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ELIMINATE PROFESSIONAL DEVELOPMENT REQUIREMENT

**Senate Bill 366 (Substitute S-1)
First Analysis (12-16-03)**

**Sponsor: Sen. Alan Cropsey
1st House Committee: Education
2nd House Committee: Commerce
Senate Committee: Education**

THE APPARENT PROBLEM:

In order to ensure deep and lasting change within school improvement initiatives, recent research suggests four dimensions of successful implementation: the *depth* or quality of the implementation; the *sustainability* of consequential change over time; the *spread* of the change to greater numbers of classrooms and schools; and the *shift* in ownership of the reform so that the changes in instructional practices are no longer ‘external’ and controlled by a reformer, but rather ‘internal’ with authority for the reform held by districts, schools, and teachers who have the capacity to sustain, spread, and deepen reform principles themselves (*Educational Researcher* August/September 2003).

This more complex vision of consequential change in schools requires that educators demonstrate new and deeper kinds of reform-centered knowledge and subject matter teaching and learning—deeper knowledge that is located within their day-to-day instructional practices. Only this kind of consequential knowledge can sustain educators and spread educational reform in the face of shifting priorities, changes in funding, and challenges to policy coherence.

As the most recent wave of U. S. school reform enters its second decade of ambitious research, social scientists and educational researchers now call for new models of reform in which students’ achievement is a function of their teachers’ instructional practices. These models look to the resources in the teachers’ environment that either advance or constrain their instructional practices, making an effort to answer the question: With what instructional program, and under what instructional conditions are students learning the subject matter? (*Educational Evaluation and Policy Analysis*, Summer 2003). What these new research models acknowledge is that mere access to education does not cause learning. Instead, schools and teachers

with the same resources do different things, with different results.

So, when does most learning occur? Recent research demonstrates that only when the nature of an academic task is taken into account, can the effects of learning be observed. That is to say, the academic task that a teacher designs each day for his or her students (or the specific aspects of that task aimed at specific students to account for individual student knowledge and progress), is the nexus for learning—a nexus formed by the confluence of resources in that teacher’s environment—chiefly that teacher’s knowledge of the subject matter, and available curricular materials. Key, too, are the learners’ attributions about intelligence (whether they consider it ‘fixed’ or ‘influenced by effort’) and learning (whether they willingly take intellectual risks that might publicly reveal wrong answers). Sometimes these essential elements are referred to as the teacher’s and the learner’s knowledge, will, and skill.

Interaction between teachers and students over subject matter content is, then, central to instruction. Each day the teacher and learner make judgments—either with great care, or too quickly—based upon what they, as key agents, know about the subject matter and each other in a series of mutual adjustments. Consequently, the most important focus of research on the resources within learning environments is the focus upon the instruction in which the resources are being used. This is a new approach. Conventional resources are no longer placed at the center of inquiry, with an eye to identify how each affects performance, or to determine what the best mix is. Instead, teaching and learning are placed at the center of inquiry, and research is designed that helps to identify the resources that best support particular goals. Proponents of the instructional research approach remind us: “It is illogical to conceive of resources as the ‘cause’ and

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learning as the ‘outcome’. *Systems of instruction are the ‘cause,’* [emphasis added] and resources are facilitators or inhibitors of teaching and learning.

This shift in emphasis to systems of instruction means that significantly more attention must be paid to continuing education or “professional development” for practicing educators as a means of improving their instructional practice and better ensuring student achievement. Teachers must become able practitioners with new instructional programs—whether tightly scripted regimes, or communities of practice in which they co-develop key elements of instruction.

What professional development works best? According to a research summary entitled “Improving Student Performance through Professional Development for Teachers” published by the North Carolina Education Research Council (April 2003), some professional development approaches are better than others. (See [Background Information](#) below.) The approaches that contribute most first must *focus on subject matter*—it is the ‘what’ of professional learning the matters most—its content. Second, the professional development *links to curricular materials and assessment*—that is, it deals with the subject matter students are supposed to learn, how students learn it, and how to teach it. Third, the best approaches promote ‘*coherence*’ and ‘*active learning*’. Coherent professional development connects well with state and district standards and assessments, the teacher’s goals, prior and subsequent professional development activities, and it includes communication with colleagues and administrators who did not participate in the activity. In addition it offers opportunities to actually plan, observe, simulate, or try out the recommended form of instruction, get feedback, review and discuss student work, and then discuss the activities with colleagues or a workshop leader. Fourth, the best professional development occurs within *extended activities* to permit more active learning, undertaken *together with teams of colleagues* to promote coherence.

As the aftereffects of the economic downturn plague the country, state and local education budgets get cut. Some have argued that school officials should be allowed greater flexibility to reduce their costs, including the ability to reduce or eliminate professional development opportunities for teachers. While some argue that this would undermine progress that has been made in improving student achievement, others say school districts themselves,

and not the state, should make these decisions when resources are scarce.

THE CONTENT OF THE BILL:

The Revised School Code requires that the board of each school district, intermediate school district, or public school academy provide at least five days of professional development to its teachers every school year. The bill instead would require that school boards comply with the professional development requirements of the Federal No Child Left Behind Act. (Under that act, districts must meet adequate yearly progress standards or spend a portion of their Title I funds on professional development. Districts also may use some of their Title II funds for professional development. The federal act does not mandate a particular number of professional development days.)

The bill also would eliminate the requirement that, for the first three years of their classroom teaching, new teachers receive at least 15 days of professional development (not including the five described above), in order to gain the experience of, and up-to-date research for, effective disciplinary-based practices in university-linked professional development schools, and regional seminars conducted by master teachers and other mentors.

MCL 380.1526 et al.

HOUSE COMMITTEE ACTION:

Senate Bill 366 was originally referred to the House Education Committee, which held two hearings on October 21 and November 11, 2003. Then on December 9, 2003 the Education Committee met to re-refer the bill the House Commerce Committee. On December 10, 2003, the Commerce Committee reported out the Senate-passed version of the bill without amendments.

BACKGROUND INFORMATION:

In December 2002, the North Carolina Education Research Council made a report to the North Carolina General Assembly’s Joint Legislative Education Oversight Committee, to synthesize the available research in order to identify the best research-based professional development practices that ensure student achievement. The information was collected so the legislature could target its professional development appropriations to cost-

effective programs and eliminate less effective expenditures.

The complete report and its executive summary entitled "Improving Student Performance through Professional Development for Teachers," is available at the Education Research Council web site: <http://erc.northcarolina.edu/content.php/system>. When you visit the site, select 'Publications' from the menu on the left.

FISCAL IMPLICATIONS:

The Senate Fiscal Agency notes that by eliminating the five-day and the 15-day professional development requirements, and instead requiring districts to comply with the federal No Child Left Behind (NCLB) Act, the bill would result in savings for all school districts. Under the NCLB Act, districts that fail to meet the adequate yearly progress requirements for two or more consecutive years will be required to spend at least 10 percent of their Title I funds for the following two years on professional development. Under the bill, districts meeting the adequate yearly progress requirements would not have to provide any professional development.

For districts meeting the federal NCLB Act requirements, the exact amount of savings is indeterminate since the cost of professional development for teachers varies widely among school districts and is directly related to the number of teachers in each district. Although the actual cost of professional development training is indeterminate, it is possible to estimate the savings attributable to the cost of hiring substitute teachers for each day that a full-time teacher is involved in professional development training. The statewide average cost of a substitute teacher on a per-day basis is \$75. Thus, for the five days of professional development that are currently required annually for both new and veteran teachers, a school district could expect to save an estimated \$375 per year per teacher who is absent due to professional development training. Based on the estimated 90,000 teachers statewide, the potential savings could reach \$30 million to \$35 million annually on a statewide basis. These estimated savings would be in addition to whatever savings resulted from avoiding the cost associated with the actual professional development training. (7-16-03)

In contrast, the House Fiscal Agency estimates up to \$17 million in savings by local school districts. The agency notes that the Revised School Code requires that the board of each school district intermediate

school district, or public school academy provide at least five days of professional development to its teacher every school year. The bill instead would require that school boards comply with the professional development requirements of the Federal No Child Left Behind Act. Under that act, districts are required to meet Adequate Yearly Progress (AYP) standards, or spend a portion of the federal aid on professional development. The NCLB Act does not mandate a particular number of professional development days.

The bill would eliminate the requirement that, for the first three years of their classroom teaching, new teachers receive at least 15 days of professional development (not including the five days for all teachers), experience effective practices in university-linked professional development schools, and attend regional seminars conducted by master teachers and other mentors.

There are no state funds provided specifically to support professional development, and, therefore, this bill has no state fiscal impact. However, if the current requirements were eliminated, school districts would be free to decide the number of days they provide professional development. To the extent that local districts opted to provide fewer than 15 days to new teachers, and fewer than 5 days to more experienced teachers, there would be an indeterminate local savings to the district. Some of the savings might include the cost of course materials, enrollment fees, and transportation. The amount of savings from such expenses would vary widely from district to district.

Although the total cost of professional development training is indeterminate, it is possible to estimate the savings attributable specifically to hiring of substitutes for teachers attending professional development training. The statewide average cost of a substitute teacher on a per day basis is \$75. An examination of several school calendars found that districts suspend classes in order to accommodate professional development for some of their required days. Districts would, of course, not need to pay substitutes for the days classes were suspended. The average number of professional development days on which schools remain open and pay substitutes teachers is not known. However, if the average were 2.5 days (half of the total 5 days), a school district could expect to save an estimated \$187.50 per year per teacher who was absent due to professional development training. Based on an estimated 90,000 teachers statewide, the potential savings could reach approximately \$17 million annually on a statewide

basis. These estimated savings would be in addition to savings that resulted from professional development training costs, and the cost of providing substitutes for 15 days of professional development for new teachers. (10-20-03)

ARGUMENTS:

For:

Michigan, like most other states, is experiencing its largest revenue shortfall in decades. State leaders have had to propose spending cuts to nearly every government service, including K-12 education. In January 2003, Governor Granholm estimated that, in order to continue services at the level provided in fiscal year 2001-2002, the 2003-2004 School Aid Fund was short \$364 million. In May 2003, state budget leaders estimated an additional \$106 million shortfall to the School Aid Fund. More recently as Fiscal Year 2004 has just gotten underway, an additional \$900 million combined shortfall in the general fund and the school aid fund have been reported.

While lack of money is never welcome, some public school officials have said that the current and upcoming cutbacks have come at a particularly difficult time. Costs to public schools continue to increase, as parents and state and federal policies have demanded or mandated lower class sizes, yearly proficiency testing, and increased teacher quality, among other reforms. This legislation removes the professional development mandate, in order to allow local school districts to use their funding more flexibly.

For:

There appears to be no evidence directly linking student achievement to teacher professional development training. If a district, and often its faculty, does not see value in requiring a minimum number of days of training, then the district should not be forced to provide an expensive service that does not provide results.

Response:

According to a research summary entitled "Improving Student Performance through Professional Development for Teachers" published by the North Carolina Education Research Council (April 2003), some professional development approaches are better than others. See ([Background Information](#) above.) The approaches that contribute most to student achievement must first *focus on subject matter*—it is the 'what' of professional learning the matters most—its content. Second, the

best professional development *links to curricular materials and assessment*—that is, it deals with the subject matter students are supposed to learn, how students learn it, and how to teach it. Third, the best approaches promote '*coherence*' and '*active learning*'. Coherent professional development connects well with state and district standards and assessments, the teacher's goals, prior and subsequent professional development activities, and it includes communication with colleagues and administrators who did not participate in the activity. In addition it offers opportunities to actually plan, observe, simulate, or try out the recommended form of instruction, get feedback, review and discuss student work, and then discuss the activities with colleagues or a workshop leader. Fourth, the best professional development occurs within *extended activities* to permit more active learning, undertaken *together with teams of colleagues* to promote coherence.

For:

Senate Bill 366 would save districts scarce resources by eliminating the requirement for a minimum number of days of professional development for teachers. This provision in the Revised School Code amounts to an unfunded mandate, as districts must provide, or pay someone else to provide, an average of 10 days of training per year for new teachers, and five days per year for all other teachers. In addition to funding the training, districts often must pay substitute teachers to cover the faculty who are attending the training. While keeping teachers up to speed on the latest developments in their profession is worthwhile, individual districts (or schools) should be able to determine themselves how much professional development is necessary and to whom it is provided. Further, since teachers are required to earn a certain number of continuing education credits in order to renew their teaching certificates periodically, teachers and administrators often view the professional development requirement as duplicative and meaningless. Under Senate Bill 366, districts would be able to offer meaningful, targeted training to their teachers, perhaps in the form of on-line learning that could be accomplished outside of student instruction time.

Response:

Supporters of Senate Bill 366 have claimed that state-mandated professional development is *in addition to* the continuing education credits teachers must acquire to update their teaching certificates. This is not true in all cases. In fact, a teacher may count graduate education courses toward his or her professional development training if the school

district pays for all or some of that teacher's classes. Further, under Section 101 (11) of the State School Aid Act, a district may count up to 51 hours of professional development for teachers as hours of pupil instruction. Under this exemption, districts frequently hold their required professional development in the late summer, before students return to school, thus eliminating the need for substitute teachers while providing valuable teacher training. Additionally, teachers negotiate professional development into their contracts, as it is something they have come to value.

Against:

Senate Bill 366 would eliminate a requirement that many see as key to improving teacher quality and student learning. Requiring districts to provide, or set aside time for, professional development enables educators to keep up to date with a field that is constantly evolving. In particular, new research on human development has exciting implications for teaching and learning, and teachers should be afforded the time and opportunity to learn how to reach students better. Further, professional development is important in light of a new federal mandate that schools achieve adequate yearly progress, a measurement based largely on student test scores. While proponents of the bill claim that districts would continue to provide some level of professional development if it were not mandated, this cannot be known. The requirement was enacted as part of Public Act 289 of 1995 in response to the perception that districts were not providing enough time for teachers to be taught themselves. Eliminating the requirement entirely because of a lapse in funding could prove to be unwise.

POSITIONS:

The following organizations have indicated their opposition to the bill: The Michigan Education Association; the Michigan Federation of Teachers and School-Related Personnel; Michigan Middle Start Partnership; the Michigan Association of School Boards; Macomb Schools; the Michigan Association of School Administrators; the Michigan Department of Education; the Association of Michigan School Counselors; the Michigan Association of School Boards; and the Michigan Small and Rural Schools Association. (11-6-03 and 12-10-03)

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.