



PARENT-TEACHER COMPACTS

Policy Brief
November 2020

INTRODUCTION TO NEW POLICY

How can policymakers connect students and teachers directly?

We believe policymakers can create new policy that will allow students and teachers to connect directly. Parents and teachers would sign written agreements called “Parent-Teacher Compacts.” These agreements would provide much needed flexibility *and* real opportunity for teachers and families to form deep, meaningful relationships.

What is a Parent-Teacher Compact?

A “Parent-Teacher Compact” is a written agreement between a parent and a teacher that would allow the teacher to oversee the education of a student. In return, the teacher would receive the same amount of funding from the state that a public school would have received if the student were enrolled in their residentially assigned school.

Background

Students need teachers and teachers need students. This perhaps could not be more obvious than in 2020 when COVID-19 shut schools down. In fact, UNESCO estimated that nearly 1.4 billion learners were separated from school due to the pandemic.¹ The student-teacher divide is acutely felt among families who earn less income. As Pew Research noted in September 2020, 59 percent of U.S. parents with lower incomes face digital obstacles in schoolwork.² Parents with means have supported their children by hiring their own teachers for small groups of families, and many are concerned that families without the means to hire teachers will fall behind.³ Some school districts, like Indianapolis Public Schools, are leading efforts to adapt to parent and student needs for in-person learning.⁴ And many school districts, including the most populous school districts in California, continue to rely heavily on distance learning.⁵

With so many students separated from teachers for extended periods of time, potential **learning loss could take a real financial toll.** A recent analysis by Eric Hanushek of Stanford University found that extended school closures might lead to “3 percent lower income over their lifetimes.” That could mean an annual decrease of 1.5 percent lower GDP for the rest of the century.⁶

However, even prior to the pandemic, **we know that public education has evolved and broadened over time.** Just look at *Brown v. Board of Education*. Writing the opinion for the majority, Chief Justice Earl Warren noted how much public education changed between 1866 and 1954 - from “rudimentary” curriculum and schools that only met three months per year to this statement, “In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education.”⁷ Since the 1990s we’ve seen public education evolve further with the advent of online learning, public charter schools and industry-led career technical education. These newer evolutions are not ubiquitous, **but public education will continue to evolve.** 2020 seems to be quickening the pace.

¹ March 24, 2020, “1.37 billion students now home as COVID-19 school closures expand, ministers scale up multimedia approaches to ensure learning continuity.” UNESCO, <https://en.unesco.org/news/137-billion-students-now-home-covid-19-school-closures-expand-ministers-scale-multimedia>

² September 10, 2020, “59% of U.S. parents with lower incomes say their child may face digital obstacles in schoolwork.” Pew Research, <https://www.pewresearch.org/fact-tank/2020/09/10/59-of-u-s-parents-with-lower-incomes-say-their-child-may-face-digital-obstacles-in-schoolwork/>

³ May 27, 2020, “Wealthy parents are paying to have their kids homeschooled by professionals for up to 5 hours a day, and it shows how the pandemic is widening the gaps in America’s education system.” Business Insider, <https://www.businessinsider.com/coronavirus-school-shutdowns-wealthy-parents-hire-private-educators-2020-5>

⁴ September 15, 2020, “Learning Pods for All, the Hoosier Way.” Center on Reinventing Public Education, <https://www.crpe.org/thelens/learning-pods-all-hoosier-way>

⁵ October 30, 2020, “Map: In-Person Instruction and Distance Learning in California.” EdSource, <https://edsources.org/2020/map-in-person-instruction-and-distance-learning-in-california/642324>

⁶ 2020, “The Economic Impacts of Learning Losses.” Hanushek, Woessmann, <http://hanushek.stanford.edu/publications/economic-impacts-learning-losses>

⁷ May 17, 1954, “*Brown v. Board of Education*.” US Supreme Court, <https://www.ourdocuments.gov/doc.php?flash=false&doc=87&page=transcript>



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SEVEN QUESTIONS ABOUT PARENT-TEACHER COMPACTS

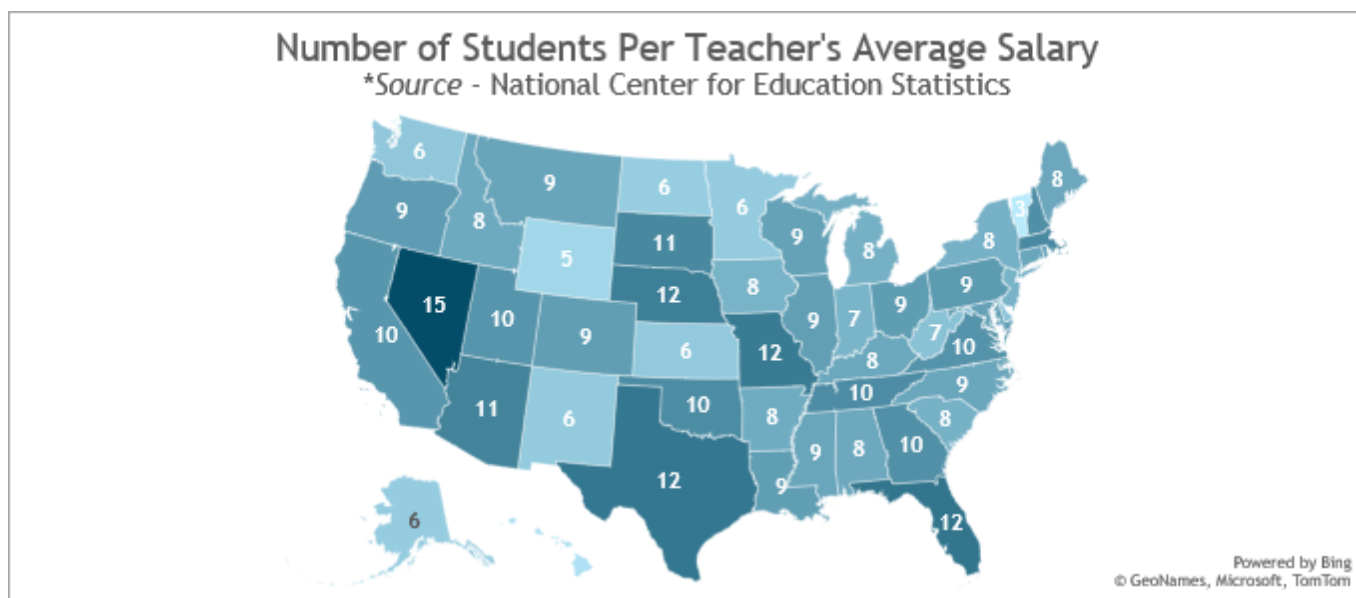
What could a Parent-Teacher Compact look like in practice?

- **It starts with a conversation.** A parent and a teacher would talk to each other about what they want and what they are willing to offer in a potential partnership. What kind of education does this parent's student require? And what kind of services is the teacher willing to provide or oversee? When and where would services take place? How often? The answers to these questions will serve as a basis for a written agreement.
- **A draft agreement is written.** The parent and teacher would sit down and go through the document together, making edits as needed until there is complete agreement about the text of the document. It should include a unique plan that meets the needs of each child in the compact since this document is the basis for the teacher-family relationship.
- **Sign the compact.** Once there is a verbal agreement, the relationship can be formalized with signatures and sending it to the proper authorities at the state-level so that the teacher could begin receiving payment.
- **The teacher begins overseeing and providing services.** At this point, the teacher would begin to execute the services detailed in the compact and the student would begin their tailored education program.
- **The state pays the teacher directly.** Teachers would receive at least the same amount that would be allocated to the student if they had been enrolled in their local public school, and the teacher could pay into the state teacher retirement system if they wanted to do that.

How many students would a teacher need to serve?

The answer to this question is ultimately decided by the teacher. If a teacher were to serve about 12 students, they could earn enough to equal a teacher's salary and benefits in 28 states. In the other 22 states, a teacher might need to work with about 15 or 16 students.

For data on each state see the table on page 10 called, "Estimated Number of Students Per Average Teacher's Salary."





What is the status of *students* who participate in Parent-Teacher Compacts?

The model policy has **two options**.

1. Students who are being served under the authority of a compact may be considered to be enrolled in a public education program under the direction of a teacher. If applicable, the parent-teacher compact would describe how, when and by whom special education services would be provided. Since funding is distributed directly to the teacher, the teacher would then provide *or* oversee the services to the student in accordance with the description of services in the Parent-Teacher Compact.
2. The second option is to make the program entirely non-public.

What is the status of *teachers* who participate in Parent-Teacher Compacts?

The model policy has **three options** depending on what policymakers decide what makes the most sense in their state.

1. The teacher is an independent operator.
2. The teacher is an employee of the state education agency for the purposes of benefits.
3. The teacher may be an employee of the state, a university, or a non-profit for the purposes of benefits.

In each case, teachers would have the ability to pay into the state teachers' retirement system if they wanted to.

And to protect students and families from fraud and abuse, we believe that teachers should be certified to teach in a public school. This is a check and balance on the flexibilities provided under this policy since poor behavior could result in the revocation of a teacher certification.

How would a teacher be paid?

The teacher would submit the written compact to the state, and the state would pay teachers directly based on the number of students they serve and base on the number of school days compact is in effect.

What happens if the agreement does not work for the family or the teacher?

The model policy requires Parent-Teacher Compacts to include a termination clause that would allow parents or teachers to terminate the compact for any reason. This allows for maximum flexibility.

Notice of the termination would be submitted in writing and the teacher's pay would be prorated for the number of school days the compact was in effect.

Can the agreement be changed?

If the parent and the teacher both agree to changes to the compact, then the compact could be amended at any time.



SEVEN PRINCIPLES FOR PARENT-TEACHER COMPACT POLICY

Students need teachers, and teachers need students. By developing Parent-Teacher Compact policy, state policymakers would create a new mechanism for connecting teachers and families directly. Here are seven principles to describe how this new policy could develop.

1. **Policy Based on Written Agreements Between Two Equal Parties** - We are proposing direct relationships between teachers and families. Similar to other areas of life, these relationships are based on and are guided by a written agreement elaborating what the teacher promises to do and what the families promise to do. In these agreements, teachers and parents are equal parties who mutually approve the terms of the service before is commenced. This policy empowers both the teacher and the parents to design and subscribe to a plan that makes sense for both parties.
2. **“Permissionless” Policy** - Neither parent or teacher should be required to ask permission from a school district or from anyone else to form mutually beneficial written agreement. Parents with means do not ask for permission to enroll their students in extracurricular activities or to hire a tutor. Similarly, no family should have to ask permission to develop deep, meaningful connections with a teacher, regardless of their socioeconomic status. This policy places parents and teachers in the driver’s seat.
3. **Disintermediated Policy** - This new policy would remove all of the administrative overhead that defines how and when teachers interact with students. By removing those buffers, we believe costs will become more efficient and services will be nimble. This would likely increase teacher take-home pay per student while also increasing the parent’s ability to access and collaborate the teacher directly.
4. **State-Level Policy** - By separating this policy from school boundaries, policymakers would create new opportunities for families whose educational opportunities have been previously limited by their home address. We know from the history of redlining that attendance boundaries can be unfair. This system would circumvent those imaginary lines by allowing teachers to connect directly with families across town or in another county.
5. **Flexible Policy** - Teachers and parents need the flexibility to design education services that work best for their student’s unique needs. That means the time, place, path, and pace of coursework should be determined by the teacher, the parent and no one else without their explicit permission. Student needs change over time. Therefore, the plan and services should be changeable. If the agreement is not working, then the teacher and the parent should have the flexibility to adapt in real-time.
6. **Policy with Built-In Checks & Balances** - In order to protect students and families against fraud or other poor behavior, teachers should be certified and pass background checks. This would allow the state-level teachers’ commission or some other appropriate state-level authority to disqualify teachers who do not operate in good faith. In order to protect the teacher *and* the family, a portfolio of student work that can demonstrate student progress over time should be curated by the teacher.
7. **Publicly Funded at the State-Level** - Every family should have the opportunity to connect directly with a teacher they trust. This new policy would fund Parent-Teacher Compacts directly, providing the teacher with the equivalent amount of state-level funds a public school would have received for serving the student. Teachers would receive the funding directly from the state and could participate in the state’s teacher retirement system. The teachers could access the same health benefits as state government employees, university employees, or employees of supportive nonprofits depending on what makes sense in your state.



MODEL LANGUAGE: THE PARENT-TEACHER COMPACT ACT

Note: This language is intended to be modified to meet the needs of state specific context. ExcelinEd is willing to consult with policymakers to adapt the policy based on input from in-state partners. This is not intended to be used at the federal level.

I. Short Title

This act shall be known and may be cited as the “Parent-Teacher Compact Act,” (the “Act”).

II. Legislative Purpose

The purpose of this Act is to:

- a. Increase learning opportunities for students;
- b. Establish new flexibilities for teachers and families;
- c. Empower families to create education solutions that fit the unique needs of their children;
- d. Empower teachers to serve students and their families in new and different ways;
- e. Create new professional opportunities for teachers; and
- f. Facilitate written agreements between parents and teachers.

III. Definitions

- a. A “parent” means any person who is the legal guardian of a child who is entitled to receive a free and appropriate public education under state statutes.
- b. A “teacher” means any person who is properly certified to teach in a public school in this state.

IV. Parent-Teacher Compacts

- a. Parents who are residents of the state may agree to a written compact with a teacher to oversee the education of and provide educational services to children in their legal custody.
- b. Teachers who are residents of the state and are certified to teach in a public school in the state may enter one or more compacts with one or more families to serve one or more students.
- c. Parent-Teacher Compacts shall contain, but are not limited to, the following:
 - i. The name of the teacher and verification of their certification;
 - ii. The name of the parent and their address;
 - iii. The number of students who will be served by the compact;
 - iv. A list of students and their identifying information who will be served by the compact;
 - v. A description of the services to be provided, including special education services if applicable;
 - vi. A termination clause that allows the parent or teacher to terminate the compact for any reason at any time; and
 - vii. The term of the compact.
- d. Once a compact between the teacher and the parent has been agreed and signed by both parties, the teacher shall submit a copy of the written compact to the state education agency.
- e. In order to facilitate the development of Parent-Teacher Compacts, the state education agency shall draft and publish on its website a simple compact template that may be used by parents and teachers.



V. Status of Students being served by Parent-Teacher Compacts

[Option 1: Students are part of the public education program and are eligible for special education services.]

- a. A student being served under the authority of a Parent-Teacher Compact that has been submitted to the state education agency shall be considered fully enrolled in a public education program under the direction of a teacher. If applicable, the Parent-Teacher Compact shall describe the special education services to be provided to students.

[Option 2: Students are not part of the public education program.]

- a. A student being served under the direction of a Parent-Teacher Compact that has been properly submitted to the state education agency shall not be part of the public education program.



VI. Status and Duties of Teachers serving Students under a Parent-Teacher Compact

- a. The teacher shall maintain a portfolio of records and materials. The portfolio must consist of the following:
 - i. A log of educational activities that is made contemporaneously with the instruction and that designates by title any reading materials used.
 - ii. Samples of any writings, worksheets, workbooks, or creative materials used or developed by the student.
- b. Teachers who are serving one or more students under the authority of a Parent-Teacher Compact shall offer to administer a standardized summative assessment to the student or students being served.

[Option 1: Teachers are independent operators who still have access to the state-level teacher retirement system.]

- c. Teachers who are serving students under the authority of a Parent-Teacher Compact may participate as members of the state teachers' retirement system in accordance with applicable statutes and rules.

[Option 2: Teachers are employees of the state education agency only for the purposes of receiving benefits and still have access to the state-level teacher retirement system.]

- c. Teachers who are serving students under the authority of a Parent-Teacher Compact may participate as members of the state teachers' retirement system in accordance with applicable statutes and rules.
- d. Teachers serving one or more students under a Parent-Teacher Compact shall be considered employees of the state education agency only for the purposes of health benefits and shall have access to the same benefits as other employees of the state education agency.
- e. The state education agency may charge teachers who are serving one or more students under a Parent-Teacher Compact an administrative fee for services of no more than or equal to one percent of state-level funds allocated to the teacher.

[Option 3: Teachers may be employees of the state-education agency, a public university, or non-profit for the purposes of receiving benefits. They would still have access to the state-level teacher retirement system.]

- c. Teachers who are serving students under the authority of a Parent-Teacher Compact may participate as members of the state teachers' retirement system in accordance with applicable statutes and rules.
- d. Teachers serving one or more students under a Parent-Teacher Compact may be considered employees of the state education agency, a public university, or a non-profit organization for the purposes of health benefits and shall have access to the same benefits as other employees, and may charge teachers an administrative fee for services of no more than or equal to one percent of the total of state-level funds allocated to the teacher.



VII. Funding

- a. For the purposes of funding, teachers serving students under Parent-Teacher Compacts that have been submitted to the state education agency shall be entitled to the same amount of state-level funding as a local education agency would receive if the students attended a public school in their district of residence.
- b. The state-level funding allocation for the Parent-Teacher Compact shall be distributed to the teacher by a public body or agency that distributes state-level funding.
- c. If the term of the Parent-Teacher Compact is less than a full academic year, then the amount of funding shall be prorated based on the number of days the compact is in effect.
- d. If the teacher or parent should terminate the compact for any reason, the teacher or the parent shall notify the parent and the state education agency in writing within five-business days of the date of the termination. The state education agency shall prorate funding to the teacher based on the number of days the compact was in effect.



ESTIMATED NUMBER OF STUDENTS PER AVERAGE SALARY: BY STATE⁸

State	State Funding ⁹	Enrollment ¹⁰	Dollars/Student	Avg. Teacher Salary ¹¹	Average Teacher Salary + Benefits ¹²	Number of Students Per Salary	Number of Students Per Salary + Benefits
Alabama	\$4,350,889,769	744,930	\$5,840.67	\$48,868	\$68,415	8	12
Alaska	\$1,600,510,184	132,737	\$12,057.75	\$68,138	\$95,393	6	8
Arizona	\$4,778,454,233	1,123,137	\$4,254.56	\$47,403	\$66,364	11	16
Arkansas	\$2,950,895,107	493,447	\$5,980.17	\$48,616	\$68,062	8	11
California	\$50,841,071,732	6,309,138	\$8,058.32	\$78,711	\$110,195	10	14
Colorado	\$4,602,298,815	905,019	\$5,085.31	\$46,506	\$65,108	9	13
Connecticut	\$4,494,453,268	535,118	\$8,398.99	\$72,561	\$101,585	9	12
Delaware	\$1,323,678,086	136,264	\$9,714.07	\$60,214	\$84,300	6	9
Florida	\$11,346,674,791	2,816,791	\$4,028.23	\$49,407	\$69,170	12	17
Georgia	\$9,439,804,455	1,764,346	\$5,350.31	\$54,602	\$76,443	10	14
Hawaii	\$2,534,177,466	181,550	\$13,958.56	\$57,674	\$80,744	4	6
Idaho	\$1,706,893,505	297,200	\$5,743.25	\$47,504	\$66,506	8	12
Illinois	\$13,710,764,136	2,026,718	\$6,765.01	\$61,602	\$86,243	9	13
Indiana	\$7,087,311,207	1,049,547	\$6,752.73	\$50,554	\$70,776	7	10
Iowa	\$3,732,323,605	509,831	\$7,320.71	\$55,443	\$77,620	8	11
Kansas	\$4,031,070,325	494,347	\$8,154.33	\$47,984	\$67,178	6	8
Kentucky	\$4,229,779,694	684,017	\$6,183.73	\$52,339	\$73,275	8	12
Louisiana	\$3,903,100,603	716,293	\$5,449.03	\$50,000	\$70,000	9	13
Maine	\$1,093,382,122	180,512	\$6,057.12	\$51,077	\$71,508	8	12
Maryland	\$6,625,702,909	886,221	\$7,476.36	\$66,961	\$93,745	9	13
Massachusetts	\$6,999,777,227	964,514	\$7,257.31	\$77,804	\$108,926	11	15
Michigan	\$12,224,089,504	1,528,666	\$7,996.57	\$62,200	\$87,080	8	11
Minnesota	\$8,762,296,202	875,021	\$10,013.81	\$57,346	\$80,284	6	8
Mississippi	\$2,415,768,694	483,150	\$5,000.04	\$42,925	\$60,095	9	12
Missouri	\$3,749,128,761	915,040	\$4,097.23	\$48,293	\$67,610	12	17
Montana	\$867,286,272	146,375	\$5,925.10	\$51,422	\$71,991	9	12
Nebraska	\$1,450,774,397	319,194	\$4,545.12	\$52,338	\$73,273	12	16
Nevada	\$1,780,379,970	473,744	\$3,758.11	\$57,376	\$80,326	15	21
New Hampshire	\$1,007,309,778	180,888	\$5,568.69	\$57,253	\$80,154	10	14
New Jersey	\$12,920,844,616	1,410,421	\$9,160.98	\$69,623	\$97,472	8	11
New Mexico	\$2,726,305,175	336,263	\$8,107.66	\$47,500	\$66,500	6	8
New York	\$28,253,045,478	2,729,776	\$10,349.95	\$79,637	\$111,492	8	11
North Carolina	\$9,057,842,222	1,550,062	\$5,843.54	\$49,837	\$69,772	9	12
North Dakota	\$1,014,778,816	109,706	\$9,249.98	\$51,618	\$72,265	6	8
Ohio	\$10,538,278,303	1,710,143	\$6,162.22	\$57,000	\$79,800	9	13
Oklahoma	\$3,007,742,301	693,903	\$4,334.53	\$45,245	\$63,343	10	15
Oregon	\$4,018,900,426	606,277	\$6,628.82	\$61,631	\$86,283	9	13
Pennsylvania	\$12,104,093,941	1,727,497	\$7,006.72	\$65,863	\$92,208	9	13
Rhode Island	\$1,087,360,868	142,150	\$7,649.39	\$66,477	\$93,068	9	12
South Carolina	\$4,867,687,461	771,250	\$6,311.43	\$48,598	\$68,037	8	11
South Dakota	\$540,408,258	136,302	\$3,964.79	\$42,668	\$59,735	11	15
Tennessee	\$4,629,304,419	1,001,562	\$4,622.08	\$48,456	\$67,838	10	15
Texas	\$23,339,969,145	5,360,849	\$4,353.78	\$52,575	\$73,605	12	17
Utah	\$3,183,264,667	659,801	\$4,824.58	\$47,244	\$66,142	10	14
Vermont	\$1,560,742,724	88,428	\$17,649.87	\$60,187	\$84,262	3	5
Virginia	\$6,565,660,972	1,287,026	\$5,101.42	\$51,049	\$71,469	10	14
Washington	\$9,846,364,237	1,101,711	\$8,937.34	\$54,147	\$75,806	6	8
West Virginia	\$1,917,055,724	273,855	\$7,000.26	\$45,701	\$63,981	7	9
Wisconsin	\$5,360,745,848	864,432	\$6,201.47	\$54,998	\$76,997	9	12
Wyoming	\$1,141,567,415	94,170	\$12,122.41	\$58,650	\$82,110	5	7

⁸⁸ Sources from the National Center for Education Statistics from the 2016 - 2017 academic year.

⁹ National Center for Education Statistics. Digest 2019 Table 235.20 - https://nces.ed.gov/programs/digest/d19/tables/dt19_235.20.asp

¹⁰ National Center for Education Statistics. Digest 2019 Table 203.20 - https://nces.ed.gov/programs/digest/d19/tables/dt19_203.20.asp

¹¹ National Center for Education Statistics. Digest 2017 Table 211.60 - https://nces.ed.gov/programs/digest/d17/tables/dt17_211.60.asp

¹² Bureau of Labor Statistics. To estimate benefits we added 40% of salary based on statistics released by BLS in 2020 which state that about cost of benefits for a state employee is about 38.1% in addition to the cost of the salary. <https://www.bls.gov/news.release/eccec.t03.htm>



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- **Juliet Squire**, who wrote about the concept of “Charter Teachers” for the American Enterprise Institute in June, 2020. Her proposal can be found here, [“Charter Teachers” to expand choice and transform schooling.](https://www.aei.org/research-products/report/charter-teachers-to-expand-choice-and-transform-schooling/) <https://www.aei.org/research-products/report/charter-teachers-to-expand-choice-and-transform-schooling/>
- **Lisa Snell**, who used the word “Permissionless” in a recent interview. The idea that parents should not have to ask permission to hire a willing and capable teacher is foundational to the concept. Her comments and ideas can be found here, [Customizing K-12 Education to Meet the Individual Needs of Students and Families.](https://www.newsbreak.com/news/2043687812314/customizing-k-12-education-to-meet-the-individual-needs-of-students-and-families) <https://www.newsbreak.com/news/2043687812314/customizing-k-12-education-to-meet-the-individual-needs-of-students-and-families>
- **Matthew Ladner**, who wrote about the concept of “disintermediation” for redefinED where he serves as an Executive Editor. His thoughts on the topic can be found here, [Disintermediation Grows in K-12 Education in Pandemic Pod Era.](https://www.redefinedonline.org/2020/08/disintermediation-grows-in-k-12-education-in-pandemic-pod-era/) <https://www.redefinedonline.org/2020/08/disintermediation-grows-in-k-12-education-in-pandemic-pod-era/>

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For more information about this policy, please email Sam Duell at sam@excelined.org.