

## Hawaii Charter Schools in Limbo Over Teacher Evaluations

By Alia Wong CONNECT | 09/18/2013

Hawaii is trying to find out whether its public school teachers are making the grade.

This year's Hawaii public school teachers are being evaluated under a new, controversial [performance evaluation system](#) that takes into account in-classroom observations, student surveys, academic growth and other measures that determine the size of raises that teachers will get during the next school year and beyond.

But the new system is spurring confusion and secondary problems because it is not clear whether charter school teachers' salaries are being pegged to the same measures.

This uncertainty has left officials at those schools in a quandary. A month into the current school year, charter schools are scrambling to negotiate supplemental agreements — add-on customized contracts between the DOE and each school — with the Hawaii State Teachers Association. The previous supplemental agreements expired two months ago.

Charter school officials say it's hard to negotiate a new agreement when they don't know whether their teacher evaluation models are in compliance with state and federal policy.

[Board of Education](#) policy requires that the state use a comprehensive system to evaluate teachers but it doesn't say whether charter schools are subject to the same system. While federal stipulations say Hawaii's charter schools can choose to use the state's evaluation model or develop a separate one that meets the same criteria as that used by the state, it doesn't define what those criteria are.

"We're not seeking to add a bunch of rules to the charters — that defeats the purpose," Tom Hutton, executive director of the Hawaii State Public Charter School Commission, told [Civil Beat](#). He added that ambiguity causes more problems than rules.

The charter school question came up at a BOE meeting Tuesday, with Hutton requesting that board members change the teacher evaluation policy to include explicit guidelines for charter schools.

Charter schools are [required to comply](#) with all BOE policies that are applicable to them. The question is which policies apply.

The teacher evaluation quandary grew out of [school board policy 2055](#), which was [adopted last year](#) and stipulates that the DOE use "a common and consistent" system to evaluate teachers and principals, creating a feedback loop that helps educators improve their practice.

But policy 2055 "is silent as to its applicability to charter schools," the charter school commission memo says. "Charter schools" don't even get a mention in [the regulation](#).

The only guidance that charter schools get appears in the [application](#) that Hawaii submitted to the U.S. Department of Education last September when it sought an exemption from certain No Child Left Behind requirements.

The application says charter school governing boards can choose to implement the state's teacher evaluation system, in which case they'd get all necessary support — including things like in-classroom training — to adopt the new system. Alternately, the charter school boards can develop and implement their own teacher evaluation system as long as it "meets the criteria outlined in Board Policy 2055."

School board members on Tuesday said that the charter schools officials' confusion was "misplaced."

BOE policies, they said, don't apply to charter schools unless they explicitly say that they do, and that should be a given.

But pointing to the state's application to the US DOE, Hutton emphasized that it's clear that charter schools are subject to certain provisions even if they use their own evaluation systems.

"We have erred on the side of giving the charters as much autonomy as possible ... we just want to make sure it



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doesn't cause any problems with the feds," he said.

Board members said they would deliberate and then take any necessary action in October, but after the meeting Hutton said he anticipates that the board will decide to give charter schools substantial leeway in their individual teacher evaluation models. That would mean, in theory, that charters wouldn't have to use the same measures required in DOE-operated schools.

John Thatcher, principal of the Big Island's Connections Charter School, told [Civil Beat](#) he's crossing his fingers that the board opts for maximum flexibility, citing the teacher evaluation system he's used at his school for 11 years. The main difference between Connections' evaluations and those now used by the state, he said, is that his don't factor in students' test scores.

Connections is a small K-12 school that employs about 25 teachers and serves roughly 360 students, about a third of whom are special-needs. At such a small school, and one that serves many special education students, test scores aren't an effective way of gauging performance, he said.

"It's not an accurate instrument that's going to maintain its validity for all kids from year to year," he said, noting that his evaluations incorporate professional portfolios, classroom observations, formative assessments and teacher research projects, among other components.

Meanwhile, Rep. Takashi Ohno, vice chair of the House education committee, said he hopes the board will acknowledge that charter schools by definition should be given flexibility to experiment with alternative learning and teaching models.

"Charter schools are meant to be laboratories for change in education, and if they can, under the broader policy, create their own means for evaluating their teachers I look favorably on that," Ohno said. "I think the most organic means to actually address teacher evaluations is to give each charter school board the ability to decide the criteria."

Developing and finalizing the teacher evaluation system [has been no easy task](#) for the state, in part because of widespread [concern over components such as the student surveys](#). Teacher evaluations were a major sticking point in collective bargaining negotiations between the teachers union and the state, delaying a contract agreement for months.

The union ultimately [approved the contract](#) on the grounds that it would get to help the department and school board finalize the new system. It [wasn't until late June](#) that union and state representatives first got together to agree on a final draft.

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DISCUSSION: *How much leeway do you think charter schools should get in developing their own evaluation models?*