



February 2, 2015

Sophia McArdle  
U.S. Department of Education  
1990 K Street, NW, Room 8017  
Washington, D.C. 20006  
Docket ID ED-2014-OPE-0057

Dear Ms. McArdle:

Thank you for the opportunity to comment on the U.S. Department of Education's Notice of Proposed Rulemaking (NPRM) on requirements for teacher preparation program accountability under Title II of the Higher Education Act (HEA). While we appreciate the Department of Education's (Department) focus on improving teacher preparation programs, the NPRM raises a number of concerns and would negatively impact the ability of Historically Black Colleges and Universities (HBCUs) to train prospective teachers.

UNCF has over 70 years of experience helping low-income, African American students progress to and through college by means of scholarship and programmatic support. UNCF has raised more than \$4 billion to help more than 400,000 students receive college degrees at UNCF and other institutions. We represent 37 private HBCUs that administer 33 teacher education programs. UNCF institutions annually enroll approximately 3,200 teacher candidates and graduate approximately 400 students each year ready to enter the teaching profession. In addition, the total HBCU network accounts for about half of the African American teachers in the K-12 school system.

At UNCF, we believe that all students, especially those enrolled in low-performing and under-resourced schools, deserve the highest-quality instruction. Because of our firm commitment to educational equity, we have engaged in community outreach efforts to advance K-12 education reform in African American communities across the nation. However, we believe the Department's attempt to regulate teacher preparation programs could undermine efforts to raise student achievement by limiting the supply of effective teachers of color. The NPRM raises serious operational and policy concerns that we believe would negatively impact the ability of HBCUs to educate tomorrow's teachers. Our concerns are outlined below.

### **Negative Impact on Diversity in the Teacher Workforce**

Our chief concern with the implementation of this regulation is the potential decline in diversity in the teaching profession. Our nation's school system now has more students of color than white students, yet the majority of existing teachers come from families that are not of the same racial composition of the K-12 population. It is of the utmost importance for more teachers of color to be recruited and retained to help educate an expanding, racially diverse student population. Research shows that teachers of color have demonstrated success in increasing the academic achievement of

students from similar backgrounds.<sup>1</sup> Increasing the number of effective minority teachers, particularly for high-need schools, remains a key strategy for closing the achievement gap between students of color and their peers.

HBCUs have a historic tradition in teacher education preparation and are uniquely positioned to lead the country in preparing African American teachers for the classroom. Along with teaching effective pedagogy and strong content knowledge, HBCUs ensure their graduates enter the classroom with culturally-relevant teacher training that meets the needs of America's racially and economically diverse student population. UNCF teacher preparation programs intentionally provide additional emphasis on increasing awareness and knowledge of the history, culture, and perspectives of all ethnic and racial groups in the United States, and across the world. This type of cultural training better prepares HBCU graduates for today's classrooms.

The proposed regulation, however, would likely make it more difficult for HBCUs to continue to produce a high number of African American teachers for the following reasons:

- HBCU teacher preparation programs would be disadvantaged by state accountability systems that do not properly or comprehensively evaluate program quality. HBCU teacher graduates are more likely to work and remain in high-poverty, hard-to-staff urban schools.<sup>2</sup> The over-emphasis on student test scores in the NPRM's accountability scheme presents major challenges for our institutions that are more likely to place their graduates in low-performing schools. In addition, student achievement and growth are measures that have not been proven to be valid and reliable metrics of program quality, yet the NPRM prioritizes these outcomes in program performance evaluations. We believe institutions should be incentivized to place their graduates in high-need schools; however, this regulation may force teacher preparation programs to steer their graduates to more affluent and higher-performing schools, in order to produce more favorable ratings in state accountability systems.
- The NPRM also would intrude upon institutions' academic decisions by requiring that teacher preparation programs maintain rigorous entry and exit qualifications. Of particular concern is that mandated entry requirements would undermine the mission of UNCF institutions to welcome all students regardless of academic preparation or socioeconomic status and develop them into effective educational leaders.
- The NPRM proposes to assess teacher preparation programs based on outcomes that are outside their control. For example, teacher retention rates would play a significant part in state evaluations of teacher preparation programs. However, institutions have little influence over how long a teacher stays in a school after he or she graduates from such program. Research suggests that teachers leave the school setting for several reasons such as lack of resources, support, or opportunities to grow in their profession. A teacher's tenure may not be a direct result of the preparation program they attended and can be influenced by multiple outside factors.

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<sup>1</sup> Glenda L. Partee, Center for American Progress. June 2014. *Retaining Teachers of Color in Our Public Schools: A Critical Need for Action*.

<sup>2</sup> Ibid.

## Federal Overreach

The NPRM seeks to establish a federal structure for rating teacher preparation programs, meaning the federal government intends to dictate a program evaluation system with little regard to an institution's mission, resources, or local and state policies. We believe that it is not the role of the federal government to determine the characteristics of state teacher preparation accountability systems. The Higher Education Act does not provide the federal government with such broad authority to create a high-stakes, unproven accountability system for teacher preparation programs. In fact, section 207(a) of the Higher Education Act states in part, "levels of performance shall be determined *solely* by the State..." The NPRM represents an overreach beyond what the Congress intended.

While the proposed regulation contemplates state determination of several factors, these decisions would be made within a wholly defined federal structure, which would likely require additional federal approval and could result in long negotiations on a case-by-case basis. The federal factors include four prescribed levels of performance; a requirement for specific tests on certain subjects to assess the impact teachers have on student learning at a time when researchers are raising questions about the validity of student test scores on teacher evaluations; and a requirement that student learning outcomes must be a "significant part" of the assessment, which is an undefined concept that will only lead to confusion among states and institutions seeking to deal with the complexities of this regulation. In addition, the resulting ratings in one state would not be comparable to any other state's ratings of its teacher preparation programs. Rather than comparing apples to apples, anyone reviewing the ratings would be left comparing apples to oranges if making comparisons across state lines.

## Data Validity and Collection

The proposed regulation seeks data from institutions and states, including employment outcomes and data collected through student surveys. We are concerned by the lack of attention given to how exactly schools would be expected to compile this information, and even more concerned by the lack of underlying research that proves that using this data would actually improve the quality of our nation's teaching workforce. We are concerned with how this data would be collected and if it can be used to accurately categorize a teacher preparation program in the four defined levels required by the regulation. From new surveys, to requirements to track the employment of program graduates, institutions as well as states would face significant challenges in ensuring their data is accurate. This concern is not addressed in the proposed regulation.

## Cost Burden for Institutions

The Department has estimated that this regulation would cost \$42 million to implement nationally, and require over 140,000 hours of work by institutions of higher education. Several states and institutions have stated that the Department's estimates are unrealistically low and do not reflect the true cost of the reporting and compliance requirements of this NPRM. These costs would ultimately be borne by our students, even those who are not enrolled in education programs. Students at HBCUs already are more likely to come from low-income families. The implementation of this regulation could result in increased costs for students and become an additional barrier to accessing college.

In addition, smaller colleges and universities, like the majority of UNCF institutions, would be particularly challenged by the cost and staffing requirements necessary to comply with this regulation. Most HBCUs are low-resourced institutions that do not have funding to handle the burdens of

complying with additional regulatory requirements. Implementing the NPRM's requirements related to reporting and survey requirements, obtaining specialized accreditation, and making program revisions to meet new standards would be especially difficult for smaller institutions that already have limited staff to execute reporting and administrative operations. Without additional resources, the added data collection requirements would stress already tight budgets and would force institutions to raise costs or cut services, both of which are antithetical to Secretary Duncan's goals to improve college access and program quality.

### **Teacher Education Assistance for College and Higher Education (TEACH) Grant Eligibility**

African American teachers are more likely to be trained at HBCUs than any other set of institutions. Linking TEACH Grant eligibility to an arbitrary and inaccurate performance assessment could lead to significant reductions in the number of teachers of color who are trained at HBCUs. TEACH Grants are an important source of financial aid for teacher education majors at UNCF institutions. In fact, all of the students enrolled in the teacher education program at Tougaloo College are receiving TEACH Grants. Limiting access to these grants would be counterproductive by restricting access to higher education for students interested in teaching and giving back to their communities by teaching.

In closing, we appreciate the opportunity to comment on the proposed teacher preparation regulation. UNCF teacher education graduates take it upon themselves to go on to teach in high-need schools because they feel it's their duty to serve as educators in the most challenged schools. We are doing our part to improve educational outcomes and doing, arguably, the civil rights work of this generation. In our view, the proposed regulation would not help our institutions build a more diverse teacher workforce by training additional highly effective African American teachers for the nation's classrooms. Thus, we urge the Department to withdraw it.

Thank you for considering these views.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael L. Lomax". The signature is fluid and cursive, with a large initial "M" and "L".

Michael L. Lomax, Ph.D.  
President and CEO  
UNCF