

FOREWORD

Everyone knows that teacher unions matter in education politics and policies, but it's hard to determine just how much they matter—and whether they wield greater influence in some places than in others.

There's plenty of conventional wisdom on this topic, mostly along the lines of, “unions are most powerful where they represent most teachers and least consequential where their bargaining rights and revenues are restricted.”

But is that really true? And even if it is, does it oversimplify a much more complex and nuanced situation?

Veterans of the ed-policy wars—including our own trustee Rod Paige, who is both a former U.S. Secretary of Education and a former local superintendent in the biggest district in the biggest state that bans collective bargaining—insisted to us that teacher unions exert influence in many ways at many levels, not just at the bargaining table.

This deserved deeper investigation, particularly since union critics (many of them also ardent education reformers) generally assert that unions are the greatest obstacle to needed changes in K-12 schooling, while union defenders (and supporters of the education status quo) insist that these organizations are bulwarks of professionalism and safeguards against untested innovation.

So we resolved to dig deeper, determined to parse the differences in strength across state-level unions in the fifty states plus the District of Columbia.

We were delighted and appreciative when Education Reform Now—an affiliate of Democrats for Education Reform—agreed to join, co-sponsor, and help fund this endeavor.

Which turned into one of the most challenging research projects we have ever undertaken at the Fordham Institute.

Let us acknowledge at the outset that it's not a perfect study. (We offer some thoughts as to how we and others might approach this thorny topic in the future.) Let us admit that its conclusions are more nuanced, even equivocal, than we're accustomed to. And let us recognize that, just as we were gathering and analyzing reams of data, multiple factors—economic difficulties, political shifts, court decisions, changing policy agendas, the arrival of many new players—conspired to produce enormous flux in precisely the realms that we were examining. Sometimes we found that a mere month could render part of our laboriously-assembled data obsolete; we adjusted where we could, but eventually had to cease collecting and start making sense of our data.

In the end, we learned a ton—about individual states, about national patterns,

about unexpected relationships, and surprising exceptions.

Here are a few highlights:

- Teacher strikes, like the one recently concluded in Chicago, are legal in fourteen states and illegal in thirty-seven.
- Thirty-two states *require* local school boards to bargain collectively with their teachers, fourteen states *permit* local boards to do this, and five states *prohibit* collective bargaining altogether (Georgia, North Carolina, South Carolina, Texas, and Virginia).
- Twenty-three states are “right to work” states, which prohibit unions from collecting agency fees from non-members.* Twenty-eight jurisdictions allow agency fees.
- In the 2010 state election cycle, teacher unions in twenty-two states were among the top ten overall donors (excluding individual donations) to candidates for governor and other executive positions, legislature, high court, and elected education positions. In twenty-one states, they were among the top five highest-giving interest groups (including Colorado and Indiana, where they ranked first).
- In just two states (Pennsylvania and New Jersey) did our survey of insiders unanimously deem teacher unions to be the most influential entities in shaping education policy over a recent three-year period. But informants

in twenty states found the teacher unions to be generally more influential, on average, than all other entities (including the state school board, state superintendent, governor, legislators, business interests, and advocacy groups).

- The unions’ influence may be waning at the state level. For the three years prior to the 2011 legislative session, education policies in most states reflected union priorities. But in 2011, a growing number of legislatures were enacting policies that were *less* in line with union priorities.

Note that we did not link our overall rankings to state-level student achievement. Of all the data included in our metric, only a few of them (like teacher employment policies) might affect student achievement. Others, like state spending on education, could “touch” students indirectly, but there’s no strong evidence to support their link to student performance. We also have a timing problem since many state policies are in flux and don’t align with point-in-time snapshots of achievement. Plus, we know that many other factors at both the state and local level could impact students, so theorizing that a relationship exists between state-level union activity and student achievement strikes us as short-sighted.

Still, we can’t resist eyeballing whether policies in a few high-performing states are more in line with the positions of reformers or traditional unions (without pointing fingers either way). Massachusetts, the highest-achieving state in the land, is a

* Something else we learned: The proper definition of “right-to-work” has nothing to do with denying unions the right to bargain collectively. Right-to-work states stop unions from requiring union membership (and payment of dues or other union fees) as a condition of employment. In *any* state, teachers are free *not* to join their local union, but in non-right-to-work states the union can still charge “agency fees” to non-member teachers. In right-to-work states, unions cannot charge agency fees, only membership dues. While just five states ban collective bargaining by teachers, twenty-three are right-to-work states that prohibit agency fees.

mixed bag—some policies are aligned to union goals, others not. Two other high achievers, Virginia and Colorado, part ways: In the Old Dominion, policies are highly aligned to union interests, but that's not the case in the Centennial State. And education policies in California, with its dismal achievement record, largely do *not* reflect union interests, while those in Mississippi, another notorious low performer, are more aligned to them than nearly anywhere else.* All of that to say that no one on either side of the ed-reform divide should be glib about this topic.

Plenty more is waiting to be learned about teacher unions, how to gauge their strength in the many venues and mechanisms by which they exert it, and their role in education policy. View this study as adding another powerful lens to a telescope that's still being assembled. But peer through that lens and you will see a lot—including some surprises, paradoxes, and mysteries.

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* See 2011 NAEP state averages on 4th and 8th grade reading and math assessments, available <http://nces.ed.gov/nationsreportcard/naepdata/dataset.aspx>

organizations, and education advocacy organizations, as well as knowledgeable journalists.

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