

Grossman, David M - WHD

From: Navarro, Montaniel S - WHD
Sent: Monday, November 1, 2021 12:31 PM
To: DeBisschop, Amy M - WHD
Subject: FW: FLSA and Teachers Powerpoint
Attachments: FLSA Teacher Exception Presentation 10.28.21.pdf

Fyi.

From: Garcia, Kristin M - WHD <(b)(6)@dol.gov>
Sent: Friday, October 29, 2021 10:31 AM
To: Navarro, Montaniel S - WHD <(b)(6)@dol.gov>; Davidson, Patricia J - WHD <(b)(6)@dol.gov>; Kravitz, Michael - WHD <(b)(6)@dol.gov>; Looman, Jessica - WHD <(b)(6)@dol.gov>; Brown, Brandon S - WHD <(b)(6)@dol.gov>; Dunbar, Lee A - WHD <(b)(6)@dol.gov>; Thomas, Terri - WHD <(b)(6)@dol.gov>
Subject: FW: FLSA and Teachers Powerpoint

FYI.

From: Nunez, Lucia B - OSEC <(b)(6)@dol.gov>
Sent: Thursday, October 28, 2021 4:07 PM
To: Looman, Jessica - WHD <(b)(6)@dol.gov>; Garcia, Kristin M - WHD <(b)(6)@dol.gov>; Treves, Valeria - OSEC <(b)(6)@dol.gov>
Subject: Fwd: FLSA and Teachers Powerpoint

PowerPoint attached!

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From: Alam, Lubna [NEA-GC] <lalam@nea.org>
Sent: Thursday, October 28, 2021 1:41:40 PM
To: Nunez, Lucia B - OSEC <Nunez.Lucia.B@dol.gov>
Cc: aobrien@nea.org <aobrien@nea.org>
Subject: FLSA and Teachers Powerpoint

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Lucia,

Attached is NEA's slide deck that we shared during our meeting today regarding the FLSA and teachers. Thanks for today's meeting - we look forward to discussing these issues further and in more detail.

All the best,

Lubna

Lubna A. Alam

lalam@nea.org

Staff Counsel, Office of General Counsel

National Education Association



FLSA

FAIR LABOR STANDARDS ACT

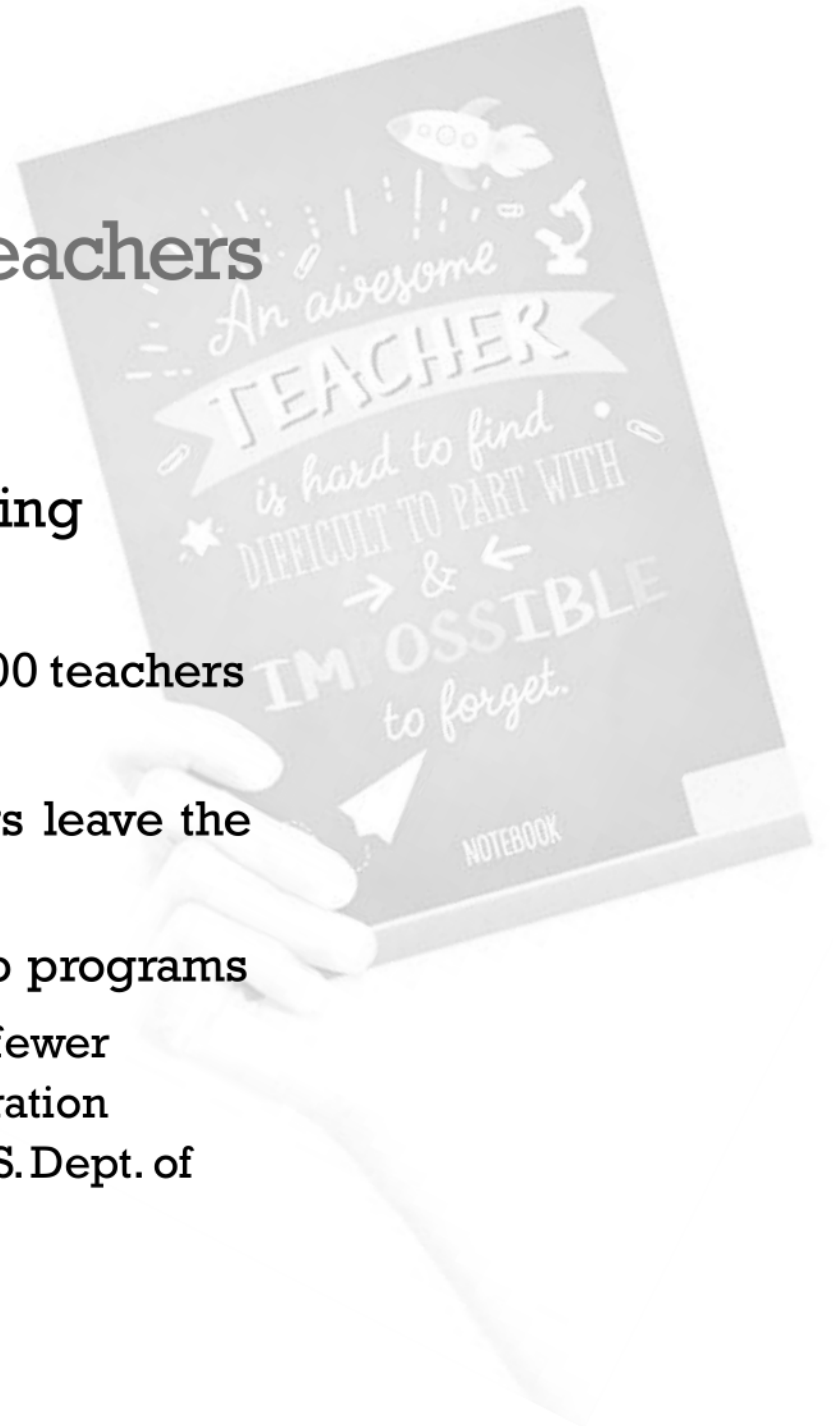
Needed Regulatory Reform of the FLSA Teacher Exception

Alice O'Brien, Lubna Alam, Dale Templeton & Stacey Pelika

National Education Association

Critical Ongoing Lack of Teachers Nationwide

- School districts have difficulty finding qualified teachers.
 - Estimated annual shortage of 100,000 teachers (LPI 2016)
 - High rates of attrition: 8% of teachers leave the profession annually (LPI 2016)
 - Plunging enrollment in teacher prep programs
 - In 2018-19, approximately 157,000 fewer students enrolled in teacher preparation programs compared to 2008-09 (U.S. Dept. of Ed.)



COVID-19 has Worsened the Shortage

- 2021 RAND Survey found 25% of teachers want to leave their jobs, compared to 16% pre-pandemic
- Shortage especially acute in math, science, special education, and bilingual education
- Shortage impacts student achievement and has significant turnover costs

Low Pay is a Major Reason for the Teacher Shortage



- **Teacher pay penalty: grown from 6.0% in 1996 to 19.2% in 2019 (EPI 2019)**
- **Teachers are paid just 80.8 cents on the dollar compared to what similarly educated college graduates are making in other professions (EPI 2019)**
- **48% of public school districts offer teachers a starting salary that is below \$40,000 (NEA 2019-2020 Salary Benchmark Report)**
 - **New teachers are unable to afford the median rent in the majority of U.S. metro areas**

Current Regulatory Language

- **Executive, Administrative, and Professional Employees are exempt from FLSA's overtime protections if they meet the duties test, salary basis test, and salary threshold test**
- **However per DOL regulations the salary basis and threshold tests do not apply to teachers. Teachers are exempt regardless of how little they make.**
 - **29 CFR §541.303**
- **Only other professions similarly excepted from the salary tests are doctors and lawyers**
 - **29 CFR § 541.600(e)**

Fair labor standards act

Teachers Deserve the Same Regulatory Salary Protections as Other Professionals

- **Significant number of K-12 teachers fall below the current salary threshold (\$35,568)**
 - **18% of school districts pay a starting salary below the current threshold**
 - **Preschool teachers (avg. salary: \$31,930) & many adjunct faculty also fall below current threshold**
- **Low paid teachers should not be treated the same as highly paid doctors and lawyers**
- **If salary threshold is raised without including teachers, teachers will fall further behind & wage penalty will increase**

Fair labor standards act

Teachers Deserve the Same Regulatory Salary Protections as Other Professionals

- **Applying salary tests to teachers will:**
 - **Raise base pay or create eligibility for overtime pay**
 - **Increase retention and encourage others to enter teaching**
- **Treats teachers the same as other white collar professionals – exempt when, among other things, salary is set to an appropriate level.**
- **This can be accomplished via regulation, by removing the current regulations excepting teachers from the salary tests**

Fair labor standards act

From: Garcia, Kristin M - WHD
Sent: Wednesday, May 25, 2022 10:42 AM
To: Fitzgerald, Dieera - WHD; Navarro, Montaniel S - WHD; Davidson, Patricia J - WHD; Kravitz, Michael - WHD; Onwubiko, Udochi - WHD; Worstell, Bonnie R - WHD
Cc: Looman, Jessica - WHD
Subject: FW: Updated Final - FLSA Teacher Exclusion Regulatory Ask
Attachments: 2022.25.5 End FLSA Teacher Exclusion Coalition Letter.pdf; 28284 FLSA Teacher Exemption White Paper_Final2.pdf

Wanted to make sure that you all saw this as well as this politico article:

Unions pressure Biden to make more teachers eligible for overtime pay

BY ELEANOR MUELLER, JUAN PEREZ JR. | 05/24/2022 06:03 PM EDT

The National Education Association is renewing its push for new regulations that would make more teachers eligible for overtime pay by bringing them under the umbrella of the Fair Labor Standards Act, according to union officials and two documents obtained by POLITICO.

Teachers are currently exempt from the law — as are doctors, lawyers, accountants and others considered to be working in “learned professions.” That means that they often are not covered by a Trump-era rule that made most workers earning less than \$684 a week, or \$35,568 a year, eligible for overtime.

Trade groups and employment attorneys are bracing for President Joe Biden’s Labor Department to roll out its own overtime regulation soon, which would likely hike that threshold to make more workers eligible. The teachers union cites the left-leaning Economic Policy Institute’s conclusion that a transformed FLSA rule would make 1.5 million K-12 and higher education teachers newly-eligible for overtime unless their employers raise their pay.

“We call on the Department of Labor to use its regulatory authority to raise compensation standards by eliminating outdated regulatory language that lumps teachers in with doctors and lawyers to deny teachers FLSA overtime protections, even where teachers are paid on an hourly basis or are paid less than the FLSA salary threshold,” NEA; other unions, including SEIU; and progressive groups like Center for American Progress wrote in a letter they plan to send to Labor Secretary Marty Walsh on Wednesday.

Doing so would be a “historic and long overdue step,” NEA President Becky Pringle said in a statement.

"Teachers are essential to our well-being, to our economy, and to our future, and they deserve good jobs," a DOL spokesperson said in a statement. "The Department of Labor is committed to listening to the experiences and concerns of teacher across the country and is looking forward to reviewing the National Education Association's letter."

The country's second-largest teachers union, the American Federation of Teachers, has not signed its name to the effort. But local affiliates, including Education Minnesota and United Teachers Los Angeles, whose teachers are members of both NEA and AFT, have.

The AFT declined to comment on the larger union's proposal.

This isn't the first time the NEA has raised the issue. The union also tried to press the Obama administration into changing the FLSA regulation, the labor group's top lawyer told POLITICO.

"We're raising it again now because it is a regulatory matter," said Alice O'Brien, NEA's general counsel.

"It is something that the Department of Labor has had in place by regulation since 1967, and it is long past time for the department to take a look at it because we believe it would be a very effective way of putting a floor under the teaching profession," she said.

If the change is approved, O'Brien said school districts would have a range of choices to make. They could pay educators more to bring them above the threshold for overtime eligibility; offer them compensatory time if they work more than 40 hours a week; or pay them overtime.

Of course, such choices would carry significant costs and staffing implications for K-12 schools. Higher education institutions would also be affected — the NEA notes the changes would benefit faculty members who teach on a contingent or adjunct basis, including those paid per-course.

"There are huge, enormous costs to how we are currently paying teachers," O'Brien said, when classes go unfilled or get staffed with teachers who don't meet state standards because schools can't recruit or retain workers.

"If you look at all the costs, over the long run, it is better to address this issue. Place the floor under the teaching profession, pay teachers like the professionals that they are in order to stabilize the profession, increase recruitment and retention in the profession over the long run," she said.

[A white paper will accompany NEA's letter](#) to Walsh that outlines how wages play into the ongoing teacher shortage. Low pay is a key driver of the trend, according to the paper: Hiking base pay, the authors write, would "reduce teacher turnover, particularly the turnover of less experienced teachers" and help increase workforce diversity.

Teachers "should be provided the same protections as other white-collar professionals whose exempt status depends not just on job duties, but also on salary," according to the white paper. "Making that change will benefit not just teachers but schools and students."

Teachers' average starting salary for the 2020-2021 school year was \$41,770, according to NEA.

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From: Van Schepen, Tess [NEA-CAO-CE] <TVanSchepen@nea.org>

Sent: Wednesday, May 25, 2022 11:05 AM

To: Looman, Jessica - WHD <(b)(6)@dol.gov>; Garcia, Kristin M - WHD <(b)(6)@dol.gov>; Treves, Valeria - OSEC <(b)(6)@dol.gov>; Nunez, Lucia B - OSEC <(b)(6)@dol.gov>

Cc: aobrien@nea.org; McNett, Keira [HQ-GC] <kmcnett@nea.org>; Alam, Lubna [NEA-GC] <lalam@nea.org>

Subject: Updated Final - FLSA Teacher Exclusion Regulatory Ask

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Good morning,

I wanted to circle back and share our final white paper on the FLSA regulation change and the coalition letter addressed to Secretary Walsh. They are both attached here and linked on our website below. I'm also including a link to our press release which accompanied the announcement this morning.

- [Ending the FLSA Teacher Exclusion](#) – website includes both the white paper and the coalition letter addressed to the Secretary
- [Press Release](#)

Thank you for the opportunity to share this with you and for considering the positive impact this could have on teachers across the nation.

Appreciate all you do,



Tess Van Schepen
Senior Advocacy Specialist, Strategic Federal Partnerships
National Education Association
Cell: 401-256-7179

The Honorable Martin J. Walsh
Secretary
United States Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20210

Re: Ending the FLSA “Teacher Exclusion” Regulation

Dear Secretary Walsh:

As organizations concerned about public education, workers’ rights, pay equity, racial justice, and women’s economic security, we write to you in support of the National Education Association’s (NEA) call to eliminate the teacher exclusion from the Fair Labor Standards Act (“FLSA”) regulations, 29 CFR §541.303(d).

The long-smoldering crisis of teacher shortages across the United States accelerated to a five-alarm fire during the COVID-19 pandemic. Low pay and the gap between teacher pay and that of other similarly educated professionals is one of the primary factors contributing to this shortage. In addition to the numerous ways this crisis impacts student learning, losses in this heavily female profession also undermine women’s economic security, particularly to the detriment of women of color.

We call on the Department of Labor to use its regulatory authority to raise compensation standards by eliminating outdated regulatory language that lumps teachers in with doctors and lawyers to deny teachers FLSA overtime protections, even where teachers are paid on an hourly basis or are paid less than the FLSA salary threshold.

The teacher shortage crisis is exacerbated by low pay and the teacher “wage penalty.”

There is no question that the COVID-19 pandemic has pushed many educators to their breaking point. In a January 2022 poll of NEA members, more than half (55%) of survey respondents said they were more likely to leave or retire sooner than they planned because of the pandemic.¹ Black and Hispanic teachers are the most likely to leave or retire early.² Addressing the current crisis is critical to efforts to increase the recruitment and retention of teachers of color in a profession that serves a student population that is predominately comprised of students of color.³

¹ GBAO, “[Stress and Burnout Pose Threat of Educator Shortages.](#)” (Jan. 31, 2022) (hereinafter, “NEA Survey”).

² [NEA Survey.](#)

³ As of 2018, just over 20% of public school teachers were teachers of color, whereas, the K-12 public school population is 53% students of color. [Department of Education, 2020 Title II Report](#); National Center for Education Statistics, [Percentage distribution of teachers, by school type, race/ethnicity and selected main teaching assignment: 2017–18](#); [Percentage distribution of students enrolled in public elementary and secondary schools, by race/ethnicity: fall 2018.](#)

The roots of the current crisis run deep. A 2016 report by the Learning Policy Institute (“LPI”) found that many school districts “had serious difficulty finding qualified teachers for their positions” and that, barring any major changes, the annual teacher shortage would reach about 110,000 by the 2017–2018 school year.⁴

Low pay and the “teacher pay penalty” — the gap between what teachers earn compared to other college educated professionals — drive the teacher shortage at both ends of the career trajectory, by increasing attrition and decreasing interest in entering the profession in the first place. “[T]eachers are paid less (in wages and compensation) than other college-educated workers with similar experience and other characteristics, and this financial penalty discourages college students from entering the teaching profession and makes it difficult for school districts to keep current teachers in the classroom.”⁵ Importantly, raising salaries is what educators themselves, in the January 2022 NEA survey, rated as the measure most likely to keep them in the teaching profession.⁶

The antiquated teacher exclusion regulation suppresses teacher wages.

The teacher pay penalty is not accidental or solely the result of historic devaluing of women’s labor. The regulatory anachronism at 29 CFR §541.303(d), which excludes teachers from FLSA protections regardless of how little they are paid and even if they are paid on an hourly basis, plays a significant role in suppressing teacher salaries.

A November 2021 report by the Economic Policy Institute (EPI) calculates the direct impact of the teacher exclusion on the lowest paid teachers. EPI estimates that of the 6.5 million teachers in all public and private schools, just over 1.5 million, or 23.8% of the total, would be affected if the blanket teacher exclusion were eliminated from the FLSA regulations.⁷ These 1.5 million teachers are either hourly or salaried but earn less than the weekly threshold for overtime eligibility (\$684 per week). Yet these teachers currently do not receive overtime when they work more than 40 hours per week because of the teacher exclusion.

Whatever rationale may have existed in 1967 to categorically deny teachers these FLSA protections without regard to salary, lumping teachers in with highly compensated lawyers and doctors while excluding them from the same FLSA protections that apply to all other

⁴ Leib Satcher, Linda Darling-Hammond, & Desiree Carver-Thomas, D., *A coming crisis in teaching? Teacher supply, demand, and shortages in the U.S.* at 1. Learning Policy Institute (2016).

⁵ Lawrence Mishel & Sylvia Allegretto, *Teacher pay penalty dips but persists in 2019*, Economic Policy Institute (Sept. 17, 2020).

⁶ *NEA Survey*.

⁷ The EPI estimates are based on data from the Current Population Survey and teacher weekly earnings as calculated by the Bureau of Labor Statistics; public and private school teachers include all teachers in preschools, kindergartens, and elementary, middle, secondary, and postsecondary schools, as well as special education teachers at all levels. John Schmitt, Heidi Shierholz, and Jori Kandra, *Expanding overtime protection for teachers under Fair Labor Standards Act*, Economic Policy Institute (Nov. 22, 2021) (hereinafter, “Expanding Overtime Protections”).

professionals, is nonsensical. In 2020, the median pay of doctors was \$208,000 per year; while for lawyers, the median pay was \$126,930 per year, more than double the median pay of K-12 teachers (\$63,645 in 2019-20).⁸ Starting salaries for teachers are so low that new teachers are unable to afford the median rent in the majority of U.S. metro areas.⁹ And while the vast majority of public school teachers are salaried, a substantial minority (approximately 10%) are paid on an hourly basis.¹⁰ Unlike other hourly workers who can earn overtime for hours worked above 40 hours a week, these teachers, simply by virtue of their job and despite their low pay, cannot.

Ending the teacher exclusion would benefit women, teachers of color, and underpaid early childhood teachers and higher education adjunct faculty.

As EPI's report demonstrates, ending the teacher exclusion would disproportionately benefit women, teachers of color, and younger teachers.¹¹ EPI breaks down by demographics the impact of removing the teacher exclusion, finding that it would directly impact a quarter (24.8%) of women teachers, 28% of teachers of color, and two-thirds (67.3%) of teachers under 25.

The regulatory change would also benefit two segments of the teaching profession that are historically drastically underpaid. EPI estimates that a third (33.1%) of those teaching preschool and kindergarten would gain FLSA protections. Preschool teachers are amongst the lowest paid professionals, with many preschool educators living below the poverty line: 43% of their families rely on public assistance programs.¹² This underpaid workforce is primarily women, with nearly half being women of color.¹³

The change would also benefit higher education faculty members who teach on a contingent or adjunct basis, including those who are currently paid on a piecework per course basis that often results in them earning far less than minimum wage. In a recent survey of adjunct faculty, a third reported earning less than \$25,000 a year, with another

⁸ U.S. Bureau of Labor Statistics, *Occupational Outlook Handbook: Physicians and Surgeons*; U.S. Bureau of Labor Statistics, *Occupational Outlook Handbook: Lawyers*; National Center for Education Statistics, Digest of Education Statistics: *Estimated average annual salary of teachers in public elementary and secondary schools, by state: Selected years, 1969-70 through 2019-20*. NEA's recent Rankings and Estimates report shows teacher salaries for 2020-21 increasing only 1.8% from the prior year, and inflation adjusted salaries declining by 3.9% over the past decade; the average starting salary was only \$41,770 in 2020-21. [NEA Rankings and Estimates Report](#) (Apr. 2022), at "Educator Pay and Student Spending: How Does Your State Rank?"

⁹ Erin Richards and Matt Wynn, *Can't pay their bills with love: In many teaching jobs, teachers' salaries can't cover rent*, USA Today (Dec. 16, 2019).

¹⁰ [Expanding Overtime Protections](#).

¹¹ *Id.*

¹² Caitlin McLean, Marcy Whitebrook, and Eunice Roh, *From Unlivable Wages to Just Pay for Early Educators 1-3*, Center for the Study of Child Care Employment, University of California, Berkeley (2019).

¹³ *Id.*

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third earning less than \$50,000 a year.¹⁴ Nearly 25% of adjuncts utilize public assistance programs, and 40% have trouble covering basic expenses.¹⁵

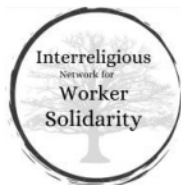
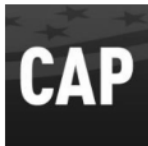
Conclusion

For these reasons, we call on the Department of Labor to eliminate the “teacher exclusion” at 29 CFR § 541.303(d) and 29 CFR § 541.600(e), and thereby provide teachers with the same protections under the FLSA as other professionals. This change should be included in the upcoming rulemaking, either as part of the forthcoming proposed rule, or at the very least, as a request for information to begin the process of considering this crucial regulatory change.

Sincerely,



Great Public Schools for Every Child



¹⁴ Colleen Flaherty, [Barely Getting By](#), *Chronicle of Higher Education* (April 20, 2020).

¹⁵ American Federation of Teachers, ["An Army of Temps,"](#) AFT 2020 Adjunct Faculty Quality of Work/Life Report.



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The National Education Association
Center for American Progress
The Center for Popular Democracy
Jobs with Justice
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National Employment Law Project
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**ENDING THE FLSA
TEACHER EXCLUSION:**

**PUTTING A FLOOR UNDER THE TEACHING
PROFESSION BY PROVIDING TEACHERS
WITH THE SAME WAGE AND HOUR
PROTECTIONS AS OTHER PROFESSIONALS**

MAY 2022

NATIONAL EDUCATION ASSOCIATION

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INTRODUCTION

The long-smoldering crisis of teacher shortages across the United States accelerated to a five-alarm fire during the COVID-19 pandemic. Low pay and the gap between teacher pay and that of other similarly educated professionals is one of the primary factors contributing to this shortage. The escalating crisis impacts student learning and the professional status and economic security of teachers, almost three-quarters of whom are women.

The U.S. Department of Labor must use its regulatory authority to raise compensation standards in the teaching profession. The Department can do so by rescinding its antiquated regulation that lumps teachers in with doctors and lawyers as the only professionals who are categorically excluded from the protections of the Fair Labor Standards Act.

THE CURRENT CRISIS IN THE TEACHER PROFESSION

The COVID-19 pandemic pushed many educators to the breaking point. A January 2022 poll of NEA members, found more than half (55%) saying they were more likely to leave or retire sooner than they planned because of the pandemic.¹ Black and Hispanic teachers were the most likely to leave or retire early.² And low pay is one of the key reasons why teachers are leaving the teaching profession and why people decide not to join the profession in the first place.

The roots of the current crisis run deep. A 2016 report by the Learning Policy Institute (“LPI”) found that many school districts “had serious difficulty finding qualified teachers for their positions” and that, barring any major changes, the annual teacher shortage would reach about 110,000 by the 2017–2018 school year.³ Once “indicators of teacher quality (certification, relevant training, experience, etc.) are taken into account, the shortage is even more acute than currently estimated, with high-poverty schools suffering the most from the shortage of credentialed teachers.”⁴

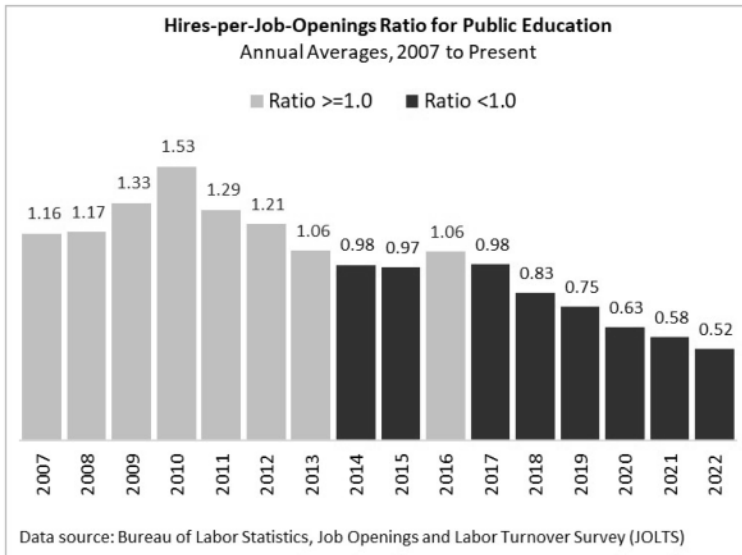
These findings predate the COVID-19 pandemic, which has exacerbated these longstanding shortages, par-

“ I work 70 hours a week, teaching and preparing lessons, while also trying to find time for my own two little girls.

It’s either teacher guilt or mom guilt! I usually grade papers at the kitchen table, and I fear that I’m neglecting my own kids who need my attention. That’s a struggle that so many educators are going through right now. We all go above and beyond, but there’s a lack of empathy, a lack of pay, and a lack of support. I don’t think people realize the mass exodus from the teaching profession that’s on the way. ”

– Lakeisha Patterson, who teaches reading, writing and social studies, Pasadena, Texas






ticularly in hard-to-staff subjects such as math, science, special education, and bilingual education. The difficulties public schools face in hiring and retaining qualified teachers are well documented. One baseline indicator – the ratio of hires to job openings in the public education sector (both K-12 and higher education) – has been declining for years and has reached new lows in the last few years. In June of 2021, the ratio of hires to job openings was 0.65 hires for every open position. Just three months later, in September 2021, it had fallen to 0.49 hires for every

open position, bringing the 2021 annual ratio down to 0.59 hires for each job opening. To date, the 2022 annual ratio is down even further to 0.52 hires for each job opening.⁵

These widespread staffing shortages in schools come at a time when the demands on educators have never been greater. Educators are attempting to meet the needs of students who lost parents and loved ones during the pandemic, and lost time with friends and in school as well. And educators are attempting to meet those needs in schools that are desperately short-staffed. A 2021 survey of 1,200 school and district leaders from across the country found that two-thirds of respondents reported teacher shortages, a record high, with 44% of these districts reporting difficulties with filling vacancies across all subjects and grade levels.⁶

The alarming number of teachers considering exiting the profession altogether spells further trouble. Since July of 2020, the percentage of NEA members reporting that they are more likely to leave or retire from the profession earlier than planned has almost doubled from 28% to 55% of members.⁷ Other mid-pandemic surveys confirm this disturbing trend. A January 2021 RAND survey found that almost one-quarter of teachers wanted to leave their jobs; in contrast, 16% expressed that view pre-pandemic.⁸ And the shortages themselves drive individuals out of the profession due to the stress and exhaustion of having to cover the workload for positions that have not been filled. In fact, 80% of members surveyed cited short staffing itself as a serious problem in schools.⁹



“As teachers, we say that we do not do what we do for the money – and that is true – but at the same time, we have families to support. About five years ago, I had little choice but to get a part-time job at the local Target because supporting my family on my teacher’s salary was just not possible. And when my student loans kick back in, paying our bills is going to be a real challenge.”

–John Ross, who has spent more than 15 years in the education profession, Aiken, South Carolina

LOW TEACHER PAY IS A KEY DRIVER OF THE CRISIS IN THE TEACHING PROFESSION

Low pay and the “teacher pay penalty” – the gap between what teachers earn compared to other college educated professionals – is a key driver of the crisis. “[T]eachers are paid less (in wages and compensation) than other college-educated workers with similar experience and other characteristics, and this financial penalty discourages college students from entering the teaching profession and makes it difficult for school districts to keep current teachers in the classroom.”¹⁰

Approximately 8% of the teacher workforce exited the profession each year even before the COVID-19 pandemic.¹¹ Notably, attrition rates are highest in the Southern U.S.,¹² where little collective bargaining takes place and teacher salaries are lower. The heavily unionized Northeastern U.S., where teacher salaries are the highest, has the lowest attrition rates.

As the Department of Labor has recognized, there is a “correlation between earnings and employee turnover – as earnings increase, employee turnover decreases.” 81 Fed. Reg. 32503 (May 23, 2016). Increasing base teacher pay reduces teacher turnover, particularly the turnover of less experienced teachers.¹³ Specifically, a 1% increase in teacher pay reduces the turnover rate by 1.4%.¹⁴ Importantly, raising salaries is what educators themselves, in the January 2022 NEA survey, rated as the measure most likely to keep them in the teaching profession.¹⁵

The teaching shortage is also the result of decreased interest in entering the teaching profession. Enrollment in teacher preparation programs has dropped dramatically. From 2010 to 2018, enrollment in teacher preparation programs nationwide declined by more than one-third even while overall enrollment increased in bachelor’s degree programs.¹⁶ In 2018-19, approximately 157,000 fewer students enrolled in teacher preparation programs than in 2008-09.¹⁷

Low teacher pay also harms efforts to increase the racial and ethnic diversity of the teacher workforce. As of 2018, just over 20% of public school teachers were Black, Hispanic, Native American or Asian; in

TEACHER SHORTAGES ERODE LEARNING CONDITIONS IN SCHOOLS

- A California study examining the impact of the pandemic on school staffing found that in all 17 of the school districts studied, districts were hiring teachers without full credentials and that all had shortages in traditionally hard-to-staff fields (math, science, special education, and bilingual education) and in substitute teachers.⁴⁹
- In Arizona, as of December 2020, 26% of teaching positions remained vacant a few weeks into the 2020-21 school year and just under half of positions (47%) were filled by individuals who did not meet standard teacher requirements.⁵⁰
- In Michigan, there was a 44% increase in midyear retirements in 2020-2021 school compared to the 2019-2020 school year.⁵¹
- In Indiana, 96% of school districts reported teacher shortages, which is the highest level in the past seven years.⁵²
- In Illinois, a 2020 survey revealed that 65% of school districts reported that the teacher shortage was worsening and hundreds of classes were cancelled due to the lack of teachers.⁵³ On top of the shortage of full-time teachers, there is also a widespread shortage of substitute teachers, which pushes yet more work onto already overburdened teachers who must give up valuable planning time to cover classes for which substitutes can no longer be found.⁵⁴

