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## **FIGHT FOR AMERICA'S KIDS: A DISCUSSION ON K-12 TEACHER TENURE**

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### **Background**

Public education was my life. Fortunately, my twelve years—from first through twelfth grade—were full of compassionate, devoted, and highly effective teachers who focused their energy on what is most important for every student: the quality of education. Just ten miles down the road in a neighboring school district, my peers were not so fortunate. From watching noneducational movies in class three times a week to having multiple study halls per day, they suffered from unmotivated, uninterested, and highly ineffective teachers. The result was a graduation rate 40 percentage points lower than that of my public high school, and a graduating class half as likely to attend college (Illinois State Board of Education, “Geneva Community High School (9-12) – Geneva CUSD 304”, “Aurora East USD 131”).

Seeking answers so as to understand this massive discrepancy in the quality of public education, I turned to a groundbreaking documentary titled *Waiting for Superman*. At the forefront of the fight to repair America’s broken public education system was Michelle Rhee, a former schoolteacher and education activist. As the Chancellor of Washington, DC, public schools from 2007 to 2010, Rhee focused her energy on raising teacher quality for kids. In the worst-performing school system in the country, DC public schools were in desperate need of significant reform. Rhee, referencing her past experience teaching in the classroom, believed that the single greatest flaw in public education was a provision in teacher contracts known as teacher tenure. This statute made it nearly impossible for states and local districts to fire underperforming teachers because of job performance having little to no bearing on a teacher’s evaluation. Rhee, the seventh superintendent for DC public schools in the span of a single decade, believed that if she were able to eradicate this statute, she could eliminate the poorest-performing teachers from her district and save DC kids from receiving a poor education.

Although this may sound simple, Rhee was up against a massive system of extreme regulation imposed by local and federal government, a lack of funding,

and significant resistance from two powerful teacher unions. She and her team of reformers researched, crafted, and introduced a revolutionary proposal that called for a two-tier pay system. Every teacher in the district could choose which tier of compensation fit his or her personal needs the best:

- a. *Red-Tier Compensation*: 28% raise in base pay + \$10,000 cash stipend with tenure privileges.
- b. *Green-Tier Compensation*: 45% raise in base pay + \$10,000 cash stipend + additional bonuses (e.g., cumulatively doubling a teacher's current pay) with *no* tenure privileges. By the seventh year of teaching in the green tier, teachers would be guaranteed a base salary of \$100,000 per year. (“Transforming the System: An Interview with Michelle Rhee”)

During her time as chancellor, Rhee leveraged this agreement—a compromise between her and teacher unions—to fire more than 200 teachers and to place more than 700 teachers and school administrators on notice because of poor evaluations. After a few short years, Rhee, faced with fierce opposition by teacher unions and parents, lost the crucial public support needed to continue pushing for reform. In 2010, Washington, DC, mayor Adrian Fenty, who appointed Rhee as chancellor, lost his reelection bid in what was deemed a public backlash against Rhee. Having lost mayoral backing and significant public support, Rhee chose to resign (Guggenheim).

After resigning as chancellor, Rhee turned down numerous high-profile job offers and started a grassroots education-advocacy organization called StudentsFirst. She set a bold vision to fundraise \$1 billion in the organization's first year of operation to overhaul public education in the United States, with the primary goal of abolishing teacher tenure (Resmovits). StudentsFirst fundraised well short of Rhee's goal, capturing only \$7.6 million in its first year of operation (Resmovits). Over the next several years, StudentsFirst advised many high-level politicians, including Florida governor Rick Scott, on issues relating to teacher tenure and public-education reform. Four years after the organization's founding in 2010, Rhee stepped down as CEO of StudentsFirst to pursue other opportunities. In 2016, StudentsFirst merged with another Washington, DC, education-advocacy organization, 50Can (Resmovits).

Despite educational reform failing in Washington, DC, Rhee established a lasting legacy in the field of public education. During Rhee's time as chancellor, Washington, DC, public schools saw test scores rise, with an especially significant

jump after her first year as chancellor (Brown). On the National Assessment of Educational Progress (NAEP) Trial Urban District Assessment (TUDA) from 2007 to 2015, Washington, DC, public schools saw fourth-grade test scores jump by 16 points in reading and 18 points in math. During the same eight years, eighth-grade test scores jumped 8 points in reading and 14 points in math. These increases, during and shortly after Rhee's tenure as chancellor, were largely thought to be a result of her aggressive reforms. Rhee's work grabbed headlines across the country and sparked a national debate about education policy and, more specifically, the provision of teacher tenure. In 2011, one year after Rhee's resignation as chancellor, 18 state legislatures amended their education laws to make it harder for public schoolteachers to obtain tenure (Christie and Zinth). Since then, the national debate has continued to rage, with educators, teacher unions, parents, politicians, and students all weighing in. Although the majority of Americans recognize there is a major performance gap in public education, most do not have a clear idea of how to tackle this national problem (Faucheux). Today, as a result of rigorous national debate, states across the country follow different tenure laws, heightening the discrepancies in the American public education system (NCTQ, "NCTQ State Policy Issue: Tenure"). American kids, especially those trapped in failing public schools, are in desperate need of new education policy that ensures that every child has the opportunity to receive a high-quality education.

### Research Methods

To explore opinions on K–12 teacher tenure and the American public education system, public schoolteachers were asked a series of questions. These open-ended questions were designed for the researcher to understand each respondent's opinion of current tenure policy, to understand how activists can persuade teacher unions to desire the elimination of K–12 teacher tenure (if applicable), and to discover any additional ideas to improve public education for American kids. Pinpointing specific solutions to incentivize national teacher unions to desire the elimination of K–12 teacher tenure, participants were asked to comment on the effectiveness of three specific variables:

*Increased Pay:* Significant annual salary increases, up to 100% of current salaries, based on performance in the classroom, which is determined by student standardized test scores.

*401(k) Retirement Plans:* Transition retirement plans away from traditional pension plans and toward a corporate-style 401(k), with the possibility of receiving a percentage-contribution match.

*Job Retraining Programs:* Paid job retraining programs for terminated ineffective teachers, with two tracks: one for those wanting to reenter the profession and one for those seeking other desired skills to exit the profession.

Additionally, interviewees were asked to comment on Rhee's proposal of a two-tier pay system (maintain tenure with modest pay increases, or forgo tenure with cumulative pay increases of up to double current salaries). Finally, interviewees were asked what should be done to ensure that students residing in low-income districts do not receive a poorer education than those living in wealthier districts.

After interviews were conducted, the responses were compiled and analyzed. Similarities, trends, and ideas were examined and were used to craft a proposal on how to reform public education in the United States. Please note, the small number of interviewees and similar backgrounds placed significant limitations on the results of this thesis. Given more time and resources, this study would benefit from more interviewees from a variety of geographic areas, school districts, financial resources, student performance rankings, years of experience, educational background, and so on.

## Results

A total of nine people were interviewed. This study has a small scope but enough respondents to gather a wide range of opinions and serves as a valuable foundation for more in-depth research. The small sample size was a result of significantly fewer teachers than expected willing to share their opinions on the controversial topic of teacher tenure. Each participant possesses background and experience in public education as a teacher and/or administrator. Of the nine interviewed, seven interviewees were secondary schoolteachers in public school and two were administrators. All interviewees currently work or previously worked in public school districts in Illinois or Wisconsin. The average number of years of experience of those interviewed was 22.5. Those who identify as teachers are all tenured, are active union members, and teach in the areas of physical education, foreign language, history, science, English, and business. All teacher respondents currently identify as members, representatives, or presidents of teacher unions. There were four male interviewees and five female interviewees.

Of the nine interviewed, seven supported the elimination of K-12 teacher tenure, and two were against it. Of those who supported elimination, all seven said

their support was conditional on adding other provisions, primarily statutes that would add extra job protection for older, more-experienced, and higher-salaried teachers. Those against elimination primarily cited the need for due-process statutes that are embedded in current tenure laws to ensure that districts abide by lawful procedures when firing teachers.

In the state of Illinois, tenure is obtained after a four-year probation period, and, contrary to tenure laws a decade ago, evaluations do play a significant role in a teacher's ability to earn tenure. In the first three years of teaching, Illinois teachers can be dismissed by their prospective districts for any reason without explanation. After the fourth year, a district that chooses to dismiss a teacher must give a reason for termination. Teachers who are not dismissed after their fourth year of teaching automatically receive tenure. Tenure is renewed every ten years. During the probation period, the state of Illinois mandates that teachers are evaluated once per academic year. Local districts have the power to increase the number of times a teacher is evaluated during his or her probation period; however, this is highly unusual. These yearly evaluations are often for a few hours during a single school day and are scheduled in advance with the teacher's knowledge of when and where the evaluation will take place. Evaluators are almost always administrators from the local district who possess prior training on how to properly conduct teacher evaluations. Teachers can receive one of four scores on each evaluation:

*Level 1: Unsatisfactory*

*Level 2: Needs Improvement*

*Level 3: Proficient*

*Level 4: Excellent*

If a teacher receives a Level 1 or Level 2 evaluation, he/she is at risk for dismissal. This "at risk" status is not affected by whether the teacher is tenured or not. During the time immediately after receiving a Level 1 or Level 2 evaluation, the teacher undergoes a remediation process. This process allows the poorly performing teacher to receive additional coaching from peers, take online educational courses, and observe high-performing teachers—all opportunities designed to raise the teacher's performance in the classroom. Teachers who receive Level 1 evaluations have one full academic year to raise their performances or they will be dismissed. Level 2 teachers have two full academic years to raise their evaluation scores or they, too, will be dismissed. It is important to note that local districts play a significant role in shaping the evaluation structures for their teachers. The above arrangement is the benchmark utilized in the state of Illinois.

The state of Wisconsin has similar tenure laws; however, the probation period is only three years instead of four. At the conclusion of the third year, Wisconsin teachers either are terminated or automatically receive tenure. Wisconsin also has an evaluation system that varies by district. Because of the limited time and resources of this thesis, the specificities of tenure laws in each state were not explored in depth.

### **Support Elimination**

All respondents who supported the elimination of teacher tenure said the primary reason for their stance was eliminating ineffective teachers who have a negative impact on kids' education. A few interviewees also cited the importance of eliminating teachers who put forth significantly less effort in their classrooms and who are only working for monetary benefit (i.e., teachers who hold their jobs only because of the protection of tenure).

When asked what effect the elimination of teacher tenure would pose on teachers, respondents' answers varied greatly. "Teacher unions would lose their minds," one respondent said. Another respondent said, "[From the perspective of teachers], any change will be resisted." Other answers included the following:

- Drop in teacher morale
- Teachers feeling attacked and unsupported
- Some teachers working harder
- Drop in overall happiness
- Some teachers quitting
- Increase in collective teamwork between colleagues

When asked the same question regarding the effect on students instead of teachers, respondents' answers also varied greatly. One respondent said, "Every student has a teacher he/she connects to. If teachers are fired because of the elimination of tenure, that could negatively impact students who learn unconventionally." Other responses included the following:

- No effect
- Negative effect due to a drop in teacher morale
- Students encountering teachers who are more motivated
- Students receiving better teachers and a better education

Respondents were then asked who, in their opinion, has the influence to eliminate K–12 teacher tenure in the United States. The answers, which varied significantly, are listed below.

- Local administrations (e.g., local districts)
- Citizens
- Federal or state legislators
- Colleges and universities
- U.S. Department of Education
- Teacher unions
- Local school boards

Respondents were then provided background into the power and influence of teacher unions in the United States and, particularly, the significant financial contributions of teacher unions to state and national political candidates. If applicable, respondents were also educated about the two largest teacher unions—National Education Association (NEA) and American Federation of Teachers (AFT)—and their pro-tenure stance. The NEA is a professional organization that offers membership to the individual who is “a public school teacher, faculty member, education support professional, retired educator or a student preparing to become a teacher” (NEA). The AFT is a traditional union organization that offers membership to individuals who work in “a Pre K–12 school system (public, private or charter), early childhood center, college or university system, healthcare facility or local, state or federal government office” (AFT). Combined, the NEA and AFT have more than four million members.

After receiving information about these two largest teacher unions, respondents were asked in what ways they believed lawmakers could incentivize these unions to desire the elimination of K–12 teacher tenure in the United States. The majority of respondents did not have any specific ideas, but those who did stated lawmakers could increase benefits, improve working conditions, increase pay, and instill a remediation program for underperforming teachers. Almost all respondents expressed that incentivizing teacher unions to desire the elimination of K–12 teacher tenure was near impossible.

In an effort to introduce more structure into the conversation, three distinct variables were provided to each interviewee for comment on the effectiveness that each variable has toward incentivizing teacher unions to desire the elimination of K–12 teacher tenure in the United States:



*Increased Pay:* Significant annual salary increases, up to 100% of current salaries, based on performance in the classroom, which is determined by students' standardized test scores.

*401(k) Retirement Plans:* Transition retirement plans away from traditional pension plans and toward a corporate-style 401(k), with the possibility of receiving a percentage-contribution match.

*Job Retraining Programs:* Paid job retraining programs for terminated ineffective teachers, with two tracks: one for those wanting to reenter the profession and one for those seeking other desired skills to exit the profession.

The first variable, increased pay, received polarizing responses. Roughly half of respondents commented that increasing pay would grab the attention of teachers and unions with an overwhelmingly positive response. Many respondents referenced the national outcry led by many public teachers in the past few decades regarding unfair and relatively low compensation in comparison to other professions. Teacher walkouts occurring in early 2018 in West Virginia, Kentucky, Arizona, and Colorado because of unfair compensation reinforce the importance of this fundamental issue. Understanding this rhetoric, supporters of pay increases believed it had the possibility to convince teacher unions to support the elimination or modification of current tenure laws. The other half of respondents commented that although increased pay could be beneficial for individual teachers, the solution was unrealistic. They argued that many districts are already financially strained and, with teachers not "showing a profit" at the end of each year, unlike many other professions, there is no way to secure more funding.

The second variable, 401(k)-style retirement plans, received a mostly negative response. Interviewees commented that their current retirement plans, both in Illinois and Wisconsin, are very generous. In the state of Illinois, teachers receive a 2.2% pension contribution of their averaged salary during their last four years of teaching for every year they teach. For example, a teacher who retires after 30 years with a salary average of \$120,000 over his or her final four years in the profession will receive 66% of this amount, or \$79,200, annually during retirement. The majority of interviewees commented that 401(k)-style retirement plans would not be an effective incentive because of the high quality of current plans. Additionally, many questioned how districts would obtain additional funding to support a contribution match.

The third variable, job retraining programs, received a mixed response. The majority of respondents said additional support for underperforming teachers, such as job retraining and/or remediation programs, would be well received; however, many of these types of programs already exist. One respondent explained, “[Teachers] are helpers, and they want to be helped. Make me take a class to improve!” Additionally, many respondents expressed that this additional support, while positive, would not be enough incentive to convince teacher unions to desire the elimination of tenure.

After discussing the three specific variables, respondents were given an opportunity to communicate any final ideas they had to incentivize teacher unions to desire the elimination of K–12 tenure. The majority of interviewees said that, given the complexity of the current system, they did not have any ideas. One interviewee expressed the importance of changing the teacher-evaluation process but did not give any specifics on what an ideal process would look like or how it could be implemented. Another interviewee expressed that teacher unions would be in support of eliminating tenure only if a new “tenure-like” system that lessened the number of years with job protection and/or eliminated the probation period were grandfathered in. “All changes must have a local-level focus,” they said. “If you implement something cold turkey, it will never succeed.”

Finally, interviewees were given an opportunity to provide any additional comments or opinions regarding tenure that had not been covered in the prior interview questions. A summary of each response is provided below.

*Respondent 1:* While I support the elimination of tenure, I do not have an overwhelmingly negative opinion of the current system. Teachers make much less money than people in the private sector; thus, we are entitled to more stability. With that being said, eliminating tenure could be beneficial for students because it could eliminate “deadwood” (e.g., poorly performing teachers). Local government should implement a different policy. The U.S. Department of Education is a complete waste of money. “The farther you are from my classroom, the less you know about it.” Tenure should have three-to-five-year “rollover” cycles instead of a ten-year assignment. If a teacher’s performance drops, tenure should not roll over. The policy should provide some stability but not provide permanent entrenchment. This shorter-length policy would allow you to “light fire under someone” if need be. Everyone “needs a kick in the pants every now and then.” Overall, education should not stay stagnant. “We need change.”

*Respondent 2:* Keeping your job, in the current system, has no bearing on job performance or evaluation. “[As a teacher on the low end of the income range,] it is difficult for me to swallow finances because pay is based on seniority, not performance.” There must be some safety to prevent districts from firing higher-paid, more-senior teachers; however, tenure should not protect teachers who are doing a poor job. In previous jobs, I’ve seen terrible teachers keep their jobs because of tenure protections. Performance needs to play a bigger role in maintaining a job and in pay increases. With all this being said, “If I had a choice right now to keep tenure or ditch it for more money, I would keep tenure because I have more employment protection and I don’t trust the system. Current teacher evaluations are a joke.”

*Respondent 3:* “I don’t think tenure has as much of an impact as it used to. It used to be based just on seniority. Now, evaluations are incorporated more into the process. This is the right way to do it.” Overall, I support the elimination of tenure because I still have union protection and tenure does not play a major role in my job.

*Respondent 4:* First off, comparing the U.S. and other countries like Finland and Sweden on standardized academic metrics is like comparing apples to oranges. In Finland, students are tracked, and in the U.S., teachers get every student regardless of skill. In regards to public education, lack of change including tenure policies stems from colleges and universities evaluating students the same way year after year. “In order to change education, we must have higher standards.” Teachers do not get a lot of respect from others in society, partly due to us keeping our jobs based on tenure, not performance. We must eliminate tenure because it protects disenchanted teachers. Administrators must be taught how to counsel teachers out of teaching. This will allow districts to eliminate “burned-out” teachers. Ultimately, the golden question we must answer is this: “How do you evaluate teachers?” Education is much different than business; you cannot evaluate teachers solely on testing performance, because students are not tracked. I do not know the perfect solution to this problem.

*Respondent 5:* Job security through tenure is great, but it is not the real world. There has to be a better way to eliminate teachers who are not doing their job; however, “teacher unions would never allow the elimination of tenure because of job security and that is how it has always been.” Overall, “[I think] teachers don’t get the respect that they deserve. They are expected to reach every kid, every day, in every way.” It is an incredibly difficult job.

*Respondent 6:* I do not like tenure because the argument of academic freedom does not exist at the elementary, middle, and high school level. “[Tenure] protects the weak.” There must be a better way to keep teachers accountable, but performance evaluations cannot be based solely on standardized tests. “Teachers, just as other professions, need to stand on their own two feet from year to year.”

*Respondent 7:* As a principal, I know firsthand that my relationship with the teachers union made it difficult for me to fire someone. Despite this, “if I really felt that I had a staff member who wasn’t doing their job, I could accomplish a dismissal.” I imagine that, historically, tenure became a reality because people felt that they were being fired for less than reasonable cause. Tenure at the college and university level is much different because of the need for academic freedom. At the K–12 public school level, academic freedom is not a factor. This is my main argument for supporting the elimination of tenure.

### **Against Elimination**

Those who responded that they were against elimination of K–12 teacher tenure in the United States said their main reasoning is that the law is required to protect teachers. In their opinion, tenure is a form of due process and does not protect underperforming teachers; rather, tenure ensures that states and local districts are taking the necessary lawful steps outlined in teacher contracts to eliminate underperforming teachers. As one respondent explained:

Tenure is required, in my eyes. If a teacher has eight-plus years of experience in the profession with a master’s degree and loses his/her job, he/she loses not only a job but rather an entire career. Tenure provides due process so districts cannot fire higher-paid, more experienced teachers unlawfully.

The same respondent continued to explain the reasoning behind this response: “The public needs to understand the totality of the public education system rather than isolate and comment on one specific part. With the current system, tenure makes sense.”

Another argument against the elimination of K–12 teacher tenure is rooted in the existence of the probationary period. “The probationary period for teachers is unlike any industry I know of,” they said. “You can be fired for no cause.” The same respondent went on to explain that tenure is needed later in a teacher’s career

to compensate for enduring this harsh policy during the first few years in the teaching profession.

Critics of abolishing current tenure laws also spent a notable amount of time in the interview combatting the opposing perspective. Statistics are often touted that teachers, among other skilled professions such as lawyers and doctors, have the lowest rate of dismissal or firing. Pro-tenure respondents argue that this statistic does not represent the full picture: “Due process to eliminate bad teachers, established through tenure, does work,” one respondent said. “During the remediation period, many poorer-performing teachers who consistently miss their benchmarks choose to resign before being fired. This is why the national statistic of dismissals is so low.” Another interviewee combatting the argument that teachers are “coddled” with the existence and protection of tenure, said, “We get everyone, not just the best-performing kids. You cannot compare teachers to professionals in the business world. In many cases, kids and parents are the issue, not teachers.”

When asked what effect the elimination of teacher tenure would pose on teachers, both of the above respondents said it would be overwhelmingly negative. One respondent said, “More experienced, senior teachers would be placed on an even playing field as new teachers if tenure were to be eliminated. This would cause a whole host of problems.” Furthermore, without tenure protections, interviewees said, there would be an influx of more-experienced, higher-paid teacher dismissals due to districts’ motivation to reduce budgetary costs.

When asked the same question regarding the effect on students instead of teachers, both respondents also said the overall effect on students would be negative: Because teachers would lack job security and more-experienced teachers would be placed on the same level as less-experienced teachers, the quality of teaching in the classroom would drop.

### **Opinions on Rhee’s Proposal**

Near the conclusion of the interview, respondents were asked to comment on Rhee’s proposal to teacher unions in Washington, DC: maintain tenure and receive moderate pay increases, or forego tenure and have the potential to earn up to double compensation. Interviewees were split between supporting and criticizing Rhee’s proposal.

Supporters expressed satisfaction in Rhee’s proposal tackling teachers’ lack of pay. Many also enjoyed the ability of teachers to make a conscious choice based on personal need.

Critics of Rhee’s proposal, which notably included both respondents who are against the elimination of K–12 teacher tenure, had several arguments. First, a two-tier compensation system would divide teachers within a school between those who choose to maintain tenure versus those who forego it. They argue this would increase competition among teachers, reduce the morale of staff, and cause infighting. One interviewee argued that Rhee’s proposal creates a monitoring issue among those who choose to forego tenure’s privileges. “How do you monitor who is doing well and who isn’t?” they said. “There’s also the problem of how administrations or districts eliminate teachers that are underperforming. What does that process look like? Without tenure, there’s no protection to make sure the appropriate steps are followed.” The last argument stemmed from compensation being tied to Rhee’s model of student performance. “If teacher evaluations are based on student growth, that’s tough,” one respondent said. “A bad mix of kids could lead to poor performance, which could ultimately not be the fault of the teacher. Without tenure, what protections would we [teachers] have for that scenario?”

### **Dream Scenario**

Lastly, each interviewee was asked the following question: “If you had the power to change anything in U.S. education policy, what, if anything, would you change?” All respondents had vastly different answers, which are presented below.

*Respondent 1:* “I’d blow it all up. Sitting for 50 minutes and walking for five minutes: how is that effective? The current school-day schedule is dehumanizing. I’d have high school classrooms operate like college. Students don’t have to show up if they don’t want to, but, if they don’t, they will pay the price.” This respondent also reinforced the importance of reimagining the current public school curriculum, increasing emphasis on humanities and providing increased control to local districts as opposed to national organizations such as the U.S. Department of Education. In conclusion, this interviewee said, “Sometimes we hold onto old methods because it’s always been that way. We need change.”

*Respondent 2:* “There is gross inequality in education. Kids don’t have what they need to be educated. I’d funnel money into lower-income districts.”

*Respondent 3:* “I’d alter all the testing that’s associated with schools. The younger years of education should be about having fun, not about focusing solely on academics. Being a good human being is so important and learned directly

from school. Also, testing, in my opinion, is not a good measure of intelligence.”

*Respondent 4:* “I would focus on teacher-education programs in college so future educators learn the skills needed before entering the classroom.” (This respondent also reinforced the importance of altering the way colleges and universities evaluate prospective students’ potential, steering entrance benchmarks away from being solely GPA and standardized test scores.)

*Respondent 5:* Change the public’s perspective on teachers, reinforcing the importance of and increasing respect for the profession.

*Respondent 6:* Decrease average class size, allowing teachers more opportunities to reach every student and personalize education inside the classroom.

*Respondent 7:* Create a better teacher-evaluation system. “Administrators don’t have time to supervise and evaluate more than a handful of teachers each year.” The respondent continued to explain that the current evaluation system causes administrators to have too many responsibilities, which decreases the quality and effectiveness of teacher evaluations.

*Respondent 8:* I would not change anything and would keep the current tenure system. “One thing that’s important with the current [tenure] model is that teachers understand and buy into it. You do not want to create a competitive environment between teachers like you would in [an industry such as] sales. If you turn teaching into a free-market economy, it will decrease the teamwork aspect of education. In education, groups will always outperform individuals.”

*Respondent 9:* “For kids in lower-income districts, I’d get them into early education programs (e.g., preschool, kindergarten) sooner to level the playing field.” (This interviewee also expressed a desire to fire the current U.S. Secretary of Education, Betsy DeVos, because of her policies that “benefit wealthier students.”)

## Discussion

Throughout the interview process, themes within public education outside of teacher tenure were revealed and discussed. The three main themes, and the subsequent discussion of each, follow.

## School Funding

The discussion of how public schools in the United States are funded stemmed from the existence of low-income, underperforming districts. Many interviewees expressed dissatisfaction about the extreme inequality of student success and overall education quality in public schools. The primary reasoning behind this fact is the result of property taxes playing a major role in the funding of a school. Students who reside in zip codes with lower average income rates and fewer property taxes often receive a poorer education and perform worse in the classroom because of fewer resources, poor-performing teachers, and inadequate facilities. With less money in certain school districts, poorer communities often have difficulty recruiting and retaining (e.g., because of high burnout rates) high-performing, more-experienced, and higher-paid teachers. This, combined with student populations in lower-income districts experiencing a higher degree of poverty, community violence, family issues, outdated educational materials, and inadequate school facilities, causes poorer student performance in the classroom and a decrease in high school graduation rates.

Ultimately, interviewees expressed that the quality of public education received by students is often directly tied with a student's home zip code. One respondent went as far as stating, "Public education in my home state of Illinois really isn't public. Our property taxes, which go to fund 'public' schools, are essentially a student's tuition to attend." A variety of possible solutions were discussed to fix the problem of inequity within U.S. public education by focusing on how schools are funded. One solution discussed was the possibility of using a different type of taxation, as opposed to property taxes alone, to fund public schools. Despite this suggestion, no specific type of tax was discussed. Another suggested solution was increasing the amount of funding per pupil in lower-income districts using federal or state monies. This solution, however, was met with skepticism: "The state [of Wisconsin] has reduced their support for public education funding, but the communities recognize the importance of education. Legislators have to understand that education is more important than other things they can spend their money on." The third solution suggested possessed two components: teacher incentivization and state funding. The first component calls for instilling a model that financially incentivizes higher-quality, more-experienced teachers to teach in lower-income districts. Beyond this suggestion, no specifics were discussed. The second component calls for each state to designate the same amount of funding per pupil across public school districts. Local property taxes would fund each district, and the districts that could not meet the benchmark funds



would receive financial assistance from the state via sales taxes. For the districts that raise more funding per pupil than the benchmark, the excess monies would return to the local taxpayer. The final solution suggested called for placing all property taxes from one state into a large pot of money and equally dividing funds among districts across the state. One interviewee concluded the discussion of school funding by highlighting its importance: “The whole funding issue has to be figured out. It always comes down to this. We must have equitable education for kids regardless of the color of their skin or whether or not their parents went to college.”

### **Regulation**

The question and subsequent discussion of school regulation frequently arose when discussing tenure and the ways to change and/or eliminate this long-standing U.S. policy. Almost all respondents who discussed this topic were in favor of increased local control (e.g., each school would be controlled by its corresponding district or state) and were unsupportive of national control (e.g., federal regulation from the U.S. Department of Education). One respondent supported his rationale: “Washington, D.C., has no idea what I’m doing in my classroom, nor do they care. Federal regulation is an absolute waste of money.” Another respondent pointed out the irony of the U.S. Department of Education overseeing schools nationwide when the majority of decision-makers in the regulatory body have no experience in the classroom. The main argument in favor of local control stems from the notion that teachers and parents who directly interact with kids daily are the most qualified to determine the needs of students. By providing more control to districts, each community would be able to funnel resources and to adapt curricula to the needs of local students.

One interviewee suggested a tiered model for school regulation. Districts would possess the most power, and if schools in a particular district failed to meet educational standards set by the state, local power would shift to a state regulatory body. If the state and its supervision could not empower a district to meet its benchmarks, the U.S. Department of Education would then step in.

Despite overwhelming support for more local control, the majority of respondents said that if tenure were to be eliminated, the decision must come from the U.S. Department of Education. Significant doubt was expressed that local districts would possess enough power and influence to convince and/or combat teacher unions to eliminate tenure.

## Teacher Evaluations

The topic of teacher evaluations and, more specifically, how to quantify performance arose in nearly every interview about teacher tenure. All respondents who discussed this topic expressed concern over the ways teachers are evaluated. Teacher evaluations are often based on a variety of criteria—professionalism, school involvement, a common rubric (e.g., curriculum coverage), and student performance—and vary depending on the state and district that the evaluation takes place in.

Since the early 2000s, the increased use of standardized testing because of the No Child Left Behind legislation has, in many cases, increased the importance of student performance in the evaluation of teachers across the country. One interviewee expressed frustration about this national shift: “You can’t compare test scores from kids in Finland and the U.S. and automatically come to the conclusion that kids in the U.S. are ‘falling behind.’ Finland tracks students. Here [in the U.S.], we get everyone. It’s not comparing apples to apples; it’s comparing apples to oranges.” The same interviewee further explained that it is unfair for teachers to be punished because of poor student performance. Although poor student performance could be a result of poor teacher quality, the respondent said, it often is a result of a student’s lack of motivation, bad home life, and other things that are out of the teacher’s control. Another interviewee explained the difficulty in assessing teacher performance: “You know good teachers when you see them. You cannot easily quantify it.”

Teacher evaluations are also difficult to measure over a long period of time, and consistency is even harder to evaluate. One respondent explained the evaluation process in her local district: “A teacher can choose when he/she is evaluated, put on a show, and then go back to poor-quality work on the daily.” The same respondent suggested that districts should have the right to stop in and evaluate a teacher at any time. This, presumably, would hold teachers accountable 24/7 as opposed to solely during their designated evaluation days. Another respondent, who identifies as a retired administrator, spoke about the difficulty that local administrators face when conducting evaluations for numerous teachers throughout the year. This respondent expressed that administrators have time to conduct only six or seven evaluations effectively. Because the number of teachers far outweighs the number of certified administrators, evaluations are often conducted “in a rush,” and subsequently, the quality of each evaluation drops. This increases the chances that poor-performing teachers can pass an evaluation because of administrator time constraints.

Finally, one interviewee expressed the importance of evaluating and rewarding bonus compensation for teachers in groups as opposed to individuals. This interviewee argued that evaluating in groups promotes a team atmosphere that is essential for the benefit of students. Without this, schools become free markets, teachers view their colleagues as competition, and, as a result, best practices are never shared among staff members.

### **Proposal**

After analyzing the opinions, perspectives, and ideas of nine teachers and administrators, I pieced together a comprehensive proposal on how to positively reform public education in the United States. The small sample size places significant constraints on this proposal; however, this serves as a quality starting point. More survey data could flesh out the details and create a more comprehensive strategic plan. With the complexities of U.S. public education, it is impossible to “fix” K–12 teacher tenure without addressing other parts of this massive system. This proposal possesses two main objectives: (1) close the education gap in the United States (i.e., every student, regardless of background or home zip code, can receive a quality education) and (2) raise student performance in the classroom via elimination of poor-performing teachers. Both goals stem from Rhee’s original mission: placing students first.

To accomplish public-education reform in the United States, lawmakers, activists, students, teachers, and community members must band together to support and implement a three-phase solution.

#### **Phase I: College Scholarship Incentives**

Before addressing the internal complexities of the K–12 public education system in the United States, reformists must first examine students’ motivations to receive a public education. Education, thought to be society’s great equalizer, is designed to provide any motivated individual, regardless of background, with the necessary knowledge and tools to climb the social ladder and, ultimately, raise his/her standard of living. One of the major issues often overlooked within public education is brain drain within lower-income, underperforming school districts. As a consequence of less funding, low-income districts often have fewer resources, poorer facilities, and underperforming teachers. This results in a poor quality of education, lower graduation rates, and even lower percentages of students continuing their education at four-year higher-educational institutions.

Recognizing a lower chance of success in high school and a lower chance of receiving acceptance into college, many of the “best and brightest” in low-income districts attempt to transfer to high-performing, better-funded public school districts, charter schools, or private schools. This outflow of high-performing students causes significant brain drain in low-income districts. To combat the continuous issue of brain drain, which ultimately hurts the collective of students in low-income communities, public colleges and universities should provide guaranteed admittance and scholarship incentives to a top percentage of students in every public school district across the state. Similar to the current University of California system, every public state-university system (e.g., all colleges within the University of Wisconsin system) will earmark a pool of funds to be allocated to the highest-performing high school graduates in each district across the state. Students who achieve the designation of the top X percent in their perspective districts plus the fulfillment of a core curriculum (e.g., a certain number and level of classes in core subjects such as math, science, language, and so on) will receive guaranteed admittance and a scholarship to any public university within the state system.

This reform, funded by colleges, has major benefits for both parties: (1) Colleges and universities attract a diverse population of high-potential students, and (2) students receive heightened opportunities to attend college, regardless of zip code, financial background, and the like. Additionally, due to college incentives tied to each individual district across the state, the “best and brightest” of low-income districts would have less justification to move to different schools. Ultimately, low-income districts reap the benefit of retaining high-performing students, raising district performance, and bettering the collective of students in the community. The specifics of this scholarship program—GPA/class rank eligibility, core curriculum requirements, and the like—will be established by a board of university professors and K–12 public schoolteachers across multiple universities and districts convened by the state’s board of education.

## **Phase II: School Funding**

The next major issue to tackle within public education pertains to the large gap of funding received by public schools across varying districts. Similar to the model used in Illinois described by numerous interviewees, every state in the United States uses property taxes to varying degrees to fund public schools (National Conference of State Legislatures). This causes a significant discrepancy in the amount of funding that each school district spends per pupil and greatly affects the resources and quality of education that students receive, as it depends on

their five-digit zip code. To close the education quality gap and provide equal opportunity for students, it is essential to equalize funding across districts.

Each state will designate a funding amount per pupil, standardized across every public school district. Funds will be raised using local property taxes. Districts that cannot meet the collective benchmark of funding per pupil will receive financial assistance from the state in the form of sales tax to satisfy the funding target. Districts that raise more than the benchmark per pupil will return excess funds back to local taxpayers. In addition to funding targets per pupil, states will also establish allocation percentage benchmarks designated for those funds. This safeguard is designed to ensure that school funding is utilized to its full potential and allocated to resources that have maximum impact on students. For example, the state would designate that 15% of district funding be utilized to purchase only textbooks and educational materials. It is important to note that these percentages will be a minimum requirement; if specific districts wish to allocate a higher percentage of funds toward purchasing textbooks, education materials, and so on, they would be free to do so under the discretion of school leadership. The state body that will determine both funding amounts per pupil as well as allocation percentage benchmarks will comprise current teachers across districts of varying demographics.

### **Phase III: K–12 Teacher Tenure**

The final phase of this proposal is centered on overhauling K–12 teacher tenure. It is important to note that although the two largest national teacher unions are in support of maintaining current tenure laws, the majority of respondents are in favor of reform. First and foremost, all job-performance protections must be eliminated. This will ensure that poor-performing teachers do not maintain employment because of provisions in their contracts that make it near impossible for states and local districts to dismiss on the grounds of job performance. Loosening these protections will empower local districts to release their worst-performing teachers and to increase the overall quality of instructors in the classroom. In exchange for the elimination of job-performance protections, states will introduce statutes that protect more-experienced, higher-paid teachers across every public district in the state. This will ensure that districts that seek to cut their budgets do not eliminate the highest-paid teachers strictly for financial reasons.

Furthermore, states will maintain due-process statutes existing in the current laws of K–12 teacher tenure to ensure that districts motivated to eliminate certain teachers are taking necessary fair and lawful steps in accordance with the contract.

These modifications to tenure will be “grandfathered in” using a handful of trial districts. Districts that participate in this experimental program will be selected by the state’s board of education. Within these districts, financial incentives similar to those of Rhee’s two-tier pay system will be introduced to motivate teachers to forgo job-performance protections for increased pay. The specifics of these financial incentives will be established by the state’s board of education. Once this phase of the proposal gains momentum (e.g., increased academic performance, happier high-quality teachers, increased public support), the state’s board of education will modify tenure provisions across all districts via executive decree. In the process, the regulatory body, parents, and education activists will communicate the positive impact of these changes to teacher unions, reinforcing that due process and higher-pay protections will protect quality teachers’ job security all while benefiting students. This, if executed effectively, will reduce backlash from teacher unions and will aid in the implementation and sustainability of modifications to tenure.

Alongside the main reforms to tenure, each state’s board of education will convene alongside a group of current teachers across numerous districts to create the following solutions:

- Incentivization for high-quality teachers to teach in historically low-income districts
- Proper and fair evaluation of teachers
- A regulatory system that transfers power to local districts while maintaining accountability measures

## **Conclusion**

Although consensus around American education policy is difficult to find, it is clear that the system is far from perfect. The presence of a large gap in education quality reinforces the flaws in public education. As of today, many poor-quality teachers remain in the classroom and a student’s zip code plays far too dynamic a role in his/her quality of education and opportunity for success. To close the education gap and raise academic performance in the classroom, lawmakers, teachers, reformists, education activists, and parents must band together to stand up to teacher unions, demand change, and, above all, put students first.

## Bibliography

- Allen, Henry Lee. "Tenure: Why Faculty, and the Nation, Need It." *The NEA Higher Education Journal*. Web. <[www.nea.org/assets/docs/HE/Tenure3\\_FacultyNationNeedIt.pdf](http://www.nea.org/assets/docs/HE/Tenure3_FacultyNationNeedIt.pdf)>.
- Almond, Kyle. "Documentaries Spark Education Debate." *CNN*, 15 Oct. 2010. Web. <[www.cnn.com/2010/LIVING/10/13/education.lottery.superman/index.html](http://www.cnn.com/2010/LIVING/10/13/education.lottery.superman/index.html)>.
- American Federation of Teachers (AFT). "American Federation of Teachers." *American Federation of Teachers*. Web. <[www.aft.org/](http://www.aft.org/)>.
- Brown, Emma. "Documentary Examines Michelle Rhee's Legacy in D.C." *The Washington Post*, 4 Jan. 2013. Web. <[www.washingtonpost.com/local/education/documentary-examines-michelle-rhees-legacy-in-dc/2013/01/04/ae86e8a6-55f7-11e2-8b9e-dd8773594efc\\_story.html?utm\\_term=.9f5b188ab6d7](http://www.washingtonpost.com/local/education/documentary-examines-michelle-rhees-legacy-in-dc/2013/01/04/ae86e8a6-55f7-11e2-8b9e-dd8773594efc_story.html?utm_term=.9f5b188ab6d7)>.
- . "U.S. Student Performance Slips on National Test." *The Washington Post*, 28 Oct. 2015. Web. <[www.washingtonpost.com/local/education/us-student-performance-slips-on-national-test/2015/10/27/03c80170-7cb9-11e5-b575-d8dcfedb4ea1\\_story.html?utm\\_term=.29fea109c416](http://www.washingtonpost.com/local/education/us-student-performance-slips-on-national-test/2015/10/27/03c80170-7cb9-11e5-b575-d8dcfedb4ea1_story.html?utm_term=.29fea109c416)>.
- Center for Responsive Politics. "Teacher Unions." *OpenSecrets.org*, 16 May 2017. Web. <[www.opensecrets.org/industries/indus.php?ind=L1300](http://www.opensecrets.org/industries/indus.php?ind=L1300)>.
- Christie, Kathy, and Jennifer Dounay Zinth. "Teacher Tenure or Continuing Contract Laws." *Education Commission of the States (ECS)*. Web. <[www.ecs.org/clearinghouse/94/93/9493.pdf](http://www.ecs.org/clearinghouse/94/93/9493.pdf)>.
- DeSilver, Drew. "U.S. Students' Academic Achievement Still Lags That of Their Peers in Many Other Countries." *Pew Research Center*, 15 Feb. 2017. Web. <[www.pewresearch.org/fact-tank/2017/02/15/u-s-students-internationally-math-science/](http://www.pewresearch.org/fact-tank/2017/02/15/u-s-students-internationally-math-science/)>.
- Faucheux, Ron. "The Clear Consensus on Education Reform: Voters Want Major Change." *The Atlantic*, 3 May 2012. Web. <[www.theatlantic.com/national/archive/2012/05/the-clear-consensus-on-education-reform-voters-want-major-change/256642/](http://www.theatlantic.com/national/archive/2012/05/the-clear-consensus-on-education-reform-voters-want-major-change/256642/)>.

Guggenheim, Davis, dir. *Waiting for Superman*. Walden Media, 2010. Film.

Hassel, Bryan, and Network Policy Innovators in Education. "You Know Who Your Great Teachers Are—'Now What?'" *Policy Innovators in Education Network*, 1 Sept. 2012. *EBSCOhost*. Web.  
<ezproxy.butler.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&AuthType=ip&db=eric&AN=ED540358&site=ehost-live&scope=site>.

Illinois State Board of Education. "Aurora East USD 131." *Illinois Report Card 2015–2016*. Web.  
<www.illinoisreportcard.com/District.aspx?source=trends&Districtid=31045131022>.

Illinois State Board of Education. "Geneva Community High School (9–12)—Geneva CUSD 304." *Illinois Report Card 2015–2016*. Web.  
<www.illinoisreportcard.com/school.aspx?source=trends&Schoolid=310453040260001>.

National Center for Education Statistics. "Fast Facts." *National Center for Education Statistics*. Web. <nces.ed.gov/fastfacts/display.asp?id=372>.

National Conference of State Legislatures. "Frequently Asked Questions on the Property Tax." *National Conference of State Legislatures*, 2018. Web.  
<www.ncsl.org/research/education/funding-approaches-the-property-tax-and-public-ed.aspx>.

National Council on Teacher Quality (NCTQ). "Length of Time before Tenure Kicks in, State-by-State." *ProCon.org*, Dec. 2015. Web.  
<teachertenure.procon.org/view.resource.php?resourceID=004377>.

---. "NCTQ State Policy Issue: Tenure." *National Council on Teacher Quality*, 30 Sept. 2016. Web.  
<www.nctq.org/statePolicy/2015/nationalFindings.do?policyIssueId=9>.

National Education Association (NEA). "National Education Association." *National Education Association*, 2017. Web. <www.nea.org/>.

Paige, Mark. "Using VAM in High-Stakes Employment Decisions." *Phi Delta Kappan* 94.3 (2012): 29–32. *EBSCOhost*. Web.  
<ezproxy.butler.edu/login?url=http://search.ebscohost.com/login.aspx?dir



ect=true&AuthType=ip&db=eric&AN=EJ1003719&site=ehost-live&scope=site>.

Public Impact. "Home." *Public Impact*. Web. <publicimpact.com/about-public-impact/>.

Resmovits, Joy. "Michelle Rhee's StudentsFirst Will Merge with Education Advocacy Group 50Can." *Los Angeles Times*, 29 Mar. 2016. Web. <www.latimes.com/local/education/la-me-edu-michelle-rhee-studentsfirst-50can-20160329-story.html>.

Richwine, Jason, and Foundation Heritage. "A Better Way to Pay: Five Rules for Reforming Teacher Compensation." *Backgrounder*. No. 2681. Heritage Foundation, 23 Apr. 2012. *EBSCOhost*. Web. <ezproxy.butler.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&AuthType=ip&db=eric&AN=ED531397&site=ehost-live&scope=site>.

StudentsFirst. "Myths and Facts." *StudentsFirst*. Web. <www.studentsfirst.org/MythsandFacts>.

"Transforming the System: An Interview with Michelle Rhee." *The Aspen Institute*, 2009. Web. <library.fora.tv/2009/07/05/Transforming\_the\_System\_An\_Interview\_with\_Michelle\_Rhee>.

Turner, Cory, et al. "Why America's Schools Have a Money Problem." *NPR*, 18 Apr. 2016. Web. <www.npr.org/2016/04/18/474256366/why-americas-schools-have-a-money-problem>.