HEA Reauthorization & Teacher Education Policy

Penelope M. Earley

Introduction

Reauthorization is the process by which members of the U.S. House of Representatives and Senate look at major pieces of legislation and draft what they hope will be amendments to refine a law or address issues that have arisen since it was originally passed or last reauthorized. In 2005, two issues are complicating and influencing reauthorization of the Higher Education Act (HEA) overall and the teacher preparation provisions in particular: (1) budget reconciliation, and (2) the No Child Left Behind Act (NCLB).

Earlier in 2005, the Federal 2006 budget resolution included instructions for the Congress to cut funding from a number of program areas. Finding the savings needed to meet Congress’ budget balancing goals is referred to as reconciliation and this process has targeted the student loan programs in Title IV of HEA as the source of substantial savings. Thus, the energy of the higher education community has been focused on reducing the budget cutting impact on Title IV programs. During the same time period grumbling about the impact of NCLB increased. Consequently, lawmakers began HEA reauthorization knowing they needed to reduce funding for some programs and feeling pressured to address concerns about NCLB.

This issue of Policy Perspectives examines the status of HEA, Title II reauthorization, analyzes provisions in the major bills to amend the law, and discusses issues of potential concern to the teacher preparation community.

Context and Background

Congress began consideration of amendments to HEA in 2004 at a time when local, state, and national decision makers were beginning to appreciate the far-reaching consequences of NCLB. Among the most challenging of the NCLB requirements are the definitions of highly qualified teachers (elementary-level, secondary-level, novice, and veteran). As a result, when federal lawmakers turned to HEA reauthorization it was in the context of a

The author wishes to thank Gary Galluzzo, George Mason University; Daniel Laitsch, Simon Frazer University; and Nicholas Michelli, City University of New York for their helpful comments on this article.
national conversation on teacher quality. Title II of HEA presented a convenient vehicle for lawmakers to address teacher education quality without directly amending NCLB.

Several bills were introduced in the Senate and House during 2003 and 2004 to revise and expand both allowable activities and accountability requirements in HEA, Title II. But when the 108th Congress finally adjourned at the end of the year only one bill, H.R. 2211 the Ready to Teach Act of 2003, introduced by the Chairman of the House Committee on Education and the Workforce, John Boehner (R-OH) was in play. Because no companion bill was introduced and passed in the Senate, H.R. 2211 died when the 108th Congress adjourned in late 2004.

When the new 109th Congress was convened in January 2005 Representative Boehner introduced H.R. 609, the College Access and Opportunity Act of 2005, a bill to reauthorize the Higher Education Act. The Title II provisions in H.R. 609 were very similar to those in H.R. 2211. H.R. 609 has been reported out of the House Committee on Education and the Workforce but still may be amended when it goes to the House floor in September or October.

Senator Michael Enzi (R-WY), the chair of the Senate Committee on Health, Education, Labor and Pensions (HELP) is overseeing a bipartisan effort to prepare HEA amendments for consideration by the HELP Committee in September.

Whether HEA reauthorization can be completed during this session of Congress is unclear. HEA is a complex bill, but this year its reauthorization will occur during the larger budget reconciliation process. After the House and Senate bills are passed in their respective chambers, members will need to resolve any differences between the two. This is time-consuming work for a Congress that has to worry about relief funds for areas of the United States devastated by Hurricane Katrina, unfinished appropriations bills, confirming a Supreme Count nominee, the economy, the increase in fuel prices, the military presence in Iraq, and many other issues.

Points of Congressional Consensus on Teacher Education

During the first six months of 2005 over 25 bills to either reauthorize HEA or to modify the teacher education quality and accountability portions of it were introduced in the Congress. Although bills introduced and supported by the education committee chairmen have the greatest expectation of being enacted, all bills must be watched and monitored. In the case of HEA, there are six common themes and similar provisions in most of the proposals to amend the Title II programs. Because these themes reflect the thinking of both Republicans and Democrats there is a high probability that they will be reflected in the Title II provisions that eventually become law.
(1) Alignment in Support of NCLB

The influence of NCLB on congressional thinking and actions cannot be under-estimated. This is reflected in HEA, Title II in several ways. First, it is virtually certain that the definitions of Highly Qualified Teachers, Scientifically Based Reading Research, and Scientifically Based Research will be added to HEA. In addition, outcome expectations for grants have shifted. For example, the HEA, Title II state and partnership grants will be evaluated on the extent to which K-12 student academic achievement is improved as measured by NCLB mandated examinations. Teacher quality will be measured by mastery of academic subjects as required in NCLB. And, related to this, both states and partnerships will be expected to increase the number of highly qualified new and veteran teachers. There is the expectation that all teacher professional development programs funded by federal resources will be “scientifically based.” The placement of the highly qualified teacher definition in HEA solidifies in federal policy a very narrow meaning of teacher quality that focuses almost exclusively on a teacher’s content knowledge.

(2) Accountability Provisions

It is clear that the Congress will remove none of the existing accountability provisions for states and institutions of higher education and instead more accountability expectations will be added. As definitions of Highly Qualified Teachers are extended into HEA, institutions will be required to report in some manner on the number or percent of these teachers they prepare and their pass rates the state’s licensure examination. If enacted, H.R. 609 would ask institutions to report licensure examination pass rates of students who have completed at least 50 percent of their teacher education program. In addition to pass rates, this bill expects institutions to report the average raw score for each licensure exam area.

A similar provision in the HELP Committee bill requires pass rates of students who take licensure examinations after completion of their “non-clinical coursework.” Unlike the House bill, the Senate proposal asks institutions to provide the average scaled score for all students who pass each licensure examination and a comparison of the teacher education program’s average scaled scores with the average scaled scores for other programs in the state.

(3) Partnership Grants

The HEA, Title II partnership grants—awards to institutions and school districts to strengthen teacher preparation and professional development—are expected to remain level funded. Nevertheless, under virtually all of the HEA reauthorization proposals, expectations of partnerships will increase. The emphasis for new grants will be on increasing teachers’ academic preparation and competence. Grants will be limited to institutions with high licensure exam pass rates or colleges and universities that place high in state rankings. There are expectations that arts and sciences colleges or departments and community colleges will be part of partnership arrangements.
(4) State Grants

Both Title II grants to state agencies, and awards to K-16 partnerships will be evaluated on some or all of the following:

- improving K-12 student academic achievement; increasing teachers’ mastery of academic subjects;
- increasing the number of highly qualified teachers;
- increasing Title II assessment pass rates;
- decreasing teacher shortages (including through alternative routes);
- increasing teacher retention; and,
- developing strong clinical experiences for teacher candidates.

The required and allowable activities for states closely parallel the provisions in NCLB with the apparent expectation that HEA funds will be used to help states revise teacher licensure regulations to align more closely with NCLB’s Highly Qualified Teacher definitions.

(5) Teacher Recruitment and Retention

All of the proposals to reauthorize HEA, Title II include support for the recruitment of additional teachers. In some proposed legislation this is structured as a separate program with its own funding stream in other bills teacher recruitment is imbedded in the state grants program, the partnership program, or both. The strategies are ones familiar in federal law: encouragement for states to create alternative routes to teaching, merit pay for teachers in difficult to staff schools, loan forgiveness, awarding bonuses to teachers whose students demonstrate gains on state achievement tests, provision of housing or moving expenses, collaborations with community colleges, and mentoring programs.

(6) Centers of Excellence

Found in H.R. 609, a new Centers of Excellence program would assist minority-serving institutions with teacher education programs. Through a system of competitive grants from the U.S. Department of Education, eligible institutions could use funds to reform their teacher education program to ensure that teacher candidates who complete it are highly qualified and understand scientifically based research. Institutional activities could include program redesign, faculty retraining, development of induction programs for new teachers and principals, and scholarships based on financial need for students entering education.

Areas of Potential Concern

Some possible amendments to HEA, Title II are problematic, not for their intent, but potentially in their execution. These are found in accountability provisions for institutions that prepare teachers.
Whichever version of HEA becomes law, new information will be required from institutions about the performance of their teacher candidates. Representative Boehner wants both pass rates and average raw scores reported for each licensure examination. Since licensure examinations are essentially pass or fail, this proposal raises the untested question of whether an individual who scores far above the qualifying score set by the state is a proportionally better teacher than an individual who scores just above the qualifying score. The HELP Committee’s bill expects states and institutions to calculate scaled scores and average scaled scores in an apparent attempt to address the differences in qualifying scores from state to state. This effort is predicated on the belief that all states have a common K-12 curriculum and use one licensure examination based on that curriculum to evaluate teacher knowledge. That is not the case. Scaled scores will not lead to ease of comparisons across states when K-12 content and the examinations that measure teachers’ knowledge of that content differ.

Representative Boehner’s H.R. 609 would expand the licensure examination pass rate calculations to include students who take any portion of the examination after they have completed 50 percent of their teacher education program. In a similar vein, the HELP Committee’s bill requires reporting of licensure exam scores for students who have completed their “non-clinical coursework.” These provisions appear to be an attempt to address the practice in some colleges and universities of requiring students to pass all or part of their licensure examination requirements prior to student teaching. The logic behind this is that the exam becomes a tool for determining if the teaching candidate has the academic and teaching content to enter a supervised student teaching situation. However, members of Congress and their staffs tend to see a different picture. They argue that institutions are merely trying to avoid posting low pass rates and are in essence “Title II cheaters.” The irony of this reasoning is that policy makers want licensure examinations to be tough and only highly qualified individuals to become teachers. Yet at the same time, demanding to know test scores or pass rates of individuals are counseled out of teaching before the end of their program (and one may assume sanctioning campuses that screen out students before student teaching) has imbedded in it the belief that becoming a teacher is an entitlement and if candidates can’t pass the licensure examination it isn’t because they aren’t skilled but rather because the college or university failed them.

When the Higher Education Act was last reauthorized in 1998 and the Title II accountability provisions enacted, hundreds of hours were spent in negotiations with U.S. Department of Education officials, attempting to come up with a universally accepted definition of “program completer.” The idea of finding a common definition of what constitutes 50 percent of a teacher education program or how clinical experience is defined that will be valid in all institutional settings, that will work for students in both undergraduate and graduate teacher education programs, and that will apply to transfer and alternative route students is staggering.
The Future of HEA, Title II

On its face, attempts to align Title II of NCLB and Title II of HEA may appear to be evidence of government efficiency. For 40 years federally funded elementary/secondary programs and higher education programs have existed independent of one another. This lack of connection between the two created a level of competition where advocates for K-12 schools and advocates for postsecondary education vie for a larger slice of the federal appropriations pie. Arguably, linking these two sectors of the education community in a rational manner would build needed unity in the system. But will it have desired results for all?

Creating bridges between K-12 and higher education is not without problems. During HEA reauthorization or when Congress considers amendments to NCLB, it is possible that a legislator or a congressional staffer will wonder why there are two Title IIs in federal law, both claiming to address teacher quality, both receiving millions of dollars, both with very similar legislative language, and each in a different education bill. For policy makers, the obvious conclusion would be to merge them into one bill. That leads to the interesting and potentially worrisome question: Where will Title II programs live, in NCLB or in HEA?

Even if reauthorization of HEA is completed in 2005, it is important to recognize that Congress will begin consideration of amendments to NCLB in 2006. In an environment where K-12 schools are exerting more and more pressure on Congress to provide additional funds for NCLB, the push to consolidate some or all of the HEA, Title II programs into that law may continue. Advocates for K-12 education interests may argue that the HEA, Title II programs belong in NCLB and likely will see the funds in the Higher Education Act as an additional source of revenue to help them meet NCLB requirements. The possible consequence of such a move is that the K-12 associations will become major players in state and partnership grants but not want to assume the role of watchdog for additional or unrealistic accountability provisions on colleges and universities.

Wherever federally supported teacher quality programs reside, there will be greater expectations that states and partnerships receiving federal funds will provide evidence of increases in student learning and teacher competence in the subjects they are assigned to teach. However, for the most part, federal policy is a blunt instrument that may or may not provide the flexibility needed on a specific campus or in a particular state or locality. Thus, it remains important that the K-16 community establish strong ties at the state and local levels to provide examples of successful collaborations.

Resources

Individuals interested in following the status of legislation before the U.S. Congress should go to: http://thomas.loc.gov
This is the website for the U.S. House of Representatives and the text of all pending and completed legislation can be found there. The web site allows individuals to search by bill number or by topics.

Penelope Earley is a professor in the College of Education and Human Development at George Mason University and Director of the Center for Education Policy.

CEPolicy Perspectives is peer reviewed and published by the Center for Education Policy in the College of Education and Human Development at George Mason University. Partial Support for Policy Perspectives is provided by the Council of Academic Deans from Research Education Institutions (CADREI).