

## Is Tenure Really a Problem?

*Some say real issue  
is failure to screen,  
train new teachers*

By Del Stover

Urban school leaders often bemoan tenure laws and collective bargaining agreements that make it tough to get a bad teacher out of the classroom. But that begs at least two questions: How did these teachers get tenure in the first place? Why weren't these teachers fired before they got it?

Such questions put a different spin on traditional complaints about tenure, says Ron Wilson, associate executive director of the Oregon School Boards Association and executive director of the North American Association of Educational Negotiators.

When school board members talk about the challenges of dismissing a tenured teacher, he says, the bottom line is really a broader, more fundamental issue: the quality of instruction in the classroom. And, if that's the case, what is the more efficient policy decision: spend tens of thousands of dollars and hundreds of administrative hours to remove a single individual from a classroom—or put those resources into supporting hundreds of



Protesters demonstrate against a series of ballot initiatives in California in 2005. One measure, Proposition 74, would have more than doubled the years that teachers would need to work before earning tenure. Strong teachers union opposition helped defeat the measure.

teachers to help them do a better job in hundreds of classrooms?

"So where do you put your efforts?" Wilson asks. "We have a limited resource that we can direct to making sure that the most ineffective teachers don't get in front of a classroom. We've got to put our

efforts where we get the biggest bang for our buck. The whole resource allocation process has to be gauged against ... student achievement."

If this argument appears to walk away

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*Urban Advocate*, the official publication of NSBA's Council of Urban Boards of Education (CUBE), is published six times a year. Copyright 2006.

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NSBA's Council of Urban Boards of Education (CUBE), the urban initiative of NSBA's National Affiliate program, addresses the programmatic, fiscal, and governance challenges of urban public education on behalf of its 108 member school boards and the almost 8 million students they serve. Through legislative advocacy, conferences, workshops, seminars, and publications, CUBE has been in the forefront of cultivating excellence in urban public schools for more than three decades.

#### About NSBA

The National School Boards Association is the nationwide advocacy organization for public school governance. NSBA's mission is to foster excellence and equity in public elementary and secondary education in the United States through local school board leadership. Founded in 1940, NSBA is a not-for-profit federation of state associations of school boards across the United States and the school boards of the District of Columbia, Hawaii, and the U.S. Virgin Islands.

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*Urban Advocate* is printed and assembled by the  
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## Urban Briefs



Students study at Hope Academy, one of many charter schools in Indianapolis that city school officials say are drawing away students and threatening reform plans.

### Indy superintendent voices charter concerns

Indianapolis Superintendent Eugene White says he's not opposed to charter schools. But he recently considered asking the mayor's office to hold back on approving any new schools in his district because there simply are not enough students to go around.

The city's mayor, Bart Peterson, is the only mayor in the country with the power to approve charters. The two-term Democrat has made charter schools a key component of his education plan, and since the legislature gave him authority to grant charters in 2001, his office has sponsored 18 schools, mostly in the city's inner-city areas.

But the Indianapolis district, which primarily serves minority students from low-income families, has seen its enrollment drop sharply, from more than 100,000 in 1970 to just 37,000 this year. Indianapolis is still dealing with a court-ordered desegregation plan from the 1970s, which has contributed to a decline in the number of families living within the district's borders.

White's reform plans include small schools, magnet schools, and initiatives to increase parental involvement. But with an already dwindling student population and increased competition from charters, White said his district will likely have to consolidate schools and shut down programs, actions that would threaten his plans.

The superintendent certainly has reason to be concerned about the enrollment trend. A number of other districts have seen significant enrollment declines when charters open. In the District of Columbia,

for instance, charters have drained thousands of students from the school system, which saw its enrollment fall from more than 80,000 students in the late 1990s to 58,000 this school year. The district now plans to close several schools across the city.

The problem is that there are financial incentives for charters to open in inner-city areas served by the Indianapolis schools, instead of in suburban districts. That's led to a glut of schools in areas where there are low populations of school-aged children, said Kim L. Hooper, the district's assistant director of school and community relations. Hooper said a charter organizer recently asked to open a school in an area with several charters and traditional public schools operating under capacity.

Ultimately, White simply asked the mayor to use some discretion as he is screening charter school proposals that come through his office.

But the notion of limiting the numbers of new charters could be a tough sell—the city's charter school program received Harvard University's Innovation in American Government award last year. Peterson spokesman Justin Ohlemiller said the mayor recently met with White, whom he considers an ally, and “clearly understands and respects the steps Dr. White has taken.”

But the mayor is committed to new charters as well, Ohlemiller said. “We do not support a moratorium on charter schools, because halting their growth would run counter to our steps to lifting up the education system and providing choices to all families.”

## Dallas reworks Spanish-language requirement

A year after the Dallas school board required school principals in predominantly Hispanic schools to be able to speak Spanish, members have revised the controversial policy.

Under the modified policy, which passed by a 6-2 vote on Oct. 26, schools where more than half of students were English language learners would need to have at least one administrator—a principal, assistant principal, or counselor—on staff who could speak Spanish or the language spoken by most of the school's students. Initially, the board required all principals in schools that had majority populations of ELL students to learn Spanish—currently, the only language that would apply under the policy—by 2008.

Last year, the Dallas board's first-of-a-kind requirement set off a national debate on how far school officials should go to communicate with parents. Some called it an unnecessary mandate on already burdened school administrators.

The debate over revising the Dallas policy once again pitted African-Americans and Hispanics against one another, with some African-American residents decrying the policy as racist and some Hispanics arguing that it was needed to help student achievement and parental involvement at low-performing schools.

Dallas Superintendent Michael Hinojosa said he supports better communication between school officials and parents but wants the flexibility to hire the best candidates for job openings.

The school board's composition has changed since last year's 5-4 vote. The author of the original policy, Hispanic and immigrant-rights activist Joe May, died in February. One new member, Carla Ranger, wants to eliminate the policy, and she voted against the modified version.

But other board members felt the change was a reasonable compromise that would gain more support from school officials and the community.

"As long as it was the key leadership [of a school], I felt pretty comfortable with the change," said Jerome Garza, a board member who had supported the original policy. "This policy was developed to enhance parental involvement on campuses, and it specifically addresses the needs of this geographic region."



Since-retired Los Angeles Unified School District Superintendent Roy Romer gestures at a school construction site in 2005. LAUSD is just one of many urban school systems that are tackling overcrowding with major school construction projects.

## Growing districts seek construction funds

While declining enrollment and school closings seem to be inevitable for quite a few urban districts this year, that's not the case for districts in California.

Several urban districts there plan to apply for about \$19 billion in state money for school construction and modernization, part of a \$43 billion bond issue for transportation and other infrastructure projects that was approved by voters in November's midterm election.

The Los Angeles Unified School District expects to get about \$1 billion for its massive school construction program, which will include \$340 million for overcrowding relief.

Any district that applies will have to prove that it not only has overcrowded schools, but that it does not have enough seats to meet enrollment projections over the next five years under the formula dictated by the State Allocation Board, which distributes state bond funds. Already, some smaller districts are expressing concerns whether they will be able to access the funds.

Other urban districts, primarily across the Southeast and Southwest, are also faced with burgeoning enrollments, but some have not seen as much money as California.

Miami-Dade's school board approved a \$3.2 billion construction plan, mainly to relieve overcrowding, in spring 2005. But if

the district does not get more state funds or persuade wary taxpayers to pass a new bond, it may have to cancel some of those construction projects, Superintendent Rudy Crew, who has made school facilities a priority in his tenure, told the board members in October.

Miami and other Florida districts have scrambled to build new classrooms in recent years to comply with the state's class-size-reduction law for elementary grades. The Broward County district, which includes Fort Lauderdale, is implementing a long-term plan to replace its portable classrooms with modular facilities—which are still considered temporary structures but are built sturdier and last longer than portables.

In Charlotte-Mecklenburg County, N.C., voters rejected a bond last year in part due to tensions over whether to focus the money towards modernizing inner-city schools or building new schools in the district's fast-growing suburban areas. The district is preparing for another try next year.

And Clark County, Nev., which for years has been the poster child for enrollment growth, will likely go to its voters in two years for more money for school construction. The district has opened, on average, one new school a month in recent years, but some of those schools are already overcrowded by the time they open.

## School board chairs serve on Virginia urban task force

Two school board leaders in Virginia are serving on a new task force that will advise Gov. Timothy Kaine on issues related to the economic, social, and fiscal health of the state's growing urban centers.

Barry C. Bishop, chair of the Norfolk school board, and Ilryong Moon, chair of the Fairfax, Va., school board, are among 22 members of the cabinet-level task force that will develop benchmarks to help gauge the effectiveness of the state's urban initiatives. The panel held public meetings across the state in October and gave draft recommendations to the governor's office in November.

Most of the panel's education recommendations centered on early interventions and early childhood education, which has been a priority of the governor, Bishop said.

"A lot of the focus of the task force came back to, 'The more we can do on prevention, the less need there will be for intervention,'" he said. Finding ways to boost the educational attainment of all residents—young and old—will also be a priority, he added.

Other education-related issues that arose during public hearings conducted last fall by the task force included the aging infrastructure of urban schools and the difficulty in attracting and retaining quality teachers. The task force also heard how the great needs and challenges within cities are beyond the ability of any single government entity to solve—and that what's needed is a regional, multi-agency effort to push through meaningful and lasting reforms.

Once a predominantly rural state, Virginia has seen its urban populations grow rapidly in recent years, particularly in the Washington D.C., suburbs. Now, a majority of residents live in urban areas or small cities, many along an "urban corridor" that stretches from Northern Virginia through the Richmond area to Norfolk on the Atlantic coast.

"There's an economic reason why the commonwealth would want to take a look at its urban areas, because that's where the growth is at," Bishop said. "The well-being of the commonwealth depends on the health of urban communities."



Karen Ellis, a math teacher in Greensboro, N.C., helps a sixth-grader at Hairston Middle School. Ellis is one of nearly 100 teachers hired this year under a new program aimed at boosting the pay of teachers in high-need schools.

## Urban schools experiment with incentive pay

Schools in Greensboro, N.C., are the latest to join the trend of offering extra pay to good teachers willing to work in schools serving poor and minority students.

A \$4 million program, funded by the Guilford County Schools and area foundations, will attempt to stem a high turnover rate among math teachers at eight underperforming high schools by introducing differentiated pay, say school officials. Eligible teachers will receive market-based incentive pay of up to \$10,000 to bring their annual salaries in line with recent math graduates employed in the private sector.

"Because of the higher salaries and benefits offered by private industry, we know that our schools have a very serious problem retaining teachers in high-need subject areas such as math and science," said University of North Carolina President Erskine Bowles, who is a partner in the effort. "This truly is a crisis, and I believe we have to start treating it like a crisis and consider new and different solutions."

Guilford County is the first school system in North Carolina to pilot a significant incentive program to put teachers in hard-to-fill schools. But it is just one of many experiments being undertaken by urban schools nationwide.

In November, the Dallas Independent School District received a \$22.3 million federal grant to recruit and reward teachers who work in high-need schools. The Philadelphia city schools are looking to launch a similar pilot program at 20 struggling elementary schools next year. Other

programs have been announced in recent months.

All of these programs vary widely. Some focus on creating competitive salaries to attract hard-to-find math and science teachers to high-need schools. Others seek to boost retention rates at high-needs schools or encourage more experienced teachers to transfer to these schools. Yet others seek to encourage good teaching by providing merit pay for higher student achievement.

Many have their start in state or federal grants. In some districts, incentive pay has been accepted by the teachers unions; elsewhere, such initiatives—particularly those involving merit pay based on contested formulas for measuring student achievement—have been strongly opposed.

The Guilford County effort involves a mix of initiatives. The program aimed at math teachers also will provide up to \$4,000 in performance-based incentives. Another effort will allow K-2 classroom teachers, most math and language arts teachers in grades 3-12, and principals—at selected high-need schools—to earn as much as \$15,000 in incentives.

"We are headed toward an educational crisis if something bold is not done to attract, retain, and reward teachers and principals who achieve results in highly impacted schools," Superintendent Terry Grier said when announcing the math teacher incentives. "We have to begin competing with industry in providing competitive salaries ... by becoming more market driven." ■

## TENURE

Continued from page 1

from legitimate policy concerns surrounding teacher tenure rules, it does to some extent. And with good reason, say some governance and management experts. Teacher tenure won't disappear tomorrow, but urban school boards have issues of teacher quality that need addressing today. So school boards might just as well move on—and quit griping. There are, in fact, a number of policies and administrative practices that a school district can embrace to make teacher tenure—and the challenges of dismissing a tenured teacher—a bit less of an issue.

The place to begin is, fittingly enough, at the beginning, experts say. More school districts need to improve their screening of job applicants, expand mentoring programs, work harder to retain new teachers, and put in place a better evaluation system of teachers.

“Once a teacher achieves tenure, it is

very difficult and very expensive to dismiss that teacher,” Wilson reminds board members, “which means that the period of time that a teacher is on a probationary period becomes critically important.”

### Obvious advice—ignored

Such advice is hardly new information for veteran board members. Yet, it remains astonishing how few urban districts practice the obvious. In some districts, new teachers aren't hired until just weeks before the beginning of school, says a recent report by The New Teacher Project, a nonprofit organization that examined teacher contracts and their impact on school staffing.

“As a result of this late timeline,” concludes *Unintended Consequences*, “urban districts lose out on the best teacher candidates.”

Teacher quality also suffers because urban districts aren't putting enough resources and attention into retaining their best new teachers. According to

numerous studies, close to 50 percent of new teachers leave the profession within five years, and turnover can be even higher in urban districts.

That's a tragic hemorrhaging of talent—and a costly one. It boosts costs for recruitment, squanders scarce funding spent on professional development, and deprives classrooms of teachers who were just beginning to gain the experience needed to be truly effective. At the same time, this turnover leaves principals desperate for warm bodies, meaning that more mediocre teachers are given a free pass—only planting a seed for problems once these teachers are given tenure.

What's more, all of this undercuts the ability of urban school leaders to implement school reforms, according to *Unraveling the Teacher Shortage Problem: Teacher Retention is the Key*, a 2002 policy paper produced by the National Commission on Teaching and America's Future, a Washington, D.C.-based nonprofit education group.

## THE POLITICS OF TENURE

The debate over teacher tenure—its pros and cons—has waged for years in the political arena, and it shows no signs of abating.

One of the most recent high-profile attacks was a California ballot initiative in 2005 to increase from two to five years the time it takes a new teacher to earn tenure.

Not surprisingly, the California Teachers Association vigorously opposed the measure, raising union membership fees to build a \$50 million political war chest. Although backed by Gov. Arnold Schwarzenegger, the initiative was defeated.

It's this kind of political muscle flexed by the teachers unions that make tenure reform a challenge, say political observers. But union officials say tenure still has an important role to play—and too many critics treat tenure as a kind of a bogeyman to explain away why bad teachers are still in classrooms.

According to Reg Weaver, president of the National Education Association, proposals to weaken tenure suggest school officials want a shortcut to remove teachers, yet they are unwilling to examine their own failures to ensure teacher quality. Rather than fight over tenure, they should be screening teachers better, improving their evaluation process, and being more aggressive to provide training to unsatisfactory teachers—or putting together a good case against these teachers.

“How many times have you heard in public where the administration has been chastised for not properly conducting evaluations?” he asks. “If administrators don't want to take the time to do the documentation [to remove a teacher], perhaps they need to look at another job as well.”

Weaver raises a good point, but many school board members still insist that tenure laws make it too difficult to remove a tenured teacher. In New York State, the average cost of dis-

missing a teacher who puts up a fight is \$146,000, and it can take an average of 520 days to resolve the matter, according to the New York State School Boards Association.

It's little wonder, then, that the Los Angeles Unified School District attempted to dismiss only 112 teachers—out of 37,000—over the past decade. Or that a study of Illinois tenure cases by a consortium of state newspapers found that, out of nearly 100,000 teachers, an average of only two are fired each year for poor performance.

Whether that will ever change is anybody's guess. Although some state school boards associations put teacher tenure on their list of hoped-for reforms, no serious legislative changes are on the horizon. Still, a number of conservative policy think tanks in Washington, D.C., have issued reports and policy papers attacking tenure—in hopes of influencing future debate.

Debate also is likely to continue at the local level. Another potential battle appeared to be brewing in Los Angeles, where new schools chief David L. Brewer announced his intention to remove “bad teachers” as part of his plans to improve schools.

“It's called the right teacher in the right classroom in the right school,” he told the *Los Angeles Times* before his arrival to take control of the district. “Some people do not belong in the classroom, okay? They don't belong there. We're going to get them out. The question is how the system is going to react to the way we get them out.”

Such comments, of course, prompted a reply from United Teachers Los Angeles President A.J. Duffy that clearly outlined the challenge facing any urban school board wanting tenure relief. “We will continue to fight tooth and nail,” he told the *Times*, “to protect our folks who are speaking out at school sites and representing teachers.”

“Our inability to sustain strong learning communities in high-turnover schools also undercuts our ability to implement school reforms,” states the report. “No price tag has yet been placed on this loss, but a substantial investment in teacher training and school reform implementation is often lost to high rates of teacher turnover. We never really build our capacity to sustain school improvements because the teachers we train leave before the reform can become established practice in the school. This can be especially true in beleaguered schools.”

Urban districts also set themselves up for future headaches by relying on inadequate evaluation systems, say school administrators and teacher union officials. In some cases, teacher evaluation tools are little more than checklists. In others, says Dal Lawrence, a former union leader and consultant working on the Toledo Plan, a joint school district-union teacher internship program, the principal evaluates and nothing happens.

“For a variety of reasons,” he says, “a lot of principals don’t have the time to do a good job and, secondly, a lot don’t want to deal with [giving a bad evaluation]. Some people are good in the teachers’ lounge and get their friends stirred up. The principal ends up taking on more than he or she wants to deal with.”

At the American Federation of Teachers (AFT), Rob Weil, deputy direc-

tor of education issues, also emphasizes the role of poor principal training and weak evaluation systems in allowing poor teachers to stick around to earn tenure. He remembers how the late AFT leader Al Shanker used to say “it should be hard for a teacher to obtain tenure.”

“I think most principals have not been trained well enough to determine high quality instruction,” he says. “Lots of school districts don’t spend a lot of time training ... building-level administrators, and without that, I don’t know how they can make high-stakes decisions” about what teachers to keep or let go.

### Trying to do better

It’s not as if urban school leaders are unaware of their district’s problems—or the deficiencies in handling new teachers. But, as always, they face the blunt realities of limited financial resources and manpower, as well as a host of more immediate concerns.

Still, some are trying. As reported in the August 2006 issue of *The Urban Advocate*, urban school districts across the nation are expanding mentoring programs for new teachers. And, as a study by the New Teacher Center at the University of California-Santa Cruz has shown, such initiatives dramatically boost retention rates among new teachers.

In Rochester, N.Y., the school system spends about \$1 million annually in state



A Toledo, Ohio, teacher works with a student. An innovative program between the city school district and teachers union provides intervention for poor-performing tenured teachers.

and federal funds to support new teachers with training and mentoring, as well as intervention if troubles arise, says Marie Costanza, the district’s director of career in teaching programs.

Such support goes a long way to getting teachers off to a good start—and in helping to identify individuals who need to be counseled out of the profession, she says. It also is doing wonders for the district’s retention rate.

Two aspects of the program are noteworthy. First, mentors must provide regular written assessments of the teachers they work with, which Costanza says allows more directed help to a teacher’s weaknesses. “Many districts don’t include assessments in their mentoring programs,” she says. “But with that piece, your program is much more successful.”

Also noteworthy, adds Martha Keating, first vice president of the Rochester Teachers Association, is that mentoring is available for as many as three years, which is particularly helpful for teachers whose assignments change a lot.

“That’s especially true in special education, where [a teacher] may have taught in his or her first year in a class with a 12-to-1 student-teacher ratio in high school, then later ended up in a pre-kindergarten integrated classroom, and then was bounced to the fifth or sixth grade,” Keating says. “That’s a pretty big spread of

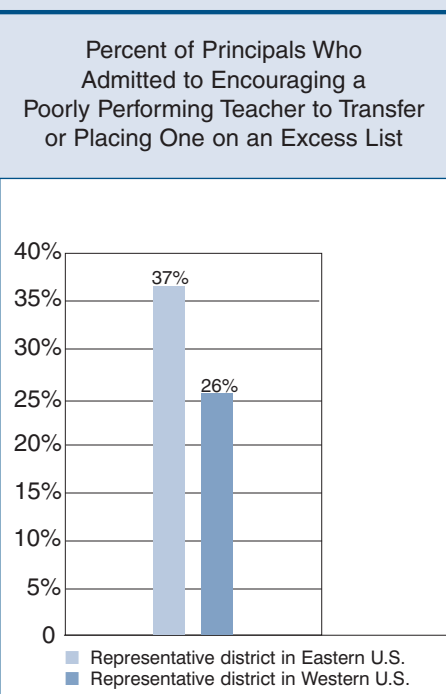
## BAD TEACHERS BOUNCE AMONG SCHOOLS

Instead of undertaking the onerous and often fruitless task of dismissing poor-performing tenured teachers, many principals use teacher transfer policies to usher these teachers out the back door. Although this approach solves the immediate problem, it creates many more as other schools are forced to hire these poor performers and as principals begin to doubt the quality of any teacher in the transfer pool.

So concludes *Unintended Consequences*, a report on collective bargaining reform by the New Teacher Project, a nonprofit organization that examined teacher contracts and school staffing.

A look at “five representative urban districts” across the nation found that approximately one-quarter to one-third of principals admitted they had encouraged a poorly performing teacher to transfer—or listed them as excess staff in hopes of seeing them transferred.

The report is available at [www.tntp.org](http://www.tntp.org).



Source: New Teacher Project

assignments, and you can see where teachers may need special help.”

One of the biggest mentor programs is in New York City, which two years ago launched an initiative to create a cadre of more than 300 full-time mentors to work with the 5,000 to 6,000 new teachers hired by the district each year.

The city’s program, based on a teacher induction model developed by the New Teacher Center, also is in use in Memphis. Studies have shown the approach can boost teacher retention rates after six years to as high as 88 percent.

That’s not to say such programs will weed out every bad teacher early or eliminate the need to remove a tenured teacher down the line. Collective bargaining agreements—as well as state tenure laws—will also continue to shield tenured teachers.

What’s more, there’s no guarantee that better intervention in a teacher’s first years will fulfill the promise of screening out ineffective teachers, Wilson says. It takes up to five years for new teachers to really learn their craft, and, in many states, new teachers are eligible for tenure when they’re still learning how to teach. “So we end up weeding out only those individuals who clearly aren’t able to make the profession.”

And, given the turnover in some districts, Wilson says: “Principals tend to err on the side of giving the teacher the benefit of the doubt, with the hope that with later counseling and assistance, they will become more effective.”

### Targeting tenured teachers

No one will argue with the concept of weeding out bad teachers before they get tenure. But, board members will ask, what do we do with those teachers who slip through the cracks—or whose performance slides in later years out of fatigue, personal problems, or other reasons?

Urban school boards can always work with their state associations to lobby for changes in tenure laws. They also can just bite the bullet and invest the time and money needed to terminate a teacher determined to fight for his or her job.

Yet, there’s a third option—if a school board has a good working relationship with its union and union officials truly are interested in boosting the professionalism of its members. It can negotiate an intervention program for troubled tenured teachers.

An intervention program in Rochester, for example, has worked with 35 teachers since 1987, Costanza says. About 90 percent of those teachers, after going through a process that includes mentoring and

professional development, received a subsequent satisfactory evaluation and got back on track. The remaining 10 percent resigned or were counseled out of the profession without a legal battle.

It’s only a small dent in the problem. If teachers want to fight efforts to remove them, they will. But a joint approach reduces the adversarial relationship between the district and union on these matters, and the effort at intervention is solid evidence for a dismissal hearing. Many teachers who enter these programs see the handwriting on the wall and opt to resign.

The bottom line is that better training, mentoring, and an effective evaluation system will do wonders in taking bad teachers out of the pipeline, school officials say. And collaboration with the union can, in the right conditions, lead to a useful program for intervening on behalf of tenured teachers, too.

One final suggestion comes from Weil,

who says school boards can make a big difference in the quality of teachers by insisting on good leadership in the schools. Put a good principal in a building, he says, “and they’ll see high-quality people come to your school district. They’ll start to see [job applicants] self-select. If teachers see a school district that supports its teachers, supports learning, and supports students, school boards will reap the benefits.”

If only it were that easy. But, in essence, what needs to be done isn’t that complicated. It’s just that school boards need to find the money, manpower, and determination to make it happen.

“It’s an alignment issue,” Wilson says. “It’s about aligning accountability systems, resource allocation, and continuous improvement, and that’s the school board’s job.”

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## TOLEDO PLAN: Intervention that works

Urban school board members looking for a new approach to dealing with ineffective tenured teachers should take a closer look at the Toledo Plan, a nationally recognized teacher internship program that also encompasses an intervention effort for longtime teachers.

A principal or school-based union committee can refer a tenured teacher for intervention, says Dal Lawrence, former president of the Toledo Federation of Teachers and now a consultant with the program.

A “consulting teacher” is assigned to observe the struggling teacher, and if his observation backs up the initial recommendation, the teacher is placed in the intervention program, he says. A teacher has seven days after notification to appeal that decision.

If an appeal is made, the decision is examined by a private attorney who interviews all involved and writes a 25 to 30-page “binding” opinion about whether the placement should continue, Lawrence says. If the placement is backed, the teacher can still refuse the intervention—but that refusal can be used as evidence in a dismissal hearing.

In most instances, however, a teacher will accept the intervention effort, and a senior teacher is assigned to provide regular mentoring. There is no specific time period set aside for this additional help, Lawrence says, but if the teacher fails to advance toward acceptable standards of performance, the district will proceed with the teacher’s dismissal.

By this stage, however, the documentation against the teacher is so strong—and the teacher has received sufficient counseling—that most poor-performing teachers opt to leave the school system rather than fight the dismissal.

In the five years prior to the plan’s implementation in 1981, no veteran teachers had been dismissed for poor performance. Since then, at least 300 have been dismissed without serious dispute between union and district.

“It works because it’s collaborative rather than adversarial,” Lawrence says.

Ironically, only a handful of urban school districts, including Chicago, Rochester and Syracuse, N.Y., have copied the program. Despite appearances at numerous conferences, Lawrence says, school board members have shown little interest, despite their complaints about the challenges of dismissing a tenured teacher. “It’s been one of my big frustrations.”

## NSBA asks court to back race-based policies

To bolster the right of urban school boards to seek racial diversity in its schools, NSBA filed an amicus brief with the U.S. Supreme Court Oct. 10 concerning challenges to school assignment plans in Louisville, Ky., and Seattle.

The use of race-conscious student assignment policies are appropriate if narrowly tailored to meet the educational needs of students who will live in a racially diverse society, NSBA argues. What's more, the high court should defer to the judgment of local school boards and grant them "broad discretion to chart education policy for the communities they serve."

The two cases were heard by the Supreme Court to answer questions over the constitutionality of K-12 school officials using race as a factor in student assignments. Over the years, some federal courts have shown growing reluctance to allow government officials to use race as a criteria in their decisions, but a 2003 high court ruling acknowledged that university officials may have a valid educational reason for promoting diverse classrooms.

"The outcome in these cases is important to the authority of urban [K-12] boards to make student assignment and other policy decisions based on their own determination of how best to meet the educational needs of all their students," says NSBA Senior Staff Attorney Naomi Gittins and staff liaison to the CUBE Racial Isolation Task Force.

A decision on the cases is expected before the court's term ends in June.

## Put CUBE programming on your conference schedule

It's not too early to start planning to attend CUBE programming at NSBA's 67th Annual Conference and Exposition in San Francisco, April 12-16.

Here are just a few offerings of this year's program:

- **Site visits:** Hop on a chartered bus and tour Balboa High School, John O'Connell High School of Technology, or Paul Revere Elementary School—San Francisco schools noted for their high-quality



Students at Seattle's Ballard High School move through the halls between classes. The U.S. Supreme Court heard arguments late last year concerning the use of race as a factor in student assignments in Seattle and Louisville, Ky.

ity and innovative education programs.

- **Annual Meeting:** Hear a report on the state of the organization and elect this year's members of the CUBE Steering Committee.

- **New Urban School Board Member Training:** Newly elected or appointed, as well as continuing urban and large-size district, school board members often struggle to define their roles. Seize this opportunity to strengthen your leadership skills as a new or a continuing school board member.

- **Effective Parent Engagement Programs:** Do you engage the parents in your community to support your public schools? Participate in this session to learn great examples.

- **District Workshops:** These popular roundtable discussions give urban school leaders an opportunity to share experiences with their peers on key education issues—with this conference's focus on urban student achievement.

- **Spotlight on CUBE Award Winners:** Learn about the programs and initiatives that earned the Norfolk, Va., school system the 2006 CUBE Annual Award for Urban School Board Excellence—and why Houston and Miami-Dade County schools were finalists.

- **School Climate Survey Update:** Learn the findings of CUBE's follow-up national study on school climate in urban schools—this time examining the perspective of administrators and teachers.

- **Urban Advocacy Skills Building: Municipal Government and Mayoral Partnerships:** Join this session about practical approaches that support successful collaborations between a community's schools and various government agencies.

CUBE programming is scheduled

throughout the NSBA Conference at the San Francisco Hilton and Towers and at the Moscone Convention Center. For more information, visit [www.cube.org](http://www.cube.org).

## New CUBE school climate survey looks at adult views

Only a year after releasing the findings of its national survey on school climate, CUBE is preparing this spring to take another important look at this issue—this time from the perspective of teachers and administrators.

Survey responses from approximately 5,000 adults in 12 urban school districts have been collected and analyzed, and CUBE hopes to release the findings in March, says CUBE Steering Committee Chair Brian Perkins, who also is the survey's principal investigator.

Last year, CUBE released *Where We Learn: The CUBE Survey of Urban School Climate*, which examined the attitudes of 32,000 students from 15 urban school districts in 13 states. Students indicated their perceptions in five areas: school safety; bullying; trust, respect, and ethos of caring; racial self-concept; and general school climate.

This follow-up study is important because urban school policymakers need to understand the differences in perspective between adults and students regarding school climate, says Perkins, who also serves as president of the New Haven, Conn., school board and chair of the Department of Educational Leadership and Policy Studies at Southern Connecticut State University. If adults aren't seeing the same problems as students—or different ones—then there may be problems that need addressing.

Urban school leaders can expect the report to show some gaps in perception on issues related to school safety and trust and respect, he says. This should highlight for officials those areas of school climate that warrant a second look.

All of this will make it "more obvious as to why we should be collecting this sort of data," Perkins says. "What's happening in school isn't always as adults see it. You have to know how each group views the issues, and that's what we really want to highlight." ■