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Teacher Quality Enhancement Grants (Title II, Part A of the Higher Education Act): Overview and Reauthorization Issues

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Teacher Quality Enhancement Grants (Title II, Part A of the Higher Education Act): Overview and Reauthorization Issues

Summary

The Teacher Quality Enhancement Grants program (Title II, Part A of the Higher Education Act) seeks to improve K-12 teacher preparation programs at higher education institutions. Although the Higher Education Act's (HEA) authorities expired during the 108th Congress, an extension through December 31, 2005 was enacted under the Higher Education Extension Act of 2005 (P.L. 109-81). The 109th Congress is currently considering legislation that would reauthorize the HEA, including its Title II teacher provisions.

Title II Part A authorizes three types of competitively awarded grants — state grants, partnership grants, and recruitment grants — with the annual appropriation divided 45%, 45%, and 10% respectively among these kinds of grants. State grants are one-time, three-year grants for such activities as holding teacher preparation programs accountable for the quality of their graduates or reforming teacher certification requirements. Partnership grants are one-time, five-year grants to partnerships that must include at least three entities: an institution with a high performing teacher preparation program, a school of arts and sciences, and a high need school district. Among required uses are teacher preparation program accountability and professional development. Recruitment grants are one-time, three-year grants to states or partnerships, supporting scholarships with a teaching service requirement or activities to recruit highly qualified teachers for high need districts and schools.

States receiving HEA funds must report annually on the quality of teacher preparation, including information on the pass rates of graduates on initial certification assessments. Higher education institutions enrolling HEA-aided students in their teacher preparation program must report annually detailing, among other things, the certification exam pass rates of graduates. States must establish procedures for identifying low-performing teacher preparation programs. If states withdraw approval or funding due to this designation, the affected programs cannot enroll students receiving HEA Title IV federal student aid.

During the HEA reauthorization process, grant-related issues may include program effectiveness; mandated division of the annual appropriation when most states have received these one-time only grants; and the mix of kinds of grants and activities. Accountability issues may include inconsistency across states in standards for identifying low-performing teacher preparation programs; effectiveness of pass rate-based accountability for teacher preparation programs; reporting by states and institutions of 100% pass rates; and possible alternatives to the current framework.

This report will be updated as events warrant.

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Teacher Quality Enhancement Grants (Title II, Part A of the Higher Education Act): Overview and Reauthorization Issues

Introduction

The 109th Congress is currently considering legislation that would reauthorize the Higher Education Act (HEA), including its provisions in Title II addressing the quality of the K-12 public school teaching force.¹ The statutory authorities in the HEA expired at the end of FY2004.² Although an effort to reauthorize the HEA was begun during the 108th Congress and the 1st session of the 109th, it was not completed and an extension of the HEA authorities through December 31, 2005 was enacted under the Higher Education Extension Act of 2005 (P.L. 109-81).

There is widespread awareness that the subject matter knowledge and teaching skills of teachers play a central role in the success of elementary and secondary education reform. Title II, Part A of the HEA includes programs and provisions intended to improve the overall quality of the K-12 teacher preparation programs currently administered by higher education institutions, hold these programs accountable for the quality of their graduates, and strengthen recruitment of highly qualified individuals to teaching.

This report provides an overview of the current programs and provisions of HEA Title II, Part A, describes available information on their implementation, and identifies a number of the key issues that may be part of a debate over the reauthorization of this legislation. It also provides an overview of HEA reauthorization legislation affecting Title II, Part A, that was under consideration in the 1st session of the 109th Congress. None of this legislation became law. The report begins with a discussion of the broader context within which the reauthorization of HEA Title II, Part A might occur.

¹ For an overview of the issues surrounding teacher quality at the K-12 level, see CRS Report RL30834, *K-12 Teacher Quality: Issues and Legislative Action*, by James B. Stedman. (Hereafter cited as CRS Report RL30834.)

² For an overview of the HEA reauthorization, see CRS Report RL33040, *The Higher Education Act: Reauthorization Status and Issues*, by Adam Stoll.

Context

This section considers the current presence of higher education institutions in the preparation of K-12 teachers, as well as the growing federal involvement in activities designed to strengthen the quality of K-12 teaching.

Teacher Preparation by Higher Education Institutions. Higher education institutions are involved in multiple ways in preparing individuals to enter K-12 teaching. Approximately 1,200 institutions of higher education award undergraduate degrees in elementary and secondary education. In addition to earning baccalaureate degrees in education, other undergraduates get ready to teach by participating in a teacher education program while earning a degree in an academic subject area. Still other individuals enter teaching through post-baccalaureate certificate programs or master's programs offered by higher education institutions. Finally, alternative routes to teaching that target, for example, individuals changing careers, may also involve higher education institutions.

The quality of higher education programs preparing K-12 teachers has been sharply called into question over the past several years. Teacher preparation programs have been criticized for providing prospective teachers with inadequate time to learn subject matter and pedagogy; for teaching a superficial curriculum; for being unduly fragmented, with courses not linked to practice teaching and with education faculty isolated from their arts and sciences faculty colleagues; for uninspired teaching; and for failing to prepare teachers to function in restructured or technologically equipped classrooms.³

Most recently, critics have pointed to high rates of failure of recent graduates on initial licensing or certification exams.⁴ One of the most publically reported instances of high failure rates was in 1998 when 59% of prospective teachers in Massachusetts failed that state's new certification exam.⁵ The results were reported by institution, prompting questions about the quality of the preparation and training prospective teachers had received from those institutions with low pass rates.⁶ During the 1990s, other states, such as Texas and New York, began tracking the pass rates of the graduates from their teacher preparation programs and sought to hold

³ National Commission on Teaching and America's Future, *What Matters Most: Teaching for America's Future* (Washington, DC, Sept. 1996), pp. 31-32.

⁴ The terms *certification* and *licensure* are often used interchangeably to refer to the procedures and requirements established by states for granting the license to teach. They are used interchangeably in this report.

⁵ See Kit Lively, "States Move to Toughen Standards for Teacher-Education Programs," *The Chronicle of Higher Education*, July 31, 1998.

⁶ The Massachusetts teacher exams have been widely analyzed and their quality debated. See, for example, Walt Haney et al., "Less Truth Than Error? An Independent Study of the Massachusetts Teacher Tests," *Education Policy Analysis Archives*, Feb. 11, 1999, as downloaded on Apr. 22, 2003, from [<http://epaa.asu.edu/epaa/v7n4/>]; and *Report of the Technical Advisory Committee on the Massachusetts Tests for Educator Licensure*, submitted to the Massachusetts State Department of Education and Commissioner of Education, Jan. 14, 2002.

those programs accountable for the performance of their graduates on licensing exams.

Federal Involvement. The federal government ventured into this area as a result of the reauthorization of the HEA in 1998. As will be explored in this report, Title II of the HEA authorizes several programs targeting K-12 teacher preparation programs for improvement. It also includes provisions to increase the extent to which higher education institutions are held accountable for the quality of their teacher graduates.

Most recently, the 107th Congress amended the Elementary and Secondary Education Act (ESEA) to make K-12 teacher quality a central requirement for elementary and secondary school districts and state educational agencies receiving funding under ESEA Title I, Part A. The No Child Left Behind Act of 2001 (P.L. 107-110) amended the ESEA to require state education agencies to have plans ensuring that by the end of the 2005-2006 school year, all teachers teaching core academic subjects will be “highly qualified.”⁷

Teacher Quality Enhancement Grant Programs

Title II, Part A of the HEA (as amended by the Higher Education Amendments of 1998, P.L. 105-244) provides for three competitively awarded grants to improve K-12 teacher quality — state grants, partnership grants, and recruitment grants. Appropriated funds are to be divided as follows: 45% to state grants, 45% to partnership grants, and 10% to teacher recruitment grants. The FY2005 appropriation was \$68.337 million and the FY2006 level is \$59.895 million. The complete appropriations history of the program is provided in **Table 1**.

Table 1. Appropriations for the Teacher Quality Enhancement Grant Program, FY1999-FY2006
(\$ in millions)

Fiscal year	Appropriation
1999	77.2
2000	98.0
2001	98.0
2002	90.0
2003	89.4
2004	88.9
2005	68.3
2006	59.9

⁷ In an October 21, 2005 letter to chief state school officers, the Secretary of Education announced that states not meeting the 2005-2006 deadline would receive an additional year to comply if they can demonstrate that a good-faith effort will be made to reach that goal as soon as possible. See CRS Report RL30834 for the definition of *highly qualified*.

State Grants. These one-time, three-year competitive grants are awarded to the state governor unless state constitution or law designates another person, entity, or agency as responsible for teacher certification and preparation. Participating states must provide a matching amount in cash or kind from non-federal sources equal to 50% of the amount of the federal grant. State grant funds must be used for one or more of the following activities:

- holding teacher preparation programs accountable for the academic and teaching quality of the teachers they prepare;
- reforming teacher certification requirements;
- creating alternatives to traditional teacher preparation programs and alternative routes to teacher certification;
- creating mechanisms that enable local educational agencies (LEAs) and schools to recruit highly qualified teachers, reward academically effective teachers and superintendents, and expeditiously remove incompetent or unqualified teachers; and
- addressing the problem of social promotion.

Priority in the awarding of state grants is given to applicants that have undertaken initiatives to reform certification requirements designed to improve teacher skills and content knowledge, reformed mechanisms to hold higher education institutions accountable for teacher preparation, or developed efforts to reduce the shortage of highly qualified teachers in high poverty urban and rural areas.

Each state receiving a state grant must report annually to ED and the House Education and the Workforce Committee and the Senate Health, Education, Labor, and Pensions Committee on progress toward certain specified objectives. Among these are:

- increasing achievement by all students;
- raising the academic standards required for entering teaching (including incentives to require an academic major in the subject or a discipline related to the one in which the individual plans to teach);
- increasing the pass rate on initial licensing assessments;
- increasing the number of teachers certified through alternative routes;
- increasing the percentage of secondary school classes in core subjects taught by teachers with academic majors in those or related fields, or who are able to demonstrate competence through subject tests or classroom performance in core subjects;
- increasing the percentage of elementary school classes taught by teachers who have academic majors in the arts and sciences or who can demonstrate competence through high levels of performance in core subjects;
- decreasing shortages of qualified teachers in poor urban and rural areas;
- increasing the opportunities for professional development; and
- increasing the number of teachers able to apply technology to the classroom.

Failure to demonstrate progress by the end of the second year of a state grant can lead to termination of the grant by ED.

Partnership Grants. These one-time, five-year grants are awarded competitively to partnerships that must include at least three entities: a *partner* institution,⁸ a school of arts and sciences at a higher education institution, and a *high need* local educational agency (LEA).⁹ Other entities may join the partnership such as the governor or state educational agency (SEA). Partnerships must match from non-federal sources 25% of the partnership grant in the first year, 35% in the second, and 50% in each succeeding year. No single member of the partnership can retain more than 50% of the grant funds. These grants must be used for the following:

- holding teacher preparation programs accountable for the academic and teaching quality of the teachers they prepare;
- providing preservice clinical experience to teacher candidates and increasing the interaction between higher education faculty and elementary and secondary school staff; and
- providing professional development to improve teachers' content knowledge and teaching skills.

Partnerships may also support such activities as:

- recruiting teachers;
- preparing teachers to work with diverse student populations;
- providing leadership training to principals and superintendents; and
- disseminating information on effective partnership practices.

⁸ A *partner* institution is a public or private higher education institution with a teacher training program that (1) has either an 80% or higher pass rate by its graduates on state qualifying assessments for new teachers, or is ranked among the highest performing programs in the state; or (2) requires its students to participate in intensive clinical experience, meet high academic standards, and either complete an academic major (in the subject in which the student intends to teach if preparing to teach at the secondary level, or in the arts and sciences if preparing to teach at the elementary level) or otherwise demonstrate competence.

⁹ According to the statute, a high need LEA is one that is serving an elementary or secondary school in an area with a high percentage of individuals from families in poverty, a high percentage of out-of-field secondary school teachers, or a high teacher turnover rate. These criteria are defined more precisely through program regulations. According to 34 CFR 611.1, a high need LEA must meet one of the following sets of conditions: (1) have at least one school in which 50% or more of the students are eligible for free and reduced price school lunches, or be eligible to operate, without a waiver, a schoolwide program under ESEA, Title I; (2) have a school in which more than 34% of the academic classroom teachers do not have a major, minor, or significant course work in their main field of assignment, or have a school with two core subject fields in which more than 34% of the teachers with main assignments in those fields do not have a major, minor, or significant course work in their main assigned field; or (3) serve a school with a classroom teacher attrition rate of 15% or more over the last three school years.

In awarding these competitive grants, ED is to give priority to applicants that involve businesses, provide for an equitable geographic distribution across the U.S., and encourage activities that carry the potential for creating improvement and positive change.

Each partnership that receives a partnership grant must include an evaluation plan in its application. That plan must include objectives and measures that are similar to those on which states must report, with the inclusion of an objective to increase teacher retention in the first three years of teaching. Failure to demonstrate progress on these objectives and measures by the end of the third year of a partnership grant can lead to termination of the grant.

Teacher Recruitment Grants. These one-time, three-year grants are awarded competitively to states or eligible partnerships (meeting the eligibility criteria for the partnership grants). States and partnerships have the same matching requirements for these grants as they have under their separate grant programs (see descriptions above). Recruitment grant funds must be used for either of the following:

- teacher education scholarships, support services to help recipients complete postsecondary education, and followup services during their first three years of teaching (each year of assistance requires a year of teaching in high need LEAs); or
- activities enabling high need LEAs and schools to recruit highly qualified teachers.

The authorizing statute appears to specify that recipients of recruitment grants must report annually to the Secretary concerning progress being made to achieve the purposes of Title II Part A, and that failure to demonstrate progress by the end of the second year of a recruitment grant can lead to termination of the grant.

Additional Requirements. Any LEA or school that benefits from activities under HEA Title II must, upon request, provide parents of students with information about the subject matter qualifications of students' classroom teachers.¹⁰

The Secretary must report to the House Education and the Workforce Committee and the Senate Health, Education, Labor, and Pensions Committee regarding evaluation of the activities funded under this title, and disseminate successful practices and information on ineffective ones.

Implementation and Evaluation. Information on the implementation and the impact of the program is available from preliminary results coming from ED's four-year national evaluation of the partnership grant program, and a recent Government Accountability Office (GAO, formerly the General Accounting Office) report on all of Title II, Part A.

¹⁰ The ESEA, as amended by the No Child Left Behind Act, has a similar reporting requirement for each LEA receiving ESEA Title I, Part A funding.

Among the interim findings from ED's national evaluation of the partnership grant program are the following:¹¹ partnerships are predominantly implementing the professional development school model;¹² participating teacher preparation programs are changing their goals, and aligning their offerings with district and school standards; the partnerships are increasing the collaboration between education faculty and arts and sciences faculty; and new relationships are emerging that link partnership institutions and other entities, such as businesses and nonprofit organizations. This interim report offers descriptive information; evaluation of the impact of partnership grants on K-12 students' academic achievement will be reported on in the future.

The GAO in its report described program implementation. In that context, it identified some difficulties the program has had, and will have in evaluating its impact, and cited a key funding problem.¹³ The GAO found that, in general, Teacher Quality Enhancement Grant projects are focusing primarily on reforming requirements for certification and for teacher preparation (85% of grantees surveyed — includes projects funded under all three programs), providing professional development to current teachers (85% of grantees surveyed), and recruiting new teachers (72% of grantees surveyed).

GAO posited that evaluating projects' impact on teaching quality will be hard to do. The report is critical of ED for not approaching this task systematically and for failing to provide adequate guidance on the assessment and reporting requirements necessary to allow for such evaluation.

Given that the state grants are, by statute, one-time only grants, GAO concluded that, without change to the law, ED could be unable to expend the state grant funding. As noted above, nearly all states and territories have received state grant funding. With few eligible to receive new grants, ED might not be able to comply with the mandate that 45% of the annual appropriation be devoted to state grants. As requested by ED, the FY2005 appropriations legislation overrides the 45-45-10 split.¹⁴ In its FY2005 request, ED estimated that, without this authority, over \$22 million of the FY2005 request could lapse (i.e., have to be returned to the Treasury).¹⁵

¹¹ U.S. Department of Education, Policy and Program Studies Service, *Partnerships for Reform: Changing Teacher Preparation through the Title II HEA Partnership Program*, Interim Report, Doc 2003-8, 2004. Available on the Web at [<http://www.ed.gov/rschstat/eval/teaching/title2hea/changing-teacher-prep.html>].

¹² A professional development school is a K-12 school in partnership with a higher education institution. Preservice teacher training occurs in the professional development school with the direct involvement of higher education and K-12 faculty.

¹³ GAO, *Higher Education: Activities Underway to Improve Teacher Training but Reporting on These Activities Could Be Enhanced*, GAO-03-6, Dec. 2002. Findings from this study on the Title II accountability provisions are considered later in this CRS report.

¹⁴ ED requested such language in its FY2004 budget proposal but it was not included in the FY2004 appropriations legislation as enacted.

¹⁵ According to ED (*Fiscal Year 2004 Justifications of Appropriation Estimates to the* (continued...))

Teacher Quality Enhancement Grant Programs — Accountability

This section describes the general teacher education accountability requirements of Title II, Part A, and their implementation.¹⁶ All states and nearly all teacher education programs in the country are affected by the accountability provisions in the Teacher Quality Enhancement Grant program.

State Reports. States receiving funds under the HEA must prepare an annual report card for the Secretary of Education on the quality of teacher preparation including information on:

- the pass rate of graduates on all assessments used for teacher certification;
- waivers of certification requirements, particularly for teachers serving in high and low poverty school districts and in different subject areas;
- state teacher licensing assessments and requirements;
- state standards for initial certification;
- alignment of state teacher assessments with state standards and assessments for students;
- alternative routes to teacher certification and the pass rates of individuals following such routes; and
- criteria being used to assess the performance of teacher preparation programs.

Higher Education Institution Reports. Any institution of higher education with a teacher education program enrolling HEA-aided students must release an annual report to the state and the public detailing the certification pass rates of its graduates, a comparison of its pass rates with the average pass rates of all such programs in the state, and whether the program is designated as “low-performing” (see below). A higher education institution that fails to provide the required information in a timely or accurate manner may be fined up to \$25,000.

Low-Performing Teacher Preparation Programs. To continue receiving HEA funds, a state must establish procedures for identifying low-performing teacher preparation programs and for providing them with technical assistance. An annual list of low-performing programs and those at risk of such designation must be provided to the Secretary of Education. States set the criteria for determining low performance and may include data collected under Title II Part A, such as pass rates of graduates. An institution of higher education with a teacher education program that has lost state approval or funding because of its designation as low-performing

¹⁵ (...continued)

Congress), in FY2002, \$2.1 million of the annual appropriation lapsed because there were not enough “fundable” applications for either the state or recruitment grants.

¹⁶ This section is drawn from CRS Report RL31254, *Pass Rates as an Accountability Measure for Teacher Education Programs*, by James B. Stedman and Bonnie F. Mangan.

is ineligible for professional development funding from ED, and cannot enroll any students receiving assistance under HEA Title IV (source of the major federal student aid programs) in its teacher preparation program.

Secretary’s Annual Report on the Quality of Teacher Preparation.

The Secretary of Education is required to prepare an annual report on the quality of teacher preparation based on information contained in the state report cards. The report is based on data submitted by each state describing the quality of teacher preparation in the state, including pass rates on teacher certification assessment, waivers of certification requirements, and the identification of low-performing teacher education programs.

Implementation. In June, 2002, the Secretary issued the first full annual report as required under this legislation.¹⁷ Entitled *Meeting the Highly Qualified Teachers Challenge: The Secretary’s Annual Report on Teacher Quality*, the report concluded that the teacher preparation system in this country has serious limitations. Not only does acceptable performance on certification assessments differ markedly from state to state, ED found that most states, in setting the minimum score considered to be a passing score, set those scores well below national averages. Although the Title II legislation requires teacher programs to report on the pass rates of “graduates,” in implementing this requirement, ED allowed teacher education programs to report the pass rates of “program completers.” Institutions requiring passage of the initial certification exam as a condition for program completion had 100% pass rates.¹⁸ Three subsequent annual reports reiterate many of the findings included in the first report, but find that areas in which progress is being made to improve teacher quality.

GAO has also reported on the implementation of the Title II accountability provisions. In its December 2002 report (cited above), GAO concluded that ED could not accurately report on the quality of teacher education programs in general given the limitations of the information being collected as part of Title II accountability provisions. The report was also critical of the use of the term “program completer” in determining pass rates, noting that institutions and states could make their teacher preparation programs appear more successful than they actually were.¹⁹

¹⁷ As required by the authorizing statute, the Secretary had issued an earlier report to the education committees of the U.S. Congress that compiled selected, available data from the states — U.S. Department of Education, *The Initial Report of the Secretary on the Quality of Teacher Preparation*, undated.

¹⁸ According to the American Association of State Colleges and Universities, of the 1,191 institutions for which ED reported pass rate data, 308 or 26% had 100% pass rates (*AASCU Report to Congress: Validity of 100 Percent Pass Rate Scores*, downloaded on March 3, 2003, from [<http://www.aascu.org/passrateReport>]). The Secretary’s annual report identifies five states and Guam as having 100% pass rates as a whole.

¹⁹ The American Association of State Colleges and Universities analyzed its member institutions that reported a 100% pass rate. AASCU concluded that, for its member institutions, the 100% pass rates were not the result of deliberate attempts to subvert the
(continued...)

Reauthorization Issues

This section briefly identifies a number of issues related to the Teacher Quality Enhancement Grants that might be considered during an HEA reauthorization process. Issues addressing the grant programs funded under this authority are considered separately from those arising from the general accountability provisions applying to all states and nearly all teacher preparation programs.

Grant Program Issues. Congressional consideration of the grant programs (state, partnership, and recruitment) may include at least the following issues.

Effectiveness of the Programs. It is probably too early to tell whether the three grant programs authorized by Title II, Part A have achieved their objectives. Funding has been awarded over five fiscal years. It does not appear that any grantees have had their grants revoked for failing to demonstrate progress. The sole national evaluation of Title II, for which we have only preliminary results, is focused on the partnership grants. Further, as GAO noted in its report, evaluating the impact of Title II grants in general may be difficult given ED's administration of the programs.

The current statute establishes a reporting and evaluating process applying to all grantees, with continued funding conditioned on demonstrating progress. In light of the GAO findings, the Congress may consider whether this process is adequate but not well implemented, or whether the process itself should be amended.

Funding Structure. As ED and GAO have observed, the mandated division of the annual appropriation for these programs and the one-time only nature of the state grants raise the prospect of ED being unable to expend fully the state grant portion of the appropriation. One or the other of these features of the current program structure will probably have to be modified if future funding is to be fully spent.

Program and Activities Mix. The funding structure issue raises questions about the appropriate mix of programs and activities being funded under this authority. ED requested FY2004 and FY2005 appropriations authority to allow state grant funds to shift to partnerships; such authority was included in the FY2005 appropriations legislation. During the reauthorization process, the Congress may consider where the emphasis should be placed among these kinds of grants or the kinds of activities being supported. How important is it to have SEAs involved in addressing the improvement of teacher preparation or in strengthening teacher recruitment? Is the interaction among the various entities engaged in partnership grants likely to have a significant impact on the quality of teacher preparation and recruitment, and, if so, should support for partnerships be expanded? How should the Congress respond to the concern expressed by various higher education associations that the Title II programs offer little or no direct support for improving teacher preparation at higher education institutions?²⁰ Where should the balance be

¹⁹ (...continued)
Title II reporting requirements.

²⁰ See *Recommendations for Reauthorization of the Higher Education Act*, submitted to the (continued...)

placed among investment in such activities as teacher preparation, teacher recruitment, professional development, and accountability? How much support should be directed to alternatives to traditional teacher preparation programs and alternative routes to certification?

Teacher Preparation Program Accountability Issues. The general accountability provisions of Title II, Part A applicable to states and higher education institutions with teacher preparation programs have generated significant debate since their inception. Several of the issues that have arisen are briefly identified below.²¹

Identification of Teacher Preparation Programs as Low-Performing.

As described earlier in this report, the standards for identifying teacher preparation programs as low-performing under Title II are set by each individual state. These may or may not involve the various criteria in the reports required from institutions and states, such as the pass rates of graduates on initial licensure exams. Federal consequences for an institution identified as low-performing flow only if its state takes specified action. To date, relatively few institutions have been identified as low-performing under the Title II provisions. The Congress may consider whether to modify this framework. Proposals may be considered to bring the federal government more directly into the process through such steps as setting the low-performance standards or imposing federal penalties independent of any state action against the teacher preparation program. Alternatively, given how recently the current framework was initiated, some may want to maintain it without significant change and see what impact it has over time. Still others may argue for scrapping this federal effort since the standards are inconsistent across states.

Effectiveness of Accountability Based on Pass Rates. The Congress may consider whether the emphasis in the Title II accountability process on licensing exam pass rates should be constrained or expanded. The utility of the current pass rate-based system from a national perspective may be limited because the selection of certification exams and the setting of passing scores are state specific and do not easily allow for interstate comparisons. Further, recent research concludes that many current licensing exams are not rigorous, measuring essentially basic skills.²² Increased institutional pass rates on such exams may say relatively little about whether teacher preparation programs are graduating students who will be good teachers. Nevertheless, the premise that teacher preparation programs should graduate students who can pass initial credentialing exams does not appear to be at issue. Indeed, there is some evidence that higher education institutions may respond to low pass rates with, what one set of researchers described as, “innovative strategies

²⁰ (...continued)

Congress by various higher education associations, Jan. 30, 2003, p. 21, available at [<http://www.acenet.edu/washington/HEARauthorization.2003.pdf>].

²¹ See, also CRS Report RL31254, *Pass Rates as an Accountability Measure for Teacher Education Programs*, by James B. Stedman and Bonnie F. Mangan.

²² See “The Education Trust, Not Good Enough: A Content Analysis of Teacher Licensing Examinations,” *Thinking K-16*, spring 1999.

to enhance the content knowledge of prospective teachers as well as their writing and reading skills.”²³

For some policymakers, the limitations of the present system may suggest that the current federal involvement is but an initial step in a multi-step process necessary to improve teacher preparation program quality. For example, consideration may be given to establishing a single, nationwide standard, although such a proposal is likely to prove politically controversial. For others, the reporting burden and difficulty in making cross-state comparisons may suggest a refocusing of these provisions, perhaps to measures of state support for teacher preparation or the alignment of state certification exams with state standards for teacher preparation program approval.

Calculation of Pass Rates. One of the more specific issues that the Congress may debate during the reauthorization process is the calculation of pass rates. This debate is likely to focus particularly on the 100% pass rates reported by some states and many institutions. As described earlier, such rates resulted in part from decisions made by ED regarding the definition of a *graduate* and in part from institutional and state policies. To the extent that increasing numbers of institutions report 100% pass rates the utility of these rates as an accountability measure is undercut. The Congress may consider various alternatives to address this issue. For example, institutions might be required to report the extent to which graduates passed certification exams the *first* time they took them, regardless of how the institutions define a graduate. Alternative measures to gauge the teaching effectiveness of graduates of a program might be considered, such as changes in the academic performance of a teacher’s students or expressions of school administrator satisfaction or dissatisfaction with a program’s graduates.

Legislative Activity in the 109th Congress

During its first session, the 109th Congress considered legislation to renew Title II and the rest of the HEA. This concluding section describes two bills that received substantive legislative action – H.R. 609 and S. 1614.

H.R. 609 and S. 1614. On September 8, 2005, the Senate Health, Education, Labor, and Pensions Committee ordered reported S. 1614, the Higher Education Amendments of 2005. On September 22, 2005, the House Education and the Workforce Committee ordered reported H.R. 609, the College Access and Opportunity Act of 2005. These bills would have amended and extended the HEA including Title II, Part A.

²³ Larry H. Ludlow et al., “The Case That Won’t Go Away: Besieged Institutions and the Massachusetts Teacher Tests,” *Education Policy Analysis Archives*, Dec. 12, 2002, as downloaded on Mar. 14, 2003, from [<http://epaa.asu.edu/epaa/v10n50/>]. (A “besieged” institution is defined as one with a large number of students who failed the initial administration of the state licensing exam.) Nevertheless, the authors are critical of the present emphasis on teacher testing, stating, “Even as we applaud the progress made by besieged institutions in improving test score results, we must continue to inquire into deleterious results of testing that detract from essential components of teacher preparation.”

General Features and Changes. Under H.R. 609 the general structure of Part A would have been retained — separate programs supporting state activities, partnership activities, and recruitment (with the annual appropriation divided 45%, 45%, and 10% among these three kinds of grants, respectively). S. 1614 would have retained the state and partnership grant programs, but would have eliminated the recruitment grants (and divide the appropriation in half for the state and partnership programs). The House bill would have authorized \$300 million for Part A programs for FY2006 and such sums as may be necessary for the five succeeding fiscal years. The Senate bill would have authorized such sums as necessary for FY2006 and the succeeding five fiscal years.

Among changes that apply throughout the Part A programs, both H.R. 609 and S. 1614 would have focused these programs on preparing and retaining *highly qualified* teachers as defined in the Elementary and Secondary Education Act as amended by the No Child Left Behind Act of 2001.²⁴ Both bills would also have added other definitions from the No Child Left Behind Act including; *exemplary teacher*, *professional development*, *scientifically based reading research*, and *scientifically based research*. Further, both bills would have increased the emphasis on the recruiting of minorities to K-12 teaching, expanded the list of activities grantees can engage in, and strengthened the accountability provisions of current law.

State Grants. To address the concerns about meeting the prescribed division of the appropriation funds among state grants, partnership grants, and recruitment grants, both H.R. 609 and S. 1614 would have no longer limited states to a one-time only grant. Although most currently authorized uses of funds would have been continued, both bills added several new activities. Both bills would have added *innovative programs* as an allowable use of funds. Among their activities, these innovative programs were designed to increase the flexibility of teacher preparation programs in meeting state requirements, generate long term data on teachers' impact on student achievement, provide high quality preparation to individuals from groups underrepresented in teaching, and create measures to gauge the performance of teacher preparation programs in preparing highly qualified teachers. Both bills identified *charter colleges of education* and *university and local educational partnership schools* as examples of such innovative efforts.

The similarities between H.R. 609 and S. 1614 extended to the area of evaluation. In both bills, states would have been newly authorized to use funds to develop ways of measuring the effectiveness of teacher preparation and professional development programs, and to document student achievement gains and teachers' mastery of subjects taught as a result of these programs. Among other changes to authorized uses of funds, states could have used Part A funds for strategies to improve the quality of preschool teachers and their preparation programs. Funded states would have been required to establish systems to evaluate the effectiveness of teacher preparation and professional development in increasing student achievement and teachers' subject matter mastery.

²⁴ For the definition of a *highly qualified* K-12 teacher in that legislation, see CRS Report RL30834.

Unlike H.R. 609, S. 1614 would also have added several activities to the state grant program that currently are authorized under the recruitment grant program (which would be eliminated by the bill). These activities include scholarships to help teacher education students pay for educational costs, student support services for scholarship recipients, induction services during a recipients first three years teaching, and recruitment mechanisms for high-need LEAs.

Partnership Grants. With regard to entities in eligible partnerships, both S. 1614 and H.R. 609 would have modified the definitions of *partner institution* and *high need local educational agency*. The Senate bill would have added two-year institutions offering a dual enrollment with a four-year program as an eligible partner. The House bill would have raised the pass rate eligibility requirement for an institution to be considered a partner institution from 80% to 100%. Both bills would have added a fourth entity to those required to form an eligible partnership – H.R. 609 would have *required* that this be a public or private education organization; S. 1614 would have included such an organization among a list of several other entities.

Under current law, program eligibility is determined in part by the definition of a *high-need local educational agency*. The current definition refers to LEAs with a “high percentage” of students below the poverty line, a “high percentage” of out-of-field teachers, or a “high teacher turnover rate.” Both H.R. 609 and S. 1614 would have retained the latter two components of the current definition and would have amended the first component and also make it a requirement for eligibility.²⁵ Each bill would have made similar modifications to the first component by including rural LEAs and by more precisely specifying minimum enrollment counts or percentages of low-income students.²⁶ Further, current law prohibits any entity in a partnership from retaining more than 50% of the partnership’s funding; S. 1614 removed this provision. H.R. 609 would have instead amended this provision to require that the high need LEA in a partnership benefit directly from at least 50% of funding.

Current law requires partnerships to undertake three required activities — accountability for teacher preparation programs, preservice clinical experience activities, and professional development. S. 1614 would have continued to require the first two activities and amends the third activity to involve support programs for new teachers. Under H.R. 609, partnerships would have been required to choose among four activities – accountability for teacher preparation programs, preservice clinical experience activities, professional development, and teacher preparation activities that train teachers to serve student with different learning styles and to improve student behavior.

Current law authorizes four additional activities that partnerships may conduct. H.R. 609 would have expanded the number of allowable activities to eight and S. 1614 would have expanded this number to thirteen. Among the new activities in both bills, partnerships could have undertaken activities regarding alternatives to

²⁵ Under current law, LEAs need only satisfy *one of the three* components.

²⁶ The bills define a high need LEA as an LEA that has either at least 10,000 low-income students, an enrollment that is at least 25% low-income (20% in Senate bill), or has an enrollment of less than 600 students and no school with a *locale code* of other than 7.

traditional teacher preparation and alternative avenues to state certification; activities providing clinical experience in math, science, and technology; coordination activities with community colleges to implement teacher preparation programs; teacher mentoring programs; and teacher training in the use of technology. S. 1614 would also have added several activities to the partnership grant program that are currently authorized under the recruitment grant program (which would be eliminated by the bill). These activities included scholarships to help teacher education students pay for educational costs, student support services for scholarship recipients, induction services during a recipients first three years teaching, and recruitment mechanisms for high-need LEAs.

Recruitment Grants. While S. 1614 would have folded this program into the state and partnership programs, H.R. 609 would have made minor amendments to the program. The House bill would require applicants for these grants to describe how funds will be used to recruit minority students. New language would have established a priority in the selection among eligible applicants for those assuring they will recruit a high percentage of minority students. The bill would also have allowed grant funds to be used for recruiting into teaching employees from technology industries and other “high-demand” industries, as well as from science, math, and engineering fields in general.

Accountability Provisions. Both H.R. 609 and S. 1614 would have more closely aligned the intended outcomes of Title II, Part A with the goals of the NCLBA. This alignment occurred many through the accountability and evaluation provisions. Both bills would have amended current grantee reporting requirements to include evidence of progress made toward meeting the *highly-qualified teacher* requirements of the NCLBA. S. 1614 would further have amended current accountability language to require more detailed evidence of reduction in the teacher shortages present in low-income urban and rural areas, high-need academic subjects, special education, instruction of limited English proficient students, and early childhood education. Both bills would have added *highly-qualified* terminology to the requirements for Partnership application and evaluation. S. 1614 would have required much greater detail in the Secretary’s evaluation of these programs and subsequent report to the Congress.

The bills also sought to address concerns about 100% pass rates being reported by those states and teacher preparation programs requiring passage of initial certification exams as a condition of program completion. H.R. 609 and S. 1614 would have expanded the provisions on accountability for programs that prepare teachers. Both bills would have required greater detail than required under current law on pass rates on certification and licensure exams and greater sharing information between State educational agencies and teacher preparation programs. Both bills would have required reporting of pass rates for students who take these exams while still enrolled in a teacher preparation program. The House bill would have required this of such “students who have completed at least 50 percent of the requirements for a teacher preparation program.” The Senate bill would have required this of such “students who have completed 100 percent of the nonclinical coursework.”