### STATE BOARD OF EDUCATION

## **STATE OF GEORGIA**

JAMES M. DRURY,	)
Appellant,	) CASE NO. 1988-33
	)
<b>v.</b>	)
GEORGIA DEPARTMENT	)
OF EDUCATION,	)
	)
Appellee.	,
	ORDER

THE STATE BOARD OF EDUCATION, after due consideration of the record submitted,

DETERMINES AND ORDERS, that the decision of the Special Master be reversed and that the Appellant be granted one further TPAI assessment. Mrrs. Lathem, Foster, Smith, Owens, Carrell, Abrams and Mrs. Baranco voted to reverse the Special Master. Mr. Sears voted to sustain the Special Master.

Mrs. Cantrell was not present.

This 10th day of November, 1988.

John M. TAYLOR Vice Chairman for Appeals

### STATE BOARD OF EDUCATION

### STATE OF GEORGIA

JAMES M. DRURY, :

:

Petitioner,

**CASE NO. 1988-33** 

v. : REPORT OF

GEORGIA DEPARTMENT : SPECIAL MASTER

OF EDUCATION

.

Respondent.

**PART I** 

#### **SUMMARY**

This is a petition by James M. Drury ("Petitioner") to have his last Teacher Performance Assessment Instrument ("TPAI") declared invalid because he was inaccurately and unfairly assessed on Competency XII, "Demonstrates Enthusiasm". The Georgia Department of Education ("Respondent") claims that no error has been shown and retesting should be denied. The Special Master recommends that the petition be denied.

#### **PART II**

### **FACTUAL BACKGROUND**

Petitioner began teaching as an art teacher at Morrow Junior High School in 1983. Petitioner was evaluated five times under the Teacher Performance Assessment Instruments ("TPAI), 1980 version; he waived his sixth and final assessment. Petitioner received passing scores on all competencies except Competency XII, "Demonstrates enthusiasm for teaching and learning and the subject being taught". Petitioner appealed to the Respondent and claimed that the TPAI tests were inaccurate because they did not properly reflect his performance as a classroom teacher. The Certification Hearing Officer found that Petitioner failed to produce any

evidence to support his position. The Certification Hearing Officer, consequently, denied the appeal.

Competency XII, "Demonstrates enthusiasm for teaching and learning and the subject being taught", had three indicators. Petitioner had scores of 66.7%, 55.6%, 77.8%, 44.4%, and 44.4% on Competency XII for the five tests he took.

The record shows that Petitioner participated in coaching basketball, assisted in sports events, chaperoned trips and dances, and directed the painting of murals in the school and the community.

### **PART III**

#### DISCUSSION

Petitioner claims that the scoring on the TPAI is too subjective and results in inaccurate assessments of teachers. He claims that the raters would not give him any feedback so that he could improve his scores. He also claims that the TPAI is not a valid test because of the inconsistencies that existed in his scores.

Petitioner, however, did not introduce any evidence before the Assessment Appeals Hearing Officer to establish that the TPAI is too subjective and results in inaccurate assessments. Petitioner's argument, that the inconsistency of the scores, standing alone, shows the TPAI is too subjective, does not have merit. The assessments are made on different days and measure the teacher's ability demonstrated on that particular day. Additionally, a score of 100% only shows minimum competency. Rather than showing inconsistencies in the TPAI, the different scores could show the difference in the demonstrated ability on the different days.

# **PART IV**

# RECOMMENDATION

Based upon the foregoing, the record submitted, and the briefs and arguments submitted, the Special Master is of the opinion Petitioner has not shown any error in the administration of the TPAI. The Special Master, therefore, recommends that the petition to have another assessment be

DENIED.

This 31st day of October, 1988.

L. O. Buckland Special Master