

NEBRASKA

OVERALL RANK: 26TH¹
TIER 3 (AVERAGE)

STRONGER WEAKER

OVERALL			26		
1. RESOURCES AND MEMBERSHIP		18			
2. INVOLVEMENT IN POLITICS	13				
3. SCOPE OF BARGAINING				37	
4. STATE POLICIES			27		
5. PERCEIVED INFLUENCE					38

AREA 1: RESOURCES AND MEMBERSHIP TIED FOR 18TH

Nebraska’s state teacher union has comparatively moderate resources but its members benefit from relatively high spending on education in the state. With 85.3 percent of its teachers identifying as union members, the unionization rate in the Cornhusker State is 19th-highest of 51 jurisdictions. The Nebraska State Education Association (NSEA) brings in \$467 per teacher each year (28th). Funds from local, state, and federal sources amount to \$12,823 per pupil, per year (15th), with a full 59.6 percent of those dollars allotted to teacher salaries and benefits (2nd; only New York’s allotment is higher). Yet the state’s own spending is relatively modest, with just 15.8 percent of its budget directed to K-12 education (40th).

AREA 2: INVOLVEMENT IN POLITICS² TIED FOR 13TH

Teacher unions contribute significantly to state politics in Nebraska, at least when compared with other states.³ In the past decade, union donations amounted to 2.4 percent of total contributions to candidates for state office (5th). Those donations came to 17.4 percent of the funds donated by the ten highest-giving sectors in the state (4th). Moreover, 2.9 percent of the donations to Nebraska political parties came from teacher unions (8th). Taken together, those figures indicate that unions were a major player in Nebraska elections. On the other hand, only 7.7 percent of the state’s delegates to the Democratic and Republican national conventions were teacher union members (41st).⁴

AREA 3: SCOPE OF BARGAINING
37TH

Though Nebraska is one of thirty-two states that require collective bargaining for public-school teachers, unions are not allowed to automatically collect agency fees—a key source of union revenue—from non-member teachers. State law is relatively indifferent regarding the scope of bargaining: Of the twenty-one items examined in our metric, Nebraska requires just three to be negotiated—wages, hours, and terms and conditions of employment. It takes no stand on the remaining eighteen items, implicitly permitting them all. Finally, Nebraska prohibits teacher strikes.

AREA 4: STATE POLICIES
27TH

While many of Nebraska's teacher employment policies align with traditional teacher union interests, some do not. The state does not require student achievement factor into teacher evaluations or tenure decisions. Tenure is conferred after three years (the national norm), and must be considered in layoff decisions (when districts need not consider teacher performance). But it also requires that employees contribute a greater share of their pension funds (relative to employer contributions) than forty other states. Nebraska does not have a charter school law.⁵

AREA 5: PERCEIVED INFLUENCE
38TH

While stakeholders in Nebraska do not perceive teacher unions to be dominant in shaping education policy, they do view the unions as active participants in the process. Nebraska is one of just four states in which stakeholders indicated that both Democrats

and Republicans often need teacher union support to be elected. (Nebraska even has an NSEA-endorsed Republican governor—see sidebar.) But survey respondents rank the union as only the third- or fourth-most influential entity in state education policy, consistently placing the school board and administrator associations above it. In addition, respondents indicate that, in light of recent budgetary constraints, the union acceded to reductions in pay and benefits rather than fighting against them. Given the high percentage of district spending that goes to teacher salaries but the relatively low proportion of state spending that goes to K-12 education (see Area 1), perhaps respondents are reflecting on the union's failure to secure higher salaries from the state (see sidebar).

OVERALL
26TH

Nebraska's teacher unions are a strong presence in state politics—and have made their election endorsements important for both Democrats and Republicans. Bargaining laws and teacher employment policies are no more or less aligned with union interests than in other states—although unlike many other states, these policies seem less vulnerable to change (see sidebar).

WITH A LITTLE HELP FROM MY FRIENDS

The NSEA knows a good investment when it sees one. In 2006, it endorsed Republican Dave Heineman for governor, and was the single biggest donor to his 2010 re-election campaign—after he backed raises and better benefits for teachers.⁶ Two years later, the union successfully lobbied Heineman to increase state aid for education from the proposed \$814 to \$853 million (though still a \$27 million decrease from 2011–12). It also mobilized its members against the governor's tax relief plan and successfully curbed tax cuts by two-thirds of the original proposal.⁷ This was all firmly in line with the vision of NSEA president Nancy Fulton, who explained the importance of investing in lobbying to her members: "I firmly believe that money matters, and that when it comes to education spending, policymakers are 'pennywise and pound foolish.' Pushing those policymakers to provide adequate funding for our public schools will pay dividends in the long run."⁸

That push included demands for higher teacher salaries, which are among the lowest in the nation, and again the NSEA had the governor on its side.⁹ Heineman wrote to NSEA leaders, urging them to help their members negotiate pay raises with the help of federal stimulus funds. To the amazement (and chagrin) of lawmakers, he even told the union to use his letter to pressure school boards during collective bargaining. (His letter read, in part, "I am skeptical of mandating how school districts spend their state aid, but I've grown increasingly concerned that the substantial increases in state aid have not been reflected in teacher pay.")¹⁰

The NSEA enjoyed only partial success here: Instead of awarding teachers across-the-board raises, in 2010 Nebraska became one of a handful of states that both require performance pay and fund it. However, merit pay is an exception to the more general durability of the education status quo in Nebraska. The state did not enact major education reforms before submitting its Race to the Top applications (which were, unsurprisingly, rejected), and it did not try for an NCLB waiver. Most recently, the legislature passed an NSEA-endorsed plan to evaluate schools and districts (but not teachers) using student performance, with the details yet to be determined by the State Board of Education.¹¹ So far, it seems that the NSEA's political investments are paying off.

NEBRASKA RANKINGS BY AREA AND INDICATOR

OVERALL RANK: 26TH			
Area and Rank ^a	General Indicator	Sub-Indicator	Sub-Indicator Rank/Status ^b
AREA 1: RESOURCES & MEMBERSHIP 18*	Membership	By rank, what percentage of public-school teachers in the state are union members?	19th
	Revenue	By rank, what is the total yearly revenue (per teacher in the state) of the state-level NEA and/or AFT affiliate(s)?	28th
	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?	40th
		By rank, what is the total annual per-pupil expenditure (of funds from federal, state, and local sources) in the state?	15th
		By rank, what percentage of total annual per-pupil expenditures is directed to teacher salaries and benefits?	2nd
AREA 2: INVOLVEMENT IN POLITICS 13*	Contributions to candidates and political parties	By rank, what percentage of the total contributions to state candidates was donated by teacher unions?	5th
		By rank, what percentage of the total contributions to state-level political parties was donated by teacher unions?	8th
	Industry influence	By rank, what percent of the contributions to state candidates from the ten highest-giving sectors was donated by teacher unions?	4th
	Status of delegates	By rank, what percentage of the state's delegates to the Democratic and Republican conventions were members of teacher unions?	41st
AREA 3: SCOPE OF BARGAINING 37	Legal scope of bargaining	What is the legal status of collective bargaining?	Mandatory
		By rank, how broad is the scope of collective bargaining?	24th*
	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?	Agency fees prohibited
	Right to strike	What is the legal status of teacher strikes?	Prohibited
AREA 4: STATE POLICIES 27	Performance pay	Does the state support performance pay for teachers?	Available to all teachers
	Retirement	By rank, what is the employer- versus employee-contribution rate to the teacher pension system?	41st
	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?	Three 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
	Class size	By rank, what percentage of the teaching workforce was dismissed due to poor performance?	35th
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
AREA 4: STATE POLICIES 27 (cont.)	Charter school structural limitations ^c	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 ^c	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

AREA 5: PERCEIVED INFLUENCE^d 38	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?	Often/Always
		On a scale from always to never, how often do Republican candidates need teacher-union support to get elected?	Often
	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?	Neutral
		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?	Concede
	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?	Agree
		On a scale from always to never, how often do existing state education policies reflect teacher-union priorities?	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?	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/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

^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 states, Nebraska has the 19th-highest percentage of teachers who are union members. Otherwise, we report a status: Nebraska has mandatory collective bargaining, and union agency fees are 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.

^c Nebraska does not have a charter school law.

^d 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

¹ A state's overall rank is calculated as follows: First, we score it on multiple sub-indicators (sub-indicator data and scores for Nebraska are shown in the table, *Nebraska 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, Nebraska is ranked 18th 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 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.

³ While our overall metric reports the strength of state teacher unions, this area also captures contributions to state campaigns and parties from national unions and local union affiliates. However, in Nebraska only three local unions contribute to state politics, and their donations were relatively tiny compared to the NSEA.

⁴ 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.

⁵ When calculating the ranking of states that do not have a charter school law, we do not include any sub-indicators related to charters. While some might argue that the lack of such a law is in itself a statement of union strength, we do not have sufficient evidence to connect the absence with actions of the union.

⁶ Sean Cavanagh, "GOP governor backed by teachers' union wins Nebraska," *Education Week*, November 2, 2010, accessed August 28, 2012, http://blogs.edweek.org/edweek/state_edwatch/2010/11/dave_heineman_backed_by_teachers_union_is_re-elected_in_nebraska.html; "Heineman, The Teachers' Union, And Irony," *NebraskaStatePaper.com*, February 27, 2011, <http://nebraska.statepaper.com/vnews/display.v/ART/2011/02/27/4d6b6cff2bc6f>.

⁷ "Legislative Update," Nebraska State Education Association, April 19, 2012, <http://www.nsea.org/policy/LegUpdate.htm>.

⁸ Nancy Fulton, "What I Believe," Nebraska State Education Association, May 2012, <http://www.nsea.org/news/all.htm?articleno=1223>.

⁹ Teacher Portal, accessed August 31, 2012, <http://www.teacherportal.com/teacher-salaries-by-state>.

¹⁰ Margaret Reist, "Heineman Calls For Teacher Pay To Reflect State Aid Increases," *Lincoln Journal Star*, June 19, 2009, http://journalstar.com/news/local/article_89655884-137c-5296-bb8f-dcf2a7710e39.html.

¹¹ Bert Peterson, "War On Teachers Waged Across Nation," *Independent*, May 5, 2012, http://www.theindependent.com/opinion/another_opinion/war-on-teachers-waged-across-nation/article_4e05aa74-9632-11e1-b52b-0019bb2963f4.html.