August 20, 2013

Catherine Lhamon
Assistant Secretary for Civil Rights
U.S. Department of Education
400 Maryland Ave SW.
Washington, D.C. 20202

Stephanie Valentine
Acting Director
Information Collection Clearance Division
U.S. Department of Education
400 Maryland Ave SW., LBJ, Room 2E105
Washington, D.C. 20202-4537

RE: FR Doc ED-2013-ICCD-0079, Mandatory Civil Rights Data Collection

Dear Assistant Secretary Lhamon and Director Valentine:

The Coalition for Teaching Quality submits the following additional comments regarding the proposed Mandatory Civil Rights Data Collection (CRDC) for 2013-14 and 2015-16, supplementing our comments dated August 13, 2013.

As you know, the Coalition for Teaching Quality is comprised of 96 national, state, and local organizations committed to the principle that federal policy must ensure all students access to teachers and school leaders who enter the profession well-prepared to succeed and who prove themselves effective once there.

We stand by our prior comments and urge the Department to continue to collect, and therefore not to eliminate, data regarding the numbers of teachers meeting all state licensing and certification requirements.

We understand the Department may be considering removing this data point in an effort to free space in the CRDC for other new data elements and also because in the past few collections, nearly all districts have reported that all their teachers are meeting all state licensing and certification requirements. We do not believe either of these reasons justifies removing this critical data point from the CRDC.

First, full and equal access to a fully prepared teacher is an important baseline civil right for all public school students that the federal government should be monitoring on a continual basis—and should be communicating to states and districts that it will be continuing to monitor—regardless of district performance on the measure in any given year. It was not that long ago that plaintiffs in the Williams v. California litigation challenged conditions where some schools offered their students a workforce comprised of 50-75% emergency credentialed teachers. And while conditions since Williams’ filing have fortunately improved across the nation—in part as a result of the “highly qualified” teacher requirements of No Child Left Behind—the possibility of increased student
exposure to under-prepared teachers rises as state and federal policies drift away from ensuring benchmark entry-level standards are in place.

Second, even if the number of districts and schools reporting less than fully prepared teachers is small, it nonetheless remains critical for the Department to collect this data to expose the extent to which underprepared teachers are concentrated in low-income, high minority and rural communities, or in classrooms teaching special education or English Learner students as has historically been the case.

Third, to the extent limited space on the CRDC has become an issue, we suggest the Department eliminate another of its approximately 40 new data elements rather than this important, established data point illustrating students’ access to fully prepared teachers.

Finally, we believe the recent reporting of nearly all districts employing nearly 100% of teachers as meeting state certification requirements may in fact be the erroneous result of ambiguity in the data question. Asking districts how many teachers have met “all state licensing and certification requirements” could lead a respondent to report mistakenly either: (a) that their provisional or emergency certified teachers have met “all” the requirements to be so certified or (b) to count a teacher as meeting all requirements even if they have not met all requirements for the subject they are teaching. Instead, the question and supporting guidance should be edited to make clear that the data point seeks information on the “FTE teachers who have fully met the State’s licensing and certification requirements for the subject they teach applicable to their years of experience” and that all types of emergency, provisional, or temporary certifications do not satisfy this standard. Such language and guidance is consistent with the Department’s past guidance on the meaning of full State certification under NCLB. Indeed, given the large number of teachers earning certification by way of alternative routes (a third by some estimates), it could be that many district respondents are conflating their response to this question with the notion of NCLB’s “highly qualified” status. As the Department is aware, though Congress has temporarily deemed alternate route participants “highly qualified,” such designation does not confer on them the status of having fully met state certification or licensing requirements. Accordingly, we urge the Department to clarify the fully prepared teacher question as suggested here.

In addition, and to further address this confusion, we suggest the Department add a question that specifically identifies the extent to which districts and schools are employing teachers in training. Specifically, we suggest that the Department ask respondents for the “FTE teachers still participating in a certification program to earn the initial full certification.”

Thank you for the opportunity to comment again on your proposed data collection. Please let us know if we may provide further information that would be helpful in your efforts.

Sincerely,

The Coalition for Teaching Quality (see attached list of organizations)

1 The CRDC definitions should also make clear that a teacher who is still participating in a teacher preparation program to earn the initial standard certification or who is fully prepared in subjects other than the subjects they are teaching is not considered to have fully met state requirements.
Alliance for Multilingual Multicultural Education
American Council on Education
American Association of Colleges for Teacher Education
American Association of People with Disabilities
American Association of State Colleges and Universities
American Council for School Social Work Education
Association of University Centers on Disabilities
ASPIRA Association
Autistic Self Advocacy Network
Autism National Committee
Broader Bolder Approach
Center for Teaching Quality
Citizens for Effective Schools
Coalition for Community Schools
Communities for Excellent Public Schools
Council for Exceptional Children
Council of Parent Attorneys and Advocates
Disability Policy Collaboration, A Partnership of The Arc and UCP
Disability Rights Education and Defense Fund Inc
Easter Seals
Education Law Center
FairTest, The National Center for Fair & Open Testing
First Focus Campaign for Children
Gamaliel Foundation
Helen Keller National Center
Higher Education Consortium for Special Education
Hispanic Association of Colleges and Universities
Latino Elected and Appointed Officials
National Taskforce on Education

Lawyers’ Committee for Civil Rights Under Law
Leadership for the Common Good
League of United Latin American Citizens
Learning Disabilities Association of America
Movement Strategy Center
NAACP Legal Defense and Educational Fund, Inc.
National Alliance of Black School Educators
National Association of Elementary School Principals
National Association of School Psychologists
National Association of Secondary School Principals
National Association of State Directors of Special Education
National Center for Learning Disabilities
National Consortium on Deaf-Blindness
National Council for Educating Black Children
National Council of Teachers of English
National Council of Teachers of Mathematics
National Disability Rights Network
National Down Syndrome Congress
National Down Syndrome Society
National Education Association
National Indian Education Association
National Latino Education Research & Policy Project
National Opportunity to Learn Campaign
National PTA
Opportunity Action
Parents Across America
Partnership for 21st Century Skills
Public Advocates Inc.
Public Advocacy for Kids
Rural School and Community Trust
School Social Work Association of America
SEDL
South East Asia Resource Action Center
TASH - Equity, Opportunity, and Inclusion for People with Disabilities
Teacher Education Division of the Council for Exceptional Children
TESOL International Association
United Church of Christ Justice & Witness Ministries
**State and Local Organizations**
Abbott Leadership Institute – Newark, New Jersey
Action Now – Illinois
Action Now – North Carolina
ACTION United
Alliance of Californians for Community Empowerment (ACCE)
Arkansas Community Organizations
Bay Area Parent Leadership Action Network
Brighton Park Neighborhood Council – Chicago
California Association for Bilingual Education
Californians for Justice
Californians Together
California Latino School Boards Association
Campaign for Quality Education
Center for the Future of Teaching and Learning Coalition for Educational Justice
Delawareans for Social and Economic Justice
Educate Our State
Education Voters Pennsylvania
Grow Your Own Illinois
Inner City Struggle
Justice Matters
Legal Advocates for Children and Youth
Montgomery County Education Forum
Parent-U-Turn
Parents for Unity
RYSE Center
Texas Association of Chicanos in Higher Education
Young Voices-Providence, Rhode Island
Youth On Board – Somerville, Massachusetts
Youth Together