

# TEACHER CONTRACT NON-RENEWAL: MIDWEST, ROCKY MOUNTAINS, AND SOUTHEAST\*

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## Abstract

This quantitative study investigated reasons that school principals recommend non-renewal of probationary teachers' contracts. Principal survey results from three regions of the US (Midwest, Rocky Mountains, & Southeast) were analyzed using the Kruskal-Wallis and Mann-Whitney U statistical procedures, while significance was tested applying a Bonferroni Correction. The study examined prioritized reasons for teacher contract non-renewal, behaviors observed from ineffective teachers, and complications which work against addressing ineffective teaching. Results indicated that principals from all regions are more willing to initiate contract non-renewals when there have been ethical violations or inappropriate conduct. All regions' principals reported that teacher instructional skills are more important than subject content knowledge and dispositions in teacher contract non-renewals; however Southeastern principals placed more importance on subject content knowledge than their counterparts. All regions' principals strongly identified the barrier of time; whereas only principals from the Midwest and Rocky Mountain identified teacher unions, laws protecting teachers, and collective bargaining agreements as complications to addressing ineffective teachers.

## NCPEA Publications



NOTE: This manuscript has been peer-reviewed, accepted, and is endorsed by the National Council of Professors of Educational Administration (NCPEA) as a significant contribution to the scholarship and practice of education administration. In addition to publication in the International

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\*Version 1.2: Aug 14, 2012 8:12 am -0500

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Journal of Educational Leadership Preparation,<sup>1</sup> Volume 7, Number 2 (Summer 2012), ISSN 2155-9635, this manuscript exists in the Connexions Content Commons as an Open Education Resource (OER). Formatted and edited by Theodore Creighton, Virginia Tech; Brad Bizzell, Radford University; and Janet Tareilo, Stephen F. Austin State University. The assignment of topic editor and double-blind reviews are managed by Editor, Linda Lemasters, George Washington University. The IJELP is indexed in the Education Resources Information Center (ERIC), sponsored by the United States Department of Education, under NCPEA Contract No. ED-IES-09-C-0025.

## Sumario en español

Este estudio cuantitativo investigó razones que esos directores de la escuela recomiendan no-renovación de los contratos de maestros probatorios. Principal inspección resulta de tres regiones de EEUU (Medio oeste, Montañas Rocosas, & Sudeste) fueron analizados utilizando el Kruskal-Wallis y Mann-Whitney U procedimientos estadísticos, mientras significado fue probado aplicando una Corrección de Bonferroni. El estudio revisó priorizó razones para la no-renovación de contrato de maestro, las conductas observaron de maestros ineficaces, y de las complicaciones que influyen negativamente dirigir la enseñanza ineficaz. Los resultados indicaron que directores de todas las regiones están más dispuestos a iniciar no-renovaciones de contrato cuando haya infracciones éticas o conducto inadecuado. Los directores de todos los regiones informaron que maestro habilidades instruccionales son más importantes que el conocimiento y las disposiciones contentos sujetos en no-renovaciones de contrato de maestro; por del sudeste que directores colocaran más importancia en el conocimiento contenido sujeto que sus contrapartes. Los directores de todos los regiones identificaron totalmente la barrera de tiempo; mientras que sólo directores del Medio oeste y Montaña Roca identificaron las uniones de maestro, las leyes que protegen a maestros, y acuerdos de negociación colectiva como complicaciones a dirigir a maestros ineficaces.

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## 1 Introduction

School principals confront pressure from state and federal accountability legislation to produce evidence of student learning on standardized assessments. In this high-stakes environment, principals' decisions play an important part in determining whether teachers are offered contracts, and school principals face prominent challenges which predictably work against recommending contract non-renewal for teachers. Learning more about the criteria that principals apply to teacher contract non-renewal decisions affords an opportunity to improve the teacher preparation and in-service teacher professional development. This line of inquiry also assists the identification of themes for principal professional development. Further, identifying complications which hinder principals from recommending non-renewal of ineffective teachers serves to improve the prospect of learning for students.

This quantitative study investigated reasons for the contract non-renewal of probationary teachers and the complications that school principals face in dealing with ineffective teachers. We surveyed principals from four Midwestern states (Illinois, Indiana, Iowa, & Ohio), four Rocky Mountain states (Colorado, Idaho, Montana, & Utah), and four Southeastern states (Alabama, Georgia, North Carolina, & South Carolina). School principals from the aforementioned states provided demographic information and reasons they would be likely to recommend contract non-renewal for probationary teachers.

## 2 Review of the Literature

### 2.1 Legal Aspects

Teacher contract non-renewals are legal procedures which are defined in courts, by hearing examiners, through state statutes, and by means of master contracts and local policies and procedures. The entanglement of

<sup>1</sup><http://www.ncpeapublications.org/latest-issue-ijelp.html>

various levels of requirements creates a challenging reality for over-extended school principals.

All states uniquely define the requirements for ending the employment of teachers, depending on the teachers' tenure status. Most importantly, a tenured teacher must be afforded certain procedural rights prior to dismissal or termination. These rights generally include notice of the grounds for the action and the opportunity to for a hearing. Depending on the statutory protections of the state granting tenure, tenured teachers must often be provided with names of witnesses, the power of subpoena to compel production of documents and testimony of witnesses, the right to counsel at all stages of the process, and the right to appeal. Non-tenured, or probationary teachers, are considered at will employees and are not generally 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.

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, good and just cause, 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).

## 2.2 Midwestern States

Four Midwestern states are included in this study (Illinois, Indiana, Iowa, & Ohio). Each of the four states allows teachers to collectively bargain, however Indiana and Ohio have recently reduced the subjects of required collective bargaining.

In Illinois, teachers attain tenure after four years if hired after January 1, 1998; 2 years if hired before January 1, 1998. Illinois defines grounds for teacher dismissal as "for cause;" and this is the only legally defined reason to non-renew a permanent teacher (Illinois Code 23-51-34).

In Indiana, teachers attain tenure after five years on probationary status. Grounds for teacher dismissal include:

(1) Immorality, (2) Insubordination, which means a willful refusal to obey the state school laws or reasonable rules adopted for the governance of the school building or the school corporation, (3) Justifiable decrease in the number of teaching positions, (4) Incompetence, including receiving: (A) an ineffective designation on two (2) consecutive performance evaluations under IC 20-28-11.5; or (B) an ineffective designation or improvement necessary rating in three (3) years of any five (5) year period, (5) Neglect of duty, (6) A conviction for an offense listed in IC 20-28-5-8(c), and (7) Other good or just cause. (Indiana Code 20-28-7.5)

In Iowa, teachers attain tenure after three years on probationary status. Iowa identifies the grounds for teacher dismissal as "just cause" (Iowa Code 279.15 (2)).

In Ohio, teachers attain tenure after seven years on probationary status if licensed after January 2011; three years if licensed before January 2011. The Ohio Code notes that teachers may not be terminated except for "good and just cause" (Ohio Code 33-3319.16).

## 2.3 Rocky Mountain States

Four Rocky Mountain states are included in this study (Colorado, Idaho, Montana, & Utah). Both Colorado and Idaho have recently implemented significant changes in teacher tenure and evaluation procedures.

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. Colorado recently revamped teacher tenure (May, 2010), and now requires teachers to be evaluated

annually with at least half of the rating based on student academic progress. Beginning teachers will have to show that they have boosted teacher 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 2011, Idaho also reduced teacher collective bargaining privileges, permitting 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, which the applicant knows to be false...” (Idaho Code 33-1208).

In Montana, teachers earn tenure after three years (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 want 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 board to 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).

## 2.4 Southeastern States

Four Southeastern states are included in this study (Alabama, Georgia, North Carolina, & South Carolina). In addition to their geographic and cultural similarities, three of the states do not allow collective bargaining for teachers. Alabama is the exception.

In Alabama, grounds for teacher dismissal include:

Cancellation of an employment contract with a teacher on continuing service status may be made for incompetency, insubordination, neglect of duty, immorality, failure to perform duties in a satisfactory manner, justifiable decrease in the number of teaching positions or other good and just cause, but cancellation may not be made for political or personal reasons. (Alabama Code 16-24-8)

Alabama teachers are placed on probationary status for three years before they are offered a contract that grants them tenure.

Georgia code includes the following as reasons for teacher contract non-renewal: Incompetency, insubordination, willful neglect of duties, immorality; and inciting, encouraging or counseling students to violate any valid state law..., to reduce staff due to loss of students or cancellation of programs, failure to secure and maintain necessary educational training, any other good and sufficient cause. (Georgia Code 20-2-940)

In Georgia, teachers are placed on probationary status for three years before they are offered a contract that grants them tenure or an expectation of continued employment.

North Carolina allows for contract non-renewal for the following reasons:

Inadequate performance, immorality, insubordination, neglect of duty, physical or mental incapacity, habitual or excessive use of alcohol or nonmedical use of a controlled substance as defined in Article 5 of Chapter 90 of the General Statutes, conviction of a felony or a crime involving moral turpitude, advocating the overthrow of the government of the United States or of the State of North Carolina by force, violence, or other unlawful means, failure to fulfill the duties and responsibilities imposed upon teachers or school administrators by the General Statutes of this State, failure to comply with such reasonable requirements as the board may prescribe, any cause which constitutes grounds for the revocation of the career teacher’s teaching certificate or the career school administrator’s administrator certificate, a justifiable decrease in the number of positions due to district reorganization, decreased enrollment, or decreased funding, provided that

there is compliance with subdivision (2), failure to maintain his certificate in a current status, failure to repay money owed to the State in accordance with the provisions of Article 60, Chapter 143 of the General Statutes, and providing false information or knowingly omitting a material fact on an application for employment or in response to a preemployment inquiry. (North Carolina Code 115C-325 e)

North Carolina teachers earn tenure with their fifth contract.

In South Carolina, the legal reasons for contract non-renewal include:

(1) Incompetence; (2) Willful neglect of duty; (3) Willful violation of the rules and regulations of the State Board of Education; (4) Unprofessional conduct; (5) Drunkenness; (6) Cruelty; (7) Crime against the law of this State or the United States; (8) Immorality; (9) Any conduct involving moral turpitude; (10) Dishonesty; (11) Evident unfitness for position for which employed; or (12) Sale or possession of narcotics. (South Carolina Code 59[U+2011]25[U+2011]160)

In South Carolina, the teacher probationary period is two years.

## 2.5 Complications to Dealing with Ineffective Teachers

In addition to the aforementioned legal complexities, principals face other hurdles in teacher contract non-renewal situations. The issues regarding teacher contract non-renewal are arguably the most stressful, demanding, time-consuming, and emotional task required of a school principal (Lawrence, et al., 2005; Menuet, 2005). The non-renewal process often extracts an emotional and political toll on the principal. Principals feel that their, rather than the teachers,' level of performance is on trial.

Principals identify lack of time as one of the largest complications in their ability 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 success, and the high costs of litigation (Bridges, 1992; Schweizer, 1998).

Another factor is that ineffective teachers are enabled and given cover by principals who avoid writing honest performance appraisals. Evaluations are often written euphemistically, in which satisfactory really means unsatisfactory (Bridges, 1993; Waintroob, 1995; Zirkel, 2010). In another tactic, principals may mute their evaluation criticisms by wrapping them into words of constructive suggestions. Principals calculate whether the conflict and unpleasantness of a contract non-renewal are worth the emotional toll and whether the superintendents or boards of education will ultimately support the recommendations to non-renew. The principal walks a fine line between inevitable claims that there is "too little documentation" or "not enough help" being given to the teacher, and claims that the principal has developed so much documentation that the effect is "harassment" of the teacher.

Contrary to common perceptions, Zirkel (2010) pointed out that in legal disputes, defendant school districts prevail over plaintiff teachers by a better than three to one ratio. This raises the question as to whether the real issue is one of principal competence, will, and commitment rather than the improbability of success. It seems that lack of time, emotion, and other stresses may carry large weight in limiting principals' efforts at initiating teacher contract non-renewals.

The study answered four core questions:

1) What is the priority of reasons that school principals would recommend non-renewal of a probationary 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 results (research questions 1-3) from Midwestern, Rocky Mountain, and Southeastern states significantly different?

### 3 Research Methods

#### 3.1 Research Questions

We answered research question one using two survey question responses. We requested 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 also asked 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 largely from a question which asked principals: “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 by a survey question in which we requested that principals’ respond to “Which of the following reasons complicate your ability to deal with ineffective teachers?” We provided principals ten answer choices, which included “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).”

We addressed the fourth research question using two nonparametric tests: Kruskal-Wallis and Mann Whitney U. We examined question responses using a Kruskal-Wallis procedure to determine if differences occurred within the three regions. We analyzed findings of significance using a Mann-Whitney U to determine which of the three region pairs were statistically different. A Bonferroni Correction was applied to each paired region to determine significance between each pair.

#### 3.2 Instrumentation

We created survey questions and answers choices after an extensive review of the literature on teacher contract non-renewals. In addition, we built upon four previous studies (Nixon, Dam, & Packard, 2010; Nixon et al., 2011a; Nixon et al., 2011b; Nixon, Packard, & Douvanis, 2010). We piloted the original survey questions with 60 principals in the Southeastern United States. We collected responses in several cycles, including fall of 2010, winter of 2011, fall of 2011, and winter of 2012. Representing 12 states, 1,860 principals completed the survey. Because the literature is scant concerning demographic and regional differences, we asked principals to provide demographic information regarding their years of experience as principals, the size and types of schools, state identification, and whether their schools were rural, urban, or suburban. We decided to use an emailed survey after considering both emailed and stamped mail surveys. A web survey can achieve a comparable response rate, so we decided to use an emailed survey. (Cook, Heath, & Thompson, 2000; Kaplowitz, Hadlock, & Levine, 2004).

### 3.3 Participants

We accessed principals' email addresses in the twelve selected states using state department of education data bases. We surveyed the Southeastern states in fall of 2010, the Midwestern states in the late fall and winter of 2010-2011, and the Rocky Mountain states in fall and winter of 2011 and 2012. One thousand, eight hundred sixty principals submitted the emailed survey. We received 919 responses from the Midwestern principals, 582 from the Southeastern states, and 359 from the Rocky Mountain States. The participants included about 49% from the Midwest, 31% from the Southeast, and 19% from Rocky Mountain states. Table 1 displays the demographic characteristics.

Table 1

*Participants by Region and Demographic Group*

<b>Response</b>		<b>All Regions</b>	<b>Southeast</b>	<b>Midwest</b>	<b>Rocky Mountain</b>
<b>Location</b>	Urban	351 (18.9%)	105 (18.0%)	202 (22.0%)	44 (12.3%)
	Suburban	614 (33.0%)	174 (29.9%)	324 (35.3%)	116 (32.3%)
	Rural	895 (48.1%)	303 (52.1%)	393 (42.8%)	199 (55.4%)
<b>Years of Experience</b>	Less than 10	1050 (56.5%)	380 (65.3%)	466 (50.7%)	204 (56.8)
	Between 10-20	613 (33.0%)	166 (28.5%)	326 (35.5%)	121 (33.7%)
	More than 20	197 (10.6%)	36 (6.2%)	127 (13.8%)	34 (9.5%)
<b>Grades</b>	PreK-Elementary	908 (48.8%)	284 (48.8%)	447 (48.6%)	177 (49.3%)
	Middle Only	298 (16.0%)	106 (18.2%)	145 (15.8%)	47 (13.1%)
	High School Only	384 (20.6%)	131 (22.5%)	182 (19.8%)	71 (19.8%)
	Other Configuration	270 (14.5%)	61 (10.5%)	145 (15.8%)	64 (17.8%)
<b>Total</b>		1860 (100%)	582 (31.3%)	919 (49.4%)	359 (19.3%)

### 3.4 Data Collection

We sent 12,154 emails to the Midwestern principals, 6,932 emails to the Southeastern principals, and 4,204 to the Rocky Mountain principals. The data bases often contained data that were a year or two old, leaving recently appointed principals out of the database. 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 1,161 emails in the Midwestern states were returned, 968 emails were returned from the Southeastern states, and 629 in the Rocky Mountains were undelivered. This does not account for those which were captured by system spam filters which also contributed to reducing the return rate.

### 3.5 Analysis Procedures

The ordinal nature of the collected data dictated that we compare among groups using two nonparametric tests, a Kruskal-Wallis and Mann Whitney U. These tests are similar to their parametric counterparts which allow for comparison of multiple and two independent samples respectively, but they do not rely on normality distribution assumptions and allow for the analysis of ordinal data. We investigated question responses using a Kruskal-Wallis procedure to determine if any differences occurred within the three regions. Upon finding differences between multiple groups, we used a Mann-Whitney U to determine where the differences occurred. Because we tested multiple pairs to determine the difference a Bonferonni Corrections was used to lessen the error by reducing the alpha level.

## 4 Results

### 4.1 Descriptive Results

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

Principals ranked a series of reasons for possible contract non-renewal of probationary teachers. Responses for all regions are included in Table 2. Principals selected “ethical violations and inappropriate conduct” as the highest priority reason to recommend teacher contract non-renewal. Principals from all regions also selected “incompetence” as the second most likely reason to pursue contract non-renewal.

Table 2

*Priority of Reasons for Contract Non-Renewal*

<b>Response</b>	<b>All</b>	<b>Southeast</b>	<b>Midwest</b>	<b>Rocky Mountain</b>
Absenteeism/Tardiness	2.00 (2.27)	2.00 (2.42)	2.00 (2.20)	2.00 (2.21)
Classroom management	4.00 (3.79)	4.00 (3.61)	4.00 (3.89)	4.00 (3.83)
Ethical violations and inappropriate conduct	7.00 (6.29)	7.00 (6.32)	7.00 (6.25)	7.00 (6.35)
Incompetence	6.00 (5.66)	6.00 (5.63)	6.00 (5.71)	6.00 (5.60)
Professional demeanor	3.00 (2.77)	3.00 (2.73)	3.00 (2.81)	3.00 (2.72)
Insubordination	4.00 (4.27)	5.00 (4.38)	4.00 (4.25)	4.00 (4.09)
Lack of student achievement	4.00 (3.63)	4.00 (3.72)	4.00 (3.61)	3.00 (3.56)



Principals responded to a question which asked them to identify the importance of certain criteria in deciding whether to recommend contract non-renewal of a non-tenured teacher. Responses are located in Table 3. Principals from all regions identified “instructional skills” as the most important criterion. Rocky Mountain principals placed slightly more importance on teachers’ “dispositions” than their counterparts; while Southeastern principals placed more importance on “subject content knowledge” than the principals from other regions.

Table 3  
*Prioritized Criteria for Teacher Contract Non-Renewal*

<b>Response</b>	<b>All</b>	<b>Southeast</b>	<b>Midwest</b>	<b>Rocky Mountain</b>
Subject content knowledge	2.00	2.00	2.00	2.00
	(1.84)	(2.00)	(1.80)	(1.66)
Instructional skills	3.00	3.00	3.00	3.00
	(2.70)	(2.63)	(2.73)	(2.75)
Disposition	1.00	1.00	1.00	1.00
	(1.48)	(1.39)	(1.49)	(1.59)

**Ineffective Teacher Behaviors.**

Another research question delved into the issue of observed behaviors from ineffective teachers. South-eastern principals observed “lack of subject content knowledge” more than the other regions’ principals; and observed “unacceptable disposition” less than principals from other regions. Consistently, principals from all regions noted that “lack of instructional skills” was the most observed behavior from ineffective teachers. Results are found in Table 4.

Table 4  
*Behaviors Observed from Ineffective Teachers*

<b>Response</b>	<b>All</b>	<b>Southeast</b>	<b>Midwest</b>	<b>Rocky Mountain</b>
Lack of subject content knowledge	1.00	2.00	1.00	1.00
	(1.57)	(1.69)	(1.53)	(1.46)
Lack of instructional skills	3.00	3.00	3.00	3.00
	(2.74)	(2.71)	(2.76)	(2.77)
Unacceptable disposition	2.00	1.00	2.00	2.00
	(1.70)	(1.61)	(1.72)	(1.77)

**Complications to Dealing with Ineffective Teachers.**

With the third research question, we asked principals to identify reasons which complicate their opportunities to deal with ineffective teachers. In all regions, “time” was selected as one of the most significant complications. In the two regions that generally allow teacher collective bargaining, Mid-West and Rocky Mountain, “teacher union” registered a strong response, as did “collective bargaining agreement” and “laws protecting teachers.” The “high cost of litigation” also received support as a strong complication for princi-

pals. Results are included in Table 5.

Table 5  
*Complications to Dealing with Ineffective Teachers*

<b>Response</b>	<b>All</b>	<b>Southeast</b>	<b>Midwest</b>	<b>Rocky Mountain</b>
Time	3.00	3.00	3.00	3.00
	(2.88)	(2.87)	(2.83)	(3.04)
Teacher union	2.00	1.00	3.00	3.00
	(2.47)	(1.73)	(2.83)	(2.70)
Inadequate support from the superintendent	2.00	1.00	2.00	2.00
	(1.73)	(1.69)	(1.73)	(1.78)
Inadequate support from the board of education	2.00	2.00	2.00	2.00
	(1.80)	(1.79)	(1.78)	(1.87)
High costs of litigation	2.00	2.00	2.00	2.00
	(2.21)	(2.02)	(2.31)	(2.27)
Desire to avoid conflict and confrontation	2.00	2.00	2.00	2.00
	(1.91)	(1.83)	(1.92)	(2.00)
Laws protecting teachers	3.00	2.00	3.00	3.00
	(2.57)	(2.45)	(2.65)	(2.58)
Collective bargaining agreement	2.00	1.00	3.00	3.00
	(2.32)	(1.58)	(2.70)	(2.48)

## 4.2 Statistical Results

### Priority Reasons for Contract Non-Renewal.

We completed statistical analysis using a Kruskal-Wallis procedure and Mann-Whitney U. Significant results from the Kruskal-Wallis are available in Table 6. Principals from the different regions demonstrated a different opinion of three priorities of reasons for contract non-renewal: Absenteeism/Tardiness  $H(2, N=1662) = 6.231, p = .044$ ; Classroom Management  $H(2, N = 1691) = 9.491, p = .009$ ; and Insubordination  $H(2, N=1755) = 6.258, p = .004$ .

Table 6  
*Priority of Reasons for Contract Non-Renewal*

Response	Region	N	Mean Rank	H	Df	sig
Absenteeism/Tardiness	Southeast	525	872.29	6.231	2	.044*
	Midwest	806	809.22			
	Rocky Mountain	331	821.07			
Classroom management	Southeast	533	794.09	9.491	2	.009**
	Midwest	829	875.37			
	Rocky Mountain	329	856.10			
Insubordination	Southeast	548	915.36	6.258	2	.044*
	Midwest	863	873.08			
	Rocky Mountain	344	830.83			

\*sig at  $\alpha = .05$   
 \*\*sig at  $\alpha = .01$

Table 7 includes the statistically significant responses applying the Mann-Whitney U. Southeastern principals placed more importance on “teacher absenteeism and tardiness” than their counterparts in the Midwest. “Classroom management” was more important to Midwestern principals than Southeastern counterparts. Southeastern principals placed higher priority on “insubordination” than Rocky Mountain principals.

Table 7  
 Priority of Reasons for Contract Non-Renewal

Response	Region	N	Mean Rank	Z	Sig	$\eta$
Absenteeism/Tardiness	Southeast	525	696.44	2.441	.015+	.07
	Midwest	806	646.17			
	Southeast	525	438.84			
	Rocky Mt	331	412.10			
	Midwest	806	556.55			
	Rocky Mt	331	574.94			
Classroom management	Southeast	533	641.65	3.050	.002++	.08
	Midwest	829	707.12			
	Southeast	533	419.44			
	Rocky Mt	329	451.05			
	Midwest	829	583.25			
	Rocky Mt	329	570.05			
Insubordination	Southwest	548	727.06	1.576	.115	
	Midwest	863	692.62			
	Southeast	548	462.80			
	Rocky Mt	344	420.54			
	Midwest	863	612.45			
	Rocky Mt	344	582.79			

† Sig with Bonferroni correction for  $\alpha = .05$   
 †† Sig with Bonferroni correction for  $\alpha = .01$

Table 8 includes the results from the Kruskal-Wallis procedure. Significant differences were found in all three reasons; “Subject content knowledge”  $H(2, N = 1819) = 61.485, p = .000$ ; “Instructional skills”  $H(2, N = 1835) = 21.271, p = .000$ ; “Dispositions”  $H(2, N = 1840) = 20.829, p = .000$ .

Table 8

*Prioritized Criteria for Teacher Contract Non-Renewal*

<b>Response</b>	<b>Region</b>	<b>N</b>	<b>Mean Rank</b>	<b>H</b>	<b>df</b>	<b>sig.</b>
Subject content knowledge	Southeast	569	1025.38	61.485	2	.000***
	Midwest	895	887.07			
	Rocky Mt	355	782.87			
Instructional skills	Southeast	578	854.57	21.271	2	.000***
	Midwest	900	939.72			
	Rocky Mt	357	965.93			
Disposition	Southeast	576	858.85	20.829	2	.000***
	Midwest	908	930.68			
	Rocky Mt	356	994.29			

\*\*\*sig at  $\alpha = .001$

Table 9 displays the results from the Mann-Whitney U test. “Subject content knowledge” was more important to Southeastern principals than Midwest principals. Likewise, “subject content knowledge” was more important to Southeastern principals than Rocky Mountain. Midwestern principals placed more importance on “subject content knowledge” than Rocky Mountain principals. “Instructional skills” were more important to Midwestern principals than Southeastern counterparts. Also, Rocky Mountain principals placed more importance on “instructional skills” than Southeastern principals. “Dispositions” were more important to Midwestern than Southeastern principals. Rocky Mountain principals placed more importance on “dispositions” than Southeastern counterparts.

Table 9  
*Prioritized Criteria for Teacher Contract Non-Renewal*

Response	Region	N	Mean Rank	Z	Sig	$\eta$
Subject content knowledge	Southeast	569	800.99	5.476	.000++	.14
	Midwest	895	688.96			
	Southeast	569	509.38	7.440	.000++	.24
	Rocky Mt	355	387.35			
	Midwest	895	646.12			
	Instructional skills	Rocky Mt	355	573.52	3.592	.000++
Southeast		578	697.76			
Midwest		900	766.31	3.840	.000++	.10
Southeast		578	446.31			
Rocky Mt		357	503.12			
Disposition		Midwest	900	623.92	1.064	.287
	Rocky Mt	357	641.82			
	Southeast	576	707.04	3.044	.002++	.08
	Midwest	908	765.00			
	Southeast	576	440.31			
		Rocky Mt	356	508.87	4.498	.000++
Midwest		908	620.18			
Rocky Mt		356	663.92	2.212	.027	

† Sig with Bonferroni correction for  $\alpha = .05$

†† Sig with Bonferroni correction for  $\alpha = .01$

### Ineffective Teacher Behaviors.

Table 10 contains the Kruskal-Wallis results regarding behaviors observed from ineffective teachers. “Lack of subject content knowledge” was found to significantly different between regions  $H(2, N = 1828) = 31.768, p = .000$  as “Unacceptable disposition”  $H(2, N=1834) = 14.402, p=.001$ .

Table 10

*Behaviors Observed from Ineffective Teachers*

Response	Region	N	Mean Rank	H	df	sig.
Lack of subject content knowledge	Southeast	566	1002.45	31.768	2	.000***
	Midwest	904	889.73			
	Rocky Mt	358	838.01			
Lack of instructional skills	Southeast	576	890.45	5.529	2	.063
	Midwest	912	934.51			
	Rocky Mt	355	941.05			
Unacceptable disposition	Southeast	573	856.29	14.402	2	.001**
	Midwest	908	935.96			
	Rocky Mt	353	969.37			

\*\*sig. at  $\alpha = .01$

\*\*\*sig at  $\alpha = .001$

In Table 11, we display the results of the Mann-Whitney U. Southeastern principals selected that they observed “lack of subject content knowledge” more than Midwestern principals and Rocky Mountain principals.

Midwestern principals observed “unacceptable disposition” more than Southeastern principals. Rocky Mountain principals also observed unacceptable disposition more than Southeastern principals.

Table 11  
Behaviors Observed from Ineffective Teachers

Response	Region	N	Mean Rank	Z	sig	η
Lack of subject content knowledge	Southeast	566	791.22	4.446	.000++	.12
	Midwest	904	700.62			
	Southeast	566	494.73	5.149	.000++	.17
	Rocky Mt	358	411.54			
	Midwest	904	641.61	1.780	.075	
	Rocky Mt	358	605.97			
Unacceptable disposition	Southeast	573	701.38	3.094	.002++	.08
	Midwest	908	766.00			
	Southeast	573	441.90	3.426	.001++	.11
	Rocky Mt	353	498.56			
	Midwest	908	624.46	1.108	.268	
	Rocky Mt	353	647.81			

++ Sig with Bonferroni correction for  $\alpha = .01$

**Complications to Dealing with Ineffective Teachers.**

Table 12 includes the Kruskal-Wallis results from all three regions. Significant differences were found between regions on six complications: Time H (2, N = 1817) = 12.264, p=.002; Teacher union H (2,N = 1807) =356.07, p =.000; High cost of litigation H (2, N = 1815) = 37.686, p = .000; Desire to avoid conflict and confrontation H (2, N = 1820) = 9.871, p =.007; Laws protecting teachers H (2,N = 1819) =13.831, p =.001; and collective bargaining agreement H (2, N= 1765) = 397.940, p =.000

Table 12  
Complications to Dealing with Ineffective Teachers

Response	Region	N	Mean Rank	H	df	sig.
Time	Southeast	567	898.40	12.264	2	.002**
	Midwest	896	883.27			
	Rocky Mt	354	991.11			
Teacher union	Southeast	556	569.18	356.07	2	.000***
	Midwest	896	1068.93			
	Rocky Mt	355	1012.13			
Inadequate support from the superintendent	Southeast	566	882.01	4.097	2	.129
	Midwest	894	910.66			
	Rocky Mt	357	947.62			
Inadequate support from the board of education	Southeast	567	897.08	4.588	2	.101
	Midwest	894	896.93			
	Rocky Mt	356	958.28			
High cost of litigation	Southeast	570	802.98	37.686	2	.000***
	Midwest	891	963.23			
	Rocky Mt	354	938.08			
Desire to avoid conflict and confrontation	Southeast	568	863.32	9.871	2	.007**
	Midwest	896	918.85			
	Rocky Mt	356	964.75			
Laws protecting teachers	Southeast	568	848.22	13.831	2	.001**
	Midwest	896	947.99			
	Rocky Mt	355	912.97			
Collective bargaining agreement	Southeast	536	534.27	397.940	2	.000***
	Midwest	875	1063.93			
	Rocky Mt	354	963.80			

\*\*sig. at  $\alpha = .01$   
 \*\*\*sig. at  $\alpha = .001$

Table 13 displays the results of the Mann-Whitney U and complications which thwart dealing with ineffective teachers. “Time” was a larger complication to Rocky Mountain principals than both Southeastern and Midwestern principals. “Teacher union” was a larger complication to Midwestern principals than Southeastern principals; and Rocky Mountain principals also selected “teacher union” more than the Southeastern principals. Midwestern principals identified “high cost of litigation” more than the Southeastern principals, as did Rocky Mountain principals. The “desire to avoid conflict and confrontation” was a larger complication to Midwestern and Rocky Mountain principals than Southeastern principals. “Laws protecting teachers” was a greater obstacle to Midwestern principals than Southeastern principals. Similarly, “collective bargaining agreement” was a larger complication to principals in both the Midwest and Rocky Mountains than Southeast. Finally, the collective bargaining agreement complication was greater for Midwestern principals than Rocky Mountain counterparts.

Table 13  
*Complications to Dealing with Ineffective Teachers*

<b>Response</b>	<b>Region</b>	<b>N</b>	<b>Mean</b>	<b>Z</b>	<b>Sig</b>	<b>η</b>
			<b>Rank</b>			
Time	Southeast	567	739.67	.582	.561	
	Midwest	896	727.15			
	Southeast	567	442.73	2.783	.005+	.09
	Rocky Mt	354	490.26			
	Midwest	896	604.62	3.421	.001++	.10
	Rocky Mt	354	678.35			
Teacher union	Southeast	556	481.29	18.143	.000++	.48
	Midwest	896	878.66			
	Southeast	556	366.39	13.469	.000++	.45
	Rocky Mt	355	596.35			
	Mid-West	896	638.77	2.068	.039	
	Rocky Mt	355	593.78			
High cost of litigation	Southeast	570	652.79	5.976	.000++	.16
	Midwest	891	781.03			
	Southeast	570	435.69	3.024	.002++	.10
	Rocky Mt	354	505.66			
	Midwest	891	628.20	.855	.393	
	Rocky Mt	354	609.92			
Desire to avoid conflict and confrontation	Southeast	568	704.97	2.132	.033	.06
	Midwest	896	749.95			
	Southeast	568	442.85	3.024	.002++	.10
	Rocky Mt	356	493.85			
	Midwest	896	617.40	1.512	.131	
	Rocky Mt	356	649.40			
Laws protecting teachers	Southeast	568	683.57	3.696	.000++	.09
	Midwest	896	763.52			
	Southeast	568	449.15	1.942	.052	
	Rocky Mt	355	482.57			
	Midwest	896	632.97	1.141	.254	
	Rocky Mt	355	608.40			
Collective bargaining agreement	Southeast	536	447.46	19.348	.000++	.52
	Midwest	875	864.38			
	Southeast	536	355.31	13.653	.000++	.46
	Rocky Mt	354	582.06			
	Midwest	875	637.56	3.644	.000++	.10
	Rocky Mt	354	559.24			

## 5 Discussion

### 5.1 Priority Reasons for Contract Non-Renewal

Consistently, our results point to the importance of ethical violations and inappropriate conduct as reasons for contract non-renewal. This leads to the consideration of how ethical behavior is taught or emphasized in both pre-service and in-service teacher development. The results are quite remarkable in terms of the consistent importance given to this criterion from all regions and all demographic respondents. Equally consistent, incompetence has been identified as the second highest ranked priority related to teacher contract renewal reasons. While acting against an ethical issue seems more obvious and overt for the principal, making the



case over a period of time that a teacher is incompetent is a very different type of proposition and work scenario for the principal.

All regions and principal demographic groups have selected the importance of pedagogical content knowledge in teacher contract non-renewal reasons. When creating professional growth plans for struggling teachers, the results of this study lead to considering the importance of pedagogical content knowledge as a key area for teacher growth. Both pre-service and in-service teacher development needs should be considered in light of these results.

A consistent difference in results, however, is the Southeastern principals' emphasis on subject content knowledge. At first, we wondered whether the rapid growth of the Southeast led to teacher shortages and consequently the hiring of teachers outside of their content area expertise. However, rapidly growing Rocky Mountain states did not offer the same importance for subject content knowledge. Since that does not appear a reasonable conclusion, we are left to think about other possibilities such as teacher certification requirements and the university program's that are developing many of the Southeast's teachers. Why are Southeastern principals alone in emphasizing the importance of teacher subject content knowledge in contract non-renewal issues? We are not sure.

## 5.2 Ineffective Teacher Behaviors

Both the descriptive and statistical results point to a strong relationship among pedagogical content knowledge, instructional skills, and teacher success. Principals from all regions agreed that they observe lack of instructional skills most frequently from their ineffective teachers. Unique as a region, Southeastern principals stressed the importance of subject content knowledge. The Southeastern principals reported that they observed unacceptable dispositions less frequently than other principal respondents. This tends to suggest that the issues faced by principals in the Southeast are somewhat different, perhaps based on unique culture or values in this region.

It seems that principals in different regions do not face precisely the same issues in observing ineffective teaching behaviors. Professional development needs for both pre-service and in-service teachers may be different by region. Similarly, principals own professional development needs may be different based on which geographic region they serve.

## 5.3 Complications to Dealing with Ineffective Teachers

Time is universally identified as a large barrier for school principals' ability to address ineffective teaching. This is true across each region. Other complications, however, vary significantly based on regional differences. The differences are striking when comparing the collective bargaining states with those that do not allow teacher collective bargaining. Principals in the collective bargaining Midwest and Rocky Mountains apparently need stronger support and development in learning how navigate ineffective teacher issues than their counterparts in the Southeast. We wonder whether principals in collective bargaining states are burdened with more ineffective teachers because of the reported complications in addressing this issue. While terminating an employee should not be accomplished by cavalier processes, likewise it should not be so burdensome that principals are unable to navigate their way to removing a poor teacher.

## 6 Conclusions

We are hopeful about the future of education when we consider the response of principals from the Midwest, Rocky Mountains, and Southeast. While we may have preferred to see the importance of student achievement rank more prominently in teacher contract non-renewal issues, our findings indicate that principals are willing to initiate contract non-renewals for poor performance. We believe that by elevating the importance of incompetence as a reason to non-renew, principals are demonstrating their willingness to address poor teaching in the classroom. Demonstrating teacher incompetence takes multiple instances and significant documentation and energy, yet principals report that they are willing to address this behavior.

The consistent identification of the importance of ethical issues and their relationship to contract non-renewal provides rationale for significant emphasis in pre-service curricula. Likewise, educators are well-served to build continuous development of ethical practices into the continuing professional development of teachers. We can envision greater use of case studies and role-playing in both teacher and leadership development to emphasize the development of acceptable ethical behavior.

There is very little in the literature regarding teacher contract renewal and various demographic and regional similarities and differences. We have found that there are significant differences by region, and that principal challenges and job details vary by region. It logically follows that the preparation and ongoing professional development needs of principals should also be differentiated to reflect these regional differences. More research is needed to specifically identify these needs. Apparently, one size does not fit all for principal's professional development needs.

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