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How Are Professional Attitudes And Culture Within Education Affected By Tenure?

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HOW ARE PROFESSIONAL ATTITUDES AND CULTURE WITHIN EDUCATION AFFECTED BY TENURE?

BY

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Chapter 1

INTRODUCTION

The concept of tenure has been a controversial issue over the years for various reasons. Parents, educators, administrators, and other staff members of educational institutions have different understandings of how tenure began, what teachers do to obtain tenure, evaluation guidelines and requirements, and how or why teachers have been earning tenure. Any misconceptions are a result of how well people have been educated about tenure, its origin, and why it is important in the academic society. In essence, tenure can affect professional attitudes and the culture within an academic institution and therefore will have either a negative or positive effect on education in general.

The author is a tenured teacher at Bridgewater- Raritan Middle School in Bridgewater, New Jersey who is attending Seton Hall University in South Orange, New Jersey to obtain her masters in Public and Corporate Communications, and through her research found that tenure is a choice for professors at Seton Hall. There are two options for professors at Seton Hall University, a private Catholic University established in 1856 making it the oldest diocesan university in America. The first choice professors have is to follow a tenured track in which it takes seven years to attain tenure through a rigorous evaluation system and probationary period. The second choice is to choose an independent track based on contract renewals every year without attaining tenure or reaping its benefits. There are many other New Jersey schools, both private and public—primary, elementary, secondary, and university level, that host various career opportunities, as well as schools that have completely abolished tenure. Due to the vast
research behind tenure’s guidelines at each different level of schooling, university and kindergarten through twelfth grade will be considered the same.

In conjunction with these various opportunities for teachers, Alstete (2001) states that tenured teachers are valued because of what they know, and the reason for creating tenure was to help recruit and retain the knowledge in the minds of the faculty; therefore providing academic freedom to advance the frontiers of scholarship. If this is true, how indeed are tenured teachers valued and could this impact the culture within a school? Employees of any organization want to feel valued in order to be inspired, motivated, or enthusiastic about their work; teachers live for these feelings, but if schools do not value tenured teachers and show it, the emotions involved may turn into complacency. In the author’s six years of teaching experience, she has witnessed tenured teachers who are not valued and have become bored, lazy, and ineffective. In addition, non-tenured teachers may be valued differently than tenured teachers and therefore affect the culture and environment in a school causing rivalry or animosity between the two cultures of tenured and non-tenured teachers.

Anyone attending school can probably name teachers who are really effective and make an impact on their learning or life; and can also identify teachers who have lost their touch. Perhaps the teachers who are not effective are boring, their methods of teaching aren’t fun or up-to-date, or maybe they are just ready to retire. Regardless, it is evident that there are effective and ineffective teachers whom have obtained tenure, so when tenure is granted to a teacher it should be the individual’s responsibility to remain proficient and worthy of tenure’s benefits.
When the author was in her probationary period, during the first three years of her teaching career, she knew she had to prove herself to the administrators, supervisors, students and parents in that she was open-minded, flexible, compassionate, organized, dedicated, and willing to learn new ideas or methods. This same attitude should be carried over into tenure once it is obtained, but it becomes more individual and self-motivating to maintain these qualities because teachers are evaluated less once they are tenured. For some teachers, unless they are constantly evaluated, it is easy to fall into bad habits which might include: using the same lesson plans year after year, neglecting opportunities for professional development, and changing their teaching methods or techniques to meet the changing needs of their students.

This study will focus on tenure’s effectiveness and will examine how widespread the effects of tenure are in order to recognize its relationship within an educational culture. In researching this topic there is an overabundance of evidence that supports both the pros and cons of tenure. For the most part, this study will concentrate on why teachers still have tenure today and what can be done to build a better reputation for it.

Research Question

How does tenure affect professional attitudes and the culture within the academic society? This examination will investigate if the privileges and benefits of tenure are conducive to effective teaching and a positive learning environment. It will discuss issues pertaining to the origin of tenure and its first laws, how tenure has been perceived
over the years by teachers, administrators, and those affected by education, and the myths that have built its reputation thus far.

Subsidiary Questions

1. Can tenure be directly related to (or the cause of) teacher efficacy?

2. How can we revitalize tenured teachers as a whole?

3. How are new career options created for tenured faculty?

4. How can tenured teachers keep the school alive and competitive?

5. Is performance linked to quality and commitment of tenured faculty?

6. How is the school meeting the changing needs of the tenured teachers through professional development?

7. How can a system for improvement of and appreciation for tenured faculty be built in an era of continuous improvement and lifelong learning?

8. What can be implemented in schools nation wide to ensure that tenured teachers remain current in practices, ideologies, and technology?

9. How can tenure benefit students?

10. How do the cultures of tenured and non-tenured teachers vary if they ultimately have the same purpose?

Purpose of the Study

Teachers often take tenure for granted, therefore not realizing why it still exists today. For example, after the author’s contract renewed, following her probationary three
year period of teaching, she understood the benefits of tenure to be automatic contract renewal and representation from the union to dispute any disagreements with supervisors, administration, or even parents. A meeting was not held to discuss how tenure changes a teacher’s career or to explain the requirements in order to keep tenure, nor was there any celebration. The following September, similar to the previous September, was not exciting for the author because no one recognized her accomplishment in attaining tenure. Rather, like her previous years as a non-tenured teacher, she reinvented lesson plans, enrolled in professional development courses, and created new materials. While she spends days before school starts preparing her classroom, some tenured teachers arrive on the first day of school with bare walls, unorganized desks, and the same lesson plans from years before. Some may argue that teachers do not get paid to come in before school starts over the summer and set up their classroom, however the author views her job as year-round and believes in lifelong learning. It is this attitude that has effective tenured teachers reading professional books over the summer and doing whatever they can to stay current and fresh with the latest educational research and developments.

There is considerable misunderstanding about faculty workload (www.uh.edu/fs/TITF/history.html). Teaching accounts for only part of a faculty member’s job responsibility, and yet teachers are only considered to be working when they are in the classroom in front of their students (www.uh.edu/fs/TITF/history.html). Other responsibilities of teachers include research, creative activities or projects, participation in committee work, and service to the school or community (www.uh.edu/fs/TITF/history.html). "Teachers have a responsibility to their disciplines, their students, the school, and the community to strive for superior intellectual, aesthetic, or creative
achievement.” ([www.uh.edu/~bs/111/tt/ history.html]) This makes perfect sense in theory, but if it isn’t addressed in writing or through evaluations then the results of effective tenured teachers will vary depending on the individual’s commitment to their job.

Objectives

The intention of this study will be to observe the pretense of tenure as it relates to its benefits and the attitudes that form from the two cultures within education in making the transition between non-tenured status to tenured status. The author will focus on three objectives throughout this examination. First, determine the reason for tenure and how it has changed over time to meet the needs of teachers and students. Next, identify the components of tenure and connect them to teacher responsibilities, beliefs, and practices. Are there teachers who abuse tenure and if so, why or how do they accomplish it? Finally, the author will illustrate how tenure became a topic of controversy and what needs to be done in order to save its reputation. Is tenure relevant to effective teaching?

Definition of Terms


2. **Learning**: a lifelong challenge that does not end with a diploma (Alstete, 2000).

3. **Academic Freedom**: the free search for truth and its free exposition. Freedom in research is fundamental to the advancement and growth of truth and the protection of the rights of the teacher and students in freedom in learning (National Education Association- N.E.A.-, 2004).
4. **Tenure**: a form of job security for teachers who have successfully completed a probationary period. Its primary purpose is to protect competent teachers from arbitrary non-renewal of contract for reasons unrelated to the educational process—personal beliefs, personality conflicts with administrators, school board members, and the like. (Scott, 1986).

5. **Superstars**: employees with stellar performance who define the school and thrive on challenges; innovators, exceed beyond expectations, self-driven/motivated, determined, dedicated, disciplined (Lombardi, 2001).

6. **Steady/Strong Players**: employees who exhibit satisfactory performance in order to meet expectations; they thrive to succeed and support the school (Lombardi, 2001).

7. **Non-Players**: the employee who eradicates the school with their questionable performance and lack of accountability; self-centered, inadequate, ineffective, incompetent, concerned solely with self-survival (Lombardi, 2001).

8. **Probationary Period**: a three to seven year term of intense, rigorous evaluations at least three times per year in which performance determines the transition from yearly contract renewal, non-tenured teachers, to automatic contract renewal, tenured teachers (job security).

9. **Non-tenured**: a teacher who is evaluated at least three times per year to decipher whether or not contract renewal will be granted for a probationary period of three to seven years.

10. **Professional Development**: opportunities for continued learning or studies related to teaching in which the teacher will receive credit or hours for their participation, ultimately increasing salary or becoming part of the evaluation assessment.
Limitations

This study is inhibited by its sole focus on the comprehension of tenure, how it is perceived, and how it affects educational growth and the culture within. There are numerous components of tenure that are key constituents in the law. For example, the unionization of teachers, how the law varies from state to state, and how the law is carried out are all individual sectors of tenure. However, the author believes that tenure’s affect on attitudes and culture within education, though it may seem obvious or evident, is truly one aspect that is the most complicated to understand.

Another component that renders limitations to the study is the difference in tenure between that in higher education or secondary education, at the university and high school levels, versus tenure in the elementary level, which encompasses kindergarten through grade eight. Due to the vast amounts of literature, the author will specify where tenure only applies to an individual level of education. In all other cases, where the level is not indicated, the issues apply to all teachers.

Lastly, because the topic of study has been a part of teaching for so long, the inability to provide documentation relating to the very first beliefs, opinions, and laws related to tenure limits the author’s ability to show the true nature behind the reasons for it. As it is well known, in many instances, teachers lose site of tenure’s intent because they are so far removed from its origin. In effect, recent research, interviews, and surveys will lack the authenticity required for this study.
Chapter 2
THE REASONS FOR TENURE

"I consider it important, indeed urgently necessary, for intellectual workers to get together, both to protect their own economic status and... to secure their influence in the political field." – Albert Einstein on why he joined a union.

What is tenure? One of the unwritten rules of American Universities is that the teacher must be free from the strain of economics so that he can focus on goals as scholar and educator as honestly and independently as possible (Huer, 1991). In this case, the school grants the teacher a special privilege known as tenure (Huer, 1991). Jon Huer (1991), the author of Tenure for Socrates and Associate Professor in the Department of Sociology at the University of North Carolina at Wilmington, reinforced the notion that “of all occupations in America, this tenure privilege is unique to teachers. Tenure is a lifetime guarantee of a job assuming continuous ‘good behavior’ as a scholar and teacher”.

The tenure status also has different meanings according to the teacher and the school (Whicker, Kronenfeld, Strickland, 1993). In addition to job security, it is a merit reward for a job well done as well as a career motivator according to Whicker, Kronenfeld, and Strickland (1993), authors of Getting Tenure. The three authors then claim that schools view tenure as a protection of academic freedom, an investment, and a legislative personnel process.

**Teacher's view of tenure:**

| Job Security | Merit Reward | Career Motivation |

**School's view of tenure:**

| Protection for Academic Freedom | Economic Investment | Legislative Personnel Process |
The first privilege, job security, means you cannot be fired for trivial reasons such as a personality conflict with a supervisor or administrator (Whicker, Kronenfeld, Strickland, 1993). Tenure also means, Whicker, Kronenfeld, and Strickland (1993) find, that teachers are not at the mercy or whims of principals, supervisors, administrators, or department chairs. In other words, it gives teachers a so-called “safe” job allowing them to stand up to those in higher positions and voice their opinion without the fear of penalty in job loss or financial repercussions (Whicker, Kronenfeld, Strickland, 1993). During the 1970's, tenure and academic freedom came under attack when teachers protested their political beliefs under the immunity of penalty (Huer, 1991). Legislators attempted to abolish tenure for this behavior, Huer (1991) states, “the public outcry demonstrated once again, as it had done during World War I and the McCarthy Era,” but the fragility of the teacher’s so-called “protective cocoon” prevailed and no such initiative ever passed a state house.

Another meaning of tenure warrants tenured teachers to receive merit rewards for a job well done (Whicker, Kronenfeld, Strickland, 1993). Faculty members are expected to perform in scholarship and research, teaching, and service; whereas tenure is an award for meeting performance expectations in these three areas. Scholarship and research consists of peer-reviewed publications, books, scholarly presentations, positive reviews of publications, citations of publications and other evidence of impact, and grants for research (Whicker, Kronenfeld, Strickland, 1993). Whicker, Kronenfeld and Strickland (1993) explain that teaching criteria is comprised of evaluations, success of students, and teaching awards. Additionally, service evidence, as outlined by the three authors (1993) in Getting Tenure, can be considered as: participation on professional committees,
department committee, curriculum work, community talks and technical assistance, or faculty advisor to student associations.

On the contrary, the school focuses on different interpretations of tenure. The first meaning concentrates on the protection of academic freedom, which allows teachers the freedom needed to explore new ideas and theories in an unimpeded manner. Teachers therefore, do not have to worry about political whims and popular ignorance (Whicker, Kronenfeld, Strickland, 1993). Academic freedom prevents these worries from interfering with research. Whicker, Kronenfeld, and Strickland (1993) say, “Tenure overcomes this roadblock to intellectual progress by granting not only job security for keepers of the social knowledge base, but also great autonomy in how those jobs are executed.” In addition, tenure protects teachers who have unpopular views. For example, during the McCarthy era of the 1950’s, communistic ideas were unpopular and anyone who had the slightest trace of communist sympathies in their background were banned from working as a teacher (Whicker, Kronenfeld, Strickland, 1993). As protests slowly grew in the 1960’s against the Vietnam War, schools became major sites for developing antiwar rallies and without tenure, teachers protesting the war would have been fired. However, once a teacher attains tenure, their personal views and feelings are protected and, therefore, one cannot be fired (Whicker, Kronenfeld, Strickland, 1993).

The second interpretation of tenure from the administrative point of view is that tenure is a multiyear, multimillion-dollar institutional investment (Whicker, Kronenfeld, Strickland, 1993). Benjamin Baez and John A. Centra, co-authors of “Tenure, Promotion and Reappointment: Legal Administrative Implications” (1995), say tenure was established to protect faculty members’ academic freedom, and to provide enough
financial security to attract able men and women to the profession. If someone pursues teaching as a first career, Whicher, Kronenfeld, and Strickland (1993) found that the tenure decision occurs at a relatively young age. It is possible for a teacher who earns a college degree by the age of 22 to obtain their Ph. D. in three to four years therefore eligible for tenure at a university before the age of 30. Then the review for tenure could ultimately occur before the age of 35 and if that teacher works until the age of 70, tenure is guaranteeing a lifetime employment subject to dismissal only on very limited grounds representing a salary and fringe-benefits commitment for 35 years. Both administrators and faculty members may be able to do the math involved in tenuring any specific candidate: “Someone tenured today means one less person to tenure in the next few years” (Whicker, Kronenfeld, Strickland, 1993). In retrospect, this may cause a competitive attitude between other current tenure candidates, but also between perceptions of administrators of how good future tenure candidates are likely to be.

The last view administrators have of tenure is a legislative process where peer decisions have an impact on tenure outcomes (Whicker, Kronenfeld, Strickland, 1993). When the administration acknowledges this aspect, then they are in a better position to manage the process and to position themselves favorably. Whicker, Kronenfeld, and Strickland (1993) say that the passage of a bill through a legislature and awarding tenure both affect key constituencies beyond the immediately obvious. Bills have sponsors that support them on behalf of home-district constituencies, yet other constituencies and powerful groups are also affected. This includes similar constituencies in other districts, bureaucrats who must administer programs, and legislators who may be held publicly accountable for supporting the legislation (Whicker, Kronenfeld, Strickland, 1993). In
While tenure has benefits for the institution and its teachers, it also has financial consequences for the school if the tenured teacher is not meeting expectations (Baez, Centra, 1995).

N.E.A. Tenure Policy Statements

The National Education Association (N.E.A.) affirms that academic and intellectual freedom in institutions of higher education are best protected and promoted by tenure, academic due process, and faculty self-governance (www.nea.edu.org). The N.E.A. initiated discussion of the teacher tenure issue in 1884, when it created a committee to study tenure (Reis, p.2). The influence on the creation of this committee might have been the Civil Service Act, which sought to end the abuses of power and excessive turnover in civil service employees as a result of changing politics in government (Reis, p.2).

Soon after, the N.E.A. adopted a formal resolution favoring tenure legislation and released a report, which suggested that high teacher turnover was evidence of the need
for some degree of security for teachers (Reis, p.2). Dr. Reis says, "Initially, the purpose of teacher tenure laws was to protect teachers from arbitrary actions by school officials and to encourage a strong educational system occupied with qualified, stable and secure teachers" (p.2). Excessive turnover in teachers was closely linked to politics and favors (Reis, p.2). School board members had the power to fire teachers who had no employment protection, such as tenure, and to replace those teachers with people to whom a political or personal favor was owed (Reis, p.2). This protection is supported in a collectively bargained contract enforced by binding arbitration. N.E.A. is concerned that certain patterns of hiring and retaining academic faculty are undermining tenure. Examples of these patterns and practices include: the widespread and excessive use of part-time faculty, misuse of temporary contracts and renewable term, or "rolling" contracts, overly long probationary periods, and tenure quotas. These practices threaten the job security vital to academic and intellectual freedom (www.nea.edu.org).

Intellectual freedom is a basic right of all citizens and essential to preserving American democracy in the terms of the 1940 "Statement of Principals of Academic Freedom and Tenure" which was endorsed by the N.E.A.'s higher education department in 1950 (www.nea.edu.org). Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends on the free search for truth and its free exposition (www.nea.edu.org). Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher and of the student in freedom in learning (www.nea.edu.org).
Academic freedom also includes the rights of scholars to publish freely the results of their research, to retain the rights to their intellectual property, to participate in the governance of the institution, to advance in their profession without fear of discrimination, and when necessary, to criticize administrators, trustees, and other public officials without recrimination. College and university faculty and staff have the right to assist colleagues whose academic freedom and professional rights have been violated. Tenure, academic due process, and faculty self-governance promote stability, continuity, and a scholarly environment on campus (www.nca.edu.org).

Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the school (DeGeorge, 1997, p.118). Academic freedom, DeGeorge (1997, p.118) states, also entitles teachers to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. Limitations of academic freedom, because of religious or other aims of the institution, should be clearly stated in writing at the time of hire (DeGeorge, 1997, p. 118). Teachers are citizens, DeGeorge (1997) recognizes, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations (DeGeorge, 1997, p.118). As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances (DeGeorge, 1997, p. 118). Robert DeGeorge (1997, p. 118) concludes, “Hence teachers should at all times be accurate,
should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.”

Even though practices may vary, most faculty members are awarded tenure only after a rigorous peer evaluation of their teaching, research, and service. During the probationary period, which usually does not exceed seven years, untenured faculty members should enjoy the same degree of academic and intellectual freedom as their tenured colleagues and be made aware of the specific and general criteria to be applied to their evaluation for promotion and tenure. In this system, any attempt to legislate tenure criteria for an entire state would be inappropriate and counterproductive (www.nea.edu.org).

After the expiration of a probationary period, teachers should have permanent or continuous tenure, and their service should be terminated only for adequate cause, except in the case of retirement for age, or under extraordinary circumstances because of financial exigencies (DeGeorge, 1997, p.118). Robert DeGeorge (1997) says that in the interpretation of the Academic Tenure Principle it is understood that the following represents acceptable academic practice:

1. The precise terms and conditions of every appointment should be stated in writing and be in the possession of both institution and teacher before the appointment of tenure is consummated.

2. The probationary period should not exceed seven years, unless the teacher chooses to work for another school and has to start the probationary period all over again.

3. During the probationary period a teacher should have the academic freedom that all other members of the faculty have.
4. Termination for cause of tenure, or the dismissal for cause of a teacher previous to the expiration of a term appointment, should be considered by both a faculty committee and the governing board of the school. In all cases where the facts are in dispute, the accused teacher should be informed before the hearing in writing of the charges and should have the opportunity to be heard in his or her own defense by all bodies that pass judgement upon the case. The teacher should be permitted to be accompanied by an advisor of his or her own choosing who may act as counsel. There should be a full stenographic record of the hearing available to the parties concerned. In the hearing of charges of incompetence the testimony should include that of teachers and other scholars, either from the teacher's own school or from other institutions. Tenured teachers who are dismissed for reasons not involving moral turpitude should receive their salaries for at least a year from the date of notification of dismissal whether or not they are continued in their duties at the school.

5. Termination of a continuous appointment because of financial exigency should be demonstrably bona fide.

The N.E.A. defines tenure as the expectation of continuing, indefinite, and/or permanent appointment in the institution, granted subsequent to the probationary period an extensive, objective peer and institutional review is executed. The focal point of tenure should be the institution (www.nea.edu.org). The courts generally recognize tenure as a right of property that under the Fourteenth Amendment cannot be alienated from a faculty member except by academic due process appropriate to the institution and for just cause (www.nea.edu.org). Academic due process is usually a part of a system of faculty self-governance and evaluation that has been established by faculty by-laws,
constitutions, and collective bargaining contracts (www.nea.edu.org). The courts have generally accepted a judicial form of due process similar in most respects to legal proceedings before a court of law. In such a proceeding, the burden is clearly on the administration to prove beyond reasonable doubt that a tenured faculty member should be dismissed or suffer serious consequences for incompetence or other just cause (www.nea.edu.org).

Tenure and academic due process- when accompanied by a proper system of faculty self-governance- protect the rights of all faculty members, tenured or untenured as stated by the N.E.A. Tenure does not necessarily impose a strict seniority system on a school to be followed if financial exigency requires a reduction in the size of the faculty and academic staff, unless the faculty and administration agree to such a system. The tenure system should accommodate affirmative action goals along with the need for academic integrity of programs and departments (www.nea.edu.org). Academic appeals and grievance procedures should exist to eliminate capricious and arbitrary decisions, as faculty members exercise the right to challenge tenure and promotion decisions allegedly based on discrimination (www.nea.edu.org).

Academic and intellectual freedom becomes undermined if academic appointments on temporary, non-tenure track, and/or multiple long-term contracts are common practice. Faculty who are subjected to lengthy or continuous probationary status are less likely to perform or ever exercise their rights as citizens freely (www.nea.edu.org). Part-time faculty also undermines academic and intellectual freedom, tenure, governance, and educational quality. Frequently, these members work for substandard compensation, not having job security or recourse to grievance procedures,
under conditions that often place the value of the education being provided to their students at risk (www.nea.edu.org).

Tenure quotas (arbitrary limits on the percentage of tenured faculty) have a negative effect on the academic environment of an institution. The N.E.A. supports all proper efforts for an institution to seek and maintain academic excellence, but it opposes negative decisions on tenure motivated primarily by a desire to retain budgetary “flexibility” (www.nea.edu.org).

Academic excellence and rejuvenation of the faculty may be enhanced by a variety of means without weakening the tenure system. Professional development plans for faculty should be designed to encourage professional growth and must be developed and implemented with faculty involvement. Members of a faculty have a responsibility to remain current in their fields to provide students with a quality educational experience. Institutions may implement programs to train faculty members to teach in other areas or to fulfill other important roles at their institutions. The N.E.A. encourages teachers, administrators, student, and governing boards to work within the current tenure system when confronting the challenges, opportunities, and adversities of the future (www.nea.edu.org). Although their opinions may differ, it is essential that all the parties involved—parents, teachers, administrators, and school boards—gain a clear understanding of what tenure does and does not do (Scott, 1986, p.1). They may then use that understanding to ensure that competent teachers enjoy academic freedom while administrators preserve the flexibility they need to develop and maintain a successful school environment (Scott, 1986, p.1).
Protection and Boundaries of Tenure

The type and amount of protection tenure guarantees varies from state to state and, depending on agreements with teachers' unions, may even vary from school district to school district (Scott, 1986, p.1). In general, a tenured teacher is entitled to due process when he or she is threatened with termination or nonrenewal of contract for just cause, or in other words, for failure to maintain a clearly defined standard that serves an educational purpose (Scott, 1986, p.1).

In cases where a tenured teacher is threatened of losing their job, due process usually requires that the school board hold a hearing at which the administration presents its arguments in favor of dismissing the teacher or not renewing the teacher's contract. The teacher is also allowed to present his or her side. Similar to the proceedings in a criminal court, the teacher is presumed innocent until proven guilty, and even though the administration must prove with documented evidence that the teacher has failed to measure up to some clearly defined standard, the teacher does not need to prove that he or she has measured up to it (Scott, 1986, p.1).

For example, there are teachers who drink alcohol before class, or even during class, teachers who deal drugs; and teachers who can't even read or do basic math (Education Reporter, 1998). All of these instances are more commonplace than many parents realize, and their presence in American classrooms is nothing new (Education Reporter, 1998). However, these incompetent teachers cannot be fired, like private sector employees usually are if they drink on the job or prove unfit to perform job duties, because of tenure. According to the Education Reporter in a December 1996 issue, "About eighty percent of all public school teachers have tenure."
The N.E.A. and the American Federation of Teachers (A.F.T.) negotiate tenure laws for each and every state (Education Reporter, 1998). While the unions insist that these laws are in place to protect good teachers by giving them due process rights, critics say that tenure and the unions are the root of corrupt education (Education Reporter, 1998).

Because tenure is such a controversial issue, state legislatures don’t want to get involved (Education Reporter, 1998). Kay O’Conner, a Kansas state union representative is quoted in Investors Business Daily, “Tenure is a very hot issue. If a legislator brings it up, it’s a royal battle. Unless you’re molesting children or robbing banks, you can’t be fired” (Education Reporter, 1998). She also stated that by allowing poor teachers to remain in the classroom means more remedial teachers will be needed, and therefore puts more dues money in union wallets (Education Reporter, 1998). With more than fifty pro-union education lobbyists, the unions want as many teachers as possible, making as much money as possible. The mission is teachers, not children- the mentality is quantity, not quality (Education Reporter, 1998).

New York state Assemblywoman, Debra Mazzarelli, told Investors Business Daily that our tenure laws protect ineffectiveness and unmotivated teachers and administrators. “Attempting to remove a tenured employee from his or her position is so difficult, expensive and time-consuming that, for all intents, it is impossible,” says Ms. Mazzarelli. Realistically, as a 1994 study by the New York State School Boards Association found, dismissing a teacher could take an average of 455 days and cost nearly $177 thousand dollars. Then if the teacher appeals, costs can approach twice that amount. Preparations for the required due process hearings add up to as long as six
months, during which time the teacher in suspension is still receiving full salary (Education Reporter, 1998). On top of these costs, there are additional finances needed for substitute teachers and the hearings. The process often ends with the school district either paying off or transferring the accused teacher (Education Reporter, 1998). It is not impossible to terminate the employment of a tenured teacher, but the process is a difficult and cumbersome one (Scott, 1986, p.1). Consequently, many parents arrive at the conclusion that administrators would rather retain incompetent teachers than go through the time and effort involved in a dismissal hearing (Scott, 1986, p.1).

Key Elements of a Sound Tenure Policy

Although it has alleged drawbacks, tenure has been an indispensable part of the school system for many years and is likely to remain so for many more to come (Scott, 1986, p.2). In order to operate an effective school while remaining within the guidelines of tenure agreements, school boards and administrators are advised to manage tenure by following specific guidelines.

The first guideline is to clearly establish defined standards for probationary teachers and monitor those teachers carefully (Scott, 1986, p.2). If the teachers fail to maintain those standards and remediation does not work, the teachers in question should be fired before they acquire tenure (Scott, 1986, p.2). In addition, if a teacher fails to maintain the necessary standards, and remediation was not successful, then administrators should scrupulously follow due process in presenting their case before the school board. This includes carefully documenting any charges brought against the teacher. In some cases where a school district is faced with reductions in employment due to financial
problems or declining enrollment, the school board, administrators, and teachers should work together to devise a means of dealing with the problem that is fair to everybody—administrators, teachers, and especially students (Scott, 1986, p.2).

Another element of tenure is its privileges. One of the most important privileges is continued employment until voluntarily retiring or resigning, in other words, job security (University of Michigan, 1994). Economic security, including adequate salary and benefits, of which neither is reduced during the term of employment except for adequate cause and after fair procedures is also an advantage (University of Michigan, 1994). Continued institutional support and adequate classroom, library, lab, and office facilities are yet another freedom because academic freedom would be at risk if faculty loses this support since tenure entitles teachers to teach and write their own ideas (University of Michigan, 1994). The last advantage of tenure is the continued involvement in the school’s mission including participation in faculty decisions on hiring and promotion, teaching, and curriculum work (University of Michigan, 1994).

With privileges, come responsibilities for teachers who are tenured. One of the expectations is that a tenured teacher endeavors to teach classes carefully and competently: preparing adequately, striving to improve performance, keeping up-to-date with new techniques, renewing philosophies and teaching materials, and updating their teaching to reflect developments (University of Michigan, 1994). Tenured teachers are also expected to be available to students outside of class for advice, counseling, and instruction on matters related to student work, progress and the academic program (University of Michigan, 1994). Another responsibility is that tenured teachers have to produce accomplishments of the quality and quantity expected of non-tenured faculty.
(University of Michigan, 1994). Participation in the academic community, either through service activities or public relations, is expected of tenure status as well as the ability to behave in what is considered to be an ethical manner in all professional relationships with students, colleagues, staff, and parents (University of Michigan, 1994). In hindsight, it seems important for tenured teachers to acknowledge and abide by these responsibilities because it is an aspiration and belief that they will continue to produce the kind of teaching and scholarship that only academic freedom and tenure can secure.

Myths & Realities of Teacher Tenure

One of the most popular myths of tenure is that it is a lifetime job guarantee. The reality of this myth is that tenure is simply a right to due process; a tenured teacher cannot be fired without evidence proving incompetence or unprofessional behavior or that an academic department needs to be closed or the school is in serious financial difficulty (www.unitedfaculty.org, 1990, p.2). Nationally, about 2 percent of tenured faculty are dismissed in a year (www.unitedfaculty.org, 1990, p.2). Tenured teachers can, in fact, be dismissed for misconduct, incompetence, or insubordination, but only after they have been given the right to defend themselves (www.pmct.org, p.1). An impartial hearing officer or a three-member panel decides each case on its merits (www.pmct.org, p.1).

If it seems purposely difficult to fire a tenured teacher, it should be known that it is also very difficult to become one. The probationary period averages between three to seven years and this period of employment is an insecurity most unique among any profession in the United States (www.unitedfaculty.org, 1990, p.2). People who are denied tenure at the end of this time lose their jobs; tenure is an “up-or-out” process because
during the probationary period, almost all schools can choose not to renew faculty contracts and terminate faculty without any reason or cause (www.unitedfaculty.org, 1990 p.2). Throughout this time, the work of probationary teachers is evaluated by tenured teachers and administrators before deciding whether or not to recommend tenure (www.unitedfaculty.org, 1990, p.2). The United Faculty website states (1990), “The most recent survey of American faculty shows that, in a typical year, about one in five non-tenured faculty members was denied tenure and lost his or her job.” In essence, tenure is granted as a belief in that faculty members will remain accountable after they obtain tenure status (www.unitedfaculty.org, 1990, p.2). These tenured faculty members are evaluated periodically- among meeting other expectations- for promotion, salary increases, and in some cases merit increases (www.unitedfaculty.org, 1990, p.2). Grant applications and articles for publication are routinely reviewed on their merit by peers in the field and if basic academic tenets and due process rights are observed, this kind of accountability is absolutely appropriate (www.unitedfaculty.org, 1990). It is important to remember that any finding of incompetence or unprofessional conduct can still result in firing.

Commonly, there is the myth related to how tenured faculty do not work very hard, and when they do work, they spend too much time doing meaningless research and too little time teaching. The United Faculty Website (1990) says, “Surveys show clearly that tenured faculty generally publish more, serve on more committees and teach more than their untenured colleagues. On average, faculty work 52 hours per week.” Full-time, tenured teachers must serve on academic committees and conduct research as well. In spite of these requirements, faculty responding to the surveys gave an overwhelming
report that teaching is their favorite responsibility and that they do more teaching than anything else (www.unitedfaculty.org, 1990, p.3). It is wrong in any case to think of research as the enemy of good teaching (www.unitedfaculty.org, 1990, p.3). Research and teaching go hand in hand, and the best educators are up-to-date on the latest research and able to inspire students with stories of their own inquiries and interests (www.unitedfaculty.org, 1990, p.3). School should be a place of inquiry because inquiry is the basis of America’s economy, health, and culture (www.unitedfaculty.org, 1990, p.3). The Internet is one example of an innovation that has resulted from this practice. Generally, our unions believe there should be a greater emphasis on good teaching in tenure and promotion decisions and that there should be other rewards for good teaching as well (www.unitedfaculty.org, 1990, p.3).

Tenure certainly does not protect incompetent teachers because teachers are regularly observed and evaluated by administrators (www.pmct.org, p.1). If a teacher is incompetent, a competent administrator should be able to demonstrate it to a hearing panel or officer (www.pmct.org, p.1). Those with no talent for teaching should never be able to earn tenure in the first place. Teachers do not want incompetents in their profession either, because it makes the job harder for the good teachers and diminishes the stature of the profession. Tenure does not protect incompetent teachers- incompetent school boards and their managers protect incompetent teachers!

A third myth revolves around academic freedom, and even though tenured teachers say they need it, it sounds too much like the freedom to do or say whatever they want, no matter how radical or inconsequential. If the Constitution protects academic freedom, then why do teachers need tenure? The truth is that academic freedom is crucial
because society needs "safe havens," places where students and scholars can challenge the conventional wisdom of any field—whether it be art, science, or politics (www.unitedfaculty.org, 1990, p.4). This should not be considered a threat to society, however it should be understood as a strength (www.unitedfaculty.org, 1990, p.4). It puts ideas to the test and teaches students to think and defend their ideas and if teachers knew their jobs were on the line, then most likely, they would not talk about controversial ideas (www.unitedfaculty.org, 1990, p.4).

Tenure also gives educators the independence to speak out about troubling matters and to challenge the administration on issues of new curriculum and quality teaching methods. However, the problem could be academic. For example, a non-tenured teacher was fired at the University of Georgia when she reported an administrator’s practice of changing grades and waiving academic standards for athletes (www.unitedfaculty.org, 1990, p.4). Even though she was rehired after a lengthy court battle, the problem was extremely political. In Oklahoma, a number of state legislators attempted to fire Anita Hill from her university position because of her testimony before the U.S. Senate (www.unitedfaculty.org, 1990, p.4) “If not for tenure, teachers could be attacked every time there’s a change in the wind,” the United Faculty Website reports (1990).

The other reality of academic freedom is that the First Amendment guarantees freedom of speech, but the Constitution does not guarantee that you can’t be fired for expressing your beliefs as part of your job (www.unitedfaculty.org, 1990, p.4). The courts could decide either way, however the burden of proof shifts sharply to the educator (www.unitedfaculty.org, 1990, p.4). It is important to acknowledge that there are limits to
tenure. It does not mean that a science teacher can hold students to his or her belief that the sun revolves around the earth, and it does not mean teachers can act unprofessionally.

One of the more stereotypical myths is that just about all teachers have tenure. The truth is most educators do not have tenure, and this is not viewed as a positive reality (www.unitedfaculty.org, 1990, p.4). No more than one-third of all faculty members are tenured because more and more schools are relying on part-time or temporary non-tenure-track faculty to teach. Part-time teachers made up about thirty-eight percent of the educators in 1987 and grew to forty-three percent in 1992 (www.unitedfaculty.org, 1990, p.5). The United Faculty Web-site reported (1990) that after a tenured teacher retires or a new position is created, too often the new position is not tenured. Schools claim this gives them greater flexibility to meet student needs (www.unitedfaculty.org, 1990, p.5). However, the real reason is to save money and the real effect is to lower standards and expectations (www.unitedfaculty.org, 1990, p.5).

This theory may lead people to believe that part-time faculty are not qualified, but in fact they are qualified and to make matters worse they are exploited (www.unitedfaculty.org, 1990, p.5). Most part-time faculty earn very low “per course” salaries and few, if any, benefits. The nature of their employment forces them to work another full-time job outside of teaching and often does not enable them to advise students adequately, conduct research, or contribute to the academic mission of the institution (www.unitedfaculty.org, 1990, p.5). In fact, the United Faculty Website (1990) reported that a recent national survey indicates one half of part-time faculty do not hold office hours or meet with students outside the classroom.
Imagine how difficult and demoralizing it must be for faculty members, always conscious of their vulnerability, to bring confidence and creativity into the classroom necessary for effective teaching (www.unitedfaculty.org, 1990, p.5). It is also unfortunate when part-time teachers are hired to teach courses largely subscribed by part-time students and/or students with special needs, the very students with the greatest need for instructors who are fully connected to the school and its resources (www.unitedfaculty.org, 1990, p.5).

So no matter what critics say, faculty members win tenure because their senior colleagues are convinced they can perform with excellence and a great deal of independence (www.unitedfaculty.org, 1990, p.6). Tenured faculty should be superstars who are highly successful, self-motivated, people with a great deal of professional pride. The element of due process is a civilized value; the right measure of job security should make people more productive; not less (www.unitedfaculty.org, 1990, p.6). In order to reach the educational standards of a successful society, schools need full-time, experienced teachers in charge of the academic program who are committed to students’ learning (www.unitedfaculty.org, 1990, p.6). To keep up quality for the next generation of students, schools need to keep up opportunities for the new generation of educators. In essence, the concept of tenure can be analyzed over and over again putting blame on administrators or elected officials. Teachers are not perfect, but they are professionals and if a solid education is sought, tenure matters.
Perspectives

The historical reasoning behind tenure, as it relates to academic freedom, dates back to Athens in approximately 450 B.C.E. and one of history's most famous teachers, Socrates. He lacked tenure, and his approach—what he considered to be the truth—were confronted by a government that did not accept the input of others and made politically advantageous decisions (Stream, 2003, p.9).

Unfortunately, today's society seems to focus only on the positive with change and reform (Stream, 2003, p.9). Joseph B. Margolin Valley Stream argues that parents and taxpayers are not really aware of the professional evaluations of curriculum changes being made and materials being used (2003, p.9). Every child and parent would benefit from the input and experiences of teachers, particularly those teachers who are experienced and have seen what works and what doesn't work (Stream, 2003, p.9).

There are those who would foster the idea that tenure is used as immunity for incompetence. Joseph B. Margolin Valley Stream asks, “Are we to believe that hordes of teachers slip through the cracks and that teachers who are granted tenure begin their fourth year with a metamorphosis and immediately become incompetent?” (2003, p.9). This is not the case to any great degree, however, there are many more incompetent parents and administrators than incompetent teachers (Stream, 2003, p.9). The tenure law provides a method for the removal of incompetent and/or immoral educators. Perhaps administrators should become more familiar with their roles and obligations in this regard (Stream, 2003, p.9). “It is as if you had hired a plumber and he decided to express himself by painting a mural on your living room wall, instead of stopping a leaking pipe from flooding your basement,” says Thomas Sowell (1994, p.96).
Advantages and Disadvantages- A Critique

William R. Keast and John W. Macy, Jr., authors of Faculty Tenure (1973) highlight popular views regarding tenure outlined in the following chart.

<table>
<thead>
<tr>
<th>Advantages</th>
<th>Disadvantages</th>
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<tr>
<td>Tenure is a pertenent condition of academic freedom: it assures the teacher his/her work will not be circumscribed or directed by outside pressures which could otherwise cost him/her their job; and it assures students and the public, who support and rely upon the teacher’s professional integrity, that the teacher’s words are influenced by their best professional judgement and not by fear of losing their job.</td>
<td>Since academic freedom must be guaranteed to all teachers, tenured or non-tenured, tenure cannot be essential to academic freedom; however, academic due process is essential. Tenure therefore translates to a “condition of employment.”</td>
</tr>
<tr>
<td>Academic tenure creates a favorable atmosphere to academic freedom for tenured and non-tenured staff members because the tenured faculty form an independent body capable of vigilant action to protect the freedom of their non-tenured colleagues. The fact that non-tenured teachers have academic freedom without tenure does not prove that tenure is irrelevant to academic freedom.</td>
<td>Tenure creates financial burdens on schools.</td>
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<td>Probationary periods may cause anxiety or stress, however the probationary period of anxiety is a determined length of time until at last the tenure decision is made. Under a contract renewal system the probationary period is permanent equally never ending anxiety at the teachers’ cost.</td>
<td>When a school has a majority of tenured faculty, it lessens opportunity for schools to recruit and retain younger faculty.</td>
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<td>Defining and measuring good teaching remains to be solved in addition to fair procedure of evaluations. Therefore there is no reason to believe that contract arrangements give loyalty to the school and the students.</td>
<td>The professional reward system fails to serve school and social needs due to how quality teaching and accomplishments are measured.</td>
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<tr>
<td>Contract arrangements do not necessarily conduce to innovation. There is no</td>
<td>Tenure may tend to exclude new approaches and subject matter.</td>
</tr>
<tr>
<td>Evidence that valuable innovations in education are most likely to come from those whose positions in the school are in jeopardy.</td>
<td>By ensuring permanent employment, tenure diminishes accountability, fosters mediocrity and non-players, and makes it extremely difficult to dismiss an incompetent or irresponsible teacher.</td>
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<td>Flexibility, as it relates to faculty contracts in terms of budget matters, offers hope to a school that is struggling to meet its commitments with limited or diminishing resources. Tenure makes this flexibility more predictable.</td>
<td>The tenure system forces schools to make jobs permanent for teachers in an inadequate time period to assess an individual’s competence. Conversely, it puts young teachers under undue stress and pressure to demonstrate their qualifications in the same inadequate time period.</td>
</tr>
<tr>
<td>Academic tenure creates a strong long-term faculty commitment to the school and contributes to institutional stability and esprit. It therefore promotes collegiality, joint responsibility for professional and institutional standards, and effective institutional governance.</td>
<td>Tenure plans waste time, money, and energy because they encourage controversy and litigation about nonrenewal of probationary contracts and denial of tenure.</td>
</tr>
<tr>
<td>Tenure assures that judgements of professionalism will be made on professional grounds and not by means of competitive personal advantage.</td>
<td>The tenure policy protects irresponsible political activity, often encouraging and supporting school disruption to be carried out. For example, when teachers go on strike it interferes with the continuity of the students’ education.</td>
</tr>
<tr>
<td>By limiting schools to a definite time period to decide on whether or not to grant a teacher tenure, the tenure system helps schools to avoid continuing faculty contracts of those teachers who are agreeable but not outstanding and whose term appointments may otherwise be renewed regularly out of generosity, friendship, or neglect.</td>
<td>Tenure is a one way street. It commits the school to the teacher, but not the teacher to the school; tenured teachers are free to leave for a better job elsewhere, regardless of how damaging their departure may be to the school.</td>
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| Attacks on Tenure |

People who complain about tenure rarely mention academic freedom; but are mostly concerned with economic arguments (DeGeorge, 1997, p. 17). Another frequently heard argument is the various depictions of the “deadwood” label. This
extreme complaint suggests that faculty will work hard during probationary periods in order to attain tenure, but once tenure is granted little there is little incentive to continually work hard and consequently do not. Along with that theory, others claim that tenured teachers tend to do as little as possible - they may teach, but do not keep up in their fields with professional development and spend less time with students (DeGeorge, 1997, p.17).

Robert De George, author of Academic Freedom and Tenure: Ethical Issues, found that the basis for these claims and arguments is the result of peoples' imaginations; people who are not in education and make assumptions (1997, p.17). These claims are broad and without any substance. "There is no evidence that tenured teachers suddenly stop acting as they did before receiving tenure," Richard DeGeorge stated (1997). DeGeorge (1997) recognized that over a number of years after receiving tenure, some teachers lose energy and interest in teaching at which point they may perform at adequate levels, referred to as "steadies" (Lombardi, 1996, p.10), rather than at the "superstar" (Lombardi, 1996, p.10) level of performance they exhibited prior, and they cannot be replaced because they have tenure. Any claim or attack made against tenure, Richard DeGeorge (1997) found, is usually made without evidence but equally unreasonable to say the opposite and claim it never happens - it happens in every profession and every area of work (p. 17). It is typical for burned-out employees to maintain their employment as long as they perform adequately (DeGeorge, 1997, p.17).

In conjunction with the various claims, people with union contracts usually cannot be fired (DeGeorge, 1997, p.17). DeGeorge (1997, p.17) adds that the "deadwood" problem lies not within tenure, but within the institution's failure to counsel and help
tenured teachers. This argument is noneconomic but also claims that some of those who get tenure use it as an excuse to do little, and eventually turn into "deadwood". That is certainly an abuse of tenure, but there is little evidence that this is a widespread abuse.

Academic tenure provides protection for faculty to pursue the truth. The guarantee of employment that is part of it is circumscribed and is not absolute. If a tenured faculty member fails to perform his or her academic tasks, that is grounds for dismissal. Tenure does not prohibit continuous review for purpose of promotion and of salary increases. It does not relieve administrators from evaluating tenured faculty or from encouraging, counseling, and helping those who are not as productive as they once were or as the institution feels they should be. Tenure should not be an excuse for tolerating incompetence, laziness, or failure to perform at an acceptable level. If it is so used, then both the faculty member who so uses it and the institution that allows that abuse are at fault. However, such failures do not show any intrinsic failure or weakness in the practice of awarding tenure. (DeGeorge, 1997, p.23)

Additionally, there is a concealed sense of jealousy- ordinary citizens live or work in environments where being laid off is out of their control due to downsizing or technological changes and they ask why teachers are treated differently (DeGeorge, 1997, p.20). These people are vulnerable in a way tenured teachers are not, DeGeorge (1997, p.20) finds, because these people are not necessary to guarantee academic freedom. Justification of academic tenure benefits society as a whole.

Review of the Literature

The review of the literature for this study focused on the following themes: the history of tenure, various perspectives of tenure, the reasons for tenure, and arguments against tenure. The objective of this chapter was to show correlation between tenure and
teaching efficacy. From the literature many authors focused on how tenure is not directly connected to efficacy and that if tenured teachers fall into complacency then the fault lies within the administration of the school. Historically, tenure protected the economic and political rights of the teacher in addition to their academic freedom. As it stands tenure currently protects the same facets of educators. Whether it is by choice or through a loss of motivation some teachers lose their energy or passion for teaching, but it is up to the administrators to provide counsel, help, professional development, and incentives to keep all staff members performing at the best of their ability.

Conclusion

The purpose of this chapter was to provide the reader with background information about tenure, the reasons that support it, and the arguments against it. Not much has changed since the 1940 Statement of Principles on Academic Freedom and Tenure other than some adaptations in 1990 as it relates to language in order to remove gender-specific references from the original text. The purpose of this statement is to promote a public understanding and support of academic freedom and tenure and agreement upon procedures to ensure them in schools. Education is conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition.

Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the
teacher in teaching and of the student to freedom in learning. It carries with it duties correlative with rights.

Tenure is a means to certain ends; specifically the freedom of teaching and research and of extramural activities and a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security, hence, tenure, are indispensable to the success of an institution in fulfilling its obligations to its students and society.

In the next chapter the author will analyze the attitudes and perceptions of people in education and citizens outside of the education field. Their responses to the survey were combined to create an authentic sample. The main focus will be how tenure affects effectiveness.
Chapter III
A SURVEY SEEKING PUBLIC OPINION ON THE EFFECTIVENESS OF TENURE

Description of the Survey

The survey (see Appendix A) consisted of ten statements measured on the basis of the Likert scale: a survey system comprised of a five-point scale. The rating scale ranged from Strongly Agree to Strongly Disagree: “SA” means that the participant strongly agreed with the statement, then “A” implies the participant agrees with the statement, “NA” states one of three different answers- either the participant did not know, did not care, or could not decide, “D” signifies that the participant disagreed with the statement, and “SD” indicates the participant profoundly disagreed with the statement. Each of the survey prompts has a general stance pertaining to tenure and the educational environment. The author’s intention was to elicit a positive or negative reaction to tenure in order to draw conclusions regarding its effectiveness.

Sample

The objectives of this survey are to determine tenure’s effectiveness, examine how widespread the effects of tenure are, and to recognize tenure’s relationship within an educational culture. Each participant has had experience with teachers who are tenured either as a student, parent, teacher, or administrator. There were a total of 248 responses to the survey: 130 responded online through the Website www.insightfullsurveys.com and 118 responded on paper. Out of the 118 participants that responded on paper, 3 percent held a high school diploma, 11 percent had taken some college courses, 22 percent had a college degree, 15 percent were taking graduate level courses, 11 percent obtained a graduate degree, and 25 percent had postgraduate credit. In addition, 89.8
percent work full-time and 53 percent have been in their current position for seven or more years. Most of the people surveyed on paper were women, 60 percent, and the ages varied between men and women from 21-30 years old 19.5 percent, 31-40 years old 22 percent, 41-50 years old 30.5 percent, and 51 or older 24.6 percent. Forty nine percent of these participants are educators and 59 percent of them have children.

Purpose of the Survey

The intent in developing this survey was to assess how individuals perceive tenure, and to evaluate its components: privileges, responsibilities, and effectiveness. As a tenured teacher, the author was unaware of tenure's roots and amazed at how long it has endured the educational society. The experience of developing and administering this survey gave the author the freedom to go beyond the text books and get input from real teachers and administrators, many of whom are tenured today. However, the survey was not only given to teachers, but also other adults who either have children in the school system, or who have been through school themselves.

Analyzing the Results of the Survey

During the course of two months, the author gathered data from 248 individuals; 118 of whom responded on paper and the other 130 people completed the survey online at Insightful Surveys.com. Each of the respondents answered all 10 of the statements presented in the survey. After collecting the completed paper surveys, the author calculated the total results of each response for each of the statements on the bases of the Likert scale: SA= strongly agree, A= agree, NA= neither agree nor disagree, D=
disagree, SD= strongly disagree. Then those results were added to those tallied online by Insightful Surveys and once the two totals were combined, the author calculated a percentage of responses in relation to how each individual answered each of the statements (see Appendix A).

Statement 1: In general, tenure makes teachers complacent.

For this statement 29 respondents or 11.7 percent strongly agreed (SA) that, “Tenure makes teachers complacent (lazy).” One hundred two people (41.1 percent) agreed (A) with statement 1 and 47 (19 percent) respondents neither agreed nor disagreed (NA). There were 54 participants (21.8 percent) who disagreed (D) and did not think tenure makes teachers complacent and the remaining 16 people (6.5 percent) strongly disagreed (SD) with this statement.

Since the majority (62.8 percent) of the subjects responded with either profound agreement (SA) or agreement (A) we can conclude that yes, indeed, “Tenure makes teachers complacent.”

Statement 2: Students can be directly affected by tenure.

In evaluating this statement 48 respondents (19.4 percent) strongly agree (SA) that, “Students can be directly affected by tenure.” One hundred forty four participants (58.1 percent) agree (A) and 29 (11.7 percent) were neutral (NA). A total of 24 people (9.7 percent) disagreed (D) with this statement, and 5 (2 percent) subjects strongly disagreed (SD).
After evaluating this statement, about three-quarters of the people surveyed (77.5 percent) either strongly agreed (SA) or agreed (A) that "Students can be directly affected by tenure." Overall, this could be an area of concern if the results from statement 1 and 2 are such.

Statement 3: Overall, tenure translates into effectiveness.

The breakdown of responses for this statement are as follows: Ten respondents (4 percent) strongly agree (SA) that, "Tenure translates into effectiveness." Forty-eight participants (19.4 percent) agree (A) with the statement and sixty-nine people (27.8 percent) selected a neutral response (NA). In addition, a total of one hundred subjects (40.3 percent) disagreed (D) with the statement and twenty-two respondents (8.9 percent) strongly disagreed (SD).

The majority of the results (49.2 percent) either disagreed (D) or profoundly disagreed (SD) that, "Overall, tenure translates into effectiveness." If it is perceived that tenure does not mean a teacher is effective, in essence, then why are teachers granted this privilege?

Statement 4: Tenure should be reviewed and reassigned, not just be the accumulation of years experience. (e.g. Tenure=foils)

In assessing statement four, thirty five percent of the respondents strongly agreed (SA) that, "Tenure should be reviewed and reassigned, not just be the accumulation of years experience." To top the previous response, one hundred eight participants (43.5 percent) agreed with the statement and sixteen people (6.5 percent) selected a neutral
response (NA). Twenty-four respondents (9.7 percent) disagreed (D) with the statement and twelve respondents (4.8 percent) strongly disagreed (SD).

Collectively, 78.2 percent of the subjects either showed profound agreement (SA) or agreed (A) when asked if, “Tenure should be reviewed and reassigned, not just be the accumulation of years experience?” It can therefore be insinuated, through the beliefs and opinions of these respondents, that supervisors and administrators need to re-evaluate tenured teachers periodically in order to renew privileges and keep efficacy.

Statement 5: Tenure should expire after a 6-8 year contract.

The results for statement five are as follows: twenty-one people (8.5 percent) highly agreed (SA) when asked if, “Tenure should expire after a 6-8 year contract?” Sixty-two respondents (25 percent) exhibited agreement (A) in this statement and sixty-eight subjects (27.4 percent) were neutral (NA). Seventy-one participants (28.6 percent) disagreed (D) and twenty-eight respondents (11.3 percent) strongly disagreed (SD).

As a whole, the majority of the respondents (39.9 percent) indicated profound disagreement (SD) or disagreement (D) when asked if, “Tenure should expire after a 6-8 year contract?” These results are contradictory to those of the previous statement #4, “Tenure should be reviewed and reassigned, not just be the accumulation of years experience,” where 78.2 percent of the respondents were in agreement. If people believe that tenure should be reviewed and reassigned, then doesn’t it have to expire at some point?
Statement 6: Tenure generally protects teachers’ opinions and interpretations of material to be taught.

Upon examining statement six, the results were as follows: thirty people (12.1 percent) strongly agreed (SA) that, “Tenure generally protects teachers’ opinions and interpretations of material to be taught.” Seventy-one subjects (28.6 percent) agree (A) with the statement and sixty-two respondents (25 percent) identified a neutral position (NA). Seventy-five participants (30.2 percent) disagreed (D) with the statement and eleven people (4.4 percent) strongly disagreed (SD).

In summation, the majority of the participants (40.7 percent) were either in profound agreement (SA) or in agreement (A) when asked if, “Tenure generally protects teachers’ opinions and interpretations of material to be taught?” The opinions and beliefs of these one hundred one people suggest that tenure does indeed protect academic freedom.

Statement 7: Tenure can discourage creativity and renewed growth within individuals.

In reviewing the results for statement seven, twenty-eight subjects (11.3 percent) strongly agreed (SA) that, “Tenure can discourage creativity and renewed growth within individuals.” Eighty-nine respondents (35.9 percent) agreed (A) with the statement and thirty-eight people (15.3 percent) have a neutral position. Sixty-four participants (25.8 percent) disagreed (D) with the statement and twenty-eight people (11.3 percent) strongly disagreed (SD).

Overall, the majority of the participants (47.2 percent) strongly agree (SA) or agree (A) when asked if, “Tenure can discourage creativity and renewed growth within individuals?” Under these circumstances, it can be inferred, from the opinions and
beliefs of these one hundred seventeen people, that even though it is believed that tenure generally protects teachers’ opinions and interpretations of material to be taught (statement 6), it may be preventing teachers from staying current with the latest research and ideologies. In addition, creativity can lose its potency and motivation will lessen, which will in turn stunt professional growth and development within individuals.

Statement 8: Tenure often causes organizational inflexibility.

Responses for statement eight were as follows: thirty-four participants (13.7 percent) strongly agreed (SA) that, “Tenure often causes organizational inflexibility.” Ninety-five respondents (38.3 percent) agreed (A) with the statement, where as forty-one people (16.5 percent) chose a neutral stance (NA). Sixty-two subjects (25 percent) disagreed (D) with the statement and sixteen respondents (6.5 percent) strongly disagreed (SD).

More than half of those surveyed (52 percent) either strongly agreed (SA) or agreed (A) that, “Tenure often causes organizational inflexibility.” In light of these figures, one can conclude, from the opinions and beliefs of the one hundred twenty nine people who agreed with this statement, that tenure locks faculty members into their jobs giving them the security-minded attitudes instead of inspiring attitudes.

Statement 9: The tenure culture generally emphasizes job security rather than growth and change.

In assessing statement nine, sixty-seven people (27 percent) strongly agreed (SA) that, “The tenure culture generally emphasizes job security rather than growth and change.” One hundred twenty one respondents (48.8 percent) agreed (A) with this
statement and eighteen subjects (7.3 percent) chose a neutral position (NA). Thirty participants (12.1 percent) disagreed (D) with statement nine and twelve people (4.8 percent) strongly disagreed (SD).

Three-quarters (75.8 percent) of the respondents were either in strong agreement or agreement with the statement, “The tenure culture generally emphasizes job security rather than growth and change.” Upon viewing these figures one can conclude, from the opinions and beliefs of the one hundred eighty eight people in agreement, that teachers who make it through the probationary period and are granted with tenure are exhausted by it and never find the energy to grow again afterward.

**Statement 10: Tenure can promote overspecialization.**

Results for statement ten were as follows: six respondents (2.4 percent) strongly agreed (SA) that, “Tenure can promote overspecialization.” Sixty-one people (24.6 percent) agreed (A) with statement 10 and one hundred sixteen participants (46.8 percent) neither agreed nor disagreed. Fifty subjects (20.2 percent) disagreed (D) with statement 10 and fifteen respondents (6 percent) strongly disagreed (SD).

Overall, the majority of the participants (46.8 percent) took a neutral stance (NA) when responding to this statement. One can therefore infer that the one hundred sixteen people who responded this way were undecided as to whether or not tenure can promote overspecialization.
Additional Comments

Some of the participants added their own individual thoughts as it related to the survey as a whole or in response to specific statements. The following comments reflect the opinions and beliefs of those anonymously surveyed.

1. "I think tenure is necessary with the current budget system. It would be convenient for school systems to keep the teachers on the first few steps of a salary guide to keep the budget low."

2. "I think there are certain teacher that do become complacent and that gives tenure a bad name. But having been tenured myself, I feel more relaxed and can truly focus on my craft and make it better and more interesting. It's more intrinsic (for me) than extrinsic- for the administrator."

3. In regards to statement #6 "Tenure generally protects teachers' opinions and interpretations of material to be taught" the participant stated, "Tests often dictate this." In addition, the same participant responded to statement #8 "Tenure often causes organizational inflexibility" with the comment, "I think this is a personality problem, not a tenure problem."

4. "A 'professional' teacher will be creative, thorough, and effective regardless of whether or not he/she has tenure. Tenure should protect teachers who do a good job, but not those who have grown burned out or ineffective. Maybe tenure should be granted on a more selective basis (with more specific guidelines), rather than on just number of years served."

5. "Some of the survey statements are conditional not a definite situation as they depend on the individual(s) involved."
6. "If someone is not doing their job- with proper documentation tenure or not they could be removed."

7. "Given the lack of trust for administrators, tenure is a must. In our school tenure appears to have little impact on most teachers."

8. "If a teacher is a professional, tenure doesn’t affect them. I recently left a position I had for fifteen years and gave up tenure to improve myself as a teacher. I don’t necessarily agree with the policy of tenure, but I am also concerned about certain protections if conflicts arise with people in the community. I do feel that tenure affects how we are viewed as a profession and may do more harm than good."

9. "Tenure has had no effect regarding any personal or professional decision of consequence. It has not made me complacent or lazy regarding my professional growth. Good teachers will continue to be good teachers."

10. "I also think the legal definition of tenure is important to understand as it directly affects teachers: administrators must prove "just cause" before they attempt to fire a teacher. In simple terms, administrators can’t fire willy-nilly impulsively. They must be able to record sound educational reasons for firing a tenured teacher."

11. "Statement #1 ‘In general, tenure makes teachers complacent’ is more the operative description. It does not guarantee any more than due process and protects from arbitrary dismissal."

12. Individuals react to tenure in unique ways. Competent workers neither fear nor desire tenure except in a work atmosphere where emotion rather than professionalism rules and retaliation is feared for speaking one’s mind. True professionals can engage in disagreement with finesse. Tenure is perhaps one of the few perks in a teacher’s
workplace. However, many teachers abuse it, refer to it as a crutch or source of protection. Tenure is often referred to as a veil to protect incompetency and complacency.”

13. “I believe that tenure only makes our jobs as secure as those in other fields. People in other careers are protected immediately by law from wrongful firing. Teachers aren’t protected until they’re tenured. Being tenured, therefore, would promote more creativity, not less.”

14. “Many tenured teachers do become complacent. However, effective supervision should prevent ineffective teachers from gaining tenure. The problem with changing tenure is that it may open the door for districts to fire the most educated and most experienced staff simply because of the salary they earn.”

15. “For me tenure is more of peace of mind rather than an excuse to slack off knowing that my position is secure. I still do all that I did when I was not tenured but I don’t worry as much about ruffling feathers.”

16. “Tenure is abused in our building. Tenure should be earned on merit not time served.”

17. “Tenure protects teachers from arbitrary, capricious decisions administrators sometimes make because they are too hurried, lack vital information, or simply take the easiest way out. I have found teachers with tenure to be even more creative and have a more solid, efficient curriculum because they feel more free to use their own judgment and experience for the benefit of their students.”
18. “I believe that job performance should be the criteria for continued employment and advancement. The tenure system does not establish proper motivation, in my opinion.”

19. “Definitely agree that tenure should be reviewed.”

20. “I don’t have any children in the school system yet. I will be interested to compare tenured teachers to non-tenured teachers. I do feel that tenured teachers should have contracts, but I think they should be evaluated more heavily. (I have a few teachers as friends).”

21. “I am an elected Board of Education member in my town and I have seen first hand how we cannot keep principals past 3 years if they are marginal because it is a job for “life”. These principals may have been able to work in the position, but if you have any concerns and know that they are up for tenure- you won’t want to make that commitment. Also, we have teachers that are earning very good salaries that are awful, but it is very difficult to remove them. Those dollars could be better spent educating our children, but we are stuck! However, there is a flip side to tenure- without it an excellent teacher who has advanced degrees with many years of service could be pushed out without tenure protection during budget cuts- why pay $85,000 a year to a teacher when you can hire two new teachers for that? I do feel that tenure is wrong and needs to be reviewed or reworked but because of budgetary constraints- removing it completely could also cause problems.”

22. “As my children are grown and I, therefore, have no direct contact with teachers or school system, media and press have strong influence on perception.”

23. “Tenure creates an atmosphere in which mediocrity is rewarded.”
24. "Siblings, parent and grandparents are/ were educators."

25. "Teachers should be rated on performance. Keeping current and fresh should be required."

26. "Years of tenure should be rewarded be the opinions of the students. If the students feel the teacher taught poorly the teacher should be denied their tenure for that time period."

27. "Good teachers will be good teachers regardless- tenure offers feelings of support. Teachers who abuse this privilege should not be teaching- they bring the entire profession down. A provision could be added to eliminate those who abuse tenure."

28. "Tenure should be reviewed and renewed about every 3 years. After review, the teacher should either be given a renewal for another three years or put on a probationary status for up to one year until another meeting is made for renewal or disciplinary action/ release."

Expert Interviews

Three professionals in the education field responded to a series of ten questions. Their answers are based on personal experiences that range from their roles as teachers to the leadership positions they now hold.

Dr. Melvin Klein, a retired superintendent and professor at Seton Hall University, was the first interviewee. He started his teaching career in Pennsylvania from 1949-1960 then forfeited tenure to move to New Jersey with his family. He taught in Glen Ridge, New Jersey from 1960-1964 until he became the Vice-Principal and in one year he was promoted to principal for the next five years. Dr. Klein became the assistant
superintendent of Livingston School District in 1970, held that position for five years, and then became the superintendent of Livingston School District in 1976. After a six-year assignment as superintendent, he shared his expertise with eighteen different school districts in the state of New Jersey as an Interim Superintendent.

The second interview is that of Dr. Walter Mahler, the author’s current superintendent in Bridgewater-Raritan School District, New Jersey. He started his career teaching special education thirty-two years ago in a self-contained classroom. That experience was temporary until he was hired in Bernardsville, New Jersey, to teach special education in a resource room setting. Nine years later, he became the Director of Special Services in Bernardsville and shortly thereafter Dr. Mahler obtained his doctorate degree and became Superintendent of Lafayette School District, New Jersey for five years. He then transferred to Clinton Township, New Jersey as the Superintendent for the next seven years with two years in the Springfield School District to follow. He has been in the Bridgewater School District for one year.

The vice president of the Bridgewater-Raritan Education Association (the teachers’ union), Richard Barmore, also offered his time to interview and comment on the issue of tenure. Starting in 1971 as an Industrial Education teacher he spent one year in Rahway, New Jersey, before he came to Bridgewater. Mr. Barmore taught for twenty years at the high school level and six years at the middle school until he became a guidance counselor in 1997 when he forfeited tenure as a teacher and worked to accrue it again as a counselor. He obtained both his B.A. degree in Industrial Education and Technology and M.A. degree in Guidance and Personnel Services at Trenton State College.
INTERVIEW WITH DR. MELVIN KLEIN

HOW DOES TENURE AFFECT PROFESSIONAL ATTITUDES & CULTURE WITHIN A SCHOOL?

1. How long do superintendents and teachers have to prove they are worthy of tenure and what is expected of or required to do in order to earn tenure? Keep it?

Dr. Klein: In 1991, NJ was the last state to do away with tenure for superintendents. Now superintendents can only have 3, 4, or 5 year contracts which probably causes more mobility. Teachers have to work through a three year probationary period, accumulate good evaluations, then on the first day of the fourth year they obtain tenure- going from being observed/evaluated three times per year as a non-tenured teacher to once a year as a tenured teacher. As long as the teacher does what they are expected to do as it relates to the curriculum, follows the contract guidelines, and does not break any laws, their tenure remains.

2. How does tenure benefit teachers?

Dr. Klein: Tenure protects teachers from politics and unfair criticism. Districts cannot just hire people they know, friends or family into the profession because they need a job and fire another teacher to make room for them- politics. When interviewing two people for a high school principal position, one of the parents in the audience asked the two candidates what they would do if a tenured high school teacher was lousy. This is an example of criticism from a parent who may have had a bad experience with that particular teacher and tenure protects that teacher from unfair criticism.
3. How do the behaviors and performances of tenured teachers differ from those who are not tenured?

Dr. Klein: This depends on the personality of the individuals. Tenure does not affect individuals directly, rather indirectly through their salary raises and contract regulations that are negotiated by the union representatives. The organization is directly affected as a whole. Depending on the personality, tenure can do away with the threat of losing a job. Tenure should build confidence in essence, and grant teachers bigger responsibilities in terms of lifelong learning (professional development), curriculum development, and poise (character).

4. How do you perceive tenure as an asset to a staff?

Dr. Klein: Evaluations are just as good as the human who made them and having trust in the evaluation system puts trust in your tenured staff. Knowing that you have not only hired good teachers, but that they have proved to be worthy professionals through three years of nine evaluations in total, then trust (that they will continue to grow) is created in granting them tenure.

5. What were some disadvantages of tenure as it related to your staffs? Or what were the disadvantages of tenure from your personal experiences?

Dr. Klein: If districts work on strengthening their teachers, nurturing them, give guidance to them, and improve or revise evaluations regularly for those that are
already hired (focus on the positive aspects) then this will in turn lessen the negative
effects of tenure like complacency.

6. Describe some positive and negative experiences you've had with tenure, in general.

Dr. Klein: Positive experiences are those where teachers contribute their "all" and
have confidence enough in their own teaching, knowledge, and experience that they
do not even think about tenure. They are lifelong learners that can be trusted.
Negative experiences are when teachers take advantage of tenure, push its limits,
feel invincible and become complacent or wind up in arbitration for breaking laws.

7. If tenure laws are almost 100 years old do you think people in education still need
tenure today? Why/ why not? Could the laws ever be updated or revised? If so,
how?

Dr. Klein: Yes, people still need tenure today for protection and union
representation; protection against unfair criticism and politics and union
representation for personality or style/method conflicts between administrators and
teachers. The tenure laws could be updated or revised but the union would argue a
strong defense against that so something would have to replace tenure or
compensate for its revisions in some way. If tenure were to be revised or updated, a
five year training contract for teachers could replace it. You don't need tenure if
you have confidence. I moved from Pennsylvania, where tenure was transferable
throughout the entire state, with my wife and children to New Jersey and forfeited
my tenure in confidence that I would regain it.
8. Overall, with your experience in education, what changes have you witnessed as it relates to tenure?

Dr. Klein: Other than tenure being abolished for superintendents in 1991, there haven’t been any severe changes. The unions have become more developed over the years to enforce the protection of tenure, but other than that there hasn’t been much change.

9. How does tenure affect the culture or climate or professional attitudes within a school?

Dr. Klein: Again, depending on the different personalities and their levels of confidence it could vary. Overall, it may have a negative effect on non-tenured teachers (especially those in their second or third year) because they may feel pressure, stress, or anxiety not knowing whether or not tenure will be granted to them or feel as though they are competing with teachers who are tenured. Some tenured teachers choose to coast through their career and become complacent but I believe the vast majority is effective and enthusiastic individuals who want to learn and grow as much as teach.

10. Do you believe parents support or oppose tenure? Have you ever received complaints regarding the lackluster performance of tenured teachers- perhaps ones that should have retired years ago?
Dr. Klein: If I notice that a tenured teacher is overdue to retire then I ask to meet with them and do the math: what they are earning on a daily basis by coming to work versus what their pension would be if they retired. For the most part, I have been successful in doing this, however it does take quite a bit of coaxing. Parents only complain when something goes wrong; when things go right you don’t hear anything. I think it is a matter of Public Relations to support whether or not parents are kept happy.

INTERVIEW WITH DR. WALTER MAHLER
HOW DOES TENURE AFFECT PROFESSIONAL ATTITUDES & CULTURE WITHIN A SCHOOL?

1. How long do superintendents and teachers have to prove they are worthy of tenure and what is expected of or required to do in order to earn tenure? Keep it?

Dr. Mahler: Tenure was abolished approximately fourteen years ago for superintendents with the intention to improve their efficacy. Teachers obtain tenure after a 3 year probation period, but ultimately a teacher’s performance is constantly being monitored through evaluations, professional development, lesson plans, and their behavior. The best advice for non-tenured teachers is to continue learning, growing, and improving as a professional. Hiding problems is probably one of the most common reasons for tenure denial. Although, once teachers have tenure they too should continue to learn, grow, and improve because it isn’t fair to coast into complacency. Ideally, contracts should be renewed every three to five years.

2. How does tenure benefit teachers?
Dr. Mahler: If a school district was in financial turmoil, then tenure would be a benefit to veteran teachers so the school would not fire them in order to save money and hire cheaper teachers. On the contrary, tenure does not necessarily motivate teachers, nor does it matter to teachers who are confident in their skills. In fact, when tenure was no longer honored for superintendents, salaries increased!

3. How do the behaviors and performances of tenured teachers differ from those who are not tenured?

Dr. Mahler: The only difference apparent to me is that non-tenured teachers appear more nervous and anxious to please.

4. How do you perceive tenure as an asset to a staff?

Dr. Mahler: Tenure is not an asset because parents and the board of education do not have any influence on rehiring, and effective teachers will continue to be effective with or without tenure.

5. What were some disadvantages of tenure as it related to your staffs? Or what were the disadvantages of tenure from your personal experiences?

Dr. Mahler: There was an incredible music teacher who was denied tenure because of his behavior as a band director after school. He was fantastic in the classroom, but documentation was made on a number of instances where he threw chairs and intimidated children at band practice. Needless to say, parents were not pleased, and despite his talent in the classroom, tenure could not be granted.
In addition, teachers who do only what they are asked when they are asked to do it need more motivation to become more proactive and tenure does not offer that. Tenure is a marriage—administrators have to consider if they want a life-long commitment with the individual teacher in question.

6. Describe some positive and negative experiences you’ve had with tenure, in general.

Dr. Mahler: The only negative experience was mentioned previously. Positive experiences in teaching or administration are not tenure based.

7. If tenure laws are almost 100 years old do you think people in education still need tenure today? Why/why not? Could the laws ever be updated or revised? If so, how?

Dr. Mahler: Tenure is not necessary for teacher efficacy, however laws should be updated and revised. For example, doctors and nurses have to renew their licenses and so should professionals in education. Or, if schools mirrored New York’s standards and required teachers to obtain their masters degree it would give teachers the motivation through an increase in pay, and ultimately keep efficacy at high levels.

If we claim to be professionals, we need to hold ourselves up to professional standards by learning, growing, and proving ourselves. If we embrace a longer work year and rid tenure for life maybe negotiations would improve!
8. Overall, with your experience in education, what changes have you witnessed as it relates to tenure?

Dr. Mahler: Tenure for superintendents has been eliminated which in turn has increased pressure and concern among those professionals. Various politicians make plenty of noise about educators, but the N.J.E.A. (New Jersey Education Association) confronts them with the threat of re-elections. Governor Christie Whitman wanted to rid tenure, but she wanted to be re-elected more. A colleague of mine uses the metaphor “tenure has made administrators educational bell hops” to exemplify its irrelevance and luxury.

9. How does tenure affect the culture or climate or professional attitudes within a school?

Dr. Mahler: It doesn’t have an effect. Teachers who are confident in their expertise as a professional do not even think about tenure. The only notable difference is the “eager to please” attitude of those non-tenured teachers who are nervous about contract renewal.

10. Do you believe parents support or oppose tenure? Have you ever received complaints regarding the lackluster performance of tenured teachers - perhaps ones that should have retired years ago?

Dr. Mahler: The average parent is against tenure, but that is usually due to one bad experience they’ve encountered. Parents will find the time to complain, but seldom find the time to praise. If a teacher’s performance is questionable, then the
appropriate action is taken to remedy the situation, but usually the teachers who are in question are denied contract renewal before the tenure decision is made.

INTERVIEW WITH RICHARD BARMORE

HOW DOES TENURE AFFECT PROFESSIONAL ATTITUDES & CULTURE WITHIN A SCHOOL?

1. How long do superintendents and teachers have to prove they are worthy of tenure and what is expected of or required to do in order to earn tenure? Keep it?

Rich: Superintendents no longer have tenure, which can be considered more harmful to a district in terms of buy-outs. In other words, if a superintendent signs a three year contract, but the school district is not pleased with their performance, then the person is dismissed from the position while the district continues to pay him/her in addition to a new hire. It has become a less desirable position because it is difficult to take a leadership role when the people on the board of education change nearly every year. In addition, people on the board of education often have personal agendas to contend with, however the members are elected.

As it relates to teachers, there is a cliché administrators use, “When in doubt, get them out.” Teachers have three probationary years to prove themselves worthy of tenure, but if there is any sign of incompetence the decision will be to deny tenure. In some cases there should be one more year after the probationary three to let the teacher in doubt know they have one more chance.

2. How does tenure benefit teachers?
administrators and prevents personal vendettas. Additionally, tenure invites teachers to become involved in the union without retribution.

3. How do the behaviors and performances of tenured teachers differ from those who are not tenured?

*Rich:* If behaviors do differ, the teachers who are tenured are probably more willing to take educational risks and in turn, become less concerned with parental interference. A small community of people can end your career.

4. How do you perceive tenure as an asset to a staff?

*Rich:* Tenure gives educators academic freedom to disagree with poor supervision.

5. What were some disadvantages of tenure as it related to your staffs? Or what were the disadvantages of tenure from your personal experiences?

*Rich:* There are two major disadvantages: first, there are public misconceptions that tenure protects bad teachers and thereby enables laziness (public perception can get colored by that) and secondly, there are teachers who get tenure who shouldn't have due to a number of reasons like changes in administration. However, the termination process is not only lengthy, but also costly. To terminate a tenured teacher is so costly that those teachers may very well be stuck in that job for life.

6. Describe some positive and negative experiences you’ve had with tenure, in general.
Rich: A recent positive experience was a few years ago when working with an outstanding young teacher who had a bad experience with parents contacting a friend who happened to be this specific teacher’s supervisor. Communication and issues of concern went through the wrong channels and without tenure, the teacher would have been fired! The negative experiences are when some teachers just don’t have enough time to prove themselves worthy of tenure and at that last (3rd year) it becomes cut and dry- they don’t get tenure because they needed more time to develop- “When in doubt- get them out!”

7. If tenure laws are almost 100 years old, do you think people in education still need tenure today? Why/ why not? Could the laws ever be updated or revised? If so, how?

Rich: Yes, teachers still need tenure because it protects them from politics, but a change would be refreshing. Perhaps at the end of three years, if there were some doubt whether or not to tenure a particular teacher, administration could extend that teacher’s contract to one more provisional year. Tenure should also be revisited and reassigned or re-earned every five years as a penalty (or solution) to any problems- then give those teachers at risk tow years probationary period to re-earn it.

8. Overall, with your experience in education, what changes have you witnessed as it relates to tenure?

Rich: Tenure is less important to teachers now because they are not so reliant upon it and the teacher shortage puts them in demand. The marketplace has changed
and so have the loyalty and attitudes, where teachers do not care as much about it anymore today.

9. How does tenure affect the culture or climate or professional attitudes within a school?

Rich: Tenure creates a class system, hierarchy, of those who have and those who do not have tenure. Non-tenured teachers get coerced into jobs they don’t necessarily want—coaching, yearbook advisor, and they do it because they are eager to please and perform, not because they want to.

10. Do you believe parents support or oppose tenure? Have you ever received complaints regarding the lackluster performance of tenured teachers—perhaps ones that should have retired years ago?

Rich: The vast majority opposes tenure—parents fear they have no control over a person with absolute job security and become concerned about lack of efforts. Parents often inquire about it, and it’s inappropriate when they request young, non-tenured teachers for their child! Jealousy may be the underlying reason parents do not approve of tenure because they don’t have tenure in their jobs.

Conclusion

The survey was exciting for some individuals to voice their opinions and vent about some of their concerns as it relates to tenure. Many of the participants have been inquiring about the survey results and a professor from the Education Department at
Seton Hall University is so curious, that he has taken on an active role in doing some research himself to satisfy his own curiosity. By participating in this study, many people had the opportunity to make themselves heard and take a clear stance on certain themes under study.

There were three statements in particular that brought an overwhelming response of agreement from the respondents. One of these statements was the second one on the survey: “Students can be directly affected by tenure.” The second statement was number four: “Tenure should be reviewed and reassigned, not just the accumulation of years experience.” The third statement that received intense agreement was number nine on the survey: “The tenure culture generally emphasizes job security rather than growth and change.” These statements were commented on the most out of any other themes on the survey.

After analyzing the interviews, the author can conclude that Dr. Melvin Klein and Dr. Walter Mahler, both in supervisory or administrative positions, have a neutral stance on tenure and believe that teachers who earn it do not depend on it. Both Dr. Klein and Dr. Mahler forfeited tenured positions in their lives to meet new challenges with the confidence any effective superstar employee would have. On the other hand, Richard Barmore, vice president of the teachers’ union in Bridgewater-Raritan School District, depends on tenure to protect his fellow union members and their academic freedom when a supervisor or parent does not agree with a particular teacher.
Chapter IV
RESEARCH RESULTS

It seems as though the problems of tenure lie within its controversy; specifically the attacks made against tenure and the attitudes and cultures formed from it. The most effective approach to diminish the impact of non-players, or complacent tenured teachers who become “marginal performers that try to beat the system” (Lombardi, 1996, p. 84), is effective management (administration) that uses fortitude to transform the non-players' negativity into positive action. The non-player may lack accountability causing their performance to be “ineffective, incompetent, or inadequate” (Lombardi, 1996, p. 99). If administration presses the non-player for improved individual performance, then the non-player has to become an innovator. Effective leaders have to examine what a non-player says, how it is said, and why; “always look at the music, not at the words” (Lombardi, 2002).

Fortitude enables administration to confront an employee after observing their behavior. A non-player will use excuses to veil their poor performance; consequently the administration will place accountability on the employee and expect an assertive strategy in return for the problem at hand. This proactive approach leaves the non-player stunned, and the choice between improving performance or leaving their position will become a priority. Self-survival is the only concern of the non-player, and fortitude can threaten that. Although non-players cannot be changed, their performance occupies fifty percent of administrators’ time. It is important for managers to use third person plural pronouns when addressing a non-player as well.

An effective administration should use the “superstar” tenured teachers of the school to drive accountability into non-player tenured teachers. The chart below
illustrates an I-Formula (Lombardi, 1996, 1996), established for creativity and imagination, and could aid the superstars in motivating and inspiring the non-players.

**Figure 10.1. I-Formula: Conceptual Overview.** (Lombardi, 1996, p. 242)

The arrows on the left of the matrix in blue represent the superstar roles and the arrows on the right in red are the expected behaviors for the non-player. Together, the superstars can facilitate the non-players and meet the objectives in each phase.
Using inspiration and motivation allows the superstars to apply fortitude and act as leaders and improve non-player performance.

In the teaching profession, this theory is implemented for first-year teachers within the mentor program. A superstar teacher is chosen by administration to inspire, support, facilitate, and direct new teachers. However, new teachers are not necessarily non-players. New teachers are motivated, creative, and proactive because tenure has yet to be acquired. Non-players are created after tenure because administration has not implemented anything to prevent poor performance after tenure is attained. Fortitude, therefore, does not exist in the school administrator and this could cause poor morale and animosity among the staff.

This concept can also be applied through the behavioral bridges bell curve (Lombardi, 2002) which is another behavioral characteristic essential to the tenets of work performance.

Team Orientation

<table>
<thead>
<tr>
<th>Superstar Negative:</th>
<th>Superstar Positive:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inconsistent coaching</td>
<td>Bossy- busy body- not sure how to channel</td>
</tr>
<tr>
<td>No collaboration</td>
<td>Too clear &amp; concise- color coded/ anal</td>
</tr>
<tr>
<td>Committed to the wrong priorities</td>
<td>Contact list is bigger than the Essex County phor book</td>
</tr>
<tr>
<td>Has ability but no confidence</td>
<td>Flamboyant character</td>
</tr>
<tr>
<td>Credibility varies</td>
<td>Overqualified</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Steady Negative:</th>
<th>Steady Positive:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indecisive- fears consequences</td>
<td>predictable character- creative/ not spontaneous</td>
</tr>
<tr>
<td>Only creative if asked</td>
<td>Too content or comfortable with office climate</td>
</tr>
<tr>
<td>Follower- not proactive</td>
<td>Depends too much on others- too much collaboration</td>
</tr>
<tr>
<td>Culturally inept</td>
<td>Constructs confusing messages</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Non-Player Negative:</th>
<th>Non-Player Positive:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conflict of interest</td>
<td>Gossip king/ queen</td>
</tr>
<tr>
<td>Not constructive</td>
<td>Self absorbed in negative climate</td>
</tr>
<tr>
<td>Lacks candor</td>
<td>Does not care about constituents, consumers</td>
</tr>
<tr>
<td>Non-committal</td>
<td>Create voids/ gaps</td>
</tr>
<tr>
<td>Criticizes everyone/everything</td>
<td></td>
</tr>
</tbody>
</table>

67
"The orientation of attitudes is comprised of various components: adaptability, accountability, perseverance, work ethic, people skills/communication, perceptiveness, presence and bearing, creativity, delegation, independent judgement, planning, and team orientation" says Dr. Lombardi (2002). Team orientation is one of the key behavioral characteristics of effective administration because it encompasses the “C Factors” (Lombardi, 1996). Dr. Lombardi (2001, p. 391) points out that the C Factors are components that not only make up effective communication, but also apply to the other dynamics of the behavioral bridge. “These dynamics not only relate to communication style but also to actual delivery of a message. The basic relationship between the sender (administrator) and the receiver (teacher) in any communication is vulnerable to obstruction and interference and must be reinforced by the C Factors because how a message is delivered is almost as important as the message itself” (Lombardi, 2001, p.391). For example, the C Factors: consistent, character, and confident apply to accountability and comfort, culture, and care can also apply to perceptiveness. Character, climate, and candor relate to presence and bearing, and coaching and contacting fit in with delegation. If administrators follow this model and apply the components listed then a positive attitude and trusted climate or culture can be attained.

The negative side of the bell curve represents a lack of characteristics and the positive side of the bell curve shows an overabundance of traits. The balanced level of comfort is within the middle of the bell curve on the steady level and efficacy is reached within the top of the bell curve. If administrators use a model like this to improve non-player performance then more success in tenured teacher efficacy would be attained.
Non-player behaviors are disturbing, and unfortunately, many leaders in education have made the mistake of accommodating such behavior (Lombardi, 1996, p.71). One explanation for this, Dr. Lombardi (1996, p.71) states, “might be because administration believes, rightly or wrongly, that the non-player is irreplaceable due to technical proficiency, and given prevailing job market conditions and a paucity of adequate personnel supply across the field of education, this could be, in a certain sense, a justifiable excuse for not confronting a non-player”. On the other hand most non-players recognize this perception and therefore continue their poor behaviors or performances. Accordingly, other staff members recognize that the non-players can “get away with anything” and take action on their own as a result whereas they may believe they can act in a similar fashion (Lombardi, 1996, p. 71). The worst case scenario could be if the action of a non-player becomes so detrimental and repulsive to a team player that the team player seeks employment somewhere else.

Faculty Development

Post-tenure faculty development is another way to address the challenge of justifying tenure. Broadly, this idea covers a wide range of activities that have as their overall goal the improvement of student learning. More narrowly, the phrase is aimed at helping faculty members improve their competence as teachers and scholars (Alstete, 2000, p.1). Faculty development programs vary in their purpose, but they are commonly designed to enhance personal and professional development, instructional development, and/ or organizational development. Professional development involves promoting faculty growth and enabling faculty members to obtain and enhance job related skills,
knowledge, and awareness. Instructional development involves the preparation of learning materials, styles of instruction, and updating lesson plans. Organizational development focuses on creating an effective institutional atmosphere in which faculty and faculty development personnel can implement new practices for teaching and learning. Personal development efforts involve a more holistic approach to help faculty members enhance interpersonal skills, promote wellness, and assist with career planning. Curriculum development is another component that overlaps with each of the preceding areas; it involves the development of additional scholarly and teaching competencies, creation of new instructional materials, and the development of new communication and organizational patterns. Based on these definitions, post-tenure faculty development involves those activities that seek to improve student learning, teaching, instructional, organizational, and curricular aspects of faculty members who have earned tenure.

Post-tenure Faculty Development Programs

Post-tenure faculty development can be classified as optional, required, or jointly sponsored by several schools. Optional programs can be stand-alone programs or part of a comprehensive faculty development system at an institution. Optional strategies include award programs specifically designed to encourage and motivate tenured faculty, fellowship programs, teaching projects, writing projects, teaching partnerships, workshops, seminars, and development plans. Faculty development plans can be optional or required of all faculty, and methods are available to help motivate tenured faculty for full participation in this process and reward them accordingly. Optional programs have
had positive outcomes, including increased faculty performance and student retention, at several schools.

Required post-tenure faculty development is usually part of a formal post-tenure review system. Such systems are becoming more common today as the public calls for increased accountability and performance from teachers. This approach has the advantage of institution-supported consequences for non-players by the tenured faculty. The development component can be required in all reviews or triggered by specific outcomes of a faculty member’s evaluation. The development process in these cases normally involves the creation of a faculty development plan, which usually includes specific objectives for teaching, research, and service in a stated period of time, along with a follow-up mechanism to ensure performance. Post-tenure review is becoming a reality and this concept should be designed to support professional development of and responsibility by the faculty and their duties.

Strategies to Improve and Appreciate Tenured Teachers

Although faculty development strategies differ according to the type of school and their stated mission, the programs are more successful if they seek out participation and input from a variety of faculty members (including both tenured and non-tenured staff) and consult them in planning decisions. Administrators and superstar faculty members should clearly define the objectives of the program and what kinds of development (professional, instructional, curricular, organizational) will be emphasized. Supervisors are also a key component of effective faculty development because they are on the front line in handling faculty development plans, travel approvals, teacher
evaluations, and complaints from parents. In planning programs, faculty developers should study all aspects of the school, including its culture, academic programs, committee systems, administrative hierarchy, and organizational structure; they should seek support from the administration. It can be helpful to map out development activities for faculty at different stages of their careers using a template to ensure that the multiple roles faculty must perform are supported.

Some critics view tenure as one of the potential weaknesses that schools must overcome. Instead of eliminating tenure as some schools are doing, creating and implementing development strategies that enable faculty to improve and feel appreciated is a more viable choice (Alstete, 2000, p.2). Research has shown that superstar tenured faculty members have many strengths compared with their non-tenured colleagues and that they are more likely to participate in faculty development programs. Whether a school chooses to implement a required development component as part of a post-tenure review system, a series of optional programs, or some combination, it is important that the strategy go beyond a one-time solution and quick cure.

For the non-player tenured faculty members, however, reasonable efforts at bringing renewal may not be successful. For those individuals- and to help ensure the effective development of those tenured faculty superstars and steadies who want to continue to grow and learn- the school should consider other alternatives. Schools that already have a formal post-tenure review process in place already have the mechanism in place to accomplish the proper weeding or termination of non-players. In some schools, another alternative is an early retirement or phased-retirement policy. This strategy, in combination with effective administrative leadership that points out other consequences
for remaining full time and nonproductive, can help motivate some non-player faculty to make the proper choice.

Managing the Non-Players

Every school, despite its best intentions at creating and maintaining a quality place to work, has a certain number of employees who can best be categorized as non-players; in this case the non-players are those tenured teachers who have given tenure a bad name for their complacency and adequate performance levels (Lombardi, 2001, p. 87). Many experienced administrators do not have the essential skills to diminish the negative impact of the non-player or to remove the non-player from the school toward a more suitable career path (Lombardi, 2001, p. 87). The following maxims are important for administrators to recognize in striving to manage the non-player tenured teachers in a school:

1. Non-players are comfortable in their resistance to change and positive challenge and rarely change their work approach.

2. Non-players have no desire to improve their performance or contribution to the organization; in essence, they thrive on negativity.

3. The steadies and superstars in the school will welcome positive management handling of non-players, and will provide support and appropriate peer pressure if the administration begins the process of eliminating non-players' negative impact.

In a school system where tenure is constantly being attacked or questioned, non-players are probably being condoned because the administration lacks the fortitude to confront them. In a sense, administrators who accept the non-players' detrimental behavior are
not qualified for leadership in toady’s education environment, where the non-players can cause poor morale, poor service, or animosity amongst staff members (Lombardi, 2001, p.99)

Performance Evaluation

One of the most important responsibilities of an educational leader is the assessment and conduct of performance evaluations because this is the evidence that leads to the tenure decision (Lombardi, 2001, p.288). “In the scope of performance evaluation from initial documentation through presentation of the performance appraisal, twenty essential factors of performance evaluation come into play,” says Dr. Lombardi (2001, p.299) A criterion-based performance-evaluation process depends on the contributing elements of twenty factors.

The first factor of performance evaluations is a comprehensive scope; meaning, in addition to performance in all aspects of the job position, there should also be evaluation of organizational values or work personality traits essential to doing the job (Lombardi, 2001, p.300). The second factor, Dr. Lombardi (2001, p.300) says, is a process intended to elicit stellar performance and encourage professional growth and development. Accordingly, sections in the performance evaluation should cover critical incidents relative to the job, job related training and development involvement, and other motivational information. This will help give the teacher a full view of the job position, and it provides comprehensive insight into how important improvements might be made within the scope of the job position (Lombardi, 2001, p.300).
The third factor of performance evaluation is that it must be an ongoing process, providing feedback on an ongoing basis, and allowing the opportunity for work discussion to be available at all times (Lombardi, 2001, p.300). Unless the evaluation process is continual, a school could risk the liability that performance will not improve over the course of the school year. There is also the risk that all aspects of performance will be “saved up” until it is time for the evaluation, thus creating a breach of trust between the teacher and the evaluator. Focusing on small chunks of time, rather than the entire school year, would be the most effective.

The fourth and fifth factors state that the performance evaluations must be individual and take individual situations into consideration (Lombardi, 2001, p.301). Nothing is more demeaning if the validity of an evaluation, on different individuals in the same job position, if the evaluations are identical. This could destroy the evaluator’s credibility and sends a message to the teacher that evaluations are not to be taken seriously because they are no more than rote paperwork. As for individual situations, every classroom is different and therefore should be evaluated differently. Basing the evaluation on the intensity of situations, the level of difficulty that prevails, the degree and effect of change, the occurrence of critical incidents, and other dynamics should be considered when looking at each job situation. For example, two teachers who work in the same grade level and teach the same subject, have nearly the same amount of students in their classes, but the class climate or culture varies greatly because one teacher has special education students and the other teacher does not. This needs to be taken into consideration just as much as if a teacher had to teach their classes in the library until construction on the new wing finished. Supervisors treat teachers and their classroom
environments like they fit one mold, and this gives an impression that is unfair. A supervisor who portrays sensitivity to classroom environment conditions when evaluating performance will convey a sense of fairness in the evaluation process while encouraging the teacher to achieve even under adverse circumstances (Lombardi, 2001, p.301).

The next factor has the potential to be a motivational tool. For superstar teachers, a supervisor can provide high performance ratings and allow those teachers to offer input on how they can enhance performance even further. For steady teachers, those who achieve at a satisfactory level, the evaluation can be a wake up call and a step toward reaching a higher performance level. For non-player teachers, the performance evaluation should be an opportunity to present new parameters for performance and give notice of consequence(s) for failure to improve in an exclusive one-on-one interchange (Lombardi, 2001, p. 302). This factor will enable administration to clarify requirements and consequences for underachievers.

Factor number seven prioritizes the evaluation and job description so that, whether the supervisor uses a listing technique or a weighted-value technique, it stresses a sense of priority to the teacher and their job focus will be appropriate and well calibrated (Lombardi, 2001, p.302). In conjunction with the seventh factor, the eighth factor emphasizes the language used in the performance evaluation; that it should be easily understood by, and meaningful to, the teacher. An unclear form promotes distrust and destroys any credibility the process might have. Additionally, using language that is unclear eliminates the opportunities to use the performance evaluation as an educational tool because the teacher simply does not understand what the supervisor is getting at.
Using language that is clear, concise, and relevant to the teacher’s particular job scope will lend the performance evaluation a user-friendly advantage (Lombardi, 2001, p.303).

A good performance evaluation should provide teachers insight on what the school expects from them and what standards and measurements are being used to judge performance. It should clarify teachers’ expectations of the job, and make the supervisors’ expectations and desires clear as well. In hindsight, this will spell out what the supervisor deems as stellar performance and enlighten teachers on how they might improve performance and methods.

Factors ten and eleven pertain to tenured and non-tenured status specifically. The performance evaluations should be a tool for long-term teacher development and provide short term direction for the following year’s performance. There should be a development plan incorporated into the evaluation in which the teacher cites areas where they believe they need improvement; then list activities or training opportunities they desire to improve skills or to acquire new ones. In addition to encouraging long term performance and development, a strong set of objectives should be established for the coming school year. If a supervisor is proactive in establishing what the job objectives will be for the coming year, then this information can be shared and understood at the time of the evaluation. Teachers will then have a clear idea of the expectations to be met, hence reaching their highest possible level of potential and performance. In order for this to work successfully, the evaluation must be treated as a directional tool, with goals, directives, and guidelines that will help teachers reach their highest level of performance in the following year.
Dr. Lombardi (2001, p.304) states that the performance evaluation form should be user friendly and comprehensive that is viable in scope and application. It should be used as an instrument to provide a clear picture of what is expected of the teacher and a show a reflection of how the teacher has performed in the past. The scope and application of the evaluation form should be a communication exercise in which all parties participate so that the goals listed for the following year are realistic and practical, goals that everyone can live with. Goals should be realistic and attainable, yet challenging to the teacher. "Overtaxed teachers risk burnout, whereas underchallenged teachers neither take full advantage of their potential nor demonstrate maximum work interest," says Dr. Lombardi (2001, p.304).

Another factor requires the evaluation to be measurable. There needs to be clear-cut quantitative measures and rating scales that are understandable and relevant to teachers. "Otherwise, teachers lack a standard or benchmark to which they can aspire or against which to compare their past performance," states Dr. Lombardi (2001, p.305). For teachers who wish to be challenged and want to increase their performance, clear measurements should give them motivation. Without this goal they may slack off from long-term objectives or fill the motivational void with self-directed goals (Lombardi, 2001, p.305).

Financial considerations must be taken into account in a performance-evaluation sequence for the fifteenth factor, however this may only apply to teachers outside of the public school system because the money for supplies and books come from different sources.
Legalities should also be considered in an evaluation so that no undue bias or prejudice is introduced because the individual’s performance, not ethnic origin, gender, or religion, should be considered. The performance evaluation should be approved by the teachers’ union to avoid any potential problems.

Factors seventeen and eighteen state that an evaluation should be objective and cumulative (Lombardi, 2001, p.306). Information should be collected from the supervisor’s documented efforts therefore allowing them to use a preponderance of evidence, rather than an opinion, to make a case on negative, neutral, or positive performance. Once again, using clear-cut, technical language that is understandable to the teacher will have the most benefit. Keeping this in mind, if an evaluation is continual it will show rises and falls in performance levels therefore allowing the administration to identify both positive and negative trends (Lombardi, 2001,p. 306).

The last two factors relevant to an effective evaluation process state that all information should be drawn from factual evidence and it should be ethical. If an evaluator, administrator, or supervisor does well in compiling a documented logbook then the evaluations should rest on facts. “The more factual they are, replete with points of evidence throughout the course of the school year, the more validity they will have for teachers, and the more teachers will learn from the exercise,” Dr. Lombardi suggests (2001, p. 306). Lastly, the evaluation should be fair, respectful of the teacher’s dignity, and maintain allegiance to the school; meaning there should not be any hidden secondary agendas when presenting the evaluation.
Conclusion

In essence, any poor reputation associated with tenure is connected to motivation, inspiration, and evaluations. It is up to the administration to orchestrate effective management of these three components. Professional development and team orientation are key constituents that enable faculty to rise to their full potential. Even though every organization has non-player employees, it needs to be recognized and addressed in the school system; especially when a tenured teacher is a non-player. A tenured teacher is a life-long career commitment for not only the teacher, but also the school, and the administration should manage them, coach them, nurture them, and evaluate them in a more effective manner.
Chapter V

Summary

In the previous chapter the author concentrated on the importance of keeping a tenured staff motivated, educated, and proactive. As was highlighted, the administrations’ responsibility is to maintain a positive, energetic enthusiasm for lifelong learning in order to model the behavior expected of their staff. Looking back, the subsidiary questions outlined in chapter one support the need for effective supervision in order to maintain a positive climate, culture, and attitude among staff.

Since tenure is a financial investment that binds a teacher to a school district until retirement, the administration needs to be certain a teacher who receives tenure will continue to learn, grow, and improve in order to meet the changing needs of students. Behaviors of the non-tenured teacher should be carefully documented by the administration then evaluated accordingly, as discussed in chapter four, in order to grant tenure to those who professionally deserve it. Because of teacher unions, it is difficult and costly to fire a teacher once tenure has been granted, but if administration documents specific behaviors through concise performance evaluations the process, although lengthy, can be successful.

In this chapter the author reviews how to remedy the weaknesses of tenure and its reputation. At a crossroads, tenured teachers are faced with change; changes in student needs, changes in society as more households have both parents working, changes in laws like “No Child Left Behind”. If a tenured teacher does not change with the changing environment around them, then how can they be effective? How are the colleagues of tenured teachers supposed to have a positive attitude toward working with them if a
tenured teacher is reluctant to change? Schools need to, once and for all, rebuild tenure’s reputation, educate the public, and manage performance evaluations more effectively.

Conclusions and Recommendations

The Future of Tenure

Tenure can be directly related to teacher efficacy in order for the teacher to obtain it in the first place. Ideally, teachers who prove themselves effective enough to obtain tenure will indeed continue their effectiveness on their own because of the passion they have for teaching. However, tenured teachers who are considered to be “steadies” or “non-players” need reinforcement, positive or negative, critiquing, motivation, and inspiration because they are not necessarily self-motivated enough to maintain efficacy on their own anymore.

One of the most effective ways proven to revitalize tenured teachers as a whole is through professional development and improving performance evaluations. An educated teacher, tenured or not, should be a lifelong learner and therefore should thrive from opportunities to advance in their professional knowledge. Education is a field that is constantly changing and if teachers are reluctant to change they will be less willing to better themselves.

This leads to improving performance evaluations. If tenured teachers are held accountable for a required amount of professional development and have to show proof of follow up activities, then they can be evaluated on their participation. In the state of New Jersey, all teachers must complete a total of one hundred hours of professional development over the course of four years and show proof of attendance or a certificate
of completion to their evaluator. This is equivalent to twenty five hours per year, which only equates to a one-credit graduate class per year. Is that ideally enough to keep teachers innovative, creative, or motivated? Performance evaluations need to go beyond this statewide requirement and find additional criteria to revitalize staff. For example, as stated previously in chapter four, by allowing teachers to provide input on how they can enhance their own performance even further, teachers will feel valued in that their opinions are respected and considered in order for supervisors to hold them accountable for their own actions and individualized goals.

New career options are also created for tenured teachers as a result of professional development. The more versatile a tenured teacher becomes in furthering their education, the more choice they'll have in choosing which subject to teach; or they may even take on a supervisory role, facilitate classes for colleagues, or change school districts without the fear of losing tenure because they believe they are effective enough to obtain it again.

In hindsight, if a tenured teacher is a lifelong learner and the aforementioned choices are within their professional vision then having or forfeiting tenure will not affect their choice when making a career move or other professional changes. The only teachers who are dependent on their tenure are those who fear change because they are lacking professional confidence and thus probably lacking the skills or efficacy to grow.

By holding teachers accountable and evaluating them in a precise manner, supervisors can use tenured teachers to keep a school alive and competitive. Keeping a school alive can be subjective, but evaluations should be objective and promote enthusiasm amongst staff instead of fear. Tenured teachers should be excited when they are being evaluated, not fearful or nervous. If a tenured teacher is going above and
beyond and meeting expectations with excellence (like they had to in order to attain tenure in the first place) then the performance evaluation should be their opportunity to brag or show off and share the powerful lessons they are proud of. If a tenured teacher is not necessarily proud of their lessons and they dread being evaluated, then this translates to the fact that the teacher might have something to hide; for instance, their complacency!

In addition, performance should be linked to the quality and commitment of tenured faculty through professional development and performance evaluations. As the author previously mentioned it is the supervisors' or administrators' responsibility to create clear-cut quantitative measures and rating scales that are comprehensive and relevant to teachers. "Otherwise, teachers lack a standard or benchmark to which they can aspire or against which to compare their past performance" (Lombardi, 2001, p. 305). In retrospect, linking performance to the quality and commitment of tenured teachers will promote positive attitudes amongst all staff members and create a culture that is no longer divided by animosity between tenured and non-tenured staff or between non-players and superstars.

Furthermore, the changing needs of tenured staff members can be met through professional development at their own school in a variety of ways. First, the administration should conduct a needs assessment in order to evaluate what the staff members need. After the needs assessment is completed and feedback is given, school administrators and supervisors choose what they want to do in order to address the staff needs. One option is to hire an outside source to facilitate seminars, workshops or classes; however, this method is costly, especially if it does not meet a majority of staff needs and various trainers have to be hired. Another option is to use superstar staff
members and supervisors to facilitate classes after school and give teachers a choice of courses and credits toward earning more money on the salary guide. Incentives create an excellent sense of motivation—especially in terms of money. Right now, in addition to the latter of the two mentioned ideas for professional development, the school district where the author words, Bridgewater-Raritan Middle School in New Jersey, has currently adopted a professional development plan called “Learning Communities”. After a needs assessment was conducted, all staff members were given the choice to pick a group of colleagues whom they wished to work with and develop a plan of action that not only met their needs but also coincided with their performance evaluation goals. Hence, the improvement of tenured faculty relies on an effective administration; similar to the corporate world where the effectiveness of the employees relies on quality management. Tenured teachers have to be appreciated in order to feel valued and actually want to improve and continue to grow. It is pertinent that administrators are also lifelong learners, participate in professional development, and model the behavior that they expect from their staff.

Schools should be consistent with one another in terms of the management of tenured staff nationwide and administrators should collaborate through conventions, workshops, or seminars to ensure that tenured teachers remain current in practices, ideologies, and technology. Again, efficacy keeps relating back to professional development. The only way tenure can benefit students is if the tenured teacher is a lifelong learner and teachers, like administrators, should model the behavior they expect of their students. If tenured teachers expect their students to learn and grow, then the
teachers should learn in order to grow as a professional. Isn’t it hypocritical to expect something of others that you don’t expect of yourself?

Finally, the cultures of tenured and non-tenured teachers should only vary in terms of contract renewal, not attitude or performance. “Teachers have a responsibility to their disciplines, their students, the school, and the community to strive for superior intellectual, aesthetic, or creative achievement” (www.uh.edu/fs/TITF/history.html, 1996). In chapter two under the N.E.A. policy statements the author pointed out that professional development plans should be designed to encourage professional growth, but must be developed and implemented with faculty involvement. The responsibility of tenured teachers is to remain current in their fields to provide students with a quality education. The N.E.A. encourages tenured teachers, administrators, students, and governing boards to work within the current tenure system when confronting the challenges, opportunities, and adversities of the future (www.nea.edu.org, 2004).

Once the concept of tenure is clearly understood by parents, teachers, administrators, and school boards, they may use that knowledge to ensure that competent teachers enjoy academic freedom while administrators facilitate a flexible, needs based school environment. The United Faculty Website stated (1990), “tenure is granted as a belief in that faculty members will remain accountable after they obtain tenure status.” Tenured teachers should be superstars who are highly successful, self-motivated people with a great deal of professional pride. Would you want anything less in a teacher? In order to keep improving the quality of education for the next generation of students, schools need to provide improving opportunities for the new generations of educators. The tenure law provides a process for the removal of incompetence and/ or immoral
teachers so therefore administrators should become more familiar with their roles and obligations in this regard. The author connects this scenario with the words of Thomas Sowell (1994), "It is as if you had hired a plumber (administrator) and he (she) decided to express himself (herself) by painting a mural on your living room wall (disregarding effective performance evaluations), instead of stopping a leaking pipe from flooding your basement (correcting, coaching, or firing the incompetent teacher)."
Bibliography


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OK
the overall effectiveness of tenure.

Survey results are strictly confidential and will be published in my thesis obtainable through msjgiordano@yahoo.com. Please respond to each of the 10 statements on the following page by circling your level of agreement.

SA= Strongly Agree
A= Agree
NA= Neither Agree Nor Disagree
D= Disagree
SD= Strongly Disagree

Return your completed survey results to:

Jennifer Giordano
574 Ludlow Station Road
Asbury, NJ 08802

OR

msjgiordano@yahoo.com

Thank you for your participation.

**Tenure:** 1. The protection of academic and intellectual freedom in educational institutions, academic due process, and faculty self-governance; job security. 2. The status of holding one's position on a permanent basis without periodic contract renewals (American Heritage Dictionary Third Edition, 1996).
Read each statement below and circle your level of agreement.

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Additional Comments


Optional

Gender:

_____ male

_____ female

Marital Status:

_____ single

_____ married

_____ divorced

Age:

_____ 21-30

_____ 31-40

_____ 41-50

_____ 51-above

Children:

_____ yes

_____ no

Occupation:


Time in that position:

_____ less than one year

_____ 1-3 years

_____ 4-6 years

_____ 7 or more years

Employment Status:

_____ Full-time

_____ Part-time

Education:

_____ Some high school

_____ High school

_____ Some college

_____ College degree

_____ Some graduate school

_____ Graduate degree

_____ Graduate degree +