



KANSAS NATIONAL EDUCATION ASSOCIATION
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Topeka- The recent press release by the office of Kansas Speaker of the House, Ray Merrick, once again asks teachers, parents, and Kansans in general to put aside facts. Just as representatives in Merrick's own party spent the weekend ramming through a school finance bill laden with bad policy that has never been opened for public debate or committee consideration in the legislature, Merrick's interpretation of the due process amendment in HB 2506 is filled with misdirection. ***In effect, the lack of transparency and the punitive measures in the due process policy amendment of this bill illustrate the very abuse of power and culture of retribution due process was intended to prevent.*** We believe that this press campaign on the part of those who voted in favor of this harmful policy is a deliberate attempt to further mislead the public about the actual intent and language of HB 2506.

FACTUAL CLARIFICATION:

- HB 2506 ELIMINATES due process and teachers can be fired at-will and for no stated reason. Referring to protection under the constitution of the United States is grossly misleading.
- Due process protections referenced in Merrick's press release are actually nothing more than an admission that the Kansas legislature cannot strip teachers of their constitutional rights as citizens of the United States.

IMPLICATIONS IN THE CLASSROOM AND DISTRICTS:

- Teachers' ability to advocate for the needs of their students without fear of retribution is severely diminished. Examples:
 - **Teachers who have students with needs for costly services like those with autism, dyslexia, severe physical or emotional exceptionalities can be pressured to minimize the need for services.**
 - Facilities and classrooms that may be a health and safety hazard and need of costly repair or remediation may go unreported. There are numerous examples of this in workplaces without due process.
 - When teachers are pressured to give special consideration to students whose parents are influential such as board members, politicians, dignitaries, or even star athletes, **cultures of 'cover up', harassment and bullying can grow.**
- Merrick's press statement refutes the implications by stating that constitutional rights would protect teachers in the cases stated above. However, we don't believe it is reasonable to expect that those perpetrating these abuses of power would report that

they have done so when a teacher is dismissed for not bowing to pressure or speaking out.

- If this policy portion of the bill is enacted into law, the only redress by teachers who have been the victims of abuse of power is costly civil litigation. The time and expense to school districts to defend themselves in these cases far outweigh that of the processes that are currently in place, working, and valued by teachers and administrators alike.

KNEA and its members SUPPORT a clean education funding bill without punitive policy.

We believe that these policy pieces were added to advance Governor Brownback's anti-public education, pro-special interest agenda. Combined with tax credits for private schools, the self described "Governor's bill" HB 2506 while restoring some funding actually is a net loss when the additional costs are calculated. We are extremely disappointed by the methods used to shove these policies into the bill under cover of darkness and without any (let alone adequate) open debate.

As Representative John Bradford recently remarked, "some good teachers will fall through the cracks" due to this bill, and we believe that losing, injuring, and diminishing teachers in this way also diminishes students. Statistics regarding teachers who don't belong in the profession also support what we already know. So-called "bad teachers" or ineffective teachers don't last because a rigorous 3-year probationary period along with current due process laws is a mechanism for removal that simply works. In fact, superintendents and administrators from throughout the state have indicated their desire to stick to the current system.

If Governor Brownback actually cares about the safety and well-being of students, if Governor Brownback actually supports teachers and if he believes as he said in this year's state of the state that we should "ask the experts, ask teachers," then we expect him to VETO the bill with these harmful policy amendments. The teachers have spoken en masse. The Governor was absent while hundreds of teachers and public education supporters came to the statehouse and advocated for their rights and the rights of students until the wee hours of the morning. Attacks on public education during Brownback's tenure are well documented. ***Passage of HB 2506 in its current form would be Governor Brownback's clearest message yet that he is actually anti-teacher, anti-student, anti-public school and pro-special interest.***

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