

# MASSACHUSETTS

OVERALL RANK: 21ST<sup>1</sup>  
TIER 3 (AVERAGE)

STRONGER —————> WEAKER

OVERALL			21		
1. RESOURCES AND MEMBERSHIP		13			
2. INVOLVEMENT IN POLITICS				40	
3. SCOPE OF BARGAINING		12			
4. STATE POLICIES			21		
5. PERCEIVED INFLUENCE		16			

## AREA 1: RESOURCES AND MEMBERSHIP TIED FOR 13TH

Massachusetts's teacher unions benefit from a high density of unionized teachers, financial resources from their members, and a significant dedication of funds for education in the state. With 92.8 percent of its teachers unionized, Massachusetts posts the 13th-highest rate of 51 jurisdictions. The state's NEA and AFT affiliates bring in annual revenue of \$615 for each teacher in the state (12th). Per-pupil expenditures are high—local, state, and federal funds combine to \$13,361 annually per student (12th), and 58.4 percent of those dollars are directed to teacher salaries and benefits (5th). Yet the state itself allocates just 12.6 percent of its own expenditures to K-12 education (just three states allocate less).<sup>2</sup>

## AREA 2: INVOLVEMENT IN POLITICS<sup>3</sup> TIED FOR 40TH

Despite their ample financial resources, compared to unions in other states Massachusetts teacher unions did not spend much money on state candidates and political parties.<sup>4</sup> In the past decade, just 0.2 percent of the donations to candidates for state office came from teacher unions (43rd nationally). Union contributions to state political parties were also comparatively small (0.25 percent of the total received by parties; also 43rd). These low numbers may be indicative of unions that do not feel that high spending will benefit them or that are satisfied with the current political environment (see Areas 3, 4, and 5). In addition, the percentage of Massachusetts delegates to the Democratic and Republican national conventions who identify as teacher union members (9.4 percent) is ranked 35th.

*AREA 3: SCOPE OF BARGAINING  
12TH*

Massachusetts is one of thirty-two states that require collective bargaining, and the scope of bargaining is wider there than in most other states. All twenty-one items examined in this metric are within the scope of bargaining: Eight provisions must be negotiated (wages, hours, terms and conditions of employment, layoffs, insurance benefits, fringe benefits, class load, and class size) and thirteen are implicitly permitted. While the state does not permit teacher strikes, it does allow unions to automatically collect agency fees from non-member teachers.

*AREA 4: STATE POLICIES  
21ST*

Taken together, Massachusetts policies are more union-favorable than those in some states, but less than in others. Teacher employment policies are mixed. Districts do not need to consider teacher performance when making layoff decisions but must consider seniority; both are in line with traditional union interests. But student achievement is factored into teacher evaluations and tenure decisions—policies contrary to union goals. The state’s charter laws are also mixed. While some charter schools are exempt from district collective bargaining agreements, others are not. While the state grants some automatic exemptions to laws and regulations to selected schools, it does not give them to all schools (and does not exempt them from all regulations). The state also has a fairly restrictive cap on the number of charter schools and does not allow virtual schools.

*AREA 5: PERCEIVED INFLUENCE  
16TH*

State stakeholders perceive teacher unions to be relatively strong, ranking them the most influential entity in shaping education policy (slightly ahead of the state board of education). They report that Democrats need teacher union support to get elected, and that the state education chief and board often align with teacher union positions. While they indicate that policies proposed by the governor and enacted in the latest legislative session were only *somewhat* in line with union priorities, stakeholders actually reported more union-policy alignment than did those in many other states.<sup>5</sup>

*OVERALL  
21ST*

While Massachusetts is often described as a state with powerful teacher unions—a perception echoed in our survey of stakeholders in the state—the Bay State’s teacher unions rank near the middle of the pack nationwide. Many Massachusetts laws are favorable to union interests, but, considering their meager campaign contributions, unions may be enjoying a friendly environment rather than creating it.

## FIGHT OR FLIGHT

Massachusetts teacher unions have a decades-long history of working with education reformers and state leaders to enact significant reform measures, assenting to (and even helping design) progressive policies so long as core union interests are attended to. The most recent example: Stand for Children, a national education reform group, set its sights on Massachusetts policy. The group wanted to replace seniority with teacher performance as the primary factor in layoff decisions; rather than wait for lawmakers to take the lead, it gathered enough signatures in late 2011 to place the issue on the November 2012 ballot.<sup>6</sup> The Massachusetts Teachers Association (MTA) reacted fiercely, basing its objections on the fact that the state's teacher evaluation system had not yet been implemented, let alone tested. Its website asserted that "a national organization with no particular expertise in education—Stand for Children—is seeking to disrupt the implementation of this system... This divisive proposal is a gimmick that will divert time, money and energy away from important priorities for our students."<sup>7</sup> To stop the measure, the MTA filed a lawsuit questioning its constitutionality in January 2012.

But rather than wait for the court (or the voters) to decide, the MTA opted to compromise. It agreed to support SB 2315, a bill with the same intent but different specifics than Stand for Children's initiative. Performance still replaced seniority in layoff decisions, but the bill also funded principal training and a data reporting system. It also did not contain some of the initiative's more aggressive options, such as giving the state the right to veto any evaluation system negotiated between a district and its union, and requiring principals' approval in teacher transfers.<sup>8</sup> In exchange, the reform group took its measure off the ballot, and in June 2012, the legislature passed the bill and Democrat Governor Deval Patrick signed it into law.<sup>9,10</sup> The effects of the compromise: Both sides avoided an expensive autumn campaign, and the negative image that would likely have accompanied it. Plus, the union proved to be an architect of teacher policy rather than a bystander (and in control of its own destiny rather than leaving it up to the voters). In this case, the MTA seemed to decide that fighting it out was not the best choice.

# MASSACHUSETTS RANKINGS BY AREA AND INDICATOR

OVERALL RANK: 21ST

Area and Rank <sup>a</sup>	General Indicator	Sub-Indicator	Sub-Indicator Rank/Status <sup>b</sup>
<b>AREA 1: RESOURCES &amp; MEMBERSHIP</b>  13	Membership	By rank, what percentage of public-school teachers in the state are union members?	13th
	Revenue	By rank, what is the total yearly revenue (per teacher in the state) of the state-level NEA and/ or AFT affiliate(s)?	12th
	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?	47th
		By rank, what is the total annual per-pupil expenditure (of funds from federal, state, and local sources) in the state?	12th
		By rank, what percentage of total annual per-pupil expenditures is directed to teacher salaries and benefits?	5th
<b>AREA 2: INVOLVEMENT IN POLITICS</b>  40*	Contributions to candidates and political parties	By rank, what percentage of the total contributions to state candidates was donated by teacher unions?	43rd
		By rank, what percentage of the total contributions to state-level political parties was donated by teacher unions?	43rd
	Industry influence	By rank, what percent of the contributions to state candidates from the ten highest-giving sectors was donated by teacher unions?	24th
	Status of delegates	By rank, what percentage of the state's delegates to the Democratic and Republican conventions were members of teacher unions?	35th
<b>AREA 3: SCOPE OF BARGAINING</b>  12	Legal scope of bargaining	What is the legal status of collective bargaining?	Mandatory
		By rank, how broad is the scope of collective bargaining?	4th*
	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
<b>AREA 4: STATE POLICIES</b>  21	Performance pay	Does the state support performance pay for teachers?	State-sponsored initiatives offered in select districts
	Retirement	By rank, what is the employer- versus employee-contribution rate to the teacher pension system?	7th
	Evaluations	What is the maximum potential consequence for veteran teachers who receive unsatisfactory evaluation(s)?	Teacher improvement plan
		Is classroom effectiveness included in teacher evaluations? If so, how is it weighted?	Evidence of student "learning" required
	Terms of employment	How long before a teacher earns tenure?	Three years
		Is student/teacher performance considered in tenure decisions? If so, how is it weighted?	Required; Included as one of multiple criteria
		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?	43rd	
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
<b>AREA 4: STATE POLICIES</b>  <b>21</b>  (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?	State cap with some room for growth
		Does the state allow a variety of charter schools: start-ups, conversions, and virtual schools?	Start-ups and conversions only
		How many charter authorizing options exist? How active are those authorizers?	Single option; Some 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?	Partially; Some automatic exemptions for some schools
		Are all charter schools automatically exempt from state teacher-certification requirements? If not, are they eligible for exemptions?	No; Schools cannot apply for exemptions
		Are all charter schools automatically exempt from collective bargaining agreements (CBAs)? If not, are they eligible for exemptions?	Partially; Some schools are not exempt, others can choose to bargain or not

<b>AREA 5: PERCEIVED INFLUENCE<sup>c</sup></b>  <b>16</b>	Relative influence of teacher unions	How do you rank the influence of teacher unions on education policy compared with other influential entities?	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?	Often
		On a scale from always to never, how often do Republican candidates need teacher-union support to get elected?	Rarely
	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?	Neutral
		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?	Somewhat 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 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?	Sometimes compromise, sometimes do not need to concede

\* 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, Massachusetts has the 13th-highest percentage of teachers who are union members. Otherwise, we report a status: Massachusetts 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 your state, send an email to [uniondata@edexcellence.net](mailto:uniondata@edexcellence.net).

<sup>c</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.

---

## 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 Massachusetts are shown in the table, *Massachusetts 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, Massachusetts is ranked 13th 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> Two factors explain the disparity between the high ranking on per-pupil expenditures and the low ranking for the percentage of state spending that goes to education. First, Massachusetts districts rely on local funds more heavily than in most other states (largely because of the state's affluence). Second, total spending is higher in Massachusetts than in nearly every other state; as such, 12.6 percent of state expenditures still amount to an extremely high allocation of dollars per student by the state alone.

<sup>3</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>4</sup> The AFT-affiliated Boston Teachers Union donated nearly as much to state candidates as did the Massachusetts Federation of Teachers, and substantially more than the state's NEA affiliate, the Massachusetts Teachers Association. Further, the Boston union donated more to state political parties than the two state-level unions combined.

<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> Will Richmond, "Massachusetts Ballot Question Takes On Teacher Seniority," *Herald News*, June 4, 2012, <http://www.heraldnews.com/news/x1842810767/Fall-River-ballot-question-takes-on-teacher-seniority>.

<sup>7</sup> "Stand For Children Ballot Initiative Fails To Deliver," Massachusetts Teachers Association, <http://www.massteacher.org/news/archive/2011/12-07.aspx>.

<sup>8</sup> Frank Phillips, "Massachusetts Teachers Union Agrees To Give Up Key Rights On Seniority," *Boston Globe*, June 8, 2012, [http://articles.boston.com/2012-06-08/metro/32104943\\_1\\_ballot-question-teachers-union-ballot-initiative/3](http://articles.boston.com/2012-06-08/metro/32104943_1_ballot-question-teachers-union-ballot-initiative/3).

<sup>9</sup> Associated Press, "Mass. Teacher Union Oks Deal On Ballot Question," *Boston Globe*, June 7, 2012, [http://www.boston.com/news/education/articles/2012/06/07/mass\\_teacher\\_union\\_oks\\_deal\\_on\\_ballot\\_question/](http://www.boston.com/news/education/articles/2012/06/07/mass_teacher_union_oks_deal_on_ballot_question/).

<sup>10</sup> Text of Senate Bill No. 02315, June 20, 2012, <http://www.malegislature.gov/Bills/BillHtml/119213?generalCourtId=1>.