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## ***Teacher Contract Non-Renewal in the Rocky Mountains***

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Success for students in the 21st century increasingly relies on competencies and proficiencies typically available only through formal educational processes. Researchers have noted the paramount importance of quality teaching as the important criterion for student success (Haycock, 1998; Marzano, 2003). Recent reforms have increased the expectation that school principals energetically address teacher evaluations and subsequently remove ineffective teachers. These recent reforms tend to have common priorities, including emphasizing high quality teaching, evaluating teachers for merit pay purposes, and linking evaluation to student performance with an emphasis on the removal of ineffective teachers from the classroom.

In 2009, the Race to the Top (RTTT) legislation offered large federal financial grants to states that were willing to pursue aggressive school reforms that included teacher evaluation (RTTT, 2009). The legislation calls for “recruiting, developing, rewarding, and retaining effective teachers and principals”... and “improving teacher and principal effectiveness based on performance...” (RTTT, 2009, pp. 2, 4). The legislation defines an effective teacher as one “whose students achieve acceptable rates (e.g., as least one grade level in an academic year) of student growth...teacher effectiveness is evaluated, in significant part, by student growth” (RTTT, 2009, p. 12).

Similarly, in 2011, the U.S. Department of Education created a flexibility program that offered states waivers from sanctions from No Child Left Behind (Popham & DeSander, 2014). In return for the waivers, states often promised to pursue new school reforms which included tougher teacher evaluation systems. Many of the recent reforms of teacher evaluation processes have included value-added modeling, which requires a substantial element of the teacher’s evaluation be based on student performance scores (Paige, 2012). Because the value-added modeling is relatively new to most teachers and principals, and has unproven reliability, an

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already complex and difficult task for school principals to determine methods for teacher contract non-renewals has become more cumbersome (Paige, 2012).

School principals confront pressure from state and federal accountability legislation and reforms to produce evidence of student learning on standardized assessments. In this high-stakes environment, principals' decisions play an important part in determining whether or not teachers are offered contracts, and school principals face prominent challenges that predictably work against recommending contract non-renewal for teachers. Some of the commonly identified challenges include time, teacher unions, and laws protecting teachers (Nixon, Packard, & Dam, 2011a; Nixon, Packard, & Dam, 2011b; Painter, 2000). Learning more about the criteria that principals apply to teacher contract non-renewal decisions affords an opportunity to improve the teacher preparation process and in-service teacher professional development. This line of inquiry also assists the identification of themes for principal development. Further, identifying barriers that hinder principals from addressing ineffective teachers serves to improve the prospect of learning for students. It is unclear if principals have all the tools that they need to work toward having an effective teacher in every classroom, and recent reforms to teacher evaluation processes make it more dubious.

This quantitative study investigated reasons for the contract non-renewal of probationary teachers and the obstacles that school principals face in dealing with ineffective teachers. School principals in Colorado, Idaho, Montana, and Utah provided demographic information and reasons they would be likely to recommend contract non-renewal for probationary teachers. Findings from these four states, representing the Rocky Mountain region are addressed in this paper.

## **Summary of the Literature**

### *Legal Issues*

Teacher contract non-renewals are legal procedures that are defined in courts, by hearing examiners, through state statutes, and by means of master contracts and local policies and procedures. All states uniquely define the requirements for ending the employment of teachers, depending on the teachers' tenure status. Non-tenured, or probationary teachers, are considered at-will employees and are not typically afforded the same due process rights as tenured teachers. Generally, their contracts may be non-renewed without cause, at the option of the employer upon proper notice of the intent not to renew, by the employing school board at the end of any contract year. Most recent versions of school reform, however, have led to conditions where it is becoming easier to dismiss teachers who are ineffective (Darden, 2013; Zirkel, 2013). Zirkel (2013) found that in published court rulings since 1982, the school district won the dismissal conclusively 81% of the time.

Even though probationary teachers may have their contracts non-renewed without cause, emblematic reasons exist for both tenured and probationary teachers. The most common legal reasons are defined in state statutes and often include incompetency, insubordination, immorality, reduction in force, contract violations, and good and just cause. The legal reasons manifest themselves in behaviors such as excessive absenteeism and tardiness, neglect of duty, abusive language, administering corporal punishment, unethical conduct, sexual misconduct, abuse of a controlled substance, theft or fraud, misuse of a school computer, criminal misconduct outside the work setting, and conduct unbecoming a teacher, among others. (Lawrence, Vashon, Leake, & Leake, 2005).

The impetus of relatively recent educational reforms and the fresh elements of teacher evaluation criteria, which include merit pay and value-added modeling, require new elements of analysis for current and future courts and principals who make these decisions. New legal issues and complications are sure to arise; however the trend has been to defer more to school districts and principals in removing teachers (Darden, 2013; Paige, 2012; Popham & DeSander, 2014; Zirkel, 2013). The outcomes of teacher contract non-renewal may be shifting slightly, brought about by the pressures of RTTT and subsequent changes made by state legislatures. It is not clear if school principals are equipped to take advantage of the shifting status.

### *Rocky Mountain States*

Four Rocky Mountain States are highlighted in this study (Colorado, Idaho, Montana, & Utah). Both Colorado and Idaho have recently implemented significant changes in teacher tenure and evaluation procedures. Only Colorado received RTTT funds, as Idaho, Montana, and Utah were not awarded funds.

Colorado teachers “may be dismissed for physical or mental disability, incompetency, neglect of duty, immorality, unsatisfactory performance, insubordination, the conviction of a felony or the acceptance of a guilty plea, a plea of nolo contendere, or a deferred sentence for a felony, or other good and just cause” (Colorado Code 22-63-301). Colorado teachers are considered probationary teachers for their first three years. The state’s recent changes to teacher tenure (in May, 2010) now require teachers to be evaluated annually with at least half of the rating based on student academic progress. Beginning teachers have to show that they have boosted student performance for three straight years before earning tenure (Colorado Code 22-9-105.5). Collective bargaining by teachers is permitted in Colorado, as the law neither requires nor forbids collective bargaining.

Idaho eliminated continuing teacher contracts in 2011. In the same year, Idaho reduced teacher collective bargaining privileges, permitting collective bargaining only for pay and benefits. The grounds for contract non-renewal include a “material

violation of any lawful rules or regulations of the board of education, or for any conduct which could constitute grounds for revocation of a teaching certificate” (Idaho Code 33-513). These include “gross neglect of duty, incompetency, breach of the teaching contract, making any material statement of fact in the application for a certificate that the applicant knows to be false...” (Idaho Code 33-1208).

In Montana, teachers earn tenure after three years of service (Montana Code 20-4-203). Public employees are allowed to bargain collectively (Montana Code 20-4-207). In Montana, the ground for dismissal of teachers includes the general statement that “the employment of the teacher may be terminated for good cause” (Montana Code 20-4-203).

In Utah, teachers earn tenure after three years. Teachers are permitted to join unions but the state has no collective bargaining law. District school boards decide whether they desire to engage in collective bargaining. Under Utah's Orderly Termination Act (Utah Code 53A-8-104), teachers cannot be dismissed without due process. According to Utah code 53A-8-103, local school boards may establish dismissal procedures. Specifically, “a local school board shall, by contract with its employees or their associations, or by resolution of the board, establish procedures for dismissal of employees in an orderly manner without discrimination...” (Utah Code 53A-8-104).

### *Complications for Principals in Dealing with Ineffective Teachers*

Principals calculate whether the inevitable conflict and unpleasantness of a contract non-renewal are worth the emotional toll and also whether the superintendents or boards of education will ultimately support the recommendations to non-renew. The principal walks a fine line between predictable claims that there is “too little documentation” or “not enough help” being given to the teacher along with assertions that the principal has developed so much documentation that the effect is “harassment” of the teacher.

Principals identify lack of time as one of the largest barriers to their opportunity to adequately address ineffective teachers (Nixon, Packard, & Dam, 2011a; Nixon, Packard, & Dam, 2011b; Painter, 2000). Other identified hurdles include inadequate support from the superintendent and board, limited financial support for all phases of the process, personality characteristics of the evaluator, laws protecting teachers, reluctance to pursue a dismissal without a good chance of prevailing, and the high costs of litigation (Bridges, 1992; Schweizer, 1998).

Contrary to common perceptions, Zirkel (2010; 2013) pointed out that in legal disputes, defendant school districts prevail over plaintiff teachers by a better than four-to-one ratio. With recent reforms to state laws, this percentage may increase. This raises the question as to whether the non-renewal issue is one of principal competence, will, and commitment rather than the improbability of success. Lack of time, emotion, and other stresses carry large weight in limiting principals' efforts at initiating teacher contract non-renewals. New teacher evaluation reforms and

criteria, which call for value-added modeling and merit pay, are relatively new and contain potentially untried metrics that are possibly confusing and unclear to school principals. Principal competence in using these newly developed and often untried evaluation models may be suspect (Page, 2012).

The study answered four research questions:

- 1) What is the priority of reasons that school principals would recommend non-renewal of a teacher's contract?
- 2) Which behaviors do principals observe most frequently from ineffective teachers?
- 3) Which complications obscure school principals' ability to deal with ineffective teachers?
- 4) Are principals' responses unique based on demographic differences in principal years of experience, type of school, or location of school?

## **Research Methods**

### *Research Questions*

We answered research question one using responses from two survey questions. We requested Rocky Mountain principals to "Rank order the following possible reasons that might lead you to recommend non-renewal of a non-tenured teacher. Select: most likely (7) for one of the reasons for termination; second most likely (6) for another one; very likely (5) for another one; and so on." The eight answer choices provided included

- "absenteeism/tardiness,
- classroom management,
- ethical violations and inappropriate conduct,
- incompetence,
- professional demeanor,
- insubordination,
- lack of student achievement, and
- other (please specify)."

We requested principals to "rank order the importance of the following criteria in deciding whether to recommend non-renewal of a non-tenured teacher. Select (3) for most important, (2) for important, and (1) for least important." The three answer choices included

- "subject content knowledge,
- instructional skills, and
- disposition."

We answered research question two by posing the question: “Which behaviors do you observe most frequently from ineffective teachers?” The three answer choices included “lack of subject content knowledge, lack of instructional skills, and unacceptable disposition.”

Research question three was answered from a question that we requested principals’ respond to “Which of the following reasons complicate your ability to deal with ineffective teachers?” We provided principals ten answer choices, including “time, teacher union, inadequate support from the superintendent, inadequate support from the board of education, high costs of litigation, desire to avoid conflict and confrontation, laws protecting teachers, collective bargaining agreement, and other (please specify).” Respondents were given a four point Likert scale, ranging from “strongly disagree” to “strongly agree.”

We addressed the fourth research question using a three step process: a Kruskal-Wallis analysis compared the responses among the three demographic variables, while the Mann Whitney U tested the differences between the members of the categories. In the third step, we applied a Bonferroni Correction to each paired variable to determine any significance between each pair and to reduce chance of Type I error.

### *Instrumentation*

We created survey questions and answer choices after extensive review of the literature on teacher contract non-renewals and built upon six previous studies (Nixon, Dam, & Packard, 2010; Nixon et al., 2011a; Nixon et al., 2011b; Nixon et al., 2012; Nixon et. al., 2013; Nixon, Packard, & Douvanis, 2010). We piloted the original survey questions with 60 principals in the Southeastern United States. Because there is minimal literature regarding demographic and regional differences in teacher contract non-renewals, we asked principals to provide demographic information regarding their years of experience as a principal, the size and type of schools, state information, and whether their schools were rural, urban, or suburban. We decided to use an emailed survey after considering both emailed and stamped mail surveys, because a web survey can achieve a comparable response rate (Cook, Heath, & Thompson, 2000; Kaplowitz, Hadlock, & Levine, 2004).

### *Participants*

We accessed principals’ email addresses in the four Rocky Mountain states using state department of education data bases. We surveyed the Rocky Mountain states in fall and winter of 2011 and 2012. We followed the original email with a second participation invitation. Three hundred fifty principals submitted the emailed survey. Table 1 displays the demographic characteristics of the participants.

Table 1

*Participants by State and Demographic Group*

Response		Colorado	Idaho	Montana	Utah	Total
Location	Urban	33 (22.0%)	5 (7.2%)	0 (0.0%)	6 (6.7%)	44 (12.3%)
	Suburban	48 (32.0%)	13 (18.8%)	2 (4.4%)	48 (55.8%)	116 (32.3%)
	Rural	69 (46.0%)	51 (73.9%)	43 (95.6%)	32 (37.2%)	199 (55.4%)
Principal Years' Experience	Less than 10	99 (66.0%)	30 (43.5%)	23 (51.1%)	49 (55.1%)	204 (56.8%)
	Between 10-20	42 (28.0%)	34 (49.3%)	16 (35.6%)	25 (29.1%)	121 (33.7%)
	More than 20	9 (6.0%)	5 (7.2%)	6 (13.3%)	12 (14.0%)	34 (9.5%)
Grades	Pre K/Elementary school	78 (52.0%)	29 (42.0%)	16 (35.6%)	49 (57.0%)	177 (49.3%)
	Middle school	15 (10.0%)	11 (15.9%)	5 (11.1%)	15 (17.4%)	47 (13.1%)
	High school	33 (22.0%)	10 (14.5%)	9 (20.0%)	17 (19.8%)	71 (19.8%)
	Other configuration	24 (16.0%)	19 (27.5%)	15 (33.3%)	5 (5.8%)	65 (17.8%)
	Total by state	150 (42.8%)	69 (19.7%)	45 (12.7%)	86 (24.8%)	350 (100%)

*Data Collection*

We sent 4,204 emails to the Rocky Mountain principals. The data bases are not updated frequently, leaving out recently appointed principals. Additionally, school district filters and spam controls prevented some principals from receiving the email. We did not seek permission from specific school districts to survey principals, consequently many principals were forbidden by district policies to respond to the



survey. Some of the email addresses were inaccurate or had changed as 629 were undelivered, due perhaps to lengthy intervals between database updates.

### *Analysis Procedures*

Survey responses were analyzed to answer the four research questions. Descriptive statistics were used to determine the reasons, observations, and barriers that made up the respondent answers regarding teacher contract non-renewal and complications in dealing with ineffective teachers. Because the collected data were ordinal, determination of response differences by demographic variables was decided using nonparametric analysis.

The responses were explored using a Kruskal-Wallis test to determine if differences occurred within the three levels of categories. Then, findings of significance were analyzed using a Mann-Whitney U to determine where the differences could be found among the three categories. Significances were determined by using a Bonferroni Correction to reduce the possible of Type I error by creating a more robust the level of significance. The Bonferroni Correction suggests that the level of significance be divided by the number of categories, which in this case was three and changed the alpha level from .05 to .0167, .01 to .003, and .001 to .0003.

## **Results**

### *Overview*

Information presented in the tables represents either descriptive data or the results from the Kruskal-Wallis statistical analysis. Narrative commentary includes both the Mann-Whitney U and the Bonferroni Correction results, if significant.

### *Priority Reasons for Contract Non-Renewal*

Principals ranked a series of possible reasons for contract non-renewal of teachers. Results are available in Table 2. "Ethical violations and inappropriate conduct" were identified as the "most likely" reasons principals might initiate a contract non-renewal. "Incompetence" was the "second most likely" reason.

**Table 2**  
*Priority of Reasons That Lead to Contract Non-Renewal*

Response	N	Most unlikely	Very unlikely	Unlikely	Likely	Very likely	Second most likely	Most likely
Absenteeism/ tardiness	323	131 (40.6%)	82 (25.4%)	51 (15.8%)	41 (12.7%)	10 (3.1%)	5 (1.5%)	3 (0.9%)
Classroom management	320	17 (5.3%)	48 (15.0%)	72 (22.5%)	73 (22.8%)	67 (20.9%)	28 (8.8%)	15 (4.7%)
Ethical violations and inappropriate conduct	337	6 (1.8%)	4 (1.2%)	4 (1.2%)	15 (4.5%)	30 (8.9%)	48 (14.2%)	230 (68.2%)
Incompetence	333	0 (0.0%)	8 (2.4%)	17 (5.1%)	24 (7.2%)	64 (19.2%)	152 (45.6%)	68 (20.4%)
Professional demeanor	308	73 (23.7%)	91 (29.5)	52 (16.9%)	47 (15.3%)	28 (9.1%)	16 (5.2%)	1 (0.3%)
Insubordination	336	25 (7.4%)	36 (10.7%)	60 (17.9%)	63 (18.8%)	79 (23.5%)	58 (17.3%)	15 (4.5%)
Lack of student achievement	339	51 (15.0%)	44 (13.0%)	65 (19.2%)	75 (22.1%)	62 (18.3%)	31 (9.1%)	11 (3.2%)

Table 3 contains the results from the Kruskal-Wallis testing by school location. "Ethical violations and inappropriate conduct" and "insubordination" were found

statistically significant. When tested further with the Mann-Whitney U and using a Bonferroni Correction, no significant differences were determined.

Table 3

*Priority of Reasons That Lead to Contract Non-Renewal (School Location)*

Response	N	Location	N	Mean Rank	H	df	sig.
Absenteeism/Tardiness	323	Urban	37	144.53	2.369	2	.306
		Suburban	103	170.40			
		Rural	183	160.81			
Classroom management	320	Urban	37	170.45	2.942	2	.230
		Suburban	102	170.43			
		Rural	181	152.87			
Ethical violations and inappropriate conduct	337	Urban	42	140.26	6.155	2	.046*
		Suburban	108	173.35			
		Rural	187	172.94			
Incompetence	333	Urban	42	183.54	1.734	2	.420
		Suburban	106	167.23			
		Rural	185	163.11			
Professional demeanor	308	Urban	36	161.07	1.165	2	.558
		Suburban	100	146.96			
		Rural	172	157.51			
Insubordination	336	Urban	41	160.99	7.691	2	.021*
		Suburban	105	149.18			
		Rural	190	180.80			
Lack of student achievement	339	Urban	44	181.98	2.699	2	.259

Suburban	108	178.46
Rural	187	162.30

\*p< .05

Table 4 displays the Kruskal-Wallis results by principal years of experience. "Incompetence" and "professional demeanor" were significant. Using the Mann-Whitney U testing, incompetence was reported significantly different ( $z=2.424$ ,  $p = .015$ ,  $\eta = .20$ ) between principals with 10 to 20 years of experience (MR = 65.40) and principals with more than 20 years of experience (MR = 84.25).

Table 4

*Priority of Reasons That Lead to Contract Non-Renewal (Principal Years of Experience)*

Response	N	Principal Years of Experience	N	Mean Rank	H	df	sig.
Absenteeism/Tardiness	323	< 10 yrs.	187	157.60	5.564	2	.062
		10 to 20 yrs.	108	176.29			
		> 20 yrs.	28	136.27			
Classroom management	320	< 10 yrs.	184	157.66	.562	2	.755
		10 to 20 yrs.	105	165.92			
		> 20 yrs.	31	159.00			
Ethical violations	337	< 10 yrs.	196	169.20	.837	2	.658
		10 to 20 yrs.	111	171.93			
		> 20 yrs.	30	156.85			
Incompetence	333	< 10 yrs.	195	170.66	6.886	2	.032*
		10 to 20 yrs.	108	151.77			
		> 20 yrs.	30	198.03			
Professional demeanor	308	< 10 yrs.	184	148.20	6.648	2	.036*
		10 to 20 yrs.	97	172.33			
		> 20 yrs.	27	133.39			
Insubordination	336	< 10 yrs.	198	160.99	3.279	2	.194
		10 to 20 yrs.	109	181.58			
		> 20 yrs.	29	170.59			
Lack of student achievement	339	< 10 yrs.	195	178.36	4.582	2	.101
		10 to 20 yrs.	114	154.28			
		> 20 yrs.	30	175.40			

\*p<.05

As far as significance and type of school, Table 5 includes the Kruskal-Wallis results. Only "lack of student achievement" was determined to be significant. Analyzing

further using the Mann-Whitney U, elementary principals (MR=110.82) placed more importance ( $z=2.740$ ,  $p = .006$ ,  $\eta = .19$ ) than middle school principals (MR=83.16).

Table 5

*Priority of Reasons That Lead to Contract Non-Renewal (Type of School)*

Response	N	Type of School	N	Mean Rank	H	df	sig.
Absenteeism/Tardiness	265	PreK and/or Elementary	159	136.30	1.136	2	.567
		Middle Grade	42	123.06			
		High School	64	131.34			
Classroom management	264	PreK and/or Elementary	159	131.87	1.685	2	.431
		Middle Grade	44	144.53			
		High School	61	125.46			
Ethical violations	276	PreK and/or Elementary	164	133.40	2.489	2	.288
		Middle Grade	44	144.39			
		High School	68	147.00			
Incompetence	273	PreK and/or Elementary	161	136.53	1.029	2	.598
		Middle Grade	45	146.32			
		High School	67	131.87			
Professional demeanor	252	PreK and/or Elementary	147	128.39	3.971	2	.137
		Middle Grade	42	140.21			
		High School	63	112.94			
Insubordination	275	PreK and/or Elementary	166	133.12	2.793	2	.247
		Middle Grade	43	135.38			
		High School	66	151.97			
Lack of student achievement	278	PreK and/or Elementary	165	148.31	7.602	2	.022*
		Middle Grade	44	111.68			
		High School	69	136.17			

\* $p < .05$

Table 6 includes the responses to the question “rank order the importance of the following criteria in deciding whether to recommend non-renewal of a non-tenured teacher.” The instructions directed respondents to “select (3) for most important, (2) for important, and (1) for least important.” The three answer choices included “subject content knowledge, instructional skills, and disposition.” Principals selected “instructional skills” as most important. None of the responses to this question were significant using the Kruskal-Wallis and Mann-Whitney U.

Table 6

*Prioritized Criteria for Teacher Contract Non-Renewal*

Response	Least important	Important	Most important	Mean (Std.)	Median
Subject content knowledge	139 40.2%	183 52.9%	24 6.9%	1.67 .601	2.00
Instructional skills	8 2.3%	67 19.3%	273 78.4%	2.761 .477	3.00
Disposition	198 57.1%	97 28.0%	52 15.0%	1.58 .738	1.00

*Behaviors Observed from Ineffective Teachers*

Another research question addressed behaviors that principals observe from ineffective teachers. Results are included in Table 7. Principals reported that “lack of instructional skills” is observed most frequently from ineffective teachers. Demographic variables were analyzed using the Kruskal-Wallis and Mann Whitney U. None of the results were significant.

Table 7  
*Behaviors Observed from Ineffective Teachers*

Response	Observed least frequently	Observed second most frequently	Observed most frequently	Mean	
				Std.	Median
Lack of subject content knowledge	198	141	10	1.46	1.00
	56.7%	40.4%	2.9%	.554	
Lack of instructional skills	4	69	273	2.78	3.00
	1.2%	19.9%	78.9%	.444	
Unacceptable disposition	144	137	63	1.76	2.00
	41.9%	39.8%	18.3%	.740	

### *Complications to Dealing with Ineffective Teachers*

With the third research question, we asked principals to identify reasons that complicate their opportunities to deal with ineffective teachers. A four point Likert scale was provided for principals to respond. Results are included in Table 8. "Time" was identified most frequently as a complication to dealing with ineffective teachers. "Teacher union," "collective bargaining agreement," and "laws protecting teachers" were also selected as strong challenges to dealing with ineffective teachers.

Table 9 includes the results from the Kruskal-Wallis analysis by school location. Significant barriers included "teacher union," "inadequate support from the superintendent," "inadequate support from the school board," "desire to avoid conflict and confrontation," and "collective bargaining agreement." Applying the Mann-Whitney analysis and using a Bonferroni correction, there was a significant difference ( $z = 2.713$ ,  $p = .007$ ,  $\eta = .16$ ) between the suburban principals (MR=170.40) and the rural principals (MR = 143.05) as far as the "teacher union" criterion. Another significant difference occurred in the variable "inadequate support from the superintendent," which was statistically significant ( $z = 3.730$ ,  $p = .000$ ,  $\eta = .21$ ) with suburban principals (MR=175.99) believing this to be a larger barrier than their counterparts from rural schools (MR=139.85). Rural principals (MR=125.69) were also more concerned about the "desire to avoid conflict and confrontation" ( $z = 3.355$ ,  $p = .001$ ,  $\eta = .22$ ) than urban principals (MR=89.66). Urban principals (MR=60.80) were also significantly different ( $z = 3.183$ ,  $p = .001$ ,  $\eta = .25$ ) than their suburban counterparts (MR=84.82) in the "desire to avoid conflict and confrontation" criterion.

**Table 8**  
***Barriers That Complicate Dealing with Ineffective Teachers***

<b>Response</b>	<b>Strongly disagree</b>	<b>Disagree</b>	<b>Agree</b>	<b>Strongly agree</b>	<b>Mean (Std)</b>	<b>Median</b>
<b>Time</b>	19	79	119	130	3.04	3.00
	5.5%	22.8%	34.3%	37.5%	.907	
<b>Teacher union</b>	46	99	113	89	2.71	3.00
	13.3%	28.5%	32.6%	25.6%	.994	
<b>Inadequate support from the superintendent</b>	151	138	47	13	1.78	2.00
	43.3%	39.5%	13.5%	3.7%	.817	
<b>Inadequate support from the board of education</b>	123	163	48	14	1.86	2.00
	35.3%	46.8%	13.8%	4.0%	.797	
<b>High cost of litigation</b>	63	159	89	35	2.28	2.00
	18.2%	46.0%	25.7%	10.1%	.877	
<b>Desire to avoid conflict and confrontation</b>	110	141	85	12	2.00	2.00
	31.6%	40.5%	24.4%	3.4%	.837	
<b>Laws protecting teachers</b>	38	120	133	55	2.59	3.00
	11.0%	34.7%	38.4%	15.9%	.884	
<b>Collective bargaining agreement</b>	56	126	103	61	2.49	2.00
	16.2%	36.4%	29.8%	17.6%	.964	



Table 9

*Barriers That Complicate Dealing with Ineffective Teachers (School Location)*

Response	N	School Location	N	Mean Rank	H	df	sig.
Time	347	Urban	44	170.15	.084	2	.959
		Suburban	111	174.36			
		Rural	192	174.67			
Teacher union	347	Urban	42	195.71	9.692	2	.008*
		Suburban	111	190.68			
		Rural	194	159.76			
Inadequate support from the superintendent	349	Urban	44	183.59	14.409	2	.001*
		Suburban	111	200.16			
		Rural	194	158.65			
Inadequate support from the board of education	348	Urban	43	191.07	6.181	2	.045*
		Suburban	111	187.25			
		Rural	194	163.53			
High costs of litigation	346	Urban	44	173.25	2.283	2	.319
		Suburban	109	162.69			
		Rural	193	179.66			
Desire to avoid conflict and confrontation	348	Urban	44	127.95	12.255	2	.002*
		Suburban	111	183.54			
		Rural	193	179.91			
Laws protecting teachers	346	Urban	43	175.55	2.651	2	.266
		Suburban	110	184.89			
		Rural	193	166.55			
Collective bargaining agreement	346	Urban	43	194.14	7.636	2	.022*
		Suburban	111	187.30			
		Rural	192	160.90			

\*p&lt;.05

**Table 10**  
***Complications to Dealing with Ineffective Teachers (Principal Years of Experience)***

Response	N	Principal Years of Experience	N	Mean Rank	H	df	sig.
Time	347	Less than 10 yrs.	200	172.78	.501	2	.778
		Between 10 and 20 yrs.	115	178.34			
		More than 20 yrs.	32	166.00			
Teacher union	347	Less than 10 yrs.	200	177.75	3.923	2	.141
		Between 10 and 20 yrs.	115	161.39			
		More than 20 yrs.	32	195.91			
Inadequate support from superintendent	349	Less than 10 yrs.	201	172.13	.992	2	.609
		Between 10 and 20 yrs.	116	181.87			
		More than 20 yrs.	32	168.16			
Inadequate support from board of educat.	348	Less than 10 yrs.	201	177.15	.578	2	.749
		Between 10 and 20 yrs.	115	172.63			
		More than 20 yrs.	32	164.56			
High costs of litigation	346	Less than 10 yrs.	197	180.79	6.510	2	.039*
		Between 10 and 20 yrs.	117	171.63			
		More than 20 yrs.	32	135.44			
Desire to avoid conflict	348	Less than 10 yrs.	201	172.83	2.812	2	.245
		Between 10 and 20 yrs.	115	170.06			
		More than 20 yrs.	32	200.97			
Laws protecting teachers	346	Less than 10 yrs.	199	171.64	.744	2	.689
		Between 10 and 20 yrs.	116	179.05			
		More than 20 yrs.	31	164.68			
Collective bargaining agreement	346	Less than 10 yrs.	199	174.05	.540	2	.763
		Between 10 and 20 yrs.	115	169.73			
		More than 20 yrs.	32	183.59			

\*p<.05

## **Discussion**

### *Priority Reasons for Contract Non-Renewal*

Rocky Mountain principals' demographic groups identified the importance of ethical violations and inappropriate conduct in teacher contract non-renewals. Rural principals, perhaps most concerned about community standards and expectations, placed more importance on this criterion. In a community where individuals tend to be more familiar with one another, it is not surprising that rural principals elevated the importance of ethical violations and inappropriate conduct and insubordination. We presume that principals are thinking of situations that may be criminal in nature and potentially embarrassing to the community. Understanding the importance of ethical behavior by teachers, we are left wondering the optimal way to emphasize this construct with both pre and in-service teachers. Perhaps by implementing case study methods, ethical teacher behavior may be emphasized, reinforced, and modeled for both pre-service and in-service teachers during development sessions.

Elementary principals reported the importance of student achievement to teacher contract non-renewals more than middle school principals. While somewhat stereotypical, apparently student achievement is a higher priority for elementary principals. We are left to presume that the typically larger size and inherent managerial responsibilities that come from leading a secondary school may get in the way of consistently prioritizing student academic achievement. With the recent reforms in teacher evaluation, this criterion should increase in importance across all types and levels of schools in those states that have participated in the reforms.

In all demographic groups, Rocky Mountain principals selected the importance of instructional skills (pedagogical knowledge and skills) over subject content knowledge and dispositions as criteria for teacher contract non-renewal. Universities which educate pre-service teachers should consider the implications of this important finding. While various constituencies may want to push universities to require more subject content knowledge or to require more effort in teacher candidate disposition measurement, our finding strikingly elevates pedagogical knowledge over other constructs. As one considers value-added teacher evaluation, one must question whether principals will continue to stress the importance of instructional skills. More research to further refine the nature of the pedagogical knowledge principals are referring to is justified. Also, principals should be asked to describe the relationship between the value added component of teacher performance and instructional skills.

### *Behaviors Observed from Ineffective Teachers*

It is important to learn what Rocky Mountain principals identified as the teaching behaviors that they observed from ineffective teachers who they considered for contract non-renewal. In all demographic groups, teachers' lack of instructional skills appears to be the most glaring concern. This may be at odds with teacher certification renewals and legal provisions for "highly qualified" teachers to take more course-work in subject content areas. This finding also raises questions regarding the appropriate balance or blending of pedagogy and content for both pre-service and in-service teacher development. How much emphasis should be placed on one over the other? As noted in the previous section, these findings suggest the need for additional attention to pedagogy and its relationship to student learning.

### *Complications to Dealing with Ineffective Teachers*

Time to adequately address ineffective teachers is a major impediment for Rocky Mountain principals. Amongst all demographic groups, time is consistently reported as a primary barrier. While this finding highlights the complex nature of the principalship, it also suggests that the contract renewal process may be, or perceived to be, too cumbersome for principals to reasonably navigate. While these data were collected before the RTTT initiatives had reached full impact, it may be reasonable to investigate whether using quantitative data from value-added evaluation actually simplifies the principal's task. Over time, these reforms may help to make the contract non-renewal process more routine. Just as likely, however, is that the reforms have created another level of complication to an already over-burdened principal.

Differences in responses to this question emerge along regional lines. Principals who hail from collective bargaining states, such as the Rocky Mountains, have consistently elevated the importance of teacher unions, collective bargaining agreements, and laws protecting teachers as significant complications to dealing with ineffective teachers. The challenges of a school principal may indeed differ based on the geographic location. Interestingly, suburban Rocky Mountain principals seemed to have a heightened sense of concern regarding the level of support they received from their superintendents, but they also expressed a concern to avoid conflict and confrontation. Perhaps they are often situated in positions whereby their communities have established high expectations for their suburban schools; consequently principals are keenly aware of the public and political pressures that they face.

## **Conclusions**

We have surveyed nearly 2,000 principals in the United States in 13 states, and the responses from the Rocky Mountain principals are characteristic of principals in other geographic locations. While there is evidence that principals are willing to address ineffective teaching, there are substantial burdens and barriers that add complexity to the non-renewal process. Additionally, the aforementioned complexity decreases the likelihood that principals will initiate this unpleasant process. Principals clearly prefer to initiate a contract non-renewal for problems that are obvious and overt, such as a criminal act, as compared to an issue of teacher competence. As we continue to study these important issues, it will be important to determine whether the RTTT and other reforms actually assist principals to remove ineffective teachers. According to the US Department of Education (2014), as of March, 2014, RTTT funds were available to states serving almost 50% of America's K-12 students. Even in states that did not receive RTTT funds, state legislatures are frequently addressing teacher evaluation procedures. If the emphasis on value-added evaluations continues, we conclude that there will be an increased number of teacher contract non-renewals for different reasons than is historically the case. If school principals are prepared and equipped to initiate these new types of contract non-renewals, this can be a positive outcome.

The responses from principals in collective bargaining states strongly suggest that they face a higher challenge to navigate procedural issues when dealing with ineffective teaching. It is reasonable to conclude that principal jobs may be more complex and difficult to navigate in collective bargaining and RTTT states, such as the Rocky Mountains, at least with respect to teacher contract non-renewal issues. This causes us concern, to the extent that this may increase the likelihood that principals are unable or unwilling to initiate a contract non-renewal for an ineffective teacher. Principals need support from their superintendent, Human Resources office, and board of school trustees to navigate this process. Additionally, professional development needs of principals should be considered in light of this important issue, such as the newness of concepts like merit pay and value-added evaluation.

Very little in education is more important than the presence of an effective teacher in the classroom. While the statutes, processes, and timelines are intricate, principals are capable of learning how to apply the legal procedures on behalf of removing ineffective teachers from the classroom. Rocky Mountain principals need additional tools and support to address their ineffective teachers. We urge continued research and consideration of specific tools that will best support principals through the challenging contract non-renewal experiences. Asking Rocky Mountain principals what they need is a good starting point.

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