



Missouri NEA Communications Briefing

Tenure

An important due process policy

MNEA believes that all students deserve the opportunity to attend a quality public school.

The Issue

Constitutional Amendment 3 from 2014 sought to “reform” tenure, but Missouri voters overwhelmingly defeated the proposal. “Tenure reform” means elimination of tenure and placing teachers on contracts of at most a few years, eliminating due process in rehiring at the end of that contract. Constitutional Amendment 3 would have repealed tenure for new hires and imposed unworkable state mandates on teacher evaluations.

In Missouri, public school teachers earn the due process rights of tenure after they satisfy performance expectations and have taught in the classroom for five years, with the last four in the same district. Tenured teachers can be dismissed for legitimate reasons—including poor performance—which the teacher may challenge in a hearing. This protection allows teachers to advocate for students and to have honest conversations with parents, school board members and administrators.

The vast majority of teachers do a good job under difficult circumstances. Focusing on tenure for the few ineffective ones is a distraction from the real priority—ensuring that every child has a quality teacher. Missouri must focus on what helps students the most: recruiting the right people into teaching, providing ongoing training, paying teachers a decent salary, developing reliable ways to measure teacher effectiveness, and giving teachers the resources to help every child succeed.

The tenure provisions in Senate Bill 80, filed by Sen. Ed Emery in 2019, would have abolished tenure for any teachers hired after Aug. 28, 2019. New teachers would never receive more than an annual contract. Districts would be free to replace highly effective experienced teachers with less

effective beginning teachers at a much lower salary, or even replace them with relatives of board members or administrators.

MNEA’s Position

Missouri NEA’s goal is to have highly effective educators in all Missouri schools and classrooms. To do so, we must reduce the high turnover of new teachers. Teaching is complex work, and students consistently do better with teachers who have experience in the classroom. Missouri needs to provide more supports for new teachers as they develop their skills. More robust induction programs and more time for mentors to work with new teachers increase teacher retention and improve student learning. We need policies and practices that encourage effective teachers to stay in the classroom.

Education should be a professional enterprise, and MNEA believes that all education professionals should have the expectation of substantive due process, following a probationary period of an appropriate length for their positions. Missouri state employees with training and responsibility comparable to teachers earn permanent-employee status after one year. State employees in support positions earn continuous employment after three months.

MNEA also believes that the General Assembly should enact legislation that guarantees all education employees’ procedural and substantive due process, including replacing the school board in the hearing process with an impartial officer or, at a minimum, allowing access to a preliminary hearing before an impartial officer. All state employees have access to a hearing before an impartial hearing board regarding the fairness of their termination once they gain permanent employee status.

Perhaps most importantly, MNEA urges the General Assembly to enact collective bargaining legislation so that districts and employees can negotiate contracts with mutually agreeable terms of employment. These contracts will ensure employees are protected from arbitrary or capricious firings, while at the same time ensuring that districts establish robust evaluation systems and hold all employees accountable for high standards of professional practice.

Challenges

Where districts have problems with ineffective teachers, the teacher and principal evaluation systems in the district are broken. Missouri schools are working to implement new evaluation systems designed to give all teachers meaningful feedback that helps them improve. The new systems require more time for observations and conferences, and recurring training. Time is money, and schools have less and less of both just when they need more. The state needs to provide adequate funding for the new systems to work.

Effective principal evaluations will require clear expectations and support at the district level. Effective teacher evaluations will require more time for observing, examining work and evaluating evidence of student learning. Evaluators need extensive training and practice to recognize

evidence of standards to create consistent and reliable evaluations. Substantive due process will require identification and training of expert hearing officers by a state entity.

How This Will Affect Educators

Removal of due process policies like tenure would make even the best teachers reluctant to advocate for students or speak honestly to school board members. Teachers often advocate for the accommodations some students need to support their learning and for the resources all students need to help them learn challenging material. Teachers who do not have tenure have not been rehired the next year because of their efforts to get students what they need.

Removal of tenure will leave all teachers without due process in hiring or retention. This would leave teachers vulnerable to arbitrary or capricious firings that might be initiated by a school board member or administrator with a personal issue with a teacher or merely someone seeking to reduce payroll costs by dismissing experienced teachers and replacing them with a relative.

Providing substantive due process, on the other hand, would ensure that teachers get a fair and impartial hearing if the district seeks to terminate their employment.

Your Role

Public education issues will play a significant role in the next legislative session. Decisions on key policy issues such as school funding, bargaining rights, charter schools, alternative compensation and vouchers will be debated this session in Congress and the Missouri General Assembly. You can start helping create a better future by supporting MNEA's legislative effort.

Here's how you can participate:

1. Visit: www.mnea.org to sign up for the MNEA *Legislative Update* and keep informed on education issues throughout the legislative session.
2. Attend MNEA Capitol Action Days.
3. Attend an MNEA legislative forum in your area.
4. Sign up to become an MNEA Education Advocate at www.mnea.org/edadvocate.

MNEA also asks you to start a dialogue with your legislators to engage them in a discussion about public education and education issues. Together, we can make a positive difference for our students and our public schools.

For more information about this topic and other education policy issues, visit
www.mnea.org/briefings
Find MNEA's Legislative Platform at www.mnea.org/Missouri/PlatformPriorities.aspx

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