensure teachers have a designated time and space to collectively attend to non-instructional components of their job.



Figure 32. LAUSD teacher work schedule



Source: LAUSD -UTLA contract 2009-2011, LAUSD Board policy

FINDING: Teacher planning time, critical for facilitating collaboration among teachers, is given short shrift.

The LAUSD teachers' contract establishes 40 minutes each day for teacher planning time; planning time can occur before or after the student day, and is at the discretion of principals to schedule. Not all schools establish common planning time for teachers of the same grade or subject levels to meet.

More than a third of the districts in NCTQ's TR³ database address common planning time for some or all of their teachers, and the number is growing as more districts are seeing the value of these opportunities. Contract provisions on common planning time vary in specificity and approach. For example, some districts extend the workday once a week to incorporate common planning, whereas others guarantee a daily team planning period in addition to individual planning time.

LAUSD teachers have only two work days without students, both scheduled at the start of the school year; the national average is eight days dispersed throughout the year.

FINDING: LAUSD students receive among the lowest number of instructional days in the nation.

Food for thought:

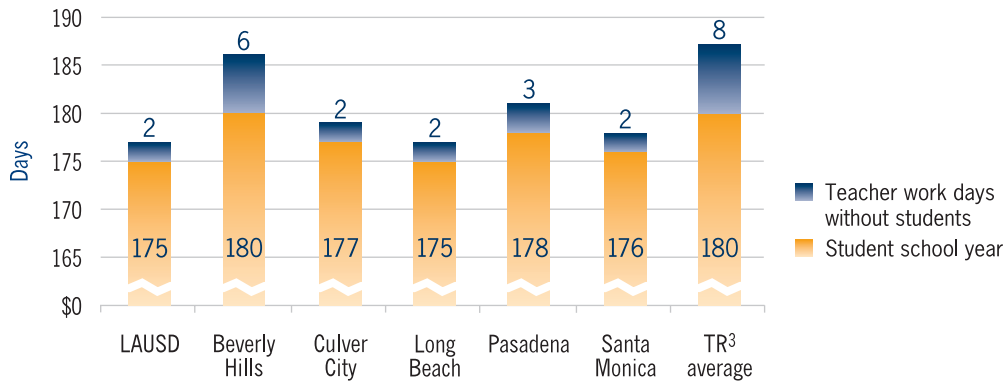
The typical American public school day model differs radically from those in high-performing nations, such as Singapore and Japan. For example, teachers in Japan are with students only 60 percent of the day; the remaining time is spent planning lessons, collaborating with other teachers and meeting with students.* LAUSD teachers are with students 77 percent of the day.

* Stevenson, H., & J. Stigler. (1992). *The Learning gap: Why our schools are failing and what we can learn from Japanese and Chinese education*. New York: Touchstone.

In addition to daily preparation time, non-instructional work days are also important for teachers. LAUSD normally schedules a 180-day school year, but the 2010-2011 LAUSD school calendar was only 175 instructional days along with two non-instructional teacher workdays. The year was shortened 7 days due to budget cuts (five days of student instruction and two teacher workdays).

This reduction is not the first time that LAUSD has shortened the school year; LAUSD has cut days in the previous two school years. Although many of the neighboring school districts have also furloughed teachers this year, LAUSD is tied with Long Beach for the shortest instructional year among surrounding districts. The 100-plus school districts included in NCTQ’s TR³ database average a school year of 180 days.

Figure 33. Comparison of LAUSD academic calendar with surrounding districts



Source: LAUSD and surrounding district’s calendars for 2010-2011 school year

5.2 Sick leave is commensurate with the number of months a teacher works per year (e.g., a 10-month contract provides 10 days of sick leave).

FINDING: LAUSD teachers appropriately earn sick leave that is proportionate to their months of work.

Teachers earn approximately 10 sick leave days per year, though much of the leave can be used for reasons beyond illness.²⁶ LAUSD’s leave package and attendance policies are in line with school districts nationally, and the rate of days earned conforms to other professions with 12-month employees.

Snapshot of LAUSD leave policies

- Unused sick leave carries over year to year and accumulates without limit, a common but costly practice in many school districts.

26 0.05 hour of sick leave for each hour for which salary is received in a certificated assignment



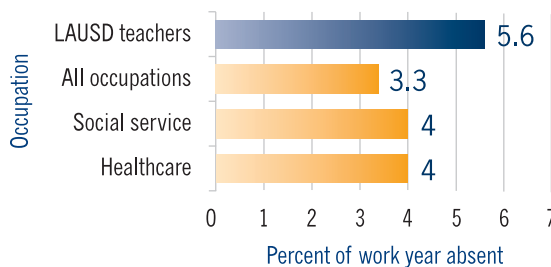
- Up to six days of sick leave a year can be used for personal leave, which includes bereavement, religious, family illness, court appearances, conference or convention, meeting at a child's school, etc. Allowing six of the ten days to be used for personal reasons (not just illness) is on the high end of what we find in other districts. Most districts limit personal leave to 2 or 3 days.
- Medical documentation is required after five consecutive days of absence, and the district has the right to request certification from a district-approved doctor, both of which are considered best practices.
- Each year, teachers who have accumulated fewer than 100 leave days receive a balance of "half-pay" sick days so that the total of full-pay sick days and half-pay sick days equals 100. Half-pay days are non-cumulative and are used after full-pay days are exhausted. Essentially these are additional leave days available to teachers when they have exhausted their annual allotment.
- In accordance with state law, unused sick leave converts to a retirement service credit and is not reimbursed with a cash payout. The dollar value of this approach is comparable to the approach in other districts which allow teachers to cash in unused sick days. Regardless, it is an expense that has little impact on changing teacher behavior.

5.3 The district provides the technology and support that facilitates principals' ability to monitor attendance and prevent abuse of leave policies.

FINDING: Although LAUSD keeps helpful attendance records of its teaching force and provides principals access to the data, attendance patterns warrant further attention.

FINDING: Teachers use, on average, all of their allotted leave days, and are consequently 5.6 percent of the school year. LAUSD teachers have a higher absence rate than professionals in comparable occupations.

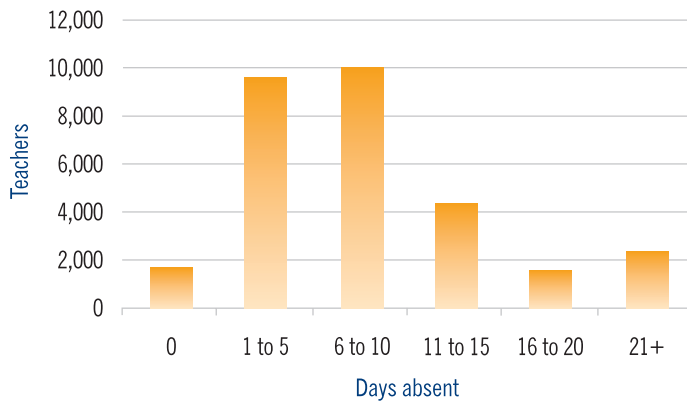
Figure 34. National statistics for absences due to sick leave, by occupation



Source: U.S. Bureau of Labor Statistics. Labor force statistics from the current population surveys 2003-2008, Tabel 47, 2009-2010 LAUSD Human Resources data

FINDING: Approximately one-quarter of LAUSD’s teacher corps (8,500 teachers) were absent more than 10 days in the 2009-2010 school year.²⁷

Figure 35. Teacher absences, 2009-2010



Source: LAUSD Human Resources

One reason absence rates appear to be a problem in LAUSD may be because teachers are not required to notify administrators prior to being absent. Principals “approve” teacher absences, but this approval is submitted only *after* the teacher has been out.

Policies for how teachers must report their absences do have an impact on teacher attendance. While teachers should have leave available for legitimate use, abuse and overuse of sick leave negatively impacts student performance, school culture and district finances. For example, one study found that every 10 absences lower mathematics achievement by the same amount as having a new teacher instead of a more experienced teacher, and that a disproportionate number of teacher absences occur in schools serving predominately low-income children, giving them yet another hurdle to achievement.²⁸

Another study suggested that teachers’ absence patterns tend to reflect those of their colleagues.²⁹ When teachers transfer schools with differing attendance rates, teachers’ own behavior adjusts to the new culture.

Improving attendance poses potential benefits not only for student performance, but also significant cost savings.

27 The district estimates that only about 7 percent of its workforce is out on leave associated with the Family and Medical Leave Act (FMLA). FMLA constitutes still only a fraction of the total number of teachers with absences rates exceeding the annual allotment.

28 Marcotte, D. E., & Hemelt, S. W. (2007). *Unscheduled school closings and student performance*. Bonn, Germany: Institute for the Study of Labor.

29 Bradley, S., Green, C., & Leeves, G. (2007). Worker absence and shirking: Evidence from matched teacher-school data. *Labour Economics*, 14(3), 319-334.



Figure 36. How improving teacher attendance pays off

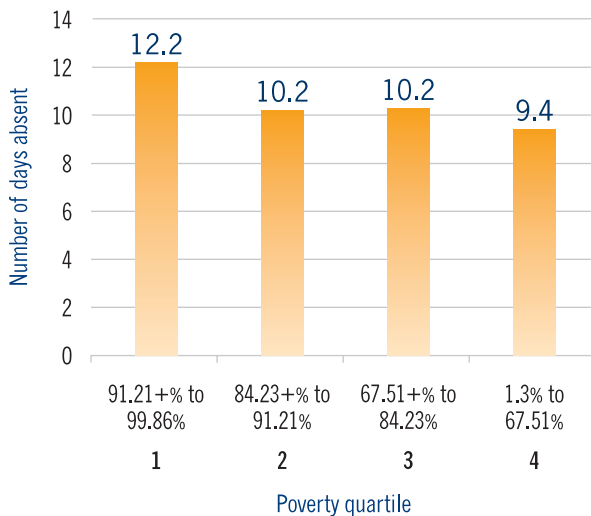
	Substitute costs with LAUSD's current leave policies and practices	Potential substitute costs with 25 percent reduction in absences
Leave days taken per teacher	9.9	7.5
Yearly substitute cost per teacher (\$173.04/day)*	\$1,720	\$1,290
District's total substitute cost	\$50,692,359	\$38,019,269
Potential savings = \$12,673,090		

* Minimum rate; Substitute teacher base pay rate is \$173.04 but may be as high as \$233.52 for substitutes on the Daily Incentive Plan rate or Extended Rate, with a \$10 increase to daily rate beyond 130 days of service.

Absence patterns in LAUSD

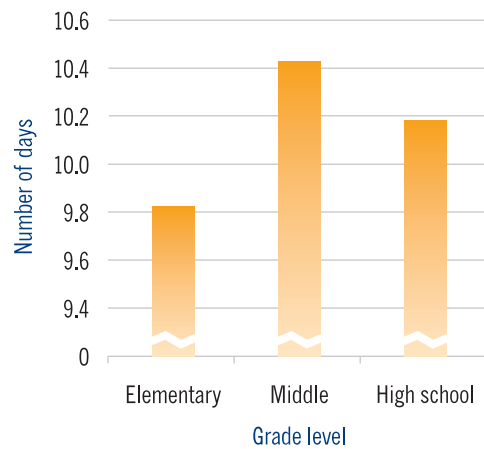
- Teacher absences are higher in schools serving poorer students.
- Teacher absences are highest in middle schools.
- There was no correlation between tenure status or seniority with the number of absences.
- 60 percent of schools had a quarter of their teachers out for at least 10 days a year.

Figure 37. Teacher absences and school poverty, 2009



Source: LAUSD Human Resources

Figure 38. Grade level comparisons in teacher absences, 2009



Source: LAUSD Human Resources

Recommendations for LAUSD

Given the budget climate, it would be difficult for LAUSD to lengthen the school year to even a standard 180 days. However, the recommendations below can be implemented absent additional funding. Improving attendance not only reduces substitute costs but, more importantly, results in improved student achievement.



1. Ensure that the eight-hour contractual workday is performed on-site. Because so much of a teacher's work involves interaction with others, teachers need to be at work on-site both before and after the student day.



2. Consider alternative academic calendars—such as year-round scheduling—that minimize the impact of the shorter instructional year and the academic regression that occurs over the summer. Research has shown that the achievement gap can be largely attributed to lost instructional time during the summer months.³⁰ As LAUSD does not have funds to lengthen the total number of instructional days, shortening the gaps in instruction, while not altering the total number of instructional days, is one way LAUSD can do more with fewer resources.



3. Require that teachers notify a school-level administrator prior to being absent. Principals can share this responsibility with assistant principals and other school-based leaders to ensure that teachers speak with a supervisor when reporting absences. Since expectations for attendance are not set by substitute-calling systems or office assistants, neither is likely to give a teacher pause before deciding to be absent.

30 Alexander, K. L., Entwisle, D. R., & Olson, L. S. (April 2009). Lasting consequences of the summer learning gap. *American Sociological Review*. 72, 167-180.

**This report is available online at
www.nctq.org/p/publications/nctq_laUSD.pdf**



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