



A Union of Professionals

“Won’t Back Down” – A Film Devoid of Facts About Education and Teachers

A FAKE QUOTE BY ALBERT SHANKER

Claim: A character in the movie claimed that Albert Shanker, the former president of the American Federation of Teachers and a pioneer in education, once said: “When schoolchildren start paying union dues, that’s when I’ll start representing the interests of schoolchildren.”

Fact about the quote: The quote is false and has been debunked. The first claims that Shanker had made the statement came from a 1985 anti-union editorial in the *Meridian* (Miss.) Star. It has been repeated by anti-union forces for the last 35 years. Reviews by the Albert Shanker Institute,¹ the *Washington Post*² and Shanker’s biographers³ of news reports, speeches and interviews with Shanker’s aides failed to find any person or report that corroborated the statement.

LENGTH OF DAY

Claim: A teacher uses the contract as an excuse to not help a student after class.

Fact about the length of school days: American teachers spend, on average, 1,080 hours teaching each year. Teachers in other developed nations spend less than 800 hours a year teaching.⁴ A survey published in *Scholastic* magazine found that the average American teacher’s workweek is 53 hours.⁵ Teachers give not only their time but also money from their own pockets, an average of \$351 every school year.⁶

The movie creates a fake reality. We are not aware of any contract or any local union that would forbid a teacher from remaining after school to help a student. Teachers need extra time to spend with kids, and hundreds of thousands make that time every day. The AFT has always been an advocate for better structuring of the school day so teachers can spend more time instructing students.

LENGTH AND FLEXIBILITY OF CONTRACTS

Claim: A character in “Won’t Back Down” claimed that the union had a 600-page contract that would make it impossible to create a small teacher-and-parent-led school with a union contract.

Facts on contract size: A review of 73 of 100 con-

tracts of the AFT’s largest affiliates found that the average contract size is approximately 80 pages (110 pages when appendices are included). Of the 80 or so pages in a typical big-city contract, most of the provisions help establish standards for children’s learning environment. They include the setup of classes for children with learning disabilities, provide appropriate time for teachers to improve their lessons and communicate with parents, and ensure that schools meet the individual needs of parents, teachers and students.

Facts on flexibility of contracts for individual schools: Most of the contracts from large urban local districts include school-level waiver provisions to remove or modify specific language in the contract. In some cases, the waivers can be very broad. Usually, a joint process is established that articulates what needs to occur in order for the waiver to be approved. New York City, Chicago, Boston, Philadelphia, St. Paul, Cleveland, Toledo and Los Angeles all have waiver provisions in their contracts for schools.

EXPERIENCE AND TENURE

Claim: In portraying the most experienced teacher in the school as the worst teacher, “Won’t Back Down” ignores decades of research showing that teachers improve as they gain experience.⁷ And by equating due process with a union-created lifetime job guarantee, the movie displays a fundamental misunderstanding of the concept of tenure.

Facts about tenure: What most people call “tenure” is nothing more than simple due process, which we should ensure for all people, including students and parents. Moreover, in the vast majority of cases, tenure is created by state law, not by union contracts. Working within state laws, school districts—not union contracts—decide which teachers earn tenure, as seen recently in New York City.⁸

Beyond being the most effective, most of the experienced teachers in schools provide leadership, training and advice for other teachers in addition to their teaching responsibilities. Tenure merely means that teachers are entitled to due process after completing a probationary period and may not be fired or disci-

plined without a chance to tell their side of the story.

Dismissal procedures embedded in state education laws were developed to ensure teachers are treated fairly and are not victims of discrimination. At its core, the intent of tenure is to protect students' rights, ensuring that they don't lose a good teacher because of personal or political conflicts with school administration.

Collective bargaining agreements and/or school district policies do not determine the length of time required by a district to grant or deny tenure. State laws spell out processes for granting due process rights and revoking them. On average it takes more than three years for a teacher to earn tenure, more in some states. No one wants bad teachers in the classroom, which is why the AFT has worked to align teacher development and evaluation to due process for tenured teachers.⁹ The AFT has developed comprehensive teacher development and evaluation systems that may include peer review programs to help improve teachers or counsel them out of the profession. Moreover, the AFT has worked with school administrators to expedite due process procedures to ensure the process is both fair and efficient.

Facts about teacher development and evaluation:

All states, in varying degrees, have some statutory language that requires the evaluation of all teachers. It may require a nontenured teacher to be evaluated many times annually before he or she is recommended for tenure. Opportunities for improvement or remediation may be part of the statute. Depending on the state, the statute may define the evaluation process and offer more details on the process, including the remediation stage. In many cases, state laws prohibit teacher contracts from addressing evaluation.

Peer assistance and review, a process agreed to by the union and the district, may also play a role in improving a teacher's practice. It can be a critical part of the evaluation process. In school districts that use peer assistance and review, the bad teacher in the movie would have been evaluated, rated unsatisfactory and then offered the opportunity and the resources to improve. In the event that she did not improve within the specified time, she would have been terminated or counseled out of the profession.

¹<http://shankerblog.org/?p=2562#more-2562>

²http://www.washingtonpost.com/blogs/fact-checker/post/romneys-unsupported-quote-from-union-leader/2012/05/28/gJQAhbOxwU_blog.html

³<http://toped.svefoundation.org/2012/04/20/bill-me-legislative-week-in-review/>

⁴New York Times Economix blog, <http://economix.blogs.nytimes.com/2009/09/09/teacher-pay-around-the-world/>

⁵"Primary Sources: America's Teachers on the Teaching Profession," 2012, Scholastic, <http://www.scholastic.com/primarysources/download.asp>

⁶<http://thejournal.com/articles/2010/07/08/teachers-spend-1.3-billion-out-of-pocket-on-classroom-materials.aspx>

⁷<http://christyhiatt.wiki.westga.edu/file/view/ls+experience+the+best+teacher.pdf>

⁸<http://www.nytimes.com/2012/08/18/nyregion/nearly-half-of-new-york-city-teachers-are-denied-tenure-in-2012.html?pagewanted=all>

⁹<http://www.aft.org/newspubs/press/2011/022411a.cfm>