

BATTLEGROUND

SCHOOLS

VOLUME 1

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who work in public hospitals and clinics. Program approval and accreditation are frequently collapsed into one assessment, and in some scenarios the license test may substitute for all other indicators together, thereby losing all the power of convergence.

THE BATTLEGROUND OF PERMISSION: WHO HAS THE RIGHT?

While it seems natural that the state should set the standards for the teaching license, most professions set and enforce their own standards, and the authority and expertise is thought by some to properly reside among the teachers themselves, and by others to reside in the academy. Still others see teaching as a matter of individual prerogative and expertise that is independent of the state, the academy, or the other professionals. Most problematic, however, is the lack of consensus, noted by the courts in malpractice or teacher incompetence litigation, about the validity of the criteria for teacher competence that would legitimize any licensure requirements, degree requirements, accreditation and program approval standards, cut scores on tests, and so forth.

Thus, the final (or beginning) step in building a convergent set of measures to predict teacher quality must be to insure that each measure is trustworthy and that each is empirically established as a valid requirement for employment. As none can bear the burden as the sole indicator of teacher potential, the entitlement to teach requires several convergent and independent strands of evidence and deeper inquiry into each with regard to the future teacher's promise.

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Frank B. Murray

TEACHER UNIONS

TEACHER UNIONS IN THE MIDDLE

In a White House meeting with governors in 2004, then United States Secretary of Education Rod Paige called the National Education Association (NEA), the 3.2 million member teachers union, “a terrorist organization.” As the former chief of Houston, Texas public schools, Paige has long harbored antipathy toward teacher unions. His labeling of the largest labor union in the United States as a terrorist organization was prompted by the NEA's relatively mild criticism that the Bush Administration's No Child Left Behind (NCLB) law had not been adequately funded and that the law unfairly penalized schools if students' test scores do not improve from year to year. Paige's remark predictably prompted a firestorm of criticism. But his “apology” for the remark continued the attack,

claiming the NEA fights against school improvement and implied that the primarily white membership of the NEA does not really care about educating all students regardless of their race or ethnicity.

As the title of Paige's new book illustrates—*The War against Hope: How Teacher Unions Hurt Children, Hinder Teachers, and Endanger Public Education*—he has not tempered his views since joining the private sector. Paige calls teacher unions “arrogant” and “destructive,” says that they defend incompetent teachers and oppose merit pay for teachers who excel. “No special interest is more destructive than the teachers’ unions, as they oppose nearly every meaningful reform,” he writes.

Paige's views constitute a thumbnail sketch of the right-wing anti-union rhetoric used by various politicians, school managers, and corporate leaders for years. So at first blush it might seem surprising to find Paige praising the president of New York City's teacher union, Randi Weingarten, in his book. Paige says she is a rare union leader who has “exhibited the unique ability to achieve, or at least to strive to achieve, the proper balance between the interests of the public education system and the well-being of the union's members.” But in reality, the leadership of the two largest teacher unions—the NEA and American Federation of Teachers (AFT)—in the United States has been working collaboratively for years with the corporate interests that shaped current federal education policy, including the NCLB.

An excellent example of this collaboration is the sophisticated and well-financed public relations organization known as the Education Excellence Partnership—a collaboration of the national teacher unions, the Business Roundtable, U.S. Chamber of Commerce, National Alliance of Business, Achieve Inc., National Governor's Association, and U.S. Department of Education—that has promoted the high-stakes testing and curriculum standardization agenda as means to “motivate achievement” and retain children in grade, both of which are proven educational malpractices. The Educational Excellence Partnership was a key force in the promotion of the NCLB and the epitome of what has been described as “professional unionism.”

which from its beginnings struck a bargain in which the welfare of the working class was abandoned, as were challenges to the rights of owners under capitalism. Instead, AFL unions explicitly emphasized improvements in wages, hours, and working conditions; left business decisions to employers; did not attempt to influence managerial behavior; and took a pragmatic (or what some might call opportunistic) approach to politics by supporting particular politicians over the creation of a party focused on workers' interests. Professional unionism (sometimes called “new unionism”) moves beyond the AFL's defensive bargain with capitalist interests and into a partnership with them, as illustrated by the Educational Excellence Partnership and the strong backing of teacher union leadership for NCLB, which emerged from a series of corporate-led education summits in the 1980s and 1990s.

While Paige and others attack unions from the right, the rise of professional unionism has produced criticism from the left, which asks “Which side are you on?” The choice is between a “new unionism,” which offers collaboration in the interests of the political elite (e.g., union executives, politicians, policy-makers, and corporations); the rejection of adversarial tactics (e.g., strikes); the standardization of education; or loss of internal union democracy—that allows independent action of locals—and the opportunity to build principled alliances around issues of common interest to educators, parents and students in local communities.

A VERY BRIEF HISTORY OF TEACHERS’ UNIONS IN THE UNITED STATES

Teachers are the most heavily unionized of all professions in the United States. The two major national unions—American Federation of Teachers (AFT) and National Education Association (NEA)—have a combined membership of 4.5 million. While a proposed merger of the two unions was rejected by the NEA membership in 1998, the unions cooperate through the “NEAFT Partnership,” and unified NEA-AFT locals include Florida, Minnesota, Montana, and New York. The unions, however, have dramatically different roots.

National Education Association

The NEA was founded in 1857. Ironically, while the NEA is now the largest labor union in the United States it did not officially become a labor union until the 1960s. The NEA began as the National Teachers Association (NTA), whose membership was open to minority educators from the beginning but barred women. In 1866, the NTA allowed “persons” (rather than “gentlemen”) to join and soon after, Emily Rice was elected vice president. By 1870, the NTA had changed its name to the National Education Association and merged with the National Association of School Superintendents, the American Normal School Association, and the Central College Association; thus the NEA included and was led by school managers for many years.

In the post-Civil War years, the NEA began to address important educational and social issues, establishing a Department of Indian Education, which researched the systematic attack on native culture in government-run reservation schools. NEA also lobbied for child labor laws at the state and federal levels to better protect the health, safety, and education of children. In 1903, a Chicago teacher, Margaret Haley, led a demonstration at the NEA convention that brought the economic and working conditions of teachers (e.g., low salaries, gender inequities in salaries, tenure, pensions) to the forefront of the NEA agenda.

By the time the NEA was 50, classroom teachers were dominating its membership, and Ella Flagg Young, who would become the NEA’s first female president, said: “If the public school system is to meet the demands which 20th century civilization must lay upon it, the isolation . . . of teachers from the administration of the school must be overcome . . . can it be true that teachers are stronger in

their work when they have no voice in planning the great issues committed to their hands?”

With its membership growing, in 1920 the NEA reorganized as a Representative Assembly (RA) composed of delegates from affiliated states and locals. Its decentralized and democratic approach to governance is a hallmark of the NEA—the union calls the RA the largest democratic decision-making body in the world—and it is an important point of contrast with the top-down approach of the AFT.

Throughout the twentieth century, the NEA took politically progressive stands on many major social issues, including women’s rights and civil rights. For example, the NEA endorsed women’s suffrage years before the passage of the 19th Amendment; passed an “equal pay for equal work” resolution in 1934; and in the 1970s supported the Equal Rights Amendment and worked to end forced maternity leave and the firing of pregnant teachers. In 1966, after four decades of collaboration on issues affecting African American students and teachers, the NEA merged with the American Teachers Association and in 1968 the NEA elected its first African American president, Elizabeth Duncan Koontz.

In 1959, Wisconsin became the first state to pass a collective bargaining law for public employees. This law ushered in an era of teacher bargaining that transformed the NEA from a professional association into a labor union. The



Figure T.1 Ella Flagg Young, first woman president of National Education Association.

Source: Courtesy Library of Congress.

AFL-CIO/NEA Labor Solidarity Partnership agreement of 2006 allows local affiliates of the NEA to join the federation at the local and state levels through affiliation with the national AFL-CIO.

American Federation of Teachers

Unlike the NEA, the American Federation of Teachers (AFT) was founded as a craft union (as opposed to an industrial union) to represent the economic, social, and professional interests of classroom teachers and was from its inception in 1916 a member of the American Federation of Labor. In recent years, the AFT has expanded its membership to include not only teachers, paraprofessionals, and school-related personnel, but also local, state, and federal employees; higher education faculty and staff; and nurses and other health-care professionals.

Teachers' groups that founded the AFT were from urban schools (Chicago and Gary, Indiana) and AFT locals continue to be concentrated in large cities and on the east coast, with the NEA strongest in suburban and rural areas and in the west. The AFT grew slowly at the beginning, because many teachers rejected the idea of joining a union, and laws did not support collective bargaining for teachers. As a result, AFT membership by 1930 (less than 5,000) was only half of what it had been in 1920.

The AFT fought against "yellow-dog" contracts, which required teachers to promise not to join a union, and in 1932, after these contracts were outlawed by the Norris-LaGuardia Act, the union fought for teacher tenure rights with significant success. The AFT's first collective bargaining agreement was negotiated in Butte, Montana in 1936.

The AFT record on civil rights has generally been strong but is marked by controversy. The union called for equal pay for African American teachers in 1918, and the AFT was the only education organization to file an amicus brief in *Brown v. Board of Education*. In 1957, AFT ejected locals that would not integrate (resulting in the loss of over 7,000 members). It was also one of the few unions to support Dr. Martin Luther King Jr.'s 1963 March on Washington for Jobs and Freedom.

On the other hand, in the early 1940s the AFT expelled three locals in New York City and Philadelphia—representing nearly a third of the union's membership—following allegations that they were "communist-dominated." (In contrast, the NEA, while no supporter of the radical left, did help reverse the "The Little Red Rider"—a 1937 Congressional act requiring Washington, D.C. public school employees to swear an oath disavowing communism or forfeit their salary.) Following the purge of pro-communist locals, the Teachers Guild, which had been founded by philosopher John Dewey, was the only AFT affiliate in New York City.

Albert Shanker

It is impossible to understand the history and direction of the AFT separate from Albert Shanker. Shanker not only dominated the union from the time of his installation as president in 1974 until his death in 1997, but his legacy continues

via the union's organizational structure and political ideology. Shanker left his position as a social studies teacher in New York City in 1959 to work full time as a union organizer for the Teachers Guild. At that time there were numerous teacher unions in New York City.

Early in 1960, the Teachers Guild merged with the New York City's High School Teachers' Association, forming the United Federation of Teachers (UFT). Shanker and Teachers Guild president Charles Cogen led New York City teachers out on strike. Over 5,000 teachers picketed and another 2,000 engaged in

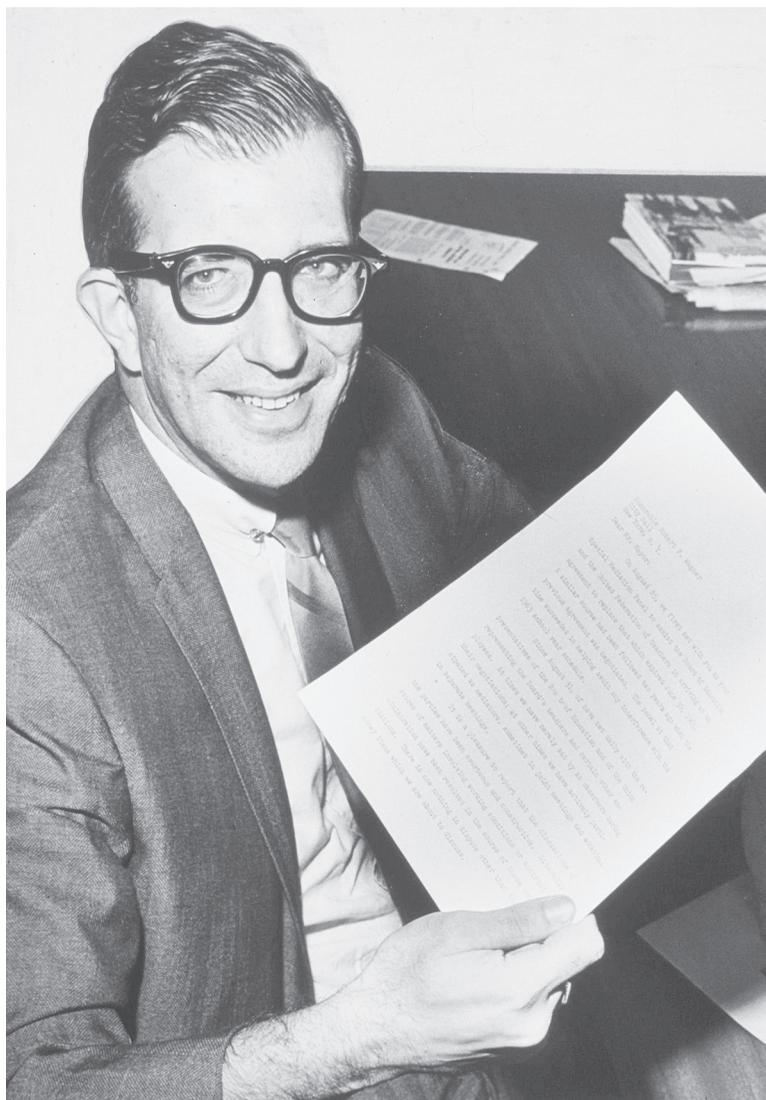


Figure T.2 Albert Shanker, president of United Federation of Teachers (UFT), holds report issued by mediators to Mayor Robert Wagner that helped to stop strike threat of teachers.

Source: World Telegram and Sun photo by Walter Albertin. Courtesy Library of Congress.

a “sick-out” over issues of wages, grievance processes, workloads, and public school funding. A fact-finding commission appointed by New York City Mayor Robert Wagner recommended a collective bargaining law as a solution to the labor strife. Subsequently, and with financial help from the AFT and the AFL-CIO, the UFT won an election battle with the NEA, to represent the city’s teachers, thus increasing the AFT’s membership by nearly a third overnight. The New York City teachers strike was followed by hundreds of teacher strikes across the country over the next decade, and AFT’s membership ballooned from 60,000 to more than 200,000 by 1970.

Shanker was elected president of UFT in 1964 and four years later led New York Teachers into the Ocean Hill-Brownsville strike, which polarized race relations in the city and established Shanker’s national reputation. The Ocean Hill-Brownsville school district was a poor African American neighborhood in Brooklyn chosen as one of three city districts to experiment with decentralized governance or community control over schooling. The district operated under a separate, community-elected governing board with the power to hire. The UFT supported the experiment early on, but when the governing board fired 13 teachers and 6 administrators for what was described as efforts to sabotage the decentralization experiment, a crisis developed. The fired teachers were returned to the control of the New York City public school system, but Shanker demanded due process for the teachers.

The bitter strike was marked by racism and anti-Semitism and created a schism among progressives who supported community control of schools and unions who supported contract rights of their members. Shanker was jailed for sanctioning the strikes, but UFT ultimately won the battle against community control of schools, as the teachers were reinstated and an agreement affirming due process rights of teachers was crafted. The strike had lasting effects on the union, and AFT militancy steadily decreased in its aftermath.

In 1974, Shanker defeated David Selden in a bitter election campaign for the presidency of AFT. The next year, Shanker persuaded the New York State Teachers Retirement Fund to loan \$150 million to New York City to prevent the city from falling into bankruptcy.

Shanker instituted organizational changes within AFT to insulate his authority and create obstacles for rank-and-file democracy within the union. For example, he instituted biennial as opposed to annual conventions and eliminated the distribution of verbatim transcripts of convention proceedings. Shanker wielded power within the union through political caucuses (the “Unity Caucus” in the UFT and the “Progressive Caucus” in the AFT), which were tools to control debate and decision-making processes. Pro-Shanker caucus members were not allowed to publicly express disagreement with positions of the group for fear of expulsion from the caucus and exclusion from jobs the union leadership controlled. And, unlike most other American labor unions, the AFT does not allow rank-and-file members to directly vote for national officers.

The most important of Shanker’s legacies, however, is his political ideology, which not only shaped the educational and political stances of the AFT but influenced AFL-CIO and trade unionism world-wide as well as the policies and

actions of the U.S. government. Shanker has been described as “an aggressive opponent of social change.” He was a staunch supporter of the U.S. war in Vietnam. And on educational issues he was opposed to bilingual education, and inclusion of disabled children in the classroom, as well as efforts to make school curriculum multicultural.

There is a long history of “labor imperialism” among American Federation of Labor affiliated unions. As Kim Scipes has recently stated, “It has been unequivocally established that the AFL-CIO has worked to overthrow democratically-elected governments, collaborated with dictators against progressive labor movements, and supported reactionary labor movements against progressive governments.” Through organizations such as the American Institute for Free Labor Development, Shanker and the AFT supported reactionary labor programs throughout the world, sometimes working in collaboration with the Central Intelligence Agency.

TEACHER UNIONS TIMELINE

- 1857 National Teachers Association (NTA) formed.
 - 1870 NTA changes its name to National Education Association (NEA) and merges with National Association of School Superintendents and two other organizations.
 - 1903 At NEA's national convention, Margaret Haley leads demonstration about economic conditions for teachers, including tenure and pensions.
 - 1906 NEA chartered by U.S. Congress.
 - 1910 Ella Flagg Young elected as president of NEA.
 - 1916 American Federation of Teachers (AFT) formed.
 - 1933 John Dewey presents report on communist control of AFT Local 5.
 - 1941 Charters revoked from three AFT locals due to communist views of leaders.
 - 1946 First organized teachers strike in the United States (St. Paul, Minnesota Federation of Teachers).
 - 1948 AFT stops chartering segregated locals.
 - 1960 NEA begins organizing higher education faculty.
 - 1957 AFT expels all locals that refuse to integrate.
 - 1959 Wisconsin becomes first state to pass a collective bargaining law for public employees.
 - 1966 NEA and American Teachers Association merge.
 - 1968 Elizabeth Duncan Koontz becomes first African American President of NEA
Ocean Hill-Brownsville Strike in New York City.
 - 1972 NEA votes to support the Equal Rights Amendment.
 - 1974 Albert Shanker becomes AFT president (holds position until his death in 1997).
 - 1995 AFT starts campaign to accomplish goals of *A Nation at Risk*.
 - 1998 NEA members reject merger with AFT.
 - 2001 NEAFT Partnership formed (allows locals to affiliate with both NEA and AFT).
 - 2006 AFL-CIO/NEA Labor Solidarity Partnership.
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Since Shanker's death, as well as under the watch of his successor, Sandra Feldman, the political relevance of the union has been called into question, but Shanker's legacies continue to influence the union, public education, and public policy.

WHAT IS THE FUTURE OF TEACHER UNIONISM?

Professional, or "new unionism," is an effort to move beyond what are perceived by current union leaders to be the limitations of a narrow trade unionist (or industrial unionism) perspective, including: an adversarial view of labor-management relations; a focus on winning better wages, benefits, and pensions for teachers; and using militant tactics such as strikes to accomplish union goals. Throughout the 1960s and 1970s both the AFT and the NEA operated, for the most part, on industrial unionism principles, and the unions grew in size and strength. But in making the rights of (and benefits for) teachers their number one priority the unions subordinated what might be in the best interests of the school children and local school communities.

Industrial unionism makes teachers and their unions vulnerable to criticism for allegedly putting their interests ahead of students and school communities (e.g., supporting across-the-board pay increases and class-size reductions, changes that increase the number and compensation of teachers) and opposing reforms that might help students but harm union interests (e.g., measures that distinguish between good and bad teachers or make bad teachers easier to fire). Critics on the right, like Rod Paige, argue that teacher union opposition to school vouchers, tenure reform, some curriculum reforms, and accountability reforms like the No Child Left Behind Act are based on union self-interest as opposed to the interests of children and the public.

In the past decade the wave of professional unionism has been engulfing teacher unions. Professional unionism is a model of labor-management relations similar to the co-management approach taken by the United Auto Workers and General Motors in the latter's Saturn division in which workers "partner" with management in working toward goals established by corporate elites. This approach eschews long-held beliefs about the separate and competing interests of labor and management and, in the language of new unionism, adopts a shared commitment to work on areas of mutual concern. This is evident in the teacher unions' complicity with corporate interests in educational reform (e.g., Educational Excellence Partnership).

Teacher union leaders have resurrected old company union stances as a "new unionism." Union leaders promoted the AFT/NEA merger, mimicking their corporate counterparts, rather than creating real value by organizing around the common interests of teachers, students, and parents. The teacher unions have been complicit with corporate interests in educational reform, promoting, though legislation such as NCLB, a common curriculum driven by standardized exams, peer discipline programs, grade retention, and high barriers around the profession to make sure only the most credentialed enter. What new unionism obscures is that there is a conflict of interest between those who

gain from democracy and equality and those who benefit from low wages and authoritarianism.

Inequitable societies do not want injustice investigated, and one traditional method of disguising inequality is nationalism, which is the crux of new unionism and the standardized curriculum movement. A standardized national curriculum, which is promoted by the unions and corporations, is the regulation of knowledge: certain content and methods of learning assigned to groups of children arranged by social class. Classroom teachers know standardized curricula explode the foundation of learning, that is, the meeting of a particular student with unique interests, a special teacher with certain passions and expertise, and the resources of a distinctive community in a loving classroom where risk is nurtured. Standardized curriculum and the mandated high-stakes tests that assure it is followed are instruments of coercion that segregate children, enforce the standpoint of political elites, and rob teachers and students of one of their most precious commodities: time spent in fervent study. More regulated exams locate the thinking mind and source of truth in a test. The teacher becomes an imperial clerk.

New unionism promises power through solidarity. The solidarity offered, however, is not with the source of real educator power—unity with poor and working-class parents and students who have everything to gain from school. Some early teacher unionists, such as Margaret Haley (who worked in both the NEA and AFT in the early 1900s), led campaigns that drew on the powerful unity of interests among students, teachers, and parents around issues such as class size, freedom to control the local curriculum, and a more just tax system. She often won.

Unfortunately both the NEA and the AFT have abandoned the vision that links the activities of school workers with students and parents. The most obvious example of this estrangement of interests is the 1968 Ocean Hill-Brownsville teacher strike, which established a labor-management model that mirrors private industry, one in which educational policy is determined in bilateral negotiations between a highly centralized school administration and highly centralized union.

This legacy continues. Neither the NEA nor AFT, anywhere, has attained attractive and enforceable rules about class size. Neither union has fought hard against the shift of the tax burden onto poor and working people. Neither the NEA nor AFT has defended academic freedom from the onslaught of standardized test regulations; indeed they commonly support a mandated curriculum. And the craft union strategy of increased certification requirements to limit entry to the job has served to deepen the color moat in education—in a few years more than 95 percent of teachers will be white, while the school population will be more than one-half students of color. Creating a larger teacher union tied to the interests of corporations, the elite, or a false sense of national interest will not serve the interests of teachers, and most students and their parents.

An alternative would be organized, principled caucuses of parents, students, and educators, inside and outside the unions, directed at common interests, unifying issues: class size, academic freedom, a more equitable way to fund schools. This is real solidarity, established around the idea that circumstances

require a really new form of teacher unionism, one that embraces schools for a democratic society.

There are signs of this kind of solidarity emerging in North America. For example, members of the NEA shocked their leaders in 1998 when they overwhelmingly voted to reject a merger with the AFT, which their leaders had secretly planned for more than a decade. Canadian teachers, in 1998, led the largest strike in the 1990s in North America, a massive outpouring against standardization of schooling and for improved conditions of work. The following year, 12,000 Detroit teachers, led only by rank-and-file activists, wildcatted against their AFT union leaders and the state of Michigan in an illegal strike demanding “Book! Supplies! Lower Class Size!” The two most recent examples are the illegal strike of British Columbia teachers in 2005, which focused on funding to improving classroom teaching and learning conditions and which enjoyed wide popular support. And the popular uprising in Oaxaca, Mexico, led by teachers, has produced the Popular Assembly of the People of Oaxaca and sustained itself against fierce and violent state repression.

It remains to be seen what the future holds for teachers and their unions, and whether those who believe schools should operate in the interests of children rather than business or administrators—who would centralize educational decision making and see increased economic production as the most appropriate measure of teaching and learning—are willing to take actions that negate the leaders’ command of the structures that keep them in power.

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