California Department of Education

Executive Office

SBE-002 (REV. 11/2017)

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# **MEMORANDUM**

DATE: August 30, 2019

TO: MEMBERS, State Board of Education

FROM: TONY THURMOND, State Superintendent of Public Instruction

SUBJECT: 2017–18 Educator Equity Data

## Summary of Key Issues

California has long been committed to providing a high-quality education to all students regardless of socioeconomic status or background. Educational equity has been a thoughtfully and deliberatively discussed priority for many years. Effective policies and practices were instituted during the No Child Left Behind (NCLB) era to make strides in providing all students with access to excellent educators. Under the Every Student Succeeds Act (ESSA), the California Department of Education (CDE) is leveraging and expanding upon this work to recruit, prepare, and maintain a highly skilled educator workforce for the benefit of all students but especially students from historically underserved communities.

To meet ESSA requirements, this memo includes data illustrating the various credential statuses recognized by state law, statewide teacher misassignments, and data describing the distribution of “inexperienced,” “ineffective” and “out-of-field” teachers serving minority and socioeconomically disadvantaged (SED) students.

### Evaluating and Reporting Disproportionate Rates of Access to Educators under the No Child Left Behind Act

Under NCLB, local educational agencies (LEAs), were required to submit and the CDE was required to approve, Local Educational Agency (LEA) Plans in order to receive federal funding. As part of the LEA Plans, LEAs were required to sign an assurance that low-income and minority students are not taught at higher rates than other students by unqualified, out-of-field, or inexperienced teachers.

NCLB also required LEAs not making progress regarding the HQT requirement to develop and implement an improvement plan and required CDE to provide technical assistance to LEAs in this work. To facilitate implementation of this requirement, the California State Legislature authorized the Compliance Monitoring, Intervention, and Sanctions (CMIS) Program in 2007.

The CMIS Program was administered by the Educator Excellence and Equity Division of the CDE. The primary role of the CMIS Program was to monitor and provide technical assistance to LEAs to meet compliance with federal laws regarding HQTs.

In 2014, the U.S. Department of Education (ED) required states to create a current and future work plan to remedy gaps in equitable access to excellent educators for all students. The California plan details a theory of action and progress towards achieving equitable access to excellent teachers and leaders for all students. California’s 2015–17 plans to ensure equitable access to excellent educators are available on the CDE Educator Excellence web page at <https://www.cde.ca.gov/pd/ee/>.

In January 2016, the CDE received new information from the ED regarding the transition from NCLB to the ESSA, eliminating the HQT requirements in NCLB. California’s ESSA State Plan describes how the state will meet the new educator equity data reporting requirements.

### Reporting Educator Equity Data under the Every Student Succeeds Act

California’s Local Control Funding Formula (LCFF) fundamentally changed how all LEAs in the state are funded, how their results are measured, and the services and supports they receive to allow all students to succeed to their greatest potential. California is committed to aligning state and federal education policies to the greatest extent possible to develop an integrated local, state, and federal accountability and continuous improvement system grounded in the LCFF.

Under the LCFF, LEAs are held accountable for improving student performance. Specifically, California’s LCFF-based accountability system sets eight priorities for school districts and charter schools (10 for county offices of education [COEs]). LCFF Priority 1 recognizes that LEAs should be accountable for providing all students with access to standards-aligned instructional materials, facilities that are in good repair, and teachers who hold teaching credentials and are appropriately assigned (have official certification for the position in which they are teaching). Teachers are not appropriately assigned if they are placed in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or if placed in a certificated teaching or services position that the employee is not otherwise authorized by statute to hold. State law provides that teachers in charter schools shall hold a certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold, but currently allows charter schools credentialing flexibility with regard to non-core, non-college preparatory courses.

For educator equity, ESSA maintained the reporting requirements related to “out-of-field” and “inexperienced” teachers, but replaced the term HQT with the term “ineffective” and required states to define that term. Under NCLB, California did not collect data regarding teacher effectiveness, nor did the state have a definition for the term “ineffective teacher.” The CDE consulted with stakeholders regarding the most appropriate approach for addressing the ESSA requirement to evaluate and publicly report data regarding “ineffective” teachers and the students they serve.

To meet ESSA requirements, California’s definition for “ineffective teacher” builds on LCFF Priority 1 by focusing on credential and assignment status—specifically whether teachers are misassigned or are teaching without a credential—while recognizing the current flexibility afforded charter schools under state law.

Under the ESSA, the definitions provided in Table 1 below are used to collect relevant teacher and student data and calculate equity gaps. As part of the next revision of the ESSA State Plan, staff will recommend clarifying the definition of “ineffective teacher” to include individuals teaching with Provisional Internship Permits, Short-Term Staff Permits, and Variable Term Waivers, in addition to the two categories described in the current definition. Staff will also recommend clarifying the definition of “out-of-field teacher” to include individuals teaching with Short-Term Waivers, Emergency English Learner or Bilingual Permits, and on Local Assignment Options, in addition to the two types of Limited Assignment Permits in the current definition. LEAs will be required to update the section of their LCAP Federal Addendum related to educator equity to reflect the updated definitions of “ineffective” and “out-of-field” teachers.

### Table 1: California Definitions for Purposes of Collecting Equity Data under the Every Student Succeeds Act

| **Term** | **Definition** |
| --- | --- |
| Ineffective Teacher | A teacher who is: (a) misassigned (placed in a position for which the employee does not hold a legally recognized certificate or credential or a certificated employee placed in a teaching or services position in which the employee is not otherwise authorized by statute to serve), or (b) teaching without a credential. |
| Out-of-Field Teacher | A teacher who has not yet demonstrated subject matter competence in the subject area(s) or for the student population to which he or she is assigned. Under this definition, teachers with the following limited permits would be considered out-of-field: * General Education Limited Assignment Permit
* Special Education Limited Assignment Permit
 |
| Inexperienced Teacher | A teacher who has two or fewer years of teaching experience. |
| Minority Student | A student who is American Indian/Alaska Native, Asian, African American, Filipino, Native Hawaiian/Pacific Islander, Hispanic, or Two or More Races Not Hispanic. |
| Low-Income Student | A student who is eligible to receive free or reduced price meals.  |

For the 2017–18 data in Attachment 1, the CDE used data collected via the California Longitudinal Pupil Achievement Data System (CALPADS), the California Commission on Teacher Credentialing (CTC), and *CalEdFacts* to create data profiles that provide information regarding the rates at which low-income and minority children are taught by out-of-field, and inexperienced teachers compared to the rates at which other children are taught by these teachers. The CTC and CDE have entered into a data sharing Memorandum of Understanding (MOU) which, along with the new California State Assignment Accountability System (CalSAAS), will allow the CDE to report initial data, based on the 2018–19 school year, regarding the distribution of ineffective and out-of-field teachers according to their new definitions in the updated California ESSA State Plan in spring 2020. This timing will allow LEAs to update the educator equity section of the LCAP Federal Addendum based on the updated definitions.

The data included in the attachment represents California’s 10,081 schools organized by student demographics into deciles. The 1,008 schools in Decile 1 were compared to the 1,008 schools in Decile 10.

A summary of disproportionate rates of access to educators based on 2017–18 data is provided in Table 2 below.

### Table 2: Summary of 2017–18 Educator Equity Data

| **Distribution** | **Description** |
| --- | --- |
| Inexperienced Teachers by Minority Decile | 15.2 percent of teachers in California’s schools with the highest percentage of minority students had been teaching for two or fewer years, while 10.4 percent of teachers in schools with the lowest percentage of minority students have been teaching for two or fewer years. |
| Inexperienced Teachers by Low-Income Decile | 16.1 percent of teachers in schools with the highest percentage of low-income students have been teaching for two or fewer years, while 8.8 percent of teachers in schools with the lowest percentage of SED students have been teaching for two or fewer years. |
| Out-of-field Teachers by Minority Decile | 0.8 percent of teachers in schools with the highest percentage of minority students held a Limited Assignment Permit; while 0.6 percent of teachers in schools with the lowest percentage of minority students held a Limited Assignment Permit. |
| Out-of-field Teachers by Low-Income Decile | 0.8 percent of teachers in schools with the highest percentage of low-income students held a Limited Assignment Permit; while 0.5 percent of teachers in schools with the lowest percentage of low-income students held a Limited Assignment Permit. |

### California Credentials Issued in 2017–18

In California, teachers may earn a teaching credential through a variety of programs offered by an institution of higher education (IHE) or through intern programs offered by a school district, COE, or a consortium of districts. All teacher preparation programs must meet the same teacher preparation standards and be accredited by the CTC.

Table 3 shows the total number of full-time equivalent individuals holding teaching documents who were employed in California public schools in 2017–18. The table also shows the numbers as a percentage of the total teaching staff in California. Taking into account the total number of certificated teaching staff in California’s schools, the number of university and district intern credentials accounted for 1.3 percent and 0.3 percent, respectively. For permits, Short-Term Staff Permits (STSPs) accounted for 1.2 percent and Provisional Intern Permits (PIPs) accounted for 0.7 percent of the total teaching workforce. Limited Assignment Teaching Permits represented 0.6 percent and waivers at less than 0.1 percent.

### Table 3: California Teacher Authorizations 2017–18

| **California Teacher Authorizations** | **2017–2018 Number** | **2017–18 Percent of Total** |
| --- | --- | --- |
| Fully Credentialed Teacher (Preliminary and Clear) | 293,108 | 95.7% |
| University Intern Credentials | 4,041 | 1.3% |
| District Intern Credentials | 885 | 0.3% |
| Limited Assignment Teaching Permits | 1,953 | 0.6% |
| PIPs | 2,279 | 0.7% |
| STSPs | 3,607 | 1.2% |
| Variable Term Waivers | 388 | 0.1% |
| Total | 306,261 | 100% |

*Source: Teacher Supply in California: A Report to the Legislature Annual Report
2017–18. California Commission on Teacher Credentialing, April 2019.*

### California Teacher Misassignments by Level, 2016–17

As a result of the *Williams v. State of California* settlement, county superintendents of schools are required to annually monitor the assignments of all certificated staff for schools ranked in Deciles 1, 2, and 3 of the Academic Performance Index (API). Although API rankings no longer exist, California *Education Code* has yet not been amended to reflect a different basis for assignment monitoring. Therefore, annual monitoring is still based on the 2012 Base API. Legislation has been introduced in the current session that would require annual monitoring for all schools.

Assignment monitoring involves reviewing all assignment records for the certificated staff at these school sites in order to determine if the individual holds an appropriate credential and authorization for the instruction or service provided or if the educator is otherwise legally authorized to serve on the basis of a permit, waiver, or local assignment option within statute or regulation. County superintendents must also annually collect data for these schools on classrooms with a population of 20 percent or more English learner students in order to determine the number of classrooms served by a teacher without an appropriate English learner authorization.

Table 4provides the percentage of teaching misassignments that occurred in 2016–17 at each school level (elementary, middle, and high). In 2016–17, 31.0 percent of all teaching misassignments are identified at the high school level. Middle schools represent 34.5 percent of the identified teaching misassignments each year and elementary schools represent 28.5 percent.

### Table 4: 2016–17 California Teacher Misassignments by School Level

*Source: Assignment Monitoring of Certificated Staff in California by County Offices of Education 2015–17, A Report to the Legislature. California Commission on Teacher Credentialing. November 2018.*

Table 5includes specific information on the number of identified teacher misassignments by aggregate content areas in 2016–17 for schools ranked in Deciles 1 through 3. The largest number of identified misassignments is within the area of special education accounting for over 30 percent of all misassignments.

### Table 5: California Teacher Misassignments by Subject Area, 2016–17

| **Subject** | **2016–17** |
| --- | --- |
| Agriculture | 2 |
| Art | 37 |
| Business | 1 |
| Career Technical Education (CTE) | 33 |
| Computer Science | 26 |
| Dance | 2 |
| Electives | 132 |
| English | 112 |
| English Learner | 313 |
| Health | 21 |
| Home Economics | 5 |
| Industrial Technology Education | 44 |
| Mathematics | 112 |
| Music | 15 |
| Other | 53 |
| Physical Education | 63 |
| Reading | 6 |
| Science | 115 |
| Self-contained | 51 |
| Social Science | 74 |
| Special Education | 578 |
| Theatre | 3 |
| World Languages | 23 |
| Total | 1,821 |

*Source: Assignment Monitoring of Certificated Staff in California by County Offices of Education 2015–17, A Report to the Legislature. California Commission on Teacher Credentialing. November 2018.*

### Promoting Equitable Access to Teachers Program

The ESSA requires each LEA receiving ESSA funds to submit a plan to the state educational agency that describes how it will identify and address any disparities that result in low-income and minority students being taught at higher rates than other students by ineffective, inexperienced, or out-of-field teachers. In the 2018–19 school year, LEAs addressed this requirement in the Local Control and Accountability Plan (LCAP) Federal Addendum.

The CDE has developed the Promoting Equitable Access to Teachers (PEAT) Program to assist LEAs in identifying and addressing local disparities or equity gaps. A key element of the PEAT Program is a suite of equity tools designed to guide LEAs as they collect and analyze the appropriate data, conduct data analyses to identify potential equity gaps, conduct a root cause analysis and consider various strategies to address disparities, and engage stakeholders in the process. These tools were developed to help LEAs successfully complete their LCAP Federal Addenda in 2018–19 and continue to address any equity gaps in the years ahead. The tools are available on the CDE Promoting Equitable Access to Teachers Program web page at <https://www.cde.ca.gov/pd/ee/peat.asp>.

Further, to meet ESSA data reporting requirements, the CDE, in collaboration with the CTC, is updating several elements of the educator data collection process. The CDE and CTC have entered into a data sharing MOU in order to modernize and digitize their current system for assignment monitoring statewide.

The CTC is currently developing the new CalSAAS system that will use data from the CTC and CDE to identify potential misassignments and provide a communication platform for counties and school districts to address and resolve them. The CalSAAS will be fully operational by fall 2019.

In order to effectively assess which credential and authorization is required to teach a course based on the state course code name and description, CDE staff has updated the current set of state course codes collected in the CALPADS and added a number of attributes that further refine each course description.

CDE and CTC staff have partnered to offer over 31 in-person trainings and several webinars to assist LEAs in transitioning to the changes in CALPADS, requirements in CalSAAS, as well as completing the LCAP Federal Addendum. Staff has trained over 3,300 people through in-person trainings at COEs and over 1,900 participants via webinar. CDE and CTC staff continue to offer support for the field through office hours held each Monday for one hour. This hour is dedicated to informing the field of any changes or updates within the various programs and to take questions from LEAs.

### Table 6: Participants Trained on Changes in the California Longitudinal Pupil Achievement Data System, the California Statewide Assignment and Accountability System and the Promoting Equitable Access to Teachers Program

| **Training Type** | **Number of Participants** |
| --- | --- |
| In-person trainings | 3,327 |
| Webinar trainings | 1,927 |

## Attachment(s)

* **Attachment 1:** 2017–18 California Educator Equity Data (3 pages)

#  **2017–18 California Educator Equity Data**

## Table 1: 2017–18 Inexperienced Teachers by Minority Student Enrollment

| Decile Rank for Title I Schools | Number of Schools | Total Student Enrollment | Minority Student Enrollment | Percent of Minority Student Enrollment | Total Teachers | Number of Inexperienced Teachers | Percentage of Inexperienced Teachers |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Decile I | 1,008 | 405,433 | 117,798 | 29.1% | 21,237 | 2,218 | 10.4% |
| Decile 2 | 1,008 | 620,235 | 277,115 | 44.7% | 31,165 | 3,116 | 10.0% |
| Decile 3 | 1,008 | 666,529 | 379,615 | 57.0% | 34,174 | 3,739 | 10.9% |
| Decile 4 | 1,008 | 652,294 | 447,887 | 68.7% | 32,112 | 3,789 | 11.8% |
| Decile 5 | 1,008 | 664,148 | 524,924 | 79.0% | 34,322 | 4,403 | 12.8% |
| Decile 6 | 1,009 | 671,954 | 585,122 | 87.1% | 32,746 | 4,366 | 13.3% |
| Decile 7 | 1,008 | 640,334 | 593,397 | 92.7% | 31,314 | 4,144 | 13.2% |
| Decile 8 | 1,008 | 692,811 | 664,790 | 96.0% | 33,736 | 4,086 | 12.1% |
| Decile 9 | 1,008 | 646,907 | 634,190 | 98.0% | 31,422 | 4,296 | 13.7% |
| Decile 10 | 1,008 | 549,084 | 545,999 | 99.4% | 26,534 | 4,042 | 15.2% |
| Statewide Totals | 10,081 | 6,209,729 | 4,770,837 | 76.8% | 308,762 | 38,199 | 12.4% |

## Table 2: 2017–18 Inexperienced Teachers by Socioeconomically Disadvantaged Student Enrollment

| Decile Rank for Title I Schools | Number of Schools | Total Student Enrollment | Socioeconomically Disadvantaged (SED) Enrollment | Percent of SED Student Enrollment | Total Teachers | Number of Inexperienced Teachers | Percentage of Inexperienced Teachers |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Decile I | 1,008 | 405,433 | 87,225 | 12.3% | 21,237 | 3,016 | 8.8% |
| Decile 2 | 1,008 | 620,235 | 212,542 | 28.5% | 31,165 | 3,654 | 10.3% |
| Decile 3 | 1,008 | 666,529 | 287,409 | 42.5% | 34,174 | 3,949 | 11.1% |
| Decile 4 | 1,008 | 652,294 | 350,446 | 55.6% | 32,112 | 4,012 | 12.5% |
| Decile 5 | 1,008 | 664,148 | 406,463 | 67.1% | 34,322 | 4,015 | 13.0% |
| Decile 6 | 1,009 | 671,954 | 452,591 | 76.2% | 32,746 | 3,797 | 13.1% |
| Decile 7 | 1,008 | 640,334 | 475,265 | 83.3% | 31,314 | 3,840 | 13.7% |
| Decile 8 | 1,008 | 692,811 | 524,971 | 88.6% | 33,736 | 4,112 | 14.0% |
| Decile 9 | 1,008 | 646,907 | 576,613 | 93.1% | 31,422 | 3,973 | 13.0% |
| Decile 10 | 1,008 | 549,084 | 449,510 | 96.9% | 26,534 | 3,831 | 16.1% |
| Statewide Totals | 10,081 | 6,209,729 | 3,823,035 | 61.6% | 308,762 | 38,199 | 12.4% |

## Table 3. 2017–18 Out-of-Field Teachers by Minority Student Enrollment

| Decile Rank for Title I Schools | Number of Schools | Total Student Enrollment | Minority Student Enrollment | Percent of Minority Student Enrollment | Total Teachers | Number of Out-of-Field Teachers | Percentage of Out-of-Field Teachers |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Decile I | 1,008 | 405,433 | 117,798 | 29.1% | 21,237 | 134 | 0.6% |
| Decile 2 | 1,008 | 620,235 | 277,115 | 44.7% | 31,165 | 169 | 0.5% |
| Decile 3 | 1,008 | 666,529 | 379,615 | 57.0% | 34,174 | 221 | 0.6% |
| Decile 4 | 1,008 | 652,294 | 447,887 | 68.7% | 32,112 | 210 | 0.7% |
| Decile 5 | 1,008 | 664,148 | 524,924 | 79.0% | 34,322 | 238 | 0.7% |
| Decile 6 | 1,009 | 671,954 | 585,122 | 87.1% | 32,746 | 252 | 0.8% |
| Decile 7 | 1,008 | 640,334 | 593,397 | 92.7% | 31,314 | 222 | 0.7% |
| Decile 8 | 1,008 | 692,811 | 664,790 | 96.0% | 33,736 | 212 | 0.6% |
| Decile 9 | 1,008 | 646,907 | 634,190 | 98.0% | 31,422 | 207 | 0.7% |
| Decile 10 | 1,008 | 549,084 | 545,999 | 99.4% | 26,534 | 213 | 0.8% |
| Statewide Totals | 10,081 | 6,209,729 | 4,770,837 | 76.8% | 308,762 | 2,078 | 0.7% |

## Table 4. 2017–18 Out-of-Field Teachers by Socioeconomically Disadvantaged Student Enrollment

| Decile Rank for Title I Schools | Number of Schools | Total Student Enrollment | SED Student Enrollment | Percent of SED Student Enrollment | Total Teachers | Number of Out-of-Field Teachers | Percentage of Out-of-Field Teachers |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Decile I | 1,008 | 405,433 | 87,225 | 12.3% | 21,237 | 178 | 0.5% |
| Decile 2 | 1,008 | 620,235 | 212,542 | 28.5% | 31,165 | 204 | 0.6% |
| Decile 3 | 1,008 | 666,529 | 287,409 | 42.5% | 34,174 | 271 | 0.8% |
| Decile 4 | 1,008 | 652,294 | 350,446 | 55.6% | 32,112 | 245 | 0.8% |
| Decile 5 | 1,008 | 664,148 | 406,463 | 67.1% | 34,322 | 227 | 0.7% |
| Decile 6 | 1,009 | 671,954 | 452,591 | 76.2% | 32,746 | 196 | 0.7% |
| Decile 7 | 1,008 | 640,334 | 475,265 | 83.3% | 31,314 | 205 | 0.7% |
| Decile 8 | 1,008 | 692,811 | 524,971 | 88.6% | 33,736 | 185 | 0.6% |
| Decile 9 | 1,008 | 646,907 | 576,613 | 93.1% | 31,422 | 187 | 0.6% |
| Decile 10 | 1,008 | 549,084 | 449,510 | 96.9% | 26,534 | 180 | 0.8% |
| Statewide Totals | 10,081 | 6,209,729 | 8,823,035 | 61.6% | 308,762 | 2,078 | 0.7% |