



Stand for Children Ballot Initiative: Harmful to Students, Unfair to Teachers

At the heart of being a teacher is being an advocate for children. In partnership with parents and the entire school team, teachers work tirelessly to ensure that students get the support and resources they need to be successful in school and life.

Unfortunately, an organization called Stand for Children (SFC) has filed an initiative petition that would dramatically diminish the professional voice of teachers in schools. The initiative is likely to appear on the Nov. 2012 ballot.

Stand for Children claims that the initiative will “promote excellence in public schools,” but a closer examination shows that it will have the opposite effect: It could drive great teachers from the classroom and will silence teacher voices at the expense of children.

The initiative could drive great teachers out of the classroom.

The SFC initiative would change current law so that an experienced teacher who loses his or her job because of a school closing, layoff, or program/position cut would lose all rights to another job in the district.

Under the proposed initiative, the displaced teacher could enter a new school *only* if the principal in the new school “agree(s) to the hiring and assignment.”¹

The above is true even for teachers with outstanding track records and multiple years of strong evaluations.

The initiative would tie key layoff and personnel decisions to a brand-new, yet-to-be-tested evaluation system, robbing teachers of due process rights along the way.

The initiative would change current state law so that, in cases of layoffs or program/budget cuts, decisions about which teachers go and stay would be primarily determined by evaluation ratings.²

This change would come at a time when the state is rolling out brand-new and untested teacher evaluation regulations. For this and other reasons, Mass. Secretary of Education Paul Reville has said the ballot initiative “is not well timed” and “would not be helpful to our efforts to improve evaluation and execute a variety of other educational reforms.”³

¹ See Section 9 of the initiative. The full text of the initiative is available at: <http://www.mass.gov/ago/docs/government/2011-petitions/11-20.pdf>.

² See Section 5 of the initiative.

³E-mail from Secretary Reville to the Working Group for Educator Excellence, Nov. 19, 2011

The new regulations require that teachers receive one of four ratings for overall performance: exemplary, proficient, needs improvement, or unsatisfactory.⁴

Therefore, under the initiative, a teacher with 25 years of experience who is rated “proficient” could be let go ahead of a two-year teacher who is rated “exemplary,” even though the difference between proficient and exemplary may be miniscule.

What’s more, the initiative gives a teacher little or no ability to appeal a rating,⁵ and no ability to appeal a layoff decision. This means that, in cases of staff reductions or school reorganizations, a teacher could be effectively terminated based on alleged performance flaws—even minor ones—that the teacher has no opportunity to dispute or rectify.

The initiative, by removing due process rights, would severely restrict teachers’ power to advocate for children and better school policies.

Current workplace protections—including the requirement that an employer show “just cause” before terminating an experienced teacher—exist so that teachers can advocate for educational quality without fear of retribution.

But, under the SFC initiative, **one** not-quite-perfect evaluation—which the teacher has no right to challenge—could cost an experienced, high-quality teacher his or her job in cases of staff reductions or school reorganizations.

Removing due process for teachers in this manner would have a chilling effect. It would rob teachers of their power to speak their minds freely, since doing so might result in a lower performance rating and a greater risk of job loss.

Particularly vulnerable might be higher-paid teachers, teachers with health issues, teachers with family obligations, outspoken teachers, or politically active teachers.

The initiative would severely limit teacher voice in the design of evaluation systems.

The SFC initiative would drastically roll back teacher bargaining rights, allowing school committees to ultimately impose on teachers a non-bargained evaluation system.⁶

Thus, the initiative would attach huge stakes to evaluation ratings while removing the right of teachers to have a guaranteed role in evaluation system design.

Imposing a teacher evaluation system would not only be unfair and top-down; it would likely rule out peer assistance and review (PAR) and other innovative approaches to evaluation that emphasize support and improvement, not “gotcha.”

Teachers and their unions want rigorous and meaningful evaluation systems, but should also have a say in their design.

⁴ Read the full regulations at <http://www.doe.mass.edu/lawsregs/603cmr35.html>.

⁵ Section 2 of the initiative provides a limited re-evaluation process *solely* for teachers rated unsatisfactory; final decisions lie with the superintendent. No appeals are permitted for teachers rated proficient or needs improvement.

⁶ See Section 2 of the initiative.