

STRONGER WEAKER

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**AREA 1: RESOURCES AND MEMBERSHIP
TIED FOR 44TH**

Texas’s teacher associations have limited membership and revenue, and do not see high spending on education in the state. Collective bargaining in education is prohibited in the Lone Star State, and 62.7 percent of its teachers belong to professional associations (still the 33rd-highest percentage out of 51 states). But even then, Texas’s state-level NEA and AFT affiliates see just \$53 annually per teacher in the state—only the state association in South Carolina takes in less. The state does direct 29.8 percent of its total expenditures toward K-12 education (3rd). But overall K-12 expenditures are low: At \$8,654 per student per year, they are lower in just two other states. And, 53.4 percent of those expenditures go toward teacher salaries and benefits (32nd).

**AREA 2: INVOLVEMENT IN POLITICS²
TIED FOR 36TH**

In the past decade, teacher associations participated less in state politics in Texas than did unions in many other states (although their involvement was comparable to that in the four other states in which bargaining is prohibited). Contributions from independent, NEA-affiliated, and AFT-affiliated associations accounted for just 0.60 percent of the total donations received by candidates for state office (24th of 51).³ Their share of contributions to state political parties was equally small—0.47 percent (38th). Further, 9.2 percent of all of Texas’s delegates to the Democratic and Republican national conventions were teacher union members (36th).⁴

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

Texas is one of five states that prohibit collective bargaining, and associations are not allowed to collect agency fees. The state does not permit teacher strikes.

*AREA 4: STATE POLICIES
TIED FOR 30TH*

A number of Texas policies align with traditional teacher union interests—but not all. Some union-friendly policies relate to teacher evaluations and job security: The state does not require that student achievement data factor into teacher evaluations, and confers tenure on teachers virtually automatically after three years (the national norm). Further, unions typically support policies that limit the expansion of charter schools, and Texas places a cap on some (but not all) types of charter schools. In addition, while it allows both the state and local school boards to authorize charters, the state essentially serves as the only viable authorizing option. On the union-averse side, state law requires districts to consider performance in determining teacher layoffs, permits performance pay, does not require charter school teachers to be certified, and exempts state-authorized charters from district personnel policies.

*AREA 5: PERCEIVED INFLUENCE
34TH*

Stakeholders in Texas report that the reach of their state teacher associations is somewhat limited. Survey respondents rank their influence on education policy alongside that of education advocacy organizations but behind the business roundtable/chamber of commerce. They note that state policies only sometimes

reflect association priorities, and that Texas education leaders only sometimes align with those priorities. While they report that the associations fought hard given recent budgetary constraints to prevent reductions in pay and benefits, they also report that policies proposed by the governor during the state's latest legislative session were mostly *not in line* with association priorities, and that policies actually enacted were only *somewhat* in line with those priorities.⁵

*OVERALL
44TH*

Texas prohibits collective bargaining, and its NEA and AFT affiliates have little in the way of financial or membership resources. While the state's teacher associations participate to a limited extent in state politics and enjoy some favorable policies at the state level, overall, Texas teacher associations are comparatively weaker than unions in nearly every other state.

Texas teachers don't seem to mind that collective bargaining is prohibited in the Lone Star State. To the contrary, many of them have chosen to avoid the politics, and the conflict, that traditionally follows teacher unions. The state's two largest independent teacher professional associations boast more combined revenue than the NEA-affiliated Texas State Teachers Association (TSTA) and AFT-affiliated Texas Federation of Teachers.⁶ The Association of Texas Professional Educators (ATPE) explains, "collective bargaining and exclusive consultation policies create an adversarial relationship between employees and employers that compromise students' education."⁷ With over 100,000 dues-paying members of the ATPE alone, it's apparently a popular opinion.

The voice of labor is not completely silent in Texas, but it is louder in the state's capital than in its districts. In 2011, Texas lawmakers slashed \$4 billion in education over two years to help close a state budget shortfall, and the TSTA reacted by imploring Governor Rick Perry to dip into the state's rainy day fund. Perry reluctantly agreed to a one-time use of the funds to stave off an impending budget crisis, but vowed, "I remain steadfastly committed to protecting the remaining balance."⁸ A year later, he stayed true to his word. The TSTA called for a special legislative session, requesting another bailout for 2012-13: With an estimated 12,000 teacher jobs already lost and 8,200 elementary classes above legal class size limits,⁹ TSTA President Rita Haecker argued that "[u]ltimately, these cuts and crowded classrooms harm our students' learning environment."¹⁰ Governor Rick Perry responded, "I understand that [using the fund] seems like a logical answer for them...[but] the reality is everybody's got to give and education's the biggest part of [the state] budget."¹¹ Apparently his mind is made up, and this time the TSTA's pleas fell on deaf ears.

TEXAS RANKINGS BY AREA AND INDICATOR

OVERALL RANK: 44TH

Area and Rank ^a	General Indicator	Sub-Indicator	Sub-Indicator Rank/Status ^b
AREA 1: RESOURCES & MEMBERSHIP 44*	Membership	By rank, what percentage of public-school teachers in the state are union members?	33rd
	Revenue	By rank, what is the total yearly revenue (per teacher in the state) of the state-level NEA and/or AFT affiliate(s)?	50th
	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?	3rd
		By rank, what is the total annual per-pupil expenditure (of funds from federal, state, and local sources) in the state?	49th
		By rank, what percentage of total annual per-pupil expenditures is directed to teacher salaries and benefits?	32nd
AREA 2: INVOLVEMENT IN POLITICS 36*	Contributions to candidates and political parties	By rank, what percentage of the total contributions to state candidates was donated by teacher unions?	24th
		By rank, what percentage of the total contributions to state-level political parties was donated by teacher unions?	38th
	Industry influence	By rank, what percent of the contributions to state candidates from the ten highest-giving sectors was donated by teacher unions?	36th
	Status of delegates	By rank, what percentage of the state's delegates to the Democratic and Republican conventions were members of teacher unions?	36th
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 30*	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?	38th
	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?	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?	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?	19th	
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 30* (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?	Yes
		How many charter authorizing options exist? How active are those authorizers?	Two or more w/ limited 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?	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 34	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?	Sometimes/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?	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?	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?	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?	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

^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, Texas has the 33rd-highest percentage of teachers who are union members. Otherwise, we report a status: In Texas, 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 Texas are shown in the table, *Texas 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, Texas is ranked 44th 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 Major donors in Texas include the state-level NEA and AFT associations, the national AFT and a handful of AFT-affiliated local associations, and two large, active professional associations not affiliated with either the NEA or AFT (see sidebar).

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 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 Revenue calculated using publicly-available tax returns, downloaded from <http://www.irs.gov/taxstats/charitablestats/article/0,,id=97186,00.html>.

⁷ "Collective Bargaining/Exclusive Consultation," Associated of Texas Professional Educators, accessed July 18, 2012, <http://www.atpe.org/advocacy/issues/ColBarExcCon.asp>.

⁸ Reuters, "Rick Perry Reverses Course on Rainy Day Fund," *HuffingtonPost.com*, March 16, 2011, http://www.huffingtonpost.com/2011/03/15/rick-perry-rainy-day-fund_n_836339.html.

⁹ "TSTA Urges Special Session On Rainy Day Fund," Texas State Teachers Association, February 1, 2012, <http://www.tsta.org/sites/default/files/RainYDayFund.pdf>.

¹⁰ "TSTA Calls For Special Session," *Coleman Chronicle*, February 6, 2012, <http://colemannews.com/tsta-calls-for-special-session/>.

¹¹ Allison Morrison, "TSTA Urges Governor Perry To Call Special Session," *EverythingLubbock.com*, February 3, 2012, http://everythinglubbock.com/fulltext/?nxd_id=97992.