

SB2789

Relating to Education;
Performance Contracts;

RTTP

EDU/JDL, WAM



EXECUTIVE CHAMBERS

HONOLULU

NEIL ABERCROMBIE
GOVERNOR

Friday, February 3, 2012, 2:15 PM
State Capitol Room 225

Testimony of
NEIL ABERCROMBIE
Governor, State of Hawaii

To the Senate Committees on Education and on Judiciary and Labor
Senator Jill Tokuda, Committee on Education Chair
Senator Michelle Kidani, Committee on Education Vice Chair

Senator Clayton Hee, Committee on Judiciary and Labor Chair
Senator Maile Shimabukuro, Committee on Judiciary and Labor Vice Chair

SB 2789- Relating to Education

Chairs Takumi and Rhoads, Vice Chairs Yamashita and Belatti, and members of the Committees:

Thank you for hearing SB2789. I appreciate the Senate's leadership in addressing the important matter of educational accountability and improved learning for our children. I strongly support SB2789. It is a priority bill in the administration package for the 2012 legislative session.

SB2789 expands the Hawaii Revised Statute provisions for educational accountability established in the "Reinventing Education Act of 2004" (Act 51, Session Laws of Hawaii 2004). Based on Act 51, HRS 302A-1004 established a "comprehensive system of educational accountability to motivate and support the performance of students and the education system. This accountability system shall... (i)include an evaluation of effectiveness of complex area superintendents and principals in supporting students' achievement, safety and well-being and civic responsibility and the satisfaction of stakeholders affected by (their) work." SB2789 proposes to update the framework established by Act 51 and to align the framework with the current research on educational improvement as well as the State's Race to the Top plans which are included in the Department of Education's long term strategic plan.

SB2789 adds teachers to the list of educators evaluated based on their effectiveness. SB2789 also specifies that measures of students' achievement must be based on multiple measures, include the statewide assessment and other measures of student learning

objectives, and constitute at least 50 percent of the evaluation rating. SB2789 also clarifies that educators should receive an annual rating of their effectiveness.

Currently, the law allows the State to establish a performance management system. Under HRS 89-9(d), the employer and exclusive representative of bargaining unit members cannot agree to "any proposal which would be inconsistent with the merit principle... or would interfere with the rights and obligations of a public employer to... determine qualifications, standards of work and the nature and content of examinations(, and to) hire, promote, transfer, assign and retain employees in positions." Furthermore, HRS 302A-638:

establish(es) an evaluation program for all teachers and educational officers. The evaluation shall be performed at least once in each school year. The program shall define the criteria for evaluation and assign responsibility for the application criteria. The evaluation of a teacher or educational officer shall be on the basis of efficiency, ability and such other criteria as the department shall determine.

Though consultation with the Attorney General's office, we confirmed the State's authority to implement most aspects of the performance management system, with the exception of the effects of the evaluation on personnel (i.e., compensation). However, despite these clear guidelines in the law, the State's position on the scope of management rights could be challenged. We cannot afford that delay.

Therefore, this legislation is important to clearly establish this authority. The bill would also more clearly establish the Legislature's intent that the Department of Education should have a performance management system in which educators would receive an annual evaluation rating of their effectiveness and that teachers' contribution to student learning and growth would be a significant factor in determining the rating.

The educator evaluation is a critical component of the state's Race to the Top plan. Race to the Top reviewers identified the breadth and depth of community support for the state's plan as a strength of Hawaii's application. Letters of support for Hawaii's plan came from congressional and legislative leaders, business, community and civic organizations and leaders, and the Hawaii State Teachers Association, which provided a letter and an agreement of concepts. In its December 21, 2011 letter placing the State's Race to the Top grant on "high risk status," the U.S. Department of Education identified "ongoing delays in finalizing master and supplemental contracts between HSTA and the State have impacted the state's ability to make progress" as a major concern. The U.S Department of Education identified the Great Teachers Great Leaders and Zones of School Innovation projects as most affected by delays in achieving agreement between the State and the teachers' union. Affirming and clarifying the legal authority of the state to move forward with pilot then statewide implementation of annual educator evaluations with a rating of effectiveness will go a long way to addressing the U.S. Department of Education's concerns; in response to the early January tentative agreement with HSTA which contained a description of the performance evaluation on effectiveness and tied the evaluation to increases in salary, Education Secretary Arne Duncan congratulated Hawaii for "a major breakthrough." However, Race to the Top is only a small contributor to our motivation for action and support for a performance management system that includes a

robust evaluation system. Evaluation of educators' effectiveness provides the basis to support development of personnel, reward effective educators, remediate marginal educators, dismiss ineffective/unsatisfactory educators, identify highly effective individuals for leadership roles, and ensure equitable distribution of effective educators. It is the right thing to do for children. It is also the national and federal direction for educational improvement. Recent federal grants, current congressional proposals to reauthorize *No Child Left Behind*, and federal criteria for state waivers for *No Child Left Behind* include requirements from the Race to the Top framework.

DOE's plan to development the performance-based evaluation is thoughtful, is based on research and best practice, and will include feedback from educators. Evaluations must be fair and objective. DOE and HSTA had agreed to work on the evaluation development and implementation collaboratively; the early January tentative agreement with HSTA had included the DOE's commitment to professional collaboration with teachers and HSTA in the development and implementation of the performance-based evaluation tools and maintained protections for teachers against unfair evaluations. Currently, DOE is engaged in a two-year pilot to try out performance evaluation tools, provide teachers and principals opportunities for feedback, train teachers and principals, and establish systems of support. As I shared with you in my State of the State address:

We must continue our focus on our children and students' performance. We cannot wait any longer. We wanted to cross the Race to the Top finish line side-by-side with the HSTA. Make no mistake we will cross that finish line. Our students deserve no less.

Doing so requires that we use all management, administrative, legislative and legal tools we have at our disposal to implement an evaluation system that not only measures, but achieves student growth; turns around low-performing schools; and supports teachers in increasing their effectiveness. Your leadership in exercising the state's legislative tools to support improved teaching and learning is critical to improve outcomes for our children and for our state.

Thank you for your consideration.

Date: 02/03/2012

Committee: Senate Education
Senate Judiciary and Labor

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: SB 2789 RELATING TO EDUCATION.

Purpose of Bill: Provides the department the directive, means and flexibility to establish a performance management system that cultivates and supports highly effective educators and that implements our State's race to the top commitments.

Department's Position:

The Hawaii Department of Education appreciates the opportunity to testify and **strongly supports** this bill. In today's global economy, a solid education is essential for success. At the heart of the department's reform efforts is the belief that good teaching matters - a lot. In fact, research shows that we can virtually close the achievement gap when students are taught by effective teachers for three years in a row. Investing in the effectiveness of our teachers and leaders is the very best way that we can prepare students to succeed in college or a career. Under the current approach to evaluation, teachers do not consistently receive constructive feedback on their performance. The department has laid out a thoughtful process to develop and pilot tools in eighteen schools this year and seventy nine in 2012-13, a statewide pilot in 2013-14 and full implementation statewide in 2014-15. This legislation reflects national best practice. It focuses the annual evaluation on multiple measures, giving equal treatment to outcomes as well as instructional practice. The legislation also clarifies that the department has the same core expectations for teachers, administrators, and complex area superintendents. And finally, the language reinforces the department's authority and shows confidence in our planned direction. This legislative commitment is required by our Race to the Top plan, the federal School Improvement Grant funds, and request for flexibility under the Elementary and Secondary Education Act.



Statement of
Tabitha Grossman, Ph.D., Program Director, Education Division

before the

Senate Committee on Education

on

SB 2789

on behalf of

The National Governors Association

February 2, 2012

Good Morning,

Thank you, Senator Tokuda and members of the Senate Committee on Education, for allowing me to provide written testimony on SB 2789. At the request of Governor Abercrombie's staff, I have reviewed the draft legislation and offer the following remarks.

My organization, the National Governors Association Center for Best Practices (NGA Center) works to provide governors and their staff with consultative services on best practices in state policy. I lead work in the NGA Center on human capital policy. In my work, I offer guidance to governors and their key policy staff on topics that pertain to teachers and principals. I am a noted expert on educator compensation and educator evaluation. I currently lead a project that provides intense technical assistance to four states working to create state policies that support the rigorous evaluation of teachers.

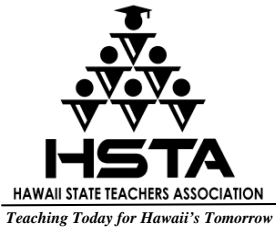
The proposed legislation establishes a comprehensive and aligned approach for evaluating educators. Using this as the foundation of Hawaii's educator evaluation system is not only considered a best practice in educator evaluation, but it also is consistent with what other states have adopted in the last 18 months. In addition, the research on educator evaluation consistently recommends that evaluation systems best serve teachers when they provide opportunities for educators to grow professionally through regular, high-quality feedback from evaluators and professional development that is tied to their evaluation results. Without the link between evaluation results and professional development, teachers will not be able to access the professional development that helps them improve their practice and thereby improves student achievement. This bill does just that and represents a concerted effort to ensure that Hawaii's evaluation system is supportive of educators and their professional development needs.

The bill codifies the need to make student achievement part of a teacher's overall evaluation rating, which is something seen in many states and is consistent with what now has been recognized as a best practice in educator evaluation. While the bill acknowledges the need to codify the weight given to student achievement in an educator's evaluation rating, it does take into account the need to measure other aspects of a teacher's professional practice. Research clearly points out that using only one measure (regardless of what measure that is) to determine an educator's effectiveness is both imprecise and inconclusive.

It is important to note that while the bill codifies that need to assign at least 50 percent of an educators' evaluation rating to student achievement results, it does not define what constitutes the other 50 percent of an educators' evaluation rating. Many states have not codified what constitutes the entire 100 percent of an educators' evaluation rating; however, they have used statute to grant the authority to make that determination to another governing body, in most cases, the state board of education. In other states, statutes have established an advisory committee that reviews research on the matter and makes recommendations to another governing body. Regardless of the approach you elect to use, I would suggest that you consider adding to this bill a requirement that the individuals assigned to evaluate educators are certified to do so. Many states have done this as an assurance to the individuals being evaluated and the public that person or persons evaluating educators have been adequately trained to do so and have passed an examination administered to them that certifies they have mastered the training provided and are ready to conduct evaluations. This will be of particular importance for evaluators conducting classroom observations in particular. Emerging research sponsored by the Bill and Melinda Gates Foundation indicates that in spite of rigorous training on how to conduct classroom observations, imprecision is found and that inter-rater reliability is difficult to achieve. Given this research, as well as what we know from states that have been using classroom observations for

years, training to conduct classroom observations for the purpose of *rigorous* educator evaluation that ties the results of those evaluations to high-stakes, such as employment, licensure, tenure, and compensation is very important.

Thank you for opportunity to review this bill. I applaud your efforts to create an aligned system of evaluation that supports educators and their professional growth. I think this bill represents a positive step in that direction. If I can provide any additional assistance to you, please let me know. Thank you.



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TESTIMONY BEFORE THE COMMITTEES ON EDUCATION AND JUDICIARY & LABOR

RE: SB 2789 -- RELATING TO EDUCATION.

Friday, February 3, 2012

WIL OKABE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chairs Tokuda, Hee and Members of the Committees:

The Hawaii State Teachers Association appreciates the opportunity to comment on SB 2789, a measure that grants the Department of Education the directive and flexibility to establish a performance management system.

We support the intent of SB 2789, as it emphasizes the importance of measuring students and rewarding teachers based upon results. However, the creation of a performance management system cannot be taken lightly and key provisions of this measure should be reviewed to ensure its practices are comparable to other local, national and international educational systems.

HSTA believes the creation of a performance management system will take more time, input and involvement of stakeholders. Evaluations must be based upon multiple facets of a student's performance and it cannot rely on a single measure such as a standardized test score. We must be able to measure a student not only through their test taking skills, but also through their long-term academic performance and growth as a person. Educators should have the opportunity to comment on the type of tools that will best measure student achievement.

Teachers' voices need to be heard and this remains very important to our members. Their right to fair evaluations and basic due process must be protected. All educators should be afforded the opportunity to make recommendations concerning the best interest of students and assist in establishing standards that are not arbitrary or capricious. Collective bargaining must be followed.

We remain committed to working with the DOE to secure Race to the Top funding, collaborating and designing a valid and reliable tool for assessing teacher effectiveness while preparing our students to compete in a global economy, college and be career ready.

Thank you for the opportunity to testify.



KANEOHE
RANCH

January 31, 2011

The Honorable Jill N. Tokuda, Chair and Members
Senate Committee on Education
The Honorable Clayton Hee, Chair and Members
Senate Committee on Judiciary & Labor
Hawaii State Legislature
State Capitol
Honolulu, HI 96813

RE: Testimony on SB2789 RELATING TO EDUCATION

Ladies and Gentlemen:

This testimony is submitted in support of SB2789.

On August 24, 2010, the U.S. Department of Education announced Hawaii as a winner of a \$75 million Race to the Top grant. The Hawaii DOE team proved we could compete successfully and we were one of eleven states and the District of Columbia to win, placing third in the final standings. We won because of a bold plan to improve education outcomes for all Hawaii's children. Nothing is more important to our State's future. Hawaii's 2011 NAEP scores showed the Department is making progress.

SB2789 provides authority needed to preserve Hawaii's Race to the Top grant. It provides the Hawaii Department of Education the directive, means and flexibility to improve educator effectiveness so that Hawaii's youth can achieve future success.

This bill will clarify the authority of the Hawaii DOE to implement an evaluation system for educators and improve outcomes for our students. It will allow the public to have assurances about the rigor of the DOE's performance management system and educators' evaluations based on effectiveness. In my occupation, professionals are evaluated based on diligence, hard work, team play and business success, with data as a component. Performance evaluation is essential to developing better staff members and professional workers.

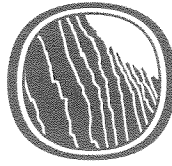
Although this writer hopes these matters can be achieved through collective bargaining, this legislation is needed to protect the Race to the Top grant.

I believe improved student outcomes are critical to the future of our state, and improving educator effectiveness is a key element to achieving those outcomes.

Thank you for this opportunity to testify and for your kind consideration of these matters.

Very truly yours,

H. Mitchell D'Olier
President and
Chief Executive Officer



HAROLD K.L. CASTLE
FOUNDATION

February 1, 2012

*Closing the achievement
and preparation gaps
in public education*

*Restoring nearshore
marine ecosystems*

*Strengthening Windward
Oahu communities*

Hon. Senator Clayton Hee, Chair, Senate Committee on Judiciary and Labor
Hon. Senator Jill Tokuda, Chair, Senate Committee on Education
Hawaii State Legislature
State Capitol
Honolulu, HI 96813

RE: Testimony on SB2789 RELATING TO EDUCATION

Dear Chairs Hee and Tokuda and Members of the Committees:

I am writing to express support for SB2789. This bill would require and allow the Hawaii Department of Education to improve the effectiveness of all of the state's educators through the establishment of "meaningful performance measures, rigorous evaluation, quality feedback for improvement, targeted teacher support, and opportunities and rewards for effective measures," as noted in the draft bill's preliminary language.

As you may know, the Harold K.L. Castle Foundation has invested in a variety of measures to eliminate the achievement gap and the college preparation gap in Hawaii, primarily through the improvement of instructional leadership in our schools. The Foundation recently committed \$10 million over the next four years to help the State to achieve five of the instructional-leadership goals contained in its Race to the Top plan. However, several of those goals are not achievable unless the state adopts ways to fairly and effectively tie teacher and administrator performance to the achievement of their students.

Recent empirical research makes clear that effective teaching matters more than any other single factor in the ability of students to succeed. Struggling students can catch up to their peers if they have high-quality teaching for several years in a row. Evaluation of teachers' effectiveness provides the basis to ensure equitable distribution of effective teachers, to help beginning teachers, and to identify those with teaching mastery who should be encouraged to take on leadership roles in their schools.

Already, nearly 300 teachers in 18 schools in Hawaii have participated in observations of their classroom practice this school year, as part of the design of a new, holistic evaluation effort that will include longitudinal student growth data, formative assessments, and student feedback.

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The purpose is not to punish but to support teachers, and to use such evaluations to more tightly focus teachers' professional development on their specific needs and those of the school.

Although I would prefer to see that these educator-effectiveness initiatives be included in existing and future contracts with teachers and administrators, the absence of contracts that currently contain such initiatives requires the state to adopt legislation quickly in order not to lose hard-won federal Race to the Top grant monies that can pay for the final design, training, and deployment of such a new set of strong performance evaluation measures. Therefore, I support this bill.

Thank you for the opportunity to submit testimony to your committees.

Sincerely yours,

A handwritten signature in cursive script that reads "Terrence R. George". The signature is written in black ink and is positioned above the printed name and title.

Terrence R. George
Executive Vice President and Chief Operating Officer

Erin Conner

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 01, 2012 2:23 PM
To: EDU Testimony
Cc: bak@kobayashi-group.com
Subject: Testimony for SB2789 on 2/3/2012 2:15:00 PM

Testimony for EDU/JDL 2/3/2012 2:15:00 PM SB2789

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: BERT A KOBAYASHI
Organization: Kobayashi Development Group LLC
E-mail: bak@kobayashi-group.com
Submitted on: 2/1/2012

Comments:

By way of introduction, my name is Bert A. Kobayashi, Chairman & CEO of the Kobayashi Development Group. The Kobayashi Development Group goes on record in support of SB 2789.

For many decades, the Hawaii public school system has failed to achieve national metric standards for our keiki o ka aina. While the most recent statistics demonstrate that our student's reading and math scores have improved—more improvements are needed.

The passage of SB 2789 will establish a mandate for the Department of Education to establish a performance management system and fast tract initiatives for our State's Race to The Top commitments. Moreover, SB 2789 will create an evaluation system factored with accountability of the administrators and educators to achieve scholastic goals as our children move on to the next level of learning.

A mediocre educational system with stagnant results should not be tolerated. All of the stakeholders must have a willingness to create and institute changes to ensure our education system achieve results.

Thank you for your favorable consideration on the passage of SB 2789.



Testimony to the Senate Committee on Education and Committee on Judiciary and Labor

**Friday, February 3, 2012
2:15 p.m.
Conference Room 225**

RE: Relating to Education – Senate Bill 2789

Chairs Tokuda and Hee, Vice Chairs Kidani and Shimabukuro and Members of the Committees:

My name is Gary Kai and I am the Executive Director of the Hawaii Business Roundtable. The Hawaii Business Roundtable fully supports SB 2789 that provides the Department of Education the directive, means and flexibility to establish a performance management system that cultivates and supports highly effective educators and that implements our State's Race to The Top commitments.

This bill will clarify the authority of the Hawaii DOE to implement an evaluation system for educators and improve outcomes for our students. It will allow the public to have assurances about the rigor of the DOE's performance management system and educators' evaluations based on effectiveness. In our member organizations, employees are evaluated based on outcomes, and performance evaluation is essential to developing better staff members and professional workers.

The members of the Hawaii Business Roundtable employ thousands of graduates of Hawaii's public school system, and helping educators improve their effectiveness through a strong performance evaluation system is important to the success of our children.

We believe improved student outcomes are critical to the future of our state, and improving educator effectiveness is a key element to achieving those outcomes.

Our members are prepared to be a part of, and support the vision created by the Race to The Top plan for Public Education in Hawaii.

Thank you very much for the opportunity to testify and we look forward to joining your efforts to improve Public Education in Hawaii.

Gary K. Kai, Executive Director
Hawaii Business Roundtable



46-063 Emepela Pl. #U101 Kaneohe, HI 96744 · (808) 679-7454 · Kris Coffield · Co-founder/Legislative Director

TESTIMONY FOR SENATE BILL 2789, RELATING TO EDUCATION

Senate Committee on Education
Hon. Jill N. Tokuda Chair
Hon. Michelle N. Kidani Vice Chair

Senate Committee on Judiciary and Labor
Hon. Clayton Hee, Chair
Hon. Maile S.L. Shimabukuro, Vice Chair

Wednesday, February 3, 2012, 2:15 PM
State Capitol, Conference Room 225

Honorable Chair Tokuda, Chair Hee and committee members:

I am Kris Coffield, representing the IMU Alliance, a nonpartisan political advocacy organization that currently boasts over 150 local members. On behalf of our members, we offer this testimony in opposition, with consideration for amendments to SB 2789, relating to education.

While the IMU Alliance sympathizes with efforts to improve Hawaii's education system, we feel that this bill fails to ordain policies proven to enhance student achievement and sets a bad precedent for future collective bargaining negotiations with teachers. Last month, 67 percent of voting members of the Hawaii State Teachers Association rejected a contract proposal that tied compensation to performance evaluations, sending a clear signal that teachers will not accept inequitable treatment from state officials. One of the prime complaints about the contract proposal, prior to its renunciation, was that too few details were disclosed about how evaluations would work. Though SB 2789 does not link pay increases to performance assessments, it is clear from positions taken by the state during contract negotiations that this connection is sought by the Department of Education. In fact, page 13 of the department's Phase 2 Race to the Top grant application specifically states, under item 3 relating to "Hawaii's Career and College Readiness Agenda" on cultivating and rewarding effective teaching: "HIDOE will cultivate a highly effective performance-oriented teacher and principal workforce whose evaluation, tenure, and compensation are linked to their effectiveness in facilitating student growth." The only logical conclusion one can draw from the RTTT grant language and state's hardline collective bargaining tactics is that the performance evaluation system devised under the ambiguous auspices of this bill will be used as a model for implementing merit pay at a later date.

The IMUAlliance wholeheartedly agrees with this bill's introductory claim (Section 1, page 2, lines 4-6) that “effective teaching is the school-based factor that contributes most to student achievement.” Unfortunately, state mandated performance evaluations do little to promote effective teaching without subsequent escalations in funding, availability of professional development programs, and classroom support. Moreover, evidence on the efficacy of performance evaluations in determining the effectiveness of educators is mixed, at best. For example, according to a 2008 study published by BYU economists Brian A. Jacob and Lars Lefgren in the *Journal of Labor Economics*, administrators, and specifically principals, were found to be generally capable of identifying teachers whose pedagogical methods produce the largest and smallest student achievement gains, but were far less capable of distinguishing the effectiveness of teachers falling in between those two poles. Granted, this bill does not specify an evaluation design or metrics to be used, leaving those decisions to the DOE. Section 2, §302A-1004(a)(11) of this proposal does, however, call for “an annual rating of performance that differentiates using at least four performance levels,” necessitating disaggregation of the messy middle ground—levels two and three, presumably—that Jacob and Lefgren's study shows is difficult to evaluate. Little incentive is given to strive for the highest effectiveness rating, too, if both the third and fourth levels of performance effectiveness result in the same consequence or reward system (since these levels cannot be linked to compensation sans collective bargaining consent), a problem that cannot be mitigated by establishing different professional development requirements for the second and third levels of effectiveness, since determining effectiveness at these two levels is, again, highly problematic. Thus, while we strongly oppose this measure, we urge your committee to consider revising the first sentence of Section 2, §302A-1004(a)(11) to read: “Establish an annual rating of performance that differentiates using at least three performance levels, as determined by the department,” thereby eliminating the messy middle. We would like to stress, however, that implementing this change will not in any way alter our staunch opposition to this measure, unless corresponding amendments are also made.

Finally, the IMUAlliance has concerns about the fiscal components of SB 2789. Here, the bill is problematic on two fronts. First, as stated before, the measure clearly appears intended to circumvent the collective bargaining process, denying teachers a seat at the table in designing and implementing performance assessments. Currently, §302A-1004 directs the DOE to design a comprehensive system of educational accountability, with no reference to the inclusion of other education stakeholders in the design or implementation process. Any evaluation system that excludes educators from the design process is destined to not only ostracize incumbent and prospective teachers, but also discount the insights and experiences of those professionals most involved with day-to-day instructional tasks. Second, performance assessments are likely to be a high-cost item, one that the DOE may not be able to afford at a time of fiscal restraint.

In order to rectify the aforementioned problems with this piece of legislation, the IMUAlliance urges your committee to consider several amendments. First, to ensure due process for teachers receiving an unsatisfactory rating, we encourage the committee to revise the first

line of §302A-1004(a)(11) to read: “Establish an annual rating of performance that differentiates using at least three performance levels, as determined by the department, and a procedure by which an educator may protest the validity of a rating he or she has been given. Second, we believe that the design of the evaluation system should come from a board, committee, or other body composed, in equal parts, of representatives from the DOE and educators or their representatives, such as the Hawaii State Teachers Association. Third, we feel that accurate evaluations require methodological transparency and that, therefore, a subsection §302A-1004(a)(12) should be added to the bill, stating: “Methods used in annually evaluating and rating the effectiveness of educators shall be clearly explained prior to enactment and made available upon request by any educator subject to evaluation.” Finally, to protect against the sole use of standardized test scores in assessments of student achievement as part of performance evaluations, we suggest that you revise §302A-1004(a)(10)(A)(iii) to read: “The measurement of students' academic achievement must consist of multiple measures to include statewide assessment and other student learning objectives, as determined by the department, and cannot be based ~~on a single~~ solely on standardized test scores.”

Again, we hope that your committee will not subvert the results of collective bargaining negotiations by expanding executive privilege and will, instead, leave the details of evaluations to future discussions between the state and teachers. That said, we do feel that our proposed amendments make this measure much more palatable and equitable to all affected parties. Mahalo for the opportunity to testify in opposition to SB 2789.

Sincerely,
Kris Coffield
Legislative Director
IMUAlliance

Testimony for EDU/JDL 2/3/2012 2:15:00 PM SB2789

Conference room: 225
Testifier position: Oppose
Testifier will be present: No
Submitted by: Mary Ann Sadaoka
Organization: Individual
E-mail: odysseyhaw@gmail.com
Submitted on: 1/30/2012

I have been teaching for many years and I have seen the devastating effects of No Child Left Behind and now with Race to the Top. It is not the fault of teachers that put the \$75 million the state was to receive from this program in jeopardy. Without adequate communication between all parties that are invested in our students' achievement and an environment of collaboration, there will be nothing but ill will on all sides, not results.

Now we are rushing through legislation, that while it sounds good, leaves much to be desired. The bill mentions multiple assessments of teachers' effectiveness which is good, since teaching to a test severely limits a student's learning, but when you tie that to 50% of student achievement, we have a problem. How is student achievement measured? How do we judge whether a school has met annual yearly progress? With a test! To base compensation, etc. on 50% student achievement is really unfair to teachers the way student achievement is currently measured. No one has ever addressed how a student with severe disabilities or English as a second language will meet annual AYP with a one dimensional test as it is currently done. Also, it is going to take the entire community to increase student achievement---the parents or guardians at home, the state in providing resources to children outside of the school setting to secure safe after school learning environments as well as resources made available to schools to allow the one on one that would be necessary for those who are severely behind grade level.

Please do not rush legislation where other avenues should be pursued where all parties at stake have a strong commitment rather than having it be mandated by law! We do not need more legislation to improve our schools, we need commitments and resources!

Mara Saltzman Matsumura

Dear Hawaii State Legislators:

I am a special education, elementary school teacher on the Big Island of Hawaii. I am pleased that educational reform is at the forefront of Hawaii legislation recently and I sympathize with the intent of SB 2789. We all want better schools. However, I am writing to you in strong opposition to SB 2789.

In the way that it is currently written, too many doors are left open to bad reform. It is like what tell my students when I direct them to revise their work: Please go back and rewrite it by using specific, supporting details to clarify your stance. Cite research-based evidence and take out vague terms. Provide means for the teachers (who will carry out the plans laid out in the educational reforms) to shape the evaluation system and report on its success or failure.

After reading the bill, I still don't see how administrators and principals will be held accountable for school improvement. Will this acted bill actually promote parent involvement and positive teacher discourse that can lead to involvement by all stakeholders (teachers, parents, and community members)? Specifically how will this enacted bill help build mentorship with schools? What will be required of principals and other administrators? What will prevent administrators from making rushed and uninformed observations, assessment decisions, and personnel decisions? What will prevent administrators and principals from making arbitrary personnel decisions? When the bill mentions "flexibility for innovation," I wonder what happens when administrators choose to disregard innovative and research-based educational practices for ones that are self-serving? What happens when the assessments and newly "required" teaching practices become discriminatory towards disabled students who require interventions that fall outside the norm or benchmark that is set by people at the state level who don't know the specific children?

I believe that teacher input is essential at this crucial point in educational history in order to design an evaluation system based on actual growth of students and meaningful teacher contributions in schools. When school systems and principals value teacher input, they will be better able to recruit and retain the best and brightest teachers. Critical thinkers and good planners analyze issues from all sides and discuss the possible repercussions before taking action. I fear that leadership will be able to silence the voice of teachers who propose flexibility, change, and innovation when they implement an evaluation system that does not clearly layout the value of teacher contributions in schools. A school without vocal and participating critical thinkers and planners will have thoughtless followers leading 21st century children into the future.

My concern with this bill is rooted in the dysfunction of administration and leadership in Hawaii schools today. Over the years here in Hawaii, I have silently questioned the effectiveness of

Mara Saltzman Matsumura

some principals because they have failed to fairly evaluate (or even evaluate) teachers in recent years, because they fail to employ research-based strategies in their staff development and parent outreach, because they don't understand how to analyze student work and scores, because they fail to provide consistent school-wide data reporting systems that aid teachers in their own monitoring of the actual growth of ALL learners, and because they don't personally know many of the students in their own schools. Many schools have been already outsourcing these critical and essential leadership tasks to consultants and teacher coaches, who in essence, exercise more power over school reform than the administration, teachers, and parents. Some of these consultants cost individual schools tens of thousands of dollars a year.

I see that principals have great difficulty getting the required Pep-T evaluations done at the current rate for probationary and tenured teachers. I heard from colleagues across the state that principals don't have time to visit their classrooms and often complete "ghost" or phony evaluations just to get it done. Does the state have a plan to support principals in getting the evaluations done and for ensuring that the evaluations are based on actual, reliable pieces of evidence? Is there a plan for validating evaluations that remove teachers from their positions or deny teachers the salary steps or merit pay? Legislators, I urge you to make certain that systems are in place BEFORE legislation is passed. Safeguard the schools and the future of education in Hawaii by enacting codes that prevent administrators from making arbitrary decisions regarding a teacher's employment status. The way this bill is written makes it all too easy for administrators to silence employees with opposing opinions within the schools and to replace or alienate experienced and effective teachers.

A consistent, fair evaluation plan for all of Hawaii's public school pre-K-12 teachers is a massive undertaking for the state, particularly with its multiple islands, unique communities, unequal distribution of resources, and varying needs in rural to urban environments. Is the state ready to take on designing a valid, effective system for the consistent evaluation Guidance Counselors, Student Service Coordinators, Resource Teachers, Inclusion Special Education Teachers, Self-contained Special Education Teachers, Resource Room Special Education Teachers, Pre-school Teachers, Librarians, Computer Technology Teachers, Physical Education Teachers, and Teachers of the Gifted and Talented, Elementary Teachers, Secondary Teachers, Art and Music Teachers, etc.?

I also have numerous concerns about the student learning objective outcomes and assessments that will be used to evaluate teachers. Hawaii's State Alternate Assessment (HSAA) is still a "baby" in-the-making. The HSAA, the way it is now, has just three years of failed attempts to assess the most profoundly disabled students based solely on-grade benchmarks. This HSAA is not a reliable measure of student growth for the most profoundly disabled students. Let's take a moment to look at how we are currently assessing the most intellectually-disabled students.

Mara Saltzman Matsumura

In the state's effort to provide equal opportunity and the same learning opportunities to all children, some might say that the state is forgetting to meet students where they are. How could we possibly get academically challenged students to where they need to go if we don't meet them at the level where they really are? Please, before you enact this bill, look at the Hawaii State Alternate Assessment and see if it's reliable, "cheat" proof, and practical for the most profoundly disabled students. Principals and administrators may not really know what the Hawaii State Alternate Assessment (HSAA) entails and may wrongly dismiss teachers required to give the HSAA to students who have no chance of passing them. I hate to say that students have no chance of passing because I really believe in equal opportunity. However, I always question if we are wasting our time when we spend less on toileting skills for some disabled students and more on abstract reasoning. For example, how could a student that can't add $3+4$ possibly multiply a fraction? In the end, it's not equal opportunity, any way you look at it, when we don't have time to reinforce students' current abilities, build on what they know, and provide them with needed life skills because we are too busy teaching students who can't talk, count by 1's, or use the toilet independently how to form inferences, multiply fractions, or calculate volume.

Legislators, I implore you to consider these issues that I have raised here before you enact this bill. In your efforts to fix the system, to measure actual student growth for all students, and to hold all accountable, please don't forget about the experts among your teacher constituents. Hawaii teachers know how the larger system plays out within the classrooms and these are the people who can who can predict possible pitfalls. After all, the classroom is the most important place in all of this education legislation. We teachers can help make it work, if you would just listen to us.

Sincerely,

Mara Saltzman Matsumura

Teacher in Hilo (Waiakea Complex) and Resident of Kea'au in Puna

Testimony for EDU/JDL 2/3/2012 2:15:00 PM SB2789

Conference room: 225
Testifier position: Oppose
Testifier will be present: No
Submitted by: Candace Chun
Organization: Individual
E-mail: cachun@hawaii.rr.com
Submitted on: 1/31/2012

To all concerned,

I am taking a few precious minutes away from my extremely busy schedule in planning a statewide conference three weeks from now for 660 students of Hawaii HOSA (Health Occupations Students of America), since I have three state officers, to help you understand what a travesty it would be to try to take away tenure status from Hawaii's public school teachers. I am upset that I would have to do this at all. It's 12:35 in the morning on a school night...who says we don't work on our own time?

This is a direct attack on our membership, our profession, and a lack of recognition and respect for the valuable service that our veteran teachers provide to the State of Hawaii. With the recent rejection of a proposed contract, we are being bullied left and right. The animosity it creates would be very dangerous. Why would you want to hurt the teaching profession by attacking teachers with this issue? Adopting such legislation would be a violation to our statutory and Constitutional rights to collectively bargain over wages, hours, and conditions of work. When I got into teaching, my tenure was earned after an agreed upon process of probationary training, which I passed with flying colors. I additionally have worked throughout the years to improve my teaching through numerous course offerings and conferences in my area of "expertise". The learning never ends, and I have made this a lifetime goal to be the best I can be for my students and profession. I know of many other teachers that have also done the same.

Tenure has always been a big reason that I have dedicated my life to teaching as a 30-year veteran. While it seems to the public like it is protective to poor teachers, it has also been a major incentive to teach in our public schools. There is little compensation for the daily work we do, even into the evenings, weekends, holidays and breaks. (For example, I plan all year long for our summer national conference, unpaid, where I usually work with 10-24 students per trip during a week, 24/7. Preparations for this one event takes months of extra time to do so.) Then there's all the directives that we face each year to change/adjust our curriculum or teaching style. It is difficult to keep changing according to each trend that we follow stemming from our mainland counterparts. Tenure is a major incentive for attracting and retaining people in teaching, while we face a real shortage of qualified individuals. Although some people prefer to work in private industry, it takes special people who want to work with all types of students from various socioeconomic, cultural, and disadvantaged backgrounds.

I urge all of you to not support this piece of legislation designed to attack our hard working teachers.

Candace Chun
Mililani High School
Health Services Pathway Teacher

Erin Conner

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 31, 2012 10:28 AM
To: EDU Testimony
Cc: dkideoka@hotmail.com
Subject: Testimony for SB2789 on 2/3/2012 2:15:00 PM

Testimony for EDU/JDL 2/3/2012 2:15:00 PM SB2789

Conference room: 225
Testifier position: Oppose
Testifier will be present: No
Submitted by: Keith Ideoka
Organization: Individual
E-mail: dkideoka@hotmail.com
Submitted on: 1/31/2012

Comments:

Testimony for EDU/JDL 2/3/2012 2:15:00 PM SB2789

Conference room: 225

Testifier position: Oppose

Testifier will be present: No

Submitted by: Dawn Ravae Todd

Organization:

E-mail: ravaetodd@hotmail.com

Submitted on: 1/31/2012

Aloha,

I wish to submit testimony of my opposition to SB 2789. I do believe in accountability for student achievement. But I still want the collective bargaining process to be honored. I am encouraged that all stakeholders are actively designing and refining a tool to be agreed upon for implementation. However, I fear that the passing of this bill will force an inferior model of evaluation to be adopted to simply jump through a hoop presented in our RACE TO THE TOP with little regard to the impact it will have upon the educational process in the future,

Erin Conner

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 31, 2012 2:49 PM
To: EDU Testimony
Cc: jamie_psak@notes.k12.hi.us
Subject: Testimony for SB2789 on 2/3/2012 2:15:00 PM

Testimony for EDU/JDL 2/3/2012 2:15:00 PM SB2789

Conference room: 225
Testifier position: Oppose
Testifier will be present: No
Submitted by: Jamie Psak
Organization: Individual
E-mail: jamie_psak@notes.k12.hi.us
Submitted on: 1/31/2012

Comments:

Dear Senators Tokuda and Hee and members of the Education and Judiciary and Labor committees,

I am opposed to this bill passing.

Thank you for your consideration,
Jamie L. Psak

Testimony for EDU/JDL 2/3/2012 2:15:00 PM SB2789

Conference room: 225
Testifier position: Oppose
Testifier will be present: No
Submitted by: Colleen Pasco
Organization: Individual
E-mail: pascocj@gmail.com
Submitted on: 2/1/2012

I am writing in opposition to SB2789. I am a 27-year DOE teacher and I have no problem with being evaluated, on an annual basis or on the current five year rotation. What concerns me about this bill is how these evaluations will be conducted. The tendency lately has been to use the Hawaii State Assessment to make blanket judgments about teachers and public school. Teachers do not grade students based on just one test, why should teachers be “graded” on the results of one student test?

I support accountability and evaluations that are reliable and valid. To this end, it is important that teachers are included in the development of an effective evaluation tool. Collective bargaining is very important to me and many other teachers. Legislation that bypasses negotiations disrespects educators and violates our state constitutional right to collective bargaining. Let the teachers and the Department of Education work together to develop and implement this new evaluation process, and defeat this proposed legislation.

Colleen Pasco
P.O. Box 597
Kapaau, HI 96755

Erin Conner

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 01, 2012 11:43 AM
To: EDU Testimony
Cc: mariarossman@yahoo.com
Subject: Testimony for SB2789 on 2/3/2012 2:15:00 PM

Testimony for EDU/JDL 2/3/2012 2:15:00 PM SB2789

Conference room: 225
Testifier position: Oppose
Testifier will be present: No
Submitted by: mariarossman
Organization: Individual
E-mail: mariarossman@yahoo.com
Submitted on: 2/1/2012

Comments:

Erin Conner

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 01, 2012 11:43 AM
To: EDU Testimony
Cc: simonsayz@hawaii.rr.com
Subject: Testimony for SB2789 on 2/3/2012 2:15:00 PM

Testimony for EDU/JDL 2/3/2012 2:15:00 PM SB2789

Conference room: 225
Testifier position: Oppose
Testifier will be present: No
Submitted by: constance
Organization: Individual
E-mail: simonsayz@hawaii.rr.com
Submitted on: 2/1/2012

Comments:

Erin Conner

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 01, 2012 1:15 PM
To: EDU Testimony
Cc: celia_frost@notes.k12.hi.us
Subject: Testimony for SB2789 on 2/3/2012 2:15:00 PM

Testimony for EDU/JDL 2/3/2012 2:15:00 PM SB2789

Conference room: 225
Testifier position: Oppose
Testifier will be present: No
Submitted by: Celia Frost
Organization: Individual
E-mail: celia_frost@notes.k12.hi.us
Submitted on: 2/1/2012

Comments:

Erin Conner

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 01, 2012 1:10 PM
To: EDU Testimony
Cc: plstanfield@gmail.com
Subject: Testimony for SB2789 on 2/3/2012 2:15:00 PM

Testimony for EDU/JDL 2/3/2012 2:15:00 PM SB2789

Conference room: 225
Testifier position: Oppose
Testifier will be present: No
Submitted by: Patty Stanfield
Organization: Individual
E-mail: plstanfield@gmail.com
Submitted on: 2/1/2012

Comments:

I am shocked, that after all the financial hits Hawaii's hard-working dedicated unappreciated teachers have shouldered over the last few years, our Elected Officials would consider further undermining the profession by tying 50% of our evaluations and potential pay raises to student scores.

Poor teachers are not the problem in my school; Poverty is the problem.

None of us minds the idea of more-frequent evaluations; in fact I believe many of us would welcome the prospect.

However inextricably linking our own families' financial futures to our students' achievement, particularly when so many other variables relating to student success or failure are beyond our control, is just plain madness.

Clearly this big push in the legislature is due to Race To The Top, yah? Nobody wants to lose face.

Well I for one, along with many of my colleagues, feel that the measly 75 million dollars is simply not worth completely ruining the lives of Hawaii's precious educator-families.

No one's arguing with revamping the present evaluation system, as long as 1) teachers themselves are involved in developing the instrument, and 2) teacher evaluations are not linked 50/50 with student achievement (as is outlined in black and white on page 8 of this insidious bill).

Thank you in advance for doing the right thing by stopping this bill from going any further.

.....Patty

Erin Conner

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 01, 2012 2:30 PM
To: EDU Testimony
Cc: matty_dr@hotmail.com
Subject: Testimony for SB2789 on 2/3/2012 2:15:00 PM

Testimony for EDU/JDL 2/3/2012 2:15:00 PM SB2789

Conference room: 225
Testifier position: Oppose
Testifier will be present: No
Submitted by: Matthew Rossman
Organization: Individual
E-mail: matty_dr@hotmail.com
Submitted on: 2/1/2012

Comments:

I strongly oppose this bill. Just as you would not evaluate doctors based on how many patients he cures, you should not grade teachers based on test scores. Terrible bill. Please strike it down. Stop this bill from happening.

Erin Conner

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 01, 2012 2:42 PM
To: EDU Testimony
Cc: janis_prinslow@notes.k12.hi.us
Subject: Testimony for SB2789 on 2/3/2012 2:15:00 PM

Testimony for EDU/JDL 2/3/2012 2:15:00 PM SB2789

Conference room: 225
Testifier position: Oppose
Testifier will be present: No
Submitted by: janis prinslow
Organization: Individual
E-mail: janis_prinslow@notes.k12.hi.us
Submitted on: 2/1/2012

Comments:

Asking the teachers to agree on an evaluation system with no knowledge of what or how it will be done is like asking our students to learn something without telling them why or how to do it!

Conference room: 225
Testifier position:
Testifier will be present: Yes
Submitted by: Elizabeth Bauer
Organization: Individual
E-mail: ebauer6610@gmail.com
Submitted on: 2/1/2012

Regarding HB 2527 and SB 2789

I've been a teacher in Hawaii for 16 years. Before I begin, I want to make clear that I do see the need for a new evaluation system that, does indeed, tie into a clear career path with meaningful performance measures. I just do not think this evaluation system should be legislated. It should be negotiated, as part of the contract between the employer and employees. Principals, as often the sole administrators of the evaluation system, should also be involved in the planning of the instrument of evaluation. Legislators, on the other hand, can really help support a new, comprehensive evaluation system by funding teachers' career path.

The Race to the Top emphasis is on positive rewards and incentives, versus the negative sanctions during NCLB. Likewise, the evaluation system for teachers should include rewards for exemplary teachers. However, this should be above and beyond the normal step movements gained through years of experience and should include any cost of living increases. All teachers, as professionals, should be able to count on these normal pay increases over time. Otherwise, the whole evaluation system loses credibility, with all parties involved: teachers, principals, the DOE, and State government. Again, without trust that a consistent career path is a viable option; teachers cannot agree to an evaluation system that offers empty promises AGAIN!

When teachers turned down the last tentative contract, they did send a message; we don't believe your promises; we can't agree to an open-ended evaluation system! While applying for the RTT grant, HSTA did commit that we would work to find a new evaluation system. However, for seven months, no one talked to us, and a contract was imposed on us. Now, they want us to trust that an evaluation system will be created, and it will be tied to increases in pay. It is an empty promise. Legislators should not attempt to impose an evaluation system on us. Rather, they can step forward and legislate that they will FUND a career path for teachers, and it should include a fair, equitable evaluation system, worked out by the parties concerned.

In the bill it mentioned that performance indicators shall include [A] student performance relative to statewide content and performance standards including gaps in achievement between all students and student groups persistently achieving at lower levels. This section concerns me. Special Education students and low income students persistently achieve lower scores. Why? Special Education documents disabilities or learning differences that are not recognized on regular education or state assessments. Likewise, lower income students have a multiple of disadvantages, which make their progress more difficult. It is time to recognize these teachers for their difficult job, and celebrate their progress with "extra merit". We should not evaluate them as "less"

because they didn't meet the standard mark. You may find it hard to retain teachers at low income schools with that attitude; or recruit Special Education teachers.

As the bill mentioned, "The legislature believes that investing in our educators will have the most significant impact on educational outcomes for children and our state, and that effective educators are critical to our children having the best chance at reaching their potential and achieving their dreams."

IT IS TIME TO START INVESTING IN OUR EDUCATORS. Ensure that they have a clear career path first!

Erin Conner

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 01, 2012 4:36 PM
To: EDU Testimony
Cc: Dkeikoa@hawaii.rr.com
Subject: Testimony for SB2789 on 2/3/2012 2:15:00 PM

Testimony for EDU/JDL 2/3/2012 2:15:00 PM SB2789

Conference room: 225
Testifier position: Oppose
Testifier will be present: No
Submitted by: Diane Aoki
Organization: Individual
E-mail: Dkeikoa@hawaii.rr.com
Submitted on: 2/1/2012

Comments:

¶¶ The teacher evaluation bill, especially considered together with the tenure bill, has worrisome implications. ¶ Here are legislators, acting on behalf of the governor, trying to pass a law that will drastically affect the lives of thousands of teachers and consequently their students. Teachers are not worried about being held accountable for the work that they do. They are worried about being treated fairly. There is nothing in the bill that addresses validity and reliability of the tool and process used. There is no allowance for ¶ the ones being evaluated to give input on the tool and process used. Without tenure protections, there is no way to defend against an unfair and inaccurate evaluation. Though the employer has management rights to evaluate their employees, many factors, such as the impact on working conditions, fairness, morale, and equity, will be impacted by such an onerous law.

Erin Conner

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 01, 2012 6:37 PM
To: EDU Testimony
Cc: terencepmurphy@yahoo.com
Subject: Testimony for SB2789 on 2/3/2012 2:15:00 PM

Testimony for EDU/JDL 2/3/2012 2:15:00 PM SB2789

Conference room: 225
Testifier position: Oppose
Testifier will be present: No
Submitted by: Carol Murphy
Organization: Individual
E-mail: terencepmurphy@yahoo.com
Submitted on: 2/1/2012

Comments:

I am a tenured teacher who has worked in Hawaii's public schools for the past 23 years. I have no argument against teacher evaluations. I firmly believe though that teachers must have a say in how we are evaluated. We are professionals and we are in the classroom everyday. We should be able to work TOGETHER to come up with an effective and fair evaluation system. PLEASE listen to our input, we do have a lot of knowledge.
Aloha, Carol

February 1, 2012

To Whom It May Concern:

I am writing in opposition to SB 2789 relating to Teacher evaluation in its current form.

I fully support teacher accountability, however, I believe the bill as is will not accomplish the goal of improving student achievement. Raising the level of best practices within the school through: Professional Learning Communities, consistent use of formative assessments, Data Driven Instruction, and increasing educators' understanding and implementation of research-based instructional strategies will be much more effective in accomplishing that goal. The evaluation should instead focus on assessing the structures at the school level, each individual's current level of proficiency and their progression towards increased proficiency in each of these areas.

This evaluation tool can only be accomplished collaboratively. The Department of Education should be made to include teacher representation through the Hawaii State Teacher Association to determine clear descriptors and design a fair rubric prior to creating a tool for evaluation. This involvement should also be in the designing of a tool, monitoring and assessing its effectiveness, refining it and then implementing the tool that is agreed upon, together. Together this group should also reassess after a designated time period to determine whether the tool in its most revised form is accomplishing the desired goals.

There is no quick fix to improving student achievement but there are specific actions that should be implemented by both schools and educators if we are to ensure that every child does leave our K-12 system "College and Career" ready. Teacher evaluation should not be a result of initiatives, but rather a meaningful measure of the teacher's effectiveness in implementation of the best practices that will positively impact student achievement.

Thank you for your attention and I look forward to your active support of what is right for teachers.

Sincerely,

«GreetingLine»
Kindergarten Teacher
Konawaena Elementary School

Erin Conner

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 01, 2012 9:31 PM
To: EDU Testimony
Cc: sseal@iname.com
Subject: Testimony for SB2789 on 2/3/2012 2:15:00 PM

Testimony for EDU/JDL 2/3/2012 2:15:00 PM SB2789

Conference room: 225
Testifier position: Oppose
Testifier will be present: No
Submitted by: Rebekah Seal-LaPlante
Organization: Individual
E-mail: sseal@iname.com
Submitted on: 2/1/2012

Comments:

Now some might say that teachers do not want to be evaluated, but I willingly stepped up to the National Board challenge and am now certified. I believe that that organization (National Board for Professional Teaching Standards) has done a good job in deciding key factors of effective teaching. I am not confident that the legislature can do so.

Erin Conner

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 02, 2012 6:40 AM
To: EDU Testimony
Cc: bob_rossman@mail.com
Subject: Testimony for SB2789 on 2/3/2012 2:15:00 PM

Testimony for EDU/JDL 2/3/2012 2:15:00 PM SB2789

Conference room: 225
Testifier position: Oppose
Testifier will be present: No
Submitted by: robert rossman
Organization: Individual
E-mail: bob_rossman@mail.com
Submitted on: 2/2/2012

Comments:

Erin Conner

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 02, 2012 8:45 AM
To: EDU Testimony
Cc: alantopher@yahoo.com
Subject: Testimony for SB2789 on 2/3/2012 2:15:00 PM

Testimony for EDU/JDL 2/3/2012 2:15:00 PM SB2789

Conference room: 225
Testifier position: Oppose
Testifier will be present: No
Submitted by: christopher hale
Organization: Individual
E-mail: alantopher@yahoo.com
Submitted on: 2/2/2012

Comments:

Testimony for EDU/JDL 2/3/2012 2:15:00 PM SB2789

Conference room: 225
Testifier position: Oppose
Testifier will be present: No
Submitted by: Jack Little
Organization: Individual
E-mail: jjflash007@gmail.com
Submitted on: 2/2/2012

Comments:

Please vote NO on this bill. The basic permise is flawed as the research I am sending clearly shows.

Here is the research showing that teacher performance pay does not work:

Educators and policy makers who support pay for performance need to step back, slow down, ask more questions, and not accept the superficial answers coming from governors, state legislators, and others who neither understand the statistical intricacies nor in some cases care to learn.

Recent Research

School administrators need to move beyond the noise and corporate marketing of pay-for-performance schemes based on student test results and educate themselves on recent empirical evidence on the subject. Information gleaned from studies and reports provide some clarity on the issue.

First, very few white-collar private sector professionals receive performance pay based on a single or very narrow set of indicators. In fact, only six percent of private-sector employees received direct, output-based cash payments according to the 2005 National Compensation Survey (Adams et al. 2009; Springer et al. 2010). Most of those workers were in commission-based fields like used-car salesmen, penny-stock brokers, and real estate agents; hardly comparable professions to that of raising children to be productive, ethical, and moral citizens.

Results from the longitudinal Project on Incentives in Teaching (POINT) conducted by researchers at Vanderbilt University's Peabody School of Education suggested that performance pay did not have a significant impact on student achievement in mathematics in Grades 5-8 (Springer et al. 2010) for students of teachers eligible for bonuses from between \$5,000 to \$15,000 compared to teachers not eligible. The researchers stated, —... there were no significant differences for students in Grades 6-8 when separate effects were estimated for each grade level|| (p. 43). A positive effect was found only in Grade 5 and it did not persist in Grade 6 or other grade levels. The researchers stated, —To conclude, there is little evidence that POINT incentives induced teachers to make substantial changes to their instructional practices or their level of effort ...|| (p.45).

Similar results were found from another experimental study conducted in New York City (Fryer, 2011). —Surprisingly, all estimates of the effect of teacher incentives on student achievement are negative in both elementary and middle school ...|| (p. 18).

The impact of performance pay on student achievement in elementary school and middle school in the area of language arts and mathematics, as measured by state standardized tests in NYC, was negative with effect sizes ranging from -0.02 to -0.05. Furthermore, the pay system in the NYC experimental study did not improve student attendance, grade point average, or achievement on alternative measures of achievement such as other standardized tests taken by students.

Results were similar for high school students. —Similar to the analysis of elementary and middle schools, there is no evidence that teacher incentives had a positive effect on achievement. Estimates of the effect of teacher incentives on high school achievement are all small and statistically non-significant|| (p. 18).

Why?

So why would we, as a country, want to pursue another policy that has not been fully vetted, tested, or modeled to identify and address all the possible negative unintended consequences to children and education professionals? Evidence suggests that pay for performance based solely, or to a large degree, on standardized test scores is not universally effective and could be detrimental to achievement (Adams, Heywood, and Rothstein 2010; Buzik & Laitusis, 2010; Springer et al. 2010).

Twenty Questions

Before we launch ourselves off of yet another reform precipice without a parachute for children, those who are proposing the policy should at least have evidence-based answers for the following questions:

1. Why expose children and education professionals to yet another unproven intervention? (Think high school exit exams, Reading First, charter schools, vouchers, high stakes standardized testing in Grades 3-8, etc.)
2. Why, if only approximately six percent of professionals in the private sector have their pay tied directly to quantitative indicators, are we so quick to implement such plans in schools without further study or attention to the unintended consequences raised in recent studies on the topic (Adams et al. 2009; Springer et al. 2010)?
3. How do proponents of pay for performance based on student test results reconcile the scheme with theories such as Herzberg's (1968) Two-Factor Theory of Motivation, Maslow's Hierarchy of Needs (1954), Reactance Theory, and the work of Pfeffer and Sutton (2006), among others, which suggest that long-term effects will be detrimental to the system and not result in improved student learning?
4. What protections will be put in place in the pay for performance schemes to protect against the narrowing of the curriculum that occurs when test results become the ultimate outcome variable to determine the quality of the education processes (see Au 2007)?
5. According to UNICEF (2005), the United States is second only behind Mexico in the percentage of children living in poverty in the industrialized world. How will pay for performance programs account for the debilitating effects poverty has on achievement (Coleman et al. 1966; Hart and Risley 1995; Sirin 2005; Emerson 2009)?

6. Student prior achievement has an effect size of 0.67 on later achievement. That is the difference between scoring at the 50th percentile compared to scoring at the 73rd percentile on a nationally norm-referenced test (Feinstein 2003; Duncan et al. 2007). How will pay schemes based on test results account for prior achievement?

7. Without mandated random assignment of students to classes how will policymakers ensure that classes are balanced in terms of student prior achievement, disabilities, and other demographic characteristics that effect student achievement on statewide standardized tests?

8. The effect size difference in achievement for students who attend a high-quality preschool program compared to those who do not is about 0.44, or equal to the difference between scoring at the 63rd percentile versus the 50th percentile. How will performance pay systems account for the influence of children having attended a high-quality, low-quality, or no preschool program at all on student achievement (Jones 2002; Loeb et al. 2004)?

9. How will pay schemes account for the effects of low birth weight on academic achievement? Low birth weight—more prevalent for African American babies and babies born into poverty—has a direct effect on IQ if medical and educational interventions are not in place during the early years of a child's life (Bhutta et al. 2002). The effect size difference between low birth weight babies who did not receive appropriate interventions during the early years and babies born within normal weight ranges is about 0.54, or the difference between scoring at the 50th percentile and the 65th percentile.

10. How will pay schemes account for changes in achievement caused by students going through divorce or a death of a parent? Although small, the achievement differences averaged 0.17 or about six percentile points on norm-referenced tests (Kunz 1995; Jeynes 2006).

11. How will the schemes separate the influence on student achievement that the Grade 8 language arts teacher has on Grade 8 math performance? For example, a review of the nation's high school and Grade 8 tests reveals that there is about a 0.50 to 0.75 correlation between language arts and math scores on state tests (Tienken 2008). How do the current policy proposals disentangle the interrelatedness of the education process that takes place in schools and outside of the school walls? Subject area learning does not occur in a vacuum.

12. How will pay systems that are linked to student standardized test scores account for the standard error of measurement (SEM)? SEM is similar to the margin of error in a political poll and it is inherent in all standardized test results. The reported score is not the student's true score (Tienken 2008). The amount of error on the Grade 8 state tests ranges from 3 scale-score points to 85 scale-score points nationally. In New Jersey, there are about 10 scale-score points of error in student test scores. If a student receives a 200 scale score, the true score can be anywhere from a 190 to a 210. That range could mean the difference between receiving a raise or not. No state education agency mediates SEM at the student level (Tienken 2011).

13. How will pay for performance schemes account for differences in access to resources within and among classes within schools in the same district?

14. How will pay schemes account for having to work for a school or district administrator or school board that does not understand the research regarding evidence-based practice and mandates negative or educationally bankrupt practices?

15. Are pay for performance policy initiatives just Trojan horses for union busting and under-paying teachers and administrators?

16. Why are some school administrators and their organizations actively supporting pay for performance schemes when they lack answers to the above questions?

17. Should school administrators who willingly implement pay for performance schemes linked to student results on standardized tests without strong empirical evidence lose their licenses due to educational malpractice?

18. Does implementing an untested intervention on children who are compelled to participate violate any of the *Interstate School Leaders Licensure Consortium* (ISLLC) standards? If not, why?

19. Would a child be compelled to be part of a medical experiment in which the prior results were negative and/or unknown? If not, then why are some school leaders allowing students in their schools to be subjected to this unknown system?

20. If the private sector cannot get pay for performance schemes correct and most private sector managers do not think they are a good idea (Pfeffer & Sutton, 2006), why is the education field willing to support these ideas?

School leaders—and, more importantly, teachers—have very little control over the answers to these questions. Schooling does not dictate the processes or environments that cause poverty, divorce, low birth weight, or academic experiences prior to entering school. Nor can it mediate fully their effects using resources currently available. Therein resides the problem: The proposed policies on pay for performance do not account for or mediate the main factors that affect performance on state standardized tests.

Portions adapted from Tienken, C.H. (2011). Pay for performance: Whose performance? *Kappa Delta Pi Record*, 47(4), 152-154.

Testimony for EDU/JDL 2/3/2012 2:15:00 PM SB2789

Conference room: 225

Testifier position: Oppose

Testifier will be present: No

Submitted by: Rhanda Vickery

Organization: Individual

E-mail: rhanda_vickery@notes.k12.hi.us

Submitted on: 2/2/2012

Comments:

I am a 2nd grade teacher at Waikoloa Elementary and Middle School on the Big Island of Hawaii. I am writing in opposition to SB 2789 , the bill proposing evaluations.

I am native Hawaiian, hold a Masters of Education degree, licensed in the state of Hawaii, highly qualified and passionate about teaching. I work smart to educate the children of Hawaii. I continue to be a life long learner with professional development courses after school hours, on weekends and during my short summers.

I want my teaching colleges and our negotiating team to create our evaluation system. It should not be made by legislators who are unfamiliar with our teaching profession. We as a community should be held accountable to educate all children of Hawaii.

Remember that your Hawaii teachers are educating our Hawaii children and deserve to be seen as professionals. I am opposed to SB 2789 proposing evaluations.

Erin Conner

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 02, 2012 11:50 AM
To: EDU Testimony
Cc: punateacherlinda@yahoo.com
Subject: Testimony for SB2789 on 2/3/2012 2:15:00 PM

Testimony for EDU/JDL 2/3/2012 2:15:00 PM SB2789

Conference room: 225
Testifier position: Oppose
Testifier will be present: No
Submitted by: Linda Robinson
Organization: Individual
E-mail: punateacherlinda@yahoo.com
Submitted on: 2/2/2012

Comments:

Aloha, I am writing in regard to the bills being voted on this friday. I am a veteran teacher. I am highly trained from SJSU. There are many problems with the education system in hawaii but these bills will only make the situation worse. I worry about the futures of my students. Will they be learners, or simply drones learning the "tricks" to pass the test. Performance pay concerns me for many reasons. if teachers are in competition with each other then the collegial process will not exist. In Hawaii they are sill (I've been here 9 years) trying to figure out PLC's. Please think this through. How will you determine who is effective. Groupings of students are unbalanced. Some teachers are often given the "easy" kids while others are given the worst behaved and lowest performing. As an upper grade teacher I have often had students disrupt class beyond my control. Problems that flow from the park to school. We have no help. Teachers are seen as having no management in their classrooms. We have very little support from administration. I don't count on them at all and handle problems on my own. Another situation you may not be aware of is. . . as an upper grade teacher, the data seems to show that scores go down. No one is willing to address and analyze the fact that our successful students transfer out. For 5th grade they go to Real School which only takes the top students, and then Kamahemeha which only takes the top students. I am very proud of what I do and am not making excuses rather looking for solutions. Performance based pay is the answer. A few years back when Edison came to our school the atmosphere was very competitive. We were focus on tests, tests, tests, and not real learning. Edison focus on one section of students. We are required to create targeted groups. The kids that pass HSA - no need worry. The kids on the bottom, they'll never pass so no worry. the ones close to passing are the ones we are to target. I have refused to follow this directive and help all my students to improve no matter what level they are. But, some teachers will follow along to be "good" teachers. Which is why we now have a situation where the well below groups are ignored and can not read. The focus has also been on FAY (full academic year) students.If a teacher is competing for pay then that student could be left alone because, as edison and admin keep saying, they don't count. But they count the next year if they are still at our school. so the next year teacher gets a child who may have been left alone and then they count. We can not blame the parents but we must consider the parents who take no responsibility for their children. i have endless accounts of parents who say it's your job. One student has a father who doesnt' want him to learn to read. As a 6th grade teacher the skills i teach are high level. how do you compare that to 1st grade where there is no testing. I would challenge you to take the HSA reading and math test for 6th grade. I would bet my students would have a higher passing rate than our legislators. RTTT money is suppose to be for innovation. let's set up some community activites. there are so many solutions and avenues to take but the ones makin the decisions are too far removed. Our resource teachers do nothing to help us. They've been out of the

classroom for 10 years plus so they can't understand how to solve the problems facing us in the classroom. Yet, they go to a training, get a book, and then say just do it, it's your job. I would say the same for most admin. I've watched SFA come in with a proven program only to change it all upon teacher feedback (we're their research). Once we got rid of SFA our scores went up. SFA changed there program to continue to have a product to sell. The same has happened with Edison. They need a product to sell. They have been extremely ineffective. They have nothing new to offer and hire young teachers who think what they know is new. It's not. It's 30 yrs old. Every year edison changes how they want us to run our classrooms. Is this going to be part of the performance pay? teachers who go with what they know works are more effective than teachers who tow the line to make the "management" happy. i am so scared for the future of education in hawaii. these kids need a fair shake. Please do not pass these bills today. Let's take a deep breath. We need to make changes but this is not the way. Sincerely, Linda Robinson

Erin Conner

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 02, 2012 12:50 PM
To: EDU Testimony
Cc: denis2654@Hawaiiintel.net
Subject: Testimony for SB2789 on 2/3/2012 2:15:00 PM

Testimony for EDU/JDL 2/3/2012 2:15:00 PM SB2789

Conference room: 225
Testifier position: Oppose
Testifier will be present: No
Submitted by: Lawrence Denis
Organization: Individual
E-mail: denis2654@Hawaiiintel.net
Submitted on: 2/2/2012

Comments:

Aloha. I am a Computer Resource Teacher at Waikoloa Elementary & Middle School and I strongly urge you to oppose SB 2789. I believe that teachers and HSTA should be involved in the process of creating a new evaluation tool and system. After all, we are the ones it'll impact. Most, if not all, of you have no experience in the classroom - so please let us handle it.

Also, how will resource teachers such as myself, counselors, school registrars, and librarians be evaluated? Can we please see a copy of the evaluation tool? You probably can't answer these questions - and therefore, I respectfully ask that you vote NO.

Mahalo!