

# KENTUCKY

OVERALL RANK: 28TH<sup>1</sup>  
TIER 3 (AVERAGE)

STRONGER 
←
→
 WEAKER

OVERALL			28		
1. RESOURCES AND MEMBERSHIP				35	
2. INVOLVEMENT IN POLITICS			26		
3. SCOPE OF BARGAINING			26		
4. STATE POLICIES		10			
5. PERCEIVED INFLUENCE		11			

## AREA 1: RESOURCES AND MEMBERSHIP TIED FOR 35TH

In Kentucky, collective bargaining is permitted but not required, which means the single state-level teacher union has relatively sparse financial and membership resources. With only 58.4 percent of its teachers unionized, the membership rate in Bluegrass State is 37th out of 51 jurisdictions. And the Kentucky Education Association brings in just \$304 annually per teacher in the state (35th). Even though 55.8 percent of K-12 expenditures are directed toward teacher salaries and benefits (14th), that amounts to a big piece of a small pie: Per-pupil spending puts Kentucky 36th (\$10,231 annually).

## AREA 2: INVOLVEMENT IN POLITICS<sup>2</sup> TIED FOR 26TH

Compared to other states, union involvement in state politics ranks Kentucky in the middle of the pack. In the past decade, 0.54 percent of the total donations to state candidates came from teacher unions (28th). While not particularly hefty overall, those contributions amounted to 16.1 percent of the money donated by the ten highest-giving sectors in the state (6th). In addition, 0.57 percent of the total donations to state political parties came from teacher unions (35th). Despite this financial presence, however, none of Kentucky's delegates to the 2000 Democratic or Republican national conventions identified as a teacher union member.<sup>3</sup>

*AREA 3: SCOPE OF BARGAINING  
26TH*

Kentucky law addresses neither collective bargaining nor agency fees in public education, thus implicitly permitting both. The omission opens all twenty-one provisions examined in this metric for bargaining. The state does not permit public employees, teachers included, to strike.

*AREA 4: STATE POLICIES  
10TH*

Policies in Kentucky are aligned more closely with traditional teacher union interests than in most other states. State law does not require that student achievement data factor into teacher evaluations, nor does it outline consequences for unsatisfactory evaluations. Districts are not required to consider teacher performance when making layoffs. An additional handful of policies partially align: Tenure is conferred virtually automatically, but only after four years (the national norm is three). There is a class size restriction for K-3, but it is larger than the national average class size. Kentucky does not have a charter school law.<sup>4</sup>

*AREA 5: PERCEIVED INFLUENCE  
TIED FOR 11TH*

Compared to stakeholders in other states, those in Kentucky report that their teacher union is quite influential. Survey respondents rank it as the most- or second-most influential organization in state education policy. They agree that it is effective in protecting dollars for education and very effective in warding off education proposals with which it disagrees. They note that policies proposed

by the governor and enacted in the latest legislative session were *mostly* in line with teacher union priorities, and that the positions of state education leaders often align with those of unions (see sidebar).<sup>5</sup>

*OVERALL  
28TH*

Kentucky's state teacher union operates in a favorable policy environment, and although it has limited resources and donates relatively modestly to state politics compared to unions in other states, in Kentucky it has quite a reputation for influence. Further, the Kentucky union is stronger than those in nine of the other thirteen states in which bargaining is permitted but not mandatory.

With a governor like Steve Beshear, it's hard for the Kentucky Education Association (KEA) to complain. In June 2011, the National Education Association (NEA) crowned him "America's Greatest Education Governor" for "[fighting] to preserve resources for K–12 education and the Commonwealth's students and classrooms."<sup>6</sup> Under Beshear's watch, Bluegrass State lawmakers passed proposals that supported preschool programs and preserved education funding (and teacher pensions and health benefits) despite statewide budget cuts. "The most important investment a state can make is in the education of its children, and that's why I have fought hard to protect the basic funding for our classrooms despite nine rounds of budget cuts," Beshear remarked after receiving the award.<sup>7</sup>

The union-friendly policies were not lucky accidents. The Bluegrass Institute, a conservative watchdog group, reported that the Kentucky Education Political Action Committee and Better Schools Kentucky (both union PACs) were the biggest spenders on the campaigns of politicians "friendly to their cause" in 2010, giving more than \$850,000 combined.<sup>8</sup> Beshear won re-election in November 2011 by a landslide with the help of another PAC, Kentucky Family Values, to which the Kentucky Education Association and its affiliates were major donors.<sup>9</sup> Already a KEA ally before the election, Beshear is likely to remain a friend of the union. Sharron K. Oxendine, president of the Kentucky Education Association, raved, "There is not a better friend of public education and educators than Steve Beshear."<sup>10</sup> Jim Waters of the Bluegrass Institute isn't so smitten. "Is it any wonder that politicians 'friendly' to the unions' cause are stubbornly refusing to allow reform measures that give parents a choice, hold teachers and administrators accountable, cut wasteful spending and demand measurable results from the bureaucracy?"<sup>11</sup>

# KENTUCKY RANKINGS BY AREA AND INDICATOR

OVERALL RANK: 28TH			
Area and Rank <sup>a</sup>	General Indicator	Sub-Indicator	Sub-Indicator Rank/Status <sup>b</sup>
<b>AREA 1: RESOURCES &amp; MEMBERSHIP</b>  35*	Membership	By rank, what percentage of public-school teachers in the state are union members?	37th
	Revenue	By rank, what is the total yearly revenue (per teacher in the state) of the state-level NEA and/ or AFT affiliate(s)?	35th
	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?	24th*
		By rank, what is the total annual per-pupil expenditure (of funds from federal, state, and local sources) in the state?	36th
		By rank, what percentage of total annual per-pupil expenditures is directed to teacher salaries and benefits?	14th
<b>AREA 2: INVOLVEMENT IN POLITICS</b>  26*	Contributions to candidates and political parties	By rank, what percentage of the total contributions to state candidates was donated by teacher unions?	28th
		By rank, what percentage of the total contributions to state-level political parties was donated by teacher unions?	35th
	Industry influence	By rank, what percent of the contributions to state candidates from the ten highest-giving sectors was donated by teacher unions?	6th
	Status of delegates	By rank, what percentage of the state's delegates to the Democratic and Republican conventions were members of teacher unions?	50th
<b>AREA 3: SCOPE OF BARGAINING</b>  26	Legal scope of bargaining	What is the legal status of collective bargaining?	Neither required nor prohibited
		By rank, how broad is the scope of collective bargaining?	33rd*
	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?	Neither required nor prohibited
	Right to strike	What is the legal status of teacher strikes?	Prohibited
<b>AREA 4: STATE POLICIES</b>  10	Performance pay	Does the state support performance pay for teachers?	State supports/ encourages
	Retirement	By rank, what is the employer- versus employee-contribution rate to the teacher pension system?	14th
	Evaluations	What is the maximum potential consequence for veteran teachers who receive unsatisfactory evaluation(s)?	No consequences articulated
		Is classroom effectiveness included in teacher evaluations? If so, how is it weighted?	Not required
	Terms of employment	How long before a teacher earns tenure?	Four years
		Is student/teacher performance considered in tenure decisions? If so, how is it weighted?	Not included
		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?	Not required
	By rank, what percentage of the teaching workforce was dismissed due to poor performance?	42nd	
Class size	Is class size restricted for grades 1-3? If so, is the restriction higher or lower than the national average (20)?	Yes; Higher	

Area and Rank	General Indicator	Sub-Indicator	Sub-Indicator Rank/Status
<b>AREA 4: STATE POLICIES</b>  <b>10</b>  (cont.)	Charter school structural limitations <sup>c</sup>	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?	N/A
		Does the state allow a variety of charter schools: start-ups, conversions, and virtual schools?	N/A
		How many charter authorizing options exist? How active are those authorizers?	N/A
	Charter school exemptions <sup>c</sup>	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?	N/A
		Are all charter schools automatically exempt from state teacher-certification requirements? If not, are they eligible for exemptions?	N/A
		Are all charter schools automatically exempt from collective bargaining agreements (CBAs)? If not, are they eligible for exemptions?	N/A
<b>AREA 5: PERCEIVED INFLUENCE<sup>d</sup></b>  <b>11</b>	Relative influence of teacher unions	How do you rank the influence of teacher unions on education policy compared with other influential entities?	Most- or second-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?	Sometimes
	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?	Agree
		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?	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?	Strongly agree
		On a scale from always to never, how often do existing state education policies reflect teacher-union priorities?	Sometimes/Often
		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?	Mostly in line
		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?	Somewhat/Mostly in line
	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/Often
		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

\* Tied with another state

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

<sup>b</sup> Where possible, we report a state's rank as compared to other states on a given metric. For example, out of 51 states, Kentucky has the 37th-highest percentage of teachers who are union members. Otherwise, we report a status: In Kentucky, collective bargaining is neither required nor prohibited, and union agency fees are also neither required nor prohibited. For a more detailed description of our metrics and methodology, see Appendix A. To request the raw data for your state, send an email to [uniondata@edexcellence.net](mailto:uniondata@edexcellence.net).

<sup>c</sup> Kentucky does not have a charter school law.

<sup>d</sup> For all survey questions, stakeholders were asked specifically about teacher unions, candidates, policies, and leaders in their state. In addition, we asked about unions and policies in the "current legislative session," but because legislative calendars vary from state to state, responses refer to policies proposed and enacted within the 2010-11 window.

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## ENDNOTES

<sup>1</sup> A state's overall rank is calculated as follows: First, we score it on multiple sub-indicators (sub-indicator data and scores for Kentucky are shown in the table, *Kentucky 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, Kentucky is ranked 35th 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.

<sup>2</sup> Readers should note that these figures include only direct donations from unions and union-connected PACs, but not their spending on electioneering/advertising, mobilizing the union's own membership, lobbying, or advocacy. A recent *Wall Street Journal* report found that donations and lobbying activities account for a small share of union political spending compared with their expenditures on member mobilization and advocacy. Even the AFT agreed, making the argument that since its mission is organizing and activism, it will naturally spend significant amounts on these activities. Thus, the percentages we report here are extremely conservative representations of what unions actually spend on politics. For more information, see Appendix A, Area 2; Tom McGinty and Brody Mullins, "Political Spending by Unions Far Exceeds Direct Donations," *Wall Street Journal*, July 10, 2012; and Jeff Hauser, "Wall Street Journal Compares Union Political Spending to Corporate Donations," AFL-CIO, July 10, 2012.

<sup>3</sup> At the time of publication, the 2000 conventions were the most recent for which such detailed data were available in forms that met rigorous standards. However, 2008 data provided by the Democratic National Convention were highly correlated with the reliable figures from 2000.

<sup>4</sup> We do not include data for sub-indicators pertaining to charters when calculating the ranking of states that do not have charter school laws. While some might argue that the lack of such a law is in itself evidence for union strength, we do not have sufficient data to link that absence to union activity. The nine states without charter laws are home to very different contexts—while teacher unions in some states may have played a significant role in keeping charter laws at bay, in others, they played little or no role.

<sup>5</sup> We asked stakeholders about unions and policies in the "current legislative session," but because legislative calendars vary from state to state, responses refer to policies proposed and enacted within the 2010-11 window.

<sup>6</sup> "NEA Honors Steve Beshear With America's Greatest Education Governor Award," National Education Association, accessed June 28, 2012, <http://www.nea.org/home/45673.htm>.

<sup>7</sup> Ibid.

<sup>8</sup> Jim Waters, "Teachers Unions Top Spending By Kentucky PACS," Bluegrass Institute, January 31, 2011, <http://www.bipps.org/teachers-unions-top-spending-by-kentucky-pacs/>.

<sup>9</sup> Tom Loftus, "Kentucky Governor Steve Beshear Reports Raising \$4 Million For Campaign; David Williams Takes In \$1 Million," *Courier-Journal*, October 12, 2011, <http://cincinnati.com/blogs/nkypolitics/2011/10/12/beshear-raises-4-million-williams-raises-1-million/>.

<sup>10</sup> National Education Association.

<sup>11</sup> Waters.