



## MONTANA ASSOCIATION OF ELEMENTARY AND MIDDLE SCHOOL PRINCIPALS

SENATE EDUCATION

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EXHIBIT NO. 1

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DATE 2-21-11

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BILL NO. SB388

For the Record, my name is Darrell Rud and today I am representing the Montana Association of Elementary and Middle School Principals (MAEMSP) and the Montana Association of Secondary School Principals (MASSP). I stand as an opponent of SB388 that would, according to its short title, "*Generally revise education laws for tenure flexibility*".

I will submit this written testimony and will only highlight the key points of my opposition to this bill.

- Wanted by Michael Fullan
  - "A miracle worker who can do more with less, pacify rival groups, endure chronic second-guessing, tolerate low levels of support, process large volumes of paper, and work double shifts. He or she will have carte blanche to innovate, but cannot spend much money, replace any personnel, or upset any constituency."
    - In SB388's situation, that constituency appears to be a School Board.
- From a research perspective:
  - Teachers are the key to student achievement in the classroom for the students that they teach each year;
  - Principals are the key to student achievement in the school building as a whole for the students enrolled there each year.
    - *The Principal, Keystone of a High-Achieving School: Attracting and Keeping the Leaders We Need*
    - *Effective Schools Correlates*
    - *McRel's School-Level Meta-Analysis*
    - National Conference of State Legislatures (NCSL), *The Role of School Leadership in Improving Student Achievement*
    - *The District Leadership Challenge: Empowering Principals to Improve Teaching and Learning*, Southern Regional Education Board
  - Leadership teams in school districts that work together with common goals and objectives are most effective in raising student achievement
    - In districts that are most successful in raising student achievement, principals, superintendents, central office personnel (as applicable), trustees, and in some case teacher leaders are the partners in these leadership teams that work together for their common goal accomplishments.
    - District Leadership "sets clear, non-negotiable goals for learning and instruction, yet provides school leadership teams with the

responsibility and authority for determining how to meet those goals.”

- Next to teachers, principals are the most trusted school employees in terms of confidence of parents.
- Principals are a very effective and affordable management investment.
  - *Answering the Critics of School Administration: What are the Facts?*
- From a legal review perspective from materials distributed by school law attorneys:
  - First District Court Judge Dorothy McCarter recently concluded in the *King v. Hays/Lodge Pole* case that the professional roles of teacher and principal are not comparable positions of employment and transfers between the roles without certain procedures being followed are not lawful. Following Judge McCarter’s decision is prudent until and unless the Montana Supreme Court issues a different decision.
  - Principals would no longer be provided good cause if SB388 were to pass and survive litigation challenges.
    - Is that a good way to deal with professional educators who are or should be part of a district’s leadership team?
    - Would any attempt be made to deal with teachers with collective bargaining rights in this manner?
    - Is it sound school management practice to treat your on-site middle managers with less legal protection than what would be guaranteed to non-tenured teachers?
      - Regarding immediate loss-of-salary, including the property right of tenure!
- Montana specific studies
  - *Who Will Teach Montana’s Children?*
  - *Montana School Leaders: Superintendents and Principals*
  - *Who Will Teach Montana’s Children Follow-up Study?*
  - *Who Will Staff Montana’s Schools?*
- Administrative rules, laws, and policies already in place
  - Chapter 55 of the Montana Accreditation Standards
  - District level policies and procedures for evaluating professional and non-professional personnel
- Other questions and concerns?
  - Why would a tenured teacher in a district give up their legal rights and protection to assume a longer contract, only a slight differential in salary in many cases (frequently less/day), significant additional responsibilities both during the day and extended further into the evening and weekend hours with this threat hanging over their head?
  - What would be the attraction for coming to apply for a position when coming from another state knowing that such a law as SB388 is a clear statement that your new opportunity for leadership may be extremely tentative and your continued employment as a principal may be very insecure in this new position in our state?

- In fact, I've suggested that this bill be re-titled: *So Why Would Someone Want to Become a Principal.....or move to this state to take a job?"*
- In like manner, why would a strong and effective teacher (or anyone else, for that matter) want to take this risk for leadership to put on the challenging hat of a principal and take the risk of being a strong advocate on behalf of students and quality education while at the same time "walking on eggshells" as to not offend one or more trustees who, in an emotional knee-jerk reaction, could recommend and vote for a career altering decision without any recourse for the principal who may have been doing the right, but unpopular thing in accordance with policies, rules, laws, common sense, ethics, and core values.
- Is this proposed legislation just a single district concern? If so, is it good public policy to create legislation affecting so many with the issue only of concern in one obvious area? Why are the current policies and procedures for supervision and evaluation not adequate to deal with these issues both on a district-by-district and statewide basis?
- What will be gained by this legislation that certainly is highly likely going to damage trust and collaboration if it hasn't already done so? How will Montana's public education system be improved with this dramatic action?
  - School districts can and should build principals' (and superintendents') capacity to provide the desired and important instructional leadership!
  - School districts can and should assess principals fairly.
- Would tenured teachers, selected to be principals and "reassigned" back into the classroom (provisions of SB388) regain their prior attained property right of tenure or do they need to start over?
  - If so, this could be an interesting "journey" for reducing the amount of tenured staff within a district!
  - How would principals hired from out-of-state be dealt with that may not have applicable teacher licensure and certainly would not have attained tenured teacher status in our state?

School Board trustees have a thankless job but I have always valued and collaborated with these community volunteers who do their thankless jobs of being our "bosses" and/or leaders of the districts that they reside in.

"A boss creates fear, a leader confidence. A boss fixes blame, a leader corrects mistakes. A boss knows all, a leader asks questions. A boss makes work drudgery, a leader makes it interesting. A boss is interested in himself or herself, a leader is interested in the group."

–**Russell H. Ewing,**  
**British journalist**

Why are the proponents of this bill appear to be trying to fit the boss criteria exhibited in the above quote? As a long-time principal and nearly 32 year Montanan, I wanted and needed Board of Trustees to show positive and collaborative leadership.

Committee members, I ask you to vote DO NOT PASS on SB388. Let's collaboratively continue to build and improve our good schools with a shared goal of making them even better

Respectfully submitted,

A handwritten signature in cursive script that reads "Darrell Rud".

Darrell Rud