

Case 10

“Paygrade”

Parents, industry, and society are heightening pressure on school districts to improve elementary and high school student achievement. Most states have standardized testing to track student achievement, but the resulting data are open to multiple interpretations and controversy. In addition, there is little consensus on how to improve students' performance. But, eventually, attention focuses on teachers. Some US school districts financially reward teachers for their students' achievement. Research, however, does not provide clear evidence of success for these merit pay schemes. Many states are even more interested in quality improvement in order to be eligible for funds from the Obama administration's "Race to the Top" program.

In Colorado, teachers could be denied tenure or fired for poor performance, but they rarely were. In May 2010, the Colorado legislature passed the much-contested Senate Bill 191. The new legislation ties tenure and continuation of tenure (changing the fundamental meaning of the term) to teacher effectiveness. One half of every elementary and high school teacher's annual evaluation will be based on multiple measures of student progress. To earn tenure, teachers need to receive three consecutive "effective" ratings. They will lose tenure and revert to probationary status with two successive "ineffective" ratings. If tenure is lost, the teacher can be removed, though the bill includes an appeals process. To regain tenure, a teacher needs to receive three consecutive "effective" evaluations.

The Colorado Education Association opposes the bill, citing budget-mandated larger class size, lack of parental involvement, and ill-defined measures of student progress. The American Federation of Teachers ultimately endorsed SB 191 after negotiating concessions for appeals and deference to seniority when teacher layoffs are anticipated.