

**The 2004 Deadline:
Support for an Extension of Time for Abbott Teachers
Early Care and Education Coalition**

**P O S I T I O N S T A T E M E N T
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Overview

In an attempt to ensure that children in New Jersey's poorest school districts are afforded an opportunity to take full advantage of an enhanced regular education, the Supreme Court of New Jersey, in its Abbott V decision required these districts to implement high quality, intensive early childhood programs for their three and four year old population.¹ While the Court was convinced that the implementation of such programs would "have a significant and substantial positive impact on academic achievement in both early and later years,"² they did not identify the critical components necessary for a high quality program in its 1998 decision. Two years later, in March 2000, the Court outlined those components in its Abbott VI decision.³

Besides requiring substantive standards for educational content and class sizes of 15 children per class, the Court stated that high quality early childhood programs necessitated well-trained teachers, and required that all Abbott early childhood teachers obtain their bachelors' degrees and appropriate early childhood certification.⁴

A major obstacle for ensuring quality programs was that initial program implementation had fostered a two-tiered system of quality. Most Abbott school districts were subcontracting with community-based programs to provide all or part of their early childhood program. At the time of the Abbott VI decision, teachers in district-run preschool programs were held to a higher standard (i.e., bachelors' degrees and appropriate early childhood certificates) than their colleagues in community-based programs.⁵

The Court's remedy for this dilemma was to require that all teachers in Abbott preschool programs become "qualified." The Court, stating that "reasonable but limited time frames are consistent with the goal of providing qualified teachers as soon as practicable," required existing teachers in community based programs who did not have college degrees to obtain those degrees and their preschool through 3rd grade endorsement by September 2004.⁶

At first glance, the information on the number of Abbott preschool teachers who have met the Court's requirement seems promising. Recent data from the New Jersey Department of Education (DOE) indicates that over 80% of Abbott preschool teachers are already in compliance. This is a remarkable achievement for these teachers since in 2000, the Center for Early Education Research at Rutgers University determined from a sample of Abbott preschool teachers that only 35% of those teachers in community based

programs had their bachelors' degrees. While not all the Abbott preschool teachers are the same as were employed in 2000, the educational achievements made by many teachers who were under both a short timeframe and difficult conditions to achieve their goal, is a testament to their commitment to both their programs and the children who they serve.

Although many have taken advantage of the educational opportunities afforded teachers in Abbott preschool classrooms, many teachers will not complete their education by the 2004 deadline. In a recent study soon to be released by the National Institute for Early Education Research, 625 Abbott teachers were sampled. From this survey, the data suggests that 16% of the teachers sampled will not meet the Court's mandate for a preschool teaching qualification. Of the approximately 2000 teachers currently working in Abbott preschools, 320 of them will not be able to retain their position given the 2004 deadline, thus putting into question the educational experience of 4800 Abbott three and four year old children.⁷

For many teachers still struggling to meet the Court's 2004 deadline, systems' barriers continue to hamper their end goal. The following issues remain major obstacles for these teachers:

- 1. Problems with Access to Universities:** Of the 14 universities offering Preschool through 3rd grade coursework, only one program is located in the southern part of the state. To meet the educational needs of teachers in southern New Jersey, a few of the northern universities have developed satellite programs. These programs, however, did not develop from a statewide higher education strategy, but rather through the work of individuals from institutions of higher education attempting to address a need. While the satellite programs have alleviated some of the challenges Abbott teachers face in returning to school, they cannot provide the types of comprehensive and non-traditional education necessary to meet the broader needs of these teachers. The result is that Abbott preschool teachers working in southern New Jersey have had a more difficult time in meeting the Court's 2004 deadline.
- 2. Problems with the Certification Process:** Once teachers complete their college coursework, they must apply to the DOE Office of Licensing for either their Certificate of Eligibility (CE) or Certificate of Eligibility with Advanced Standing (CEAS). Many teachers attempting to obtain the appropriate preschool certification have experienced many problems at this stage. Once the application is submitted, the time period for obtaining either the CE or CEAS can vary from one month to two years. For many teachers, the process has included application resubmissions because of loss of paper work and multiple personal follow-ups, either by telephone or in-person. In many occasions, administrators from the Abbott district to which the teacher is employed, must become involved to obtain information on the teacher's licensing status. The inadequacies of this process have caused delays for teachers attempting to complete other licensing requirements prior to the 2004 deadline. For example, teachers cannot obtain

their teaching license if they have not been mentored. They cannot however, be mentored unless they have their CE or CEAS. Some teachers, through no fault of their own, may not meet the Court deadline because of existing problems in the Office of Licensing.

- 3. Problems with Access to Required Courses:** At many universities, access issues around required coursework have become problematic. The limited number of offered classes often does not meet the demand of those students who are required to take those classes. Many teachers have been denied access to these required courses because they fill-up quickly resulting in the delay of program completion. Moreover, many of the courses are not offered at times that meet the specific needs of non-traditional students. Abbott teachers in community programs must work full-time to receive scholarship dollars. While some directors of programs permit staff to take courses during the school day, others do not. This limits the times that those teachers can attend school and adds an additional burden in completing their degrees by the 2004 deadline.
- 4. Problems with Tuition Payments:** While Abbott teachers can receive tuition assistance through scholarships from the New Jersey Professional Development Center for Early Care and Education (NJPDC) the process of transferring those dollars from NJPDC to the various universities has caused delays for Abbott teachers attempting to complete coursework. Currently, each university has its own calendar and timeline for registration, tuition payment and distribution of grades to students. Because there is no unifying system within the universities, the Scholarship Office of NJPDC has had to separately negotiate payment arrangements and track deadlines of the 14 programs involved. Further, students have experienced overlap between registration and tuition deadlines which have resulted in them being closed out of required classes when their tuition payment has been delayed. Again, through no fault of their own, many teachers have been delayed in completing their education because of bureaucratic systems.

Coalition Recommendations

A. Supporting an Extension to the 2004 deadline

In the 1998 Position Statement of the Early Care and Education Coalition, the members recommended that all classroom teachers be certified in early childhood education. To accomplish that goal, the position statement affirmed that “current classroom teachers in Head Start or community-based child care agencies who are not at the recommended level of training, expertise or teacher certification shall be assessed and a plan shall be developed for them to complete the requirements for teacher certification, within a specific period of time. Staff shall have the opportunity to attain the required degree and certification through the provision of educational programs that are flexible, accessible, offer financial aid and provide release time to facilitate participation.”⁸

The Coalition reaffirms its commitment to having qualified early childhood teachers in every Abbott preschool classroom within a “specific period of time.” The question at hand, however, is whether the four-year deadline given by the Supreme Court as the “reasonable but limited time frame” for existing teachers in community based programs to complete their college degrees to obtain those degrees and their preschool through 3rd grade endorsement should be extended. In light of both the examples given above and the impact those examples have had on the educational status of teachers and consequently the children in their classrooms, the Early Care and Education Coalition supports a limited time extension to the 2004 deadline.

Like the Court in Abbott VI, members of the Coalition acknowledge that “without qualified teachers, the children will lose the opportunity that well-run, substantive preschool programs offer.”⁹ Since the 2000 decision, Coalition members have worked to ensure that all facets of program implementation, including the processes affecting teacher education, remained in the forefront of the State’s educational policy agenda. This collaborative work of both the State and early childhood stakeholders appears to have been successful, in light of the large number of Abbott teachers who have completed their education prior to the Court’s deadline.

However, it is impossible to ignore the systems barriers that have made and will continue to make it difficult for many Abbott teachers to complete their education prior to September 2004. Moreover, at the time of the Abbott VI decision, the justices of the Supreme Court could not have envisioned the types of systemic problems that teachers returning to school have faced.

For the above reasons, any deadline extension must include the following caveats:

1. An extension may only be granted to teachers who have made “diligent progress” towards their degree and can demonstrate that they can complete their education before a date specific. (Ex., September 2006) Data from the NIEER study indicates that most of the teachers enrolled in a degree program leading to a P-3 teaching credential and who will not meet the 2004 deadline, will obtain their credentials by 2005 or 2006.¹⁰ Such an extension will allow teachers to continue to teach in Abbott programs and minimize disruption for the children;
2. An individual progress assessment and plan will be developed for each Abbott preschool teacher who will not be able to comply with the 2004 deadline. It is critical for long-term planning, that the DOE know the educational status and plans for program completion of each Abbott preschool teacher affected by the deadline. Currently such state data does not exist. In order to ensure uniformity throughout the Abbott districts, the DOE shall develop educational assessment and planning instruments and provide necessary oversight to the districts;
3. Even with a new deadline, the State must consider each teacher’s employment status on a case-by-case basis. Since the Abbott VI decision and the implementation of the new P-3 certificate, returning to school to comply with

the 2004 deadline has been a difficult and confusing process for many Abbott teachers. Because P-3 programs were quickly implemented, many Abbott teachers were not provided with accurate information and guidance on how best to move forward to attain their educational goals. This problem has meant that these teachers, through no fault of their own, will be delayed in obtaining their degrees and appropriate endorsement. If DOE completes an individual assessment on each Abbott teacher, it will be able to identify those teachers who, because of special circumstances need a modest amount of additional time beyond the new extension. An individual assessment is a fair way to ensure that teachers, who in good faith have worked towards compliance, will have every opportunity to remain as teachers.

4. DOE must develop a process for districts to follow for addressing issues around teachers who will not meet the new deadline;
5. DOE must develop an outreach plan to address teaching vacancies that will arise if teachers will be replaced. This should include a set of guidelines to help districts adequately prepare for such replacements and a mechanism to monitor vacancies;
6. DOE must be the state leader in remedying systems issues that cut across state agencies and continue to be barriers for teachers' completion of degrees; and
7. The state, through the Department of Human Services (DHS), must continue its commitment to provide scholarships to staff members in Abbott preschool programs.

B. Supporting an Extension for Head Start Teachers

Prior to the Abbott VI decision, the DOE had told Abbott districts to exclude Head Start programs from consideration as subcontracting agencies. The State assumed that Head Start would merely continue to serve the children in its program. The Court, however, felt that the state preschool standards were more demanding than the Head Start standards. The Court concluded that Head Start children could be precluded from preschool enrollment projections only when it was demonstrated that the excluded children attended Head Start programs that met DOE standards.¹¹ Subcontracting relationships between Abbott districts and Head Start agencies did not commence until the Court required it. This left Head Start agencies beginning their Abbott preschool programs far later than their community-based counterparts.

Although districts have slowly begun to subcontract with Head Start programs, issues have arisen around federal versus state requirements, complicating the collaborative process. The contracting delays have affected the ability of Abbott Head Start teachers to return to school and to participate in the state scholarship program. As a result, many Head Start teachers will not meet the Court's 2004 deadline.

For these reasons, the Coalition recommends that Abbott Head Start teachers be afforded additional time beyond the new deadline to complete their education. In order to ensure that as many Head Start teachers complete their education, the following two caveats are critical:

1. The same individual progress assessment and plan developed for Abbott preschool teachers in community based programs must apply to Head Start teachers; and
2. Head Start teachers should be given continued access to scholarship dollars.

C. Supporting a Long-Term Professional Development Plan for Abbott Teachers

While the Supreme Court mandate continues to drive state policy for ensuring a “qualified” teacher in every Abbott preschool classroom by September 2004, the State, through the DOE, is responsible for how that happens and how it is sustained after the deadline. While the Coalition supports a limited deadline extension, it also strongly recommends that the DOE address long-term issues that will impact whether New Jersey has a continued and sustained early childhood workforce after the final extension. The DOE must address the following long-term professional development issues:

1. The DOE must develop strategies that will ensure an adequate number of qualified teachers are available to staff Abbott classrooms and to meet full enrollment. Evidence of future preschool staffing problems in Abbott districts is becoming increasingly apparent. During the 2002-2003 school year, 39,392 of the 54,848 eligible Abbott preschoolers, (71.8%) benefited from Abbott preschool programs.¹² Of those children in preschool programs, 69.5% were housed in community-based facilities.¹³ While the majority of Abbott preschoolers are housed outside public preschool classrooms, data indicates that many of their teachers do not plan to remain in community-based programs. According to the NIEER study on professional development for Abbott teachers, one third of preschool teachers in community based programs in 19 of the 30 Abbott districts, indicated that they would not remain in their current job once they had obtained their degree and teaching credential. When asked to identify the type of position they intended to take, 65% reported that they would like to be a teacher in a public school setting.¹⁴ Armed with this information, and the knowledge that thousands of Abbott preschoolers remain unserved, the DOE must begin to develop a long-term strategy to ensure a qualified future workforce for those children participating in Abbott programs and for those who still need to be included.
2. The DOE, in partnership with higher education stakeholders, must develop long-term professional development strategies to address the educational needs of non-traditional students. While some New Jersey universities have developed programs to meet the non-traditional needs of Abbott preschool teachers, the program changes have stemmed from the work of individuals rather than through thoughtful systems changes. Significant gaps remain in the delivery of services for the non-traditional higher education student. Because the need for qualified early childhood teachers will only increase in the future, New Jersey’s higher education system must assess its delivery system and make changes to ensure that the maximum number of potential teachers is able to complete their formal education. This assessment must include a review of the six-credit transfer of early childhood credits from community colleges to four-year universities. Students in community colleges are an underutilized source of potential new

early childhood teachers. The state regulation that only permits the transfer of six college credits towards a person's major, has been a barrier for non-traditional students wishing to enter education. Lastly, any assessment and change will necessitate additional financial support from the State.

3. The State must examine whether the current Preschool through 3rd grade certificate (P-3) adequately prepares New Jersey's early childhood teachers for its diverse population. At the time of the Abbott VI decision in 2000, although proposed by the DOE, a preschool certificate did not exist.¹⁵ In response to the decision and to meet the new demand, many New Jersey colleges and universities quickly developed new early childhood P-3 certification programs. While these programs addressed the immediate need of preschool teachers returning to school, there has been recent concern over the adequacy of the programs to prepare teachers in meeting the diverse needs of New Jersey's preschool population. Teachers responding to the recent study on professional development for Abbott teachers highly rated their coursework in child development, teaching strategies, classroom organization, professional standards and assessment. Alternatively, only 52% of the teachers rated their coursework in discipline and guiding children's behavior as effective. A similar number of teachers (53%) rated the content of their coursework in working with families and diverse cultures and ethnicities as relevant and useful to their current teaching role. Only 37% of teachers highly rated their classes in working with special needs children and just 24% reported finding the content in teaching children with English as a Second Language effective.¹⁶ The findings suggest that many programs are not offering the kinds of knowledge that preschool teachers need to be effective educators.¹⁷ In light of both the diverse preschool population in the Abbott districts and the above teacher concerns over course content, higher education programs must reexamine the adequacy of their P-3 program to ensure that teachers are effectively trained to meet the varied needs of their young students. Without such preparation, teachers will not be able to provide the high quality programs that the Court envisioned for Abbott three and four year old children.

4. The State must institute an early childhood teacher examination. Currently, New Jersey does not administer a comprehensive early childhood examination for new teachers completing their Preschool-3rd grade endorsement. New early childhood educators are the only set of teachers in the State who are not required to take such an examination. The lack of an early childhood examination marginalizes the importance of an education focusing on young children and exacerbates the misconception that early childhood teachers are "babysitters." Such an examination based on the pedagogies of early childhood education will provide legitimacy to the early childhood certification.

5. The State must develop a professional development plan for teachers' aides in Abbott preschool classrooms. The need to have "qualified" teachers is only one component of a quality preschool classroom. Often, the second adult, the teacher's aide, plays an integral role in the education of the young students extending beyond the mere reduction of the staff/child ratio. In many instances, teachers and their classroom aides work together as educational partners to ensure a developmentally appropriate environment, which includes the facilitation of individualized instruction. As with

teachers, the better educated the teachers' aides, the higher the quality of the preschool program. Further, a more qualified teachers' aide pool can be a potential source for prospective early childhood teachers. A state plan that provides professional development opportunities for teachers' aides will have a lasting impact on both the aides and the children with whom they serve.

6. A study must be conducted to determine both what happened to the Abbott preschool teachers who left their positions because of the 2004 deadline and the reasons why a certain percentage of teachers were unable to complete the certification requirement.

FOOTNOTES

¹ Abbott v. Burke, 153 N.J. 480 (1998) (Abbott V).

² Abbott V, *Ibid.*, 506.

³ Abbott v. Burke, 163 N.J. 95 (2000) (Abbott VI).

⁴ Abbott VI, *Ibid.*, 111.

⁵ Abbott VI, *Ibid.*, 110.

⁶ Abbott VI, *Ibid.*, 111.

⁷ Ryan, S. & Ackerman, D.J. (2003). *Getting Qualified etc.* New Brunswick, NJ: National Institute for Early Education Research.

⁸ Cecilia Zalkind, "Position Statement, Early Care and Education Coalition," (Newark, NJ, Association for Children of New Jersey, 1998).

⁹ Abbott VI, at 111.

¹⁰ Ryan, at 16.

¹¹ Abbott VI, at 116.

¹² Education Law Center, "Abbott District Preschool Enrollment: 2002-2003 Approved Enrollment," Available on the Internet at www.edlawcenter.org.

¹³ *Ibid.*

¹⁴ Ryan, at 18.

¹⁵ Abbott VI, at 109.

¹⁶ Ryan, at 23-24.

¹⁷ *Ibid.*, 27.