



The Elementary and Secondary Education Act: Why Congress Should Reauthorize Section 9530 to Prohibit Nationalized Teacher Certification

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As Congress prepares to reauthorize ESEA, we respectfully urge Congress to retain Section 9530 in ESEA to prohibit federal funds from being used for any program of national teacher testing or national teacher certification.

Section 9530 was inserted into the No Child Left Behind Act in 2001. We believe that Section 9530 has helped to ensure that quality teachers are able to teach their own students in home schools, religious and private schools, and public schools. At the same time, this section has not kept the federal government from enacting education programs that are designed to help state and local education associations, public schools, and public school students. For these reasons, we urge that Section 9530 be retained unchanged.

- **Section 9530 [20 U.S.C. 7910]: No federal funds for teacher testing or certification**

“SEC. 9530. LIMITATIONS ON NATIONAL TESTING OR CERTIFICATION FOR TEACHERS.

“(a) MANDATORY NATIONAL TESTING OR CERTIFICATION OF TEACHERS.—Notwithstanding any other provision of this Act or any other provision of law, no funds available to the Department or otherwise available under this Act may be used for any purpose relating to a mandatory nationwide test or certification of teachers or education paraprofessionals, including any planning, development, implementation, or administration of such test or certification.

“(b) PROHIBITION ON WITHHOLDING FUNDS.—The Secretary is prohibited from withholding funds from any State educational agency or local educational agency if the State educational agency or local educational agency fails to adopt a specific method of teacher or paraprofessional certification.

Why the federal government should not engage in teacher certification or testing programs

In 2006, a team of researchers released a study of 5th grade students in three North Carolina school districts, which compared teachers certified by the National Board for Professional Teaching Standards (NBPTS) with non-Board certified teachers. The researchers concluded in their Executive Summary, “findings showed no clear pattern of effects on student achievement

based on whether the teacher was Board certified.”¹ Later in the study, the researchers noted, “Overall, a district’s expectation might be that Board certified teachers demonstrate achievement results that put them in the upper quartiles of all the teachers at that grade level. That is not what we found.”² Although the researchers admitted that their data was only based on one grade level, it still indicates that national teacher certification is not necessarily needed for academic success.

A recent front page article in the *Education Week* magazine asked the question, “as more teachers seek [NBPTS] certification, will its worth slip?”³ This raises a valid question: if the federal government created a nationalized teacher certification and testing program for all teachers, would the states then seek to create their own teacher standards? This could easily defeat the purpose of nationalized teacher certification and testing. It would result in a giant waste of education spending, for no foreseeable benefit.

Furthermore, there are many exceptional teachers in home schools, religious schools, and private schools, as well as in public schools, who are not nationally certified. The *Education Week* article continued, “teachers with and without the credential, along with researchers, are certain that the best teachers are not necessarily nationally certified.”⁴ This fits in with the study of 5th grade students and teachers in North Carolina.

Nationalized teacher certification and testing could become mandatory, forcing all teachers to submit to curricula and training that they may find offensive, or antithetical to their values. Unelected policy makers, or private boards like NBPTS, would determine what teachers should know and be taught, and could use their power of certification to keep certain teachers from teaching. This would be extremely concerning for home schools, religious schools, and private schools, because nationalized teacher certification and testing could eventually be extended to home schooling parents or teachers in religious and private schools.

Based upon these studies and many more, the federal government should not spend money on national certification or testing for teachers. These funds could be better used to educate students, hire more teachers, or lower class sizes.

¹ *Teacher Effectiveness, Student Achievement, & National Board Certified Teachers: A Comparison of National Board Certified Teachers and non-National Board Certified Teachers: Is there a difference in teacher effectiveness and student achievement?* Prepared for the National Board for Professional Teaching Standards, by Wendy McColskey, Ph.D. and James H. Stronge, Ph.D. Co- PIs, Thomas J. Ward, Ph.D., Pamela D. Tucker, Ed.D., Barbara Howard, Ed.D., Karla Lewis, Ph.D., Jennifer L. Hindman, Ph.D., June 2006, at 9. Study available at <http://www.wm.edu/education/Teacher%20Effectiveness.pdf>

² *Id.*, at 77.

³ Bess Keller, *Education Week*, Vol. 26, No. 45, August 15, 2007, p. 1.

⁴ *Id.*, at 16.