



Ron Hobert, President
rhobert@aftks.org
HB 2163 Written Supporting Testimony
House Education Committee
6 February 2023

Chairman Thomas and members of the House Education Committee,

Thank you for the opportunity to submit this written testimony in strong support of House Bill 2163

My name is Ron Hobert, and I am the president of the American Federation of Teachers – Kansas. I have also worked for over 30 years as an educator, both in public schools at USD 259 in Wichita and in private schools at the Catholic Diocese of Wichita. I am testifying today as both a representative of the thousands of public employees, parents, and Kansans that AFT Kansas serves, and as a dedicated and passionate teacher committed to providing our students with the best education possible. That is why I am testifying in support to this bill. An important right for every single educator in the state of Kansas.

In 2014, dedicated, experienced Kansas teachers' saw their due process rights stripped away by the Kansas Legislature. The elimination of this basic employment right wasn't in response to some great problem facing our Kansas schools. We know that the last year in which teachers in Kansas had this right it was used only 18 times according to the Kansas State Department of Education.

In that light, getting rid of due process seems like a solution in search of a problem. In fact, it was a response to a big money national campaign to attack teachers and their unions to silence the teachers' voice. Tenure provides teachers who have demonstrated competence after a probationary period with due process rights before being fired. If we all remember back to high school Government class, we were taught as American citizens we all are entitled to certain rights. For example, a jury of one's peers today in the United States refers to **the right to a trial by an impartial jury chosen from a cross-section of the community**. The Sixth Amendment to the United States Constitution guarantees this right. To me, it is the same situation as teacher tenure, but that right was stripped away from all Kansas educators which only increases teacher stress. When states pass laws that limit teachers' voice on the job, those teachers' stress levels increase. I know that's what happened in Kansas because I was teaching Second Grade in Wichita Public Schools. Due process is the essential prerequisite for having a voice on the job. Without it, teachers can be fired for exercising their right of freedom of expression, and association. And, you know there have been times where the loss of this protection meant teachers were more intimidated about speaking up on behalf of the children they served than they should have been. We expect people to do the hard right and not the easy wrong, but we shouldn't think it's good public policy to make it harder to do right.

AFT-Kansas

1300 SW Topeka Blvd. · Topeka, KS 66612 · 785-235-0262 · Fax 785-235-3920 ·
Toll Free 1-800-232-5273

Historically, one of teacher tenure's core original functions was to protect against racial discrimination. For example, tenure provided a way to shield black teacher from racist principals. Dana Goldstein states in 1955, in reaction to *Brown v. Board of Education*, several southern states (Alabama, Florida, Kentucky, North Carolina, South Carolina Tennessee and Virginia) repealed tenure laws to allow white officials to easily fire black teachers in newly integrated schools.

In 2014, you can imagine hearing the argument that we've reached a point where the need for that protection was obsolete. I didn't agree with that argument in 2014, and I certainly don't agree with it now. In a time when many are hoping teachers can help address problems children face that are beyond the old fashioned "3 R's" and some believe that those "3 R's" are the limits of what teachers should do, giving some grace to the people who are working every day to navigate those fault lines seems like the proper thing to do. We put our trust in teachers to take on some of the most important tasks, teaching our kids, providing help and support to them and their parents to which a strong foundation for a community is built. In those rare instances when they are falsely accused of incompetence or impropriety, they deserve the chance to have a fair hearing.

For all these reasons, it is imperative to restore due process rights for all public-school teachers. Teachers are professionals, and they deserve to be treated like professionals. They deserve a State Legislature that supports and respects them, not one that denies them basic due process rights.

AFT Kansas stands in full support of HB 2163 and we urge the Committee to give favorable consideration to this bill.

Thank you for your time and support.

AFT-Kansas

1300 SW Topeka Blvd. · Topeka, KS 66612 · 785-235-0262 · Fax 785-235-3920 ·
Toll Free 1-800-232-5273