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Teachers' Unions Should Stop Putting Seniority before Performance

End teacher tenure. The education of children takes precedence over job security for adults.

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Unions have made it nearly impossible to remove ineffective and poorly performing teachers, and an effort by California lawmakers to crack open the door just a little is meeting stiff resistance.

California is one of six states where elementary- and secondary-school teachers can attain tenure after just two years. A bill that would lengthen this requirement to a more-reasonable three years barely managed to squeak out of the Assembly Education Committee, but teachers' unions are sure to keep fighting it every step of the way.

The unions insist they have the best interests of children at heart. If that were true, they would support repealing tenure laws entirely and moving toward a merit-based system of advancement. Doing that would return employment decisions back to school administrators and put students first.

It's just common sense. If numerous patients die because of medical malpractice, a doctor's license will be revoked. If politicians do not fulfill promises, voters can remove them from office. Schools should be able to remove incompetent teachers.

These reforms are long overdue. As of 2016, the United States has fallen to 39th globally in math and 24th in reading. Teachers' unions have insisted that higher educator salaries will fix the problem, but even after decades of raising teacher pay and retirement benefits, student achievement has remained stagnant.

In fact, there is little evidence that student achievement can be improved simply by spending more. Public schools in Washington, D.C., spend more per pupil than do their counterparts in almost any state in the nation, but they also rank near the bottom in quality. A Cato Institute analysis of all 50 states shows that the trend holds: Increased spending does not lead to better outcomes.

Tenure laws keep ineffective teachers in the classroom and increase the costs to fire them. In California, only 22 teachers were dismissed for unsatisfactory performance in the period 2003–13. This means that only 0.0008 percent of California's 277,000 teachers are fired each year despite lackluster educational outcomes.

The lengthy and expensive dismissal process discourages principals from removing teachers. For instance, firing a single teacher in New York City in 2008 cost taxpayers \$250,000 and took over six months. Mayor Michael Bloomberg subsequently called for a merit-based system for determining layoffs.

If tenure laws were replaced with merit-based advancement, good teachers would be rewarded for their performance and would be less likely to leave in their first few years.

While tenure provides job security to teachers who have taught for a specified number of years, it has, ironically, contributed to high turnover. New teachers are frequently given the most challenging teaching assignments, and they are the first to be let go when school districts face budget constraints. Consequently, 41 percent of new teachers leave the classroom within their first five years.

Richard Ingersoll, professor of education and sociology at the University of Pennsylvania, found that the “revolving door of turnover” costs school districts and states up to some \$2.2 billion annually. For every teacher who quits a Chicago public school, it costs \$17,872 to recruit, hire, and train a new teacher. High turnover remains a drain on educational resources that could be better spent updating textbooks or improving the reading skills of low-income students.

High turnover also weakens the trust and confidence in student–teacher relationships. A 2007 study by the National Institutes of Health concluded that strong student–teacher relationships led students to “work harder in the classroom, persevere in the face of difficulties, accept teacher direction and criticism, and cope better with stress.”

If tenure laws were replaced with merit-based advancement, good teachers would be rewarded for their performance and would be less likely to leave in their first few years. In 2013, North Carolina legislators repealed teacher-tenure laws. The following year, the rate of teacher turnover fell by over a third. It now stands below 7 percent annually.

In contrast, South Carolina, Texas, and Arizona all have turnover rates exceeding 13 percent, with Arizona leading the nation at 18.8 percent. All three states feature tenure laws that reward seniority over merit.

State legislatures in California and elsewhere should stand up to teacher unions and institute merit-based performance models, which prioritize ability over seniority. They should also follow the examples set by Florida, Idaho, Kansas, and North Carolina, which have all eliminated tenure. After all, the education of children should come before the job security of adults.