

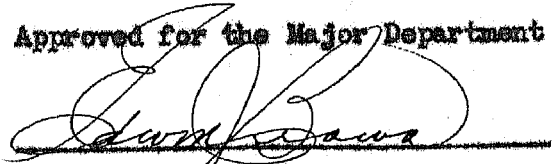
TEACHER TENURE
IN SECONDARY SCHOOLS OF KANSAS

A THESIS
SUBMITTED TO THE DEPARTMENT OF
EDUCATION AND THE GRADUATE COUNCIL OF THE KANSAS STATE
TEACHERS COLLEGE OF EMPORIA IN PARTIAL FULFILLMENT OF
THE REQUIREMENTS FOR THE DEGREE OF
MASTER OF SCIENCE

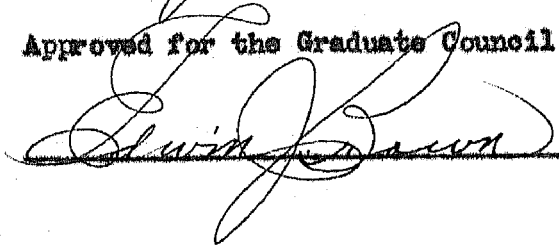
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Approved for the Major Department



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F. E. B.

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CHAPTER I

INTRODUCTION

The Nature of the Study

Tenure is a subject which many educators have discussed, but few have carefully and critically studied. During the two decades which followed the passage of the first state tenure law in 1910, the principles underlying tenure legislation were accepted or rejected largely on the basis of subjective opinion. Although the National Education Association Committee of One Hundred on Tenure¹ assembled considerable data on tenure legislation between 1920 and 1930, the conclusions drawn from its earlier studies were too frequently based upon insufficient data or were so obviously biased as to arouse the suspicion of the careful student of education. A further limiting factor to scientific investigation in this field during the period mentioned was the relatively brief experience with tenure which states considered had been allowed.

Unlike many of the European nations, the United States has never developed a state service for either teachers or school officials. The State has concerned itself more or less with the training, certification, pay, and pensioning of teachers, but the employment and dismissal of the teachers after training and certification has until recently been left entirely to

¹ Review of Educational Research, "Teacher Personnel," Vol. 4, June, 1934, Chapter 3, p. 349.

the unit of administration to handle.

This problem of tenure cannot be solved by a single individual; it challenges the judgment and good faith of the best school board members, superintendents, and teachers. Its solution will represent the product therefore of a cooperative understanding, in which the chief motive of all concerned will be to provide justice for the teacher, promote her interests, and at the same time protect the children from the incompetent, unprogressive, and unprofessional teacher. Tenure is vitally connected with many elements of the educational situation: salaries, pensions, selection, training, appointment, improvement while in service, and supervision. In both a general and a particular sense policies and programs looking to the promotion of educational efficiency will be concerned with all these; and finally it will be concerned with the securing permanent tenure through regulation and legislation.

It is hoped that through the presentation of this study the general developmental trends of teacher tenure may be made more apparent to the teachers, educators, and electors of the state of Kansas and that tenure legislation recommended in another part of this study will be enacted.

Previous Studies

The first significant study of the effects of a tenure law on the teaching profession was made by Holmstedt² in 1930. He made certain comparisons between the teaching personnel in New Jersey, a state with a tenure

² Raleigh W. Holmstedt, A Study of the Effects of Teacher Tenure Law in New Jersey. Contribution to Education, No. 526, New York: Teachers College, Columbia University, 1932. 111 p.

law since 1910, and that in Connecticut, where no tenure provisions existed. Holmstedt studied the amount and rate of teacher turnover in the two states; the rate of dismissal and when it occurred; the interest shown by teachers in professional improvement; and the attitudes of teachers, administrators, and presidents of boards of education toward tenure.

His conclusions in many instances are contrary to the claims advanced by both the advocates of tenure and by its opponents. He found that the New Jersey tenure law apparently did not reduce the amount of dismissal to any marked degree.

Holmstedt also concluded that the difference in the rate of teacher turnover between New Jersey and Connecticut was not large enough to be of much significance in individual school systems. He did point out, however, that the New Jersey law has had some effect in stabilizing the teaching staff where the state is concerned as a whole. No evidence was found to show that tenure causes decreased interest in professional improvement. Nor was there evidence of an increase.

The most annoying problem confronting the New Jersey school boards, according to Holmstedt, is the removal of unsatisfactory teachers. Both teachers and administrators in New Jersey, however, favor the tenure law, whereas the school board presidents rather generally oppose it.

Scott⁵ made a critical study of the historical, legal, operative, and comparative aspects of indefinite teacher tenure. He recommended that tenure legislation be accompanied by high certification requirements, pension and

⁵ Cecil Scott, Indefinite Teacher Tenure, Doctor's Thesis, New York Teachers College, Columbia University, 1938, p. 111.

retirement provisions, minimum salary laws, and a relatively large administrative unit. He emphasized also the need for a flexible probationary period and carefully conceived disciplinary regulations including a scale of penalties.

Campbell⁴ found that the tenure law in Indiana had slightly increased the tenure of teachers. Hunter⁵ collected the opinions of fourteen hundred California teachers regarding the tenure law in that state. Sixty-seven per cent favored some modification in the law and sixty-six per cent favored permission to appeal to some authority other than civil courts.

Shambaugh⁶ studied the turnover of teachers in five typical counties in California for the years of 1913-14, 1919-20, 1926-27, 1927-28. He found that whereas 15.3 per cent of the total personnel left their positions in 1913-14 and 17.5 per cent dropped out in 1919-20, only 12.9 per cent left in 1926-27 and 12.4 per cent in 1927-28.

The "Tenure Committee of the California Teachers Association"⁷ studied the effects of the 1927 tenure law on teacher turnover in fifty-eight counties in California. The Committee was primarily interested in conditions with smaller schools. The study covered a six-year period, the three just prior to the passage of the law and the three years immediately following it. From an

⁴ Ethel W. Campbell, A Measure of Teachers in Public Schools of Indiana, Master's Thesis, Indiana State Teachers College, Terra Haute, 1931, 123 pp.

⁵ Fred M. Hunter, Report of Tenure Committee of One Hundred," in Proceedings, 1928, Vol. 66. Washington, D. C. National Education Association; 1928, p. 204.

⁶ Charles G. Shambaugh, "Teacher Turnover in California and its Significance," Nation's Schools, 7:77ff., Jan. 1931.

⁷ California Teachers Association Tenure Committee, "Teacher Turnover: Effects of the 1927 Tenure Law," Sierra Educational News, 27:20-25. February, 1931.

average of 38.7 per cent in schools of eight or less teachers before the tenure act, the rate of turnover fell to 33.9 per cent during the three years after its enactment.

Van Houten⁸ in his study of the relationship between the length of teaching service of more than 16,000 Pennsylvania high school teachers and such factors as sex, marital status, class of school districts, type and amount of training, found that women gave longer service than men; that tenure in general in Pennsylvania is increasing; that teachers remain in service longer in large centers than in smaller areas; that the longest service is found where salaries are greatest.

Oven⁹ examined the professional histories of 1036 teachers in Minnesota who began their teaching in 1919-20. He traced them for a nine year period. At the end of the first year five hundred or approximately fifty per cent of these teachers had left teaching. At the end of the ninth year only forty-five or four per cent of the 1036 teachers who began teaching in Minnesota in 1919-20 remained in the profession.

The National Survey of the Education of Teachers,¹⁰ in its studies of supply and demand, under the heading "Reasons for Demand," furnished valuable basic data on the reasons teachers leave positions. The per cents of new teachers whose predecessors left for various reasons are reproduced in Table I.

⁸ Lyman H. Van Houten, Length of Service of Pennsylvania High School Teachers, Contribution to Education, No. 522. New York, Teachers College, Columbia University, 1932. 147 pp.

⁹ Alfred V. Oven, "The Length of Service of Minnesota Teachers," Elementary School Journal, Vol. 32: 34-43. Sept. 1931.

¹⁰ Evenden, Edward S., Gamble, Guy C., and Blue, Harold G., Teacher Personnel in United States. U. S. Dept. of Interior, Office of Education, Bulletin, 1935, No. 10. National Survey of Education of Teachers, Vol. II. Washington, D. C. Government Printing Office, 1935, pp. 80-92.

TABLE I
REASONS CREATING DEMANDS FOR NEW TEACHERS BY PER CENTIS

	Elementary Teacher	Teacher	
		Jr. High School	High School
Predecessor died	.07	1.0	.08
Predecessor retired	6.0	3.6	3.6
Predecessor entered college	6.4	6.1	5.5
Predecessor married	16.4	13.6	12.7
Predecessor left to teach elsewhere in state	42.2	28.0	33.3
Predecessor left to teach in other state	3.2	7.6	9.8
Predecessor entered another profession	6.5	7.2	9.1
Predecessor on leave of absence	3.6	4.6	3.5

Read Table thus: Six per cent of the elementary teachers received their position because their predecessor retired, 6.4 per cent because Predecessor entered college. Read in like manner for other items.

The National Survey of Education of Teachers¹¹ also furnished figures on the rate of turnover of the largest sampling of teachers ever included in a single study (over 370,000). Their figures indicate that the following per cents of all teachers included were new to their positions: elementary, 20.5; junior high school, 14.9 per cent; senior high school, 20.5.

The National Survey of Education,¹² in its study of smaller secondary schools, reported that the median number of years experience of teachers in the schools included in the study was 3.4 years, ranging from 2.9 years in

¹¹ Ibid., pp. 93-95.

¹² Emory N. Ferris, W. H. Guannitz, P. Roy Brammell; The Smaller Secondary Schools. U. S. Dept. of Interior, Office of Education, Bulletin, 1932, No. 17. National Survey of Secondary Education Monograph No. 6. Washington, D. C.; Government Printing Office, 1933, 236 pp.

those schools with forty or less students to 4.6 years in those with over 500. For all schools, 34.2 per cent of all the teachers had taught two years or less, and 44.1 per cent five years or more. For the smallest schools, these per cents were 52.4 and 36.5; for the group with largest enrollment, they were 26.0 and 55.3 respectively.

The National Education Association Committee on Tenure¹⁵ reports that in certain group of cities of over 100,000 population in states having tenure laws, 4.0 per cent of the teachers left for some other occupation or profession; while in cities of similar size in states not having such laws, 6.0 per cent left for other occupations.

Scope of the Study

This study is confined to tenure of teachers of secondary schools in Kansas because data for rural and elementary teachers were not available.

The study is based primarily upon data obtained from the various principals' reports of the secondary schools, made to the State Superintendent of Public Instruction each year.

This, supplemented with materials gleaned from the review of teacher tenure laws and their development in the several states, has furnished a background for the recommendation of a new tenure law for the state of Kansas.

Method of Procedure

The first step in the treatment of this subject was to attack it from the historical viewpoint in an effort to follow the trends taken in teacher

¹⁵ Donald Du Shane, Report of Committee on Tenure, Proceedings, 1935, Vol. 73. Washington, D. C. National Education Association, 1935, pp. 221-24.

tenure in the various states from its earliest beginning. This is a preliminary step in preparing the reader for the necessary background requisite to a better understanding of the problem under discussion.

The second step is an effort on the part of the writer to show, by use of data from the principals' reports and trends of tenure and the effects thereof in other states, that there is need for a more inclusive tenure law in Kansas.

Finally to prepare a proposal, for consideration of those legislatively interested, a tenure bill which embodies fundamental principles and which is suited to the needs of Kansas secondary schools.

Sources of Data

The sources of data for the study of this problem are as follows:

1. Tenure laws of the several states
2. Previous studies made of tenure in other states
3. Educational research bulletins
4. Kansas school laws
5. Secondary School Reports by the Principals to State Superintendent
6. General histories on tenure
7. School laws of other states

Definition of Terms

1. Tenure of office means the right to hold a position.
2. Permanent tenure implies the fixed or constant holding of a position.
3. Indefinite tenure implies the uncertain holding of a position.

4. Continuing contract as used in this study describes a plan whereby teachers may hold their positions without the necessity of annual application, election, and contracts.

Presentation of Data

The original data affecting this study have been carefully and accurately gathered from numerous sources and presented in the form of tables and conclusions in order to show the need of more inclusive tenure law in Kansas. Other data have been secured through a study of selected references and have been used in presenting to the reader something of the development of teacher tenure in other states and its effect upon the present problem.

CHAPTER II

EXTENT AND DEVELOPMENT OF TEACHER TENURE IN THE UNITED STATES

The first tenure law in the United States was passed in the state of New Jersey¹⁴ in 1909. According to Du Shane, this law provided for a three-year probationary period; the discharge of tenure teachers for specified causes only; the right prior to discharge of a teacher, to a hearing before the board with witness and counsel; and the right to appeal from the board's decision to the commissioner of education. In subsequent years this law has been amended and corrected so that it is now one of the most satisfactory tenure laws, says Du Shane.

He also states that in 1913 Oregon passed a tenure law limited to the two largest school districts. This law was rewritten in 1935 but was still limited to the same territory. Massachusetts passed a statewide law in 1914 applying to the superintendents as well as to the teachers. A number of weaknesses in this law were corrected by an amendment in 1934.

Other laws which followed included a new type of tenure law passed by the state of Montana in 1915. It provided that teachers' contracts should be continuous unless terminated by the appointing board. It made no statement of cause for which teachers could be discharged, nor did it provide for hearing or appeal.

¹⁴ Donald Du Shane, Report of the Committee on Tenure, Proceedings, 1935. Vol. 73. Washington, D. C., National Education Association, 1935, pp. 221-24.

This type of law which gives little protection to the teacher has been followed subsequently by several states.

In 1917 Illinois passed a tenure law applying only to the city of Chicago. This law was an outgrowth of a wholesale discharge of teachers in that city. In 1919 the state of New York passed a tenure law applying to cities but not to the rural districts. This was followed by a statewide law in California, a law in Colorado applying to the three largest cities, a law in Wisconsin applying to Milwaukee, a statewide law in Maryland, a Louisiana law applying to New Orleans, a Minnesota statute applying to St. Paul, Minneapolis, and Duluth, a statewide law in Indiana, a continuous contract law in Pennsylvania, and a continuous contract law in Nevada.

The tenure statutes in the various states differ greatly; yet most of them have provisions for a probationary period, discharge for specified causes only, and the right to a hearing with witness and counsel.

Table II shows the types of provisions for teacher tenure laws with the names and the number of states practicing each, in 1932.

More recent data tell us that since January 1, 1937, at least twenty-eight states have discussed legislation affecting various aspects of the teachers contractual status. In twenty-one of these states one or more tenure bills were presented to the legislature. New tenure laws of varying importance were passed in ten states. These included California, Florida, Kansas, Michigan, Minnesota, Nebraska, New York, Oklahoma, Pennsylvania, South Carolina, and Wisconsin. In California, New York, and Pennsylvania and Wisconsin the existing tenure laws were revised and extended; in Florida, Kansas, and Oklahoma the tenure measures affect a limited area only. The

TABLE II

STATE LAWS GOVERNING THE DURATION OF TEACHERS CONTRACTS¹⁵

Types of Provisions	Number of States	Names of States
1. No legislation	20	Alabama, Arkansas, Connecticut, Florida, Georgia, Idaho, Kansas, Maine, Michigan, New Hampshire, New Mexico, North Carolina, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, Virginia, Wyoming
2. Annual election Plan	7	Arizona, Iowa, Kentucky, Missouri, Oklahoma, Washington, West Virginia
3. Permanent tenure after Probationary Period	4	Louisiana, Maryland, Massachusetts, New Jersey
4. Continuing Contract	3	Delaware, Montana, Nevada
5. Contracts permitted for more than one year	1	Ohio
6. Permanent tenure after Probationary Period in certain districts	6	Colorado, Indiana, Minnesota, New York, Oregon, Wisconsin
7. Contracts permitted for more than one year in some districts	4	North Dakota, Mississippi, Texas, Nebraska
8. Permanent tenure compulsory after Probationary period	1	California
9. Three types of tenure provisions in different areas of same state	1	Illinois
10. Continuing contracts in all except first class cities	1	Pennsylvania

¹⁵ Research Bulletin of the N.E.A., "A Handbook on Teacher Tenure," Vol. 14, No. 4, Sept., 1936.

Michigan law is permissive in nature and depends upon action of the local voters for its application. Continuing contract laws were passed in Minnesota, Nebraska, and South Carolina.

The following is a review of legislation affecting tenure in the various states for 1937, as reported by the committee on Tenure;¹⁶

Alabama. The tenure proposal failed to receive the two-thirds vote of the senate. It would have covered teachers who meet certain training requirements, and would have provided continuing contracts after a two-year probationary period.

Arkansas. Minimum salary and teachers certification bills were defeated.

California. Several tenure amendments were passed and several bills proposing the repeal of the tenure in the state were defeated. A. B. 824 (Chapter 32, Statutes 1937) provides that new teachers must serve three years and be elected for the fourth before becoming permanent. A. B. 1798 (Chapter 191, Statutes 1937) provides that leave of absence granted probationary employees because of illness, accident, quarantine, shall not be considered employment, but shall not break continuity of service.

Tenure was defended through the defeat of such bills as the following: addition to legal cause for dismissal commission or aid of criminal syndicalism; three year contracts for teachers in districts having population under 3000; and raising tenure provisions from average daily attendance of 850 to 1500, or to 3000.

¹⁶ Committee on Tenure, Teacher Tenure Legislation in 1937 to Date. National Education Association, Oct. 1, 1937, pp. 5-11.

Connecticut. A civil service bill for public school employees providing the equivalent of five year tenure contracts was withdrawn on account of an amendment which if enacted, would have required the recertification of teachers every five years.

Florida. Florida passed a tenure law applicable to several counties only.

Idaho. A teacher certification bill proposing to raise the qualification standards was defeated.

Illinois. Authorization for contracting with teachers for periods of from one to three years were extended to districts governed by boards of directors; in other words, districts of less than 1000 population (formerly possible in districts of more than 1000 population).

Indiana. A system of success grades were established to replace county superintendents' examinations formerly given to applicants for county and state teaching licenses.

Kansas. Tenure was established after a three year probationary period for teachers, supervisors, principals, and superintendents in cities of 120,000 population. This population limitation restricts the law to Kansas City. Among the causes for dismissal is "the marriage of women teachers."

Michigan. After a two-year probationary period, teachers may have tenure under a new tenure law if a majority of the electors of a district adopt the tenure provision. In other words the Michigan tenure law places the adoption of tenure in the hands of the voters of each district. The law is unique also in that it provides for abandonment of tenure conditions upon the majority vote of the local electors.

Minnesota. The continuing contract law passed at this session. The contract is considered to be renewed unless the teacher is notified before April 1, that he is not reemployed.

Nebraska. The continuing contract law provides for automatic renewal of contracts unless the teachers are notified by April 1.

New Jersey. Tenure was purposed for the secretary and certain other officers of the board of education and the janitors in districts in excess of 5000 population; tenure was also purposed to cover attorneys and counselors to the boards of education after three years service, and to school nurses who are employed full time. None of these bills has been reported as having passed.

New York. Tenure for teachers was extended to districts having a population of 4500 or more and employing a school superintendent. In districts of this size, the superintendent, if he has served at least three years, may be entitled to a five-year contract. Another law authorizes school districts having three or more trustees to make contracts for not more than five years with teachers who have been employed in the district for at least three years.

North Dakota. Two tenure bills were defeated; one bill for public school teachers and one for teachers of higher learning. The causes for dismissal included "conduct unbecoming to a teacher or detriment to school in general." School board member preferring charges is not allowed to sit on the trial board.

Ohio. A defeated tenure bill would have included superintendents and set a minimum proportion of the teachers who must be on tenure in each type of school.

Oklahoma. A bill was passed providing for tenure after two years probation, in cities of 100,000 or more population. The law applies only to Oklahoma City and Tulsa.

Oregon. Training requirements for high school certification will be advanced by easy stages to reach one year beyond the bachelor's degree, after June 1, 1945. A one-year and a five-year certificate will be provided.

Pennsylvania. Formerly Pennsylvania had a continuing contract law. The new measure provided for continued employment with all the usual characteristics of tenure laws but without the probationary period.

Rhode Island. Teacher tenure was proposed for Woonsocket. Another bill proposed to legalize dismissal for refusal to conform to regulations or other just causes; notice and copy of the charges to be presented not less than thirty days before the meeting. Neither of these bills passed.

South Carolina. The teachers' continuing contract law specifies that contracts are automatically renewed unless the teacher is notified otherwise before June 1.

South Dakota. The present law permitting employment of teachers by petition was repealed as it applied to districts of a township or larger in area.

Texas. The defeated Texas tenure bill included in its statement of causes for dismissal the warning that "dismissal on account of decrease in number of pupils may not be by reason of residence, age, sex, marriage, religious or political affiliations" and must take into consideration seniority rights.

Washington. Tenure for teachers was lost. In addition to the usual

causes for dismissal their bill reads: "No teacher may be dismissed on grounds of sex, race, political belief, religious creed, marital status, membership in any professional organization, political party or for the exercise of any civil or other right which may be exercised lawfully by citizens generally."

West Virginia. The tenure bill which failed provided for dismissal on account of cruelty, intemperance, failure to meet requirements or conditions for improvement in service, but not for political, religious, or personal reasons.

Wisconsin. The new law extends tenure provisions (slightly different in nature) to teachers of common school districts outside of first-class cities.

Observation of these defeated bills will show considerable variation in their provisions. The probationary period runs from one year in Texas to the three years in the Ohio, Connecticut, and West Virginia bills. The legal causes for dismissal are those usually included in the tenure laws, namely, incompetency, immorality, conviction of felony, and justifiable reduction in the number of teaching positions through decrease in enrollment. Procedure for hearing is not unusual in any of these bills. The Alabama and West Virginia bills are the only ones not providing for appeal; the Alabama measure states that the decision of the schoolboard shall be final. Provisions for demotion are provided in the Ohio, Washington, and West Virginia bills but not in the Alabama, Connecticut, and North Dakota proposals. Notice for resignation is unprovided for in the North Dakota and Connecticut bills; fifteen days notice would have been required in the West Virginia measure, thirty days

in Washington, and sixty days in Ohio. The Alabama bill reads: "If the teacher does not accept automatic continuation by contract by the fifteenth of June or within twenty days if the schoolboard notifies of reelection, the employer shall consider failure to accept as evidence of non-acceptance of the position." This provision classifies the Alabama measure as a continuing contract bill based upon the two-year probationary period.

Figure 1 shows the proportion of teachers under the various types of state tenure laws in 1932. Due to recent tenure legislation in many states the fifty-four per cent would show a decrease while the other types would slightly increase.

Although more recent legislation has placed more teachers under tenure since 1932, Table III shows the proportion of teachers under the various types of provisions. It will be noted that more than one-third of the total number of teachers are in states without any tenure legislation of any type. Another nineteen per cent are in states with an annual election plan.

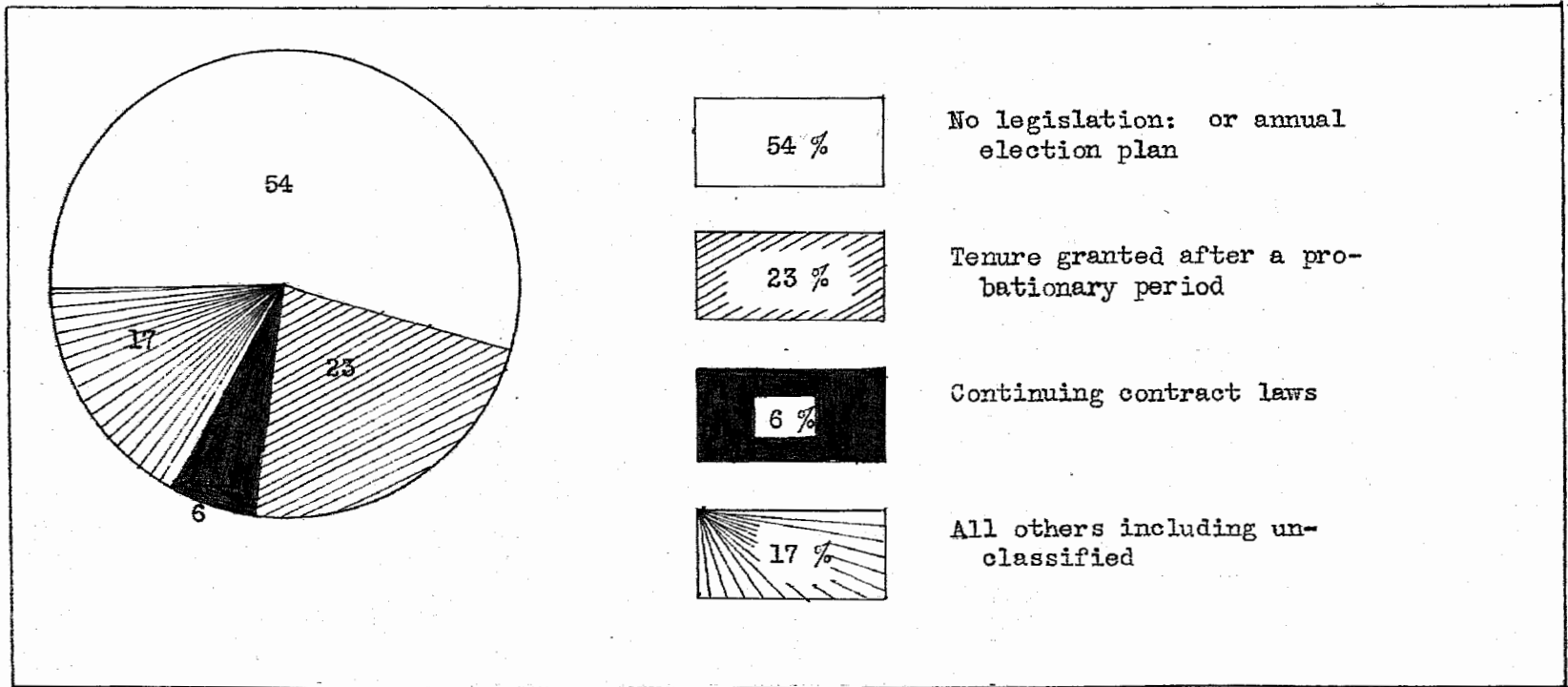


FIGURE 1.

PROPORTION OF TEACHERS UNDER VARIOUS TYPES OF STATE TENURE LAWS¹⁷

¹⁷ Research Division of the National Education Association.

TABLE III
SHOWING NUMBER OF TEACHERS AFFECTED BY
VARIOUS TYPES OF STATE TENURE LAWS,¹⁷
1932

Types of Laws	Number of Teachers	Per Cent
Teachers in states without any tenure legislation of any type	309,000	35
Teachers in states with an annual election plan	162,000	19
Teachers entitled to tenure after a probationary period	201,000	23
Teachers under a continuing contract law	53,000	6
Teachers in districts which are permitted by law to issue contracts for more than one year	86,000	10
Unclassified	58,000	7
Total	889,000	100

Read Table thus: There are 309,000 teachers in states without any tenure legislation of any type. Read in like manner for other items.

The following is a summary of states by name and the area affected by some form of tenure legislation:

1. California -- statewide except for small districts.
2. Colorado -- Permanent tenure in first-class districts.
3. Connecticut -- Tenure in New Haven only.
4. District of Columbia -- Tenure of all teachers.
5. Illinois -- Tenure in several areas.
6. Indiana -- Statewide tenure except in rural districts.

¹⁷ Research Bulletin of the National Education Association, A Handbook on Teacher Tenure. Vol. 14, No. 4, Sept. 1936.

7. Kansas -- Tenure in cities over 120,000.
8. Louisiana -- Statewide tenure.
9. Maryland -- Statewide tenure.
10. Massachusetts -- Statewide tenure.
11. Minnesota -- Tenure in large cities, continuing contracts in rest of state.
12. Montana -- Statewide continuing contracts.
13. Nebraska -- Statewide continuing contracts.
14. Nevada -- Statewide continuing contracts.
15. New Jersey -- Statewide tenure.
16. New York -- Statewide tenure except in rural districts and small villages.
17. Oklahoma -- Tenure in districts of 100,000.
18. Oregon -- Tenure in large districts only.
19. Pennsylvania -- Statewide tenure.
20. Texas -- Continuing contracts in certain districts.
21. Wisconsin -- Tenure in first class cities, vocational schools and teachers colleges.

Summary and Conclusions

1. Five of the laws passed in 1931 include supervisory and administrative staffs; two include supervisory staff but not school superintendents; two others cover "all certified employees." Four of the laws which were defeated covered supervisory and administrative employees; two did not.

2. Of the laws that passed, three are continuing contract laws and seven are straight tenure laws; of these, the probationary period is three years in three laws, two years in one law, and five in one, while another required no probationary period.

3. In the defeated bills the probationary periods ranged from one to five years. Except for Washington no continuing contract law was defeated.

4. Comparison does not seem to indicate that some features are acceptable and others not, since the same features were often passed or defeated in different states.

CHAPTER III

STATUS OF SECONDARY TEACHERS IN KANSAS

In 1937 Kansas passed a tenure law providing for tenure of instructors in the public schools in cities having a population of more than 120,000 inhabitants. This law provides for a three-year probationary period after which a teacher may be removed only for specified causes and after a hearing. Tenure at the present time applies only to one city, Kansas City.

This means that only 135 or 18.9 per cent of the secondary teachers in first class cities of Kansas are under tenure.

If the second and third class secondary teachers are included, only 135 of the total 5429 or 2.4 per cent of the teachers are protected in their positions by the present tenure law.

A careful study of 702 principals' reports, which were made to the State Superintendent of Public Instruction as of October 1, 1937, was made to determine the actual tenure of secondary teachers in Kansas.

Reports were included for all high schools of the state except for perhaps a dozen schools, some of which were two-year schools that had been discontinued. As is shown in Table IV the reports include a total of 714 secondary school teachers of first class cities, 1344 secondary school teachers of second class cities, and 3371 high school teachers of third class cities; a total of 5429 secondary school teachers.

The surplus of approximately four hundred secondary school teachers found here over that of the state superintendent's report in the Kansas Edu-

ational Directory¹⁸ for 1937-'38 is accounted for by the fact that several of the principals' reports failed to differentiate between senior and junior high teachers when reporting to the State office. The additional number, however, does not affect the situation.

TABLE IV
YEARS OF EXPERIENCE OF TEACHERS IN PRESENT POSITION
CLASSIFICATION IS BY SIZE OF CITY

Years in this Position	Teachers of			Total
	First Class Cities	Second Class Cities	Third Class Cities	
1	96	292	1280	1668
2	76	196	718	990
3	52	140	457	629
4	50	68	212	310
5	20	54	106	179
6	30	42	118	185
7	31	47	114	192
8	52	72	79	203
9	51	69	74	194
10	32	61	46	139
Over 10	244	303	193	740
Total	714	1344	3371	5429

Read Table thus: Ninety-six teachers of first-class cities are new in their position, seventy-six are in their second year in this position, etc.

Table IV further shows that ninety-six teachers in first-class city schools, 292 teachers in second-class city schools, and 1280 teachers of third-class city schools, or a total of 1668 teachers were new to their jobs at the beginning of the school year of 1937. This is approximately thirty per cent of the total number of teachers included in the study. There were 990 teachers,

¹⁸ Kansas Educational Directory, Kansas State Printing Plant, Topeka, Kansas, 1937-'38, pp. 24, 34, 55.

or 18.2 per cent of the total that were in their second year in their present position, while a total of 3604 or 66.4 per cent of the teachers had five or less years experience in their present position. In comparison it is found that 740 teachers or 13.6 per cent have been in their present position ten or more years.

TABLE V
TEACHER TENURE FOR SECONDARY SCHOOLS OF
KANSAS, BY PERCENTAGES

Number of Years in this Position	Teachers of		
	First Class Cities	Second Class Cities	Third Class Cities
1	12.6	21.7	37.9
2	10.6	14.5	21.2
3	7.2	10.4	12.9
4	4.1	5.06	6.2
5	2.7	4.1	3.1
6	4.1	3.01	3.3
7	4.3	3.5	3.38
8	7.2	5.3	.25
9	7.1	5.1	.21
10	4.4	4.5	.13
Over 10 years	35.7	22.83	11.45

Read Table thus: 12.6 per cent of the teachers in first-class cities are new to their position; 21.7 per cent in second-class cities are new in their position, etc.

In comparing the turnover of teachers in the various size communities, it will be noted that the third-class cities had more than three times the turnover of the first-class cities, and almost twice the turnover of second-class cities. These proportions do not remain the same when considering teachers with two or more years tenure in the present position as is shown in Table V.

Further comparison of tenure by size of area reveals that teachers in third-class city schools remain shorter periods of time than is found in first and second-class cities. In third-class cities 81.3 per cent of the secondary teachers have been in their present position five or less years, while 7.25 per cent have a tenure of five to ten years, and only 11.45 per cent have been there more than ten years. Nearly forty per cent of the teachers in first-class city schools and 55.8 per cent of secondary teachers in second-class city schools have been in present positions five or less years, while thirty-four and 22.7 per cents respectively have been in their present positions more than ten years. These data are presented in Table VI.

TABLE VI

COMPARATIVE TENURE FOR SECONDARY TEACHERS IN FIRST,
SECOND, AND THIRD-CLASS CITIES, BY PERCENTAGES

Years in Present Position	Teachers of		
	First Class Cities	Second Class Cities	Third Class Cities
5 or less years	36.9	55.8	81.3
5 to 10 years	29.1	21.5	7.25
More than 10 years	34.0	22.7	11.45

Read Table thus: 36.9 per cent of the teachers in first-class cities have been 5 or less years in their present position; 29.1 per cent have been there 5 to 10 years, and 34.0 per cent for more than 10 years.

The principals' reports do not indicate the cause for the rapid turnover and the short tenure in the various types of schools. However, a

study of the salaries paid to teachers in Kansas high schools as is shown in Tables VII and VIII indicates that the average salary for both men and women in third-class city schools and rural high schools is considerably below that of teachers in first and second-class city schools.

The average salary for both men and women for all types of high school teachers is lower for the year ending June 30, 1937, than for the year June 30, 1934.

The average salary for men in two or more teacher districts maintaining elementary and high schools in 1937 was \$1081; for 650 women teachers \$885. In rural high schools 524 men teachers received an average of \$1095, and 821 women teachers received an average of \$919. Community high schools paid an average of \$1283 to 156 men and \$1075 to 134 women teachers. In cities of the first class an average salary of \$1822 was paid 230 men with 336 women receiving \$1830 on the average. For second-class cities the average for 418 men was \$1468, and \$1156, for 522 women.

An average salary for all men included in the study of 1937 salaries was found to be \$1121.30. An average for all women \$1058.90.

These average salaries are considerably below the average salary of all teachers in the United States including rural schools as reported by the Research Bulletin of the National Education Association¹⁹ for 1933-'34.

It will be noted in Table VII that 1471 women teachers of the smaller schools receive less than \$920 annually, while 2127 of the total 2463 women teachers receive less than \$1160. Only 336 of the 2463 women teachers receive salaries above \$1200.

¹⁹ Research Bulletin of the National Education Association, Teacher Retirement Systems and Social Security, Research Division of the National Education Association, Vol. XV, No. 3, May, 1937, p. 92.

TABLE VII

SALARIES FOR TEACHERS IN SENIOR HIGH SCHOOLS IN KANSAS

FOR YEAR ENDING JUNE 30, 1937

Types of Schools	Teachers			
	Number of Males	Average Salary	Number of Females	Average Salary
1. Two or more teacher district (Elementary and High School)	455	\$1081	650	\$885
2. Rural High School	524	1095	821	919
3. Community High School	156	1283	134	1075
4. Cities of first class	230	1822	336	1630
5. Cities of second class	418	1463	522	1156
Total	1783		2463	
Average Salary		\$1121.30		\$1058.90

Read Table thus: In 1937, there were 455 male teachers in two or more teacher districts with an average salary of \$1081.

Of the total of 1783 men teachers in the study, there are 979 receiving annually \$1095 or less. Only 230 of the same total receive more than \$1470.

Only 1663 men and women teachers of the total 4246 teachers receive more than \$1100 annually.

Investigations of the Committee of One hundred on Tenure show a noticeable increase in unjust discharge of teachers during the years from 1930 to 1935.²⁰ Their reports show that numerous cases have been reported of the discharge of teachers for: (a) political reasons, (b) non-residence in the community, (c) the purpose of replacing them with cheaper and unexperienced teachers, (d) the purpose of eliminating valuable and justifiable subjects and activities, (e) the purpose of making place for friends and relatives of the board members or "influential citizens," and (f) the purpose of unjustifiably increasing the teacher load.

The following are a few examples of cases reported to the Committee:

1. "An elementary principal in a small midwestern community was dismissed after nine years of satisfactory service and the sole reason given was, 'She's been here too long.'"

2. A teacher in a northern state was discharged because she was so "unwise" as to buy an automobile from another dealer than a relative of a member of the board of education.

3. A woman principal in a city school system told a special subject supervisor that the work outlined in this special subject was too hard for the teacher. As a result of this statement the principal was discharged;

²⁰ National Education Association, "Report of the Committee on Tenure" Proceedings, 1935, Vol. 73. Washington, D. C., N. E. A., 1935, p. 916.

TABLE VIII

SALARIES OF TEACHERS IN SENIOR HIGH SCHOOLS
IN KANSAS FOR YEAR ENDING JUNE 30, 1934

Types of Schools	Teachers			Average Salary
	Number of Males	Average Salary	Number of Females	
1. Two or more teacher District (Elementary and High School)	362	\$1006	651	\$875
2. Rural High School	432	1008	798	852
3. Community High School	116	1309	183	1017
4. Cities of first class	200	1680	346	1481
5. Cities of second class	361	1402	523	1093
Total	1471		2451	
Average Salary		\$1212.60		\$1072.80

Read Table thus: In 1934 there were 362 male teachers in two or more teacher districts with an average salary of \$1006.

fortunately her work was so highly valued by the community she was subsequently reinstated.

4. A physical training teacher in a northern state was appointed summer playground supervisor. A schoolboard member who was a manager of a baseball team asked the playground manager for three baseballs and objected when the director charged them to his account. As a result of this piece of honesty the teacher was discharged by the board; fortunately he was reinstated after numerous petitions had been circulated in the community.

5. In a midwestern state an applicant for the position of music supervisor was not recommended by the superintendent of schools. The applicant then became a candidate for membership of the schoolboard and was elected. As a consequence the superintendent and several of his teachers were discharged; however, public agitation was so great that they were finally reinstated.

6. In a midwestern state a superintendent and seven of his teachers were discharged because certain board members wanted to fill their positions with friends. Investigations show that the superintendent and the teachers were thoroughly qualified for their positions.

7. A school superintendent was discharged because he disapproved of liquor drinking and unchaperoned dancing by the high school students. Investigations reveal that the superintendent was an outstanding school executive and well qualified for his position. The only reason given was that the board did not like his narrow viewpoint on personal liberties.

8. A superintendent of a small town was discharged because "he has been here six years while the average life of a superintendent here is only four."

9. A competent teacher, having had 18 years experience in a city having a pension system, was discharged without cause. She brought suit and the lower court ordered her reinstatement because of the unjustifiable destruction of her pension rights.

10. A teacher in an eastern state was discharged for the alleged reason that he refused to serve as a ticket-taker at a Saturday football game, and for the further reason that he took part in an authorized school dance. Before the Committee on Tenure could complete its investigation he was reinstated to his position.

11. The superintendent of a school district had on his schoolboard, three Slavic members and four Polish members. He is to be discharged in order to create a vacancy for a Polish applicant, who is also a member of the schoolboard, although the superintendent is thoroughly competent and has served the community satisfactorily for 25 years.

12. The schoolboard in a western state was found to be charging teachers ten dollars per month for their appointments. It was required that this money be left in the drawer of a desk each month so that it would be impossible to prove accusation of such practice, which had been made by a number of teachers. Fortunately one of the members of the schoolboard was caught and has been found guilty of extorting money from teachers."

These cases are reported with the hope and expectation that the extension of tenure throughout the United States will bring a notable decrease in the mistreatment and unjustifiable discharge of worthy members of the teaching profession.

Arguments for Tenure

1. Tenure promotes efficiency by encouraging competent, public-spirited teachers to remain in the profession.
2. Tenure protects children against incompetent teachers by prescribing a legal and a professional procedure for the elimination of unfit teachers.
3. Tenure will give more permanency to teachers which will enable them to prepare professionally, to plan for family life, and to initiate and follow programs of service requiring a period of years to complete.
4. Tenure safeguards the rights of teachers and gives them security of position to which every professional worker engaged in public service is entitled.
5. Tenure will improve standards for teachers and encourage longer and better preparation. Subsequently, greater care in the selection of teachers, on the part of schools' authorities will be gained.
6. Tenure permits and encourages teachers to devote themselves to the practice of their profession without fear or favor.
7. Tenure discourages school management based on fear and intimidation.

Summary and Conclusions

1. Only 2.4 per cent of the secondary teachers of Kansas are protected by the present tenure law.
2. Approximately one-third of the secondary teachers were new to their jobs in 1937.

3. Approximately sixty-six per cent of the secondary teachers have been five or less years in their present position.

4. Only 13.6 per cent have been in present position ten or more years.

5. Turnover of teachers in third-class city schools was approximately three times that in first-class city schools.

6. Teachers in third-class cities remain in position considerably shorter periods of time.

7. Salaries in smaller centers are much lower than in larger centers of population.

8. There was an unjust discharge of teachers in United States during the years from 1930 to 1935.

9. A continuing tenure for teachers will mean greater efficiency in the teaching profession; improved standards for teachers; financial security; elimination of unfit teachers; and will encourage competent, public-spirited teachers to remain in the profession.

CHAPTER IV

TENURE BILL FOR KANSAS

A bill relative to continuing tenure of all certificated teachers in public, secondary educational institutions of Kansas; to provide for probationary periods; to regulate discharges or demotions; to provide for resignations and leaves of absence; to prescribe penalties for violation of the provisions of this act; and to repeal all acts or parts of acts inconsistent therewith.

Be it enacted by the legislature of the state of Kansas

Article I. Definitions

Section 1. The term teacher as used in this act shall include all certified persons employed by any board of education or controlling board of any public secondary educational institution.

Section 2. The term certificated shall be as defined by the state board of education.

Section 3. The term controlling board shall include all boards having the care, management, or control over public school districts and public secondary educational institutions.

Section 4. The word demote shall mean to reduce compensation or to transfer to a position carrying a lower salary.

Section 5. The school year shall be defined as the legal school year at the time and place where services are rendered.

Section 6. The term secondary institution shall be as defined by the

state board of education.

Section 7. The term probationary teacher shall include all teachers in their first two years of consecutive employment.

Section 8. Continuing tenure shall indicate employment of teacher which will continue in force year after year unless terminated by written notice from either the teacher or the controlling board.

Article II. Probationary Period

Section 1. All teachers during the first two school years of employment shall be deemed to be in a period of probation; Provided, That any teacher under contract at the time this act becomes effective who has previously rendered two or more years of service in the same district shall be granted continuing tenure immediately upon reappointment by the controlling board; any such controlling board by unanimous vote of its members, however, may refuse to appoint a teacher who has rendered two or more years service in school districts under its control. In event the vote against reappointment of such teacher is not unanimous the controlling board shall deem such teacher as on a continuing tenure with full right to hearing and appeal as provided in article four and article six of this act. Provided further, That the controlling board, after this act becomes effective, may place on continuing tenure any teacher who has previously rendered two or more years of service.

Section 2. No teacher shall be required to serve more than one probationary period in any one school district or institution to be placed on continuing tenure.

Section 3. At least sixty days before the official close of each school year the controlling board shall provide the probationary teacher with a definite written statement as to whether or not his work has been satisfactory: Provided, That failure to submit a written statement shall be considered as conclusive evidence that the teacher's work is satisfactory, and: Provided further, That any probationary teacher or teacher not on a continuing contract shall be employed for the ensuing year unless notified at least sixty days before the close of the school year that his services will be discontinued.

Article III. Continuing Tenure

Section 1. After the satisfactory completion of the probationary period, a teacher shall be employed continuously by the controlling board under which the probationary period has been completed, and shall not be dismissed or demoted except as specified in this article.

Section 2. In event that a teacher on a continuing tenure is employed by another controlling board, he shall be subject to another probationary period of two years.

Article IV. Discharge and Demotion

Section 1. Discharge or demotion of a teacher on continuing tenure may be only for immoral conduct, inefficiency, incompetency, physical unfitness, or failure to comply with reasonable requirements of the board of education as may be prescribed to show normal improvement and evidence of professional training. Discharge or demotion may be made only after charges, notice, hearing, and determination thereof, as are hereinafter provided.

Section 2. All charges against a teacher enjoying the benefits of continuing tenure as provided in this act shall be made in writing, signed by the person making the same, and filed with the secretary, clerk, or other designated officer of the controlling board. No teacher on continuing tenure shall be dismissed, however, unless furnished with a written statement, specifying in detail the charge or charges against said teacher, signed by the proper officer of the board of education and naming a date and place at which the teacher may appear before the board of education and answer said charge or charges. Said teacher shall not be denied right of appeal as provided in Section 1, Article VI, of this Act.

Provided further: That in case of reversal of decision of controlling board by the State Superintendent of Public Instruction, the teacher shall be considered as on continuing tenure.

Section 3. All proposed discharge or demotion of teachers on continuing tenure must be preceded by one year on probation in which said teacher will have opportunity to make improvement or correct defects. If at the end of probationary period, however, the said teacher has not corrected faults or defects as described in charges, she may be dismissed by the controlling board without hearing, and denied the right of appeal.

Section 4. The hearing shall be conducted in accordance with the following provisions:

- a. The hearing shall be public or private at the option of the teacher.
- b. No action shall be taken resulting in the demotion or dismissal of a teacher except by a majority vote of all members of the controlling board.
- c. Both the teacher and the person filing charges may be represented by counsel.
- d. Testimony at hearing shall be on oath or affirmation.

- e. A stenographer, employed by the board, shall make a full record of the proceedings of such hearing, and who shall within ten days after the conclusion thereof, furnish the board and the teacher affected thereby with a copy of the transcript of such record which shall be certified to be complete and correct.
- f. Any hearing held for dismissal or demotion of a teacher, as provided in this act, must be concluded by a decision in writing, within fifteen days after termination of the hearing. A copy of such decision shall be furnished the teacher affected within five days after decision is rendered.
- g. The controlling board shall have the power to subpoena witnesses and documentary evidence, and shall do so on its own motion as at the request of the teacher against whom charges have been made.

Section 5. Dismissal of teachers due to decrease in number of pupils or for other causes over which the board of education has no control must begin with those instructors with the least number of years service, and such instructors so dismissed shall be placed on a preferred eligibility list and shall have the right to be restored to duty in the order of length of service whenever vacancies occur in which the instructor is qualified.

Section 6. Women teachers who marry while under continuing tenure shall at their option complete the school year, if married after the first of the calendar year. At the conclusion of the school year each case must at the teacher's request, in writing, come before the controlling board for hearing as provided in Sections 2 and 3 of Article IV. Dismissal must be for cause other than the marital and economic status of the teacher and shall be considered on the bases set forth in Section 1 of Article IV.

Section 7. Pregnancy shall be considered as a physical unfitness.

Article V. Resignation and Leave of Absence

Section 1. No teacher on continuing tenure shall discontinue his services with any controlling board except by mutual consent, without giving a written notice to said controlling board at least sixty days before September first of the ensuing school year. Any teacher discontinuing his services in any other manner than as provided in this section shall forfeit his rights as to continuing tenure previously acquired under this act.

Section 2. Any controlling board upon written request of a teacher may grant a leave of absence for a period not to exceed one year, subject to renewal at the will of the board; Provided, That without request, leave of absence because of physical or mental disability, may be granted by the board for a period not to exceed one year; Provided further, That no leave of absence shall serve to terminate continuing tenure previously acquired under this act.

Article VI. Right of Appeal

Section 1. A teacher shall have the right to appeal any decision of a controlling board under this act within thirty days from date of decision, to the state superintendent of public instruction for a review of the decision of the school board. Said appeal shall consist of the filing with the state superintendent of public instruction a copy of the reporter's record of the hearing before the school board. The state superintendent of public instruction shall within thirty days after receipt of the appeal, render a written decision affirming or reversing the action of the board. This decision is to be rendered solely upon said certified copy of the record, and

said decision is to be final. Neither board member, teacher, or counsel for either may appeal for a hearing before the State Superintendent unless officially requested to do so by him in writing.

Article VII. Salary Reduction

Section 1. No teacher, whether probationary or continuing, shall without his consent receive a reduction in salary unless a general reduction of salaries is being made applying to all the teachers in the district. And no teacher shall without his consent be dismissed or deprived of his classification as a regular teacher of the district by reason of the district not having sufficient funds to pay his salary.

Article VIII. Inconsistent Acts

Section 1. All acts or parts of acts inconsistent with this act are hereby repealed.

Section 2. If any section or part of this act, sentence, clause, or phrase thereof, for any reason is held to be invalid or unconstitutional, such holding shall not affect the validity of the remaining portions of this act.

Section 3. This act shall become effective immediately upon its passage by the state legislature, its approval by the Governor, and its official publication.

CHAPTER V

SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

Summary of Principles Which Should Govern Tenure

The foregoing study has been made for the primary purpose of writing a more inclusive high school tenure law for Kansas than now exists. If such a bill would tend to eliminate the many complicated tenure problems arising under the present conditions there would be reason for much gratification.

Believing that the safest plan to follow in a study of this kind is to see what other states are doing, an investigation of tenure development and tenure legislation in other states was made.

A careful investigation of teacher turnover in Kansas, as shown by data from the principals' reports to the State Superintendent of Public Instruction, and tenure under the present law, was made and brief summaries and conclusions set up. From a comparative study of tenure laws of the various states and with the conditions of Kansas in mind, the following basic principles were arrived at for building a tenure law applicable to all secondary teachers of Kansas:

1. A tenure law should be devised and administered in the interest of better instruction for children.
2. Tenure laws should be accompanied by proper, legal regulations governing teacher standards and remuneration.
3. Continuing tenure should be granted upon evidence of satisfactory preliminary training, followed by successful experience during a two or three

year probationary period.

4. The right of dismissal of a teacher should be in the hands of the appointing board.

5. Indefinite tenure laws should provide for ready dismissal of unsatisfactory or incompetent teachers.

6. Purposed dismissal should be proceeded by a warning and specific statement of defects.

7. Dismissed teachers should be granted a right of hearing, counsel, and appeal.

8. Teachers should give notice if they do not desire to return to their positions.

9. Suitable provisions should be made for married women teachers.

10. Continuing tenure should be accorded to all classes of certificated school employees.

11. A reasonable requirement for professional growth while in service and recognition for voluntary improvement should be provided.

Conclusions Based upon Data Presented

1. The present tenure law for Kansas includes only teachers in cities of 120,000 population where the rate of turnover is considerably smaller than in other centers. The law covers Kansas City, Kansas, only.

2. Teacher turnover as a whole in secondary schools is very high as indicated by the fact that thirty per cent of the teachers were new to their jobs in 1937.

3. There is less change of teachers in first and second class city schools than in third class and smaller centers.

4. Over sixty-five per cent of the secondary teachers have been in their present position five or less years.
5. Unjust dismissal of teachers is on the increase in most sections of the United States.
6. Many of the superior men and women are leaving the profession for other work.
7. The per cent of teacher turnover is much greater in schools with the lower salaries.
8. Tenure laws have decreased the amount of turnover in other states.

Recommendations

These recommendations are deemed advisable by the writer:

1. Every possible effort should be made to secure united front on tenure.
2. Every effort should be made to have articles on tenure published in the various educational journals.
3. Secure the endorsement of other professional bodies as well as the State Teachers Association.
4. Have tenure discussed on the programs of the state association and other teacher group meetings.
5. Secure the appointment of a tenure committee by the state association, which should act as legislative committee for tenure as well as render assistance to teachers whose tenure rights are violated.

BIBLIOGRAPHY

- Ade, L. K., "Teacher Tenure Legislation," Pennsylvania School Journal, 85:225-26, May, 1937.
- Allen, Hollis P., "Teacher Turnover and Placement Problems," American School Board Journal, 70:45-46, May, 1925.
- Almack, John C., "The Problem of Teacher Tenure," American School Board Journal, 63:29-30, November, 1921.
- Bain, Robert W., Turnover of Elementary Teachers in Indiana, Master's Thesis, University of Chicago, 1934.
- Betts, Gilbert L., "The Influence of Teacher Tenure on Supply and Demand," Journal of Educational Research, 28:118-31, October, 1934.
- Borchardt, Selma M., Lifkowitz, Abraham, "Essentials of a Sound Tenure Law," American Teacher, 16:8, December, 1931.
- California Teachers Association Tenure Committee, "Teacher Turnover: Effect of the 1927 Tenure Law," Sierra Educational News, 27:20-25, February, 1925.
- Campbell, Ethel W., A Measure of Teacher Tenure in the Public Schools of Indiana, Master's Thesis, Indiana State Teachers College, Terra Haute, 1931, 123 pp.
- Chambers, M. M., "Taking Tenure to Court," Nations School, 17:31-32, May, 1936.
- Coates, Mary W., "Moratorium on Ousters," School and Society, 37:711-12, June 3, 1933.
- Committee on Tenure, Teacher Tenure Legislation in 1937 to Date, National Education Association of United States, Washington, D. C., October 1, 1937.
- Couch, E. B., "Current Aspects on Teacher Tenure," American School Board Journal, 94:66, April, 1937.
- Cox, Philip W. L., and Langfitt, R. Emerson, High School Administration and Supervision, American Book Company, New York, 1934, p. 257.
- Cubberley, Ellwood P., State School Administration, Houghton Mifflin Co., Boston, 1927, p. 354.

- Davis, Calvin O., "The Training and Experience of the Teachers in High Schools Accredited by the North Central Association," School Review, 30:335-54. May, 1922.
- Dix, Lester H., "Teacher Rating and Tenure," Teachers College Record, 32:696-704. May, 1931.
- DuShane, Donald: "Report of the Committee on Civil Service for Teachers," Proceedings, 1934. Vol. 72. Washington, D. C., National Education Association, 1934, pp. 172-78.
- DuShane, Donald: Report of Committee on Tenure, Proceedings, 1935. Vol. 73. Washington, D. C., N. E. A., 1935, pp. 221-24.
- DuShane, Donald: Report of Committee on Tenure, Proceedings, 1937. Vol. 75. Washington, D. C., N. E. A., 1937, p. 910.
- Elwell, C. M., "Trends in Teacher Tenure," Texas Outline, 20:52. June, 1936.
- Englehardt, Fred, "Changing Practices in Administration of the Teaching Personnel," The Changing Educational World, 1905-30. (Edited by Alvin C. Hurlock) Minneapolis: University of Minnesota Press. 1931. Pp. 162-73.
- Evenden, Ed. S., Gamble, Gay C., Blue, Harold G., Teacher Personnel in United States, U. S. Dept. of Interior, Office of Education Bulletin, 1933. No. 10. National Survey of Education of Teachers, Vol. II. Washington, D. C., Government Printing Office, 1933, pp. 80-92.
- Ferris, Emory N., Gaumnitz, W. H., and Brammell, Roy: The Smaller Secondary Schools, U. S. Dept. of Interior, Office of Education Bulletin, 1932. No. 17. National Survey of Secondary Education. Mon. No. 6, Washington, D. C., Government Printing Office, 1933. 336 pp.
- Foote, I. P., Tenure of High School Teachers in Louisiana, Contribution to Education, No. 92. Nashville, Tennessee, George Peabody College for Teachers, 1931, 120 pp.
- Forer, B., "Where the Law is not a Law," American Teacher, 22:11-12. January, 1938.
- Garber, Lee O., "The Law Governing the Dismissal of Teachers on Permanent Tenure," Elementary School Journal, 35:115-22. October, 1934.
- Garber, Lee O., "The Right of Dismissed Teachers to Appeal to Courts," American School Board Journal, 90:44, 70. March, 1935.
- Garber, Lee O., "When and How do Teachers Attain a Permanent Status under Tenure Laws?" American School Board Journal, 91:15-16. July, 1935.

- Garber, Lee O., "A Suggested Teacher Tenure Plan," Phi Delta Kappan, 18:52-54, October, 1935.
- Gaumnitz, Walter H., Status of Teachers and Principals Employed in Rural Schools of United States, U. S. Dept. of Interior, Office of Education Bulletin, 1932, No. 3. Washington, D. C., Government Printing Office, 1932, 122 pp.
- Gibbs, H., "Pros and Cons of a Tenure Bill," Ohio School, 14:882-83, December, 1936.
- Graves, Frank P., The Administration of American Education, New York: Macmillan Co., 1932, pp. 212-23.
- Hall, Robert K., "Recent Court Decisions on the Dismissal of Teachers," Educational Administration and Supervision, 23:21-34. January, 1937.
- Holmstedt, Raleigh W., "A Study of the Effects of Teacher Tenure Law in New Jersey," Contribution to Education, No. 526. New York. Teachers College, Columbia University, 1932. 111 pp.
- Hunter, Fred M., Report of Tenure Committee of One Hundred, Proceedings, 1928, Vol. 66. Washington, D. C., N. E. A., 1928, p. 304.
- Hunter, Fred M., "Teacher Tenure in United States," Proceedings, 1927, Vol. 66. Washington, D. C., N. E. A., 1927. P. 208.
- Kansas School Directory, Kansas State Printing Plant, Topeka, Kansas, 1937-1938. Pp. 24, 34, 55.
- Laprade, W. T., "Academic Freedom and Tenure," Report of Committee A. of the American Association of University Professors, American Association of University Professors, B. 24:129-40. February, 1938.
- Martin, Oscar C., "Teacher Turnover in Cincinnati Public Schools under the Present Salary Schedule," Master's Thesis, Cincinnati, University of Cincinnati, 1934.
- Medsker, F. O., "Tenure for Teachers," Ohio School, 16:78-79, February, 1938.
- National Education Association, "Teacher Tenure in United States," Report to the Association. July, 1927.
- National Education Association, Research Division, "A Handbook on Teacher Tenure," Research Bulletin, 14:167-94. September, 1936.
- National Education Association, "The Problem of Teacher Tenure," Research Bulletin, Vol. 2, No. 5. 37 pp. November, 1934.
- National Education Association, "Report of Committee on Tenure," Proceedings, 1921, pp. 145-155.
- Oven, Alfred V., "The Length of Service of Minnesota Teachers," Elementary School Journal, 32:34-43, September, 1931.

- Review of Education Research, "Teacher Personnel," Vol. 4. June, 1934.
Chapter 3, p. 349.
- Review of Education Research, "Teacher Personnel," Vol. 1. April, 1931.
Chapter 2, p. 156.
- Review of Education Research, "Teacher Personnel," Vol. 7. No. 3. June,
1937, p. 292.
- Schroeder, H. F., "Trends in Teacher Tenure," Nebraska Educational Journal,
16:415. December, 1936.
- Scott, C. W., "Protective Teacher Tenure," American School Board Journal,
96:29-32. April, 1938.
- Scott, Cecil, Indefinite Teacher Tenure, Doctor's Dissertation, New York,
Teachers College, Columbia University. 1935.
- Shambaugh, Charles G., "Teacher Turnover in California and Its Significance,"
Nations School, 7:77-78, 80, 82, 84. June, 1931.
- Simon, Donald L., "Opposed to a Teacher Tenure Law," Nation's School, 17:22,
June, 1936.
- Simon, Donald L., "Turnover among Teachers of Smaller Secondary Schools of
Indiana," School Review, 44:114-26, February, 1936.
- Simon, Donald L., "Personal Reasons for Dismissal of Teachers in Smaller
Schools," Journal of Educational Research, 29:585-88. April, 1938.
- Stone, Seymour I., Teacher Tenure in California, Doctor's Dissertation,
Los Angeles, University of Southern California, 1934.
- Tall, Lida Lee, "Report of the Committee of One Hundred on Tenure Problems,"
Washington, D. C., National Education Association. June, 1932. 18 pp.
(Mimeo.)
- Updegraff, Harlan, "Report of the Committee of One Hundred on Tenure."
Proceedings, 1923. Vol. 61. Washington, D. C., National Education
Association, 1923, pp. 370-75.
- Van Houten, Lyman H., "Length of Service of Pennsylvania High School Teachers."
Contribution to Education. No. 522. New York, Teachers College, Columbia
University. 1932. 147 pp.
- Vaughn, T. E., "Missouri Teachers and Their Jobs," School and Community, 18:57-
59. February, 1932.
- Williams, Robert L., "The Basis of Selection and Retention of Teachers in
Mississippi," Peabody School Journal of Education, 10:366-76. May, 1933.

White, Wendall, "Rate and Causes of Turnover of Iowa Teachers," American School Board Journal, 71:52-54. December, 1955.

Worcester, D. A., and Mann, C. V., "Academic Freedom and Tenure," Kansas State Teachers College, Pittsburg, Kansas. American Association of University Professors, B. 24:115-123. February, 1953.

School Laws

Kansas School Laws. Revised, 1937. Topeka, State Superintendent of Public Instruction, 1937, pp. 235-237.

New Jersey School Laws, 1931. Trenton: Commissioner of Education, 1931. Article II, Section 24, p. 15.

Public School Laws of Maryland. Baltimore: State Board of Education, 1927. Section 52, p. 23. Section 56, p. 58.

School Code of California, 1931. Sacramento: State Department of Education, 1931, pp. 241-64.

School Laws Enacted in 1932 and 1933. Indianapolis: State Board of Education, 1933, pp. 20-21. 12