

Why are Kentucky state legislators protecting school board members and superintendents and not the rights and interests of taxpayers?

By Mike Farrell

In a landmark decision of the Supreme Court of the United States, Justice William Brennan wrote this country has “a profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open, and that it may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials.”

Kentucky legislators failed to honor that principle when they voted to allow elected school board members to evaluate the performance of school superintendents in secret.

Senate Bill 178 will allow school board members to conduct performance evaluations of the superintendent behind closed doors. It is an appalling piece of legislation that works against good government, undermines transparency and strips away the rights of taxpayers who spend millions each year to provide children a quality education. This is the opposite of education reform.

What government service is more important than providing a quality education for Kentucky’s children? Is anything more important to Kentucky’s future than ensuring that every public school system is doing the best job with the resources it has? And the person most responsible – who thus should be most accountable to the people paying the bills – is the local school superintendent.

The work of the superintendent is evaluated by school board members, citizens from the community who choose to run for office. Their most serious responsibility is selecting and evaluating the work of the superintendent.

Then why in the world should school board members evaluating the performance of the superintendent be able to hold secret meetings that exclude the public?

The *Courier-Journal* reported that a school board member testified before the House Education Committee that the evaluation of a superintendent needed to be conducted in a closed meeting to allow for “frank, honest and sometimes painful”

conversations. "It's sometimes difficult to be totally honest in front of the press," she told the committee.

That may be a legitimate argument in some situations, but it doesn't change the overriding principle that the public's business must be conducted in public, even if that means some government officials are not treated fairly in the process. Why would a public official be afraid to be "totally honest" in front of the people who elected her?

Senate Bill 178 does require that at the end of the evaluation, the public must have access to the evaluation. But that sanitized version is not sufficient. This process excludes the taxpayers and especially the teachers and parents of school children – those most affected by the work of the superintendent – from the discussion. It will leave secret what the superintendent and board members said behind closed doors and may not even explain to the public the standards against which the superintendent was measured. Voters who choose school board members to represent them will have little true evidence to judge whether school board members effectively carried out their major responsibility.

If a superintendent is too sensitive to criticism, the superintendent should find other work. If school board members are too timid in public to make frank criticisms that need to be made, they should find other ways to serve their communities. This bill will mean school board members and superintendents, and by extension public schools, are less accountable to voters who will be unable to judge their performance when it matters most.

Hurt feelings are not the enemy of good government. Lack of accountability is.

Kentucky taxpayers and our children can only hope that Gov. Steve Beshear, who has established a strong record on government openness and transparency, will veto the measure and force school boards to conduct evaluations of superintendents at public meetings.

And Kentuckians ought to be asking their state legislators why they are more concerned with protecting school board members and superintendents than watching out for the rights and interests of taxpayers.

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