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# Local Union Presidents' Experiences in an Era of High Teacher-Accountability

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# Local Union Presidents' Experiences in an Era of High Teacher-Accountability

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### Abstract

This paper explores the federal Race to the Top (RTT) and the New York State (NYS) Annual Professional Performance Review (APPR) educational policies and the ways in which unions are relevant to education in light of these policies. Teacher unions fight for better working conditions, whether it is for smaller classes, instructional teaming, or adequate time for lesson planning, etc., which has the goal of improved student learning. Teacher unions affect the future of both the institution of organized labor and the foundation of public education. This paper is an in-depth look at how a union works and what union representatives' experiences are in today's era of high teacher-accountability. Six union presidents were interviewed to help understand this phenomenon. From coding there were fifteen themes that emerged from the interviews. The themes suggest that union presidents: elevate the profession; make schools better places for teaching and learning; confront people in a professional way; make the union transparent; calm people down; understand the dynamics of teaching; make decisions that benefit the majority of the members; recognize the long-term implications of decisions made; protect the collectively bargained agreement; defend teacher rights; realize that it is the priority of management to dismiss ineffective teachers and not the unions; and hold teachers accountable. Furthermore, the generalization of a few bad teachers hurts the profession. Also, there are many issues that arose with the newly implemented APPR.

*Keywords:* Race to the Top, Annual Professional Performance Review, collective bargaining

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## Chapter 1

## Introduction

In spring 2012, New York State created a new teacher-evaluation system required by federal Race to the Top (RTT) funds. RTT has advanced their reform agenda around new teacher-evaluations. Boser (2012) found that each state, as part of its RTT grant, had to develop a new teacher-evaluation system, and “they are already dramatically changing teaching and learning” (p. 10). RTT is a program created by the United States Department of Education, “this initiative offers bold incentives to states willing to spur systemic reform to improve teaching and learning in America’s schools” (ED, 2013b, p. 1). As a result of these new federal mandates, school districts in New York State have had difficulty coming to an agreement with their teacher’s unions on the details of new teacher-evaluations systems at the local level. Under this new system, student’s scores on state assessments will be used for up to 40 percent of a teacher’s evaluation. Figure 1 represents the new APPR law and illustrates the components that make up a teacher and principal’s evaluation.

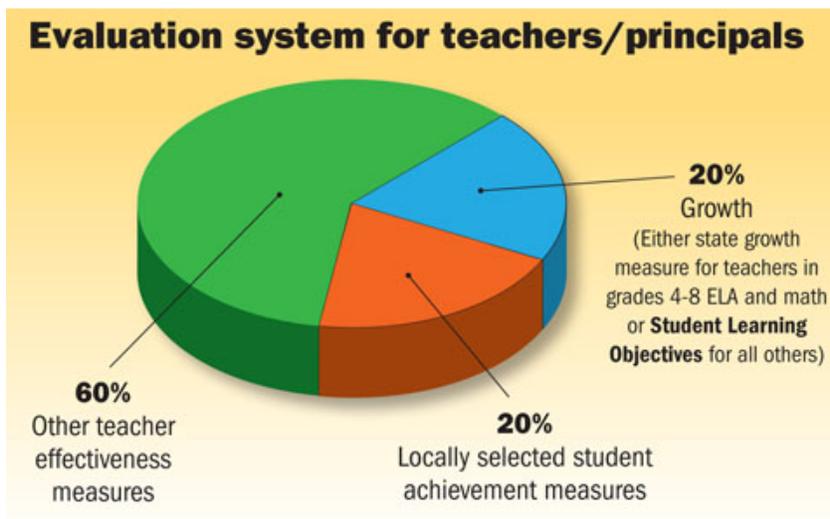


Figure 1. Evaluation System for Teachers/Principals. Retrieved September 2012, from

<http://engageny.org>

### New York State (NYS) Policies and RTT Funds

The teaching profession has recently become heavily scrutinized along with the broad-based attack on the bargaining rights and benefits of all public workers in New York State (NYS). For example, the NY Governor's efforts to change the pension system for state public employees "would cut pension benefits for new hires by 40% and put billions of dollars out of state and city pension systems to turn over to Wall Street firms" (AFL-CIO, 2012, para. 4). In light of such proposed policy changes, the importance of the new teacher-evaluations and the possible impact on teachers cannot be overstated. The purpose of this thesis is to examine the education policies in an upstate NY county through interviewing six union presidents. Considering their experiences in representing teachers in an era of high accountability may provide a greater understanding of how RTT and NYS policies have effected education in upstate NY. (See definition of terms section in order to understand synonyms and unfamiliar terminology at the end of Chapter 1)

### NYS Policies and How Federal Mandates are Influencing State Mandates

In the United States (US) education is a state's right, thus policies across the nation are often independent across states. In NY, policymakers spent months negotiating legislative efforts aimed at improving its chances in the competition for RTT funds. Seeking to align NYS policies with requirements for the RTT federal funds, the United States Education Department (ED) implemented a teacher evaluation system that approved an aspiring plan to allow local school districts to use student test scores as one part of a teacher's evaluation. This new teacher-evaluation system has been involved in a major court fight (Education Law §3012-c). To examine the path to this battle we must consider the present and the past in NYS. This paper will: (1) Argue that NYS continues to provide a quality education and that the direction of

standardization which RTT promotes, as noted by Freeney and Burris (2010), is less effective than the education system we have in place; (2) Provide a brief overview of the federal RTT program and funding and NYS APPR; and (3) Present the argument that teacher unions are essential because unions are the only protection for teachers' rights and unions fight for learning conditions that maximize student success.

### Rationale

Today in NYS teacher unions play important roles in protecting the rights of teachers, especially in the present climate of school reform. There are a plethora of changes that are taking place at the federal, state, and local levels. "The union is thus necessary as a protection for teachers against the arbitrary exercise of power by heavy-handed administrators. In our school systems, as in our city, state, and federal governments, we need checks and balances" (Ravitch, 2007, para. 15). This thesis will show the history of unions in NYS and provide examples of why they are needed. Furthermore, it will show what union presidents in an upstate NY county are experiencing in an era of high accountability.

### Definition of Terms

*Annual Professional Performance Review (APPR)*: The process by which New York State teachers and principals are evaluated on a yearly basis. Under APPR, teachers and principals will now be given a number grade and a corresponding effectiveness rating at the end of each school year, 40% of that grade is directly tied to student performance on state exams or other state-approved learning measures.

*Collective Bargaining*: The process by which wages, hours, rules, and working conditions are negotiated and agreed upon by a union with an employer for all the employees collectively whom it represents.

*New York State United Teachers (NYSUT)*: Is a federation of more than 1,200 local unions, each representing its own members; dedicated to improving not only working conditions, but also professions. Furthermore, they are united in a common commitment to improve the quality of education and healthcare for the people of New York.

*Race to the Top (RTT)*: The Race to the Top program is authorized under sections 14005 and 14006 of the American Recovery and Reinvestment Act of 2009 (ARRA). Race to the Top is a competitive grant program to encourage and reward States that are implementing significant reforms in the four education areas described in the ARRA: enhancing standards and assessments, improving the collection and use of data, increasing teacher effectiveness and achieving equity in teacher distribution, and turning around struggling schools.

*Standardization*: Conforming to or constituting a standard of measurement or value. “The No Child Left Behind (NCLB) era has seen an unprecedented expansion of standardized testing and test misuse. Despite ample evidence of the flaws, biases and inaccuracies of standardized exams, NCLB and related state and federal policies, such as Race to the Top (RTT) and the NCLB waivers, have pressured schools to use tests to measure student learning, achievement gaps, and teacher and school quality, and to impose sanctions based on test scores” (Fairtest, 2007, para. 1).

*Teacher Evaluation Development (TED)*: An accessible and integrated strategy for teacher evaluation and development based on research into what works to advance teacher growth and student learning.

*United States Education Department (ED)*: The organization’s mission statement is to “promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access” (ED, 2013a, p. 1). ED’s employees and money are

dedicated to “establishing policies on federal financial aid for education, and distributing as well as monitoring those funds, collecting data on America’s schools and disseminating research, focusing national attention on key educational issues, and prohibiting discrimination and ensuring equal access to education” (ED, 2013a, p. 1).

## Chapter 2

### Literature Review

#### The History of Unions and How They Are Relevant Today

The importance for teacher unions is stated best by Ravitch (2011), who said unions are important for two reasons

From the individual teacher's point of view, it is valuable to have an organization to turn to when you feel you have been treated unfairly, one that will supply you with assistance, even a lawyer, one that advocates for improvement in your standard of living. From society's point of view, it is valuable to have unions to fight for funding for public education and for smaller class sizes and for adequate compensation for teachers.

The legal dictionary (2012) defines a union as an association, combination, or organization of employees who band together to secure favorable wages, improved working conditions, and better work hours, and to resolve grievances against employers. Unions are necessary because they may provide teachers with the means to earn fair(er) pay and benefits, secure safer working conditions, and protection from unfair attacks. Furthermore, labor unions are a democratic right, which every US citizen is privileged to having (United Nations Universal Declaration of Human Rights Article 23.4).

Joseph Malek (2007) states that unions began to form because the greed of owners, coupled with market competition, caused such people to hire those people who are willing to work for the least amount of money. The industrial revolution is the primary factor that brought about the creation of unions (Malek, 2007). According to Malek (2007), the true purpose of the American Federation of Labor was to collectively deal with the issue of the employee discord of those who earned a living by working for an employer. "This came at a time when most

employees worked as long as 80 hours per week within what was usually a filthy and unsafe environment; children, no matter how old they were, and women also labored in such conditions” (Malek, 2007, para. 3). Thus, US labor relations were dramatically altered in 1935 with the passage of the National Labor Relations Act, also known as the Wagner Act (29 U.S.C.A. §§ 151 et seq.). For the first time, labor unions were given legal rights and powers under federal law.

The act guaranteed the right of collective bargaining, free from employer domination or influence. It made it an unfair labor practice for an employer to interfere with employees in the exercise of their right to bargain collectively; to interfere with or to influence unions; to discriminate in hiring or firing because of an employee's union membership; to discriminate against an employee who avails himself or herself of legal rights; or to refuse to bargain collectively. (Free-Dictionary online dictionary, n.d.)

It is worth recalling why teachers joined unions, and why teacher unions remain important today. In order to see how far teacher rights have come, Northern Illinois University (2014) lists the rules of an original document for a teacher in 1915:

- (1) You will not marry during the term of your contract. You are not to keep company with men.
- (2) You must be home between the hours of 8 p.m. and 6 a.m. unless attending a school function.
- (3) You may not loiter downtown in any ice cream stores.
- (4) You may not travel beyond the city limits unless you have permission of the chairmen of the board.
- (5) You may not smoke cigarettes.
- (6) You may not under any circumstances dye your hair.
- (7) You may not dress in bright colors.
- (8) You may not ride in a carriage or automobile with any man unless he be your father or brother.
- (9) You must wear at least

two petticoats. (10) Your dresses must not be any shorter than two inches above the ankles. (Rules to Live By section, para. 4)

Clearly these rules exhibit a double standard for male teachers and female teachers. In addition to these rules, Ravitch (2007) found that pay for teaching was meager, but it was one of the few professional jobs open to women, and most teachers were women. Furthermore, Ravitch (2007) added that pay scales were blatantly discriminatory because “teachers in the high schools were paid more than those in the elementary schools. Male teachers (regardless of where they taught) were paid more than female teachers, on the assumption that they had a family to support and women did not” (para. 4). Moreover, “the arbitrary power of school boards to dismiss or raise class sizes without any resistance was endemic” (Ayers, 2010, *Waiting for Superman* says teachers’ unions are the problem, para. 1). In order to show how serious the teacher’s contract was taken in 1915, Ravitch (2007) names two forgotten heroes of the movement to establish fair and equitable treatment of teachers in New York City; Mary Murphy and Bridget Pexitto. Murphy began teaching in Brooklyn in 1891. She married in 1901, and the Board of Education charged her with gross misconduct and fired her. She sued the Board, and won in the state court of appeals, where they ruled that marriage “was not misconduct” (Ravitch, 2007, para. 6). Bridget Pexitto took advantage of this new right and got married without losing her job. However, she got pregnant and the Board of Education fired her on charges of “gross negligence by being absent to have a baby” (Ravitch, 2007, para.8). Pexitto fought the decision in state court and was reinstated.

### Unions Important Role in Today's Schools

To put this type of situation in perspective, where market competition is high; we will consider Rochester, New York, where teachers are not in high demand. Carl Korn (2012), chief officer at NYSUT, stated that:

As the 2012-13 school year opens, the state's 697 school districts are operating with \$1.1 billion less in state aid than at the start of 2008-09. That translates into cuts in courses, programs and activities for students and some 35,000 fewer teachers and school-related professionals. (para. 4)

As a result, there are far more qualified and educated teachers than there are positions available. Thus, if there did not exist a union, school districts may simply allow teachers to compete for the lowest wages, whom would not have a safe working environment as their main priority. Schools may hire the teachers who are willing to work for the lowest wages, rather than the ones who are best able to perform their jobs. Strauss echoes this idea, who declared

Every time you undermine the job security, working conditions, and wages of one group of workers, it makes it easier for employers to undermine them for all workers. This is why, during the Depression, many unemployed people organized in support of workers on strike, even though anybody with a job in that era was relatively privileged. They believed in the concept of solidarity — the idea that working people could only progress if they did so together, and if one group of workers improved their conditions; it would ultimately improve conditions for all. (para. 16)

Ravitch (2011) writes that she recently visited Arizona, a right-to-work state, and parents have complained about classes of more than 30 students in first and second grade. They complained that the starting salary for teachers was only \$26,000, and that it is hard to find

strong college graduates to enter teaching when wages are so low. Researchers (Northern, Scull, & Zeehandelaar, 2012) attributed this dire situation to the fact that Arizona ranks behind every other state and the District of Columbia in union strength. This reiterates the findings of Rotherman (2010), who found that not all teachers are covered by collectively bargained contracts. In fact, there are “only five states that do not allow collective bargaining for educators, effectively banning teachers unions” (Lubin, para. 3). Table 1 shows that “those states and their SAT/ACT rankings are as follow: SC 50<sup>th</sup>, NC 49<sup>th</sup>, GA 48<sup>th</sup>, TX 47<sup>th</sup>, and VA 44<sup>th</sup> (Lubin, 2011). “Meanwhile groundzero of the union battle, Wisconsin, is ranked 2<sup>nd</sup> in the country” (Lubin, 2012, para. 4). The following table reveals the rankings of all fifty states and the District of Columbia according to the power and influence of their state-level unions. To assess union strength, Northern et al. (2012) analyzed thirty-seven different variables across five realms.

Table 1. Teacher Union Strength by Rank and Tier. Retrieved December 2013, from

<http://www.edexcellence.net/publications/how-strong-are-us-teacher-unions.html>

Teacher Union Strength and Tier				
<b>Tier 1 Strongest</b>	<b>Tier 2 Strong</b>	<b>Tier 3 Average</b>	<b>Tier 4 Weak</b>	<b>Tier 5 Weakest</b>
<b>State and (Rank)</b>	<b>State and (Rank)</b>	<b>State and (Rank)</b>	<b>State and (Rank)</b>	<b>State and (Rank)</b>
Hawaii (1)	Vermont (11)	Massachusetts (21)	Kansas (32)	Louisiana (42)
Oregon (2)	Ohio (12)	Maine (22)	District of Columbia (33)	Oklahoma (43)
Montana (3)	West Virginia (13)	Maryland (23)	South Dakota (34)	Texas (44)
Pennsylvania (4)	Minnesota (14)	North Dakota (24)	Colorado (35)	Georgia (45)
Rhode Island (5)	Alaska (15)	Nevada (25)	Idaho (36)	Mississippi (46)
California (6)	Michigan (16)	Nebraska (26)	New Mexico (37)	Virginia (47)
New Jersey (7)	Connecticut (17)	Iowa (27)	Missouri (38)	Arkansas (48)
Illinois (8)	Wisconsin (18)	Kentucky (28)	Utah (39)	South Carolina (49)
New York (9)	Delaware (19)	Wyoming (29)	North Carolina (40)	Florida (50)
Washington (10)	Alabama (20)	New Hampshire (30)	Tennessee (41)	Arizona (51)
		Indiana (31)		

### The Main Duties of the Union

The main duties of the union have been two-fold. First, they have the duty to advocate on behalf of its membership, and secondly they offer protection to its membership from situations outside of its members' control. Although, the situations outside memberships' control rarely includes losing a limb in an assembly line today, there still exists situations of a teacher's job that are outside their control; and it makes them no less valid.

The union provides teachers with some degree of protection that is needed for safe working conditions. In a proposal based on federal guidelines in Rhode Island, superintendent Frances Gallo required teachers to work a longer school day, tutor students weekly for one hour outside of school time, have lunch with students often, meet for 90 minutes every week to discuss education, and set aside two weeks during the summer break for paid professional development (Strauss, 2010). A spokesman for the union said that the teachers had accepted most of the changes, but they wanted to work out compensation for the extra hours of work. Gallo said the two sides could not agree on a pay rate; therefore she used the turnaround model, which means firing every teacher at the troubled school. This infamous firing of all the teachers at a struggling high school, which was applauded by the US president and his secretary of education, demonstrates the need for teacher unions. Although Rhode Island's teachers are unionized, it will not prevent unfair treatment, but union representation forms a more uniform front so that teachers they can be better represented for fair and equitable treatment. Many of the teachers at Central Falls and others reported discipline, attendance, and morale problems, which left the 840-student school seriously troubled in Rhode Island's poorest city. Strauss (2010) reports that a new disciplinary program that stressed leniency failed to rein in dozens of students who caused serious disruptions, who came to school or class late, or who threatened teachers

received minimal or no punishment. Some teachers even reported being assaulted by students. Strauss (2010) reported that such working conditions were discussed by teachers under the condition of anonymity out of fear of retaliation. This is not to imply that a strong teacher union will prevent school violence. This is simply an instance of one environment in schools today.

Unions are also important because they represent teachers in the midst of many mandates by local, state, and federal government that constantly change the profession of teaching. Each federal administration has its own views on what should happen in public education. However, educators are constantly being told what to do, how to do it, and when to do it by political agendas, “naïve (or calculated) leadership, and a failure to recognize that there will be great educational and financial costs to these reforms, but only limited benefits” (Mitchell, 2012, Conclusion section para. 3). Moreover, Mitchell (2012) adds:

States and local school districts are the major players in financing and delivering elementary and secondary education in the United States, not the national government. Race to the Top is the latest of several efforts to leverage federal resources to redirect educational policy. The states, starved for resources, have come to be more or less willing partners in this centralization. (p. 1)

In addition to this shift from state and local control to federal control over education; Ravitch (2007) noticed a shift in how schools operate. Ravitch (2007) reported that leaders in business and in the media believe schools should function

Like businesses in a free market, competing for students and staff. Many such voices say that such corporate-style school reform is stymied by the teacher unions, which stand in the way of leaders who want unchecked power to assign, reward, punish, or remove their employees. Some academics blame the unions when student achievement remains

stagnant. If scores are low, the critics say it must be because of the teachers' contract, not because the district has a weak curriculum or lacks resources or has mediocre leadership.

(para. 1)

Consistent with the findings of Ravitch (2007), the Editors of *Rethinking Schools* (2012) believe that the attacks on teachers have two major goals: “destroy the power of the teacher unions, and turn the public school system from a public trust into a new market for corporate development” (para. 6).

An example of where this situation has played out is New York City; where the mayor (a businessman) and his chancellor (a lawyer) selected new curriculum in reading and math (Ravitch, 2007). Furthermore, under mayoral control, they both insisted that all classrooms use the exact same pedagogical style, where teachers will be micromanaged teachers with tight supervision (Ravitch, 2007). As a result, teachers found themselves in trouble if they did not comply exactly how the mayor and chancellor dictated. The only recourse teachers have against management that insist the educators teach in ways the teachers believe is wrong is a “union with the power to protect them from “oppressive supervision”” (Ravitch, 2007, para. 13).

Thus, the union is a necessary protection for teachers against the capricious exercise of power by coercive bureaucrats. Just as our city, state, and federal government employ a system of checks and balances, so should our schools. Additionally,

It is unwise to centralize all power in one person: the mayor. We need independent lay school boards to hire the superintendent and to hold open public discussions of administrative decisions, and we need independent teacher unions to assure that teachers' rights are protected, to sound the alarm against unwise policies, and to advocate on behalf

of sound education policies, especially when administrators are non-educators. (Ravitch, 2007, para. 18)

Unions' collective bargaining skills should not be limited to just salary. If this were to happen, it would give district leaders far more power to determine everything from teachers' health-care coverage to school assignments and class sizes. Contrary to public belief, public-sector pay is not the cause of state budget deficit. Berkeley's Center for Labor Research and Education and Center for Wage and Employment Dynamics found that "the Great Recession and the bursting of the housing bubble caused state budget deficits" (Allegretto, Jacobs, & Lucia, 2011). An examination of state employee compensation shows just how little it has to do with state budget problems.

The conservative explanation for state budget deficit is that employee compensation for public-sector workers is out of control. Instead, state tax revenues declined sharply because amid the Great Recession (state revenue is 12 percent below precession levels); there were ill-advised tax cuts for businesses and the wealthy, as happened most famously in Wisconsin before its governor began pushing to eliminate public-sector collective bargaining rights. State government workers are not taking an ever larger share of state budget deficits as politicians or the public may claim, but instead receive less of state budgets today than they did 20 years ago. (Madland & Bunker, 2011, para. 1)

Data from the US Census Bureau (20), in Figure 2, shows the decline public-sector employees received from the state budget. Hence, public workers are not cause of state deficits.

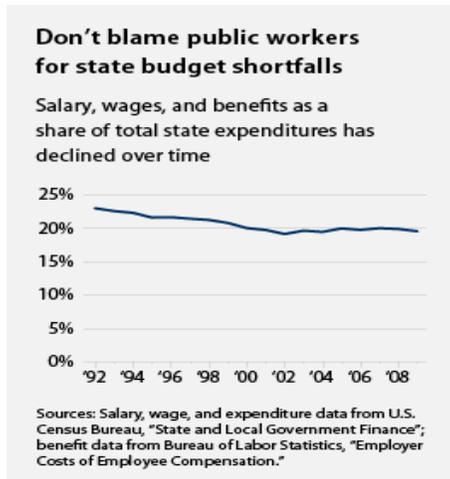


Figure 2. Salaries and Wages. Retrieved September 2012, from

<http://www.americanprogressaction.org/issues/labor/report/2011/03/10/9206/state-budget-deficits-are-not-an-employee-compensation-problem/>

Society is quick to attack unions because of the belief that unions only want to protect teachers. However, Sadker and Zittleman (2008) state that:

If teachers' unions were to blame for failing schools, then places like Mississippi, Alabama, Louisiana who have relatively few unionized teachers, would do much better than states with most densely unionized teachers- Massachusetts, New York, Maryland. But those are the states whose schools do the best.

There is no research that directly correlates student achievement to collective bargaining rights, either for or against. However, in the Commonwealth of Massachusetts, students perform higher than students in other states, yet Massachusetts has the strongest collective bargaining rights in the country. Bargaining rights are designed to provide dignity to the teaching profession by improving working conditions for teachers, which may also improve school for students as well.

### The American Education System: An Underrated and Underappreciated Service

Comparing academics of the US to other countries has become an acceptable way to measure how US education is preparing students. Ravitch (2012a) posed the following questions to politicians who make education policy:

Did you know that American schools where less than 10% of the students were poor scored above those of Finland, Japan and Korea in the last international assessment? Did you know that American schools where 25% of the students were poor scored the same as the international leaders Finland, Japan and Korea? Did you know that the U.S. is #1 among advanced nations in child poverty? Did you know that more than 20% of our children live in poverty and that this is far greater than in the nations to which we compare ourselves? (para. 8)

Zhao (2009) stated that the comparisons of US students to other countries could be unfair. A few of the differences are that Japanese students attend private academies, and the typical Japanese student has attended at least two more years of classes than a US student. Additionally, student selection also affects test scores. In other countries, students who do not speak the dominate language are routinely excluded from the taking assessments. In other nations, only a small percentage of the most talented students are selected or encouraged to continue their education and go on to high school. "Nevertheless in the US, the full ranges of students are tested, strong and weak, English speaking and non-English speaking students" (Zhao, 2009).

Overall, Americans hold unrealistic expectations. Sadker & Zittleman (2009) stated that the US:

Want schools to conquer all sorts of social and academic ills, from illiteracy to teenage pregnancy, and to accomplish everything, from teaching advanced math to preventing AIDS. Schools today work with tremendous numbers of poor students, non-English speaking children, and special education students who just a few years ago would not be attending school as long or, in some cases, not be attending at all. (p. 35)

The media has been far too willing to publish negative stories about schools, yet the US continues to produce leaders in fields as diverse as medicine and sports, business, and entertainment. However, the teachers' daily contributions to successful people rarely reach the headlines. In order to understand why unions are presently being dismantled and/or undermined, one must first look at why the American education system is being so heavily criticized.

Zhao (2009) wrote about education in the US, but he began this book about education in China. Zhao originally intended to write about the challenges China faces in education; however he realized China wants to imitate the US school system (one that respects individual talents, divergent thinking, tolerates deviation, and encourages creativity); one in which America is eager to throw away (Zhao, 2009). Zhao, having grown up in China, experienced the Chinese education system as both a student and a teacher. In addition to personal experience, he studied its history and recent reforms as a researcher. Zhao's intentions are to expose the broad damage inflicted by No Child Left Behind (NCLB), as well as, show why the growing enthusiasm for more standardization and centralization (like China) is misguided. The discussion about recent reforms sets the stage for Zhao to discuss how these recent reforms have served to distract our attention from the real crisis facing American education: globalization and technology are dramatically altering the world we live in, and the current educational reform in the United States is headed down a path that ignores this future.

The massive reform efforts have been intended to close two types of so-called achievement gaps in order to deliver a better education for Americans. The first gap is inside the US and among the different subgroups of the population; the second is the gap between the US and different countries (Zhao, 2009). However, Zhao (2009) suggests these gaps are not addressed by the recent reform efforts. Zhao (2009) states that NCLB is intended to improve test scores on standardized tests for minority students. Furthermore, NCLB's definition of a good education is good scores on standardized tests in reading and math. "The spirit of NCLB also denies the real cause of education inequality-poverty, funding gaps, and psychological damages caused by racial discrimination-by placing all the responsibilities on schools and teachers. While schools can definitely do a lot to help children overcome certain difficulties, their influence has limits" (Zhao, 2009, p. 11). Additionally, schools in impoverished communities often have fewer resources than their affluent counterparts. Teacher shortages and lack of parental involvement, extracurricular activities, technology resources, and funds for the library are persistent problems facing these schools. Thus, the so-called achievement gaps are a result of the resource gaps, a problem that cannot be solved by simply holding the schools and teachers more accountable and giving the children more tests. The gap between the US and other countries has propelled Americans to believe that American education is in a crisis, and unless quickly and forcefully resolved, the crisis will lead to decline of the US as a nation. However, Zhao (2009) has pointed out that there is no correlation or a negative correlation between test scores and a nation's success.

In order to see how US education has become increasingly authoritarian and how the public and even educators surrendered their rights to governments to decide what counts as good education, Zhao (2009) examines our history. Simply put: from the missile gap (Sputnik) to the

learning gap. The former Soviet Union threw the American public into frenzy when they launched the world's first artificial satellite. "The Sputnik launches startled Americans, who were both astounded by the technical superiority of their archrival and fearful of the military implications of the technology" (Zhao, 2009, p. 20). Shortly after the Sputnik launch, Senator Kennedy (JFK) declared the "nation was losing the satellite-missile race with the Soviet Union because the United States was behind, possibly as much as several years, in the development of...missiles" (Zhao, 2009, p. 21). As Thompson (as cited in Zhao, 2009) once said, "the most destructive element in the human mind is fear. Fear creates aggressiveness" (p. 26). This "fear" enabled American politicians to achieve many things that had not been possible before, including providing federal assistance to public education, an area of power that was reserved for state and local governments. The Sputnik launch directly led to the National Defense Education Act (NDEA). "The significance of NDEA cannot be overstated. It marked the beginning of an increasing involvement of the federal government in education" (Zhao, 2009, p. 23). But, the "missile gap," as it turned out, did not exist. "However, like the missile gap, the so-called learning gap is a myth" (Zhao, 2009, p. 40). This fear has been founded on misinformation and misperception.

Even though 25 years has passed since the publication of *A Nation at Risk*, the US remains a superpower dominating the world as the most scientifically and technologically advanced nation (Zhao, 2009). From this, Zhao (2009) arrives at three conclusions: first is that education is not related to a country's economic success; second is that US education has not been in crisis-at least not in the way reformers have suggested; finally the overall philosophy of education in the US has helped the nation maintain its lead. In 2005, only 21,519 patents originating in China were granted, while more than 134,000 originating in the United States were

granted” (Zhao, 2009, p. 67). The shortage of creative and innovative talent in China is a major obstacle since they are able to contribute little to the Chinese economy. “The creativity gap between Americans and Chinese exists not because American schools teach creativity more or better than their Chinese counterparts. They just do not thwart creativity as much as the Chinese” (Zhao, 2009, p. 90).

Zhao (2009) has successfully demonstrated that “standardization, increased outcome-based accountability, and narrow focus on a few subjects that we will test will not equip American children with what is needed to prosper in the age of globalization” (p. 163).

#### NYS Current Education Reform: RTT and APPR

The current education reform facing the US is being closely monitored by the Federal Department of Education. So far, Race to the Top, is the Obama administration’s most important education initiative. “A \$4.35 billion competitive grant, RTT plans to kick-start education reforms in states and districts, and to create conditions for greater educational innovations” (Boser, 2012, p. 1). ED (2013) states that RTT is part of the American Recovery and Reinvestment Act (ARRA), which is designed to spur states and districts close achievement gaps and get more students into college by supporting key reform strategies including:

- (1) Adopt standards and assessments that prepare students to succeed in college and the workplace and to compete in the global economy;
- (2) Build data systems that measure student growth and success, and inform teachers and principals about how they can improve instruction;
- (3) Recruit, develop, reward, and retain effective teachers and principals, especially where they are needed most; and
- (4) Turn around our lowest-achieving schools. (p. 1)

To apply for a grant, states had to submit a detailed application to the Department of Education, who then rewarded points if the application met certain criteria and policies. Ulrich Boser (2012), a Senior Fellow at American Progress, found that the program scored some significant victories even before the money was awarded; part of the reason it was successful is because it was competitive, which meant the states tried to outdo each other in order to win the grant. However, Boser (2012) notes that this could ultimately lead to many failures since many states set such high goals; it is not inconceivable to think they will not accomplish all that it has set out to do. Boser (2012) also reports that this program was made available during some of the worst of the Great Recession when states were particularly desperate to receive federal dollars. Consistent with the research of Boser (2012), Mitchell (2012) found that “the states, starved for resources, have come to be more or less willing partners in this centralization” (para. 10).

Boser (2012) confirms that even before New York applied for the grant, policymakers spent months negotiating legislative efforts aimed at improving its chances in the competition. Eventually, the State Legislature approved an aspiring plan that would allow local school districts to use student test scores as one part of a teacher’s evaluation. Although NYS’s early efforts paid off “participating” (it is mandated that all districts participate) in RTT, and the state won approximately \$700 million in federal funds; implementation has proven to be more difficult than imagined (Mitchell, 2012). This mandate was for every district in the state regardless of how well its student succeeded academically (Mitchell, 2012). “The Obama administration has made the use of test scores to evaluate principals and teachers a pre-condition for federal aid; both RTT and NCLB require that states develop evaluation processes that incorporate this data” (Cody, 2012, para. 10). Some of the challenges include: the delay of the implementation of the teacher-evaluation system due to law suits and other challenges, some

educators are skeptical about using student achievement scores to evaluate a teacher's effectiveness, and the difficulty of reaching an agreement between the teacher's union and their district. "When the state legislature approved the teacher-evaluation bill, it called for 20 percent of the evaluation to be based on state's tests, 20 percent on other locally selected achievement measures, and the remaining 60 percent on classroom observations and other subjective approaches" (Boser, 2012, p. 53). At the time, the state's teachers union supported that effort, which also required that each district through collective bargaining would approve specific details of evaluations. However, Boser (2012) asserts that when the Regents approved the regulations it allowed the locally selected measures to include state tests. Thus, the teacher's union fought back, filing a lawsuit, which argued the same exams could not be used for two measures. In August 2011, Albany County Supreme Court Justice Michael Lynch sided with the union, ruling that the Board of Regents had gone too far in some of its specifications for how teachers would be judged based on growth in student achievement.

#### Teacher Evaluation Development (TED)

After a stalemate for several months, NY's Governor and NY State Union for Teachers (NYSUT), reached agreement on February 16, 2012 to introduce a system for evaluating the effectiveness of NYS's teachers based primarily on student standardized test scores. This system is called TED, which stands for Teacher Evaluation and Development. Under the agreement, state assessments can be used for up to 40 percent of a teacher's evaluation. However, "the deal followed a threat by President Obama's secretary of education, Arne Duncan, to withhold \$700 million in funds granted under the 2010 federal "Race to the Top" program, which requires such an evaluation system" (Guelpa & Light, 2012, para. 2). In addition to Duncan's threat, NYS's Governor advanced a proposal to withhold any increase in state aid unless the school district

submitted an SED-approved APPR plan (Slyvia, 2012). Sylvia (2012) found that “New York would be the only state in the nation to tie school aid to teacher evaluation plans” (para. 10).

To further understand this standoff, one must understand what the TED system entails. There are four phases of TED, phase 1: teacher self-reflection; phase 2: pre-observation, conference, evidence collection, and post-observation conference; phase 3: summative evaluation; and phase 4: goal setting and the professional learning plan.

The scores of each phase are then compiled to arrive at the final Composite Score of Teacher Effectiveness. Sixty of the points are based on multiple measures of teacher professional practice, 20 points are based on locally selected measures of student achievement, and the final 20 points are based on state-determined scores of student growth. Once the scores are compiled a teacher can fall into one of the four following categories: Ineffective (0-64 points), Developing (65-74), Effective (75-90), and Highly Effective (91-100). (NYSUT, 2012, p. 18)

Guelpa and Light (2012) note that the

Education Department claims its formula can be used to judge teachers despite the many factors affecting students such as family and social environment, poverty and homelessness, school resources, outside tutors, student absence, or teacher maternity leave. In fact the average margin of error for scores over more than one year is a huge 53 out of 100 points. Such a range, by itself, indicates that these numbers have little real meaning. (para. 6)

To further solidify the point made by Guelpa and Light, former Assistant Secretary of Education under George H.W. Bush and NY University professor Diane Ravitch (2012b) writes

that “the current frenzy of blaming teachers for low scores smacks of a witch hunt” (para. 14). Ravitch (2012b) went on to add

But one sentence in the agreement shows what matters most: Teachers rated ineffective on student performance based on objective assessments must be rated ineffective overall. What this means is that a teacher who does not raise test scores will be found ineffective overall, no matter how well he or she does with the remaining sixty percent. In other words, the 40 percent allocated to student performance actually counts for 100 percent. Two years of ineffective ratings and the teacher is fired. (para. 3)

APPR still faces a number of hurdles. Most importantly, school districts and their unions need to come to an agreement about the exact details of the teacher-evaluation procedures. Boser (2012) reports that “if a district does not have a deal with its union within a year, Cuomo has said that he will deny a scheduled 4 percent increase in state aid, which would total \$800 million” (p. 54).

The threat by Duncan to withhold \$700 million in funds displays the classic case of where the federal government contributes a very small percentage of funds to the state and local led education system, but uses leverage in how the education system is regulated (Mitchell, 2012). Still, the idea of even using student achievement to evaluate teachers continues to be a contentious concern in New York; and as of October 2012 more than 1,500 principals and 5,600 educators have signed a petition protesting the new evaluation system (Freney & Burris, 2010). Two high school principals, Freney and Burris (2010) have written the petition as an open letter of concern regarding New York State’s APPR Legislation of Evaluation of Teachers and Principals. There are three concerns in this open letter listed by Freney and Burris (2012):

Concern (1): Educational research and researchers strongly caution against teacher evaluation approaches like New York State's APPR Legislation; concern (2): Students will be adversely affected by New York State's APPR; concern (3): Tax dollars are being restricted from schools to testing companies, trainers, and outside vendors. (p.1)

There are a number of districts in the state that have not yet been able to reach an agreement with their teacher union on the details of the new teacher evaluations. As of January 2011, there were eight of eighteen school districts that have submitted a plan for teacher evaluations to the State Education Department ("Teacher Evaluation Tracker," 2010). There is a standoff across NYS among many of its unions and its district for implementing such a system. For example, Wisconsin and Indiana have lost this uphill battle. The union in Wisconsin has been dismantled, and Indiana is up against the Indiana State Senate where a proposed law would limit teacher collective bargaining to wages and some benefits.

On February 17, 2011, Wisconsin's Republican Governor Walker and supporters announced a law that addressed the state's budget gap by making public employees contribute more to health care coverage, coupled with a proposal to eliminate collective bargaining for most public employees (2011 Wisconsin Act 10). The bill would strip teachers, among other employees, of their right to collectively bargain for sick leave, vacation, even hours they worked, however, nothing would change for local police, fire departments and the state patrol (Senate Bill 575). On April 20, 2011, Indiana's Republican Governor Daniels signed Senate Bill 575 into law, which prohibits contracts between school districts and teachers unions from including anything other than wages and wage-related benefits. These examples show that the battle for organized-labor strength has begun. Thus, this thesis presents views from union presidents concerning what they have experienced during negotiations with their school district.

### Chapter 3

#### Method

In order to better understand the teacher unions, collective bargaining, and experiences of teachers and union presidents in an era of high teacher-accountability, six union presidents were interviewed. Through this process, a deeper perspective on the relationship between union presidents and its members was gained. The union presidents' views further the understanding of the stresses experienced in this era of high teacher-accountability. Insights are gained also on union president's thoughts relative to public perceptions and new federal policies.

#### Sample

A purposive sample of six union presidents from local school districts in an upstate NY County participated in this phenomenological study. Consequently, to obtain greater richness of data, the author interviewed six union presidents out of 18 union presidents. Between them there are 112 years of union experience; and 65 years of experience as a union president.

#### Research Design

Finlay (2008) asserts that a "phenomenology is the study of phenomena: their nature and meanings" (p. 1). Finlay (2008) goes on to explain that the "focus is on the way things appear to us through experience or in our consciousness where the phenomenological researcher aims to provide a rich textured description of lived experience" (p. 1). In a phenomenology, Merleau-Ponty (as cited in Anderson & Spencer, 2002) states that the researcher transcends or suspends past knowledge and experience to understand a phenomenon at a deeper level. This method allows one to approach their lived experiences, and use a sense of curiosity to elicit rich data. Bracketing is the act of suspending one's own biases, theories, beliefs, and feelings to be more open to the phenomenon. As a graduate student in the process of earning a Master's of Science in

Education, it was necessary for the interviewer to acknowledge and attempt to bracket those experiences.

#### Procedure

Interviews were conducted over one month at a site suggested by the interviewee. All interviews were tape-recorded and transcribed verbatim. All interviews lasted between 40 and 75 minutes. Analysis proceeded until no new themes emerged.

After obtaining informed consent, each participant was asked to verbally respond to the following:

- I. Please state your name for the record.
- II. How long have you been in your school district?
- III. What subject do you teach? How long have you been teaching?
- IV. How long have you been a union president?
- V. What motivated you to become a union president?
- VI. What is the essence/heart of representing teachers in an era of high-accountability?
- VII. What is your experience in representing teachers in an era of high-accountability?

Possible follow-up questions are:

- i. What is your belief about teachers' views and union representatives where there is high accountability from the government?
- ii. What do you feel the public perception is about teacher unions?
- iii. What was/is your experience with the RTT and the new teacher evaluation system (APPR) required by RTT?

As the richness from these conversations materialized, it became apparent that greater depth could be achieved by asking participants to clarify or further explain any comments the interviewee made.

In order to analyze the data in a manner that was true to a phenomenological study, the author referred to the technique used by Anderson and Spencer (2002):

In this method, all written transcripts were read several times to obtain an overall feeling for them. From each transcript, significant phrases or sentences that pertain directly to their experiences of representing teachers are identified. Meanings are then formulated from the significant phrases or statements. The formulated meanings are then clustered into themes allowing for the emergence of themes common to all of the participants' transcripts. The results are then integrated into an in-depth, description of the phenomenon. (p. 332)

## Chapter 4

### Results

To provide implications from the interviews and the coding, Table 2 provides a list of the significant statements with their formulated meanings. Arranging the formulated meanings into clusters resulted in 15 themes. Each of the themes are discussed in detail.

#### Themes

Table 2: List of the common themes discussed by the union president's experiences with their related formulated meaning.

Number	Theme	Formulated Meaning
1	Elevate the profession	Union presidents must continue to build respect for their teachers and school.
2	Make schools better	School factors such as class size, curriculum materials, instructional time, and resources for learning help improve student achievement.
3	Confront people in a professional manner	Through the course of the year, problems arise that the union president may have to discuss topics with people who may be apprehensive about the subject.
4	Make the union transparent	Everyone should be able to see what the union stands for and what their goals are.
5	Calm people down	Educators are under immense pressure to perform admirably, thus a union president must be able to help teachers stay composed and poised.
6	Understand what teachers are experiencing	In order to represent teachers in a true manner, union presidents must understand what teachers are experiencing in order to give them the best representation.
7	Make decisions that benefit the majority	If every single union member cannot be pleased by which a manner is handled, then it is important that most of the members are comfortable with whatever decision is made in regards to that manner.
8	Understand long-term implications	The union president must be aware that their decisions will live on long after them, thus they must be made with great deliberation.
9	Protect the collectively bargained agreement	In order to keep management honest, union presidents must make sure that the terms agreed on by the school district and the union is not violated.
10	Protect teacher's rights	Teachers are entitled to a plethora of rights, and these rights need to be protected if there is a violation of

		them.
11	Easy to dismiss ineffective teacher	If documented properly by the administration, dismissal of an ineffective teacher is quite easy.
12	Teachers should be held accountable	Regardless of tenure, union presidents whole-heartedly believe that every single teacher should be held accountable to their students.
13	RTT financially strong-armed school districts	RTT threatened to withhold federal and state money to school districts if that district did not accept the law.
14	RTT has two misguided policies	Tying teacher evaluations to student grades is not an appropriate way to evaluate a teacher, and the law is too test driven.
15	The generalization of a few bad teachers is prejudiced	The few ineffective teachers that society may point out should not be made as a true representation of the entire teaching population.

*Theme 1:* Elevate the profession (status of teachers & public schools) by rebuilding relationships with the public.

One union president recognized this lack of respect and recalled a time when he was a student, saying “when I stood up, the teacher was worried as if I would hit the teacher, because here, hitting a teacher sometimes happens. In [another country] that would be unthinkable. And since then, things have gotten actually worse: disrespecting teachers, blaming teachers, all of that I think is now like a frenzy.” Another representative replied “this whole movement has added extra stress to an already stressful job; they’re taking away the benefits. Who would do it? Go be an accountant, go be a salesperson-it’s a heck of a lot easier.” Focusing on the recent criticism public schools has come under; it has become important for union presidents to rebuild the relationship between their teachers and school with the public. Many of the union presidents have alluded to an “unprovoked attack” on teachers. One representative went into great detail stating:

The economy is really what drives most of this conversation, and in years past, you know, teachers make a decent salary, we’re not rich, but we make a decent salary, we have good benefits, we have the pension, so those are all positives. However, with the

economy in the tank, it was easy to attack the public worker unions. What happened was, you have your neighbors and your friends, and instead of saying "I want what you have," they're saying "well, if I don't get those things then you shouldn't have those things," so there was a little class warfare issue and negotiating in these times is very difficult.

Another representative confirmed this notion, stating:

It is an unprovoked attack, we don't know why. Why is there this vilification of teachers? I've seen it happen slowly over the years and I'm not quite sure what the deal is with all of that. It used to be, you know, if I got in trouble at school, and then I got home, I got in a lot of trouble and they'd talk to the teacher and then I was in a lot of trouble; but nowadays, when there's trouble in the school, sometimes the teachers get in trouble.

In order to regain the trust of the public, the unions presidents have made it clear that they need to do more with the community. This was evident in the following response:

We try to sponsor local sports teams; we try to sponsor a drive for a kid, or a charity event to let the public know that the teachers are doing this work. Because in the end if we build a coalition with the public, when it comes time to negotiate a contract or whatever you need, when you need their support they'll back you up.

Responding quickly, one union president described his goal as trying to "rebuild the relationship with the district and show teachers as problem solvers and not obstructionists."

The Varkey Gems Foundation (a group that seeks to improve education for underprivileged youth) conducted a 2013 survey where they aimed to determine where teachers are respected. The study surveyed thousands of respondents from 21 countries, and determined that the US "fell squarely in the middle, with most respondents indicating they thought teachers

were paid too much. In addition, American survey respondents help primary school teachers in higher regard than secondary school teachers” (Varkey Gems Foundation, 2013).

*Theme 2: Make schools better places for teaching and learning.*

In this cluster, every respondent made a significant statement about making schools better places for teaching and learning. One president explained that “the union serves a purpose in the school district because they ensure that the kids are in class that is manageable, they assure that you know the teachers are working in a safe environment and if the teachers work in a safe environment then the kids are in a safe environment.” One union president was very passionate when he responded:

I just had an argument with one of our principals in our district just last week because that person said to me that my job is to ensure good pay and good health care. And I said absolutely not, my job is to ensure the kids learning and a safe environment for the teacher that are working in this environment and that we are getting decent pay and decent health care.

According to the Editors (2010) of Rethinking Schools, the way to close the achievement gap is to make

Demands for adequate, equitable resources and funding for every student in every school—demands, for example, for quality early childhood education programs, full-time librarians, robust arts and physical education programs, mandated caps on class size, and enough time for teachers to prepare and collaborate. (para. 5)

These aspects are just some of the ways union presidents can collectively bargain that will help make schools better for teaching and learning.

*Theme 3: Confront people in a nice, respectful, professional manner.*

There are many difficult tasks in being a union president; one of those difficulties is the confrontation piece. One president acknowledged this difficulty when he discussed confronting the principle, “in a nice way, you know professionally and respectably, but some people just do not like confrontation.” One union president recalled a disagreement with a member who wanted to see him pound the podium, but the representative’s response was that “embarrassing people we work with will not get us anything. Instead, we need to build up relations with people in order to build trust and credibility, and ultimately we will be able to get more done that way.” It is important for anyone in the professional world to act accordingly; however, it is even more imperative for union presidents to act in due manner because they are significantly representing teachers.

*Theme 4: Make the union transparent to its members and the public.*

A union should be viewed as people, and not obstacles or a cause for more money. The union presidents recognize this subtle but important distinction. Thus, many of them have stated that they want to make the union as transparent as possible. One union representative said that “we’ve tried to make our union super transparent, and in part it’s a reaction to NYSUT’s lack of transparency.” Another president stated that

The big problem with the union movement is it need to rebrand itself, it has to be an excellence driver. My number one theme is if you want to be a union leader, first be a good teacher. Otherwise, it looks like you’re a union leader because you’re gimme, gimme, gimme, I want, I want, I want. And that hurts everybody.

Not only should the union be transparent to the public, but its agenda should be obvious to its members. This was evident in the following response: “I have to be able to have a meeting with my teachers, tell them in a transparent way what I’m doing, why I’m doing it, how it’s

designed to help us better as an organization and help us, our school district get better.” Another president reiterated this theme by stating “we’re trying to be as transparent as we can, we’re not trying to hide anything, and we’re just trying to speak the truth.”

Strauss (2012) recognized that during these times where large numbers of people are losing their jobs and homes, and earning sub-standard wages, there exists some resentment held by parents and the general public because they see teachers who make better salaries than they do, have better health plans and pensions, and have time off in the summer. This social class warfare must subside in order for there to be a supportive coexistence. Furthermore, instead of the public complaining about what teachers have and being tolerable with political movements to strip teacher unions for what they have fought so hard for, the public should be attempting to achieve those types of benefits and wages for themselves.

Unions need the support of the public because if there comes a time when a Governor wants to destroy the collective bargaining rights of the union or some other threat exists, the public can advocate on behalf of the union. Thus, it is vital that the union makes it crystal clear what they stand for and what their goals are so that the public can understand what they are supporting and how the union looks to improve education.

*Theme 5: Calm people down.*

Over time, the demands and stress of teaching has increased significantly. Sadker and Zittleman (2008) assert that nearly 50% of teachers quit the profession in their first three years. Additionally, Welner (2012) notes that teacher job satisfaction has fallen from 59 percent to 44 percent. One representative described going to meeting and “people are crying, saying “I can’t do this anymore, I have to leave this profession, I’m not meeting the needs of my kids because of the paperwork, the district’s demanding more and more paperwork, they’re starting to become

more test-driven.”” One union president discussed getting “phone calls at night, phone calls on weekends, and phone calls on holidays.” Another stated, “it involves a lot of talking people off the ledge.” A sense of urgency was evident by a representative’s explanation “that a lot of leadership now, is trying to calm people, contextualize the situation, and trying to ease people’s concerns about change.” One president went a step further and added,

Now it’s my job to follow up with her, and not just be like oh okay, she said she’s fine and let her sink. Obviously here’s somebody who was saying I’m struggling, help me. So, it’s my job as a union president to meet with them and see how things are going.

Seeing that nearly half of the profession quits in the first three years and with added scrutiny of teachers in this day and age, it is crucial for union presidents to recognize teachers who are overwhelmed or stressed out and give them the support they need to ease their nerves. Clearly, not every intervention will keep every teacher, but it will show teachers that they have someone who cares and is involved.

*Theme 6: Understand what teachers are experiencing.*

There are several facets to teaching other than just “talking in front of a classroom” as some people have called it; and there are enjoyable times and upsetting times associated with these facets. Everyone has their own views of what teachers do or should do. These views can be shaped by the media, television, literature, and experiences that give someone various representations of teachers. “Views of what teachers do are socially and culturally constructed and vary from one culture, one era, and one group in society to another” (Leask, 1999). Views of what teachers do will differ significantly depending on who you ask; for example, politicians, local authorities, teachers’ unions, educational researchers, parents, and pupils. Therefore, what teachers do is highly complex. Leask (1999) asserts that there are two types of roles a teacher

undertakes, an academic role and a pastoral/spiritual role. According to Leask (1999), some of the many responsibilities encompassed in these roles are: subject teaching, lesson preparation, classroom management while, monitor student progress, report to parents, help pupils with problems, reinforcing school rules and routines, giving career and subject guidance, teaching about personal, social, health education, and citizenship. In order for a union president to truly understand what a teacher is experiencing, they themselves must have been one or be one. All six union presidents have taught, with five of them still teaching. "The terror and anxiety that they're experiencing" can only be understood through being there", one union president stated. One representative went into great detail, declaring

The major factor is how much I care. That's the key we got to hire people into this profession who are deeply committed to it. Who love it, who want to be with kids and then with the union. I tell them, I'll fight for you guys. You're going to get paid. I will never let them take you down. We're going to protect you. But you have to get your ass in the classroom and love it, and do well, and be successful with those kids. And that's how you're a good union member.

Teachers have a plethora of responsibility throughout the day, and reading about a teacher's agenda or effective classroom theories does not give due justice to the profession unless one has experienced the front of a classroom firsthand.

*Theme 7: Make decisions that benefit the majority and understand that not everyone will be happy with your decision.*

Since every teacher is at different points in their career and different stages of their lives, there will be a diverse range of wants and needs. Acknowledging this point, one representative

stated that he “might have to make decisions that may not benefit every individual.” One union president really struggled with this notion, and reflected on a past experience:

I've fought for them and I had success, and they're not happy. They're not happy with the union, they're not happy with me. Personally, I have a lot of great relationships. I've been here for so long, I went to bat, I go to bat for people-on a personal level. But the elementary teachers, there's just a lot of reform anger, and I'm certainly an object of some of it. For instance, we've got them time to conference, to do paperwork; we got them some time during the year. But they have to be out of their classrooms, they have to get a sub. We got them time for planning-during the year, a little bit; more than anybody else. But none of it goes to the core issue if their job is becoming undoable.

Being in a position of power comes with great responsibility. Therefore, when decisions need to be made, they must be made with great deliverance.

*Theme 8: Understand long-term implications.*

Although, it may seem obvious, every action and decision has a short-term and long-term consequence. Since we are in the present it may be easy to focus on the now, but one cannot overlook the long-term implications of a decision. Ironically, every union president made a significant statement about long-term implications. One representative stated “to be a union president today, you have to understand the implications of everything that happens for the people you work for; long after you're gone. And that's my focus, you know, I want to be able to say that we did our best for our retirees and our current teachers.” Another union president stressed the importance of long-term implications, asserting that

I have to understand that my implication, on anything that we do, has an implication on children that I haven't even met. For instance, I never knew this teacher from high

school, we had never worked together. And I certainly don't know her son. But any decision that I make, or any conversation that I have could affect some child I don't even know. And so that's one of the things I have always want to keep in mind is that union is people; and that's really the heart of it.

Contracts agreed upon by the district and the union are locked for a certain number of years, however when the contract expires and it is time to renegotiate a new contract, it is important that a union president recognizes that monetary advances made in the present may come at the expense of benefits to teachers down the road. Thus, it is important for the union president to recognize and understand which sacrifices will have to be made.

*Theme 9: Protect the collectively bargained agreement the school district and union made.*

This is the most recognized aspect of a union president's job. This contract acknowledges an agreement that teachers feel is the best for themselves and the students. Reminiscing about the past, one union representative recalls the low standards of teaching, recalling a time in the 1970s when "teacher were making \$8,000 to \$10,000 a year. They didn't have sick time, didn't have health benefits that they have today, people just got comfortable." One union president declared that it is "his job to protect the document. When there is a violation of that document, my job to make sure that you're given a fair representation to all your contractual rights." One aspect about the contract that usually receives a fair amount of attention is seniority. Adding to this piece of the contract, one union representative explained

You get your salary no matter what, the seniority protects that-I mean here's a question I ask people about seniority. You're building your house and you need something repaired. Do you want the carpenter with 20 years' experience? Or do you want the guy with one or two years' experience? Which one do you want? And I say the same with teachers.

Now there's the perception that the veteran teacher is lazy and uses the same notes every year-I don't know any of those people. Again, it goes back to that 1% or 2% that is ineffective in any profession. But I know that I want anybody; in any service industry, I want somebody with some experience who knows what they're doing.

Teacher contracts include or may include: yearly salary, benefits, performance evaluation, requirements to disclose any felony charges, provisions for laying teachers off, and/or procedures for conflict resolution between teachers and administrators. Thus, the union president must be intimate with this agreement in order better serve its members.

*Theme 10: Protect teacher's rights.*

If the school district moves ahead with an investigation of a teacher; it is up to the union president to make sure the teacher's rights are met and that they are represented fairly. Even though every union president made some sort of significant statement about protecting teacher's rights, four of the six union presidents made it clear that their job is not necessarily to save that teacher from themselves. To demonstrate how a union protects a teacher's rights, one representative provided the following scenario, "somebody says you're a bad teacher, all of a sudden I'm your best friend. I'm going to say "Really? You hired him. Why'd you hire him? What have you done to help him get better? Show me that he's bad." Now, if the union gets blamed for that, that's hilarious to me." Another union president explained that "we don't protect bad teachers, we protect their rights and that's an important distinction. My job is to ensure that teacher's rights aren't getting abused. And that's the only way I protect the teacher." Another union president elaborated on this distinction, saying "if the teacher is in trouble, and the district is moving ahead with investigating for charges of incompetency or whatever, my job is to make

sure that their rights are met, and that they are being fairly represented. My job is not necessarily to save them from themselves.”

Teachers are guaranteed certain rights by the letter of their contract. Therefore, if those rights are violated, it is the responsibility of the union president to provide that teacher with the necessary representation.

*Theme 11:* It is quite easy to dismiss an ineffective teacher from service.

One of the leading misconceptions about teacher unions is that they protect mediocre teachers. Mediocre teachers are bad for the students, bad for the school district, bad for the union, and bad for teacher reputations. Thus, five out of the six union presidents made it clear that it is actually quite easy for a school to dismiss an ineffective teacher if it is properly documented. The last part is crucial because each of the five presidents asserted that there have been times when management wanted to relieve a teacher of their duties but never collected the proper documentation for dismissal. One union president declared that

If I'm doing a bad job, and my teaching is no good, and I'm bad for the school district, and there's documentation and work, then management needs to do their job. They can get rid of any teacher. Now, again, a lot of them just don't want to do the work, they just want the easy way out, they just say “you're no good, I want to get rid of you,” for no valid reason. But if they document the problem and show my negligence, they can get rid of me easy.

To clarify this point, one union representative said that “it's not my job, it's not the job of the union to protect bad teacher no matter what the community says, no matter what the newspapers say, it's the job of the union to ensure that the administration is doing their job to remove that teacher if they are ineffective or giving them the help needed.” He went on to add

But you need to make sure, if you're the administrator that you've done your job to prove that you've tried to help this person. So I mean, the reality is the means is always there to get rid of an ineffective teacher. It's the administrators job to do so and when they don't do so cause they don't follow the rules, then my job is to make sure they follow the rules.

Contrary to what some of the public or politicians may say about unions protecting ineffective teachers, it is actually quite easy to dismiss a teacher from service if it is properly documented by the administration. Hence, it is the duty of the administration, not the union, to gather evidence that a teacher is ineffective at their job.

*Theme 12: Teachers should be held accountable.*

Teachers should be responsible for their students and his or her learning progress. Teachers should be responsible for knowing their subjects well, and knowing pedagogy. However, there are limitations to how much a teacher can do. One representative noted this, insisting

It's frustrating, because teachers should be accountable. But you can't get there from here just by making teachers accountable, so, on one hand, I want the right kind of accountability for teachers, I agree. But on the other hand I am trying to alert the public that even if every teacher were as accountable as humanly possible, it still won't solve the problem because figure it out: kids spend about 19% of their time in school. For the other 81% they are somewhere else."

Furthermore, he added that

Expecting teachers alone can ensure the learning of kids is almost an impossible expectation. The only way this would work is if all kids were in boarding schools. In other words, if I'm going to be held accountable for all your learning, you better stay

there all day, every day, because otherwise how would I control what time you went to bed, how do I control that you're well nourished, how do I control that you have a reasonable life before and after school? So I think it's unreasonable to blame teachers and unions for the fact that some communities do not invest enough attention or resources in schools.

Another representative declared that "teachers are not afraid of accountability." "Do I think I should be held accountable, absolutely, get your butt in here and see if I've been doing my job; you can tell if learning is happening, if engagement is happening" added another president. One union president questioned how high teacher accountability really is, explaining that "teachers are some of the most secure employees in the country. For instance, we'll have a teacher get observed and the teacher will say, the principal said one thing in there about my lesson that wasn't nice." And they're very, very upset. And I'm saying, "If the principal doesn't say five things about my lesson that could be better, I think that principal's a loser." Another union president believed in "shared accountability. I think it's okay to hold teachers accountable for the part that they are in control of, which is during the school time. But unless you also hold parents accountable, and families, and health care agencies, and social service agencies, I think you're going to be disappointed because teachers alone cannot solve the school performance problem." Lastly, one union president concluded

All of it, all of it is and nobody wants to say the truth that the critical variable is the child. Okay, that's the first critical variable. The second critical variable is of course the parent of the child. The third critical variable is the friends associated and other human beings who surround the child. And the fourth critical variable is the school.

Ravitch (2012a) reports that family income is the single most reliable predictor of student test scores. In fact, the SAT, ACT, NAEP, state tests, and international tests show the same tight correlation between family income and test scores (Ravitch, 2012a). The union presidents all agree that teachers should be held accountable; however the accountability must be measured in the right way in order for it to be fair to that teacher.

*Theme 13:* RTT financially strong-armed school districts to accept the law.

Reiterating the statement that Boser (2012) made earlier, states were particularly desperate to score federal dollars. By withholding federal or state money, school districts felt compelled to accept this educational law versus having teacher jobs cut. If a school district did not agree to APPR, federal money would be withheld from that school district. One union president compared "Race to the Top to saying "you're not getting your money unless you do what we say." Another president stated

We didn't have to agree to APPR, they gave us a choice. They said either you agree to it, or we won't give you any federal money or state money, and your state aid would be reduced by "x" percentage, I think it's like fifteen, twenty percent. That means that out of 3500 teachers, we would lose 550 teachers this year. So we decided that means if we lost 550 teachers that means that most kids won't have any art or music or physical education or libraries or social workers. So we decided instead of that kind of devastating cut, we decided to see if we could negotiate aspects of APPR to make it less hurtful to teachers.

Adding to this, one representative described his experience stating

To do this plan right, the school districts and local unions would have had as much time as they needed to negotiate a plan, however the governor changed his mind and put in a

“all schools had to have a plan submitted by July 1, or no later than January 2013 or they were going to lose increase in state aid so he put financial pressures on the system. The consequence is state aid, so by January 2013 you would not get an increase in state aid, so he was using financial strings to motivate districts to get this done.

Finally, one representative summed it up by explaining

The government is saying “we don’t know what we’re doing, but we better get it done quick darn it, or we’re going to pull all of your money,” it’s like “are you kidding me? You don’t even know what you’re doing.” And what I think of the costs of all of this nonsense, it is mindboggling. The state, what was it, \$6 million I saw last year? The state budget approved \$6 million for a test security department; whose sole purpose was to make sure that the tests used are secure. I can think of a lot of better things to do with \$6 million than that.

In order to save jobs and programs at schools, districts felt compelled to accept APPR law; regardless of the fact that many educators opposed the new evaluation system for teachers. As stated by Mitchell (2012), “New York's hard won inclusion in the federal Race to the Top (RTTT) initiative has already dramatically changed both how we educate our children and how we fund public K-12 education in our state” (para. 1).

*Theme 14:* There are two main misguided policies with RTT: Tying teacher evaluations to student grades is not an appropriate way to evaluate a teacher, and it is too test driven.

Since APPR comes into effect during the 2013-2014 school year, there have been a lot of questions and concerns exhibited by teachers. Thus, all six union presidents have made significant statements about APPR. One unhappy union president stated

APPR is a bad law because it is wrong headed; I think it puts too much emphasis on things that are not within the teacher's control. If the student doesn't make an effort, if a student doesn't show up, how can you blame the teacher? They made the assumption that the way to fix education for kids, is to fix the teachers, and fixing the teacher alone is not going to get you there. It's like if I were your physician and you smoke and drink and engage in risky behavior, why would you blame me? So I think this whole thing is ridiculous and trying to quantify in percentages what a "good teacher" is, that's absurd. Would you quantify how good a social worker is? You've got to judge it in a subjective way, not in a statistical.

Another union president added

Nobody wants to face the facts, the whole narrative for the last ten years is, it's the teacher, and it's the teacher. Those kids in that school over there, it's a disaster, change the teacher and those kids are going to learn. That is, that is the Race to the Top narrative. All accountability is on the teacher. You want to be a good golfer? Well we just have to get you a better coach. Once we get you a better coach, you will be a good golfer. You don't want to golf, you don't practice, you're not interested in it, and nobody you know plays golf. But, once we get you the right coach then you can be a good golfer.

One representative tells his members "it has nothing to do with student performance and it has everything to do with teacher evaluation." So teachers in general get into this profession because we want to help the kids, it's always about students first usually. But APPR is switching the focus; it has nothing to do with the kids, and some of the stuff is actually not good for teaching and it's not good for the kids. It just seems like test, test, test." One representative agreed, stating that "the kids are being used because APPR is changing the focus away from the

children to evaluating the teacher.” He went on to say he believes “the whole design is not meant to improve teacher effectiveness, but as a means to get rid of teachers.”

In regards the testing, one president explained that APPR “is trying to take a lot of subjective skills and make them objective and provide a score to it.” Another union president supported this by declaring “it’s a bad law because it is way too reliant on tests; which can be manipulated. It’s inequitable in that you have all these different subgroups, you have people who are getting a score from state exams, state exams have not proven to be well written or reliable. It’s not an effective way to evaluate teachers, the way to effectively evaluate teachers is to get in their classrooms, coach them, and observe them.” Agreeing with this sentiment, one president stated “come on in here, and watch me do what I do. You know if you give me a classroom every year of students that come from completely different backgrounds, I’m going to do the best I can; but if you look at their test scores they may or may not reflect the best and the brightest in the whole world.” One representative noted “the tests aren’t well constructed; they’re not necessarily reliable or valid measures. They are not reliable or valid measures of teaching. They’re questionable as far as performance even.” To provide some validation to this point, one president exclaimed “they’re basically basing my evaluation on a test score when any given year there is a flaw in that test score or test. Last year’s English exam had multiple questions that none of the answers fit.”

Mitchell (2012) explained that The National research Council, in a report, warned of a narrowing of the curriculum. Mitchell (2012) then states that

The implication in their report is that an overly aggressive focus on testing may have a chilling effect on the creative and innovative spirit of teachers and principals. In an effort to raise scores, schools and districts are already reducing in in the arts, music, and other

non-tested resources, such as social workers or counselors. The system is being eviscerated to raise scores. (Narrowing the Curriculum section, para. 1)

*Theme 15:* The generalization of a few bad teachers to every teacher is a bad teacher is prejudiced.

Generalization is a proposition asserting something to be true either of all members of a certain class or of an indefinite part of that class. All six union presidents made a significant statement about the uphill fight of defending good teachers to ineffective ones. One representative recognized by explaining that

In any profession, there are 1% to 2 % of the people that just are not good. Before I taught I was in the private sector and I worked with lawyers and doctors and I always tell people that half the lawyers and doctors finished in the bottom half of their graduating class. Just because of what they are, doesn't mean they are the best. So there are going to be people in every profession that just don't meet the standards, but they always point to the few bad ones.

One representative added that "we have roughly 1100 teachers. Are they all the same quality? No. Are 98% of them really good teachers? Yes. Is there variation in that 98%? Absolutely." Another union representative asserted that "90% of us truly do have a passion for what we do. But it's that 10% that people point to."

Like most stereotypes, all teachers are bad or lazy is a hurtful and untruthful image perpetrated on the public by some politicians, movies, and the media, to name only a few. Clearly, as stated by the union presidents, there is variance amongst the profession. However, to point out the few towards the bottom of the profession and generalize that minute population to the masses is wrong and an unfair evaluation of the profession.

## Summary

There was an abundance of richness and agreement shared by the union presidents. Themes 1, 2, 3, 4, 5, 6, 7, & 8, describe just some of the endless duties performed by union presidents. The duties performed span in a wide degree of difficulty, with something as simple as lending an ear to a teacher who has had a strenuous day, to something as burdensome as making decisions that may benefit the majority but may be at the cost of the minority. Themes 9 & 10, examine the collectively bargained contract. This is essentially the epitome of teacher unions, and demonstrates how far American teachers have come since the late 19<sup>th</sup> century. Themes 11, 12, & 15 discuss the accountability of teachers, the dismissal of ineffective teachers, and how they tarnish the profession. Simply put, teachers must be held rightfully accountable. Once the right measures are taken to ensure proper accountability, administration must evaluate and take the correct precautions to dismiss ineffective teachers. In addition, those ineffective teachers mustn't be generalized to the entire teaching community. In themes 13 & 14, the union presidents discussed APPR and their distaste for it. Mainly, that APPR does not evaluate the teacher in a fair manner; and that RTT is directing education into a more test-driven era.

## Chapter 5

### Discussion

Research by the Varkey Gems Foundation (2013) showed that teachers are devalued in the US. Additionally, the past calendar year (2013) has recorded several attacks against teachers and their unions (AFL, 2012; Ayers, 2010; Guelpa & Light, 2012; Madland & Bunker, 2011; Ravitch, 2007; Strauss, 2010). In light of these events, the union presidents make a concerted effort to build and rebuild respect for teachers and their schools. Before teachers unionized, there existed egregious limits on what teachers were allowed to do (Northern Illinois University, 2014). Thus, teacher unions today, as in the past, must work diligently to provide for teachers and students. The right to freedom of association is recognized as a human right and a political freedom. When it comes to ensuring fair working, learning, and living conditions for all, unions are indispensable to providing these essentials. However, it is crucial that union presidents continue to make their teacher union as transparent as possible so that the public is able to see what they stand for and what their goals are.

As noted by the union presidents and scholars (Ayers, 2010; Cody, 2012; Fairtest, 2007; Mitchell, 2012; Ravitch, 2012a), RTT has encouraged states to double down on high-stakes testing. This intended or unintended movement is leading towards a standardization of American education, one that Zhao (2009) warned against. A consequence of standardization recognized by the union presidents is an education system that has become progressively more circumscribed and rigid; which impacts the students as well as the teachers. Ravitch (2012a), Sadker & Zittleman (2008), and Zhao (2009) have provided data that shows US education is exceeding public perception and is doing better internationally than the “Trends in International

Mathematics and Science Study" (TIMSS) numbers rank them; in fact, the US education system employs a model of learning that we should be moving towards.

Many of the union presidents, along with Cody (2012), Mitchell (2012), Ravitch (2012b) alluded to the fact that RTT is in some ways worse than NCLB, because it holds individual teachers accountable rather than schools accountable. As noted by the union presidents, teachers should be held accountable, and teachers should be evaluated. However, they should be evaluated by their supervisors and/or peers, who are knowledgeable about current practice and pedagogy. The union presidents went on to add, ineffective teachers should be fired, but first need a chance to improve; if they do not, then it is the responsibility of the administration to remove them from the classroom. Recognized by the Editors of Rethinking Schools (2010), the attack on teachers is worded the same way NCLB was when it was introduced; in terms of "closing the achievement gap." A *Newsweek* article stated that the achievement gap between white students and poor and minority students stubbornly persists because of failing teachers (Editors of Rethinking Schools, 2010). As documented by several union president and researchers (Ayers, 2010; Cody, 2012; Freney & Burris, 2010; Ravitch, 2012a; Sadker & Zittleman, 2008), race and class affect student achievement. Thus, if closing the achievement gap is the goal, there would be demand for adequate, equitable resources and funding for every student in every school (Editors of Rethinking Schools, 2010).

There are pundits that suggest teacher unions negatively affect student achievement through the mechanism of collective bargaining (Di Carlo, 2010). However, the data of Di Carlo (2010), Lubin (2012), and Northern et al. (2012) showed that states without binding teacher contracts are among the lowest performers in the nation; whereas states with strong teacher unions ranked with the highest average score. As discussions with the union presidents have

shown, unions are complex, important, and vital to provide protection of teacher rights and essentials of a good education. During these times of rapid progression regarding educational policy and its effects on student testing and its relationship to teacher evaluation, it is necessary that “teachers, teacher unions, and public education build alliances with everyone who stands to lose from these assaults on public education” (Editors of Rethinking Schools, 2010, para. 11).

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