

Teacher Tenure

Background

Teacher tenure—sometimes referred to as “professional service” or a “continuing contract”—gives teachers the right to due process before they can be dismissed.ⁱ The practice began in the United States in the early 20th century as a means of protecting teachers from arbitrary, unfair, and often discriminatory dismissal practices that were then common in local schools. Today, every state except Wisconsin requires that teachers have some form of contractual protection.ⁱⁱ

Because legislative and bargained contractual protections have made dismissing an ineffective teacher both expensive and a lengthy process, tenured teachers are all but guaranteed lifetime job security in many school districts. Consequently, there is now almost no meaningful link between whether a teacher is tenured and his or her effectiveness, or how well their students perform on standardized tests.ⁱⁱⁱ

Several other problems with teacher tenure have also been identified. First, tenure provides little incentive for poor teachers to improve their performance. As a result, the tenure system has turned teaching into an exclusive club where mediocrity is protected. Once tenure is achieved, it is possible for teachers to spend decades delivering the same mediocre lessons because they have no impetus to improve.

In the same way, tenure can slow a school district’s response time to significant changes in technology and society. As new areas of study are created and others become obsolete, tenure leaves schools powerless to shift resources quickly or force teachers to learn new disciplines. This lag time handicaps school systems educators who can cope with the changing demands of the curriculum.

ISSUE SNAPSHOT

Today, every state except Wisconsin requires that teachers have some form of contractual protection.

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Tenure should be replaced with individual contracts between teachers and administrators and their district supervisors.

Recommendation

Since the report *A Nation at Risk* was released almost 30 years ago, public awareness and concern about the long-term effects of underperforming schools and “dropout factories” has grown to the point that it is beginning to overcome the traditional political and union objections to more comprehensive teacher evaluations. At the same time, significant improvements have been made regarding how the academic achievement of students can be linked to teachers at the school, district, and state levels.^{iv}

In light of this progress, tenure should be replaced with individual contracts between teachers and administrators and their district supervisors. A board consisting of the teacher’s immediate supervisors and representatives of the local school board could conduct reviews. Parents could also participate in the review process to ensure accountability while preventing district bureaucrats from relocating inadequate teachers instead of dismissing them.

GUIDE TO THE ISSUES

For teachers, criteria might include professional development, knowledge of subject matter, classroom management, and quality of instruction. For administrators, criteria could extend to building management and frequency and rigor of staff evaluations. Because these criteria are based on performance, a range of options could be considered at the end of the contract period, including refusing to renew the contract.

In 2010, the Center for American Progress released “Ring the Bell for K-12 Teacher Reform,” an extensive report encouraging tenure reform in the nation’s public schools.^v The following are some of their recommendations:

- The federal government should continue to link education funding to states’ developing and deploying better evaluation programs based on a clear definition of “teacher effectiveness.”
 - The U.S. Department of Education should fund research and pilot demonstration programs that will provide empirical evidence of the effectiveness of different types of teacher tenure policies on raising teacher quality and student achievement.
 - Think tanks (like the Alabama Policy Institute) and organizations such as the National Governor’s Association, National Conference of State Legislatures, and Education Commission of the States should provide additional informational resources and policy guidance to states interested in pursuing teacher tenure reform.
 - States should change their tenure statutes to explicitly mandate that teacher retention and dismissal decisions incorporate teacher effectiveness data. Or, states with a preference for local control should loosen prescriptive state tenure policies and give districts the flexibility to experiment with new approaches to teacher evaluation and tenure.
 - Legislators should ensure that state-level tenure reforms are not overridden by local collective bargaining agreements by articulating explicit statutory language to this effect.
- Creative reform-minded school administrators operating within existing statutes and collective bargaining agreements can and should bring about significant improvements in the teacher tenure process.
 - Teachers unions should embrace efforts to streamline the removal process for ineffective teachers and only contest those dismissals that clearly violate due process or are unsubstantiated by the teacher evaluation process.^{vi}

Further Reading

- Gary Palmer and Cameron Smith, “Time for Tenure Reform.” Alabama Policy Institute, *Viewpoints*, May 20, 2011. Available at <http://tinyurl.com/3hx93t9>. Access verified May 20, 2011.
- Patrick McGuinn, “Ring the Bell for K-12 Teacher Tenure Reform.” Center for American Progress, February 2010. Available at <http://tinyurl.com/3c3wqsu>. Access verified May 16, 2011.

^v Stephen Sawchu, “States Strive to Overhaul Teacher Tenure.” *Education Week*, April 5, 2010. Available at <http://tinyurl.com/3exfmyf>. Access verified May 13, 2011.

^v Patrick McGuinn, “Ring the Bell for K-12 Teacher Tenure Reform.” Center for American Progress, February 2010, p. 4. Available at <http://tinyurl.com/3c3wqsu>. Access verified May 16, 2011.

^v *Ibid.* See also Morgan L. Donaldson, “So Long, Lake Wobegon? Using Teacher Evaluation to Raise Teacher Quality.” Center for American Progress, June 2009. Available at <http://tinyurl.com/5srko8m>. Access verified May 16, 2011.

^v McGuinn, “Ring the Bell for K-12 Teacher Tenure Reform,” p. 2.

^v *Ibid.*

^v *Ibid.*

^v Patrick McGuinn, “Ring the Bell for K-12 Teacher Tenure Reform.” Center for American Progress, February 2010, p. 4. Available at <http://tinyurl.com/3c3wqsu>. Access verified May 16, 2011.