

## Meeting 30 Summary

### Ensuring Equitable Access to High Quality Teaching: Human Capital in San José

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San José, California

Prepared by Joel Knudson, American Institutes for Research<sup>1</sup>

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***Note:** This meeting summary was developed as a resource for members of the California Collaborative on District Reform. We are making this document publicly available in an effort to share the work of the Collaborative more broadly in order to inform dialogue and decisions of educators throughout the state. It does not, however, contain the background and contextual information that might otherwise accompany a product created for the general public. For more information about the meeting and other Collaborative activities, please visit [www.cacollaborative.org](http://www.cacollaborative.org).*

The 30th meeting of the California Collaborative on District Reform marked a return to San José Unified School District (SJUSD), three years after our previous visit, and an opportunity to revisit progress on the district's strategic plan. The meeting also picked up on a recurring theme in Collaborative meetings and a linchpin of SJUSD's improvement strategy: developing human capital systems that put high quality educators in a position to make a difference for students. Discussion over the two-day convening covered issues of district culture, designing and implementing new roles to strengthen the workforce, and opportunities and obstacles in state policy related to human capital, all through the lens of pursuing equity for underserved students.

### Setting the SJUSD Context

A presentation by SJUSD leaders and a panel of district employees helped to orient meeting participants to the district, its history, its evolution, and its culture.

### *Demographics and Economic Setting*

SJUSD serves roughly 32,000 students, of whom approximately half are Latino, a quarter are white, and 15 percent are Asian (the remainder having other racial/ethnic backgrounds). Nearly half of the district's students qualify for free or reduced-price lunch, and roughly a quarter are English learners (ELs). District leaders characterize the district in three regions: The southern portion of the district is more affluent, features higher levels of

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<sup>1</sup> Thanks to Jarah Blum, Marina Castro, Suzette Chavez, Erik Loewen, Elena Rein, and Dawn Smith for their careful notes during the meeting, which made this summary possible.

student achievement, and is predominantly white and Asian. Schools in the north, in contrast, have lower test scores and higher percentages of traditionally underserved students, especially low-income students and ELs. The central region is more diverse, and has test scores and student bodies that strike a balance between the north and south.

The economic environment also shapes how the district operates, especially when it comes to attracting and retaining teachers. Housing prices in Silicon Valley are high and continue to rise, posing significant barriers to home ownership for area teachers. At the same time, SJUSD is one of just 19 districts in the city of San José and 32 districts in Santa Clara County, creating a situation in which the district needs to compete with many other school systems for local teaching talent. SJUSD's quest for a culture of excellence is, in part, an effort to distinguish itself from its peers and bolster its recruitment efforts.

### ***Historical Background***

District leaders characterized instability in the 1980s as setting the stage for the district's evolution over the past two-and-a-half decades. SJUSD went through bankruptcy in 1981 and lost a desegregation lawsuit in 1983. On top of an upheaval in management and strained levels of trust in and within the district, the decade featured labor unrest and adversarial relationships between the central office and the teachers' union, San José Teachers Association (SJTA). Multiple district representatives described this period of time as "rock bottom" for SJUSD.

The 1990s featured increased stability and provided a fresh direction for the district. The new superintendent, Linda Murray, prioritized repairing relationships and worked to establish a stronger connection between the central office and teachers' union. SJUSD also began to institute more rigorous systems and expectations to push student learning. The district was among the first in California to develop a strong data system, and also attracted attention for its 1997 mandate that all students meet the state's a-g requirements<sup>2</sup> in order to graduate from high school. Today, district leaders describe stable membership on the board of education (although the board does feature two recently elected members), board meetings that finish in less than an hour, and the absence of scandal that once kept the district in the newspapers. Newly appointed superintendent Nancy Albarrán is just the fourth superintendent in SJUSD over the past 24 years.

### ***Recent Evolution***

SJUSD's recent evolution includes what one employee described as a "laser-like focus on the strategic plan" and common expectations for instruction across the district. Opportunity 21, the strategic plan released in 2012 after an extensive public engagement process, has been what one panelist called "the guiding light for all employees, no matter what level you're at...and it's all centered on improving student achievement." As one component of this plan, the full district adheres to a direct instruction model, around which

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<sup>2</sup> California's a-g requirements spell out a list of courses that students must complete with a passing grade in order to gain eligibility for admittance into the University of California and California State University systems.

educators use a common language to talk about teaching and learning. The district has invested heavily in providing principals, teachers, and instructional support staff (including consulting teachers, instructional coaches, and intervention specialists) with training, feedback, and support for instruction.

The district also openly pursues equity as a system-wide goal. Board Policy 210 expresses a commitment “to ensuring that equity and inclusion are essential principles of our school system and are integrated into all policies, programs, operations, and practices.” The policy further articulates assurances to develop curricula, recruit and retain teachers, encourage community contributions, and deploy financial and human resources in ways that reflect the diverse community of SJUSD. According to district leaders, this policy has created the space to speak frankly about equity and to act in ways that meet the needs of all students—especially those who have been traditionally underserved. It has also prompted the creation of established environments like the leadership network of administrators districtwide and OpStat<sup>3</sup> that help reinforce a continued focus on equity.

### ***Current Focus***

According to district leaders, the key leverage point for improvement efforts is ensuring quality among the adults who serve students. As one SJUSD representative explained, “We put all our eggs in the workforce basket. No program, no curriculum, no advancement is going to work unless it’s in the right hands...Every classroom needs to be good enough for *my* children.” As a reflection of this priority, the district has designed practices related to hiring, retention, evaluation, and an expanded focus on all district employees to ensure a quality learning experience in every classroom.

### ***Hiring and Retention***

SJUSD typically hires 200–250 teachers every year to help fill an overall teaching force of roughly 1,700 teachers. Leaders in SJUSD have tried to develop a hiring process that ensures that new talent entering the district meets high standards. This includes not only teaching skills, but also the individual’s mindset—including the ability to persevere through challenges and a belief that all students can learn. As one tool for assessing these traits, the district has trained 64 people to use Dr. Martin Haberman’s Start Teacher Pre-Screener; no teaching candidate moves on to a site interview without first earning an acceptable score on this tool.

Once a new teacher begins in the district, district and school personnel provide extensive monitoring and supports to help the person develop teaching skills and evaluate the individual’s contributions to student learning in the classroom. District leaders see decisions about teacher permanency as an affirmative selection for continued employment. If they do not fully believe a novice teacher meets high expectations for classroom performance, they will not choose to re-elect that teacher.

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<sup>3</sup> SJUSD’s 2015-16 LCAP describes OpStat as a process through which school teams perform root cause analysis on student performance data, develop plans to improve, closely monitor progress, and report to district leadership multiple times per year.

Finally, the district has sought to publicly celebrate the contributions of its employees more openly and frequently. For example, SJUSD has replaced its traditional Christmas party with a January gala designed to recognize district employees for the work they do.

### Evaluation

One notable strategy for improving teacher quality is the evaluation system developed and instituted in the district's most recent collective bargaining agreement. Consulting teachers—individuals in a newly created role who are officially classified as a teacher but work exclusively on the evaluation system—observe teachers and, along with a secondary reviewer, provide evaluations of teaching performance. Although district leaders initially experienced pushback about the system and the increased presence of external observers in comparison to the previous system, resistance has receded as teachers have experienced the evaluation process. As one SJUSD representative observed, "It really helps that the quality of the evaluation procedures and feedback have risen drastically." On a district survey about the evaluation system, 80 percent of teacher responses were positive.

SJUSD also designed the evaluation system to directly inform key decisions about teacher improvement. Struggling teachers receive increased levels of support. Teachers only move on to the next row in the salary schedule when they earn a positive evaluation; by not providing a row increase, the district generates the resources to pay for the additional support that the teacher receives. If teachers receive two successive unsatisfactory ratings and do not improve after receiving additional support, the district aggressively pursues dismissal; a six-person panel consisting of three teachers and three administrators (independent from the consulting teacher responsible for the initial evaluations) reviews each case and, when appropriate, issues dismissal recommendations.

### Attention to All Employees

Although much of SJUSD's orientation for meeting participants focused on the teacher role, district leaders emphasized that their commitment to a high quality workforce includes the entire set of district employees, not just regular classroom teachers. Panelists described a transition over time away from silos and toward more coordination across departments within the district. For example, one employee drew a contrast with previous practices, in which facilities staff would ask teachers and students to vacate a classroom so they could complete repairs, saying that now, "It's always driven by supporting the classroom rather than supporting the facility." Recent attention has also focused on integrating special education with general education. Moving from what has historically been a compliance unit within the district, special education teachers now focus on the same expectations for instruction and student learning as for all students, and actively participate in the trainings and professional supports offered to general education teachers.

## **Identifying Key Elements of District Culture**

District culture can help to define what a district is, why the educators who work there want to be a part of it, and how it fosters ongoing efforts to improve. A district's culture can

also shape how employees throughout the system respond to change—and, in turn, how district leaders need to design, lead, and communicate about change. The SJUSD educator panel and subsequent breakout groups enabled meeting participants to explore key elements of district culture and factors that contribute to a district’s success in general, while examining the key elements of SJUSD’s culture in particular.

### ***Prioritizing Relationships***

Comments in the introductory session and throughout the meeting made clear that strong relationships are a key component of SJUSD’s culture. Mutual respect, consistent and ongoing communication, and the ability to have open conversations about student learning have enabled employees throughout the district to work together and accelerate progress. As one aspect of these relationships, panelists described the importance of district leaders communicating *why* things are happening so that staff can understand the rationale behind major decisions rather than blindly follow district mandates. District staff also emphasized that trust has taken a long time to develop; strong relationships today are the outcome of work that began in the early 1990’s.

### ***Anchoring Efforts in Student Learning***

Meeting participants observed that district efforts like those in SJUSD revolve around a coherent effort to anchor improvements in student learning. Helping employees at all levels understand how their job connects to student learning not only improves the quality of learning opportunities, it helps build commitment to the organization’s mission from all levels of the system. Participants suggested that when districts need to evolve and develop new approaches to meeting student needs, they can do so more effectively when they promote and facilitate a deeper understanding of teaching and learning rather than seek bureaucratic compliance with new rules and expectations. Finally, creating coherence and a single, unified focus requires aligning multiple actors—ranging from administrators to classroom teachers to coaches and support providers—which takes time, support, and clear communication.

### ***Supporting Teachers and Creating Opportunities for Leadership***

Dialogue at the meeting also addressed the critical role that teacher support and teacher leadership play in building and preserving district culture. Pre-readings and comments during the meeting emphasized the importance of creating a sense of professionalism among teachers. Pride in one’s craft and commitment to the organization’s mission may be sentiments felt especially strongly among great teachers, yet traditional district approaches often promote the best teachers out of the classroom. Exploring ways to keep great teachers in classrooms can help increase the role these individuals play in shaping culture. At the same time, district improvement efforts may involve turnover in school leaders who are not well positioned to carry the district vision forward; strong teachers can help schools weather these transitions. Despite recognition of the important roles that teachers play, districts face the struggle of allocating limited resources to maximize teaching quality. How can district leaders give sufficient support to beginning teachers to learn their craft while also continuing to develop experienced teachers *and* recognizing and leveraging the

talents of high performers? Creating a strong professional culture requires attention to the needs of the entire workforce.

## **Exploring SJUSD's Model and Master Teacher Roles**

Having examined general issues of professional culture, meeting participants turned to the challenges of attracting and retaining quality teachers and providing them with career growth opportunities without forcing them to leave the classroom. A specific issue unfolding in real time in SJUSD—the design and implementation of new model and master teacher roles—provided a concrete case through which participants considered issues of professional culture and teaching quality.

### ***Background on Model and Master Teachers in SJUSD***

Driven both by the need to stand out in a competitive marketplace for teaching talent and a desire to foster a strong professional culture in the district, central office and union leadership posed a question when negotiating their most recent contract: Can we find a way to reward our best and brightest teachers and not have them leave the classroom? The result was the creation of two new roles, the model teacher and master teacher.

SJUSD has designed the roles to recognize and reward the district's strongest teachers for their excellence in the classroom while putting them in a position to continue their contributions to student learning. Model and master teachers are a departure from the traditional positions and salary schedule for classroom teachers. Both positions are designed with three-year terms in order to motivate and encourage educators to maintain exceptional levels of performance; the district wants to ensure that model and master teachers are the best in their positions. District leaders also see increased compensation as an incentive for excellence: model teachers are to receive a \$10,000 salary bump; master teachers are to earn \$25,000 more each year. To avoid sacrificing other elements of the district's teaching and learning strategy, the contract also stipulates that support for the positions should come from external funding sources.

The relationships between the central office and SJTA enabled the creation of new roles through the collective bargaining process. The trusting and collaborative connections between the two sides allowed both to think outside the box in the service of shared values. As one district representative observed, the new roles actually benefit SJTA as a membership organization: "If you're the union, you don't want all your winners to become administrators and principals."

### ***Recent Developments With the Model and Master Roles***

Three years after signing the current teacher contract, SJUSD leaders are revisiting the model and master roles, which have not yet been implemented, in large part because the anticipated external funding never materialized.

In response to the scarcity of funding and exceptional talent, the district has explored the model and master teacher roles through an equity lens. Both through its commitments

through Board Policy 210 and its resource allocation decisions under the Local Control Funding Formula (LCFF), the district recognizes the need for dedicating more resources so that students with greater levels of need experience the same opportunities as their more advantaged peers. If the district were to deploy model and master roles strategically to schools in need, this could be an approach to attract teaching talent to struggling schools. In theory, these exceptional teachers could both improve the capacity of low-performing schools and improve learning opportunities for underserved students.

To help navigate its design decisions, SJUSD hired an external consultant to help design and implement the model and master roles. Through this support the district crystalized four goals for the new roles: (1) attract top talent, (2) retain top talent, (3) develop existing talent, and (4) foster positive culture. These goals assist the process of fleshing out the model and master teacher roles, but also create tensions when the goals conflict with one another and mix with the district's commitment to equity.

To help address issues of equity and be consistent with resource allocation decisions the district has made in the context of LCFF, district leaders have considered a selection and placement process that would move its strongest teachers into model and master roles at schools with the greatest needs. In terms of design principles, feedback from the consultant suggested that no individual master or model teacher will be successful if deployed in isolation—only as part of a strong package that includes a supportive principal and assistant principal, instructional coach, consulting teacher, intervention specialist, and teaching team.

### ***Challenges With Designing New Roles***

Through meeting conversation, participants explored the following challenges that districts might face in designing and deploying a strategy like the one in SJUSD.

#### ***Selection Criteria***

In order to ensure that a recognition system identifies the right individuals and that teachers perceive the program as fair, it is important to clearly articulate what the roles entail and the criteria used to fill them. A selection committee can help make the process transparent and build or preserve trust and relationships with the central office and among teachers. As part of defining new roles, it may be helpful to pilot three or four test cases to identify possible best practices and inform any final decisions.

Participants also cautioned that the skills that enable success in one context may not translate to another environment. A teacher who achieves strong results in a more advantaged school, for example, may not be as effective in a school with high poverty levels or a large number of ELs. If new roles involve moving teachers to different schools, the selection criteria will need to determine the knowledge and skills that will translate well in the new school.

### Funding Sources

If new district roles come with monetary incentives or rewards, districts will need to identify sources of financial support. Beyond local funding sources, district leaders can look for ways to use Title II or Teacher Incentive Fund dollars creatively.

Some funding sources might be especially appropriate for using new roles to advance equity goals. In the near future, the competitive grant program outlined in the Every Student Succeeds Act that would enable districts to use Title I funds differently may also provide opportunities. For state funds, supplemental and concentration grants allocated through LCFF seem especially well suited to using new roles to serve equity goals. Using these funds can also help provide political cover for deploying strong teachers to students in need if parents or community members resist what they perceive as a loss of quality teachers from more advantaged schools. Finally, foundation funding could create options. The case might be especially compelling to a foundation if districts can make the case that they are using money in innovative ways to create “proof points” that alternative approaches to traditional salary schedules or career ladders can help improve student outcomes.

### Receptiveness to Change

As districts explore new teacher roles, leaders should also take into account the impact on those whose experience the change will most directly affect. Parents and community members in struggling schools may stand to benefit most, for example, from roles and incentive programs designed to bring teaching talent to their schools. However, people develop strong emotional connections to their schools and the educators who work in them. Will parents welcome the replacement of existing teachers—who may not be strong instructionally, but who represent a part of the school community—by new teachers they do not know? If districts move forward with an approach that moves teachers from school to school, leaders may need to dedicate time and resources to messaging and navigating relationships among members of each affected school community. One participant suggested that there may be ways to leverage external partners to help build the political will in the community for this kind of change.

Movement of teachers also directly affects teachers themselves. Central office and union leaders may design new roles to create growth opportunities for teachers, to recognize and reward them for exceptional performance. Critical to the success of such an approach, however, is this question: Are teachers invested in this as a solution and do they believe it will help? Monetary incentives may help, but research demonstrates that a strong professional culture is a more powerful motivator for teachers in choosing where to work. Can the district also create the professional working environment that will prompt teachers to move to a new school (and stay there)? Finally, financial incentives could create unintended consequences. Although a higher salary may spur strong teachers to stay in the classroom, will it discourage potentially strong principals from moving into administrative roles—especially if someone like a master teacher moving out of the classroom would take a pay cut to do so?



### Equity Considerations

Some of the most passionate discussion about designing new teacher roles revolved around issues of equity. Districts aspire to have systems in which all students have access to a high-quality teacher. At the current point in most districts' improvement trajectories, however, not all teachers meet this standard. How, then, should districts appropriately deploy a limited pool of teaching talent to meet student needs, and what role should equity play in these decisions?

District commitments like Board Policy 210 in SJUSD spell out broad principles for identifying and eliminating opportunity gaps among subgroups of students. Meeting participants observed that equity policy becomes difficult, however, when students and families who have traditionally enjoyed advantages in the school system see other students and families as the beneficiaries of new initiatives—especially if they perceive themselves as losing resources, supports, or opportunities. As one individual stated, “At some level, it is a matter of asking what we’re willing to sacrifice.” Another person echoed this sentiment: “It’s easy to have an equity policy until someone makes a sacrifice.”

To make equity-driven decisions, participants suggested that communication and messaging are critical. It is important to frame equity as creating the conditions for all students to get to the same place; district decisions put the supports in place to get there. Districts might also try moving the conversation away from a comparison of what various students receive. Instead, districts should focus on asking parents what they want for *their* child, and give them that. If each parent sees that the child is receiving what the child needs, it can matter less what another child gets.

### Competing Priorities

Finally, having multiple goals for an intervention can mean that those goals are at odds with one another when different individuals or constituencies prioritize different goals. The resulting tension compounds the challenges that districts face. The conversation underscored how difficult the design and implementation of new approaches can be.

### ***Alternative Strategies***

Participants also posed possible alternative strategies for achieving the goals that SJUSD has laid out for its model and master teacher roles. First, participants cautioned about moving forward with a strategy just because district leaders have worked hard at creating it. Change will always require some discomfort, and change management is part of any reform strategy, but district leaders must also take care not to undermine the trust and relationships that have helped them develop their current organizational strengths.

Participants also recommended that if they proceed with implementing new roles, district leaders should find ways to start small, position themselves for success, and learn from their experiences. Identifying and deploying new teacher roles in schools that already have good teams can help facilitate early wins. Looking for the right opportunities can be an important part of the process. For example, if district leaders pursue a strategy that

involves moving teachers to schools in need, they may consider beginning in a school that already has a mass exodus of teachers (perhaps through retirement) in order to assuage community concerns about displacement while assembling a strong enough team to make the school attractive and the team more likely to thrive.

Finally, university partners might represent a different avenue for improving teaching talent. By actively working with local teacher training programs, school districts may be able to better prepare and assess teaching candidates while creating a pipeline into the district. If districts can develop and attract top teaching talent in this way, they may be less reliant on other strategies for recruitment.

## **Understanding the Relationship Between the Central Office and Teachers' Union in SJUSD**

A consistent theme throughout the meeting was the role of relationships in facilitating SJUSD's ongoing growth and evolution. Central to this factor is the connection between the central office and SJTA, which has strengthened dramatically since the labor unrest of the 1980s. A panel of district and union leaders, moderated by SJUSD's chief negotiator, explored the dynamics of this relationship.

### ***A Culture of Trust and Respect***

First and foremost, panelists described a culture of trust and respect in SJUSD. Both sides respect one another and ground their relationship in what is best for students. As one individual explained, "We all share a deep commitment to students. We all three would probably rather teach."

Panelists also highlighted the different perspectives they bring to the table as a strength of the relationship. Because the central office and teachers' union have different viewpoints about the work of the district, they value the other's role in identifying blind spots, which leads to better-informed decisions. Representatives on both sides assured the group that they disagree frequently, but argued that the productive tension—in forcing the sides to acknowledge and address concerns from both the central office and teacher perspective—also strengthens decisions. One panelist stated, "The fact is that when we work together, we produce things that are beneficial for employees and beneficial for kids." Another individual echoed this sentiment by juxtaposing the work in SJUSD with the more competitive or adversarial interactions characteristic of some districts: "No party leaves feeling like we won. We leave feeling like we got it right."

The central office and union also commit to a set of norms in their interactions that prize open communication and honesty. First, the groups do not bargain in public. Although both the central office and union welcome questions and conversations about their collectively-bargained decisions, they do not build support for their positions by trying their cases in the media or igniting protests among their constituencies. The district is also honest with the board about where things stand and commits to transparent communication about progress and challenges to avoid surprises.

Finally, the panelists described a central office commitment to provide both accountability and support in ensuring teacher quality. On the strength of the co-designed teacher evaluation system, the district holds underperforming teachers accountable by aggressively providing support and pursuing dismissal when appropriate. At the same time, the district needs to be responsive when teachers complain about underperforming leaders. As part of its commitment to teaching quality, the panelists reported that the district takes responsibility for creating the conditions for teacher success.

### ***Historical Context That Has Led to the Current Relationship***

Panelists attributed the culture of trust and respect to several pieces of SJUSD history. First, the memory of the 1980s looms large among district staff who experienced those struggles and those who have heard the stories. Both sides fear returning to “rock bottom.” As one district representative explained, “We know what could happen if we choose to be oppositional.”

One panelist also described a concrete policy improvement that happened at the negotiating table roughly 15 years ago and its lasting benefits. As part of its collective bargaining agreement, the district redesigned its salary formula to reserve a specific allocation of the district budget for teacher salaries. The distribution of the dollars within that pot is the subject of ongoing negotiations, but the overall dollar amount is not. As a result, the panelist observed, “We built a relationship because we got to talk about instruction, not compensation...The conversations about instruction are harder, but you have the space to do it because you’re not at war.” Today, contract negotiations are extensive and require a great deal of time, but the panelists explained that this is because they engage in deep conversations about teaching and learning, not because they get sidetracked by arguments about salaries.

Stability has also helped sustain and grow the relationship between the two sides. In addition to consistency in superintendent leadership, the union’s executive director has been in her role since 2004 and the chief negotiator has been with the district for 30 years. As a consequence, the parties at the negotiating table have had an opportunity to build individual relationships and trust one another. At the same time, the strong foundation of shared history and values enables both sides to move into substantive conversations about teaching and student learning more efficiently.

Finally, leaders from both sides cultivate union leadership that will help sustain the two sides’ work together. In many school districts, site representatives for the local union volunteer for an undesirable position. In SJUSD, both the central office and SJTA aim to put the best teacher leaders in this position; the district runs site elections centrally by distributing ballots with the names and qualifications of teachers to help reinforce the importance of quality in the role. Once teachers elect their representatives, SJTA works closely with its leaders to help them understand, respect, and preserve the union’s relationship with the central office.

## **Navigating State Policy Obstacles**

Locally bargained decisions go a long way toward creating the conditions for instruction and student learning in a district, but districts act in a broader state context that also shapes what happens in central offices, schools, and classrooms. Despite the progress that SJUSD has achieved in collaboration with SJTA to advance teacher quality initiatives, the district has failed to enact two collectively bargained provisions of its teacher contract.

### ***SJUSD's Struggles With the State Board of Education***

First, the contract gives SJUSD the option to seek a third year to evaluate the progress of a probationary teacher before making a decision about whether or not to grant permanent status. California's Education Code (Ed Code) stipulates that districts must make this decision by the end of a teacher's second year. In practice (due to noticing requirements and other administrative timelines), this means that a district must decide whether a teacher has demonstrated sufficient knowledge and skills to be a strong teacher for the remainder of his or her career only 18 months after that teacher begins. The central office and SJTA both believe that this is insufficient time to make a high-stakes judgment about a teacher's future. Their request to the State Board of Education (SBE) for a waiver from Ed Code was denied, however, when the board's legal counsel advised that the SBE could only grant waivers on an individual basis.

Second, the district's evaluation system builds in extensive supports for teachers whose performance repeatedly falls short of district expectations. If a teacher fails to sufficiently improve, a six-person panel (composed of three teachers and three administrators) reviews the case to make a recommendation about whether or not to dismiss that teacher. SJUSD and SJTA leaders believe this process and the decisions that emerge from it to be robust. The additional process required through Ed Code, in their view, is redundant in the context of the thorough support and review that a struggling teacher already receives.

### ***Bargaining Rights at the Local Level***

Based on their experiences with the SBE and limitations of Ed Code, SJUSD and SJTA leaders expressed frustration at the district's inability to negotiate key elements of its relationship with teachers at the local level. Other meeting participants also highlighted the apparent inconsistency with the principle of subsidiarity espoused through LCFF. How can we hold districts accountable for outcomes when they do not have sufficient autonomy to make decisions that directly affect the learning environment in schools?

Dialogue also revealed some of the tensions that exist in protecting bargaining rights. On one hand, protecting the rights of district and union teams at the local level to make joint decisions in the best interest of children might enable them to create the best environment for advancing student learning. On the other hand, making all decisions open for bargaining could threaten key rights for students, and districts have sometimes resisted this policy change for that reason.

### ***Reactions to Existing Tenure Policy***

Beyond the merits of local control, participants also examined possible responses to what they uniformly described as misguided tenure policy.<sup>4</sup> A process that, in effect, requires districts to make decisions about permanency after 18 months is insufficient for the high-stakes nature of those decisions. In SJUSD, for example, the application of the district's teacher evaluation system for probationary teachers includes extensive monitoring, feedback, and support, but also requires the district to make decisions in January of a teacher's second year. Even though district leaders systematically collect information about teacher quality, there is simply not enough time to make an informed determination for many teachers.

Participants described the process as especially unfair for the new teachers. In SJUSD, where district leaders see a permanency decision as the affirmative selection of high quality teachers (and not, as it is in some districts, the default status change for teachers who simply last through their second year), some strong teaching candidates have not demonstrated sufficient progress at the end of 18 months to earn permanent status. These teachers may yet develop the knowledge and skills to become excellent classroom instructors, but will receive a black mark early in their career because they did not have enough time to develop their skills.

The language used in teacher tenure debates often casts district rights (i.e., the right to make informed decisions about the workforce) as being opposed to teacher protections (i.e., the right to earn permanent status and receive due process protections). Participants suggested that if the state is to make progress on teacher tenure reform, it will be important to frame a longer period of time for teacher tenure decisions as a protection of teacher rights.

### ***Possible Policy Solutions***

Despite clear frustrations with the current conditions surrounding teacher tenure, policy solutions to the challenge are unclear.

#### ***SBE Waivers***

In its response to the SJUSD waiver request, the SBE acted on legal advice that it did not have the legal authority to issue a district-wide waiver on matters of teacher permanency. Others in the room disputed that interpretation of statute, arguing that this is one of the three exceptions to the Ed Code that can be bargained locally and approved by the SBE. One participant even suggested that the SBE could award a waiver and open the matter to litigation to resolve the question. Nevertheless, movement from the SBE is unlikely.

Districts could, however, issue an individual teacher waiver for each novice teacher it wants more time to evaluate. The resource, timing, and logistical challenges of this

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<sup>4</sup> Ed Code refers to probationary and permanent status when describing the employment conditions for teachers; the word tenure does not appear in statute. The language in this summary mirrors the conversation at the meeting, in which participants used tenure interchangeably with permanent status.

approach are daunting: districts would have to accelerate their decisions about new teachers to even earlier than January in order to prepare a waiver request for each teacher and submit it in time for SBE consideration. If districts can navigate those challenges, perhaps a strategy of submitting multiple simultaneous waiver requests could demonstrate the flaws in current policy options: If the SBE cannot manage the volume of individual teacher waiver requests, or cannot respond to them in a timely way, an alternative approach will be necessary for districts to pursue waivers. Documenting this process could strengthen an argument for statutory change down the road.

### Legislative Change

Participants also identified a policy change that could enable agreements like the one in SJUSD to take effect without overhauling the entire approach to tenure in California. A small change to statute could make tenure decisions open for bargaining at the local level, but include protections for both central offices and teachers' unions by stipulating that any local policies regarding tenure automatically defer to Ed Code in the case of disagreement between the two parties.

Participants nevertheless observed that legislative change is unlikely given that the California Teachers Association (CTA) has yet to advocate for any change in current policy. CTA remains the state's most powerful lobbying group, and Democratic legislators depend on the CTA endorsement for political support. As a consequence, most Democratic legislators are reluctant to advance legislation that directly conflicts with the CTA platform. Participants noted that this dynamic has shifted over time, and that more elected officials have been willing to speak publicly about issues that are at odds with CTA positions, but indicated that this change has not been significant enough to expect policy movement in the near future.

As participants discussed the merits of various state approaches, they also debated whether tenure or dismissal policies were worth the investment of time and resources to change—whether this is a “hill to die on.” If CTA is unwilling to endorse extensions to tenure provisions in Ed Code, districts and other stakeholder might find more productive uses of their energy and resources elsewhere. In places like SJUSD, however, participants cautioned that acquiescing to the status quo could threaten the integrity of an entire human capital system. The number of teachers that the district dismisses each year is small, for example, but administrators and teachers have invested in the evaluation system because they see it as a valid and viable vehicle for addressing issues of teacher quality. If additional state-level options override the unanimous decisions of a local panel, a decision rendered after extensive support and documentation of a teacher's performance, local educators may lose faith and investment in the entire process.

### Local Responses

*Review other states' policies.* Regardless of decisions about whether to pursue state-level change, opportunities for local action exist. Several other states have embraced tenure policies that establish 3-, 4- and even 5-year timelines for making decisions about teachers' permanent status. California education stakeholders can examine these cases for lessons

learned both about the impact of these policies and the political process through which they came to be.

*Increase rigor of hiring and permanency decisions.* Districts can also take active steps to increase the rigor of their hiring and permanency decisions. By systematically supporting and monitoring novice teachers, then holding a high bar for granting permanent status, district leaders can ensure that new introductions to the teaching force meet high standards of quality. In the process, they help to strengthen the argument that current tenure policies actually harm novice teachers.

*Increase rigor of local training programs.* District leaders might also work with their local teacher training programs to increase the rigor of training quality and hiring decisions. Districts can provide input on the content of the programs. They might also design student teaching opportunities to require a certain amount of time or number of teaching observations before the district is willing to hire a teaching candidate.

These specific ideas both point to a larger underlying orientation to excellence: Districts need to ensure high quality processes at the local level to make strategic and informed decisions throughout a teacher's career, not just at the time of tenure.

### ***Collective Problem-Solving***

Whatever the solutions may be to tenure, dismissal, or other teacher quality-related policies, some participants stressed that local or state policy changes need to happen through collaboration with local unions. As one person observed, "I think nothing of substance moves forward without much labor-management cooperation." Working together, as the SJUSD experience suggests, can help create stronger policies. It can also improve political viability. Bringing central office and teachers' union allies together helps demonstrate consensus on a key issue and open doors for possible change. In the particular case of working with CTA, a strong voice from local unions making the case for progress might help create the possibility of a more flexible position in the future.

## **Following Up on the November 2015 Collaborative Meeting: Potential Improvements to the LCAP Process and Template**

At the Collaborative's November 2015 meeting, members and invited guests worked to articulate some of the challenges with the current Local Control Accountability Plan (LCAP) process and template. The group also identified some potential solutions to those challenges. The Collaborative released a brief in January 2016 describing some of these possible changes. Participants in the San José meeting revisited the issue to hear updates on progress and discuss possible next steps.

### ***Updates at the State Level***

The SBE has been reviewing two key components of LCFF, the LCAP template and the evaluation rubric, and will spend time in its upcoming meetings evaluating and adopting changes to both. The Collaborative's brief and publications from other California

organizations have highlighted several of the ongoing challenges with the LCAP. Among these, the current document neither links to district budgets nor enables districts or others to track spending according to the LCAP. In addition, the state's accounting system is not set up to account for programs, interventions, or strategic planning in the way that LCFF promotes. Capacity also represents a notable challenge: Personnel are not prepared to handle the responsibilities that LCFF and the LCAP require. Complicating all of the various challenges, most proposed solutions would actually lead to *longer* LCAPs, compounding the inaccessibility and overwhelming nature of most districts' plans.

Among the changes under consideration by the SBE, several seem likely to take place. First, there is support for a movement to an actual three-year plan. Districts would submit a three-year plan, as they do now, but rather than revise and resubmit the comprehensive plan each year, would provide an annual update and only produce a full document every three years. Second, the SBE is working to promote executive summaries that distill the key points of district plans and make them accessible to key stakeholders. Finally, efforts are underway to clean up and streamline the LCAP document itself to help make the development process more efficient for districts.

Throughout all these changes, LCFF and the LCAP process remain politically vulnerable. Ongoing tension exists between highlighting and fixing the current flaws of the system and maintaining a constituency of support to sustain the funding system.

### ***An Alternative Approach to Achieving the Goals of LCFF: Develop User-Centered Solutions to Conflicting Stakeholder Priorities With a Design Team***

In response to the frustrations that many Collaborative members and other California stakeholders have experienced with the LCAP, the group considered an alternative strategy for revisions. As the Collaborative's November 2015 explored in detail, multiple stakeholder priorities—sometimes in conflict with one another—have driven designers of the LCAP to design a document that seeks to satisfy multiple goals but accomplishes none well. Part of the problem, according to some meeting participants, is that the process has been driven by Sacramento interest groups and political compromises rather than by the experiences and needs of the end user.

To help generate a more effective approach to meeting LCFF goals, the group explored the possibility of assembling a design team to develop user-centered solutions. Such a team would begin by examining the end goals for LCFF, then working backwards to design documents, systems, or processes that meet those goals. The design team would build on some of the promising ideas emerging from the field as responses to LCAP challenges, but would not work on the assumption that the existing template or process are the best ways to meet LCFF goals. Importantly, the design team would comprise a set of end users who have experience in completing and using the current LCAP and have the most direct insight into how alternative approaches can improve the process. In order to facilitate the design work, the group can leverage the expertise of Pivot Learning Partners, which employs the methodology extensively in its work with school districts.



The design team idea generated substantial interest from meeting participants. Collaborative staff will begin working with Pivot Learning Partners to consider a set of next steps.

## **Conclusion**

As Collaborative staff consider next steps for a user-centered design team to propose possible LCAP alternatives, they will also continue to generate briefs to inform the field based on some of the key ideas that emerged from our November 2015 meeting. In the meantime, the date and location for the next core meeting of Collaborative members have yet to be determined. We expect to convene in fall 2016 and will share logistical details as soon as they are available. As always, resources from this and previous meetings, updates about Collaborative members, and information about upcoming events are available on our website at [www.cacollaborative.org](http://www.cacollaborative.org).