

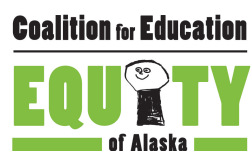
CEE Presentation to AASB Winter Boardsmanship Academy

Sarah Sledge, sarah@ceequity.org, Executive Director, CEE

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Our Mission

Coalition for Education Equity champions a quality, equitable and adequate public education for every Alaska child through advocacy, policy development and legal action.

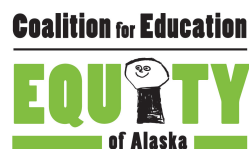


Our Priorities

- ▶ Adequate investment in education
- ▶ Recruitment and retention of quality educators
- ▶ Statewide access to quality pre-elementary programs
- ▶ Stable, accessible, equitable funding of school construction and major maintenance
- ▶ Capacity of school districts and DEED

Our Mission

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Equity vs. Equality



Equity as Adequacy

Equity

- ▶ Equity can mean fairness - do all students receive a fair share of resources?
- ▶ Recognizes inequalities - some students need greater resources to achieve at appropriate levels ("appropriate" treatment instead of "equal" treatment)
- ▶ Focus is on inputs
- ▶ Aimed at reducing disparity
- ▶ Funding attempts to address equity by allocating resources differently based on:
 - ▶ Characteristics of the students
 - ▶ Characteristics of the schools or school districts
 - ▶ Characteristics of various programs

Adequacy

- ▶ Goal of meeting outcomes for every student
- ▶ Ensuring that school finance policy can facilitate the goal of teaching students to higher standards
- ▶ Finance structure more directly linked to strategies that raise levels of student achievement
- ▶ Focus on quality of education provided
 - ▶ Does every school have the resources it needs?
 - ▶ Are children meeting the state's own education standards?
- ▶ Creating high expectations for students and providing adequate resources to meet those expectations

Barriers to providing an adequate education

- ▶ High teacher turnover
- ▶ Teachers teaching outside their area of certification
- ▶ Courses not offered on a regular basis
- ▶ Lack of standards-based evaluation
- ▶ Native culture not valued by school environment
- ▶ Lack of vocational and technical courses
- ▶ Not offering “college-prep” atmosphere and expectations

“Tools for Success: What is and Adequate Education?” Educate Alaska Final Report. June 30, 2002. Citizens for the Educational Advancement of Alaska’s Children

Our roadmap for today

- ▶ Brief Legal Review
- ▶ Moore, et al. v. State of Alaska
- ▶ Implications for today



Alaska Supreme Court Decisions *State's constitutional obligation to fund public education*

- ▶ *Molly Hootch v. Alaska State-Operated School System* (1975)
- ▶ *Macauley v. Hildebrand* (1971)
- ▶ *Matanuska-Susitna Borough School District v. State* (1997)

Molly Hootch v. Alaska State-Operated School System (1975)

- ▶ Reviewed history of delivery of education in Alaska prior to constitutional convention
- ▶ Alaska Supreme Court held that the Education Clause was intended to ensure that the legislature establish a system of education designed to serve children of all racial backgrounds.
- ▶ Alaska's constitution does not require uniformity in the school system
- ▶ “[A]ppears to contemplate different types of educational opportunities including boarding, correspondence and other programs without requiring that all options be available to all students.”
- ▶ The Court concluded that the Education Clause permits some differences in the manner of providing education and that “different approaches are appropriate to meet the educational needs in the diverse areas of the state.”

Macauley v. Hildebrand (1971)

“This constitutional mandate for pervasive state authority in the field of education could not be more clear. First, the language is mandatory, not permissive. Second, the section not only requires that the legislature ‘establish’ a school system but also gives to that body the continuing obligation to ‘maintain’ the system. Finally, the provision is unqualified; no other unit of government shares responsibility or authority. That the legislature has seen fit to delegate certain educational functions to local school boards in order that Alaska schools might be adapted to meet the varying conditions of different localities does not diminish this constitutionally mandated state control over education.”

Matanuska-Susitna Borough School District v. State (1997)

- ▶ The Court cited the Education Clause and its constitutional mandate to the legislature to “ensure equitable educational opportunities across the state.”
- ▶ Based on the State’s constitutional obligation to establish and maintain a system of schools, the legislature is obligated to ensure adequate funding for borough, city and REAA districts under the Education Clause.
- ▶ Justice Warren Matthews’ concurring opinion noted that the case did not involve a claim that funds available to any Alaska school district were “insufficient to pay for a level of education which meets standards of minimal adequacy.” Such a claim, if supported factually, could be based on the Education Clause of the Alaska Constitution.



Moore v. State of Alaska Timeline

- ▶ 2004: Lawsuit filed
- ▶ October 2006: Trial held
- ▶ June 2007: Court finds State is violating the Constitution; case enters Remedy Phase
- ▶ Positive rulings in 2009 and 2010
- ▶ March 2010: Court again finds that the State is violating the Constitution
- ▶ January 2012: Moore Settlement

Moore vs. State of Alaska Numbers

- ▶ 21 Days:
 - ▶ Filed in 2004, then-Superior Court Judge Sharon Gleason conducted a 21-day trial in 2006 over the adequacy of State funding to students in rural school districts (both REAA and Borough districts)
- ▶ 28:
 - ▶ Number of witnesses who provided testimony in the trial
- ▶ 800:
 - ▶ Number of exhibits admitted at trial (and there was deposition testimony and exhibits of an additional 23 witnesses)
- ▶ 288:
 - ▶ Parties submitted proposed findings of fact and conclusions of law totaling 288 pages
- ▶ 4,000:
 - ▶ The trial transcript in the case totaled nearly 4,000 pages

Moore, et al. v. State of Alaska (2007)

- ▶ The State has a constitutional duty to insure that an acceptable educational opportunity is provided to all children in the state.
- ▶ The State's constitutional obligation to maintain schools has four components:
 - Constitutionally adequate set of educational standards;
 - Adequate assessments determining whether children are learning the standards;
 - Adequate funding so as to accord to schools the ability to provide instruction in the standards;
 - Adequacy of State oversight and accountability
- ▶ While the State delegates implementation of education to local districts, the State cannot delegate the constitutional responsibility for maintaining an adequate public education system.

Education Clause 4-Part Duty Combines 2 Lines of Cases

First Line of Cases

- ▶ Education Clause gives Alaska children the right to a public education

And

- ▶ Makes the State responsible for providing this right to children

Second Line of Cases

- ▶ The State can delegate this function

But

- ▶ Only when the State provides precise guidance

And

- ▶ Only if the State retains primary responsibility for constitutional compliance

Moore - Adequate Funding?

- ▶ Funding is constitutionally inadequate only if it is proven that the existing resources are not sufficient to accord to children a meaningful opportunity to be educated
- ▶ The State may consider all sources of funding when insuring that education is adequately funded
- ▶ In the Moore case, plaintiffs failed to demonstrate that funding was constitutionally inadequate at that time
- ▶ Did not rule out that additional funding could be beneficial; noted that the Legislature at some point may need to provide additional funding “to insure that the school districts are meeting the State’s duty to provide a constitutionally adequate education to Alaska’s school children.”

“The primary question in this case – whether the public education system in Alaska is constitutionally adequate – cannot be framed solely in terms of funding, but must also address the opportunity for children to obtain an education.”

Gleason Decision and Order, p. 173 (2007)

The Court looked at student achievement, educational resources and each element of the State’s duty under the Education Clause.

Alaska State Constitutional Responsibility for Public Education: Four Components

- ▶ Constitutionally adequate set of educational standards;
- ▶ Adequate assessments determining whether children are learning the standards;
- ▶ Adequate funding so as to accord to schools the ability to provide instruction in the standards;
- ▶ **Adequacy of State oversight and accountability**

Remedy Phase (2007-2010)

- ▶ Establish clear standards for school districts
 - The State must ensure that each school district has a demonstrated plan
 - Insure that the district's plan is fully implemented and actually in use in the district's classrooms
- ▶ The State must exercise more oversight
- ▶ Provide considerably more assistance and direction to those schools that are identified as failing to meet the State's constitutional obligation

2008: Remedy Phase Hearing focused case on the classroom

Testimony from districts and educational researchers about district needs and factors known to improve educational achievement, including:

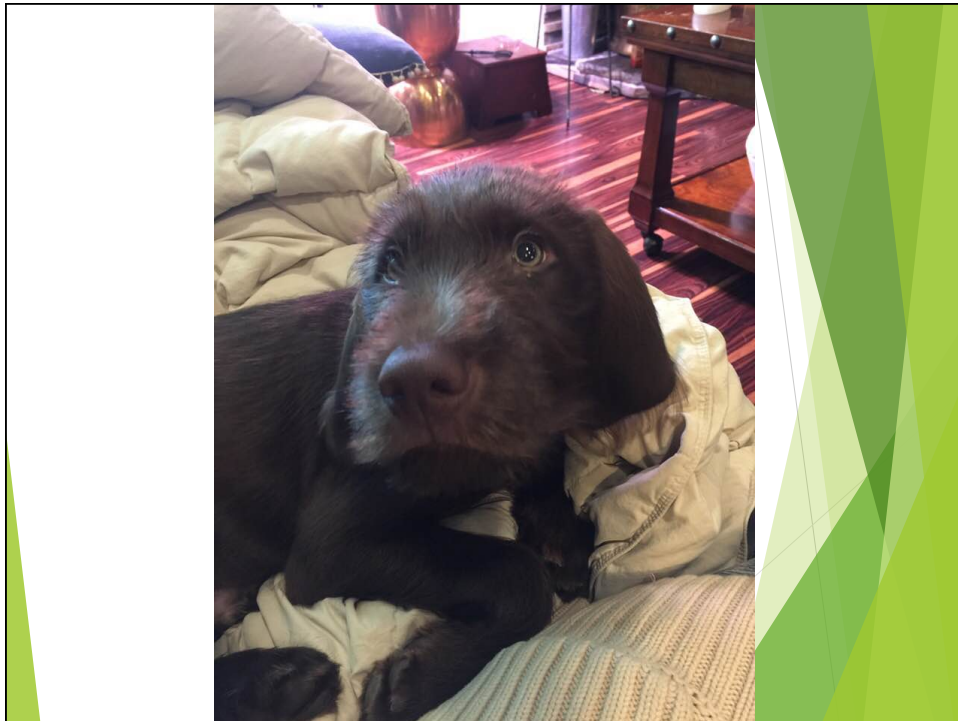
- ▶ High-quality early childhood education
- ▶ Intensive professional development and coaching for teachers
- ▶ Intensive access to content specialists
- ▶ Strategies for teaching English Language Learners
- ▶ Retention of qualified teachers

Underlying Issues in Struggling Districts

- ▶ Students starting kindergarten 2-3 years behind in language development
- ▶ Inadequate supply of qualified teachers in rural districts
 - Districts' inability to recruit and retain highly qualified teachers
 - Lack of in-depth professional development
 - Teachers without resources, time or skills to implement intensive interventions
- ▶ Lack of educational resources to implement intensive interventions

Findings in the Moore Case (2009)

- ▶ State had failed to insure that each school district's **curriculum aligned** to the State's standards;
- ▶ The State's interventions had not included attention to content areas not covered by State's standardized testing;
- ▶ The State's interventions had been limited in scope and had not addressed the **specific strengths and weaknesses** of each chronically under-performing district;
- ▶ The State's interventions had not given adequate consideration of **pre-Kindergarten and other intensive early learning initiatives** designed to address the unique educational challenges faced by students in Alaska's chronically underperforming schools districts;
- ▶ The State's interventions had not addressed **teaching capacity** due to high turnover, teacher inexperience and unique educational challenges in Alaska's chronically underperforming school districts.



Recommended State interventions : “promising, research-backed remedial measures.”

- ▶ Providing **targeted educational resources** to low performing schools and districts
- ▶ Addressing **teacher quality** – including recruitment, retention, and professional development
- ▶ Access to **high quality pre-kindergarten** with parental involvement
- ▶ Ensuring **curriculum alignment** – including adequate materials, research-based instructional strategies and professional development
- ▶ Building **DEED’s capacity** to adequately assist and support struggling schools and districts
- ▶ Ensuring **community participation and engagement** in education reform efforts

High Quality PreK *Proposed Reading/PreK Legislation*

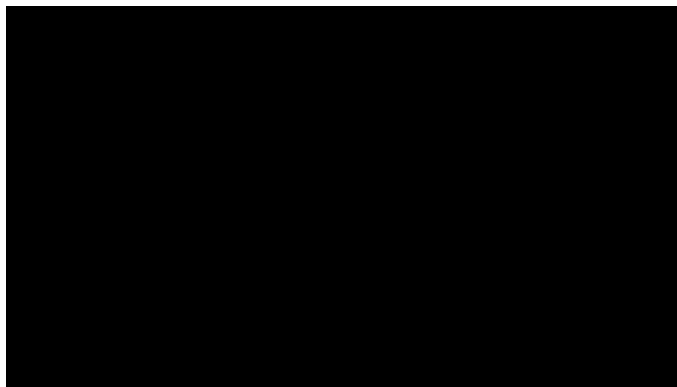
- ▶ Reading Success Component
- ▶ PreK Component
- ▶ District/School Support Component



DEED Capacity

- ▶ January 2019 Legal Opinion regarding DEED Capacity
 - ▶ DEED lacking sufficient resources to provide adequate support and oversight for school districts
 - ▶ Violation of the fourth factor of Moore Decision's Education Clause four-part constitutional framework
- ▶ Successful advocacy against DEED budget cuts and for DEED curriculum positions
- ▶ Potential in anticipated Reading/PreK bill for increased DEED Capacity to support school districts

Quality Educators



Quality Educators key to Equity in Education

Access to Quality Education

- The teacher is the most influential factor in student learning¹

- Teachers are distributed inequitably²

less qualified, less experienced, outside expertise areas, higher turnover in high-poverty, high-minority schools

- AI/AN students more likely to have first-year teachers³

Connections to Student Outcomes

- In schools with high turnover, students score lower on standardized tests^{4,5,6,7}

1. National Commission on Teaching & America's Future. (1996). *What matters most: Teaching for America's future*. New York, NY: Author.
2. Behrstock, E., & Clifford, M. (2010). *Ensuring the equitable distribution of teachers: Strategies for school, district, and state leaders*. Retrieved from American Institutes for Research, Center for Great Teachers and Leaders website: <http://www.gtlcenter.org/products-resources/ensuring-equitable-distribution-teachers-strategies-school-district-and-state>
3. U.S. Department of Education, Office for Civil Rights. (2014). Data snapshot: Teacher equity (Issue Brief No. 4). Retrieved from <http://www2.ed.gov/about/offices/list/ocr/docs/crdc-teacher-equity-snapshot.pdf>
4. National Commission on Teaching & America's Future. (2003). *No dream denied: A pledge to America's children*. Washington, DC: Author.
5. Rockoff, J. E. (2004). The impact of individual teachers on student achievement: Evidence from panel data. *American Economic Review*, 94(2), 247-252.
6. Ronfeldt, M., Loeb, S., & Wyckoff, J. (2013). How teacher turnover harms student achievement. *American Educational Research Journal*, 50(1), 4-36. Retrieved from https://cepa.stanford.edu/sites/default/files/4.full_.pdf
7. Strong, M. (2009). *Effective teacher induction and mentoring: Assessing the evidence*. New York, NY: Teachers College Press.

What is a quality educator?

- Possess a deep understanding of the subjects they teach;
- Evidence a firm understanding of how students learn;
- Demonstrate the teaching skills necessary to help all students achieve high standards;
- Create a positive learning environment;
- Use a variety of assessment strategies to diagnose and respond to individual learning needs;
- Demonstrate and integrate modern technology into the school curriculum to support student learning;
- Collaborate with colleagues, parents and community members, and other educators to improve student learning;
- Reflect on their practice to improve future teaching and student achievement;
- Pursue professional growth in both content and pedagogy;
- Instill a passion for learning in their students

From: National Commission on Teaching & America's Future. (2003). No dream denied: A pledge to America's children. Washington, DC: Author.

Teacher Turnover in Alaska

Numbers

- ▶ On average, rural districts have 20% turnover year to year and urban district 10%
- ▶ On average, early career teachers prepared outside have a turnover of 22.5% while those prepared in Alaska, 11.6%.
- ▶ On average, about 70% of teachers come from outside of Alaska, only 30% from AK
- ▶ On average, the cost of turnover in Alaska is \$20,431.08 per teacher

Impacts

- ▶ School climate
- ▶ Professional development
- ▶ Instructional quality
- ▶ Student achievement

DeFeo, D. J., Tran, T., et. al. (2017). The cost of teacher turnover in Alaska: A study by the Center for Alaska Education Policy Research at the Institute of Social and Economic Research. Retrieved from University of Alaska Anchorage website: <http://www.iser.uaa.alaska.edu/Publications/2017-CostTeacher.pdf>

“The State’s interventions had not addressed teaching capacity due to high turnover, teacher inexperience and unique educational challenges in Alaska’s chronically underperforming school districts. ”

2009 Moore Decision and Order

We will work to seek policy and administrative solutions that address teaching capacity in Alaska.

Education Funding Current CEE Legal Activity

- ▶ CEE v. Dunleavy et al: Governor's impound of one-time FY19 \$20 million education funding
- ▶ Legislative Council v. Dunleavy: constitutionality of forward funding; filed as intervener



Thank you!



sarah@ceequity.org
907-227-1704

www.ceequity.org