

SB2596

Measure Title:	RELATING TO EDUCATION.
Report Title:	Department of Education; Teachers; Educational Officers; Evaluation Program
Description:	Requires the department of education to consult with appropriate bargaining units in establishing an evaluation program for teachers and educational officers, establishes that a teacher or educational officer is not responsible for the achievement of a student who is chronically absent, and prohibits a department of education evaluation program from affecting the compensation or employment status of any teacher or educational officer. Repeals provisions requiring a particular frequency and basis of evaluations.
Companion:	
Package:	None
Current Referral:	EDU, JDL/WAM
Introducer(s):	KIDANI, HARIMOTO, SHIMABUKURO, Dela Cruz, Galuteria



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/10/2016

Time: 01:15 PM

Location: 229

Committee: Senate Education

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: SB 2586 RELATING TO EDUCATION.

Purpose of Bill: Requires the department of education to provide public school students with a whole child education curriculum, air conditioning in certain classrooms, and decrease class size. Requires sufficient allocation of special education teachers and provides special education teachers with additional preparation time and funding. Establishes the student loan subsidy program and special fund. Expands vocational, technical, and career pathway programs. Amends weighted student formula factors to be considered by the committee on weights. Limits participation in standardized tests, prohibits the use of standardized test scores for evaluation purposes, authorizes standardized testing exemptions, and requires the board of education to provide notice of the right to opt-out of standardized testing. Requires all eligible children to attend preschool by the 2020-2021 school year. Amends evaluation program for teachers and educational officers. Increases the general excise tax. Makes appropriations.

Department's Position:

The Department of Education offers COMMENTS on S.B. No. 2586, S.B. No. 2587, S.B. No. 2588, S.B. No. 2589, S.B. No. 2590, S.B. No. 2591, S.B. No. 2592, S.B. No. 2593, S.B. No. 2594, S.B. No. 2595, S.B. No. 2596, S.B. No. 2597, S.B. No. 2598, and S.B. No. 2599.

Overall Comments

The Department of Education's (Department) vision is that our students are educated, healthy, and joyful lifelong learners who contribute positively to our community and global society. To achieve this goal, our schools and educators need the proper tools and resources.

We support initiatives aimed at improving working conditions for teachers and educational opportunities for students. In 2004, the Legislature established the "Reinventing Education Act," allowing schools the autonomy and responsibility to allocate school-based budgets to support school-identified programs and priorities, whether it be hiring more staff or purchasing supplies and materials. And, it empowered schools to make the best decisions to fit the needs of its students and communities.

Over the last decade school funding levels have not kept up with our education costs. Nevertheless, our public schools have made significant strides that have not gone unnoticed by the U.S. Department of Education and other national organizations. Attendance has improved, students are progressing and achieving more, and more students are going to college. This is a testament to the dedication of our educators and students, as well as other community leaders and partners.

The measures before you address many important aspects of education – curriculum, assessments, staffing, facilities, class size, funding, etc. However, respectfully, the Department is concerned that the crafted language, such as providing specific types of teachers for schools or a one-size-fits-all approach to instructional time or class size, detracts from school-level decision making and also circumvents the appropriate participants and venues for these conversations. Such a proposal would hinder the progress made by school leadership teams or School Community Councils, the collective bargaining process, the Board of Education which sets the policy direction for the Department, and principals and teachers in collaboration with Department leadership.

We welcome continued support from HSTA and the Legislature for additional resources for public education as well as the Department's budget priorities, as set out in the Executive Budget request. Adequate funding for our students helps to ensure a quality education that they deserve, and need, to prepare to be contributing members in our community and global society. Teachers have the most impact in ensuring a quality education. It's important that they have the support, the right tools, and the best facilities to thrive in their profession.

We look forward to working with the Committee and other stakeholders to address the issues raised in these measures.

Specific comments to the parts of the bill are itemized below.

Part II. WHOLE CHILD EDUCATION (S.B. No. 2587)

The Department recognizes the importance of promoting creative thinking, self-directed learning, and cultural understanding, as well as the impact it has upon children's future outcomes and the state's economic growth.

Since 1999, the Department has provided "whole child education" through its K-12 standards-based system which includes the General Learner Outcomes (GLOs). GLOs are the overarching goals and content standards in nine areas including fine arts, social studies, Hawaiian studies, world languages, and physical education. Complex areas and schools have the flexibility to design class offerings that are best suited to their

community.

Additional funding would support increased opportunities and more diverse offerings for students.

Given that a Board of Education policy for whole child education is already in place, the Department respectfully finds S.B. No. 2587 to be unnecessary.

Part III. SPECIAL EDUCATION (S.B. No. 2588)

The Department appreciates the intent of S.B. No. 2588 to provide each teacher with \$1,690 of discretionary funds for instructional materials and equipment and to add additional preparation time for special education (SPED) teachers. This additional preparation time, during which teachers would "not be required to interact with students", would be to complete individualized education programs (IEPs), which are required for each SPED student.

Teachers' preparation time is subject to collective bargaining. Article VI of the current HSTA contract and Department regulations include provisions for preparation periods and that address providing SPED teachers with additional non-student time to work on IEPs and other related SPED duties.

If this measure is adopted, additional funds would be required to either pay SPED teachers for the additional 40 plus hours of additional preparation time, or alternatively, schools would need to establish and hire additional SPED teachers or substitute teachers to cover the instructional time for SPED teachers during the extra preparation period. Because Hawaii's SPED teaching positions are "hard-to-fill," as they are nationwide, creating more positions in order to hire more SPED teachers will not, in the near term, be a solution.

The Department is not opposed to the Legislature appropriating funding for \$1,690 for every SPED teacher to purchase additional instructional materials and equipment, provided that it does not replace or adversely impact priorities as indicated in budget approved by the Board of Education (Board).

Given that teacher preparation time is included in the collective bargaining agreement, the Department respectfully does not support S.B. No. 2588.

Part IV. VOCATIONAL EDUCATION (S.B. No. 2589)

The Department supports the intent of S.B. No. 2589 to expand vocational, technical, and career pathways programs and welcomes additional funding to support career and technical programs, provided that it does not replace or adversely impact priorities as indicated in budget approved by the Board.

Career and Technical Education (CTE) programs (formally known as Vocational and Technical Education) are currently offered in 46 public high schools. In school year 2014-2015, 29,356 students were registered in at least one CTE course and 4,453 seniors had completed a CTE program of study. Also, the Department awards Honors

Recognition Certificates for graduates earning Career and Technical Education Honors or Science, Technology, Engineering and Mathematics (STEM) Honors.

CTE programs are organized under six Career Pathways: Arts and Communication, Business, Health Services, Industrial and Engineering Technology, Natural Resources, and Public and Human Services. The Department currently offers 41 programs of study within the six career pathways framework. Current Board Policy No. 2103 defines Career and Technical Education.

The Department is committed to improving CTE opportunities for students throughout the state. The Department respectfully finds the provisions of S.B. No. 2589 to be unnecessary, as the intent of this bill is currently being implemented.

Part V. FACILITIES (S.B. No. 2590)

The Department welcomes additional funding for heat abatement and energy efficiency measures. The Department's Ka Hei program is a comprehensive energy and sustainability program designed to provide comfortable learning environments for our students and teachers. One of the key objectives of the program is to reduce costs and energy consumption at all 256 public schools. The Department has made significant progress in working toward the goals of Ka Hei and appreciates the support of the Legislature to further these efforts.

In addition, the Governor announced his plan to air condition 1,000 classrooms by the end of 2016, and is making available GEMS financing. We appreciate his initiative and are moving rapidly to execute his proposal.

Part IV. WEIGHTED STUDENT FORMULA (S.B. No. 2591)

The Department offers the following comments:

This bill states: "Principals, in consultation with teachers and school community councils, shall expend moneys provided to the principals' school." Section 302A-1124, HRS, currently defines the role of the school community council and mandates a composition that includes teachers.

The new language related to a "superintendent's reserve" states both that the reserve is "to address needs at unique and remote schools," and that "the committee on weights shall make recommendations...for how the reserve should be used." Stating that the reserve is for "unique and remote schools" would be unnecessary if the intent is to allow the committee on weights to determine the criteria for the reserve's use.

The Weighted Student Formula (WSF) reserve was established in school year 2012-2013 based on a committee on weights recommendation that was approved by the Board. A portion of WSF funds are set aside in this reserve to provide supplemental funds to schools that demonstrate a need as combination school (e.g., K-8, 7-12), geographically isolated, has very low enrollment, or is experiencing an extraordinary circumstance. The distribution of these funds is made based on committee on weights-recommended guidelines.

Part VII. STANDARDIZED TESTING (S.B. No. 2592)

Statewide standardized tests provide one valuable source of information on student learning for students, parents, teachers, and educational administrators, but also informs educators and policy-makers about the progress of the education system. Standardized testing is an efficient method for reliably and objectively measuring the academic performance of the over 90,000 students in tested grades and 275 public schools (Department and charter) across the state. Standardized test scores provide one consistent measure, although incomplete, of school and student performance. Thus, all of the Department's accountability systems – for schools, educators, and students - use multiple measures.

Many provisions in this bill related to testing conflict with federal requirements which are a condition of receiving federal educational support including Title I funds. Despite the elimination of No Child Left Behind, its successor, the Every Student Succeeds Act (ESSA), still requires states to administer a statewide student test and use those test scores to "meaningfully differentiate" schools and identify the lowest-performing. Federal requirements for minimum participation of 95% of students continue under ESSA. And students who have individual needs may receive accommodations on a test based on their IEP, which is informed by their teachers' assessment of their needs. The Department also administers an alternative assessment for students with significant cognitive disabilities and an exemption for the English Language Arts state assessment for students with limited English proficiency who are in their first year in a U.S. school.

The Department understands that instructional time is incredibly valuable for teaching and learning. The Department is continuously reviewing the tests that are required for all students to ensure that they are necessary and valuable. Over the last two years, we have reduced the number of tests that are required. Currently, the number of standardized tests required by the state is at the federal minimum with the exception of grade 11 which is being reviewed.

The Department remains cognizant to minimize the burden on students while balancing the need to support students through measuring achievement and complying with federal requirements. As such, the Department respectfully suggests that S.B. No. 2592 is unnecessary.

Part VIII. CLASSROOM SUPPLIES (S.B. No. 2593)

The Department supports providing teachers with the resources necessary to help our students thrive in the classroom. The Department estimates the fiscal impact to be approximately \$11,900,000 per year using the calculation of \$1,000 per Full Time Equivalent (FTE) positions at schools which total approximately the Department's workforce of 11,100 classroom teachers, 200 libraries, and 600 counselors.

Additionally, there may be some administrative issues that need to be addressed before

implementing such a program through a debit card system, as described in the bill. These administrative considerations include processing, procurement, reconciliation, and workload issues at the school and vendor payment levels.

Part IX. TEACHER RECRUITMENT AND RETENTION (S.B. No. 2594)

The Department supports the intent of S.B. No. 2594. Loan subsidies can encourage prospective teachers to contemplate careers in special education, vocational education, technical education, and career pathways.

However, the Department believes the bill may not be necessary. Federal loan forgiveness is already available for teachers in areas the Department has designated as “teacher shortage,” including special education, technical, and vocational education.

Furthermore, the program proposed for teacher recruitment and retention is complex and would be, as a result, administratively burdensome given the Department’s current systems and staffing. The Department anticipates the establishment and maintenance of the program would require substantial resources to fund the incentives and administer the program.

Part X. EARLY CHILDHOOD EDUCATION (S.B. No. 2595)

The Department supports efforts to provide opportunities for early childhood education for all of Hawaii’s keiki as it is critical that they enter kindergarten ready to learn. Children deserve the best possible foundation upon which to build success and early childhood education is integral to this foundation. Children are most successful when they enter the public school system prepared with the socio-emotional and pre-academic skills that make them kindergarten-ready.

Part XI. EVALUATIONS (S.B. No. 2596)

The Department offers the following comments on S.B. 2596:

The Department recommends maintaining the existing 302A-638, HRS, which was established in 1996 and preceded the current evaluation systems which were negotiated between the State and its unions. The proposed changes should be bargained, as HSTA has previously testified in response to prior year’s efforts to legislate aspects of teachers’ evaluations.

The Department supports the intent of the portion of paragraph (a), which requires the Department to consult with the unions in establishing an evaluation program for teachers and educational officers (EOs), but notes that proposed language is redundant with existing statute and practice. A consultation process is already codified in section 89-9(c), HRS, and in the past, the Department has consulted, and at times negotiated, with Hawaii State Teachers Association (HSTA) and Hawaii Government Employees Association (HGEA) regarding evaluation programs for teachers and EOs.

Many provisions of this measure are currently governed by agreements with HSTA and HGEA.

Part XII. CLASS SIZE (S.B. No. 2597)

The Department supports the intent of S.B. No. 2597 but respectfully opposes the measure for the reasons identified below.

Class size is a subject of collective bargaining and is addressed in the Department's contract with HSTA. Article VI, Teaching Conditions and Hours, Section A. 6., of the current contract states that the employer agrees to maintain the "average statewide class size ratio of 26.15 to 1."

Moreover, class size is product of school-level decisions by the principal and School Community Council in budgeting of school funds. Thus, schools are empowered to select its number of teachers based on its allocation of its student population-based budget toward personnel. Rather than class size limitations determined by the Legislature, class size is better addressed by providing additional funding for the Weighted Student Formula, which would allow schools to allocate additional resources towards personnel and thus reduce class size.

The current HSTA contract also provides a process to follow should there be issues in connection with the class size of individual classrooms. For example, a class size committee is required, with the authority to hear and investigate class size complaints and make recommendations to the Superintendent for change. If there is no majority vote on a decision of the committee, the HSTA may have the matter submitted to arbitration.

Finally, any change to the class size requirements, including a change from average statewide ratio to individual classroom maximum, would have significant cost implications due to the need for more teachers and additional facilities to house additional classrooms. The Department believes there are other, often less costly, means to provide students with quality education and to address working conditions for teachers.

Part XIII. FUNDING (S.B. No. 2599)

The Department has no position on this measure and defers to the Administration with regard to the generation of revenues to fund public programs.

Part XIV. MISCELLANEOUS (S.B. No. 2598)

The Department supports the intent of S.B. No. 2598. The additional funds would provide the Department with additional teaching positions to support the programs and needs of our schools and students. However, this bill is prescribes the subject area of

teachers to be funded, and the Department supports schools' using their autonomy to determine the types of positions necessary for their school program and community.



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TESTIMONY BEFORE THE SENATE COMMITTEE ON EDUCATION

RE: SB 2596 - RELATING TO EDUCATION

WEDNESDAY, FEBRUARY 10, 2016

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Kidani and Members of the Committee:

The Hawaii State Teachers Association **strongly supports SB 2596**, relating to education.

In 2012, Hawai'i received \$75 million in federal dollars from the Race to the Top (RTTT) program. As part of the grant application process, states had to agree to implement high-stakes teacher evaluations and performance pay. The Hawaii State Department of Education and Board of Education, egged on by former Gov. Neil Abercrombie, thus birthed the Educator Effectiveness System, in which teacher ratings would theoretically reflect student achievement—especially standardized test scores—and determine pay raises and reemployment rights.

Yet, recent research has criticized the “value-added method” used to calculate local teachers’ effectiveness, with some detractors saying that the “tests used for calculating VAM are not particularly able to detect differences in the content or quality of classroom instruction.” The American Statistical Association, for its part, has said that VAM formulas fail to determine effectiveness “with sufficient reliability and validity,” noting that teachers can receive wildly fluctuating results from year to year. In Hawai'i, VAM scores are even used to evaluate teachers who *have never taught* the students for which they are assessed.

The impact of the EES on teacher morale has been stark. The Hawaii State Teachers Association recently conducted a third party poll, conducted by a highly respected national pollster, 400 members were surveyed with a +/- of 4.9%. The poll

results showed 68% of teachers did not believe that EES was improving their quality of teaching, and 82% opposed the use of standardized test scores being used to evaluate teachers. These results are similar the Education Institute of Hawaii's Principal Survey, where 86% of principals agree there is too much emphasis on test scores, and 78% of principals believe that EES has adversely affected the morale at their schools. Moreover, the EES relies heavily on standardized test scores, further tying curricula to toxic levels of testing that erode creative thinking and have no adverse consequences for students. In effect, the department's evaluation system is contradictorily high-stakes for teachers, while relying on no-stakes student assessments.

Evaluations have also been shown to be subjective, and in some cases biased, by the number of teachers filing successful appeals challenging their results. Appeals have also been filed on procedural grounds, as administrators frequently fail to complete components of evaluations or reschedule classroom observations on short notice. Numerous changes have been made to the EES since its implementation (for example, teachers receiving "effective" evaluations are now held harmless the following year), but the cumbersome and clunky nature of the evaluation protocol remains, suborning teacher autonomy to corporatized standardization and for-profit education consultants.

Hawai'i's teacher evaluation system deprofessionalizes classroom instruction. Because teachers deserve professional respect, the Hawaii State Teachers Association asks your committee to **support** this bill.



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

TESTIMONY FOR SENATE BILL 2596, RELATING TO EDUCATION

**Senate Committee on Education
Hon. Michelle N. Kidani, Chair
Hon. Breene Harimoto, Vice Chair**

**Wednesday, February 10, 2016, 1:15 PM
State Capitol, Conference Room 229**

Honorable Chair Kidani and committee members:

I am Kris Coffield, representing IMUAlliance, a nonpartisan political advocacy organization that currently boasts over 350 members. On behalf of our members, we offer this testimony in strong support of Senate Bill 2596, relating to education.

As a condition of receiving Race to the Top grant funds, in 2012, Hawai'i agreed to implement high-stakes teacher evaluations, in which teachers' "effectiveness" would be tied to student learning growth and, in turn, used to determine pay raises and reemployment rights. In practice, however, the DOE's "educator effectiveness system" has been devastating. Year after year, HSTA polling shows that a large majority of teachers feel that their work time is besieged by the evaluation system, which they find inadequately explained, lacking administrative support, and unfair. Moreover, 50 percent of the "student growth percentile" score used in EES ratings is based on standardized test scores, marrying instruction to toxic levels of standardized that undermine critical thinking and are academically inconsequential for students.

Evaluations are also subjective and overburdening for school administrators, as demonstrated by the number of teachers appealing their results. Appeals are most commonly made on procedural grounds, as administrators frequently fail to perform evaluation component or, in some, complete the evaluations at all (notably, some administrators have attempted to withhold pay increases for teachers whose evaluations they failed to complete, in violation of state law and the HSTA-BOE Master Agreement). While the evaluation system has been "improved" through

annual discussions among stakeholders—for instance, by eliminating student survey data as a high-stakes evaluation component and allowing “effective” teachers to skip some components during the following school year—the classroom climate produced by test-driven evaluations continues to erode teacher morale and academic freedom, replacing educator flexibility with profitmaking education consulting “expertise.”

At the end of the day, this proposal is about respect for the teachers who provide the sign and signal of our society’s audacious future. Mahalo for the opportunity to testify in strong support of this bill.

Sincerely,
Kris Coffield
Executive Director
IMUAlliance

Testimony In Support of Senate Bill 2596
Senate Committee on Education
Wednesday, February 10, 2016

Dear Honorable Chair Kidani and committee members,

Public school teachers in Hawai‘i have been under attack for the past fifteen years, as policy makers, community leaders and politicians at all levels have blamed teachers and their union for our state’s low standing on national and international tests, and for the social and political ills that result from the failure to educate citizens. Under the new Hawai‘i Educator Evaluation System, teacher ratings based in part on student standardized test scores (shown to be an inaccurate and misleading indicator of teacher effectiveness[1]), and a new top-down approach to school administration[2] have demoralized teachers and undermined schools as sites of collaborative learning and teaching. These new policies are the result of our state leadership’s response to *No Child Left Behind*, which have resulted in years of narrowed curricula, teaching to the test and schools increasingly emptied of the joy of learning. Teachers have been watching with a great deal of distress and frustration as the sort of engaging and relevant learning that attracted them to the profession is increasingly eliminated from the public school experience.[3] Teacher job satisfaction in Hawaii, as across the country, has continued to drop precipitously over the course of the 21st century.[4] This dissatisfaction has emerged in large part from the deprofessionalization of teaching in public schools.

The construction of teacher identity, how teachers understand themselves, is dependent upon their power and agency over their working conditions and their capacity, within positive learning environments, to contribute to student learning and engagement.[5] There has been no recent ‘golden age’ of public school teacher autonomy or empowerment in Hawaii, but there is strong evidence that the landscape has shifted dramatically in the past twenty years. In the 1980s, scholars of public education were already arguing that “the prevalent use of textbook and teachers’ guide packages” was one of the “greatest factors responsible for the current ills affecting teaching,” with “administrators...too frequently insisting on the slavish use of these prefabricated materials, which reflects a deprofessionalized image of teaching.”[6] Yet as recently as the 1990s, teachers studied in all content areas and types of schools reported relatively high degrees of personal control over both content and pedagogy, connecting a sense of being efficacious in the classroom with satisfaction about their jobs.[7] Prior to passage of *No Child Left Behind*, most teachers in public schools said they had considerable influence over classroom decisions, with more than half indicating they had considerable control over selecting textbooks and other instructional materials and the content, topics, and skills to be taught, and more than three-quarters indicating they were firmly in control of selecting teaching techniques, evaluating and grading students and determining the amount of homework to be assigned.[8] The results of multiple studies indicated a significant relationship among curriculum control policies and effects on teachers’ perceptions of their own professional discretion and satisfaction.[9]

After the passage of *No Child Left Behind*, key popular educational ‘reform’ policies in Hawai‘i and across the country moved teaching away from professionalism. These reforms included policies that evaluated teachers based on students’ annual standardized test score gains (using the highly questionable ‘value-added method’), fast-

track teacher preparation and licensure; and scripted, narrowed curricula. All three educational 'reforms' have found by scholars to lower the professional status of teaching. Value-added policies are 'de-professionalizing' in that they pressure teachers to mechanically teach to tests while systematically devaluing the broader yet essential elements of teaching. Additionally, fast-track teacher preparation and licensure programs de-professionalize teaching by the "lack of focus on pedagogical training, the small amount of time dedicated to preparing teachers to teach, the assignment of inexperienced personnel to the most challenging schools, and the itinerate nature of these teachers." [10] Scripted and narrowed curriculum moves teaching away from professionalization by not preventing teachers from using on "their professional judgment to make curricula decisions for student learning, with the consequent sacrifice of higher-level learning, creativity, flexibility, and breadth of learning." [11] This process serves to disconnect teachers from curriculum design work: the way teacher knowledge has been embedded in practice has been replaced by a 'disembedding' of this knowledge, so that teacher planning becomes disconnected from instructional practice in itself, a process that happens 'before [and outside of] action.' [12]

In studies that explored teacher identity and agency, "teacher agency has clearly been constrained in the new reform context," as teachers struggled to "remain openly vulnerable with their students, and to create trusting learning environments in what they described as a more managerial profession with increased accountability pressures." [13] Additional studies examined the relationship between teacher autonomy and on-the-job stress, work satisfaction, empowerment, and professionalism, and found that "as curriculum autonomy decreased, on-the-job stress decreased," and that "as general teacher autonomy increased so did empowerment and professionalism." [14] Also, as job satisfaction, perceived empowerment, and professionalism increased, on-the-job stress decreased, and greater job satisfaction was associated with a high degree of professionalism and empowerment. These effects of professional autonomy did not differ across teaching level (elementary, middle, high school). [15] The growing economic and management oriented perspective on education leads to intensification of teachers' work, implying deskilling and deprofessionalization. [16] However, there appear to be multiple sources for the intensification of teacher work, that the intensification impact is mediated and does not operate in a linear and automatic way, and that it impacts different teachers in different ways. Thus, we argue for an alternative form of professionalization through the acknowledgement of teachers' specific knowledge base as well as the need to develop it (even if this implies more work). Teachers' professional development therefore needs to go hand in hand with efforts to "buffer" the threat of intensification. [17]

In order for public schools to become spaces of authentic and empowering learning, students must not only experience democratic practices, but also feel that they have ownership in the educational process and the power to effect change. Teachers play a critical role in building student confidence and creating an environment in which students can begin to exercise democratic principles and empowerment. Empowered teachers are in the best position to empower students because they can effect change not only in their classrooms, but in the school. Empowerment has been defined as a "process by which people gain control over their lives...a participation with others to achieve goals, an effort to gain access to resources, and some critical understanding of the sociopolitical environment." [18] True empowerment requires more than just autonomy

and control. It requires support from administration in the form of access to resources such as time and money. Teachers need to be able to advocate, through a collaborative process of developing academic and financial plans, for shared knowledge of resources and support in decision-making from school and state administration. Teachers need to lobby for the recognition that *shared power* for the *benefit of students* actually helps to empower administrators and communities. Some of the qualities of an empowering school environment that need to be developed within Hawai'i public schools include a) clarity of role and expectations, with less reliance on command-and-control leadership tactics, b) political support and respect for the actual work of teaching, c) socio-emotional peer support with a sense of community, actively developed and sustained through thoughtful policies, d) access to strategic resources such as space, materials, time, and funds, and e) inspired state and school leadership who share the vision of empowering students and value teacher input.[19] These factors can lead teachers to feel that they have honest impact on students and student learning, and the ability to exert influence over their daily work lives. Teachers who do not work in this kind of environment are far less likely to feel empowered, and are not likely to empower students.[20]

Sincerely,

Amy Perruso, Ph.D.
Mililani High School
Advanced Placement Social Studies
NBCT

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- [1] Baker, Eva, Paul Barton, Richard Shavelson, Linda Darling-Hammond, Edward Haertel, Helen Ladd, Diane Ravitch, and Richard Rothstein. "Problems With the Use of Student Test Scores to Evaluate Teachers." *Economic Policy Institute*. Epi.org, 27 Aug. 2010. Web. 20 Jan. 2016.
- [2] "A great education begins with well-rounded teachers who model in their own actions the skills and characteristics they would like students to develop. Now is the time to recognize that educational leadership is not power over schools and students.....Rather, it is giving power to those in schools to make the decisions that work best for the students in each unique school." Payne, Catherine. "New Legislation Offers Hope of Improving Public Schools." *Honolulu StarAdvertiser*. Star Advertiser, 21 Jan. 2016. Web. 21 Jan. 2016.
- [3] Wilson, Alisha. "An Open Letter to the Leaders of Education." *Medium*. Medium.com, 20 Jan. 2016. Web. 21 Jan. 2016.
- [4] Strauss, Valerie. "Teacher Job Satisfaction Plummets - Survey." *Washington Post*. The Washington Post, 7 Mar. 2012. Web. 21 Jan. 2016. Davis, Kelly, and John Calagna. "The MetLife Survey of the American Teacher: Challenges for School Leadership." *MetLife*. Metlife.com, 21 Feb. 2013. Web. 21 Jan. 2016.
- [5] Zembylas, Michalinos. "Emotions and Teacher Identity: A Poststructural Perspective." *Teachers and Teaching: Theory and Practice*. Tandfonline.com, 25 Aug. 2010. Web. 21 Jan. 2016.
- [6] Woodward, Arthur. "Over-Programmed Materials: Taking the Teacher out of Teaching." *American Educator*. ERIC, Spring 1986. Web. 22 Jan. 2016.
- [7] Archibald, Douglas, and Andrew Porter. "Curriculum Control and Teachers' Perceptions of Autonomy and Satisfaction." *Education Evaluation and Policy Analysis*. Sage Journal, 20 Mar. 1994. Web. 21 Jan. 2016.
- [8] Anderson, Judith. "Who's in Charge? Teachers Views on Control Over School Policy and Classroom Practices." *Office of Education Research and Improvement: Research Reports*. Ed.gov, Aug. 1994. Web. 22 Jan. 2016.
- [9] May, Donald S. *Curriculum Control and Teachers' Perceptions of Professional Discretion and Satisfaction*. Diss. U of Central Florida, 2010. Orlando: U of Central Florida, 2010. Print.
- [10] Milner, Richard, IV. "Policy Reforms and De-Professionalization of Teaching." *National Education Policy Center*. ERIC, Feb. 2013. Web. 22 Jan. 2016.
- [11] Ibid.
- [12] Carlgren, Ingrid. "Professionalism and Teachers as Designers." *Journal of Curriculum Studies*. Tandfonline.com, June 2010. Web. 21 Jan. 2016.
- [13] Lasky, Sue. "A Sociocultural Approach to Understanding Teacher Identity, Agency and Professional Vulnerability in a Context of Secondary School Reform." *Teaching and Teacher Education*. Science Direct, Nov. 2005. Web. 22 Jan. 2016.
- [14] Pearson, L. Carolyn, and William Moomaw. "The Relationship between Teacher Autonomy and Stress, Work Satisfaction, Empowerment, and Professionalism, Educational Research Quarterly, 2005." *Educational Research Quarterly*. ERIC, 2005. Web. 21 Jan. 2016.
- [15] Pearson, L. Carolyn, and William Moomaw. "The Relationship between Teacher Autonomy and Stress, Work Satisfaction, Empowerment, and Professionalism, Educational Research Quarterly, 2005." *Educational Research Quarterly*. ERIC, 2005. Web. 21 Jan. 2016.
- [16] Torres, Carlos Alberto. "No Child Left Behind: A Brainchild of Neoliberalism and American Politics." *New Politics*. Newpol.org, Winter 2005. Web. 22 Jan. 2016.
- [17] Katrijn, Ballet, Geert Kelchtermans, and John Loughran. "Beyond Intensification Towards a Schotarschip of Practice: Analysing Changes in Teachers' Work Lives." *Teachers and Teaching: Theory and Practice*. Tandfonline.com, June 2006. Web. 22 Jan. 2016.
- [18] Perkins, Douglas, and Mark Zimmerman. "Empowerment Theory: Research and Applications." *American Journal of Community Psychology*. PubMed, Nov. 1995. Web. 22 Jan. 2016.
- [19] Maton, K., and D. Salem. "Organizational Characteristics of Empowering Community Settings: A Multiple Case Study Approach." *American Journal of Community Psychology*. U.S. National Library of Medicine, Oct. 1995. Web. 22 Jan. 2016.
- [20] Udom, Udoh Elijah. *What Makes Students Tick?: Unlocking the Passion for Learning*. Bloomington: Balboa, 2014. Print.

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Heading: Testimony in support of SB2596

Testimony for: Committee on Education Hearing on Wednesday, February 10, 2016 1:15pm

Honorable Chair Kidani and committee members,

My name is Debbie Anderson. I am a teacher at Waiakea Intermediate School on the island of Hawaii. As a teacher of over 25 years in Hawai'i, I am writing in support of SB2596 Educational Evaluations, [SB 2586](#) subcomponent Part XI, which "Requires the department of education to consult with appropriate bargaining units in establishing an evaluation program for teachers and educational officers, establishes that a teacher or educational officer is not responsible for the achievement of a student who is chronically absent, and prohibits a department of education evaluation program from affecting the compensation or employment status of any teacher or educational officer. Repeals provisions requiring a particular frequency and basis of Evaluations," as such decisions can be negotiated and made more closely each school unit.

Teacher Evaluations

At the January 24, 2016 Hawaii School Empowerment Conference, Diane Ravitch consoled Hawai'i for receiving a \$75 million dollar Race to the Top (RTTT) grant in 2012, "I'm sorry." Why? By far, Hawaii is the state which has spent the most on testing on a per-student basis.

To qualify for the grant, states had to agree to evaluate teachers based on their performance. Similar to evaluation systems in other RTTT states, the Educator Effectiveness System (EES) was developed in order to satisfy this requirement. Teachers' ratings would reflect their students' scores on the new tests, and these ratings would determine pay raises as well as job continuance, despite considerable research showing that teachers' impact on student performance on standardized tests is minimal (less than 10%).

Research has placed heavy doubt on the so-called "value-added method," or VAM, used in Hawai'i to calculate teacher effectiveness: "[T]he tests used for calculating VAM are not particularly able to detect differences in the content or quality of classroom instruction." [3] Furthermore, the American Statistical Association has established that the VAM formulas fail to determine effectiveness "with sufficient reliability and validity." [4] The same teacher can receive wildly fluctuating results from year to year. VAM scores are even currently being used as part of EES to evaluate teachers who do not even teach, and have never taught, the students currently being assessed.

Legislating an evaluation system which operates on such shaky legal grounds has created a high degree of state liability.

Damage to Public Education

The impact of the adoption of this faulty evaluation process by the Hawai'i DOE has been a widespread drop in teacher morale, as teachers recognize that they are not being evaluated in a way that is fair or reliable. The other outcome, of course, has been an even more narrow and rigid focus on testing in Hawai'i public schools. The adoption of Educator Effectiveness System, which links student test scores to teacher evaluation through the now widely de-legitimized "value-added method" (VAM), have virtually guaranteed that many teachers, in order to maintain their rating as "effective" (as opposed to "marginal" or "unsatisfactory"), and even survive as teachers, feel that they must compromise their professional integrity and decision-making by "teaching to the test."

Moment of Opportunity

Under the Every Student Succeeds Act (ESSA), the NCLB replacement signed into law in December of 2015, states will be required to maintain standardized testing but will be granted considerable leeway regarding what the tests will look like, how they will be implemented, and the uses to which data collected from them will be put. While there is varying opinion as to the relative merits of ESSA, we find ourselves at an exciting turning point if for no other reason than the shift of decision-making power with regard to testing from the federal back to the state level. ESSA allows a state to adopt other types of assessment beyond summative standardized tests, and teachers know that more formative authentic assessments are more useful in informing instruction. We now have the dual task of reversing the damage done by years of toxic testing and rebuilding an educational culture based on what teachers know through experience and what educational research confirms will lead to the highest degrees of success for our students.

We believe that the following steps must be taken:

1. Remove the barriers that are currently preventing teachers from making the best decisions for their students. This entails not only a thorough re-examination of the standardized testing currently in place, but also a rethinking of the tremendously time-consuming teacher evaluation system currently in place – a “top-down” system that teachers and administrators have almost unanimously decried as wasteful, misguided, and professionally insulting.
2. Grant teachers the critical autonomy and professional dignity, both to work collaboratively to devise the formative assessment methods and practices best suited to their particular students, and to determine the fittest methods for evaluating their own professional performance. This is how Finnish educational system reaches the top of the international rankings repeatedly.
3. Support teachers with the funds and resources they need to reestablish an educational culture that consists of a well-rounded curriculum and an approach to assessment that, rather than ranking, promoting, and penalizing teachers and schools according to narrow and mis-measured parameters, serves the goals to which sound assessment has always been put – namely, understanding what students have and haven’t learned from instruction and adjusting that instruction accordingly.

Empowerment Evaluation

Teachers believe in our profession, and that the empowerment of dedicated professionals can renew education from the inside, with evaluation which empowers [8]. We know grassroots professional development works, from experience with the National Board for Professional Teaching Standards (NBPTS), and we want to become leaders within our own profession.

[1] Walker, Tim. "NEA Survey: Nearly Half Of Teachers Consider Leaving Profession Due to Standardized Testing - NEA Today." NEA Today. NEA, 02 Nov. 2014. Web. 14 Jan. 2016.

[2] Hagopian, Jesse. "Arne Duncan. Testocracy Tsar. Educational Alchemist. Corporate Lackey." The Progressive, 01 Jan. 2016. Web. 14 Jan. 2016.

[3] Polikoff, M. S., and A. C. Porter. "Instructional Alignment as a Measure of Teaching Quality." Educational Evaluation and Policy Analysis 36.4 (2014): 399-416. Web.

[4] Strauss, Valerie. "Statisticians Slam Popular Teacher Evaluation Method." Washington Post. The Washington Post, 13 Apr. 2014. Web. 14 Jan. 2016.

[5] Strauss, Valerie. "What the New Common Core Tests Are - and Aren't." Washington Post. The Washington Post, 1 Jan. 2015. Web. 14 Jan. 2016.

Rasmussen, Steven. "The Smarter Balanced Common Core Mathematics Tests Are Fatally Flawed and

Should Not Be Used: An In-Depth Critique of the Smarter Balanced Tests for Mathematics.” SR Education Associates. Web. 14 Jan. 2016.

[6] “Strive HI System Index.” Hawai‘i State Department of Education. Web. 14 Jan. 2016.

[7] Ravitch, Diane. (2013). *Reign of Error: The Hoax of the Privatization Movement and the Danger to America’s Public Schools*. New York: Alfred A. Knopf.

[8] Fetterman, David. (2005) [Empowerment Evaluation Principles in Practice](#). New York: Guilford Publications.

Testimony for support of SB2596
Committee on Education Hearing
Wednesday February 10, 2016

Honorable Chair Kidani and Committee Members

My name is Jalen Holder, I am a freshman at Mililani High School, and I support section XI. Section XI of SB 2586, states that in evaluations, teachers should not be held responsible for test scores of students that are chronically absent. In other words, teachers should not be penalized for bad test scores of students who don't come to school enough. I completely support this legislation because chronically absent students can completely destroy a teacher's evaluation, and a teacher should not be harshly graded on the students not coming to class enough.

Teacher evaluations are done by taking each student's test score from the previous year, and comparing that to their score at the end of the year, and the amount the score has grown is what the teacher added to the student's knowledge that year. Teacher's are harshly judged on the new material learned by their students.

It's not fair if the student is not learning enough because he/she is not coming to school frequently enough. According to a study done in 2013 by the Department of Education, every 2 out of 10 elementary school students were considered to be chronically absent. That 20% is major issue, and this section of the bill will definitely benefit our teachers that work so hard to educate us, the students of Hawaii.

Sincerely,

Jalen