

## **Analysis of Congressional Proposals to Reauthorize HEA, Title II**

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In preparation for reauthorization of the Higher Education (HEA) in 2004-05 legislation has been passed in the House (HR 2211) to revise the teacher education accountability provisions in Title II of that law. A bill was recently introduced by Senator Ted Kennedy (D-MA) to reauthorize all of HEA and he also proposes extensive changes to Title II (S.1793). Although these bills are pending in the Congress, HEA reauthorization is a lengthy process that is unlikely to be completed in 2004. Before turning to HEA, the Congress must complete work on the Individuals with Disabilities Act and a number of non-education matters all of which will be on the agenda during an election year with the White House, a third of the U.S. Senate, and the entire House of Representatives engaged in re-election campaigns.

A comparison of S.1793 and HR 2211 with current law accompanies this summary. It should be noted however, that at this time not all of the likely players have revealed their reauthorization agendas. The President, through the Department of Education, is expected to put forward either legislative language or detailed principles for a new HEA. Senator Jeff Bingaman (D-NM) was closely involved in the last reauthorization of HEA and has not, at this point, joined as a co-sponsor of Senator Kennedy's bill. Moreover, the chairman of the Senate Health, Education, Labor, and Pensions Committee, Judd Gregg (R-NH) will certainly introduce his own legislation. If HEA is not reauthorized in 2004, before

the general election, the currently pending bills will have to be reintroduced when the new 109<sup>th</sup> Congress is convened in January 2005. This analysis and accompanying comparison of current law with bills now in the House and Senate summarize the range of ideas lawmakers have in mind for revising teacher education, licensure, and professional development. It is important to recognize that S.1793 and HR 2211 are merely a starting point.

The teacher education provisions for a new Title II in the House and Senate bills attempt to align HEA and NCLB in three ways:

- (1) by adding to Title II definitions of highly qualified teachers (HQT), scientifically based research, and mentoring that are identical to those in NCLB;
- (2) by further stressing the importance of academic preparation for teachers; and
- (3) through the expectation that teacher preparation quality will be linked to teacher impact on student learning as measured by standardized tests.

The consequence of these more expansive provisions (found in both Senate and House bills) is further confirmation that Washington policy makers believe oversight of teacher preparation and educator professional development is a Federal responsibility. As examples, HR 2211 echoes the theme of NCLB that teacher quality is a function of the individual's expertise in a content area as measured by holding an academic major in the content field or passing a rigorous examination. The Senate bill adds the importance of pedagogy but goes

the extra step of proposing a National Academy of Sciences study to identify core pedagogical themes or topics.

House and Senate legislation include new definitions of “teaching skills.” The House version stresses competence in teaching academic subjects while the Senate bill attempts to identify and describe characteristics of good teaching, such as “...an understanding of the learning process itself...” Both bills include new provisions to assist institutions of higher education (IHEs) in their efforts to improve teacher preparation. As another case in point, the Senate bill includes support for the professional development of college and university faculty.

Both S.1793 and HR 2211 have structures that parallel current law: grants for states, for partnerships, and for teacher recruitment. The two new bills give greater weight to teacher recruitment and retention, particularly in the Senate measure where S.1793 offers funds for educator recruitment in its state grant and partnership programs and in addition creates a new Part B that is a freestanding recruitment measure. The Kennedy bill targets its recruitment efforts on subjects and geographic areas of teacher shortage with a specific focus on recruiting and preparing special education teachers and teachers for limited English proficient students. It is possible that increased attention to recruitment is an outgrowth of the NCLB “highly qualified teacher” provisions and school district concerns about having adequate personnel. It is of interest that the House bill places greater emphasis in the state and partnership programs on developing and support alternate routes to teaching as well as *alternative certification systems*.

In terms of the so called “higher education report card” provisions in HEA (Sec. 207), the Senate’s proposed data reporting expectations for colleges and universities on teacher candidate pass rates are similar to current law. However, the Senate legislation adds several new requirements; specifically that states collect and forward to the Federal government: the placement rates for teacher education program graduates, the percentage of full-time faculty in IHEs who teach classes offered by a school of education, and the tracking of graduates three years after graduation from a teacher preparation program.

The House legislation takes a different approach to how institutions will report the pass rates of their teacher education program completers. Spurred by unease that some states indicated all of their institutions had 100 percent pass rates on the teacher licensure examination/s, members of the House included new language in Title II requiring that any student who is at least half way through a teacher education program and takes a licensure exam must have his or her score included in pass rate calculations even if the individual hasn’t completed the program (or potentially dropped out and never became a program completer). This is a peculiar provision. Does the mid-point mean time or number of courses taken? Does mid-point include subject matter courses taken in arts and sciences departments if an academic major is a precondition for enrolling in teacher education coursework? More careful consideration of this revision will be needed before it is incorporated into a final HEA reauthorization measure.

As the Congress considers the teacher education and licensure provisions in HEA, the following themes and issues should be on the agenda for further debate:

- Given apprehension by some educators about provisions in NCLB, what is the appropriate amount of alignment between NCLB and HEA, Title II? Should linking Title II to NCLB be done now or after the elementary and secondary legislation is modified?
- What is the correct balance between Federal, state, local, and institutional decisions on teacher preparation and professional development?
- What is the suitable balance between academic content and pedagogy for new teachers and who decides?
- HR 2211 calls for more opportunities for alternative routes to licensure as well as alternative certification (which implies a new licensure system and possibly is the Congresses' attempt to provide a measure of endorsement for the new ABCTE license). How would or should a new alternative licensure system align with existing state-developed standards?
- How can teacher recruitment provisions be flexible enough to respond to school district needs while addressing national shortages?
- Will changes to the state and institutional report card provisions in Title II provide new and useful data? Are the data expectations ones that can be easily and efficiently accomplished? What, if any, additional costs are associated with proposed new provisions?

**Comparison of HEA, Title II (current law); Title II provisions in S. 1793  
(Kennedy); and H.R. 2211 (Ready to Teach Act of 20030)**

*P. Earley – Center for Education Policy – November 2003*

**Language that differs significantly from current law is in red.**

**Purpose Sec. 201**

**Current Title II Provisions:** Improve student achievement; improve the quality of the current and future teaching force by improving teacher preparation and professional development; hold IHEs accountable for preparing teachers who have necessary teaching skills and are highly competent in the academic content they plan to teach; and recruit highly qualified individuals, including individuals from other occupations into teaching

**S. 1793:** Improve student achievement; increase Title II programs to meet the goal of having 100% HQTs; recruit and retain HQTs; **hold IHEs accountable for preparing teachers through coursework in pedagogy, with effective methods of teaching as a means of better preparing teachers for modern day classrooms** (neither current law nor HR 2211 mention pedagogy); enhance professional development; hold IHEs accountable for preparing teachers competent in teaching skills and subject matter content; recruit individuals from other occupations into teaching (focus on persons to teach in high need geographic areas and subjects); **encourage “learning partnerships.”**

**HR. 2211:** Improve student academic achievement; enhance professional development; **hold IHEs accountable for preparing HQTs** (this is a more limiting purpose than current law or S. 1793 and reflects Congress’ intent to link HEA, Title II directly with NCLB); recruit individuals from other occupations into teaching.

**Definitions Sec. 201**

**Current Title II Provisions:**

**Arts and Sciences** -- A unit in an IHE that offers one or more academic majors in disciplines or content areas corresponding to the academic subject matter areas in which teachers provide instruction.

**High Need Local Education Agency** – high percentage of individuals from families with incomes below the poverty line; high percentage of individuals teaching out of field; or high teacher turn over.

**Poverty Line** – Standard OMB definition is used

**S. 1793:**

**Arts and Sciences** – Same as current law

**High Need Local Education Agency** – similar to current law with the addition of the **specific percentage of students from families below the poverty line (30% or more 20,000 students)**

**Poverty Line** – Standard OMB definition is used

**High Need School** – a school with a high concentration of students with families below the poverty line or that is identified as in need of improvement or corrective action by NCLB. This definition appears in the Senate bill only.

**Professional Development** – Same definition as NCLB

**Highly Qualified** – Same definition as NCLB

**Mentoring** – Same definition as NCLB (in Senate bill only).

**Parent** – Same definition as NCLB (in Senate bill only)

**Parental Involvement** – Same definition as NCLB (in Senate bill only)

**Teaching Skills** – grounded in the disciplines of teaching and learning that teachers use to create effective instruction in subject matter content and that lead to student achievement and the ability to apply knowledge; and that require an understanding of the learning process itself, including the use of strategies specific to the subject matter, the application of on-going assessment of student learning, individual differences in ability and instructional needs and effective classroom management (NOTE HOUSE BILL DIFFERENCES)

#### **HR 2211:**

**Arts and Sciences** – Same as current law.

**High Need Local Education Agency** – similar to current law however the percentage of children from families below the poverty line is **25%**.

**Poverty Line** – Standard OMB definition is used

**Professional Development** – Same definition as NCLB

**Highly Qualified** – Same definition as NCLB

**Scientifically Based Reading Research** – Same as NCLB (House bill only)

**Scientifically Based Research** – Same as NCLB (House bill only)

**Teaching Skills** – based on scientifically based research; enable teachers to convey and explain subject matter; lead to increased student academic achievement; and, use strategies specific to subject matter, include ongoing assessment of student learning, focus on identification and tailoring of academic instruction; and focus on classroom management (NOTE SENATE BILL DIFFERENCES)

#### **State Grants Sec. 202**

**Current Title II Provisions:** States apply to the federal government for funds to reform teacher preparation. They must use their money for at least one of the following: (a) reform teacher preparation with an emphasis on candidate's academic content; (b) reform teacher certification; (c) support alternatives to traditional teacher preparation; (d) establish alternative

certification systems; (d) recruit teachers and provide merit-based salary adjustments for educators; (e) implement procedures to end social promotion.

**S. 1793:** Specificities that the division of Title II funds between state grants and partnerships will be 25% - 75%. State Grants are described in sec. 203. States **must** use their federal grants for the following activities: (a) ensure that the state's teacher certification requirements are rigorous; (b) teacher recruitment (scholarships, support services, helping existing teacher become highly qualified, and assistance during candidates first three years of teaching). The scholarships provisions require that recipients teach in high need LEA). S. 1793 identifies eight allowable activities. They are: (a) reforming teacher preparation with an emphasis on content and teaching skills including the requirement that teachers major in disciplines they plan to teach; (b) reforming licensure requirements with an emphasis on academic preparation; (c) Providing alternative routes to teacher certification in colleges of arts and sciences or at nonprofit educational organizations. These entities need to demonstrate they have selective means for admitting students, they include pedagogical coursework; and offer mentoring or similar support services during the initial teaching experience. (d) Support/mentoring for all new teachers. (e) Teacher recruitment, particularly for high need areas such as special education, and attracting individuals from other careers. (f) Developing policies to end social promotion. (g) Developing certification programs for AP or IB teachers. (h) Providing incentives for teachers to work in high need schools.

**HR 2211:** In a manner similar to current law, HR 2211 requires states to use funds for one or more of the following activities: (a) Reform teacher education programs so HQTs understand scientifically based research and are able to use advanced technology effectively in the classroom. This includes retraining faculty and redesigning teacher education program to be based on rigorous academic content, scientifically based research and state academic content standards. (b) Reform teacher certification. (c) Develop alternative teacher preparation programs and alternative certification mechanisms. (d) Planning and implement innovative programs to enhance the ability of IHEs to prepare HQTs. This could include relaxing state requirements, collecting longitudinal data on teacher performance and student achievement; ensuring high-quality preparation of teachers from underrepresented groups; and creating performance measure to document innovative methods. (e) Help school districts develop merit pay programs. (f) Develop teacher advancement and retention initiatives. (g) Develop and implement mechanisms to remove incompetent or unqualified teachers. (h) Technical assistance for low performing teacher preparation programs within IHEs. (i) Establish systems to measure the effectiveness of teacher preparation programs and professional development programs. (i) Implement teacher



recruitment and retention programs. (j) Improve qualifications of preschool teachers.

Evaluation. Current law and the Senate bill discuss evaluation expectations as it applies to all aspects of Title II. HR 2211 includes additional evaluation language in Sec. 202. Essentially it expects the state's evaluation will include the effectiveness of teacher preparation and professional development activities in producing gains in student learning. The results of this evaluation must be made public.

### **Partnership Grants Sec. 203**

**Current Title II Provisions:** The nature of the partnerships is outlined and must include a partner institution, a school of arts and sciences and a high need local education agency. The partner institution **must** have a teacher education program that has pass rates on the licensure examination/s of 80% or more; is otherwise identified as high performing; has an intensive clinical experience requirement; and requires a major in a teaching field (secondary level) or demonstration of academic competence (an alternative for elementary level). Grantees are required to use funds to implement teacher preparation reforms (with emphasis on academic content), working with arts and sciences divisions, integrating research-based teaching methods into the curriculum; providing sustained and high quality clinical experiences; and creating opportunities for enhanced and ongoing professional development that improves academic content knowledge of teachers. **Allowable** activities include preparing teachers to work with diverse student populations and the parents of these students; disseminating information on effective practices; developing mechanisms to provide principals and superintendents with effective managerial skills; and teacher recruitment.

**S. 1793:** Primarily the same as current law. S. 1793 notes that clinical experiences should **substantially increase interaction between faculty at IHEs and new and experienced teachers, principals, and other administrators.** Several additional **required** uses of funds are included. They are **ensuring that teachers have adequate preparation to meet high standards...this would include training in reading, addressing the needs of LEP students, training in student achievement data and analysis (an optional provision is training in teaching AP/IB programs).** Developing a one-year paid internship program for students who complete a four-year teacher education program. **Allowable** uses of funds parallel current law with the addition of several provisions. **Awarding scholarships for teaching candidates; providing support services to scholarship students; assisting current teachers to meet HQ standards; providing financial incentives for teachers to teach in high need schools.** Teacher recruitment grants are included with the partnership programs in S. 1793 as well as in a new Part B (see description page 10 of this document). In current law and in HR 2211 recruitment programs are separate from the partnership program

and generally not as extensive as in S. 1793. The Senate bill notes the possibility of recruiting and preparing special education and regular education teaching candidates in a team environment. Class size reduction is allowed. The Senate bill includes a new “Faculty Opportunity Program” to award competitive grants to IHES to fill education faculty vacancies in special education, early child education, and bilingual education. These funds may also be used to develop doctoral programs in these areas. A full salary subsidy would be for no more than two years with a partial subsidy for up to three additional years.

**HR 2211:** Primarily the same as current law. Like current law, grantees must address one or more of certain activities. The House bill includes as one of the **required** activities reforming teacher preparation programs by retraining faculty and designing teacher preparation programs so they are based on rigorous academic content, scientifically based research (including scientifically based reading research). Teacher preparation also is to provide training in methods of “improving student behavior in the classroom.” The **Allowable** activities are similar to current law with an emphasis on alternatives to traditional teacher preparation and state certification to “reduce unnecessary barriers to teacher preparation while producing highly qualified teachers.” Several other allowable partnership activities under HR 2211 are of note. States may support clinical experiences in science mathematics, and technology through connections with business and industry. They also may support community colleges to implement teacher preparation programs, including through distance learning to either earn a bachelor’s degree with a teaching license or to become highly qualified.

#### **Teacher Recruitment Sec. 204**

**Current Title II Provisions:** Current law provides grants to develop and operate scholarship programs for persons who want to be teachers. Emphasis is on recruiting teachers for high need fields/areas. Support services and follow-up/mentoring may be provided during the first three years of teaching. A service requirement is required for scholarship recipients.

**S. 1793:** As noted previously, **recruitment provisions in the Senate bill are included within the partnership programs and in a new Part B (Part A includes state grants, partnerships, and accountability provisions).**

**HR 2211:** The House bill is very similar to existing law with a slightly greater emphasis on **recruiting individuals who are career switchers, in particular individuals from technology, science, and mathematics fields.**

#### **Administrative Provisions Sec. 205**

**Current Title II Provisions:** Describes application procedures and peer review procedures as well as matching funds requirements. A provision is included that requires schools to provide in an understandable and

uniform format the qualifications of the teacher/s in the school to parents, upon request.

**S. 1793:** Similar to current law. **Would give priority to innovative teacher preparation reforms with particular attention to reducing the shortage of HQTs in high poverty urban and rural areas and in certain subjects. The parental right to know teacher qualifications is not included.**

**HR 2211:** Similar to current law but the parental right to know teacher qualifications is not included.

### **Accountability and Evaluation Sec. 206**

**Current Title II Provisions:** Details the state Grant Accountability report. That is, any state receiving a grant under Title II, Sec. 202 is required to provide extensive data to the U.S. Department of Education. Partnership grantees have similar evaluation requirements.

**S. 1793:** Evaluation and accountability provisions are similar to current law but are linked to NCLB, which was passed following the Higher Education Act. In general, the evaluation links state or partnership activities to success in increasing student achievement on the states' standardized assessment/s.

**HR 2211:** Similar to current law but greater emphasis on linking program activities to enhanced student achievement.

### **Accountability for Programs that Prepare Teachers Sec. 207**

**Current Title II Provisions:** This section details the information that Institutions with teacher education programs must provide to the state and the state then must forward to the Federal government. This encompasses student scores and pass rates on the licensure exam/s, the ratio of faculty to students in student teaching, whether or not the program is accredited and if it has been designated by the state as low performing. Note: certain of the reporting provisions for institutions – such as the “adjusted quartile for institutional rankings do not appear in statute; these were developed by the Department of Education after the law was passed.

**S. 1793:** **The Senate bill includes language in Sec. 207 that education programs applying for federal grants under this part must demonstrate that they provide each teacher candidate with a deep knowledge of the subject he/she will teach; an understanding of how students learn; teaching skills (defined elsewhere) necessary to help all students achieve high standards (including children with special needs); how to create a positive learning environment; how to reflect on practices in order to improve teaching and student learning; standards integration; ability to use a variety of assessment strategies; technology integration; classroom management; opportunities to collaborate with colleagues; and training in reading. This is of note because these criteria apply only to institutions receiving Title II partnership.**

In terms of determining student pass rates, the Institutional Report Card requirements are almost identical to current law, however several new reporting requirements are added. If the Senate bill became law, states would need to calculate and report to the Federal government the placement rates for teacher education program graduates (one assumes placement means in a teaching position), the percentage of full-time faculty in IHEs who teach classes offered by a school of education, and the tracking of graduates three years after graduation from a teacher preparation program.

The Senate bill includes a new provision in Sec. 207 directing the Secretary of Education to enter into a contract with the National Academy of Sciences to conduct a two-year study to develop a suggested core curriculum in pedagogy for schools of education. The legislation outlines domains of knowledge for this study, the extent to which research informs the proposed curriculum, and the procedure for gathering input from interested parties (such as college presidents).

**HR 2211:** The accountability requirements (state and institutional report cards) are similar to current law with a notable exception. The House bill would require that institutions of higher education report the pass rates for any students who have completed at least 50% of the requirements for a teacher education program if they take the licensure examination prior to completing their program. This provision would apply both to “traditional” and “alternative” teacher preparation programs.

### **State Functions Sec. 208**

**Current Title II Provisions:** The state is required to provide the US Department of Education with a list of low performing institutions based on criteria developed by the state. If an institution offering teacher preparation loses state recognition or ceases to receive financial support from the state, that institution will no longer be eligible to receive US Department of Education professional development grants. Moreover, the institution may no longer be able to enroll students receiving Title IV student financial assistance in its teacher education program.

**S. 1793:** Same as current law.

**HR 2211:** Same as current law.

### **New (or moved) Provisions in Senate and House Bills**

**S. 1793:** The Senate bill includes a new Part B to support recruitment and retention of high quality teachers and administrators. Many of the provisions of Part B parallel recruitment activities supported in the partnership sections of S. 1793 or in current law. S. 1793 would fund partnerships of IHEs, local education agencies and non-profit entities to recruit, prepare and mentor new teachers. The bill would provide stipends for mentors, housing support/incentives for new teachers, moving

expenses, and the like. Scholarship recipients would have a service requirement in a high need local education agency or high need school. Four-year institutions and community colleges would be supported to establish partnerships to establish agreements and programs to jointly prepare teachers. Programs to help paraprofessional and provide leadership development for school administrators also are included. A new Part C, "Preparing Tomorrow's Teachers to Use Technology" supports the integration of technology into teacher education programs in a manner similar to the PT-3 Grants.

**HR 2211:** Current law is amended to extend the Preparing Tomorrow's Teachers to Use Technology initiatives. A New Part C would establish Centers of Excellence in institutions that prepare significant numbers of minority teacher candidates. Predominately minority institutions are defined in various federal laws and these institutions would be eligible for grants under this part. This new program would provide funds to reform teacher education programs, retrain faculty, expand clinical experiences for teaching candidates, and provide scholarships for students who intend to be teachers.