

[Education Week's blogs](#) > [John Wilson Unleashed](#)

## Tenure Protects Good Teachers

By [John Wilson](#) on March 5, 2012 7:00 AM

Okay! Okay! I know teachers do not have tenure in the pure definition of guaranteed lifetime employment that was available in some higher education institutions long ago. Instead, teachers have fair employment and dismissal procedures that protect them from dismissal for arbitrary, capricious, and discriminatory reasons after completing a probationary period.

I have been following with interest the legislative battle in Virginia over the "[tenure](#)" issue. It has been a very partisan battle with only a few Republican senators--those with firsthand information from relatives who are teachers--refusing to go down a road that appears punitive and unnecessary in this non-collective bargaining state. These senators' instincts are right, and let me provide some points to support them.

First, the reason that the original laws were passed was to protect good teachers. Revisit history and you will learn that before these protective laws, teachers were frequently dismissed because superintendents or school board members wanted their relatives hired instead. Often times, teachers were dismissed because they shared a different opinion on instruction from that of their principal. Sometimes, petty jealousies, the lack of ability to coach a sports team, or just plain old personality conflicts precipitated dismissals. Does anyone believe that those same circumstances would not return if we eliminated the protections for teachers?

Second, these procedures have saved districts from expensive court costs. I know people complain that it costs too much money and time to dismiss a bad teacher, but going straight to the courts would be a lot more expensive and certainly, it would take a lot more time.

In North Carolina, we fought this same battle fifteen years ago. The affiliates of the National School Boards Association and the National Education Association sat down together and redesigned the state's "Fair Employment and Dismissal Act." The interests of the school boards were time and money so concessions were made to streamline the process. The interest of teachers was fairness so procedures were strengthened to assure that the process met that test without having to go to court. Governor Jim Hunt took this new version and incorporated it into his "Excellent Schools Act," and it passed overwhelmingly with bi-partisan support. Yes, Virginia, there is a better way.

Third, be careful about extending the probationary period. The longer the time, the more managers are willing to give mediocre teachers a second chance. The irony is that a shorter probationary period encourages managers not to take these chances because they will not have bonded with the teachers. To strike a balance for employee and employer, two or three years is a better timeframe.

Fourth, every law I have seen uses poor performance as a reason to dismiss a career teacher. Managers or, better yet, peer reviewers should be trained to evaluate the practice of teachers for the purpose of continued employment. Time and resources should be committed to allow principals to focus on inexperienced teachers as well as at-risk teachers. Providing support to improve teaching and ensuring good documentation is a winning formula for the employer every time. Before you put good teachers at risk, look to see if you have a management problem or weak legal language.

I would add one caution. Be careful about using test scores for teacher performance. I have seen a few cases where poor teachers in affluent schools could not be dismissed because of high test scores.

Remember the correlation with test scores and income is pretty high. This is a slippery slope for those of us who believe every child deserves a great teacher.

Teachers deserve to teach in a safe environment, free of fear and intimidation. Legislators and administrators have a responsibility to provide that environment. Protecting good teachers assures our students of a great education.

Categories: [National Education Association](#) , [National School Boards Association](#) , [career status](#) , [fair employment and dismissal procedures](#) , [probationary status](#) , [teacher evaluation](#) , [teacher quality](#) , [tenure](#)