

MINUTES OF THE HOUSE EDUCATION COMMITTEE

The meeting was called to order by Chairperson Kathe Decker at 8:30 a.m. on March 17, 2004 in Room 123-S of the Capitol.

All members were present except:

Representative Patricia Barbieri-Lightner- excused

Committee staff present:

Carolyn Rampey Legislative Research Department

Art Griggs, Office of the Revisor of Statues

Ann Deitcher, Secretary

Conferees appearing before the committee:

Kate Harris

Ashley Hermes

Brandon Miller

Peg Dunlap, KNEA

**HB 2872 - relating to evaluations of education employees.**

The Chair introduced Representative Bruce Larkin who in turn introduced three students from Nemaha Valley High School who testified in support of **HB 2872**. (Attachment 1).

A brief question and answer session followed.

Appearing in opposition of **HB 2872** was Peg Dunlap. (Attachment 2).

The hearing on **HB 2872** was closed.

The meeting was adjourned at 9:30 a.m. The next meeting is scheduled for Thursday, March 18, 2004.

March 17, 2004

Members of the House of Representatives Education Committee:

I am Kate Harris and this is Ashley Hermesch and Brandon Miller from Nemaha Valley High School. We are here today as proponents for House Bill # 2872, which is an act to impose more criteria with teacher evaluations by amending K.S.A. 72-9004.

Our intent with this legislation is to allow teacher evaluations to be more inclusive and to improve the quality of instruction. We believe that such legislation will only be beneficial. By adding two more criteria, chronic absenteeism and ethical conduct, to the evaluation process, the administrators will get a more widespread range of teacher's attributes. Also, adding pupil evaluations, will allow for a more complete assessment of teacher performance.

Chronic absenteeism of a teacher has negative effects on the students' education. Absent teachers are usually replaced with substitute teachers. This might be effective for a short period of time; however, in dealing with longer periods of time, it is not as acceptable. Statistics show by the time a student finishes his or her K-12 education, he or she will have spent an equivalent of one-full-year being taught by substitute teachers. A quality education is hard to obtain in this manner. We understand that some illnesses are unpreventable and quite serious and do not want to punish teachers for unfortunate circumstances; we merely want to ensure a quality education for students in classrooms where such circumstances may exist. These ailments are not always the educator's fault, and we understand that. However, there comes a point in time, when a teacher and administrator must realize when a teacher is causing more harm to students than helping them. This is why the chronic absenteeism of a teacher should be taken into consideration when evaluating a teacher's attributes.

A second attribute deserving of consideration is ethical conduct inside the classroom. Although ethical conduct speaks for itself, teachers should be held accountable to teach appropriate material that reflects the morals of a community and falls within the school's curriculum. Teachers should not be allowed to teach material or state opinions that may be offensive to some and that disrupt the learning environment. The first amendment does not guarantee teachers the absolute right to share opinions that are not ethically sound.

As present law stands, only an administrator can evaluate a teacher. However, the administrator is not always in the classroom with teachers; students are. By having pupil evaluations, the administrator and school will get a more concise evaluation of how teachers perform when the administrator is not present. Pupil evaluations would be a valuable asset to the evaluation process. Third-party documentation that is agreed upon by the board and teachers association can be included into performance evaluations. We understand that administrators are responsible for evaluations, but this is only one person's perspective. However, these sporadic evaluations do not always show the true nature of the teacher. Students are the only individuals who are in the classroom on a daily basis and see what goes on on a consistent basis. With pupil evaluations, the school system would get a wider variety of the attributes of a teacher. These evaluations could also benefit teachers by providing feedback for improvement and as praise for a job well done.

**House Education Committee**

**Date:** 3/17/04

**Attachment #** 1-1

We fully understand the complexity of being a teacher. We appreciate the hard work that many teachers put forth and we respect and admire them for that. However, the current methods of evaluation do not include important criteria that determine the overall effectiveness of a teacher. With the above-mentioned criteria added to the evaluation process, the quality of education that students receive will improve.



Peg Dunlap, Testimony  
House Education Committee  
March 17, 2004  
**House Bill 2872**

Madame Chairman, members of the committee, thank you for the opportunity to appear before you today and express our concerns about **HB 2872**. In short, we believe that the changes suggested by this bill are either unnecessary because they duplicate requirements already in the bill or unwise because they contradict quality practices in teacher evaluation. Let me begin with the latter.

Not long ago the Kansas House of Representatives passed a resolution honoring a particular Kansas teacher. You invited that teacher to speak on the floor of the House and, as she came forward, gave her a sustained standing ovation. You honored this teacher for her courage and high ethical and professional standards.

This teacher had discovered that a group of her students had committed plagiarism on a major biology project. She held them accountable to the school's cheating policy and she held them accountable to the grade weighting system that had been in place for years. And as a result, she awarded failing grades to some of those students.

These students took a different view of plagiarism and protested to their parents that they were treated unfairly – that somehow it had not been made clear to them that plagiarism was covered under the district's cheating policy. When the teacher was forced to change those grades to appease the complaining students and parents, she resigned. And you honored her.

I'd like you to imagine a different scenario. In this one she refuses to change the grades and the students don't take their case to their parents because these students know that state law requires that they evaluate the teacher and that their evaluations be considered in the teacher's overall evaluation. Just think for a moment about those evaluations.

Some argue that this is exactly what happens at the university level; that students participate in the evaluation of their professors. But other factors come into play at the university level. For example, there is no compulsory attendance law at the postsecondary level. Students are in that class because they want to be there not because they must. By definition, their

motives are different. Second, a high school student is at a decidedly different maturity level than a college student. Third, and most important, mandating evaluation by pupils is not consistent with what research on quality practices in teacher evaluation has found. That research, spanning 20 years, clearly states that for systems to be successful, the people who must implement the evaluation system, as both “producers” and “consumers” must be significantly involved in the decisions of what data to collect, from whom, and how. To mandate one particular set of information makes it highly likely that the evaluation system will not be successful.

As to the additions/changes in line 17, we believe that the term “professional deportment” already includes such considerations as absenteeism and ethical conduct. Adding those terms duplicates a criterion already in place. In my 18 years working with schools in Kansas on their teacher evaluation systems, I have never seen a system that does not already address these two items.

In summary, we believe that the changes suggested in HB 2872 are unnecessary and contrary to quality practices in teacher evaluation and we urge you to vote against them.