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Mark Desetti Testimony
House Committee on Education
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Good morning Mr. Chairman, members of the Committee. I appreciate this opportunity to speak to you today about the educator evaluation portions of House Bill 2634.

As you might expect, we are alarmed at the educator evaluation proposals contained in House Bill 2634.

The proponents of these proposals have suggested before Legislative Committees that these proposals are simply the implementation of the Kansas Educator Evaluation Program or KEEP which is under development at the State Department of Education right now.

I would suggest that you consider the following points:

- KEEP is a work in progress. It is currently being tested in the field in 17 school districts. KSDE intends to take the results of this field test, make alterations based on the findings, and have a second field test prior to launching the system. **KEEP is not ready to be implemented.**
- KEEP does not apply labels to educators or categorize them as in HB 2634. (HB 2634, section 3: p 3, lines 25-30)
- KEEP does not recommend percentages of student assessment results or mandate input from parents and students. (HB 2634, section 3: p 3, lines 34-41)

There are very serious problems with these proposals.

Student assessment results, and specifically state assessment results, would make up 50% of an educator's evaluation. This raises a number of questions.

- What about educators teaching in areas that do not administer state assessments?
- An over-reliance on state assessments for educator evaluation would result in more teaching to the test and a further narrowing of the curriculum – two of the points most often mentioned as a flaw in the Federal No Child Left Behind Act.
- Such an over-reliance on a single data source also fails to account for circumstances outside the teacher's and the school's control. For example, a child's parents might separate in the days before the state assessment; a grandparent might pass away; a tornado may pass exceptionally close to the student's home. These can all dramatically impact a student's performance on test day.
- The single data source also fails to provide for alternative assessment systems such as the one being utilized in the McPherson School District under a federal NCLB waiver.

The proposal makes parent and student input account for a minimum of 40% of an educator's evaluation.

- Studies in post secondary institutions have repeatedly shown that professors who have low expectations and hold students accountable for lower standards generally have significantly higher positive ratings from students. Why would this be any different in the k-12 system? I would refer you to just three of the many research studies and analyses done on this issue.
 - "Previous studies have found that students are more likely to give [good reviews to instructors who are easy graders or who are good looking](#). The Ohio State study -- in many ways larger and more ambitious than previous ones -- found a strong correlation between grades in a course and reviews of professors, such that it is clear that students are rewarding those who reward them."
Read more: <http://www.insidehighered.com/news/2007/01/29/evaluate#ixzz11ACAZvdx>
Inside Higher Ed

- “The Counterintuitive Nature Of Student Evaluations Of Faculty, Or, Raise Your Teaching Effectiveness Rating By Canceling Class!” **Read more:** <http://www.abe.sju.edu/proc2002/slagle.pdf>
- “If there is a dominant message in the responses to [my column about the dangers of relying on student evaluations](#) to assess teacher performance, it is, ‘It’s worse than you think.’” **Read more:** <http://opinionator.blogs.nytimes.com/2010/06/28/student-evaluations-part-two/>
- Studies of student ratings in the university setting also indicate that female and foreign-born professors have lower ratings than American-born males.
- Parent input would be dramatically skewed by personal opinions about such things as the amount of homework, the grades the student is earning, and any discipline issues the student may have had while with that teacher. These are not indicators of performance but of personal bias.

Terminating teachers with two years of “ineffective” ratings.

- This removes the need to even consider working to improve the teacher’s performance. In the worst case scenario, the principal could offer staff development and then sit back and wait for the second year to roll around.
- Teachers could be put on the fast track to termination simply by manipulating the students (or parents) that get assigned to that teacher.
- Teachers and principals would be less likely to seek positions in schools with challenging student populations or to welcome ELL or special education students into their classrooms.

The elimination of teacher input into evaluation

Eliminating professional employee appraisal procedures from the list of “terms and conditions of professional service” to be negotiated runs counter to the development of KEEP and statements made by proponents in presenting this part of the bill to the House Education Committee. It was pointed out repeatedly in supporting this proposal that the KEEP was being developed with the input of professional educators from all levels – lots of teachers were involved. Removing this language from the PNA ensures that locally developed instruments will be created without the input of the teachers impacted by those systems. Evaluation systems developed without teacher input have little chance of ensuring the confidence of teachers that the system is fair, reliable or reasonable.

We appreciate the removal of the requirement to post educator ratings on a public website as this would have serious negative effects. We would simply remind the Committee of some of those effects to reinforce our opposition to this provision which is still contained in the original bill, Senate Bill 361.

- A principal doing an excellent job in teacher evaluation and the improvement of those teachers found to be “progressing” or “ineffective” (to use the bill’s language) would find his/her job infinitely more complicated by the barrage of parent calls demanding that their child be removed from a teacher’s classroom.
- This has the potential of reducing the possibility of a weak teacher getting an evaluation to reflect that weakness. If the teacher has good rapport with parents and the students are happy, why would the principal put his/her neck on the line in trying to improve instruction. Principals need to be able to be honest with their staff and feel free to work with a teacher to improve.
- The public pillory would essential create a list of “blacklisted” educators. Principals would find it impossible to put students in their classrooms and the teacher would likely simply walk away instead of being motivated to improve or assisted in making improvements.

Finally, we would remind this committee that KEEP is not ready for implementation at this time. Commissioner DeBacker told the House Education Committee last week that KEEP was on a timeline congruent with the State Department’s work in seeking an NCLB waiver. She told the committee that there was no point in rushing and that the Department should be free to fully test and revise the system before full implementation in 2014. And in response to a question, she noted that the percentages in the bill “made no sense” and that teachers were right to “be concerned.”

We urge this committee to grant the State Department the time needed to really create a reliable, fair, and rigorous educator evaluation system. That work is on track and has the support and commitment of the entire education community. The educator evaluation provisions in Senate Bill 361 have little to do with legitimate evaluations and more to do with public punishment.