

Center, Dupont, Virginia State University, the Mathematics & Science Center and Virginia Union University.

Other requirements for the School Board include reducing Algebra I and Earth Science class sizes to a ratio of 20

to 1 by 2002.

Teachers in kindergarten through seventh-grade will have to complete at least two science and mathematics college/university credit or recertification

courses during the five-year period.

Continued support from the NSF will depend on an annual review of progress, the level of support from other sources and the availability of funds. ■

## 56. Richmond Times-Dispatch

November 14, 1997 Category: Local

### *Panel supports charter schools*

BY PAMELA STALLSMITH  
Times-Dispatch Staff Writer

The General Assembly should consider charter schools, independent public schools that have been routinely rejected by state lawmakers, a commission studying the future of education recommended yesterday.

Charter schools would give local school divisions more choices and add to the diversity of educational programs, members said. The state would also be able to tap into \$100 million in federal money that Congress, at President Clinton's behest, recently approved for charter schools.

"It would give the localities an option to try something," said Del. J. Paul Councill Jr., D-Southampton, chairman of the House Education Committee, who supports charter schools. "If it doesn't work, then that's the end of it."

The proposal is the latest of a series of changes to a draft report by the Commission on the Future of Public Education, a group of legislators, citizens and educators that formed almost two years ago. The group, commonly known as the Bennett Commission for its chairman, Del. W. W. "Ted" Bennett Jr., D-Halifax, will settle on a final report at its Dec. 11 meeting.

The commission met for five hours

yesterday to hammer out the details of the 37-page report, which also recommends remediation for slow-learning students, places heavy emphasis on teacher professional development and underscores the importance of technology. How much many of the proposals cost remains to be seen, though commission members said price tags would be available next month.

The commission will present its report to the General Assembly, which convenes in January. But the fate of the recommendations is uncertain. Some Capitol observers wonder how far the report of the commission, the brainchild of assembly Democrats, will go in the new Republican administration.

Charter schools, however, stand their best chance yet.

"The fifth year might be the charm," said Del. Phillip A. Hamilton, D-Newport News, the bill's sponsor. "I've been called persistent."

Hamilton said he plans to introduce legislation that will mirror the bill he backed last year. Under that measure, local school boards would be allowed to operate up to two charter schools, which would be nonsectarian. The charter schools would answer to local boards and would employ only state licensed teachers.

Half of the charter schools would have to cater to at-risk students, Hamilton said. Nationally, about half the states offer some form of charter schools. Hamilton's bill, however, has never made it out of committee.

For the past two years, the House Education Commission has deadlocked 11-11 on the bill, killing it. But the political dynamics will be different this year, Hamilton said.

Two of the bill's opponents, Del. Shirley F. Cooper, D-York, and Del. George E. Lovelace, D-Fairfax, lost their seats in last week's elections and will no longer serve on the education committee. With the House of Delegates split almost evenly between Democrats and Republicans, the measure stands a much better chance of clearing committee and going before the full house for a vote.

Secretary of Education Beverly Sgro pushed for the inclusion of charter schools in the report, an initiative that has been embraced by the Allen administration.

"We're very eager for school divisions, if they want, to have flexibility," she said after the meeting. "Charter schools are not a cure-all, but it's another tool in the tool box, and schools need as many options as they can get." ■

## 57. New York Daily News

November 14, 1997 Category: Local

### *Educators May Face Stiffer Regents Code*

By KIMBERLY SCHAYE  
Daily News Albany Bureau

ALBANY Eachers would have a performance review every five years and colleges would lose their accreditation if graduates consistently fail teacher accreditation exams under a new Board of Regents proposal.

The changes were among several recommendations released yesterday by an eight-member Regents Task Force on Teaching. They were meant to complement the Regents' tougher standards proposed for students.

"If we are going to insist that all students measure up, we must be equally

insistent that all teachers measure," the task force said in its report.

The task force proposes a probation system for teachers colleges like the one the Regents use for low-performing grade schools.

If fewer than 85% of a school's graduates passed state certification

*Teacher Accountability*

exams, the school would get a limited time to improve before possibly losing its accreditation, said task force co-chairman Robert Johnson, a regent from Long Island. "Some of the CUNY schools are very vulnerable in that regard," Johnson said.

Cumulatively, CUNY college graduates have the lowest pass rate, according to state Education Department data. Last year, 64% of the students taking one key exam, the Liberal Arts and Science Test, passed, compared with

95% of SUNY students and 87% of students at independent colleges.

Under the new proposal, teachers would start their careers with a one-year internship. All teachers would be reviewed every five years by two "exemplary" teachers and a principal selected from outside the school. If rated unsatisfactory, the teacher would have a year to improve or face dismissal.

The task force backed off a proposal made by Education Commissioner Richard Mills to require recertification

every five years, fearing such a move would run afoul of the state's tenure law. Johnson said.

United Federation of Teachers spokeswoman Susan Amlung said, "As long as it's not being viewed as a back door to get rid of tenure, which it doesn't look like it is, we'd love to work on getting it implemented."

The recommendations will be discussed at hearings around the state this year before the full Board of Regents votes on them in March. ■

## 58. New York Post

November 14, 1997 Category: Local

# COMMISH: TEST TEACHERS EVERY 5 YEARS

By GREGG BIRNBAUM

ALBANY - Teachers should be forced to take a tough test every five years to keep their licenses, the state's education boss proposed yesterday.

The idea immediately drew howls of outrage from the state's powerful teachers union.

Trying to make sure teachers stay sharp throughout their careers, state Education Commissioner Richard Mills said all teachers should be regularly evaluated by a three-member panel comprising two teachers from outside the school and one administrator.

The panel would watch the teacher in action, conduct an interview and review materials being used in the classroom.

Teachers who flunk would have to improve their skills - in as-yet-unspecified ways - or face loss of their teaching license or their jobs, even if they have tenure.

"We want to make sure we put a capable, well-prepared teacher in every classroom and keep them there," Mills told The Post.

Mills' plan also would raise the number of exams required for candidates to get their initial license, and require more teaching experience, additional tests and mandatory enrollment in professional development programs to get and keep an advanced teaching certificate.

If approved, Mills' proposal would take effect for the school year starting in 1999.

Under current policy, teachers are subject to yearly reviews and a three-year tenure period, but can retain the "valid-for-life" license without having their job performance evaluated or proving continuing competence.

"In effect, a license to teach in New York state's public schools is now virtually permanent and unalterable," a state education report said.

The powerful United Federation of Teachers opposes Mills' plan, calling it a political attack on tenure.

"The whole concept of relicensing teachers every few years ... really started

as attacks on tenure by people who don't understand what tenure is," UFT President Sandra Feldman has said.

J.D. LaRock, a spokesman for city Schools Chancellor Rudy Crew, called the proposal "worthwhile," but said Crew had not had time to study it.

Mills also said he wants all schools with teacher-education programs - there are more than 100 statewide - to be accredited by 2003.

If at least 85 percent of teacher candidates graduating from a teaching school did not pass certification tests, the education program could be stripped of its accreditation.

The Board of Regents plans to vote on Mills' proposals in March, after a series of public hearings across the state.

Mills also proposed:

Teachers who work for three years in "hard-to-staff" schools get a financial bonus and loans forgiven.

Fingerprinting teacher candidates to check for past-felony convictions and bar them if they have a conviction. ■

## 59. Associated Press

11-14 1:48a Category: Local

# OEA submits school funding plan, lawmakers meeting on issue

COLUMBUS, Ohio (AP) - The Ohio Education Association has submitted its school funding plan to legislative leaders, who are trying to develop a plan to pay for primary and secondary education before Jan. 15.

The Ohio Supreme Court has ordered lawmakers to come up with a new school funding plan by March 24.

Majority Republicans have set a Jan. 15 deadline for passing the fiscal 1999 appropriation breakdown for education. If a tax increase or any constitutional

change is involved, lawmakers have until Feb. 4 to get it on the May ballot.

House Speaker Jo Ann Davidson; Senate President Richard H. Finan, R-Cincinnati; Senate Minority Leader Ben Espy, D-Columbus; and House Minority Leader Ross Boggs Jr.,

DRAFT November 30, 1997 (Barry White)

## TAKING INEFFECTIVE TEACHERS OUT OF THE CLASSROOM

**Premise:** The pivotal role in raising children's achievement in elementary and secondary schools is played by the teacher. High standards, supportive curriculum, student assessment, parental involvement, excellent administration -- all are frustrated by ineffective teachers. Schools know who the ineffective teachers are and many are addressing the problem directly, but others may need incentives to do so. The Federal government can provide such an incentive without intruding into local school decisions, union-school relationships, or State direction of the school system.

### Initiative design:

- Conditioning Education grants. The major Federal statutes providing grants to States and schools -- Title I, IDEA, Vocational Education, Indian Education, Bilingual Education -- would be amended to make a condition of annual grant receipt the presence in each District of a system of evaluating teachers and dealing with the results of the evaluations as described below.
- The teacher evaluation system would be devised to meet the unique needs of each State and school system, but would have to have these components:
  - It would involve teachers and administrators in its design and implementation. Where a union contract is in effect, the union would have to be a full partner in, and endorse, the system.
  - Effective input from parents would have to be solicited.
  - It would assess every teacher on a regular cycle, but at least once every three years. The teachers assessed first in the early years would be those for whom there is some evidence of questionable abilities, including the presence of multiple complaints about teaching effectiveness from parents.
  - The assessment could take various forms but would rely primarily on multiple in-the-class observations, over a period of time, by a senior teacher of proven teaching ability. No system that relied primarily on written tests or oral interviews would be acceptable.
- Dealing responsibly with questionable teachers. The teacher assessments could not be cause for automatic dismissal. The system would have to provide, as appropriate, for corrective actions tied to the observed faults: training, mentoring, assignment to more appropriate classes, periods of observation of or team teaching with more effective teachers, etc. Dismissal would be an option in situations of documented extreme incompetence.

- Ensuring fair treatment for teachers. The results of the evaluation would have to be open to challenge by the teacher in an impartial hearing setting before experienced teachers and administrators.
- Measuring system impact. Districts receiving Federal education funds would have to report publicly on the effectiveness of their systems. Systems that did not find any, or only a minuscule number of ineffective teachers in the first two years would be presumed to have ineffective systems (no “Lake Woebegone” effect allowed) and be subject to the “show cause” hearing process below.
- Real sanctions for failure to deal with ineffective teachers. Districts could maintain eligibility for Education grant funds for one year after the laws are amended as above on the basis of having a design for a system that meets the above conditions, if they currently do not have one that meets these principles. If by the second year after enactment the system is not in place and operating effectively, the district would lose 3% of its funds the next year (which would be reallocated to other eligible districts in the State). The district would lose an additional 3% for each successive year, up to 9% of total funding.

If no progress had been made for 2 successive years after implementation (or 3 years from enactment if the district had what appeared to be a satisfactory system in place), the district would face a hearing before the Education Department and a panel of representatives from school districts of comparable size and demographic composition, to show cause why it should not lose eligibility for all its Federal funding. In the event a district loses funding, the Secretary of Education, in cooperation with the State, would designate an alternative deliverer of the educational services to children in that district.

- Technical assistance and dissemination. The Education Department, in coordination with national teacher and administrator and State organizations, and parent groups, would issue materials on alternative methods of teacher assessment and remediation. Education would, with these groups, identify and disseminate best practices.

## 45. The New York Times

11/14/97; Edition: Late Edition - Final; Section: Section B; Metropolitan Desk; Page 1, Column 5 Category: Local

### *Facing Storm, Regents Alter Teacher Plan*

By SOMINI SENGUPTA

Facing fierce opposition from the powerful teachers union, the State Board of Regents has backed away from a proposal that would have ended lifetime licenses for new teachers in New York. Instead, the board is considering a requirement that all teachers pass performance reviews every five years or face dismissal.

The Regents, who set state education policy, amended their earlier proposal after state lawyers advised them that the change would require legislative approval. And because the teachers' union, with its 380,000 members, has so much clout in Albany, passage of the measure was considered "unlikely in this climate," said Robert M. Johnson, the former Newsday publisher who is co-chairman of the Regents' task force on teaching.

Mr. Johnson said the latest proposal, to be presented at the Regents meeting today in Albany and voted on next March, "avoided a potential roadblock across the way in the Legislature." The new measure requires a majority vote of the 16-member Board of Regents.

In addition, the Regents propose to tighten standards for the state's teaching colleges by requiring them to earn national accreditation. State education officials said they would require that teacher-training programs be accredited by either the National Council for Accreditation of Teacher Education, a nonprofit agency in Washington, or another agency approved by the department. Five of the state's 112 colleges and universities that offer teacher training are currently accredited by the National Council.

Most of the other teacher-training programs have accreditation by the State Education Department. Mr. Johnson and others say, however, that the state is no longer able to adequately oversee the

quality of the programs because of budget cuts to the department's division of higher education.

Teachers union officials said they were pleased with the Regents' revisions. "We don't believe it's logistically or financially feasible for the state to supervise the continuing competency of teachers," said Linda Rosenblatt, a spokeswoman for the New York State United Teachers. "They are calling for standards, and that is logical. Let the district develop a plan on how to reach the standards."

But the plan drew fierce criticism from the president of the New York State School Boards Association, Louis Grumet, who accused the Regents of bowing to pressure from the union. "In this week, when they've made it much tougher for kids to graduate, which we support, they've taken out any serious attempt to make sure every teacher can teach to these standards," Mr. Grumet said, referring to new graduation requirements being considered by the Regents. "They totally caved."

Education officials dispute this, saying they scaled back the proposal because it might run counter to laws about dismissing teachers.

Under state law, a teacher can be dismissed only if found to be incompetent. In the 1995-96 school year, the latest for which statistics were available, school officials sought to dismiss 156 teachers, and 24 were found to be incompetent, according to a department spokesman, Alan Ray.

The law requires school districts to conduct annual evaluations of all teachers, but state education officials say the reviews are not particularly rigorous.

Under the state's latest proposal, which would take effect in 1999, a team of evaluators, including a school administrator and outside experts, would

observe teachers and review a portfolio of their work. A teacher who did not measure up to the review would be offered remedial help and re-evaluated in a year. A teacher who failed again would be subject to dismissal procedures. If the teacher was found to be incompetent, the State Education Commissioner could take away the teacher's license.

New York is among a handful of states that still issue lifetime licenses. Most states require teachers to renew their teaching certificates every few years by taking college courses or professional development seminars, according to the Education Commission of the States.

Several states require a performance evaluation, such as the one that the Regents have proposed. "It doesn't sound like New York is pushing any envelope," said Kathy Christie, a spokeswoman for the commission.

Three other states — Arkansas, North Carolina and West Virginia — require teacher-training programs to be accredited by the National Council for Accreditation of Teacher Education, according to the agency's president, Arthur E. Wise. The agency examines factors like the use of full-time faculty versus adjunct professors, the rates at which students pass the state teacher certification exams and students' mastery of the subjects they are to teach. Some City University of New York campuses, where many students fail the state exams, would be hard pressed to meet some of the accreditation standards.

Many college presidents object to national accreditation because, they say, it imposes rigid requirements on everything from faculty qualifications to the supervision of student-teachers. About 500 of the country's 1,300 teacher-training programs have accreditation through the National Council. ■

Bill Jones is expected to announce by Jan. 22 whether the initiative qualifies for the June ballot. ■

## 44. Chicago Tribune

November 14, 1997 Category: Local

# Democrats nudge GOP school funding plan

By Rick Pearson and Bob Kemper  
TRIBUNE STAFF WRITERS

SPRINGFIELD —A revised Republican plan to boost funding to the state's poorest schools won the crucial backing of Senate Democratic leaders Thursday, setting the stage for what could be resolution of an issue Illinois politicians have fought over for years.

But another major bill —the one that would cut electric rates and eventually give consumers a chance to shop for their electricity —developed snags that prompted Gov. Jim Edgar to warn of a veto if left unresolved when the fall legislative session ends Friday.

With the support of Democratic senators, the GOP-led Senate Education Committee advanced a proposal that would ensure that 700,000 of the state's 2 million public school students are brought up to an "adequate" \$4,225 level of educational funding in the 1999 budget year.

The full Senate is expected to approve the plan Friday, an action that would test the political sincerity of Democratic Speaker Michael Madigan of Chicago about pushing it through the House.

Madigan has previously voiced support for the measure, but in a denial of his well-known leadership powers, said support for it among his members was tepid.

In May, House Democrats voted overwhelmingly for a comprehensive \$1.6 billion school funding plan that would have used a 25 percent income-tax increase to provide property-tax relief and new funding for schools.

That plan was rejected by the Republican controlled Senate, and rank-and-file Democrats had seemed unhappy with the prospect of giving

GOP senators a chance to redeem themselves on the education issue heading into a critical election year.

But the vote by the Senate panel Thursday and the decision by Senate Democratic leader Emil Jones Jr. of Chicago to endorse the plan backed by Edgar and GOP legislative leaders produced a sharp turnaround from a day earlier.

At that time, prospects for a school-funding plan appeared dim amid Democratic complaints that Republicans were interested more in finding political cover for next year's elections than in advancing a plan guaranteed to help schoolchildren.

Republicans then added a key element to their plan on Thursday —a guarantee that the additional funding would flow directly to schools through the 2001 budget year, rather than face annual scrutiny from lawmakers and make the money subject to the whims of the budget process.

"This is going to come down to: Do you want to solve it or do you want to have an issue in the campaign?" Edgar said in a challenge to lawmakers Thursday.

"There may be some who decide we're better off if nothing happens because we can blame the other party," he said. "Anybody who thinks they can go out of here and get benefit because nothing happened is playing Russian roulette."

In past years, politicians have complained about the state's property tax dependent system of funding public education without reaching any compromises.

Republicans have contended Democrats were interested in giving

schools more money without imposing quality reforms while Democrats claimed Republicans tried to maintain a system that shortchanges children from school districts with low property values.

Meanwhile Thursday, lawmakers were also trying to address concerns Edgar raised with a bill that would deregulate the state's electric utilities.

The governor expressed concern that Peoria-based Central Illinois Light Co. would be hurt if it is forced to cut its rates by 5 percent next year as the current bill now requires. Larger utilities, including Commonwealth Edison Co. and Illinois Power Co., would have to cut their rates by 15 percent next year and another 5 percent in 2002.

Central Illinois Light has argued that it has already pared its rates in anticipation of future competition.

Edgar said he also was concerned that communities that collect property taxes from nuclear power plants would suffer a severe financial blow from the plan. The governor wants to amend the bill to slow the depreciation on those plants and ease the fallout for taxing bodies.

A bipartisan purchasing and ethics reform package that would require more competitive bidding, greater public disclosure of state contracts and erect more barriers to keep state workers who move to the private sector from lobbying the state for business advanced to the Senate floor Thursday.

Top state agency officials as well as employees who buy goods and services for the state, then leave for the private sector, would have to wait two years before doing business with the state. That restriction would not take effect until 1999, after Edgar's administration ends. ■

## 50. Boston Globe

August 19, 1997

### School reform in jeopardy

Any Boston teachers contract that prevents headmasters and principals from choosing their own teaching staffs will be a failure. Parents of Boston schoolchildren - indeed, all city taxpayers - should support current School Department initiatives to eliminate teacher transfer procedures that foist ineffectual teachers on classrooms at the expense of energetic provisional teachers.

In 1994, negotiations between the School Department and the Boston Teachers Union culminated in the announcement of an innovative, three-year contract that established flexible pilot schools, encouraged teacher training, and lessened emphasis on seniority. Now, as that contract expires, the BTU is abandoning the momentum

for reform by resisting Superintendent Thomas Payzant's plans for tighter teacher evaluations and schedule changes to increase instructional time.

Although much of the 1997 contract negotiation reflects the BTU's self-interest, the union deserves praise when it advances matters of educational quality. The BTU, an arm of the American Federation of Teachers, is promoting a national initiative that would direct disruptive students to alternative schools and put an end to the "social promotions" of unprepared students. The School Department must recognize that its demands for greater flexibility on scheduling and hiring will amount to little so long as teachers spend disproportionate time and energy on disruptive students.

Both the BTU and the School Department should look to the experience of Chicago, where the Illinois Legislature has stripped the teachers union of all bargaining rights unrelated to salary and benefits after years of falling test scores and a lengthy teachers strike. Widespread reform, including dismissal procedures for poorly performing teachers and the end of social promotions, followed. "You might need a train wreck before you have change," warns Diana Lauber of Chicago's Cross City Campaign, a school advocacy group.

That crackup is destined to happen here if either the BTU or the superintendent turns away from school improvement. ■

Mike -  
 Did you see this?  
 Is this the kind of thing  
 we might want to accept in our?  
 President  
 - Bill

Bill -  
 I don't think the President should  
 get in the middle of local collective  
 bargaining [neither he nor Alexis and that  
 with CPS]  
 but, we should keep this issue as part  
 of whatever we might say about  
 getting rid of incompetent teachers  
 Mike

## 50. Boston Globe

August 19, 1997

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Mike -  
Did you see this?  
Is this the kind of thing  
we might want to write in our?  
- Bill



...Medi-  
...covered by.  
...ther, chief lobbyist at  
...can Association of Retired  
...s, said, "Beneficiaries who  
...e these options will probably  
... higher costs and fewer protec-  
...tions, compared with the regular

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...results,  
...a spokesman for Represen-  
...tive Lamar Smith, the Texas Repub-  
...lican who heads the House immigra-  
...tion subcommittee and has been  
...briefed on the proposal.

The House Appropriations Com-  
...mittee last month directed Attorney  
...General Janet Reno to review the  
...commission's report and, along with  
...other Federal agencies, "develop a  
...restructuring plan" to perform the

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## New Methods Tested in Response To Teachers Who Fail to Teach

By TAMAR LEWIN

When the assistant principal at Indianola Middle School in Colum-  
bus, Ohio, would go into Ivy Feather-  
stone's classroom, she was often  
troubled to find students asleep,  
while Mr. Featherstone sat reading  
the paper and drinking coffee, his  
feet on the desk, shoes off.

The school wanted to get rid of Mr.  
Featherstone. But while he was new  
to the school, he was tenured, having  
taught in the district for 25 years.

Dismissing a tenured teacher is  
not easy. Administrators nationwide  
are wary of trying to discharge expe-  
rienced teachers, knowing that the  
process can take years and hundreds  
of thousands of dollars in legal fees.

In Columbus, there is another op-  
tion. Under a peer-review program  
run jointly by the district and the  
teachers union, problem teachers  
like Mr. Featherstone can be as-  
signed to a consultant who coaches  
them and takes notes.

Teachers who improve are re-  
leased from the program. If a teach-  
er does not improve, the consultant  
recommends "negative release,"  
and the district can bring dismissal

proceedings and make its case  
against the teacher using the consult-  
ant's documentation.

With the nation's new focus on  
education and a push from President  
Clinton and several Republican gov-  
ernors, many state legislators,  
school administrators and teachers  
unions are looking for ways to solve  
the age-old problem of bad teachers.

In the last several years, more and

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On the Internet: [www.nytimes.com](http://www.nytimes.com)

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PHOTOCOPY  
PRESERVATION

# New Methods Are Tried For Teachers Who Fail

Continued From Page A1

more states have been reviewing the tenure issue as part of an overall effort to improve the quality of teaching. Conservative legislators have argued that tenure has created a disincentive for school administrators to pursue the removal of inadequate teachers.

A few states are eliminating tenure and creating a system of rolling contracts for teachers. Many more are streamlining the dismissal process by cutting the time allowed for appeals or by resolving cases through arbitration.

Even union officials, who strongly support tenure, say it is time to make it easier to oust incompetents. And many are putting new energy into peer-review programs, which may help solve problems long before dismissal is considered and encourage professional development.

Last month, the largest teachers union, the National Education Association, changed its policy, allowing members to take part in peer reviews. The American Federation of Teachers, the other major teachers union, pioneered similar programs in Toledo, Ohio, and Cincinnati.

"The goal of peer review is to help people succeed," Bob Chase, president of the N.E.A., said. "But it could also speed up the process of dismissing a teacher who is not successful. As a union we are committed to insuring the quality of our nation's schools. We know that it sometimes takes five or six years to get rid of a teacher, and that is too long."

Horror stories abound. In the Grossmont Union High School District near San Diego, in a case that was extreme but not unprecedented, the proceedings against one teacher,

## Peer reviews and rolling contracts are alternatives to a job guarantee.

Juliet R. Ellery, took nearly a decade and cost the district nearly \$500,000 in legal fees.

Starting in 1981, school officials who visited Ms. Ellery's biology, English and computer classes compiled a litany of students chatting, reading letters, looking at driver's education materials or just waiting by the door for the period to end. A

In New York, legislative changes enacted in 1994 have reduced the average disciplinary case against a tenured teacher to 192 days from 476. But disciplinary hearings are still a last resort, usually reserved for the most flagrant incidents.

Nationwide, though, despite all the legal tinkering, most school districts remain daunted by the difficulty of discharging incompetent teachers.

"The discouraging thing is that all these changes don't seem to amount to much," said Gwendolyn Gregory, deputy counsel to the National School Boards Association. "It's still a very, very big problem for schools."

In Massachusetts, tenure was eliminated and replaced with "professional teacher status" for those with three years of experience.

Although the dismissal process is now somewhat quicker, said Mark O'Connell, executive director of the Massachusetts Association of School Committees, little else has changed.

"After finances," Mr. O'Connell said, "getting rid of bad teachers is still probably the biggest worry for superintendents. It's time and money they could spend teaching kids."

Many teachers see peer review as a more practical response to bad teaching than any legal change. But some administrators and lawyers are skeptical, perceiving peer review largely as a union effort to block further attacks on tenure.

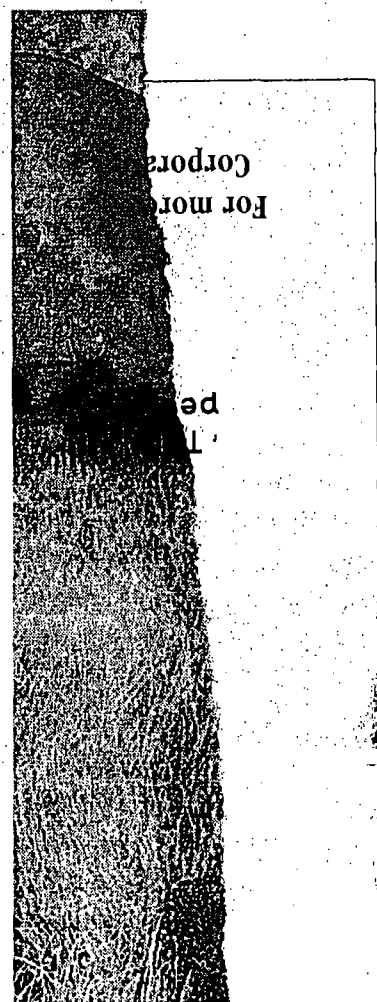
"I worry that peer review could just be teachers scratching each others' backs," Ms. McGrath said. "That would be worse than nothing."

John Grossman, president of the Columbus teachers union and a founder of the review program there nine years ago, said the program was not only increasing the quality of teaching and the retention of new teachers, but was also increasing the number of bad teachers who were dismissed.

Every new teacher in Columbus receives an experienced teacher as a mentor who spends about 70 hours in the classroom during the school year, taking notes and offering advice.

"Nationally, about half of all teachers quit in their first five years," Mr. Grossman said. "But we're retaining 85 percent. But we're getting rid of the bad ones faster. We let go 5 to 7 percent annually, more than four times as many as the administration dismissed before this program."

Experienced teachers like Mr. Featherstone, assigned to "intervention" when their principal or col-



## Wildfire in Mo

Eric and Chavonne near their home in B. couple had moved into

## Thousands Evacuated After Chicago Tox

CHICAGO, Aug. 4 (AP) — A spill at a South Side paint today forced thousands of to evacuate homes, schools and places for several hours because of sulfur trioxide leaking into

Hospitals reported treating people for burning eyes and respiratory problems.

There were no reports of injuries, and the evacuation was lifted several hours after the sulfur trioxide leak began.

A leaking valve or hose at Chicago Specialty Corporation leaked 3,000 pounds of sulfur trioxide to the atmosphere, said Dennis Murray, a spokesman for the Environmental Protection Agency. Emergency crews worked for several hours before they were able to locate and stop the leak.

steady stream of parents asked to have their children transferred out of Ms. Ellery's classes, and students petitioned against her.

Ms. Ellery said she was being attacked because she was the highest paid female teacher at El Cajon Valley High School.

But administrators said she did not know how to prepare a coherent lesson or gain students' attention. The district formally notified Ms. Ellery that it considered her incompetent in October 1985 and took her out of the classroom the next year, serving her with a notice of intent to dismiss. In 1987, after 14 days of hearings, Ms. Ellery was dismissed.

That was not the end of the case. Ms. Ellery, who then went to law school, appealed in state courts and then sought a review by the United States Supreme Court, which turned her down in 1991. Finally, in 1994, the state suspended Ms. Ellery's license for a year.

"Dismissing an incompetent teacher makes the O. J. case look like a cakewalk," said Mary Jo McGrath, a lawyer from Santa Barbara, Calif., who handled Ms. Ellery's case for the school board. "Teachers are more protected than any other class of employees, with all the procedural rights that can drag a civil case out for five years. Unless a teacher gets caught selling drugs or in bed with a student, most school administrators don't take action."

The tenure laws adopted in the early part of the century were intended to protect teaching jobs from political patronage or personal favoritism.

Union officials, citing recent cases in which teachers were discharged for trying to celebrate Black History Month or for criticizing dress codes, argue that tenure still serves a useful purpose as a protection from being dismissed without due process.

But many school administrators argue that since teachers now have strong union protection, tenure is mostly a protection for bad teachers. "The teachers union says it's just due process," said Robert Rader of the Connecticut School Board Association. "But it ties up school districts to such an extent that it's due process out of control."

These are examples of how, over the last 10 years, many states have tried to find some middle ground:

¶ In Florida, legislators earlier this year rejected a proposal to end tenure, but shortened the time that teachers have to improve their work after being warned.

¶ In Oregon, legislation this year replaced tenure with rolling two-year contracts. Teachers who do not perform well in the first year will have the second year to improve, but would then be terminated if their progress was unsatisfactory.

leagues report severe problems, can remain in the program as long as the consultant believes that the teacher is making progress.

Of the first 163 teachers in intervention, court papers showed, slightly fewer than half were found to have improved enough to continue teaching and one-fourth took early retirement or resigned before completing the program. Of the 28 who were "negatively released" from the program, only 2 were formally dismissed, but the others did not return to the classroom, resigning or taking other avenues instead.

Mr. Featherstone, who supervised students sent to in-school detention, did not see his consultant, Gayle Johnson, as being helpful. In an early conference, Ms. Johnson's notes show, Mr. Featherstone shrugged off her efforts to set goals, asking, "How do you improve on perfection?"

But in 75 classroom visits and 29 conferences over the next two years, Ms. Johnson saw Mr. Featherstone barely interacting with his students, with little interest in changing. She recommended a negative release in 1994.

The next year, after 16 days of hearings and a finding of gross inefficiency, Mr. Featherstone was suspended without pay. Mr. Featherstone, who is black, as is Ms. Johnson, has brought a Federal suit, contending racial discrimination.

Mr. Featherstone rejects the idea of peer review.

"It turns teachers on teachers," he said. "Right before my second year at Indianola, I find out I've been put in this program. I was flabbergasted. I'd always had good evaluations. If they had a problem with me at Indianola, why didn't anyone say anything to me that first year? And Gayle Johnson, an elementary teacher, what does she know about middle school kids?"

Mr. Featherstone's concerns are widespread enough to make it uncertain just how widely peer review will be adopted. Although peer support programs are proliferating, many, as in New York City, are optional, and most stop short of giving teachers the power to recommend that another teacher be removed from the classroom.

"That evaluation part makes a lot of people very nervous," Mr. Grossman said. "They think it's a divisive thing for a union to get involved in. But I don't see the union role as protecting every teacher, no matter how bad they are. I see the union role as guaranteeing that people don't lose their jobs without due process. This way some people do lose their jobs. But it's fair. And I really believe it can transform the profession."

The substance is used in the production of sulfuric acid and is unpleasant to inhale or get on skin," said Wade Freeman, a chemistry professor at the University of Illinois at Chicago.

It escaped from a tanker in liquid form, which then vaporized.

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## Garth Central Park Thursday, August 14



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## MEMORANDUM

**TO:** TOM FREEDMAN, MICHAEL COHEN, MARY SMITH, BILL KINCAID  
**FROM:** JULIE MIKUTA  
**RE:** NEA'S RESOLUTION ON PEER REVIEW  
**DATE:** JULY 7, 1997

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### SUMMARY

Over the weekend, the NEA adopted a resolution (attached) which will enable local affiliates to run peer assistance and review programs. The resolution states that the primary purpose of any such program is to provide "assistance" and that the local association may, if it desires, include a "review" component. A last minute amendment allows the teacher in question to approve the mentor. These are some of the general guidelines for peer assistance and review programs outlined in the resolution:

- The program should ensure that the consulting teacher must be deemed by his/her peers to be a "highly skilled practitioner".
- The program will establish guidelines for referral of teachers.
- Upon completion of the program, no mention of it will be placed into the teacher's files.

### *Peer Review and Termination of Contracts*

The resolution acknowledges that peer review could lead to the termination of teachers' contracts, and sets out the responsibilities of the school district and the peer review program in such cases. Under bullet "c", it establishes that local affiliates should design programs which respect that the school district makes the final decision for nonrenewal or termination of contracts. However, the opinion of the peer review program should be routinely accepted and acted upon. Bullet "k" requires that peer review programs should provide rigorous assistance to teachers to help them achieve competence before they are recommended for dismissal.

### *The "Biggest Debate" at the Convention*

The measure was divisive. The NEA's local publication called the topic the conference's "biggest debate". Fifty-four percent of California's 900 delegates opposed the resolution.

Resolution New D, Peer Assistance and Review Programs (As adopted by the 1997 NEA Representative Assembly on July 5, 1997)

The National Education Association believes that high standards within the teaching profession and continuous improvement in professional practices are cornerstones of the profession. Some local associations may conclude that, under certain circumstances, a peer assistance or a peer assistance and review program is an appropriate mechanism for achieving these objectives.

The primary purpose of any such program should be to provide "assistance" — to improve professional practice, retain promising teachers, and build professional knowledge to improve student success. A local association may, at its option also decide to include a "review" component in the program — involving the evaluation of performance. If a local association takes either position, the program should —

- a. Be developed through collective bargaining or through a joint association/school district agreement in nonbargaining states
- b. Be governed by a board composed of an equal number or a majority of representatives appointed by the local association
- c. Acknowledge that the school district makes the final decision to retain or seek nonrenewal or termination, but that recommendations forwarded by the joint governing body are routinely accepted and acted upon by the district
- d. Ensure that only teachers who are deemed by their peers to be highly skilled practitioners are selected for the role of consulting teacher, that the consulting teacher's area of expertise is the same as or closely related to that of the participating teacher, and that the consulting teacher is chosen by the program governing bodies with the approval of the participating teacher involved
- e. Seek consulting teachers who reflect the diverse population of the teaching staff
- f. Provide that consulting teachers are properly compensated and provided adequate time to fulfill their responsibilities
- g. Provide that consulting teachers receive extensive and ongoing training in mentoring/coaching skills, district initiatives and resources, and current education instructional methods
- h. Establish guidelines for the referral of teachers as well as safeguards to prevent unwarranted referrals
- i. Establish and convey to all consulting and participating teachers clear rules on allowable uses of documents, products, and communications arising from the program
- j. Require extensive documentation based on ongoing assessments of each participant
- k. Require that rigorous and extensive assistance be provided over an appropriate period of time to help the participating teacher attain the requisite standard of proficiency before any effort to counsel the participating teacher out of the profession is made or a recommendation to initiate nonrenewal or termination proceedings is issued
- l. Ensure due process protection and duty of fair representation procedures
- m. Guarantee that participating teachers, consulting teachers, and teachers who sit on governing bodies do not lose their Association membership or bargaining unit status by virtue of their participation in the program. (97)

**D-6, Mentor Programs** (As adopted by the 1997 NEA Representative Assembly on July 5, 1997)

The National Education Association believes that mentor programs are a means of enhancing the professional expertise of employees. The Association also believes that the planning, implementation, and evaluation of such programs must be negotiated or cooperatively developed and maintained by the school district and the local affiliate.

The Association further believes that the duties and responsibilities of all parties must be clearly defined and uniformly administered. Mentors must be selected through a defined process with articulated criteria, be properly trained and compensated, and be provided with adequate time to fulfill their responsibilities. The state or local authority has the obligation to provide hold-harmless protection.

The Association further believes that any documentation that results from the mentoring process must be confidential and the sole property of the person mentored, and must not be included in the participant's personnel file. (88, 97)



**Valena\_Plisko @ ed.gov**

03/13/97 03:20:00 PM

Record Type: Record

To: William R. Kincaid

cc:

Subject: Re: cost to remove incompetent teachers

I spoke with Jeff Handelman with the NY State School Board Association on the \$200k figure used in the President's summit speech. He confirmed the figure, indicated that it was about 3 years old, and informed me that the association is conducting a new survey. The new survey will pick the extent to which the cost of litigation has changed as the result of a new state law. He suspects that it will not be that different. While the new law cuts the time, it removes the cap on how much arbitrators can be paid.

He is sending me the report and will send the new report when it is released.

Hope this helps.

## **Holding Teachers Accountable for Quality Teaching**

**Teachers agree with the President that the teaching profession can be improved by removing incompetent teachers.** Close to 90% of all teachers believe that making it easier to remove incompetent teachers would have a positive effect on the quality of teaching, according to a Metropolitan Life Survey of public school teachers conducted in 1995. Indeed, over the last decade the percentage of teachers who support this approach has increased (up from 84% in 1984).

**A number of school systems are working with teachers across the nation to improve accountability.** These efforts include intervening with failing teachers and counseling out or removing teachers who do not improve.

**Cincinnati, Ohio**—Cincinnati's Peer Assistance and Evaluation program supports struggling teachers and provides a mechanism for dismissing teachers who fail to improve. This partnership between the Cincinnati Federation of Teachers and the school board assigns experienced Lead Teachers as mentors to all first-year teachers and to tenured teachers who have been identified as requiring improvement. After two years of mentoring, the Lead Teacher either rates the teacher as satisfactory or recommends contract termination. Very few tenured teachers are recommended for termination, and many of them resign before the school board acts on the recommendation.

**Dallas, Texas**—In Dallas, teacher effectiveness is judged by student performance. The district creates an Effectiveness Index for each teacher based on students' scores on state and district assessments, controlling for student background. Teachers scoring in the bottom 10 percent complete an intensive professional development program that emphasizes strategies for improving student achievement. Since this approach was implemented, student scores have improved significantly, and student attendance has risen from 92.5 percent in 1993 to 93.5 in 1995.

**Connecticut**—Since 1985, Connecticut has been developing and modifying a performance-based teaching certification system, which is entering a new phase this year. The current system involves multiple stages of certification, beginning with a temporary two-year certificate that requires teachers to complete an accredited certification program and pass a standardized test assessing their subject matter knowledge. Teachers are assessed in the classroom, and beginning this year will be required to submit a portfolio of their classroom work. Only those who pass will receive their provisional certificate, which lasts for eight years and is renewable by participating in professional development opportunities.



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