

TENNESSEE

OVERALL RANK: 41ST¹
TIER 5 (WEAKEST)

STRONGER WEAKER

OVERALL					41
1. RESOURCES AND MEMBERSHIP					37
2. INVOLVEMENT IN POLITICS		18			
3. SCOPE OF BARGAINING					38
4. STATE POLICIES					42
5. PERCEIVED INFLUENCE					42

AREA 1: RESOURCES AND MEMBERSHIP TIED FOR 37TH

Tennessee’s state teacher union contends with relatively low financial resources and membership. Only 58.7 percent of teachers in the Volunteer State are unionized (the 36th-highest percentage out of 51 jurisdictions), and its NEA state affiliate sees just \$211 annually per Tennessee teacher (39th). The state directs just 17.7 percent of its expenditures toward K-12 education (32nd). Total per-pupil spending is low (just \$8,695 per student annually, 46th), although 55.8 percent of those funds go toward teacher salaries and benefits (15th).

AREA 2: INVOLVEMENT IN POLITICS² TIED FOR 18TH

Tennessee’s teacher union is in the middle of the pack compared with those in other states when it comes to involvement in politics. Over the past ten years, donations from the union accounted for 0.59 percent of the total contributions received by candidates for state office (26th), with 5.5 percent of the funds going to such candidates from the ten highest-giving sectors in the state (23rd). The union gave to state political parties at a similar level: 0.89 percent of total donations to Tennessee’s parties came directly from its teacher union (27th). And 15.0 percent of Tennessee’s delegates to the Democratic and Republican national conventions were teacher union members (tied for 20th).³

AREA 3: SCOPE OF BARGAINING
38TH

While Tennessee is one of thirty-two states that require collective bargaining by teachers, it restricts the scope of that bargaining fairly severely.⁴ The state explicitly prohibits negotiations over eight of the twenty-one items examined in this metric: management rights, tenure, teacher transfers/reassignments, layoffs, dismissal, evaluations, pension/retirement benefits, and curriculum. State law requires six items must be bargained, and implicitly permits the remaining seven by taking no position. The state also prohibits the automatic collection of agency fees from non-member teachers, a key source of union revenue. Tennessee teachers are not permitted to strike.

AREA 4: STATE POLICIES
42ND

Many state education policies do not align with traditional teacher union interests. State law permits performance pay, requires that student achievement be the preponderant criterion in teacher evaluations, and renders teachers eligible for dismissal after multiple unsatisfactory ratings (the most stringent possible consequence). Tenure is conferred after five years (three is standard) and depends primarily on evidence of student learning. Districts must also consider teacher performance, not only seniority, in determining teacher layoffs. Tennessee law does not cap the number of charters that can operate in the state, and charter teachers do not have to participate in collective bargaining agreements. However, authorizing options are limited and charters are not automatically exempt from state and district laws (although the schools may apply for such exemptions).

AREA 5: PERCEIVED INFLUENCE
TIED FOR 42ND

Stakeholders in Tennessee currently perceive teacher union strength as limited. Survey respondents rank union influence on education policy behind that of the state's education advocacy organizations, business roundtable/chamber of commerce, and school board association, among others. They note that the union is not effective in warding off education proposals with which it disagrees, and indicate that the priorities of state education leaders only *sometimes* align to teacher union positions. Finally, stakeholders report that policies *proposed* by the governor during the latest legislative session were *mostly not* in line with teacher union priorities, while the *outcomes* of that session were not at all in line.⁵

OVERALL
41ST

Tennessee's state teacher union is relatively weak across the board: While it is moderately involved in state politics, it faces thin resources and membership, an unfriendly state policy environment, and a restricted scope of bargaining. These, taken together, have likely contributed to its weakened reputation among state stakeholders. Of the unions in states where bargaining is mandatory, Tennessee's is one of the weakest.

The Tennessee Education Association (TEA) is trying to recover from a major re-write of Tennessee's collective bargaining laws. While negotiations between a district and its teachers are still mandatory, the 2011 law calls for "collaborative conferencing," where teachers can choose to be represented by a union—or not—and instead bargain as an organization of non-unionized professionals. The statute also prevents any union revenue garnered from employee payroll deductions from being used for political purposes.⁶ Lieutenant Governor Ron Ramsey touted the act as a defeat of the TEA: "For years upon years, one union has thwarted the progress of education in Tennessee... The barrier that has prevented us from putting the best possible teacher in every classroom will soon be removed."⁷ TEA government relations director Jerry Winters declared that Ramsey's interpretation went too far and that he "is beating his chest for political reasons."⁸ Yet many Tennessee teachers agreed with Ramsey. Looking to escape what J.C. Bowman, the executive director of the Professional Educators Association of Tennessee (PEAT), calls the "partisan climate that created the political environment Tennessee teachers have faced in recent years," hundreds left the TEA (and its local affiliates) for PEAT, its non-union rival.^{9,10}

Despite its losses of membership and clout, the TEA rebounded somewhat in 2012, securing a 2.5 percent state-funded pay raise for teachers and a requirement that lawmakers must get comprehensive input from teachers before making any changes to the existing teacher evaluation system. It also defeated licensure changes, voucher legislation, and Governor Haslam's controversial proposal to completely eliminate the state-mandated teacher salary schedule.¹¹ However, with the traditional role, and power, of the Tennessee union now in flux, it's difficult to say whether the TEA will make a full recovery.

TENNESSEE RANKINGS BY AREA AND INDICATOR

OVERALL RANK: 41ST

Area and Rank ^a	General Indicator	Sub-Indicator	Sub-Indicator Rank/Status ^b
AREA 1: RESOURCES & MEMBERSHIP 37*	Membership	By rank, what percentage of public-school teachers in the state are union members?	36th
	Revenue	By rank, what is the total yearly revenue (per teacher in the state) of the state-level NEA and/or AFT affiliate(s)?	39th
	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?	32nd
		By rank, what is the total annual per-pupil expenditure (of funds from federal, state, and local sources) in the state?	46th
		By rank, what percentage of total annual per-pupil expenditures is directed to teacher salaries and benefits?	15th
AREA 2: INVOLVEMENT IN POLITICS 18*	Contributions to candidates and political parties	By rank, what percentage of the total contributions to state candidates was donated by teacher unions?	26th
		By rank, what percentage of the total contributions to state-level political parties was donated by teacher unions?	27th
	Industry influence	By rank, what percent of the contributions to state candidates from the ten highest-giving sectors was donated by teacher unions?	23rd
	Status of delegates	By rank, what percentage of the state's delegates to the Democratic and Republican conventions were members of teacher unions?	20th*
AREA 3: SCOPE OF BARGAINING 38	Legal scope of bargaining	What is the legal status of collective bargaining?	Mandatory
		By rank, how broad is the scope of collective bargaining?	36th
	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 42	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?	35th
	Evaluations	What is the maximum potential consequence for veteran teachers who receive unsatisfactory evaluation(s)?	Eligible for dismissal
		Is classroom effectiveness included in teacher evaluations? If so, how is it weighted?	Required; Preponderant criterion
	Terms of employment	How long before a teacher earns tenure?	Five years
		Is student/teacher performance considered in tenure decisions? If so, how is it weighted?	Required; Preponderant criteria
		Is seniority considered in teacher layoff decisions? If so, how is it weighted?	Optional; May be considered among other factors
		Is teacher performance included in teacher layoff decisions? If so, how is it weighted?	Required; Considered among other factors
	By rank, what percentage of the teaching workforce was dismissed due to poor performance?	10th	
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 42 (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?	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?	No; Schools can apply for exemptions
		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?	Yes

AREA 5: PERCEIVED INFLUENCE^c 42*	Relative influence of teacher unions	How do you rank the influence of teacher unions on education policy compared with other influential entities?	Fifth-most influential or below
	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?	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?	Generally 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?	Disagree
		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?	Not at all/Mostly not 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?	Not at all/Mostly not 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?	Generally 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, Tennessee has the 36th-highest percentage of teachers who are union members. Otherwise, we report a status: Tennessee 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 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 Tennessee are shown in the table, *Tennessee 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, Tennessee is ranked 37th 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 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.

⁴ While Tennessee law mandates collective bargaining, it does not require that districts bargain with teacher unions, only with professional organizations—which may or may not be a union, at the discretion of the local employees (see sidebar).

⁵ 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.

⁶ "Professional Educators Collaborative Conferencing Act of 2011 Frequently Asked Questions," Tennessee Department of Education, accessed July 20, 2012, http://www.tn.gov/education/doc/PECCAFAQ_June17.pdf.

⁷ Tim Ghianni, "Tennessee Limits Collective Bargaining Rights For Teachers," Reuters.com, June 1, 2011, <http://www.reuters.com/article/2011/06/01/us-unions-states-tennessee-idUSTRE75071I20110601>.

⁸ Ibid.

⁹ J. C. Bowman, "A Note From The Executive Eirector," Professional Educators of Tennessee, accessed July 20, 2012, <http://www.proedtn.org/displaycommon.cfm?an=1&subarticlenbr=40>.

¹⁰ Chas Sisk, "TN Teachers Union Gets Mixed Grades," *Tennessean*, February 27, 2011, <http://www.wbir.com/news/article/159016/0/TN-teachers-union-gets-mixed-grades>.

¹¹ "Many Wins For Teachers in 2012 Legislative Session," Tennessee Education Association, accessed July 16, 2012, <http://www.teateachers.org/news/many-wins-teachers-2012-legislative-session>.