

Texas Classroom Teachers Association



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Response to House Public Education Committee Request for Information Regarding Interim Charge 1 (questions)

Submission from:
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Question 1: Can the state delay implementation of the teacher incentive pay program to push it out to the next biennium? If so, what would be the impact on the current budget, as well as budget implications for the 2022- 23 biennium?

TCTA recommends delaying implementation of the teacher incentive pay program, retaining funding for the program for teacher compensation and revising the teacher designation system used to distribute the allotment.

The costs of the Teacher Incentive Allotment lack any transparency, as there is no specific rider funding this program, and the costs appear to be buried in the discretionary funding available to the commissioner. While the Teacher Incentive Allotment is not funded as a grant program, it is also not funded through a student-based allotment as is the rest of the Foundation School Program. Rather, it is an amount per designated teacher in three categories multiplied by the number of students assigned to high-needs categories based on the census block where the students live or by a rural adjustment factor. According to the authors of HB 3, the cost of the program for the current biennium is \$140 million. The basis for this cost is not itemized anywhere in the appropriations bill. It is instead included as part of the estimated projected cost for the entire Foundation School Program.

TIA is based on the premise that districts will develop local teacher designation systems that identify high-performing teachers based on student growth and teacher observation. TEA must approve these systems. TEA approval involves heavy scrutiny by TEA and Texas Tech University, and requires districts to pay a \$500 fee for each teacher submitted for designation.

TEA requires districts to show evidence of validity and reliability of student growth measures used. In evaluating this evidence, Texas Tech reviews a district's student growth data compared to state-level value-added data for student growth as measured by STAAR results. The result is an incentive pay system tied to STAAR tests, contrary to legislative intent that the system be flexible and developed at the local level and not be based on STAAR exams.

Aside from the complexity and cost of the system, TEA's requirements for the student growth measures are such that it will be difficult to apply to special education teachers, who are already in short supply and for whom additional compensation would be helpful. It also is clearly focused on STAAR-tested subjects, making it essentially a means of outcomes-based funding based on standardized tests. The result is a narrowing of the curriculum and an increase in the high stakes nature of standardized tests.

With school closures in spring of 2020, student growth for 2019-20 is almost impossible to ascertain. TEA tries to address this in its rules at 19 TAC §150.1014 and §150.1014 by allowing districts to measure student growth using midyear data from 2019-20 for designations for the 2020-21 school year. Experts agree that validity and reliability of student growth data for purposes of teacher compensation depend in part on using multiple years of data. More years of data are needed to support reliable conclusions about teacher effectiveness because positive and negative errors in annual student growth can be averaged over several years, increasing the stability of the measure.* TEA's rules allowing partial year data to determine student growth for purposes of teacher designations for Cohort A and B create real concerns about the validity and reliability of those designations. The 2020-21 year is also unlikely to have a full year of growth data given the spikes in COVID-19 cases in Texas.

TEA just announced the first cohort, Cohort A, of school districts eligible to receive TIA funds. Only 26 districts were approved for Cohort A and only 36 districts have submitted a letter of intent for Cohort B. According to TEA, Cohort C districts would not receive funding until September 2022 or 2023.** The Legislature could revise the teacher designation system before districts have implemented and committed to any funding under current statutes and TEA rules. TCTA recommends that it do so.

*<https://files.eric.ed.gov/fulltext/ED563445.pdf>.

**<https://tiatexas.org/general-info-and-program-requirements/cohort-timelines-and-readiness-checklists/>

Question 2: Does the state have any obligation to ensure that newly awarded salaries are carried forward from year-to-year all other conditions being equal?

Yes. As HB 3 requires compensation increases above the 2018-19 school year, **we interpret the statute as requiring a permanent increase, although clarification would be helpful.** Much is being asked of teachers, and some teachers are choosing to resign or retire given current circumstances. There are few things more demoralizing than getting asked to take on added responsibilities and risks while having a salary reduction. Teachers need to be valued and Texas average salaries are consistently well below the national average. At no time were the HB 3 salary increases presented as temporary, and to retreat from them now would send precisely the wrong message to educators about their value to the state. Also, teacher salaries impact their retirement benefits, and many who have stayed on the job through the pandemic are likely to leave if confronted with a salary reduction.

Question 3: Is the state capable of providing the additional financial resources so school districts can maintain the new salaries awarded post HB 3?

Districts should not need additional funding to maintain current salary levels, with the caveat that districts should be provided ADA hold harmless funding due to the fluctuations in attendance accounting caused by COVID-19. The state should provide such funding using the CARES Act funding that was used to supplant general revenue obligations to public education and/or money from the Economic Stabilization Fund. The salary increase requirements of HB 3 were minimal compared to the funding districts received. Requiring 22.5 percent of funding increases to be passed on to teachers, who comprise 50 percent of operational budgets, should be easily sustainable. **The state should provide additional financial resources so that districts can continue raising compensation, particularly in light of rising health insurance costs.**

Question 4: What impact does the "no new revenue - tax cap" of 2.5 percent have on a school district's ability to continue the pay raises or changes in salary scheduled adopted for the 2019-20 school year?

Again, other than the problems created by declines in enrollment, the funding level of HB 3 should be more than sufficient to pay for the required compensation increases of that bill. The issue will be how districts can provide for future compensation increases and pay for rising costs of health care. Currently, districts have no way to do so other than to raise tax rates. The arbitrary cap on their ability to do so will ultimately make districts unable to pay for increased costs unless the Legislature commits to ongoing increases in the basic allotment through an inflationary adjustment or by continued ad hoc increases.

Question 5: The stated purpose of these partnerships with charters was to serve as incubators of innovative ideas in how to turn around failing campuses. Have any successful programs been identified that can be replicated by struggling campuses?

Few charter schools have implemented truly innovative practices and, on average, their students are performing at lower levels than those in traditional public schools. The 2019 accountability ratings for Texas traditional school districts and charter schools clearly demonstrate the disparity: According to data cited by noted NYU research professor of education Diane Ravitch, while 86.2% of school districts received an "A" or "B" rating, only 58.6% of charter operators received an "A" or "B". Less than 3% of school districts were given a "D" or "F" rating, compared to 17.7% of charters. <https://dianeravitch.net/2019/09/05/texas-public-schools-outperform-charter-schools/>

More specifically, for 2018-29, the average academic ratings of eight campuses turned over to charters under SB 1882 declined by more than eight percentage points. (See Ravitch link above.)

Summary of Campus Ratings - S.B. 1882 Partnerships with Private Organizations					
Community-Based School District	Campus	Private Organization	State Rating 2017/18	State Rating 2018/19	Change
Austin ISD	Mendez Middle	T-STEM	54	50	-4
San Antonio ISD	Stewart Elem.	Democracy Prep	84	61	-23
San Antonio ISD	Storm Elem.	Relay Lab School	70	47	-23
Waco ISD	Alta Vista Elem,	Prosper Waco	71	72	+1
Waco ISD	Brook Avenue Elem.	Prosper Waco	52	72	+20
Waco ISD	J.H. Hines Elem.	Prosper Waco	64	46	-18
Waco ISD	G.W. Carver Middle	Prosper Waco	70	50	-20
Waco ISD	Indian Spring Middle	Prosper Waco	71	72	+1
Average					-8.25

The expansion and replication of more expensive and less effective charter schools should be slowed and stopped, with the funding that has been devoted to them reinjected into the traditional public school system. The state has basically created a parallel, competing, and more expensive system of public schools in the charter process that is unnecessary and ineffective.