TESTIMONY ON SB 1097

Dr. Sally E. Doyen, Superintendent of Schools
PORTLAND PUBLIC SCHOOLS

I am concerned about two provisions of SB 1097 because one of those provisions in essence makes the evaluation system for teachers and principals a mandatory topic of bargaining with the bargaining agents for both groups and because another provision substitutes an ineffective implementation plan for the one that was developed by the Performance Evaluation Advisory Council (PEAC).

Under present statute, the local board of education has final authority over the teacher and principal evaluation system as long as representatives of the bargaining unit involved are consulted prior to a decision being made. Section 1 (b) of the proposed bill, however, removes from the Board of Education this final authority regarding the system that will be used to evaluate teachers in every school system in the state. The authority would rest with the professional development and evaluation committee unless the committee and the Board could not agree. If that is the case, the district would be obligated to implement the state model plan.

Members of professional development and evaluation committee members, however, have no responsibility for the results achieved by a school system. Only boards of education and the superintendents whom they hire have this responsibility. The bill, then, would give authority over a school system function that is directly related to the results achieved by a school system to a body that has no responsibility for those results.

The bill would also constitute a significant departure from over thirty years of history by making moot the 1986 Wethersfield case that holds that teacher evaluation systems are not a mandatory subject of bargaining.

Section 1(a) of the bill would require every district to implement the new evaluation system with every certified professional in the district in 2014-15. There would be no phase in and no resultant opportunity to learn from that experience before we go to full implementation. To avoid this kind of situation, the PEAC reached consensus on a process whereby 2013-14 would be a bridge year during which districts could choose among acceptable phase in options. This consensus, while it does not necessarily represent all of the phase in options that I would like to have seen offered, at least recognizes the fact that going to full implementation in every district in the state in any one year with no bridge year before that is a recipe for failure.

I urge you, therefore, not to support SB 1097 as it is presently written and instead, to refer to the PEAC the issues which the bill attempts to address. That body is best equipped to make recommendations regarding implementation schedules, phase in options and decision making processes.

Dr. Sally E. Doyen, Superintendent of Schools

3/13/2013
Date