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## No, It's Not "Nearly Impossible" to Fire Bad Teachers

By [Nancy Flanagan](#) on October 30, 2014 1:29 PM

My TIME magazine (as yet, not cancelled) arrived earlier this week. And yes, I'm in full agreement with those who believe [the cover](#) is a hail-Mary attempt to keep a wheezing magazine relevant for a few more months--as well as a disgrace to the publisher and a reprehensible attempt to humiliate public schoolteachers. My people.

**But the article?** For something written by a budding journalist whose husband teaches in a charter school in Washington, D.C., it is surprisingly middle-of-the-editorial-road. Haley Sweetland Edwards does a creditable job of trying to illuminate a complex issue--teacher tenure--without taking much of a die-hard right/wrong stance. My favorite bit from the piece:

*The reform movement today is led not by grassroots activists or union leaders but by Silicon Valley business types and billionaires. It is fought not through ballot boxes or on the floors of hamstring state legislatures but in closed-door meetings and in courthouses. And it will not be won incrementally, through painstaking compromise with multiple stakeholders, but through sweeping decisions--judicial and otherwise--made possible by the tactical application of vast personal fortunes. It is a reflection of our politics that no one elected these men to take on the knotty problem of fixing our public schools.*

Amen to that. And as a long-time classroom practitioner--going back to the early 70s--I would say that this recent tidal wave of entrepreneurial experimentation with the purposes and structures of public education is the single most dangerous issue facing American families with children. When deep-pockets venture capitalists start thinking they can run an essential public service more "efficiently," look out.

Here's the funny thing. Teacher tenure has never really been a fortress that protects incompetent hacks and abusers. It has functioned as a set of rules by which undesirable teachers could be--fairly--jettisoned, then have the decision to release that teacher stand. It gave teachers a reasonable period of time to establish their long-term worth (with the option to open the trap door quickly, in the early stages, for egregiously inept or shady folks). It also gave administrators and school boards a defined set of reasons why a teacher might reasonably be let go, after the district committed to hiring him.

How do I know that it's not "nearly impossible" to fire bad teachers? Because my medium-sized, semi-rural district did so, repeatedly, during the 30 years I worked there. The tenure system worked there, long before state-mandated, data-driven, high-tech teacher evaluation models were established--when we were using what everyone now describes as meaningless checklists. It worked when the probationary period, set by the state, was two years but it worked even better when that probationary period was bumped to four years--more time to evaluate a new teacher's worth as a classroom practitioner, and make a good decision for the long term.

In my building (a mid-sized middle school with about three dozen teachers), there were three teachers let go during their probationary period in the last two years I taught there: two for less-than-stellar classroom skills, and one for falsifying information on his application. Administrators quietly assigned peer coaches as soon as problems arose, and if that didn't work, teachers were not offered a contract for the next year. Throughout the district, many teachers were unobtrusively released for a variety of reasons during their probationary term.

Tenured teachers were also discharged, by carefully collecting evidence on their misdeeds, then suggesting strongly that the better course was leaving. Some of these folks had been OK-to-superior teachers, whose lives had come apart: a man who came to school with alcohol on his breath, urged into residential treatment by his colleagues; a woman who lost her temper and kicked a child (wearing a tennis shoe) in the rear end; and two people who suffered emotional breakdowns due to non-school-related crises and simply couldn't function in the pressure cooker of the classroom.

Here's a story: When I was serving as Michigan Teacher of the Year, our union president asked if I would testify, at a Board hearing, in support of a teacher whose tenure was being revoked. I knew the teacher, barely, and liked him. I also--from personal experience--knew the principal who was leading the charge as a vindictive and dishonest power player. It made perfect sense: the principal was the type who would seek ultimate retribution for a personal beef, someone who had challenged his authority.

But I had no idea whether the teacher was a capable practitioner. He taught in another building, so I'd never been in his classroom or seen him teach. I knew students who liked him, thought him fair and approachable, willing to spend extra time with them. And I knew parents who disliked his casual dress and teaching style. I was being asked to defend someone who might one day be my child's teacher--with zero germane information. Were kids learning in his classroom? Some of them, certainly. But was he "good enough," in the qualities that mattered? No clue. Tenure laws ultimately were no protection for the man, even in a strong-union state, when the principal wanted him gone.

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The point here: deciding whether or not a teacher is doing a good-enough job is a site-based issue, but it's worth having a legally defensible template and defined process to sort out what matters--pedagogical skill, the capacity to manage a classroom, personal integrity--from what is irrelevant. Tenure is not permanent employment--on the contrary, it a set of guidelines for remaining eligible for protection against random complaints.

"Unions protect bad teachers" is a false meme. Unions also protect good teachers. Unions protect students from tech millionaires and venture capitalists, and having their personal worth, and that of their teachers, evaluated by test data. Edwards, again:

*Policies focusing on cold, statistical measures fail to take into account the messy, chaotic reality of teaching in communities where kids must contend with poverty and violence.*

I would add that even safe and high-functioning middle-class public schools have always been filled with with messy and chaotic realities. Students and their learning have always been untidy and complicated, hard to accurately measure. Good schools hire the best folks available, help them when they struggle, inspire them to share accrued wisdom--and keep a supportive eye on their daily practice.

It's not about firing teachers. Never has been.