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SB1160

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**JOINT
STANDING
COMMITTEE
HEARINGS**

**EDUCATION
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All of these are questions that we have and that we would certainly be continuing to work with the legislature, but more than that, also working with our collective bargaining entities because we believe that in the end, it is most helpful for the state to foster engagement around these very complicated issues than to create chaos at the local levels so that we can either create a model that anticipates all the variances and has the approval of everybody relative to its value as a model and its application, that certainly would be a (inaudible) that we would expect to achieve.

SENATOR SUZIO: Thank you very much, Commissioner.
Thank you, Madam Chair.

SENATOR STILLMAN: Thank you, Senator. Are there any other questions for the Commissioner?
Thank you, Commissioner. We appreciate your time.

GEORGE COLEMAN: Thank you.

SENATOR STILLMAN: Thank you. Next is Lon Seidman and Ruth Levy.

LON SEIDMAN: Good afternoon. Senator Stillman, Representative Fleischmann and members of the Education Committee. I thank you for giving me an opportunity to address you this afternoon.

SB 1160

My name is Lon Seidman. I am the chairman of the Essex board of education, and I'm also presently chair of the Region 4 Supervision District Commission which is a cooperative agreement under State Statute 10-158(a) that includes the towns of Chester, Deep River, and Essex. I'm joined by Dr. Ruth Levy, who is

our superintendent of schools, and she's here to answer some questions, if we have any. It's kind of a complex topic, but it's very important to our district.

I'm here today in support of Senate Bill 1160, specifically the portions that allow for tenure or continuous employment status for teachers that are moved from the local or regional school district into a cooperative agreement committee.

Our three towns have essentially five boards of education right now including a board for each town's elementary school, a board for our regional school district which covers grades 7 through 12, and the Supervision District Committee. And, if you can imagine, it's quite a daunting organization to manage.

We have saved, however, millions of dollars over several decades sharing costs through our supervision district on everything from central office staff to extensive programs like special education and pre-school. And, while we have achieved some significant cost savings, we have found that having five boards of education for only three towns is a bit unwieldy.

So, we've struggled for the better part of 20 years to find a way to regionalize the district into a single board of education. Restrictions placed in the law about how regional districts are to be financed has made it difficult for us to find a way to regionalize in a financially equitable way for all the towns concerned. For example, my town of Essex would be hit with a nearly quarter of a million dollar charge almost every -- actually, every year if we were to fully consolidate our five school board system into

a single regional district. That's partly because we've achieved most of the cost savings through our cooperative agreement.

So, after much research, we're trying a different approach, and we're investigating a way currently to consolidate all pre-K through 12 educational services into a cooperative agreement committee. This would allow for more flexible cost sharing without the inequities associated with average daily membership cost calculations that a traditional school district is required to follow.

Part of this discussion has involved the potential consolidation of our teachers in the four districts into the cooperative agreement entity. This would reduce our number of teacher contracts from five to one and allow for more flexibility in sharing and moving staff between school districts. Current law does not allow teachers to move from a district into a cooperative agreement without losing their tenure status. Having the option to give districts the ability to consolidate contracts into a cooperative agreement without a tenure penalty would be very helpful for us as we investigate this plan.

Even short of us doing a full consolidation, this proposed change will give us and every school district in Connecticut additional flexibility to share staff and find ways to reduce cost by collaborating with neighboring districts.

And; I thank you for your consideration and your support in this important change.

Thank you, and I welcome any questions.

SENATOR STILLMAN: Thank you. Lon, I'm intrigued by this fact that it would cost your district a quarter of a million dollars if you were to fully consolidate. Would you just expand on that --

LON SEIDMAN: Sure.

SENATOR STILLMAN: -- a little bit?

LON SEIDMAN: Well, right now, we have three elementary schools and three school boards for each of those, and Essex has the population of about -- student population of about -- equal, actually, to Chester and Deep River combined, so we have 500-and-something students, and the other two towns have that amount in two buildings. We have that amount in one. We get an economy of scale just by the nature of having that many children in a single building, and the nature of average daily membership, which is how regional districts are to be financed, would mean that our essential economy of scale gets spread out to the other two towns in the district, and given that we have to bring this to referendum, I don't think many voters in this environment would certainly welcome that significant cost expenditure without a significant change to the way our schools are operated.

We really believe that having children be in their home schools for grades K through 6 is important. There is some, you know, mileage between the schools and time on the school bus is one consideration, but also it just works for us right now, and it would be really difficult for us to make a full consolidation into a regional district.

SENATOR STILLMAN: Thank you. I'm really intrigued -- I was quite surprised to hear that three

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towns have five boards of education. It sounds like a nightmare.

LON SEIDMAN: Well, you should come to our meeting. We have 33 members. We all meet at the same place.

SENATOR STILLMAN: Which board?

LON SEIDMAN: Well, all four of them. You see, we have four boards, and the cooperative agreement is kind of designed to take some of the bureaucratic load off of the other board, but we do have to meet as a group because there are certain things that we have to do all together.

If we were to consolidate into a cooperative agreement, we could actually manage most of our pre-K through 12 educational services with one board at a single time, but our local towns would still have control over the elementary portions of the budget, and for most of our towns, these are small towns. Those budgets are 80, 85 percent of the whole town expenditure for the year, and they're very nervous about losing that control.

So, this is a great way to kind of get the best of both worlds for us where we have a regional school system for our middle school and high school, but also realize the cost savings and, hopefully, administrative streamlining that we can use to focus on achievement, student achievement.

SENATOR STILLMAN: Which high school do those students go to, or is there not one?

RUTH LEVY: We have only one high school.

SENATOR STILLMAN: Would you identify yourself just

for the record?

RUTH LEVY: My name is Dr. Ruth Levy. I'm superintendent of schools for Essex, Chester, Deep River and Region 4 schools, and that includes the three elementary schools, John Winthrop Middle School, and Valley Regional High School.

SENATOR STILLMAN: So, it's Valley Regional High School. Okay.

So that -- I just want to understand this supervision district. Is it the supervision district that employs everybody and not the other boards?

LON SEIDMAN: Not yet. Not -- it employs some staff members. What we've done is special education -- and I'll give you a great example. First of all, it employs Dr. Levy, but it also employs our pre-school program in the elementary schools, and as you all know from talking to your local board of ed, pre-school is a very expensive program. It's something that's very staff-to-student intensive in that there's a small number of students for each staff member. We've be able to significantly consolidate our expenses by having all three towns go to one place for that service, and these are separate school districts right now under the law, and this statute, which is not used too often actually, allows us to do that, and the State Department -- and Dr. Levy can substantiate this -- the State Department recognizes that almost as its own school district.

RUTH LEVY: It's just that the economy has failed that Lon talked about really has an impact on pre-school programs and special education services across the three elementary schools

as well as the middle school and high school, and having a change to this particular aspect of the tenure law in 1160 would allow teachers to be able to flow from district to district.

Currently, we have teachers that given the economy and given an enrollment decline might need to be laid off, so if those teachers need to be laid off currently, they have no job to go to even if there were an opening in one or the other towns because they are listed as separate towns.

Under this, it would allow us for teachers to be able to move from one district to another without leaving their tenure and any of the benefits that come with it.

SENATOR STILLMAN: Thank you very much. Do you know, is this unique or are you the one and only that does this in the state?

RUTH LEVY: I believe we're fairly unique in this. There may be one other district in the northwestern corner of the state that has a structure similar to this.

SENATOR STILLMAN: Thank you. That's very informative, and it obviously makes good sense. We should have since you're the superintendents of all those schools, we should have that ability to move staff around without, you know, those holes in the system, so thank you.

Anyone else have any questions?
Representative Fleischmann?

REP. FLEISCHMANN: First, I'd like to thank you for bringing this to the Committee's attention. Before we received communications from you, we weren't aware of this serious and somewhat

ridiculous impediment to the kind of cooperation that we support.

I'm wondering, have you had corporation counsel review the legislation as drafted and give his or her opinion on whether it surmounts all the hurdles that you're dealing with right now?

LON SEIDMAN: Yeah. We haven't -- we actually did get an opinion not on these specific changes but on 10-158(a) as it relates to pre-K through 12, and the issue that really jumped out for us and our attorneys was that issue of staff movement, and we'll double check and get back to you on that, but I'm pretty sure that this will address the problem, and we'll get a confirmation of that.

REP. FLEISCHMANN: Thank you. It would be very helpful. I don't know if you're going to have to get the opinion of one attorney or five, but however you all work it out to make sure that the folks who are going to be on the ground effectuated the combination of the districts make -- are confident that this works. We'd like to know that before we report the bill out. If there are tweaks, we'll be happy to make them.

LON SEIDMAN: Sure.

REP. FLEISCHMANN: Thank you.

LON SEIDMAN: Thank you.

SENATOR STILLMAN: Thank you, Mr. Chairman. Does anyone else have any questions?
Representative Srinivasan?

REP. SRINIVASAN: Thank you, Madam Chair.

If I understand you, one of the concerns you have is in this cooperative agreement, if the teachers are moved into that agreement, which I assume they're not at this point --

LON SEIDMAN: Most of them are.

REP. SRINIVASAN: Most of them are?

LON SEIDMAN: Some are in that agreement that are shared, and others we would like to share at some point that are not.

REP. SRINIVASAN: Right. And, the implement here is that they would lose their tenure if they come into this agreement?

LON SEIDMAN: Right.

REP. SRINIVASAN: How about the people that are already there? Are they tenured, or how did they get tenure, or are they not tenured at all?

LON SEIDMAN: They are tenured. Under state law, the same laws that apply to traditional school districts are also applied to a cooperative agreement, so if they achieve tenure status within that -- within that cooperative agreement, then they have it, and they can't move out either.

REP. SRINIVASAN: Okay.

LON SEIDMAN: So, that's --

REP. SRINIVASAN: So, it's moving into this is what you would like us to look at and then give you a favorable response. Thank you. Thank you. Thank you, Madam Chair.

SENATOR STILLMAN: Thank you, Representative. Any

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other questions? Thank you both very much.
It's good to see you.

LON SEIDMAN: We appreciate the opportunity. Thank
you.

SENATOR STILLMAN: Yes. We'll look forward to some
feedback in terms of the questions.

LON SEIDMAN: We'll get back to you.

SENATOR STILLMAN: Thank you.

Next is -- I believe he's the superintendent
of the Stamford schools, Josh Starr. If I'm
wrong, please correct me for the record -- to
be followed by Superintendent Chris Leone.

JOSHUA STARR: Good afternoon, Senator Stillman and
Representative Fleischmann, and members of the
Committee.

I'm Joshua Staff, Superintendent of Schools in
Stamford. I'm here representing the
Connecticut Association of Urban
Superintendents, of which I'm chair. I'd like
to comment on Bill 1160.

We are extremely appreciative that the
Committee has raised this issue around --
particularly around tenure and the evaluation
systems, and we are conditionally supportive
for some things that are in it and also some
things that are not in it, so I want to
briefly describe our positions.

You may be aware that the Connecticut
Association of Urban Superintendents
represents the urban districts throughout the
state. We have recently published an urban
agenda that lays out seven items that we
believe need to be addressed in order to

address the achievement gap within the state. I do have copies if you're interested. Two of them directly relate to Bill 1160.

We seek to align educator evaluation and placement systems with student achievement data based on multiple measures as well as school and district reform needs, and we also want to have the ability to assign staff based on factors other than seniority if a district chooses.

Performance, experience, training, qualifications should be taken into account in addition to seniority. So, let me briefly talk about Bill 1160.

One aspect is tenure and, quite simply, we're of the mindset that tenure should be renewed every five years and since that isn't -- it's not in 1160. It would be an opportunity -- since you're talking about tenure, it would be an opportunity to perhaps consider a renewal process which would keep folks constantly refreshed.

The more important portion is around evaluation systems and, again, we're very appreciative that the State Department has taken it upon itself to have the performance evaluation committee. There are a couple of aspects of it I'd like to address. One is that we strongly urge that the evaluation systems not be subject to mandatory bargaining, and we need to keep it out of that process. We're already bogged down in process as it is, and expedience is key.

If I may, I'd like to just sort of describe some of the cost-benefit analysis that principals have to go through when they are attempting to evaluate out teachers that may

be ineffective.

If you think of a school that has 50 teachers, let's just say for argument's sake that 10 are new, 10 may be retiring, 10 may have less than five years, 10 have five years to retire, and 10 are in the middle and need to be constantly updating their skills, and there may be two within that group that are ineffective and that need to be moved out.

A principal -- it will take a principal possibly up to two years of almost daily attention to create the paperwork that's necessary to move that person, that ineffective teacher, out, and when there are so many other factors within the school that you need to support -- new teachers -- three minutes already?

Very quickly, we oppose any linking of the evaluation system to mandatory bargaining. It is essential that principals have expedience in the process and that their multiple measures are used in the evaluation process, and we would also encourage factors other than seniority to be used in the written process.

Thank you very much.

SENATOR STILLMAN: Thank you, sir. Any questions?
Representative Fleischmann?

REP. FLEISCHMANN: Thank you for your testimony.

I can't seem to find a written copy of your testimony. Have you submitted --

JOSHUA STARR: No, I did not provide a written one.

REP. FLEISCHMANN: Could you just state again, your testimony represented your perspective not

only as superintendent of Stamford, but is it the position of the Connecticut Association of School Superintendents?

JOSHUA STARR: Connecticut Association of Urban Superintendents, which is a subset of the Connecticut Association of Public School Superintendents. We do have our urban education agenda, which lays out some of this.

REP. FLEISCHMANN: And, do I understand correctly that you appreciate the notion of a model evaluative system being presented to you, but then you want latitude as to whether or not you use the model, tweak it, et cetera?

JOSHUA STARR: Yes, and it -- and it should not be subject to collective bargaining.

REP. FLEISCHMANN: And, we have had testimony -- actually, let me follow up on that. Why should it not be subject to collective bargaining?

JOSHUA STARR: Well, it -- there's -- there's no doubt that in order to have a good evaluation system, teachers, administrators, school boards, superintendents, et cetera, need to come together, but one of the things as I attempted to describe but was held up by the bell is that we are already bogged down in significant process and constraints that come with it, and there needs to be a certain amount of expedience when a teacher is identified as ineffective using multiple measures of student as well as adult performance data.

REP. FLEISCHMANN: Is it your belief then that if you were in dialogue with, say, the local that represents the teachers in your school system, that you could not come to mutual agreement on

what the circumstances are that indicate a teacher is ineffective and in need of intervention?

JOSHUA STARR: We support the dialogue. We absolutely support the dialogue. It's a necessary issue, but it should not go to the step of being -- if we had a state-wide system that then at the local level of contractual agreement can negate that, that could be potentially problematic.

REP. FLEISCHMANN: And, you're aware of what they achieved in New Haven -- excuse me -- in the city of New Haven, the school district of New Haven, through a bargaining process?

JOSHUA STARR: Certainly.

REP. FLEISCHMANN: That doesn't affect at all your view of whether or not there should be an element of collective bargaining?

JOSHUA STARR: Well, I don't know that all districts have the kind of resources that New Haven was able to bring to the table. I mean, that's an extremely high level of folks nationally, locally, that tended to create the contract as it is, and while it serves as a model, it is not necessarily practical in every case, and I think that adding a collective bargaining process to it might hinder other districts from doing it.

REP. FLEISCHMANN: Thank you. Finally, we have testimony that's going follow yours that indicates that this legislation mandates a single model system of evaluation. Is that the way you read the bill?

JOSHUA STARR: You know, I wasn't quite clear on that, quite frankly, if it mandates it or

creates a model that then can be used as -- I think somebody mentioned before -- as a floor perhaps, and you want to maintain some local control or allow for some local nuances, but there are certain elements of an effective model such as the use of multiple measures and the design process being a collaborative one that are certainly good for all districts, but I don't know if there's one absolutely identified for everybody.

REP. FLEISCHMANN: I agree, and I didn't think this legislation did that, but certainly we'll look more closely at the language in trying to make sure that we are giving sort of latitude in this matter. Thank you for your testimony.

JOSHUA STARR: Thank you.

SENATOR STILLMAN: Thank you, Mr. Chairman. Any other questions? Representative Kokoruda?

REP. KOKORUDA: Thank you, Madam Chairman. Thank you for coming today.

You mentioned the removal process is so difficult, a two-year process, and you're bogged down, or whatever. Could you just give us briefly what's holding the process up for so long?

JOSHUA STARR: Well, it's -- when I say two years, it can be within a year, it can be within two, but if someone's tenured, it requires regular observations and documentation of where that teacher is not being effective. And, as I was describing before, there's a cost benefit that the principals have. If the question is around supporting -- you know, being in the classroom to support the new teachers so that they stay in the district or making sure that some of the teachers that are marginal get the

kind of support they need, making sure that some of the teachers who have been there for 15 years and, you know, just need to be rejuvenating their skills, it's a constant cost benefit that the principal has to make in order to make sure their school is running well, along with all the other things that they have to do.

And, with the somewhat onerous processes that exist now, you know, oftentimes the principal thinks well, if I focus -- if I do everything I have to do to get rid of that one teacher who may be ineffective, then I'm not doing what I need to do to support the other teachers that need it, and that kind of -- that analysis that they have to do oftentimes results in the somewhat ineffective, not extremely ineffective, but the ones that, you know, are somewhat ineffective not getting the kind of attention they need, and that's, again, why we need multiple measures of student and staff data and performance data to be included in the evaluation process.

(Inaudible.)

SENATOR STILLMAN: Thank you, Representative. Does anyone else have questions? Representative Davis?

REP. DAVIS: Thank you, Madam Chair.

I'm having a little difficulty with some of the logic here. You had an ineffective teachers who's been in the system for a considerable period of time, and it's difficult to get rid of that teacher, and it may be a two-year process.

So, it seems to me that you're saying it should be based on evaluation which should be

collegial, working with the teachers, but you want to have final say as to how that teacher is evaluated without having the teachers, shall we say, bargain, so that particular evaluation tool, and then it's going to take two years to get rid of an ineffective teacher who's been teaching in the school system for a long time. Now, how did that teacher who's ineffective get to be there so long? Why weren't they removed from the system prior to that date?

I mean, we talk about four years before a teacher gets tenure. I would hope that the administrators who are evaluating that teacher would have been able to make a determination that this teacher is not going to be effective and move them from the system before they get tenure, which is the purpose of the whole process.

But, you still don't want teachers to have the final or, shall we say, a collegial input agreement in what they're buying into. I mean, if I'm a teacher and I don't have any feeling that I'm buying into a system where I have some say about the system, what gives me the confidence that a new administrator is not going to come in and say: Not effective teacher; been teaching 20 years, but not effective? How do we get around that?

(Inaudible.)

JOSHUA STARR: Sorry. So, it's more a matter of -- so you absolutely need the collaboration and the cooperation in order to set up a very good system. You need multiple measures of student performance data as well as teacher performance data and the kinds of professional development the teacher's gone through and their willingness and ability to implement

district reforms to be taken into account, and that should be standard throughout -- throughout the system.

Whether or not when you get down to brass tacks, it's subject to collective bargaining is -- is one that we have some concerns about as I know others will address much more comprehensively than I will.

REP. DAVIS: Thank you.

SENATOR STILLMAN: Thank you, Representative Davis. Questions? Representative Molgano?

REP. MOLGANO: Thank you, Madam Chair. Good afternoon, Dr. Starr.

JOSHUA STARR: Hello.

REP. MOLGANO: The more things change, the more they stay the same (inaudible).

You didn't touch upon this, but it's part of the bill, and I was just hoping that maybe you could share something with the Committee.

Section 1 is talking about the Department of Education is going to do a study on transportation issues, and they will have that before us by next January 1st. You and I know about these using Stamford. I don't know if there's something you can share with the Committee that may be helpful as we're all going to be looking at this.

JOSHUA STARR: I haven't really studied that part of the bill, but we can certainly use more money for transportation. I kind of throw that in wherever I get a chance, but I haven't really studied that part of the bill, Representative Molgano.

REP. MOLGANO: Thank you.

SENATOR STILLMAN: Thank you, Representative Molgano. Representative McCrory followed by Representative Srinivasan.

REP. MCCRORY: Just a quick question. You specifically stated that seniority should not be used when you're developing the guidelines for whenever you want to dismiss (inaudible). I can agree with that. Are there any measures you think should be included, and if you want to weight the measures, how would you weight seniority, student achievement, et cetera, et cetera, if you were to put a tree together? Then I'll have my next comment after that.

JOSHUA STARR: Seniority should not be the sole factor in a reduction in force process. It should not be the sole factor, and teachers absolutely need protection from any process that would take into account funding over seniority because we can buy, obviously, two young teachers for one veteran teacher, so they need to be protected from that.

When you look at the way schools work, first you need to incorporate student achievement in some ways, and there are absolutely some teachers that are much more effective in producing student achievement than others, and in the written process, that should be taken into account.

We do an enormous amount to prepare and train teachers, certainly in particular models. You know, more and more urban districts in particular are going to portfolio models that have a distinct program. For example, in Stamford, we have the international baccalaureate program in a couple of our

schools. We invest an enormous amount in them. If a new teacher who we've invested thousands of dollars in gets riffed and somebody else who we haven't invested in comes to that school, it can be an issue, so sometimes -- it's not only -- and I know -- and I support what Steve Adamowski, of course, wanted to do, which is to have a (inaudible), you know, you can do that as well, but certainly the training and development that folks have had is extremely important.

And, then, this is much harder to measure, but the fit within the school community and the school culture. You know, one of the things we're trying to do is keep our young teachers in the system and develop them and give them opportunities to grow and learn, and if they get bounced around a lot or if somebody gets put into a school that it's not the right fit for them, it can be detrimental to that school.

So, those are the kinds of things that we want to take into account.

REP. MCCRORY: My comment will be a lot of what you said -- well, the only thing that you added besides tenure and student evaluation, you said training. Everyone knows if you get more training, of course, that enhances your ability to be a teacher.

But, some of this I'm not hearing, but I think I'm hearing -- just not spoken -- (inaudible) is the subjectivity of the administrator, and that's would consumes me, and the financial costs if you have to make a decision.

Based on what tool is created -- and I would hope that, you know, a tool would be something that would be a bargaining unit's gain the

administration comes to grips with. I think you should have buy-in on both parts.

But, what concerns me would be the subjectivity that an administrator might have for a teacher in that what you call good fit. What does that mean? The reason why I say that is because (inaudible) as you know, we have one of the largest achievement gaps in the state, and one of the biggest school districts that's causing that achievement gap are the urban school districts and based on the data from the State Department of Education, and at the end of the day, both issues have to start carrying their weight, and I would like for you to have every tool possible that you need at your disposal to eliminate that achievement gap because it's not happening right now, and like I said, based on the data that I receive, most of the problem is coming from our larger school districts.

So, if you're saying that you need this tool to evaluate teachers to get good teachers in and move bad teachers, are you saying also down the road we'll also see an improvement in achievement based on the fact that a new teacher is in and an experienced teacher is out? Is there any scientific data that says that?

JOSHUA STARR: The number one factor in improving student achievement is effective instruction, right? That's what is most important to ensure that kids achieve at a high standard, and there are multiple ways to ensure that there is effective instruction, and the seniority rules around the reduction in force process sometimes compromise the reform efforts that a school has undergone to improve instruction, and that's a result of budget

cuts, and we certainly know that that -- you know, unfortunately we are -- many more of us are subject to the riffing process now than used to be the case previously, and we do not want to in any way, shape or form create a situation where veteran teachers are out and young teachers are in because young teachers are better. That's not the suggestion at all.

We do need to have some levels of flexibility and, again, take into account those measures of teacher effectiveness when making reduction in force decisions, and if those measures of teacher effectiveness are based on multiple student achievement data as well as adult performance data, we can start, and I would also caution us in a lot of ways, if I may say a couple of quick things.

This is a really comprehensive, exhaustive process that we're about to embark on, or I hope the state is about to embark on, and it will not be solved with just one legislative act or around one area. For other states that have done this, it's an intensive comprehensive effort to address these issues around what an effective teacher means and how that contributes to good school reform. So, there's no one single answer to it.

The other piece, I think, is that we are over -- constantly trying to over-regulate a lot of what's happening in education, and in many ways we need to trust our teachers and our principals and develop them and make sure that they are -- have the tools and resources they need to -- and there's only so much we can regulate a lot of these things, but nothing is going to get fixed by one bill alone.

SENATOR STILLMAN: Thank you very much.
Representative Srinivasan?

REP. SRINIVASAN: Thank you, Madam Chair.

You brought up an important point that it takes you almost about two years or two years-plus to get rid of a teacher if that's the decision that has been made. In your proposal, are you suggesting that teachers go for being re-tenured after the (inaudible)? Do you think that will enable the schools in the second go-around, A, not to tenure the teacher because of performance or whatever it is, and that will enhance you to maybe, you know, get rid of a teacher if that's what the decision of the board is? Will that be helpful in the process, or are you just going to be planning to rubber stamp this tenure from one (inaudible) to another one, and it's just another process?

JOSHUA STARR: I think it would keep people on their toes and will force folks to constantly ensure that they are doing everything they can to provide our kids with what they need. We do not intend to rubber stamp at all.

I also just want to make sure that I'm clear that we are not interested in being in the business of getting rid of people. I mean, there are people who need to consider other careers, but providing the appropriate supports and the needed supports to our teaching staff as well as our administrative staff is what's most effective, and also making sure that through the use of multiple measures, we can link, you know, the -- really understand who is effective and ineffective and move on those people who aren't, but we don't want to -- I don't want to suggest that we are most interested in simply getting rid of people. We're most interested in supporting people and making sure that we have

the best teachers in front of our kids.

SENATOR STILLMAN: Thank you, sir. Yes, Representative?

REP. LAVIELLE: Thank you, Madam Chair, and good morning, or afternoon. Thank you for your testimony.

To that point, because I -- I certainly see this legislation as, you know, helping us to get the best teachers possible, and that's what I've heard you say as opposed to having a tool to eliminate people, have you felt -- this is what I'm most interested in knowing -- have you felt up until now that you have had adequate means to make these decisions when there weren't economic -- as great economic constraints that we have now, but just on the basis of are we providing the best quality teaching possible, or do you think that this legislation goes farther to help you make those decisions on an ongoing basis whether you're facing heavier economic constraints than usual or not?

JOSHUA STARR: I think that the bill is a really great first step in starting to move this issue of having a comprehensive system of evaluating teachers based on solid multi-dimensional data. It's a right first step, and I think that it's going to require -- this is why the State Department has a committee and, again, I appreciate that you've taken up this issue, and it's not going to be solved with one bill, but it certainly is the right first step.

REP. LAVIELLE: Thank you, and thank you, Madam Chair.

SENATOR STILLMAN: Thank you, Representative.

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mrc EDUCATION COMMITTEE

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12:00 P.M.

Anyone else (inaudible)? Thank you very much.

JOSHUA STARR: Thank you.

SENATOR STILLMAN: Superintendent Leone, are you here yet? Okay. He's on his way.

Dr. Robert Siminski? And then after Dr. Siminski, to be followed by Sharon Palmer and John Yrchik.

ROBERT J. SIMINSKI: Good afternoon, Senator Stillman, Representative Fleischmann and members of the Education Committee.

HB 6585

My name is Robert Siminski. I'm Superintendent of Schools in Regional School District Number 8. I was also Superintendent of Schools in Thompson, and early in my career, I was the Director of Education in the Rhode Island State Prison and the State prison in Trenton, New Jersey. During my career -- during my tenure as the Director of Education in the prisons, I spent a great deal of time with young males of all races and colors who had bad experiences in K-12 education. Upon my return to the K-12 in Reno, my goal was to provide programming that met the needs of individual students in a way and at a time that would ensure their success.

At Regional School District Number 8, I feel we have such a program. Our Evening Diploma Program allows all students who are having difficulty coping with the regular high school environment to succeed. Our program operates from 2:30 to 5:30 each day. The courses are taught by certified teachers, and a guidance counselor is the director of the program. She also provides counseling and guidance services to the students. The curriculum for the courses is based on state curriculum

with the fact that maybe there isn't as much support in adult ed as there is in regular high school. Could your program -- is your program more supported for the students?

ROBERT J. SIMINSKI: It's more supported because of the class ratios, the work of the guidance counselor. There's a chance for a student to receive individual attention and they feel a sense of unity. They're tied to the school; they're tied to their friends; and, they motivate each other to succeed.

REP. JOHNSON: Do you see that there are things available in regular high school that are not available in your adult education program?

ROBERT J. SIMINSKI: There are some things, but I think when we look at the needs of the students and their ability to fit into an environment that allows them to success, this program, this small nurturing environment, is better for them.

We have the resources of the high school available for them to use in various courses, especially in the area of technology.

REP. JOHNSON: Thank you for your testimony. Thank you, Madam Chair.

SENATOR STILLMAN: Thank you, Representative. Any other questions of the gentleman? Thank you, sir, very much. We appreciate your input.

Next is Sharon Palmer to be followed by John Yrchik.

SHARON MURPHY PALMER: Good afternoon. Happy St. Patrick's Day. I am Sharon Murphy Palmer, president of AFT Connecticut. There are 28,000 of us. We are diverse little part of

SB1160

the AFL-CIO.

So, I'm here to support 1160, and not to support it really. It's our vision of a framework for teacher evaluation, and I want to thank the Chairs for allowing us to have this, to move forward for a hearing.

The teacher evaluation statutes are currently under review and discussion by the Performance Evaluation Advisory Council. That should continue. There is a tremendous amount of work yet to be done, and this proposal in no way sets that aside. I want to make that perfectly clear.

We believe it's important to put a framework around that initiative because it's a very long, arduous task, as we did it in New Haven, to get to a good evaluation system. The bill spells out a process and leaves lots of room for local districts to negotiate over what should belong in their district's evaluation.

We're looking for one that provides real opportunity for teachers to improve, not a gotcha process, but one that really informs instruction, and I'm hoping that you will ask me the same kinds of questions that you asked others with regard to seniority and other issues that have come forth in this hearing.

We're aware of the debate regarding teacher competency and bad teachers in our ranks. It's often said that the process is too long and too expensive. I heard two years earlier. Our proposal is that the remediation part, the help part, should go on for no longer than one school year and that if there -- if it does result at the end of the line, if a teacher is not up to par, the dismissal process should take no longer than 100 days once the teacher

is notified.

We've heard over and over from legislators across the state that they'd like a New Haven style agreement in their local. Well, the districts -- that takes an incredible amount of work that not every district is prepared to undertake. 1160 begins the process for them by putting in a framework, an operating framework, around that process, and allows them to tailor that to their district.

I will say that this is a bold step for our union and one that we don't take lightly, and we hope that we can get support for this bill.

Thanks.

SENATOR STILLMAN: Thank you, Sharon. It's nice to see you here, Sharon (inaudible), and happy St. Patty's Day to you as well.

All right. The question of seniority, we'll have to ask you.

SHARON MURPHY PALMER: Yes.

SENATOR STILLMAN: So, would you respond to that, and also I'm going to get my second question in as well. In the second paragraph on the second page of your testimony where you come up with time lines, the 100 days, et cetera, could you just explain to us how you determined those time lines as well?

SHARON MURPHY PALMER: There are some guidelines now, but you heard testimony, I believe, from Superintendent Starr that it could take up to two years. That's too long. Very simply, that's too long. And, so 100 days is sort of an arbitrary figure. Our national union, AFT, is recommending 100 days, but I'm sure we'll

have more discussion as this -- about this as it moves forward.

Seniority, a complicated issue. I'm glad you asked. The discussion that's out there right now is that a junior teacher should be allowed to stay and bad senior teachers should go.

I think the two should not be combined. Bad senior teachers should be mentored, should be coached, and if they can't get up to par, they should be let go. That's a separate issue.

I appreciated Representative Davis' remarks asking how a senior teacher gets to be senior if they don't know what they're doing, and that's a problem that we all have to take ownership of, but I think the focus is very wrong.

What we should be debating here is how we retain junior teachers. What has been put out there informationally is really incorrect. There will be hundreds of teachers leaving urban districts. They leave by choice. They don't leave through layoffs.

We lose 50 percent of our urban teachers within five years, so a seniority issue really is a non-issue. Very rarely does a junior teacher get laid off or bumped out by a senior teacher. That's the exception rather than the rule. The rule is that urban districts are hunting for teachers to fill positions. That should be the focus of our discussion and our debate. How do we reinforce and help junior teachers so that they want to stay and remain in those urban districts? That's what we're hoping the evaluation system will assist them with, so that we are -- we will see a higher retention rate among young teachers.

So, that is our view of seniority. It's much different, and we believe that the focus should be much different than what we have heard in the general press right now.

SENATOR STILLMAN: Again, thank you for your advocacy on this. We appreciate it.

Representative Fleischmann?

REP. FLEISCHMANN: Thank you, Madam Chair. Thank you very much for your testimony and for bringing new ideas forward.

SHARON MURPHY PALMER: Thank you.

REP. FLEISCHMANN: As often happens when new concepts are put forward, there is much discussion indeed.

SHARON MURPHY PALMER: Yes, and that's healthy discussion.

REP. FLEISCHMANN: And, I'd like to give you a chance to respond to some of the issues that are being raised. So, you heard Superintendent Starr indicate that he didn't believe that a performance evaluation system should be subject to collective bargaining.

Your take on that?

SHARON MURPHY PALMER: I think that it's very important that it be collaborative, and again, I'm going to the New Haven experience. There has to be trust developed among the parties. The parties have to develop the system. There are very complicated issues to be worked out. If you want teachers to function as mentors and coaches, then you have to negotiate the terms, are they going to be paid, are they going to get release time. The same thing in

schools where you might want to adjust the school calendar, days, times, things like that.

That all needs to be part of a collective bargaining process.

Again, let me speak to New Haven briefly.

An entire summer was spent two days a week developing the framework -- so much of what I hope we're able to do here -- and that had nothing to do with collective bargaining. It was just how can we work together to get a good system for the New Haven schools; what are the parameters; what do we want to do; what do we want to accomplish; how are we going to do that?

After that summer, a year before last, there was a whole year of sort of what I would call putting meat on the bones of that framework, and then that went into collective bargaining. If there were provisions about money or other things that needed to be ironed out, that went into the collective bargaining agreement.

And now this year, we have the first year of implementation and, of course, everyone has their fingers crossed that the Mastery Test scores will go up. We'll see.

There have been some bumps along the road, but that's to be expected. It's going well overall so far, but we want to get started now. We want to get started with this framework and get people thinking about what they would like in their district. That's the reason for this legislation.

In the PEAC process, the evaluation advisory committee can't continue because there's a lot

more work to be done.

REP. FLEISCHMANN: Thank you. Now, your measure of some of the language that you've suggested to the Committee builds on the PEAC process and includes developing a model of a teacher performance evaluation system. Some who don't like this legislation have said that this legislation would mandate a single model of evaluation.

Do you agree with that? Was that your intent? Do you believe that's what the model says?

SHARON MURPHY PALMER: It couldn't be further from the reality, we hope. If the language isn't clear, then we should clarify it.

But, every district is unique unto itself, and what this, hopefully, does is just as it states: Put a framework around a system that would be developed by each district and would be supplemented by guidelines and some regulatory issues would come forth from the PEAC committee.

REP. FLEISCHMANN: Someone complained that there was too much rigidity in the time line suggested by the bill, and you've indicated a sense of urgency around getting processes to move in the future isn't performing. I was just wondering if you think there is a downside to having rigid frameworks or whether the upside outweighs the downside, how it is that you (inaudible).

SHARON MURPHY PALMER: I think we'd like to have this move forward as quickly as possible for the sake of the school districts, for the sake of the kids and the teachers that are working. The maximum of one school year for improvement and the maximum of 100 days, again I would say

is arbitrary. We should all talk about that and figure out what works and what works best for improvement.

REP. FLEISCHMANN: Thank you. It was suggested the measure as drafted would remove the authority of superintendents and others who are in supervisory roles in districts from the final decision to make (inaudible) was somehow dangerous and shortsighted. I'd like to give you a chance to respond to that.

SHARON MURPHY PALMER: Right. I think the language may be a little bit unclear as to who recommends dismissal. It is currently the superintendent, so we make need to tweak that. There are couple of tweaks that need to be done, but I will say this as far as the evaluation process is concerned.

Unless you're in a really small school, the principal doesn't have enough time to properly evaluate the teachers. There just aren't enough hours of the day to do that and do it well. I think we're just getting around to admitting that that's the case, so if we're at that point, we have to talk about who else will help in that evaluating process.

I would think that it is teachers that are in the school or in the district, perhaps some experts from outside, depending on what the issues are that need to be addressed. Some would see that as a loss of power; others would see it as good collaboration. It depends on how you look at it.

REP. FLEISCHMANN: So just to get some clarity, is your suggestion that superintendents still be left in charge of deciding whether there will be a dismissal proceeding, or that there be an outside expert for that (inaudible) the local

education authority be given latitude to make its own determination who it is who decides whether there's (inaudible)?

SHARON MURPHY PALMER: Ultimately, it's the superintendent's responsibility to make that recommendation, but along the way, teachers are oftentimes counseled out of the profession either by their union or by their principal or by their supervisor, so one does not preclude the other.

We would hope if there's clear recommendation, clear indication that the person was not able to do their job, that they would be counseled out, but ultimately some of them do come to the dismissal proceedings, and it's not easy. It's not easy for anyone.

I remember being a local president where I said to the superintendent, I hope you have the documentation on this person because I don't want to be put in a position of defending them. Fortunately, they did, but we have an obligation to defend our members, and the superintendent has an obligation to do the documentation, and we are willing to help with that. We are willing to help with that evaluation process so it's fair, and yet the person has due process.

REP. FLEISCHMANN: It makes sense. Last and perhaps most important, so I think it's fair to say that the lines in this bill that have most captured public attention and are probably going to be most subject to discussion run from, you know, 115 to 121, but really the heart of it is adding a new criterion for dismissal, which would say, quote: Failure to successfully complete an improvement and remediation plan following the finding that the teacher's performance was

deficient under the teacher's performance evaluation system would be grounds for dismissal.

Now, we have some testimony before us saying it's completely unnecessary for us to add this seventh ground based on the six grounds that are already in statute. I'd like to give you a chance to respond to that criticism.

SHARON MURPHY PALMER: I think that it needs to be in there in some form. I don't know that we need to put a new seven. One talks about evaluation, so we might be able to combine it in one. I'm not sure. I think we need to talk about that, and so on.

REP. FLEISCHMANN: Right. I'm sorry. I didn't mean to get us focused on drafting technicalities.

SHARON MURPHY PALMER: Right.

REP. FLEISCHMANN: I was more asking in terms of what you're driving toward. How important is it that we make it clear that there's an evaluation system in place that teachers who are deemed deficient in their teaching skills get improvement and remediation plans, and that once they've gotten those plans, if they just fail to respond and still are not able to get results in the classroom and are considered for dismissal, how central is that to what we discussed (inaudible)?

SHARON MURPHY PALMER: Absolutely central. Let me just also add absolutely. One of the things that I still worry about -- and you will notice in my testimony -- is that I did not use the word effective, and that's the other word that's being bantered about. That word, that term, is completely undefined. That's

the work that PEAC still has to do: What is an effective teacher? Nobody really knows, and really it's a matter of opinion.

Let me give you an example, a couple of examples which may give you a little (inaudible). I probably shouldn't do this, but this is another way (inaudible).

I taught in a middle school, and let's talk about a couple of teachers in that school. There was a Title One teacher; she was cranky; she didn't relate well to the kids; she was moved in from an elementary school classroom, and the kids didn't like her. But, because the kids didn't want to be in her class, they worked as hard as they could to raise their test scores and get out of that Title One class.

If you don't define effective, she would have been the most effective teacher in the school if you do it by test scores. An absolute true story.

I worked with a wonderful gentleman -- I'm going to say his name; he's gone now -- Reggis Ecelson. He was vice principal of my middle school. In his last year and a half, he was suffering from the ravages of diabetes. A couple of us -- because his eyesight was going bad a couple of us took turns picking him up in the morning, and his wife would pick him up in the afternoon, and there were some medical episodes in school that can happen when you're diabetic, and the kids watched out for him, and that was a blessing in itself.

He's the best person I've ever seen in all my years of teaching and talking with teachers on discipline and how to handle kids. Was he effective? Absolutely, because Reggie at 10

percent was better than anybody new at 100 percent. So, that's another question: How do you define effective.

And, let me talk about myself for a minute. I was assigned as a math teacher, so my classroom was kind of interactive. It wasn't quiet; it wasn't raucous; but, it was somewhere in between. And, down the hall from me was the social studies teacher that was really, really rigid. He had the kids outline every chapter in the book, and he corrected their outlines, and the chairs had to be exactly straight, and it was not my style at all.

So, I'm in the grocery store at the deli counter, and I run into this woman who was a student of mine and his maybe 20 or 25 years ago, and she says to me, you know, Mr. Jones really taught me a lot -- I said, oh, my God; he was the most boring teacher in the school -- because I learned to outline, and I used to learn to pick out main ideas, and whenever I have to read anything now, I can pick up on it more quickly because of what he taught me.

And then she says to me, I don't remember much about your math class; I've never liked math, but I remember when the guinea pig had babies in the room. So, I don't know what that says about me. All are true stories from this one school that I worked in.

So, the moral of the story is we have to be very, very careful about how we define effectiveness because what it means in one case is not what it means in another, and we haven't defined that. Sorry. I went on.

REP. FLEISCHMANN: That's okay. Thank you for your

colorful testimony including that children may have learned something about whether or not there are separations in cages for guinea pigs, what that implies, but more seriously, you know, I think in the last several months there has been in this country a creation of a sense of some kind of divide between those who are looking for greater results and unions and people who are collective bargaining on behalf of those really in the schools who are somehow (inaudible), and I think that the kind of proposal that you've put before us that clearly is in need of some work based on your testimony demonstrates that that's a (inaudible), and that people who are currently working in the schools are also dedicated to making their schools better, and I thank you for your helping to demonstrate that and for your helpful testimony.

SHARON MURPHY PALMER: Thank you, Representative Fleischmann.

SENATOR STILLMAN: Thank you, Representative Representative Lyddy?

REP. LYDDY: Thank you, Madam Chair. Thank you so much, Sharon, for your testimony today. I know the last time we spoke, we had a little funny interaction --

SHARON MURPHY PALMER: That was all right.

REP. LYDDY: -- and I want to say I appreciate you and during that interaction, but let me first start off by saying how -- how great I think your testimony was today in terms of setting the tone of where we need to be going. I very much appreciate your coming to the table and offering solutions and not backing down from a fight that is going to be hard to have amongst many stakeholders.

So, first, I just want to say kudos to you for showing us that there could be some possible middle ground or some resolution here that we can move.

SHARON MURPHY PALMER: I hope so.

REP. LYDDY: Thank you. Second of all, I want to touch base a little bit about the teacher evaluation and how you see that.

You mentioned that it should inform practice.

SHARON MURPHY PALMER: Right.

REP. LYDDY: And, I think that's -- that's great. I'm wondering if you can talk to us just a little bit about how that tool can be used in informing practice and maybe in the end counseling out teachers or not.

SHARON MURPHY PALMER: There are several areas. First of all, is the person up to par academically; do they know their subject. That's one whole area.

But, probably even more important than that is delivery of that information to children and do they relate well to the kids, and those are nuances that are learned. For some people, they're naturals at it; for others, it's a skill that has to be learned over time, and you need someone to teach you that skill and point out to you tricks of the trade, so-to-speak, that will help you with the delivery of that information to children.

I hope that's helpful (inaudible).

REP. LYDDY: That's very helpful. It gives me some direction as to where we're moving here in

terms of using that tool.

SHARON MURPHY PALMER: Uh-huh.

REP. LYDDY: It wouldn't make sense for us to develop a tool that we can't use to inform practice at the very least.

You talked a little bit about teachers being counseled out whether it be by their union, their supervisor or their superintendent.

SHARON MURPHY PALMER: Right.

REP. LYDDY: I'm wondering if you could comment on what tools those three entities may be or may not be using right now to go through those counseling sessions. What is available to those individuals?

SHARON MURPHY PALMER: I think it varies from district to district. My guess is that in a wealthier district there's a stronger support system because there are more resources available to deliver that support to teachers.

I know from my experience working with our locals that are in urban areas that that support is not really there, strongly there. Just under the old mentoring and support system, you might have two teachers working with 10 teachers in a wealthy district, and you might have one teacher working with 15 teachers in an urban district, so it's like class size, the same kind of issue, the amount of attention rate that would be given to the individual for mentoring and counseling.

So, that goes to the issue of trying to retain teachers in our urban settings so that they don't leave and go, either quit altogether or go to a suburban district.

REP. LYDDY: Thank you. I know you had mentioned that you didn't -- you did not mention ineffective or effective teachers in your testimony, but you do say good and bad. I like the effective language personally, and I'm wondering if you can comment based on your knowledge with the New Haven model how they have determined what's effective or ineffective or whatever words they're using. How -- what does that look like to them, and is that definition something that can be going out state-wide?

SHARON MURPHY PALMER: I -- I would be happy if people are interested to have some folks from both the labor and management sides from New Haven and talk about that model. It's complicated. I don't know really to begin with it. It took me a year to develop it.

It is partially based on test scores, but it's also based on other factors, and there's a ranking of the schools as well, and there have been changes in the programs. There's a lot to it.

REP. LYDDY: A little bit of everything.

SHARON MURPHY PALMER: Yeah.

REP. LYDDY: Okay. And so obviously that particular model may not necessarily be able to be blown out state-wide.

SHARON MURPHY PALMER: Well --

REP. LYDDY: How could the individual districts use the model to -- to achieve the same result of weeding out or ensuring that effective teachers stay in the classroom?

SHARON MURPHY PALMER: There's -- there's a system similar to what we've proposed here where folks are evaluated sometimes by mentor teachers or coaches, and they are -- they are evaluated. They're given a rank, and if they fall below a certain rank, then there's an intervention that occurs, and a support system that kicks in, and they're given some time to improve, and if they don't, then they're either mentored out or they're let go, they're dismissed.

REP. LYDDY: Great. Thank you very much. I appreciate the opportunity to speak with you.

Thank you, Mr. Chair -- Madam Chair.

SENATOR STILLMAN: Representative Kupchick followed by Representative Lavielle.

REP. KUPCHICK: Thank you, Madam Chair. And, I want to echo my colleague's sentiments. It's really very refreshing to have you here, and I think -- I'm trying to gather all this together because --

SHARON MURPHY PALMER: (Inaudible.)

REP. KUPCHICK: Yeah, it is. And so, you know, as a legislator I'm getting a lot of e-mail from teachers, and frankly not a lot of detail about the actual bill, just sort of promotion on, you know, don't take away our rights. Some mentioned budgetary, you know, that this is just a ploy to get rid of teachers who are being paid more money and to keep younger teachers who weren't being paid enough money, so -- and then, you know, you read through -- I spent a lot of time over the last few days really reading it, and then I see the testimony from you and listen to you, and Chairman Fleischmann was taking some excerpts

out of the CEA testimony which is very different, and so I wanted to ask you two questions.

Why did you think -- why do you think there are so many misconceptions with the teachers, and why is there such a divide between -- or maybe there isn't; it just appears that way -- why is there a divide between CEA and your organization?

SHARON MURPHY PALMER: Okay. Let me think, think about them one at a time.

There is a debate in this country now over education and what we need to improve education. Some parts of it are very good when people are thoughtful and sit down and talk through issues and work together collaboratively. Some of the -- some of it, quite frankly, is just plain vicious. We don't want to engage in that kind of dialogue. Sometimes, quite honestly, we have to go into defense mode because we are under attack.

One has only to look at what's going on in Wisconsin to understand why we sometimes get defensive.

When we can, we'd rather be proactive and solve problems, but that opportunity isn't always there.

REP. KUPCHICK: Just on the CEA piece, why is there a divide --

SHARON MURPHY PALMER: Oh, I'm sorry.

REP. KUPCHICK: I'm sorry.

SHARON MURPHY PALMER: You know, sometimes, you know, I laughed, quite honestly, when I saw

that blog about smack down and all that, and John Yrcik and I are sitting together back there, but we don't always agree, but we disagree less often than I probably have family arguments, so we just happen to disagree. John will be on after (inaudible), so we can ask him.

REP. KUPCHICK: Just one more. Do you think with some real work like with all the stakeholders involved that we can make this -- because I -- I like the idea of this. It seems normal to me, an evaluation process, which we already seem to have. I mean, it just needs to be -- because it's been, I think, over ten years with the state.

SHARON MURPHY PALMER: It needs to be more robust. It doesn't -- our teachers, quite honestly, don't like it (inaudible), and in a lot of the districts, it really does not inform them, doesn't help them. We need revisions.

REP. KUPCHICK: So, you know, and obviously there's concern. No one wants anyone to be in an environment where they are being targeted just because they're a person that somebody might not like --

SHARON MURPHY PALMER: Absolutely.

REP. KUPCHICK: -- and that's been -- and obviously we want to put controls into place for anything like that happening.

And, so, I hope we can work together because I think the ultimate goal is extremely important.

SHARON MURPHY PALMER: I do, too.

REP. KUPCHICK: Yeah, and thank you so much. I

really appreciate your being here.

SENATOR STILLMAN: Representative Lavielle?

REP. LAVIELLE: Thank you, Madam Chairman, and thank you so much for your testimony this afternoon. If you see me edging over here, it's because there is a lamp between us and I can't see you, so that's why I've been moving slowly.

I really very much appreciated your testimony because we had an exchange one of the last times you were here, and you said some of the same things. You pursued those avenues further, and I appreciated them the first time I heard them, and part of what I appreciate so much is your urgency.

And, another thing which you didn't say precisely but which I think I heard was that there are some misconceptions about -- out there about the notion of seniority, that it's often equated simply to longevity, where as we might want to see it more usefully equated with concepts like experience and wisdom --

SHARON MURPHY PALMER: Uh-huh.

REP. LAVIELLE: -- and perspicacity, and I think I kind of heard that in what you were saying, and those are hard things to evaluate, but you recognize them when you see them, and I have two questions for you.

SHARON MURPHY PALMER: Uh-huh.

REP. LAVIELLE: One, I was very interested by your comment that in many of the urban districts, one of the -- one of the hardest things -- one of the hardest challenges that administrators had is getting good, less experienced teachers

to stay, that they find something somewhere else, and they go, and that this bill would be a start, that getting an evaluation system in place would be a start.

I have one of each in my district. I have a high performing suburban district, and I have a district that's more challenged that's very urban with getting up to the performance standards, and I see some of the same problems in the rural high-performing districts where they can't get enough good people because there's too many non-performing people still in the system.

Do you think that this bill goes some length to addressing that problem as well?

SHARON MURPHY PALMER: Absolutely. We -- we shouldn't have senior teachers who are not doing their job well. I don't think there are many. I'm sure there are some, but if you put in a really robust evaluation system, you will find them, and either they'll improve or they should leave. It's really that simple.

REP. LAVIELLE: Well, thank you, and we discussed that some when you were here last.

The other -- the other question that I have for you, really just a -- and I'm very hesitant to make analogies between anything that happens in the business world and education because they are extremely dissimilar, but in corporate context, in business context, which -- their challenge is different. It's litigation.

SHARON MURPHY PALMER: Right.

REP. LAVIELLE: If you don't treat an employee properly and give them good consideration, you

have -- you face litigation as an employer, so that's very, very different from this. However, these periods that we referred to in -- that Chairman Fleischmann referred to in 115 and 121 (inaudible) the bill about the improvement and remediation plan, that is used very often in the corporate context not only to give the employee a chance, but to demonstrate that the employer has taken all possible measures to address a performance problem.

So, would you say that that is applicable here as well?

SHARON MURPHY PALMER: You're right. I'm not sure how you compare the corporate role with education, but certainly there would be -- the side we're focusing on is getting help for the person in improving their skills, but certainly as part of that evaluation system, I have to assume that there would be more documentation which is the corporate model that you're talking about.

REP. LAVIELLE: For different reasons.

SHARON MURPHY PALMER: Yes, for different reasons.

REP. LAVIELLE: But, this would encourage administrators or whoever is responsible, more senior teachers, what-have-you, for doing as much as they can --

SHARON MURPHY PALMER: Absolutely.

REP. LAVIELLE: -- to address the problem.

SHARON MURPHY PALMER: Absolutely.

REP. LAVIELLE: Okay. So, that would be perhaps part of it.

SHARON MURPHY PALMER: Yes.

REP. LAVIELLE: Thank you.

SHARON MURPHY PALMER: Thank you.

REP. LAVIELLE: Thank you very much.

REP. FLEISCHMANN: Are there other questions?
Representative Srinivasan?

REP. SRINIVASAN: Thank you, Mr. Chairman. Thank
you for your testimony.

You touched upon something which I kind of
suspected was wrong, that in the urban areas
the bigger problem is not letting the teachers
go but maintaining the teachers.

SHARON MURPHY PALMER: Absolutely, absolutely.

REP. SRINIVASAN: And, I kind of felt that, and I'm
glad you brought that point up. But, you said
something really important, and to retain them
in the urban setting, it is very important to
have extensive and good, you know, ways of
evaluating them.

And, could you just elaborate how an
evaluation of the teachers, assuming these
evaluations are going to be good because
they're good teachers and you want to retain
them, and the teachers probably know that, but
they are moving for whatever other reasons
(inaudible), and I couldn't find the
connection between evaluation and being
capable to retain them unless you
automatically meant that you were going to
change the pay scale or do something from a
financial point of view, an incentive to
retain them in the schools.

SHARON MURPHY PALMER: We want -- we want evaluation to inform instruction, and what that means is someone goes into their room -- maybe it's the principal, maybe it's a teacher from down the hall, maybe it's somebody from outside the system -- to critique their teaching in a positive way, not just criticize but say, you know, I saw these six things; if you did this instead, you would really do much better in classroom management, and that's the kind of thing that will help retain those teachers because more than anything else, young teachers that come into urban schools have a really tough time with classroom management.

We run some classes at our union office for young teachers, for any teachers who want to come and take that course work, and maybe just some help in how to set up your room so that it's more effective, it's a more effective environment. Those kinds of things will help out, but sometimes it's about cultural differences and understanding those cultural differences.

There's an example I always give of in my white culture. My father wanted me to look him straight in the eye when he was disciplining me -- look at me when I'm talking to you. In other cultures, the right thing to do is put your head down in deference to the person who is talking to you. If you don't understand that, you can totally misread a child's behavior, so just tips like that about cultural differences can be important to a teacher, and you're not going to get that -- at least, I don't think you're going to get that in a college classroom.

REP. FLEISCHMANN: Are there other questions for

the witness? Representative Kokoruda?

REP. KOKORUDA: Thank you, Mr. Chairman. It was wonderful listening to you today. I've watched you on TV a few times, and you're just always -- you bring such a broad spectrum of experience.

You talked about the collaborative effort that this is going to take, and do you feel that -- and I know you've been clear that you feel this bill has to be a little more robust -- but do you feel this bill is that first step, do you feel that we're achieving that first step and a collaborative effort would end with this bill?

SHARON MURPHY PALMER: I think that it's a beginning. We've still got a tremendous amount of work to do on that PEAC committee, the performance evaluation committee.

But, if you look at New Haven, it took a summer and two school years before you got into implementation. What this bill is essentially saying is let's start, let's get that framework going, let's sit down and talk about what we want it to be about, what are the goals, what's the framework that surrounds the system, whatever it ends up to be.

That should be starting as soon as possible, and I think that's (inaudible).

REP. KOKORUDA: Thank you.

REP. FLEISCHMANN: Senator Boucher?

SENATOR BOUCHER: Thank you very much, Mr. Chairman, and I apologize if I wasn't here. We welcome your testimony, and we're in Higher Education right now just trying to get through

a very complex agenda as well, but your insight and experience and (inaudible) are extremely valuable.

This is obviously a touchy subject for a lot of folks, and I've been asked a lot of questions about have there been situations where a teacher might be deemed being not effective, and if you've had those situations and if there's any way to quantify that in a given year or two that have been -- you know, that that process is stringent enough to actually be able to say that there's a certain group that is not effective and that they've been counseled out of that profession into something else.

SHARON MURPHY PALMER: Again, I'm going to stay away from the word effective because I don't know what it means, but our union I'm sure, and the CEA, have been involved in cases where they've sat a teacher down and said look, you know, we've got 10 bad evaluations, you really ought to move on to another career, and sometimes, we hope, they'll resign and move on. In other cases, they have the legal right to a hearing and they insist on a hearing, and we will go with the hearing.

In other instances, we go to the person's personnel file, and there's maybe ten glowing evaluations and one bad one, and the district wants to move to dismiss. It's not there. So, you are obligated to defend that teacher, and that goes to the idea of a more robust evaluation that informs the practice, that does all the good things that should be done in the evaluation process.

SENATOR BOUCHER: So you're not sure if, in fact, one of those has actually resulted in a hearing to have a teacher being removed from

the system?

SHARON MURPHY PALMER: I don't think they -- if it goes to hearing, sometimes we win, sometimes we lose.

SENATOR BOUCHER: Much has been made -- and touting, actually, the (inaudible) contract with the New Haven teachers was one of the things that should be a model for others. Do you have any thoughts on that?

SHARON MURPHY PALMER: I think that the best thing to do is to take a look at that New Haven contract and evaluation system to see if it might fit in your district. I think the framework is transferable, but I'm not sure that whole system is because districts differ. What fits for one may not fit for another.

SENATOR BOUCHER: And, my final inquiry, if I could. There's, you know, a great deal of public interest and a lot of controversy around the system of the last teacher and the first one to be laid off.

SHARON MURPHY PALMER: Yes.

SENATOR BOUCHER: Some have suggested that possibly a team of teachers could make a recommendation based on that. What do you think of that?

SHARON MURPHY PALMER: I don't think you could find a team of teachers that would do that. I mean, I'm just being perfectly honest with you.

SENATOR BOUCHER: I appreciate (inaudible).

SHARON MURPHY PALMER: (Inaudible) subjective judgment call, you know. It's very difficult, but we would like to see teachers involved in

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helping fellow teachers in mentoring and coaching and that sort of thing. I think that's their appropriate role. I think they would be very uncomfortable picking between the (inaudible), between the row of (inaudible).

SENATOR BOUCHER: But, you know, that peer review, it does exist in many organizations and is oftentimes used, and I don't know if that's something that you might want to think about as -- in this big picture.

SHARON MURPHY PALMER: We've had -- we absolutely would like a peer system to review program, absolutely.

REP. FLEISCHMANN: Thank you. Are there other questions for Ms. Palmer? If not, I thank you for your testimony --

SHARON MURPHY PALMER: Thank you very much.

REP. FLEISCHMANN: -- and I thank you for your patience with probably more questions than I've seen anyone take in a long time.

SHARON MURPHY PALMER: That's okay.

REP. FLEISCHMANN: John Yrchik who will be followed either by Chris Leone, if he arrives, or David Calchera.

JOHN YRCHIK: Good afternoon, Representative Fleischmann and members of the Committee.

I'm John Yrchik, the executive director of the Connecticut Education Association, and I'm here to talk about Bill Number 1160 and raise what I believe to be some significant issues of concern.

The first is that last year, the legislature passed the most comprehensive education reform act in about a quarter century and created the performance evaluation advisory council which has been meeting in earnest for this past year and is expected to come out with new guidelines on teacher evaluation in the next year.

These guidelines will then be used by districts to develop plans that will then have to be approved by the State Board of Education, as is our current system, and will reflect the new criteria -- criterion for teacher evaluation which is that it will contain -- the evaluation will contain multiple indicators of student academic growth.

We believe this process should be allowed to work without further legislative interference, and I think it's extraordinary for the legislature to create a council or a committee and then in the middle of it then direct it to do something different or something else.

And, a large part of our concern about this bill comes from that.

But, the other thing is there are a number of issues in this bill that are more rigorously addressed by our current guidelines. For example, the current bill before you talks about a training program being offered before a plan is implemented. Our current guidelines say that administrators must be trained not, you know, it should be offered, but they must be trained to assess teachers fairly and reliably.

The current bill talks about guidelines for remediation plans for teachers with

performance deficiencies. Our current guidelines speak to clear and specific steps for placing teachers in intensive supervision and/or removing a teacher that is dismissal. The dismissal process is referred to in teacher evaluation plans if a remediation plan fails, and that's why the addition of a seventh reason makes no sense.

I hope that I have remotely as many questions to address the issue of seniority-based layoffs and a lot of the mistakes that have already been made about the way collective bargaining intersects with evaluation, and so forth, so I could at least clear the record from the perspective of my organization.

REP. FLEISCHMANN: Thank you for your testimony, and I certainly think it's reasonable for you to be able, for starters, to talk about the question of seniority and how seniority relates to staffing and (inaudible) decisions now and how you would view it as potentially changing under Public Act 10-111 and/or the bill that's now before us.

JOHN YRCHIK: I do not believe that the bill before us does anything to change the issue of seniority and layoffs. That is a function of collective bargaining agreements. And, I will say that we have done an exhaustive review. We represent almost 80 percent of Connecticut's active teaching force. We've done an exhaustive review of our contracts. Twenty-one percent have strict seniority. Fifty-four percent, if I'm not mistaken, have seniority as a primary factor, and there could be other primary factors, and the remainder, about a quarter of the remaining contracts, of all contracts that we reviewed, seniority is one of other factors.

There are a number of issues like qualifications, training, certification, and even the prerogative of school boards which are contained in contracts. This is a -- the ability of associations to bargain about reduction in force provisions comes directly from the teacher negotiations act. It's been a right of teachers for the last 45 years, and probably the historical trend is that factors other than seniority are gradually being introduced into these provisions.

But, if I could say something else about it, it's a very rare thing for districts to put a reduction in force provision on the table in bargaining. This has not been a burning issue among school districts, and I notice Representative or Superintendent Starr was here earlier, talking about this issue, and in his last round of bargaining, Stamford public schools did not put the reduction in force provision on the bargaining table.

So, you know, this has not been an issue in bargaining. It has not been raised extensively by districts, and in four out of five districts it's not even the only criterion.

As far as evaluation and new teachers, there's been a lot of misinformation about what happens and the degree of support that they get especially in urban areas. I know that in Bridgeport, which is one of the poorest cities in Connecticut -- I think the poorest -- and is represented by us, they have a very rigorous process of evaluation, and they have intensive support that's provided to move teachers in the area of professional development.

Teachers are evaluated annually, and I believe

they have two classroom observations per year during the early years. Retention of teachers in Bridgeport has actually increased. Teachers leaving the district went from something like 7.7 percent in 2006 to -- the last year I have data for is 2008 and '09, and it dropped to 3.3 percent, and if you -- and Bridgeport actually tracks why teachers leave because the district is very concerned about it, and none of the reasons that teachers left -- nine of the 54 teachers left because they were Teach for America teachers, but of the 45 teachers that left beyond that, not one said it was because of the evaluation process or they were given a lack of support, not one.

So, I think that, you know, if we are going to pass legislation or look at legislation about a fundamental area of importance in education, I think the data should be broadly understood by everybody and should be accurate. I mean, for example, if teacher evaluation guidelines that currently exist -- and they're contained in this book in Chapter 3 -- are actually in some ways more rigorous or detailed than the language in this bill, why would we pass this bill to supposedly improve teacher evaluation?

I mean, I'm somewhat mystified, and I want to tell you my opposition to this bill is not because I do not want quality teacher education. My organization and I absolutely want quality teacher evaluation, and we believe the performance evaluation advisory council process is bringing us to that end.

REP. FLEISCHMANN: Thank you, and I would ask you to have your answers responsive to the question at hand. That was about seniority. The next question --

JOHN YRCHIK: I'm -- I'm very sorry, Representative

Fleischmann. This is a big issue and --

REP. FLEISCHMANN: I recognize that, and emotions run high for all.

JOHN YRCHIK: Yes.

REP. FLEISCHMANN: I'm a little confused because both from the bill before us and from what you've said, it sounds like the teacher evaluation guidelines that the current performance evaluation council is working on are going to lead toward a framework that's quite parallel to the one that Sharon Palmer described to us just a few minutes ago, and Ms. Palmer also made clear that the proposal that's before us as she looks at it is meant to set up a model teacher performance evaluation system that can be used by districts but isn't mandated by districts, so --

JOHN YRCHIK: I think that language --

REP. FLEISCHMANN: If I could finish my (inaudible) -- that sounds like close to what you've described, and I'm wondering, given how similar it sounds, why you're so vehemently opposed.

JOHN YRCHIK: Representative Fleischmann, today I learned in this Committee hearing that the single model that was drafted in the bill doesn't mean what it looks like it means; and that is a big issue, so I think that -- I think that's certainly something that requires clarity.

The other thing that, you know, I learned today is that the belief of the AFT Connecticut is that all of teacher evaluation would be a mandatory subject of bargaining.

The entire plan was bargained in New Haven. Currently, it's a permissive subject of bargaining, so districts could choose to bargain about it or not.

We would certainly like it to be a mandatory subject of bargaining, but that's not clear from the drafting of the bill. So, there are things that I think need to be clarified about the bill.

The other thing I would say is, you know, clearly in instances where the guidelines are more -- more clear and rigorous than what's in the bill, and I've just given you a couple of examples, I think that the language of the bill should reflect the language of the guidelines or maybe it would seem that it's not necessary or it could incorporate the guidelines by reference.

You see, a lot of what exists in the current guidelines -- and they were last revised in 1999 -- is very good, and I think the performance evaluation advisory council will build on the existing guidelines, and it will make some improvements, and it will reflect the change that was made in the omnibus education reform bill, but, you know -- but as far as actually creating new legislation that unnecessarily replicates what we already have, I'm not sure that's necessary.

I mean, one can do it, but if that's seen as something of, you know, of an advance, that would be something that I would wonder about, and that is partly what I'm wondering about now. As I look at what exists in teacher evaluation plans in districts, when I look -- when I look at the teacher evaluation guidelines and when I look at what the teacher performance evaluation advisory council is

already doing, I'm not certain why this legislation is here. And, essentially, that is my issue, and it doesn't reflect any great disagreement with the American Federation of Teachers Connecticut because, as Sharon said, we agree on so many things.

REP. FLEISCHMANN: Right, although fundamentally I've gotten the sense that AFT would like this legislation to move forward, and your organization not so much.

JOHN YRCHIK: Well --

REP. FLEISCHMANN: If I can finish, ask a question that gets to the heart of things. As I pointed out when Sharon Palmer was sitting where you are, it's really the following language that seems to me most noted in this bill, and this is from Line 115: Failure to successfully complete an improvement and remediation plan following a finding that the teacher's performance was deficient under the teacher performance evaluation system adopted by a local or regional board of ed or (inaudible) can lead to dismissal.

In your testimony, you say that having it as a separate seventh point, it's not necessary, which is well taken. Arguably, it could be fitted under a previous point, but the underlying notion that you've got a remediation plan and if someone doesn't respond they're out, I think that's why this bill has gotten attention, and I'm wondering if that's part of why you're opposed or not.

JOHN YRCHIK: Well, this is one of those issues that I question whether there's something new really being proposed here. Page 59 of this booklet that I just referred to, Section 22 of the guidelines say: Clear and specific steps

for placing teachers in intensive supervision and/or removing a teacher -- that is dismissal -- have to be part of the district's evaluation plan. That's already in our state evaluation guidelines, and if you look at the reasons for removing a teacher -- incompetence, moral misconduct, insubordination, disability, elimination of position or other due and sufficient cause -- which the Supreme Court I think has interpreted to mean any good reason, you really have to ask why you would have to add another reason to that list because clearly, you know, if someone is not meeting the requirements of a remediation plan and has failed in that regard, there's clear issues related to competence.

I mean, why the legislature would see it necessary to replicate not only the evaluation guidelines but the impaired dismissal statute is something that, again, I wonder about. I mean, maybe, you know, maybe you would say okay, we'll do it anyway, but I do have to wonder why you would want to.

REP. FLEISCHMANN: So, under our current framework, are you aware now or could you get us statistics of how many teachers end up being dismissed as a result of inefficiency or incompetence?

JOHN YRCHIK: Well, I -- I don't -- I don't know how many are dismissed due to incompetence alone. I can tell you, you know, within our ranks, you know, in a given -- in a given year as a rough estimate, we might have 125 teachers who leave the profession under the fair dismissal statute, but of those, maybe two to three actually have a full-blown hearing, and the others are counseled out, so this issue of time lines is, you know -- much

has been made of time lines, but people that are counseled out are, you know, basically counseled out within a reasonable period of time, and the issue of time lines is not an issue.

By the way, they're set forth in very clear terms in the fair dismissal statute. Currently, it's 90 days from the time you receive notice of the reasons why your contract is under review until the impartial panel renders its decision, not 100 days. It's currently 90 days.

REP. FLEISCHMANN: So, I'm just going to --

JOHN YRCHIK: So, it's the last time, actually, than what's in the bill, and that's my understanding.

REP. FLEISCHMANN: Right. So, we heard testimony from a superintendent and also from the president of the AFT that in point of fact in the real world, it often takes two years or more for someone who is administering a district to actually take someone who is not effective in their view or incompetent if we're going to use the word in the statute or not a good teacher, whatever, you know, phrase you want to use to get them out of the system, having tried to provide support.

So, given that testimony, are you saying that that testimony is mistaken or the superintendent who testified didn't understand how to use current guidelines and he needs counseling? I mean, I'm just trying to put it all together.

JOHN YRCHIK: I'm -- what I'm saying is administrators are not taking advantage of the guidelines that are currently in existence in

his district, because in Stamford, for example, you have a -- I believe it's a two-tiered remediation process where you're on a kind of structured support system for 60 days, and you certainly if, you know, failing that are on more intensive assistance process, that doesn't last more than a year in toto, so that if an administrator really wanted to bring a teacher to the point that the fair dismissal statute kicked in, he could do it within a year. There is nothing preventing Superintendent Starr or any of his administrators currently from doing that.

It's a question of their desire to do it, not a question of their plan, not a question of the regulations. It's not a question of the state statute.

REP. FLEISCHMANN: Thank you. I'm sure others have questions, so I'll just -- I'll try and wrap up at this point with this point.

Ms. Palmer in talking about the genesis of this legislation talked about New Haven.

JOHN YRCHIK: Uh-huh.

REP. FLEISCHMANN: And, the sort of collaboration and trust that went into creating a new model there where they have a much stronger evaluation system that allows them to go ahead and make staffing decisions on the basis of what is a jointly agreed-upon evaluation system.

JOHN YRCHIK: Uh-huh.

REP. FLEISCHMANN: And, it was explained to us that the impetus for this legislation was to help more districts move toward that sort of model.

So, I'm just wondering whether your organization views that as a worthy aim and whether you feel this legislation does move us toward that aim and, if not, whether there's some sort of proposal that you would be prepared to put forward that you think would.

JOHN YRCHIK: I -- I'll show you something I didn't know that -- you shouldn't be offended, but this is something -- these are comments that we submitted for the performance evaluation advisory council on the principles that are under development, and one of the -- one of the statements that we put in this was -- amends the current proposal slightly, but we believe it should read: Develop and implement all aspects of evaluation system collaboratively with teachers and administrators.

I mean, that is our belief. We believe that is the right thing to do and a positive thing for the school community. So, yes, we're very supportive of that as a concept.

REP. FLEISCHMANN: So I'm confused.

JOHN YRCHIK: That's -- that's in -- that's in what the guidelines are looking towards.

REP. FLEISCHMANN: So, if this legislature in its wisdom enacted a bill this year that talked about a model teacher performance evaluation system being offered by that council, that seems perfectly in tune with what you just read to us. I feel like I'm missing something.

JOHN YRCHIK: Well, I think yes, you are missing something, and I missed something, and what I missed was that when I read the legislation and when all the other members of our

organization who read the legislation read it, we thought that it was a model, and we did not see it as a flexible system that would allow districts to pretty much develop plans according to the guidelines that currently exist because we think that's the optimum way that good evaluation systems get developed. They reflect the local conditions and the teaching force, and they should be developed locally.

So, in understanding that this legislation was in no way intended to preclude local development of evaluation plans, you know, that critical objection is gone. So, we missed that, and, you know, and I think if I could --if I could just say what I think that you missed in what I was saying is that I'm not sure that this would materially change what's already under way and what already exists, and that point I think I need to make again because, you know, clearly so much exists that's robust in the area of teacher evaluation. Many Connecticut districts have very robust systems of teacher evaluations that include remediation, professional development, and what happens at the end if remediation fails. All of that currently exists. This doesn't do anything that is different from what's out there.

And, you know, one of my concerns is what if the Committee acts on something with imperfect information about what exists in the vast majority of Connecticut school districts? We'll have -- you'll have people saying wait a minute, you know, we have this.

And, you know, then you have the other problem of, you know, there are stories and people have them about how long it takes to deal with teachers that an administrator deems shouldn't

be in the classroom, but that is the way an administrator or an administrative staff implements its own plan. Nothing can be legislated to make administrators implement a plan well. That's something they have to choose to do on their own, and part of them doing it well or doing it as it's written is being trained properly to -- to do it well. Many administrators lack proper training to do this, and, you know, that's why the requirement of training should be very strong in the legislation for administrators. This shouldn't be something that's offered. This should be something that's absolutely required, and we shouldn't even consider how much would be required so that we make sure that everybody who's an administrator in a Connecticut school really knows what the heck they're doing in this area, because if administrators don't, it's the teachers who suffer, ironically.

REP. FLEISCHMANN: Thank you. That helps clarify a number of issues. Are there questions from other members of the Committee?
Representative Hovey?

REP. HOVEY: Thank you, Mr. Chairman, and welcome.

JOHN YRCHIK: Thank you.

REP. HOVEY: I just want to understand a little bit of the time frame because I heard you speaking about a time line of events that have occurred, and so a year ago, legislation was passed for a teacher performance advisory council to be established.

JOHN YRCHIK: Right.

REP. HOVEY: And, when did that council become established and start its tasks?

JOHN YRCHIK: Well, it became established with the passage of Public Act 10-111, and it has been meeting this year. You know, all education stakeholders are part -- are part of this council, and it's close to agreement on the principles. Next year, it's going to complete its work on the evaluation guidelines, and the time table for this council is that the -- the guidelines will be piloted in district evaluation plans in 2012-13.

Now, you know one could conceivably say, okay, if this legislation passes and all of these other things are required of the -- of the performance evaluation advisory council, does it delay the creation of guidelines for teacher evaluation? I don't know that, but if it does, then it delays the implementation of new guidelines that reflect the legislation that was passed last year, and that was why my testimony referred to the potential for a delay of reform, but that is the time table that we're working on.

REP. HOVEY: So, just to be clear, the advisory council was tasked to come with its recommendations this coming year, and for an implementation pilot plan in 2012?

JOHN YRCHIK: Guidelines to be completed by the end of the 2011-12 year, and the first districts would be piloted in the 2012-13 year. That's the -- that's the current time table. The council has an action plan, and that's their time table.

REP. HOVEY: So, would it be fair to characterize this particular piece of legislation as a quasi-preemptive strike, so-to-speak, from the perspective of individuals participating in the teacher performance advisory council?

JOHN YRCHIK: Oh, I wouldn't -- you know, I think this was -- I think this was an effort by one of the members to basically, you know, offer what -- what it thought was, you know, good practice, but, you know, my personal belief is that if you're a member of a committee and you're working in a committee, that's where it should be brought, and so, you know, we haven't done this. We haven't offered our own legislative suggestions. I mean, it's -- we think this properly belongs as a purview of the community.

REP. HOVEY: Thank you.

REP. FLEISCHMANN: Representative Lavielle?

REP. LAVIELLE: Thank you, Mr. Chairman. Thank you for your testimony.

I would just like to go back to something that you referred to a while back in your remarks, and forgive me if I don't remember the whole list, but you referred to a certain number of criteria on which teachers are evaluated in the document which you have, in the plan for evaluation, whatever you want to call it.

And, one of the ones that you mentioned -- the rest were I thought relatively clear, they were behavior relations, and so on -- but you mentioned incompetence. That seems obvious, but it's a very hard concept for everyone, I think, in education to get their arms around because there are -- there are various ways you can measure and quantify incompetence, and sometimes it has been subjective.

And, one of the things that it seemed to me that this bill allowed some avenue to open upon was some deliberation on what constituted

competence and competence effectiveness, ineffectiveness, what-have-you, so that then those concepts -- we would have a model of those concepts to be used in evaluation.

And, I'm interested to know whether you have some -- whether you could explain to us some of the ways, either the document you have or some ideas that you have, to describe, for lack of a better word, effectiveness or competence and how you would tie that then or whether you would tie to the performance of students in the classes of the teachers being evaluated.

JOHN YRCHIK: I can tell you that evaluation documents today are required by -- by the guidelines to be very directly related to the common core of teaching which outlines a whole series of competencies for teachers as well as the common core of learning which talks about what students should learn.

So, you know, they're very detailed documents, and they do refer very specifically to the kinds of things that teachers should be able to know and do, and all of this is publicly available information. I mean, I took the liberty -- and he's not here right now, but I took the liberty of bringing here the evaluation document of the Capitol Region Education Council, which is the district of Representative McCrory, but this is what one evaluation plan looks like, and at the end of it, one of the appendices is -- is the common core of teaching for all the teachers that are evaluated by this. There are very detailed forms, and so on, that teachers are assessed by using those competencies.

So, I think it's fairly -- I think there is a real codified body of knowledge in regard to

this.

REP. LAVIELLE: Forgive me if I -- if I construe this just a little farther.

JOHN YRCHIK: Sure.

REP. LAVIELLE: You've referred to the common core of teaching and things teachers should know.

JOHN YRCHIK: Uh-huh.

REP. LAVIELLE: The -- I'd just be interested in your comments on -- in addition to that -- required levels of learning outcomes (inaudible).

JOHN YRCHIK: Well, you know, as I said earlier, one of the, I think -- and it was a major -- it was a major part of the legislation accepted by all the stakeholders in the room, including both teacher unions, teacher evaluation, and the use of guidelines will incorporate the criteria of multiple indicators of student growth, and exactly how that gets translated into evaluation guidelines is something that the performance evaluation advisory council is now working on.

I'm not -- I'm not going to discourse on that. I don't want to anticipate their work, you know. I know that there's been a tremendous amount of interest in test scores and how much of an evaluation should be based on test scores. One of the issues that one always comes up against, though, are the statistical problems associated with that, and there's not been any convenient or easy way of resolving that, so I think that those are some of the kinds of things that the -- that the council will grapple with, and I don't want to comment on that further at this point because I really

believe that really is where (inaudible)
council.

REP. LAVIELLE: It seems that it would be very much
at the crux of the column, but --

JOHN YRCHIK: Test scores?

REP. LAVIELLE: No. The learning outcomes,
learning outcomes.

JOHN YRCHIK: Yes. I will say that, you know, too,
the language that was used is very -- very
precise, and I hope I used the proper language
before, but we did not use the word, measures.
We used the word, indicators, as more
inclusive than measures, because there are
many things that would indicate growth that
cannot easily be measured, and many
disciplines within teaching that have no
measures associated with them, so for that
reason, people felt that it was important that
we try to create as kind of a broad and robust
array of ways of demonstrating growth as
possible.

REP. LAVIELLE: I appreciate that, and I'm aware
how complex the issue is. I once made a
mistake of asking the local board of education
to talk to me about measures and indicators,
and I felt it was a mistake because of how
much work they had to put into it to give me
the answer.

But, just one final question, if I may.

JOHN YRCHIK: Uh-huh.

REP. LAVIELLE: Do you feel comfortable that at the
moment with the existing framework that we
have or that you have, or schools have at
their disposal, that someone who teaches in a

school system who has been there for a long time can be evaluated on the strength of not delivering on these indicators and could then be -- a decision might be made on the strength of that exclusive of how long the person has been there, but that he or she may not be a good fit for teaching or for the district where he or she serves?

JOHN YRCHIK: I will -- I will say that I didn't mean to suggest that seniority was not part of what's considered in evaluation plans because it is part of the common core of teaching and how knowledge is communicated or skills are taught is also very much a part of the competencies that are measured, and do I believe that with existing evaluation plans if they're properly used by administrators, this is possible, it's possible to evaluate teachers fairly and determine who is doing his or her job properly?

I absolutely believe that.

And, do I believe that the fair dismissal statute provides ample reason, an ample array of reasons for administrators to remove a teacher who isn't doing his or her job, yes, I do, and I don't think anyone wants someone to be teaching who's not competent to be teaching. I don't think any organization would take that as its rallying cry, and that's certainly not what anyone wants.

All teachers want is a fair process, and that's -- and that's the issue, one that really does give full account of their skills and gives them a chance, if it's determined that they need a chance, to improve in one or more areas.

REP. LAVIELLE: Thank you very much for your

answers. Thank you, Mr. Chairman.

REP. FLEISCHMANN: Thank you. Just a quick follow-up because the discussion got very abstract, and I was just trying to think of specifics, but I know constituents of mine and others watching might wonder about it.

So, in the city of Bridgeport, there are elementary schools where there are children who are not reaching goals in math or reading or writing, year after year.

JOHN YRCHIK: Uh-huh.

REP. FLEISCHMANN: And, some of them are getting socially promoted, et cetera, but there are teachers who are in those school buildings year after year, none of whom are up for dismissal on the basis of incompetence.

JOHN YRCHIK: Uh-huh.

REP. FLEISCHMANN: So, I'm just wondering, given that fact pattern why it is you feel that this legislature should not be taking any more exigent action than what's on the books now, which involves guidelines next year and a pilot in 2012-13.

JOHN YRCHIK: That's a very rich question, Representative Fleischmann, and I'm actually very glad you asked it because, you know, one of the things that we were talking about just this morning in the Connecticut Coalition for Justice and Education funding is the relationship between poverty and student achievement, and right on my Blackberry, I have a graphic done with Connecticut school districts student achievement and poverty levels, and there's a direct line.

One of the things that I think has been, you know, very unfortunate in Connecticut is that the ECS, education cost-sharing formula, which is really designed to provide equal protection under the law or equal opportunity for education of students, has been so distorted and under-funded that our urban districts lack the resources to do a proper job.

Our economist recently in estimating how serious the under-funding is estimated that in the city of Bridgeport, the under-funding per student is over \$5,000 per student.

Now, I think that, you know, when you look at what teachers are doing in the urban education environment, in the context of clearly inadequate resources, you have to consider what the limitations may be that are placed on them. If they're unable to have the opportunity to provide pre-school or pre-K opportunities for the students, if they're unable to provide socialization or early learning opportunities, if the district lacks the funds to provide good professional development for teachers in how to teach students in poverty or students who are clearly having trouble with things like the basic acquisition of syntax, what to do, and so, you know, I think that if -- if that be their -- if that be their problem, I really think that if the full story were known, we would discover that in many cases in our urban areas the teachers who we talk about that are -- that are struggling with children who have some of the greatest challenges in our educational system are doing actually a pretty good job given the environments and the challenges that they face.

Our economists who did a study on ECS compared -- and this wasn't Bridgeport or it wasn't

Connecticut districts -- but he compared very poor districts and wealthy districts, and he looked at teacher effectiveness and tried to correct for the influence of poverty and other factors on student achievement, and he found that the performance of teachers in these two different environments, two kinds of environments, was actually remarkably similar when he corrected for all of these other effects.

So, you know, clearly this is something in which I think we have a challenge to be met collaboratively, but I don't think we're going to do it unless we make a commitment not just to spend more, but to do the intelligent things we need to do with the additional resources to improve those educational environments.

So, I think this is a much more massive problem than -- much more massive and really does involve the legislature than whether a teacher is doing his or her job in a Bridgeport school.

REP. FLEISCHMANN: Thank you. I still find myself somewhat puzzled because if we look at the example of Hartford, their funding has actually declined in the last several years, and their scores have gone up, and their socio-economic indices have not improved at all. In fact, they've gotten worse.

So, it doesn't seem to me that you can point to poverty levels, point to ECS and say, well, that explains it. But, it's obviously a complicated and rich question as we've said.

I'm going to recognize Representative Kupchick to pose questions. She's been waiting patiently.

REP. KUPCHICK: Thank you, Mr. Chairman, and thank you for your testimony.

What -- a two-part question: What do you think, following up on what Representative Fleischmann said about Bridgeport, and we have a similar district like that in New Haven, and what are your thoughts about the New Haven AFT teacher contracts that they're putting -- that they just put in, and do you think -- if you do like it, do you think it should be a model for the rest of the state?

JOHN YRCHIK: You know, I will say that one of the things I really do like about the New Haven agreement is that two parties that were very interested in reform came together and bargained an agreement that was comprehensive and promoted change.

This is something that I personally believe is a good idea for all partners willing to do this and, you know, I think that if there are districts that are willing to engage in serious discussions about education reform and want to bargain a full panoply of ideas about education reform, you know, our local associations are going to be interested in many cases. Now, I can't speak for all of them because, you know, we're not structured in the way that I'm making decisions for them, but I know that there's a lot of interest and appetite in education reform among our local affiliates.

And so I think that that is -- that is the thing that's really great about New Haven. It's what makes New Haven work. I mean, you can't take what's called a New Haven model and just transpose it to other districts. I mean, it's -- it's something that works for New

Haven and was bargained for New Haven, and it reflects the interests of people in New Haven. Reform will look different in other places, and I will say this. Reform can be bargained in such a way that it gives the ability for people in buildings to make decisions so that buildings may look somewhat different than one another.

So, you know, the more people that are engaged in change have the ability to make decisions about the things that are important to them. The more they buy into that, the more it's likely to work.

REP. KUPCHICK: Thank you. I'll just follow up with that.

JOHN YRCHIK: Go ahead.

REP. KUPCHICK: In New Haven, though -- I mean, I could see something like that working in Bridgeport if everyone came together and did the hard work that was done. I mean, I come from -- I represent Fairfield, and even so, in this situation, I think Fairfield is an awesome town and our school district is top flight. I think we have some of the best teachers. I think we have great teachers. But, again, I'm here sitting as a legislator who is looking at law that affects the entire state, and what -- I think if we put this into motion that Fairfield could comply -- like you were saying, some are already doing things like this -- without really any problem, but then again, helping other districts who really need that help, so there's that piece there.

The CEA represents Bridgeport, doesn't it?

JOHN YRCHIK: Yes, we do. I said that once.

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REP. KUPCHICK: So, I mean -- your personal opinion, would CEA, would they be agreeable to even trying something like New Haven's doing?

JOHN YRCHIK: Well, you know, I haven't -- and if I had known, I certainly would have had a conversation with the local leadership, and it is entirely their prerogative, you know, which, you know, how they -- what they want to do, or -- and it's not their prerogative entirely. It's the district's prerogative as well.

One of the things that -- and no one may want to talk about this, but one of the things that made the New Haven agreement work was the salary and benefit levels of the agreement in a very down economic time, and if you look at the city of Bridgeport, it's broke. I mean it's -- it's -- it's having a hard time economically, yeah, but New Haven got the money to put on the salary schedule and provide benefits to the teachers, and that made it easy to accept the reforms.

So, you know, you have to -- you have to take into account what the entire context looks like, but that was not a trivial part of the agreement. You know, similarly in New York, there was a performance evaluation plan bargained -- I think it was several years ago, two or three years ago maybe -- and what people didn't realize was that a major pension change was also bargained at the same time.

I mean, all of these things are part of -- part of the whole package, so I think that -- I think, though, that there is a real interest among teachers for a change, and I will tell you in Bridgeport we have two compact schools which are doing things very, very differently involving the community, involving --

involving parents in a deep way and engaging them in their children's education, and we've seen really very, very strong gains in reading and math in the compact schools, and a considerable improvement in school climate, and under the school improvement grant process, Bassick High School, I believe, has been added to the list of compact schools, and we're working with evidence-based practices that make sense, and UConn is providing technical assistance to the schools under the program.

That all happened to be part of the collective bargaining agreement, and if the changes in the schools require this, the school can seek a waiver from the collective bargaining agreement so that it can implement the necessary educational changes, and that is going on in Bridgeport right now.

REP. KUPCHICK: (Inaudible.)

JOHN YRCHIK: Sure.

REP. FLEISCHMANN: Other questions for Dr. Yrchik? Representative Johnson?

REP. JOHNSON: Thank you, Mr. Chair, and thank you for your testimony today.

I just have a couple of brief questions. In Bridgeport -- I just want to refresh my recollection -- it's not a Sheff school?

JOHN YRCHIK: No. That's Hartford.

REP. JOHNSON: That's Hartford and New Haven, and they have the extra funds?

(Inaudible.)

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REP. JOHNSON: And then the other question is a lot of this, a lot of the legislation and a lot of the discussion has been about teachers' performance, and the focus has been on teachers' performance, and there has been a lot of discussion, too, on whether or not, you know, teachers are performing and the difficulties surrounding the ability to evaluate teachers or do it on a regular basis.

JOHN YRCHIK: Uh-huh.

REP. JOHNSON: In terms of that, what exactly are we doing with respect to making sure that those who administer our schools are functioning and able to work within the contractual environment? Is there -- is there something that we're missing there?

JOHN YRCHIK: Could you repeat the question? I want to make sure I answer it properly.

REP. JOHNSON: I'm just wondering. I wonder as we continuously focus on the teachers and the evaluations that we're doing for them, is there something else that's going on with respect to the people who evaluate the teachers, the superintendents and the principals, the administrative staff? Is there something that perhaps we're missing in that area?

JOHN YRCHIK: Yes, I absolutely think so, and I mean I think that's where the rubber meets the road. That's -- we have fairly robust guidelines already. They're getting enhanced by the work of the council. We have robust plans in many Connecticut districts. All evaluation plans have to be approved by the State Board and have to conform to the common core of teaching, so all of the architecture for good evaluation is in place.

The problem is that the plans are not adhered to, the statutes are not used, and the responsibility for that doesn't lie with teachers. It lies with superintendents and building administrators who choose not to do it, and, you know, I don't know how you legislate that. There's nothing in this that speaks -- in 1160 that speaks to that, but that is, I think, the fundamental issue. It's not about teachers not being evaluated or it's not about teachers going through the evaluation process. It's about administrators conducting the evaluation process properly, and it's about superintendents making sure that the evaluation process that their administrators are conducting is being handled properly.

REP. JOHNSON: Just a quick follow-up. Do you have any information on what the process is for the education or the certification for administrators? Does it include doing this legal part of their job, do you know?

JOHN YRCHIK: I believe yes, and I'm not an expert on this, so yes, it does, but I don't know that administrators' training in this area is adequate.

REP. JOHNSON: Thank you so much for your testimony. Thank you, Mr. Chair.

JOHN YRCHIK: Thanks.

REP. FLEISCHMANN: Any other questions? Any other questions? Hearing none, thank you very much for your testimony and your patience with all the questions.

JOHN YRCHIK: Thank you, Representative Fleischmann and members of the Committee.

REP. FLEISCHMANN: We'll go now to David Calchera to be followed by Jill Cutler-Hodgman.

DAVID CALCHERA: Good afternoon, Representative Fleischmann and members of the Education Committee. Thank you for this opportunity to come before you.

My name is David Calchera, and I'm the policy director for the Connecticut Association of Public School Superintendents. I'm representing them and our executive director, Joe Cirasuolo, who has provided you with some written remarks which I will sum up and add some of my own, and I want to start by not talking about teacher terminations. We get to that point, but I want to emphasize that our members believe that the vast majority, the overwhelming majority of teachers, superintendents and principals come to school every day, wanting to do a good job for the kids.

But, we live in a real world, and we live in a real state where there's an achievement gap, and some teachers are seeing their dreams actualized of helping kids move along, and some aren't. We're in an economy where jobs would be lost, and we do need a process, a fair process for determining whose jobs are lost and whose aren't.

With respect to Bill 1160, our organization is supportive of this bill generally. We have some comments, and I'm going to echo comments that others have made and actually some things have been cleared up here today.

We are supportive of developing a model for the state, but we're initially concerned that that would mean a model that everybody had to

adopt. I think if the State Department of Education, as they have in the past, is somewhere between guidelines and a hard model that everybody needs to support and is willing to flexibly roll that out and look at large cities, small towns, regional districts, et cetera, I think we can arrive in a more efficient way at teacher evaluation models in each of our school districts which are better than they are now, but guided by a set of principles that reflect best practices.

We very much believe in multiple measures in those evaluation procedures including measures of student achievement and performance. And, by the way, we think this whole thing raises the issues in the conversation about what's meant by effectiveness, competence; what's meant by student performance and achievement; and, how that all factors into a measurement.

We very much oppose, as you've heard several others talk about, this being a subject of mandatory bargaining. I can be corrected by later speakers. We've talked about New Haven in a number of ways today. My understanding is the parties came to that in a mutual agreement to bargain, and as Sharon Palmer rightly said, there were some elements of that that then spilled out into areas that fell under collective bargaining. If I'm wrong on that, I can be corrected later on.

And, if I may make just one more point. We very strongly believe that seniority is an important factor, but certainly not be the sole factor in determining job retention.

REP. FLEISCHMANN: Thank you for that very clear and concise testimony. Are there questions from members of the Committee? Representative Johnson?

REP. JOHNSON: Thank you, Mr. Chair, and thank you for your testimony today.

I had a question earlier and (inaudible) about the training of superintendents and whether or not the focus has been way too much on the teachers and maybe there should be some focus on the training of superintendents and perhaps principals to determine whether or not we're getting the full type of analysis we should get in the school systems.

DAVID CALCHERA: Thanks. That's an additional point I was going to make. We notice that this bill does require mandatory training for teachers and administrators, and we're very supportive of that. We don't believe that it's solely an issue of teachers as far as -- I would very much object to the last speaker talking about superintendents and principals choosing not to implement evaluation plans. I don't think that's the case at all, but more training for everybody is I think a good thing.

REP. JOHNSON: Thank you. Thank you, Mr. Chair.

REP. FLEISCHMANN: Thank you. Are there other questions for the witness? Hearing none, thank you very much.

We will go to Jill Cutler-Hodgman to be followed by Shana Kennedy-Salchow.

JILL CUTLER-HODGMAN: Honorable Chairman and members of the Committee. My name is Jill Cutler-Hodgman. I'm the chief labor and legal services officer for the Hartford Public Schools. SB 1160

Thank you for the opportunity to come and

testify here today regarding Raised Bill 1160, specifically regarding the model teacher performance evaluation system and teacher tenure law.

We're all committed to the philosophical concept that children deserve to be taught by the most effective teachers available. This legislation I understand is aiming at that goal. My concern is that it actually serves to counteract the very goals that it's trying to achieve.

The bill in Section 2 provides guidelines for a model evaluation instrument for teachers that includes an abundant amount of specific process and procedure. For the Hartford public schools, the guidelines will include an additional administrative burden over and above what is already an arduous and cumbersome process for evaluators.

It takes a courageous and diligent principal to take on the current procedure to terminate a teacher for poor teaching performance. I'm deeply concerned there could be more obstacles and time lines, and focusing on an administrative process will make it even more difficult for a principal to take on.

I believe we all agree that the teacher in the classroom is the most important number in student achievement. Current law gives enormous protection to teachers. Tenure protection begins after just a single year of teaching in Hartford for an experienced teacher. After that, the administration must go through enormous hurdles to separate an ineffective teacher from the district.

In Hartford, we have focused on encouraging principals to do this hard work as part of our

reform effort, and we have successfully (inaudible) ineffective teachers at a higher rate than some other districts, which is to say a few a year at best. Despite this focus, we have much more to do as principals are reticent to commit to a multi-year process that is grueling, expensive and time-consuming.

This bill would require even more process than our current system. It also requires a level of input from local unions whose legal obligation to its members can run counter to the educational mission. Teachers' unions are compelled to defend even the most ineffective among them. The legislation assumes that the union can put that obligation aside. I'm concerned that in practice, this will not occur.

Further, the time lines established for the process are too long. To have an intensive support process in place for a full year means that the students are without an effective teacher for that full year plus the period of the hearing, which is up to 100 days. This all occurs after the ineffectiveness has been formally identified and documented, which takes time as well, in this instance (inaudible).

With regard to Section 4, the proposed legislation has failure to successfully complete a remediation plan as a basis for terminating a teacher. While this makes sense, the reality is that focusing on the plan instead of on the effectiveness of the teacher places an even greater emphasis on process over substance. While process is incredibly important, the termination procedures are already filled with process. Please don't add more.

I'll conclude. I --

REP. FLEISCHMANN: We do have written testimony from your district, and we appreciate it. Could you just -- I think you said this at the outset, but can you remind us what your role is in the district?

JILL CUTLER-HODGMAN: My title is the Chief Labor and Legal Services Officer. I'm a labor attorney. I help principals go through the process of dealing with union issues and negotiations and also evaluating and going through the termination process as well as other things, so I'm intimately involved in how this really works in practice.

REP. FLEISCHMANN: Clearly. Okay. Thank you very much for your testimony. Are there questions from members of the Committee? If not, thank you very much, and just one other quick thing.

Since you have so much experience and such clear, strong opinions on the weaknesses of the system as it's currently constructed, if you were open to submitting to the Committee your alternate recommendations, we'd be interested to see what those might look like.

JILL CUTLER-HODGMAN: Okay. That would be great.

REP. FLEISCHMANN: Thank you. Shana or Shyna -- I always forget -- Kennedy-Salchow to be followed by Anna Marcucio.

(Inaudible.)

SHANA KENNEDY-SALCHOW: Good afternoon, and it's Shana. I am Shana Kennedy-Salchow. I want to thank you for having me this afternoon.

SB-1160

I represent the Connecticut Council for Education Reform, a new non-profit organization that is comprised of many of the members of the Connecticut Commission on Educational Achievement. The Council will advocate for the recommendations of the Commission with a goal of narrowing the achievement gap and raising academic achievement for all Connecticut students.

To start, the Council supports S.B. 1160, and more specifically, Sections 2 on which deal with teacher evaluation and tenure but believe the bill could be strengthened.

Section 2 calls for the Performance Evaluation Advisory Committee, PEAC, to develop a model evaluation system. We are encouraged by the inclusion of both training requirements on the new system and individual improvement plans for teachers. Both are critical to the success of teachers. We think there should be quite a bit of flexibility for districts in designing evaluation systems but that some elements need to be required. More specifically, we would include language for these evaluation systems to put a preponderant weight on growth in student achievement where applicable.

Section 3 describes the membership of the PEAC, which is very specific in naming a long list of stakeholders and an additional three persons to be selected by the Commissioner of Education. We believe education groups without a direct stake or members affected should be added to this group. They are advocating for children. We further believe we should be clearer on the qualifications of the three additional people to be selected by the Commissioner. They should be national experts in this field.

We applaud the addition of the seventh reason for dismissal and tenure, but need to ensure that the performance evaluation model adopted puts a preponderant weight on student growth and achievement. We must ensure that our teachers are effective and that we are helping them be as effective as they can.

This bill does not address attaining tenure. It only addresses another way to take it away if necessary. In order to have the highest percent of effective teachers, we must be sure that we grant tenure only to teachers who are deemed effective in the first place. The idea of granting tenure after four years without taking this into account does not make a lot of sense.

Next, this bill does not address seniority issues. It does not make a lot of sense to have elaborate evaluation systems that focus on teacher effectiveness but still have policies that allow seniority to trump those results and lax procedures. This is especially important for our lowest achieving schools.

Lastly, there is no mention of the evaluation of school leaders, principals in this bill. If teachers are going to be held to new evaluation methods that take into account student growth and achievement, school leaders need to be held to the same.

I thank you.

SENATOR STILLMAN: Thank you, Shyna. Did I have that right?

SHANA KENNEDY-SALCHOW: No. It's Shana.

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SENATOR STILLMAN: Shana.

SHANA KENNEDY-SALCHOW: Yes. Okay.

SENATOR STILLMAN: And it's Salchow.

(Inaudible.)

SENATOR STILLMAN: I'll get it right, and fortunately, this is not our last public hearing, so there's a chance to do that again. We do appreciate your testimony.

In your testimony, you mentioned that you think there should be quite a bit of flexibility for districts in designing evaluation systems, but that some elements need to be required. Can you be at all specific in that? What elements do you think should be required?

SHANA KENNEDY-SALCHOW: I think that there needs to be elements around student outcomes and growth in student outcomes with teachers. I think that that absolutely needs to be a part of those evaluation systems.

And, I think there should be some leeway on how those things are defined, but ultimately I think student outcomes is what we need to be talking about here.

SENATOR STILLMAN: Okay.

SHANA KENNEDY-SALCHOW: And, I fear that the way that's currently worded, that you can have a system that has very little or almost no student outcomes as a part of the system, growth in academic achievement, so I am concerned on that.

SENATOR STILLMAN: That was in Section 2?

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SHANA KENNEDY-SALCHOW: Yes.

SENATOR STILLMAN: Thank you. Any questions for Shana? Representative McCrory?

REP. MCCRORY: Good afternoon.

SHANA KENNEDY-SALCHOW: Good afternoon.

REP. MCCRORY: I liked the way you framed your argument in regards to evaluations, and I agree, also. My question to you would be: What weight -- (inaudible) is properly done, and I don't care whether the teacher is doing well or not. There are other things to be valued, also. How much weight would you put towards -- if you were to design your ideal evaluation, how much weight would you put towards student achievement?

SHANA KENNEDY-SALCHOW: So, not to -- I realize people keep saying New Haven --

REP. MCCRORY: I'm not mentioning any --

SHANA KENNEDY-SALCHOW: Not to beat that one into the ground, but I have to say that the way that they did it is a matrix, and it's a preponderance, so it's more than 50 percent, but the way that kind of plays itself out, you could never do very well on the other components that are in there, so you couldn't just do a great job at, you know, having great classroom management, as an example, and not getting student outcomes, and still do really well on their evaluation system.

So, I don't know that I can give you an exact percentage. Would I like to see it be more than 50? Yes.

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REP. McCrory: Okay. What are the tools you would use besides student outcomes? What else do you think should be in that -- in that matrix?

SHANA KENNEDY-SALCHOW: I --

REP. McCrory: Give me like three, three others.

SHANA KENNEDY-SALCHOW: Sure.

REP. McCrory: And then (inaudible).

SHANA KENNEDY-SALCHOW: Sure. I definitely think classroom observation needs to be one, you know, because where I live, I would hate to see -- this is just an example from the place -- I used to work for an organization in D.C., and we had a woman who would go out to schools that had really impressive data, and she would go and look to figure out what's going on there.

I'll never forget three times getting phone calls from her: Oh, my gosh; take these people off the list; I saw at least two people hitting kids, things like that. And you'd say, okay, well, yes. So, you don't ever want to have (inaudible). Just focus on student tests.

So, by all means, I think classroom observation is huge. I think lesson planning, right, what are they including in their lessons; what are they -- what are they aiming to do. I think that needs to be there, and the last thing I think would be really important are (inaudible). What are they actually asking kids to do day to day; how are the case load assignments and linking them up with state standards; what expectations are they holding them to. I think there's a -- I think those are three things I would include.

REP. MCCRORY: Thank you. The three things you said all lead up to how successful the student is. I mean, they all -- they're all aligned. There's no -- there's really not much (inaudible). Okay. The outcome you're trying to achieve based on the (inaudible) the student's going to take. Classroom observation, okay. Seeing how well the teacher's doing; are they (inaudible); are they in the beginning, the middle of the closure.

All of those things really still add up to how successful the student will be. I mean, how about experience, maybe educational level of the teacher? All of those things might be important, and today, I mean, we're all focusing -- there's a lot of focus on the waiver. What happens after we come out and we find out the academic achievement level after a couple of years of this new tool students still are not achieving at the levels that we expected them to? What do we say then?

SHANA KENNEDY-SALCHOW: Well, then I think we need to come back and think about the tool that we're using and think about what we need to look at differently.

And, another thing, too, I would add that I forgot to add because you gave me three, but another thing I would add is what they're doing in school to help out. Are they a good team player? Are they going to all the teacher team meetings? Things like that. I think that that would play a role in there as well.

REP. MCCRORY: So, is it safe to say we should see how this tool works in New Haven first before we -- I mean, we just follow the process, you

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know, get some ideas, get some evaluation of what might work, and in the meantime, let's see what happens in New Haven first as far as the academic level of children being increased before we start going down another path that may or may not be successful.

SHANA KENNEDY-SALCHOW: I would if we didn't have so many schools that just aren't making any improvement now. I mean, I really feel a need to move the -- what we're doing now is not working, right? I think --

REP. McCRORY: (Inaudible.)

SHANA KENNEDY-SALCHOW: Thanks for saying that. So, I do think that we need to move towards a new system -- new systems, actually, because I don't think they should all be the same -- and I do think that student outcome has to be a part of this so it can drive -- drive those decisions.

So, no, actually I wouldn't wait to see what's happening with New Haven. I think that we should --

REP. McCRORY: Only that New Haven, that's the one everyone is talking about like that, that's the panacea, and I don't necessarily agree, so, you know, I think in the meantime there's a whole lot of other things we could be doing in the process.

REP. FLEISCHMANN: Thank you.

SHANA KENNEDY-SALCHOW: Thank you.

SENATOR STILLMAN: Thank you, Representative. Are there any other questions? Representative Lavielle and then Representative Davis?

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REP. LAVIELLE: Thank you, Madam Chair. Just a very -- thank you for your testimony. Just a very quick question for you.

Would you be able to or care to shed any light on the groups that you think could usefully participate in the advisory committee?

SHANA KENNEDY-SALCHOW: So, I mean, I'm going to be upfront. I think we'd like a seat. Why not go ahead and join up? I can think of some other groups, too. I think Connecticut Voices for Children can possibly be another group that you thin -- there again, they're very children advocates. I would think ConnCAN would be interested. It's an issue that they've studied for a long time. They could be another group to put on there. There's at least three additional groups I think could be put on.

REP. LAVIELLE: Okay. Thank you very much. We appreciate it. Thank you, Madam Chairman.

SENATOR STILLMAN: Thank you. Representative Davis?

REP. DAVIS: Thank you, Madam Chair.

Just kind of in the way of information for myself, what I'm seeing over the last several years is several advocacy groups developing that have a very, very business-oriented base, and business money, involved in support of their research and goals of their organization.

Do you as an advocate feel that this is the appropriate way to go, and am I correct in my statement that it appears the principles of being successful in business are trying to be applied to being successful in education? Am

I correct, and is this the way to go?

SHANA KENNEDY-SALCHOW: I think -- I think it's actually the principles of being successful and not just in typical business industries, but (inaudible). You have an evaluation system that really helps you improve over time, and if you're not, then you have an evaluation system that shows that you're not improving and that ultimately you can be taken out as a result.

I mean, I think that that is a standard not just in industry, but I think in a number of other areas. So, I do think it's the way to go.

Now, your question, I'm not sure if I'm following what the question was about the advocacy organizations. Was that -- you know, should we have a strong business influence? I wasn't really sure where --

REP. DAVIS: Yes. It seems I'm seeing more and more organizations based on -- with business backing coming into the area of public education and advocacy for public education, and my question is: Is this desirable, is it working, is it going to improve education?

SHANA KENNEDY-SALCHOW: All right. I think I know -- I mean, I think business is feeling the long-term strains when we're not educating everyone to a level that they should be, and so I think the reason we're starting to see business take such an active role -- and it's not just in Connecticut; I mean, it's nationwide that we're seeing this -- I mean it's just a result of what's coming to their doorstep, of having to continually train people who are graduating with high school degrees and are not prepared for the work

force and saying, why is that falling to us, and so I think long-term strategy investment for them? Yes. It makes sense. I mean, they could pay for it themselves, person after person that comes to them that's not prepared, or they can help to reform it for everyone, and then people are prepared and give people a much greater chance in life.

So, I do think there's a reason you're seeing a trend.

REP. DAVIS: Okay. I did just want to get a better grasp of what I'm seeing here as far as the advocacy organizations and where they're coming from, and I certainly don't disagree that we need to do something different if we're going to succeed as a economic engine for the future.

Just the last follow-up. How long has your organization existed?

SHANA KENNEDY-SALCHOW: We filed our articles of incorporation at some point last month I'd say --

REP. DAVIS: Okay.

SHANA KENNEDY-SALCHOW: -- and I just actually joined the organization recently, so I've been working for the Commission, and we knew it was going to spin off.

It was actually something that came up during the Commission was that many of the Commissioners realized that if we were just to issue a report and walk away, it would be a report that got some footage, and that was the end of it, and they -- none of them felt comfortable with that. They really felt a need to continue to press these issues going

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forward, so hence the organization.

REP. DAVIS: Thank you. Thank you, Madam Chair.

SENATOR STILLMAN: Thank you, Representative. Any other questions? Mr. Chairman?

SHANA KENNEDY-SALCHOW: Thank you.

SENATOR STILLMAN: Thank you. It was nice to see you again.

Anna Marcucio followed by Jim Starr. Welcome.

ANNA MARCUCIO: Madam Chair, members of the Committee. Thank you for this opportunity to testify on Senate Bill 1160.

My name is Anna Marcucio. I'm chief operating officer at ConnCAN, and I'm pleased to testify on Senate Bill 1160 which represents an important step forward.

This is a starting point, but it needs to be improved in order to support and keep our best teachers in the classroom.

Allow me to offer six recommendations on how this bill can be improved. First, this bill does not address seniority-based layoffs, and right now, we have no immediate fix for last-in, first-out policies, and we risk losing hundreds of teachers this year. We can and must come up with a solution for this problem. For example, there are objective measures we can use right now: Multiple unsatisfactory performance reviews, chronic absenteeism, specialized training, or extraordinary merit.

Once we have a system in place, the evaluation ratings should drive (inaudible) decisions.

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Second, I urge the Committee to consider using student achievement growth as a significant factor, among other important factors, in the rating of teacher performance. The New Haven model as well as models in other states offer strong examples for Connecticut on this front.

Last year's Public Act 10-111 requires the state to meet its student achievement growth in our evaluation system. This bill needs to clarify and build on that. Student growth will put us in a better position to compete for federal funds, which we need and we've missed out on.

Third, I urge the Committee to consider adding additional experts to the Performance Advisory Council. This is complicated work, and other states have already looked at this. We don't have to reinvent the wheel and should include other state and national experts on this Council.

Fourth, this bill still allows for an ineffective teacher to remain on the job for a rather long time, and research shows that's not good for our students. Under this bill, a teacher has one year to show improvement before dismissal proceedings begin. That's a step in the right direction, but the bill doesn't require this process to take place within the same academic year. It also doesn't clearly specify a time line for each step of the proceedings which could allow the process to drag on for longer than this bill intends.

We want to make sure teachers have enough time to show improvement and that they do so under a fair process, but this bill as written could allow an ineffective teacher to keep teaching

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for about two years. This bill can be tightened to ensure a more timely process.

Fifth, teachers can continue to obtain tenure regardless of their evaluations. Currently, most teachers are in tenure after four years regardless of their effectiveness. A stronger plan would allow teachers to obtain tenure after showing strong performance for consecutive years. Once earned, tenure status should be periodically reviewed based on a teacher's evaluation ratings.

And, last, this bill should define a common and uniform rating framework. Ideally, we need a system of equivalent ratings state-wide so that highly effective or needs improvement or whatever term we choose generally means the same thing across the state.

Thanks. And, I can take questions.

SENATOR STILLMAN: Thank you, and I think we had good timing. Thank you very much for your testimony.

Are some of the things that you are saying that you feel should be included in the bill, don't you think some of those things -- I'm a little concerned with putting too much in your bill rather than these being suggestions that the Committee will look at and recommend how to implement. I'm not sure we need to put every little requirement in the statute.

Could you comment on that for me, please?

ANNA MARCUCIO: Sure. Yes. There's a couple of things. I think, you know, the fact that the legislation enacted last year creates the Council, I think we have to give deference to

that Council to make sure that the evaluation system is created in a way that views -- that can use existing models, either New Haven or other states', but we do believe that there has to be a little more specificity to the charge of that Council in that any meaningful evaluation system does include student achievement growth as an a priori factor in an evaluation system, and we also in terms of the dismissal proceedings want to make sure that while recognizing due process, want to make sure that the actual time line that a teacher is in improvement does not take longer than it should.

So, let's say a teacher is identified as needing improvement in the spring. That teacher has until the next academic year to go through the improvement plan, and then once that -- once there's an assessment made to continue with dismissal proceedings, there's an additional hundred days for that process to take place, which means a teacher will be in a classroom for almost two years.

So, the concern here, the recommendation is to clarify that by making the improvement plan take place within one academic year.

SENATOR STILLMAN: Thank you. I can understand tightening time frames and things like that in the bill if that's what needs to be done. I'm not a big fan of writing statutes that deal with not really the immediate situation, not the minutiae, you know, so we have to figure out which is which.

ANNA MARCUCIO: I think the charge of the Performance Evaluation Advisory Council is incredibly important here, and if we can draw some specificity around their charge, I think that would be a definite first step in making

sure that the evaluation system that is created is one that is based on what already exists either in New Haven or, again, in other states. We don't necessarily need to reinvent the wheel, and part of the recommendation here is to allow that Council to include representatives from the state that are already undertaking this and other states and certain national experts around the country.

SENATOR STILLMAN: Thank you. Anyone else have any questions? Senator Boucher?

SENATOR BOUCHER: Thank you, Madam Chair, and I apologize that I had stepped out of the room when you gave the bulk of your testimony and also answered quite a few questions.

Were you already asked about the Performance Evaluation Advisory Council and about who should be participating on that Council already?

ANNA MARCUCIO: Not directly asked about it, but the recommendation is to allow the Council to include those in the state who have already undertaken this challenge and also national experts that are working in other states around the country. This has already been tackled by other states, and we should benefit from that work.

SENATOR STILLMAN: Thank you, Senator Boucher. Just so you know, her testimony is included in the packet (inaudible). Representative Ackert?

REP. ACKERT: Than you, Madam Chair.

One of the concerns I have is your first statistic in bullet one regarding losing thousands of great teachers. Do you know what

this statistic is typically for the amount of teachers that we lose early? My daughter is in her third year, and I don't want to get into that. She's in a New Haven school system, and she would have been the first-in -- or I should say, yeah, first-out program, and thankfully for the superintendent and principal, they saved her job, and her class ranked fourth in the district for six graders going to seventh and eighth graders, so she -- she's performing, but she was a new teacher, and she was going to be one of the early ones gone.

But, thousands? That's a big number. Can you respond to that?

ANNA MARCUCIO: Yes. That number is based on the fact that district costs are rising and that there is a significant need to plug budget holes, and that's based on the acknowledgment of the fact that the state level will remain flat.

Last year, there were about 1,500 layoffs, and this year we expect the budget to be in the much more position, and so we expect that number to be closer to 3,000. This is based on sort of what's happening in the past few years. And, you know, we're already seeing in headlines across the state where right now districts are going over their budgets, and they are acknowledging that in particular districts, you know, anywhere from several dozen to hundreds of teachers will be laid off.

SENATOR STILLMAN: This spring?

ANNA MARCUCIO: This spring, yes.

REP. ACKERT: Thank you for your testimony. Thank

you, Madam Chair.

SENATOR STILLMAN: Thank you, sir. Does anyone else have any questions? Oh, Representative Lavielle?

REP. LAVIELLE: Thank you, Madam Chair. Thank you for your testimony very much. I just have a couple of questions for you.

Regarding your fourth point where you refer to districts that might have a better evaluation since they would be the only ones who would not be subject to the overall system because theirs might go farther, we've talked a lot about New Haven. Are there any others you know of right now that you think are really setting the standard?

ANNA MARCUCIO: Within this state?

REP. LAVIELLE: Yes.

ANNA MARCUCIO: Right now, I think we are focusing on New Haven because I think that is the shining example of the way the corroboration should come together and then using certain aspects of what I was talking about, what needs to be included in an evaluation.

There are models from outside of the state that we could rely on, and I'm happy to get that information to you and the rest of the Committee.

REP. LAVIELLE: Thank you. It is probably useful for looking at what to build this up.

The other question that I have goes back to the first point, and it's -- I'm asking it in a slightly bizarre fashion because we've talked a lot in some of the prior testimony

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and in yours about the dire importance of tying student achievement and learning outcomes to evaluations. On the other side of the spectrum, do we have any data that shows whether there is any correlation at all between seniority and effectiveness or ineffectiveness, out of curiosity?

ANNA MARCUCIO: Yes. We -- again, I'd be happy to get that research to you. What we have seen in several studies is that the teacher is the most important indicator of student success, and that -- so by virtue of that fact, the length of time a teacher is in the classroom is not as important as past performance in making sure that there is -- that we look at student growth.

REP. LAVIELLE: Thank you very much. I appreciate it. Thank you, Madam Chair.

SENATOR STILLMAN: Thank you, Representative.
Anyone else? Representative Davis?

REP. DAVIS: Thank you, Madam Chair.

I just want to continue with that point. You said that there does not seem to be a correlation between length of experience or number of years that a teacher is teaching and the success of their students. Is that what you're saying?

ANNA MARCUCIO: I was saying that the teacher is the most important predictor of student success and past performance is the leading indicator to make sure that that teacher is effective.

So, it may have been construed that the number of years in the classroom does not impact student performance. It can, and there

obviously are teachers, veteran teachers, who are effective and who are impacting students in a positive way, and there are teachers who have been in the classroom for, you know, three years who are doing the same, but the flip side is true as well.

REP. DAVIS: I'm just getting the impression, though, that you are basically saying experience is relatively irrelevant in any of this discussion.

ANNA MARCUCIO: Not necessarily. It is -- it is a factor. What we're trying to make clear is that it shouldn't be the primary factor in judging a teacher's effectiveness.

REP. DAVIS: The length of service, that shouldn't be the factor or the experience of the teacher in the classroom?

ANNA MARCUCIO: Again, the definition can be construed differently, I think.

REP. DAVIS: Okay. I do want to follow up with one question. I know you guys do a lot of research, and we all know that there are very often successful teachers in unsuccessful schools, but have you done any specific research that actually determines a -- the important ingredient in the successful school? What I'm saying is that you can find great teachers in every school --

ANNA MARCUCIO: Uh-huh.

REP. DAVIS: -- whether the school is successful or not, but is there some special ingredient that makes a school itself a totally successful school? What is -- what is the ingredient that makes that school different and more successful than other schools?

ANNA MARCUCIO: I think, unfortunately, there is not one ingredient. There's a whole host of them, and I'd be happy to -- there's -- there is research out there that sort of answers that question, and I'd definitely be happy to get that for you. You know, it starts with an effective leader who has the authority to make decisions.

REP. DAVIS: Yeah. I actually did want to follow up on that because I -- I've done a lot of traveling around schools in Connecticut and visiting schools, and very honestly -- and I was a teacher, but the major ingredient that I've seen in successful schools was outstanding leadership, strong outstanding leadership. Administrators who are willing to put themselves on the line, go for -- in going to do what's best for their kids, they do not tolerate ineffective teachers. As a result, the schools have a greater opportunity to be successful.

So, while we've talked about successful teaching and effective teaching and focused on effective teaching, maybe we're missing the point and need to be working on much more effective administration and leadership. And, I would hope that ConnCAN can maybe start working on some of those issues with us to see if we can get some concrete studies as to how that affect us, and any information you have will really be helpful.

ANNA MARCUCIO: Absolutely.

REP. DAVIS: Thank you.

ANNA MARCUCIO: (Inaudible.)

SENATOR STILLMAN: Thank you, Representative.

Representative McCrory?

REP. MCCRORY: Two quick questions in regards to the achievement.

How much growth would you say we should -- this question probably shouldn't be for you, it should be for live in the field, but how much growth do you think we should see from a school to say it was actually achieved over a year's time? If we look -- if we want to base a majority of the evaluation to student achievement, how much growth do you think you would see in one student, and should we see it in a class, or should it be based on what a teacher in the classroom is doing, or what? My colleague was saying more of a school-wise, so (inaudible) good leadership starts from the top down, and so do we evaluate a teacher based on that person's one classroom or should it be evaluated on the entire school?

ANNA MARCUCIO: Yeah. That's a great question, and I hesitate to put a -- an actual percentage in terms of what -- what I would think would define significant student growth.

I think --

REP. MCCRORY: I mean (inaudible) --

ANNA MARCUCIO: Yeah. I think part of -- part of this question or this actual question could be answered by the Council. This should be part of their charge and, again, there are experts who have defined this in a way that is meaningful and effective and has worked and is working currently, and we would hope that the Council would take this up.

REP. MCCRORY: Okay. I'll save my other question for later. A couple will come up. Thank you

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very much for your testimony.

SENATOR STILLMAN: Thank you, Representative. Any other questions? Representative Johnson?

REP. JOHNSON: Just quickly. Thank you, Madam Chair, and thank you for your testimony today.

When you're talking about past performance as an indicator of teacher performance in the future, are you talking about past performance going from one school to the next, past performance within the same school district? How are you -- what's the analysis there? What is (inaudible)? Do you break them out in that way?

ANNA MARCUCIO: So, we're looking at student growth here, so it's about student learning, and, again, that research does exist to show that we're looking at -- the fundamental thing that matters at the end of the way is whether the student is learning, and that ties back to whether they have an effective teacher in the classroom.

REP. JOHNSON: I guess my question kind of goes along a little bit with what Representative Davis was alluding to, and if a teacher had past performance in one district where they had a strong leader and then maybe past performance in another district that was, you know, good but not as good as it was with the strong leader, I mean, would your statistics reflect that sort of -- sort of change in evaluation?

ANNA MARCUCIO: Well, I think again student learning and student achieving growth would be one factor in terms of defining whether that teacher is effective, so it's one -- we hope that it's an important factor and a primary

factor, but it's one of many. So, we would hope that going from district to district, there would be some way to measure whether that teacher is truly effective.

So, it wouldn't be just based solely on student achievement growth. There would be other factors that are -- that come into play.

REP. JOHNSON: So then the length of time the person was teaching and also the amount of training they received during that period of time would also be factors in terms of whether or not they were performing as well?

ANNA MARCUCIO: Correct, yeah. And, part of another recommendation we have for the evaluation system to have is to have a more uniform rating system so that -- so that the terms that are used to define whether a teacher is effective are similar if not uniform across the state, so that if a teacher is going from one district to the next, you know, if they're defined in one way in one district and they're defined a different way in a different district, then where do you -- where do you come together?

REP. JOHNSON: Thank you. Thank you, Madam Chair.

SENATOR STILLMAN: Thank you, Representative. Do we have any other questions? Thank you very much.

Next is Jim Starr to be followed by Millie Arciniegas.

JIM STARR: Good afternoon, Madam Chairman. Thank you for the opportunity to allow me to address the Committee today.

My name is Jim Starr, and I'm the executive

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director of the Achieve Hartford, an independent, non-profit organization in Hartford. I'm here in general support of Bill 1160 with some modifications.

Our focus at Achieve Hartford is to help create an environment for long-term systemic reform in improving student achievement in Hartford. As part of that and with the continuous focus on the best interests of students, we want to do all that is necessary to keep the best teachers in the classroom.

The provisions of Bill 1160 provide a good start to that objective. While work remains on the bill, I believe certain provisions of 1160 are helpful to prioritizing children in the state of Connecticut. The bill helps create a teacher evaluation system that contains the means to assess teachers based on more than just time in the system and to dismiss those teachers who remain deficient even after a remediation plan is carried out, something I think everyone would agree is in the best interests of children and the professional (inaudible) of teachers.

We the people would also agree that an appropriate evaluation system could go a long way to avoid teacher layoff decisions based strictly on seniority rather than performance. While it is a good thing, it is this issue I would like to focus on today.

Despite the favorable direction of 1160, it is not strong enough in addressing the realities of the current economy and the fact that teacher layoff notices will be going out as soon as this month premised solely on district-wide seniority. This makes no sense even in Hartford where its reform model is dependent upon specialized training or skills,

and innovative academies are making a difference or anywhere else where preventable teacher destruction impacts student learning.

Despite its good start, the evaluation system being contemplated in Bill 1160 will come about too late to have any impact, helpful impact this upcoming year. With the significant budget challenges facing every district and Hartford being no exception, we cannot afford the luxury of waiting for the perfect solution.

Please remember there's no research that shows pure longevity is an indicator of teacher effectiveness. In fact, that is why we need a comprehensive system for teacher evaluation. It is why 1160 has been drafted.

Governor Malloy and many other leaders across the nation recognize the importance of confronting this issue. Layoff decisions are painful in every case; however, the destruction from the impact of seniority-based layoffs is great. Other states are addressing it now, and Connecticut should, too.

Let's not fall short of what we can do quickly for our students. If we're going to do something helpful for children, why wait to have the most impact? 1160 makes a good start to delaying this impact, given the budgetary crisis and the great situational needs we face, but it is not helpful to those students who may go without the best teacher possible in the classroom or in the next two or so years while the current provisions of 1160 are being implemented.

As I have said, 1160 provides a good start. It can be even better by including immediate provisions that require decisions on teacher

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removal during periods of layoff to be based on some other criteria -- indeed, multiple measures -- but on items other than strictly state-wide seniority.

SENATOR STILLMAN: Thank you, sir. Did you provide testimony for us?

JIM STARR: I did not, but I will be happy to do so after today.

SENATOR STILLMAN: (Inaudible) so we can follow along and remember what you said.

JIM STARR: Yes. I appreciate that.

SENATOR STILLMAN: Questions anyone?
Representative McCrory?

REP. MCCRORY: Question. I'm an educator and have been there for 20 years, and personally and based on my (inaudible), my evaluation, I was a great teacher in my first year, and I was a great teacher in my 15th year. That's what they said about me, and that's what the grades showed, student achievement.

It goes back to what we said earlier. Is there a correlation between the number of years you're in a classroom and how successful your students are, because if there's not, then why do we go back and get Master's degrees, why do we do the CEU's why do we do our (inaudible), and many people claim either you have it or you don't, and many good evaluators can determine that in their first meeting.

So, the thing you're talking about, developing a tool that could or cannot be used when we already know whether a person is going to be successful or not, and it shouldn't just be

based solely on the test scores because of this high-stakes testings, I'm not saying -- I'm not questioning anybody's ethics, but statements take place, making statements that you're doing very well, and you might not be.

So, my question is I think we need to explore whether the time spent in class and the experience of a teacher is relevant -- relative to how successful is the student going to be, because it's very important, because we're saying that the teacher that has been with this school for 10, 15, 20 years, and I was one of the teachers that got laid off in the first year, too, and I was furious. I was really upset because there was never any talk of, well, why don't you determine what my class is doing, you know. That wasn't the case. They just threw you out, and then in the summer you came back.

But then I look at it years later, there have been people that have been in the system 10, 15, 20 years, and they do a very good job, and then they climbing their way now, and I'm not for or against. I haven't even made a decision, but it seems like for somebody who's been there for 15, 20 years, they're not good any more, but there's no evidence to show that, and if we're going to base it on -- and if you want to -- and I don't have a problem basing it on student achievement, but there's something to be said about someone who has experience and has been having the experience, and there's something to be said about systems because forget about individual classrooms, forget about (inaudible) schools, there are systems that have been failing for a number of years, and how do we evaluate them?

I mean this -- I mean you can comment if you want to, but that's just my opinion.

JIM STARR: As you have said, you've covered (inaudible). I think the current collaboratives would show that time in the system matters. I mean, I think we'd all agree that a professional experience matters, but it doesn't make -- it isn't necessarily true that 100 percent of the people in any profession that had been there the longest are effective over a period of time, so I'm certainly not discounting in any way that experience matters, and I suspect that the data would indicate that over time, more experienced teachers are more effective, but not in 100 percent of the cases.

SENATOR STILLMAN: Anyone else? Representative Ackert followed by Representative Davis?

REP. ACKERT: Thank you, Madam Chair.

I'm going to go back to the question I asked earlier to the entire testimony, and the numbers are that there's going to be substantial layoffs. I guess I'm very fortunate in the three towns I serve. Their budgets are intact, and they aren't talking about layoffs, so I guess I'm in a very fortunate district.

But, when they say they're going to lose the -- we're going to -- it's going to be unfortunate if we're losing any teachers as far as I'm concerned, and obviously, if we're losing thousands (inaudible), I'm sure that the matter of letting the newest teachers in or that the five- or 10-year tenured teacher, that not all of them are -- are, you know, the youngest teachers or the worst teachers or the best teachers, so I don't -- I think if we lose any teachers, it's going to be a sad situation, but to say they're all going to be

the best teachers, or whatever the mix is going to be, I think is a misnomer. I think any teacher that we've had, like they mentioned already, is going to be a loss, but do you have any thoughts in terms of the amount of teachers we're losing and the quality of them or --

JIM STARR: Well, it certainly -- again, I guess two comments. It's -- it's -- Hartford specifically two years ago, they lost through district-wide layoffs approximately 250 people. About 100 of those were educators, teachers in the classroom. This past year, I think the number was 50 to 60 net teachers that were -- I think that the issue is not nobody wants to let go any teachers -- I certainly agree with that; certainly, no one wants to let go any quality teachers. I think the premise of the point, though, is there is a decision point, and there's an inflection point when that decision, for all the bad reasons it has to take place, but a layoff has to occur because of budgetary constraints, and I think the (inaudible) and the point being is there needs to be something other, and maybe it's just one thing better for now because the economic issues are going to be most intense this year and the following year, but there needs to be some criteria now that has some impact on letting go a teacher that's other than strictly based on how long they've been in the system.

I certainly agree with Representative McCrory that that matters, but it doesn't matter 100 percent of the time, so there needs to be some criteria now when that inflection and that decision point is made that it's something other than strictly seniority.

REP. ACKERT: Thank you. Thank you, Madam Chair.

SENATOR STILLMAN: Thank you, Representative.
Representative Davis?

REP. DAVIS: Thank you, Madam Chair.

We know you're operating in a school district that has many, many educational challenges, social challenges, and so on, and we know we have a staff that may involve a majority of whom are probably long-term teachers, they've been there, experienced. What are we doing to reinvigorate the long-term experienced teachers who maybe started out with the desire that I am going to go in there and truly make a difference, and after years and years of having to deal with the bureaucratic red tape of being in the classroom and trying to get something done and getting resistance because you have to do this, you have to do this, says, okay, I'm batting my head against the wall, I'm just going to do my job, I love the kids, I'd love to see them do better, but the system's working against me.

How are we going to reinvigorate the long-term teacher who certainly has potential that maybe not is being addressed?

JIM STARR: I guess two comments. You know, we are not the school district. We operate independently in the city, but I'm going to go back to the comment you were raising earlier. It's about what's the most important thing that drives success in a school, and I believe it's school culture that's driven by leadership, and if you create a grade school culture, you create great learning environments, and great learning environments start with great teaching and how a culture of learning, a culture of acceptance, and a culture of activity can be put in the school.

That can be that reinvigoration, so it's whether they're great teachers who may be fatigued, struggling with the system as you pointed out, but if you put them, particularly for great teachers, right, you put them out of the system, you're going to put them, hopefully, in front of students and make them both better. Wouldn't it be great? When students get better, and even good teachers get better, and even great teachers become ever greater teachers, if you put that in a culture of high expectations, a culture of high learning, and a culture believing that change can take place, particularly in an urban school district like Hartford (inaudible), I think that can be the single greatest thing that can reinvigorate those teachers.

REP. DAVIS: In 2005 when I first came here and was on the Education Committee, we had a testimony by one of the leaders of a very successful charter school become even more successful, and I asked at the time to what do you attribute your success, and she said, well, hard work, and I said is there anything the state is doing that is helping you, and the answer was basically on the contrary, we don't have to deal with all the stuff the state is making us do; we have the flexibility to make the decisions that are necessary to address issues as they come up and make the adjustments.

Is what we are doing here making it more difficult to succeed with all of the things that we're asking our teachers to do other than teach, the documentation, and I know we're told it's necessary, we have to get the information, but it seems more and more and more I'm hearing from more teachers, I don't

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have time to really dedicate to my students; I'm spending so much time fulfilling all sorts of required mandates that I'm losing the ability to spend time working with my students.

We have to maybe look at some of the things that we're doing and look a little differently on how we're working with the kids in the classroom.

JIM STARR: I guess I would respond to that question by saying that 1160 is an example I think that has a lot of good things. We have to take a look at those things and not necessarily eliminate them, but make sure that the ones we are doing -- just like we're demanding effectiveness out of our teachers, we should demand effectiveness out of the rules and laws that are in place, that they are having an impact.

So, I'm not sure I can comment on it's much too much. I would -- I would emphasize that making sure that whatever we're doing is effective and can be impactful, and most importantly, once determined they are effectively impactful, make sure that they have a time frame that can be compact and put into motion quickly.

REP. DAVIS: Thank you. Thank you, Madam Chair.

SENATOR STILLMAN: Thank you, sir. Any other questions of the gentleman? Thank you.

JIM STARR: Thank you.

SENATOR STILLMAN: We appreciate it. We'll look forward to receiving your testimony (inaudible).

Millie Arciniegas followed by Alex Johnston.

MILLIE ARCINIEGAS: Thank you. Good afternoon, Chairman -- Chairwoman Stillman, Representative McCrory, Representative Fleischmann -- I know he's not here -- and distinguished Senators and Representatives of the Education Committee.

My name is Millie Arciniegas, and I am the president of the Hartford Parent Organization Council, a coalition of 48 PTO's throughout the city of Hartford public schools.

I was encouraged by the strength of the Senate Bill 1160 including: It allows for up to only one year for the teacher to demonstrate improvement once being identified as needing improvement, and it allows for a teacher's tenure status to be removed if they fail to complete the remediation plan.

And, before I continue with my testimony, I just wanted -- I just wanted to say that I think what parents tell me every day is what happens during that time, that time when they're training, day-in and day-out, because some teachers just don't get it. What happens to our children while we're sitting -- we're expecting results at the end of the day. We're the biggest stakeholders. We have this precious child, and during those two years that it takes of this retraining and training, our children are in there, and they're losing, they're losing out, and that's what we've experienced in Hartford.

But, for the last three years, we've been -- all of us have been on board just fighting this and climbing and climbing for three years, and we want to continue that climb. We need your help. This is our last spot. We

don't know where else to go. We don't have fancy lawyers or lobbyists or anything else. This is it.

So, I am disappointed. I'm disappointed that there is no solution in this bill for the urgent issues of seniority-based layoffs. A compromise is school-based seniority. Talk about compromise, and we can't even get through that, you know, and what hurts us the most is our children are in those classrooms, and all we want to see is consistency.

You know, there's teachers in there that are dedicated now, they -- they -- they have relationships with the parents, you know, and the children. That whole triangle is being implemented at our schools, and that's what's most important is when parents, teachers and children are all connecting, and the climate of the school is a climate where they want to come to school, and that's what we've built for three years, but we can't continue in this fashion and produce the same -- produce the results that we continue to see in the last three years. We just can't. We need your help.

And, so I just want to say that parents are working every day with their teachers, principals and the district to sustain the reform, but now we need this Education Committee to take corrective action and help us keep the teachers in whom we have already invested millions of dollars on professional development and specialized training.

We are in a state of urgency, and we can no longer continue the status quo for one day longer. Our children have shown results; they've done their best and deserve our best efforts to allow them to continue to succeed.

Thank you for your time.

SENATOR STILLMAN: Thank you. Any questions from the Committee?

I think I heard you say that you, meaning your PTO, the parent organization council, compromised with school-based seniority. Could you explain that, or maybe I misunderstood what you were saying.

MILLIE ARCINIEGAS: Our superintendent the last two years has gone through arbitration with the union on school-based seniority, which means that the teachers -- the teachers in the school building, they only look at the seniority in that building, and -- instead of district-wide, so you won't see an eighth grade teacher coming from one school going to another school, and I think CREC has already implemented that, that fashion of seniority, and it has worked well for them.

So, it gives them -- it gives them flexibility, and it helps us with what we've already done.

SENATOR STILLMAN: So that process is now in place, school-based seniority? You say it is working?

MILLIE ARCINIEGAS: Well, in CREC.

SENATOR STILLMAN: In CREC.

MILLIE ARCINIEGAS: We're trying to implement it in Hartford, and for the last --

SENATOR STILLMAN: And it is (inaudible).

MILLIE ARCINIEGAS: This is it. I mean, we either

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-- that's why I'm here today, I mean, because this is the last stop. We went to the State Department of Education, and we haven't got any results there either.

SENATOR STILLMAN: And so what does the superintendent want (inaudible). Have you had a conversation about (inaudible) implemented or (inaudible)?

MILLIE ARCINIEGAS: Well, this is the second year that they tried to do that, and the union has just said no, that's not even an option. That's not even something to talk about, so we're -- we're at a standstill, and I was going with any superintendent anyway. I mean, you guys have the -- you have the power for corrective action on districts that are improving and have gone through reform to help out with this.

SENATOR STILLMAN: We still need the teachers to come to the table though, and, you know, so that could be part of the problem, because I don't know -- I'd have to find out from CREC what they did in terms of making that happen, are there negotiated agreements, et cetera, so --

MILLIE ARCINIEGAS: That would be helpful.

SENATOR STILLMAN: At least, it will be a start.

MILLIE ARCINIEGAS: Thank you.

SENATOR STILLMAN: Any questions? Representative Lavielle?

REP. LAVIELLE: Thank you, Madam Chair. Very quickly, how many layoffs do you think you're facing in this coming year, and I know you can't know precisely, but do you have some

idea?

MILLIE ARCINIEGAS: I do know that last year it was 256, and Jim Starr just said 100 of those were school teachers, but I am anticipating at least about that. I mean, due to the budget situation that we have. We have a \$27 million deficit that we have to find a way to (inaudible).

REP. LAVIELLE: And, to your view, these may well be people who are doing a good job?

MILLIE ARCINIEGAS: Right. Those teachers that we've already -- I mean, we've even gone to the (inaudible) of sending them to China because they have an Asian study in school, and that -- you know, we're putting the money into it, into teachers so that we can have the best, and we're giving them professional development, but at the end of the day, they're going to be gone because of just one criteria which is seniority, so we don't want that to happen. We can't afford it to happen, and we're looking at this year, so we need help this year, not next year.

REP. LAVIELLE: Thank you. That's very helpful.

MILLIE ARCINIEGAS: Thank you.

REP. LAVIELLE: Thank you, Madam Chair.

SENATOR STILLMAN: Thank you. Senator Boucher followed by Representative McCrory.

SENATOR BOUCHER: Thank you very much, Madam Chairman, and thank you very much for your very (inaudible) I might add, and I know that you're here because of the frustration, and oftentimes there is a lot of issues that get brought before us, and we often debate on

whether that's the local purview of negotiating it in your district versus it's something that the legislature takes on, and it seems to vary depending on issue to issue because oftentimes the legislature does mandate a lot of issues that could have been negotiated locally, and other times there's a lot of issues that are negotiated locally that could be mandated here at the state level.

So, I believe there is the ability for the legislature to weigh in on something like this that's so important. We certainly weigh in on the length of days that a student must go to school versus allowing the local district to make that decision locally themselves, and we oftentimes legislate curriculum that should be mandated and you must take versus making -- you have to decide it on a local level as well.

So, do you think that this is one of those issues that should be generally approached from the legislative perspective?

MILLIE ARCINIEGAS: Yes, without a doubt.

SENATOR BOUCHER: Well, you certainly made an interesting case, and I think the case of even trying to compromise it locally shows the kind of difficulty we're having right now, that inability to reach a local compromise without any -- so, have they had any indication that they would at least like to sit down and discuss it with you rather than just outright saying no, that there's -- there's no ability -- so there's been no olive branch --

MILLIE ARCINIEGAS: No.

SENATOR BOUCHER: -- to say we can at least have a discussion, let's see where you stand, let's

discuss it, let's find maybe some common ground? None?

MILLIE ARCINIEGAS: None whatsoever.

The State Department of Education, they have the right to intervene, and they haven't done so, and their feedback to us was that if we do it for Hartford, then that's going to be like a ripple effect for all of the other districts, so that's not a good enough answer for us.

SENATOR BOUCHER: Okay. Well, I think you've come to the right place. Thank you very much.

MILLIE ARCINIEGAS: Thank you.

REP. FLEISCHMANN: Representative McCrory?

REP. MCCRORY: Thank you, Mr. Chairman.

What I'm hearing it sounds like a little inconsistent from the conversation I had with the outgoing and the incoming superintendents just yesterday because, in fact, they say that they have a 90-day policy for teachers who are not performing, and they put them on a 45-day corrective measure, and after 45 days, they get another 45 days, and if they're not performing adequately, they could be dismissed.

And just yesterday they said this is the reason why the state doesn't want the 1160 to go forward because they already have a mechanism in place to eliminate those teachers who (inaudible) are not up to par.

MILLIE ARCINIEGAS: Uh-huh.

REP. MCCRORY: So, that's kind of inconsistent from

what I'm hearing now because I'm hearing that they can't get rid of them, and if we pass this legislation, they won't be able to get rid of them, and it will take them two years, so it sounds like what you're doing now is the way to go because effectively you have done something that most school districts can't do over a two-year period, so it seems like it's working.

MILLIE ARCINIEGAS: It takes some time to, like we already know, to dismiss an ineffective teacher, and there's a whole evaluation system that currently Hartford uses. What I -- what I said in my testimony is I quoted two things that I think are a way in the right direction, so, you know -- but I really do feel that Hartford has proven its results. The children have worked hard, the parents have worked hard, everyone is on board, trying to make a difference, and it takes everyone. It doesn't just take teachers. It takes the whole community, the entire community in the school and out.

REP. McCORRY: I agree. And, one thing that we worry about is the results, the accountability, especially when it comes to (inaudible). One thing I'm particularly interested in is the results. (Inaudible) the results that were given and how accurate they are, and some of the data that I've shared with your superintendent was very disturbing to me when you actually process the data, so I'm all about, you know, giving flexibility to administrators (inaudible) so a lot of them do what they have to do to be professional, and while they're there, it's all about accountability, and if the job is not getting done, like you all know, we have a large achievement gap, and the reason why, like I said earlier, is because our urban communities

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aren't carrying their weight, and they're funded at the top highest rate than any other school district in the state.

So, I'm all for getting the school districts the ability to get the tools they need to be successful, but at the end of the day, it's all about accountability, also, and we like to see the results based on the data from the State Department of Education to make anybody's case (inaudible).

Just like what you said, last year we had 265. Is that accurate? I think you had (inaudible), and we had 265 layoffs in the city of Hartford last year? Is that accurate?

(Inaudible.)

REP. MCCRORY: Oh, okay. Thank you.

REP. FLEISCHMANN: Are there any other questions for the witness? If not, thank you very much for --

MILLIE ARCINIEGAS: Thank you.

REP. FLEISCHMANN: -- your time. And, we'll go to Alex Johnston followed by Patrice McCarthy.

ALEX JOHNSTON: Representative Fleischmann, members of the Committee, thank you for the opportunity to testify this afternoon on Senate Bill 1160.

I want to -- we've got extensive testimony. There are lots of things I'd love to touch on, but I want to just begin actually on this question that the Committee has spent quite a bit of time considering around criteria for layoffs and the question of seniority and how that relates to the effectiveness of teachers,

and, in fact, as came up in Representative Davis' remarks or questions, there's quite a bit of research, robust peer reviewed research that's been published by Econometrica, the Brookings Institute, the Calder Center, that really establishes pretty clearly that there is not a connection between the sole fact of seniority or years of service and effectiveness as measured by student achievement growth over time.

There are lots of things we want to look at when we're examining teacher effectiveness, and the New Haven teacher evaluation system looks at other things in addition to student achievement growth, but the reason that there's such a crisis and what Millie Arciniegas was just talking about, you know, the legislation that's before us now does not contain any provision to allow districts like Hartford to use any factor other than district-wide seniority in making what may likely be several hundred more layoffs this year.

I'm not here to represent the New Haven Board of Education, but I do serve on that board, and I know that our board just approved a budget with a 14 and a half million-dollar hole in it for next year, and part of the schedule on that budget that we approved was 190 layoffs. We did 40 three weeks ago, and the rest are pending, so I very much hope that your daughter does not, in fact, become victim to that, but we're nowhere near the end of this and, you know, I think many districts are not speaking about this very loudly because they're hoping somehow that something's going to happen.

But, as Millie just said, you know, if we don't actually make a legislative change this

session, these layoffs will allow, and we will not have an opportunity to consider other factors, and we really can consider some other objective factors. Something that's come through very clearly in the discussion is the deep concern and misgivings that many people have about the professional judgment of the school leaders and district leaders across the state.

I think that's a very unfortunate thing, and it's a reality, however, that we have to acknowledge. Many, many people, many educators themselves don't have confidence that their own school leaders will make sound professional judgments.

So, we need -- that underscores the dire need for an evaluation system which is grounded in student achievement growth and that includes multiple factors, but right now, we can look at objective data that we do have. We have plenty of objective data around who's been to specialized training programs like the public Montessori schools here in Hartford. You know, people spent a year being trained on the AMI Academy there. We could look at -- and I will conclude --

REP. FLEISCHMANN: I just -- what I'd like you to do is go ahead and complete your list of factors that you think we have in hand at the present that we could be using.

ALEX JOHNSTON: Sure. So, we also have clear data on chronic absenteeism, and that's objective data that we can consider, particularly in the case where there isn't a valid -- a valid medical reason and, you know, patterns of absenteeism occur on Fridays and Mondays, those kinds of things.

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REP. FLEISCHMANN: Are you talking about the absenteeism of the teachers --

ALEX JOHNSTON: Yes.

REP. FLEISCHMANN: -- or the students, or both?

ALEX JOHNSTON: The teachers, and by the way, you know, this whole thing also relates to and the legislation we're considering uses the phrase teacher, which under Connecticut statute incorporates principals, so we need to be clear that this is an evaluation system that does not apply simply to teachers. This is not just about evaluating teachers. We need to look at the same factors in evaluating administrators.

We can also look at -- even under the evaluation system we do have in Hartford, for example, the evaluation system is essentially binary. It's competent or incompetent in effect. The National Council on Teacher Quality -- you have some testimony from them on this bill in I believe -- I think I saw that on line -- they looked at the Hartford evaluation system several years ago and found that something like 98 percent of teachers were being rated as competent.

That clearly is cause for concern. It's why this system we have now is not working. But, that still leaves two percent are being rated as incompetent even under an evaluation system that's not working well, and for people who have been rated incompetent multiple times under the existing system, we ought to be considering that when we're -- when we're looking at layoffs.

And, the last thing I'd say just as an objective factor we could look at is

extraordinary merit. You know, most districts, virtually every district participates in a teacher of the year program, so schools make nominations, districts make nominations. It is just the height of craziness for us to say that we wouldn't protect people who have been recognized through that process from layoffs.

I mean -- so other states are looking at legislation right now. The state of New York is looking at legislation. They have the same issue we do. They don't have an evaluation system state-wide yet, although they're putting one in place through the Race To The Top grant that they won, but they're passing legislation -- it went through the Senate, and it's being considered by the House -- that looks at some objective criteria that can be added into the layoff process.

So, you know, I have -- actually have lots of other thoughts about the New Haven evaluation system that was put in place, and, you know, this issue came up earlier about whether this is a mandatory subject for bargaining, but I certainly -- I'd be happy to entertain questions on that as well.

REP. MCCRORY: Any questions?

SENATOR BOUCHER: Thank you, Mr. Chairman (inaudible), and also thank you so much for being here to testify and your hard work in such an important field. It's important to have people with the kind of passion and dedication to improving our educational system.

There's something that crossed my mind as you were discussing this. We have, you know, a bidding process in the public sector that

often talks about the lowest, most qualified bidder, and what I like about that is that you don't use just low cost as your only denominator. It also includes most qualified, which helps out because oftentimes when you get the lowest cost, you might just get poor quality and a project that's going to cost you more in the end.

Has anyone thought about the notion of having the senior most effective, the senior most qualified person as one of the evaluation tests to layoffs? In other words, if you have a school system or a school that needs to lay off 100 people and you match them up, and there's quite a number that are equally as qualified, but one just happens to have put in much more time, it would make logical sense that you could choose the most senior of the similarly qualified individuals.

ALEX JOHNSTON: Yes. You know, that's an excellent point, and I think it comes through some of the testimony that you heard before, and certainly I had a chance to read the testimony from Joe Cirasuolo at CAPSS, and he proposes almost exactly that --

SENATOR BOUCHER: Okay.

ALEX JOHNSTON: -- which is that within any of these objective criteria, let's say specialized training or even chronic absenteeism -- I mean, he doesn't -- he doesn't mention these, but whatever the category you're looking at, within that category, seniority could still be a legitimate factor to break ties, but I think it's very important that we have a much more flexible approach because when we look at seniority as the sole or the primary factor -- and it's important to say; I think you heard

some testimony earlier that it was only the sole factor in some percent of the school districts in the state, it is the sole or primary factor in three-quarters of the districts in the state, which really means it is the defining factor in the vast majority of places in the state, and when you do it that way, we're really doing violence to the notion of professionalism for educators.

I mean, in the Hartford contract, literally the last four digits of your Social Security number is the tie breaker in cases of the same hire date, and that flies in the face of reason. I mean, the idea that we cannot distinguish between teachers other than a number that was randomly assigned to them at birth is ludicrous. It's -- you know -- so I think some of the passion that you hear from me and from Millie and from others is that everyone in a school understands how important it is, you know, that teachers are not all the same. They're unique individuals. They have unique talents, unique abilities to contribute to student learning, and not to have any recognition of that -- so, it's not to say that seniority shouldn't be a factor, but it should not be the primary factor.

SENATOR BOUCHER: So, you're agreeing that it's possible that you could use (inaudible) -- and let me tell you that a lot of folks would be shocked to learn that, in fact, a Social Security number is the basis for a layoff decision, but say we did use that, we use a Social Security number, but yet other factors in addition to that such as quality, effectiveness, the kind of experience and good back-up in their -- in their folder, their evaluation folder that showed all of these various accomplishments and things that they did including additional education, and so

forth, so you can add that, too.

And, then, based on equally effective individuals, then you could possibly add that Social Security number to that mix and thereby (inaudible) individual who's been there the longest but yet has equally high standards of accomplishment.

ALEX JOHNSTON: I mean -- I think, you know, I would only want to see -- it would be amazing to me if we ever needed to use a random number to determine between teachers, you know. If we had a really robust system in place, I don't think we'd even need to go to that length, but clearly the system we have right now isn't sensitive at all to differences that everybody sees, and teachers within the building know.

I mean, I went to high school --

REP. FLEISCHMANN: If we could have a (inaudible) --
I just want to be respectful of the fact that there are seven people who've been waiting patiently who we still haven't gotten to --

SENATOR BOUCHER: And, I do have one last question about Massachusetts reforms because they've been touted as really excelling Connecticut. Is there any one thing that you see that they've done that we should be looking at seriously (inaudible)?

ALEX JOHNSTON: Well, I think they have done a lot with more rigorous teacher preparation, and they've done a lot with this issue of school leadership that came out, you know. We have huge work to do here in the state of Connecticut in ensuring that school leaders are well prepared and are evaluated on the

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basis of the quality of how well they evaluate their own teachers.

SENATOR BOUCHER: Meaning principals?

ALEX JOHNSTON: Yes.

SENATOR BOUCHER: Thank you.

REP. FLEISCHMANN: Thank you. Just a quick question to follow up on your initial testimony.

So, New Haven has a model that's often pointed to, and the fact is that the management side, the folks who run the New Haven school system, really the people who are acting under the direction of the New Haven Board of Education, sat down with the local, and there was a strong enough relationship and there was good enough trust so they worked out a system that appears to be making some real progress to that city.

Is it not also the case that when we go and we turn to a city like Hartford, there have been years of conflicts and disagreements that have sown seeds of distrust and made it so that it's very hard at this moment for Hartford to do what New Haven has done, but that if, in fact, we've had leaders on the labor side and leaders on the management side who had a spirit of collaboration, that Hartford could head in the direction of New Haven; it would take just changed attitudes on behalf of the people who work on these things?

ALEX JOHNSTON: I think that's an important observation. The conditions that led to the New Haven agreement were very rare, unfortunately, in our state, and I think, as you heard from Sharon Palmer of the AFT, she

and others played a significant leadership role in making that happen.

We had a strong mayor in New Haven who had been there for quite some time and dealt from a position of strength.

The issue I think in thinking about how to move forward for Hartford, which clearly the members of this Committee and all of us are very interested in having happen, is that those conditions do not currently obtain, so I think in some ways that would be the logic behind it, as Sharon herself said, in seeking to change state statute to create -- to jump start that process, but I think it's just so important in this issue of how state policy informs decisions that are made locally. Currently under the law that was passed last year on teacher evaluation, it did not change the fact that teacher evaluation is not a mandatory subject of bargaining, and it's really important to understand how important that was in the New Haven process itself, because the board had the ultimate authority to approve or not the teacher evaluation system in New Haven.

The contract simply said that there would be a process of collaboration to develop a proposal which has to be approved by the board. That changes the negotiating dynamic in a fundamental way, and so, therefore, the parties in that negotiation, the management of the district and the representatives of the union, understand that they have to come up with something that, in fact, can be approved by the board, and the board had made very clear statements about its intention to have a system that evaluated teachers based on their effectiveness.

And, unfortunately, in the state of Connecticut, the largest bargaining agent is the state -- which, as we heard, represents 80 percent of the teachers in the state -- which has said definitively on public record numerous times that they do not believe in being able to define or measure the concept of teacher effectiveness, so without state law that sets those parameters, we're not going to be able to move forward.

REP. FLEISCHMANN: I hear you, and that's why we have a performance evaluation council in place. I think it's moving too slowly for some, but I hear what you're saying, and I guess I would just observe this: Your testimony points out that if the Hartford Board of Education got its act together, that they have a tremendous degree of leverage that they haven't used in the way that New Haven did.

ALEX JOHNSTON: If I might just respond briefly, I think that the Hartford Board of Education, you know, certainly who -- let's not even try to understand who's responsible for the current state of relations between the Hartford federation and the school board, but the issue is there are thousands of kids in Hartford right now who need help immediately so that they don't have this cascading (inaudible), and that's again where, you know -- the Hartford board to its credit passed a resolution asking the state board to step in and help them, and they went to binding arbitration and sought relief from this, and the arbitrator decided against them, so that really is why the matter now is here before the legislature.

REP. FLEISCHMANN: Gotcha. Other questions for the witness? Representative Davis?

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REP. DAVIS: Thank you, Mr. Chair. Just a few short questions.

You mentioned possible layoffs in New Haven. Is that going to be done based on something other than just seniority?

ALEX JOHNSTON: Unfortunately, not. Something that happened -- you know, something that's not well known about the recent contract agreement is that it covered the issue of evaluation, but it did not address at all the issue of layoffs, and we heard some testimony earlier about the idea of keeping the two things separate. I mean evaluation system, building that out, and then having a separate approach to layoffs.

That is the approach that New Haven took, which means that these layoffs that the district currently contemplates cannot be done on the basis of the evaluation system. It is true that the evaluation system can -- is -- by the way, the New Haven system is a single year, so teachers are notified November 1st that they are at risk, they're in the lowest performance category, and by March 31st, the end of next week, (inaudible) had three independently reviewed teacher evaluations and an improvement plan, and if they hadn't improved by that point, they are subject to dismissal in the current school year.

So, 66, I believe, teachers, two-thirds of whom were tenured, were notified of this November 1st, and those teachers are currently -- some of them I very much hope will improve, but there may be some number of them who do not. If any of those people do end up being dismissed on the basis of they're being dismissed under the first of the six criteria

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that we heard in earlier testimony in confidence, if any of those folks are dismissed on the basis of incompetence, that's fewer layoffs that have to take place, but the layoffs themselves cannot be done with reference to the output of the evaluation system.

REP. DAVIS: Are the new teachers in the school system evaluated on the same standards as the tenured and experienced teachers?

ALEX JOHNSTON: Yes.

REP. DAVIS: So these 66 teachers that were tenured, there are more that --

ALEX JOHNSTON: Of the 66, I think about two-thirds were tenured and the others were (inaudible).

REP. DAVIS: So --

ALEX JOHNSTON: The other thing, of course, that happens in a new district is the question of non-renewing of non-tenured teachers, and I believe that the contract does not speak to that issue, so it doesn't relate the evaluation system to that process. But, obviously, districts across the state have full scope to make those decisions however they see fit, and one would certainly imagine in New Haven that they would be looking for evaluation system outputs to help them make their decisions as to which non-tenured teachers they would not ask back.

REP. DAVIS: And, the bargaining unit is still working with you guys in some of these areas? Have you approached them about the seniority issue?

ALEX JOHNSTON: Well, let me be clear. I'm not --

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I'm not here testifying on behalf of the district.

REP. DAVIS: I know.

ALEX JOHNSTON: I know, but I do need to be clear on that. You know, I think that very much to the credit of the New Haven federation of teachers and the American Federation of Teachers in Connecticut, there are very productive dynamics there, but I think the fundamental issue still remains that without some changes in state policy and law, New Haven like so many other districts that have seen concentrations of layoffs will not have the flexibility that it needs to retain teachers on other objective criteria.

And I just think it's -- you know, because districts over the years have kind of done this thing of, you know, allowing early retirement, a lot of people have not realized that a lot of that flexibility is gone now. Districts are really now up against some very hard realities, and I think that is something that even in a lot of districts people are not fully confronted with that.

REP. DAVIS: I understand. Thank you, Mr. Chair.

REP. FLEISCHMANN: Further questions? Hearing none, thank you very much for your testimony and your time.

Patrice McCarthy to be followed by Louis Bach.

PATRICE McCARTHY: Good afternoon Representative Fleischmann and members of the Committee. I am Patrice McCarthy, deputy director and general counsel to the Connecticut Association of Boards of Education.

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CABE is an active member of the Performance Evaluation Advisory Council. We've been meeting for six months now. Our current schedule of meetings is twice a month, and we are working to fulfill the charge that the legislature gave us during the past legislative session.

Given the importance of the work of that council, both my executive director and myself actively participate in all of those meetings, and many of the issues that we are discussing currently before the Council relate to the questions that you raised today: What would be elements of assessing teacher effectiveness? What are those multiple indicators? And, what weights would be given to them?

Senate Bill 1160 expands the charge to that Council, and we are supportive of that expansion. We also strongly support the provisions related to training, particularly for administrators with respect to evaluation. Clearly, well trained administrators are a key component to an effective evaluation system.

We must approve, however, a change in the longstanding Connecticut law which provides that the teacher evaluation plans are not a mandatory subject of bargaining. Educators, not arbitrators, should determine the evaluation process. It should be a collaborative process, but it is not a collaborative process if it has the potential to end with a binding arbitration award.

We continue to work to help inform boards of education in their roles as policy makers, understanding that they are not doing these evaluations, but they need to put the components in place to support an effective

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evaluation system.

Obviously, Connecticut districts and districts around the country are very interested in the New Haven model, but we also sent our senior staff attorney to Secretary Duncan's conference in Denver where there were a host of evaluation models from districts of a variety of sizes around the country that can help inform what we do in Connecticut.

We urge you to deal with what we see as two very separate issues. One is enhancing the teacher evaluation and teacher meetings, teacher and administrator, enhancing that system but not creating that as a mandatory subject of bargaining.

Thank you.

REP. FLEISCHMANN: Thank you for that clear testimony. That is one of the first pieces of testimony I've heard that came in under the bell.

Let me just pose a question that I think some of the prior witnesses would have posed to you if they had had the chance, which is there's a problem today that a lot of teachers don't believe is of existing value to the system in their own district -- at least (inaudible) -- and that the administrators who are overseeing such a system do a good job of losing them.

And, so the argument for the measurement force was the success in New Haven relates to both sides of the table coming together to agree on what's going to work, and if this matter were included in collective bargaining, it would have both parties at the table, and so it would appear you'd have a greater chance of collaboration and agreement.

I'd like to -- that's the argument that I think would be made by some of the people who preceded you, and I'd like to give you a chance to respond to that.

PATRICE McCARTHY: Thank you. I don't see putting this as a mandatory subject for bargaining as enhancing that collaboration. In fact, I fear that it will make it more difficult for the parties to come together, and ultimately the parties know that that process can end in binding arbitration, so you have a non-educator making critical decisions for the district on a clearly educational issue, and I just don't see that in the interests of either of the parties, frankly, or of the children of the district.

REP. FLEISCHMANN: Thank you. Very clearly stated. Other questions? Hearing none, thank you very much --

PATRICE McCARTHY: Thank you.

REP. FLEISCHMANN: -- for your testimony and your patience.

PATRICE McCARTHY: It's not quite the St. Patrick's day (inaudible).

REP. FLEISCHMANN: Happy St. Patrick's Day.

Louis Bach to be followed by Sherese Ward.

LOUIS BACH: Good afternoon, Representative Fleischmann. My name is Louis Bach for the record. I'm representing the Connecticut Business & Industry Association to address to address a number of concerns. CBIA is quite literally the state's largest and oldest trade and industry association, and we are

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interested in education.

We are interested in education because our members are very concerned that they're not getting the quality of graduates that they need. A few weeks ago, I was at a small manufacturing company in East Hartford, and despite this economy and the high joblessness in the state, I was told straight up by the president that they had no fewer than seven skilled positions they just could not fill. They're getting graduates from technical colleges who -- they knew what a CNC machine was, but they didn't know how to use a caliper or a micrometer. They couldn't tell the difference between 3 hundredths of an inch and 3 thousandths of an inch.

Pratt & Whitney can't have that. You know, a subcontractor in Hartford, you have to know the difference between 3 hundredths of an inch and 3 thousandths of an inch. It's very, very important.

We feel that in Senate Bill 1160 there should be a preponderant weight placed on student outcomes. We do not feel that that's somehow mutually exclusive with time in the classroom. I think the Governor set the tone well in his budget address, that you can be pro reform and pro teacher. We are -- we are certainly not anti anything. We just want to see -- we just want to see academic achievement go up in the state. We think that the -- that a base standard that does measure teacher effectiveness by academic growth and student output is a good jumping off point. Localities can then, you know, tweak it, a certain standard to fit their locality.

And, finally, we do feel that a diverse perspective on the advisory council would be

important, so in addition to the members that are called for in the legislation, we do think that third party outside education groups would lend a certain diversity of thought to the body and will be substantially helpful.

Thank you for your time.

REP. FLEISCHMANN: Thank you for your time and patience and testimony. Are there questions? Representative Ackert?

REP. ACKERT: Thank you, Mr. Chairman.

Louis, since you represent business -- and I want to give you sort of a tightness to business then -- what makes a good business?

LOUIS BACH: You need to have solid leadership; you need to be driven to create a good product at a low price, serve a need that's in the market that's identifiable, and you need to have skilled help to get you there.

REP. ACKERT: Because a lot of the discussion that we talk about here deals with teachers, and then Representative Davis brought up a (inaudible) which is very poignant about -- about the top, starting at the bottom, it's directed from the top down, and I think that's something that we kind of neglected and were glad when Mr. Johnston mentioned that also deals with principals also under this act, this bill, in terms of rating them.

So, I'm glad to hear it in terms of -- in terms of business. I mean, you also have to have good workers that follow the lead of the top, so I just wanted to get your perspective of that, and thank you.

LOUIS BACH: Well, I'm -- I am glad that you asked

that question. We couldn't agree more. Our membership would like to see a set of standards apply all the way up the ladder and not just in terms when it comes to teachers, not just in terms of termination, but in terms of getting tenure in the first place. There should be at least a minimal, measurable standard that we can all kind of look to and, again, localities, we've got different types of schools, everybody's different, every student is different. We appreciate that, and I think our interest is not in ever cutting off an avenue of future choice. It's always to leave open as many choices as possible, but to have some certain guidelines, some sign posts along the way rather than a, you know, planned route really.

REP. ACKERT: All right. Thank you very much. Thank you, Mr. Chairman.

REP. FLEISCHMANN: Thank you. Are there other questions? Representative Lavielle?

REP. LAVIELLE: Thank you, Mr. Chairman. Thank you for your testimony.

Another question about business because we're -- we're talking about evaluation, and I wonder if you could tell us within your experience among the members, and so on, if there are any contexts you know of where highly skilled people who are employed are evaluated for -- in the context of layoffs are evaluated primarily upon how long they've been in the job as opposed to how good they are at it or how good the results are that they're producing.

LOUIS BACH: Typically not. You are going to be evaluated based on your added value to the organization. Again, we would not -- we would

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not say throw the baby out. We're looking at throwing out the bath water.

So, you know, time served certainly is indicative of experience. Teachers who have been in that position a long time will possibly have gone back and gotten a higher degree, have faced new challenges and come up with new techniques, but those are independent. Those are not -- those are independent factors that go along with them for a long time. We're -- when you're talking about time in and of itself, that's -- I don't see how that's related to quality. When it's stand-alone, it couldn't possibly be.

REP. LAVIELLE: And, the primary factor for evaluating employees in a business from your experience is?

LOUIS BACH: Is output, quality of output.

REP. LAVIELLE: Thank you very much.

LOUIS BACH: Thank you.

REP. LAVIELLE: I appreciate it. Thank you, Mr. Chairman.

REP. FLEISCHMANN: Thank you. Representative Carpino?

REP. CARPINO: Thank you, Mr. Chairman.

I have two -- or a two-part question for you. Thank you for putting out the business, We have a very successful, high-tech business in one of the towns I represent, and I've met with them and walked the floors, and they've explained to me and expressed their same disappointment because they're having a difficult time filling some well paying

technical jobs, so here's my two-part question.

One, do you feel or have you heard from your members that that number of unfilled jobs due to the lack of skilled sets has changed? Have they consistently found that they can't fill five percent of their jobs or has that changed, because something up here I think is important for us to know if that gap of skill sets is growing, or perhaps we'll do something right and it's shrinking, and two is there a specific set of skills that the business community is finding, whether it's potential employees, is lacking?

LOUIS BACH: To address the first part of your question, I believe that the answer is the skill set is found to be -- a lacking skill set is increasing. They're having a harder and harder time finding quality employees in the state.

The second part of your question would be -- my answer would be that basic skills -- math, reading comprehension, science -- those are cornerstones of education, and when somebody goes to a technical college and knows pretty much how to operate a \$500,000 Swiss headed, five-axis CNC machine, but they don't know basic decimals, that's an issue. That's a problem.

REP. CARPINO: Okay. Thank you, Mr. Chairman.

REP. FLEISCHMANN: Thank you. Any other questions? Representative Davis?

REP. DAVIS: Thank you, Mr. Chair, and thank you for coming.

You had mentioned about business basically

being outcome driven. In education now, this seems to be the key. We're looking at outcomes.

Can you offer us any suggestions as to how we can determine the influence of the outside variables in our outcomes? In other words, in a business you can control the overwhelming majority of variables that go into producing a product. In education, we have students for a period of time, but there are huge numbers of uncontrollable variables that we have to deal with.

Is there anything that you think business can contribute to us in helping us look at those variables which really tremendously impact the outcome of education?

LOUIS BACH: Well, I would -- I would say that I think we can -- and, again, in the spirit of cooperation -- help. I would respectfully disagree that businesses have a substantial control over many of the factors. A lot of things, turmoil in the Middle East, terrible earthquakes, terrible tragedies around the world, not to say some of the topics and issues that my compatriots work on here, even at the Capitol certain business costs and mandates can really affect the way business is run, but we would absolutely, you know, absolutely love to contribute any way we can to a better understanding.

Like I said, I believe the Governor set the tone for this debate. I don't think that being pro reform and being pro teacher are mutually exclusive, and I think that there's going to be a solution that can be worked out and, again, I don't think business has any kind of motive other than we'd like to see education go up. Businesses are in the state

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here because they want to be here, not because it's the most attractive climate, and they want to stay here. And, quite frankly, they have children in the school system, and they care about this issue as well, so I'd be happy to speak with you at any time you like about this.

REP. DAVIS: I appreciate that, and I don't want to discount what you've said because it's been a theme that we have had to deal with not only in the area of business, but even in higher education with our colleges and universities telling us that our kids are coming out of school, and they're not prepared for college, so the point's well taken, and we will certainly be looking for your assistance and appreciate the offer. Thank you.

REP. FLEISCHMANN: Other questions? Seeing none, thank you very much for your testimony and patience.

LOUIS BACH: Thank you, sir.

REP. FLEISCHMANN: Sherese Ward? Your time has finally arrived, and you're to be followed by Paul Wessel.

SHERESE WARD: Good afternoon, Representative Fleischmann (inaudible), and distinguished members of the Education Committee.

SB 1160

My name is Sherese Ward, and I am the government relations and policy director for the Connecticut Black Alliance for Educational Options. The Connecticut BAEO is an organization established to create and expand high quality educational options in our state through advocacy and effective policies that would eliminate the achievement gap.

And, I'm here today to speak in support of Raised Bill Number 1160, an act concerning the development of a model teacher performance evaluation system and teacher tenure laws and cooperative agreements.

I come before you now for the third time actually this session to speak in support of this key piece of legislation, which I deem compulsory, for our state to institute as a means for further moving forward the (inaudible) that my organization and so many others have been diligently working and in support of for a number of years.

I'm pleased that you made it a priority to clarify the role of the Performance Evaluation Advisory Council with the intent of developing a model teacher evaluation system designed to implement evaluation guidelines and data collection for educators, but I believe we can do more.

Currently, Public Act 10-111 calls for the use of student achievement data as a key component of the teacher evaluation tool, an element not properly contemplated within this legislation. Ultimately, these efforts are designed to be propelling student learning, and it is essential that their growth and success become a mandated element in this bill.

Secondly, our state director, Danielle Smith, provided testimony to this Committee sometime ago pertaining to the improvements we thought vital to ensuring that the process of teacher layoffs was conducted in the manner that allowed schools to make decisions and enable them to retain their most highly qualified and highest performing teachers in the classroom.

The passing of this legislation we believe

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would be the impetus for allowing that to truly take a first step forward, and it is certainly a priority.

And, while it is expected this Council representative body comprised of the associations as outlined in the bill, I urge this Committee to significantly enhance representation of the subject matter experts called for in performance evaluation, taking seriously the complexities of establishing an effective teacher evaluation system and understanding that the lives and the futures of our children depend upon it.

Additionally, it is important to respect what models, what existing models and best practices in teacher evaluation exist nationally. That's simply replicating what has been done locally.

If we're serious about reforming education for immediate student populations of Black and Latino students and families, then we have an imperative to push ourselves even further as we endeavor this process (inaudible) and in a fashion that allows for our students to benefit in real time.

Thank you for your time and the opportunity. Do you have any questions?

REP. FLEISCHMANN: Thank you for your time and your excellent timing. Are there questions from members of the Committee?

May I ask, did you also yourself submit written testimony?

SHERESE WARD: I did not.

REP. FLEISCHMANN: You did not, but --

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SHERESE WARD: I can do it now.

REP. FLEISCHMANN: But, we do have testimony from Danielle?

SHERESE WARD: Not on this a year ago, but I can provide you with -- I was referencing a previous bill.

REP. FLEISCHMANN: Okay.

SHERESE WARD: Yes.

REP. FLEISCHMANN: If -- I don't want to create any big challenges for you, but if you or someone from your organization could just get us the bullet points of the key changes that you're looking for, I think that would be very helpful.

SHERESE WARD: Sure. (Inaudible.)

REP. FLEISCHMANN: Thank you very much. Are there questions? If not, Paul Wessel to be followed by Richard Tariff on House Bill 6585.

PAUL WESSEL: Happy St. Patrick's Day everybody. I'm Paul Wessel.

I'm the director of Connecticut Parent Power, a ten-year-old organization here in Connecticut with about 2,600 members, and I'm here to support Raised Bill 1160, particularly those sections of the bill regarding teacher evaluation and teacher tenure.

It's been fascinating to sit in the hearing room all day today and hear testimony on a number of things that aren't in the bill that people would like to have be in the bill, but I want to focus what is in the bill.

Generally, I think parents or many parents are frustrated, frustrated with all the talk about the achievement gap, but the lack of change at the school level. Parents want change; often they don't know what they want; they just know that they want change.

Parent Power supports the provisions of this bill regarding teacher evaluation and tenure because it's a step toward towards this change. It's a step because it gives the managers of our public schools another tool to do their job, a more expeditious tool in the earlier words of the Stamford school superintendent.

As parents, we are troubled by how frequently school administrators will agree with us that a particular teacher is not doing their job, but then say that their hands are tied because of tenure, quote-unquote, tenure. We think this is a cop-out, frankly, but to the extent their hands are tied by current statute, this bill takes away that impediment and that excuse.

In general, our experience is that most teachers are good at and committed to their jobs. Like in most workplaces, however, there are some people who have been permitted to stay on beyond their time. There are other people, often with six-figure salaries, whose job it is to make sure that doesn't happen. We think this bill pushes those folks to manage and evaluate all the teachers in their system better and provides for process when people are properly managed for those who don't cut it to be removed from their jobs.

Stepping back a little bit, we're troubled by the growing demonization of teachers, the

people in the educational-industrial complex who actually spend time with our kids during the day, and the lack of attention paid to school leaders from assistant principals all the way on up to the Commissioner of Education whose job it is to ensure quality educational experience for all of our children.

So, we comment this bill for putting in place a participatory process, take away the obstacles currently to those managers and to the excuses some of them cite that we often hear.

So, finally, as troubling as it is to hear the refrain from administrators that there's nothing they can do about bad teachers, we urge you also to focus on the fact, on the more profound issue, that we've been told 50 percent of urban teachers leave the school district in their first five years of their careers.

We desperately need to find in the state good ways to attract and retain the best and the brightest into our classrooms, something other countries have figured out how to do and have produced high-performance school systems in doing so.

Finally, on the seniority issue that wasn't included in this bill, there was a lot of rich discussion today, my board would like the opportunity to weigh in on that discussion, and if there's ever a bill raised about the question of seniority and layoffs, we would be eager to explore that and have further discussion with you on that.

Thank you.

REP. FLEISCHMANN: Thank you. And, you know,

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there's a lot of discussion about a lot of things in this bill --

PAUL WESSEL: Right.

REP. FLEISCHMANN: -- and the fact is that that issue regarding what are the criteria for layoffs is a subject of collective bargaining, so --

PAUL WESSEL: Right.

REP. FLEISCHMANN: -- the only way that this body ever gets to address it is if there's some local that decided not to address it in its bargaining with management. So, I know people like to talk about a lot of things, but I like to focus on what we can actually do.

Are there questions from members of the Committee? If not, thank you for your testimony --

PAUL WESSEL: Thank you.

REP. FLEISCHMANN: -- and all the good work you do on behalf of parents and children in the schools.

We now go to Richard Tariff to be followed by Aaron Roy.

RICHARD TARIFF: Thank you, Representative Fleischmann and Committee. We appreciate your time.

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I'm Richard Tariff, and I am director of adult services for Eastconn. Previously I was director of adult education for a region in Vernon and Manchester and about 17 other communities. I'm also a member of the Connecticut Association of Adult and Community



National Council on
Teacher Quality

*Testimony of Sandi Jacobs, Vice President, National Council on Teacher Quality
on Connecticut Senate Bill No. 1160
March 17, 2011*

Chairs Senator Stillman, Representative Fleischmann, Vice Chairs Senator Fonfara, Representative McCrory and Ranking Members Senator Boucher and Representative Giuliano and members of the Committee, thank you for this opportunity to submit testimony about Senate Bill 1160. I respectfully submit this testimony on behalf of the National Council on Teacher Quality (NCTQ), a research and policy group dedicated to increasing the accountability and transparency of the institutions, such as states and teacher preparation programs, which have the greatest impact on teacher quality. Each year, NCTQ reviews the policies of each state that impact the teaching profession against a reform blueprint. Unfortunately, we've awarded Connecticut's policies an overall grade of D+, and that same grade to the state's policies for identifying whether teachers are effective.

Policy making around improving teacher quality to date has focused almost exclusively on qualifications – teacher credentials, majors, degrees, licensing. But increased accountability for student learning and compelling research showing that teachers are the single most important school-based drivers of student achievement¹ are moving the field towards a decidedly *performance-based* focus on teacher quality.

¹For a review of the value-added studies that examine the influence of teachers on achievement gains, see Erik Hanushek and Steven Rivkin, "Generalizations about using value-added measures of teacher quality," *American Economic Review*, 100.2 (May 2010).

This paradigm shift requires measures of performance that are able to differentiate consistently effective teachers from those whose performance is consistently ineffective. Unfortunately, the evaluation systems in use in states and districts throughout the country are not up to the task. Our current teacher evaluation systems typically find almost every single teacher to be just fine at their jobs, even though research shows a lot of variation in student performance within schools, from one classroom and teacher to the next.² As a result, we do little to recognize and cultivate excellent teachers and we do almost nothing to weed the not-at-all effective teachers out of the profession.

Spurred on in part by the recent federal Race to the Top competition, in which almost every state vied to secure some of the \$4.3 billion in federal funds, how effective teachers are at fostering growth in student achievement is increasingly a part of discussions of how teachers should be evaluated, compensated, promoted, granted tenure or dismissed. In the last year, the number of states requiring annual evaluations of all teachers increased from 15 to 21 states, and the number of states requiring that evidence of student achievement be the preponderant criterion in teacher evaluations more than doubled, from 4 to 10 states. These ten states—including Louisiana, Rhode Island and Colorado—have guidelines that preclude teachers from receiving a satisfactory rating if they are found to be ineffective in the classroom.

The momentum to improve teacher evaluation has continued in 2011, without the incentive of federal dollars. New teacher evaluation bills have been introduced in legislatures across the country this term, in states such as Indiana, Illinois, New Mexico and Minnesota.

² In a recent study of teacher evaluation systems, The New Teacher Project found that among districts that use binary evaluation ratings more than 99 percent of teachers receive the satisfactory rating. Districts that use a broader range of rating options do little better; in these districts, 94 percent of teachers receive one of the top two ratings and less than 1 percent are rated unsatisfactory. See The New Teacher Project, *The Widget Effect* at <http://widgeteffect.org/>.

Connecticut commendably passed Public Act 10-111 requiring evaluations to include multiple indicators of student growth. However, this legislation stops short of what other states have done and does not ensure that evidence of student learning will be the most significant factor. To strengthen its evaluation requirements; Connecticut should consider the following recommendations for SB 1160:

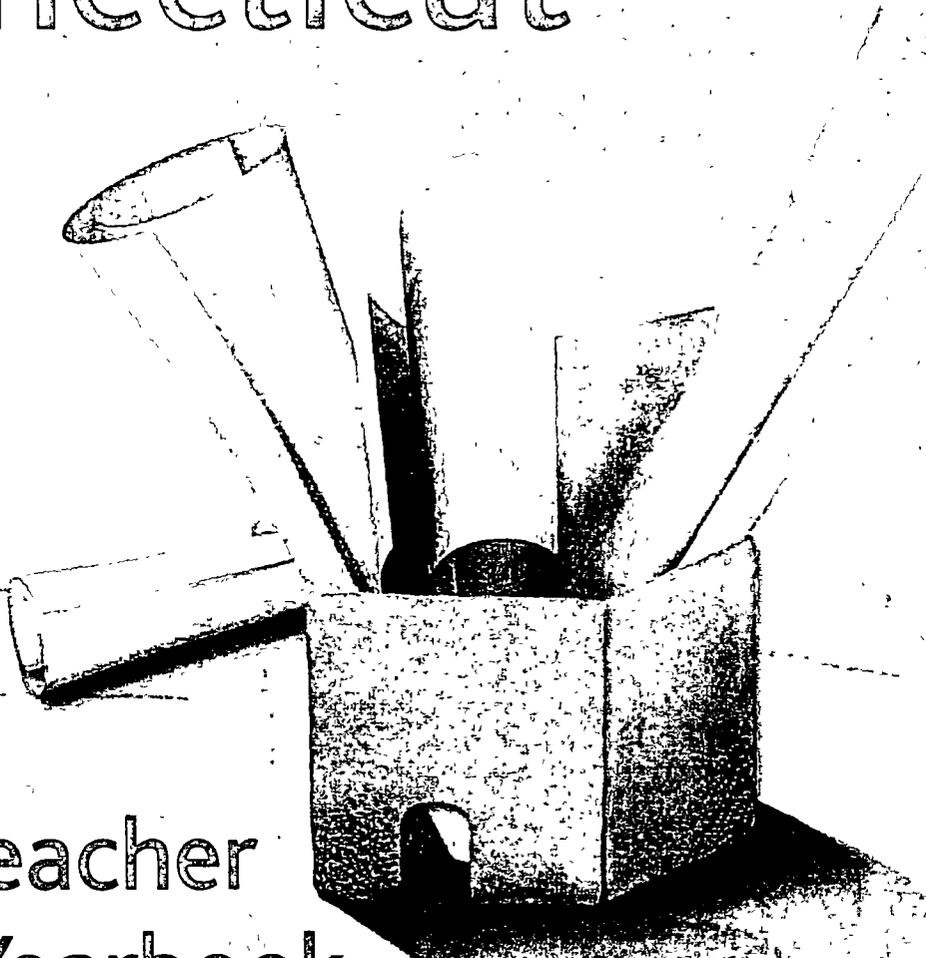
- **Ensure that evaluations are based primarily on teachers' impact on students –**
While it is certainly appropriate to include subjective factors, such as classroom observations, evidence of student learning—including but not limited to standardized test scores—should be the preponderant criterion in teacher evaluations.
- **Ensure that evaluations accurately differentiate among levels of teacher performance –** Evaluation instruments must utilize multiple rating categories, such as highly effective, effective, needs improvement and ineffective. A binary system that merely categorizes teachers as satisfactory or unsatisfactory is inadequate.
- **Require feedback and support –** Teachers should receive direct feedback about their identified strengths and weaknesses, and professional development activities should be aligned with those findings.
- **Identify consequences for poor performance –** Teachers who receive low ratings should be given support and the opportunity to improve. However, the timeline for improvement should be specified, as well as the consequences for failure to improve, including eligibility for dismissal. Connecticut's current law on teacher dismissal identifies "inefficiency" and "incompetence" as grounds for dismissal; however these

terms are ambiguous at best and may be interpreted as concerning dereliction of duty rather than ineffectiveness. A strong evaluation policy should provide districts with the legal basis for dismissing consistently poor performers.

- **Require evidence of teacher effectiveness to be the preponderant criterion in tenure decisions** – A robust evaluation system based on teacher effectiveness should provide the key evidence for consideration in deciding whether to grant tenure to a probationary teacher.

These recommendations are drawn from the National Council on Teacher Quality's *Blueprint for Change in Connecticut*, available at http://www.nctq.org/stpy09/updates/docs/stpy_connecticut.pdf. I have attached an excerpt from this report for your reference. We hope that you will feel free to call on the National Council on Teacher Quality as a resource as Connecticut continues to move forward. Thank you for considering this testimony.

Blueprint for Change in Connecticut



2010
State Teacher
Policy Yearbook



National Council on Teacher Quality

Blueprint for Change in Connecticut

The 2009 *State Teacher Policy Yearbook* provided a comprehensive review of states' policies that impact the teaching profession. As a companion to last year's comprehensive state-by-state analysis, the 2010 edition provides each state with an individualized "Blueprint for Change," building off last year's *Yearbook* goals and recommendations.

State teacher policy addresses a great many areas, including teacher preparation, certification, evaluation and compensation. With so many moving parts, it may be difficult for states to find a starting point on the road to reform. To this end, the following brief provides a state-specific roadmap, organized in three main sections.

- Section 1 identifies policy concerns that need **critical attention**, the areas of highest priority for state policymakers.
- Section 2 outlines "**low-hanging fruit**," policy changes that can be implemented in relatively short order.
- Section 3 offers a short discussion of some **longer-term systemic issues** that states need to make sure stay on the radar.

Current Status of Connecticut's Teacher Policy

In the 2009 *State Teacher Policy Yearbook*, Connecticut had the following grades:



Overall Grade

Area 1: <i>Delivering Well Prepared Teachers</i>	C
Area 2: <i>Expanding the Teaching Pool</i>	B-
Area 3: <i>Identifying Effective Teachers</i>	D+
Area 4: <i>Retaining Effective Teachers</i>	F
Area 5: <i>Exiting Ineffective Teachers</i>	C-

2010 Policy Update:

In the last year, many states made significant changes to their teacher policies, spurred in many cases by the Race to the Top competition. Based on a review of state legislation, rules and regulations, NCTQ has identified the following recent policy changes in Connecticut.

Teacher Evaluation:

The state's newly adopted teacher evaluation procedures call for the use of "multiple indicators" of performance, including multiple indicators of student academic growth, as well as consideration of factors such as attendance, class size and student mobility. It does not include changes in frequency or timing of evaluations.

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Daniel Weisberg
Testimony on Senate Bill No. 1160

Chairs Senator Stillman, Representative Fleischmann, Vice Chairs Senator Fonfara, Representative McCrory and Ranking Members Senator Boucher and Representative Giuliano and members of the Committee, thank you for this opportunity to submit testimony about Senate Bill 1160. My name is Daniel Weisberg. I am the Vice President of Policy and General Counsel at The New Teacher Project. The New Teacher Project (TNTP) is a national nonprofit dedicated to closing the achievement gap by ensuring that high-need students get outstanding teachers. Founded by teachers in 1997, TNTP partners with school districts and states to implement scalable responses to their most acute teacher quality challenges. Since its inception, TNTP has trained or hired approximately **43,000 teachers**, benefiting an estimated **7 million students** nationwide. Today the organization is active in more than 25 cities, including 10 of the nation's 15 largest. TNTP has also released a series of acclaimed studies of the policies and practices that affect the quality of the nation's teacher workforce, including *The Widget Effect* (2009) and *Teacher Evaluation 2.0* (2010). TNTP was also pleased to play a role in advising on the development of the nationally recognized New Haven teacher evaluation system.

We are pleased that with Senate Bill 1160, the Connecticut Assembly is taking on the critical challenge of improving teacher evaluation systems. Decades of research have shown that nothing schools can do for their students matters more than putting an effective teacher in every classroom, and creating better evaluations is a critical step toward that goal.

In its current form, however, the bill does not do nearly enough to put a rigorous, fair and accurate teacher evaluation system in place in every school—one that will give teachers the honest, useful feedback they need to do their best work, help schools recognize and retain their best teachers, and allows districts to remove teachers who consistently fail to meet expectations.

We hope that Assembly members will work with the union and other stakeholders to improve the bill so that it truly meets the needs of Connecticut's teachers and students. We encourage lawmakers to use the laws passed recently in Colorado and Illinois as models for Senate Bill 1160. Both laws established rigorous teacher evaluation systems based in part on student academic progress, and both passed with the support of state teachers' unions.

TESTIMONY

of Lisa Thomson

Regarding S.B. 1160: AN ACT CONCERNING SCHOOL TRANSPORTATION, THE DEVELOPMENT OF A MODEL TEACHER PERFORMANCE EVALUATION SYSTEM, AND TEACHER TENURE LAWS AND COOPERATIVE ARRANGEMENTS.

Senators and Representatives of the Education Committee, thank you for the opportunity to submit my written testimony regarding S.B. 1160, To study issues relating to school transportation; to require the Performance Evaluation Advisory Council to develop a model teacher performance evaluation system for use by local and regional boards of education and regional educational service centers; and to include employment in a cooperative arrangement as part of the definition of tenure for purposes of teacher tenure laws.

My particular testimony relates to the development of a model teacher performance evaluation system for use by local and regional boards of education and regional educational service centers.

I wholly support and endorse your initiation of bill to study this particular issue, as well as teacher tenure, as I consider each to be critical components with respect to addressing the dire condition of Connecticut's economy and national ranking of our educational achievement gap.

I am an executive member and co-founder of a grass roots organization, known as *R.Ed APPLES of Norwalk* (www.redapplesnorwalk.org), which has 70+ registered members that include parents, PTC/PTA Presidents, taxpayers, concerned citizens, neighborhood activists, politicians and local business owners.

We are political but non-partisan, independent, pro education and pro teacher, but most importantly, pro educational change and reform. Although we are located in Fairfield County, Norwalk is an urban school district, with high levels of poverty and a significant amount of at-risk children that need to have qualified staff instructing them.

Connecticut ranks near the top on per pupil spending, but at the bottom in terms of closing its achievement gap. While educational funding cannot be ignored (particularly during these incredibly challenging economic times) it is clearly not the **ONLY** driver in terms of advancing student achievement, particularly as it relates to education in the State of Connecticut.

While the teacher evaluation process and last-in, first-out policies are no doubt fraught with challenges with respect to how to make it fair, I humbly ask members of the Education

Committee, is it fair to shortchange a child's education, with a teacher that is not performing, underperforming or failing?

We know that the vast majority of teachers and principals are delivering great performance and inspiration to students, but we are caught up in a system where we can no more recognize those successful educators than get rid of the ineffective ones. And, we've been caught up in this debate for years and years now. While we debate, our children slip farther and farther behind.

Meaningful evaluations or assessments or development plans are not standard at the state level and are too prone to the whims of individual school district union contracts. So, when we find ourselves in the economic crisis that we find ourselves in today, we cannot make sure that the right layoffs are occurring when times get tough.

I hope that the members of the Education Committee will rigorously discuss and debate the teacher evaluation process to ensure that we have the most qualified teachers teaching and that the layoff policy is re-examined.

Thank you very much for your consideration in this matter.

Sincerely,

Lisa Thomson
Co Founder - Red APPLES of Norwalk

Alex Johnston
CEO, ConnCAN
Testimony on Senate Bill 1160



A candid conversation about last-in, first-out layoffs

There's been a lot of talk lately about teacher layoffs in Connecticut – in fact, there could be thousands this year. And unless our elected officials take immediate action, the primary factor that will determine the vast majority of those layoffs is teacher seniority.

ConnCAN believes that Connecticut can and must do better. But some people have expressed skepticism about moving away from a seniority-based approach to layoffs. We wanted to take the opportunity to address those concerns and make the case for enacting a smarter layoff policy this year.

What we're hearing: Teachers have worked hard to attain seniority, and our primary concern when it comes to layoffs should be preserving the effort and commitment of those who have been there the longest.

Oftentimes when we hear about teacher layoffs, the only discussion is about their impact on adults: that this is only about whether or not a teacher will keep his job. From this perspective, it might make sense to use seniority because it protects those who have dedicated the longest amount of time to the profession. The problem with this premise is that it assumes that kids aren't affected by teacher layoffs beyond the raw numbers of teachers let go, and that there is no meaningful or measurable relationship between a teacher and her students' learning.

But we know this is not the case. Teachers are the most important factor in a student's success in school, and teacher performance varies greatly – without regard to where a teacher falls on the seniority spectrum. Studies show that a teacher's influence on student achievement is up to 20 times greater than any other variable, including class size or poverty.¹ In fact, four consecutive years with an effective teacher can erase the racial black-white testing gap.² Meanwhile, consecutive years with an ineffective teacher can produce a devastating setback for students' achievement.³

¹ Daniel Fallon. "Case Study of a Paradigm Shift: The Value of Focusing on Instruction." Carnegie Corporation of New York, Education Division. <http://research.mathmeister.com/Documents/FallonTeacherEffect.rtf>

² Douglas O. Staiger, Robert Gordon, and Thomas J. Kaine. "Identifying Effective Teachers Using Performance on the Job." Brookings Institution. April 2006. http://www.brookings.edu/papers/2006/04education_gordon.aspx

³ Karen L. Bemby, Heather R. Jordan, Elvia Gomez, Mark C. Anderson, and Robert L. Mendro. "Policy Implications of Long-Term Teacher Effects on Student Achievement." Dallas Public Schools. 1998. <http://www.dallasisd.org/eval/research/articles/Bemby-Policy-Implications-of-Long-Term-Teacher-Effects-on-Student-Achievement-1998.pdf>

There *is* a connection between a teacher's contributions and the learning outcomes for his students, and the basis of that connection is not seniority. Seniority is simply not a good proxy for teacher performance, and we must acknowledge that students suffer when we treat all teachers as if they are equally likely to deliver great results for kids. Research shows that seniority-based layoffs can set back student learning by as much as three months, compared to layoffs driven by teacher effectiveness;⁴ we've got to figure out a better way this year, before the worst of the layoffs come to pass.

What we're hearing: A more senior teacher will always be a better teacher, so this *is* what's good for students.

Our intuition might tell us that a more senior teacher will always be a better teacher, but that intuition just doesn't check out. Robust, peer-reviewed research has consistently shown that teachers with three years of experience can be just as effective as long-tenured teachers.^{5,6,7} Teachers themselves also don't believe that seniority is any guarantee of teacher effectiveness: in a report on 12 districts in four states, 43 percent of teachers said they have a tenured coworker performing badly enough to warrant dismissal.⁸ Not only that, the variation in teacher performance is extreme: we know that there are incredible teachers who have been teaching for three years and for 30 years, and we know that the same goes for teachers who just shouldn't be there.

What we're hearing: Right now, seniority is the only objective information we have to distinguish among teachers, so we have to keep using it, at least for now.

As stated above, seniority is not an effective method for distinguishing among teachers in terms of their effectiveness in the classroom; all it tells us is how long someone has been teaching, not how good a teacher he is. It is true, however, that with a few exceptions such as New Haven, Connecticut's school districts do not have robust evaluation systems that define effectiveness. Legislation enacted last year requires all districts to develop a teacher evaluation system that is connected to student achievement growth by 2013, but in the absence of such a system, there are several other factors we could incorporate into decisions made this spring. For example:

Specialized training: We should be able to account for training that teachers have undertaken that is not reflected in their certification status. For example, if a teacher has undergone a year of training in the Montessori method to work at a public Montessori school, it doesn't make sense to

⁴ Dan Goldhaber and Roddy Theobald. "Managing the Teacher Workforce in Austere Times: The Implications of Teacher Layoffs." CEDAR Working Paper. <http://www.cedr.us/papers/working/CEDR%20WP%202010-7%20Teacher%20Layoffs%2012-22-10.pdf>

⁵ Douglas N. Harris and Tim R. Sass. "Teacher Training, Teacher Quality, and Student Achievement." CALDER Working Paper. March 2007. http://www.caldercenter.org/pdf/1001059_teacher_training.pdf

⁶ Steven Rivkin, Eric Hanushek, and John F. Kain. "Teachers, Schools, and Academic Achievement." *Econometrica*. 73(2): 417-458. <http://www.econ.ucsb.edu/~jon/Econ230C/HanushekRivkin.pdf>

⁷ Eric Hanushek and Steven Rivkin. "How to Improve the Supply of High Quality Teachers." Brookings Papers on Education Policy. May 2003.

<http://edpro.stanford.edu/Hanushek/admin/pages/files/uploads/Teacher%20quality.Brookings.pdf>

⁸ "The Widget Effect." The New Teacher Project. 2009. <http://widgeteffect.org/downloads/TheWidgetEffect.pdf>

let that teacher be bumped out of her job by a teacher who has been in the system longer, but who doesn't have the requisite training in order to be effective in that school or position.

Chronic absenteeism: If a teacher has a track record of absences without documented good cause, he should not have the privilege of retaining his position simply because he attained tenure before another teacher.

Incompetence: Most districts use an inadequate system to rate teachers;⁹ for example, in Hartford and most other districts, less than one percent of teachers are rated "unsatisfactory."¹⁰ When it comes to layoffs, couldn't we start with the few teachers who are consistently rated this poorly?

Extraordinary Merit: Even though most districts don't yet have teacher evaluation systems that consistently distinguish among teachers on the basis of their classroom effectiveness, many do recognize extraordinary teachers through "teacher of the year" awards.^{11,12} Recent winners of such recognition should be exempted from layoffs, no matter what their seniority.

It's a cop-out to say that without an evaluation system, seniority is the only viable or objective way to make layoff decisions.

What we're hearing: Districts will do anything to save money, so changing the layoff policy will result in the arbitrary dismissal of highly paid veteran teachers.

Let's be clear: an approach that targets any kind of teacher, new or veteran, without regard for their actual effectiveness is fundamentally unfair to students and teachers. A shift away from last-in, first-out layoffs this year should require that administrators document their rationale for each layoff decision so that senior teachers are not let go just because they have higher salaries or under some other pretense. And even if seniority were no longer the primary factor in determining layoffs, tenured teachers would still have due process protection if they felt they had been unfairly or arbitrarily dismissed. Fundamentally though, we cannot allow the possibility of abuse by a few administrators to stand in the way of moving toward a system that makes sense and puts the interests of students front and center.

What we're hearing: Every contract in the state has been negotiated in good faith by the local bargaining unit and the district, so state intervention should not be undertaken lightly.

⁹ "The Widget Effect." The New Teacher Project. 2009. <http://widgeteffect.org/downloads/TheWidgetEffect.pdf>

¹⁰ "Human Capital in Hartford Public Schools." National Council on Teacher Quality. http://www.nctq.org/p/publications/docs/nctq_hartford_human_capital.pdf

¹¹ Chris Moran. "Schools struggle with method to reduce teaching staffs." Sign On San Diego. April 27, 2009. <http://www.signonsandiego.com/news/2009/apr/27/1m27decide23925-schools-struggle-method-reduce-tea/>

¹² "Hampton School Board owes voters explanation." Seacoastonline.com. April 17, 2009. <http://www.seacoastonline.com/articles/20090417-OPINION-904170373>

Budget-driven layoffs will disproportionately affect low-income students, many of whom attend school in districts under "corrective action" status. The State Board of Education already has the authority to intervene in these districts. Legislation to fix last-in, first-out layoffs should encourage local resolution of budget-driven layoffs, but in cases where there is not agreement on an alternative to seniority as the primary factor, the state has an overriding interest to minimize harm to students by intervening to keep the best teachers in the classroom. State lawmakers need to strengthen existing statute to empower the State Board to act now to require that other factors be taken into account in layoff decisions this year.

What we're hearing: It seems like all of this conversation about eliminating last-in, first-out layoffs is just a pretense for union busting.

Ending seniority-based layoffs is about recognizing that teachers are professionals who deserve to be treated as such, and whose on-the-job performance should be valued beyond a simple calculation of hours logged on the job. No one wants to create a teacher evaluation system or have performance-driven staffing for teachers without putting the teacher perspective up front. Utilizing known data about teacher contributions to student learning when considering budget-driven layoffs is a solution that absolutely requires input from teachers.¹³ Reform is about working collaboratively with teachers to keep the best in the classroom, and it can be done: New Haven Public Schools proved it,¹⁴ and so have a number of other districts and states around the country.

What we're hearing: State education funds won't be cut next year, so why are you saying there will be so many teacher layoffs?

Despite Governor Malloy's plans to hold state education funding flat, districts still have big budget holes to fill. The funding level is the same as it has been since 2009, but costs have gone up every year. To make matters worse, the special funds that many districts received directly from the federal government in recent years to plug budget holes are disappearing. The result? Big budget crunches and potentially unprecedented numbers of teacher layoffs. In 2010, Connecticut districts eliminated about 1,500 teaching positions statewide; that number could double this year.¹⁵

It's critical that we take action now to make sure those layoffs do the least possible harm to students. After all, the public education system is about educating students, not providing jobs for adults. Even in these tough times, we need to keep the focus on our goal of securing an excellent public education for every Connecticut child.

¹³ "Teacher Evaluation 2.0." The New Teacher Project. October 2010. <http://tntp.org/files/Teacher-Evaluation-Oct10F.pdf>

¹⁴ "School Change Initiative Documents." New Haven Public Schools. <http://www.nhps.net/scc/index>

¹⁵ Jacqueline Rabe. "Hundreds of teaching jobs still lost this year, despite federal cash infusion." CT Mirror. October 28, 2010. <http://www.ctmirror.org/story/8190/hundreds-teaching-jobs-still-lost-year-despite-federal-cash-infusion>

Marcy Hardt
5 Bluewater Hill
Westport, CT 06880
March 15, 2011

I am writing to urge the Senate Education Committee to amend the current Senate Bill 1160 so that seniority – Last In First Out (LIFO)- may not be used as the sole determinant in deciding teacher layoffs.

Although I firmly agree with the argument that teacher effectiveness should be the determining factor in such decisions, I would like to draw your attention to another concern I have with the present policy. Currently, low performing school districts like Bridgeport have difficulty attracting and keeping teachers, especially in math, science and world languages. In fact the Connecticut Department of Education has designated these areas as subject shortage areas across the state.

At the same time, the Public Act 10-111, passed in May of 2010, requires that starting with the high school graduating class of 2018, seniors will be required to pass examinations in algebra, geometry, biology, American History and English. (At the present time, 40% of high school graduates across the state must take remedial math when they enter college, a good indicator as to how our current educational system is failing our students.)

Now 2018 may seem like a long way off, but the students who will graduate that year will be 6th graders next fall. I was a volunteer math tutor in Bridgeport for four years, working with 6th through 8th graders. I can assure you that much of the foundation for high school math must be laid in these grades. Unfortunately, many of my students were already behind in their understanding of basic mathematical concepts by the time they reached 6th grade.

Since school districts like Bridgeport have difficulty attracting and retaining teachers in math and science, when they do hire staff in these areas, these new teachers will be the most at risk of losing their jobs when budget constraints necessitate layoffs. I can understand why young, bright math and science teachers are reluctant to apply to these inner city school districts. Not only do they have fewer resources and lower pay, but they know that there is a greater probability that they will lose their jobs within the first few years, as these districts are the ones struggling financially. They also know that their hard work will not likely be recognized because we do not have an evaluation system in place that can systematically recognize and support high quality teaching.

If Connecticut is serious about improving math and science education so that our students can be competitive in the global economy, we cannot ignore the fact that the current evaluation systems and our system of using seniority alone to determine which teachers remain in the classroom during budget driven layoffs will severely hamper this effort. Senate Bill 1160 is a start down that road, but I urge you to fix current teacher layoff policy so that our students are best served. We cannot afford to wait one or two more years as our students slip farther and farther behind. 2018 will be here before we know it.

Sincerely,
Marcy Hardt



**STAFF
SMART:
KEEP THE
BEST
TEACHERS
IN CONNECTICUT'S
CLASSROOMS**

Staff Smart: Keep the Best Teachers in Connecticut's Classrooms

Introduction

The research is clear: teachers are the most important factor in raising student achievement in schools.¹ If Connecticut is serious about closing our worst-in-the-nation achievement gap and raising academic performance for all students, there must be an excellent teacher in every classroom.

Connecticut's budget crisis will likely lead to widespread teacher layoffs this spring, but if teacher layoffs proceed without intervention, they will be quality blind: through a policy known as "last-in, first-out," the newest teachers will be forced out without regard for how well they educate students. This foolish, lock-step approach could knock excellent teachers out of their jobs while leaving ineffective ones in the classroom – a move that would be devastating for Connecticut's students. In no other professional setting, especially one so critical to the success of our children, would we make such important staffing decisions based only on employees' amount of time on the job without regard for performance. We need immediate action to provide relief to districts that will otherwise be forced to lay off outstanding teachers in favor of those who simply have more hours on the job. A smart staffing policy will:

- **Allow the State Board of Education to use its existing authority in corrective action districts** to ban teacher dismissals based only on seniority and require that other factors, such as specialized training, student performance, teacher observations, and peer review be taken into account.
- **Tie teacher tenure to teacher effectiveness** by establishing guidelines to develop a model evaluation system that is similar to the nationally recognized New Haven system and prioritizing the evaluation results in decisions about tenure and layoffs.
- **Fix binding arbitration** by creating an independent pool of third party arbitrators who can effectively and efficiently resolve disputes while putting students' needs first.

¹ Miller, Raegen, and Robin Chait. "Teacher Turnover, Tenure Policies, and the Distribution of Teacher Quality: Can High-Poverty Schools Catch a Break?" Center for American Progress. December 2008; Aaronson, Daniel, Lisa Barrow, and William Sander, "Teachers and Student Achievement in the Chicago Public High Schools." *Journal of Labor Economics* 25 (1) (2007): 95-135; Rivkin, Steven, Eric Hanushek, and John Kain. "Teachers, Schools and Academic Achievement." *Econometrica* 73 (2) (2005): 417-58; Rockoff, Jonah E. "The Impact of Individual Teachers on Student Achievement: Evidence from Panel Data." *American Economic Review*. 94 (2) (May 2004): 247-252; Gordon, Robert, Thomas J. Kane, and Douglas O. Staiger, "Identifying Effective Teachers using Performance on the Job." The Brookings Institution. 2006; Hanushek, Eric A. "The Economics of Schooling: Production and Efficiency in Public Schools." *Journal of Economic Literature*. 24 (3) (1986): 1141-1177; Goldhaber, Dan. "Teacher Pay Reforms, The Political Implications of Recent Research." Center for American Progress. 2007.

Our budget crisis means teacher layoffs are imminent.

Our state is now facing a budget deficit of \$3.7 billion. To make matters worse, one-time federal stimulus funds provided directly to districts through the American Recovery and Reinvestment Act (ARRA) will dry up and state education funds will remain flat. As a result, Connecticut's school districts will begin to see significant teacher layoffs as early as this spring. In 2010, Connecticut districts eliminated approximately 1,500 teaching positions statewide, notwithstanding the federal stimulus funds that were supposed to forestall such layoffs.² That number could double this year.

Unless we change current policy, these layoffs will be quality blind.

If teacher layoffs proceed without intervention, the only factor that can be taken into account is the length of time a teacher has been on the job (seniority). A wave of teacher layoffs based only on seniority would be devastating for Connecticut's classrooms. Here's why:

We would lose great teachers and keep ineffective teachers. The current last-in, first-out approach has forced districts to fire "teacher of the year" award winners³ and nominees and other superstar teachers, many of whom are unlikely to return to the classroom.⁴ There is no consistent evidence to prove that the more senior teachers who remain on the job have a better track record of achieving outcomes for students. In fact, research directly contradicts the widely held assumption that seniority-based layoffs are a fair way to approach layoffs because the most experienced teachers are also the best teachers. Teachers, like other professionals, are unique individuals, not interchangeable widgets: not all teachers begin at the same level of performance or rise to the same level of proficiency over time.⁵ Teachers themselves know this fact, even though policy ignores it: in a report on 12 districts in four states, 43 percent of teachers said they have a tenured

² Rabe, Jacqueline. "Hundreds of teaching jobs still lost this year, despite federal cash infusion." Connecticut Mirror. October 28, 2010. <http://www.ctmirror.org/story/8190/hundreds-teaching-jobs-still-lost-year-despite-federal-cash-infusion>.

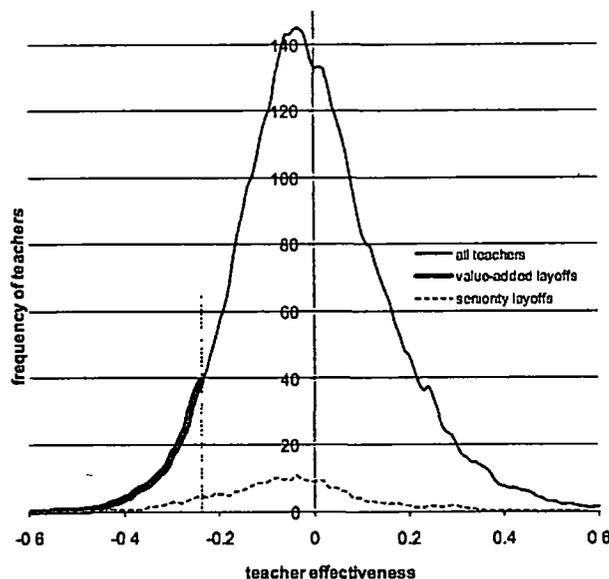
³ From the the New Teacher Project's "A Smarter Teacher Layoff System." March 2010: In 2009, California, Florida, Indiana, and New Hampshire were among those to give layoff notices to "teacher of the year" winners and nominees due to quality-blind layoff policies. (See: Chris Moran, "Schools struggle with method to reduce teaching staffs," The San Diego Union-Tribune, April 27, 2009; Vic Ryckaert, "IPS board eliminates 300 teaching jobs," The Indianapolis Star, April 29, 2009; Mark Woods, "A travesty unfolds at her school," The Florida-Times Union, April 20, 2009; "Hampton school board owes voters explanation," Seacostonline.com, April 17, 2009) May 2009. <http://www.tntp.org>.

⁴ "Strengthening School Staffing in Minneapolis Public Schools." The New Teacher Project, May, 2009. http://www.tntp.org/publications/other_publications.html#Minneapolis.

⁵ Xu, Zeyu, Jane Hannaway, and Colin Taylor. "Making a Difference? The Effects of Teach for America in High School." CALDER Working Paper No. 17. Washington, D.C : National Center for Analysis of Longitudinal Data in Education Research 2009.

coworker performing badly enough to warrant dismissal.⁶ As seen in Figure 1, layoffs guided

Figure 1. Impact of Seniority-Based Layoffs vs. Value-Added Layoffs⁷



only by seniority ignore the fact that many newer teachers are delivering strong results for students. Seniority-based layoffs have recently been shown to set back student learning by 2.5-3 months, compared with layoffs driven by teacher performance.⁸

Data from the Connecticut State Department of Education suggest that there is no clear connection between teacher experience and student performance. Schools with a majority of teachers in the middle of their career (i.e., teachers with between 11 and 17 years of experience) tend to have over half of their students at goal on state assessments,⁹ However, there is very wide variation among schools with more experienced teachers: in schools with relatively higher teacher experience (between 11 to 17 years of teacher experience), anywhere between 10 to 90 percent of students perform at or above goal. At the same time, there are a number of schools

⁶ The New Teacher Project. "The Widget Effect." 2009. <http://widgeteffect.org/>.

⁷ Donald J. Boyd, Hamilton Lankford, Susanna Loeb, and James H. Wyckoff. *Teacher Layoffs: An Empirical Illustration of Seniority vs. Measures of Effectiveness*. The Urban Institute. 2010.

⁸ For example, see *Assessing the Determinants and Implications of Teacher Layoffs*, by Dan Goldhaber and Roddy Theobald, published December 2010 by the Center for Education Data and Research; <http://cedr.us/publications.html>

⁹ Connecticut Mastery Test (CMT) and Connecticut Academic Performance Test (CAPT)

with low average teacher experience (10 or fewer years) in which 50 percent or more of students perform at goal.¹⁰

If seniority-based layoffs proceed, we will lose significant numbers of great teachers simply because they happen to be younger or have spent less time on the job. Many of our school district leaders are working hard to recruit the best and brightest new teachers to their classrooms, but if we unilaterally let these teachers go without regard to the quality of their work or their commitment to their students, we risk driving them from the profession for good. Promising individuals will not gravitate to a profession that values longevity over talent. The decisions we make this year will affect the quality of our teaching force for the next 30 years; Connecticut cannot afford to put teacher seniority ahead of everything else, especially students.

We waste resources by laying off more teachers than we need to. Since time on the job is also a predominant factor in setting teacher salaries, longer-serving teachers earn higher salaries. As shown in Figure 2, when we only lay off those at the bottom of the seniority-based pay scale, we have to fire many more teachers to make up the savings we would achieve by laying off teachers more evenly across the payscale.¹¹ A quality-blind layoff system also puts a heavier burden on the remaining teachers, who face larger classes and more out-of-classroom responsibilities than they otherwise would if layoffs were more evenly distributed.¹² Some worry that a different system of layoffs would unfairly target more senior teachers because their salaries are higher. However, in the long term, replacing quality-blind layoffs with an objective and transparent system driven by teacher performance would avoid unfairly targeting *any* specific group of teachers based only on years of experience.

Districts of all kinds would lose... Districts across Connecticut – urban, suburban, and rural – will be hurt by a seniority-based layoff policy. As seen in Figure 3, state data show that young teachers (i.e., teachers under 30) are, on average, evenly distributed across all types of districts. So, under a quality-blind approach, all kinds of districts in Connecticut could lose great teachers.

...But students in our most vulnerable districts lose out the most. The actual distribution of teachers in our *schools* (versus the districts) tells a different story. Junior teachers are most often assigned to high-poverty schools; when quality-blind

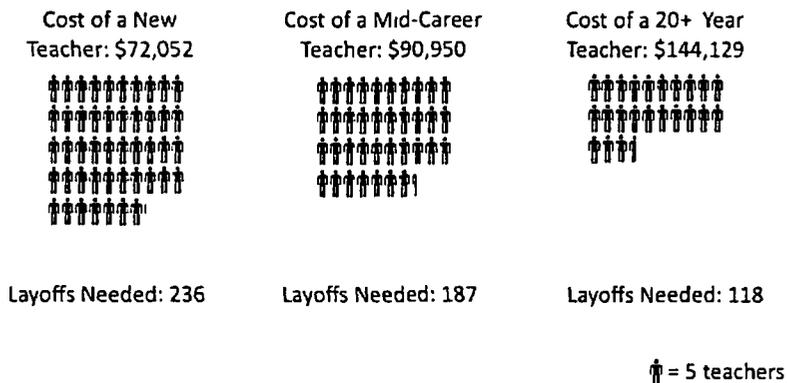
¹⁰ At this time, the only publicly available data is the average years of teacher experience at each school. This average does not allow examination of the actual distribution of teacher experience across schools or district. There is no publicly available data indicating exactly how many or what percent of teachers with five or fewer years of experience work at each school or district. This data should be made available now since it will significantly influence how schools will operate in the face of budget shortfalls

¹¹ National Council on Teacher Quality. "Teacher Layoffs: Rethinking 'Last Hired, First Fired' Policies " February 2010 http://www.nctq.org/p/docs/nctq_dc_layoffs.pdf.

¹² The New Teacher Project. "A Smarter Teacher Layoff System." March 2010. http://www.tntp.org/files/TNTP_Smarter_Teacher_Layoffs_Mar10.pdf.

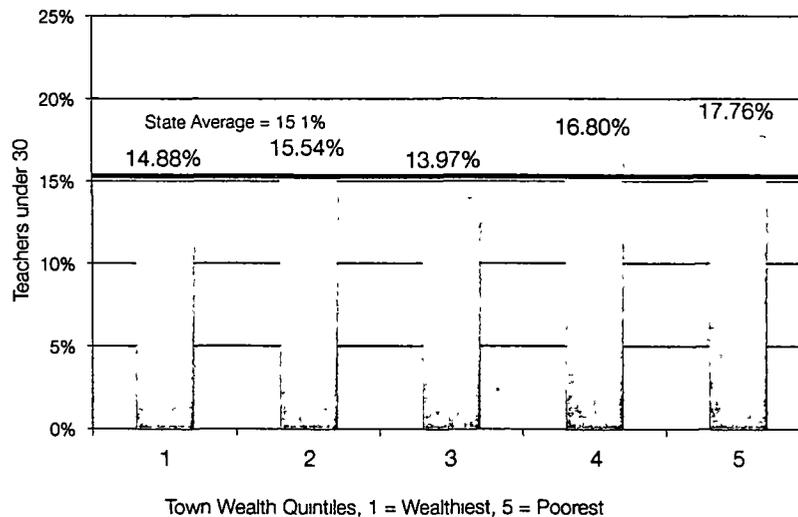
layoffs target these junior teachers, they also disproportionately hurt schools with the greatest challenges and the highest student need. Figure 4 shows that Connecticut schools with higher percentages of low-income students, as measured by the percent of students receiving free or reduced price lunch, tend to have lower average years of teacher experience.

Figure 2. Potential Layoffs Needed to Close Hartford's \$17,000,000 Budget Gap*



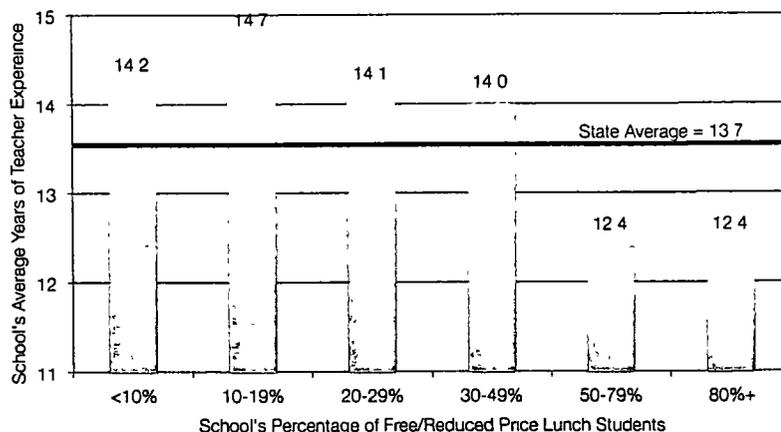
*Budget gap for the 2011-12 year includes \$11 million in one-time federal stimulus (EduJobs) funds which Hartford saved from last year. Without the stimulus funds next year, Hartford's budget gap will be about \$26 million. It is estimated that about one-half of all Connecticut districts will be using EduJobs funds to temporarily fill budget gaps this year and will face equal or larger gaps next year. (Teacher cost equal salary from 2010-2011 schedule plus \$30,000 in benefits)

Figure 3. Percentage of Teachers Under 30 by Town Wealth Quintile¹³



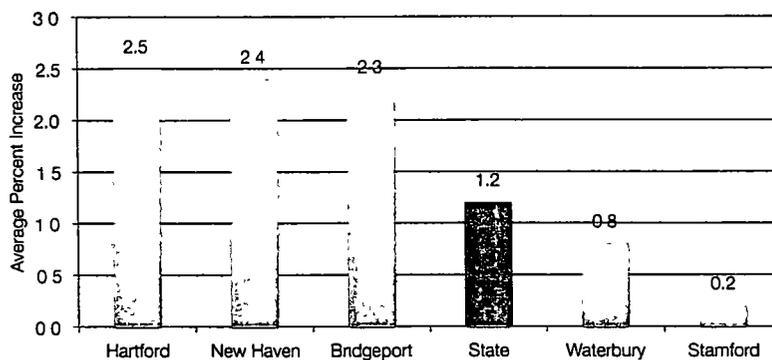
¹³ Data from Connecticut State Department of Education.

Figure 4. Average Teacher Experience by Percentage of Students in Poverty¹⁴



Some of Connecticut's urban districts – which also serve most of our lowest-income children – are showing promising signs of improvement (see Figure 5). A quality-blind policy could destroy the progress these districts have made.

Figure 5. Average CMT Improvement, 2009 to 2010¹⁵



¹⁴ Data from Connecticut State Department of Education.

¹⁵ Improvement on CMT is calculated by averaging 2009 3rd grade to 2010 3rd grade, 2009 4th grade to 2010 4th grade, etc. across all grade and subject areas tested; data from Connecticut State Department of Education.

Urban schools and districts often cannot attract excellent veteran teachers. But some districts have recruited energetic young teachers to jumpstart student gains. These districts would lose out disproportionately because their staffs have been in the classroom for less time. For example, when the Hartford school district recently had to lay off approximately 200 teachers, seniority-only layoff provisions required them to bump over 900 teachers into different assignments in order to do so. This shift disrupted the district's reform strategy, which is based on creating a portfolio of themed schools of choice, many of which require school staff to have specialized training. Similarly, in the Winthrop School, a traditional public elementary school in Bridgeport, most teachers have approximately 11 years of experience, which is significantly below the state and district average. Despite this, 56 percent of their African American students score at or above goal across all subjects, compared with a district average of 29 percent and the statewide average of 37 percent. The school placed 9th in the state for African American student performance. The progress being made among students in this school will be disrupted by a teacher layoff policy based only on years of experience.

It's time to stop defending the indefensible. The only people who "win" in a quality-blind approach are those who want to preserve a system designed to protect adults, not children. There is truly no logical defense for continuing to make layoff decisions that are informed only by seniority.

It is time for policy to reckon with the facts: not all teachers are created equal,¹⁶ teachers provide varying levels of value to students, and the number of years on the job does not correlate with outcomes for children.

It's time to staff smart.

Connecticut voters support a smarter staffing policy. According to ConnCAN's public opinion survey on education, 89 percent of registered voters support ending layoffs based solely on seniority.¹⁷ What's more, survey results show that teachers support a quality-based layoff policy. In a recent study, a majority of the 9,000 teachers surveyed at every experience level (including those with over 30 years of service) said that factors besides seniority should be considered.¹⁸

We need a smarter way to approach school staffing that takes quality into consideration. A Staff Smart policy must:

¹⁶ The New Teacher Project. "The Widget Effect." <http://www.widgeteffect.org>.

¹⁷ ConnCAN. "2010 Education Survey." <http://www.conncan.org/learn/research/achievement-gap/2010-conncan-education-survey>.

¹⁸ The New Teacher Project. "Smarter Teacher Layoffs." March 2010. http://www.tntp.org/files/TNTP_Smarter_Teacher_Layoffs_Mar10.pdf.

Allow the State Board of Education to use its existing authority in corrective action districts by strengthening existing statute so that the Board can act now to ban teacher dismissals based only on seniority and require that other factors, such as specialized training, student performance, teacher observations, and peer review be taken into account in layoff decisions this year.

Tie teacher tenure to teacher effectiveness. In Connecticut, teachers currently receive tenure after four years, regardless of their effectiveness. New legislation is needed so that new teachers are only granted tenure if they receive an "effective" rating in the new statewide teacher evaluation system. The General Assembly adopted legislation last year (Public Act 10-111) that requires that State Board of Education, in conjunction with a Performance Evaluation Advisory Council, to establish a new system for the evaluation of teachers by July 1, 2013.

A Staff Smart policy would establish additional guidelines to develop a model evaluation system that is similar to the nationally recognized New Haven evaluation system. The focal point of a Staff Smart policy would be the assignment of an instructional manager to each teacher, who would be responsible for observing the teacher in the classroom and providing regular and substantive feedback on the teacher's performance. Such a policy would also draw on New Haven's five-point rating scale in the evaluation process. Each year, teachers would be given a rating of "exemplary," "strong," "effective," "developing," or "needs improvement." Those teachers who receive performance ratings of "developing" or "needs improvement" would be provided with development opportunities designed to improve their performance. Teachers would attain tenure only if they received a performance rating of "effective" or above for at least three years. In addition, a teacher who had attained tenure could be dismissed after receiving two consecutive "needs improvement" performance ratings. A Staff Smart policy would also require local and regional boards of education to prioritize teacher performance over seniority when making layoff decisions.

Fix binding arbitration. Seniority-based layoff policies are mandated by locally negotiated collective bargaining agreements that are created through a fundamentally flawed process. The current process incentivizes third-party arbitrators to avoid making challenging, student-centered choices because their continued employment relies on recurring selection by both negotiating parties (the district and the union). This tendency was recently borne out once again in Hartford, where a February 2011 decision by an arbitration panel prevented the district even from implementing a relatively modest shift from district-based seniority to school-based seniority. Given Hartford's focus on theme-based academies and the specialized teacher training required for these schools to operate effectively, it's clear that this decision does not put student need first. Without state action, Hartford will once again have to bump specially trained teachers out of positions all across the district to make layoffs. It is clear that we need to create an independent

pool of third party arbitrators who can effectively and efficiently resolve disputes while putting students' needs first. A more effective binding arbitration process would require the use of a single arbitrator, rather than the current requirement for a three-member arbitration panel. The State Board of Education would provide the negotiating parties with options for impartial, independent arbitrators from which to choose. The parties would mutually agree to engage a listed arbitrator, or alternatively, use the procedures for the appointment of an arbitrator established by the American Arbitration Association. In addition, no arbitrator would be able to appear on a list circulated by the State Board of Education more than twice per year.

Other districts and states have already begun this work.

This is doable in Connecticut – districts and states across the country have already adopted smart staffing policies. For example:

- **New Haven:** Developed collaboratively by the school district and the teachers union, the New Haven system will assess and rate teachers' performance using student performance growth as the primary factor and include other factors such as classroom observations. Teacher ratings under this system will be used to guide staffing decisions around professional development, promotion and dismissal.¹⁹ United States Secretary of Education Arne Duncan praised the contract: "This is a really important progressive labor agreement. It's one that folks around the country should take note of."²⁰
- **Arizona:** A 2009 law prohibits school districts from using tenure or seniority as a factor in determining which teachers can be laid off, and school districts no longer have to honor seniority above all else when they rehire teachers.²¹
- **Colorado:** A 2010 "Great Teachers and Leaders" law requires teacher evaluations every year, and 50% of a teacher's evaluation is determined by student performance. Teachers must earn three consecutive "effective" ratings to get tenure. Educators rated "ineffective" two years in a row cannot keep tenure protection and revert to probationary status; teachers can earn back job protection if they have three straight years of satisfactory evaluations. Teachers are guaranteed an appeals process before they can be fired. Districts can base layoff decisions on effectiveness rather than seniority, and the law ended seniority-based forced teacher placement and replaced it with mutual consent by both the teacher and principal.²²

¹⁹ For more information, visit: <http://www.nhps.net/node/1375>.

²⁰ "Excerpts: Education Secretary Arne Duncan." The Wall Street Journal. October 17, 2009 <http://online.wsj.com/article/SB125572116883390577.html>.

²¹ Bloom, Alex "Arizona law changes way teachers contract with districts." AZCentral.com. November 23, 2009. <http://www.azcentral.com/news/articles/2009/11/23/20091123edcontracts1123.html>.

²² Banchemo, Stephanie. "Teacher-Evaluation Bill Approved in Colorado." The Wall Street Journal May 14, 2010. <http://online.wsj.com/article/SB10001424052748703950804575242483164677818.html>.

- **Delaware:** Beginning in the 2011-12 school year, teacher evaluations will be based on student performance growth. For a teacher to earn an "effective" rating, student growth must meet clearly defined expectations. Teachers will not be granted tenure if rated "ineffective" more than once. These changes remove the barriers to dismissing teachers based only on seniority. Delaware also offers one-on-one coaching to administrators implementing the statewide evaluation system, retention bonuses for highly effective teachers who take positions in high-need schools, model career ladder options for districts, and merit-based opportunities for highly effective teachers.²³
- **Oklahoma:** Last year, Oklahoma passed a bill that implements a new teacher evaluation system that measures teacher performance through student achievement data and qualitative observations. Each component accounts for 50% of the total evaluation. Teachers with two consecutive "ineffective" ratings or three years of "needs improvement" ratings will be automatically fired under the new law.²⁴ The new evaluation system is required to be the primary means for deciding layoffs, instead of seniority.²⁵
- **Rhode Island:** A sweeping 2010 teacher evaluation policy²⁶ makes student achievement growth worth 51% of a teacher's evaluation, requires that districts not allow a student to be taught by a teacher deemed "ineffective" for more than one year, and allows districts to dismiss teachers who receive an "ineffective" rating for two years regardless of their seniority. The law also prohibits districts from assigning ineffective teachers to low-income, low-performing, or high-minority schools. Under this law, districts are prohibited from assigning teachers based on seniority.²⁷

Now it's Connecticut's turn. We must do everything we can do keep our best teachers in the classroom. It's time for a smarter approach to school staffing that puts quality – and students – first.

²³ Delaware Department of Education. "Delaware Education Plan Overview " October 2010.
<http://www.doe.k12.de.us/rttt/files/DEEducationPlanOverview.pdf>

²⁴ Rolland, Megan. "Year in Education defined by reform, budget cuts and virtual schools." The Oklahoman. December 26, 2010. <http://newsok.com/year-in-education-defined-by-reform-budget-cuts-and-virtual-schools/article/3526734>

²⁵ Garrett, Sandy. Letter to Superintendents. July 7, 2010. Oklahoma State Department of Education.
<http://sde.state.ok.us/Law/Legis/RBletters/2010/Letter/SB2033.pdf>

²⁶ Rhode Island Department of Education. "Race to the Top Application for Initial Funding." May 28, 2010.
http://www.nde.ri.gov/commissioner/RaceToTheTop/docs/Combined_Narrative_FINAL_5.27.pdf

²⁷ Rhode Island Department of Education. "What Matters about Teaching?" 2010.
<http://infoworks.nde.n.gov/teaching/what-matters#2>.

Jennifer Alexander
Director of Research and Policy, ConnCAN
Testimony on Senate Bill 1160



CONNECTICUT BUSINESS & INDUSTRY ASSOCIATION

TESTIMONY
BEFORE THE EDUCATION COMMITTEE
LEGISLATIVE OFFICE BUILDING
THURSDAY, MARCH 17TH 2011

Good afternoon Senator Stillman, Representative Fleischmann, and members of the Education Committee. My name is Louis Bach and I am testifying on behalf of the Connecticut Business and Industry Association. CBIA's 10,000 member companies represent the broad diversity of private enterprise in the state, and our membership is overwhelmingly comprised of small businesses with fewer than 50 employees.

SB 1160 AAC SCHOOL TRANSPORTATION, THE DEVELOPMENT OF A MODEL TEACHER PERFORMANCE EVALUATION SYSTEM, AND TEACHER TENURE LAWS AND COOPERATIVE ARRANGEMENTS is a measure we support with modifications.

In order to assure that Connecticut's schoolchildren are receiving the best possible classroom instruction it is imperative that teacher evaluations look at teacher effectiveness as related to student outcomes. We would like to see expanded application of outcome-based evaluation systems. Effectiveness should not be limited to dismissal, as it is in this proposal, but should be part of attaining tenure in the first place. Effectiveness evaluation can and should be applied "up the ladder," as well, with principals and administrators held to similar measurable standards.

This proposal amends Public Act 10.111 in order to clearly mandate the development of a model teacher performance evaluation system by the Performance Evaluation Advisory Council. We see that as a positive change. Because the Advisory Council would be vested with the sole responsibility for teacher evaluations under this legislation, however, we feel that its composition should reflect a greater range of viewpoints.

SB 1160 §3 describes the composition of the Performance Evaluation Advisory Council and should include language appointing appropriate additional members, specifically representatives from the Connecticut Council on Education Reform. Inclusion of respected education reformers who lack a direct stake in the process will lend an expanded sense of sincerity to the process, and more importantly, it will improve the final product.

Thank you for the opportunity to testify today. I would be happy to answer any questions that I can.



Connecticut Association of Boards of Education, Inc.

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Testimony
Submitted to the
Education Committee
March 17, 2011

**SB 1160 AN ACT CONCERNING SCHOOL TRANSPORTATION, THE DEVELOPMENT OF A
MODEL TEACHER PERFORMANCE EVALUATION SYSTEM, AND TEACHER TENURE LAWS
AND COOPERATIVE ARRANGEMENTS**

The Connecticut Association of Boards of Education, as a member of the Performance Evaluation Advisory Council, has been meeting over the past 6 months to fulfill our charge from the legislature to recommend new teacher evaluation guidelines to the State Board of Education. The bill before you today expands that charge to include a development of a "model teacher performance evaluation system". CABE is supportive of the provisions of this bill which provides for a training program for teachers and administrators and guidelines for the creation of individual teacher improvement plans. We are concerned however, that the additional provisions requiring an agreement between the board of education and the exclusive bargaining representative may extend the reach of collective bargaining into the teacher evaluation plan. These is existing statutory language, adopted in 2004, which allows for "claims of failure to follow the established procedures of such evaluation programs" to be subject to the grievance procedure. It is unclear whether the reference to bargaining refers to bargaining the teacher improvement and remediation plan, or to the designation of "other persons deemed appropriate" as a participant in the development of the plans. We urge you to provide clarification and to retain teacher evaluation as a permissive subject of bargaining.

We appreciate your attention to this issue.

Testimony of Milly Arciniegas on Senate Bill 1160

3/16/11

Good morning, Chairwoman Stillman, Representative Fleischmann and distinguished Senators and Representatives of the Education Committee.

My name is Milly Arciniegas, and I am the president of the Hartford Parent Organization Council (a coalition of 48 PTOs throughout the city of Hartford Public Schools). I was encouraged by the strengths of Senate Bill 1160, including:

- It allows for up to only one year for the teacher to demonstrate improvement once being identified as needing improvement
- It allows for a teacher's tenure status to be removed if they fail to complete the remediation plan

I was disappointed to see, however, that there is still no solution in this bill for the urgent issue of seniority-based layoffs. Districts such as Hartford, which have made significant gains thanks to their reform efforts, will be facing seniority-based layoffs this year that will affect our reform drastically. We have been able to withstand it for three years, but this year we clearly need your help to provide us with immediate flexibility to keep our best teachers in the classrooms.

Parents are working every day with their teachers, principals and the district to sustain the reform. But now we need this Education Committee to take corrective action and help us keep the teachers in whom we have already invested millions of dollars on professional development and specialized training.

We are in a state of urgency and we can no longer continue the status quo for one day longer. Our children have shown results and deserve our best efforts to allow them to continue to succeed.

Thank you for your time.

Milly Arciniegas



Shana Kennedy-Salchow
Connecticut Council for Education Reform
Education Committee Public Hearing Testimony on Raised Bill 1160
3/16/11

- I want to thank the members of the Education Committee for this opportunity to testify about Raised Bill 1160.
- My name is Shana Kennedy-Salchow, I represent the Connecticut Council for Education Reform—a new non-profit organization that is comprised of many of the members of Connecticut Commission on Educational Achievement. The Council will advocate for the recommendations of the Commission with a goal of narrowing the achievement gap and raising academic achievement for all Connecticut students.
- To start, the Commission supports SB 1160 and more specifically, sections 2 on which deal with teacher evaluation and tenure but believe the bill could be strengthened.
- To start, section 2 calls for Performance Evaluation Advisory Committee (PEAC) to develop a model evaluation system. We are encouraged by the inclusion of both training requirements on the new system and individual improvement plans for teachers- both are critical to the success of teachers. We think there should be quite a bit of flexibility for districts in designing evaluation systems but that some elements need to be required. More specifically, we would include language for these evaluation systems to put a preponderant weight on growth in student achievement where applicable (i.e., likely not in gym class).
- Section 3 describes the membership of the Performance Evaluation Advisory Committee (PEAC) which is very specific in naming a long list of stakeholders and an additional three persons to be selected by the Commissioner of Education. We believe education groups without a direct stake or members affected should be added to this group- they are advocating for children. We further believe we should be clearer on the qualifications of the three additional people to be selected by the Commissioner- they should be national experts in this field.

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- We applaud the addition of the 7th reason for dismissal but need to ensure that the performance evaluation plan adopted puts a preponderant weight on growth in student achievement—we must ensure our teachers are effective and that we are helping them be as effective as they can.
- This bill does not address attaining tenure- it only addresses another way to take it away if necessary. In order to have the highest percent of effective teachers, we must be sure that we grant tenure only to teachers who are deemed effective. The idea of granting tenure after four years without taking this into account does not make sense.
- Lastly, there is no mention of the evaluation of school leaders—principals in this bill. If teachers are going to be held to new evaluation methods that take into account student growth and achievement, school leaders need to be held to the same.



Anna Marcucio
Testimony on Senate Bill No. 1160

Chairs Senator Stillman, Representative Fleischmann, Vice Chairs Senator Fonfara, Representative McCrory and Ranking Members Senator Boucher and Representative Giuliano and members of the Committee, thank you for this opportunity to testify about Senate Bill 1160, An Act Concerning School Transportation, The Development of a Model Teacher Performance Evaluation System, and Teacher Tenure Laws and Cooperative Arrangements.

My name is Anna Marcucio. I am the Chief Operating Officer at ConnCAN. We are building a movement of concerned citizens advocating to fundamentally reform our public schools through smart public policies.

Among other things, Senate Bill 1160 proposes to require the Performance Evaluation Advisory Council ("Council") to develop a model teacher performance evaluation system.

This is an important and significant step forward, and we commend the Committee for raising this bill for consideration. It represents a starting point, but we believe it can be improved.

We can use this framework to develop a meaningful evaluation system to support and keep our best teachers in the classroom. Please consider the following improvements:

1. This bill does not address seniority-based layoffs – and if there is not an immediate fix for last-in, first-out policies in this bill, we risk losing thousands of great teachers this year. We need a bill that provides districts with flexibility to keep our best teachers in the classroom. We can do this by using already existing and objective measures such as: consistent unsatisfactory performance reviews, chronic absenteeism, specialized training, or extraordinary merit.

In the long term, this bill needs to make clear that evaluation ratings should be included as a significant factor in layoff decisions.

2. I urge the committee to consider using student achievement growth as a significant factor in the rating of teacher performance. Other factors in an evaluation could include: classroom observation, teacher professional practice, and peer review. The New Haven model, as well as teacher evaluation models in

other states such as Delaware, Rhode Island, Colorado and proposed legislation in Illinois, offer strong examples for Connecticut on this front.

By doing so, this legislation would connect directly to last year's Public Act 10-111 that requires the state's model evaluation system to correlate with "multiple indicators of student academic growth."

Federal funds are moving in the direction of requiring robust teacher evaluation systems to be in place; improving the SB 1160 in this way is essential if Connecticut is to be competitive for future federal funds, which we have been unable to secure in significant amounts to date. Last year we earned less than \$8.00 per student in recent competitive federal funding bids, while all of our neighboring states have received in the hundreds – from \$308 in New York, to \$324 in Massachusetts, to \$516 in Rhode Island.

3. I urge the committee to **consider adding state and national expertise to the Performance Advisory Council to ensure that it can effectively carry out its charge.** Creating a teacher evaluation system is an extremely complicated task, one that other states have already undertaken. We can and should benefit from the experiences of other states and from the advice of national experts. To develop a truly effective teacher evaluation system, the Committee should consider broadening the Council's membership and adding additional expertise.

4. **This bill does not seem to make the state system mandatory if a district has developed its own (potentially weaker) system.** The bill should only give districts that have developed an approach that is comparable to or better than the state's model system the ability to opt out of the state's model and use their own system, perhaps subject to review and approval by the State Board of Education or the Commissioner.

5. **This bill still allows for an ineffective teacher to remain on the job for a rather long time** (and research shows that is NOT a good thing for students).

- It allows for up to one year for the improvement process and "initiation of dismissal proceedings." So a teacher has only one year to show improvement. That's a step in the right direction, but it does not specify whether that must be in the same academic year in which the teacher demonstrates that he/she needs improvement. This is implied but not specified.
- It also does not clearly specify the timeline for the evaluations to take place and be submitted, and should more clearly spell this out.
- The Performance Evaluation Advisory Council is supposed to work out the dismissal process in accordance with existing statutes. The process

shall not exceed 100 days from the time the administrator files the summative assessment at the end of the 1-year period. This means that an ineffective teacher going through this process could remain in the classroom and could be teaching for another whole academic year. We want to protect teachers' right to due process, but also need to ensure a timely and cost-effective way to handle dismissals.

6. The legislation allows for lots of people, in addition to the evaluating administrator, to be involved in the evaluation and could potentially weaken the effect of the evaluation.

Ideally, the evaluation would involve an evaluating administrator and/or an instructional manager/lead teacher (more like the New Haven model) who were trained in how to conduct evaluations and had the ability to make professional judgments using an agreed-upon set of criteria.

7. This bill does not connect obtaining tenure to the evaluation system. Currently, most teachers earn tenure after four years, regardless of their effectiveness. A stronger plan would only allow teachers to obtain tenure after showing strong performance for consecutive years, and tenure status should be subject to periodic review based on a teacher's evaluation ratings.

8. This bill does not spell out a common rating framework and does not require the Council to do so. This means that there could be very different rating systems across the state and rating categories. At a minimum, we should have the same ratings categories across all teacher evaluation systems in the state. And, ideally, those ratings would be equivalent so that "highly effective" or "needs improvement" or whatever term we chose generally means the same thing across Connecticut.

Thank you, again, for the opportunity to testify on SB 1160. We look forward to working with you to make the suggested improvements to this bill.

3/16/11

TESTIMONY

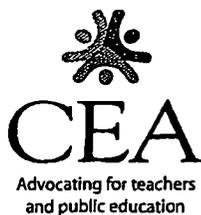
The Connecticut Association of Public School Superintendents (CAPSS) which represents the superintendents of schools in CT and the members of their cabinets supports the enactment of H.B. 1160 into law. CAPSS takes this position because the development at the state level of a model teacher evaluation program as specified by the proposed bill would provide effective assistance for school districts as they take on the challenge of revising their evaluation programs so that a defensible way of integrating student learning with the evaluation of educators takes place.

In supporting this bill, however, CAPSS would like to call attention to two related issues.

1. There should be nothing in any bill that could be in any way be interpreted as making the topics of teacher and principal evaluation systems mandatory topics of bargaining. If this were to happen, we would have a number of instances in which the evaluation systems for holding educators accountable would be the results of decisions by neutral arbitrators who are accountable to nobody instead of being the results of decisions by those who are directly accountable to the public for the performance of school systems. Boards of education and superintendents need to be held accountable for the performance of school systems and, therefore, their ability to affect the performance of systems cannot be compromised.

2. There is nothing in this bill that would help school districts who have to reduce their teaching forces and who are compelled to lay off teachers on the basis of seniority instead of performance. This situation has always been very difficult to defend, it has become even more difficult to defend over the last two years and it will be virtually impossible to defend in the very near future. Over the past two school years, there have been approximately 2,700 teaching positions eliminated in CT. In just about every one of these situations, there have been a number of teachers whose performance has been exemplary laid off when teachers whose performance while not incompetent has been less than exemplary were retained. The most effective thing that any school system can do in terms of student learning is to put an exemplary teacher in front of every child. For the sake of the children, then, we cannot continue to lay off exemplary teachers because they have less seniority than teachers who are not exemplary.

The Education Committee can address this problem by putting into legislative language the following process. When there needs to be a reduction in the teaching force of a district:



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Association**

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Testimony of Dr. John Yrchik

Executive Director, Connecticut Education Association

Before the Education Committee

*Regarding S.B. Bill No. 1160, An Act Concerning School
Transportation, The Development of a Model Teacher Performance
Evaluation System, and Teacher Tenure Laws and Cooperative
Arrangements.*

March 17, 2011

Good afternoon Senator Stillman, Representative Fleischmann, and members of the Education Committee. My name is John Yrchik, Executive Director of the Connecticut Education Association, representing 40,000 active teachers in our strong public schools.

The Connecticut Education Association was very involved in the work which led to PA10-111, the most massive education reform legislation in Connecticut in 24 years. One cornerstone of the bill was a change in the criteria for evaluating educators, which now include "multiple indicators of student academic growth." To effect this change, a new data system was defined and is in the process of being implemented. Finally, the bill created a Performance Evaluation Advisory Council (PEAC), which has been meeting regularly since June to develop recommended new evaluation guidelines for teachers and school administrators. A detailed action plan is in place guiding the Council's work.

This process of revising the teacher evaluation guidelines is the product of broad consensus in the education community. As Representative Fleischmann said on the floor of the House when bringing out the education reform bill:

"So, what we did is we got together key stakeholders and we made sure that they worked together to come to the measure before us... And so we have the Commissioner of Education in the room along with people from the teachers' unions. We had Representative Doug McCrory from Campaign Learn in the Black and Puerto Rican Caucus. We had Alex Johnston from ConnCAN. We had Joe Cirsuolo from the Connecticut Association of Superintendents."

We are concerned with the bill before you because it changes the process the education stakeholders agreed to last year. CEA believes the process begun by legislation last year should not be truncated by legislation this year and should be allowed to continue to its conclusion. Introducing legislative mandates into the collaborative process now underway will create confusion and delay reform.

A number of specific issues trouble us:

- 1.) This bill mandates a single model system of evaluation. The Performance Evaluation Advisory Council was charged with developing guidelines, which would give districts the ability to develop multiple models that align with the guidelines. Districts would be required to submit their plans to the state to ensure that the guidelines have been followed. The committee hopes to develop samples of models for districts to use which do not have the capacity to develop their own.

The ability for multiple models to be developed is important for two reasons. First, districts have different capacities and structures. A one-size evaluation model does not fit all. Second, as both the proposed bill and current evaluation statute defines teacher, the term includes everyone under the superintendent including principals, guidance counselors, school psychologists, and school nurses. Clearly, different evaluation models would be necessary for these other teaching categories.

- 2.) Training should not just be "offered" (as it is proposed in lines 18 and 87-88) but required so everyone can properly administer and participate in the new plans. Good policy without required implementation is empty.
- 3.) The rigidity of timelines in the proposed bill for both areas of improving instruction and terminating a teacher in reality create more state mandates, which the parties involved may not find reasonable or possible to meet.
- 4.) Removing the authority of superintendents, human resource/personnel directors, and other supervisory educators from the final decision to move to a dismissal (line 48) is dangerous and short-sighted.
- 5.) There are currently 6 statutory reasons for terminating a teacher. Adding a 7th reason for failure to successfully complete the plan is clearly unnecessary and redundant when one reads the six already in place. Lines 119-121 seem also to change significantly the statutory termination notification process, causing more confusion and ambiguity.

In summary, we ask that you not support this bill. Let the work on the Performance Evaluation Advisory Council continue. Let's do it right. We need to upgrade our current regulations to ensure an even more effective educator evaluation system. A fair, equitable, and flexible system will address each district's unique needs, while providing proper guidance and high standards for all. Thank you.



Testimony
Education Committee
Sharon Murphy Palmer

March 17, 2011

Happy St. Patrick's Day Sen. Stillman, Rep. Fleischmann and members of the Committee. On this beautiful day I am Sharon Murphy Palmer, Pres., AFT Connecticut, a diverse 28,000 member AFL-CIO union. Thank you for providing this hearing opportunity.

I am here today to support HB1160 concerning teacher evaluation and tenure. Actually, this is our vision of how teacher evaluation should work. I thank the chairs for allowing AFT Connecticut to share our ideas about crafting meaningful teacher evaluation.

Teacher evaluation statutes are currently under review and discussion by the Performance Evaluation Advisory Council and that work will continue. We believe it is important to put a framework around that initiative. The bill spells out a process of teacher evaluation, support, improvement and remediation if needed. If remediation is necessary, a plan and program must be implemented and can continue for no longer than one school year.

It is extremely important to us that evaluation inform practice and provide real opportunity for teachers to improve. It should not be a "gotcha" process, but rather one that coaches teachers toward better performance. The bill also requires labor/management collaboration on the design of an appropriate system. Quality teaching comes from quality evaluation, coaching and

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professional development, not by asserting that seniority is "quality blind". We are also very concerned about the large number of talented new teachers who are leaving our urban districts. We believe a robust and supportive system of evaluation may help with retention of those teachers.

We are also well aware of the debate regarding teacher competency and "bad" teachers in our ranks. It is often said that the process is too long and too expensive. We do not want incompetent teachers in our ranks, but we do demand fairness and due process for them. Therefore we are supporting the language in 1160 which limits the proceedings to 100 days should a dismissal proceeding be initiated.

We've heard over and over from legislators across the state that they would like a New Haven-style agreement in their local districts, but that takes an incredible amount of work that not every district is prepared to undertake. SB 1160 begins this process for them and allows them then to make adjustments that suit the unique needs of their individual districts.

Support of this bill is a bold step for AFT Connecticut and one which we do not take lightly. We hope you will join us in support of this proposed legislation. Please include us in discussions regarding the bill. This is an important and groundbreaking endeavor.

Thank you.

Testimony of Lon Seidman
Chairman of the Essex Board of Education and the
Regional School District 4 Supervision Committee
Supporting SB1160

My name is Lon Seidman. I am the Chairman of the Essex Board of Education and also presently chair the Regional School District 4 Supervision District Committee - a cooperative agreement entity formed under 10-158(a).

I am here today to support of SB1160, specifically the portions that allow for tenure or continuous employment status for teachers that are moved from a local or regional school district into a cooperative agreement committee.

Chester, Deep River, and Essex have essentially five boards of Education, including a board for each town's elementary school, a board for our regional school district (grades 7-12), and a fifth committee called the Supervision District that was formed under 10-158(a).

The towns of Chester, Deep River, and Essex have saved millions of dollars over several decades sharing costs on everything from central office staff to expensive programs like special education and pre-school. The Supervision District employs staff (including a number of teachers and our central office administrators) and functions much like its own school district for a number of shared programs.

And while we've achieved some significant cost savings, we have found that five boards of education for only three towns is a bit unwieldy.

We've struggled for the better part of twenty years to find a way to fully regionalize the district into a single Board of Education. Restrictions placed in the law about how regional districts are to be financed has made it difficult for us to find a way to regionalize in a financially equitable way. Currently Essex would be hit with a nearly quarter of a million dollar charge every year if we were to fully consolidate our districts into a single board.

So after much research we're trying a different approach by looking to consolidate all PK-12 educational services into a cooperative agreement.

This would allow for more flexible cost sharing without some of the inequities associated with a strict average daily membership cost calculation of a traditional regional school district.

Part of this discussion has involved the potential consolidation of teachers in the four districts into the cooperative agreement entity. This would reduce our number of teacher contracts from five to one, and allow for more flexibility in sharing and moving staff between buildings. Current law does not allow teachers to move from a district into a cooperative agreement without losing their tenure status. Having the option to give districts the ability to consolidate contracts into a cooperative agreement without a tenure penalty would be helpful for us as we investigate this plan.

Even short of our own full consolidation, this proposed change will give us and every school district in Connecticut additional flexibility to share staff and find ways to reduce cost by collaborating with neighboring districts.

I thank the committee for your consideration and ask that you support this important change.

Thank you.

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Without seeing any objection, so ordered.

Would the Clerk please call Calendar 637.

THE CLERK:

On page 35, Calendar 637, substitute for Senate Bill Number 1160, AN ACT CONCERNING THE DEVELOPMENT OF A MODEL TEACHER PERFORMANCE EVALUATION SYSTEM, AND TEACHER TENURE LAWS AND COOPERATIVE ARRANGEMENTS.

Favorable report of the Committee in Labor and Public Employees.

DEPUTY SPEAKER ALTOBELLO:

Representative Fleischmann, you have the floor.

REP. FLEISCHMANN (18th):

Ms, I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

DEPUTY SPEAKER ALTOBELLO:

Question is acceptance and passage. Please proceed.

REP. FLEISCHMANN (18th):

Thank you, Mr. Speaker. One moment, please. Mr. Speaker, the bill before us is going to be subject to a strike all amendment, previously designated Senate "A". I ask the Clerk to please call and I be given permission to summarize.

DEPUTY SPEAKER ALTOBELLO:

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Would the Clerk please call Senate "A", LCO
Number 8628.

THE CLERK:

LCO Number 8628, Senate "A" offered by Senators
Stillman, Boucher, and Representative Fleischmann.

DEPUTY SPEAKER ALTOBELLO:

Representative Fleischmann, you --

REP. FLEISCHMANN (18th):

Thank you, Mr. Speaker. The amendment now before us strikes the underlying bill and replaces it with a couple of simple measures. Most importantly, it fixes AN ACT CONCERNING CHARTER SCHOOLS, Senate Bill 1104, to make sure that we have absolute clarity that those who receive waivers and permits are permitted to do their jobs in Charter Schools. In addition, it has some modifications to the minimum budget requirement that were requested by members on both sides of this Chamber to clarify MBR. I move adoption.

DEPUTY SPEAKER ALTOBELLO:

The question before the Chamber is adoption of Senate "A". Further on Senate "A"? Further on Senate "A"? If not, I'll try your minds. All those in favor signify by saying Aye.

REPRESENTATIVES:

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Aye.

DEPUTY SPEAKER ALTOBELLO:

Opposed? The Aye's have it. Senate "A" is
adopted. Further on the bill? Further on the bill?
Representative Fleischmann.

REP. FLEISCHMANN (18th):

Yes, Mr. Speaker. I move that this item be
placed on Consent.

DEPUTY SPEAKER ALTOBELLO:

Seeing no objection, hearing no objection, so
ordered.

Would the Clerk please call Calendar 569.

THE CLERK:

On page 25, Calendar 569, substitute for Senate
Bill Number 1199, AN ACT CONCERNING THE DEPARTMENT OF
CHILDREN AND FAMILIES' DIFFERENTIAL RESPONSE AND
POVERTY EXEMPTION. Favorable report of the Committee
on Human Services.

DEPUTY SPEAKER ALTOBELLO:

(Inaudible) Representative Tercyak, you have the
floor.

REP. TERCYAK (26th):

Thank you, Mr. Speaker. I move for acceptance of
the Joint Committee's Favorable Report and passage of

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Thank you, Mr. Speaker. This represents our first Consent Calendar of the evening and I move its adoption.

DEPUTY SPEAKER ARESIMOWICZ:

Will the Clerk please read through the numbers on the Consent Calendar for the Chamber's edification, please.

THE CLERK:

Calendar 99, House Bill 6429. Calendar 331, Senate Bill 980. Calendar 399, Senate Bill 883. Calendar 439, House Bill 6632. Calendar 503, Senate Bill 1110. Calendar 585, Senate Bill 212. Calendar 586, Senate Bill 227. Calendar 491, Senate Bill 799. Calendar 535, Senate Bill 1116. Calendar 568, Senate Bill Number 1138. Calendar 637, Senate Bill 1160. Calendar 569, Senate Bill 1199. Calendar 616, Senate Bill 973. Calendar 583, Senate Bill 98. And Calendar 517, Senate Bil

SB1062

DEPUTY SPEAKER ARESIMOWICZ:

The question before us is on passage of the bills on today's -- Consent Calendar. Will you remark? If not, staff and guests please come to the Well of the House, members take your seats, the machine will be open.

THE CLERK:

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The House of Representatives is voting by roll call. Members to the Chamber. The House is voting today's Consent Calendar by roll call. Members to the Chamber.

DEPUTY SPEAKER ARESIMOWICZ:

Have all the members voted? Have all the members voted? If all the members have voted, please check the board to determine if your vote has been properly cast. If all the members have voted, the machine will be locked, Clerk will take a tally. Clerk, please announce the tally.

THE CLERK:

On today's Consent Calendar,

Total Number voting	148
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Necessary for passage	75
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Those voting Yea	148
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Those voting Nay	0
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Those absent and not voting	3
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DEPUTY SPEAKER ARESIMOWICZ:

Consent Calendar is passed.

Representative Sharkey, you have the floor, sir.

Is there business on the Clerk's desk?

THE CLERK:

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THE CLERK:

Motion is on adoption Senate Bill 1044, as
amended by Senate Amendment Schedule "A."

Total number of voting	36
Those voting Yea	36
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

Bill has passed.

Mr. Clerk.

Sir, you're not on

THE CLERK:

Calendar page 44, Calendar number 296, File
Number 510, Substitute for Senate Bill 1160; AN ACT
CONCERNING THE DEVELOPMENT OF A MODEL TEACHER
PERFORMANCE EVALUATION SYSTEM, AND TEACHER TENURE
LAWS AND COOPERATIVE ARRANGEMENTS, favorable report
from the committees on Education, Appropriations and
Labor and Public Employees.

THE CHAIR:

Senator Prague. No, Senator Stillman?

Senator Stillman, you both have the bill.

Senator Stillman.

SENATOR STILLMAN:

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SENATE

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Yes, good evening Madam President.

Sorry, it's the late hour. I think we're all a little punchy.

I move the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

Approval on the bill.

Will you remark further please?

SENATOR STILLMAN:

Yes, thank you, Madam President.

The Clerk has an Amendment LCO Number 8628.

THE CHAIR:

MR. Clerk.

SENATOR STILLMAN:

If he would kindly call it and I be allowed to summarize.

THE CLERK:

LCO 8628 which we designated Senate Amendment Schedule "A." It is offered by Senator Stillman of the 20th district in all.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Yes, thank you Madam President.

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I move adoption of the amendment.

THE CHAIR:

Questions on adoption.

Will you remark further, please?

SENATOR STILLMAN:

Yes, thank you.

This is a strike-all amendment and what it does is it provides an opportunity for schools who need some relief with their MBR who might send their students to a high school that's a regional school. We did not have any categories such as that for the minimum budget requirement that also establishes a category in terms of the poverty rate of a community. And the last part of the bill, of the amendment rather, also authorizes administrators holding a charter school educator permit to be authorized to supervise and conduct performance evaluations on teachers in their schools, and I move adoption.

THE CHAIR:

Questions on adoption.

Will you remark?

Senator Boucher.

SENATOR BOUCHER:

mhr/cd/gbr
SENATE

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Thank you, Madam President.

Madam President, I rise to support the amendment. This was a compromise achieved later on this afternoon and it should be supported.

Thank you very much.

THE CHAIR:

Thank you.

Will you remark further? Will you remark further? If not, let me try your minds. All those in favor of the amendment, please say aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, nay?

The amendment passes.

Senator Stillman.

SENATOR STILLMAN:

Thank you, Madam President.

If there isn't any objection, I'd like to ask to place this on Consent. Ok, I guess we'll have a roll call. Thank you.

THE CHAIR:

That's a great idea. Thank you.

mhr/cd/gbr
SENATE

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Mr. Clerk, will you please call for a roll
call?

THE CLERK

Immediate roll call has been ordered in the
Senate...

THE CHAIR:

The machine will be open.

THE CLERK:

Will all Senators return to the Chamber.

THE CHAIR:

Hold on a minute. Hold on a minute. Sorry,
sorry.

Senator Looney.

SENATOR LOONEY:

Madam President, if we might stand at ease for
just a moment?

THE CHAIR:

I would like that. Senate will stand at ease.

(Chamber at ease.)

SENATOR LOONEY:

Madam President.

THE CHAIR:

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Senator Looney.

SENATOR LOONEY:

Yes, thank you.

Madam President, if we might place that item on the Consent Calendar. That is calendar page 44, Calendar 296, Senate Bill 1160, as amended.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

And if we might stand at ease for just a moment.

THE CHAIR:

The Senate will stand at ease.

SENATOR LOONEY:

Thank you, Madam President.

(Chamber at ease.)

THE CHAIR:

The Senate will come back to order.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

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From the items previously placed on the Consent Calendar, the first one is on calendar page 12, Calendar 507, Substitute for House Bill Number 6295.

The second is on page 20, Calendar number 556, House Bill 6249.

The next is on calendar page 23, House Bill 569, I mean Calendar 596, House Bill 5816.

Next is on page 25, Calendar 580, House Bill 6250.

The next is on page 44, Calendar 296, Senate Bill 1160.

THE CHAIR:

Will you call for a roll call vote, please?
And the machine will be open.

THE CLERK:

An immediate roll call vote has been ordered in the Senate. Will all Senators please return to the Chamber. An immediate roll call vote has been ordered in the Senate. Will all Senators please return to the Chamber.

THE CHAIR:

Senator Musto, will you join us in a vote please?

Thank you sir.

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If all members have voted. All members have voted. The machine will be closed and Mr. Clerk will you call the tally?

THE CLERK:

Madam President.

Vote on the second Consent Calendar.

Total Number Voting	36
Those voting Yea	36
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

Consent Calendar 2 has passed.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, would move all items voted this evening that require additional action in the House of Representatives be immediately transmitted.

THE CHAIR:

See no objections, so ordered sir.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, since it is midnight I was tempted to make a motion for sine die but I think