



Removing Chronically Ineffective Teachers

Barriers and Opportunities

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Introduction and summary

The importance of effective teaching in the nation's public schools is receiving unprecedented attention. As President Barack Obama so aptly stated in his remarks to the Hispanic Chamber of Commerce last year, “From the moment students enter a school, the most important factor in their success is not the color of their skin or the income of their parents, it’s the person standing at the front of the classroom.”¹ The president expresses what a great deal of research has documented—that teachers have a tremendous impact on student achievement and that teachers vary greatly in their effectiveness.²

Experts argue that promoting better teaching requires comprehensive, aligned, and integrated human capital systems for recruiting, training, evaluating, and compensating teachers.³ These systems must also be aligned with a district’s strategic goals.⁴ The Center for American Progress has focused in prior publications on many of these key components of human capital systems. Yet one critical piece of the system has not received as much attention—the dismissal of chronically ineffective teachers.

This report focuses on the challenges in dismissing chronically ineffective teachers, those who are persistently ineffective and don’t improve with additional professional development or other types of supports. These teachers may be identified by more than one year of poor performance when using so-called “value-added estimates” of their effectiveness and/or several poor observations of their teaching practice when they are assessed against state and district rubrics of effective teaching practice.

Chronically ineffective teachers may have been effective in the past and lost their motivation to teach, or they may have always lacked the skills or talent needed. Teachers who are chronically ineffective should be identified for assessment, assistance, and supports, and then dismissed if they don’t improve. This paper will not focus on those teachers who have committed criminal or misconduct offenses.

It is well documented that teachers are rarely dismissed. National estimates from the 2007-08 Schools and Staffing Survey conducted by the U.S. Department of Education find that school districts dismiss on average only 2.1 percent of teachers each year for poor performance.⁵

A number of indicators suggest that the percent of teachers dismissed is relatively low compared to the percent who should be dismissed. Teachers and principals report in several national surveys that they believe there are ineffective teachers teaching in their schools.⁶ In a recent survey of a nationally representative sample of teachers conducted by Public Agenda and Learning Point Associates, 59 percent of teachers reported that there were a few teachers in their building who “fail to do a good job and are simply going through the motions” and 18 percent of teachers reported there were more than a few.⁷

Similarly, the New Teacher Project conducted a recent study of evaluation practices in 12 districts entitled “The Widget Effect” and found that 81 percent of administrators and 58 percent of teachers reported there was a tenured teacher in their school who delivers poor instruction.⁸ Finally, a Public Agenda survey found that while overall, principals and superintendents were very satisfied with their teaching staff, more than 7 in 10 reported that making it easier to fire bad teachers, even those with tenure, would be a very effective method of improving teaching quality.⁹

Moreover, many school districts that have very low levels of student achievement still dismiss few teachers or rate them as unsatisfactory.¹⁰ While there are other factors that contribute to student achievement besides effective instruction, it is hard to reconcile the stark disconnect in many districts.

If most teachers are effective, does it matter that a small percentage of teachers are chronically ineffective and it is difficult to dismiss them? It matters a lot for three key reasons. One, chronically ineffective teachers inhibit the learning of large numbers of students over time. Teachers are responsible for anywhere from 20 students to 200 students each year depending on the school size, class size, and school level (whether elementary or secondary). Therefore, incompetent teachers can depress the achievement and inhibit the learning of many students during the course of their career or during the time period when they are performing poorly.

There are a number of rough estimates of what this actually means for student achievement. For example, researchers from the Brookings Institution conducted an analysis of data from the Los Angeles public schools and projected that dismissing the bottom quartile of novice teachers in the district after their first year based on value-added estimates would result in a net increase in student test scores gains of 1.2 percentage points annually across the district.¹¹ This gain would be significant over time.

Researcher Eric Hanushek from Stanford University finds that removing the bottom 6 to 10 percent of teachers would lead to a gain in student achievement that is the equivalent of improving the performance of students in the United States to the level of Canada’s students (from 29th to 7th) on the Organisation for Economic Cooperation and Development’s Program for International Student Assessment in mathematics test over a

13-year period.¹² While we don't recommend dismissing teachers based solely on value-added estimates of their effectiveness, these analyses give some approximation of the impact of chronically ineffective teachers on student achievement.

Second, teachers and administrators are unlikely to take evaluation systems seriously if teachers can't be dismissed. The inability to dismiss incompetent teachers encourages principals to give all teachers satisfactory marks on their evaluations, rather than taking the evaluation process seriously. If principals believe they will be unable to dismiss their lowest-performing teachers, they have little incentive to go to the trouble of documenting their poor performance. And when principals give low-performing teachers satisfactory marks, they are not only giving teachers incorrect information about their performance, but they are missing an opportunity to provide feedback on their weaknesses and how they might improve.

Third, incompetent teachers diminish the school culture and learning environment for all teachers and students in a school. Erick Hirsch of the New Teacher Center studied teachers' working conditions in a number of states and found that an atmosphere of trust and mutual respect is important to both student achievement and teacher retention.¹³ "Teachers want to work in schools where they can thrive, and they're not going to thrive and extend themselves if they don't feel comfortable with their colleagues and the school leadership."¹⁴ It is difficult to create an atmosphere of mutual respect and trust when several faculty members are not meeting state and district standards.

Further, dismissing chronically ineffective teachers may be even more important in some schools, such as high-poverty schools. A recent analysis of longitudinal student data in Florida and North Carolina suggests that the least effective teachers in high-poverty schools are significantly lower performing than the least effective teachers in low-poverty schools.¹⁵ And national data indicate that teacher dismissal rates for poor performance were higher in the highest poverty districts than in the lowest-poverty districts (2.9 percent for tenured teachers and 1 percent for probationary teachers in the highest poverty quartile compared to 2.2 percent for tenured teachers and .6 percent of probationary teachers in the lowest-poverty quartile).¹⁶ This may indicate that the highest-poverty districts were more motivated to dismiss ineffective teachers, or that in low-poverty schools, low-performing teachers are more likely to be encouraged to leave rather than dismissed. However, it also might indicate that high-poverty schools have greater proportions of chronically ineffective teachers.

It's also likely that chronically ineffective teachers depress the learning of their peers and therefore the achievement of other students in the school. In a recent study using longitudinal data from North Carolina, C. Kirabo Jackson and Elias Bruegmann, researchers from Cornell and Harvard, respectively, found that students have greater increases on test scores when their teachers have colleagues with higher qualifications.¹⁷ They also found that a teacher's students have greater test score gains in reading and math when the teacher has more effective colleagues based on value-added estimates.

There is no question that most teachers are committed to their students and their profession, and are trying hard to meet their students' needs every day. A recent, nationally representative survey of teachers found that 68 percent of teachers reported, "The idea of putting underprivileged kids on the path to success" was either one of the most important factors or a major factor in their decision to go into teaching.¹⁸ Moreover, 75 percent reported, "Good teachers can lead all students to learn, even those from poor families or who have uninvolved parents."¹⁹ Some of these teachers might need additional support to be highly effective, but most are doing great work with students, many under difficult circumstances.

Moreover, it is dispiriting to talented teachers to teach next to those who aren't providing high-quality instruction. According to Randi Weingarten, president of the American Federation of Teachers, "no teacher—myself included—wants ineffective teachers in the classroom."²⁰

Rigorous evaluation systems should arguably create a higher performance bar for teachers remaining in the profession. Right now, many districts are either using poorly designed evaluation systems or are implementing those systems poorly. Yet they are still identifying chronically ineffective teachers who should be removed from the classroom and current state and district policies present many barriers to removing these teachers even if they do not improve. So rather than dismiss ineffective teachers, many administrators come up with other ways to re-assign them. They may transfer teachers to other schools or reassign them to nonteaching positions.

This report explores the reasons that teacher dismissal is rarely pursued—including weak teacher evaluation practices or systems, the time and cost of dismissal cases, the difficulty of winning cases, a school culture that is uncomfortable differentiating among teachers, and the difficulty of hiring replacements in some districts. It explains reasons for these barriers that exist in law and policy and describes what a better performance management system might look like. It then offers recommendations for changes to state law, district policy, and school-level practice to support this better system. Key recommendations are as follows:

Federal

The federal government should continue to provide incentives to states and districts to improve their evaluation practices and should also use incentives to encourage reforms of the tenure and dismissal processes.

Federal policy should require states and districts receiving Title II funds to have meaningful requirements for awarding tenure. The Obama administration has proposed making formula funding from Title II of the Elementary and Secondary Education Act contingent on states having strong teacher evaluation systems, as part of its 2011 budget request. The

administration could go a step further by requiring states receiving Title II funds to have meaningful requirements for awarding tenure and for districts receiving Title II funds to have a rigorous process in place for awarding tenure.

Federal policy should require grantees of the proposed Teacher and Leader Innovation Fund to either have a rigorous evaluation system in place or to include the development of a more rigorous evaluation system and the staffing and other elements needed to make it successful as part of their grant. The proposed Teacher and Leader Innovation Fund is a logical vehicle for encouraging innovative and rigorous teacher evaluation practices, since they are the foundation of so many other reforms of teacher-related policies.

State

State laws can help to ensure that evaluation practices are rigorous, that the tenure decision is based upon meaningful information about teacher performance, and that the dismissal process for chronically ineffective teachers is fair but efficient.

State law should provide guidance to districts to ensure their evaluation systems are rigorous. State guidelines should require that district evaluation systems draw from multiple sources of information and that objective measures of student learning, measures of teacher effectiveness derived from achievement test data, and classroom observations be significant components of evaluation systems. States should also require that evaluation systems differentiate among teachers, and should encourage the use of information from the evaluation system to inform teacher-related policies.

State law should require that the tenure decision is based upon meaningful evidence of performance and should therefore increase the probationary period to somewhere between three and seven years. Evidence should include teacher evaluations, student growth on standardized tests, and other measures of student learning.

State law should tie the evaluation process to the dismissal process. Dismissal should really be the end result of ongoing, poor performance according to a high-quality evaluation system. A state statute should make that link between evaluation and dismissal explicit and give deference to results from the evaluation process in the dismissal hearing.

States should include poor performance as a cause for dismissal in their tenure statutes. The definition of poor performance should clearly indicate that poor performance means both ineffective instructional practice and failure to promote student achievement and not total incompetence or egregious conduct.

State laws should require that district-level dismissal hearings are completed within a reasonable time period—perhaps 30 days to 60 days—and include only five hearing days.

It is costly and time consuming to a principal and school district to allow cases to drag on for a year or more and does not benefit anyone in the process.

State laws should allow only one appeal for tenured teachers who are dismissed based on poor performance. It is extremely costly for districts to have to litigate multiple appeals, and if a teacher has been dismissed and then lost an appeal it is likely that he or she is a chronically ineffective teacher.

District

Districts should ensure that their evaluation systems are of high quality and are implemented with fidelity, that the tenure decision is meaningful and rigorous, and should work with teachers and their representatives to create streamlined processes for supporting struggling teachers and dismissing those who are chronically ineffective.

Districts should ensure that they have high-quality evaluation systems and that schools are implementing them as they are intended. District staff should review school-level teacher evaluation data to ensure that schools are differentiating among teachers. They should also train school leaders in conducting evaluations and in performance management.

Districts should ensure the tenure decision is meaningful, rigorous, and based on data about teacher performance. In most districts today, tenure indicates the passage of time, rather than that some benchmark of performance has been met. Evidence should include observations of teacher practice, student growth on standardized tests, and other evidence of student learning.

Districts, in collaboration with teachers and their representatives, should work together to create streamlined processes or systems for removing chronically ineffective teachers. One option is to create peer assistance and review programs in which master teachers are assigned to support and evaluate teachers who are struggling. Teachers who don't improve in the opinion of the master teachers should be recommended for dismissal and the dismissal process should be expedited for those teachers.

School

Finally, school leaders should invest significant time in managing teachers' performance—conducting evaluations and providing appropriate feedback and support.

Principals and school leaders must invest time in conducting evaluations, providing meaningful feedback to teachers, and providing support to teachers who are struggling. They also must be willing to have difficult conversations with low-performing teachers.

The Center for American Progress is a nonpartisan research and educational institute dedicated to promoting a strong, just and free America that ensures opportunity for all. We believe that Americans are bound together by a common commitment to these values and we aspire to ensure that our national policies reflect these values. We work to find progressive and pragmatic solutions to significant domestic and international problems and develop policy proposals that foster a government that is “of the people, by the people, and for the people.”

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