

Students Matter

Defending students' rights through impact litigation

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Expert Witness Testimony in *Vergara v. California* Shows Teacher Effectiveness is Measurable and Predictable

Harvard Professor Dr. Thomas Kane Testifies that Student Achievement is Directly Tied to Teacher Effectiveness

Study Finds Ineffective Teachers in LAUSD are Disproportionately Assigned to African-American and Latino Students

LOS ANGELES – A new study released today finds that teacher effectiveness in the Los Angeles Unified School District (LAUSD)—the nation’s second largest school district—is measurable and predictable, and ineffective teachers are disproportionately assigned to African-American and Latino students. Harvard Professor Dr. Thomas Kane unveiled the report, “Validating Teacher Effect Estimates using Changes in Teacher Assignments: A Replication of Chetty et al. in Los Angeles,” during expert testimony in the historic education equality lawsuit, *Vergara v. California*.

The slide show presented by Dr. Kane during his testimony in *Vergara v. California* can be found here on the [Students Matter website](#).

Dr. Kane based his study on the groundbreaking 2013 study by Harvard economist Dr. Raj Chetty, who also testified in support of the *Vergara* Plaintiffs. Dr. Chetty’s study tested the validity of the value-added measure of teacher effectiveness by testing the relationship between changes in average student achievement and changes in teacher value-added scores when teachers entered and exited particular schools and classrooms. Dr. Kane’s study replicated Dr. Chetty’s analysis in

LAUSD, using student achievement data for more than 1.1 million students and 58,000 teachers over seven academic years, from 2004 to 2011.

Key findings from Dr. Kane's LAUSD report show that:

- **Teacher effectiveness in LAUSD is both measurable and predictable.** Similar to Dr. Chetty, Dr. Kane found that changes in *actual* student achievement corresponded to *predicted* student achievement changes based on teacher effectiveness estimates and changing teacher assignments.
- **LAUSD experiences wide disparity in teacher effectiveness.** In fact, the disparity in LAUSD is far larger than other districts outside of California, such as New York City.
- **The impact on students of being assigned to an ineffective teacher is extremely large.**
- **African-American and Latino students in LAUSD are disproportionately taught by ineffective teachers.**
 - Latino and African-American students are 48 and 35 percent more likely than white students to be assigned to a teacher in the bottom quartile of effectiveness.
 - Latino students are 68 percent more likely than white students to be assigned a teacher in the bottom five percent of effectiveness; African-American students are 43 percent more likely than white students to be taught by a teacher in the bottom five percent of effectiveness.
 - Deficits due to teacher quality for African-American students relative to white students amounts to 1.08 months of schooling lost every year. Latino students lose out on the equivalent of 1.55 months of schooling every year.
 - **Even when schools do not have predominately minority student populations, minority students in those schools tend to be assigned to less effective teachers.**

"The average teacher assigned to an African American and Latino student in Los Angeles is lower than the effectiveness of the average teacher assigned to white non-Hispanic students," Dr. Kane testified today in Los Angeles Superior Court.

Dr. Kane further explained how this finding exacerbates the achievement gap noting: **"Rather than assign them more effective teachers to help close the gap with white students they're assigned less effective teachers, which results in the gap being slightly wider in the following year."**

When asked why this maldistribution of effective teachers exists in LAUSD, Dr. Kane posited the following: "My opinion is that it could exist... as a result of school districts making premature decisions about a teacher's effectiveness and then having difficulty retaining or identifying and dismissing ineffective teachers later because it would act in the system where decisions were made prematurely and where it would be difficult to dismiss ineffective teachers. That would function like a lemon accumulation machine. And, when ineffective teachers accumulate in a system they tend to settle in the schools that have large numbers of vacancies. Why does that happen? Well, it happens because there's more hiring in those places, and to the extent that ineffective teacher get stuck in places where they were hired, they'll be more hiring in some schools rather than others. And, for the reasons that the assistant superintendent who was testifying yesterday [Mark Douglas of Fullerton School District]--transfer rates, less effective teachers tend to

be shifted into those schools where there are more vacancies. And, those are the school where there are disproportionate numbers of African American and Latino Students."

According to Dr. Kane, students who were assigned to teachers in the top quartile of effectiveness gained 4.5 months compared to the median, while students assigned to teachers in the bottom quartile of effectiveness lost 3.1 months compared to the median. The gap of learning between the two quartiles is **7.6 months**.

Dr. Kane testified that it is essential for schools to measure teacher effectiveness because it both helps principals and supervisors make personnel decisions, and also helps "teachers develop their own effectiveness, to let them know where they stand in terms of their own competencies in effectiveness and promoting student learning." He further stated that the failure to measure teacher effectiveness "**would be analogous to operating a weight watchers program without a bathroom scale or mirrors. You have to give adults feedback to help them know how to develop their own effectiveness.**"

Plaintiffs in *Vergara v. California* argue that five laws in the California Education Code force administrators to push passionate, inspiring teachers out of the school system and keep grossly ineffective teachers in front of students year after year. Over the course of the trial, through expert testimony and other compelling evidence, Plaintiffs have demonstrated that the challenged statutes keep grossly ineffective teachers in the classroom and violate children's constitutional right to equality of education.

Testimony by Kareem Weaver

During today's proceedings, Plaintiffs also called Kareem Weaver to the stand. Mr. Weaver is the Executive Director of the Bay Area chapter of New Leaders and a former principal in the Oakland Unified School District (OUSD). New Leaders is a national nonprofit that designs effective leadership policies and practices for school systems across the country.

Mr. Weaver has a deep, impactful background in education based on his 16 years of teaching and leadership in OUSD. He became principal of Lazear Elementary School in 2010 and drove dramatic student achievement during his tenure. In his first year as principal, Lazear Elementary School accomplished double-digit proficiency gains in math—nearly seven times the district average.

During his testimony, Mr. Weaver described his professional responsibilities as principal were "to ensure that students learned, to support teachers, and develop teachers, and manage teachers well enough to cultivate their development so that students can learn. It was to keep students safe at all times, to make sure that when they were dropped off they were just as safe as when they were picked back up...to whatever it took, to make sure kids were fed, safe and that they learned."

However, throughout his career, Mr. Weaver explained that he has had to deal with grossly ineffective teachers. He testified about the personal impact of dealing with grossly ineffective teachers, noting:

"I was a fourth and fifth grade teacher, next to me was a third grade classroom...had several grossly ineffective teacher who really, really struggled...kids just weren't learning, and I was the receiving

teacher for those students...They would invariably be behind, many of them would be angry, which manifested itself in several ways...**Several times I would just go next door and take kids...I would walk into the classroom and find kids and say 'just come with me' ... They weren't learning, it was clear they weren't learning."**

Mr. Weaver also shared emotional testimony about how he tried to dismiss an ineffective teacher when he became the principal at Lazear Elementary School. Mr. Weaver noted that the teacher in question had documented anger concerns and was assigned to a kindergarten class. Mr. Weaver spent his entire summer compiling records, teacher statements, and other evidence about the teacher's gross ineffectiveness in the classroom. The teacher at issue was removed from the classroom, but—due to the time, cost, and burden associated with dismissal—was not ultimately dismissed from the district.

Mr. Weaver will continue his testimony tomorrow morning under examination by Plaintiffs' lead co-counsel Marcellus A. McRae.

Look Ahead: Tomorrow's Witnesses

Following Mr. Weaver's testimony, Plaintiffs are expected to call Jonathan Moss to the stand. Mr. Moss is a former teacher who taught in Compton Unified School District. Currently, he serves as the Parent and Student Coordinator at the Los Angeles Urban League. Mr. Moss holds a bachelor's degree from USC in Political Science and Business Law, and a master's in Urban Education from UCLA.

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