

February 8, 2012

The Honorable Clay Aurand, Chairperson
House Committee on Education
Statehouse, Room 174-W
Topeka, Kansas 66612

Dear Representative Aurand:

SUBJECT: Fiscal Note for HB 2634 by House Committee on Education

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2634 is respectfully submitted to your committee.

HB 2634 would amend current law regarding teacher certification, school employee performance and evaluation and professional development. The bill would provide that no applicant for licensure be required to complete a teacher preparation program prior to certification as a teacher in the following areas of instruction: science, technology, engineering, math, or career technical education. In addition, no Teach for America participant would be required to complete a teacher preparation program prior to certification as a teacher.

The State Board of Education would require successful completion of a subject matter assessment for all applicants and Teach for America participants prior to certification as a teacher. A subject matter assessment would be defined as an assessment designated by the Board to measure the individual's teaching knowledge in the subject matter for which the individual is seeking certification. An applicant or Teach for America participant would only be authorized to teach in the subject or subjects specified on the face of the certificate. The Board would be required to adopt rules and regulations necessary to comply with the provisions of HB 2634.

In addition, the bill would establish the Teacher Performance Incentive Program to be administered by the Board. This program would reward teachers who have increased student achievement for at-risk pupils. The Board would determine the process for nominating teachers for awards under the program. Subject to appropriations, the Board would determine the number of awards each school year. Performance incentive awards in the amount of \$5,000 would be paid to the district in which an award winner is employed.

HB 2634 would establish criteria for teacher evaluations with the following rating categories: highly effective, effective, progressing, and ineffective. The designation of a rating category would be based on the employee's performance using the following allocations: (1) 50.0 percent based on growth in student achievement; (2) 40.0 percent based on input from supervisors, peers, parents and students; and (3) 10.0 percent based on contributions to the

profession, including, but not limited to, educator collaboration, leadership and professional development.

Employees would be provided a plan of assistance including a timeline for when any recommended improvement is expected to be achieved. If the employee would receive a rating of progressing or ineffective, a plan of assistance would include a process by which the employee is given the opportunity to correct the identified deficiencies within 90 school days from the date the plan of assistance is implemented. Any teacher who receives a rating designation of ineffective in two consecutive school years and has been provided an opportunity to participate in professional development may be terminated. In addition, the bill would provide that a pupil could not be instructed for two consecutive school years by two consecutive teachers with an evaluation rating of ineffective in the preceding school year.

If a school district employee would receive a rating designation of progressing or ineffective, the employee would be entitled to an in-person conference with the superintendent to discuss the employee's evaluation.

The bill would provide that the Board adopt rules and regulations relating to expenditures of state aid necessary to administer and enforce professional development. Any funds received would be expended towards deficiencies identified through the evaluation procedure and to support activities identified by the Board that measure teacher performance including growth in student achievement.

Local boards of education could apply to the Board for a state grant for the purpose of paying the costs for a probationary teacher or administrative employee to attend mentor programs. The State Board would provide any local board of education with technical advice and assistance regarding an application for grant monies. Each local school district would be required to adopt a written policy of personnel evaluation procedures, including the Kansas Educator Evaluation Protocol, which has been adopted by the Board.

According to the KSDE, enactment of HB 2634 would require expenditures for the mentor teacher program in the amount of \$1.1 million, all from the State General Fund. The Governor has recommended expenditures at this level for the mentor teacher program in *The FY 2013 Governor's Budget Report*. In addition, the agency states that the number of teachers who would be eligible for a teacher performance incentive award is not known. However, if 200 teachers would qualify for the award at \$5,000 each, award expenditures would total \$1.0 million, all from the State General Fund. Award expenditures have not been included in *The FY 2013 Governor's Budget Report*.

Sincerely,



Steven J. Anderson, CPA, MBA
Director of the Budget