



The Education Trust-West

CHILDREN NOW



April 16, 2015

The Honorable Carol Liu
Chair, Senate Education Committee
State Capitol, Room 5097
Sacramento, CA 95814

The Honorable Patrick O'Donnell
Chair, Assembly Education Committee
State Capitol, Room 4166
Sacramento, CA 95814

RE: Senate Bill 499 (Liu) Teachers: best practices teacher evaluation system: school administrator evaluation (as amended April 9, 2015) – Set for hearing in the Senate Education Committee, April 22

Assembly Bill 575 (O'Donnell) Teachers: best practices teacher evaluation system: administrator evaluation (as amended April 7, 2015) – Set for hearing in the Assembly Education Committee, April 22

Position: OPPOSE

Dear Senator Liu and Assembly Member O'Donnell:

On behalf of the undersigned organizations, we are writing with regard to Senate Bill 499 (Liu) and Assembly Bill 575 (O'Donnell), your bills that would implement a Best Practices Teacher Evaluation System for public schools in California. Although the bills in their current form are not identical, they both address the same critical issues and include many matching provisions.

We appreciate this effort to make improvements in the way that California public schools evaluate teachers and administrators and stand ready to work with you in pursuit of this shared goal. However, we must respectfully oppose these bills because we do not believe they will improve existing evaluation systems and in fact could make progress in this fundamental area much more difficult.

Notwithstanding our opposition to SB 499 and AB 575, we recognize the worthy effort that has gone into the development of these bills and appreciate the efforts that you and your staff have made to address concerns that have been raised by education stakeholders. Unfortunately, we believe that the underlying structure of the bills—which in whole, is similar to that pursued in Assembly Bill 5 (2011-12 Session)—leaves us with little choice but to oppose them.

While you may receive individual position letters outlining additional issues of concern, the following are issues that are critical and common to the organizations that have signed this letter.

Expands the scope of collective bargaining

SB 499 and AB 575 would each require the development of teacher evaluation systems to be collectively bargained, including the requirement to negotiate the performance standards on which teachers will be evaluated. Currently, the terms and conditions of employment – including evaluation *procedures* – are subjects of bargaining. We believe strongly that school district governing boards **must** retain the sole right to determine the *standards and criteria* for job performance. By the very nature of collective bargaining, should these bills be approved, academic issues would become inextricably linked with financial matters and other employment conditions subject to bargaining. For example, in return for an agreement on the specific attributes of the standards and criteria by which teachers would be evaluated, employee organizations could insist upon compensation increases or costly benefits that in the long term would result in fewer resources being available to ensure that the neediest students are able to make progress in student achievement.

Changes student performance as foundational element of the teacher evaluation system

We are greatly concerned with provisions in both bills that would shift the requirement for school district governing boards to establish standards for expected student achievement (at each served grade, and in each area of study) outside of the article that governs the development and implementation of teacher evaluation systems. The elimination of the responsibility and authority of local school boards to set expectations in the body of evaluation law results in the abridgement of elected public school board's exclusive authority to establish standards of expected pupil achievement at each grade level in each area of study and tie it to accountability in the job performance of employees. In our judgment, this represents a significant and troubling change from current law, which establishes the foundation for a teacher's performance as it relates to student progress and success.

We are also troubled by the lack of reference to standards for student achievement that would inform an evaluator of each teacher's professional effectiveness, even though the bill allows for the inclusion of formative and summative student assessments. We believe the primary purpose of reforming the current system should be to create a stronger link to student achievement, and are therefore concerned that without a baseline of standards for comparison, the inclusion of assessments could be rendered meaningless.

Needs to address system capacity issues

We greatly appreciate that both bills include the intent to provide significant financial investment on the part of the state to develop, build and sustain effective and rigorous teacher evaluation systems. We urge you and your colleagues in the Legislature to focus on a comprehensive discussion about *all* of the necessary resources to develop, implement and sustain these systems for the benefit of our students.

Thank you for your efforts to move this challenging but critically important discussion forward, and look forward to working with you and your staff to meet these challenges in the months to come. As always, thank you for your consideration of our views.

Sincerely,



Ryan J. Smith
Executive Director
The Education Trust – West



Ted Lempert
President
Children Now



Bill Lucia
President
EdVoice



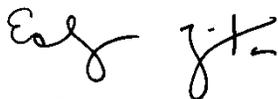
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cc: Members of the Legislature
Kimberly Rodriguez, Education Consultant, Senate President pro Tem Kevin de León
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Rick Simpson, Education Consultant, Assembly Speaker Toni G. Atkins
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