

# Rules for Teachers

(1872)

1. Teachers each day will fill lamps, clean chimneys.

(CSL)

2. Each teacher will bring a bucket of water and a scuttle of coal for the day's session.

(SB)

(WRA)

(CSL)

4. Men teachers may take one evening each week for courting purposes, or two evenings a week if they go to church regularly.

(WRA)

(CSL)



# Tracing the roots of teacher tenure



9. The teacher who performs his labor faithfully and without fault for five years will be given an increase of twenty-five cents per week in his pay.



Decades ago, schoolteachers were denied reasonable freedoms and equality.

Discontent over near-tyrannical work conditions built up until, finally, a movement sprouted to protect teachers from getting fired due to frivolous rules. From this wave of labor activism came today's promise of tenure for teachers — a protection that many reformers now feel has outlived its usefulness.

**By Sigrid Bathen**

**In 1986**, after school officials in El Cajon spent several years documenting more than 400 reasons why high school English teacher Juliet Ellery was unfit to teach, the school district fired her. But it took eight years and more than \$300,000 for the district to win its case. After two decades in the classroom, Ellery hardly ever lectured, gave baffling assignments, belittled students and ignored re-

Photos in this article are courtesy of the Wilson Riles Archives and Institute for Education (WRA), the California State Library (CSL), the California Teachers Association and photographer Scott Buschman (SB)

peated efforts by the high school principal to get her to improve.

"I had never seen a teacher that bad," said Principal Arthur Pegas, who spent four years documenting Ellery's performance. "The thing that was most damning about her was the complete unwillingness to accept any reason to change."

Although angry parents removed children from her classroom — overburdening other teachers who took up the slack — Ellery appealed her dismissal and stayed. In 1994, the firing was upheld 2-1 by a Commission on Professional Competence after a 14-day hearing with 44 witnesses and 85 exhibits. Out of the classroom for a year by that time, Ellery was still being paid her \$41,200 salary. The teachers union commission member voted to retain Ellery, calling the charges against her "nitpicking."

Ellery said the charges represented nothing more than opinions, exaggerations and lies. After she was fired and her credential suspended for a year, she worked as a substitute in San Diego public schools. She was eligible to teach again when her credential suspension ended in November 1995. It is not known where, if anywhere, she is working today.

Two years after Ellery's dismissal, in the small Lassen County community of Susanville, longtime science teacher and coach Edward F. Murin finally agreed in 1996 to surrender his teaching credential in exchange for having accusations against him dropped by the state Commission on Teacher Credentialing. Those charges accused Murin of pushing a student sitting on a bleacher, grabbing a student by the neck and trying to block a diabetic eighth-grader in need of sugar

from reaching for a soft drink in his backpack. Murin, who taught in Susanville for 22 years, was the subject of numerous parent complaints ranging from racism to abusive behavior. The decade-long legal battle to remove him cost taxpayers \$1 million.

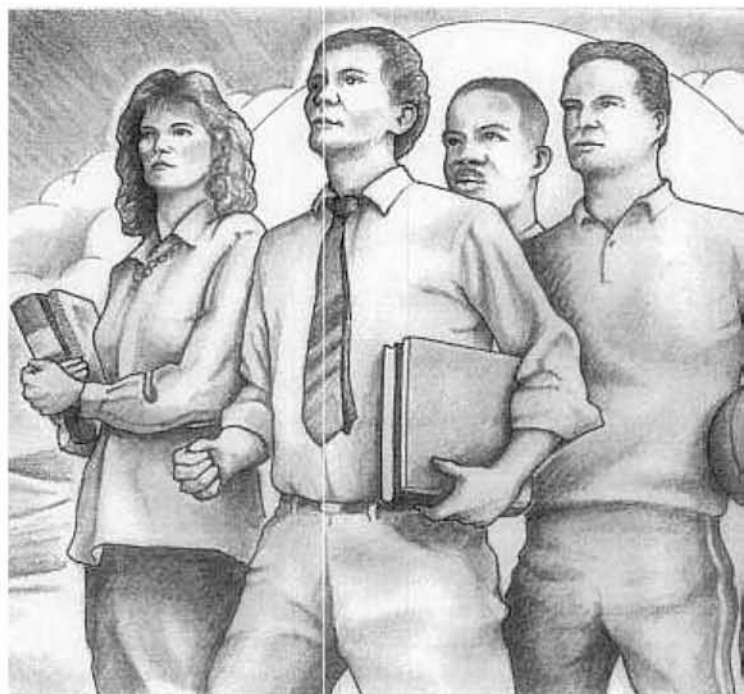
### 'Sit your asses down'

A recent San Bernardino case prompted a school principal to spend three years, from 1993 to 1996, documenting the conduct of a teacher who, "by all accounts," according to a *Riverside Press-Enterprise* report, "was a textbook case of a lousy teacher." Her answers to questions about math, spelling and grammar were wrong. She left students unattended and enforced discipline with coarse directives like "shut up" and "sit your asses down." Instead of teaching social studies one day, she showed the R-rated movie "Speed" to

## The teachers' unions under fire

As school reform is increasingly tied to classroom performance, California's powerful teachers' unions face tough new challenges — not the least of which is fending off a public growing impatient with those defending the status quo.

By Sigrid Bathen



**W**hen Mary Bergan first became an activist in the local chapter of her teachers' union in the late 1960s, she was teaching junior-high school English in Pittsburg, California, and pulling down a flimsy annual salary of less than \$6,000. At the time, the union that drew Bergan's interest and deep-

ening involvement was the California Federation of Teachers, a traditional labor coalition built on the tenets of collective bargaining.

Soon, however, another statewide teachers' union rose in force — posing a counterpoint for CFT and Bergan,

her fifth- and sixth-graders. She once dispatched a fourth-grader to her car to get a large butcher knife. She called two young boys in her class "gay."

It cost the San Bernardino City Unified School District \$100,000 in legal fees to cajole the 20-year veteran teacher into resigning — she walked away with a settlement of \$25,000.

The case left Joseph J. Woodford, an assistant San Bernardino superintendent, figuratively shaking his head at how deeply entrenched and protected public school teachers are. "Tenured teachers in California have the greatest protection for employees of any occupational group except federal judges," Woodford told the *Press-Enterprise*.

Such cases are often cited in the horror stories that call into question the value of teacher tenure laws allowing educators to hang onto their posi-

tions more or less indefinitely. Defenders of these job protections, however, caution against using these isolated worst-case scenarios to paint the profession with a broad brush. There are good reasons for teacher tenure laws, they say, and many of those reasons spring from the workplace indignities suffered by many teachers for decades.

There was a time, for instance, when a female school teacher who dared to marry would get for a wedding present a dismissal from her post. Women were not allowed to wear pants, have bare legs under their skirts, be out on the streets after a certain hour of the evening, and so on. For disobeying any of these rules — or, as most people would see it, for exercising basic freedoms — teachers could be fired on the spot. It wasn't long before teachers joined forces to secure more rights in the workplace and bring

an end to practices that discriminated against women and others.

### Battle for rights

Laws protecting teachers' jobs originated in the 1920s, with their roots partly in the women's rights movement of the era — even today, more than 70 percent of teachers in California are women. "They [due process laws] were a direct result of teachers banding together to put an end to what they thought were arbitrary and abusive practices in school districts that would summarily dismiss teachers without good cause," says Scott Plotkin, chief consultant to the state Senate Education Committee.

While most teachers, particularly in the elementary grades, are women, most administrators always have been and remain disproportionately male and white. Although the number of

who ascended from local activist to Capitol lobbyist to president of the California Federation of Teachers and a vice-president of its national parent, the American Federation of Teachers. Today, it is this other, larger organization — the California Teachers' Association — that is *the* muscle behind the considerable political clout teachers have in school districts and the state Capitol.

"When I became active, 'the teachers union' meant the American Federation of Teachers," recalls Bergan. "Then there was 'the association,' which was the California Teachers Association."

The federation, says Bergan, had always supported collective bargaining. It wasn't until the early 1970s that the CTA followed suit. At the Capitol, both the CFT and the CTA paved the way for teacher advocacy, drawing up wishlists of legislation and presenting them to lawmakers.

"We started introducing bills, and then we [the two teachers' groups] started working together, which wasn't always easy," says Bergan, "but we managed."

Often regarded as a monolithic whole, the "teachers' unions" are actually these two unions, the CFT — which, as Bergan points out, was always, first and foremost, a labor union — and

the CTA, launched as a professional association of teachers banding together to improve and protect their field.

Like the California Federation of Teachers' link to its parent organization, the California Teachers Association is affiliated nationally with the National Education Associa-

tion (NEA). On the local level, some chapters, notably the United Teachers of Los Angeles and the United Educators of San Francisco, include members of both unions; The Los Angeles group is a "merged" union, and members may affiliate with whichever statewide union they choose, while teachers in the San Francisco chapter belong to both.

A widely publicized movement on the national level last year would have merged the AFT and the NEA — had it been successful. But it was shot down by some NEA chapters uncomfortable with the governance structure and longtime labor-union persona of its counterpart. Although the California delegation of CTA supported the merger — and CTA President-elect Wayne Johnson is a former president of the "merged" Los Angeles organization — the proposal fell victim to opposition by more conservative state associations, including some non-collective bargaining chapters in southern states.

"I believe it failed because the agreement put before the NEA convention last year didn't address many things that are very near and dear to NEA hearts, including term limits, not having a president for life," says Johnson, who taught high school social studies in West Los Angeles for 27 years and was a union activist from his early years in education. "There is a very strong culture in the NEA [supportive of] term limits, which used to be a year and is now two and three years."

And then there was the attitude, common to other so-called "white-collar" unions such as physicians' groups, that, well, labor unions are for factory workers, not college-educated professionals. "Some people get a little huffy and say we [CTA] are a professional association," says Johnson. "We're college grads, we're well-educated."



women principals has increased substantially in recent years — to about half of all principals — the percentage of women superintendents is still comparatively small, about 25 percent, according to the Association of California School Administrators.

Job actions against teachers can range from counseling to the rarely used termination procedures. Often, poor teachers simply leave — as do good teachers who get frustrated by the sometimes overwhelming requirements of their profession. The result is a shrinking teacher pool and high teacher attrition in many districts, especially those with a large number of poorly performing schools in crumbling, gang-infested inner-city neighborhoods. One lawyer who handles numerous school-district discipline cases recalls the instance of a teacher, overwhelmed by a class of ill-fed, impoverished, often rowdy and undisciplined kids, who marked “F’s” on stu-

dent report cards — followed by a “U” for unsatisfactory conduct and the words “disgusting child” in the space for “teacher comments.”

“Reading across the report card, parents would see ‘F,’ then ‘U’ then ‘disgusting child,’” the lawyer recalled. “Actually, he cleaned up his act after the district took action against him. A performance plan was put in place, and now he’s a pretty good teacher.”

### Lack of control

Other cases noted by legal experts in the mushrooming field of education law frequently hinge on a teacher’s inability to control a classroom — sometimes out of inexperience, but often the result of burnout, substance abuse or mental illness. In one case, a teacher was living out of her car with her daughter. She was unkempt, rarely bathed, and her kindergarten classroom reeked. Mentally ill with a mentally retarded daughter,

she left teaching and was referred to mental health services. In another, school officials went to the classroom of an elementary school teacher because of a horrific din coming from the classroom — the sound of kids yelling and jumping on their desks. The teacher, apparently emotionally unable to deal with her class, was curled up in the fetal position in a corner of her classroom. She quit on the spot.

Neither teachers nor school administrators disagree with the widely held belief that California’s classrooms are host to a range of poor teachers, and that it is sometimes difficult under current law to force improvements in their performance, or to force them to “find another line of work,” as Governor Gray Davis has said. But the unions part company with critics who contend the profession is rife with failures and that California’s teacher tenure laws protect incompetence — though they agree the complex and expensive

## Mary Bergan

President, California Federation of Teachers

Born: Sept. 13, 1941, Kinosh, Wisconsin

Hometown: Winthrop Harbor, Illinois

Education: B.A. in English, University of California, Berkeley, 1965; secondary teaching credential, UC-Berkeley, 1968

### Professional:

Peace Corps vol-

unteer in Malay-

sia, 1965-67; Eng-

lish teacher, Hill-

view Jr. High School,

Pittsburg, California,

1968-

71; California

Federation of

Teachers, field or-

ganizer (1971-

72), legislative di-

rector (1972-91),

president (1991-

present); vice-president,

American Federation of

Teachers; member, AFT K-12 Faculty Program and

Policy Council; vice-president, California Labor Fed-

eration, AFL-CIO, chair of Education Committee;

named one of California’s top five lobbyists in a

1978 *California Journal* poll.

Personal: Single, no children.



However, Johnson notes, “A lot of folks, including myself, come from blue-collar backgrounds — my father was a member of the United Auto Workers.”

Given the heated political climate surrounding education reform throughout the country — and the enormous influence the 3 million members of a combined national teachers’ organization would wield — the merger talks are far from over. The leadership of the two big unions had agreed in principle to join forces early last year, citing “assaults” on public education as a major factor in their decision. “We want to save public education and improve it,” said AFT president Sandra Feldman. “Not to work in a united way makes no sense,” said NEA President Bob Chase.

The day after the NEA rejected the merger at its July 1998 convention, NEA delegates left open the door for lower-level mergers to occur by establishing a process to allow state affiliates to combine forces. National talks are continuing, and the two unions generally present a united front on key legislative and policy issues, although major structural differences remain in the way the two unions are run.

So far in California there is no indication when or whether the CTA and the CFT might merge.

Privately, some state educators say the CFT is more inclined than the CTA to agree to tougher professional standards for teachers, more willing to work with administrators to solve policy disagreements. “The CFT has been much more focused on issues that had to do with student accountability and peer review, whereas the CTA was much

legal requirements for dismissing a tenured teacher could be simplified.

"If there were no due-process protections, there would be firings all over the place," says California Teachers Association President-elect Wayne Johnson. "My concern is that when teachers are accused of something, whatever it is, they get due process. It can become very political in some communities." Still, Johnson concedes, "The teacher-dismissal process could be streamlined."

Amid the newfound interest in reforming and upgrading schools comes a growing concern among teacher advocates that not enough is being done to improve the stature of teachers. "There are lots of new dollars coming to schools," says California School Boards Association lobbyist Kevin Gordon, "but the bulk of it is locked into specific categories, such as class-size reduction. It's not available for salary increases." And, Gordon said

recently, many districts "are poised for collective bargaining problems" as teachers demand a bigger slice of the education pie.

### **\$6,000 a year**

Since the 1960s and '70s, when new teachers were paid annual salaries of \$6,000, demands for higher beginning salaries have been at the heart of union organizing efforts. Today, beginning-teacher salaries hover in many districts around \$25,000, though experienced teachers can make upwards of \$50,000 or even \$60,000. A recent *Sacramento Bee* survey of teacher salaries shows annual pay starting at \$27,852 and the statewide average as \$44,485.

Even the most virulent, unforgiving critics of the public schools believe the vast majority of teachers mean well, care about kids and want to do a good job. The nettlesome questions about teacher competence—and grow-

ing pressure to get the bad apples, as it were, out of the teaching barrel—stem from increasing public dissatisfaction with schools plagued by poor student performance, as well as a few high-profile cases—such as those cited above—of rank teacher incompetence. Then there is the vast, shifting middle ground of teachers who are neither extraordinarily good nor truly lousy, simply continuing to do what they've always done, without much imagination or vision.

"Most teachers want to do a decent job," says state Board of Education member Marion Joseph. "But teachers are not given the knowledge or the skills they need to succeed in the classroom." Like many state educators, she places blame largely on California's beleaguered teacher-training programs, which are mainly the responsibility of the California State University system. "I'm not persuaded the problems are so much about the

more resistant," said Gary Hart, a former teacher and state senator who as Gov. Gray Davis' education secretary successfully pushed the governor's education reform package through a special legislative session. "But I've seen much more openness on the part of the CTA to be a part of this process, instead of just in opposition."

Whatever members choose to call their affiliation—"union" or "association"—the fact is that the CFT, which represents 90,000 teachers and other school employees, and the 295,000-member CTA, wield major political clout in California, contributing huge sums to candidates for public office and, until recently, holding a virtual stranglehold on any legislation deemed threatening to teacher job protections.

CTA regularly ranks among the top 10 contributors in major statewide races, according to the California Voter Foundation. CTA was the top contributor to Governor Gray Davis—nearly \$1 million by last November 3. CFT contributed substantially less—a mere \$76,800.

As state legislatures and governors throughout the country clamor for significant changes in teacher-tenure laws, and some states begin to opt for less stringent contractual arrangements with "fair dismissal" clauses, the clout of the California teachers' unions is likely to be tested as never before.

At this point, any direct legislation over teacher tenure appears unlikely. What is certain is that the teachers' unions that have fought for decades to ensure strong collective bargaining protections are not inclined to retreat from that stance. 🏠

## **Wayne Johnson**

President-elect, California Teachers Association

Born: May 21, 1940, Oak Grove, Missouri

Hometown: Oak Grove, Missouri

Education: B.S. in education, Missouri State College, Warrensburg, Missouri, 1962; secondary teaching credential, University of California, Los Angeles, 1964.

Professional:

teacher, Hamilton

High School,

West Los Angeles,

1962-84, 1990-

99; named "fa-

vorite teacher"

several times by

Hamilton High senior

class; United

Teachers of Los

Angeles, member

House of Del-

egates (1970-

76) and Board of

Directors (1976-

84), president (1984-90);

vice-president, Califor-

nia Teachers Association (1995-99),

president-elect

(takes office June 1999).

Personal: married, two grown sons (both gradu-

ated from Hamilton High School).



[teacher] unions," Joseph added. "The problems are much greater. And improvement will be difficult until we make major changes in the way teachers are taught."

Experienced teachers say much can be done to help inexperienced or failing teachers improve, but the unions caution against loading up mentor teachers with more responsibility for helping their peers without giving them more time to do it. Veteran teachers, they say, should be called upon early — during the hiring process — not just on the negative, disciplinary end of the stick. For that reason, teachers unions had serious reservations about the "peer-review" portion of the Davis' education-reform

package just rushed through the Legislature in special session. Although the measure veers far away from dealing with the more central issue of teacher tenure, it does require districts to establish peer-review programs for veteran teachers to evaluate other teachers and penalizes districts that fail to follow through.

### Getting rid of them

"I'm told what, when, where and how to teach," says the California Teachers Association's Johnson, a West Los Angeles high school teacher for nearly three decades and former president of United Teachers of Los Angeles. "When that doesn't work, they want me to clean up my own profes-

sion. Fine, but they have to give me the corresponding authority to hire people. Right now I have nothing to say about college curriculum or who gets hired. I only get brought in when they want me to take disciplinary action against my colleagues."

"Parents run into a [teacher] who isn't quite up to par, and ask, 'How do we get rid of this person?'," says Mary Bergan, president of the California Federation of Teachers, "but our real challenge is to find and develop the good teachers that we need, from the beginning, and as people go into their careers. This idea that someone comes *totally prepared*, here's your classroom, here are your kids — it just doesn't work."

# Case study- Origins of tenure

A closer look at the story of Mary Louise Phillips and her beau, Wilson Riles, illustrates the dilemmas and rigid codes of behavior that gave rise to teacher tenure.

By Sigrid Bathen

**M**ary Louise Phillips was a young elementary school teacher in Arizona in the fall of 1941, teaching her first class of third-graders. She was spending a lot of time with another young teacher, Wilson Riles, who made the long drive to Phoenix every weekend from the tiny northern Arizona sawmill town of McNary, where he taught in a one-room schoolhouse on land leased from an Apache Indian reservation. It was years before integration, and both taught in segregated black schools.

"Wilson wanted to get married," she recalls, "but I knew I would immediately be fired, because at that time women teachers in Phoenix were not allowed to be married. I had just gotten my first job, and I didn't want to leave it, but Wilson was tired of going back and forth." Once, he fell asleep on the seven-hour drive from Phoenix to McNary, nearly flipping the car on the winding mountain road. On Nov. 14, 1941, they eloped, keeping the marriage a secret



American School Board Journal, Dec., 1933  
Courtesy of California Federation of Teachers

for a couple of months. "I was finally persuaded by my family that no job was worth that."

Two months later, she resigned to join her husband in McNary, where they both taught in a one-room schoolhouse that did not prohibit female teachers from marrying.

Few teacher-dismissal cases actually reach an adjudication hearing before a three-member Commission on Professional Competence, which includes one representative each for the teacher and the school district seeking the dismissal, as well as a state administrative law judge. Critics of the current system, established by state law in the early 1970s, say it is unwieldy and grotesquely expensive, "one of the most complicated civil legal matters anywhere," said one experienced school district lawyer who, like many others in this politically charged legal minefield, asked not to be identified.

Cases involving potentially criminal behavior – such as sex or drug

charges against a teacher, which may or may not be prosecuted criminally depending on the nature of the evidence – generally result in the teacher resigning. "If there is a [criminal] conviction, it's a piece of cake," said that lawyer. "They're gone." Few dismissal cases get as far as a commission hearing, partly because the procedure is so time-consuming and expensive. One education lawyer said attorneys' fees can easily exceed \$100,000 in a dismissal case.

In one of the first legal test cases challenging the firing of a teacher for "unsatisfactory performance" – which recently replaced "incompetence" on the statutory list of acceptable reasons for teacher dismissals – costs are

estimated to run as high as \$500,000. The case hinges on the dismissal of Capistrano Valley High School social studies teacher Paul Pflueger, who was accused by the school board last February of 42 charges of abusive and intimidating behavior toward students, failing to follow state curriculum guidelines and arbitrary grading policies. According to Ron Wenkart, chief counsel for the Orange County Department of Education, the last time his office took on a teacher dismissal case was in the mid-1980s. "The cost is tremendous, and it discourages districts from dismissing some teachers who might be borderline or below average," Wenkart told the *Orange County Register*.



Louise and Wilson Riles

The rest, of course, is California education history. Riles, who died last month at 81 (see page 19), rose to become state Superintendent of Public Instruction in 1970, the first statewide black elected official in California.

In Sacramento, Louise Riles continued to teach third-graders until her husband's election. But she never forgot those early years in Arizona, when a well-educated young female teacher was treated like school property, dismissed at will, and black teachers of either sex could teach only in underfunded, substandard segregated schools.

### 'Rules' for Women Teachers

Today, the strict codes of behavior from the first part of the century are the stuff of legend. "The rules for women teachers ranged from not having men in your home, and you can't be married, to the hours you could be out on the street," says Rick Simpson, Governor Gray Davis' legislative secretary. "It seems sort of quaint today, but it also spoke volumes about the perceived roles of professional women."

Women teachers were told how to dress (skirts below the ankle), organizations they could not join (women's suffrage groups). They could be – and were – fired for any reason, or no reason.

Critics of teacher tenure – the teachers' unions prefer the terms "due process" or "permanent status" – often forget that the origins of job protections for teachers, the *raison d'être* for the rise of the powerful teacher unions, were rooted squarely in the experiences of teachers like the young Mary Louise Phillips.

"I remember fights over whether women could wear pants to work," said California Teachers Association President-elect Wayne Johnson, a high school teacher in West Los Angeles for nearly 30 years and former president of United Teachers of Los Angeles. "On hot days when we didn't have air-conditioning, there was a memorandum that women also had to wear hose. That precipitated some really knockdown-dragout fights, and we won all of those. Those are things that unions have won for teachers over the years that nobody even thinks about. We get beat up for protecting all those 'incompetents'."

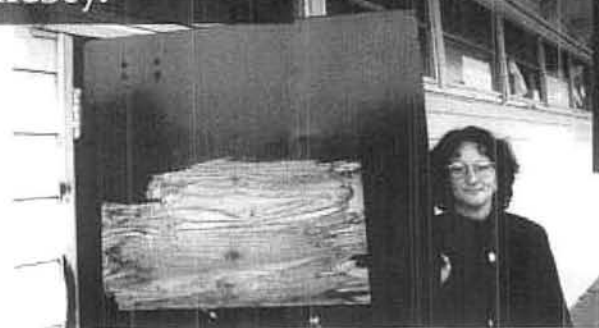
Mary Bergan, president of the California Federation of Teachers since 1991 and the CFT's longtime principal lobbyist, recalls the veritable wall of sex discrimination and arbitrary employment policies she encountered when she started teaching. "There were cases where people would be dismissed because they were politically active or had spoken up at a board meeting," she says. "They would have the temerity to go before the school board and criticize the [school] administration. One of our big cases was in Pasadena to establish the right of a [male] teacher to have a beard. There was the teacher who won the right to have her nursing baby brought to her on campus during her breaks, the English teacher who wanted to use her own poetry in class. . . These were basic things you don't even think about today." 🏠



**8. Any teacher who smokes, uses liquor in any form, frequents pool or public halls, or gets shaved in a barber shop will give good reason to suspect his worth, intention, integrity, and honesty.**



**6. Women teachers who marry or engage in unseemly conduct will be dismissed.**



Photos Courtesy of the California Teachers Association. Scott Bushman photographer

### **Ill-prepared for change**

Some disciplinary actions or dismissals for poor performance by a teacher indirectly come about because longtime instructors are ill-prepared to adjust to the changing demographics of California public schools. "There are older teachers who started teaching 30 years ago who used to teach all white kids, and now they're teaching blacks and Latinos," says one longtime education lawyer. When you try to settle these cases, the teachers will admit they don't like minorities and don't want to teach them. They usually can be convinced to leave, but not always." More of those cases occurred in the 1980s, according to that source, as the state's demographics began to shift substantially, than occur today.

John Bukey, general counsel for the California School Boards Association, says the growing ranks of school attorneys "have gotten very good" at

pursuing teacher dismissals, though "the time and expense are great." Often, the teacher chooses to resign rather than face disciplinary action. "Or they get bought out. The costs are high, but

merous changes in the teacher-dismissal laws, mainly to streamline the complex and time-consuming legal paper chase surrounding the process. The task force urged "added flexibility to seek intermediate disciplinary actions" short of dismissal and expansion of the current two-year probationary process to four years, allowing districts to grant permanence — permanent unemployment status — at the end of any year. The task force expressly did not recommend elimination of teacher tenure. Although other states are moving to relax the laws on tenure and make it easier to

remove incompetent teachers — Oregon lawmakers, for example, eliminated permanent employment status for teachers in 1997, in favor of two-year contracts and a "fair dismissal" process — any sweeping changes in the politically sacrosanct California tenure laws are unlikely in a state where the teachers unions enjoy enormous political clout (see "Unions Under Fire," page 12).

### **Blood on the wall**

But despite huge financial contributions the teacher unions have made to the campaign of Governor Davis, he has not ruled out changes in tenure as part of his overall education reform strategy. California Education Secretary Gary Hart, a former teacher and state senator who has sometimes been at odds with the unions, carried a landmark bill to streamline the teacher-dismissal process in 1983. "There was a lot of blood on the wall," Hart recently said of the unions' ultimately successful battle to block the law, which was overturned in court.

"Teachers have to take more responsibility for dealing with problems that exist within the profession," Hart added. "That doesn't mean there isn't an important, maybe dominant, role for administrators to play, but teachers need to be partners in the process." 🏛️

the districts like to give them some assistance in starting in a new occupation. It's not always that teachers are bad teachers but that the things they have to deal with are daunting. It's an enormously difficult job."

The key to disciplining or removing an incompetent teacher in any district, regardless of its demographics — which in a worst-case scenario, as the El Cajon and Susanville experiences clearly show, doesn't necessarily make the process much easier. A CTA teacher discipline expert said administrators often receive little or no training in how to evaluate a teacher. "Until you do that, you can't expect to fire a teacher," she said. Recalling a training session she conducted for a group of local school administrators, she said, "There were about 50 of them at this session, and I asked them if they had even read the teacher due-process law. Not one person in that room had read it."

A 1996 study of teacher tenure by a California School Boards Association task force of school board members and lawyers recommended nu-

Senior Editor Sigrid Bathen covers education for the California Journal. She can be reached at [sigridd@statenet.com](mailto:sigridd@statenet.com)