

Tie tenure to teacher performance

Proposal: Include satisfactory teacher-performance evaluations in two out of the past three years of teaching as a condition of receiving tenure and eliminate coursework requirements for tenure.

Background: Also known as “continuing-service status,” tenure provides teachers with job security until they resign or retire. Tenured teachers—those receiving “continuing contracts” that never expire—enjoy protections that include extensive hearing and appeals processes should a district seek to terminate their employment and are designated as “last out” within their area of instruction when districts need to reduce the size of their workforce (ORC 3319.16-17). In contrast, all other teachers are employed on “limited contracts,” with lengths up to five years. When these contracts expire, districts can terminate the employment relationship by nonrenewing the contract under a less onerous process. To be eligible for tenure, Ohio teachers must meet several conditions set forth in statute (ORC 3319.08). They include the following: being licensed for at least seven years, teaching in the district for at least three out of the past five years, and completing additional college coursework since initial licensing. Districts may deny tenure to eligible teachers, though this rarely happens in practice. In New York City, for example, one study found that almost 95 percent of teachers received tenure in the late 2000s. Given the significant job protections at stake—and perfunctory tenure reviews—states have moved to strengthen their tenure policies. Today, nineteen states (not including Ohio) now require evidence of classroom effectiveness as a condition of tenure; four states have repealed it altogether for newly hired teachers.

Proposal rationale: Most Ohio teachers are talented, hardworking professionals, but others are less-effective instructors, including both novice and tenured teachers. In fact, survey data indicate that most educators believe there are tenured teachers who underperform and whose employment should be reconsidered. Yet expensive, time-consuming dismissal procedures result in districts rarely attempting to remove low-performing tenured teachers from the classrooms. To better ensure that ineffective instructors are not rewarded with job protections, satisfactory evaluations should be required before districts grant tenure. Additionally, research has not shown a correlation between additional college coursework and higher student achievement, and this tenure requirement should be repealed. Moreover, this condition imposes out-of-pocket expenses on teachers (or schools, if they offer reimbursements) to take these courses.

Cost: No fiscal cost to the state.

Resources: For background on Ohio school employment laws, see the Ohio School Boards Association’s [HR Reference Guide to School Law](#) (2014); for information on other states’ tenure policies, see the National Council on Teacher Quality’s web page “[Tenure](#)”; for research on New York City’s tenure reforms, see [Performance Screens for School Improvement](#), a report written by Susanna Loeb and colleagues and published by the Center for Education Policy Analysis (2014); for more on appeal processes, see David Griffith and Victoria McDougald’s report [Undue Process: Why bad teachers in twenty-five diverse districts rarely get fired](#), published by the Fordham Institute (2016); and for survey data on teacher and administrator views of tenured teachers, see Patrick McGuinn’s [Ringling the Bell for K–12 Teacher Tenure Reform](#), published by the Center for American Progress (2010).