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Teachers Unions: What Makes Them Unique and are They the Gatekeepers to Education Excellence?

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CLAREMONT MCKENNA COLLEGE
TEACHERS UNIONS: WHAT MAKES THEM UNIQUE AND ARE THEY
THE GATEKEEPERS TO EDUCATION EXCELLENCE?

SUBMITTED TO
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AND
DEAN GREGORY HESS
BY
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1. Introduction

It has been ingrained into the American consciousness that our public schools are failing and our students are underachieving. This is something we all know. What is less clear is *why* American schools are failing. Time and time again, we come back to teachers, who have been identified as the single greatest factor in determining the success of the student. Teachers can make the difference in the lives of students and help secure our economic future. Teachers unions speak for these teachers, thus, in our search for a scapegoat, teachers unions often rank at the top. Right or wrong, it is a serious accusation to say that teachers unions are responsible for the failure of the American education system. Teachers, and consequently teachers unions, have the power to greatly impact education reform.

After assessing the state of education in the United States and establishing teachers unions' role in the bigger picture of education, I will first explore the source of teachers unions political power: their large membership and their money. Teachers unions are among the largest unions in the country and the NEA (National Education Association), specifically, is the highest political contributor of all public sector unions. To assess their political influence, I will show where and how they use their money with the intention of evaluating whether or not they overstep their boundaries as a typical labor union.

The next important variable to consider when evaluating the impact of teachers unions is their classification as a public sector union. Private and public sector unions operate under different sets of laws and thus have different rules and strategies for collective bargaining. I will examine how their public sector status impacts their influence on hotly contested education reform issues, such as teacher performance pay, teacher evaluations based on student achievement, school vouchers, and charter schools. What makes teachers unions different from other labor unions? And do these differences give teachers unions a detrimental amount of control over education reform?

2. State of Education

In 1983, President Ronald Reagan's National Commission on Excellence in Education published a report surveying the status of education in the United States titled, *A Nation at Risk*.¹ This report revealed that the American school system is failing and American students are underachieving, claiming, “we have allowed this to happen to ourselves... we have, in effect, been committing an act of unthinking, unilateral educational disarmament... A high level of shared education is essential to free, democratic society and to the fostering of a common culture.”² The report goes on to identify some of the indicators of this risk including:

- International comparisons completed a decade ago, reveal that on 19 academic tests, American students were never first or second, and were last seven times.³
- Approximately 23 million American adults are functionally illiterate.
- About 13 percent of all 17-year-olds in the United States can be considered functionally illiterate.⁴
- Average achievement of high school students on most standardized tests is dropping.⁵
- The College Board's Scholastic Aptitude Tests (SAT) show a steady decline from 1963 to 1980, verbal scores falling over 50 points and mathematics scores falling nearly 40 points.⁶
- College Board achievement show consistent declines in physics and English.⁷

¹ National Commission on Excellence in Education, *A Nation At Risk*, accessed September 15, 2010, <http://www2.ed.gov/pubs/NatAtRisk/risk.html>.

² Ibid.

³ Ibid.

⁴ Ibid.

⁵ Ibid.

⁶ Ibid.

⁷ Ibid.

- Both the number and proportion of students with an SAT score of 650 or higher has fallen dramatically.⁸
- Nearly 40 percent of 17-year-olds cannot draw inferences from written material; one-fifth can write a persuasive essay; and one-third can solve a multiple step math problem.⁹

A Nation At Risk also offers some findings regarding teachers:

- Too many teachers are being drawn from the bottom quarter of graduating high school and college students.¹⁰
- The average salary after 12 years of teaching is only \$17,000 per year. Many teachers are required to supplement their income with part-time and summer employment. In addition, individual teachers have little influence in professional decisions, such as textbook selection.¹¹
- There are severe shortages in math, science, and foreign language teachers, as well as teachers who specialize in working with language minority and handicapped students.¹²
- Half of the newly employed mathematics, science, and English teachers are not qualified to teach their respective subjects.¹³

A Nation At Risk essentially presented every American with the challenge of reforming education in the United States to secure our future in the world.

Over twenty five years after the release of *A Nation at Risk*, the public education system in the United States is still a national challenge and is commonly referred to by education leadership as "the civil rights issue of our generation,"¹⁴ citing a proper education as an issue of equality that we have yet to create and maintain for American students. Education is critical to growing and improving as a nation, as well as securing our economic future. The statistics on student achievement in the United States are

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

¹¹ Ibid.

¹² Ibid.

¹³ Ibid.

¹⁴ Arne Duncan, "Secretary Arne Duncan's Remarks at the Statehouse Convention Center in Little Rock, Arkansas." (address, Statehouse Convention Center, Little Rock, Arkansas, August 25, 2010), <http://www.ed.gov/news/speeches/secretary-arne-duncans-remarks-statehouse-convention-center-little-rock-arkansas>.

startling. A quarter of high school students in the United States fail to graduate high school, and in a single generation, the United States has fallen from first to twelfth in the world in percentage of young adults with college degrees.¹⁵ Secretary of Education, Arne Duncan says, "our nations drop-out rate is economically unsustainable and morally unacceptable."¹⁶ The United States currently ranks in the bottom third among developed nations in student performance, despite the fact that we spend more money per capita than most of the other developed nations that are outperforming our students.¹⁷

America's youth hold the key to a successful future for the United States, and when American students are underperforming as compared to other countries worldwide, it is critical that we as a country focus on education if American students are to compete in the global economy. It is worth noting, however, that the United States is among the best in the world in quality post-secondary education.¹⁸ This should provide an obvious advantage for the United States when compared globally, but the drop in the number of high school graduates lessens the impact of this quality education. There has been an increase in the number of foreign students pursuing post-secondary education in the United States, especially Chinese and Indian students.¹⁹ However, these international students return home after graduating and compete with Americans in the global

¹⁵ Duncan, "Remarks at the Statehouse."

¹⁶ Ibid.

¹⁷ Mortimer B. Zuckerman, "Best and Brightest Teachers Key to Solving U.S. Education Crisis," editorial, *U.S. News and World Report*, January 14, 2011, <http://www.usnews.com/opinion/mzuckerman/articles/2011/01/14/best-and-brightest-teachers-key-to-solving-us-education-crisis>.

¹⁸ Peter Schworm, "Foreign students flock to the US," boston.com, last modified July 5, 2008, http://www.boston.com/news/local/articles/2008/07/05/foreign_students_flock_to_the_us/.

¹⁹ Karin Fischer, "Number of Foreign Students in U.S. Hit a New High Last Year," *The Chronicle of Higher Education*, November 16, 2009, <http://chronicle.com/article/Number-of-Foreign-Students-in/49142/>.

economy.²⁰ Therefore, the focus needs to be on elementary and secondary public school education so that we can better utilize our tertiary institutions.

In 2008, the National Center for Education Statistics (NCES) released a projection of education statistics for 2019 that include enrollment, graduates, teachers, and elementary and secondary schools based on population and economic growth, as well as current education trends. The National Center for Education Statistics is the primary federal entity responsible for collecting, analyzing, and interpreting all statistics regarding education for the United States, and foreign countries. The NCES found that between 1994 and 2007, there was a 10 percent increase in total public and private elementary and secondary school enrollment.²¹ By 2019, NCES projects an additional increase of 6 percent in both public and private schools. Enrollment in grades 9-12 from 1994 to 2007 increased 23 percent; however, enrollment of the same group is projected to increase by less than 1 percent from 2007 to 2019.²² Such a small increase in high school enrollment suggests that more and more American students will continue to fall through the cracks of the education system before reaching high school. The statistics regarding high school graduation matches high school enrollment: Between the years 1994 and 2007, there was a 27 percent increase in the number of high school graduates.²³ By the year 2019, there is projected to be an increase of just 1 percent of the number of high school graduates in the United States totaling 3,245,900- of those that graduate, public schools are expected to

²⁰ Rossana Weitekamp, "Foreign National Students in United States Plan to Return to Native Countries," Kauffman Foundation, accessed February 15, 2011, <http://www.kauffman.org/newsroom/foreign-national-students-in-united-states-plan-to-return-to-native-countries.asp>.

²¹ National Center for Education Statistics, *Projections of Education Statistics to 2019*, Projections of Education Statistics 38, 7, <http://nces.ed.gov/pubs2011/2011017.pdf>.

²² *Ibid.*, 4

²³ *Ibid.*, 7

have an increase and private schools are expected to have a decrease.²⁴ The results of the study are as shown:

Image: <http://www2.ed.gov/pubs/NatAtRisk/risk.html>, pg 47.

Figure 1. National Center for Education Statistics, Actual and projected numbers for high school graduates, by control of school: 1994–95 through 2019–20, 47

According to Christopher S. Lehane of *Education Next*, a journal published by the Stanford University's Hoover Institute, the increase in public school students as compared to private school students will have a nationwide impact on the education system with a greater need for public school teachers. With the retirement of the baby boomers, we will experience a shortage of teachers.²⁵ It will be difficult to replace this generation of teachers because younger generations no longer consider teaching one of their best career paths, due to the low pay and the variety of options available to them. Additionally, in the baby boomer generation, most teachers were women (and this is still true today) because they had very few options for professional careers. Most of today's teachers are women as well, but there is a variety of professional careers for women to consider; inevitably, less women will be entering the teaching profession.²⁶ Consequently, the United States will be facing a demand that it cannot support, furthering the challenge of motivating

²⁴ Ibid., 47.

²⁵ Christopher Lehane, "The Democratic Take," *Education Next* 8, no. 1 (Winter 2008): <http://educationnext.org/the-democratic-take/>.

²⁶ The Center for Public Education, *Class Size and Student Achievement*, accessed March 15, 2011, <http://www.centerforpubliceducation.org/Main-Menu/Organizing-a-school/Class-size-and-student-achievement-At-a-glance/>.

[Class-size-and-student-achievement-Research-review.html](http://www.centerforpubliceducation.org/Main-Menu/Organizing-a-school/Class-size-and-student-achievement-Research-review.html).

students to learn in the short term, and affecting our ability to compete with other countries in the global economy in the long term.²⁷

However, contrary to the opinion of many education experts, the National Center for Education Statistics presents a different picture of teacher supply and demand. This is possibly because " the projections do not take into account possible changes in the number of teachers due to the effects of government policies."²⁸ In addition to student projections, the NCES released projections on the teaching profession as well. From 1994 to 2007, the total number of elementary and secondary teachers, including those teaching in both public and private schools, increased by 24 percent.²⁹ There is a projected additional increase of 13 percent for both public school and private school teachers in elementary and secondary schools by 2019.³⁰ Because the increase in number of teachers is projected to be greater than the number of students enrolled, the NCES projects a decrease in the teacher to student ratio, a statistic often referred to when analyzing the quality of education- a lower ratio being more desirable and implying a higher quality education (although, the importance of teacher to student ratio is disputed in education literature). Thus, it remains to be seen what the teacher-student ratio will be and the impact that it will have on education.

The NCES projected a lower teacher to student ratio, but did not indicate how this applies to private versus public schools. This may indicate a lower ratio overall, but perhaps a higher ratio for public school teachers and students. When properly educated,

²⁷ Elizabeth Green, "Building a Better Teacher," *The New York Times*, March 2, 2011, <http://www.nytimes.com/2010/03/07/magazine/07Teachers-t.html>.

²⁸ National Center for Education Statistics, *Projections of Education Statistics to 2019*, 11.

²⁹ NCES, 12.

³⁰ *Ibid.*

individuals are more productive, more innovative, and are able to contribute to society with a greater breadth of knowledge.³¹ And as Eric A. Hanushek of *Education Next* points out in "Education Production Functions: Developed Country Evidence," the educational process is cumulative and inputs at every level students' academic career contribute to their overall level of achievement, as well as their ability to contribute to society and economic growth.³²

Education and economic well-being can be connected in three ways. First, education can increase human capital, which increases labor productivity. Second, education can increase the innovative aspect of the economy with new knowledge, new ideas, and new technology. Third, education can facilitate the transmission of this knowledge more broadly so that the public can become more aware and more educated; it is not enough to have the knowledge, we have to be able to share it.³³ This evidence suggests that the quality of education is more important than the quantity of schooling with respect to maintaining economic growth; this again suggests teacher quality as the most essential factor for economic prosperity individually, and as a nation. As it is summarized at the end of the report, essentially what these results are telling us is that, "What people know, matters."³⁴

³¹ Eric A. Hanushek, "The Economics of School Quality," *German Economic Review* (August 2005):70, <http://edpro.stanford.edu/hanushek/admin/pages/files/uploads/GermEconRev.journal.pdf>.

³² Eric A. Hanushek, "Education Production Functions: Developed Country Evidence," *Economics in Education* (November 2007): 3, <http://edpro.stanford.edu/hanushek/admin/pages/files/uploads/hanushek%202010%20prod%20functions%20international%20encyclopedia.pdf>.

³³ Eric A. Hanushek and Ludger WoBmann, "Education and Economic Growth," in *International Encyclopedia of Education*, 3rd ed., ed. Penelope Peterson, Eva Baker, and Barry McGaw (Elsevier Ltd, 2010), last modified 2010, http://edpro.stanford.edu/hanushek/admin/pages/files/uploads/hanushek_woessmann%20%2020010%20international%20encyclopedia.pdf.

³⁴ Ibid.

It has been proven and is widely accepted that teachers have the greatest impact on student achievement and student success,³⁵ surpassing the impact of parents on their children's student achievement.³⁶ Better teachers equate to better students and a brighter future for the United States.³⁷ Hanushek estimates that the variation in student knowledge per academic year based on the quality of a student's teacher is significant; in other words, while a poor teacher gets gains of 0.5 grade level equivalents during a school year, a good teacher gets gains of 1.5 grade level equivalents.³⁸ Clearly, given a succession of good or bad teachers, the implications for student performance could be extremely beneficial or detrimental to the student.³⁹ If one were to take two young children and gave one child a good teacher for three years and the other a poor teacher for three years, according to research cited by McKinsey and Co., the two children's performances in school would diverge by more than 50 percentile points.⁴⁰ The quality of a teacher is so important that it is more influential than the school the student attends. A student is better off to have a good teacher in a poor school than a poor teacher in a good school. Teachers are in fact so critical that four to five years of good teachers could close the achievement gap

³⁵ Barack Obama, "Remarks by the President in State of the Union Address" (address, United States Capitol, Washington, D.C., January 25, 2011), The White House, <http://www.whitehouse.gov/the-press-office/2011/01/25/remarks-president-state-union-address>.

³⁶ David Leonhardt, "The Case for \$320,000 Kindergarten Teachers," *The New York Times*, July 27, 2010, http://www.nytimes.com/2010/07/28/business/economy/28leonhardt.html?_r=2.

³⁷ Dan Goldhaber, "The Mystery of Good Teaching," *Education Next* 2, no. 1 (Spring 2002): <http://educationnext.org/the-mystery-of-good-teaching/>.

³⁸ Eric A. Hanushek, "The Trade-off Between Child Quantity and Quality," *Journal of Political Economy* 100, no. 1 (February 1992): 84-117, <http://edpro.stanford.edu/Hanushek/admin/pages/files/uploads/child%20quality.JPE.pdf>.

³⁹ Eric A. Hanushek, "Education Production Functions: Developed Country Evidence," *Economics in Education* (November 2007): <http://edpro.stanford.edu/hanushek/admin/pages/files/uploads/hanushek%202010%20prod%20functions%20international%20encyclopedia.pdf>.

⁴⁰ Mortimer B. Zuckerman, "Best and Brightest Teachers Key to Solving U.S. Education Crisis," editorial, *U.S. News and World Report*, January 14, 2011, <http://www.usnews.com/opinion/mzuckerman/articles/2011/01/14/best-and-brightest-teachers-key-to-solving-us-education-crisis>.

between low income and higher income students.⁴¹ However, the opposite is true as well. Bad teachers are detrimental to a student's academic achievement. A few consecutive years of bad teachers can permanently damage a student's future.⁴²

Due to the economic and social impacts student achievement and teacher quality have on America's future, the Obama administration has placed education at the forefront of major reform efforts.⁴³ There have been various reform efforts to transform teacher education in the past, such as Teaching for a New Era⁴⁴ and the Higher Education Reauthorization of 1998,⁴⁵ but all have been unable to improve teacher quality in the United States; education, as well as implementing and evaluating teachers, continues to be an issue. But we know it can be done. Looking internationally, countries such as South Korea and Finland are among those constantly referenced by President Obama and Secretary Duncan as countries with successful education systems that are built on the foundation of high quality teaching.⁴⁶ This results in high student achievement. Simply stated, these countries have a different "culture of education" that is deeply rooted in their society. Singapore and Hong Kong select teachers from the top 30 percent of their school systems' graduating classes, Finland from the top 10 percent, and South Korea from the

⁴¹ Hanushek, "Education Production Functions: Developed Country Evidence,"

⁴² Eric A. Hanushek, "Teacher Deselection," in *Creating a New Teaching Profession*, by Dan Goldhaber and Jane Hannaway (Urban Institute Press, 2009), <http://edpro.stanford.edu/hanushek/admin/pages/files/uploads/Hanushek%202009%20CNTP%20ch%208.pdf>.

⁴³ White House, "Education," White House.gov, accessed April 1, 2011, <http://www.whitehouse.gov/issues/education>.

⁴⁴ Teachers for a New Era, "About Teachers for a New Era," Teachers for a New Era, accessed January 15, 2011, <http://www.teachersforanewera.org/>.

⁴⁵ ED.gov, "1998 Amendments to Higher Education Act of 1965," United States Department of Education, last modified October 23, 2006, <http://www2.ed.gov/policy/highered/leg/hea98/sec201.html>.

⁴⁶ Obama, "Remarks by the President in State of the Union Address."

top 5 percent.⁴⁷ Furthermore, South Korea refers to their educators as "nation builders,"⁴⁸ creating a culture where education is the number one priority of a child's life.⁴⁹

But the disparity in teaching between the United States and other countries does not stop there. Even with the selective screening process in place in South Korea, it is inevitable that some teachers will prove to be ineffective, but unlike here in the United States, some such countries immediately have these teachers removed, conscious of the damaging effects they could have on the lives of their students should the problem continue. In Singapore, China, and Japan, teachers who are determined to be ineffective are put into full-time training, and if this does not work, the teachers are deployed to a new profession.⁵⁰ No such mechanism exists in the United States.

It is a question of a heightened awareness of the importance of education and the role of teachers for a student population that is growing, as well as the general aversion to firing people who want to be teachers. There is quite a disparity between the culture of education here in the United States and the culture of education abroad. In countries with higher student achievement, teachers are expected to do more than just deliver information. Because they are held in such high esteem, in South Korea, teachers have a substantial role in the shaping of their society and economic growth. Simply relaying information is not good enough. A higher standard is necessary.⁵¹

⁴⁷ Mortimer B. Zuckerman, "Best and Brightest Teachers Key to Solving U.S. Education Crisis," editorial, *U.S. News and World Report*, January 14, 2011, <http://www.usnews.com/opinion/mzuckerman/articles/2011/01/14/best-and-brightest-teachers-key-to-solving-us-education-crisis>.

⁴⁸ Obama, "Remarks by the President in State of the Union Address."

⁴⁹ Asia Society, "South Korean Education," Asia Society, accessed August 20, 2008, <http://asiasociety.org/education-learning/learning-world/south-korean-education>.

⁵⁰ Asia Society, "How did Asian school systems manage to outrank the US?," Asia Society, last modified April 4, 2011, <http://asiancorrespondent.com/51835/how-the-best-school-systems-invest-in-teachers/>.

⁵¹ Asia Society, "South Korean Education."

Teachers, however, do not stand alone. Because they are a highly unionized branch of the public sector, changing the culture of education, means contending with teachers unions.⁵² Their mission is to protect their members, primarily teachers. They value teachers, but, some argue that they also make it harder to institute educational reform. Teachers unions may not be *the* deciding factor, but they certainly are a significant component to be considered. Teachers unions play a critical role in defending teachers' wages and benefits, and play an important function of democracy. As Paul Peterson explains in *The Price of Federalism*, "When governmental organization has a large geographical reach, workers become well organized and unions are able to gain considerable influence over public policy."⁵³ For good or for bad, teachers unions are one of the many "prices of federalism," protecting teachers, while possibly simultaneously hampering innovation.⁵⁴ Some argue that unions, and union conflicts more specifically, do not allow for proper teacher evaluation, the rewarding of good teachers, or the firing of bad ones.⁵⁵ Right or wrong, the debate surrounding education policy and education reform continues to return to the argument surrounding teachers unions. So this raises the question: Are teachers unions different than other unions? And do they have a disproportionate amount of control over the framing of education policy?

The impact of a single teacher on a society is enormous when compared to many other professions. In *this* sense, teachers unions are different first and foremost because

⁵² Jerry Adler, "Debate: Are Teachers' Unions the Problem—or the Answer?" *Newsweek*, March 19, 2011, <http://www.newsweek.com/2010/03/18/debate-are-teachers-unions-the-problem-or-the-answer.html>.

⁵³ Peterson, 21.

⁵⁴ Paul E. Peterson, *The Price of Federalism* (Washington, D.C.: The Twentieth Century Fund, Inc., 1995).

⁵⁵ James Sherk, "F.D.R. Warned Us," editorial, *The New York Times*, February 19, 2011, <http://www.nytimes.com/roomfordebate/2011/02/18/the-first-blow-against-public-employees/fdr-warned-us-about-public-sector-unions>.

the members that they represent have an enormous amount of impact and an incredible amount of responsibility to contributing to the United States' success as a nation.

3. Political Influence of Teachers Unions

The National Education Association (NEA) is the largest political campaign spender in the United States.¹ Building strength in the wave of the labor movement throughout the 20th century, teachers unions, particularly the NEA and the American Federation of Teachers (AFT), which were growing exponentially in membership, went from entities specifically functioning to fight for the basic rights of teachers in the classroom, to being considered a force in the American political arena.² Together, the NEA and AFT, with 3.2 million,³ and 1.5 million members,⁴ respectively, are the two largest teachers unions in the United States. Union adversaries fault teachers unions for their political power, claiming that they use their money to influence school board members and members of Congress on matters of education, thereby halting good governance and preventing necessary education reform.⁵ Teachers unions advocates say that teachers unions use their political influence to fight for teachers rights and to help ensure good, effective policy that is fair to teachers and students alike.⁶

¹ Mike Antonucci, "The Long Reach of Teachers Unions," *Education Next* 10, no. 4 (Fall 2010): <http://educationnext.org/the-long-reach-of-teachers-unions/>.

² Ibid.

³ NEA, "Our Members," National Education Association, accessed April 1, 2011, <http://www.nea.org/home/1594.htm>.

⁴ AFT, "AFT President: Randi Weingarten," American Federation of Teachers, accessed March 16, 2011, <http://www.aft.org/about/leadership/>.

⁵ Mike Murphy, "The Real Stakes in Wisconsin: Walker's war on the public unions could change the game across the U.S. in 2012," *TIME Magazine*, March 14, 2011

⁶ AFT, "AFT President."

Regardless of one's personal opinion regarding the political intentions of teachers unions, their monetary influence cannot be denied. In the 2008 election cycle, teachers unions contributed approximately \$5.4 million to federal candidates with the AFT and NEA leading the way in contributions.⁷ In the 2010 election cycle, teachers unions' contributions were even greater, totaling approximately \$12.3 million, the NEA contributing approximately \$6.9 million and the AFT contributing approximately \$5.2 million.⁸ The unions were able to secure these large sums of money from dues that they charge their members. This money is automatically deducted from each teacher's paycheck, then makes its way through a series of affiliates. The union dues go to the local affiliate, which keeps its share and sends the remainder to the state affiliate, the state affiliate keeps its share and sends the rest to the national affiliate.⁹ The NEA has an affiliate in every state and claims 14,000 locals. This school year, the NEA received \$162 from every teacher and \$93.50 from every full-time education support staff member. The NEA's budget for 2010 was \$355.8 million.¹⁰ The AFT has a comparable process, although most of the AFT's power is concentrated where most of its members reside, New York. The AFT's estimated 2010 budget was \$165 million.¹¹ According to Mike Antonucci of *Education Next*, the NEA spends its money in roughly equal thirds. The first third is used to support the operating cost of the union's headquarter in D.C., the second third pays the salaries of NEA staff and employees, and the last third is sent back to state affiliates to be used in labor negotiations and legislative battles. Some of this

⁷ Center for Responsive Politics, "Teachers Unions," OpenSecrets.org, last modified March 27, 2011, <http://www.opensecrets.org/industries/indus.php?ind=L1300>.

⁸ Ibid.

⁹ Antonucci.

¹⁰ Ibid.

¹¹ Ibid.

money is spent funding research that supports their positions on education, such as the Economic Policy Institute and People For the American Way.¹² The map below shows the distribution of this money back to the states:

Image: Political spending by teachers unions

<http://educationnext.org/the-long-reach-of-teachers-unions/>.

Figure 1: *Education Next*, "The Long Reach of Teachers Unions"

As shown on the map, the AFT and NEA combined spent the most money per teacher in Oregon, Montana, South Dakota, Utah, and Colorado- all five states had very close elections in the 2007-2008 cycle.¹³ The NEA funneled money to Oregon to oppose three education ballot initiatives sponsored by Bill Sizemore, a Redmond, Oregon political activist and founder of Oregon Taxpayers United. The three measures were as follows: Measure 58 was a ballot aimed at restricting bilingual education and requiring "English-immersion" in Oregon Public Schools.¹⁴ Measure 59 was a state statute to allow federal income taxes to be fully deducted on state income tax returns.¹⁵ Measure 60 was a teacher performance initiative for establishing a merit pay performance system for teachers in Oregon Public schools.¹⁶ All three Sizemore initiatives were defeated. In South Dakota, teachers unions helped to defeat Measure 10, which would have banned the use of tax

¹² Ibid.

¹³ Mike Antonucci, "Teachers Unions In Five States Spent More Than \$100 Per Teacher On Political Campaigns," *Education Next* (July 2010): <http://educationnext.org/teachers-unions-in-five-states-spent-more-than-100-per-teacher-on-political-campaigns/>.

¹⁴ Secretary of State Oregon, "Measure 58," Secretary of State Oregon, accessed April 1, 2011, http://www.sos.state.or.us/elections/pages/history/archive/nov42008/guide/meas/m58_opp.html.

¹⁵ Secretary of State Oregon, "Measure No. 59," Secretary of State Oregon, Accessed April 1, 2011, http://www.sos.state.or.us/elections/pages/history/archive/nov42008/guide/meas/m59_opp.html

¹⁶ Secretary of State Oregon, "Measure 60," Secretary of State Oregon, Accessed April 1, 2011, http://www.sos.state.or.us/elections/pages/history/archive/nov42008/guide/meas/m60_opp.html.

money for campaigns or lobbying and restricted political contributions by government contractors.¹⁷

In Utah, the NEA spent \$3.2 million dollars to defeat a measure against school vouchers, showing their support of the public school system. This is particularly significant because Utah is a conservative-leaning state; if a school voucher measure were to pass, an issue supported by Republicans, it would have the greatest possibility of success in Utah.¹⁸ NEA's influence extends into democratic states as well as conservative states.¹⁹ Teachers unions strongly support education initiatives nationwide that are of interest to them. Vouchers, specifically, would not be an effective measure for school reform. Removing a group of students from public schools to a perhaps more effective private school would do nothing to fix the broken public school system or improve teacher quality, which has been identified as the principle problem in the public school system.²⁰ Teachers unions argue that school vouchers help a handful of students at the expense of the rest. Private schools have the right to refuse to accept anyone; the disadvantaged students who are already being turned away from these schools will continue to be rejected. As more students turn to voucher schools, fewer students will be in public schools, leaving public schools with less money and resources. Public schools

¹⁷ Antonucci, "Teachers Spend More than \$100 Per Teacher On Political Campaigns."

¹⁸ Ibid.

¹⁹ Fox News, "Utah Voters Defeat Measure to Create U.S. First Statewide School Voucher Program," FoxNews.com, last modified November 7, 2007, Utah Voters Defeat Measure to Create U.S. First Statewide School Voucher Program.<http://www.foxnews.com/story/0,2933,308936,00.html#>.

²⁰ James G. Cibulka, "The NEA and School Choice," in *Conflicting Missions: Teachers Unions and Educational Reform*, by Tom Loveless, ed. Tom Loveless. (Washington, D.C.: Brookings Institution Press, 2000), 157.

that are already struggling will fall further behind.²¹ Teachers unions believe that vouchers promote inequality.

Teachers unions are also active in lobbying; the amount of money spent on lobbying has been increasing annually. In the 2007-2008 election cycle, \$5.8 billion was spent on state and federal campaigns- the largest was the NEA, spending more than \$56.3 million, \$12.5 million ahead of the second-place group.²² All together, the NEA/AFT distributed \$71.7 million on candidate and issue campaigns.²³ Open Secrets.org lists the top all-time political donors from 1989-2010,²⁴ which includes Democratic supporting groups, Republican-supporting groups, and those that are “on the fence.”²⁵ The NEA placed 8th overall, while the AFT placed 13th overall, and both were listed as highly Democratic.²⁶ The next highest public union contender with respect to political contributions in the 2007-2008 cycle was the Services Employees International Union, ranked in 5th place, contributing approximately \$35 million.²⁷ In 2010, teachers unions spent approximately \$4.9 million on lobbying, again led by the NEA and AFT, who contributed \$3.6 million and \$1 million respectively.²⁸ Over the past 11 election cycles, teachers unions have made 94% to 99% of these contributions to the Democratic party.²⁹

But while teachers unions are heavily Democratic, teachers themselves are not as liberal as the unions that represent them. It was Democrats that gave unions the right to

²¹ Ibid., 157.

²² Center for Responsive Politics, "Top All-Time Donors, 1989-2010," OpenSecrets.com, accessed March 27, 2011, <http://www.opensecrets.org/orgs/list.php?order=A>.

²³ Ibid.

²⁴ Ibid.

²⁵ Ibid.

²⁶ Ibid.

²⁷ Antonucci, "The Long Reach of Teachers Unions."

²⁸ Center for Responsive Politics, "National Education Association," OpenSecrets.org, accessed April 1, 2011, <http://www.opensecrets.org/orgs/summary.php?id=D000000064>.

²⁹ Center for Responsive Politics, "Top All-Time Donors, 1989-2010."

collectively bargain and have historically represented the working middle class.³⁰ In Wisconsin, it is the Republican Party who supported Governor's Walker's proposal to strip collective bargaining rights from public sector unions.³¹ Union leadership pushes a highly liberal platform instead of representing their much more moderate membership because they know that Democrats are more likely to vote for their causes. Also, as a political body, teachers unions are able to be more effective if they choose one side or the other; taking moderate stances will not get anything accomplished. By the same token, Democrats support unions because unions maintain a fiercely liberal agenda. Teachers unions and the Democratic Party are dependent on each other for survival. However, President Obama is currently acting in direct opposition to teachers unions with a reform agenda such as Race to the Top, which ties teacher pay to evaluations and possibly student performance.³² Consequently, neither President Obama nor Secretary Duncan were invited to the last NEA convention. However, the teachers unions are still likely to heavily support President Obama and the Democratic Party in 2012, as it remains their best option.³³

According to *Education Next*, the NEA periodically surveys their members on a host of issues. The 2005 NEA survey, which is consistent with previous results, revealed that members "are slightly more conservative (50 percent) than liberal (43 percent).³⁴ The

³⁰ Robert H. Zieger, *American Workers, American Unions*, 2nd ed. (1986;repr., Baltimore, Maryland: The Johns Hopkins University, 1994.

³¹ Joe Klein, "As Goes Wisconsin... So Goes the Nation," *TIME Magazine*, February 12, 2011, <http://www.time.com/time/nation/article/0,8599,2053510,00.html>.

³² United States Department of Education, "Answering Tough Questions About Pay for Performance," ED.gov, last modified November 19, 2010, <http://www.ed.gov/blog/2010/11/answering-tough-questions-about-pay-for-performance/>.

³³ Sam Dillon, "Teachers' Union Shuns Obama Aides at Convention," *The New York Times*, July 24, 2010, http://www.nytimes.com/2010/07/05/education/05teachers.html?_r=1.

³⁴ Antonucci, "The Long Reach of Teachers Unions."

2009 *Education Next*-PEPG (Program on Education Policy and Governance) Survey of Public Opinion found similar results.³⁵ The survey focused on asking teachers about specific education reform issues such as their views on charters schools and merit pay. The survey discovered that 37 percent of public school teachers somewhat or completely support the formation of charter schools. This number rose to 43 percent when respondents were told that President Obama supports charter schools.³⁶ Only 12 percent of respondents answered to being in complete or partial support of merit pay, with 31 percent in favor of merit pay when told that the President supports this issue as well.³⁷

This disparity between the political philosophy of teachers and teachers unions is partially a result of compulsory unionism. For example, in Wisconsin, public school teachers are forced to pay the union for no other reason than the privilege of having a job. According to data collected by the National Institute for Labor Relations Research, in 2007, the NEA and AFT collected \$2 billion in union dues. Out of this \$2 billion, \$1.3 billion came from states that allow forced dues as is the case in Wisconsin.³⁸ Twenty-two states have forced unionism labor laws and the dues are often higher in these states than in states without compulsory unionism laws. As Gary Beckner of *The Washington Times* points out, “Under forced unionism, the union speaks for the member even if that member disagrees with the union’s agenda.”³⁹

³⁵ Ibid.

³⁶ William Howell, Paul E. Peterson, and Martin West, "The Persuadable Public," *Education Next* 9, no. 4 (Fall 2009): <http://educationnext.org/persuadable-public/>.

³⁷ Ibid.

³⁸ Gary Beckner, "BECKNER: Teachers' rights muzzled in union debate," *The Washington Times*, February 23, 2011, <http://www.washingtontimes.com/news/2011/feb/23/teachers-rights-muzzled-in-union-debate/print/>.

³⁹ Ibid.

The question follows: Why is the National Education Association so liberal while its members are not? The answer lies in the political socialization of union leaders, the individuals who make the decisions, who identify as highly liberal. In addition to a survey of its members, the NEA also conducted a survey of its local affiliate presidents, asking the same questions and dividing them by the size of the group that they represented. More presidents identify themselves as more liberal than the members they represent. As the size of the union increases, the disparity between the political philosophy of the local affiliate president and the political philosophy of the members increases.⁴⁰ In fact, about 80 percent of local union presidents at each level indicated that they thought NEA's political philosophy was as liberal as or more liberal than their own.⁴¹:

Image: Left-leaning leaders

<http://educationnext.org/the-long-reach-of-teachers-unions/>.

Figure 2: *Education Next*, "The Long Reach of Teachers Unions"

But are the teachers aware that their views are not being represented? This is something that makes teachers unions different. The overwhelming trend of public sector unions is to represent the views of their members, but for teachers unions, this is not the case. It is true that employees can opt out of their unions' political spending, but each member has

⁴⁰ Antonucci, "The Long Reach of Teachers Unions."

⁴¹ Howell, "The Persuadable Public."

to ask for such an exemption, and few choose to do so,⁴² resulting in apathetic contributions to a heavily partisan and liberal agenda.

With such enormous political power, teachers unions can afford to involve themselves in a variety of political endeavors in addition to campaign spending. The NEA and AFT support a number of philanthropic efforts, most of them liberal, including: America Votes, Center for American Progress, Democratic GAIN, Media Matters, U.S. Action, Vetaran's Assistance Fund, Special Olympics, and UNICEF⁴³ and are actively involved in contemporary issues, such as gay marriage activism. These contributions, regardless of their intentions are beneficial to the unions themselves. Any contribution by a political organization can be viewed as an attempt to curry favor or influence a particular demographic. Contributions to veterans can garner trust from the public and encourage donations from their members. Is this genuine care for veterans and the disabled or a tool to manipulate public opinion?

While it is worth noting that unions, particularly teachers unions, are heavily Democratic, they are not the party's main source of revenue:

Image: Democratic contributors

<http://educationnext.org/the-long-reach-of-teachers-unions/>.

Figure 3 Source: Center for Responsive Politics and *Education Next*, "The Long Reach of Teachers Unions"

The financial sector gives millions of dollars more to the Democratic Party than unions. However, financial sector contributions to the Democratic Party are comparably

⁴² Mike Murphy, "The Real Stakes in Wisconsin: Walker's war on the public unions could change the game across the U.S. in 2012," *TIME Magazine*, March 14, 2011.

⁴³ Antonucci, "The Long Reach of Teachers Unions."

matched with political contributions to the Republican Party. The financial sector cares less about ideology and more about making a profit and will support the party in power, the party more likely to support legislation that is favorable to them.⁴⁴

For example, during the last election cycle, five freshmen legislators, who received almost no contributions from the financial sector during their campaigns, were heavily funded by the financial sector after sponsoring legislation the sector found favorable.⁴⁵

The result, as shown by the graph below, is a relative split down the middle of party contributions to Democrats and Republicans:

Image: <http://www.opensecrets.org/news/2011/04/financial-pacs-invest-in-influentia.html>.

Table 1: Center for Responsive Politics, "Finance, Insurance, and Real Estate PAC contributions to federal candidates for 2010"

Image: <http://www.opensecrets.org/news/2011/04/financial-pacs-invest-in-influentia.html>.

Table 2: Center for Responsive Politics, "Finance, Insurance, and Real Estate PAC contributions to federal candidates for 2010" (some sectors of the original table were deleted)

The financial sector actively searches for legislators that are sympathetic to their cause,⁴⁶ whereas teachers unions' support for Democrats never wavers. In addition to providing financial support to the Democratic Party, labor unions are valuable because of their manpower and willingness to participate in efforts on the grassroots level. In 2008, unions employed a few thousand people in Ohio in the last six weeks of the election.⁴⁷ Unions

⁴⁴ Ibid.

⁴⁵ Center for Responsive Politics, "Financial PACs 'Invest' in Influential Freshmen," OpenSecrets.org, last modified April 13, 2011, <http://www.opensecrets.org/news/2011/04/financial-pacs-invest-in-influentia.html>.

⁴⁶ Center for Responsive Politics, "Financial PACs 'Invest' in Influential Freshmen."

⁴⁷ Peter Overby, *npr*, "Why Unions Matter to Democrats: It's Not Just Money," *npr*, March 1, 2011 (originally aired March 1, 2011).

appear to be so powerful in part because there is not a Republican equivalent to labor unions. Labor unions are willing to get their hands dirty, and this is also true of teachers unions in particular.⁴⁸ The recent events in Wisconsin serve as a good example of this phenomenon of teachers unions involvement in current political issues.

On February 11, 2011, Republican Governor Scott Walker announced that he would attach proposals to a minor budget repair bill that would affect the rights of public employees to organize and collectively bargain.⁴⁹ His proposal would limit collective bargaining in the public sector exclusively to wages. The Teachers Assistants' Association, the oldest graduate student labor organization in the world, over 40 years old,⁵⁰ was among the first unions to stage a sleep-in protest at the Wisconsin Capitol in Madison, inspiring others to do the same.⁵¹ The teachers unions presence in Madison was noticed and again, their monetary power was a major factor. On average, a Wisconsin teacher pays \$1,000 per year to the union, which is about 2 percent of his or her annual salary,⁵² giving Wisconsin unions immense financial power; this power "means they are bringing a machine gun to a fist fight."⁵³ The Madison Teachers Inc, the city's education union, made a decision to take four days off, canceling school to sit at the Capitol. When

⁴⁸ Ibid.

⁴⁹ Monica Davey and Steve Greenhouse, "Angry Demonstrations in Wisconsin as Cuts Loom," *The New York Times*, February 16, 2011, http://www.nytimes.com/2011/02/17/us/17wisconsin.html?_r=1&scp=1&sq=walker%20wisconsin%20feb%2011&st=cse.

⁵⁰ Teaching Assistants' Association, "TAA History," Teaching Assistants' Association UW- Madison, last modified 2011, <http://taa-madison.org/taa-history/>.

⁵¹ Cynthia Dizikes and Abby Sewell, "Wisconsin university teaching assistants at forefront of Capitol protest," *Los Angeles Times*, March 12, 2011, <http://articles.latimes.com/2011/mar/12/nation/la-na-teaching-assistants-20110313>.

⁵² Mike Murphy, "The Real Stakes in Wisconsin: Walker's war on the public unions could change the game across the U.S. in 2012," *TIME Magazine*, March 14, 2011.

⁵³ Ibid.

school resumed, other labor unions came to take their places.⁵⁴ Even though the unions lost some of their collective bargaining rights, it is unclear what the long-term effects for Governor Walker will be, or what actions the unions will take to retaliate.

Another current example of teacher union political activism surrounds the movement towards the value-added method of teacher evaluation in California. Value added is a method of evaluation that looks at the test scores of each teacher's students. The difference between a student's projected results and actual results is considered the "value" that the teacher either added or subtracted during the year.⁵⁵ Taken from a large enough pool of students, the average of these values produces a statistically reliable indicator for the effectiveness of a teacher.⁵⁶ The argument is that due to the fact that value-added compares students to themselves in previous years rather than to other students who may have different variables impacting their academic achievement, it overcomes many of the flaws of current evaluation methods that use only raw test scores.⁵⁷

It was in this light that the issue of teacher evaluation was pushed to the front of the education discussion in August 2010 when *The Los Angeles Times* published a database of teachers in the Los Angeles Unified School District (LAUSD), ranking their

⁵⁴ Joe Klein, "As Goes Wisconsin... So Goes the Nation," *TIME Magazine*, February 12, 2011, <http://www.time.com/time/nation/article/0,8599,2053510,00.html>.

⁵⁵ Jason Felch and Jason Song, "Educator sees the value in 'value added' approach to evaluating teachers," *Los Angeles Times*, October 18, 2010, <http://articles.latimes.com/2009/oct/18/local/me-teacher-eval18>.

⁵⁶ Los Angeles Times, "How the teachers were evaluated," *Los Angeles Times*, August 15, 2011, <http://articles.latimes.com/2010/aug/15/local/la-me-qanda-20100816>.

⁵⁷ Ibid.

effectiveness in student scores using a “value-added” analysis.⁵⁸ LAUSD is the second largest school district in the country, behind New York City Public Schools, with approximately 700,000 students and 35,000 teachers.⁵⁹ According to the *LA Times*, the LAUSD has had this information for years, but has not used it, largely for political reasons. *The Times* made the decision to release the information because “it bears on the performance of public employees who provide an important service, and in the belief that parents and the public have a right to judge it for themselves.”⁶⁰ The data was obtained through the California Public Records Act from the LAUSD, as the location of where a teacher works and data concerning teachers’ test scores (though not the names of the students, which are private) are all matters of public record. *The LA Times* hired Richard Buddin, a senior economist and education researcher of the Rand Corp, to work with its data analysis team and arrived at the results, which are detailed in a methods paper also made available for public viewing.⁶¹

While some praised the *LA Times* for attempting to offer some transparency to the issue of teacher effectiveness, others, specifically teachers unions, considered the act an “attack” on the teaching profession.⁶² Teachers unions, which have been historically protective of tenure and resistant to standardized testing, have been strongly voicing their opposition to the actions of the *LA Times*, some even boycotting the newspaper and

⁵⁸ Richard Buddin, *How Effective Are Los Angeles Elementary Teachers and Schools?*, <http://s3.documentcloud.org/documents/19505/how-effective-are-los-angeles-elementary-teachers-and-schools.pdf>.

⁵⁹ *Ibid.*

⁶⁰ Los Angeles Times, “FAQ About: Los Angeles Teacher Ratings,” Los Angeles Times, accessed December 17, 2010, <http://projects.latimes.com/value-added/faq/>.

⁶¹ Los Angeles Times, “How the teachers were evaluated,” *Los Angeles Times*, August 15, 2011, <http://articles.latimes.com/2010/aug/15/local/la-me-qanda-20100816>.

⁶² Jason Song and Jason Felch, “Union Leader calls on L.A. teachers to boycott Times,” *Los Angeles Times*, August 15, 2010, <http://articles.latimes.com/2010/aug/15/local/la-me-teachers-react-20100816>.

encouraging others to do the same. *The Times* has found that “the district has had the ability to analyze the differences among teachers for years but has opted not to do so, in large part because of union resistance.”⁶³ Union leaders, such as Los Angeles Teachers Union President A.J. Duffy and American Federation of Teachers President Randi Weingarten have criticized *The Times* for publishing a database that uses value added methods in isolation. Duffy has been in strong opposition to value-added analysis in formal evaluations, but has said that he is open to using it for feedback to teachers⁶⁴ after first saying the database was “an irresponsible, offensive intrusion into your professional life that will do nothing to improve student learning.”⁶⁵ For teachers unions, there is an important distinction between feedback and evaluation. Feedback is used to train, praise, or help correct a teacher’s performance, while evaluation is written documentation, not necessarily used to benefit the teacher. Teachers unions do not want a permanent record of this value-added data in question.⁶⁶ Duffy criticized value-added evaluations as being too narrow a measure on which to rank teachers, as they take only standardized test scores from ELA (English Language Arts) and math into account.⁶⁷ Weingarten, on the other hand, agrees that parents have the right to see how their students’ teachers are rated, but expresses opposition to the ratings being made available to the public and urged *The*

⁶³ Ibid.

⁶⁴ Phil Willon and Jason Song, "Teachers union agrees to reopen talks on evaluations," *Los Angeles Time*, August 21, 2011, <http://articles.latimes.com/2010/aug/21/local/la-me-teacher-response-20100822>.

⁶⁵ Song and Felch, "Union Leader calls on L.A. teachers to boycott Times."

⁶⁶ Willon and Song, "Teachers union agrees to reopen talks on evaluations."

⁶⁷ Song and Felch, "Union Leader calls on L.A. teachers to boycott Times."

Times not to publish the database.⁶⁸ Teachers' unions often argue that standardized tests are not a good measure of student' performance, let alone teachers.⁶⁹

These scenarios shows that teachers are an essential component of a functional society, but it raises the question many union adversaries must be asking: Is this in the best interest of the students? Where does the public stand on its view of teachers unions?

The public view of unions is mixed. With respect to the situation in Madison, Wisconsin, the public sided with the unions and against the Governor. The voters do not favor union-busting, even in the public sector.⁷⁰ When speaking specifically about teachers unions, the answer is not as clear. A 2010 *Education Next* Poll produced the following results: 33 percent of the public thought that unions had a generally negative effect on schools in their community, 28 percent thought they had a generally positive effect, and 39 percent said they did not think they had either a positive or negative impact.⁷¹ The results from the year before concerning the same questions are essentially the identical.⁷² Voters trust teachers, but not necessarily the unions that represent them.

But the public are not alone in their confusion. According to this same 2010 *Education Next* poll, teachers themselves are unsure whether the unions that represent them help or hinder education.⁷³ When teachers are specifically asked what they think about unions, 25 percent of all teachers think unions have a generally negative effect on

⁶⁸ Mitchell Landsberg, "Union leader says parents should know teachers' ratings," *Los Angeles Times*, August 19, 2010, <http://articles.latimes.com/2010/aug/19/local/la-me-0819-teachers-union-20100819>.

⁶⁹ Jason Felch and Jason Song, "Educator sees the value in 'value added' approach to evaluating teachers," *Los Angeles Times*, October 18, 2010, <http://articles.latimes.com/2009/oct/18/local/me-teacher-eval18>.

⁷⁰ Joe Klein, "As Goes Wisconsin... So Goes the Nation," *TIME Magazine*, February 12, 2011, <http://www.time.com/time/nation/article/0,8599,2053510,00.html>.

⁷¹ Paul E. Peterson, "Public Not Yet Decided As To Whether Teachers Unions Are Good For Schools Or Not," *Education Next* (March 2011):<http://educationnext.org/public-not-yet-decided-as-to-whether-teachers-unions-are-good-for-schools-or-not/>.

⁷² *Ibid.*

⁷³ *Ibid.*

schools in their community, 51 percent think they had a positive impact, and 23 percent said they had no impact one way or the other.⁷⁴ However, the public is very clear on how they view the teachers themselves. A annual Harris Poll conducted in the fall of 2010 found that when asked "Would you generally trust each of the following types of people to tell the truth or not?," the percentage of people who respond in the affirmative with reference to teachers is routinely in the 80 to 88 percentile.⁷⁵ The public has a high view of a profession that works closely with children. In contrast, when asked the same question about union leaders, 37 percent answered that they can trust union leaders to tell them the truth (typically, answers are in the lower thirties).⁷⁶ Public perception of teachers unions is unclear, but voters do not support "union-busting."

Part of the reason for this indecision is due to the fact that both sides of the union debate have valid and factually based arguments. The union's job is to protect the teacher, not to assist in removing bad teachers, suggesting conflicting missions for teachers unions. Unions want to improve their profession and to help create the best students possible, but are handicapped in that they also have the responsibility of protecting their teachers' jobs. Teachers unions adversaries say that this obligation of protecting employment takes precedent over pursuing quality student education. The Madison case and the evaluation battle in California support this theory. But it is not necessarily the fault of the individual unions that true and effective education reform is not being implemented; they are only doing what unions were created to do: to protect their members. Without unions, teachers could be devoid of basic workers rights; the unions

⁷⁴ Ibid.

⁷⁵ Virginia Professional Educators, "Teachers Top the List of Most Trusted Professionals ," Virginia Professional Educators, last modified October 20,1998, <http://www.virginiaeducators.org/pros.html>.

⁷⁶ Ibid.

try to insure teachers are appreciated and compensated accordingly and have safe working conditions. And rightly so- if unions did not fight tooth and nail for teachers' interests, who would? Over time, teachers unions have grown in membership and political clout, so the tendency is to keep things the way that they are because it is easier; change could threaten their social and/or political power. Teacher unions *are* indeed having an impact on education reform; if they are not *the* reason for lack of education reform, it is true, to be sure, that they are at least a factor. After all, by the American Federation of Teacher's own admission, "the union difference" that is listed on their website is better wages and benefits than nonunion workers,⁷⁷ not quality teachers and quality teaching. Are we just reaching for someone to blame? Perhaps, and thus the argument continues. The best argument against unions is that- unions block reform and strain good governance.

In contrast, the best argument for unions is that they create wage floors for public workers who do not have a voice,⁷⁸ protecting a fundamental principle of democracy rather than hindering it. A union, a group of people with shared interests, can accomplish more than one person with the same intentions can accomplish on his or her own. Insisting on a pay increase, a shorter day without a cut in wages, or that one's company pay for a work related injury will serve no functional purpose for the agency or company. A single employee does not make nearly enough noise to turn words into action.⁷⁹ Employers vary in a number of factors, including personal disposition and the amount of

⁷⁷ American Federation of Teachers, "Union 101," American Federation of Teachers, accessed March 15, 2011, <http://www.aft.org/about/union101/>.

⁷⁸ Joe Klein, "As Goes Wisconsin... So Goes the Nation," *TIME Magazine*, February 12, 2011, <http://www.time.com/time/nation/article/0,8599,2053510,00.html>.

⁷⁹ Michael D. Yates, *Why Unions Matter* (New York, NY: Monthly Review Press, 1998), 8-12.

power they have over their employees, but other than goodwill, there is no immediate incentive for an employer to spend money to benefit a single employee.⁸⁰ In this situation, employers have the upper hand because having a job is worth more to the employee than the employee's ability is worth to the employer; the average worker is easily replaced.⁸¹ The employee has no choice but to endure his or her current working conditions. That is, unless he or she has unbelievable negotiating prowess, which is highly unlikely, or is a member of a union. A union's greatest weapon is strength in numbers, from which they also derive monetary power.⁸²

A case can be made for spontaneous organizing, or a group of employees organizing for a specific issue. However, there are three main problems with this method. First, workers in a company do not stay in a given position for the same length of time—they change jobs, retire, or move up in the hierarchy, so the same people will not be there to fight when another workers' rights issue come to the table.⁸³ Second, all workers may not agree on which issues are important; if someone is not directly affected by the change that an individual is fighting for, he or she is unlikely to risk their job or rapport with the employer for the sake of others.⁸⁴ Third, many of the long-term changes requested by employees will most likely require a significant amount of money, as well as constant attention to ensure that the issue is being handled properly.⁸⁵ These three issues cannot be adequately addressed without the strength and influence of a union whose purpose is to fight for the good of their members, as well as ensure that satisfactory conditions for their

⁸⁰ Ibid., 9.

⁸¹ Ibid., 9.

⁸² Ibid., 10-12.

⁸³ Ibid., 10.

⁸⁴ Ibid., 12.

⁸⁵ Ibid., 12.

members are maintained. Labor unions operate under the understanding that an individual worker is powerless and that they share this lack of power with other individual workers.

It is through unity that individuals gain power.⁸⁶

⁸⁶ Ibid.

4. History of the Labor Movement

The origin of a union's right to organize stems from the Constitution in the First Amendment of the Bill of Rights. The relevant portion of the First Amendment reads, “Congress shall make no law abridging... the right of the people peaceably to assemble.”¹ This established the right for groups of people to “peaceably assemble,” which is the very foundation of unions, but the process of collective bargaining was established much later.

The labor movement in the United States has a long and turbulent history and has been affected by several groundbreaking pieces of legislation, the first of which was enacted during the Franklin Delano Roosevelt administration in an attempt to create jobs and strengthen the economy during the Depression. The National Industry Recovery Act (NIRA) was passed in 1933, which sanctioned and encouraged industry alliances.² It suspended antitrust laws, and required companies to write “codes of fair competition” to fix wages, establish production quotas, and called for industrial self-regulation.³ Employees were also given the right to organize and bargain collectively and could not be required, as a condition of employment, to join a labor union or to refrain from joining

¹ Charters of Freedom, "Bill of Rights," Archives.gov, accessed March 15, 2011, http://www.archives.gov/exhibits/charters/bill_of_rights_transcript.html.

² OurDocuments.gov, "National Industrial Recovery Act," OurDocuments.gov, last modified March 15, 2011, <http://www.ourdocuments.gov/doc.php?flash=true&doc=66>.

³ Ibid.

a labor union.⁴ In May 1935, in the case of the *Schechter Poultry Corp. v. United States*, the U.S. Supreme Court declared the NIRA unconstitutional on the grounds that it improperly designated legislative powers to the executive. The Supreme Court was unwilling to support President Franklin Roosevelt's argument that the Depression called for a radical union innovation to stimulate the economy.⁵

After the NIRA was declared unconstitutional, the National Labor Relations Act of 1935 (NLRA), followed in another attempt to secure rights for unions. The NLRA is also known as the Wagner Act after Senator Robert R. Wagner of New York.⁶ Under the NLRA, private unions were given "the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining or other mutual aid and protection."⁷ Unlike the NIRA, the NLRA was upheld by the United States Supreme Court in *National Labor Relations Board v. Jones & Laughlin Steel Corp.* in 1937.⁸

The National Labor Relations Act explicitly granted private sector workers the right to form labor unions without employer interference and encourages employers to bargain with unions. This act also established the National Labor Relations Board in order to oversee the implementation of this act- to investigate employers who were supposedly violating the act, as well as to conduct elections in which workers could

⁴ Ibid.

⁵ OurDocuments.gov, "National Industrial Recovery Act," OurDocuments.gov, last modified March 15, 2011, <http://www.ourdocuments.gov/doc.php?flash=true&doc=66>.

⁶ OurDocuments.gov, "National Labor Relations Act," OurDocuments.gov, accessed March 15, 2011, <http://www.ourdocuments.gov/doc.php?flash=true&doc=67>.

⁷ Ibid.

⁸ Ibid.

decide whether or not they wanted to be represented by a union.⁹ The NLRA and the National Labor Relations Board are both still in effect today. The board has five members, appointed by the President, and is assisted by 33 regional directors.¹⁰ The basic principles underlying the NLRA are 1. workers should be able to form a union without employer interference or direct action (the use of immediately effective acts, such as strikes or demonstrations); 2. one union should only represent a particular group of workers; and 3. workers who decide to form a union should share a common type of work. However, the NLRA only covers private sector employees (though not *all* private sector employees), not public sector employees, and thus does not cover teachers. NLRA was later expanded under the Taft-Hartley Labor Act of 1957 and the Landrum-Griffin Act of 1959.¹¹

The Fair Labor Standards Act of 1937 was the next act to affect labor unions and collective bargaining. This Act started as the Keating-Owens Act of 1916 to regulate child labor.¹² The Keating-Owens Act was passed by Congress and signed into law by President Wilson, but was later declared unconstitutional by the United States Supreme Court in *Hammer v. Dagenhart* in 1918 on the grounds that it overstepped the purpose of the government's powers to regulate interstate commerce.¹³ The next child labor was the Revenue Act of 1919, also called the Child Labor Tax Law, which was also declared unconstitutional by the United States Supreme Court in *Bailey v. Drexel Furniture*

⁹ Michael D. Yates, *Why Unions Matter* (New York, NY: Monthly Review Press, 1998), 30.

¹⁰ *Ibid.*, 10.

¹¹ OurDocuments.gov, "Keating-Owen Child Labor Act of 1916 (1916)," OurDocuments.gov, accessed March 15, 2011, <http://www.ourdocuments.gov/doc.php?flash=true&doc=59>.

¹² *Ibid.*

¹³ *Ibid.*

Company (1922).¹⁴ Federal protection for children was not achieved until 1938 with the passage of the Fair Labor Standards Act.¹⁵ In February of 1941, the Fair Labor Standards Act was upheld and the Supreme Court reversed its opinion in *Hammer v. Dagenhart* and, in *U.S. v. Darby* (1941).¹⁶ The Fair Labor Standards Act is still enforced today and has had a large impact on the education system. Children who did not have the opportunity to attend school because they were forced to work now had the opportunity to do so.

The American working class and the labor movement underwent decisive changes with the start of World War II and the continuation of the industrial movement. Military recruitment took men to Europe to fight and left factories with a shortage of workers. Americans felt compelled to join in the war effort, if not with military service, than by serving in factories at home.¹⁷ However war time work "all too often exacted heavy tolls of fatigue, increased proneness to accidents, and bewildering changes in life on the job for workers to feel secure and prosperous."¹⁸ As families were uprooted from their familiar lifestyle, the need for representation increased and unions experienced enormous growth. With an increase in membership came the start of increasing social and political influence (which was met with the first significant flux of anti-union sentiment).¹⁹ With the war came the No-Strike Pledge (NSP), which began shortly after the bombing of Pearl Harbor, was a voluntary agreement made by the AFL (American Federation of Labor) and CIO (Congress of Industrial Organizations) to prevent work stoppages for the

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Robert H. Zieger, *American Workers, American Unions*, 2nd ed. (1986; repr., Baltimore, Maryland: The Johns Hopkins University, 1994).

¹⁸ Ibid., 62-63.

¹⁹ Ibid., 64

duration of the war.²⁰ The American public's view of unions improved, as this was seen as an expression of support and good will during the nation's time of need- stopping strikes was critical to having a work force large enough to support the economy and the war effort. However, this pledge was inherently threatening to the unions.²¹ Without the ability to strike, unions lose their greatest weapon. What incentive did companies have to meet their demands if they did not have the threat of a work stoppage?²² Recognizing this limitation, some did not agree to participate. The effect of the No-Strike Pledge was the reduction of strikes during the war, and as Zieger describes in *American Workers, American Unions*, most of these strikes were small and short-lived, and thus did not have a significant impact on the movement or on the economy as a whole.²³ By the end of World War II, the labor movement had recruited 14.5 million members, 35 percent of the entire labor force; over 10 million of these members were affiliated with the AFL (American Federation of Labor),²⁴ the largest union in the nation at the time. Union membership was at an all-time high. But in the years after the war, international industries began to recover, work was sent overseas and union membership declined.²⁵ Due to their numbers in the industrial work force and their support during the war, unions felt that they deserved a bigger role in the American social structure, leading to a wave of

²⁰ TIME, "U.S. At War: The No-Strike Pledge," *TIME Magazine*, September 18, 1944, <http://www.time.com/time/magazine/article/0,9171,796674,00.html>.

²¹ Ibid.

²² Zieger, 85.

²³ Ibid, 85.

²⁴ Ibid.

²⁵ Peter Behr, *Outline of the U.S. Economy*, 2009 ed., ed. Michael Jay Friedman (Washington, D.C.: Bureau of International Information Programs United States Department of State, 2009), <http://www.america.gov/media/pdf/books/outline-of-the-us-economy.pdf#popup>.

major strikes throughout the country. But the very sudden end to the war led to some immediate problems for labor.²⁶

In June 1947, Congress passed the Labor Management Relations Act, better known as the Taft-Hartley Act, amending the Wagner Act of 1935. The purpose of the Taft-Hartley Act was primarily to reduce the frequency of strikes, and to protect workers, employers, and the public from alleged wrongdoings by the unions.²⁷ The Act also sought to redefine the National Labor Relations Board to a neutral body rather than a body advocating for the existence and rights of unionism, removing an official government encouragement for the growth of unions.²⁸ The main message behind Taft-Hartley was that “the unions were bodies whose interests only partially coincided with those of the workers they sought to represent.”²⁹ It took away union members rights, while making the rights of nonunion workers stronger. It also gave the President the authority to force strikers back to work if he determined that it was a threat to national health or safety.³⁰ The union response to Taft-Hartley was an increased focus on political action and involvement in government affairs.

The rise of the labor movement and private labor unions in the United States also ushered in the birth of teacher unions in the public sector. In the middle of the 19th century, 15 of the 31 states in the union had state education associations, but there was no cohesive body to represent teachers as a whole.³¹ Then in 1857, 43 educators gathered to

²⁶ Zieger, 102.

²⁷ Ibid., 108.

²⁸ Ibid., 108.

²⁹ Zieger, 114.

³⁰ Behr, "Outline of the U.S. Economy."

³¹ National Education Association, "NEA History," National Education Association, accessed March 15, 2011, <http://www.nea.org/home/11608.htm>.

create a union, then known as the National Teachers' Association.³² At the time, membership was restricted to gentlemen, but two women were made honorary members. In 1866, membership became open to "persons" instead of just "gentlemen" and 1870, the National Teacher Association became the National Education Association by merging three smaller associations: the American Normal School Association, the National Association of School Superintendents, and the Central College Association.³³ By 1907, membership had grown to 5,044 members.³⁴ As the NEA was continuing to grow, it became apparent that it was becoming too large to be run by a small group of volunteer leaders.³⁵ The NEA transitioned to a democratized organization and in 1920, NEA became a Representative Assembly (RA), composed of delegates from affiliated states and locals.³⁶

Through the 1920s, the NEA focused on pensions, improving teacher pay, and strengthening the growing public school system. But the stock market crash of 1929 brought the NEA's efforts to a halt- the stock market crash and the Great Depression had a devastating impact on public schools.³⁷ Revenues sank and some schools closed because teachers did not have enough money and supplies to adequately teach their students. Education, along with the economy, recovered following the Great Depression.

NEA played an active role in World War II, providing support by doing things such as coordinating the rationing of sugar, oil, and canned goods; promoting the sale of

³² Ibid.

³³ Ibid.

³⁴ Ibid.

³⁵ Ibid.

³⁶ Ibid.

³⁷ Ibid.

Defense Savings Stamps and Defense Bonds in the schools; and lobbying Congress for special funding for public schools near military bases.³⁸ NEA also lobbied for the G.I. Bill of Rights to give returning soldiers the opportunity to continue their education; this also had the effect of increasing enrollment in post-secondary education, making college available for everyone, not just for the aristocratic elite. In 1957, on its 100 year anniversary, the NEA had over 700,000 members.³⁹

The 1960s was a period of tremendous social change that set the stage for the NEA's merger with the smaller, but still fairly large teachers union, American Federation of Teachers (AFT).⁴⁰ AFT was founded in Chicago with eight educators in 1916 and was immediately welcomed into the AFL (American Federation of Labor). At the beginning, the AFT grew quickly with over 170 locals in the first four years. However, in the years following World War I, membership dropped; AFT membership was under 5,000 by the end of the 1920s, about half of what it was at the beginning of the decade.⁴¹ During the Depression years, the AFT focused on salary, tenure, and economic security issues as well as teachers' rights, such as allowing women in the classroom. By the end of the depression, there was some form of tenure agreement in 17 states.⁴² Also, in 1932, the Norris-La Guardia Act outlawed "yellow dog" contracts, which essentially made teacher promise not to join a union. During World War II, the AFT worked to push bond sales and push air raid programs in schools.⁴³ After the war ended, they resumed their

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ Myron Lieberman, *The Teachers Unions* (New York, NY: Simon and Schuster Inc., 1997), 232

⁴¹ American Federation of Teachers, "AFT History," American Federation of Teachers, accessed March 15, 2011, <http://www.aft.org/about/history/>.

⁴² Ibid

⁴³ Ibid.

commitment to improving the conditions of schools and their teachers. The 1960s was a period of tremendous growth for the AFT and an era where striking became a key component of union activity.⁴⁴ AFT membership grew from less than 60,000 members in 1960 to over 200,000 by the end of the decade. The 1970s was another decade of growth for the AFT and was at the time, the fastest-growing union in the country.⁴⁵ In 1978, AFT created a healthcare division, and in 1983, created a division for local, state, and federal government employees.

The 1980s focused on teacher professionalization and including teachers in the decision-making process. As the AFT rounded out the 20th century after a series of very influential presidents, including Albert Shanker, and first female president of the union, Sandra Feldman, membership had grown to nearly 700,000.⁴⁶ AFT focused on keeping the reform effort alive; Shanker's focus was gaining collective bargaining rights for teachers, an area in which he was greatly successful, one reason he is still considered one of the greatest union presidents. Feldman championed the advancement of preschool education, as well as teacher accountability.⁴⁷ Unlike other union members, she supported NCLB (No Child Left Behind Act) and criticized Bush for not adequately financing and fully supporting it. Feldman was succeeded by Edward McElroy, who was then succeeded by current AFT president, Randi Weingarten.⁴⁸ Today, AFT's main goals as described by the AFT itself are safe and sanitary working conditions, reasonable hours

⁴⁴ Ibid.

⁴⁵ Ibid.

⁴⁶ Ibid.

⁴⁷ Ibid.

⁴⁸ AFT, "AFT President: Randi Weingarten," American Federation of Teachers, accessed March 16, 2011, <http://www.aft.org/about/leadership/>.

for reasonable pay, child labor laws, tenure for teachers, collective bargaining, women's rights, effective schools, and education reform.⁴⁹

Another breakthrough in public sector unionism was the issuance of executive order 10988 by President Kennedy in 1962, which established rudimentary bargaining rights for federal employees. The order provided only a narrow scope of collective bargaining rights and did not create a central administrative agency, but as a first step, it was still regarded by federal employee unions as their “Magna Carta.”⁵⁰ Although this executive order specifically applied to federal employees, it encouraged collective bargaining in the public sector as an unintended consequence.⁵¹ In 1969, President Nixon issued executive order 11491 that did not expand the scope of bargaining, but did establish a central administrative structure.⁵² This legislation was instrumental in the growth and prominence of today’s public sector unions, including our largest unions, the teachers unions.

The key to the growth of unions, which flourished as a result of the NLRA and the other acts mentioned above, is collective bargaining. Collective bargaining is the process through which unions and employers work together to reach agreements on wages, hours, and terms and conditions of employment. Collective Bargaining can be described as any and all of the following: 1. A rational activity; 2. A dynamic activity; 3. A process satisfying certain human power interests; 4. A struggle for equality; 5.

⁴⁹ American Federation of Teachers, "AFT History," American Federation of Teachers, accessed March 15, 2011, <http://www.aft.org/about/history/>.

⁵⁰ Morris A. Horowitz, *Collective Bargaining in the Public Sector* (New York, New York: Lexington Books, 1994), 24.

⁵¹ *Ibid*, 48.

⁵² *Ibid*, 25.

Emotional expression; 6. A political activity; 7. Compromise; 8. Attitude restructuring; 9. Problem solving; 10. A legal requirement.⁵³ A union that is formally recognized by the employer, either voluntary or by election, has the right to bargain with the employer and the employer has the obligation to do so.⁵⁴ The NLRA does not require that the union and employer reach an agreement, only that they both have the *intent* to come to an agreement, which the law refers to as bargaining “in good faith.”⁵⁵ The process by which this takes place is somewhat of a dance. Unions may choose to make overreaching proposals that will never be accepted, unions may refuse to accept a proposal that they know to be fair in hopes of getting a better one, and the employer may do the same. The employer may cancel or delay meetings, add new proposals at the last minute, or refuse to consider something they know to be fair.⁵⁶ All of these activities are illegal, but labor laws do not have enough strength to prevent these tactics. A review by the National Relations Board, if reported, could take months. This is the reality of collective bargaining.⁵⁷

The NLRA left it up to each state to decide whether or not to give public sector unions the right to collectively bargain and in 1959, Wisconsin became the first state to grant collective bargaining rights to public employees with the Public Employees Collective Bargaining Act.⁵⁸ The idea behind this Act is that unions could be used as a way to get workers a larger share of the profits that they helped to provide the employer

⁵³ William G. Webster, *Effective Collective Bargaining in Public Education* (1985; repr., Ames, Iowa: Iowa State University Press, 1988), 18.

⁵⁴ *Ibid.*

⁵⁵ *Ibid.*

⁵⁶ *Ibid.*

⁵⁷ *Ibid.*

⁵⁸ James Sherk, "F.D.R. Warned Us," editorial, *The New York Times*, February 19, 2011, <http://www.nytimes.com/roomfordebate/2011/02/18/the-first-blow-against-public-employees/fdr-warned-us-about-public-sector-unions>.

through their respective skills.⁵⁹ Through collective bargaining, unions are able to negotiate spending and policy decisions with elected representatives, essentially creating an additional step in forging public policy.⁶⁰ This act also assisted in changing public perception; up until this point, the general sentiment was that public employment was a privilege, not a right, and thus did not deserve bargaining rights in the democratic process.⁶¹ The period surrounding this act, the decades of the 1950s to the 1970s, corresponds with the rise of the middle class and the growth of union strength.⁶²

According to Daniel DiSalvo, writer for *National Affairs Magazine* and political science professor, organized labor in America has undergone two major and significant transformations. The first major change is the decline in union membership. In the middle of the 1950s, one third of Americans belonged to a union; today union membership hovers around 12 percent.⁶³ The Bureau of Labor Statistics reported that unions lost an additional 612,000 members in 2010, dropping union membership approximately half of a percent.⁶⁴ The second is the change in composition of unions- for the first time in the history of organized labor in the United States, public sector membership outnumbers private sector membership.⁶⁵ DiSalvo identifies several major problems that coincide with the rise of public sector unions. First, the growth of public unions will increase the burden on taxpayers due to higher cost of pay and benefits to a greater number of public

⁵⁹ Ibid.

⁶⁰ Webster, *Effective Collective Bargaining in Public Education*.

⁶¹ Horowitz, *Collective Bargaining in the Public Sector*, 107.

⁶² Ibid.

⁶³ Daniel DiSalvo, "The Trouble with Public Sector Unions," *National Affairs*, last modified Fall 2010, <http://www.nationalaffairs.com/publications/detail/the-trouble-with-public-sector-unions>.

⁶⁴ Sam Hananel, "Membership in labor unions continues to decline," *The Washington Times*, January 23, 2011, <http://www.washingtontimes.com/news/2011/jan/23/membership-in-labor-unions-continues-to-decline/>.

⁶⁵ DiSalvo.

sector employees; these costs will continue to increase as the public sector continues to outgrow the private sector and as employees from the public sector retire, increasing the burden of providing retirement benefits.⁶⁶ Also, as public unions continue to grow in size and power, they will be able to hold the government and citizens "hostage" through a strike, until their demands are met.⁶⁷ Public sector unions provide essential services that are critical to a functioning society. Collective bargaining with public unions (of which striking is their most convincing bargaining tactic) means that some decision-making authority would be taken from elected officials and given to union leadership; in theory, this could compromise the wishes of the people as the public does not participate in the election of union bosses.⁶⁸ The stronger the unions become, the better able they will be to handpick who they bargain with for wages. Unions work to exert control over the very government that employs their members. And in addition to using their political power not only to bargain for higher wages, but also to raise demand for public services and persuade the public to support their cause.⁶⁹

Today, the rights of public sector unions with respect to collective bargaining vary from state to state. According to the National Council on Teacher Quality, 36 states require collective bargaining, 11 states allow for collective bargaining, and in Texas, Georgia, South Carolina, North Carolina, and Virginia, collective bargaining is explicitly prohibited.⁷⁰ But the influence of teachers unions is not restricted to the states in which

⁶⁶ Ibid.

⁶⁷ Ibid.

⁶⁸ Ibid.

⁶⁹ Ibid.

⁷⁰ National Council on Teacher Quality, "Teacher Rules, Roles, and Rights," National Council on Teacher Quality, last modified 2009, <http://www.nctq.org/tr3/home.jsp>.

collective bargaining is legally permitted, there are meetings and processes similar to collective bargaining that often result in similar contracts as shown in the map below:

Image: , <http://www.nctq.org/tr3/home.jsp>

Figure 1: National Council on Teacher Quality, Scope of Bargaining

Looking at the evolution of teachers unions in the context of the greater labor movement shows no abnormal progression or growth. Teachers unions came about to fill a gap- to be the voice for teachers who could not speak for themselves. The NIRA, NLRA, and various other collective bargaining acts paved the way for the growth of teachers unions. Today teachers unions are among the largest labor unions in the country and a major political force. They use their political strength to influence education policy as well as other national and local political issues, including education reform.

5. Public v. Private

All unions bargain, but not all unions do it the same way or under the same set of laws because of the way that they are categorized. Labor unions can be divided into two groups, private sector unions and public sector unions. Their structural differences impact five major components of collective bargaining: their ability to strike, wages, leadership, management, and political involvement.

The right to strike is guaranteed to private unions by the National Labor Relations Act (NLRA).¹ The NLRA does not give rights to public sector unions; their rights are given on a state by state basis, and therefore, vary nationwide:

Image: <http://www.nctq.org/tr3/home.jsp>.

Figure 1: National Council on Teacher Quality, "Strikes"

Public sector employees are granted the right to strike in the following states: Oregon, California, Montana, Colorado, Minnesota, Wisconsin, Illinois, Louisiana, Ohio, Pennsylvania, Hawaii, Alaska, and Vermont. The remainder of the states (with the exception of Washington, Utah, Wyoming, and South Carolina who do not address the issue) do not give public sector employees the right to strike as a tool for collective bargaining.²

¹ OurDocuments.gov, "National Labor Relations Act," OurDocuments.gov, accessed March 15, 2011, <http://www.ourdocuments.gov/doc.php?flash=true&doc=67>.

² National Council on Teacher Quality, "Teacher Rules, Roles, and Rights," National Council on Teacher Quality, last modified 2009, <http://www.nctq.org/tr3/home.jsp>.

Generally speaking, voters support the existence of unions and their right to strike.³ The difference between public and private unions with respect to the right to strike, aside from the laws themselves, is their impact on their community. Historically, this has been a point of contention for both parties. During the Boston Police strike of 1919, President Calvin Coolidge said, “There is no right to strike against the public safety—by anybody, anywhere, at anytime.”⁴ And in 1937 in a letter to the National Federation of Federal Employees, President Franklin Roosevelt expressed a similar sentiment regarding public sector strikes writing:

A strike of public employees manifests nothing less than an attempt... to prevent or obstruct the operations of government until their demands are satisfied. Such actions looking toward the paralysis of government by those who have sworn to support it is unthinkable and intolerable.⁵

Private workers can strike, and perhaps alter or significantly hinder the production or effectiveness of the business or corporation that they work for, but the effect is somewhat contained. Furthermore, in the private sector, while strikes are legal, they only have so much impact because the welfare of the union is tied to the financial condition of the company.⁶ And unlike in the public sector, in the private sector, the employer has options: to lock out striking employees, hire replacements of striking employees, or go out of business.⁷ In contrast, for a public workers strike, the effect is widespread. For example, if there were a strike by the New York City garbage workers, represented by the International Brotherhood of Teamsters, the community would be noticeably affected by

³ John Nichols, "How Scott Walker's Unionbusting Spurred a Popular Uprising," *The Nation*, March 21, 2011.

⁴ Morris A. Horowitz, *Collective Bargaining in the Public Sector* (New York, New York: Lexington Books, 1994), 3.

⁵ *Ibid.*, 3.

⁶ *Ibid.*, 4.

⁷ *Ibid.*, 4.

garbage piling up in the streets, negatively affecting the health of the community.

Garbage collectors' far-reaching impact, outside of one company or one union, gives them leverage with respect to bargaining with their employers.

Teachers unions represent teachers, who provide the community with an essential service, but their impact is not as immediate, quantifiable, or noticeable as the above example. A week without garbage collectors would have an immediate effect on the quality of life of a community, whereas a week without school would not. Education and academic achievement are something to be considered over a period of time. Education is arguably considered to be the most critical public service, but we do not treat it as such. In a way, giving teachers the right to strike is a method of identifying a service that is less critical. The same would be true for police officers and firefighters; we, the public, support their right to strike, but prefer that they do not exercise this right, for the effects would be experienced immediately instead of over time and would be to the detriment of the community.

One study, cited in *Collective Bargaining in the Public Sector* by Morris A. Horowitz has summarized the issue of strikes in the public sector, all of which are applicable to teachers unions:

1. Public sector strikes are shorter. Because public sector unions represent a body that provides an essential service for the community, legislators and those who bargain with these unions must concede within a shorter timeframe to lessen the impact on the community.⁸

⁸ Morris A. Horowitz, *Collective Bargaining in the Public Sector* (New York, New York: Lexington Books, 1994), 174.

2. State laws have made it illegal for public unions to strike, therefore reducing the number of strikes that have occurred (however, many public unions strike regardless of the laws that prohibit them from doing so).⁹
3. The outcome of a strike does not necessarily favor the union; the impact of a strike on the public can be minimal or severe.¹⁰

However, the fact remains, legal or not, a strike or the threat of a strike remains perhaps the most powerful tool in the bargaining process. What differentiates a labor dispute in the private sector versus the public sector is that the leadership of the public sector unions have little or no check on their authority.

The second major issue that differentiates public and private labor relations is compensation and how it is determined within each sector. In the private sector, some companies pay high wages and some companies pay low wages within the same industry. Where employees are represented by a union, the bargaining varies, sometimes taking place on many different levels within a single company. Where it is possible, the company compensates for higher wages in the form of higher prices for the consumer.

In the public sector, wages are supplied by the tax payers and are the majority of the costs of government.¹¹ The public has no choice and must accept the service as well as pay the cost. Therefore, bargaining for wages for public employees occur between the two parties, the unions and the employers, but within a political context that is not relevant to private employees. In the public sector, it is not uncommon for unhappy

⁹ Ibid, 174.

¹⁰ Ibid, 174.

¹¹ Chris Edwards, "Public Sector Unions and the Rising Costs of Employee Compensation," *CATO* (2010): <http://www.cato.org/pubs/journal/cj30n1/cj30n1-5.pdf>.

unions to dispute negotiations and take their grievances to a higher level of government.¹² Because legislators, particularly Democratic legislators, depend on unions for reelection, they have an incentive to work with the unions.¹³ Unions as a whole have voted Democratic because the Democratic Party has always represented the "working man" and the Republicans have historically been associated with business owners.

Public unions, in particular, are grateful to the Democratic Party because it was they (Senator Wagner and President Kennedy) who gave them the right to collective bargaining.¹⁴ Teachers unions back the Democrats for the same reason, but also, more recently, because there is a Democratic President in the White House who is heavily pushing education, even though teachers unions are not in total agreement with his policies.¹⁵ Also, generally speaking, Democrats are more sympathetic to issues of education; Democrats were responsible for the creation of the Department of Education in 1980,¹⁶ whereas Ronald Reagan famously supported the elimination of the Department of Education. For these reasons, among others, teachers unions side with the Democratic Party; once a party is selected, it is in their best interest to stay with this party. It becomes a system that is self-perpetuating.¹⁷ The union helps elect the politicians and the

¹² Thomas R. Colosi and Arthur Eliot Berkeley, "Promise Checking: Interest Arbitration," in *Collective Bargaining: How It Works and Why*, by Thomas R. Colosi and Arthur Eliot Berkeley (New York, New York: American Arbitration Association, 1986), 61.

¹³ Wall Street Journal, "Athens in Mad Town," editorial, *The Wall Street Journal*, February 18, 2011, http://online.wsj.com/article/SB10001424052748704657704576150111817428004.html?mod=WSJ_Opinion_LEADTop.

¹⁴ "National Labor Relations Act."

¹⁵ White House, "Education," White House.gov, accessed March 15, 2011, <http://www.whitehouse.gov/issues/education>.

¹⁶ United States Department of Education, "About ED Overview," ED.gov, accessed April 15, 2011, <http://www2.ed.gov/about/landing.jhtml>.

¹⁷ Steven Malanga, "Collective Bargaining Doesn't Work In the Public Sector," RealClearMarkets, last modified February 23, 2011, http://www.realclearmarkets.com/articles/2011/02/23/collective_bargaining_doesnt_work_in_the_public_sector_98884.html.

politicians help the unions get what they want; when the unions get what they want, they continue to support the same politicians and the system continues. Even though teachers as a group are fairly conservative, a union can be more effective if it chooses one party so as not to diminish their power.¹⁸ For historic reasons, teachers unions are institutionally biased in favor of the Democratic Party.

Teachers unions support for the Democratic party directly influences the selection of management and bargaining partners as well. They are in the unique position of being able to essentially handpick their management because of their influence in local elections.¹⁹ As Mike Murphy from *Time Magazine* argues, "Public-sector unions lack the moral authority of their private-sector brethren. When the United Steelworkers negotiate with a steel company, they do not also control the company's board of directors."²⁰ In addition to influencing their board members and representatives, the public sector collective bargaining process is different because it is a multilateral process, which in many cases involves more than two parties, removing the existence of a clear dichotomy in some cases.²¹ In the case of teachers unions, the community is often split along issue oriented or ideological lines, with some members of the community on either side of the debate. This means that teachers unions always have allies in the community who not only give their vote, but also lend their voice and work for the union cause.²² This, along with their size and political war chest, have emboldened teachers as a whole to move

¹⁸ Horowitz, 175.

¹⁹ Frederick H. Hess and Coby Loup, "Teacher Labor Agreements: Formulas for Flexibility or Failure?" *Education Outlook* (June 2008): <http://www.frederickhess.org/5129/teacher-labor-agreements>.

²⁰ Mike Murphy, "The Real Stakes in Wisconsin: Walker's war on the public unions could change the game across the U.S. in 2012," *TIME Magazine*, March 14, 2011.

²¹ Nathan Burroughs, "Arguments and Evidence: The Debate over Collective Bargaining's Role in Public Education," *Education Policy Brief* 6, no. 8 (Fall 2008):http://www.indiana.edu/~ceep/projects/PDF/PB_V6N8_Fall_2008_EPB.pdf.

²² Ibid.

beyond simply imparting knowledge in the classroom to playing a major role in formulating policy and being a major factor in education reform.²³

In addition to being influential in selecting their leadership, public sector unions also operate within the framework of a “state” instead of a “company.” Unlike car factories and steel factories, generally speaking, states cannot “go out of business” because the state does not have a clearly defined budget and can operate with a large deficit.²⁴ This leaves the monetary demands that teachers can place on the states relatively unchecked. However, extreme economic circumstances are an exception. In 2008, as a fallout of the subprime loan schemes, Vallejo, California filed for bankruptcy after failing to obtain union concessions. Public employees were laid off, local government was restructured, and the county services had to step in to run the city because local government could no longer afford to pay for basic public services. As was the case for Vallejo (and possibly for over a dozen other cities in the near future),²⁵ the extreme state of the national economy impacted the local economy and consequently, the employment of public employees. The causes of these economic crises vary, but all of these cities will be turning to unions for concessions to keep their cities afloat. Vallejo is an extreme example of the limits public unions can face; there *is* a limit to what the city can provide, but it is an unlikely one.²⁶ In contrast to public unions, private sector unions bargain with a company; companies can go bankrupt and cannot operate in the red, thus

²³ Ibid.

²⁴ DiSalvo.

²⁵ Roger Lowenstein, "Broke Town, U.S.A." *The New York Times Magazine*, March 3, 2011, http://www.nytimes.com/2011/03/06/magazine/06Muni-t.html?_r=2&ref=business.

²⁶ Ibid.

there is only so much money or benefits that unions can demand without having a severe negative impact that could lead to fewer union jobs.²⁷

Because government institutions and services are essential to a community, their survival is certain. This tends to make unions in the public sector more static and strong. While in the private sector, there can be a multitude of changes that can impact workers and their unions, private ventures are very sensitive to local and global economic changes and can find themselves expanding operations or on the verge of collapse. This will have a profound impact on the private union. Changes within a private organization, such as retirements, promotions, and bankruptcies, can also impact private unions.²⁸ This has led to a decline in the private sector unions, as public sector unions continue to grow. A growth in membership means more clout for the public unions and in the case of teachers unions, greater influence on education issues.²⁹

Also unique to public sector unions is their concern for public opinion, because the public functions as their employers.³⁰ Due to the fact that private sector unions operate within the constraints of a company, public opinion is not a factor. When teachers unions have high public support, they are in a better position to make more demands. Conversely, when there is a low public opinion of teachers unions, it is much riskier for the unions to make demands and further incur the wrath of the community who will make their displeasure known at the polls, impacting union causes or rejecting political allies.

²⁷ Chris Edwards, "Public Sector Unions and the Rising Costs of Employee Compensation," *CATO* (2010): <http://www.cato.org/pubs/journal/cj30n1/cj30n1-5.pdf>.

²⁸ DiSalvo.

²⁹ Chris Edwards, "Tax and Budget Bulletin: Public-Sector Unions," *CATO*, no. 61 (March 2010): http://www.cato.org/pubs/tbb/tbb_61.pdf.

³⁰ Chris Cillizza, "Unions winning battle for public opinion in Wisconsin," *The Washington Post*, March 1, 2011, <http://voices.washingtonpost.com/thefix/morning-fix/rick-perry-roundtable.html>.

As a faction of public sector unions, teachers unions' impact on a community is significant and widespread, more so than a private sector union. Teachers are not only responsible for teaching the doctors and the nurses who provide the healthcare, but they also teach those that are responsible for medical research for medical breakthroughs and innovation. The basis of our society is not the gold that backs the dollars, or the might of the military or the Constitution, the basis of our society is knowledge that makes all of those things possible, that enables us to build the weapons, be the most effective and efficient at manipulating the stock market, and provides us with the technology to improve transportation and our standard of living. The bedrock of all of this knowledge is the teachers. Everyone has teachers. Everybody has been directly affected by teaching, a unique characteristic of this particular profession. Teachers have an awesome responsibility.

6. Conclusion

Are teachers unions different from other labor unions? On the surface, teachers unions are no different from typical labor unions. Teachers unions came about during the labor movement of the later 19th and early 20th centuries to fight for the rights of teachers who were being neglected.

But while teachers unions are not different in appearance, they are different in their political involvement. The NEA, in conjunction with their sister organization, AFT, uses their wealth of money and resources to support specific politicians, to defeat contrary ballot initiatives, and be a force in political battles, such as the current situation in Madison, Wisconsin where collective bargaining rights are being threatened. In addition, teachers unions are notoriously and accurately considered highly liberal; however, their membership is not. Teachers unions are different because they have an enormous amount of money and political power, and because their leadership sways their actions in a direction that does not necessarily represent the whole.

In addition, teachers unions as public sector unions give them more leeway to manipulate the system than if they were private sector unions. The two biggest differences for a public sector union is 1. they can assist in selecting the people they bargain with through local elections; and 2. their demands can exceed what the state can offer them because unlike in the private sector, the state, their employer, cannot fail as an entity, and can and continue to operate even with a budget deficit. This gives teachers

unions the freedom to push as hard as they please to get what they want- their limits are far fewer than those of private sector unions.

If we cannot eliminate teachers unions, how do we incorporate them into education reform? Looking abroad, we can see a host of examples on effective education systems. Finland is an excellent example of a country with a strong education system and effective educators, where teachers are almost 100% unionized.¹ In Finland, the teachers union is viewed as a partner in education with the same goal of providing quality education; unions work with the government instead of against the government.² However, as the Finnish Minister of Education points out, one education system's success does not guarantee its success in another country. We must take into account that every country has a different history, society, and culture to contend with.³ We can look to other countries for inspiration, but we will not find a definite answer as to how we should proceed, especially with respect to unions.

Our perspective as a whole, and teachers unions in particular, on the relationship between unions and education needs to change. "Teachers Unions in Hard Times" by William Lowe Boyd, David N. Plank, and Gary Skyes discusses the attempts of Governor Tom Ridge of Pennsylvania and Governor John Engler of Michigan provide examples of state leaders that fought to diminish the power of teachers unions.⁴ These respective governors attempt to reduce the powers of unions not by attacking individual teachers

¹ Diane Ravitch, *The Death and Life of the Great American School System* (New York, NY: Basic Books, 2010), 175.

² Henna Virkkunen, "An interview with Henna Virkkunen, Finland's Minister of Education," interview by Justin Snider, March 16, 2011, The Hechinger Report, http://hechingerreport.org/content/an-interview-with-henna-virkkunen-finlands-minister-of-education_5458/.

³ Ibid.

⁴ William Lowe Boyd, David N. Plank, and Gary Sykes, "Teachers Unions in Hard Times," in *Conflicting Missions? Teachers Unions and Educational Reform*, by Tom Loveless, ed. Tom Loveless (Washington, D.C.: The Brookings Institution, 2000), 174-209

(which, generally speaking, is not a popular mode of action), but instead by promoting a separation between the unions and the teachers, which are often mistakenly viewed as one in the same; however, teachers are concerned about quality education, whereas unions are concerned with political and economic power. In this way, they tried to direct attention to the issue of power instead of the issue of education.⁵

Governor Engler of Michigan, and Governor Ridge of Pennsylvania, moved to reform education without a union partnership or voice. If the governors want to improve schools, then they must gain teacher support regardless of the union position.⁶ This is a tough sell because siding with the governors means less job security, more thorough evaluations, as well as less compensation and fewer benefits. Unions have historically been concerned with advancing teachers' rights and salaries through collective bargaining and lobbying, rather than the professional development of their members. However, new voices within the unions are working to change public perception by focusing on professionalism in teaching.⁷ They want to restore confidence by changing the conversation from "what's good for teachers" is good for education, looking for common ground where there is mutual benefit for teachers *and* students and in the education system.⁸

Through implementing this strategy, Governor Engler succeeded in taking away the right to strike and diminishing union power, but the teachers unions did not disappear. Today, government and teachers unions in Michigan and Pennsylvania continue to have a very adversarial relationship. Teachers unions in both states continue to work to defeat

⁵ Ibid, 174-209.

⁶ Ibid, 199.

⁷ Ibid, 174-209

⁸ Ibid, 174-209

education reforms, and fight budget proposals that are made against their interests.⁹ It does not appear that either governor's efforts were successful in diminishing the unions' voice in the education debate.¹⁰

The irony that we learn from these two states is that teachers are the problem, as well as the solution. Teachers have proven ineffective in many cases and appear to be at the root of the failing public education system, but implementing new standards is only effective if the teachers support and utilize them. Public officials' problem is that political decision-making does not always result in good education policy.¹¹ Short term goals of winning elections by cutting budgets and expenditures, while strengthening public control, may lead to long term losses by failing to win the trust and cooperation of organized teachers.¹²

Teachers unions' political power in the public sector is unmatched- this, in combination with their representation of the profession that provides the most critical public service, puts them in the forefront of the education reform effort. Over time, teacher unions have gone above and beyond the call of duty to fight for their members and consequently have served as somewhat of a road block to education reform through pursuing certain political agendas. But this is not necessarily a fault. As a union, a body that fights for the rights of their members, teachers unions are as good as they come, doing whatever is necessary to get what they want and need. Many believe that if teachers unions did not exist, we would be well on our way to establishing an education

⁹ Michigan Education Association, "Tenure, pension changes on the way?" Michigan Education Association, last modified April 14, 2011, <http://www.mea.org/tenure-pension-changes-way>.

¹⁰ The Pennsylvania State Education Association, "May 3 Rally for A Responsible Budget," The Pennsylvania State Education Association, accessed April 15, 2011, <http://www.psea.org/May3/>.

¹¹ William Lowe Boyd, David N. Plank, and Gary Sykes, 174-209.

¹² Ibid.

system that works, and securing our place in the global economy. This is not the case. Even without teachers unions, the solution for fixing this broken education system is still far beyond our reach. We know that the answer lies with teachers, but that is essentially the extent of our knowledge. Beyond this basic principle are the questions: What makes a good teacher? How do we improve teacher quality in the classroom? Are teacher accreditation agencies up to par? All of these questions and many more like them would remain unanswered, even without the pressure of unions. But this line thinking is futile. Unions, regardless of whether or not they are still relevant and necessary to protect workers, are not going anywhere; and that is especially the case with teachers unions. If anything, teachers unions will grow bigger and more powerful in the future and we would do well to recognize the “differences” in teachers unions to find a way to work with them to reform the education system, especially when considering the issues such as school vouchers, charter schools, performance pay, and teacher evaluations. However, the fact still remains that teachers are the problem *and* the solution. Teachers, themselves, need to become involved in the “reform” of *their* unions and the leadership structure. They are the key to getting the unions to engage in meaningful and positive education reform. The change must come from within. Teachers and their organizations must come to realize that if students continue to fail, teachers will become even less valued and less relevant. They, along with every American, have a vested interest in the success of *our* education system, which *must* improve if the United States is to remain a dominant global, economic power.

Teachers unions, the quintessential product of a free and fair democracy, in all of their glory, destructive or otherwise, are here to stay. Blaming them is not the answer.

Works Cited

- Adler, Jerry. "Debate: Are Teachers' Unions the Problem—or the Answer?" *Newsweek*, March 19, 2011. <http://www.newsweek.com/2010/03/18/debate-are-teachers-unions-the-problem-or-the-answer.html>.
- AFT. "AFT President: Randi Weingarten." American Federation of Teachers. Accessed March 16, 2011. <http://www.aft.org/about/leadership/>.
- American Federation of Teachers. "AFT History." American Federation of Teachers. Accessed March 15, 2011. <http://www.aft.org/about/history/>.
- . "Union 101." American Federation of Teachers. Accessed March 15, 2011. <http://www.aft.org/about/union101/>.
- Antonucci, Mike. "The Long Reach of Teachers Unions." *Education Next* 10, no. 4 (Fall 2010). <http://educationnext.org/the-long-reach-of-teachers-unions/>.
- . "Teachers Unions In Five States Spent More Than \$100 Per Teacher On Political Campaigns." *Education Next* (July 2010). <http://educationnext.org/teachers-unions-in-five-states-spent-more-than-100-per-teacher-on-political-campaigns/>.
- Asia Society. "How did Asian school systems manage to outrank the US? ." Asia Society. Last modified April 4, 2011. <http://asiancorrespondent.com/51835/how-the-best-school-systems-invest-in-teachers/>.
- . "South Korean Education." Asia Society. Accessed August 20, 2008. <http://asiasociety.org/education-learning/learning-world/south-korean-education>.
- Beckner, Gary. "BECKNER: Teachers' rights muzzled in union debate." *The Washington Times*, February 23, 2011. <http://www.washingtontimes.com/news/2011/feb/23/teachers-rights-muzzled-in-union-debate/print/>.
- Behr, Peter. *Outline of the U.S. Economy*. 2009 ed. Edited by Michael Jay Friedman. Washington, D.C.: Bureau of International Information Programs United States Department of State, 2009. <http://www.america.gov/media/pdf/books/outline-of-the-us-economy.pdf#popup>.

- Boyd, William Lowe, David N. Plank, and Gary Sykes. "Teachers Unions in Hard Times." In *Conflicting Missions? Teachers Unions and Educational Reform*, by Tom Loveless, edited by Tom Loveless, 174-210. Washington, D.C.: The Brookings Institution, 2000.
- Brill, Steven. "The Teachers' Unions' Last Stand." *The New York Times Magazine*, May 17, 2010. <http://www.nytimes.com/2010/05/23/magazine/23Race-t.html>.
- Buddin, Richard. *How Effective Are Los Angeles Elementary Teachers and Schools?* <http://s3.documentcloud.org/documents/19505/how-effective-are-los-angeles-elementary-teachers-and-schools.pdf>.
- Bureau of Labor Statistics U.S. Department of Labor. *Union Members-2010*. <http://www.bls.gov/news.release/pdf/union2.pdf>.
- Burroughs, Nathan. "Arguments and Evidence: The Debate over Collective Bargaining's Role in Public Education." *Education Policy Brief* 6, no. 8 (Fall 2008). http://www.indiana.edu/~ceep/projects/PDF/PB_V6N8_Fall_2008_EPB.pdf.
- The Center for Public Education. *Class Size and Student Achievement*. Accessed March 15, 2011. <http://www.centerforpubliceducation.org/Main-Menu/Organizing-a-school/Class-size-and-student-achievement-At-a-glance/Class-size-and-student-achievement-Research-review.html>.
- Center for Responsive Politics. "Financial PACs 'Invest' in Influential Freshmen." OpenSecrets.org. Last modified April 13, 2011. <http://www.opensecrets.org/news/2011/04/financial-pacs-invest-in-influentia.html>.
- . "National Education Association." OpenSecrets.org. Accessed April 1, 2011. <http://www.opensecrets.org/orgs/summary.php?id=D000000064>.
- . "Teachers Unions." OpenSecrets.org. Last modified March 27, 2011. <http://www.opensecrets.org/industries/indus.php?ind=L1300>.
- . "Top All-Time Donors, 1989-2010." OpenSecrets.com. Accessed March 27, 2011. <http://www.opensecrets.org/orgs/list.php?order=A>.
- Charters of Freedom. "Bill of Rights." Archives.gov. Accessed March 15, 2011. http://www.archives.gov/exhibits/charters/bill_of_rights_transcript.html.
- Cibulka, James G. "The NEA and School Choice." In *Conflicting Missions: Teachers Unions and Educational Reform*, by Tom Loveless, edited by Tom Loveless, 150-172. Washington, D.C.: Brookings Institution Press, 2000.

- Cillizza, Chris. "Unions winning battle for public opinion in Wisconsin." *The Washington Post*, March 1, 2011. <http://voices.washingtonpost.com/thefix/morning-fix/rick-perry-roundtable.html>.
- Cohen, Emily, and Kate Walsh. "Invisible Ink in Teacher Contracts." *Education Next* 10, no. 4 (Fall 2010). <http://educationnext.org/invisible-ink-in-teacher-contracts/>.
- Colosi, Thomas R., and Arthur Eliot Berkeley. "Promise Checking: Interest Arbitration." In *Collective Bargaining: How It Works and Why*, by Thomas R. Colosi and Arthur Eliot Berkeley, 161-179. New York, New York: American Arbitration Association, 1986.
- Davey, Monica, and Steve Greenhouse. "Angry Demonstrations in Wisconsin as Cuts Loom." *The New York Times*, February 16, 2011. http://www.nytimes.com/2011/02/17/us/17wisconsin.html?_r=1&scp=1&sq=walker%20wisconsin%20feb%2011&st=cse.
- Dillon, Sam. "Teachers' Union Shuns Obama Aides at Convention." *The New York Times*, July 24, 2010. http://www.nytimes.com/2010/07/05/education/05teachers.html?_r=1.
- DiSalvo, Daniel. "The Trouble with Public Sector Unions." National Affairs. Last modified Fall 2010. <http://www.nationalaffairs.com/publications/detail/the-trouble-with-public-sector-unions>.
- Dizikes, Cynthia, and Abby Sewell. "Wisconsin university teaching assistants at forefront of Capitol protest." *Los Angeles Times*, March 12, 2011. <http://articles.latimes.com/2011/mar/12/nation/la-na-teaching-assistants-20110313>.
- Duncan, Arne. "Secretary Arne Duncan's Remarks at the Statehouse Convention Center in Little Rock, Arkansas." Address, Statehouse Convention Center, Little Rock, Arkansas, August 25, 2010. <http://www.ed.gov/news/speeches/secretary-arne-duncans-remarks-statehouse-convention-center-little-rock-arkansas>.
- ED.gov. "1998 Amendments to Higher Education Act of 1965." United States Department of Education. Last modified October 23, 2006. <http://www2.ed.gov/policy/highered/leg/hea98/sec201.html>.
- Edwards, Chris. "Public Sector Unions and the Rising Costs of Employee Compensation." *CATO* (2010): 87-115. <http://www.cato.org/pubs/journal/cj30n1/cj30n1-5.pdf>.
- . "Tax and Budget Bulletin: Public-Sector Unions." *CATO*, no. 61 (March 2010). http://www.cato.org/pubs/tbb/tbb_61.pdf.

- Felch, Jason, and Jason Song. "Educator sees the value in 'value added' approach to evaluating teachers." *Los Angeles Times*, October 18, 2010. <http://articles.latimes.com/2009/oct/18/local/me-teacher-eval18>.
- . "U.S. schools chief endorses release of teacher data." *Los Angeles Times*, August 16, 2010. <http://articles.latimes.com/2010/aug/16/local/la-me-0817-teachers-react-20100817>.
- Fischer, Karin. "Number of Foreign Students in U.S. Hit a New High Last Year." *The Chronicle of Higher Education*, November 16, 2009. <http://chronicle.com/article/Number-of-Foreign-Students-in/49142/>.
- Fox News. "Utah Voters Defeat Measure to Create U.S. First Statewide School Voucher Program ." FoxNews.com. Last modified November 7, 2007. Utah Voters Defeat Measure to Create U.S. First Statewide School Voucher Program Read more: <http://www.foxnews.com/story/0,2933,308936,00.html#ixzz1KLfrFSZF>.
- Goldhaber, Dan. "The Mystery of Good Teaching." *Education Next* 2, no. 1 (Spring 2002). <http://educationnext.org/the-mystery-of-good-teaching/>.
- Green, Elizabeth. "Building a Better Teacher." *The New York Times*, March 2, 2011. <http://www.nytimes.com/2010/03/07/magazine/07Teachers-t.html>.
- Hananel, Sam. "Membership in labor unions continues to decline." *The Washington Times*, January 23, 2011. <http://www.washingtontimes.com/news/2011/jan/23/membership-in-labor-unions-continues-to-decline/>.
- Hanushek, Eric A. "The Economics of School Quality." *German Economic Review* (August 2005): 269-286. <http://edpro.stanford.edu/hanushek/admin/pages/files/uploads/GermEconRev.journal.pdf>.
- . "Education Production Functions: Developed Country Evidence." *Economics in Education* (November 2007): 1-15. <http://edpro.stanford.edu/hanushek/admin/pages/files/uploads/hanushek%202010%20prod%20functions%20international%20encyclopedia.pdf>.
- . "School policy: implications of recent research for human capital investments in South Asia and other developing countries." *Education Economics* 17, no. 3 (September 2009): 291-313. <http://edpro.stanford.edu/hanushek/admin/pages/files/uploads/Hanushek%202009%20EducEconomics%20173.pdf>.

- . “Teacher Deselection.” In *Creating a New Teaching Profession*, by Dan Goldhaber and Jane Hannaway. Urban Institute Press, 2009.
<http://edpro.stanford.edu/hanushek/admin/pages/files/uploads/Hanushek%202009%20CNTP%20ch%208.pdf>.
- . “The Trade-off Between Child Quantity and Quality.” *Journal of Political Economy* 100, no. 1 (February 1992): 84-117. <http://edpro.stanford.edu/Hanushek/admin/pages/files/uploads/child%20quality.JPE.pdf>.
- Hanushek, Eric A., and Ludger WoBmann. “Education and Economic Growth.” In *International Encyclopedia of Education*, 3rd ed., edited by Penelope Peterson, Eva Baker, and Barry McGaw. Elsevier Ltd, 2010. Last modified 2010.
http://edpro.stanford.edu/hanushek/admin/pages/files/uploads/hanushek_woessmann%20%2020010%20international%20encyclopedia.pdf.
- Hess, Frederick H., and Coby Loup. “Teacher Labor Agreements: Formulas for Flexibility or Failure?” *Education Outlook* (June 2008).
<http://www.frederickhess.org/5129/teacher-labor-agreements>.
- Horowitz, Morris A. *Collective Bargaining in the Public Sector*. New York, New York: Lexington Books, 1994.
- Howell, William, Paul E. Peterson, and Martin West. “The Persuadable Public.” *Education Next* 9, no. 4 (Fall 2009). <http://educationnext.org/persuadable-public/>.
- Howell, William, Martin West, and Paul E. Peterson. “Meeting of the Minds.” *Education Next* 11, no. 1 (Winter 2011). <http://educationnext.org/meeting-of-the-minds/>.
- Klein, Joe. “As Goes Wisconsin... So Goes the Nation.” *TIME Magazine*, February 12, 2011. <http://www.time.com/time/nation/article/0,8599,2053510,00.html>.
- Landsberg, Mitchell. “Union leader says parents should know teachers’ ratings.” *Los Angeles Times*, August 19, 2010. <http://articles.latimes.com/2010/aug/19/local/la-me-0819-teachers-union-20100819>.
- Lehane, Christopher. “The Democratic Take.” *Education Next* 8, no. 1 (Winter 2008).
<http://educationnext.org/the-democratic-take/>.
- Leonhardt, David. “The Case for \$320,000 Kindergarten Teachers.” *The New York Times*, July 27, 2010. http://www.nytimes.com/2010/07/28/business/economy/28leonhardt.html?_r=2.
- Lieberman, Myron. *The Teachers Unions*. New York, NY: Simon and Schuster Inc., 1997.

- Los Angeles Times. "FAQ About: Los Angeles Teacher Ratings." Los Angeles Times. Accessed December 17, 2010. <http://projects.latimes.com/value-added/faq/>.
- . "How the teachers were evaluated." *Los Angeles Times*, August 15, 2011. <http://articles.latimes.com/2010/aug/15/local/la-me-qanda-20100816>.
- . "How the teachers were evaluated." *Los Angeles Times*, August 15, 2011. <http://www.latimes.com/news/local/la-me-qanda-20100816,0,4120439.story>.
- Lowenstein, Roger. "Broke Town, U.S.A." *The New York Times Magazine*, March 3, 2011. http://www.nytimes.com/2011/03/06/magazine/06Munit.html?_r=2&ref=business.
- Malanga, Steven. "Collective Bargaining Doesn't Work In the Public Sector." RealClearMarkets. Last modified February 23, 2011. http://www.realclearmarkets.com/articles/2011/02/23/collective_bargaining_doesnt_work_in_the_public_sector_98884.html.
- Michigan Education Association. "Tenure, pension changes on the way?" Michigan Education Association. Last modified April 14, 2011. <http://www.mea.org/tenure-pension-changes-way>.
- Murphy, Mike. "The Real Stakes in Wisconsin: Walker's war on the public unions could change the game across the U.S. in 2012." *TIME Magazine*, March 14, 2011.
- National Center for Education Statistics. *Projections of Education Statistics to 2019*. Projections of Education Statistics 38. <http://nces.ed.gov/pubs2011/2011017.pdf>.
- National Commission on Excellence in Education. *A Nation At Risk*. Accessed September 15, 2010. <http://www2.ed.gov/pubs/NatAtRisk/risk.html>.
- National Council on Teacher Quality. "Teacher Rules, Roles, and Rights." National Council on Teacher Quality. Last modified 2009. <http://www.nctq.org/tr3/home.jsp>.
- National Education Association. "NEA History." National Education Association. Accessed March 15, 2011. <http://www.nea.org/home/11608.htm>.
- NEA. "Our Members." National Education Association. Accessed April 1, 2011. <http://www.nea.org/home/1594.htm>.
- Nichols, John. "How Scott Walker's Unionbusting Spurred a Popular Uprising." *The Nation*, March 21, 2011.

- Obama, Barack. "Remarks by the President in State of the Union Address." Address, United States Capitol, Washington, D.C., January 25, 2011. The White House. <http://www.whitehouse.gov/the-press-office/2011/01/25/remarks-president-state-union-address>.
- OurDocuments.gov. "Keating-Owen Child Labor Act of 1916 (1916)." OurDocuments.gov. Accessed March 15, 2011. <http://www.ourdocuments.gov/doc.php?flash=true&doc=59>.
- . "National Industrial Recovery Act." OurDocuments.gov. Last modified March 15, 2011. <http://www.ourdocuments.gov/doc.php?flash=true&doc=66>.
- . "National Labor Relations Act." OurDocuments.gov. Accessed March 15, 2011. <http://www.ourdocuments.gov/doc.php?flash=true&doc=67>.
- The Pennsylvania State Education Association. "May 3 Rally for A Responsible Budget." The Pennsylvania State Education Association. Accessed April 15, 2011. <http://www.psea.org/May3/>.
- Peterson, Paul E. *The Price of Federalism*. Washington, D.C.: The Twentieth Century Fund, Inc., 1995.
- . "Public Not Yet Decided As To Whether Teachers Unions Are Good For Schools Or Not." *Education Next* (March 2011). <http://educationnext.org/public-not-yet-decided-as-to-whether-teachers-unions-are-good-for-schools-or-not/>.
- . "We Need Fewer Teachers, Not More." *Education Next* (March 2010). <http://educationnext.org/we-need-fewer-teachers-not-more/>.
- Ravitch, Diane. *The Death and Life of the Great American School System*. New York, NY: Basic Books, 2010.
- Rotherham, Andrew J. "The Wisconsin Teachers' Crisis: Who's Really to Blame?" *TIME Magazine*, February 18, 2011. <http://www.time.com/time/nation/article/0,8599,2052705,00.html>.
- Schneider, Christian. "Fiscally Modest, Politically Bold." Editorial, *The New York Times*, February 19, 2011. <http://www.nytimes.com/roomfordebate/2011/02/18/the-first-blow-against-public-employees/wisconsins-governor-is-fiscally-modest-politically-bold>.
- Schworm, Peter. "Foreign students flock to the US." boston.com. Last modified July 5, 2008. http://www.boston.com/news/local/articles/2008/07/05/foreign_students_flock_to_the_us/.

- Secretary of State Oregon. "Measure 58." Secretary of State Oregon. Accessed April 1, 2011. http://www.sos.state.or.us/elections/pages/history/archive/nov42008/guide/meas/m58_opp.html.
- . "Measure No. 59." Secretary of State Oregon. Accessed April 1, 2011. http://www.sos.state.or.us/elections/pages/history/archive/nov42008/guide/meas/m59_opp.html.
- . "Measure 60." Secretary of State Oregon. Accessed April 1, 2011. http://www.sos.state.or.us/elections/pages/history/archive/nov42008/guide/meas/m60_opp.html.
- Sherk, James. "F.D.R. Warned Us." Editorial, *The New York Times*, February 19, 2011. <http://www.nytimes.com/roomfordebate/2011/02/18/the-first-blow-against-public-employees/fdr-warned-us-about-public-sector-unions>.
- Song, Jason. "U.S. schools chief to push disclosure of education data." *Los Angeles Times*, August 25, 2010. <http://articles.latimes.com/2010/aug/25/local/la-me-ed-grants-20100825>.
- Song, Jason, and Jason Felch. "Union Leader calls on L.A. teachers to boycott Times." *Los Angeles Times*, August 15, 2010. <http://articles.latimes.com/2010/aug/15/local/la-me-teachers-react-20100816>.
- Teachers for a New Era. "About Teachers for a New Era." Teachers for a New Era. Accessed January 15, 2011. <http://www.teachersforanewera.org/>.
- Teaching Assistants' Association. "TAA History." Teaching Assistants' Association UW- Madison. Last modified 2011. <http://taa-madison.org/taa-history/>.
- TIME. "U.S. At War: The No-Strike Pledge." *TIME Magazine*, September 18, 1944. <http://www.time.com/time/magazine/article/0,9171,796674,00.html>.
- United States Department of Education. "About ED Overview." ED.gov. Accessed April 15, 2011. <http://www2.ed.gov/about/landing.html>.
- . "Answering Tough Questions About Pay for Performance." ED.gov. Last modified November 19, 2010. <http://www.ed.gov/blog/2010/11/answering-tough-questions-about-pay-for-performance/>.
- Virginia Professional Educators. "Teachers Top the List of Most Trusted Professionals ." Virginia Professional Educators. Last modified October 20, 1998. <http://www.virginiaeducators.org/pros.html>.

- Virkkunen, Henna. "An interview with Henna Virkkunen, Finland's Minister of Education." Interview by Justin Snider. March 16, 2011. The Hechinger Report. http://hechingerreport.org/content/an-interview-with-henna-virkkunen-finlands-minister-of-education_5458/.
- Wall Street Journal. "Athens in Mad Town." Editorial, *The Wall Street Journal*, February 18, 2011. http://online.wsj.com/article/SB10001424052748704657704576150111817428004.html?mod=WSJ_Opinion_LEADTop.
- Webster, William G. *Effective Collective Bargaining in Public Education*. 1985. Reprint, Ames, Iowa: Iowa State University Press, 1988.
- Weitekamp, Rossana. "Foreign National Students in United States Plan to Return to Native Countries." Kauffman Foundation. Accessed February 15, 2011. <http://www.kauffman.org/newsroom/foreign-national-students-in-united-states-plan-to-return-to-native-countries.asp>.
- White House. "Education." White House.gov. Accessed April 1, 2011. <http://www.whitehouse.gov/issues/education>.
- . "Education." White House.gov. Accessed March 15, 2011. <http://www.whitehouse.gov/issues/education>.
- Willon, Phil, and Jason Song. "Teachers union agrees to reopen talks on evaluations." *Los Angeles Time*, August 21, 2011. <http://articles.latimes.com/2010/aug/21/local/la-me-teacher-response-20100822>.
- Woessman, Ludger. "Merit Pay International." *Education Next* 11, no. 2 (Spring 2011).
- Yates, Michael D. *Why Unions Matter*. New York, NY: Monthly Review Press, 1998.
- Zieger, Robert H. *American Workers, American Unions*. 2nd ed. 1986. Reprint, Baltimore, Maryland: The Johns Hopkins University, 1994.
- Zuckerman, Mortimer B. "Best and Brightest Teachers Key to Solving U.S. Education Crisis." Editorial, *U.S. News and World Report*, January 14, 2011. <http://www.usnews.com/opinion/mzuckerman/articles/2011/01/14/best-and-brightest-teachers-key-to-solving-us-education-crisis>.