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## SUGGESTIONS RE SB 614 (S. Rubio), August 12, 2020

CAPCA makes the following requests with respect to this bill:

- 1) **Slow down both parts of this bill—the phase-out of RICA and the redefinition of reading instruction—so that they can be adequately considered by committees and by stakeholders.**

RICA side: We suggest that before scrapping RICA, we take the opportunity to find out what happens when teachers who have not passed RICA (because of COVID extensions) are put in charge of early reading instruction. We suggest that improvements be made as suggested below to reduce burdens on applicants without sacrificing the information produced by the RICA about individual qualifications and, if data are analyzed, about teacher education programs. We request that details be provided about the proposed alternative, as optimism about incorporating reading into the California Teacher Performance Assessment—does not appear well-founded. The notion it is fairer to have students submit portfolios to be reviewed by professors who can see them (skin color and all) is dubious in theory. It is not supported by experience with “performance”-based tests across the country, though California does not seem to have released data that had been projected by CTC for release in early 2020. The notion that teachers can be judged more “authentically” based on brief videos rather than tests of how much they know about a body of research is similarly dubious. There are types of assessment that might work, such as having reading experts observe actual instruction, but those are not on the table. Rewarding skillful self-presentation is hard to square with a desire to evaluate how teachers do in “real life.” What is being treated in this bill as more “authentic” assessment dispenses with “book learning,” but unsurprisingly, teachers need to read about how to teach reading in order to do it well for all students. Students need capable teachers and they need a diverse teaching profession. When districts hire teachers with emergency credentials, that is at least transparent, oversight is possible, and teachers must take additional actions to upgrade their qualifications. If credentials are conferred prematurely, a vicious cycle is likely, in which students whose own educations were adversely impacted by racism carry that impact over to the students they teach. We need to help people become qualified teachers, not pretend that they are when they aren’t.

Reading instruction side: We request that you discontinue efforts to rush redefining reading instruction through the legislature through a gut/amend process. No redefinition is necessary. It is time to implement what we know. If changes in what California requires for reading instruction are going to happen, it is vital to work with all stakeholders—including experts and

advocates in the fields of literacy generally and for students with disabilities (including dyslexia, autism, intellectual disability, and other eligibility categories), as well as for low-income, bilingual and Black/Latinx students. Such a bill would need to be fully considered by both chambers. Proponents of SB 614 presented formulaic letters and a misleading, in some respects outright deceptive “research summary.” As the bill moved forward, the summary replaced “whole language” with “comprehensive language,” but the essence remained the same. Even now, proponents apparently remain unwilling to commit to language that would a) reinsert the requirements for systematic, organized explicit research based instruction, or b) require teachers to be taught and demonstrate competence as to each prong of reading instruction, and require education programs to teach all of those elements. We are concerned that what seems to have started as a way to increase supply of teachers and diversify the profession has turned into a full-scale, and covert, attack on the 1990’s consensus in support of research-based reading instruction. Progressive Democrats and conservative Republicans and most people in between came together in recognition that reading does not just happen naturally because students hear and discuss engaging literature. California had tried that, disastrously. For most students, reading must be systematically, explicitly taught, with careful focus on developing phonemic awareness, phonics skills, fluency, vocabulary and comprehension. Of course, putting requirements for research-based instruction in the law and testing to make sure that aspiring teachers learn about it weren’t by themselves enough to ensure that practices on the ground would change. Achieving real change has been a constant struggle. Up to now, it has been a struggle in which California law has been on the side of parents and educators pressing for scientific reading programs. That should not change, and changing it based on false representations during a pandemic, would be tragic for students and would send a horrible message about California’s ability to govern itself responsibly, with regard for the interests of all of its residents.

**2) If there is a bill this year, it should leave intact California’s statutory definition of, and requirements relating to, reading instruction, or replace it with the federal definition of “essential components of reading instruction.”**

There is no strong reason, and certainly no urgent necessity, to change existing California law defining reading instruction, and doing so in the way proposed would be disastrous. A much simpler approach would be to adopt the federal definition: 20 U.S.C. § 6368(3), which is a more complete and explicit statement of the science of reading instruction than contained in current law:

The term “essential components of reading instruction” means explicit and systematic instruction in—

- (A) phonemic awareness;
- (B) phonics;
- (C) vocabulary development;
- (D) reading fluency, including oral reading skills; and
- (E) reading comprehension strategies.

That might be helpful, in that current law refers to phonemic awareness and phonics explicitly and to vocabulary, comprehension, and arguably fluency implicitly. It might make clear that “whole language” and “balanced literacy” do not have a monopoly on “meaning.”

SB 614’s redefinition would be damaging. Whatever happens with the RICA is separate from SB 614’s insistence first on removing, and now on substantially weakening, language regarding scientifically validated reading instruction. The current language of SB 614 would open the way to using and making available for candidate testing research-based approaches to phonemic awareness, phonics and fluency, but also to a wide variety of other strategies that are not validated and may be counterproductive. It would eliminate provisions for frequent diagnostic assessments, which are vital for ensuring that students are learning what teachers are “teaching.” It would remove requirements that teaching be organized, systematic and explicit. These are key components for all research-based techniques.

There are complicated relationships between code provisions, standards, teacher expectations, and assessments. CAPCA has only recently become aware that SB 614 was being revived, after seemingly being abandoned last summer, and our members are struggling to grasp the specifics. Decoding Dyslexia CA, which has been working on this for far longer, is very concerned about how changing the definition of reading instruction would reverberate, to students’ detriment. They were not consulted until very late in the process, and have not been satisfied by recent changes in the bill. Relegating fundamental policy to behind-the-scenes processes in which key stakeholders are absent or underrepresented is not a sufficient substitute for containing guarantees of research-based instruction into statute.

Putting a requirement for scientific reading instruction into California law was a historic bipartisan victory of science over business-as-usual and over narrow self-interests, and the details were critical. While evidence has mounted for multisensory techniques for dyslexia, and there are new neuroscience-based interventions, though they remain controversial, the essential elements of the science of reading have not changed. They do not appear likely to change in the near future, either, as reading research is refining our existing paradigm, not identifying problems with it. What could easily change, if statutory language is watered down, is California’s commitment to implementing research-based instruction.

**3) Improve the RICA without changing existing law or change SB 614 to simply direct CTC to explore, or adopt, measures like those described below.**

Given historic and ongoing, implicit and explicit racism and growing racially linked class inequalities affecting all aspects of American life, it is not surprising that there is a racial gap in RICA passage rates between white and Asian candidates on one hand and Black and Latinx candidates on the other. There are many possible causes for this: stereotype threat in the test-taking process, unequal resources for private test preparation, unequal quality of public and private teacher preparation programs, unequal mentoring, personal histories of education discrimination, differences in financial wherewithal to take time for study, and differentials in anxiety for students for whom waiting a few months or spending a few hundred dollars is or is

not a major challenge. Whether the RICA lasts for 4 more years or 14 or 40, there appear to be simple fixes that would address both gaps in passage and overall low rates. We recommend that you urge modifications in the RICA which would alleviate many of the concerns that have been expressed as to disparate impact of the exam and incomplete reflection of Common Core standards. These would not require any change in current law.

Simple, virtually free, measures would include:

- a) Alleviate time pressures associated with the test. Currently, students must complete 70 multiple choice questions and four essay questions in 4 hours. While it is critical for students to understand and be able to explain early and advanced reading instruction, it is not critical that elementary and special education teachers write, or read, very quickly. Separating the exam into morning and afternoon sessions (with multiple choice during one part of the day and essay questions during the other, so that students cannot look up answers during breaks), and adding to allowable time, would allow students time to relax, eat lunch, and use the stress management techniques they often teach students. Time pressures are likely to weigh most heavily on students who know that statistically, their chances of passing are lower, and on students who know that having to retake the exam would pose significant hardship.
- b) Allow students to retake exams quickly rather than having to wait 45 days, as waits disproportionately affect financially struggling students and students who are anxious about the test due to the impact of racism or for other reasons.
- c) Allow students to “keep” a passing score on the multiple choice or essay section, if they take the written version, while retaking the part they failed.

An equally simple approach, that would cost some money but probably less than SB 614’s provisions, would be to make initial and/or retesting free.

Given California’s teacher shortage, it would make sense to make tests, or retests, free. Particularly for students whose scores are brought below passing by the multiple choice section, there is essentially no cost to the state in re-grading exams. To do this, the legislature would have to appropriate money so that CTC could eliminate fees for initial and/or re-tests. In addition to economic impact which is disproportionate based on socioeconomic background and, very relatedly, race, it is presumably more anxiety-provoking to take the test when the consequences of failure will be financially painful. It is also understandably demoralizing for candidates to work hard to become teacher, only to be subject to fees—which are very substantial for some of them—as they try to address California’s teacher shortage and serve vulnerable communities. This measure is not complex, but would remove a source of funding for CTC and require alternative means of financing the test.

More complex approaches would include:

- a) Figuring out why the performance option for the RICA—which has essentially equal, but lower, pass rates—is seldom used and results in lower pass rates. We see much value in a general test of the theory of reading instruction, and do not believe that brief recorded samples of students teaching a particular task are a good alternative. But the fact remains that this is an existing alternative, and given legislative interest in a performance rather than “book learning” assessment, it would be important to know what is going wrong with that assessment. In fact, performance assessment might be a reasonable addition, but not alternative, to a written test. That That information would be helpful in the event that ultimately the legislature does create a reading instruction portion of the CalTPA.

It is important to know whether students are failing to design good tasks for instruction, or failing at the level of implementation. We do not think it is feasible for beginning teachers to demonstrate the ability to develop sound teaching protocols for early literacy instruction. There are excellent programs, ranging from tightly scripted Direct Instruction programs to looser but still prescriptive programs like Language! and the Wilson Reading Program. The challenges are often to get Districts to acquire these programs and train and mentor teachers in their use, and to get teachers to adhere to these programs. Many of California’s problems stem from administrators’ and/or teachers’ reluctance to use research-validated programs as designed. The performance we need to test is implementing good programs, not coming up with them as a student teacher.

- b) Figuring out which teacher education programs have low first-time pass rates, either in general or for specific demographics, and more closely overseeing their coursework, via annual reporting systems that require faculty and student input, to ensure that it prepares students for the RICA. It appears common for education professors who are reluctant, ambivalent presenters of the currently accepted science of reading to underfocus on, or undermine, this instruction, forcing students to take private prep courses.
- c) Providing increased mentoring and skills remediation for students whose undergraduate or teacher education program grades or CBEST performances suggest that they may have trouble with a test that taps heavily into reading comprehension and writing ability. Perhaps create “gap year” prep courses between college and teacher preparation, or even between high school and college--such as those designed to open access to the medical profession for underrepresented groups and for students whose undergraduate work did not prepare them for the MCATs or for medical school.
- d) Working with Pearson to add content regarding multisensory instruction for students with dyslexia, additional content regarding instruction for English learners, etc. Test questions are continually revised. The scope of the RICA is already broad, but potentially could be improved. SB 614 would, in contrast, remove any requirement

that teachers demonstrate broad knowledge, judging them instead on self-presentation as they address narrow skills during brief videotaped interactions.

All of these approaches would unequivocally benefit teacher candidates, school districts seeking to hire them, and students. None would share SB 614's strong likelihood of producing ostensibly unwanted, though entirely foreseeable, consequences, including rushing unqualified teachers into "service" and opening the way for the already minimal research-based components of "balanced literacy" to fade more and more while whole language magical thinking about "natural" acquisition of reading skills assumes even greater prominence. Eliminating the RICA would eliminate what CTC correctly calls a broad and deep test of knowledge of reading instruction, replacing it with a requirement that students video themselves teaching narrow content to a particular grade level of students. Replacing the RICA with student-prepared videos would remove incentives for teacher education programs to educate teachers in the science of reading, as embodied in the RICA content standards. Too many professors of education have clung to outmoded "whole language" philosophies, even as their disparate impact on vulnerable students becomes more and more clear. Even with RICA and a strong statutory definition of reading instruction, it has been hard to get faithful implementation of science-based reading instruction. Without them, it would be even more difficult. Parents of students with disabilities would be pressed into litigation pursuant to federal law that is costly for all parties; other parents would have less or no recourse.

**4) If the legislature insists on phasing out RICA by 2024, it should not in effect do so immediately, as would be the effect of SB 614.**

The reason for phasing out the RICA is to allow time to create an alternative. But it makes no sense to phase out the current plan before a satisfactory replacement and all of its requirements, have been delineated. The SB614 path does not allow current law to remain in place if no satisfactory alternative in fact materializes, and there is ample reason to think it will not. SB614 virtually guarantees a system that fails to ensure competence by allowing vaguely specified coursework to substitute for a failed RICA exam, the bill in effect eliminates the RICA—as a requirement—immediately. The bill does not even specify that students have to take additional coursework after failing the RICA; they could apparently "substitute" the very coursework that resulted in failure. Or they could take the RICA before taking reading courses, not study, and take a class that they would have taken anyway after failing. At this point, there is not sufficient monitoring of teacher education program coursework for CTC to adequately supervise whether courses contained necessary content. Students might pass courses with barely passing scores, or via social promotion. The RICA allows for a substantial number of wrong answers, but that is uniform and known; allowing substitution of coursework would remove any state control over whether people are qualified to teach the foundational reading skills which provide the gateway for accessing education generally.

**5) Modify the COVID provision.**

Governor Newsom’s approach via Executive Order—suspending test requirements (at this point through August 31) but requiring that they be taken in order to achieve a clear credential—generally makes sense, though we suggest that the requirement be accelerated so that teachers demonstrate this knowledge insofar as feasible before working with students. There is no need to allow the RICA to be replaced by coursework, which could be barely passed, as SB 614 would do.