

TENURE, SENIORITY, AND PAY:



**HOW CTA
POLICIES HURT
CALIFORNIA
CHILDREN
AND GOOD
TEACHERS**

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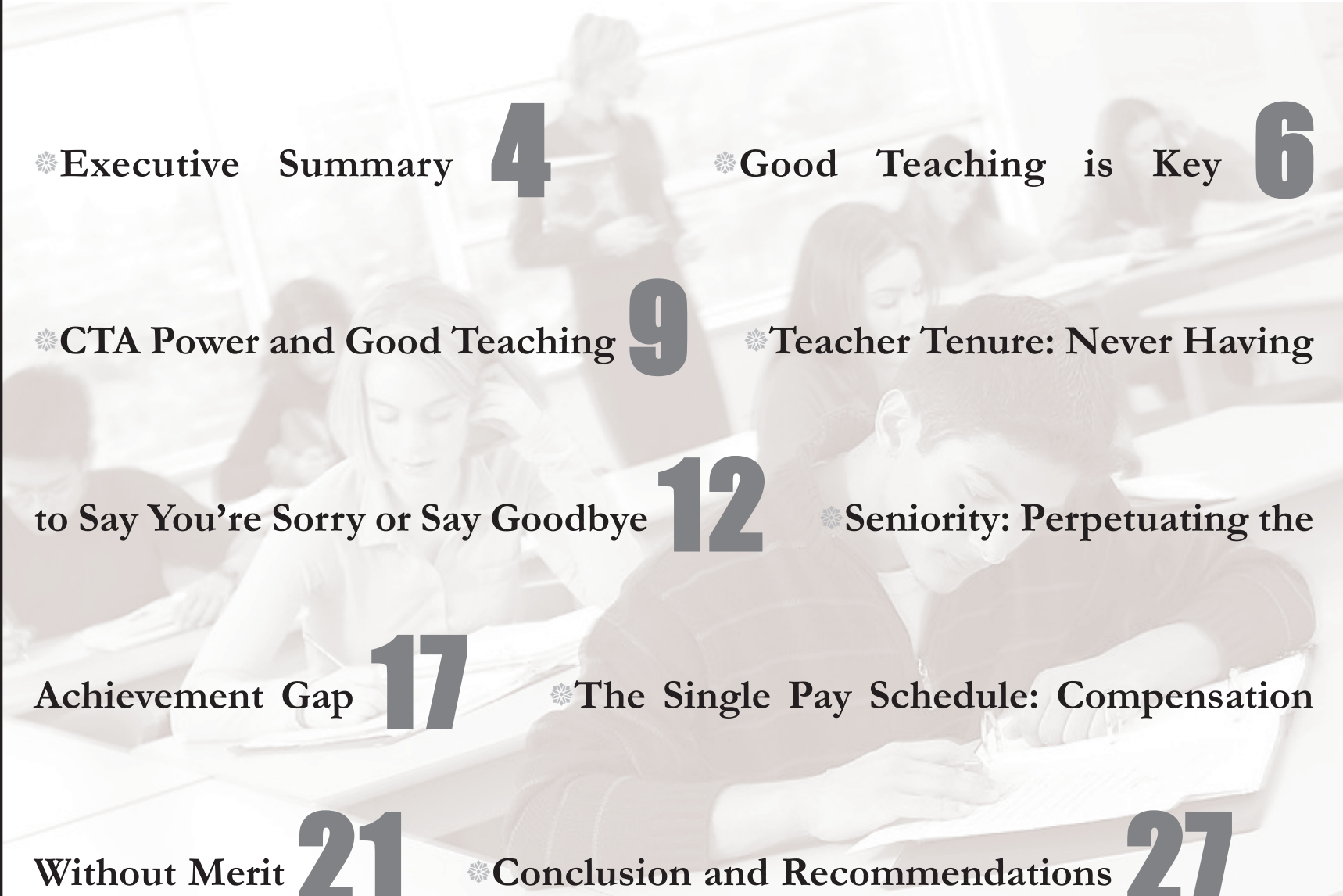
California Parents for Educational Choice Foundation has often noted the heavy costs—in finances, in operational efficiency, and in student academic achievement—that the current government monopoly in public education imposes on our society. Generations of proposed or adopted reforms have been deflected and fallen by the wayside as they have attempted to penetrate this state behemoth.

In California we have only exacerbated this resistance to reform by allowing teachers unions, but overwhelmingly the California Teachers Association (CTA), to orchestrate the supply of labor and the conditions under which teachers work. By statute, which only two other states have, whenever a simple majority of any district's teachers elect to be represented by a union, all teachers must pay the union for representation regardless of whether they wish to be members. Termed an "agency fee," this payment supposedly assures that every worker compensates the union for the services received in negotiating and implementing a contract. Increasingly, political activities creep into the agency fee because interactions with school boards and state government over budget and curriculum, for example, are often politically charged. At the very least, collecting agency fees can free other revenue for political purposes.

On top of this, CTA collects significant funds expressly intended to promote political candidates and measures. In June 2005 it imposed another member fee to fund a \$50 million attack on a series of ballot measures scheduled for the November ballot.

This paper documents how this money and power, granted in effect to a "teacher trust" within a government owned monopoly, has led to the creation and defense of three bastions of the California Teachers Association's public policy—tenure, seniority, and a compensation system completely disconnected from merit. Each is damaging. Taken together they form a near perfect storm that leads to the creation and perpetuation of mediocre and poor teachers not only at the expense of California's children, but also to the detriment of those California teachers who are excellent.

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EXECUTIVE SUMMARY

- ✿ Educators are in complete agreement about the crucial value of effective teachers.
- ✿ The California Teachers Association (CTA) supports policies that undermine teacher excellence and damage student learning.
- ✿ These CTA policies, tenure, seniority, and a lack of pay tied to performance, are all damaging. When they operate within the public school monopoly, they create an educational catastrophe.
- ✿ Ironically, these policies diminish the teaching profession, which 7 out of 10 college graduates already say offers no good opportunities for advancement.
- ✿ Within three years one-third of new teachers leave the profession. The “teacher shortage” is in fact a shortage of those willing to teach in a system that offers no incentives to excel and tolerates incompetent colleagues forever.
- ✿ When asked, 76% of teachers know a “few” or “more than a few” teachers in their school who “are simply going through the motions.” But the tenure laws and adminis-

trative process effectively remove any leverage for either motivating improvement or removing these teachers

- ✿ Yet in the entire 1990s, “the actual number of firings is a virtual proxy for zero,” according to a Pacific Research Institute analysis. The teacher dismissal process permits extensive legal maneuvers that could include dozens of depositions. The cost can reach \$300,000.
- ✿ Seniority perpetuates the achievement gap, allowing the most successful teachers to migrate continuously to the highest performing schools. Meanwhile, schools with high minority and/or low-income populations lose these teachers to be replaced by those with less experience.
- ✿ The Education Trust West found that in 40 of California’s 50 largest school districts much less is spent on teacher salaries serving mostly low-income students than in schools serving richer students.
- ✿ Teacher compensation is unrelated to student learning and achievement, and thereby offers no incentives for teachers to excel. With this one-size-fits-all system, mediocre and weak teachers receive the same raises as strong instructors, a practice that actually undermines calls to pay teachers more.

- ✿ Excellent teachers become frustrated and demoralized watching underperformers rewarded and many of our best teachers eventually leave the profession.
- ✿ If money is the “mother’s milk” of politics, CTA is the mother of all dairies in California and has extraordinary power. For example, in June 2005 CTA again temporarily raised its annual member dues by \$60 annually for the next three years to fund a \$50 million campaign against ballot measures that Governor Schwarzenegger has placed on the November ballot, as well as a paycheck protection initiative.
- ✿ The quickest way to curb CTA’s disproportionate political power is to reduce its ability to raid its members’ wallets, many of whom do not support its political agenda. The Paycheck Protection initiative, Proposition 75 on the November ballot, will provide that safeguard.
- ✿ The most effective method of ridding education of these kinds of distortions and damaging practices is to end the state monopoly on public education. Providing parents and students with the power to choose among competing schools responsive to their needs would almost immediately end tenure, seniority, and the current compensation system. But we can take action now to reduce the damage.
- ✿ Even if ending teacher tenure is currently too difficult politically, it can be substantially restructured to reduce its damaging effects.
- ✿ The needs of our children and school districts should be paramount to teacher seniority in making school assignments.
- ✿ Increased compensation for teachers willing to take assignments in high poverty, high minority areas should be available. Similarly, the critical shortage of mathematics and science teachers requires raised and differentiated pay to attract and retain qualified teachers.
- ✿ Developing a “value-added” model tying compensation to the rate of student improvement each year is essential to inspiring excellence in teaching. These systems, already in place in several states, adjust for demographic factors, but with the understanding that all students can achieve at high levels over time.
- ✿ No one benefits from the current tenure, seniority, and teacher pay system except mediocre and poor teachers, CTA itself, and other teachers unions. The need for change is compelling; the time is now.

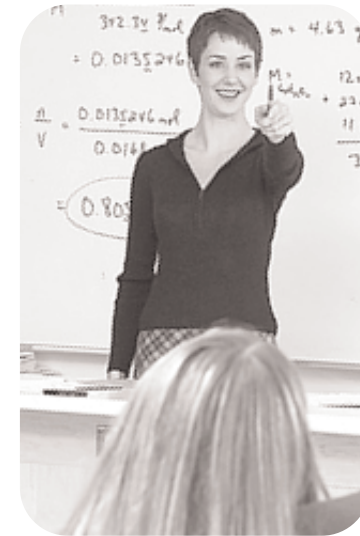
GOOD TEACHING IS THE KEY

In education, few things are indisputable or lacking in controversy. The exception is the importance of effective teachers. Virtually no one disputes their value and the key they hold to learning for students at all achievement levels. Time and again studies reveal the decisive role good quality teaching has on educational achievement.

In Tennessee researchers W. L. Sanders and J.C. Rivers found that students assigned to the most effective teachers for three consecutive years performed 50 percentile points higher on a 100 point scale than those with less effective teachers. The authors in fact concluded that teacher competence is the “single biggest factor influencing gains in achievement, trumping race, poverty, parent’s education, and all the other excuses for a child’s failure to learn.”¹

The most effective teachers were able to improve student learning by a full grade level over those taught by less success-

ful instructors, according to a study in Texas by Eric Hanushek, a Stanford University Hoover Institution fellow and two colleagues. When an average teacher is replaced with a highly effective one, the research found that the gap in mathematics performance between high and low income students nearly disappeared.²



Stanford professor Linda Darling-Hammond, a nationally recognized expert on teaching, noted in her book, *The Right to Learn*, that excellent teaching virtually destroys the prevalent notion that socioeconomic status is the primary determinant in student learning.³ Our well-documented education crisis cannot be addressed without improving the quality of teaching, which itself is today in a crisis largely of its own making.

¹ W.L. Sanders and J.C. Rivers, “Cumulative and Residual Effects of Teachers on Future Student Academic Achievement,” University of Tennessee, Value-Added Research and Assessment Center, 1996.

² Steven G. Rivkin, Eric A. Hanushek, and John F. Kain, “Teachers, Schools and Academic Achievement,” University of Texas-Dallas Texas Schools Project, 2002.

³ Linda Darling-Hammond, *The Right to Learn: A Blueprint for Creating Schools That Work*, San Francisco: Jossey-Bass, 1999.

WHAT WE “KNOW” THAT JUST ISN’T SO

Teachers hold a special place in the public’s consciousness, in part because they are perceived as working to better our children under often difficult conditions and for less pay than many believe they should have. Consequently, when a group comprised of teachers and giving the impression of being a professional association rather than a labor union, such as the California Teachers Association, speaks out, it is often perceived as the voice of a worthy underdog battling on behalf of our children. Many believe that CTA is actually aggressively pursuing policies that have the best chance to bring us both the highest standard of teaching possible and the best learning environment for our children.

For the most part, this is not true. As Terry Moe of the Hoover Institution recently noted, teacher unions are under no obligation to act in the public interest.⁴ They exist to preserve and create teaching jobs and to promote improved working conditions and the material well-being of teachers. Teacher unions have no logical reason to care whether teachers perform at a high level. Union revenues rise when teacher jobs are retained at universally higher salary levels and when new

teacher jobs are created. Merit and competitive forces play little or no role behind the wall of a closed state-operated monopoly.

Hence these three policies vociferously advocated by the California Teachers Association protect teachers’ jobs, allow those that stay in those jobs longest to gain power, and make pay raises automatic and divorced completely from job performance. Even though they simultaneously undermine teacher effectiveness, the incentives for teachers to excel, and our ability to attract and retain good teachers, they make sense from the viewpoint of the teachers’ trust. But clearly they damage California’s children. The overall public interest in high academic performance and strong public schools for every child that CTA often purports to represent is in fact not a high priority.

The CTA, as does its parent the National Education Association (NEA), adamantly insists on: 1) teacher tenure in California that provides lifelong protection after only two years; 2) a seniority system that consistently places the least experienced teachers before the lowest performing and neediest students; and 3) a single salary schedule that pays all teach-

⁴ Terry Moe, “No Teacher Left Behind,” *The Wall Street Journal*, January 22, 2005

ers with the same number of years of service and academic credits an identical salary. This compensation system is disconnected from student learning, offering no rewards to excellent teachers.



These policies are a major reason that the National Commission on Teaching and America's Future documented that within three years one-third of new teachers have left the profession and by the fifth year, nearly half are gone.⁵ Due to tenure laws and the difficulty in California of removing a teacher after the second year, turnover would be expected to be high during those first two years. But the departures from the profession are alarming. The oft proclaimed "teacher shortage" is in fact not a shortage of those trained to teach, but of those willing to teach in a system that offers no incentives to excel, little support early in their careers, and tolerates, even rewards, incompetent colleagues for an entire professional life. Such deleterious policies that only benefit the weak and mediocre in the teaching profession are possible as a direct result of CTA's political and economic power, amassed at the considerable expense of California's school children.

⁵ National Commission on Teaching and America's Future, *No Dream Denied: A Pledge to America's Children*, January 2003.

⁶ The Teaching Commission, *Teaching at Risk: A Call to Action*, 2004.

THE TEACHING PROFESSION IN A DOWNHILL SLIDE

Consequently, teaching as a profession, certainly one of the most critical professions for our overall national success in the 21st Century, is significantly diminished. Many outstanding teachers exist, but the US Department of Education has found that just 14% of education major graduates had SAT scores in the top quartile, compared with 26% in social science and 37% in mathematics, computer science, or natural science. Moreover, college graduates whose SAT or ACT scores were in the bottom quartile were more than twice as likely as those in the top quartile to have majored in education.⁶ In addition, the number of California teachers with a master's degree or higher has fallen from 45% in 1987 to 38% in 1999, the latest year for which US Department of Education statistics are available.

Money matters, and 7 in 10 young college graduates see no promising opportunities for advancement in teaching. Moreover, only 13% of principals and 7% of superintendents believe that our costly, bureaucratic state certification systems guarantee a teacher "has what it takes" to be successful,

according to the nonpartisan polling firm Public Agenda. Fewer than 40% of teachers themselves asserted they were “very well prepared” to perform fundamental teaching responsibilities—implement curriculum, use student assessment techniques, execute new teaching methods, and address limited-English student needs. As a consequence, not only do 50% leave within the first five years, but the number in California with 10 or more years of experience has declined from 67% in 1987 to 51% in 1999. California’s sudden introduction of class-size reduction for grades K–3 brought an infusion of inexperienced, unqualified teachers into the corps, undoubtedly influencing the average seniority. Another study of Missouri teachers documented that those with the highest academic scores are more likely to leave the profession.⁷

This is the heart of the “teacher crisis” and yet the supposed representative and advocate for teachers, their own union, promotes policies that sustain and even exacerbate the profession’s downward slide. Tragically, teachers do not slide without taking millions of California children with them.

⁷Michael Podgursky, Ryan Monroe, Donald Watson, “The academic quality of public school teachers: an analysis of entry and exit behavior,” *Economics of Education Review*, October 2004.

CTA POWER AND GOOD TEACHING

As the representative of approximately 335,000 California public school teachers, counselors, librarians, and retirees, one would assume that CTA would wield significant influence. But when California lawmakers granted collective bargaining rights in 1975 to teachers and the right for the union to become the “exclusive” representative of all teachers within a school district, regardless of whether individual teachers wished to join the union, it created an educational behemoth that dwarfs other education players. Placing a “teacher trust,” the sole supplier of labor, within a state monopoly has made a difficult situation impossible and increased CTA’s power and influence exponentially.

The reason is money. Whenever CTA wins exclusive representation (monopoly bargaining) rights, which requires only a majority vote of a district’s teachers, all teachers must pay the union at least the cost of bargaining and representing them, even if they do not choose to join the union. In 1977 the US Supreme Court affirmed the legality of these agency fees, and in 21 states teachers’ unions can bargain to include them as

part of their contracts. But in only three states, California, New York, and Rhode Island, are agency fees imposed as a matter of state law.

UNIONS EXTRACT TEACHERS' MONEY

Non-members do not have to pay the cost of the union's political activities, but then unions have become increasingly adept at disguising these costs and tangentially relating them to representing the membership's views to policy makers. Consequently, according to Peter Brimelow's *Worm in the Apple*, agency fees run 70%–90% of full union dues, leading many teachers who ordinarily would not join to do so.

Each teacher whose bargaining unit CTA represents must join or pay agency fees (ranging from \$200–\$450) to the local union, but also is required to join CTA at the state level (\$533) and the National Educational Association (\$137) at the national level. This unified dues structure vastly strengthens CTA and its partners, creating a cash flow that dwarfs organizations that represent administrators, classified staff, or school board members, not to mention parents and students who are largely unrepresented in education politics.

Dues reinforce the union and CTA positions supporting the current pay structure. When all teachers' salaries rise, the base from which the union can increase and collect dues also rises. CTA does not receive more money for better teachers, but rather for increasing the overall size of the pie from which it cuts its slice.

CTA: THE MOTHER OF ALL DAIRIES



This adds up to an enormous war chest. If money is indeed the “mother's milk” of politics, CTA is the mother of all dairies in California. Thanks to its ability to tap the wallets of 335,000 members, CTA's two political action committees (PACs) spent more than \$13 million in 2004 to support favored candidates throughout the state as well as ballot measures. In fact, CTA often supplements those sums significantly with contributions from the National Education Association's Ballot Measure/Legislative Crises Fund. In 2003, a year when CTA pushed a ballot initiative to raise business property taxes and unionize pre-school teachers, it received an additional \$3.5 million, nearly half the total funds raised for that year. Florida's unions, at \$500,000, were a distant second place.

In the 2002 election cycle a CTA PAC contributed \$690,000 to the state Democratic Party and \$213,000 to Jack O'Connell, who was elected State Superintendent of Public Instruction. A single school board candidate, Valerie Fields, who unsuccessfully sought reelection to the Los Angeles Unified school board, received an enormous \$116,500, including a contribution from the local teachers union. It came up with another \$156,000 for the Democratic Party in 2004 and added \$315,000 to Opportunity PAC, which supported Democrats throughout the state. Since 2000 it has contributed \$27,800 to State Senate President Don Perata, even though he is safely ensconced in a Democratic district in Oakland.

In June 2005 CTA again temporarily raised its annual member dues by \$60 annually for the next three years to fund a \$50 million campaign primarily against ballot measures that Governor Arnold Schwarzenegger has placed on the November ballot. Among these are initiatives to raise from two to five years the requirement before a teacher is granted tenure as well as to provide the governor with more power to reduce spending if the legislature does not act when the budget is out of balance. But just as important is a "paycheck protection" initiative that would require public employee unions to obtain prior written

approval annually from each member before making any political expenditure with dues that the member pays.

A previous "temporary" dues increase in 1993 to fight a statewide voucher initiative is now a permanent \$36 annual contribution to the CTA's Initiative Fund. This provides approximately \$10 million every year for CTA to promote or oppose any ballot measures it wishes.

Thus when CTA takes a public policy position, policy makers, especially Democratic ones, listen. The CTA is directly responsible for passing class size reduction legislation, which had the flimsiest of research behind it and has cost billions of dollars. Gov. Pete Wilson went along because he did not want to funnel more money to education's general funds where he knew CTA's enormous power would engulf it in salaries and benefits rather than any programs to aid children. The state's own evaluation several years ago found that the class size reduction program was making no difference in academic achievement, yet it continues today. It did bring CTA 50,000 new dues paying members in just a few years. Whether it mobilizes its membership to march and picket or pulls out its enormous checkbook or both, policy makers pay attention. Ignoring or opposing CTA is a risky, not to mention expensive, proposition.

TEACHER TENURE: NEVER HAVING TO SAY YOU'RE SORRY OR SAY GOODBYE

In the 1800's, when a female teacher could be fired for getting married, for wearing fewer than two petticoats or dresses more than two inches above the ankles, or for smoking or using liquor in any form, tenure in teaching may have had some justification. Teacher tenure was enacted in California in the 1920s largely as a result of a budding women's movement to protect them from such frivolous and unfair rules.

Since that time not only have more men entered teaching, but women's roles in the labor market have been completely transformed. Modern day labor laws offer extensive protections against discrimination, provide for decent and safe working conditions, and cover all workers, including teachers. The old "rules," unlike tenure, have long faded from the scene.

Tenure was also instituted to protect teachers who might be fired for engaging in union activity, risking innovative instructional methods, or for teaching unpopular viewpoints as part of their classroom instruction. Teacher unions now assert that

tenure is not lifetime job protection, but rather the assurance of due process for an accused instructor.

They further allege that without tenure school boards would fire older, experienced, and thus higher paid teachers and replace them with younger teachers to cut costs. But a raft of labor and age discrimination laws passed over the last 40 years extends protections to all workers against these kinds of practices. No evidence supports a special need to protect teachers. In fact, given the increased focus on academic achievement, a senior, highly effective teacher will be a prize in any district.



TEACHERS KNOW THE TRUTH

The modern day tenure process far overcompensates for any supervisory abuses that may occur. It protects mediocre and worse teachers from being either remediated or removed from the classroom. The strongest evidence is from teachers themselves. The nonpartisan Public Agenda organization reported in its study, *Stand By Me*, that 59% of teachers know a few teachers in their building who “fail to do a good job and are simply going through the motions.” Another 17% assert that there are “more than a few.”

Moreover, only 14% responded that “there is rarely a problem weeding out bad teachers.” In fact, 36% admit that “*between tenure and the documentation requirements, it’s too hard for administrators to remove any but the very worst teachers.*”

California’s Education Code lists a series of causes for dismissing a tenured teacher, from aiding or committing criminal acts to teaching of communism to alcoholism or other drug abuse making the teacher unfit to instruct or associate with children. What is missing is a provision allowing for the termination simply because students consistently do not learn and achieve academically in the teacher’s classroom. The Code does contain a provision allowing dismissal for “unsatisfactory performance,” but then specifically bars utilizing the state’s test results as a component of evaluation and assessment. This prohibition was enacted at CTA’s strong urging.

WHEN 2 YEARS EQUALS 15 MONTHS

At least in the university context, tenure connotes a proven body of published, peer-reviewed research over a number of years. It tends to indicate specialized expertise, though many argue that it does not prove an ability to teach effectively and in fact unwisely diverts professors’ focus from instruction to research. But no such pretense of specialized expertise or

demonstrated success is even proffered in the K–12 system. In California, if a teacher is not dismissed in the first two years, he/she gains tenure automatically. In fact, the decision is made based upon about 15 months, not two years, of work. New teachers are in the classroom for nine months their first year. Since any decision not to return them for their third year must by statute (one CTA pushed for) be made by March 15 of their second year, an administrator grants lifetime tenure based on substantially less than two years of observation and student outcomes.

This is especially disturbing when coupled with both the academic quality of young education school graduates and the quality of preparation they receive. As noted in the opening section, with so many entering teachers from the lower quartiles of SAT and ACT scores, many need time to develop. Teacher certification programs, which are so expensive and bureaucratic that they discourage many potential teachers from entering the field, are also notoriously weak in preparing teachers adequately for the classroom. As quoted earlier, few principals or superintendents believe these programs properly prepare teachers for their jobs.

California's extremely short two-year timeframe for granting tenure therefore seems unwise and not even in the teachers' best interests. Decisions to dismiss young teachers who might become strong professionals with more seasoning are made because of the dire consequences of being wrong and having a weak teacher in place in perpetuity.

Again, teachers themselves know the truth. Nearly 60% of teachers told Public Agenda that obtaining tenure in their own district "does not necessarily mean that a teacher has worked hard and proved themselves to be very good at what they do." Especially in hard to fill areas, such as mathematics, science, or special education instruction, the temptation is to keep a marginal performer. Urban and rural districts with large low-income and/or minority populations where filling teacher vacancies have traditionally been challenging also feel such pressure.

CTA: DEFENDING THE INDEFENSIBLE— REPEATEDLY

Once granted tenure, dismissing an underperforming teacher in the absence of a lewd or violent act against a student or administrator is so difficult and expensive that few administrators will attempt it. Tenured teachers are only subject to a

review every two years and CTA has continuously attempted to raise that to every five or more years. It has succeeded with teachers who have worked in a district for 10 years, meet the "highly qualified" standards for No Child Left Behind, and were rated as meeting or exceeding standards on their previous evaluation. How many other employees in this society are evaluated only once in five years?

CTA assertions aside, the tenure process is exhausting and debilitating as it saps energy from principals and district office administrators. In 1996, for example, San Francisco school administrators learned that a teacher was placing six-year old students in a garbage can, closing the lid, and kicking the can. Only when a colleague overheard her threatening to use a pair of scissors to cut off a child's private parts was she suspended. CTA vigorously defended her, costing the district more than \$100,000 in legal fees before it was able to terminate her. She subsequently obtained another teaching job at a public school outside the district.

In a southern California school district a principal worked six years to accumulate dismissal documentation. Nine years later, after an appeal to the Supreme Court, the teacher's credential was revoked—for one year. The school district paid over

\$600,000 in legal fees in today's dollars and spent 15 years to dismiss one incompetent teacher.

Tales of horror from other states also heavily influence administrators. A teacher in Pennsylvania showed R-rated movies to his underage students, allowed them to play ping-pong in class, and kick balls in the hallway. He gave answers to test questions during the tests and threatened a colleague with a 2-by-4. After two "unsatisfactory" ratings, the district began dismissal proceedings. Nine years later the teacher's license was removed for "incompetence, immorality, and negligence."

In New York, the state school boards association documented that the average termination proceeding required 319 days and \$112,000. If the teacher appeals, the cost jumps to \$300,000. In Illinois the average time is three years. Not surprisingly, a North Carolina study of 30 school districts between 1989–92 found that only 0.15% of tenured teachers were dismissed, while queried superintendents believed 4.1% should be terminated for poor performance.

In California with its more than 300,000 teachers a similar pattern exists. EdSource, a nonpartisan research group specializ-

ing in K–12 issues, estimated in 1995 that the basic dismissal of a single teacher before any appeals occur would cost up to \$30,000 (\$37,300 in 2005 dollars).⁸ Teachers can conduct full legal discovery where their lawyers can depose witnesses such as principals, other school and district administrators, teachers, parents, and even students, thus rapidly escalating the costs. With appeals the cost can hit \$300,000. If the district loses at any point in the proceedings, it must pay all the teacher's legal expenses, often more than \$100,000. The proceedings include a hearing before a three member Commission of Professional Competence, one member of which is chosen by the teacher. Its decision can be appealed to the California Superior Court and then to the State Court of Appeals. Hearings usually run three to four weeks, but have lasted eight weeks.

BROKEN SPIRITS

Not surprisingly, in the entire decade of the 1990s, according to the State Office of Administrative Hearings, only 227 tenured teachers went through the dismissal process from start to finish. As the Pacific Research Institute's Thomas Dawson has written, "*if all these cases occurred in 1998–99 alone, they would represent only about one-tenth of 1%. Since they were spread out over 10 years and not every case resulted in a dismissal, the*

⁸ EdSource, A Handbook: Understanding California's School Improvement Issues, February 1998.

actual number of firings is lower, a virtual proxy for zero.” The Los Angeles Unified School District, the state’s largest, convened 13 dismissal panels and only one case went through to the end of the process. In fact, the most common way of addressing problem teachers is to try to convince them to resign, often by paying them off with large buyout packages.



Mary Jo McGrath, founder of McGrath Systems, Inc. in Santa Barbara, California, which specializes in handling difficult cases such as dismissing tenured teachers,

points out the process has “broken the spirit of many administrators and competent staff.” A site administrator may well spend 30% to 40% of every day somehow involved with the teacher, whether in classroom observation and written reports or handling parent complaints and requests for student transfers. Union meetings and filed grievances pile on top of that load. Not infrequently, a teacher’s supporters and the union will attempt an end run to the school board, which is often composed of either current or former union members or others who have received significant CTA political contributions. No one really knows how many weak and outright incompetent teachers are in the system. Estimates range from 5% to

18%, but gather any group of parents together in a room and nearly everyone will have at least one story of a teacher who did not belong in the classroom, yet remained there year after year. Many will tell you of two or three of their children who had been adversely affected by the same teacher despite their complaints.

The Schwarzenegger proposal (Proposition 74 on the November 8 ballot) is flawed because it does not actually simplify the process for removing a tenured teacher. It only requires five years instead of two before such status is granted. But at least it improves on the current rush to judgment, especially when we know so many of our young teachers are not well prepared when they first enter a classroom. At least it offers the hope that better decisions for the teacher, the school, and most importantly the students, will be made.

SENIORITY: PERPETUATING THE ACHIEVEMENT GAP

Of the current public education system's many failings, perhaps the most egregious and tragic is its consistent failure to educate the poor and minorities. Education is certainly the key to attaining income mobility and middle class standing in this society. Without it, these children are condemned to a life of economic struggle. Just as important, they are condemned to a life lacking in the richness that literacy and numeracy provide.

In California, where even our non-Hispanic Caucasian and Asian children under perform in comparison with similar children in other states, our poor and minority academic achievement is abysmal. Evidence of this abounds. In 2004, only 54% and 61% of African-American and Latino high school students, respectively, could pass the math portion of the California High School Exit Exam compared with 91% and 87% respectively, for Asian and white pupils. This exam

only tests California 8th Grade math standards and requires a 55% correct score to pass.



Performance on the California Standards Tests is measured in terms of five achievement levels: advanced, proficient, basic, below

basic, and far below basic. In reading 46% of our non-poor 8th graders are proficient or advanced compared with 18% of our poor students. In fact, the inverse is nearly true: 45% of poor students score “below or far below basic” compared with 20% of the non-poor. 45% of African-Americans and 44% of Latino 8th graders are “below or far below basic” compared with 17% of Asian and white students. Over half of Asian and white 8th graders are proficient readers while less than 20% of African American and Latinos are. Latinos now account for 48% of the K–12 population and only 57% of them even graduate from high school. Poor teaching is undoubtedly a factor in the overall 30% high school dropout rate statewide.⁹

⁹ In the last year, the Manhattan Institute, Harvard Civil Rights Project, and The Education Trust have independently substantiated what California Parents for Educational Choice documented in 2002—namely 30%–33% of high school students never graduate. No one is even attempting to document middle school dropouts, which unquestionably add several percentage points more to the statistic.

What are the implications for California's society and workforce of this looming catastrophe? To cite just one example, Latinos account for only 10% of the bachelor's degrees in mathematics, science, and engineering. Our high technology industries so crucial to the state's economy already experience persistent shortages of these kinds of workers.

The enormous gap is perhaps not surprising given that the Center for Future and Learning discovered that students in California's highest minority schools are five times more likely than their peers to have under prepared teachers, such as interns, pre-interns, or teachers working on emergency credentials or waivers. Alarming, 44% of California's math classes in high poverty high schools are taught by uncertified instructors, according to another study by University of Pennsylvania's Richard Ingersoll. In California's high poverty middle schools, 91% of math classes are taught by those without either a major or minor in mathematics.

Although no single policy is solely accountable for our massive failure to educate our poor and minorities, teacher seniority consistently places the least experienced teachers in front of the students most in need. Given the importance of the teacher in raising student achievement, this policy is unques-

tionably a major contributor to the achievement gap and the system's continuing inequity. Ultimately, the quality of teachers at all levels, especially the entry level, must be improved. Providing incentives for competent teachers to stay with students who desperately need them is part of the interim answer.

THE PERVERSE SYNERGY: TENURE MIXED WITH SENIORITY

The ability of teachers to choose where they teach and even whom they teach grows the more years and seniority they accrue with a school district. Seniority is a tenet of virtually every CTA contract and a sine quo non for the union in every renegotiation. The perversity of this is clear. First, tenure protects mediocre and weak teachers. Second, because they cannot be fired or effectively motivated to improve, these teachers actually gain power as they gain seniority.

But the perverse incentive extends to our best and most successful teachers because they gain options to teach in the highest performing schools and to teach the academically strongest students in those schools. Meanwhile, other schools with high minority and/or low-income populations lose these teachers to be replaced by those with less experience. Although experience does not always connote competence,

especially in a system where tenure is pervasive, overall experienced teachers are more highly skilled than less seasoned ones. The Teaching Commission, chaired by former IBM chairman Louis Gerstner with a membership that includes American Federation of Teachers president Sandra Feldman, concluded in its report that this policy means that *“many of our nation’s neediest children are taught by teachers who are inexperienced, ineffective, or both.”*

The Education Trust West dramatically demonstrated the inequity inherent in the current system driven by CTA’s insistence on seniority. It examined how spending on teachers’ salaries, a huge percentage of education spending, varies from school to school within districts. The report issued in early 2005 found dramatic spending gaps with more highly paid teachers with more experience and higher level credentials concentrated in more affluent and white schools. It also concluded the state’s current system for calculating school expenditures “masks huge gaps in per-pupil spending within districts,” averaging teacher salaries across the district rather than measuring the actual salaries with individual schools.¹⁰

¹⁰ The Education Trust West, California’s Hidden Teacher Spending Gap, 2005.

¹¹ Jill Tucker and Robert Gammon, “Teachers Key to Top Schools,” Oakland Tribune, June 17, 2003.

In 40 of California’s 50 largest school districts less is spent on teachers serving mostly low-income students than in schools serving primarily non-poor students. The average salary difference annually was \$2,396 per teacher. For a high-poverty elementary school employing 30 teachers, the difference was nearly \$72,000 every year in salaries.

The results were even more dramatic for schools serving African-American and Latino student populations. In this case, 42 of the largest 50 districts spent more on their schools with smaller minority populations and in 34 of the 50 districts the disparity was even larger than that which existed for the low-income population. The average gap was \$3,014 per teacher or about \$102,000 annually for the typical elementary school.

Viewed from another perspective, the Oakland Tribune found in 2003 that elementary school teachers in the Oakland hills averaged \$60,000 compared with \$50,000 for their counterparts in the inner city flatlands.¹¹ Therefore, over the six year elementary school cycle Oakland Unified paid \$60,000 more per instructor to teach wealthier families’ children than it did to educate the poorer children living only a few miles away.

When the Tribune challenged then CTA president Wayne Johnson to justify this inequity, he responded that it would be “psychologically bad” for teachers with the same experience to be paid at different rates. *“Teachers in the bills would say we’re doing the same job,”* he continued, though clearly they are not doing the same job. If they were, more senior teachers would not have deserted schools in the flatlands.

POOR KIDS, MINORITY KIDS SYSTEMATICALLY DESERTED

Education Trust West’s conclusion is simple as to why these inequitable situations occur. *“When teachers with more experience and high level degrees migrate to lower poverty and minority schools where there are often fewer challenges and better conditions, they take their ever-bigger salaries with them.”* It goes on to declare that *“district and school leaders ... are frequently paralyzed in combating this trend because the common sense strategies (incentives and financial rewards) they might employ ... are often prohibited by... provisions of the contract.”* Once at these more desirable schools, they remain for many years as their salaries grow, exacerbating the gap.

Education spending is much less tied to academic success than the education establishment, especially CTA, wants the public

to believe. But Education Trust West provides compelling evidence of the fundamental inequity of California spending on teachers nearly \$136,000 less per low-income student and nearly \$173,000 less per Latino and African-American student over their respective K–12 educations. Continuing to allow teachers to self-select themselves into only the best and most comfortable schools will perpetuate this achievement gap indefinitely.

The seniority system has other deleterious effects on students and teachers. Attracting teachers to the profession at all is more difficult because the knowledge that they will be serving in the most difficult schools with the students in most need is widespread.



Even young teachers who are able to demonstrate success and teach innovatively despite the obstacles are among the first to go whenever budgetary layoffs occur. The system, governed by CTA negotiated contracts, allows no distinction for merit in determining who is laid off. For example, in Richmond,

California in 2003 the school district laid off 11 new teachers at Washington Elementary school. Parents and students objected, noting that four of the teachers were on the school's leadership team and describing them "as some of the school's most energetic."

But the executive director of the United Teachers of Richmond, the local CTA branch, commented, "*I hesitate to say one teacher is better than another teacher.*" As Mike Antonucci, author of the weekly *Education Intelligence Communiqué* pointed out at the time, what he really hesitated to do was to tell the truth that some teachers are better than others. Antonucci continued, "*A system that doesn't allow differentiation between good and bad (or good and better) is doomed to failure.*" Harvard professor Richard Elmore, an acknowledged national expert on how to improve the quality of teaching, calls educators' pretense of absolute equality "*a major impediment to improvement ...*"¹²

THE SINGLE PAY SCHEDULE: COMPENSATION WITHOUT MERIT

Teachers have a unique compensation system in our economy. Unlike others, including even most other public sector employees such as city and county civil service workers, their pay is completely divorced from the quality of the work they do. Instead, teachers are paid solely on the number of years they have been teaching and the number of academic credits and degrees they have earned. The academic credits do not even have to be directly related to their teaching subjects or responsibilities, although a few districts have tried to equate relevance and salary credit in recent years. Every teacher with a given number of years of service and units of academic credits receives exactly the same salary as other teachers in that district with similar experience and credits.

Harvard's Elmore, flatly states "*it is not true that experience equals expertise.*" Simply assuming that years in a classroom automatically provides both the deep knowledge of subject matter and the expertise in instructional practices necessary to

¹² Richard F. Elmore, "Bridging the Gap Between Standards and Achievement," Albert Shanker Institute, 2002.

become a highly effective teacher leads to massive distortions and unfairness in the current compensation system.

Imagine the effect on your organization's operations and employee morale if 80% of the employees were protected by a tenure law, the best assignments always went to those who had simply had been around the longest, and the colleagues who made the least effort were often paid more than you simply because they had been around longer or taken some university courses irrelevant to their job responsibilities. In fact, many of those colleagues were recognized by their peers as incompetent, lazy, or both.

Now imagine that this is not a system imposed upon you by a management of circus clowns, but created and bitterly fought for by the union that supposedly acts in your best interests. This is public education in 2005 and the way it has been for decades. In fact, this salary schedule with a uniform allowance of "years of training and years of experience," was codified in California law (Education Code section 45028) in 1970, even before the collective bargaining provisions were enacted in 1975. CTA has always been a powerful force. No wonder reform effort after reform effort fails.

CTA wishes to be the sole source of benefits and protections for teachers, which ensures that its members need the union's presence. This dependency preserves CTA's power and wealth. A pay system that rewards classroom performance would take some of that power away from the union. To preserve this monopolistic power, however, the teachers' unions have systematically stripped public education of the critical incentives for excellence. CTA's self interest in being the sole guarantor of teachers' benefits and job security has led primarily to the protection of the weak and mediocre in their ranks. CTA also adamantly opposes higher pay for specialties, such as mathematics and science, that are in short supply or for teachers accepting assignments in under performing, difficult schools that are experiencing teacher flight.

Professor and former Health, Education, and Welfare Secretary John Gardner noted that "*Excellence is not a gift from the gods. It is a human trait that is acquired only by relentless training and ruthless self-assessment. We do not do a good job because we already have virtue or excellence. It's the other way around. We are what we repeatedly do. Excellence is not a glamorous or singular achievement. It's a habit.*"

Instead we have established a system where successful reform and excellence are not systematically encouraged, but can only result from heroic effort by near saintly people. The combination of tenure, seniority, and a single pay system creates a perfect storm of mediocrity that overwhelms efforts to change the status quo.

INCENTIVES FOR MEDIOCRITY

Teachers regularly receive platitudes from politicians, parents, and the general public about the state of their allegedly low salaries. Seemingly, wide consensus exists that teachers ought to be paid more, but that increase never happens. The RAND Corporation calculated in its 2005 report, “California’s K–12 Public Schools: How Are They Doing?” that adjusted for inflation, the average teacher salaries in 2001 were about the same as they were in 1970. Similarly, real beginning teacher salaries remained relatively constant throughout the 1990s. California teachers have a generous defined-benefit retirement plan and usually generous health benefits, which are often not reflected in pure salary statistics. Setting aside the genuine argument about whether salaries for teachers, who work about three months less than other workers (when summer break, winter break, and spring break are included), are actually low, the actions of society over multiple decades indicate its

unwillingness to adjust teacher compensation significantly in real terms.

The disconnection of teacher compensation from student achievement and learning, and in fact from any other measure of job performance, undermines calls for increases. If the belief, cited earlier, that many teachers under perform and should be removed is so widespread in the teacher corps itself, the parent population undoubtedly shares it. Ask virtually any parent or relative of a child who is familiar with the child’s educational experience and most will loudly proclaim problems with teachers that could not be redressed, often for years. They can also identify inspired teachers who have worked miracles, but the evidence is clear—while they may want to reward the great teacher, they definitely do not want to reward the negative example. Thus, like the education system itself, the status quo becomes the consistent compromise to the detriment of children, but also to the extreme detriment of the promotion of teaching excellence.

“I’M OUT O’ HERE”

A single pay system contributes to teacher attrition. This occurs in two ways—teachers that leave one school for another and teachers that leave the teaching profession. In addition

to the National Commission on Teaching and America's Future teacher attrition statistics cited earlier, it also found 8% of all public school teachers left teaching and another 7% changed schools or districts in 2000–01. In high poverty schools, however, 11% left the profession and another 9% changed schools. Thus in schools where stable adult connections for children are needed the most, we are experiencing the highest turnover. America's schools lose about the same number of teachers as they hire each year.

Costs for this revolving door of instruction are enormous. A huge public investment goes to tuition and tax support for preparing new teachers, most of whom attend state colleges and universities, only to have them quit early in their careers. Administrators are in constant flux, disrupting coherence, continuity, and community that are essential ingredients to successful schools. This turnover rate undermines the creation of professional teaching communities capable of sustained reform and invested in academic achievement in that school.

Given the critical role teachers play in academic achievement, this turnover damages our children, especially those from low-income homes. Their churning faculty consistently places

them in classrooms with unqualified replacements and inexperienced instructors who are frequently less effective.

A study by Stanford professor Linda Darling-Hammond found that working conditions and salary levels, rather than the characteristics of the students in these schools, led to the turnover. The National Commission on Teaching and America's Future concluded in its 2003 report that "*raising (all) salaries alone is not enough.*" It concluded that teachers need a new pay system that honors the improving quality of their work, not just flat, across-the-board increases. Teachers should be provided additional compensation for increased roles and responsibilities, such as mentoring, peer support, and instructional leadership that lead to higher student achievement. In other words, teaching needs a career ladder that recognizes not all teachers are equally competent and sets high expectations for high compensation.



FAILING OUR CHILDREN AND OUR EXCELLENT TEACHERS

In 2004, Gerstner's distinguished 19 member panel, The Teaching Commission, concluded "*our current compensation system fails our teachers and our children.*" It also called for career ladders for teachers, noting that "teachers view moving out of the classroom as the only way to move up in the system, both to improve their earnings and to assume more prestigious leadership roles."

The Commission emphasized the importance of paying mathematics and science teachers, where a genuine shortage exists nearly everywhere, at a better rate to attract those with expertise and multiple vocational options. Chattanooga, Tennessee has reduced turnover and improved teacher quality in the most troubled schools with incentives such as free graduate school tuition and annual \$5000 bonuses tied to improved student achievement. Money does count in education, but the Commission declares, "*We know that simply raising salaries for all teachers will not, by itself, raise student achievement.*"

And the CTA response when Governor Schwarzenegger proposed a merit pay initiative in January 2005? First, it called it a "*smokescreen designed to divert public attention away from the fact*

that he broke his promise to provide adequate and stable funding to our schools." But rather incredibly, CTA asserted that merit pay would actually make it harder to recruit and retain teachers in high poverty and low performing schools because it would insist on actual improvement in the academic performance of students. CTA evidently believes improvement is impossible, and given the current structure and system, it may be right. It also simply reasserted that "all teachers merit good pay," a strategy that has left their members' compensation flat for more than 30 years in California.

CTA has always alleged that teaching is too subjective to be judged, that no system can take into account the variety of students and determine whether a teacher is effective. But almost every other profession makes judgments about which employees are performing well or marginally, including those involving scientific research, engineering, health care, and even social services where the outcomes are not predictable. Virtually all performance systems have subjectivity as a part of the process and determinations are not an exact science. They occur and are accepted as an essential part of the structural improvement of both the employee and the organization.

Without these systems, many more sectors would mirror public education today, pockets of isolated, inspired brilliance led by saintly people encased in a mire of bureaucratic mediocrity that has not substantially improved its performance for decades. But of course, sectors not cocooned within a government-owned monopoly like public education would shortly fade from the scene entirely.

BREAKING THE CULTURE OF PASSIVITY AND HELPLESSNESS

The highest value to the establishment of an external performance-based accountability system is that it can reward and trigger the synergies internally necessary to develop a coherent focus on teaching and learning and align staff and other



resources to accomplish the task. It constitutes a small injection of market forces into an otherwise self-preserving and recalcitrant monopoly.

CTA's opposition is perhaps more understandable in that context because sustained, expected improvement is counter-culture to American public education. Teachers operate in classroom islands with little exposure or expectation for challenging ideas that question how to do their work better. The

idea that experience equals expertise actually undermines the initiative of those who believe that teaching is a science where increased knowledge leads quickly to improved instructional practice.

In fact, teachers should be encouraged to develop areas of strong expertise and lead the improvement of their colleagues as mentors and coaches. But the current structure has no place for this function and offers no rewards for creating it.

Further, the “culture of passivity and helplessness,” as Harvard's Elmore terms it, is pervasive in public education. Schools with weak accountability systems, i.e., most schools currently, blame outside forces—the students, their families, the community, the “system”—for their failure. This culture stems directly from working in dysfunctional organizations, according to Elmore. Instituting a performance-based accountability system can shift the focus from the outside forces to administrators and teachers themselves, specifically to the knowledge and influence they bring to the classroom. It would strengthen the organization's capacity for effective operation and innovation. When the organization is improved, the performance of the adults within that organization will also improve.

So the need to eliminate the distortions and chronic unfairness to good teachers of the single pay system is compelling. Tenure and seniority, the debilitating cornerstones of that system, should be addressed simultaneously. The question is what should be done?

CONCLUSION AND RECOMMENDATIONS

California Parents for Education Choice Foundation believes that ultimately the most effective method of ridding education of these kinds of distortions and student damaging practices is to end the state monopoly on public education. As long as parents and students are denied the right to choose their own school, to inject market forces such as competition into education, to demand quality for their dollars, and to take those dollars elsewhere if they do not receive quality, our society will see its education system languish in mediocrity and inequity.

The establishment of a “teacher trust,” teachers unions, within this government operated and controlled monopoly severely exacerbates the extraordinary difficulty inherent in bringing efficiency to any monopoly. Granting that trust the power to

extract funds in the form of agency fees, much of which end up in political causes, has transformed teacher unions into the most powerful force in education today.

School choice is clearly gaining ground outside California. Many states have enacted or are considering laws that return at least some power to parents and students to choose their own schools, thereby forcing schools to compete for the public dollars that come with educating those students. We recognize, however, that largely due to the power of the California Teachers Association, California will not lead the way on school choice in the near future.

That does not mean, however, that policy makers, parents, students, or the public at large should not demand a halt to these harmful practices of tenure, seniority, and the current compensation system. In fact, excellent teachers and those who aspire to excellence should lead the way. They are also harmed by these policies. Each of these three policies is a major contributor to the poor performance of the current education system. In combination with each other, they are a perfect storm that undermines efforts to improve our children’s educational opportunities. Their continuation cannot be justified.

ABOLISH OR RESTRUCTURE TENURE

We strongly believe that teacher tenure is no longer warranted in 21st Century California in light of the damage it does to children and in view of the numerous statutory protections available to workers against discrimination. But if tenure cannot be repealed due to CTA power, many alternatives exist to the present system that would improve the system for our children. In addition to the citizenry's enacting Governor Schwarzenegger's tenure reform initiative, the Governor and legislature should consider several other steps:

- ✿ Require that student achievement be the primary criterion for tenure
- ✿ Give teachers who agree not to accept tenure a higher salary
- ✿ Buy back tenure status with higher salaries
- ✿ Provide for periodic tenure review every three to five years tied to academic performance of a teacher's students
- ✿ Tie tenure to guaranteed level of pay, but not to permanent employment

REDUCE OR ELIMINATE SENIORITY'S ROLE IN ASSIGNMENTS

The needs of the district should be paramount to teacher seniority in assignments. In much of the public sector the employing agency has the ultimate authority to utilize staff where they are most needed. Employees do not have veto power on their assignments. This should be the case in education, and school boards should negotiate aggressively to revamp seniority. If school boards are unsuccessful, the legislature should act. The most important ingredient in turning around an underperforming school is placing high quality teachers in it. In fact, they are likely to serve as catalysts for other changes that lead to improved conditions.

Seniority could still be one of the factors considered if teaching assignments are rotated regularly, for example, by providing three or four year tours of duty per school. Teachers could bid on their top three preferences and though they would not be guaranteed any of them, many would be accommodated.

USE COMPENSATION AS AN INCENTIVE

The state legislature and school boards should insist on differentiated pay for teachers in low-income and high minority schools that are struggling. Teachers who commit to stay in

these schools for a defined period, such as five years, would receive this increased amount. We ultimately must convert these schools into places where teachers are compensated for the additional efforts that may be required to make those children's lives better. Improving the quality of the teaching staff will be a significant step toward improving the quality of the school. Pay as well as working conditions clearly matters, as the flight of senior teachers from those schools to other schools and districts repeatedly demonstrates.

Similarly, the legislature and school boards should offer mathematics and science teachers a premium salary to counter the opportunities they have to join the private sector or nonprofit world at a higher wage. California's future economic security hinges on competitiveness in industries aligned to these areas. In some places special education teachers with particular expertise may also fall into this category. These are the areas where a true teacher shortage exists.

For example, in 2000, 48% of California eighth-grade math teachers had majored in mathematics. An additional 17% of the state's eighth-grade math teachers had majored in math education. The national average in 2000 was 44% for eighth-grade teachers with a math major and 27% with a math educa-

tion major. Looking at a state with somewhat similar demographics, 66% of Texas eighth-grade math teachers had majored in math and 25% had majored in math education.

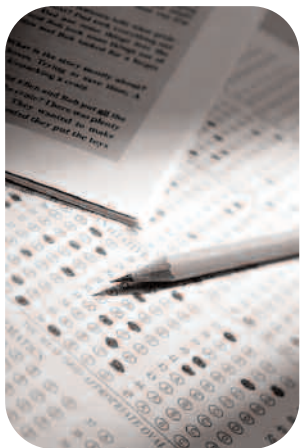
Similarly in 2000, only 47% of California eighth-grade life science teachers had majored in life science; 31% of eighth-grade physical science teachers had majored in physical science; 14% of eighth-grade earth science teachers had majored in earth science. Further, 17% of eighth-grade science teachers had majored in science education. Although California is overall around the national average, it lagged behind Texas in 2000 when 58% of Texas eighth-grade life science teachers majored in life science, 25% of physical science teachers majored in physical science, 45% of earth science teachers majored in earth science, and 40% of eighth-grade science teachers majored in science education.

With fewer than half of eighth grade math and science teachers holding majors in those subjects, California can hardly be pleased with that reality, despite the fact the national average is slightly worse. These subjects are core to California's economy, which will suffer significantly if the steep slide in academic performance after elementary school is not reversed.

Raising the quality of teaching across the entire system, however, demands the injection of incentives that inspire and reward excellence. This cannot occur as long as a single pay compensation system remains in place.

TIME FOR A “VALUE-ADDED” PAY SYSTEM

The system The Teaching Commission recommended and which is also receiving attention in several states is a “value-added” method. It is based on the rate of improvement in student performance each year, but factors in the gains that the student was projected to make based on past performance. It can be adjusted, therefore, for demographic factors, but with the understanding that over time, nearly all students can



achieve at high levels. Nevertheless, a teacher whose student made significant gains over expectations could be judged “extremely effective” even if the student were still below the district average. A teacher’s record is judged over time, perhaps over several academic years.

Researcher William Sanders’ model utilizes multiple years of test scores in the core academic subjects to create a longitudinal view of individual student progress. Each student’s annual progress is tracked against his “expected score,” which is calculated on the basis of prior tests. Simultaneously, however, it is also tracked against the progress of the student’s peers. These dual data sets are available to evaluate an individual teacher’s effectiveness. It is designed to control for factors such as family background, race, and socioeconomic status.

The Milken Family Foundation in Santa Monica is working with 70 schools across the country to develop another value-added model. Bonuses are based on state tests and classroom observations. To encourage teacher collaboration, part of the bonus is based on the performance of the teacher’s individual students and part on the performance of the entire school.

Models such as these have already been adopted in several states, including Tennessee, Arizona, Colorado, Ohio, Florida, and North Carolina. Tennessee teachers can be designated as “highly qualified” under the No Child Left Behind Act on the basis of their academic progress. Schools are now beginning to analyze how to integrate these models into their compensation systems.

“Value-added” has been utilized in Britain for more than 20 years. Judy Sebba, a professor of education at the University of Sussex, states *“there’s no question it’s improved the capacity of the system to judge itself at every level: classroom, school, and individual teacher.”*

Lambeth District in the inner city of London has been one of the most aggressive in using the value-added methodology. One of its schools, St. Martin’s, has 700 girls from ages 11 to 18, 90% of whom come from minority backgrounds. One-quarter qualify for free meals. Yet in 2003 58% of its students earned five or more grades of C or higher on the General Certificate of Secondary Education exams compared with 35% in 1997. It uses data intensively, plotting student results and developing department action plans to address deficiencies. Every teacher plots his or her own results and department heads work with teachers whose students are not making expected progress. This experience demonstrates the kinds of changes in collaboration and use of data that a performance-based accountability system can bring to a school.

Teachers require a career ladder allowing for the creation of “mentor” teachers and “master” teachers at high levels of pay. Our highest performing high school teachers, especially those

with mathematics and science degrees, could merit a \$100,000+ income annually. We believe the value-added approach the prestigious Teaching Commission and others have endorsed has considerable merit. With the sophisticated electronic information management systems now available, tracking student performance data in near real time and calculating realistic student expectations based on demographics and previous performance are easily within reach.

The time has clearly come for school boards and their districts to begin piloting value-added systems in California. The state legislature should support and help to fund these projects while demanding independent evaluations and accountability. In Denver, the teachers union worked with the district to develop a system. Teachers volunteered to participate in return for the opportunity to earn greater pay tied to increased achievement. California’s excellent teachers would certainly be interested in a system that would offer similar rewards for their hard work.

PROTECT TEACHER PAYCHECKS

The quickest way to curb CTA’s disproportionate political power is to reduce its ability to raid its members’ wallets. Voters should give teachers the right to protect their paychecks

from CTA's narrow and dysfunctional political purposes, which many teachers do not support. These policies do not support their efforts to become excellent and effective teachers. The Paycheck Protection initiative, Proposition 75 on the November ballot, will provide that protection. According to exit polling, nearly half of union voters voted "yes" on the recall and 56% voted for a Republican candidate. By contrast, not one dollar from public employee unions', including teachers unions' campaign contributions, was spent in support of recalling Gray Davis or on behalf of Republican candidates. (Los Angeles Times Exit Poll, October 2003)

The question for Californians, especially policy makers and parents, but also ordinary citizens, is whether the comfort and satisfaction of mediocre and weak teachers is more important than the education of our children. No one, except the teachers unions themselves, benefits from the current tenure, seniority, and teacher pay systems. Do we as a society have the courage and tenacity to stand up to this one interest group, the California Teachers Association, and demand change on behalf of our kids? The need for fundamental change is compelling and the time is now. ❁

California Parents for Educational Choice Foundation

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