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A STUDY OF TENURE AND THE ORDERLY
DEMOTION OR DISMISSAL OF TEACHERS

IN THE STATE OF UTAH

by

Sidney L. Wyatt

A thesis submitted in partial fulfillment
of the requirements for the degree

of

MASTER OF SCIENCE

in

Education

1950

UTAH STATE AGRICULTURAL COLLEGE
Logan, Utah

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STATEMENT OF PROBLEM

The problem of this study is to determine, so far as possible, the conditions, reasons, and underlying motives which have led to the dismissal, demotion, or non-issuance of contracts to teachers in the state of Utah during a recent five-year period - 1943-1947, and also what methods have been used in terminating the tenure of those teachers who have been considered undesirable by their employers. The study will seek to reveal the extent to which the professional education associations are influential in determining policies for the dismissal of teachers. It is hoped that from this study some suggestions may emerge which will aid in establishing principles for the orderly dismissal of teachers.

More specifically, these are the problems for which answers will be attempted:

1. What existing conditions contributed to the demotion or dismissal of teachers; and what conditions seemed to permit, encourage, or cause employers to act adversely toward teachers?
2. What reasons were advanced as for grounds or action taken to demote or dismiss teachers?
3. What were the underlying motives given by those responsible for the demoting or removing of teachers from their positions?
4. To what extent and in what ways have professional education associations exerted influence where teachers have been dismissed or demoted?
5. Is there an evident trend indicating an increase in the influence professional organizations are having on the tenure of their members?
6. What are some principles and procedures based on the data collected which may be incorporated in a plan for the orderly demotion and/or dismissal of incompetent and unsatisfactory teachers?

HISTORY AND BACKGROUND

Prior to the year 1903, when the young and relatively impotent National Education Association entered the field of Active Teacher Welfare, the position of the teacher was extremely insecure. From the beginning of American education there has been never-ending conflict of freedom and repression. Religion, politics, views of science, the fears of communism, and economic prosperity are some of the social forces which have opposed a change and have fought to maintain a status quo. (2) Any teacher who has developed ideas and philosophies of his own, instead of accepting community views, has placed his educational position in jeopardy.

On the whole, teachers were either poorly organized or not organized at all. Before 1884 membership in the National Teachers Association had been less than four hundred. In 1892 membership had grown to 3360, and as late as 1912 membership of the National Education Association, successor to the National Teachers Association, was only 7865. (7)

The subject of tenure was not studied by the National Education Association until the year 1919, and then it was considered only as part of the responsibility of the committee on salaries and living costs. In 1923 the Committee of One Hundred on Problems of Tenure was organized and since 1933 has operated as the committee on tenure. The National Education Association appointed a Committee on Academic Freedom in 1935. The work of these two committees were so closely related that in 1944 they were merged and are now functioning as the Committee on Tenure and Academic Freedom.

Massachusetts became the first state in the union to recognize by law a tenure longer than one year. In 1886 a law empowering local school boards

to employ teachers for more than one year was passed. In 1889 the Boston school board adopted a rule that after four years of probation, tenure should be indefinite "during the pleasure of the board." (2)

Slowly the number of tenure laws has increased. By 1936 fifteen states had passed laws granting tenure to all or parts of the teachers of the state. (2) By the year 1946, thirty-eight states had achieved some type of protection for all or a considerable proportion of their teachers. Rural areas have less protection than urban areas. (15)

The purpose of early organizations within the territory of Deseret and state of Utah was entirely professional, and they usually had their inception with teacher training institutes. In 1860 the first teachers' association in Utah was organized in Salt Lake City. In 1861 a similar organization was effected in Utah county to include school trustees as well as teachers. In 1870 a territorial association of teachers was organized; meetings were held at first bi-annually, and later as three-day annual institutes at Christmas time, mainly for the professional development of teachers.

NEEDS FOR TENURE SECURITY

In order to have the best possible school system, one which will adequately serve the needs of the youth of the state, it is necessary that the personnel of the educational system have a feeling of tenure security for all teachers who are doing satisfactory work, as judged by their colleagues, and that a fair means of eliminating from the profession those who are incompetent or otherwise undesirable be devised. With some variations the principle and purposes of tenure as advanced by the Committee on Tenure of the National Education Association (19) have been adopted and expanded by the writer as evidence of an increasing need for a greater guarantee of tenure within the profession. The following are advanced as reasons for such security:

Principles and Purposes of Tenure

1. To maintain and increase educational opportunities for the children of the state.
2. To give teachers a feeling of confidence and freedom in their work.
3. To enrich community life by increasing the permanency of the teacher in the community.
4. To prevent the domination of schools by selfish interests.
5. To facilitate employment conditions of the teacher.
6. To encourage promising young men and women to enter the profession.
7. To set up orderly procedure for the dismissal or demotion of incompetent or unsatisfactory teachers.
8. To protect competent teachers from unjust dismissal.
9. To protect teachers in their rights and duties as citizens.

To maintain educational opportunities for children. It is generally conceded that the primary purpose for establishing schools is for the educational benefits of children themselves. Yet the fact that large sums of money may be spent to provide palatial school buildings, excellent equipment, and even well-trained high-salaried teachers does not insure the best or even good opportunities for children.

In a system where teachers have a sense of security and well-being in their work, the children will likely have a feeling of confidence and security in their growth. A mutual confidence will result among school boards, teachers, and students. But where a lack of tenure exists, it is not only teachers who suffer. Parents and children are more grievously hurt, because where teachers may leave an unhealthy atmosphere and find employment in a more congenial place, children and parents must stay and suffer while the wound is festering, or slowly healing over a period of many years. An example of unjust actions by a superintendent and board of education, in depriving teachers of contracts, which resulted in harmful effects to students, will illustrate the point at issue:

In 1946 the school board of McCook, Nebraska, voted not to employ three teachers who had been employed in the McCook school system for eighteen to twenty-one years, and another teacher who was completing his first year of service in the city. All of the dismissals were without cause and came unexpectedly with shocking suddenness to the teachers and community at large.

The reaction of the citizens of McCook to this unjust dismissal was immediate and cumulative. Large groups of citizens attended board meetings objecting to the action taken. Mass meetings were held and petitions

protesting the actions of the board of education were circulated. The students went on strike for the period of a school week. Four teachers who had been formerly elected resigned in protest. The superintendent was forced, by public opinion, to resign for advocating the unjust treatment. The board of education was charged by the investigation committee of insincerity, unfairness, incompetence, and, "failing to maintain conditions in the schools that would make possible a successful school system." This board of education continues to hold office until they can slowly be replaced by elections.

The resignation of teachers of the McCook system has been unusually high since the school crisis developed in 1946. Between the 1945-1946 school year and the 1946-1947 school year there were five changes in the senior high school faculty, six in the junior high school, and eleven in the elementary school; a total of twenty-two changes between spring and fall in a faculty of fifty-six since school opened in September 1946. The rapid turnover continued. At least nine teachers resigned during the school year. Several of these were so dissatisfied with conditions that they refused to finish the term. (22)

A similar case in Grand Prairie, Texas, in 1949, drew this comment as a part of a report by the N. E. A. Committee on Tenure and Academic Freedom:

Such irresponsible and capricious conduct as practiced by the Grand Prairie Board constituted a great dis-service to the children and citizens of Grand Prairie. It split the community into factions. It seriously impaired teacher morale with resulting injury to the children. It increased the difficulty of attracting good teachers to Grand Prairie. It may have serious social and economic effects. And it reflects on the good name of the city. (20)

A better teacher means a better school. Good teachers will not be attracted to a school system where a feeling of insecurity exists. Even those teachers who remain where a feeling of impending uncertainty exists will not give their best effort.

There can never be a strong school system where teaching positions depend on personal relationships rather than professional ones; where servile obedience replaces professional initiative; where administrative domination replaces democratic cooperation; where professional courtesies are neglected and human rights ignored. (22)

Children quickly sense and are affected by a strained and contentious atmosphere. Agitation against teachers reflect adversely in the lives of the children and the community, so in order to maintain the best educational opportunities for children there must exist a feeling of tenure security by the teachers.

To give teachers a feeling of confidence and freedom. An important need in our educational system is to give the good teacher a feeling of confidence and security in her work. Local boards of education have generally exercised control of the "hiring and firing" of public school teachers; employing them, for the most part, on a yearly contract basis. The possibility of the Spoils System operating here is evident.

Stories of political favoritism in the employment of teachers are fairly common in the history of the profession. Wholesale dismissals have taken place, in some cities, to make room for the needy relatives of local politicians and, occasionally, to purge the community of teachers whose social or religious views did not conform to those school board members. (5)

Undoubtedly there are other reasons than a feeling of insecurity which has caused the high rate of turnover in the teaching profession. Marriage and using the profession as a stepping stone to other and better paid professions are two probable causes, but as tenure has made its slow progress, the proportions of teachers over forty-five years of age have increased. The United States census reports that in 1890 there were only eight per cent of all public school teachers in the United States forty-five years

of age or over; by 1910 this had risen to eleven per cent, and in 1930 it reached seventeen per cent. Even with this increase in maturity the median age of 943,683 teachers in 1930 was only 29.1 years (5)

In 1945 the Research Division of the National Education Association conducted a study on attitudes toward teaching of 3721 urban teachers. Of these teachers, when asked if it were possible to go back to their college days and start over if they would again become teachers in view of their present knowledge, eight per cent said they certainly would not, thirteen per cent said they probably would not, and seventeen per cent said that chances were about even to become teachers. Eight per cent of those teaching were dissatisfied with conditions. Of these teachers, ninety-nine per cent indicated that they enjoyed teaching. Only forty-six per cent of these same teachers felt that their chances would be good of getting a hearing and a square deal if they had some cause for dissatisfaction in their present teaching position. (28)

The teacher is not alone in profiting by a feeling of security and well-being in her work; the children and the community benefit also.

The conditions of employment under which teachers work have an immediate influence on the efficiency of individual teachers and a long-time influence on the status of the teaching profession as a whole. (24)

To enrich community life. A teacher who has a feeling of tenure security in his position and who expects to remain in the profession and in the community over a period of years is more apt to build for permanency in his profession and in the lives of his students than is the teacher whose long-time interests are in another field or in another community. He realizes that he must stay to meet the consequences of his work and that they will be cumulative.

Too, a relatively long period of time is required for a person to become adjusted to the ways and needs of a community, and to grow into it and become a part of the educational, political, social, and religious life. As he makes these adjustments the community life has become enriched and the teacher's opportunities for leadership, social adjustment, and happiness have been enhanced. His opportunities for marriage and a family, home ownership, and stability have made him a valuable asset to the community and have raised the profession in the respect of society.

There is a growing philosophy that schools, instead of being a preparation for life, are a part of life; and that the teacher as well as the banker or the business man is a necessary segment which contributes to a well-balanced society.

To prevent domination of schools by selfish interests. Intellectually honest and energetic teachers resent having their profession prostituted for the benefit or gain of selfish interests, whether these interests be well-meaning and pseudo-patriotic or economically or politically avaricious.

Wars breed hatred, prejudice and passion. A state of panic about radicalism has developed which tends to classify as communistic any criticism of things as they are, irrespective of how badly social changes are needed. These war conditions stimulate a blatant brand of patriotism which fosters the teaching of half-truths. Super-patriotic organizations spend a great deal of effort trying to keep everything progressive, radical, or even controversial out of the schools, while they themselves insist on using the schools extensively for propaganda for their own brand of patriotism, according to Howard K. Beale. (2)

Many of these "patriotic" organizations make suppression of freedom in the schools one of their chief purposes. They seek to use the schools for propaganda for their own views of patriotism, war and peace, economic and political theory. They seek to use their power to force teachers to indoctrinate children with "correct" views. They go further and try to press as "unpatriotic" or "radical" or "prejudiced" any contrary views a teacher may hold. If they are successful, there will be no freedom for teachers or children.(2)

Beside patriotic organization, there are others which attempt to suppress freedom in teaching and learning including: the press, (2) politics, (2) labor, (2) and business (2).

"The war taught us the power of propaganda," said business' super prophet, Robert Babson, "Now when we have anything to sell to the American people, we know how to sell it. We have the schools." (2)

Because of such restraints to the teaching profession, not only are many promising young people deterred from entering or remaining in the profession, but society suffers more. Freedom in teaching is a social problem. It involves the proper functioning of democracy, the discovery and spread of truth, and the intelligent adjustment to a changing life in an industrialized age. So, if academic freedom is prevented by any group, no matter how well intentioned, our present form of education and of government are threatened.

To facilitate employment conditions. A further need satisfied by a feeling of tenure security for the teacher is that his economic problems have a fair chance of being solved. Not only is his position safeguarded but his salary is protected against being reduced as a punishment, and his assignment against demotion or other unsatisfactory change. His interests in retirement, group insurance and other welfare activities are assured.

Economic security depends not only on an established adequate income,

but also on the above mentioned factors, which provide for long-range planning in the life of the teacher: a protection against sickness and a provision for retirement with an adequate financial retirement plan.

To encourage promising young men and women to enter the profession. The profession of teaching is patently so full of opportunities for service that it immediately attracts the attention of many of our promising young men and women. Youth is an idealistic period, a time when financial rewards offered by the trades may be outweighed by the inner satisfaction which comes from the professions.

Regardless of the many attractions for service and the encouragement given, many promising young people reluctantly turn away from the profession because of the threats and uncertainty of tenure. A teacher writes that she is trying to get some of her brighter students interested in becoming teachers.

Many of them like the idea but do not like certain conditions in the teaching profession. For example, the combination of low salary and low respect for teachers discourages them. Is anything being done to restore the prestige of the teacher? William D. Boutwell replied: "Very little, though salary increases will help. I think, too, that the N. E. A.'s commission for the Defense of Democracy Through Education deserves some credit for raising the teacher's prestige. When the teacher knows that the Commission will defend him against unjust charges or persecution he holds his head higher. Relieved of fear he acquires self-respect and earns public esteem." (25)

Wm.E. Givens writes: The quality of the teaching staff is the most important factor in the quality of education that a school system makes possible. (3)

Mark Hopkins, sitting on the end of a log, without a fine school building and equipment, might theoretically do a fair bit of teaching, but a poor teacher still retains his handicap even with the best of educational equipment and supplies. The recruitment and selection of excellent teachers and

the setting up of conditions of employment that make it possible for teachers to do the best work of which they are capable, are primary aims of school administration.

Future Teachers of America, an organization for the recruitment of promising young men and women in high schools and colleges for the teaching profession, was organized in 1936. It is a project of local, state, and national education associations. College groups are known as chapters; high school groups as clubs. In addition to recruiting members these chapters and clubs are training schools in professional and civic relationships for the preparation of leaders.

It becomes increasingly evident that in order to attract and to hold better qualified young people in the profession not only must it be made attractive financially, but the fears of abuse and uncertainty of tenure must be removed.

To set up orderly procedure for the dismissal or demotion of incompetent or unsatisfactory teachers.

Tenure laws have not always been an unmixed blessing. Educators as well as laymen have looked upon their enactment with suspicion. The Utah Education Association went on record as being opposed to the enactment of tenure laws in 1947. The chief criticism against tenure in office is that it protects the incompetent, the lazy, the neurotic along with the ablest in the profession. (5) Although tenure laws provide for dismissal of unworthy teachers, the process has been so disagreeable that only the most flagrant moral cases or mental disability have been made the occasion for dismissal charges. (5) On the other hand, dismissals have been unusually high in areas where tenure laws exist, among teachers who have not earned tenure protection. (5)

Teacher tenure is opposed by some boards of education and administrators who lose much of their authority and must substitute leadership. Yet, worry and fear are not conducive to efficiency. While a "gentleman's agreement" is an indication of present good will between teachers and boards of education, it does not and cannot supplant the necessary sense of freedom and security which legal tenure would afford, and that while there are problems to be solved and difficulties overcome to secure good tenure laws and orderly dismissal practices, these are not insurmountable.

To protect competent teachers from unjust dismissal. While provisions should be maintained for eliminating from the profession the incompetent, the lazy, the misfits, so protection and a sense of security should be guaranteed to the competent teacher. Worry and fear are not conducive to efficiency. Even with successful teachers of many years of experience, there still seems to be a feeling of insecurity where tenure is not guaranteed.

Elsbree says: "In other words, tenure is but another evidence of the need for collective action in safeguarding the individual's right to live, to work, and to be happy." (5)

The writer has recently interviewed a number of teachers informally to determine the degree of security they felt in their present professional assignment. Among those interviewed were high school principals and teachers, junior high school principals and teachers, and elementary principals and teachers. All of those interviewed are recognized by their associates as being successful in their field, yet without exception these teachers admitted that each year they experience varying degrees of uncertainty as to their re-appointment. This would indicate that the feeling of insecurity is

highly prevalent among members of the profession; this being the case, teachers are not apt to do the best work of which they are capable, and as a result the children suffer in their educational opportunities.

Twenty years ago only six states had teacher tenure laws. Now only six states, including Utah, do not have teacher tenure. Perhaps the reason Utah does not have tenure law is that since tenure is generally implied in cases of satisfactory work, there has not been sufficient need for it to justify placing tenure before other important legislative needs.

However, there are growing indications of a need to study this problem seriously. One indication of this need is that, while not excessive, more cases of dismissal and unfair treatment of teachers has been reported to the U. E. A. in the past five months than in the preceding five years. Recent action by school superintendents' advocacy of placing teachers "doing questionable work" on probation and "elimination of all incompetent teachers", seems to emphasize the need for the establishment of a just and fair procedure to be followed. Such procedure should provide for the dismissal of incompetent teachers but at the same time must protect the efficient teacher from summary dismissal.

While the principal purpose of tenure is to protect teachers from unfair dismissal, any tenure law which does not have as its major objective safeguarding the interests of school children will not benefit the teachers in the long run. For this reason a tenure law must grow out of careful study. I do not think the present is an appropriate time to give careful study to this important problem. *

To protect teachers in their rights and duties as citizens. Any vocation which denies to those who follow it full citizenship rights and duties, will discourage from entering that vocation individuals of integrity and leadership. Foreward-looking men and women will seek other fields where their initiative and imagination may find freer expression. On the other hand, the slothful, the man of narrow vision who is willing to sacrifice principle for peace, the weak morally, intellectually and emotionally, will gravitate to that vocation which is despised by this better brother.

* See Appendix A.

Freedom to participate in active citizenship has been denied to a large portion of the membership of the teaching profession. (5) While they have lived within the democracy and have been charged with the sacred obligation of training its young citizens, and often older ones, to assume their place in helping to form public opinion and shape and administer the laws of the land, they have been expected to leave active citizenship to others.

Teachers who are theoretically the best trained and qualified of all citizens to lead and direct public affairs have been expected, yes, commanded to sit on the bench and let the other fellow carry the ball.

A public-spirited active interest in community problems is usually denied teachers. Business men may attack teachers; the thing they teach, even what they do with their own private lives. Yet teachers may seldom in return interest themselves in getting a more decent standard of living in local industry, applying ethical standards to local business. The result of this restriction of conduct is that the life of an active and intelligent teacher is unbearable in small communities, and not happy in larger ones. (2)

Not only is full citizenship a right to members of the profession, but it is a need of society at large. If the relatively large group of well educated people who comprise the teaching profession are denied the privileges of citizenship, society as a whole suffers from its effects. Not only because the contribution which teachers might make is lost but because a professional group has been discriminated against and one of the fundamental principles of democracy has been violated. If democracy is to succeed, all its component groups of citizens must participate in its political, social and economic activities. Their participation must be without fear of reprisal if their ideas do not always agree with the powers that be.

The case of Grand Prairie, Texas, is but one example of existing curtailment of civic rights and responsibilities to members of the teaching profession. (20) As heretofore mentioned, five members of the Grand Prairie staff were discharged for participating in a school board election.

If the teaching profession is to attract to its ranks men and women fit to prepare citizens of America for the duties of democracy, the profession itself must guarantee these same rights of citizenship to the teachers in the American schools, and these rights without fear or hazard. This is asking for no more for teachers than is granted without question to labor, to the medical profession or any other group of citizens.

Beside being interested in teacher welfare locally, the writer has had the opportunity of serving the state organization, on several occasions, as a member of the welfare committee as well as on other committees. He assisted as a member of the committee assigned to write the present constitution of the Utah Education Association.

These experiences are cited merely to indicate grounds for the interest in the problem of teacher welfare, and development of associations to promote it, which the writer feels to be the very foundation of teacher morale and efficiency.

The ground work for this study seemed to be prepared by a joint committee representing the State School Board Association and Utah Education Association, which was founded as an outgrowth of the Leadership Conference at Cedar City, November 13-15, 1947. Because the writer was a member of that committee and because the recommendations which came from it are so

pertinent to this study and seem to have influenced both local teacher associations' thinking as well as that of boards of education, the writer feels justified in incorporating a copy of the report of the committee in this study as follows:

Recommended Procedures for the Orderly Dismissal of Teachers for
Incompetency and/or Other Causes

Purpose

As an outgrowth of the resolutions made at the Leadership Conference at Cedar City, November 13-15, 1947, there has been appointed a joint committee representing the State School Board Association and the Utah Education Association. Committee members were appointed by the officers of each of the cooperating agencies. Members of the committee are:

Representing the State School Board Association --

G. Allen Jones, North Summit	L. H. Allen, Cache
Dr. Calvin S. Smith, Granite	Junius A. West, Alpine
Samuel J. Carter, Salt Lake City	

Representing the Utah Education Association --

Dr. J. C. Moffitt, Provo	Lyeon Johnson, Alpine
Sidney L. Wyatt, Weber	Theron Snyder, Juab
Genevieve Hill, Salt Lake City	

Arthur E. Peterson, President of the Utah Society of School Superintendents, also participated in the study by invitation of both cooperation agencies.

What this Study Covers

This committee has studied the problem as outlined and hereby submits its recommendations for approval of the cooperating associations and their affiliated local boards, administrators and associations.

There recommendations deal with continuing tenure of teachers in the schools of Utah holding professional certificates as provided in Sec. 75-7-10, Utah Code Annotated 1943; clarification of probationary periods and recommending a continuing contract after such probationary period; recommending procedures for the orderly dismissal of teachers and termination of contracts; and providing for hearings.

Recommended Provisions

Section I - Rules and Regulations

That boards of education place in the hands of each teacher the rules and regulations governing the schools of the district at the beginning of each school year.

Section II - Teacher Defined

A teacher, as referred to herein, is any person who holds a standard professional certificate and who is regularly employed by the board of education in a position in which a standard professional certificate is required by state law.

Section III - Probationary Period

If a district board of education employs teachers on a probationary basis, the provisions of such probationary period should be defined and clarified for the teacher and the contract issued to probationary teachers should set forth the provisions of such probationary employment.

Section IV - Tenure

It is recommended that after the probationary period all teachers be considered permanently employed as long as they continue to give satisfactory service.

Section V - Grounds for Dismissal of Teachers

1. Incompetency
2. Immoral character
3. Non-compliance with state school laws, and published rules and regulations of the state and local boards of education.

Section VI - Notice of Incompetence

School systems should provide every assistance to help teachers to succeed in their work. A teacher considered failing in his work shall be notified in writing of his incompetence. The written notice shall originate with the administration and shall include the nature of the cause of dissatisfaction with recommendations for improvement.

Written notice of incompetence shall be given as early as possible. Failure to receive such notice shall be deemed to mean that his work is satisfactory, that he is appointed for the next year, and shall receive the regular increase based on the salary schedule for the position.

Section VII - Dismissal Procedure

Before any teacher may be dismissed he shall receive written notice of cause for dismissal and upon his request be allowed a hearing before the administration and/or the board of education before the final decision is made. The teacher shall have the right to call upon any group or individual to represent him or be heard in his behalf in this hearing.

Notice of dismissal shall be made in writing at least 30 days before contracts are issued.

On any charge of immorality or other cause for dismissal that arises from hearsay evidence, the teacher shall be guaranteed the right in the hearing to face the person making the charge.

The request for a hearing of the teacher shall be made within _____ days after the written notice of cause for dismissal.

Any hearing held for the dismissal of a teacher shall be concluded by a decision in writing within ten days after the termination of the hearing. A copy of such decision shall be furnished the teacher affected within five days after the decision has been rendered.

Recommended procedures for orderly dismissal:

If, in the opinion of the superintendent and the board of education, the interests of the school require it, a certified teacher may be suspended pending a hearing as provided for in Section VII, provided that, in the event of reinstatement the teacher shall not suffer the loss of any salary by reason of such suspension.

Section VIII - Termination of Services

Whenever it becomes necessary to decrease the number of permanent employees in the school district on account of decreased number of pupils attending schools in the district, or because of the discontinuance of a particular service or consolidation of schools or population shifts, the board of education may, at the close of the school year, suspend as many of such employees as may be necessary. Notice shall be given by April 10th of such action. In making such dismissals, employees shall be dismissed in inverse order in which they were employed, provided, however, that no permanent employee may be dismissed under the provisions of this section while a probationary employee is retained or employed to render a service which a permanent employee, suspended as aforesaid, shall be prevented from securing other employment during the period of such suspension.

Such employees shall be reinstated to continuing status in the inverse order in which they were suspended if and when positions become vacant or when positions are created for which such employees are qualified, and are available within a reasonable length of time. Such employees shall be given sufficient notice in which to accept the invitation to return to the school system.

Section IX - Termination of Contract

Any contract can be terminated by mutual consent of the teacher and the board of education.

Section X - Charges Expunged from the Records

In all cases where the final decision of dismissal is made in favor of the teacher, the charge or charges shall be expunged from the records and the teacher reimbursed for the time that has elapsed during the time of dismissal and reinstatement.

Approved by Joint Committee, April 28, 1949.

METHOD OF PROCEDURE

When the writer had tentatively decided on the subject for investigation he consulted officers of the U. E. A. to determine if there was an interest in the problem. He received assurance that there was, and was encouraged to proceed with his study. Allan M. West, executive-secretary, gave the writer valuable suggestions in the forming of the questionnaire and proffered to cooperate by sending a letter with each questionnaire requesting the cooperation of all superintendents and presidents of locals. (See Appendix A.) It was agreed that the problem of teacher welfare, which seems to be a decided factor in teacher efficiency, was a mutual problem for administrators as well as teachers, and that the friendly attitude that superintendents and board members were manifesting, in the main, was helping to forward the movement of the problem toward solution. The questionnaires (See Appendix B) were sent from the office of the U. E. A. and the replies were received there.

It was felt that the interest taken by the U. E. A. office in the study, and the assistance given would increase the likelihood of a careful and full reply by superintendents and presidents of locals. Returns would indicate that this assumption was correct.

The questionnaire method of gathering material was chosen because it was felt that it would be too difficult to visit each superintendent and each president of the locals in the state and that answers to a questionnaire unsigned would probably be answered more freely. Also, some time would be required to collect the material from the files, which would be required to answer the questions.

The reasons that questionnaires were sent to both superintendents and presidents of teachers' associations was to get not only the statistics of welfare cases involved but also the methods used in dismissal or demotion; and if possible the underlying motives, reasons, and conditions which led to these actions. In other words, it seemed quite natural that an approach to the subject from the two different viewpoints would possibly present a clearer picture. Now that the returns are in this assumption seems to be justified.

The excellent cooperation received from the superintendents as well as presidents of locals, and many unsolicited comments which were made by them concerning the study, gave assurance that the information received could be relied upon as being unprejudiced and honest. As the questionnaires were unsigned, there seemed to be no reticence for fear of being quoted.

Along with the questionnaire to the superintendent, a copy of the questionnaire which was prepared for the presidents of locals was included, in order that the superintendents could see the whole picture. The executive-secretary enclosed a letter explaining the purpose of the study and requested full cooperation on the part of the superintendents.

Along with the questionnaire which was sent to the presidents of locals was included the one sent to the superintendents and a letter from the writer explaining the purpose of the study and urging full cooperation.

The questionnaires were mailed to the superintendents and presidents of locals on March 8, 1948, and March 4, 1948, respectively. On May 3, 1948, Mr. West addressed a letter to those superintendents and presidents of locals who had not responded, enclosing another copy of the questionnaire

to be used in case the first one had been lost.

Nineteen superintendents and twenty-six presidents of locals had replied on or before May 3, 1948. Since that time the number increased to thirty-eight replies from superintendents and thirty-nine from presidents of locals. In view of the fact that there are forty school districts in the state the writer feels justified in assuming that information gained from these questionnaires would fairly accurately represent conditions of the state as a whole.

Both questionnaires covered a five-year period: 1942-43 to 1946-47. It was felt that this would give a much better sampling and come nearer to telling the true story than a single year would have done.

Trends in Teacher-Administrative Relationship

This section of the thesis is based partly on personal observation and experiences. Many of the events which mark the changing relationships between boards of education and teachers' organizations would not likely be incorporated in the records of either.

The growth of teacher organizations in welfare work has been comparatively recent in the state. Because the Weber County School District appears to be typical of other districts in the state of Utah in the growth of professional influence, and because the writer is more familiar with it than with others, the Weber County School District is used to illustrate a trend which seems to be taking place.

The writer has been interested in problems of teacher welfare over a period of many years. When he came to the Weber County School District more than twenty-five years ago, the teachers were without a local

professional organization, as were many other districts in the state. Two years previously the local organization, which the teachers then had, came in conflict with the board of education and the professional organization was disbanded by order of the superintendent and the board of education. The immediate cause of this rupture in the relationship between the board of education of Weber county school district and representatives of the teachers of that district, as confirmed by interviews with teachers of that date, was action taken by the board of education on March 4, 1922, and recorded in the minutes of that date. A report and recommendations of the teachers committee of the board of education was submitted at a special meeting on February 18, 1922. The report and recommendations made by the above mentioned standing committee of the board on February 18 was adopted on March 4 and became the policy of the district.

The teachers' organization objected to the action taken by the board of education because they felt that their positions and salary were being jeopardized, and because the extreme action on vital school policies was taken without professional counsel. Three members of the board of education, comprising the teachers committee, had proposed these far-reaching changes without even consulting the superintendent.

The following is a copy of the report and recommendations of the teachers committee of the board of education which was adopted by the Board of Education of Weber County District:

Report of Special Meeting Teachers Committee, Weber County Schools,
February 18, 1922 *

To the Weber County Board of Education
Ogden, Utah

Gentlemen:

We submit herewith the results of our deliberation and best judgment regarding re-appointment of teachers, salaries, length of term, etc. for the ensuing year as follows:

First, we recommend that the teachers be offered a nine months contract for the year 1922-23 with a straight salary offered per month for nine months and no bonus listed.

Second, we further recommend that the salaries of experienced teachers be left the same as at present for the most part including a bonus value but which shall be paid as provided in our first recommendation in nine equal payments and no mention of bonus in the contract; provided that certain readjustment be made, both up and down, by the Teachers Committee, for special meritorious work or where there is evident reason for lowering the salary. But that the total payroll shall not exceed the present payroll for experienced teachers. Further provided, that the minimum salary of new elementary teachers be lowered from \$900 to \$800 and the minimum junior high teacher's salary be lowered from \$130 to \$120 per month for nine months.

Third, after thorough investigation of conditions and numbers available, we would recommend for next year that the following changes be made in the teaching corps of the County:

That we eliminate one teacher from the corps at Hooper, one at Slaterville, sending the 8th and 9th grade pupils to Marriott; one from the corps at Warren, sending the 8th and 9th grades to Plain City; one from the corps at Liberty, sending the 9th and 10th grades from Liberty to Eden; one from the corps at North Ogden; and one from the corps at Pleasant View, sending the 9th grade to North Ogden; one from the corps at Taylor, taking the 9th grade to West Weber; and adding the 10th grade to Huntsville and Eden, leaving the corps of teachers the same in each case as at present. There may be a possibility of eliminating one from Plain City but further investigation will need be made in this case.

From these proposed changes you will observe that we shall be able to save some \$1800 on the new teachers in the elementary schools, some \$700 on junior high school teachers, making a total of \$2500. On teachers eliminated we can save another nine or

* Copied from the regular meeting of the Board of Education of Weber County School District, March 4, 1922.

ten thousand dollars, making a total saving of approximately \$12,000 without reducing wages of good teachers whom we leave in the service.

Respectfully submitted,

Teachers Committee.

The results of my interviews indicated that the teachers resented a committee of lay members deciding problems, without professional help or counsel even from the superintendent, which so vitally concerned the well-being of the children as well as the teachers of the district.

Because the teachers organization expressed their concern in the matter their weak association was ordered dissolved, and members of the teachers committee were threatened with dismissal for interfering with the action of the board.

For a number of years following the disbanding of the organization of the Weber County Teachers Association in 1922, the superintendent would appoint a committee to serve in arranging a social event at the beginning of the school year for the members of the teaching staff. In 1926 Roy C. Metcalf was elected president of the Weber County teachers group and from that beginning has grown our present organization. During these first years the officers of our association were not permitted to take their problems to the board of education, but were instructed by the superintendent to present their wishes to him and he would take them to the board of education. Still later a committee of the teachers were permitted to meet with the board of education to present teacher problems. The committee would be welcomed by the president of the board and requested to state the purpose of their visit. At the close of the committee spokesman's prepared

speech the chairman of the board of education would reply, in effect, that as the teachers had carefully considered their requests and as their problems were in a nature new to the board, the board would be glad to consider the problems presented. The committee members were then dismissed. Nothing further would be heard on the matter either from the board of education or the superintendent. During these years the cases of dismissal and demotion of teachers was effected by the board of education and the superintendents without an accounting to anyone and without the necessity of giving any reasons. My memory of these experiences has been clarified and verified by interviews with my colleagues of these years.

While attending the N. E. A. Convention at Detroit during the summer of 1937 the writer with Milton B. Taylor, who later became a president of the U. E. A., discussed with a delegation of teachers from Ann Arbor, Michigan, the perils which were attached to leadership in local associations. From this discussion came the idea of patterning the Weber County Teachers Association local after that of the Ann Arbor organization, viz: instead of having a president who had so often jeopardized his position for the teachers, a commission of three shared the responsibility. In 1938 a constitution was drawn for the teachers of our district by a committee consisting of Roy C. Metcalf, Milton B. Taylor and Sidney L. Wyatt. The constitution was adopted with the three committee-men appointed as the first commission.

The new organization soon was put to a test. A difference with the policy of the superintendent caused the commission to ask the teachers of the district to refuse to sign the contracts which were issued. All the teachers except three turned their contracts to the commission to hold

until the dispute was settled.

A special meeting of the board of education was called by the superintendent, and the members of the teachers commission were summoned to appear before it. The teachers thus summoned prepared to answer charges made against them. At the last moment the meeting was cancelled and the dispute settled to the satisfaction of the teachers. Contracts were then delivered to the superintendent. It was the feeling of the members of the teachers commission that the special meeting of the board of education was called for the purpose of discharging them for the leadership they had exerted on behalf of teacher welfare in their district.

During the terms of the present and the past two superintendents of Weber county school district, a period of approximately ten years, relations between the Weber County Education Association on one side and the board of education and superintendent on the other have been cordial and healthy. Board meetings are open to our committees at any time. We are encouraged to and do sit in with them and discuss our problems, which the board has come to feel are their problems. The superintendent has assumed the position of educational leader instead of a dictator. This change in relationships between our organization and the board of education seems to be typical of a general movement throughout the state. Now it is common practice, as evidenced by comments of superintendents on their questionnaires, for representatives of the teachers associations to discuss and help solve problems of salary schedules, contracts, and other welfare problems, with the superintendents and boards of education. In fact, it seems to be the policy in many districts to appoint a joint committee of teachers, superintendent and board members to work out these problems. Yet,

regardless of this fine friendly cooperation, there is never a feeling of complete security of tenure by the great majority of our members which is so necessary for the best service a teacher should render to the community.

The questionnaire which was sent to the superintendents of the various districts of the state was divided into three divisions each having a distinct purpose: Part A -- to determine if possible, to what extent there had been dismissals, or non-issuance of contracts to teachers in the district over the preceding five-year period. The school year was listed, the frequency of dismissals during that year requested, with the cause of dismissal added. This made it relatively easy to answer the questionnaire, and it was hoped might elicit some information that otherwise might be overlooked. Part B was directed to the problem of demotion of teachers or withholding of increments over the same period of time. The same code and methods were used as for Part A. Part C was aimed at finding what methods had been used in dismissals, withholding of contracts, increments, or of demotions.

A list of seven questions were asked, each one of which might shed some light on the practices of superintendents and boards of education in taking adverse action against their employees. A copy of the questionnaire is placed in the Appendix.

The questionnaire which was sent to the presidents of locals of the state has six divisions. It has two main purposes: First, to determine what is the thinking of the teachers of the state in regards to the protection they should receive from their local, state, and national organizations if, and when they are threatened in their tenure, and, second, what influence, if any, the local association has or does exert in influencing

or checking the action of boards of education when their boards of education threaten the tenure of their members. A copy of this questionnaire is contained in the Appendix.

Superintendents' Questionnaire - Findings and Interpretations

Part A of this questionnaire was designed to determine the frequency of dismissal of teachers during the various years, and the causes for dismissal. Each cause was numbered and defined in order to make for ease in reporting and accuracy as to reason. Tables 1 and 2 indicate results of this part of the study.

Table 1. Number of dismissals or non-issuance of contracts by years

<u>Year</u>	<u>Number of Cases</u>
1942-1943	23
1943-1944	18
1944-1945	21
1945-1946	25
1946-1947	35
Total	<u>122</u>

It would seem that the number of teachers who involuntarily lost their position was rather low. This might indicate that the training institutions have done an exceptionally good job in selecting candidates for the teaching profession and in training them for their work, or that because of the difficulty of obtaining teachers during these years, otherwise undesirable teachers were kept in service. Several superintendents indicated that more teachers would have been discharged save for the acute shortage. One

superintendent volunteered, "no teachers were dismissed during this period of five years. Teacher shortage has kept some teachers on the job who would otherwise not be given contracts."

Table 2. Classification of dismissals or non-issuance of contracts by causes and by years

Cause	1942- 1943	1943- 1944	1944- 1945	1945- 1946	1946- 1947	Total	Reasons
1	10	14	17	11	20	72	Inefficiency
2	0	0	2	3	3	8	Insubordination
3	3	3	0	0	0	6	Immorality
4	2	0	0	1	0	3	Personal habits
5	0	1	1	0	2	4	Professional relations
6	0	2	0	1	1	4	Lack of dependability
7	2	4	1	2	3	12	Emotional instability
8	1	2	2	2	3	10	Lacking in professional conduct
9	0	0	0	4	0	4	Failure to observe terms of contract
10	0	0	1	0	0	1	Reprisals
11	3	0	1	0	4	8	Unclassified
Totals	21	26	25	24	36	132	

Due to the fact that in some instances of dismissal no cause was given, while in other cases two causes sometimes contributed, the totals in Tables 1 and 2 are not the same. One extra column, 11, was added to take care of any reason not listed. The reason for the discharge of the majority of teachers as given by superintendents was inefficiency, as was

to be expected. Closely allied to inefficiency was emotional instability and lacking in professional conduct.

Variation by years was slight; the greatest being in the school year 1946-1947 which may be accounted for by the fact that the war was over and teachers were beginning to return from military service and war industry, which made it somewhat easier for superintendents to replace undesirable teachers.

Part B of the questionnaire was designed to determine the frequency and causes of demotion on withholding of increments to teachers whose work was unsatisfactory yet who were not dismissed.

Table 3. Number of demotions or withholding of salary increments by years

<u>Year</u>	<u>Number of Cases</u>
1942-1943	6
1943-1944	7
1944-1945	5
1945-1946	5
1946-1947	<u>5</u>
Total	28

The number of teachers who were penalized by demotion or withholding of salary increments by years was fairly constant but contrasts sharply with those who were dismissed during the same years. In other words, it would seem that demotions and withholding of contracts is a lesser punishment than dismissal for the same causes, the offense, perhaps, being of a milder degree.

Table 4. Classification of causes for demotion or withholding of salary increments

Cause	1942- 1943	1943- 1944	1944- 1945	1945- 1946	1946- 1947	Total	Reasons
1	5	3	3	3	5	19	Inefficiency
2	0	0	1	0	0	1	Insubordination
3	1	0	0	0	0	1	Immorality
4	0	0	0	0	0	0	Personal habits
5	0	0	0	0	2	2	Professional relations
6	0	2	0	0	1	3	Lack of dependability
7	0	1	1	1	1	4	Emotional instability
8	0	0	1	0	0	1	Lack in professional conduct
9	0	0	0	0	0	0	Failure to observe terms of contract
10	0	0	0	0	0	0	Reprisals
11	0	0	0	2	0	2	Unclassified
Totals	6	6	6	6	9	33	

The number of cases in Tables 3 and 4 are not exactly the same because in some cases reasons for dismissal or demotion was not given and in other cases more than one reason affected the case. The same general pattern obtains: inefficiency accounting for approximately fifty-seven per cent of the total, emotional instability for approximately eleven per cent, and lack of dependability for approximately ten per cent of the total.

Part C of the questionnaire to superintendents attempted to ascertain practices followed in dismissals of teachers or their demotion or

the withholding of increments. Seven questions were put. The answers could be given with a check. Questions were inserted for convenience of reference.

1. In cases where teachers were dismissed, or demoted, or where increments of salary were denied, were the teachers first informed of their shortcomings, in writing, by those responsible for their supervision?

Sixteen superintendents stated that teachers in their districts were informed in writing of their shortcomings. Eleven said that no written notice was given. A number of superintendents did not answer this question. Several merely stated that there had been no dismissals or demotions during the period of study. While there are still a large number of districts in which teachers do not yet receive proper warning of unsatisfactory work and impending dismissal or demotion, there seems to be a definite trend in the direction of informing teachers of their shortcomings in writing.

2. If teachers were notified, what was the date of notification? One district claimed that notification was given in January. Two districts gave February as the month of notification, eighteen gave March; six, April; one, May; and one gave June as the date of notification. As the month of March is generally accepted as the date for issuance of contracts, most notifications of disapproval seem to be given at or near the time when contracts are issued.

As only sixteen districts claimed to give notice by writing, the others obviously were told in an interview. Several superintendents indicated that this was the case in their district. Because of the lateness of the warning, or notice of unsatisfactory service in all but three cases, it would

seem that the purpose was not of warning the teachers of their shortcomings but as a reason or justification for dismissal. It seems that there would scarcely be time to allow a teacher to improve and to demonstrate improvement.

3.A. Do you have any specified provisions for a hearing for teachers threatened with dismissal or demotion as part of the teacher's contract?

Eighteen superintendents replied yes; twelve replied no. Again there appears to be a movement in the direction of recognizing a right of the teacher to a hearing when and if his position is jeopardized, because these provisions for hearing were not in evidence in most districts twenty years ago.

3.B. Do you have any specific provision for a hearing of teachers threatened with dismissal or demotion as a written policy of the board of education?

Sixteen superintendents replied in the affirmative and six in the negative. This written policy is contained in the minutes of the board of education, which makes it highly possible that many teachers do not know of its existence, and therefore are not benefited by it as far as a feeling of security is concerned.

4. Were these hearings provided for before or after the action was taken against the teacher?

Seventeen superintendents said hearings were provided for before the action of the board became effective and eighteen said hearings were provided after adverse action was taken against the teacher by the board of education. It would seem that these late notices given after the board of education has made its decisions regarding the teachers are made too late to insure a fair hearing.

5. Was recommendation for dismissal or demotion instituted by: (a) principal, (b) supervisor, (c) superintendent, (d) board member, (e) parents?

The superintendents indicated that the principal had instituted or assisted in instituting the action in eighty cases; the supervisor in thirty-seven cases; the superintendent in thirty-six cases; a board member in nine cases; while parents had not been instrumental in instituting action in a single case. While the majority of cases claim that action against teachers was instituted by professional people, nine cases by board members is rather high. In fact, this admitted number of cases being instituted by board members is an indication that lay people are still infringing on the rights of the profession in presuming to pass judgment on the teachers' qualifications and other fitness to do professional work. No cases are reported as having their origin with parents, yet there is no way of knowing if their influence caused board members or others to begin action.

6. When dismissals or demotions were made, did the superintendent notify the local education association: (a) before dismissal or demotion -- three, or seven and one-half per cent; (b) after dismissal or demotion -- two or five per cent; (c) not at all -- twenty-three or fifty-seven and one-half per cent.

The answers to this question would indicate that there is a trend as evidenced in the Weber district over the past few years and by the expressed opinion of a number of superintendents to make the adjustment toward recognizing that teachers associations have an interest, a responsibility, and a right in the welfare of its members.

7. Do you think that the local association should share in the responsibility of determining if a teacher should be dismissed, demoted, or punished in other ways? To this question seventeen of the superintendents said that they thought that professional organizations of teachers should share in the responsibility of dismissing or demoting teachers; fourteen superintendents said they did not think teachers organizations should have a share in the responsibility. This expressed attitude on the part of superintendents may be an indication that the old feeling that the power of hiring and firing is a necessary whip of authority to intimidate and keep teachers in line. This autocratic attitude appears to be much easier to administer than to become a professional leader, using the rank and file of the group to help achieve desired ends and solve common problems in a democratic way. Surely the question would not lead to the assumption that teachers organizations might in any way interfere with the building up of efficiency or morale of the profession or in any way lower the educational opportunities of the pupils of the schools. Several of those who were opposed did so with reservations.

Because comment made by superintendents indicated attitudes in this matter, a number of them are here given:

"No. I think if the Superintendent and the Board have, in their judgments, adequate reason for dismissal, they should proceed to make such dismissal and assume full responsibility for it—not try to get the Association to share the responsibility. There are many reasons why the Association should be relieved of 'hiring and firing' help."

"Yes. The local teachers' association now has a committee through which the Superintendent works. A procedure has been worked out for dismissal of teachers in the future."

"No. Board of Education should consult Local Teachers' Association if they deem it necessary."

"Yes. As superintendent I have no objections to this procedure. This is not speaking for the Board of Education or what policy they would recommend in this respect."

"No. I believe the association should be informed, but I doubt if any good would be accomplished by having the association conduct any hearing or investigation."

"The nature of the problem may determine the need or desirability of local association participation. I think the policy of dismissal or demotion should be arrived at democratically and if desired by the teacher the association should be admitted, but the association must not become an administrative device that will begin to function whenever a 'dirty' problem arises."

"Yes, but association should have high standards of teaching and help enforce them. They should be more concerned than superintendent or parents with high professional standards. Teachers should not protect incompetent teachers who bring profession in disrepute."

"No, unless they also have some responsibility in his selection, supervision, etc., they should insist that all teachers get a hearing; if teacher so desires. The law places the responsibility of operation of schools on the board of education. I cannot see how any part of this responsibility can be assumed by the local association."

"Yes, if the local association can remove the cause for dismissal. If they are not willing, or unable to assist in the removal of such cause, then there is no point in notifying them."

Presidents of Locals' Questionnaire - Findings and Interpretations

The questionnaire to presidents of locals had to deal principally with the part professional organizations should take in defending teachers whose tenure was threatened.

Question number one had three parts: To what extent should professional organizations defend their members, when said members are threatened with dismissal, demotion, or withholding of increments by their board of education: (a) in the interest of the profession should all cases be investigated and defended whether requests are made by those threatened or not? Yes 15 No 24. (b) Should the professional

organizations defend only those cases where requests are made by the person concerned? Yes 18 No 21. (c) Should the professional associations defend only those cases which seem to be justified from a professional viewpoint after an investigation is made of the merits of the case by representatives of the association? Yes 33 No 6.

Table 5. Frequency tabulation of cases which professional organizations should investigate and defend

Case	Frequency	
	Yes	No
a	15	24
b	18	21
c	33	6

The answers to the above would seem to indicate that the leaders of local professional associations are opposed to investigation and defending all cases irrespective of the wishes of those immediately concerned and irrespective of the merits of the case. Section (b) would seem to indicate that while a great number of presidents of locals, 18, think that only those who request the assistance of the locals be aided, the majority, 21, feel that others, as well, should be defended. In section (c) there is evidence of a strong sentiment in favor of first investigating the case of a member threatened with dismissal, demotion, or withholding of salary increments, and then defending only those whose defense seem to be justified from a professional viewpoint.

Part two of the questionnaire asked: If the professional association decides that its threatened member is in the wrong, the association should: (a) defend the member? Yes 1 No 38. (b) Make a thorough investigation

and recommend according to its findings? Yes 38 No 1. (c) Make an investigation and recommend nothing? Yes 0 No 37.

The implications are that the associations can be relied upon, if and when they are called upon, to discipline or expell from its ranks incompetent or otherwise unworthy members.

Part three of the questionnaire asked: Should the professional associations investigate cases where the teacher threatened does not desire it, if it seems that a principle or the welfare of the association is jeopardized? Yes 34 No 5.

The returns would indicate that the thinking of the professional leaders is decidedly in favor of standing for those principles which they deem to be right and for the welfare of the association even if individuals are opposed to action being taken in their behalf.

Part four of the questionnaire asked: If a teacher is threatened with dismissal, or demotion, what is the sequence of steps to be taken for his relief, i.e., to which of the following bodies should he apply first, second, third, fourth? List in order of sequence.

Table 6 shows the frequency of judgment of local presidents as to sequence of steps which should be taken by a person threatened in his tenure and who is seeking relief.

Table 6. Frequencies of sequence of steps in teacher defense

Body	First Step	Second Step	Third Step	Fourth Step	Total
Board of Education	20	17	2	0	39
Local Association	19	18	2	0	39
State Association	0	4	35	0	39
National Association	0	0	0	39	39

There seems to be a sharp division in the minds of the teacher, as represented by the views expressed by the presidents of locals as there is an indicated need to clarify this thinking to the first place of recourse in times of tenure difficulty. Whether the appeal should be made first to the board of education or to the local teachers association. Twenty presidents considered the board of education as the first appeal while nineteen favored the local association. On the other hand, none of them believed either the state or national association should be appealed to first.

The second choice in sequence was also divided almost equally between the board of education and the local association. Although differing as to which of these two should come first and which second, it is evident that the great majority agree that the board of education and the local association should be the first two bodies that should be appealed to. Four votes were cast for the state association to come second while none voted for the national. Choice three was definitely in favor of state association and for choice four the national association.

The fifth part of the questionnaire: Should the state association come to the relief of a teacher before being requested to do so by the

local association? Yes 5 No 34.

The sentiments indicate that any action from the state organization should come only after the local association has requested it to do so.

The sixth part of the questionnaire: When does your superintendent notify the officers of your local association of action taken against a teacher? Eight superintendents reported that they notified the local officers before action was taken; six reported the locals were notified after the action had been taken and twenty-five reported that they do not notify the local association at any time. While the reports would indicate that the majority of superintendents and boards of education still considered the disciplining and discharging of teachers to be their responsibility alone, the fact that as many as eight districts report to the local associations before action is to be taken and six report after it has been taken is an indication of a trend from the earlier ignoring of associations in the direction of recognizing a right and a responsibility of the professional organization in maintaining its standards, as well as guarding the welfare of its teachers by participating, in at least an advisory capacity, when action is to be taken against a teacher. Mis-understandings and friction between teachers organizations and boards of education might also be prevented.

The response to the question: should the professional association investigate cases where the teacher threatened does not desire it, if it seems that a principle or the welfare of the association is jeopardized? would indicate that professional teachers associations are not desirous of protection to their members either in inefficiency or unprofessional conduct, but rather in the protection of the professional standards of group.

The teaching profession has recognized a responsibility to its members. To those who are misfits and incompetents it owes the responsibility of an investigation. To good teachers it owes protection when they are unjustly threatened in their profession or civic rights.

Included in the problem under study are ways and means to protect members of the teaching profession in their rights when their tenure is threatened. Obviously if threats to tenure can be forestalled and not allowed to appear, the profession will be better served than to permit, or thoroughly neglect, conditions which invite friction. Many cases of teacher inadequacy could be prevented by a closer screening of candidates for the profession.

The profession has done little to recruit its own membership.

...because of general unconcern of the profession and laxity of many institutions in adopting and administering selective patterns, thousand of misfits and incompetents have drifted into the profession. Only rarely have colleges, teachers colleges, or universities applied sound and adequate selective techniques to candidates seeking admission to our profession. (6)

If the stream of those who are apt to fail were kept from entering the profession, the most frequent reason given for dismissal of teachers, incompetence, would become a minor one.

Connecticut is one state where a plan has been in operation for many years to carefully select teaching candidates. All four teacher colleges operate on a quota basis, using the same standards. A candidate is required to present information of his high school record, his family background and extra curricular activities, his relative class standing in high school, results of I. Q. and achievement test scores are given by the high school principal with his estimate of the student as a candidate.

Entrance examinations to college include a standardized intelligence test, achievement test of high school accomplishment, a speech test, a reading test of comprehension, word analysis, and general ability, and an interview. Personal interviews lasting from fifteen to forty-five minutes are given by a committee of the faculty.

They note as desirable: participation in extra-curricular high school experience, work with smaller children, summer work experiences, ability to get along with people, engaging personality, and attractive appearance; as undesirable: poor personality, physical deformities, emotional disturbances, limited command of English, poor oral reading, obvious speech defects. (6)

After matriculating the students are carefully guided in their work and the obviously unfit weeded out. If such a method as this one practiced in Connecticut were in operation in all training schools much of the harm done to the profession and to the children in the schools by mediocre people in the profession could be eliminated. Teachers' colleges and universities should be made to feel responsible for allowing the obviously unfit to enter the teaching profession.

It would seem that the teaching profession has reached the stage in its development where it should set the standards of its profession and no longer have them imposed by a board composed mostly of lay members. If this were done a permanent Board of Certification Requirements, composed of educators, could evaluate and keep up to date requirements for certification. Educational processes are continually changing and it is only those who are continually in close contact with these changes who are aware of the changing needs of the schools.

The present arrangements compel our normal schools to train the candidates to meet the state board of education certification requirements first, whether this is the most valuable training for the profession or not.

Too often the period of practice teaching is too short and under conditions which do not approximate actual teaching situations that are encountered by the beginning teacher. This leads to the conclusion that there is a wide break separating the training of the candidate from the real experience of the teacher. It is during the apprenticeship period of the teacher that a closer relationship should be maintained by the normal school. Because of the impossibility of visiting and supervising all of its graduates in the field, the colleges might form some sort of a working arrangement with the supervisory staff in the school district for closer help and supervision for at least the first semester of actual teaching experience. It is at this level that the human relationship problem of supervision needs to be solved. The unfortunate relationship of fear and distrust which so often exists between teacher and supervisor and causes the teacher to hide his problems instead of bringing them to the supervisor with confidence, would be replaced with one of healthful and helpful cooperation. Our profession can do much to help its teachers by solving these problems. This help will be facilitated by a higher standard of professionalism by all concerned: superintendents, supervisors, principals, and teachers.

A teacher who is assigned to a position for which he is unfitted either by training or temperament, has his chances for outstanding service, or even success greatly reduced. It seems quite conceivable that many cases of teacher difficulties which have been labeled as inefficiency could have been prevented by proper assignment by the superintendent or principal. Teaching is a highly specialized profession. The training and temperament required for working with one age level, or subject, or

field may be quite different from that of another. Placement and assignment are factors often beyond the control of the teacher and yet they influence his chances for success and happiness greatly. The responsibility of doing this wisely and justly seems to rest squarely on the shoulders of the administrative staff.

Incompatibility and insubordination may be the result of incomplete or faulty indoctrination in the profession and its public relation. The responsibility of much of this training lies with the normal training institution but a great deal remains for the local district and school. Friction may be caused between a teacher and his colleagues because he did not know what was expected of him. He had not been thoroughly instructed as to his duties and his responsibilities. Traditions of the school may be unknown, morals of the community may be strange. While it is the responsibility of the teacher to acquaint himself with these important things, it also seems to be the responsibility of the profession to assist by making the information available.

It seems possible that the tenure of the superintendent could be a factor in the welfare of the teacher. Being the voice of the board of education, he is also primarily responsible to them for the schools. It is felt that because of occupying this sensitive position, some superintendents may have a greater interest in pleasing the members of the board of education and thus assuring their own position than to deal justly with controversial problems concerning teacher welfare.

CONCLUSIONS

Evidence has been presented that supports reasonably the following deductions concerning the problem of demotion or dismissal of teachers:

I. Some conditions which permit, encourage, or cause employers to act adversely toward teachers are:

(a) The lack of proper selection and screening of candidates by normal schools permits a number of people to enter the profession who are misfits and incompetents.

(b) A lack of thorough training, indoctrination in professional ethics and district and school standards are factors which mitigate against the chances for a teacher's success. The proper placement of teachers as to grade level, subject and school are also important.

(c) An absence of proper and close supervision with the right human relationship between supervisors and teacher may cause the teacher's problems to be buried rather than aired and solved.

(d) There still exists a feeling by political, economic, and social groups that they should continue to use the schools for their selfish interests, and that teachers should aid and abet them in their endeavor.

(e) There still exists a lack of either a legal protection of tenure or generally accepted principles and procedures which would guarantee tenure.

(f) Professional organizations have not as yet come to a realization of their duties and responsibilities to their members, or else they are still lacking in strength or courage to perform these obligations.

(g) And finally, there still continues a disposition of some

superintendents and boards of education to insist on maintaining the master and servant relationship between teachers and the administrative force, instead of adopting the philosophy that administrators are educational leaders and teachers are co-workers.

II. Reasons disclosed by the study which were advanced for grounds of action taken to demote or dismiss teachers were relatively easy to secure from the superintendents. Inefficiency, lacking in emotional stability, lacking in professional relations, and insubordination, in order named were listed as the leading causes.

III. Underlying motives were more difficult to determine; but due to the fact that there were nine cases admitted where board members had instigated action against teachers who were dismissed, and one case in which a teacher was discharged as an admitted reprisal, it is conceivable that the reasons adduced were not always the real ones, and that injustices have been perpetrated in many cases.

IV. Professional educational associations have grown and still continue to grow as a factor in exerting an influence in maintaining a firmer tenure for teachers. The attitude and policy of most boards of education has been greatly altered in respect to teachers and teacher organizations during the recent past. The trend seems to continue. With the unselfish attitude of local teacher organizations as expressed through local presidents and with the good of the children and of the schools placed before their own welfare, this trend will likely continue.

V. The fact that all the presidents of locals expressed a feeling of responsibility in the tenure of the members of the association, and also due to the fact that the majority of superintendents recognize the right

and obligation of professional organizations to be concerned in tenure, and the welfare of teachers generally, indicates that not only the protection of teachers' rights but also their discipline, when needed, as well, will be matters of growing concern for professional organizations. Both superintendents and presidents of locals concur in this deduction.

Principles for Tenure and for the Orderly Demotion or Dimissal of Teachers

The following are principles which have been derived from the following sources:

(a) A memorandum sent to the Granite School District by the Utah Education Association Board of Trustees, December 4, 1948. See Appendix A.

(b) Recommended procedures for the orderly dismissal of teachers for incompetency and/or other causes. *

(c) The present study.

(d) Literature in the field.

The above mentioned sources were used because they represent the present thinking of the Utah Education Association, the State School Board Association, the majority of the superintendents of the various districts, and the presidents of local education associations of the state.

I. Preventing teacher failure is a primary step in solving the problem of teacher tenure and dismissal. The following are some principles which should be utilized to reduce the need for further protection:

(a) It is the responsibility of teacher training institutions, and of the profession generally, to recruit its members from among those who are apt to succeed, and to eliminate all candidates who are obviously unfitted for the work of teachers.

* See Report of Joint Committee, pp. 19-23 of this study.

(b) A more thorough and practical training of teachers to meet the professional and actual teaching situations encountered by the beginning teacher be given by the training schools.

(c) The administrative force should exert more care in the placement and assignment of teachers.

(d) Weak teachers should be given more and better help by supervisors who can establish that human relationship with the teacher that results in freedom and confidence in exposing and working on problems.

II. In cases of alleged incompetence or other failings of the teacher, which do not precipitate a crisis for the general welfare of the school, the principal shall notify the teacher in writing of his alleged shortcomings with specific and definite recommendations for the teacher's improvement. After this notice is given, sufficient time shall be allowed to give the teacher a fair opportunity to make satisfactory improvement. The principal or other supervisor shall observe the teacher's work and continue to give aid in a supervisory capacity.

III. If satisfactory improvement is not noted in the teacher's work, a second notification shall then be made in writing by the principal. A copy of this notice should be given to the superintendent and a copy to the president of the local teachers association.

IV. In case the teacher considers the principal to be prejudiced or unfair in his charges or treatment, he may apply to the superintendent for a hearing.

V. If the teacher is then not satisfied with the results of the hearing by the superintendent, he shall then be permitted to appeal to a Board of Review. This board should consist of a broadly representative body of

disinterested persons. This board of review shall be a permanent organization functioning when circumstances require. It shall be empowered to take and record testimony as well as to submit its findings with recommendations to the board of education and the local teachers association.

VI. In event the teacher or the administrative staff are not satisfied with the findings and recommendations of the Board of Review, an appeal may be made by either or both parties for a public hearing before the board of education, where the teacher may request the support of his professional organization.

VII. In cases where charges against a teacher allege a moral crisis for the welfare of the school, the principal shall notify the teacher in writing, a copy of the notification to be sent to the superintendent and a copy to the local teachers association. The case then may be brought immediately to the attention of the Board of Review for hearing and recommendation.

The above procedure would seem to remove the necessity of the superintendent assuming the entire responsibility of disciplining teachers. It would also remove the feeling that the superintendent must, through loyalty, support the recommendations of his principals and in turn be supported by the board of education for the same reason irrespective of the merit of the case. It would also place upon the professional organizations additional responsibility to maintain high professional standings, and to investigate carefully the merits of a case before committing themselves to its defense. In the meantime it would in no way interfere with the inherent right of the board of education to determine who should and who should not hold the office of the teacher in the public school.

It seems further that the above procedure would protect the teacher and the school from capricious and unjust attacks by the administrative staff, members of the boards of education, political and civic organizations, and the public in general. The superintendent and boards of education would likewise be protected against teacher organizations and the public, who sometimes oppose action taken by the administrative staff because they are not fully informed as to the causes. Confidence would be established because all concerned would feel that any action taken would be based on principle and not caprice. If this can be done by the above principles, satisfactory teacher tenure may be obtained; if not it would seem that the only alternative would be to attempt legal tenure in our state that would furnish protection to the profession and yet evade the evils that have accompanied tenure laws in some of our states.

Recommendations for Applying the Principles for Tenure and for the Orderly Demotion or Dismissal of Teachers

The writer feels that in principle II that "after this notice is given, sufficient time shall be allowed to give the teacher a fair opportunity to make satisfactory improvement", should mean at least six weeks time, and that supervision and aid to the teacher should be provided at least once each week during this period.

In principle V, the Board of Review, the writer feels, should be composed of three members. One member should be appointed by the teachers association, but should not be a member of the same or in any way connected with the teaching profession. A second member should be appointed by the board of education, but should not be a member of the board or in any way

responsible to it. A third member should be appointed by the first two and should also be without a personal interest in either group. This recommendation is in agreement with suggestions of the Board of Trustees of the Utah Educational Association to the Granite District Board of Education under date of December 4, 1948. (See Appendix A.)

The writer also feels that a continuing contract would add much to the feeling of security of teachers. The Provo school board has already offered such a contract to its teachers. The Weber County board of education is considering such a contract for its teachers.

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APPENDIX A

UTAH EDUCATION ASSOCIATION
316 Beneficial Life Building
Salt Lake City 1, Utah

March 8, 1948

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Dear Superintendent:

Mr. Sidney L. Wyatt, Principal of the North Ogden Junior High School and a graduate student of the U.S.A.C., has chosen to study problems associated with the dismissal of teachers in Utah school districts as his thesis for the Master's degree. He is working under the direction of Dean E. A. Jacobsen. The purposes of the study are constructive. Mr. Wyatt hopes to develop criteria which may be helpful to the boards of education, administrators and to the professional association in dealing with cases of dismissal of teachers, demotion, or the withholding of annual increments on the salary schedule.

As you probably know, the U.E.A. and the State School Board Association have agreed to participate in a joint study of this question. Mr. Wyatt's findings should be of material assistance to this committee.

You will observe that Mr. Wyatt's questionnaire asks for information for the past five years. Reasons for action involving teachers are numbered. Where several cases occur in one year it is suggested that you designate them as case a, b, c, etc. If cases do not fall in the categories mentioned, please feel free to add other reasons to the list. If more than one reason enters into a case, please list all contributing factors.

We believe you are interested, as the U.E.A. and State School Board Association are, in providing for an intelligent and reasonable set of principles governing the orderly dismissal of teachers. You can help by cooperating with Mr. Wyatt in this study.

Will you kindly complete the attached questionnaire and return it in the enclosed addressed envelope. A separate questionnaire will be sent to presidents of local teachers associations. A copy is enclosed for your information only.

Very truly yours,

Allan M. West
Executive Secretary

AMW:RR

North Ogden School
North Ogden, Utah

March 4, 1948

To Presidents of Local Teacher Associations:

The enclosed copy of a letter, over the signature of Allan M. West, executive secretary of the Utah Education Association, to the superintendents of the state, and the copy of the questionnaire to the superintendents, are self-explanatory. I am sending them to you in order that you may more clearly see the purpose in the questionnaire I am asking you to complete.

Will you kindly complete the enclosed questionnaire to Presidents of Local Teachers Associations and return it in the attached addressed envelope?

Sincerely,

Sidney L. Wyatt

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UTAH EDUCATION ASSOCIATION
316 Beneficial Life Building
Salt Lake City 1, Utah

May 3, 1948

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Dear Superintendent:

On March 8, a questionnaire prepared by Mr. Sidney L. Wyatt was mailed to you. Our records indicate it has not been returned. The questionnaire related to the dismissal of teachers.

We believe you are interested, as the U.E.A. and State School Board Association are, in providing for an intelligent and reasonable set of principles governing the dismissal of teachers. You can help by replying to Mr. Wyatt's questionnaire.

In case you have mislaid the original questionnaire, we are enclosing another copy for your convenience. An addressed stamped envelope is also enclosed.

Cordially yours,

Allan M. West
Executive Secretary

AMW:el
Encls.

Excerpt from an open letter from Allan M. West, Executive Secretary, U.E.A., to H. Aldous Dixon, President, Weber College, Ogden, Utah:

TENURE

"Twenty years ago only six states had teacher tenure laws. Now only six states, including Utah, do not have teacher tenure. Perhaps the reason Utah does not have a tenure law is that since tenure is generally implied in cases of satisfactory work, there has not been sufficient need for it to justify placing tenure before other important legislative needs.

However, there are growing indications of a need to study this problem seriously. One indication of this need is that, while not excessive, more cases of dismissal and unfair treatment of teachers has been reported to the U.E.A. in the past five months than in the preceding five years. Recent action by school superintendents advocating placing teachers "doing questionable work" on probation and "eliminating all incompetent teachers" seems to emphasize the need for the establishment of a just and fair procedure to be followed. Such procedure should provide for the dismissal of incompetent teachers but at the same time must protect the efficient teacher from summary dismissal.

While the principal purpose of tenure is to protect teachers from unfair dismissal, any tenure law which does not have as its major objective safeguarding the interests of school children will not benefit the teachers in the long run. For this reason a tenure law must grow out of careful study. I do not think the present is an appropriate time to launch a campaign for a state-wide tenure law. But I do think now is the appropriate time to give careful study to this important problem."

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MEMORANDUM TO THE GRANITE SCHOOL BOARD

* * * * *

As an administrative body, the board must concern itself with the maintenance of an efficient organization wherein its supervisory personnel is assured of confidence and support of the board. As a judicial body, it is highly concerned with granting an unbiased review of all of the facts giving rise to the disciplinary action and out of such review arrive at a decision which is based entirely upon the facts adduced. These two objectives are in conflict.

Under present administrative procedure, if the principal of a school is of the opinion that a teacher should be discharged or placed on probation, he makes a recommendation to that effect to the superintendent of the school district. It appears further that the teacher is notified of such recommendation. In the absence of any protest by the teacher, the superintendent, after satisfying himself that the principal's recommendation is supported by some showing of fact, follows the principal's recommendation. If the teacher protests the recommendation, the superintendent's review of the facts may be pursued with greater care, but again if there is some showing of fact in support of the principal's recommendation, he will follow it. This constitutes good administrative practice. Unless the superintendent tends to support the principal, excepting in those cases where the principal's recommendation is patently arbitrary or capricious, he endangers the efficiency of the organization by depriving the principal of confidence that he enjoys the support of his administrative superior.

The teacher, however, has not received a completely unbiased decision and by the very nature of the circumstances cannot and should not. We say "should not" because it must be recognized that the general welfare of the organization is more important than the needs of the individual.

A similar conflict arises when an appeal is made from the action of the superintendent to the board of education. The board has an obligation to support and extend confidence to its superintendent which it must consider paramount to the obligation to dispassionately review the circumstances affecting the disciplined teacher. It must enter into the review of disciplinary action with the limitation that it will review the facts for the purpose of determining whether or not the superintendent was arbitrary or capricious in arriving at his decision. If there is some evidence supporting such action, it must support the superintendent. It may not substitute its opinion for that of the superintendent merely because the weight of the evidence finds a decision for the teacher. To do otherwise would jeopardize the administrative stability of the organization.

Our sensibilities rebel, however, at the continuation of an appeal procedure which deprives the individual of a completely unbiased review. We believe that we should suggest a method of attaining both of the objectives so essential and desirable to both the board and the association.

The board has already evidenced its desire to establish an orderly procedure for the dismissal of teachers for incompetency and other causes by adopting the recommendations of the joint committee appointed for that purpose by the State School Board Association and the Utah Education Association late in the year of 1947.

The experience derived from this case and from other similar cases indicates that in addition to the procedures mentioned above, there is great need for the establishment of a hearing tribunal which will eliminate the conflict between the administrative and judicial objectives to which we aspire and which will more satisfactorily implement the procedures that have already been adopted upon the recommendation of the joint committee. We suggest as one possible method the following type of hearing procedure and tribunal to be used in all cases involving disciplinary actions or dismissal.

In accordance with Section VI, a teacher considered failing in his work is notified in writing of his incompetence. Ordinarily, such written notice originates with the principal, contains a statement of the causes of dissatisfaction and is accompanied by recommendations for improvement. Ordinarily, too, if there is no improvement, the principal makes a notice thereof to the teacher. The teacher may or may not at this time make an appeal from the principal's recommendation to the superintendent. We suggest that in the absence of an appeal by the teacher, the superintendent review the facts submitted by the principal. If he finds that there is some reasonable amount of evidence, not necessarily a preponderance, to support the recommendation, he may uphold, modify or refrain from following the recommendation. In arriving at his decision he may give consideration to the administrative problems involved and may be guided by such general administrative considerations. Thus, although a principal's action may be fully justified under the circumstances, he may have administrative reasons for taking some other action than that recommended by the principal.

If there is an appeal by the teacher, the superintendent may do one of two things. First, he may review the facts submitted by both the principal or supervisory officer and the teacher and decide the question in the same manner as he would in the absence of an appeal by the teacher; or, second, he may refer the matter to a hearing tribunal which will be later described within a fixed number of days after receipt of the appeal and recommendation. If the superintendent determines to review the matter and he finds that there is not a reasonable amount of evidence to support the principal's recommendation, then he must refuse to follow it. Thus far the proposed system retains all of the present practices followed with reference to this type of case. Moreover, it recognizes the conflict between the administrative and judicial objectives and it recognizes that the superintendent may properly concern himself with the administrative aspects of a review case, the only exception being that the superintendent may directly refer the matter to a hearing tribunal.

We propose, for the purpose of insulating the administrative agency from the administrative consideration which necessarily arrives in all

review cases, that a hearing tribunal be created, composed of a three man review board. One of the members of such tribunal should be selected by the board of education, another member should be selected by the teachers' association and the third member to be appointed by the above two appointees. We suggest that the members appointed to such tribunal in no event be either teachers or members of the school board, in order to avoid carrying over into the tribunal some of the administrative considerations which we seek to avoid. This board may be appointed for a fixed term and for the purpose of hearing appeals from disciplinary actions. Such appeals may be directly instituted by a teacher from a superintendent's actions or by referral of the superintendent in event of an appeal by a teacher from a principal's action.

Although we have used the term "principal", it should be construed broadly enough to include any supervisory officer.

When a matter is called before the hearing tribunal, the tribunal must acquire all of the facts obtainable in the case as presented by the board, the principal or superintendent and the teacher or his agent and may secure such additional facts by independent investigation as it may desire. The tribunal hears the matter anew with no obligation administratively to uphold any previous action taken. Not being an administrative agency, it has none of the obligations to support either teacher or principal that may be true of personnel of the administrative agency itself. Accordingly, it is in a position to grant to the teacher a completely unbiased hearing and to arrive at a decision based upon a clear preponderance of the evidence in favor of either upholding the administrator's action or the teacher.

Good procedure would require that the hearing tribunal be required to maintain records of all evidence considered by it, make a written finding of fact and to make a written decision.

In the event either the teacher or the supervisory officer (principal, superintendent or other supervisor) is dissatisfied with the decision of the hearing tribunal, an appeal may be made to the board of education.

The board of education may review all of the evidence contained in the file of the hearing tribunal and consider such other facts as it may independently acquire. Because the hearing tribunal is not an administrative unit, the board is thus placed in a position of making an unbiased, dispassionate review of the findings and decision of the tribunal without creating any of the administrative conflicts above referred to. It is suggested also that upon review by the school board, it prepare written findings of fact and decision in order that parties to the proceeding may be acquainted with all of the factors leading to the decision.

* * * * *

UTAH EDUCATION ASSOCIATION BOARD OF TRUSTEES
Approved at the regular meeting of the Board of Trustees held in Salt Lake City, December 4, 1948.

APPENDIX B

Questionnaire to Superintendents
of Utah School Districts

(A)

To what extent have there been dismissals or non-issuance of contracts of teachers over the past five-year period in your district?

<u>Year</u>	<u>Frequency</u>	<u>Causes</u>
1942-43	_____	_____
1943-44	_____	_____
1944-45	_____	_____
1945-46	_____	_____
1946-47	_____	_____

Causes:

1. Inefficiency -- The teacher did not have the training or the ability to perform his assignment in a competent manner.
2. Insubordination -- The teacher failed or refused to carry out the instructions or policies of the principal, superintendent, or board of education.
3. Immorality -- The teacher's morals are below the accepted standards of the community or school.
4. Personal Habits -- Such personal habits as the use of tobacco, liquors, gambling, pool playing, etc. are offensive to the community.
5. Professional Relations -- The teacher has been incompatible with his colleagues: principal, teachers, superintendent, board of education in extra professional relationships.
6. Lack of Dependability -- The teacher could not be relied upon to carry out his assignment.

Questionnaire to Superintendents - page 2

7. Emotional Instability — The teacher was unable to control his emotions in the discharge of his duty.
8. Lacking in professional conduct — The teacher failed to observe ethical standards in relationship to his colleagues or his profession.
9. Failure to observe terms of contract or policies of the board of education such as attendance at meetings called, spending specific times at work, proper certification.
10. Reprisals — The teacher was dismissed as a reprisal for objectionable work in teacher organization activity.

(B)

To what extent has there been demotions or withholding of increments of teachers over the past five-year period?

<u>Year</u>	<u>Frequency</u>	<u>Causes</u>
1942-43	_____	_____
1943-44	_____	_____
1944-45	_____	_____
1945-46	_____	_____
1946-47	_____	_____

Use the same code and methods as were used in the (A) part of this questionnaire.

(C)

What methods were used in giving notice of dismissal, withholding of contract, increments, or of demotion?

1. In cases where teachers were dismissed, or demoted, or where increments in salary were denied, were the teachers first informed of their shortcomings, in writing, by those responsible for their supervision?
Yes ____ No ____

Questionnaire to Superintendents - page 3

2. If teachers were notified, what was the date of notification?

Date _____

3. Do you have any specified provisions for a hearing of teachers threatened with dismissal or demotion as part of the teacher's contract? Yes _____ No _____

Written policy by the board of education? Yes _____ No _____

4. Were these hearings provided for before? Yes _____ No _____ or after Yes _____ No _____ the action was taken against the teacher?

5. Was recommendation for dismissal or demotion instituted by:

- a. Principal
- b. Supervisor
- c. Superintendent
- d. Board Member
- e. Parents

Check the one responsible.

6. When did dismissals or demotions were made did the superintendent notify the local education association:

- a. Before dismissal or demotion _____
- b. After _____
- c. Not at all _____

Check one.

7. Do you think that the local association should share in the responsibility of determining if a teacher should be dismissed, demoted, or punished in other ways? Yes _____ No _____

Questionnaire to Presidents
of Local Teachers Associations

1. To what extent should our professional organizations defend their members when said members are threatened with dismissal, demotion, or withholding of increments by their board of education?
 - a. In the interest of the profession should all cases be investigated and defended whether requests are made by those threatened or not? Yes ___ No ___
 - b. Should the professional organizations defend only those cases where requests are made by the person concerned? Yes ___ No ___
 - c. Should the professional associations defend only those cases which seem to be justified from a professional viewpoint after an investigation is made of the merits of the case by representatives of the association? Yes ___ No ___
2. If the professional association decides that its threatened member is in the wrong, the association should:
 - a. Defend the member? Yes ___ No ___
 - b. Make a thorough investigation and recommend according to its findings? Yes ___ No ___
 - c. Make an investigation and recommend nothing? Yes ___ No ___
3. Should the professional associations investigate cases where the teacher threatened does not desire it, if it seems that a principle or the welfare of the association is jeopardized? Yes ___ No ___
4. If a teacher is threatened with dismissal or demotion what is the sequence of steps to be taken for his relief, i.e., to which of the following bodies should he apply first, second, third, fourth?

List in order of sequence.

 - a. Board of Education
 - b. Local Association
 - c. State Association
 - d. National Association

Questionnaire to Presidents - page 2

5. Should the state association come to the relief of a teacher before being requested to do so by local association? Yes ___ No ___
6. When does your superintendent notify the officers of your local association of action taken against a teacher?
- a. Before action is taken _____
 - b. After action is taken _____
 - c. Not at all _____

Check the one applying.