ABSTRACT

PUTNEY SR., MICHAEL WAYNE. The Phenomenology of Teacher Tenure in North Carolina: A Study of Teacher Tenure from the Perspective of Teachers. (Under the direction of Dr. Lance D. Fusarelli).

The purpose of this study was to examine teachers’ perceptions of teacher tenure and the Teacher Tenure Act of North Carolina. This research looked at how veteran teachers from two school systems in central North Carolina view the phenomenon of tenure and what, if any, impact it has on their job. Through the lens of tenured teachers, the researcher examined and explored teachers’ perceptions of teacher tenure, both positive and negative. While there are some studies about tenure from the perspectives of principals and superintendents, there is little data available that provide information about how teachers feel about tenure in non-unionized, right to work states.

Using qualitative methods, the researcher interviewed 12 teachers from two public school systems in North Carolina. The interviews were conducted face–to–face. The identities of the participants remain anonymous in order to enhance transparency and fidelity to the responses. The interview questions were semi-structured and consistent in concept for all interviews. Data were recorded and interviews were transcribed after the interviews as soon as possible. Responses were analyzed to establish themes and codes among the respondents.

This study will add to the body of literature when examining teacher tenure from the perspective of teachers and provide policymakers with a more in-depth look at the phenomenon of tenure when developing and revising policies.
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The Phenomenology of Teacher Tenure in North Carolina:  
A Study of Teacher Tenure from the 
Perspective of Teachers

by
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BIOGRAPHY

Michael Wayne Putney Sr., the son of the late Freddie and Mary Jones Putney, was born in Roanoke Rapids, North Carolina. He was reared in rural Northampton County where he attended school. Upon graduation from high school, Michael attended North Carolina Central University in Durham, North Carolina. After receiving a Bachelor of Arts degree in art education, he returned to teach kindergarten through eighth grade art in the Northampton County Schools. Michael continued to pursue his education and completed a Master of Arts in Education, with principal certification, from East Carolina University in Greenville, North Carolina in 1988. Michael worked as an assistant principal in Hertford and Halifax Counties prior to accepting a principal position in the Vance County Schools in 1992. During his enrollment at North Carolina State University in the doctoral program in Educational Administration and Supervision, he continued to work as a principal in Vance County. Michael and his wife Cassandra reside in Oxford, North Carolina and are the parents of adult children, April and Michael W. Putney Jr.
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I want to thank God, who is first in my life, for His grace and mercy while I am on this journey called life. With Him in my life, nothing is impossible.

The journey toward completing my dissertation has really been an adventure. It has involved a lot of growing pains and bumps in the road as I evolved through the process. At times, I seemed lost in the wilderness and could not see the forest for the trees. However, the support of my family encouraged me to journey on and complete what I started. To them I am grateful. First, I want to thank my wife, Cassandra, for her encouragement when I found myself wanting to spend time with her and the family rather than working on my dissertation. Thanks also to my son, Michael Jr., whose completion of law school and words of encouragement challenged me to finish. Thanks to my daughter April, a teacher and a graduate student at North Carolina State University, who was always asking me “are you finished with that paper yet?” I am also supported by two brothers, Fred and William; and my sister, Margaret. We are truly our parents’ children as we were always motivated to be the best we could be.

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CHAPTER ONE

Introduction

The No Child Left Behind Act (NCLB) was signed into law in January 2002, reauthorizing the Elementary and Secondary Education Act (ESEA) of 1965. This reauthorization is based on strong accountability for results, including provisions for teacher quality. This action changed the delivery of instruction and the purpose of education in America. No longer can we be content with a small population of students receiving a quality education. Now, the responsibility is placed on schools to ensure that all students receive an appropriate education that will improve their quality of life. Political forces across the country have placed a lot of focus on the mediocrity and apathy among the teacher ranks that is contributing to student failure and, thus, creating failing schools.

One area of interest is teacher tenure, which may have prevented some teachers from being dismissed for inadequate performance. The impact of dismissing some teachers may be due to the heavy administrative burden placed upon administrators to dismiss teachers as a result of the Teacher Tenure Act. No Child Left Behind requires that highly qualified teachers teach all students. Research supports the notion that the greatest impact on student achievement is teacher quality (Darling-Hammond, 2000). Mounting evidence has proven that the employment of effective teachers has a profound effect on student achievement (Kersten, 2006). Improving teacher quality is one of the tenets of No Child Left Behind. This federal initiative provides funding to enable states and local school systems to improve academic achievement by providing high-quality training for teachers.

In addition to funding training for teachers, No Child Left Behind allows State Education Agencies (SEAs) and school districts to use funds to promote tenure reforms. In
2006, the United States Department of Education released a grant entitled Improving Teacher Quality State Grants, ESEA Title II, Part A, which outlined how states could use grants to improve teacher quality. This report states that a State Education Agency (SEA) and a Local Education Agency (LEA) may use Title II, Part A funds to reform tenure systems. The nature of teacher tenure is rooted in improving teacher quality and a key tenet of NCLB is to ensure that highly qualified teachers are in classrooms. Clearly, federal officials are concerned about teacher quality and interested in exploring alternatives to teacher tenure. Research implies that the current teacher tenure system keeps ineffective teachers in the classroom (Goldstein, 1998; Hess & West, 2006; & Murphy, 1990).

**Purpose of the Study**

The purpose of this study was to examine teachers’ perceptions of tenure in North Carolina, including the Teacher Tenure Act in North Carolina. This study looked at how teachers from two school systems in North Carolina view tenure. Through the lens of tenured teachers, the researcher examined and explored teachers’ perceptions of teacher tenure, both positive and negative.

**Background of the Study**

Teacher tenure policies have been in place in one form or another for over 100 years. As early as 1884, a committee was established by a group of teachers in Chicago, Illinois to explore teacher job security. Considered civil service employees, teachers needed protection against erratic dismissal decisions that occurred whenever there were changes in the political climate. During the early development of teacher protection, the National Education Association (NEA) began exploring the concept of tenure for classroom teachers. The NEA and the American Federation of Teachers (AFT) have always supported tenure policies to
protect teachers’ employment status from adverse and capricious decisions of school administrators and boards of education. The AFT, an affiliate of the international union, AFL-CIO, fought for and won some form of tenure in 17 states by 1932 (Murphy, 1990). In 1946, the NEA’s Committee on Tenure and Academic Freedom introduced a formal purpose for tenure, a primary component of which was to identify procedures that would support the dismissal of inept teachers while protecting competent teachers from dismissal. Although some states provided teachers with long-term contracts, most states had established tenure policies and dismissal procedures by 1960. Teacher tenure provided teachers and other specified employees with dismissal and demotion procedures consistent with the due process requirements of the United States Constitution. Since the essence of tenure is protection from the loss of salary, the Fourteenth Amendment to the U.S. Constitution purports that citizens may not be deprived of property without due process. Employment is a property right and therefore employees are entitled to a form of due process (James & Johnson, 2003).

The American Federation of Teachers has always fought for the rights and protection of teachers. This union is found primarily in northern states that have collective bargaining. Collective bargaining allows educators the opportunity to fight and collectively negotiate for their salaries, working conditions, and rights. North Carolina is one of three states whose educators cannot collectively bargain. Texas and Virginia are the only other states whose laws explicitly stipulate that teachers may not collectively bargain (Hess & West, 2007).

Both the AFT and the NEA have been highly critical of accountability systems that include real consequences for schools and teachers. NCLB, which merely threatens school-level consequences, has been fiercely fought by the NEA in Congress, the states, and the courts. While the AFT’s more nuanced stance on NCLB has earned the union much praise, it
continues to denounce state accountability plans that incorporate meaningful sanctions for schools or teachers. The NEA’s and AFT’s method of addressing struggling schools and teachers has been to emphasize increased staff development rather than explicit rewards and sanctions based on performance (Hess & West, 2006).

**Definition of Terms**

*Arbitrary and capricious* – A characterization of a decision or action taken by an administrative agency or court meaning willful and unreasonable action without consideration or in disregard of facts or law or without determining principal (Black, 2004).

*Career Status* – Career status is another term used to describe the status of a teacher after he/she has attained tenure.

*Collective bargaining* – Collective bargaining is the process of negotiation between representatives of workers and management to determine the conditions of employment.

*Due Process* - The Fourteenth Amendment to the United States Constitution provides that a citizen may not be denied property without due process of law. A tenured teacher’s job is his/her property. A local board of education may not take that property away without providing due process. According to Joyce (2000), if a school board has a property interest, due process contains at least three main elements: notice to the employee of the charges against him; an opportunity for the employee to respond; and a final decision made by an impartial decision maker. There are two types of due process.

*Procedural due process* - The procedures and methods used to carry out the regulations. These actions can be thought of as an individual’s rights to a notice and a hearing.
Substantive due process - The fairness of the law or regulation. The extent and definition of substantive due process are based on the due process clause of the Fourteenth Amendment.

Evaluation – An evaluation is an appraisal of job performance related to specified criteria and conducted for the purposes of improvement of instruction and accountability.

Probationary or initially licensed teacher – A probationary or initially licensed teacher neither achieved tenure nor has a continuing license. The probationary period for a teacher in North Carolina is four years.

Right to Work Law– Any state law forbidding various union-security measures, particularly the union shop, under which workers are required to join a union within a specified time after they begin employment.

Teacher - A teacher is defined in the Teacher Tenure Act as a public school employee who holds a Class A certificate or license or vocational certification and is employed in a full-time permanent position. This employee must have major teaching responsibilities, have responsibilities for supervising teachers, or is paid as a classroom teacher. A teacher must successfully complete a probationary period of four years in North Carolina to achieve career status and from that point may be dismissed or demoted only for one of 15 reasons set out in the Teacher Tenure Act.

Teacher Union- An organization of workers banded together to achieve common goals such as better working conditions. Through its leadership, the union bargains with the employer on behalf of union members and negotiates labor contracts with employers

Tenure- Tenure provides teachers and other personnel covered under the Act with the protection from loss of salary. As long as a teacher does not suffer a reduction in salary,
there is no violation of the Teacher Tenure Act. The statutory statement of the tenure protection as defined by the Act states that no tenured teacher may be dismissed, demoted, or employed on a part-time basis except on one or more of the 15 stated grounds and except by the procedures set out in the Act. Each of these conditions would cause a loss in salary.

**Teacher Tenure in North Carolina**

The Teacher Tenure Act, also known as the Fair Employment and Dismissal Act, was enacted by the North Carolina General Assembly in 1971 and is codified as G. S. 115C – 325. The purpose for passing this legislation was to provide public school teachers with greater job security. This Act attempts to protect teachers of proven ability from dismissal for political, personal, arbitrary, or discriminatory reasons. The thrust of North Carolina’s policy is that public school employees under its protection may be dismissed or demoted only according to the procedures established by the Act and only on one or more of 15 grounds outlined in the Act (Joyce, 2000). Tenure is a term used to refer to a set of protections that teachers and some other school employees are afforded under the Teacher Tenure Act. An employee who meets the requirements for tenure attains career status. Career status is equivalent to tenure and a career status teacher is also referred to as a tenured teacher. Tenure held by most tenured school personnel is teacher tenure.

The State Personnel Commission was established in July 1965 as Chapter 126 of the North Carolina General Statutes. The intent and purpose of this Chapter is to establish for the government of the State a system of personnel administration under the Governor, based on accepted principles of personnel administration and applying the best methods as evolved in government and industry. This chapter of personnel administration applies to local
employees paid entirely or in part from federal funds, except to the extent that local
governing boards are authorized by this Chapter to establish local rules, local pay plans, and
local personnel systems. Public school superintendents, principals, teachers, and other
school employees are not covered by the provisions of North Carolina General Statute 126-5
(c2). The chapter of personnel administration that applies to public school superintendents,
principals, teachers, and other school employees is found in North Carolina General Statute
115C.

Tenure is awarded to a teacher who has satisfactorily completed a four-year
probationary period in a school system and been approved by a local board of education.
Probationary teachers are protected by tenure, or dismissal procedures, only if they are
considered for dismissal during the school year. If a board of education does not approve
tenure for a teacher, by state law, the school system cannot rehire that teacher for a fifth year.

There are relatively few teachers who have reached their fourth year with a school system
and not been recommended for tenure. Teachers often resign before not getting tenure
because it becomes apparent that teaching is not for them (Newell, 2008). If a teacher has
already earned tenure in another school system in North Carolina, the school board can either
immediately grant tenure to that teacher or give them tenure after one year. If a school board
decides not to grant that teacher tenure after one year, the teacher cannot teach after that year.

Teachers who were tenured at a school system outside of North Carolina must start over in
the four–year process. Tenured teachers who are rated below standard on their observations
will be placed on an action plan. A teacher working below standard will be given an
opportunity to improve upon his/her deficiencies. If a tenured teacher improves, he/she can
continue teaching. If not, termination will be recommended. To be eligible for tenure, a
public school employee must hold a Class A certificate or regular vocational certificate; must have major teaching responsibilities or supervise teaching; and must be paid as a teacher.

Due process is a fundamental part of the Teacher Tenure Act. The Fourteenth Amendment of the United States Constitution provides that government may not deprive citizens of property without due process of law. A tenured teacher’s job is his or her property; therefore, a board of education may not take a teacher’s property without providing the teacher due process of law (Joyce, 2000). In addition to due process, which includes a hearing before dismissal, a teacher can be dismissed for one of the following reasons:

1. inadequate performance
2. neglect of duty
3. insubordination
4. failure to fulfill the statutory duties of a teacher
5. immorality
6. habitual or excessive use of alcohol or drugs
7. providing false information
8. failure to comply with reasonable requirements of the board
9. physical or mental incapacity
10. failure to keep certificate current
11. cause for revocation of a certificate
12. failure to repay money owed to the state
13. advocate to overthrow the government
14. conviction of a felony or crime involving moral turpitude
15. reduction in force (NCGS Chapter 115C, p. 258)
Dismissal of a teacher must begin with the recommendation of the superintendent. The Teacher Tenure Act states that a teacher may not be dismissed except upon the superintendent’s recommendation. North Carolina General Statute Chapter 115C calls for all hiring decisions to be made by the board of education based on the recommendation of the superintendent. In a dismissal case, the superintendent, in effect, serves as a prosecutor and the board of education sits as a jury unless the board initiates the dismissal, then the board will be both prosecutor and jury.

A teacher must be informed that he or she is being recommended for dismissal before the superintendent communicates his decision to the board of education. The superintendent must explain the basis for the dismissal as required by the statute and due process. After the explanation by the superintendent, the teacher is given an opportunity to respond to the charges. At this point, the superintendent should decide whether he or she wishes to go forward with the dismissal. If the dismissal proceeds, the superintendent must give the teacher written notice via certified mail or a personal copy where the teacher must sign to verify receipt of the copy. The written notice must clearly indicate the superintendent’s intention to recommend to the board of education the teacher’s dismissal as well as the grounds for the dismissal. Once a teacher has received notice from the superintendent, the teacher may make no response; request a hearing before a case manager; or request a hearing before the board of education. If the teacher does not respond, the board of education may support the superintendent’s recommendation for dismissal. If the teacher requests a hearing, all due process requirements must be afforded the teacher until the case is either resolved by dismissal or the teacher maintains employment.
Research Question

One research question was established as the basis for this study:

What are the perceptions of some veteran teachers in two North Carolina public school districts toward tenure and the Teacher Tenure Law?

Significance of the Study

There is very little research about teacher tenure in North Carolina and how teachers feel about it. The available research focuses on tenure from the perspective of principals and superintendents. Most of the research on teacher tenure has been conducted in unionized states, mostly in the northeastern United States. The researcher feels it is important to look at tenure from the teachers’ point of view and determine how significant tenure is for them. It is very important to ascertain the perspective of teachers in order to improve conditions in education. Efforts to reform and improve the nation’s schools have usually trickled back down to the teachers and the policies that affect them (Cooper, Fusarelli, & Randall, 2004).

This study is important because teacher tenure is a vital policy issue for the teaching force in North Carolina. The North Carolina Association of Educators is a strong advocate for teacher tenure and possesses powerful political clout in the state. Although there has been little change to the law since its origin, it was essential to study this phenomenon and determine how the people who are affected by tenure the most perceive its existence, particularly in a tough political environment characterized by budget cuts, fiscal restraint, and ever-growing accountability.
This study will add to the body of literature when examining teacher tenure from the perspective of teachers and provide policymakers with a more in-depth look at tenure when developing and revising policies.

**Outline of Research Design**

The focus of this study was to determine teachers’ views on tenure, collective bargaining, and employment rights as they relate to teaching in North Carolina. A qualitative, phenomenological study was utilized to gain an in-depth understanding of the experiences of tenured teachers. This qualitative study consisted of interviews of tenured teachers who have been in education for at least 10 years. The decision to select tenured teachers with at least 10 years of experience offered a more defined perspective from which they have experienced tenure. The study involved interviewing 12 veteran tenured teachers from two public school systems in North Carolina.

**Summary**

Chapter One provided historical background information about teacher tenure. It identified the research questions, the purpose and significance of the study, and an overview of the research design. In Chapter Two, the researcher reviews the literature regarding teacher tenure and outlines the positive as well as the negative beliefs about tenure.
CHAPTER TWO

Literature Review

Tenure systems all over the country are being seriously questioned. Many believe that tenure erodes the quality of the nation’s teaching staff by protecting incompetent teachers. Both advocates and critics make claims regarding the stances of various groups of stakeholders toward the tenure system (Hess & Maranto, 1999; Kersten, 2006; Pound, 2000; Saul, 1981). These claims, however, are largely unsupported because the opinions of those most directly affected by tenure are missing from the research. In the world of education today, as the focus on school accountability is strengthening, the policy of tenure is coming under increasing scrutiny. The push toward charter schools and school vouchers is one way the public is seeking to circumvent and weaken the teacher unions that strive to provide protections for teachers (Hess & Maranto, 1999).

The tenure system was originally designed to protect teachers from being treated unjustly based on the whim of a principal or superintendent, and was based on the university tenure system which allowed educators the freedom to teach unpopular or radical ideas. Prior to tenure, there were frequent cases of teachers being fired due to reasons that involved nepotism, political considerations, and the ability to hire cheaper replacements.

In this chapter, the researcher looked at the literature surrounding teacher tenure laws across the country. Through this information the researcher examined the history of tenure in North Carolina and the viewpoints of the proponents and opponents of the tenure laws for teachers as well as research on the effectiveness of teacher tenure.
The History of Tenure in North Carolina

When the first teacher tenure act was originally passed in 1971, it was called the Orderly System of Employment and Dismissal of Public School Personnel. In 1973, an amendment to the tenure law referred to this law as the Teacher Fair Employment and Dismissal Act. An act in 1983 again referenced the Teacher Fair Employment and Dismissal Act. The word tenure first appeared in 1991 where the law was referred to as the Public School Tenure Law. The North Carolina General Assembly has never assigned a short title to the body of law generally known as the Teacher Tenure Act, but it can be found in North Carolina General Statute Chapter 115C that is labeled System of Employment for Public School Teachers.

This legislation provides public school teachers with job protection. The Teacher Tenure Act was developed to protect teachers of proven ability from dismissal for political, personal, arbitrary, or discriminatory reasons (Phay, 1988). This Act together with subsequent amendments rewrote the substantive and procedural relationship between the state of North Carolina and its teachers (Smith, 1975). The thrust of North Carolina’s policy is that public school employees under its protection may be dismissed or demoted only according to the procedures established by the Act and only on one or more of 15 grounds outlined in the Act (Joyce, 2000).

Administrative Tenure in North Carolina

Principals and supervisors were able to earn administrative tenure until June 30, 1995 and after that time, they could maintain tenure but only teachers are able to continue to gain tenure. In a report to the North Carolina General Assembly, the Government Performance
Audit Committee (1992) reported the following findings in support of the elimination of tenure for principals:

1. Inclusion of administrators in the current tenure law is an obstacle to the local and state superintendents’ responsibility to provide high quality leadership appropriate for the district.

2. The loss of tenure does not preclude a provision of due process to protect administrators from arbitrary or capricious action by a superior.

3. Based on education reform reports in North Carolina over the past 10 years, there is a broad support for reversing tenure for administrators.

Semendinger (2000) conducted a study of 81 practicing principals in New Jersey and found that they had strong opinions about tenure. The current active principals in this study believed that tenure is important for job protection. In order to perform in their position, and achieve maximum effectiveness, principals must be able to make potentially controversial decisions without placing their job in jeopardy. This study found that tenure provides for continuity of leadership that allows for an environment based upon trust. The subjects in this study believed that tenure is necessary for the establishment of effective schools and were not in favor of repealing tenure protection for their position.

The overarching argument for the elimination of tenure for school administrators in North Carolina was that it would increase the quality of leadership in public education by allowing school districts and superintendents to take the necessary action to change and improve schools. The elimination of tenure for administrators was aimed at allowing school boards the ability to provide the strongest possible leadership based upon the identified and changing needs of the individual schools. Principals and supervisors now work under an
Administrative Term Contract, a contractual agreement between a local board of education that can vary from two to four years.

**The Advantages and Disadvantages of Tenure**

The research on the effectiveness of teacher tenure is mixed. Proponents of tenure say that it provides the job security needed for academic freedom, protects teachers from being dismissed at the whim of school board members or politicians, ensures older, higher paid teachers with long experience will not be replaced by younger, lower paid, less experienced teachers. Further, it gives teachers the necessary security to allow them to be innovative and creative, and provides a mechanism under which tenured teachers can be dismissed for just cause after due process.

On the other hand, opponents of tenure believe that tenure promotes mediocrity and leads to the retention of complacent teachers while younger, more creative ones are bypassed, and thus stymies innovation (Clowes, 2003). Opponents maintain that state and federal laws protect teachers from warranted dismissal, and that the procedures for dismissal are so cumbersome and expensive that few superintendents and school boards want to pursue it, except in the most serious instances (Saul, 1981).

When President George W. Bush signed into law the No Child Left Behind Act, it included a guarantee of a highly qualified teacher in every classroom within five years. Although this seems to be a difficult goal due to the teacher shortage, leaving no child behind requires that every student have an opportunity to learn from a highly qualified teacher. The effects of even a few bad teachers in a school can be profound. Students who have just one bad teacher have lower test scores two years later than do comparable students with effective teachers (Glastris, 1997). Bad teachers can demoralize good teachers. “It causes significant
resentment among teachers who are working hard and shows those who aren’t that there are no consequences to low performance,” noted Kathy Christie of the Education Commission of the States (2006, p. 421). Research shows that bad teachers also tend to wind up teaching the students who need help the most-poor, low-performing students (Darling-Hammond, 2000).

As a component of the election platform of former North Carolina Senator John Edwards, a listing of education reforms to strengthen K-12 education was stressed. Highlighted in this list were teacher tenure reforms. Senator Edwards (1997) suggested, “Remove teachers who aren’t holding up their end of the bargain. If a teacher does not make the grade, it needs to be easier to remove him. While preserving due process, tenure reforms should be a condition of federal education funds” (p. 1).

The discussion of teacher quality must include the discussion of teacher tenure. With states and federal accountability policies requiring higher levels of student achievement, it is imperative that teacher quality improve. Most public school teachers are doing an excellent job, but there are some that do not belong in the classroom. If an ineffective teacher slips through the cracks and receives tenure, it is nearly impossible to replace them (Robinson, 2003). Based on tenure laws adopted by states across the country, action was taken to protect academic freedom and to prevent schools from basing decisions to hire or fire on favoritism or local politics. The question that is asked by many is “Does it really protect teachers from favoritism and politics or does it protect ineffective and less competent teachers?” Has due process evolved into life-long employment and become an obstacle to school improvement?

Due process has become de facto tenure because it is time consuming, expensive, and makes it difficult to terminate an ineffective teacher. Time plays a major factor in the dismissal of an ineffective teacher because in order to terminate one, an administrator must
invest an inordinate amount of time to develop a case against the teacher. Principals must file several written reports, wait a year for improvement, file additional poor evaluations, appear at hearings, and perhaps even show up in court to defend the dismissal of an ineffective teacher. In hearings and in court the burden of proof rests with the school to prove that the dismissal is appropriate and fair. Tenure gives a teacher faced with termination a host of stalling tactics (Goldstein, 1998). In terms of expenses associated with terminating a tenured teacher, the expenses can be astounding. Legal fees incurred by the school system can be more than $100,000. In addition, if a teacher is suspended with pay, salary for that teacher and the cost of a substitute could total more than $80,000 (Condon, Counts, & Lane, 2006). It is not impossible to terminate the employment of an ineffective, tenured teacher, but the process is difficult and cumbersome. 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).

**Tenure and the Law**

There are 15 grounds for dismissal under the Teacher Tenure Act. These 15 grounds can be divided into several categories. The first is dismissal on grounds related to job concerns.

1. Inadequate performance
2. Neglect of duty
3. Failure to fulfill the statutory duties of a teacher
4. Insubordination
5. Failure to comply with the reasonable requirements of the board
In a case in the Chapel Hill–Carrboro school system, a teacher dismissed for inadequate performance in the Chapel Hill-Carrboro school system argued that the phrase is so vague it cannot be constitutionally applied according to *Nestler v. Chapel Hill-Carrboro City School Board of Education* (1984). That is, it does not provide for fair notice of the kinds of behavior or conduct that lead to dismissal and therefore violates due process. The North Carolina Court of Appeals rejected this argument, noting the teacher had been advised on several occasions of the ways in which his teaching methods were inadequate. Because the teacher had been placed on conditional status, often observed in class, and in the face of several notices, the court stated that a person of ordinary understanding could determine how he/she must comply based on a ruling by *Nestler v. Chapel Hill City Schools Board of Education* (1984).

A teacher in the old Durham County school system who was dismissed for inadequate performance also sought a ruling that the statute was unconstitutionally vague as it applied to her. The Court of Appeals also rejected this argument on the basis that the term inadequate performance is readily understood by any person of ordinary intelligence who knows what the job entails. In this case, which involved the teacher’s failure to maintain discipline in the classroom, the court said that the teacher was fully aware that her job as a teacher included maintaining discipline and that she had been warned that she was failing in that regard but she persisted in her failure as noted in *Crump v. Durham County Board of Education* (1985).

A case in the Winston-Salem/Forsyth school system evolved out of a teacher’s classroom performance and the academic progress of her students. After numerous efforts by the administrators to provide support and assistance to increase the teacher’s effectiveness in the classroom, the students’ scores continued to be below adequate expectation; therefore the
teacher was recommended for termination. Upon termination, the teacher appealed the decision. The case was rejected by the Court of Appeals because even though the administrators involved in the case took the time to assist the teacher and help her improve, the amount of improvement was unsatisfactory based on *Davidson v. Winston-Salem/Forsyth County Board of Education* (1994).

Another category of grounds for dismissal includes four areas related to conduct or character concerns. Those areas include:

1. Immorality
2. Habitual or excessive use of alcohol or nonmedical use of drugs
3. Conviction of a felony or crime involving moral turpitude
4. False application information

In Pender County, the school superintendent recommended the dismissal of a high school teacher on the grounds of immorality because he had engaged in sexual intercourse with a 15-year-old student during school time on school property. The court ruled that the board of education could support the superintendent’s recommendation to dismiss the teacher because the allegations were true and substantiated in the case of *Evers v. Pender County Board of Education* (1992). Although the North Carolina law remains unclear about what actually constitutes immorality, a court case in Caldwell County stated that immorality means any conduct that reflects on a teacher’s fitness to teach (Joyce, 2000).

Habitual or excessive use of alcohol charges were filed against a teacher by the New Bern–Craven County Board of Education (1984) where a tenured teacher was dismissed. The teacher had alcohol odor on his breath on several occasions detected by the students, parents, and teachers while on school grounds. The courts initially overturned the decision to
dismiss the teacher but the state Supreme Court reversed the decision because the action fit within grounds for dismissal under the Teacher Tenure Act.

The third category for dismissal only contains one ground and it is the employee’s physical or mental incapacity. Court cases have been heard relating to an employee’s ability to work based on her physical or mental incapacity. Physical incapacity refers to a present and continuing inability to perform the duties and meet the responsibilities and physical demands customarily associated with the individual’s job as a tenured teacher in the public schools. Mental incapacity refers to an inability to carry on the everyday affairs of life or to care for one's person or property with reasonable discretion. The courts have said that for the dismissal to be grounded on incapacity, the projected duration of the incapacity must be long term or indefinite with no reasonable prospect for rapid rehabilitation according to Bennett v. Hertford County Board of Education (1984).

The fourth category for the dismissal of a tenured teacher includes two grounds:

1. failure to keep a certificate current and
2. any reason that is cause for revocation of a teaching certificate.

These grounds are consistent with the statutory requirement that all teachers shall be required to either hold or be qualified to hold a teaching certificate.

Dismissal related to concerns about citizenship is the fifth category of grounds for dismissal. These grounds, based on a teacher’s sense of civic responsibility, include:

1. failure to repay money owed to the state and
2. advocating the overthrow of the government.

The last category for the dismissal of a tenured teacher is completely different in that it allows for termination of a tenured teacher even if there are no concerns about a teacher’s
job performance, conduct, physical or mental incapacity, licensure status, or citizenship. This area of dismissal is called reduction in force. The reduction in force may be cause for the dismissal of a teacher who may be an outstanding teacher and have excellent character but the teacher is dismissed because of downsizing due to district reorganization, decrease in enrollment, or decrease in funding.

**What Do Administrators Say About Tenure?**

Dr. Michael Ward, former North Carolina Superintendent of Public Instruction, queried thirty superintendents in North Carolina and found they believed that far more tenured teachers deserved to be removed from the classroom than actually were. The rate of involuntary separation for tenured teachers in the study was 0.15%, while school leaders estimated that 4.1% of their faculty members should be dismissed for poor performance. Tenure itself may not be the barrier. The barrier in many instances may be the unwillingness of school leaders to confront the unpleasant tasks associated with dealing with performance problems (Ward, 1993). Ward’s study confirmed the widespread belief that tenured teachers who are incompetent are rarely dismissed. The protection from arbitrary dismissal clause found in most tenure policies is a particularly intriguing concept because of its enormous implications for true teacher professionalism (Marshall, Baucom, & Webb, 1998).

In a study conducted by Marshall, Baucom, and Webb (1998), it was purported that tenure has the potential to stimulate teachers to want to develop a reasonable commitment to education, although this commitment is rarely actualized. In working with tenured teachers, they found that tenure as conceptualized might serve more to stymie than to stimulate such a commitment. Most researchers have found that teachers perceive tenure simply as a guarantee of lifetime employment (Chapman, 1998; Clowes, 2003; Dillon, 2008; Glastris,
This element of job security induces many classroom teachers to lose sight of the notion of developing an impassioned, reasoned commitment to facilitating lifelong learning in themselves and their students.

The culture found in educational environments lends itself to teachers being less likely to be dismissed from jobs because of political reasons. Most of the teachers that work in local school settings often find themselves intimately connected with the community. Teachers often live in the same communities of their administrators, board members, colleagues, and students. This connection creates a relationship where administrators may feel hesitant to follow through with dismissal procedures when teachers are not effectively carrying out their duties. Schools evolve into a family atmosphere where everyone seems to want to assist and support each other. Teachers often will provide assistance to colleagues who are not working up to par. Unlike the corporate world where everyone is looking at the bottom line of productivity, it is less likely that administrators would want to get an ineffective teacher out of the school due to friends and community ties.

The Dismissal Process from State to State

It is worth noting that many teachers who are considered for termination are given the opportunity to resign. Administrators frequently believe that offering the opportunity to resign will save time and expense (Ward, 1993). Administrators consider this option more humane and less likely to have long-term effects upon the career of the individual. In one account from a lawyer, the history of a teacher was disclosed where the teacher had been employed and, in lieu of dismissal, resigned from five different school systems in North Carolina. Due to the shortage of teachers and the difficulty of finding teachers to teach in certain locales and subject areas, many teachers who are encouraged to resign are hired by
other school systems. This dilemma occurs because many administrators do not give honest and candid references. Other times, when schools are in a crunch to fill a vacant position at the last minute, they will take a chance on a high-risk teacher in hopes that the teacher may improve. In large school systems, teachers who are marginal are moved from school to school to try to hide their deficiencies.

In 1975, James Anderson conducted a study of teacher tenure in Wyoming. He surveyed school superintendents, school board chairs, local teacher association presidents, and members of the Wyoming State Legislature and found a large percentage of those surveyed were unsure of what tenure really is and what it does for teachers. He also noted in his study that the most important purpose of teacher tenure, as perceived by those responding to the research instrument, is to protect teachers from arbitrary dismissal or termination and to provide job security for teachers. Respondents to Anderson’s survey indicated that tenure would be necessary in the future in spite of due process rights being granted by the courts to non-tenured teachers (Anderson, 1975).

Elizabeth Duckworth (1997) studied the attitudes of 671 teachers and 114 administrators toward public school tenure for teachers. In her study, she sought to answer the following questions: (1) What are teachers’ and administrators' attitudes toward teacher tenure? (2) Are there differences between teachers’ and administrators’ attitudes toward teacher tenure? (3) What are the relationships among selected personal variables and attitude toward tenure within both teacher and administrator groups? Duckworth conducted this research by surveying randomly selected administrators and teachers in Virginia. Results from Duckworth’s study revealed that various attitudes toward teacher tenure exist among
teachers. Her study showed that some teachers favored tenure and others did not. Most administrators responding to the survey generally opposed teacher tenure.

From a sample of 150 principals and 150 superintendents in Illinois, Steve Webb (2006) found that both principals and superintendents believe that tenure affects the ability of schools to change and administrators to make decisions based on the best interests of students. Both groups agreed that tenure provided protection from politically, religiously, or personally motivated dismissal, as well as dismissal due to the educational performance of students (Webb, 2006).

One former district superintendent, Gerald Pound, believes that one of public education’s unfinished acts of reform is its unwillingness to eliminate antiquated and obsolete laws, regulations, and policies such as teacher tenure. He states that tenure is a holdover from a bygone non-unionized era, and it is high time to abolish it so that critical and essential improvements to public education can be made (Pound, 2000). Pound asserts that tenure is a legal, cultural, and philosophical block to reform, and the reasons for the elimination of tenure are:

1. Teacher tenure is redundant because laws already exist to guarantee due process for teachers who are experiencing difficulty in the classroom.

2. Tenure is poor policy for financial reasons because taxpayers pay teachers’ salaries that are then partially transferred to unions through the dues collection process, therefore, taxpayers bear the full costs associated with negotiating and maintaining labor contracts.

3. Tenure is a disincentive for some teachers to do more than meet the minimum expectation of their professional roles. For teachers who operate in the land of mediocrity, tenure is a great benefit.
4. The most important reason to abolish tenure is simply that it discourages change and improvement.

**What Have Study Groups Discovered about Tenure?**

The New Teacher Project examined teacher contracts in New York City, San Diego, and three anonymous urban districts and found that, due to seniority based transfer requirements and protections for tenured teachers, urban schools are forced to hire large numbers of teachers they do not want and who may not be a good fit for the job and their school (Levin, Mulhern, & Schunck, 2005). While procedures exist for removing teachers for just cause, most teachers have tenure as a matter of state law. There is an emotional cost to principals who try to remove tenured teachers. The Board of Education does not show principals how to prepare the necessary documentation. The burden of removing weak teachers has meant that principals often find it easier to shuffle poor teachers around the district than to remove them. In what has been termed “the dance of the lemons,” principals agree not to give a teacher negative evaluations as long as they agree to transfer to a new school the following year (Schweizer, 1998). In one eye-opening example, this study found one employee termination case took 13 years of litigation and cost the Ann Arbor Public Schools in excess of $350,000 in attorney fees and back pay for an ex-teacher who was imprisoned for murder. Teachers have been caught sticking children’s heads in toilets, reading the newspaper while children gambled in the back of the room, and missing months of school at a stretch, and yet kept their jobs. The New Teacher Project study discovered that only four teachers out of the 70,000 tenured teachers in those districts were terminated for poor performance. Frank Brogan, former superintendent in Florida, said that tenure was originally designed to protect the best teachers from wrongful termination. Today, it protects
the worst teachers from rightful termination (Hess & West, 2007). Teachers themselves agree that tenure protects those who should not be in the schools. Seventy-eight percent of teachers report that there are at least a few teachers in their schools who do not exhibit adequate classroom performance (Hess & West, 2007).

In a national mail survey conducted by Public Agenda (2003) entitled Stand by Me, most principals and superintendents said tenure does not mean that teachers have proven themselves to be very good and many teachers agreed with that point. The dilemma noted by most principals and superintendents is that while federal laws require schools to have highly qualified teachers in the classrooms, they question whether tenure keeps them from getting rid of teachers who are not good enough in the classroom. The Patchogue-Medford School Board in New York took a step to arbitrarily deny tenure to some teachers who qualified. This step was a change in the process that normally is one for the administration, the school superintendent, to recommend candidates for tenure. It is the board’s responsibility to accept these recommendations and then appoint candidates. Although this action taken by the board was indefensible, the board asserted that tenure makes removal of teachers too costly. If administrators and supervisors do their jobs, the need to remove teachers will be substantially reduced. It is the duty of these personnel to nip problems in the bud before and after tenure, and to help maintain teachers’ level of motivation and scholarship (Tiritter, 1995).

Bernstein (2006) asserts that lifetime teacher and administrator tenure cannot continue in its current form. The practice of granting lifetime tenure, after a probationary period as brief as two or three years, is unacceptable. School administrators need significantly more time to observe and evaluate the performance of new teachers.
Most of America’s public school teachers (58%) believe tenure protects teachers from district politics, favoritism, and the threat of losing their jobs to newcomers who would earn less, as noted by the Public Agenda survey results. Yet a majority (58%) of teachers also admits that being awarded tenure does not necessarily mean such teachers have worked hard and proven themselves to be very good at what they do. One union official admitted to defending tenured teachers who should not even be pumping gas. In its findings, based on responses from 1,345 teachers, the Public Agenda survey found that teachers acknowledge that getting tenure is neither a long nor difficult process. Seventy-three percent work in districts that make tenure available after three or four years.

Teachers also recognized that tenure sometimes protects the incompetent. Nearly eight in 10 said there are at least a few teachers in their building who fail to do a good job. Over a third (36%) of teachers said that it is too hard for administrators to remove any but the very worst teachers. Teachers in the study felt that vulnerability and fear of politics and cost cutting seem to outweigh the inclination toward change. Almost six in 10 (58%) said tenure protects teachers from district politics, favoritism, and the threat of losing their jobs to newcomers who could work for less. Only 23% thought that good teachers do not have to worry about tenure and only 23% said everyone would be better off if the union stepped aside and let the administration fire incompetent teachers. The study found that teachers are divided on their willingness to trade the benefits of tenure for higher pay. Among those who have tenure, 28% would trade it for a $5000 pay hike, and the same number would consider it if the increase were a lot higher. Just over a third (34%) would rather hold on to tenure.

Although many teachers blame administrators for not weeding out incompetent teachers, the Public Agenda report suggests another factor may be much more important:
union representatives who function much like criminal defense attorneys and defend their clients to the end. Besides helping incompetent teachers keep their jobs, tenure also helps all teachers build up seniority, a very important consideration in teaching (Clowes, 2003).

When examining teacher tenure from the perspective of school administrators and boards of education in Illinois, Kersten (2006) found that they face substantial obstacles to implementing effective teacher evaluation and dismissal, particularly with faculty members who are perceived as mediocre or below average performers. The obstacles identified by the participants in Kersten’s study include state teacher tenure laws, collective bargaining agreements, and teacher unions that typically resist most attempts to dismiss teachers. School administrators who are primarily responsible for leading the school-level improvement process identify teacher unions and state tenure laws as significant impediments to bringing about productive change (Kersten & Israel, 2005).

The dismissal of tenured teachers has been a great concern throughout the United States. A recent study of tenure teacher dismissals in New Jersey showed that not one of the 10,000 teachers in Bergen County had been terminated through the tenure-hearing process in the past decade (Johnson, 2002). In California, the governor supported the Putting Kids First Act that revised the state teacher tenure law to expedite the dismissal of ineffective teachers (IGS, 2006). In New York, a legislator said, “Our tenure laws protect ineffective and unmotivated teachers and administrators. Removing a tenured employee from his or her position is so difficult, expensive, and time-consuming that for all intent, it is impossible” (Chapman, 1998, p. 1).
What Do The Professional Organizations and Unions Say About Tenure?

Bob Chase, former President of the National Education Association (NEA), says if administrators were evaluating teachers regularly, accurately, and fairly, and building a case against the failing teacher, there would be no failing teachers. In practice, though, many teacher evaluation systems are not working because administrators are overwhelmed with other duties (Chase, 2000). Chase contends that tenure laws do not protect bad teachers. He believes that tenure protects good teachers from being treated badly.

Illinois Education Association President Ken Swanson has dismissed the belief that tenured teachers are rarely fired and asserts that it is nothing more than an urban legend. In 2005, a reporter for a small newspaper challenged Swanson’s claim and filed 1,500 Freedom of Information Act requests over the course of six months to determine how many of the state’s tenured teachers have been dismissed in the past 18 years. Over that period which began in 1986, two teachers per year were fired in the state for poor performance. These figures were from a state that employed more than 95,000 tenured teachers (Reeder, 2006).

The NEA-Alaska (2005) summarized the teacher association’s position on tenure. They argued that state teacher tenure laws:

1. Do not protect teachers from dismissal but rather guarantee an impartial hearing that ensures teacher due process rights.

2. Protect effective teachers from dismissal and replacement by less qualified, politically connected new teachers.

3. Protect the academic freedom of teachers, which allows them to discuss a wide range of perspectives and encourages a free exchange of ideas.
4. Allow teachers to exercise their professional judgment rather than teach in lockstep.

5. Provide the security to take instructional risks that may lead to school improvement and ultimately increased student achievement.


7. Encourage administrators to develop faculty members rather than simply dismiss them.

8. Are not responsible for ineffective teachers; rather poor evaluation processes and inadequate administrator evaluation practices are the cause.

The American Federation of Teachers agrees that ineffective evaluation processes and lack of thorough teacher evaluation by administrators are the real culprits (Shanker, 1996). The AFT notes that the responsibility to complete accurate and comprehensive teacher evaluations belongs to administrators (Dougherty, 2005). Administrators are required to complete specific training in teacher supervision including the identification of teacher deficiencies and strategies to help them improve. The AFT espouses the belief that the probationary period prior to teachers attaining tenure is adequate to determine a teacher’s effectiveness. If at some point an administrator believes a dismissal is warranted, the tenure law provides a well defined, objective teacher dismissal process without impinging on the teacher’s due process rights.

Most teachers believe that tenure is a coveted and often misunderstood right and not a guarantee of lifetime employment. It assures fair treatment, including intervention for teachers who may be struggling to reach students. In an article in the Washington Post,
Feller (2004) revealed that tenure guarantees that public school teachers who have this protection can only be fired for legitimate cause and due process. Penny Kotterman, a special education teacher and president of the Arizona affiliate of the NEA, stated in a meeting of educators that tenure protects teachers against false accusations, against politically trumped-up charges, and against people who insist you must teach a certain way or risk getting fired.

Randi Weingarten (2008), who heads both the AFT and the New York City teachers union and is one of the more progressive union leaders, has declared the seemingly impossible: that tenure is a legitimate issue for negotiation. Teachers deserve meaningful job protection. Senior teachers should feel safe from administrators who could save money by hiring lower-paid beginners and from parents who can turn vindictive when they do not get their way. Instead of sheltering weak instructors, though, teacher contracts should specify fair and effective ways of assessing their performance -- and ushering them out the door if necessary (Weingarten, 2008). Weingarten counters opponents’ beliefs about tenure being lifetime job security. She says that tenure only guarantees teachers a fair hearing before they can be disciplined or fired.

The AFT in the District of Columbia was hostile to former school district Chancellor Michelle Rhee's proposal to give a big pay raise to teachers willing to give up tenure. Relinquishing tenure is not the radical step it might seem; it would be voluntary and only the district's high performing teachers would participate. At least it would set a precedent that might lead to further change (Dillon, 2008). Rhee thinks teacher tenure may be great for adults, those who go into teaching to get summer vacations and great health insurance, for instance. However, it hurts children, she says, by making incompetent instructors harder to
fire. Tenure is the Holy Grail of teacher unions, according to Rhee, but has no educational value for kids; it only benefits adults. She suggests putting veteran teachers who have tenure in schools where there is a small percentage of veterans to help increase the number of qualified teachers in the school.

In a 2008 survey conducted by the Education Sector, a non–partisan think tank, more than half the teachers responding believe it is too difficult to weed out ineffective teachers who have tenure. Nearly half the teachers also indicated that they personally know of ineffective teachers. About 70% of the teachers in the survey said receiving tenure was just a formality that has little to do with teacher quality. Teachers believe that even the best schools have teachers who should not be there, but it takes a lot for a principal to dismiss them. Most teachers think the evaluation process for new teachers should be strengthened to keep weak teachers from becoming entrenched. Only a quarter of the teachers surveyed said their own evaluation was useful and effective (Duffett, Farkas, Rotherham, & Silva, 2008).

**Why Not Collective Bargaining?**

In a conversation with Dr. Kevin Brady about teacher tenure, it was noted that because teachers work in North Carolina under the right to work law, they could not negotiate salaries or working conditions. Coming from a northern state where teachers often led strikes in protest of low pay, the professor stated that it would be important to gauge what teachers feel about having the right to collective bargaining. North Carolina teachers are protected under The Teacher Tenure Act and collective bargaining is not an option for teachers.

The history of collective bargaining in the public schools began with early attempts to organize labor in the private sector. The National Labor Relations Act (Wagner Act), passed
in 1932, guaranteed the right of private employees to form and join unions to bargain collectively (Sharp, 1993). Collective bargaining laws evolved to provide employees with coverage in the following areas:

1. The right of public employees to organize;
2. The right to be represented in collective bargaining by a representative of their choice;
3. A procedure to determine representative questions;
4. Rules for the duty bargain obligation for both employees and employee organization;
5. A definition of Unfair Labor Practices and procedures for setting these;
6. Procedures for settling impasse: mediation services, fact finding, and arbitration;
7. The right to strike in some states;

The vast majority of states have extended this right to public employees, including teachers at public school districts. Teacher unions are relatively new organizations, among the last employee groups to seek and receive the right to collective bargaining (Cooper, Fusarelli, & Randall, 2004). Many states require school districts to bargain collectively with teachers who have formed a union. Other states require districts to meet with teachers' representatives. Some states expressly prohibit collective bargaining by public school teachers or other public employees (Murphy, 1990).
The First Amendment of the Bill of Rights provides, "Congress shall make no law . . . prohibiting . . . the right of people peaceably to assemble." This right, as applied to the states through the Fourteenth Amendment of the Constitution, has been interpreted to give teachers and other employees the right to free association, including the right to join a union, such as the National Education Association or the American Federation of Teachers. However, the Constitution does not grant teachers the right to bargain collectively with employers. This right is based on applicable provisions in state constitutions, federal statutes, or state statutes. Similarly, teachers do not have a constitutional right to strike, though other federal law or state law may permit teachers to strike.

Fundamentally, collective bargaining provides teachers with more say in the conduct of their work, more pay, and greater job security. According to Murphy (1990), in states that had collective bargaining, “teachers were no longer told when they had to appear at school and when they could leave, surprise faculty meetings after school disappeared, and administrators could no longer appear suddenly in a teacher’s classroom. Teachers still had to report to school at a prescribed time, they still had to attend meetings, they still had to welcome in outsiders in their classes, but what changed was the arbitrariness” (p. 209).

Of the two teachers’ organizations, the American Federation of Teachers was the first to embrace collective bargaining. The National Education Association thought that collective bargaining would destroy the image of professionalism espoused by its organization. Instead of striking, it was more in the style of the NEA to declare profession day strikes, where teachers would call in sick for one day (Reeder, 2006). The AFT wanted to make it clear that collective bargaining was a vital part of the profession for its members
because there was a big difference between the way that most locals were bargaining (by attending school board meetings and making formal requests, which were often ignored) and the way most unions bargained, with formal negotiations within a limited time frame.

A wide range of provisions may be negotiated in collective bargaining between teachers' unions and school districts. Some subjects are mandatory, while others are merely permitted or even prohibited. State law governs the appropriateness of subjects to be bargained. The following are some of the matters that are often the subject of this bargaining:

1. Academic freedom
2. Curriculum
3. Wages and salaries
4. Training
5. Hours, workload, and teaching responsibilities
6. Tenure and probationary period
7. Promotion
8. Reappointment
9. Reclassification and reduction
10. Evaluation procedures
11. Grievance procedures
12. Personnel files
13. Student discipline
14. Retirement benefits
15. Sick leave

16. Leaves and sabbaticals

As a state with right to work laws, North Carolina is one of 22 states that have some type of restriction on collective bargaining. Of those states, North Carolina, Texas, and Virginia explicitly stipulate that districts may not collectively bargain (Hess & West, 2007).

Summary

Chapter Two examined the research and literature associated with teacher tenure. While there are mixed positions surrounding teacher tenure, it is important to note that many administrators feel that tenure is not necessary and see it as a possible barrier to academic improvement. Proponents feel that tenure is essential to protecting teachers in the political climate of today’s society. They feel that teachers must have some type of protection from arbitrary and capricious action on the part of administrators. Opponents believe that tenure is a lifetime right to a job and after a period of time, teachers may become complacent and no longer effective in the classroom. A very important aspect of the literature that was examined was collective bargaining. North Carolina is a right to work state and therefore The Teacher Tenure Act is the primary piece of legislation in place to protect teachers from arbitrary and capricious actions. Collective bargaining is not an option for teachers in North Carolina.

In conducting the literature review, there was a significant amount of research data on teacher tenure from the perspective of superintendents, principals, and board members, but there was little information about tenure from a teacher’s perspective. This study will contribute to the body of literature when examining teacher tenure from the perspective of
teachers and provide policymakers with a more in-depth look at the impact of tenure when revising policies and procedures.

In Chapter Two, the researcher reviewed the literature regarding teacher tenure and outlined the positive as well as the negative beliefs about tenure.

Chapter Three will outline the methodology used to study the perceptions of tenured teachers in North Carolina including the research design, sample selection, data collection, and data analysis.
CHAPTER THREE

Methodology

Chapter Three delineates the methodology of this study. A qualitative research design was chosen to conduct this research because the researcher wanted to investigate the Teacher Tenure Law in North Carolina and how teachers perceive its impact on them. The aim of qualitative methods is to study things in their natural setting, attempting to make sense of, or interpret, phenomena in terms of the meanings people bring to them (Denzin & Lincoln, 1994). Qualitative research allows a researcher to study subjects within their natural environment, their perceptions, and the way in which they “come to understand, account for, take action, and otherwise manage their day-to-day situations” (Miles & Huberman, 1984, p. 7). The advantage of this approach is to capture the stories of the participants from their perspective (Flick, 2002).

The qualitative approach chosen for this study is phenomenology. This type of study is designed to “explore the meaning of several people’s lived experiences around a specific issue or phenomenon” (Hancock & Algozzine, 2006, p. 8). In this case, the collective shared experience is tenure. This method was chosen because it is important to tell the story of teachers and their perspective as seen through their lenses.

This chapter describes the methodology that guided this research, addressing phenomenology, participants, data collection, the research instrument, data analysis, trustworthiness, and the limitations of the study.
Research Design

Fauske (2000) states that the key to a good research design is to strive to have a meaningful research question. The researcher developed an overarching question to guide this study, as noted in Chapter One: What are the perceptions of North Carolina public school teachers toward the Teacher Tenure Law?

In order to draw from the wisdom and insight of tenured teachers, the researcher decided on a qualitative phenomenological study design to gain a better understanding of how teachers feel about the Teacher Tenure Act in North Carolina. Qualitative research examines life experiences in an effort to understand and give them meaning. Phenomenology is one of many types of qualitative research that examines the lived experience of humans.

Phenomenology

Phenomenology has its origins in the thinking of the German philosopher Edmund Husserl and the French phenomenologist Maurice Merleau-Ponty, that which Crotty (1996) calls the classical phenomenologist approach. The purpose of the phenomenological approach is to illuminate the specific, to identify phenomena through how they are perceived by actors in a situation. Husserl held that human experiences of phenomena appear in the consciousness and can be examined by setting aside all forms and levels of personal presuppositions, biases, prejudgments, values, and other filters through which experience is normally channeled to make human meaning (Moustakas, 1994). Phenomenological research “is illuminated through careful, comprehensive descriptions, vivid, and accurate renderings of the experience, rather than measurements, ratings, or scores” (Moustakas, 1994, p. 105). In the human sphere this normally translates into gathering deep information
and perceptions through inductive, qualitative methods such as interviews, discussions, and participant observation, and representing it from the perspective of the research participants (Lester, 1999). Pure phenomenological research seeks essentially to describe rather than explain, and to start from a perspective free from hypotheses or preconceptions.

The researcher has chosen this approach to examine teacher tenure because phenomenological methods are effective at gathering the experiences and perceptions of individuals from their own perspectives. The important point of a phenomenological study is to describe the meaning of a small number of individuals who have experienced the phenomenon (Creswell, 1998). Adding an interpretative dimension to phenomenological research, enabling it to be used as the basis for practical theory, allows it to inform, support, or challenge policy and action (Lester, 1999). Moustakas (1994) believes that phenomenology attempts to eliminate everything that represents a prejudgment or presupposition. Phenomenology requires one to look at things openly, undisturbed by the habits of the natural world. Phenomenology will challenge the researcher to describe teacher tenure as perceived by the study participants and to understand meanings and essences in light of intuition and self-reflection. Meaning is created as the object appears in our consciousness. According to Moustakas, “what appears in consciousness is an absolute reality while what appears to the world is a product of learning” (p. 27).

**Research Participants**

In a phenomenological study, the access issue is limited to finding individuals who have experienced the phenomenon. Because of the in-depth nature of extensive interviews with participants, it is convenient for the researcher to obtain people who are easily accessible (Creswell, 1998).
The human resource office of three school systems within a 20 miles radius to the system where the researcher works were contacted by letter and email to explain the study and to seek the names of teachers to participate in this study. The researcher looked for tenured teachers with at least 10 years of teaching experience. Ten years was chosen as the amount of time for the participants to have worked in education with tenure status in order for them to have had time to experience the benefits of the phenomenon. After a list of participants was identified, letters or emails were sent to 30 tenured teachers explaining the study’s purpose and asking them to volunteer to participate in the study. Once a response was received from the letters or emails, the researcher contact the respondents by phone to provide additional information about the study and to determine if they meet the purposeful sampling criteria to participate in the study. The study’s participants were chosen from two of the school systems because there were scheduling conflicts with the participants from a third school system.

The use of purposeful sampling was employed to make sure that participants were deliberately selected in order to provide important data that cannot be gotten as effectively from other sources. Participants in this study were comprised of 12 career status teachers with at least 10 years of teaching experience in a K-12 setting in public school systems of North Carolina. These participants represented a purposeful sample of teachers that included 11 females and one male from various ethnic backgrounds. Snowball sampling was used because some of the participants knew of other teachers they work with who were able to add to this study. To strengthen this study, tenured teachers who have previously worked in a state where teachers could engage in collective bargaining were interviewed.
After the participants were identified, meeting times and locations were discussed to begin the interview process. The researcher made a concerted effort to establish a sense of trust with the participants so that they can be candid in the sharing of information. Personal background information of the participants was altered and their names will be changed to protect their privacy. Advance informed consent forms were obtained from each participant in the study. Confidentiality was assured throughout the study. Participants were free to withdraw from the study at any time they felt uncomfortable.

**Research Instrument**

The researcher served as the primary instrument for data collection and analysis. As Merriman (1992) has observed, although qualitative studies utilize a broad range of information gathering techniques, the researcher is the primary instrument of data collection and analysis. The researcher used in-depth, open-ended, and semi-structured interview questions to facilitate data collection and analysis.

**Data Collection Procedures**

For this study, the researcher used interviews to collect data. Interviews were scheduled in the participants’ setting of choice and face-to-face to allow the researcher to discern the nuances in both the verbal and non-verbal responses of the participants. Informed consent forms were obtained from the North Carolina State University’s Institutional Review Board and each participant was identified through purposeful sampling to insure that they would have the characteristics needed to fit the sample criteria for the study. Each interview lasted from 45 minutes to more than one hour. In-depth, open-ended, and semi-structured
interview questions were used to collect data for this study (see Appendix A). In addition to posing predetermined questions, researchers using semi structured interviews ask follow-up questions designed to probe more deeply issues of interest to interviewees (Hancock & Algozzine, 2006). Research questions were designed so that the participants’ answers may contribute to an understanding of the phenomenon of career-status teachers’ perceptions about tenure and the Teacher Tenure Law. The interview questions were reviewed by a panel of teachers and administrators not associated with the study in order to gain and incorporate feedback on the clarity and relevance for gathering the desired data.

These semi-structured interviews consisted of open-ended questions, designed to explore general topics in order to gain information in the participants’ “own words as well as to develop insights on how subjects interpret some pieces of the world” (Bogdan & Biklen, 1982, p. 135). With expressed consent of the participants all interviews were audio taped and transcribed later for analysis. Descriptive field notes were taken during the interviews that included facts, quotes, and key words. The researcher kept a personal log to maintain reactions to information gathered during the interviews.

Data Analysis

After the interviews were completed, the interviews were transcribed by the researcher in order to analyze the data. Each participant’s interview was transcribed. The researcher made analytic notes from the transcriptions, looked for relationships and patterns, and attempted to fit them into themes and categories. The analysis process involved rereading the transcriptions and comparing the responses of all the participants. The
researcher looked for key words or phrases, time, relationships, feelings, and perceptions. This information was maintained on the computer in a spreadsheet to help code and re-categorize new concepts. The analysis of the data was completed in six phases: (1) organize the data; (2) generate categories, themes, and patterns; (3) code the data; (4) apply the ideas, themes, and categories; (5) search for alternative explanations; and (6) write and present the report.

One of the ways that the data was analyzed was by drawing up a list of coded categories and placing segments of transcribed data into one of the categories. Miles and Huberman (1984) suggest analytic techniques such as rearranging the arrays, placing the evidence in a matrix of categories, creating flowcharts, or data displays, tabulating the frequency of different events, using means, variances, and cross tabulations to the relationships between variables, and other techniques to facilitate analysis. In an effort to describe the perspectives, beliefs, and practices of the tenured teachers, the researcher used inductive reasoning to analyze the data in search of relationships and themes.

Throughout a phenomenological study, the researcher must accept what is revealed and present it in that way. In phenomenological studies, the researcher must abstain from making suppositions, focus on a specific topic freshly and natively, construct a question or problem to guide the study, and derive findings that will provide the basis for further research and reflection (Moustakes, 1994).
Trustworthiness

Instead of answering the questions of validity and reliability, since this study is a qualitative case study, this researcher addressed trustworthiness, credibility, dependability, and consistency. To address these areas, the researcher asked for clarification during the interviews to make sure that the information was accurately captured. After the interviews had been transcribed, the participants were given the opportunity to review the data to suggest corrections, additions, and comment on interpretations (member checking). Efforts were made to establish a relationship with each participant to build a sense of trust between the teacher and the researcher. Ethical consideration included confidentiality of data, anonymity of participants and sites, and informed consent. Each participant was given an abstract of the research study and a consent form that explained the research protocol.

Subjectivity Statement

After having worked in a public school setting for more than 30 years, the researcher was keenly aware of the biases and the impact they might have had on this study. The researcher attained teacher tenure in 1983, upon the successful completion of four years of teaching at the elementary level. Sharing the same sentiments of most of his colleagues, the researcher felt very relieved to have accomplished the milestone of becoming a tenured teacher. It did not make him feel any more secure at the time because it was during the time where there was a shortage of teachers and job opportunities for teachers in small rural school systems were always available.

After working eight years as a teacher in a public school in North Carolina, the researcher decided to return to school to get a Master of Arts in Education degree (MAED)
and a principal’s license. Once he received his principal’s license, he became an assistant principal in an elementary school. This position placed him in a leadership position where he had to supervise and evaluate teachers. In this position, he found a variety of teachers at different stages of their careers. There were novice teachers who were just beginning and teachers with 30 plus years in the profession. It was somewhat difficult to differentiate the mindsets of probationary teachers and career teachers because most of them were committed and dedicated to teaching.

In 1992, the researcher received his first appointment as a school principal. Working in a small school in rural North Carolina, he found that there were also a number of teachers on staff with varying years of teaching experience. During the classroom observations, the researcher found most teachers to be very hard workers. As a principal, he was one of the last groups of administrators to attain career status before the law was discontinued for administrators in 1995.

Stake (1995) reminds qualitative researchers that “the person most responsible for interpretations to be in the field, making observations, exercising subjective judgment, analyzing and synthesizing, all the while realizing their own consciousness” (p. 41). It is imperative that the researcher maintain a professional relationship with the participants. While they realized that he is a school principal, it was very important to develop their trust and confidence so they could be truthful and honest when responding to interview questions.

As the researcher collected, analyzed, and reported the data, he had to be very cognizant of any preconceived notions and biases held about teaching, teachers, and career status. The researcher’s belief has always been that if teachers are dedicated, committed, and qualified to teach they should feel confident in fulfilling their professional responsibilities
and not be concerned with job security. Reprisals from principals should not interfere with teachers performing their statutory duties. During the study, the researcher strived to see the experiences of the participants from their points of view and made a concerted effort not to transfer any experiences or opinions upon them.

**Limitations of the Study**

This study will contribute to a very small, understudied field of research on the topic of teacher tenure and how teachers in North Carolina perceive it. Most research on the topic of tenure is done from the perspective of higher education. This research assesses the perceptions of selected K-12 public school teachers. The participants involved in the study did not have a clear understanding of the significance of teacher tenure. While selecting the school systems from which teachers were selected was purposeful, the climate, perceptions, culture, and leadership may have had an impact on the views of the teachers. Because the researcher followed purposeful sampling procedures, the findings of the study cannot be generalized to the population of K-12 tenured teachers in North Carolina or beyond. The small sample size also created a limitation to this study because sampled teachers may not reflect the diversity of viewpoints on this issue. The school districts from which the teachers were chosen may be a limitation because of the politics, culture, and customs established in those districts. The total reliance on the interview data and the anecdotal notes of the researcher and the absence of data against which the participants’ statements might be triangulated are also acknowledged as limitations of the study. The possibility that the teachers told the researcher, a school-based principal, what they think he wanted to hear may have impacted the data.
Summary

The purpose of this study was to look at teacher tenure from teachers’ perspectives in North Carolina. This study was chosen because much research has been conducted from the perspectives of principals, superintendents, and school board members but there is not a large body of literature available from the teacher’s point of view. With the current focus on public education and the need to reevaluate the effectiveness of public schools, it is important to look at teacher tenure. Teacher quality is imperative to a sound education and the ability to get and maintain a top notch teaching force.

Chapter Three focused on the methods that were used to conduct this qualitative research. The researcher used interviews to gather data from a purposeful sampling of twelve tenured teachers in public school systems in North Carolina. The findings will be discussed and reported in Chapter Four.
CHAPTER FOUR

Findings

Chapter Four discusses the findings for the research question: What are the perceptions of some veteran teachers in North Carolina public school systems toward the North Carolina Teacher Tenure Law? This chapter presents the profiles of the participants and their perceptions. It also analyzes the interviews of the participants and shares themes from the interviews. The data has been written in both aggregate terms and individual responses. Individual responses and the use of direct quotes from the participants are important because they capture their perceptions of being a tenured teacher in a public school in North Carolina. The data analysis process for this is characterized by four general elements including description, classification, interpretation, and presentation of the data as outlined by Creswell (2007).

The focus of this study determined the perceptions of teachers’ views on tenure, collective bargaining, and employment rights as they relate to teaching in North Carolina. A qualitative, phenomenological approach was utilized to gain an in-depth understanding of the experiences of tenured teachers. This qualitative study consisted of interviews of tenured teachers who have been in education for at least 10 years. The decision to select tenured teachers with at least 10 years of experience was made to offer a more defined perspective from which they have experienced tenure.

The Participants

In order to select participants for this study, three school systems in central North Carolina were contacted to get approval for the teachers to be contacted by the researcher.
The researcher emailed two superintendents and one assistant superintendent to share the purpose of the study and how it would involve teachers.

Contact was first made with the assistant superintendent of human resources of the first school system to get approval to talk with teachers in that system. He said that it would require the approval of the superintendent. He asked the researcher to email him and the superintendent the purpose of the study and what would be expected of the participants. Once the superintendent received the email, he emailed his approval back immediately supporting the study and only asked that any contact with teachers not interfere with instructional time. This superintendent said to contact the principals and let them know the study had his approval and to ask for teachers to participate in the study.

The second school system was called to talk with someone about conducting research with teacher participants in that system and the researcher was connected with the administrative assistant to the superintendent. The administrative assistant asked the researcher to email a copy of the purpose of the study. She called back and stated that the superintendent had questions and wanted to discuss the study in greater detail. She also stated that he wanted a copy of the interview questions. After sharing additional information with the superintendent, he gave the researcher the approval to talk with the teachers. This superintendent contacted the principals and had his administrative assistant compile a list of teachers for the researcher to contact as possible participants.

The assistant superintendent was the point of contact for the third school system. The researcher called and was directed to the assistant superintendent. After explaining the purpose of the study, the assistant superintendent was very receptive of teachers from his system participating in the study. The assistant superintendent stated that an email to the
principals would probably not get a good response rate, therefore he suggested that instead of emailing them to make direct phone contact with them and ask them for names of teachers to contact in the system.

Once the list of teachers was compiled from the three systems, the researcher made contact with 30 teachers to secure participants. The researcher excluded the participants from one of the school systems because of scheduling conflicts, time constraints and distances.

Purposeful sampling was used to identify the teachers to participate in the study. The participants were selected based on the criteria of having at least 10 years of experience of teaching and being tenured in North Carolina. Preference was given to teachers who were tenured and also had previously worked in a state where teachers could engage in collective bargaining. Snowball sampling evolved and was due to some teachers being selected after being recommended by other teachers who were interviewed.

All teachers who were identified wanted to be interviewed at their school. Interview questions were emailed to the teachers once the interview time was established. The interviews were held in the classrooms, workrooms, or conference rooms of the schools. After the purpose of the study was reviewed and the informed consent form was signed by the teacher and the researcher, the interview began. The interviews lasted from 45 minutes to more than one hour. With approval from the participants, all interviews were recorded using a digital audio micro recorder. The participants were assigned fictitious names to protect their identity.
Participant Profiles

Ms. Appleton

Ms. Appleton is a tenured teacher who has worked for 29 years. She worked 23 years in Virginia and six years in North Carolina. She is a chemistry and biology teacher at the middle school level. Ms. Appleton serves as a peer helper and she is chair of the science department. Ms. Appleton was very proud to say that she is a member of the North Carolina Association of Educators (NCAE). The interview was held in Ms. Appleton’s classroom during her planning period. All teachers have an hour set aside for planning and that was the time that was most convenient for her. Ms. Appleton represents the epitome of a classroom teacher. She presented a strong classroom presence. Her smile was broad, her voice was very strong, and she spoke with confidence and assurance. She saw herself as a dedicated teacher who “goes beyond what is expected because I want my students to learn.” She said, “I work hard because I want my students to grasp the concepts.” Her impression on tenure is,

“I am a dedicated teacher. My thing is this; after you become tenured you cannot just sit back and relax. Every day I plan for my class. For me, tenure is good but it does not mean you cannot get fired. You cannot half step and not do your job.”

Ms. Babbleton

Ms. Babbleton is an 18-year teacher who has always taught math at the middle school level. She started out at a teacher assistant in a school system in Virginia before completing her course work and requirements to become a teacher. She has a Master of Arts degree and is a nationally board certified teacher. Upon meeting Ms. Babbleton, she was finishing a class activity with her students. All the students were attentive and engaged in the lesson.
She said her planning period was later in the day so she would be available for the interview at that time. Upon returning for the interview, Ms. Babbleton was found in the office area assisting parents. She also had a parent conference scheduled with her team members so she brought the researcher to the workroom to wait until she returned. Upon arriving in the workroom for the interview, Ms. Babbleton was very pleasant and cooperative with the researcher. She was vibrant and had a warm presence. She was interested in knowing more about tenure because she said,

“I do not know much about tenure. I looked it up on the internet but it was very vague. Tenure does not make a difference in my performance. What makes a difference for me is having the desire to teach. Tenure does not have anything to do with that.”

Ms. Carlton

Ms. Carlton has been teaching language arts for 24 years at the high school level. She has received tenure in two counties. Prior to working in North Carolina, she worked a year and a half in the state of Maryland. She is very active in her profession. She goes to workshops and shares with her staff members. Ms. Carlton is very quiet and reserved but her passion for teaching exudes through her conversation. She is very passionate about teaching and feels that it is her mission in life to teach. She has always wanted to be a teacher and “never wanted to do anything else.”

Ms. Carlton is glad to have tenure but, because she has tenure she

“will not let my guards down. I must give the kids my best efforts. Tenure does make me feel like I have achieved or accomplished something. It gives me a little more job security.”
While Ms. Carlton appreciated the idea of teachers having the opportunity to collectively bargain for pay and working conditions, she is a member of NCAE and says that she would prefer to stay in the classroom and teach students, rather than “being on the front lines, fighting for rights.”

**Ms. Dalton**

A middle school eighth grade math teacher and department chair, Ms. Dalton was very happy to participate in this study because she said that she is always happy to share her thoughts as they relate to teaching and learning. Ms. Dalton is a native of the county where she works. Recognized as a North Carolina Teaching Fellow in high school, she has returned to the school where she graduated and has taught in school for 12 of the 15 years that she has been teaching. Ms. Dalton wears several hats in the school. She is a support coach, peer coach, and mentor. She is certified as a teacher cadet and is a nationally board certified teacher. Currently, Ms. Dalton is in a cohort group, working on a Master of Arts degree in school administration.

Ms. Dalton understands that tenure provides teachers with due process. She said that although she does not know all the specifics about tenure, “if a teacher is having problems, the principal must follow the steps for dismissal. The principal must document areas that need improving and give the teacher a chance to improve.”

Looking at tenure from a personal perspective, Ms. Dalton remembered having a veteran teacher who had been at the school for a long time and when she got in the ninth grade she had that teacher. Her experience was “that teacher did not do a good job with providing us with the information we needed for the course. The class was always in an uproar but nothing was done. The principal came in and checked on the teacher but she did
not change.” Ms. Dalton said that at the end of the year the teacher left. She is not sure what happened to the teacher.

Ms. Eggleton

A cosmopolitan teacher who has worked in numerous states, Ms. Eggleton came into the position that she has now after her husband died. She started teaching in the Wake County schools while her husband was in seminary school. Once he completed his studies he accepted an assignment in Virginia, where she worked in the Tidewater area for two years. When he was moved to a church in Nashville, Tennessee, she was able to get a job teaching in Nashville. Ms. Eggleton also worked in Jacksonville, Florida and in the inner city of Cleveland, Ohio. Her husband’s death led her back to central North Carolina and to the high school where she currently works.

When asked about tenure, Ms. Eggleton is quick to share that she has always been a part of a professional organization. She stated that:

“I have always been a part of NCAE and American Federation of Teachers (AFT) wherever I have worked. I do not know a lot about tenure but I depend on my professional organizations to fight for the rights of teachers.” We moved to Cleveland, Ohio in November and when I applied for a job I had to go through the teacher’s union. They had a strong teacher’s union. They would take your application and match you with a job that was available. The AFT controlled the hiring of teachers. They also fought for salaries, class size, working conditions, and other things.”

A high school teacher, with more than 25 years in the public schools of North Carolina, Ms. Eggleton has always worked with diverse populations. She credits her
experience of working in so many different places with making her a motivated and inspired teacher. Her goal is to make sure that her students learn. She has a love for teaching and believes that teachers have to “motivate students and let them know you care about them.” She is proud of the fact that two of the students that she taught were named Gates Scholarship recipients and received a full ride to college.

Ms. Fulton

Armed with 32 years of experience teaching home economics and consumer science at the same school her entire career, Ms. Fulton was recommended to be a participant because one of her colleagues wanted to make sure that her voice and perspective were shared. Ms. Fulton works at the same middle school with her husband. She was glad to participate in the study because according to her, “I am outspoken and do not mind speaking my opinion. Everyone around here can tell you that, if you were to ask them about me. That would be the first thing they would say because I tell it the way it is.”

While in the ninth grade, Ms. Fulton decided that she wanted to be a teacher. Upon completing her Bachelor of Arts degree, she was hired in the school where she is currently working. She met, and soon thereafter, married her husband when she first started working at the school. Ms. Fulton feels that “I am the best at what I do. After I attained tenure, I did not slow down and after all these years, I still have not slowed down. I always look for ways to improve. Some people relax and stop trying to improve. I am the opposite. I work harder.”

Ms. Fulton says that she enjoys teaching. She has always had a love for teaching. Although she has been plagued with health issues and her doctor has suggested that she slow down, she still continues to give her best each day. She shared that she
“takes students to competitions. My students compete at the state and national levels. During my wedding anniversary last year, I took one of my students to a competition and she came in second place and that meant a lot to her and it meant a lot to me to see the joy that she had when she represented our school and placed.”

Ms. Gaston

A nationally board certified, elementary school teacher with 16 years of experience, Ms. Gaston has worked at her school for her entire career. During her 16 years, she said that she has worked under the supervision of seven principals, each having “his or her own unique leadership style.” Her experience at the elementary level has been very relaxed because she feels “very confident in my craft.” Ms. Gaston says that she has learned to “work smarter and not harder.” “I have put some systems in place. I know what it is that I need to do. I know what my students are expected to learn in second grade so I organized things to make it possible for me to be proficient as a teacher” stated Ms. Gaston.

“I do not worry about having tenure because I am going to do what I was hired to do. I want to teach the children from my community because I want them to be successful when they become adults. I work really hard to make sure my students can read, do math, think critically, and problem solve. I want them to be able to get along with others, and that is a problem that we have to deal with every day, because a lot of our students come to school and do not know how to make good choices.”

As a tenured teacher, she says it is a good feeling to have achieved tenure status. “Tenure makes you feel that you have accomplished a particular status,” according to Ms. Gaston. Ms. Gaston received a Master of Arts degree in elementary education and is thinking about getting a principal’s license.
**Ms. Hilton**

Ms. Hilton is a nationally board certified elementary school teacher. She has been a teacher for 17 years. She also is a certified reading teacher. She worked in another county briefly before receiving tenure in the county where she is now working. Ms. Hilton feels that “tenure can be a negative thing if teachers do not keep trying to grow. If they do not continue to motivate the children, it would definitely have negative effects.” As a teacher, Ms. Hilton feels that she “always strive to do things in a better way to help my kids. I try to make sure my kids are learning. Although I do not know about it happening here, I am sure a lot of teachers become lazy and do not work as hard once they get tenure. With all the testing that we have to do, I am sure it has an impact on test scores. Sometimes tenure protects teachers who do not need to be in education but that responsibility rests with the administrator”.

Ms. Hilton likes working with her students as well as sharing information with her colleagues.

“Our system did away with mentors in the system and decided to hire outsiders to work with teachers but new teachers still come to us for advice and assistance. This year we have larger classes because of the cut in positions and new teachers come to us for help in classroom and time management. They need someone with experience to share ideas that they want to try in their classrooms.”

**Ms. Johnston**

A veteran teacher of 23 years, Ms. Johnston began teaching in a parochial school in the southern part of North Carolina and worked there for three years before deciding to relocate to Delaware with relatives. While in Delaware, she worked for two years as foreign
language teacher. A native of North Carolina, Ms. Johnston returned to the state and attained a job as a high school technology teacher. She loves teaching and during the interview several students stopped by her classroom for information. Ms. Johnston says that she “always wants to be accessible to the students because they need to know that someone cares about them and is interested in their success in school.” One student stopped by to get a reference letter needed for a scholarship application.

When asked about tenure, Ms. Johnston seemed more knowledgeable about it than most teachers. The researcher asked her why she knew so much about tenure and she said “that as a special teacher of foreign language and now technology, I know that with budget cuts, we are usually some of the first positions cut and I want to know my rights as a veteran teacher.” Ms. Johnston knows that tenure “guarantees me no reduction in pay without due process.” Ms. Johnston has some experience working in a collective bargaining state and is now a member of NCAE. She said that teachers need to be a part of a professional organization because it is the voice for its members.

Ms. Keaton

After a brief stint working in a school in Africa after graduating from college in North Carolina, Ms. Keaton returned to North Carolina to work as a middle school language arts teacher. Ms. Keaton’s role in the classroom is to expose her students to as much information as possible. She enjoys teaching language arts and says that it is essential that students have good communications skills. She said that “students must be able to read, write, and express themselves in order to be able to function in society.” The 20-year veteran says that she is motivated by her students. Ms. Keaton always looks for ways to inspire her students to express themselves. She noted the beehive hanging in the classroom that was discovered
when she was walking in the woods. After finding it, she immediately bought it to class to discuss it with her students. They conducted research on it and discussed what they found in class.

Ms. Keaton noted that she is a 24-hour teacher who never stops thinking about ways that she can be more effective in the classroom. When she goes on trips, she collects brochures to share with her students. She says that she gets to school every morning at six o’clock and stays at work until she is done. She proudly reported that she never misses time out of school. Ms. Keaton said that she “has touched more than a 1,000 students” during her career. “We have to give students our best and not allow them to suffer because we are not prepared as teachers,” said Ms. Keaton.

**Ms. Lofton**

With a degree in drama and after working several years as a paralegal, Ms. Lofton decided to follow her childhood dream of becoming a teacher. Once she received her license to teach, the twelve year veteran has been teaching seventh grade language arts ever since. She is the grade level chairperson in the central North Carolina middle school where she works. Ms. Lofton sees her role as one to “empower the students to have control over their destiny.” She loves teaching and wants her students to “live up to their full potential.” Ms. Lofton was named the Wal-Mart Teacher of the Year in her county. This honor was based on a nomination, and won by a popular vote, of her students. The honor came with a monetary award of $1000. She used this money to purchase school supplies.

Ms. Lofton, a cancer survivor, shared how kind the students and staff were when they found out that she had to be out for treatment. She was overwhelmed with the outpouring of support and encouragement. She says that she works every day to show her students how
much she cares about them. Ms. Lofton is in the field of teaching because she wants to make a difference. “Tenure has no impact on my job because I know that I give my best every day and no one can say that I am not a good teacher.”

Mr. Morton

A self proclaimed leftist, Mr. Morton describes himself as a “rock star” because every day that he goes into the classroom, he feels that he must perform for his students. Born and reared in Philadelphia, Pennsylvania, Mr. Morton described how one day all the teachers walked out of class because they were not pleased with their pay. He said they did this every day at noon until an agreement was made to increase their pay.

A religion, social studies, and U. S. history major, Mr. Morton teaches World and U. S. History at the high school level. Mr. Morton started teaching in 1993 but stopped to travel with his wife, who is a traveling nurse, to different states. During this time he worked in the corporate world. After relocating to North Carolina, he wanted to reignite his career in teaching and has been in his current position for the past 13 years.

“Growing up in an industrial town, I was taught to work hard. I bring that same work ethic into teaching because that is what my parents instilled in me. Teaching is a difficult profession. Everyone that is in teaching is in it because they love teaching. It is certainly not because of the pay.”

Themes

After a careful examination and analysis of the interview transcripts and journal notes maintained by the researcher, three dominant themes emerged:

1. Commitment to teaching
2. The comfort of job security
3. Hold everyone accountable and responsible

These themes were present and stood out in every interview and were noted frequently in the notes taken by the researcher during the interviews. The statements made by some of the participants sounded almost identical and rehearsed, although the teachers worked in different schools and in different systems.

**Commitment to Teaching**

All of the teachers who participated in this study possess a strong passion for, and commitment to, teaching. The experience levels of the participants ranged from 15 years to more than 30 years, yet they still displayed and exuded a strong sense of purpose for being in the classroom. They felt compelled to do whatever was necessary to help their students in the classroom. Most of the participants prided themselves on being committed to teaching. Some of them talked about arriving early and staying late to meet the demands of being an effective teacher. They were always willing to assist other staff members. Some of them were even willing to step out and speak to the administrator when changes were needed in how the school operated.

I am a dedicated teacher. Every day I plan for my students. I go way above. I work hard to do whatever is necessary for my students to be successful in the classroom. I want to make sure they grasp the skills that I teach. I think that I am a good teacher and I can teach. I am self motivated and I strive to do my best in the classroom. Sometimes it may not appear that way but I am going to do my best.

I have not seen the benefits of tenure. No more than saying you’re on tenure. Tenure is good but you cannot lay back and relax. My thing is this, I am a good teacher. I know my subject and I can teach. I am constantly adding to what I learn.
My thing is this; work hard and remember to be dedicated to what you are doing.

Love your kids. (Mrs. Appleton)

According to one of the participants with longevity in teaching, she stated that although she has been teaching for a long time she is still inspired by the opportunity to mold the lives of boys and girls.

Some people look at my gray hair think that ‘oh, she’s burnt out and needs to go home’ but I am not tired of teaching. I am motivated every day that I have a chance to make a difference in the lives of the student in this school. We have a very poor and deprived area. There are no jobs here so the students have got to get a good education so they can get a decent job. As a high school teacher, I have to make sure they understand the importance of an education. We have too many of our boys wanting to be basketball players and rappers because they see that life on TV but we have got to show them that education is the only way they will have a chance at surviving. That is why I continue to come to work every day because they need to know that. Tenure does not have very much impact on me because I have always loved teaching. I do not do more just because I have tenure. I would be here even if I did not have tenure. (Ms. Eggleton)

Other respondents echoed similar sentiments:

I am the best at what I am. They will not find a replacement to do what I do. I love teaching. Some people relaxed when they get tenure but I am the opposite, I work harder. I have always wanted to be a teacher. I have always taught. When I graduated from college I began to teach and I have been teaching ever since. I never
went back to get another degree because I did not feel that I needed it. It would have given me more money. (Ms. Fulton)

Teaching is my passion. I have always looked for ways to improve as a teacher because I want to be the best teacher for my second graders. They deserved the best. I went back to school to get a Master of Arts degree to become better prepared for my students. I have attained national board teacher certification so that I can be a better teacher for my students. I have attended workshops and training to improve my skills in technology. We received a technology grant to get document cameras and interactive Smartboards in all the classrooms.

Tenure acknowledges a teacher’s work experience and educational background and helps to make you a better teacher. It is good feeling to have tenure. New teachers come to tenured teachers for advice and we try to help them because we do not have mentors in the schools anymore. Tenure makes you feel that you have accomplished a particular status. We have only three teachers on this staff not tenured. Tenured teachers are held in high regards. I feel prepared to teach each day that I come to work. Although I do not take as much work home as I use to in the past. I stay late. I have put things in place. Things are set up and ready for my students the next day. When students realize that you care and love them they will work hard and try to do their best. (Ms. Gaston)

I love teaching first grade because they are always eager to learn new things. They are like little sponges. To my students, they see me as someone who cares about
them. Sometimes they will make a mistake and call me mom. For them we are next to their parents because they spent so much time with us. That is why we must be serious about our job. As an elementary teacher I am expected to build the foundation so they can be successful in the upper grades. The teachers are preparing the older students for the end of grade tests but it has to begin in first grade.

Tenure does not affect my performance as a teacher because I always strived to do better and find ways to help my kids. I try to make sure my kids are learning. I attend classes to help me improve in the classroom. Tenure helps teachers to feel more relaxed and less pressured to use more hands on activities. It gives us the freedom to do more than just paper and pencil activities. Rather than test, test, test. Teachers can try more things and feel less stress. (Ms. Hilton)

Tenure has no impact on my job. I am a confident person and tenure has never bothered me. I know that after I completed my probationary period I was given tenure. After that, it I did not think about it anymore. Like I said, I am a confident person, and I am going to do my job. I am going to do what I have to do to make my student successful in the classroom. I started teaching later in life because I got another job when I finished high school. I majored in drama and when I finished college, I got a job as a paralegal. But I always wanted to teach because I was inspired by my ninth grade teacher, Ms. Williams. When I started teaching, I worked in Mecklenburg County, Virginia and then I got hired here and have been teaching seventh grade ever since.
Teaching is important to me. I am also the grade level chair and I work with the other teachers on my team to make sure they are working for the children. Sometimes we have some who need a little push but we have to do it because we want our students to excel. I would not leave teaching if I did not have tenure because I love teaching. If you are doing your job you would not have to worry about tenure. (Ms. Lofton)

I have never read the tenure law. It was never something I really cared about. I know the basis of tenure. I know when a teacher has reached a certain level of seniority you have a level of protection. I was raised in an industrial town with parents who work in the industries. I was taught to work hard. If you did your job you were rewarded, if you did not do your job, you were fired. To me tenure does not matter. I have always taught my way. I have always taught my style. It is nice to have tenure and have some seniority. In Rhode Island, they fired all the teachers so that they could do away with tenure. Nothing is safe. I do not use tenure as a crutch. I would never think of it that way.

I do believe that tenure teachers are trusted as professionals. It is nice. In other venues such as in medicine or law, when you reach a certain point you are considered a professional and teaching should not be any different. Tenure does not mean you get lazy. That is the myth about tenure. The myth is as soon as you get tenure you go on a vacation. The people that I have taught with did not get into it because it is easy. Teaching is hard. We are in teaching because we love what we do. (Mr. Morton)
Such comments reflect the view of many teachers who teach because they want to, because they are committed to improving the lives of children, and not because it is an easy occupation that carries lifetime job security. The impression given by many respondents in the study is that they would have chosen to become, and continue to be, teachers regardless of whether or not teacher tenure existed in North Carolina.

**The Comfort of Job Security**

While most of the participants do not know the particulars outlined in the North Carolina Teacher Tenure Act, they know that it provides with them with job protection. All of the participants with the exception of two are members of the North Carolina Association of Educators. The participants felt that as a member of NCAE, they are provided with support if they have any problems on the job. They felt that NCAE does an adequate job in being the voice for its members when it come to the rights of the teacher and it frees them up to focus on their job and not be concerned about the legislative and political issues surrounding education.

One of the participants, who is not a member of NCAE, said that he would never join that organization because “it has no power.”

I would not join the union in this state because it does not have collective bargaining power. I would never pay dues to a union that does not have the right to bargaining. I grew up and worked in a collective bargaining state and the teachers in that state made their demands and those demands were met. North Carolina’s teacher salary would not be where it is today if it was not for states that have the right to collective bargaining. North Carolina has to keep up with those states in order to attract teachers.
North Carolina is a right to work state. It is unconstitutional but no one has the guts to challenge it. I would live in New Mexico if it was not for my wife. I will not join this union because I am a leftist and since they cannot strike I am not going to join. They can only provide you with a lawyer. *(Mr. Morton)*

Several other respondents commented on the benefit of having tenure, as highlighted by sample responses below:

Tenure provides teachers with job security. It makes it less likely for teachers to lose their jobs once they get tenure. I know that tenure is supposed to help me keep my job but the way the economy is now, I am not sure. Tenure does not have any impact on how I teach. Although I have tenure I have been moved around by new administrator because they feel that since I have tenure it will not matter. Tenured teachers in this school are perceived like everyone else. New teachers get more support from the administration than the tenured teachers. The administration tries to please the new teachers. They court them and buy them supplies for their classrooms but they do not do that for the tenured teachers.

Tenured teachers are not seen as an asset to the school. Although they court the new teachers they still leave the county. They do not stay long enough to get tenure. Most of them try to get the experience so that they can be hired in a larger system. We do not have a lot of social outlets for young people and so they leave as soon as they can get a job somewhere else. Tenured teachers stay in this county once they get tenure. They work hard and will do their job. Having tenure gives you just that needed security to know as long as you are doing your job you will not have worry about being fired. *(Ms. Babbleton)*
After having proven yourself in the classroom and through classroom observation a teacher can be recommended for tenure by the principal. Having tenure gives me the right to an action plan after feedback has been given to me about my performance in the classroom or if I am not following the North Carolina Standard Course of Study. Tenure gives you due process and job security. I graduated with a class of individuals who know that we must be careful of what we teach. I must get approval from my supervisor if I am going to teach something different than what is in the curriculum. I think that teachers who do not have career status (tenure) are the ones who take the risk and bring things into the classroom that are not a part of the curriculum. Maybe they do not know any better.

Collective bargaining would not help because we need to be in the classroom with these kids. I am a part of an organization that rallies for me – NCAE. I am not in favor of collective bargaining. What would happen to the children while we are striking? Tenure does make me feel like I have achieved or accomplished something. It gives me a little more job security. The benefit of tenure is comforting in knowing that you will return to work somewhere. In the summer, I like to prepare for classes for the next year. I like to get newspapers from different hotels when I travel. If you do not have tenure you might not have a job to return to in the fall. (Ms. Carlton)

I don’t know all the specifics about tenure but if a teacher is having problems she must be given the chance to improve before she is dismissed. The process for getting tenure has changed since we have the new beginning teachers’ standards. It is four years and can take up to six years depending on how the teacher came into the
profession because a lateral entry teacher takes longer. If a new teacher is not doing what she needs to be doing she can be dismissed at the end of the year. If my observations are not where they need to be I have the chance to improve.

Tenure has had no impact on my teaching. Being tenured gives you a little more confidence. It gives you a little more job security. Even if you are tenured, a teacher still cannot teach what she wants because we have to follow the state curriculum. You do not have the freedom to teach what you want because you have goals and objectives to follow. Tenured teachers have the flexibility try new things.

Tenure does not have any impact on my job. I have been doing this for fifteen years and I will continue to do my best. I am here for the students. If you come in and do what you are assigned to do you do not have to worry about your job. Tenure protects you. (Ms. Dalton)

Due to the news recently, a lot of teachers wonder if they will eventually do away with tenure. It is like a comfort blanket. It is a good feeling to have tenure. The benefit of tenure in North Carolina is job security. With the economy and jobs on the line, teachers with tenure will be able to keep their jobs. I cannot think of any negative effects of tenure. I would not leave teaching if we did not have tenure. Teaching is my passion. I would have questions but I would not leave teaching if tenure was taken away.

Tenure is important because as a tenured teacher my rights include being able to have a job and notification before dismissal. The principal must prove what you have to do before he recommends dismissal. Teachers must go through the new
teacher evaluation process. Teaching gives you academic freedom because you can teach without dismissal. Your evaluations must be good. I would not give up tenure to be able to strike. I am a member of NCAE and I depend on the organization to fight for teachers. *(Ms. Gaston)*

The tenure law in North Carolina gives 15 grounds for dismissal and the reduction or loss of pay. As a tenured teacher I am guaranteed no reduction or loss in pay. A reduction in force can be a reason to dismiss an exemplary tenured teacher. I looked this up because I am a technology teacher and you know how the system feels about these types of courses. In the budget crisis, we will be the first ones cut. Tenure allows teacher academic freedom because you should be able to use any strategies in your classroom as long as you are following the curriculum. The school system has no right to try and curb any exercise in freedom. Nor can they use it as grounds for dismissal.

The perception is that ineffective teachers are rewarded and stay in the classroom however that has not been the case in the latter year. One thing is certain, tenure protects teachers but it does not protect an ineffective teacher. Most teachers work hard to teach their students and the EOGs and EOCs have began to clearly show who has and who has not done their work.

I worked a few years in Delaware and when I was there we had a strike to improve pay and increase vacation days for teachers. The teachers had to pay dues to be a member and when there was a strike they could not interfere with the process. Everyone had to be on board and support the strike. In that state, the teachers would
negotiate benefits and whatever the representatives asked for the system would work on a package that they could agree upon. If they could agree, the teacher would report back to work. If they did not they stayed out until they could reach an agreement.

I am a member of NCAE and a local officer. It would be great if we could meet with the powers that be and get our salary on back on track. Our salaries have been frozen for three years and if we were a collective bargaining state, we would be able to work that out. You know that some states can bargain but they cannot strike? (Ms. Johnston)

I do not know a lot about tenure. All I know is that it gives me leeway and job security. Tenure affects my employment rights. I never had to question tenure but it does provide me with job security. I know that if I am considered for dismissal I know that I have the right to fight for my job. Tenure protects my freedom because I pull from a lot of resources. I have discussions in my classroom and I feel that tenure protects. I seldom cross the line. I am a very spiritual person and sometimes I pull a child over and ask them if this is the Christian thing to do. I feel comfort with it and can justify my actions. I know my students and I would not have a whole class discussion on religion unless it is a part of my language arts lesson. I cannot proselytize in this classroom. I share discussions on different religions as a part of language arts. Our black history program was laden with religion but it is never questioned by the parents.
Tenured teachers have flexibility and can go outside the box. It gives them a chance for greater expression. Non-tenured teachers want to do different things but they are afraid. I do not know a lot about collective bargaining either but I do know that teachers who work in those states have a greater say so in the benefits and opportunities that they get. They can influence their salaries and we cannot in North Carolina. We have been at the same pay level for about two years and it does not look as if that will change. If we had collective bargaining, I think that we would have a better chance at getting our salaries back to where they should be. There should be a way to combine tenure and collective bargaining. (Ms. Keaton)

I think tenure protects teachers as long as you follow protocol. If you do not follow protocol you must be provided due process for dismissal. Tenure gives protection and is a comfort. You have to go through the process if you need to be dismissed. I like the idea that as a tenured teacher that I will be protected from being fired as long as I am doing what I was hired to do. I see most teachers here who work very hard and I hear of some teachers who do not give their best to the students. Those teachers should not be in teaching and they should not be protected by tenure. Tenure should never protect incompetent teachers because it is a disservice to our students.

I like the idea of having tenure because it allows me to focus on my job. I would not want to participate in collective bargaining. I am a member of NCAE. We need to be in the classroom teaching because the students in the US are behind students in other countries. Even though we need money and need a raise, it is still better to stay in the classroom. If you are in teaching for the money, you are in the
wrong profession. We are rewarded when our students do well. My health is an issue and I do not know how long I will stay in teaching. I do not like the paperwork. I just want to teach. (Ms. Lofton)

These illustrative comments suggest that while the reward of tenure was not a major reason why these teachers chose to enter and remain in the teaching profession, they do see the value in the due process protection provided by tenure and have no desire to have those protections eliminated. The participants enjoyed the luxury of having the security of tenure that they could depend on in the event that their job performance came in to question or if they were being considered for dismissal due to a reduction in force policy.

**Hold Everyone Accountable and Responsible**

Being accountable and responsible for the tasks assigned to teachers and administrators was very important to the participants. Most of the participants acknowledged teachers who work with them that are not doing a good job but they feel that the administrator needs to address the problems when a teacher’s classroom performance is not adequate.

Teachers who have tenure have proven to the principal or someone that they are capable and able to teach. Once they get tenure, they must continue to be effective and do a good job. It is my responsibility to carry out my task and duties as a teacher. I do need or want someone telling me how to do my job. As a teacher I need support from the administration. I work hard every day. I have gotten additional degrees and certification so that I can be the best teacher for my students. I do not need someone standing over me telling me how to do my job. I am the expert in my field. I need the principal and the assistant principal to support me with supplies and materials. I
need them to make sure that I have everything that I need in order to do my job. If they see that I need to do something or if we need to change the way we are doing things school-wide, I will do what I am asked to do. But, I know my job.

There are some teachers, not at this school, who I have heard do not give one hundred percent to their students. The students suffer and then the teachers who get them later have to work extra hard to get them caught up in the curriculum. I think principals need to be held accountability for teachers who are not doing their job. If a teacher is not doing what she needs to be doing in the classroom the principal should do what is needed to get rid of her. He should try to help her first, but if that does not work, he should make sure she goes somewhere else. (Ms. Gaston)

Several other respondents made similar statements regarding accountability and professional responsibility, as illustrated below:

We have to take our jobs seriously and be on our A game even if we do have tenure. I am asked to attend workshops in the county and in the state. I have to come back and share what I learned with the other teachers. Tenured teachers must pave the way for new teachers. A lot of time we are not consulted by new teachers unless they are appointed as a mentor. New teachers know where to turn but they do not always ask for help. Whenever we are asked to assist in the school, it is noted on the new evaluation instrument. (Ms. Carlton)

Sometimes tenure protects teachers who do not need to be in education but that responsibility rests with the administrator. The administrator needs to take the time to address teachers who are not performing in the classroom. It is their job. If they
allow teachers to stay in the classroom that are not working out, it falls back on them. It is a reflection of the principal. *(Ms. Hilton)*

Tenured teachers are perceived positively and negatively. There are teachers who are here every day to work and educate children. And, there are some teachers who do nothing but come to get a paycheck. It should be handled by the administrators. They should put a little fire under those teachers to make them do what they need to be doing for kids. *(Ms. Keaton)*

I have been involved in conversations where people have expressed that tenured teachers are not always doing what they need to do and the students are being negatively impacted. But principals have an option of following through with the paperwork to remove those teachers from the classroom. I wonder if it is tenure or the principals not doing what they need to do to remove those teachers? Is it about tenure? Or, is it about people not doing what they need to do? When some principals do not want certain teachers, they send them to another school. Teachers deserve due process before they are dismissed because someone gave them tenure. Some saw the potential in those teachers. Those concerns should have been addressed before they were given tenure. The principal must set the tone for the school and hold all teachers accountable. It makes a difference in the atmosphere and how the principal sets that up. I am not teaching the same way that I taught last year because I try to continue to grow. *(Ms. Dalton)*
Parents have got to take responsibility for their children’s learning. The big challenge for me is trying to get students to learn. My thing is this; we have to find ways to motivate them to learn. But, it starts at home. It is their home life. In kindergarten, they need to come to school knowing their colors, shapes, and know their names. It is okay for parents to buy cell phones and technological equipment but parents need to buy their children educational games. Things that we were taught are not being taught at home. There is a gap between the parents and the school. But, we are blamed. When I was a child we got a lot of what we know from church. There is a lack of parent involvement. We need to hold the parents accountable. Even if we are tenured, we still have a tough job of making sure that all students are successful. It does not matter where they come from. Unlike the charter schools, they can pick and choose their students but we are expected to teach them all.

We have a large number of students who come from single parents homes. We need to educate these single parents. Why give them money if they do not know how to manage it? Single parents need to be educated before they receive funds.  
(Ms. Appleton) 

Tenure has had a few negative effects on teaching. For example, a young man here was doing a fairly good job but it took him a long time to get tenure because he was doing stuff that the administration did not approve of and it was their right. He was the band director and he did not do his part either. Whenever he was asked to put on a performance, he would throw something together and the students would get out there and do a half decent job but he did not encourage them to do better. The
administrators stayed on him and the more they addressed the matter the worst he became. He was never placed on a plan of action. He was evaluated down for his performances. It became very political. He eventually left our school. Principals must be open and honest with teachers when they are having problems. (Ms. Eggleton)

Some principals are threatened by tenured teachers. Principals do not listen to tenured teachers and are afraid to ask them for advice or information especially when they are new to the school because they are afraid that it shows their weakness. They do not give them the materials and the support that they need. Teachers then become relaxed and just stop trying or contributing to the school because they are not acknowledged. Activities are cut from tenured teachers because the principals want to strip them of any power or influence that they might have on their co-workers, especially if they do not agree with the principal. I have heard some of my friend in other counties say they are not worried because they have tenure and nobody can touch them.

Changes in administration in this school have been a big challenge because we have had a lot of changes in administration. They will come in and say that they are not going to change things but will change them anyway. The lack of respect from the administration is a change. The new principal sent out an email and said that he wanted every teacher to attend the PTSA meeting. He threatened us with insubordination if we did not attend. At the meeting we had five parents, the officers, and the rest were staff members.
Yesterday, we got a memo from the principal saying that students are not tardy if they are in the room. That is against my protocol because I want my students ready for instruction when the tardy bell rings, not walking in the door. I had a problem with that and I sent him an email to let him know. We are expected to teach from bell to bell. We must all be responsible. We must model and teach responsibility. (Ms. Fulton)

As indicated by the responses above, study participants place a high value on accountability and professional responsibility. Such responses are not inconsistent with their commitment to teaching, as highlighted in theme one above. All the participants felt that teachers should take their jobs very serious because of the impact they have on students. As noted in research by Darling-Hammond (2000), if a student gets a bad teacher it will take them two years to recover from being in that teacher’s classroom. The participants acknowledged the importance of the responsibility that they have to the children they teach. They believe that all teachers should be held accountable.

Summary

After careful analysis, three overarching themes were gleaned from the data: Commitment to teaching, the comfort of job security, and holding others accountable and responsible.

In almost every interview with the participants, it was very apparent that they believed that they were the best of the best. These tenured teachers exuded a commitment to teaching. They spoke of the time and effort that they put into making sure they have well-prepared lessons for the students. The teachers in the study felt as if they were an asset to the school. They foster great relationships with their colleagues, students, and parents. The
teachers believed that they have a wealth of knowledge that they can share with the novice teachers. As tenured teachers, they felt that they had proven themselves and were deserving of the tenured status because it was a testament to their ability to be effective and efficient teachers.

Job security was recognized as a benefit of having tenure. The teachers, although they felt competent in their field, liked the idea of the job security that came with having tenure. Most of the teachers felt that they would stay in the teaching profession even if they did not have tenure. They purported that tenure was a small perk that came with seniority. It allows them to teach without fear of reprisal for their efforts to provide quality instruction for their students. Some of the teachers believe that ineffective teachers exist amongst the ranks. They volunteer to assist their peers and will go beyond the call of duty to work with colleagues who need extra help.

All of the participants except two are members of NCAE and they depend on the organization to be a voice of the teachers in the state. They believe that NCAE should be on the front line fighting for teachers while they focus their efforts in the classroom with the students. The ability to strike or participate in collective bargaining was not very attractive to the teachers but most do believe if there was a greater involvement in the decision making process on behalf of teachers, their salaries would not have been frozen for the past few years.

The tenured teachers in this study embraced the concept of professional accountability and responsibility for everyone. They are believers that teachers should be accountable in the classroom and take their jobs seriously. They believe that all teachers should be held accountable for the educational outcomes of the students that they teach. The
participants hold themselves accountable although they tend to think that they are to blame for the failures of some of the students. These tenured teachers feel that parents should be involved in the education of children. In the interviews, they indicated that too often students come to school who are not prepared for school. They have to move into the role as parents, counselor, or just a support person to get the student focused and ready to learn.

Support from the administration is a big concern of tenured teachers because they believe that the principal establishes the climate in the school. If teachers are not doing what they need to be doing, it is the principal’s job to follow up with those teachers. The tenured teachers know that if the principal recognizes teachers in the school who are not working up to expectations, then they need to put a plan in place to remove those teachers. The tenured teachers feel that it is the principal’s responsibility to support all the teachers and hold them accountable to carry out their assigned tasks.

This chapter reported the findings from the research, based on the interviews of the participants and the anecdotal notes maintained by the researcher. Chapter Five will discuss the findings of the study in relation to existing research, provide recommendations for practice and further inquiry, and draw conclusions for the study.
CHAPTER FIVE

Discussion and Conclusions

The purpose of this study was to examine teachers’ perceptions of tenure and the Teacher Tenure Act of North Carolina. One research question was established as the basis for this study: What are the perceptions of some veteran teachers in two North Carolina public school districts toward tenure and the Teacher Tenure Law? This researcher found that while most teachers seem to know little about the specifics of the North Carolina Teacher Tenure Law, they have a more general knowledge of teacher tenure.

This research looked at how veteran teachers from two school systems in central North Carolina view tenure and what, if any, impact it has on their job. Through the lenses of tenured teachers, the researcher examined and explored teachers’ perceptions of teacher tenure, both positive and negative. While there are some studies about tenure from the perspectives of principals and superintendents, there is little data available that provide information about how teachers feel about tenure in non-unionized, right to work states. The purpose of this study was to learn more about the perceptions of veteran teachers on this issue.

Using qualitative methods, the researcher interviewed 12 teachers from two public school systems in North Carolina. The interviews were conducted face to face. The identities of the participants remained anonymous in order to enhance transparency and fidelity to the responses. The interview questions were semi-structured and consistent in concept for all interviews. Data was recorded and interviews were transcribed after the interviews as soon as possible. Responses were analyzed to establish themes and codes
among the respondents. Overall the data collected and analyzed provided rich details and insight into how veteran teachers perceive tenure in North Carolina.

This chapter summarizes the major conclusions of the study and the implications and recommendations for consideration when looking at the phenomenon of teacher tenure. This study also lends itself to future research on the topic.

Teacher tenure has become a very hot topic among politicians across the country. The NCAE and NEA are the key organizations involved in the discussions and collection of information as efforts are being made to change or eliminate tenure for teachers. In a recent online survey of its members through the Daily Political Briefing (emailed by Brian Lewis, January 25 2011), the North Carolina Association of Educators (NCAE) found that there is strong support for retaining career status/tenure because its members feel that not only is it fair, but it empowers teachers to refuse a supervisor’s instruction to perform an unethical, immoral, or illegal action. The 1,576 respondents to the survey believe that tenure protects teachers, students, and the public. In the wake of ongoing budget cuts to education in North Carolina, 68% of the respondents believe that ending tenure will prevent teachers from exercising their constitutional right to publicly criticize cuts to public education.

Other results from the survey include 92% of the respondents support retaining tenure for qualified teachers in North Carolina Public Schools. Seventy-one percent of the teachers responding to the survey have been asked by a supervisor to perform a duty that was felt to be unethical, immoral, or illegal. Seventy-six percent said they would not feel empowered to stand up to a supervisor if they were instructed to perform a duty that was unethical, immoral, or illegal. When asked if being a tenured or probationary teacher factored into whether teachers would participate in public discussion on education issues such as cuts, pay,
working conditions, school-based decision making, etc., 68% responded yes. Seventy-eight percent of the teachers in the survey said they were willing to explain to local legislators what tenure means to them and public education if legislation that would end tenure was considered.

NCAE continues to be the largest collective voice of educators in North Carolina. It is a strong advocate for public education. NCAE is working with the North Carolina School Boards’ Association, the North Carolina Association of School Administrators and the North Carolina Department of Public Instruction to effectively address legitimate concerns about chronically poor performing teachers without taking away the due process rights and tenure of all teachers.

In the National Education Association’s (NEA) publication, *NEA Today*, it was reported that a special education teacher received a harsh letter of reprimand charging her with insubordination and threatening further action because she told the truth when a child advocate asked her whether a student’s education plan was being carried out. Because the teacher had tenure, she kept her job and her union got the reprimand erased. “But what if she had not had due process? She might well have been fired for doing the right thing” (Jehlen & Flannery, 2011, p. 23). NEA and AFT agree that it should not be difficult to remove bad teachers, but for every horror story along those lines, they say they offer one about someone being fired for the wrong reasons. What this researcher has observed that needs strengthening is the whole continuum of recruitment, preparation, and evaluation of teachers.

NEA President Dennis van Roekel (2011) purports that tenure does not guarantee anyone a job. It guarantees due process. Teachers are told why they are being terminated and given an opportunity to challenge that reason. He also contends that “if the big problem,
as some critics say, is that we have too many incompetent teachers and it needs to be easier to fire, I would suggest their hiring and evaluation system is broken” (p. 24)

In a recent ruling in Wisconsin, Governor Scott Walker took action to take away collective bargaining rights from the state’s public workers. In addition to restricting the bargaining rights, the law would require most public workers to contribute more to their pension and health care costs. This change would amount to an average of an eight percent pay cut. This action was part of Governor Walker’s solution to a deal with a $137 million state budget shortfall. A part of this measure would require state workers to increase their health insurance and pension to help save money. This bill would do away with legal protection passed in 1983 governing collective bargaining for state workers, including the prohibitions on hiring alternate workers during a strike. Bargaining power would be weakened for local workers and they would lose automatic pay increases and mandatory sick days for teachers.

In an effort to reform K-12 education, state leaders in New Jersey, Florida, and Idaho have looked at eliminating teacher tenure. This momentum is a result of President Obama’s Race to the Top competition for stimulus funds. Ending tenure is continued to be championed by former Washington, D. C. Schools Chancellor Michelle Rhee. Her new Students First education-reform group called for the elimination of tenure when it released its detailed policy agenda. Rhee’s Student First policy agenda says tenure policies make removing the most unmotivated and ineffective teachers nearly impossible. Rhee says tenure is not needed because well-established federal and state policies allow teachers to challenge wrongful actions and prevent discriminatory firing in public education (Khadaroo, 2011).

In a blog supporting the teachers in Wisconsin, Diane Ravitch (2011) stated:
It is time to ask: Why should teacher have unions? I am not a member of a union, and I have never belonged to a union, but here is what I see. From the individual teacher’s point of view, it is valuable to have an organization to turn to when you feel you have been treated unfairly, one that will supply you with assistance, even a lawyer, one that advocates for improvement in your standard of living. From society’s point of view, it is valuable to have unions to fight for funding for public education and for smaller class sizes and for adequate compensation for teachers. I recently visited Arizona, a right to work state, and parents there complained to me about classes of thirty for children in first and second grades, and even larger numbers for older students. They complained that the starting salary for teacher was only $26,000 and that it is hard to find strong college graduates to enter teaching when wages are so low. I have often heard union critics complain that contracts are too long, too detailed, and too prescriptive. I have noticed that unions do not write their own contracts. There are always two sides that negotiate a contract and sign it. If an administration is so weak that it signs a contract that is bad for kids, bad for the district’s finance, or bad for education, then shame on them.

AFT president Randi Weingarten (2011) stated that the tenure process has been adjudicating performance. She purports what is needed is a real good evaluation system for teachers that includes teacher development, that requires management to be responsible and the teachers to be responsible.
The findings of this study do not support the hard-line position of the teachers’ unions and others with respect to the benefits of tenure and the implications of eliminating tenure for teachers. If policy makers are contemplating making changes to teacher tenure policies, strong consideration must be given to how teachers perceive tenure. From this study it was found during the analysis of the participant interviews that most of the veteran teachers in this study enjoy teaching. They have a real love for teaching and have always wanted to be teachers. Their commitment, desire, zeal, and drive to ensure that all students get a quality education are what motivate them each day. They do not care so much about tenure and do not feel that they need tenure to teach. While most of them love the security that comes with being tenured, they are strong believers that if they or any teacher in the profession accept the charge of providing students with the best they have to offer and to give 100% to the profession, they will be secure in their positions. This belief held by this study’s participants differs from some of the research found in the literature. As noted in previously reviewed literature by Marshall, Baucom, and Webb (1998), their study found that tenure has a tendency to stymie commitment rather to stimulate it. However, the findings of this study suggest that teachers feel that attaining tenure is a testament to their dedication and hard work.

The political attacks on public education have made teachers very wary of security in their positions and because of the concerted efforts to change the way education is being examined, the theme of job security resonated consistently with the teachers in this study. They believe the budget crisis across the country is bringing about numerous cuts in teaching positions and job security afforded by tenure gives them a little more comfort in knowing that they will most probably maintain their job. The budget cuts have had a big impact on
education in the past two years. Each year, North Carolina schools have had to lay off teachers because of the budget cuts. Most of the teachers that have been affected were probationary teachers but now, because of the continued cuts, tenured teachers in certain area have a fear of losing their job.

The participants in this study believe that teachers and administrators must be held accountable and responsible for the actions that occur in the schools. As noted in prior researched literature, Ward (1993) made it very clear in his study that tenure may not be the culprit to protecting poor teachers. Ward found in his study that school leaders are not always willing to take on the cumbersome tasks associated with the dismissal process.

Although the participants interviewed feel that most of the teachers they work with are as dedicated and committed to teaching as they are, they do acknowledge that there are teachers who do not always carry their weight. Some participants noted that a few tenured teachers take advantage of having tenure and do not work as hard as they did prior to being granted tenure. This finding is consistent with the research conducted by Hess and West (2007) where 75% of the teachers in a study reported that there are teachers in their schools who do not exhibit adequate classroom performance. Most of the respondents in this study offered that for those teachers who do not work as hard, they will put forth the extra effort to push them a little and work with them and inspire them to do more. Their efforts help some but they feel that all teachers must be held accountable and take responsibility for teaching.

When teachers are not working up to par, the respondents felt that it is the responsibility of the administrators to work with those teachers in order to get them to produce more or put things in place to have them removed from their positions. The teachers noted that when teachers are not working effectively they sometimes are moved to another school. This
belief of moving ineffective teachers to other school was revealed in the literature review. It was referred to as the dance of the lemons when marginal or ineffective teachers were moved to other schools rather than beginning dismissed. Studies noted that teachers in large school systems are moved from school to school to hide their deficiencies.

Some of the teachers in this study were open to the idea of collective bargaining. With collective bargaining not an option in North Carolina, they felt that as long as they belong to a professional organization that serves as an advocate for the rights of teachers, they preferred not to be concerned with collective bargaining.

**Implications for Practice**

After talking with the teachers and thoroughly examining the data collected in the study, this researcher gleaned recommendations that evolved from this study:

1. Provide longer probationary periods (more than the current four years) before granting tenure.
2. Make sure that mentoring programs and staff development on school system-based initiatives are in place for teachers during their probationary period.
3. Train, certify, and pay mentors to work closely with probationary teachers during their entire probationary period.
4. Develop an effective evaluation system for teachers that will foster continuous improvement.
5. Provide principals with more training to help them understand, and assist them with, due process when the dismissal of a teacher is necessary.
6. If tenure is eliminated, require teachers to sign a renewable contract for a specific period of time established by the state.

**Implications for Future Research**

This study will add to the body of literature when examining teacher tenure from the perspective of teachers and provide policymakers, with a more in-depth look at the phenomenon of tenure when developing and revising policies. This study is important because teacher tenure is a vital policy issue for the teaching force in North Carolina.

It is imperative for research to continue on the phenomenon of teacher tenure in public education because there are continued efforts to review and examine the effectiveness and necessity for tenure in today’s K-12 schools. This study should be expanded to a larger population of teachers from different states because teachers attain tenure and perceive tenure differently in different states. Tenure viewed by teachers in a right to work state may be viewed differently by teachers in states where teachers can engage in collective bargaining. This will give a more in-depth look at teachers’ perceptions. Although the teachers who participated in this study had at least ten years of experience, it would be noteworthy to have participants in the study who may have just received tenure and have a fresher frame of reference of not having the security of tenure for a longer period of time.

In addition, state and national surveys of teachers’ perceptions of tenure should be conducted to determine if there are regional differences as well as differences in perceptions by location (urban, suburban, and rural) and type of school (elementary, middle, and high school). Additional studies using focus groups of teachers including some combining teachers and principals from different districts, need to be conducted so that a more nuanced,
more complete picture of these key stakeholders’ perceptions of teacher tenure can be ascertained to help guide policy makers as they grapple with this complex issue.

**Limitations of the Study**

The major limitation of the study is the small sample size of the participants. The participants represented a population of tenured teachers from two school systems in the rural central region of North Carolina. Teachers in rural school systems may feel differently about tenure than teachers in suburban and urban areas. Also, the political context and culture of the two school districts from which the sample was drawn cannot be assumed to be similar to those of other school districts in North Carolina. Although the interviews followed the same protocol and posed the same questions, the attitudes and confidence level of the participants may have impacted how they responded to the questions. In addition, the professional experiences of the teachers in the study may not be similar to those of other teachers and thus, their perceptions may be different. The possibility that the teachers told the researcher, a school-based principal, what they think he wanted to hear may have impacted the data. The total reliance on the interview data and the anecdotal notes of the researcher and the absence of data against which the participants’ statements might be triangulated are also acknowledged as limitations of a phenomenology study.

**Summary**

This study looked at the perceptions of tenured teachers in North Carolina. In Chapter One, the researcher presented the purpose for this study. Background information was provided to give an historical chronology of the evolution of teacher tenure in North Carolina. Chapter Two looked at the literature to determine how tenure is perceived by different educational stakeholders. Chapter Three established the methods and procedures
that would be used in the collection of data for the study. Chapter Four presented the findings through quotes of the participants. This chapter has discussed the findings of the study in relation to existing research, the conclusions, and the implications for practice and for future research.

As a phenomenological study, this research does not reveal any overarching truths. It simply examined tenure from the perception of twelve veteran teachers in North Carolina. The role of the teacher is a vital part of the classroom and when decisions are made that affect teachers, it is very important that their voices are heard and considered by policy makers. Efforts to reform and improve the nation’s schools have usually trickled back down to the teachers and the policies that affect them (Cooper, Fusarelli, & Randall, 2004). It is inevitable that changes will be made by states on how tenure laws are written. The impact these laws will have on teachers across the country, particularly given the economic situation in which states face severe budget cuts. Teachers must be included in the process because they are the key to the academic success of the students and the key to the effectiveness of public education.
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APPENDIX
Appendix A

Teacher Interview Questions

1. Describe your background in education, including previously held positions and your professional training.

2. How long have you been a teacher in North Carolina?

3. How long have you had tenure?

4. What do you know about the North Carolina Teacher Tenure Act? Do you know its components?

5. What are your employment rights as a tenured teacher in North Carolina?

6. Please explain how teachers are able to attain tenure in North Carolina.

7. What impact, if any, does being a tenured public school teacher have on your performance in the classroom?

8. How does tenure protect your academic freedom?

9. How does tenure allow teachers to teach in the way that they feel is best?

10. Does tenure have any impact on your job satisfaction?

11. What do you feel are the benefits for teachers having tenure in North Carolina?

12. Does teacher tenure have any drawbacks or negative effects on education?

13. Would you leave teaching if tenure was eliminated?

14. How are tenured teachers perceived in the school where you work?

15. What influence has tenure had on public school teachers in North Carolina?

16. What are the biggest challenges facing teachers in North Carolina?

17. Have you ever worked in a collective bargaining state? If so, please explain the impact of collective bargaining on teaching.
18. How would the ability to engage in collective bargaining affect teachers in North Carolina?