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**Oral Testimony – Proponent**

House Committee on Education  
House Bill 2163  
February 6, 2023

Chairman Thomas, members of the Committee, thank you for the opportunity to submit testimony in favor of HB 2163.

I stand before you today and make the sincerest appeal to this committee to help us restore statutory due process for Kansas Teachers by passing HB 2163. We make this appeal coming from several angles:

- Fairness
- Respect for Kansas Teachers
- Tackling the teacher shortage
- Protection of our teachers and students
- Practicality

The 2023 Legislative session has started with legislators from both political parties, and of all political stripes, joining in a chorus of glowing and supportive statements regarding public school teachers. Words are powerful and KNEA and its members appreciate these words. However, actions speak louder than words.

Please turn those words in to action. Now is the time to restore statutory due process to our Kansas Teachers.

**Fairness**

The process to strip teachers of their statutory right to due process was legendary in its lack of procedural adherence and basic fairness. This happened in the 2014 legislative session literally in the middle of the night. It was not a bill. It did not receive a hearing. It was accomplished by an amendment during a school finance debate that happened after midnight in the floor of the Kansas Senate.

Conference Committee negotiators refused to do the right thing and legislators were left with an up or down conference committee report with no method to amend.

This was an act of pure gamesmanship. It was wrong. Please right this wrong, it's just a matter of fairness.

**Respect for Kansas Teachers**

Teachers have been coming before this body for years testifying that they feel undervalued, attacked,

disrespected, and burned out. Well-meaning legislators have tried to assure them that they are valued and respected. Some legislators have taken exception with being accused of attacking teachers. Many legislators have vowed their support for teachers but have fallen short in supporting legislation that teachers have asked for.

“What can we do to show teachers that we value them?” Has been a question frequently asked by countless legislators for many years. One simple answer would be **restoring statutory due process**.

### **Teacher Shortages**

Very little disagreement exists regarding the crises of recruitment and retention of teachers in Kansas. Numbers of teachers and substitute teachers are at an all-time low. Standards for licensing for substitutes have been dropped dramatically to address this issue. Legislation that could have the impact of lowering standards for full time teacher licensure is being considered as well. As the standards for professionalism fall, the risks of putting underqualified teachers in the classroom rise. This causes a crisis in learning outcomes and our children face the consequences.

“What can we do to help tackle the teacher shortage crises in Kansas?” Has been a question frequently asked by countless legislators for many years. One simple answer would be **restoring statutory due process**.

### **Protection of our Teachers and Students**

The issues mentioned in the last two segments of this testimony are often intertwined. Teachers who feel devalued often leave the profession permanently and one obvious result is teacher shortages. When shortages occur, class sizes rise. This legislature is beginning to learn that another crisis in education is that teachers are seeing a significant rise in dangerous classroom situations. If a teacher is unsafe in the school setting than our children obviously are as well.

With classroom violence on the rise, larger class sizes caused by teacher shortages is the last thing we can allow to happen.

“What can we do to ensure that students and teachers are safer in the classroom?” Has been a question frequently asked by countless legislators for many years. One simple answer would be **restoring statutory due process**.

Another safety issue for teachers that is often overlooked is the safety of reputation and career. As class sizes get bigger and chaos becomes more prevalent, teachers are being put in the position to do things that were never foreseen even in the recent past. Statutory due process gives teachers the protection to control and regulate the behaviors of students without the fear of being unfairly fired for dealing with unruly students.

“What can we do to help teachers deal with behavior issues in the classroom?” Has been a question frequently asked by countless legislators for many years. One simple answer would be **restoring statutory due process**.

### **Practicality**

Contrary to popular belief, due process doesn't protect bad teachers it **protects good teachers**. Due process is **not automatic** and is **not frequently used**. If a teacher is terminated that teacher must initiate the process. If a paper

trail exists of poor performance due process is often not sought because the likelihood of being reinstated is not high. But that paper trail, also known as the **evaluation process, must exist.**

KNEA would attest that since due process was repealed and school districts have no obligation to notify a teacher as to why they're being terminated. Due to this, school districts no longer have to take the evaluation process seriously because the evaluations are meaningless in the process.

On the flip side, if due process was restored with binding decision language, teachers would be evaluated properly, and evidence would exist showing the true level of performance of teachers. This process would give underperforming teachers with high potential the ability to reach that potential. This evidence would also give school boards and administrators the evidence to relieve individuals that aren't right for the teacher profession. In the end this evidence would also deter unnecessary use of due process.

This would only strengthen our public school system.

In closing, Emotions surrounding education are always high. Rhetoric surrounding education issues is always hot. This is simple to understand because it involves our children. We love our children more than anything in the world. Teachers love our children too. And a great majority of Kansans love our teachers too.

Restoring statutory due process would be so easy to do. It would not hurt anyone. As a matter of fact, it would help a lot of people. The time is right for all the reasons mentioned above. KNEA believes it would go a long way to restore trust between teachers and the legislature and we know you all would see teachers return their appreciation in ways that we'd all benefit from.

Thank you for your time.