

DISTRICT OF COLUMBIA

OVERALL RANK: 33RD¹
TIER 4 (WEAK)

STRONGER
←
→
 WEAKER

OVERALL				33	
1. RESOURCES AND MEMBERSHIP		17			
2. INVOLVEMENT IN POLITICS	n/a				
3. SCOPE OF BARGAINING		21			
4. STATE POLICIES					49
5. PERCEIVED INFLUENCE					41

AREA 1: RESOURCES AND MEMBERSHIP 17TH

The Washington Teachers' Union (WTU) has significant financial resources from its members, who enjoy high spending for K-12 education. 84.5 percent of D.C. teachers belong to the WTU (21st-highest among 51 jurisdictions). With sizable member dues, the union brings in \$729 annually per teacher (6th). But while per-pupil spending in D.C. is the 4th-highest in the nation, at \$16,034 per year, the District does not allocate much—just 33.2 percent—of those dollars to teacher salaries and benefits, the lowest such proportion nationwide.²

AREA 2: INVOLVEMENT IN POLITICS N/A³

AREA 3: SCOPE OF BARGAINING 21ST

The District of Columbia joins thirty-one states where collective bargaining is required by law. The District also allows the WTU to collect agency fees automatically from non-members, which buttresses the union's financial resources. Further, of the twenty-one items we examined for this report, five must be negotiated: wages, hours, terms and conditions of employment, insurance benefits, and fringe benefits. However, D.C. explicitly excludes more provisions than most states: management rights, transfers and assignments, layoffs, dismissals, and evaluations cannot be bargained. Bargaining over the remaining items is permitted, but not required. The District prohibits teacher strikes.

*AREA 4: STATE POLICIES
TIED FOR 49TH*

Most D.C. teacher-employment policies do not align with traditional union interests. From its inception, the District's new (and much-discussed) teacher evaluation system, IMPACT, has been the subject of prolonged acrimony between the WTU and District leaders (see sidebar). The system requires that student achievement be the preponderant criterion in teacher evaluations, and those who receive ineffective rankings are eligible for dismissal. Further, while the probationary period for teachers is nominally two years, a teacher can be dismissed for ineffective evaluations at any time in her career regardless of tenure status.⁴ The District's charter school policies are even less aligned with the traditional union position, which seeks to limit charter expansion and autonomy. The District caps the number of charters that are allowed to open, but the cap is high—and some 40 percent of D.C. students are enrolled in charter schools. Further, charter law allows for a variety of school types and provides charters with automatic exemptions from many laws and regulations, including the District's collective bargaining agreement.

*AREA 5: PERCEIVED INFLUENCE
41ST*

Stakeholders report that the WTU has limited clout. Survey respondents rank several other entities as more influential over education policy: the mayor (who in turn appoints the school chancellor), the Washington Board of Trade, and the association of school administrators. Respondents note that the union is not

effective in warding off education proposals with which it disagrees or in protecting dollars for education—a marked change from the WTU's stronghold over D.C. education policy prior to the administration of Mayor Adrian Fenty and Chancellor Michelle Rhee. But when the District of Columbia Public Education Reform Amendment Act of 2007 put administration of D.C. schools under mayoral control, it also greatly expanded the discretionary power of the office, consequently reducing that of the union. The combination of a strong chancellor, limited union authority, and a membership divided over whether their union should fight reforms—or embrace them—led to a significant drop in the WTU's influence over District leaders.⁵

*OVERALL
33RD*

While the WTU enjoys substantial revenue from its members, the union has a weak reputation in a jurisdiction where a limited scope of bargaining and two successive reform-minded school chancellors used that position's expansive authority over evaluations, dismissals, and personnel decisions to create a policy environment that is not at all union-favorable. The Race To The Top initiative has brought some of those policies into the national education-policy mainstream, and because evaluations and dismissals are out of the WTU's hands, it is unlikely that the union will see its former strength fully restored. (Still, it may have a chance to regain some of its former clout, as current Chancellor Kaya Henderson appears open to a less antagonistic relationship with the District's teachers—see sidebar).

Three years after its 2009 adoption, the District's high-profile value-added teacher-evaluation model known as IMPACT—developed during Michelle Rhee's colorful stint as Chancellor—continues to rattle the Washington Teachers Union (WTU). IMPACT was the first such system to be implemented in the country, and although the WTU grudgingly agreed to it, the union did not have much of a choice since evaluations are strictly within the purview of DCPS management. Union leaders contended that it was implemented prematurely and was unreliable, punitive, and based on a false premise: that student test scores accurately measure teacher ability and only teacher ability (as opposed to conditions outside the classroom).⁶ “The scores don't reflect the existing conditions that students bring into the classrooms, issues pertaining to family dysfunction, economic circumstance, poverty,” said WTU president Nathan Saunders.⁷ But the union had no actual say over evaluation and dismissal rules, and consequently, the results of IMPACT led to the termination of 542 teachers for poor performance between 2010 and 2012.^{8,9} On the other hand, D.C. also ranked 988 of its approximately 4,100 teachers “highly effective” in 2012, making them eligible for bonuses of up to \$25,000—which have so far been funded by outside donors but, as of 2013, will be paid for from the district's pocket.¹⁰ Unlike teacher evaluations and dismissals, performance pay is a part of the collective-bargaining agreement—and was the subject of a high-profile and prolonged round of contract negotiations that was finally resolved in April 2010 with the help of AFT president Randi Weingarten.

When Henderson took over from Rhee as chancellor of DCPS, WTU leaders pressed to de-emphasize the role of standardized testing in the IMPACT metric.¹¹ Beginning in 2013, student achievement will still be half of a teacher's evaluation, but standardized test scores will be just one part of that score (35 percent of the total evaluation, down from 50 percent); teacher-developed assessments of student learning will make up the rest (15 percent of the total). Henderson explained that the change was “in response to feedback from teachers,” and she clarified that “while we believe strongly that value-added is the fairest and most accurate method of capturing a teacher's impact on student achievement, we recognize that this measure does not reflect everything your students have learned.”¹² The WTU applauded the move.¹³

In another successful campaign, the WTU ensured that the District made good on its obligations to teachers who had their positions eliminated due to budget cutbacks and declining enrollments. A provision in the 2010 collective bargaining agreement specified that those “excessed” teachers with good evaluations and twenty years of service were eligible for early retirement with full benefits. When first asked to hand over the funds to carry out this provision, the District said it lacked the money.¹⁴ WTU then accused the District of questionable accounting; the District replied that the union had not filed the necessary paperwork; but by May 2012, they had come to agreement, announcing that the District will allocate \$10.2 million over the next five years to fund these benefits.¹⁵ Politics appear to be alive and well in the nation's capital.

DISTRICT OF COLUMBIA RANKINGS BY AREA AND INDICATOR

OVERALL RANK: 33RD			
Area and Rank ^a	General Indicator	Sub-Indicator	Sub-Indicator Rank/Status ^{b,c}
AREA 1: RESOURCES & MEMBERSHIP 17	Membership	By rank, what percentage of public-school teachers in the state are union members?	21st
	Revenue	By rank, what is the total yearly revenue (per teacher in the state) of the state-level NEA and/ or AFT affiliate(s)?	6th
	Spending on education	By rank, what percentage of state expenditures (of state general funds, state restricted funds, state bonds, and federal "pass-through" funds) is directed to K-12 education?	—
		By rank, what is the total annual per-pupil expenditure (of funds from federal, state, and local sources) in the state?	4th
		By rank, what percentage of total annual per-pupil expenditures is directed to teacher salaries and benefits?	51st
AREA 2: INVOLVEMENT IN POLITICS n/a	Contributions to candidates and political parties	By rank, what percentage of the total contributions to state candidates was donated by teacher unions?	—
		By rank, what percentage of the total contributions to state-level political parties was donated by teacher unions?	—
	Industry influence	By rank, what percent of the contributions to state candidates from the ten highest-giving sectors was donated by teacher unions?	—
	Status of delegates	By rank, what percentage of the state's delegates to the Democratic and Republican conventions were members of teacher unions?	—
AREA 3: SCOPE OF BARGAINING 21	Legal scope of bargaining	What is the legal status of collective bargaining?	Mandatory
		By rank, how broad is the scope of collective bargaining?	14th
	Automatic revenue streams	What is the unions' legal right to automatically collect agency fees from non-members and/or collect member dues via automatic payroll deductions?	Permitted
	Right to strike	What is the legal status of teacher strikes?	Prohibited
AREA 4: STATE POLICIES^d 49	Performance pay	Does the state support performance pay for teachers?	State does not support
	Retirement	By rank, what is the employer- versus employee-contribution rate to the teacher pension system?	49th
	Evaluations	What is the maximum potential consequence for veteran teachers who receive unsatisfactory evaluation(s)?	Eligible for dismissal
		Is classroom effectiveness included in teacher evaluations? If so, how is it weighted?	Required; Preponderant criterion
	Terms of employment	How long before a teacher earns tenure?	Two years
		Is student/teacher performance considered in tenure decisions? If so, how is it weighted?	Required; Preponderant criterion
		Is seniority considered in teacher layoff decisions? If so, how is it weighted?	Required; Considered among other factors
		Is teacher performance included in teacher layoff decisions? If so, how is it weighted?	Required; Considered among other factors
		By rank, what percentage of the teaching workforce was dismissed due to poor performance?	21st
Class size	Is class size restricted for grades 1-3? If so, is the restriction higher or lower than the national average (20)?	No restriction	

Area and Rank	General Indicator	Sub-Indicator	Sub-indicator Rank/Status
AREA 4: STATE POLICIES 49* (cont.)	Charter school structural limitations	Is there a cap (limit) placed on the number of charter schools that can operate in the state (or other jurisdiction) and/or on the number of students who can attend charter schools?	No state cap (but authorizers are capped)
		Does the state allow a variety of charter schools: start-ups, conversions, and virtual schools?	Yes
		How many charter authorizing options exist? How active are those authorizers?	Two or more w/ limited activity
	Charter school exemptions	Are all charter schools automatically exempt from state laws and state/district regulations (except those that safeguard students and fiscal accountability)? If not, are they eligible for exemptions?	Yes
		Are all charter schools automatically exempt from state teacher-certification requirements? If not, are they eligible for exemptions?	Yes
		Are all charter schools automatically exempt from collective bargaining agreements (CBAs)? If not, are they eligible for exemptions?	Yes

AREA 5: PERCEIVED INFLUENCED^e 41	Relative influence of teacher unions	How do you rank the influence of teacher unions on education policy compared with other influential entities?	Third- or fourth-most influential
	Influence over campaigns	On a scale from always to never, how often do Democratic candidates need teacher-union support to get elected?	Sometimes/ Often
		On a scale from always to never, how often do Republican candidates need teacher-union support to get elected?	**
	Influence over spending	To what extent, from strongly agree to strongly disagree, do you agree that even in times of cutbacks, teacher unions are effective in protecting dollars for education?	Disagree
		Given recent budgetary constraints, would you say that teacher unions generally make concessions to prevent reductions in pay and benefits or fight hard to prevent those reductions?	Generally fight
	Influence over policy	To what extent, from strongly agree to strongly disagree, do you agree that teacher unions ward off proposals in your state with which they disagree?	Disagree
		On a scale from always to never, how often do existing state education policies reflect teacher-union priorities?	Rarely/ Sometimes
		To what extent, from totally in line to not at all in line, were state education policies proposed by the governor during your state's latest legislative session in line with teacher-union priorities?	**
		To what extent, from totally in line to not at all in line, were legislative outcomes of your state's latest legislative session in line with teacher-union priorities?	**
	Influence over key stakeholders	On a scale from always to never, how often have the priorities of state education leaders aligned with teacher-union positions in the past three years?	Sometimes
		Would you say that teacher unions typically compromise with policymakers to ensure that their preferred policies are enacted, or typically need not make concessions?	Compromise

** Not applicable or insufficient number of responses to this particular question

^a Area ranks are calculated using a weighted average of sub-indicators. For a more detailed description, see Appendix A.

^b Where possible, we report a state's rank as compared to other states on a given metric. For example, out of 51 jurisdictions, the District of Columbia has the 21st-highest percentage of teachers who are union members. Otherwise, we report a status: the District of Columbia has mandatory collective bargaining, and union agency fees are permitted. For a more detailed description of our metrics and methodology, see Appendix A. To request the raw data for D.C., send an email to uniondata@edexcellence.net.

^c Our data sources for certain indicators did not always include the District of Columbia. In Area 1, the National Association of State Budget Officers' State Expenditure Report does not include the District in its analyses because its revenues and expenditures are not comparable to other states. In Area 2, the National Institute on Money in State Politics collects campaign finance reports filed by candidates for state, but not local, office.

^d See notes in Area 4, above, and in Appendix A regarding our treatment of D.C. policy mandates.

^e For all survey questions, stakeholders were asked specifically about teacher unions, candidates, policies, and leaders in their jurisdiction or state.

ENDNOTES

¹ A state's overall rank is calculated as follows: First, we score it on multiple sub-indicators (sub-indicator data and scores for Washington, D.C. are shown in the table, *District of Columbia Rankings by Area and Indicator*). Second, we take a weighted average of the sub-indicators in each of five areas. In each area, we use that average to place the states in rank order. For example, in Area 1: Resources and Membership, the District is ranked 17th of 51 based on the weighted average of its sub-indicators. To generate the state's overall rank, we average the five area ranks together, then re-order the states. For a more detailed description of data sources and methodology, see Appendix A.

² We understand that this percentage appears very low, especially given the attention the District receives for its high per-pupil expenditures and teacher salaries. There are numerous explanations that might account for this: First, D.C. is unique because the majority of employer pension contributions to teacher pensions is the obligation of the U.S. Treasury, not the school district. Second, the NCEC cautions against comparing the District of Columbia to other states because it has only one school district, and therefore per-pupil expenditures (and allocations for salaries and benefits as compared to other operating expenses) are not similar to those in other states. Third, per-pupil spending in urban districts tends to be considerably higher than non-urban districts in the same, but D.C. does not see its high expenditures averaged with lower ones from non-urban districts. Finally, the District used external funding sources for its teacher performance bonuses (although as of 2013 that will no longer be the case).

³ The National Institute on Money in State Politics collects campaign-finance reports filed by candidates for state, but not local, offices, and hence does not report any data for Washington, D.C. Further, the Consortium for Political and Social Research's 2000 Convention Delegate Survey does not include information on D.C. delegates to the Democratic and Republican national conventions. As such, we could not score the WTU on its involvement in politics.

⁴ DCPS also has a performance-pay system, where teachers earn bonuses after receiving one "highly effective" yearly rating and are eligible for raises to their base salary after multiple years of positive evaluations. To receive the bonuses and raises, they must also waive job protection should they be excessed and unable to find another placement (see DCPS Impactplus, [http://www.dc.gov/DCPS/In+the+Classroom/Ensuring+Teacher+Success/IMPACT+\(Performance+Assessment\)/IMPACTplus](http://www.dc.gov/DCPS/In+the+Classroom/Ensuring+Teacher+Success/IMPACT+(Performance+Assessment)/IMPACTplus)). However, this is a negotiated program between the WTU and the District rather than a policy mandate from the District, and as such, we do not record D.C. as having state-required performance pay. See Appendix A, note in sub-indicator 3.1.2, for a detailed explanation.

⁵ We administered our survey in Summer 2011, after contract negotiations between Michelle Rhee and the WTU closed. Although the WTU called AFT president Randi Weingarten to help resolve the two-and-a-half-year dispute over (among other things) merit pay, transfers based on teacher performance, and the elimination of tenure, the resulting contract was heralded as a victory for Rhee. Although the union added clauses for transparency, the spirit of Rhee's original provisions remained intact. The contract (and 2009's student achievement-based IMPACT system for teacher evaluations and dismissals, over which the WTU had no say) confirmed that the WTU's strength had significantly diminished since the district came under mayoral control.

⁶ Bill Turque, "D.C. Launches Rigorous Teacher Evaluation System," *Washington Post*, October 1, 2009, <http://www.washingtonpost.com/wp-dyn/content/article/2009/09/30/AR2009093004729.html>.

⁷ Lisa Gartner, "D.C. Urges Schools To De-Emphasize Standardized Testing For Teacher Evaluations," *Washington Examiner*, May 23, 2012, <http://washingtonexaminer.com/article/646356>.

⁸ "D.C. Schools Fires More Than 400 Teachers," *HuffingtonPost.com*, September 14, 2011, http://www.huffingtonpost.com/2011/07/15/dc-schools-fires-more-tha_n_900120.html.

⁹ Emma Brown, "98 D.C. Teachers Fired For Poor Performance," *Washington Post*, August 2, 2012, http://www.washingtonpost.com/local/education/98-dc-teachers-fired-for-poor-performance-school-officials-say/2012/08/01/gJQAu67vPX_story.html.

¹⁰ *Ibid.*

¹¹ Nathan Saunders, "Impact 3.0," *Washington Teachers' Union*, August 3, 2012, <http://wtuteacherslounge.org/2012/08/03/impact-3-0/>.

¹² Evaluations for General Education Teachers with Individual Value-Added Student Achievement Data (DCPS IMPACT guidebook 2012–13), [http://www.dc.gov/DCPS/In+the+Classroom/Ensuring+Teacher+Success/IMPACT+\(Performance+Assessment\)/IMPACT+Guidebooks](http://www.dc.gov/DCPS/In+the+Classroom/Ensuring+Teacher+Success/IMPACT+(Performance+Assessment)/IMPACT+Guidebooks).

¹³ Gartner.

¹⁴ Bill Turque, "D.C. Says There's No Money For Contract Early Retirement Provision," *Washington Post*, November 17, 2011, http://www.washingtonpost.com/blogs/dc-schools-insider/post/dc-pleads-poverty-for-teacher-early-retirement/2011/10/25/gIQAxRnUN_blog.html.

¹⁵ Bill Turque, "DCPS, Union Reach Accord On Teacher Retirement," *Washington Post*, May 14, 2012, http://www.washingtonpost.com/blogs/dc-schools-insider/post/dcps-union-reach-accord-on-teacher-retirement/2012/05/14/gIQAIHPBPU_blog.html.