

NORTH CAROLINA

OVERALL RANK: 40TH¹
TIER 4 (WEAK)

STRONGER WEAKER

OVERALL					40
1. RESOURCES AND MEMBERSHIP					47
2. INVOLVEMENT IN POLITICS			29		
3. SCOPE OF BARGAINING					48
4. STATE POLICIES		12			
5. PERCEIVED INFLUENCE		11			

AREA 1: RESOURCES AND MEMBERSHIP TIED FOR 47TH

North Carolina's NEA-affiliated state teacher union has few internal resources and its members enjoy relatively little spending on K-12 education in the state.² Collective bargaining in education is prohibited in the Tarheel State, and just 49.5 percent of teachers are voluntary members of teacher associations (the 46th-highest rate among 51 jurisdictions). As a result, the North Carolina Association of Educators (NCAE) brings in a mere \$111 in revenue each year per teacher in the state (47th). North Carolina teachers do, however, receive an unusually sizable slice of a small pie when it comes to expenditures on public education: While annual per-pupil expenditures amount to \$9,024 annually per student (44th), 58.5

percent of those dollars go toward teacher salaries and benefits (4th).

AREA 2: INVOLVEMENT IN POLITICS³ TIED FOR 29TH

Over the past decade, teacher unions gave a significant amount to North Carolina political parties, but were otherwise relatively uninvolved in state campaigns.⁴ Union donations amounted to 2.7 percent of all contributions received by political parties (11th), but only 0.25 percent of total dollars received by candidates for state office (39th). Compared to other states, union representation was moderate at the Democratic and Republican national conventions: 13.9 percent of North Carolina's delegates to the conventions identified as teacher union members (24th).⁵

*AREA 3: SCOPE OF BARGAINING
TIED FOR 48TH; LAST PLACE*

North Carolina has the most restrictive bargaining laws in the nation. It is one of only five states that prohibit collective bargaining in education. No union or professional association may collect agency fees from non-members (and recent legislation also bars teacher associations from automatically collecting dues from their own members—see sidebar). The state does not allow teacher strikes.

*AREA 4: STATE POLICIES
12TH*

Collective bargaining aside, North Carolina's teacher employment policies are more aligned with traditional union interests than in most other states. North Carolina does not support performance pay, does not require districts to consider teacher performance in determining layoffs, and does not include student learning in tenure decisions. Further, teachers are dismissed due to poor performance at a lower rate than most other states. (Despite these union-friendly policies, however, North Carolina earned an NCLB waiver in 2012, which may alleviate pressure from reformers to change these policies.) On the other hand, teacher unions typically seek to limit the expansion and autonomy of charter schools, but North Carolina does not limit the number of charter schools allowed to operate. It also allows new, conversion, and virtual schools, and provides some charters with full or partial automatic exemptions from state laws and district regulations.⁶

*AREA 5: PERCEIVED INFLUENCE
TIED FOR 11TH*

Stakeholders in North Carolina perceive their state teacher association to be relatively strong. Respondents agree that the association fights hard to prevent reductions in pay and benefits and is effective in protecting dollars for education, even in times of cutbacks. They also note the association is able to ward off policy proposals with which it disagrees, and that state education leaders often align with teacher union preferences. But they do indicate that, while policies *proposed* by the governor during the latest legislative session were mostly in line with teacher union priorities, the *outcomes* of that session were only somewhat in line, a trend similar to that in many other states.⁷

*OVERALL
40TH*

Despite low measures of resources and membership and highly restrictive labor laws, North Carolina's teacher union has built a strong reputation and has been able to fend off a number of unfavorable employment policies (a situation that may soon change as the state is likely to regain Republican leadership—see sidebar).

HIDING BEHIND THE APRON

Caught up in partisan politics, the North Carolina Association of Education (NCAE) has Democrat Governor (and former teacher) Beverly Perdue on its side. In 2011, the legislature passed SB 727 (a bill Democrat Rep. Jennifer Weiss denounced as a “smackdown on teachers”), which prevents the teacher association from collecting dues from its own members via automatic payroll deductions.⁸ Democrat lawmakers and the NCAE called the bill revenge for their heavy criticism of GOP-initiated education-funding cuts. Perdue vetoed the measure.⁹ But at 1:00 a.m. just a few days into 2012, Republicans overrode her veto. Despite the ensuing outcry from Democrats, who called the move “vindictive” and “insane”—and from the governor, who termed it an “unprecedented, unconstitutional power grab”—the law stood.¹⁰

That fractious cycle portended further confrontation between Perdue on one side and the GOP-controlled legislature on the other, with the NCAE caught in the middle. Early in 2012, the legislature passed a budget that Perdue subsequently vetoed, worried that it did not provide sufficient funds for public education.¹¹ It was the second year in a row that the governor vetoed the state budget, and the second year in a row that the legislature overrode her veto.¹² In addition to cutting funding for education, the new budget contained another potential hit for teacher associations: a modified version of SB 795, the Excellent Public Schools Act. The original version would have introduced merit pay for teachers and an A-F rating system for schools, created a new K–3 literacy program, and overhauled tenure so that all teachers would be placed on one-year contracts and only after three or more of those could qualify for multi-year (but not more than four-year) contracts.¹³ But while some of the less controversial components of the bill (such as the school rating guidelines and the literacy program) made it through to the final version, after intense NCAE lobbying, hot-button issues like merit pay and tenure reform did not.^{14,15} Despite this partial victory, however, the momentum seems to be against the NCAE, and Perdue isn’t seeking re-election (she cited concerns that she was politicizing education policy, although her unpopularity in the traditionally Republican state made re-election an unlikely possibility).¹⁶

NORTH CAROLINA RANKINGS BY AREA AND INDICATOR

OVERALL RANK: 40TH			
Area and Rank ^a	General Indicator	Sub-Indicator	Sub-Indicator Rank/Status ^b
AREA 1: RESOURCES & MEMBERSHIP 47*	Membership	By rank, what percentage of public-school teachers in the state are union members?	46th
	Revenue	By rank, what is the total yearly revenue (per teacher in the state) of the state-level NEA and/or AFT affiliate(s)?	47th
	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?	26th
		By rank, what is the total annual per-pupil expenditure (of funds from federal, state, and local sources) in the state?	44th
		By rank, what percentage of total annual per-pupil expenditures is directed to teacher salaries and benefits?	4th
AREA 2: INVOLVEMENT IN POLITICS 29*	Contributions to candidates and political parties	By rank, what percentage of the total contributions to state candidates was donated by teacher unions?	39th
		By rank, what percentage of the total contributions to state-level political parties was donated by teacher unions?	11th
	Industry influence	By rank, what percent of the contributions to state candidates from the ten highest-giving sectors was donated by teacher unions?	40th
	Status of delegates	By rank, what percentage of the state's delegates to the Democratic and Republican conventions were members of teacher unions?	24th
AREA 3: SCOPE OF BARGAINING 48*	Legal scope of bargaining	What is the legal status of collective bargaining?	Prohibited
		By rank, how broad is the scope of collective bargaining?	47th*
	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?	Bargaining is not allowed
	Right to strike	What is the legal status of teacher strikes?	Prohibited
AREA 4: STATE POLICIES 12	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?	16th
	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?	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?	Optional; Weighted at district discretion
		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?	8th
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
AREA 4: STATE POLICIES 12 (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
		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?	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?	Yes
		Are all charter schools automatically exempt from state teacher-certification requirements? If not, are they eligible for exemptions?	Partially; All schools receive automatic exemptions for some teachers
		Are all charter schools automatically exempt from collective bargaining agreements (CBAs)? If not, are they eligible for exemptions?	Partially; Full automatic exemption for some schools

AREA 5: PERCEIVED INFLUENCE^c 11*	Relative influence of teacher unions	How do you rank the influence of teacher unions on education policy compared with other influential entities?	Third-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?	Never/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?	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/Totally 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?	Mostly not in line/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?	Often/Always
		Would you say that teacher unions typically compromise with policymakers to ensure that their preferred policies are enacted, or typically need not make concessions?	Does not concede

* 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, North Carolina has the 46th-highest percentage of teachers who are union members. Otherwise, we report a status: In North Carolina, collective bargaining is prohibited, and teacher strikes are also 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 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 North Carolina are shown in the table, *North Carolina 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, North Carolina is ranked 47th 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 North Carolina, like other states (especially those in which collective bargaining is prohibited or permitted), has state-level professional teacher associations other than those affiliated with the NEA and/or AFT. These associations range from advocacy groups active in state policy and political campaigns to organizations offering teachers insurance and benefits. In this report, we do not include data for these independent professional associations.

³ 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.

⁴ North Carolina is one of just five states where local teacher associations did not contribute to candidates and political parties. In North Carolina, the NCAE was the major donor to candidates, while the NEA gave a small amount as well. The opposite was the case in regard to political parties, with the NEA giving the bulk of the donations and the NCAE giving little.

⁵ 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.

⁶ Still, according to the Center for Education Reform, the chartering process "remains very restrictive and the state's leadership does not advocate for opening more high quality charter schools without explicit district support." See http://www.edreform.com/wp-content/uploads/2012/04/CER_2012_Charter_Laws.pdf.

⁷ 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.

⁸ Bruce Mildwurf and Laura Leslie, "Legislature Saw Drama And Shifts," *WRAL News*, July 25, 2011, <http://www.charlotteobserver.com/2011/07/31/2493402/legislature-saw-drama-and-shifts.html>.

⁹ John Rottet, "GOP Overrides Veto Of Bill To Weaken Teachers Group," *News & Observer*, January 5, 2012, <http://www.newsobserver.com/2012/01/05/1754535/gop-passes-late-night-bill-to.html>.

¹⁰ *Ibid.*, Mildwurf.

¹¹ Gary Robertson, "N.C. GOP Lawmakers Mix Dem. Gov. Perdue's Vetoes On Budget, Racial Justice, Fracking," *Associated Press*, July 3, 2012, <http://www2.hickoryrecord.com/news/2012/jul/03/nc-gop-lawmakers-nix-dem-gov-perdues-vetoes-budget-ar-2404409/>.

¹² Associated Press, "Legislature Overrides Governor Perdue Budget Veto," July 2, 2012, http://www.witn.com/home/headlines/Legislature_Overrides_Governor_Perdue_Budget_Veto_161170655.html.

¹³ Jack Mercola, "N.C. Senate Considers Teacher Tenure Cut," *Duke University Chronicle*, May 31, 2012, <http://www.dukechronicle.com/article/nc-senate-considers-teacher-tenure-cut>.

¹⁴ Tess Liegeois, "Back To School: Education Reform In North Carolina," *Heritage Foundation*, August 13, 2012, <http://blog.heritage.org/2012/08/13/back-to-school-education-reform-in-north-carolina/>.

¹⁵ Emery P. Dalesio, "Senate In N.C. Works To Revamp Education Policy," *Associated Press*, May 29, 2012, <http://hamptonroads.com/2012/05/senate-nc-works-revamp-education-policy>; NCAE Daily Political Briefing, "Senate Leader Meets With NCAE Lobbyists," May 12, 2012, <http://one.mansellgroup.com/servlet/Pv?p=neanc&m=525&s=0&t=H&r=N>.

¹⁶ Gary D. Robertson, "NC Democratic Governor Perdue Won't Seek Re-election," *Associated Press*, January 26, 2012, <http://www.timesunion.com/news/article/NC-Democratic-Gov-Perdue-won-t-seek-re-election-2720864.php>.