

*If tenure is lost, what incentives will be at work to encourage or reward similar efforts without fear of reprisal? Will teachers working in an insecure environment be dedicated to curriculum reform? How will continuity in the curriculum be sustained?*

"Tenure and the near future" is a compelling paradox fueled by accountability anxieties, economic pressures, and political fright. Tenure's historic mission to safeguard professional rights and protect the quality of schools is under attack by educational critics across the nation. Legislators, board members, administrators and yes, even teachers have become increasingly vocal on the faults of tenure. These attacks most often claim that tenure shelters the incompetent in a marketplace where supply exceeds demand and quality is sacrificed. Based on this pretext, it is little wonder that the abolishment of tenure seems to be a justifiable and expedient solution for many.

Yet to envision schools without tenure evokes a pervasive feeling of alarm. This feeling arises not only because there is little if any substance to support the allegations, but also because the plausibility of such action and its anticipated outcome cannot be assessed or assured. The feeling further persists because there is little reason to believe that the alternatives to tenure that currently exist will be more viable in resolving the dilemma. Indeed to eliminate tenure, given all its weaknesses and deficiencies, without sufficient justification, consideration of possible consequences, and the benefit of firm alternatives would seem to be highly questionable. At best, it would create new and perhaps more serious problems for the near future—a future that is destined to face declining school enrollments, escalating school costs, forced staff reductions, and rising expectations.

### **The Function of Tenure**

It is important to remember that the tenure function evolved out of need. Persons who were engaged in the high risk profession of teaching sought protection under the law from the sometimes arbitrary and malicious actions of administrators and boards of education. It was with fore-

# Suppose We Lost Tenure?

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sight and understanding over the years that legislators in more than forty states responded to the profession by enacting policy statutes to safeguard our professional rights and freedom. By intent, tenure was established to protect and in a very real sense to reward the qualified teacher, thus providing stability among the teaching core and contributing directly to the ultimate integrity of the schools and public education.

At least in theory, then, tenure was closely tied to competency. From the first, however, tenure laws have been cumbersome to actualize, all too often receiving ritualistic treatment, and so with interpretation and application have come dishonor and discontent. Misconceptions about the purpose of tenure still prevail today. We in the profession have been far more adept at laying blame on tenure than we have at critically analyzing and creatively searching for viable solutions to its practical problems of application and implementation. Yet to cast out the concept because of our own inactivity would seem to deny the premise upon which tenure was founded and the promise it holds for the near future, which has not been immunized from the causal conditions that gave birth to its need.

### Schools Without Tenure

While one hardly needs a crystal ball to predict possible outcomes should tenure be abolished, perhaps a few conjectures will help to illustrate the nature of my concerns. Imagine a return to the "spoils" system where the whimsical fancy of even the most well-intentioned administrators may breed timidity of thought and action among many classroom teachers whose basic need for job security must be satisfied before motivation and energies can be directed toward creative thinking, planning, and teaching. Under these conditions, teachers will likely be less courageous and more willing to accept mediocrity and routinization in instruction than to boldly and assertively search for innovative and exemplary practices to continuously improve the instructional process. Consider the adversarial and divisive relationships that will tend to be fostered among professionals as the power of collective bargaining extends and intervenes to ensure due process and protection. Think of the morale problems of even the most secure professionals as factionalism tends to de-

feat cooperative efforts and shared responsibility.

And what about the curriculum and its development? We approach the near future with considerable certainty that curriculum revisions and even massive curriculum reform will be needed to assure relevancy and meaningfulness. Over time, tenure has provided a stable yet flexible mechanism for attracting and retaining qualified teachers who could and were willing to tackle such difficult tasks. These teachers for the most part developed a vested interest in the achievement of the schools' goals, displayed sensitivity and loyalty to the community and its needs, and worked diligently to interpret and articulate the instructional program. If tenure is lost, what incentives will be at work to encourage or reward similar efforts without fear of reprisal? Will teachers working in an insecure environment be dedicated to curriculum reform? Will not the likelihood of a high teacher turnover be a deterrent and disruptive force to planned change and curriculum development? How will continuity in the curriculum be sustained?

It also seems probable that in the absence of tenure the positive power and impact of existing staff development programs and practices essential to instructional improvement will be greatly minimized and adversely affected if not dissipated. In truth, tenure and in-service education are highly compatible, the one rewarding quality performance and the other enhancing and fostering continued professional growth. How anxious will teachers be to participate in planned professional growth activities in an institutional setting that ignores their basic need for job security? How will allegiances be established and nurtured in a climate where trust and mutual respect are fortuitous between administrators and teachers?

It must be clear even after these sketchy examples that detrimental factors will likely accompany the loss of tenure. These factors will logically extend to all persons and affect all programs within the educational enterprises, ultimately impinging upon students and the quality of their instruction. Are we prepared to accept the consequences of these changes?

### A Competing View

In the debate over tenure, the establishment of contract systems, term appointments, or ex-



tended probationary periods is heralded among many as a quick if not divine solution to the question. Yet these plans seem fraught with equally perplexing problems. In such alternatives, the focus is on the relative ease with which contracts can be issued and terminated while the damaging side effects of uncertainty and insecurity inherent in contract systems are frequently dismissed or overlooked. Moreover these agreements tend to elevate administrative dictum as the central determinant of objectives, standards, and quality. In such instances, practice translates into "yesism" as reciprocal favors are awarded and the benefit of appeal is noticeably absent. In my judgment, there seems to be little justification to support the endorsement of contractual arrangements as currently proposed; rather, I would opt for the problematic study of tenure in search of ways to make the process more functional and manageable.

### The Problem of Tenure

It is also important to recognize in all the rhetoric and confusion that we in the profession really do understand the problem of tenure. We know why tenure is in crisis, but we are unwilling to confront the issues squarely and with commitment.

As previously indicated, tenure is linked to quality, and this necessitates evaluation. But the evaluation of teacher performance is careless to the point of being desultory if not nonexistent. We are unable to state with authority what constitutes competency in teaching and thus are hesitant to act except where the most bizarre and blatant examples of malpractice are evidenced. Even in these instances we often fail to collect supportive data and document our charges in a comprehensive manner; thus more frequently than not, we are unable to satisfy the courts in their judicial concerns.

Teacher evaluation simply has not been a top priority in education. We have failed in our responsibility to develop and utilize objective measures of expectancy for judging teacher performance. In most school systems where tenure provisions apply, teachers are automatically granted tenure upon having served a three- to five-year probationary period in which the sum of evaluation is contained in the subjective impressions gathered once a year by reluctant principals or supervisors. The evaluation of tenured teachers is even more negligent and wanton. Too many principals and supervisors have abdicated their rightful responsibility for evaluation of teacher performance. They view evaluation as a negative factor in establishing harmonious working relations with teachers and have adopted a laissez-faire attitude about evaluation.

The urgency for systematic and objective evaluation is heightened in light of the paucity of job openings today. Administrators are understandably concerned over the likely prospect of schools staffed completely by tenured teachers, mitigating against the productive flow of new talents and ideas. Yet this concern is misdirected. At the risk of being repetitive, the problem is not tenure but rather the omission of meaningful evaluation in the identification and recognition of qualified teachers.

Closely aligned with evaluation and tenure is the distribution or redistribution of human resources. Just as the evaluation of teacher performance has evaded us so has the task of identifying, developing, and refining unique staff competencies that can be appropriately matched with specialized and delineated tasks and functions of the schools. Few administrators and supervisors have

assessed the individual and combined abilities that exist among their teachers or themselves for that matter. Even our most elaborate needs assessment procedures too often fail to extend beyond the achievement level of students to include the existing competencies of classroom teachers. It is little wonder that planned staff development efforts are frequently cited as irrelevant, meaningless, and inconsequential. Again, the problem is not tenure, but rather our own inactivity in resolving the complex issues that thwart its successful application.

If I have stirred the righteous indignation of some by oversimplification of the problem of tenure, the solutions clearly remain far from simplistic. Too many in the profession have perpetuated the myth that tenure dispels quality in the hope that with its demise quality, like the Phoenix, will rise from the ashes, and all the problems will evaporate. If only such were the case.

### The Survival of Tenure

I have attempted to show within the limitations of this article that tenure is as relevant for today and the near future as it was for the past. This is not to propose the passive acceptance of tenure as it presently exists for clearly change is critical to its preservation and the solution of its problems.

One of the first tasks will be to clarify the basic purpose of tenure as a legal tool that sanctions human concern for the professional rights and freedom of classroom teachers. Systematic opportunities must be initiated for educators at all levels to participate in informed and extensive dialogue and, in like manner, the professional community must engage school board members, legislators, and the interested public in thoughtful study and inquiry into existing tenure laws, always with an eye toward modification and specification for increasingly functional application. Essential as this task is, it will not be easy to accomplish primarily because it will require us to probe our understandings about the human needs, growth, and development of teachers in relation to our value systems and to affix our positions regarding the relative merit of tenure within the context of a concerned and responsive bureaucracy.

Concurrently, a frontal attack within the

profession will need to be launched to ferret out the generic competencies of teaching and to delineate appropriate and objective measures of performance expectancy in the evaluation of teachers. Comprehensive evaluation plans will need to follow that address initial screening and selection processes for entry into teaching as well as continuous and ongoing evaluative procedures for probationary and tenured service. Attention will need to be given to the tedious detail of substantiating the quality of performance; new and exemplary patterns for the wise distribution and utilization of staff, matching human resources with instructional needs, must be envisioned; professional development programs that are sensitive to individual needs must be implemented.

We hold the locus of control over tenure and its continuing contribution to our professional well-being in the near future. Will tenure survive? Clearly the challenge is ours to answer lest we accept the self-fulfilling prophecy of the critics and entrust to chance the fundamental values of professional freedom and institutional integrity that are inherent in the concept of tenure. *[F]*

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