

DEC 16 1924

VOL. II, NO. 5

NOVEMBER, 1924

PERIODICAL ROOM
GENERAL LIBRARY
UNIV. OF MICH.

Research Bulletin

OF THE

National Education Association

The Problem of Teacher Tenure

Origin of the Issue of Teacher Tenure.....	141
Teacher Turnover in the United States.....	142
Court Cases Affecting Teacher Tenure.....	147
Analysis of Present and Proposed State Teacher Tenure Laws..	151
Survey of Local Teacher Tenure Regulations.....	154
Teacher Tenure Provisions in Foreign Countries.....	156
A Defensible Standard of Merit for Teacher Tenure.....	159
Bibliography on Teacher Tenure.....	167
Texts of State Teacher Tenure Laws.....	170
Texts of Seven Local Teacher Tenure Regulations.....	174

PUBLISHED BY THE RESEARCH DIVISION
OF THE NATIONAL EDUCATION ASSOCIATION
1201 SIXTEENTH STREET NORTHWEST, WASHINGTON, D. C.

Entered as second-class matter February 10, 1923 at the Post Office at Washington, D. C.,
under Act of August 24, 1912. Acceptance for mailing at special rate of postage
provided for in Section 1103 Act of October 3, 1917, authorized February 10, 1923.

Research Bulletin of the National Education Association

Published five times each year in January, March, May, September, and November by the Research Division of the National Education Association of the United States.

The payment of the \$5.00 membership fee of the National Education Association entitles one to receive the Research Bulletin and certain other publications of the National Education Association for one year. One dollar of each \$5.00 membership fee is for a year's subscription to the Research Bulletin. Subscription to non-members is \$1.00 per year; single numbers may be purchased for 25 cents, and in quantities at a reduced rate. Those entitled to receive the Research Bulletin regularly are asked to report at once any change of address, giving old as well as new address.

Entered as second-class matter February 10, 1923, at the Post Office at Washington, D. C., under Act of August 24, 1912. Acceptance for mailing at special rate of postage provided for in Section 1103, Act of October 3, 1917, authorized February 10, 1923.

Director of Research, John K. Norton.

Assistant Director of Research, Margaret M. Alltucker.

Executive and Editorial Offices, 1201 Sixteenth Street N. W., Washington, D. C.

TABLE OF CONTENTS

	Page
Origin of the Issue of Teacher Tenure.....	141
America Relies on Youth and its Public Schools.....	141
The Public Recognizes the Need of Better Educational Standards.....	141
Teaching Now Has the Status of a Profession.....	141
Teacher Turnover in the United States.....	142
What Happens When There Is No Tenure Law?.....	142
Large Turnover is Prevalent Among Teachers of All Ranks.....	142
Turnover is Greatest Among Rural Teachers.....	143
Teacher Turnover is Excessive Throughout the Nation.....	143
What a Survey of Teacher Turnover Reveals.....	143
Cases of Political Dismissal.....	145
Should Machine Politicians Attempt to Control the Public Schools?.....	146
The Need for Tenure Legislation.....	146
Court Cases Affecting Teacher Tenure.....	147
Some Court Cases Afford Occasion for Tenure Legislation.....	147
Problems Arising from Tenure Legislation.....	148
What May be Expected from the Operations of a Tenure Law, as Illustrated by New Jersey.....	149
Analysis of Present and Proposed State Teacher Tenure Laws.....	151
Principal Provisions of All State Tenure Laws.....	151
States Where No Teacher Tenure Laws Exist.....	151
States Where Tenure Laws Are Proposed.....	152
Certain Features of Proposed Measures Surpass Existing Laws.....	152
Cardinal Points of Proposed State Teacher Tenure Laws.....	152
Tabular Statement of State Teacher Tenure Laws..... (Insert)	153
Map—State Teacher Tenure Laws.....	153

TABLE OF CONTENTS—Continued

	PAGE
Survey of Local Teacher Tenure Regulations.....	154
Local Legislation Affords Less Security Than State Law.....	154
Cities and Towns Having Tenure Rules.....	154
Special Provisions of Tenure Regulations in Cities Located in States Not Having Tenure Laws.....	154
Itemized Features of Representative Local Tenure Regulations.....	154
Teacher Tenure Provisions in Foreign Countries.....	156
Teacher Tenure in Nine European Countries Appears More Secure Than in America.....	156
Specific Provisions of Appointment, Tenure, and Dismissal of Teachers in Foreign Countries.....	157
A Defensible Standard of Merit for Teacher Tenure.....	159
Tenure Should Tend To Retain Able Teachers and Eliminate Unfit.....	159
What Are Just Causes for Dismissal of Teachers?.....	159
A Representative Survey of Professional and Lay Opinion As To Causes for Dismissal.....	159
Questions on Teacher Tenure Answered by Tabulation of Mass Opinion.....	164
Do Teachers Protected by Tenure Set for Themselves High Standards of Professional Achievement and Growth?.....	166
Every Tenure Law Should Include a Standard of Professional Attainment.....	166
Validity of Method of Appeal to Prevailing Opinion.....	166
Bibliography on Teacher Tenure.....	167
Texts of State Teacher Tenure Laws.....	170
Texts of Seven Local Teacher Tenure Regulations.....	174

LIST OF TABLES

Table 1.—Tenure of Elementary Teachers in Washington, 1921-1922.....	142
Table 2.—Transiency Among Teachers in Washington, 1921-1922.....	142
Table 3.—State Turnover 1922-1923 as Estimated and Reported by State Superintendents of Public Instruction.....	144
Table 4.—Decisions Under the New Jersey Tenure Law.....	150
Table 5.—Existing State Tenure Laws.....	151
Table 6.—States in Which Campaigns Are Being Waged for Tenure Laws.....	152
Table 7.—Illiteracy in the United States and Foreign Countries.....	156
Table 8.—Teacher Tenure Practices in Foreign Countries.....	156
Table 9.—Tentative List of Possible Causes for Dismissal.....	159
Table 10.—Scope of Vote on Possible Causes for Dismissal.....	160
Vote on Possible Causes for Dismissal.....	
Table 11.—Classroom Teachers.....	160
Table 12.—City Superintendents.....	161
Table 13.—Principals.....	161
Table 14.—Laymen.....	161
Table 15.—Presidents of State Teachers Colleges and Normal Schools.....	162
Table 16.—Deans of Teachers Colleges and College Professors.....	162
Table 17.—Presidents of State Universities and Colleges.....	163
Table 18.—County Superintendents.....	163
Table 19.—State Superintendents of Public Instruction.....	163
Table 20.—Presidents of State Parent Teacher Associations.....	164
Table 21.—Number Voting and Per Cent of Total Number in Each Group Voting for Each Cause of Dismissal Listed.....	165

FOREWORD

BROAD responsibilities are involved in the relation between teacher and pupil. Development, which comes from mutual understanding and appreciation, is the result of association over a period of time. Injury is inflicted on both pupils and teachers when the latter are regarded as hirelings, with no guarantee of remaining in office over a year, and with all the uncertainties of an annual election constantly facing them. Because this condition means a loss to the children and to the Nation, as well as to the teaching body, the National Education Association has long stood for the principle of teacher tenure.

The following excerpt of a committee report is taken from the 1887 Volume of Proceedings:

"How shall the teachers' tenure of office be made less precarious, and our schools be assured of the continuous service of good teachers for a series of years?—We cannot expect any permanent reform until the evils of our present system are fully unmasked.—More rigid requirements must be demanded of those who wish to enter the profession.—The compensation of teachers must be greatly enlarged. By persistently keeping the subject before the people, necessary legislation will be forthcoming."

Since the presentation of the report of 1887, the National Education Association has led in the slow tenure movement, as is shown by the bibliography on page 168. For the past year, a Committee of One Hundred, under the leadership of Fred M. Hunter, Superintendent of Schools, Oakland, California, studied the problem of teacher tenure: To ascertain the need for a greater permanency of tenure; to learn about the laws, rules, and regulations regarding teacher tenure and their results; to ascertain the attitude of the teaching body of the United States and of the lay public regarding tenure; also to secure their statements as to a defensible standard of merit for teacher tenure; and to make recommendations upon the basis of the findings reached as to desirable legislation and rules and regulations for boards of education. The tentative findings were included in the 1924 Report of the Committee of One Hundred on the Problem of Tenure, which was adopted by the Delegate Assembly. This issue of the Research Bulletin is given over to this report of Superintendent Hunter's Committee.

The fear of making the incompetent teacher secure in her position has delayed the adoption of teacher tenure regulations in many of the States. This report gets away from that fear. It strives to acquaint the people with the actual facts by presenting material fresh from the field. Regulations can and should be made to protect the efficient teacher without making it difficult to release the incompetent.

This is another outstanding committee report. Its real value, however, will depend upon the extent of its use. Let us hope it will stimulate the activities of both teachers and the public at large to secure teacher tenure legislation in every State which will attract competent men and women to the teaching profession and which will adequately protect them in the service.

J. W. CRABTREE,
Secretary, National Education Association.

Origin of the Issue of Teacher Tenure

America Relies on Youth and Its Public Schools

The American people are more deeply attached to the public schools than to any other publicly supported institution. The reason for this is easily seen and understood. The idea of universal public education is synonymous in public opinion with the idea of democracy. Hence the success of democracy depends upon the success of the schools. America has a profound respect for its youth. It is its hope for the continuation and propagation of the ideals upon which this Nation was founded. In the good American home this respect and hope has developed until it almost approaches worship. Childhood here receives a homage never before given it in the history of the world; neither is any such reverence accorded it even now by any other nation. Except on the part of those who would exploit it, and those who live on the fringe of American life and habits with an economic and spiritual status foreign to the ideals and purposes of America, the childhood of the Nation is regarded as its most sacred shrine. An institution which touches American life at this point and with this significance will naturally hold the affection and elicit the support of a people who believe in a democratic philosophy of life.

The Public Recognizes the Need of Better Educational Standards

The trend is to prolong youth and make education universal. After the war came a great educational awakening. This awakening consisted of two general movements—one a tendency to make education universal through the period of youth. Everywhere high school and college enrolment increased almost beyond belief. In many cities high-school attendance increased in a five-year period more than twice as rapidly as the total population. Colleges and universities have been and are crowded far beyond their capacity to realize their former ideals of thorough careful instruction. This phase of the movement has not been due wholly to an arousal

of public attitude for the need of education as shown by the alarming conclusions of the war period investigation. It has been at least partially an economic result accompanying a period of business revival and general prosperity.

Education is recognized as a State and National function. The other general movement of this awakening was manifest in a consciousness on the part of the public of the institution chiefly responsible for the work of education—the public schools. A national program has developed for the support and assistance of the States in abolition of illiteracy, for Americanization of the foreign elements, and for better teacher training.

Teaching Now Has the Status of a Profession

Teachers are united in improving the effectiveness of the schools. It is scarcely strange that a new awareness of the situation has taken hold upon the teaching body of the United States. The National Education Association has grown from a membership of less than 10,000 to 140,000 in a period of six years. State associations enrol approximately 400,000. Almost every conceivable phase of the institutional life of the schools and a wide variety of problems of education have been and are being made the objects of highly specialized and scientific study on the part of teachers.

The need for better salaries, retirement allowances, and tenure is recognized. The professional consciousness which has stirred public sentiment in the matter of salaries and brought them to a higher level has manifested itself in many of our States in efforts to secure proper legislative measures providing for teacher tenure. Some of these efforts have resulted in the passage of laws establishing a greater or lesser degree of permanency of tenure in several of the States. In many cities boards of education have recognized the worth of this factor in making for greater stability in the teaching profession and have enacted rules and regulations providing for a greater degree of tenure locally.

Teacher Turnover in the United States

What Happens When There Is No Tenure Law?

The teaching body of the United States is very unstable. The turnover is excessively large. Thousands of teachers leave the profession each year. Additional thousands change from one position to another annually. All investigations point to these same unquestioned facts. A study of the problem in Washington shows startling disclosures as to frequency of changes in positions in that State.

Large Turnover Is Prevalent Among Teachers of All Ranks

Yearly changes in teaching positions in Wisconsin range from 30 per cent to 68 per cent over a three-year period. A recent survey, "Status of Teachers in Wisconsin" by Mr. C. J. Anderson, assistant state superintendent of public instruction, furnishes these extreme

revelations. His report shows yearly changes in positions to be as follows, over a three-year period:

Rural Teachers—65 per cent to 68 per cent.
Graded School Teachers—56 per cent to 60 per cent.
Village and City Grade School Teachers—30 per cent.
High School Teachers—41 per cent to 48 per cent.

Average life use of New York State Teacher's Certificate is six and three-fourths years. In New York State, H. E. Cooper in his study of the "Cost of Teacher Training" has found the average life use of a certificate issued by the State to be six and three-fourths years, the total number of teachers in the State being 53,000 and the number certificated annually being 8000. This report states the condition of the profession in the most populous and wealthiest State—the State having

TABLE 1.—TENURE OF ELEMENTARY TEACHERS IN WASHINGTON, 1921-22

Size of community as to number of children in average daily attendance	Percentage of teachers in position for					
	1st Year	2d Year	3d Year	4th Year	5th Year	Over 5th Year
1	2	3	4	5	6	7
Over 5000.....	12.7	13.7	12.7	8.4	5.8	46.4
1000 to 4999.....	27.6	21.5	13.9	9.8	7.7	19.6
500 to 999.....	43.7	28.5	12.1	4.5	3.1	8.1
250 to 499.....	47.0	28.5	9.7	5.3	1.7	7.4
100 to 249.....	54.9	26.3	8.4	4.1	2.1	4.3
Under 100 (3 or more teacher schools).....	54.9	23.6	12.6	3.3	1.6	3.8
One and two room rural schools.....	76.9	17.4	3.7	.9	.4	.6
Total.....	40.0...	20.0...	10.0...	6.0...	4.0...	20.0

TABLE 2.—TRANSCIENCY AMONG TEACHERS IN WASHINGTON, 1921-22

Group Concerned	Per cent in position for				
	1st Year	2d Year	3d Year	Less than 3 Years	Over 3 Years
1	2	3	4	5	6
Elementary Teachers.....	40	20	10	70	30
High School Teachers.....	33	21	12	66	34
Elementary Principals.....	36	19	7	62	38
High School Principals.....	30	26	15	71	29
Supervisors.....	23	19	12	54	46
Superintendents.....	22	28	18	68	32

The data given in the above tables are taken from Tenure in Washington, 1921-22, A Statewide Survey by the Executive Secretary, Washington Education Association, *Washington Education Journal*, May, 1922, p. 292. This survey listed 8183 teachers, approximately 80 per cent of all the teachers of the State.

the largest number of public schools and public school teachers.

Inexperienced teachers direct thousands of class-rooms. The Commissioner of Education of the United States gives a view of the National situation in the Biennial Survey for 1916-1918. His statement is as follows:

The Bureau estimates for past years place the annual number of new rural teachers at 87,500. The proportion of beginning teachers for the year 1918-19 is abnormally large. In some counties the superintendents report as high as 85 per cent of the teachers without previous experience. The median for experienced teachers in the country at large is 19 per cent. On the basis of figures returned, at least 125,000 inexperienced teachers will be employed in rural communities.

Turnover Is Greatest Among Rural Teachers

Median tenure in the public schools of the United States is four years¹, while the median rural tenure is but two years.² The tenure of superintendents of schools in the United States is but three years,³ and the Bureau of Education states that of 510 superintendents reporting in its survey of 1922, 263 were elected annually.⁴

Teacher Turnover Is Excessive Throughout the Nation

The 1924 Committee of One Hundred on the Problem of Tenure through a direct inquiry to the State Superintendents of Public Instruction of the United States secured information on the following points:

1. Number of teachers required for the school year 1922-1923 to replace teachers who had left the profession. This number included all teachers from the kindergarten to high school inclusive.

2. Total number of teachers required in the public schools of each State for the school year 1922-1923. When exact figures were

not available, superintendents were requested to give their best estimates.

In Table 3, page 144, the State Superintendents' replies are tabulated.

What a Survey of Teacher Turnover Reveals

1. The "State" teacher turnover in the public schools of the several States of the United States—that is, the number of teachers required to fill positions vacated by teachers leaving the profession in the State, totals 110,560 annually or 16 per cent of the entire teaching profession. It ranges from 4 per cent in Florida to 47 per cent in Wyoming.

2. The local teacher turnover is much in excess of this. In some States it reaches a very high percentage, much more than one-half the teachers being new in their positions each year, as for instance 68 per cent in the rural schools of Wisconsin.

3. The tenure of the superintendent of schools is almost equally uncertain, since the average tenure of the superintendent is but three years and a great majority of superintendents are elected annually.

4. An interest in the welfare of the schools and the results we expect of our system of public education require a study of those factors which affect the stability of the teaching profession.

5. Careful studies have been made of costs of living and salaries of teachers, the professional training of teachers, and other factors affecting the length of time teachers remain in the profession and in their positions.

6. It seems increasingly necessary to investigate the laws in the several States in regard to teacher tenure and the rules and regulations enforced in various cities in order properly to understand the relation of legislation to longer teacher tenure.

¹ Keith, John, A. H., Bagley, William C., *The Nation and the Schools*, New York, the Macmillan Co., 1920, 364 p.

² Benson, Charles E., *The Output of Professional Schools for Teachers*, Baltimore, Warwick & York, 1923, 98 pp.

³ National Education Association, Department of Superintendence, *First Yearbook*, 1923.

⁴ United States Bureau of Education, *Bulletin No. 2*, 1922.

COMPARED WITH employees in other lines of work, the school teacher, under the annual-election plan, is not accorded the tenure of position given to street-or steam-railway employees, general business employees, policemen, firemen, or government clerks. None of these have to apply over and over for positions which they have been filling acceptably, nor run the chance of annual election with its attendant accidents and surprises. So long as these persons render efficient service they retain their places, and when they cease to do so they are first warned, and then perhaps transferred to a less important position, and finally dropped.—Ellwood P. Cubberley, *Public School Administration*, p. 212.

**TABLE 3.—STATE TURNOVER 1922-23 AS ESTIMATED AND REPORTED BY
STATE SUPERINTENDENTS OF PUBLIC INSTRUCTION**
Number of Teachers Required to Replace Those Leaving Profession in State

	Per cent Replaced Each Year	Number Replaced Each Year	Number of Teachers in Public Schools of State
Alabama.....	16	2,000	12,500
Arizona.....	16	400	2,587
Arkansas.....	25	3,000	12,000
California.....	10	2,000	20,000
Colorado (Estimated).....	10	900	9,000
Connecticut.....	20	1,602	8,011
Delaware.....	18	250	1,358
Florida.....	4	300	7,756
Georgia.....	20	3,200	16,000
Idaho.....	44	1,908	4,346
Illinois.....	11	4,568	41,623
Indiana.....	15	3,235	21,793
Iowa (Estimated).....	10	2,800	28,000
Kansas.....	17	2,960	17,971
Kentucky.....			
Louisiana.....	11	1,000	9,000
Maine.....			
Maryland.....	13	1,576	14,463
Massachusetts.....	9	2,000	21,900
Michigan.....	10	2,500	25,000
Minnesota.....	17	3,550	20,841
Mississippi.....	25	3,250	13,000
Missouri.....	15	3,525	22,998
Montana.....	25	1,500	6,000
Nebraska.....	23	3,500	15,000
Nevada.....	27	200	750
New Hampshire.....	17	470	2,784
New Jersey.....	11	2,400	21,329
New Mexico.....	10	265	2,664
New York.....	12	7,000	60,241
North Carolina.....	10	2,000	20,551
North Dakota.....	33	2,725	8,256
Ohio.....	10	3,800	36,834
Oklahoma.....	12	2,115	17,626
Oregon.....	15	1,000	6,900
Pennsylvania.....	12	5,782	49,843
Rhode Island.....	17	500	2,916
South Carolina.....	23	2,650	11,300
South Dakota.....	20	1,600	8,092
Tennessee.....	12	1,800	15,403
Texas.....	35	11,839	33,828
Utah.....	20	800	4,000
Vermont.....	14	400	2,890
Virginia.....	19	3,100	16,331
Washington.....	20	2,100	10,753
West Virginia.....	20	2,500	12,500
Wisconsin.....	22	4,090	18,687
Wyoming.....	47	1,100	2,350
	16	110,560	705,975

¹ Does not include Baltimore City.

² Data for 1921-22.

³ Does not include in total Kentucky and Maine; nor in replacement total.

EXCEPT IN cases justifying summary action, such as immoral conduct, I believe each teacher is entitled to fair warning before dismissal for incompetency; the notice should be coupled with friendly criticism and advice from the proper source, acquainting her with her deficiencies; and both supervisors and principals should give her unusual attention and assistance, not only for the sake of the scholars, but for her own sake. Such a course has been the making of some of our best teachers, who would otherwise have retired from the profession discouraged. A change of grade or environment may bring about a happy result.

If it is self-evident that she can never become a successful teacher, have her told so kindly, and, above all, do not soothe her disappointment by arming her with credentials and recommendations in subtle form, calculated to deceive wherever presented. Do not pass such a teacher along to inflict her incompetency upon others; nor keep her yourself because of her influential friends; but remain true to your trust, and remember that the welfare of the child is your highest trust.—*Eric Edward Rosling. Addresses and Proceedings of the National Education Association, 1899, p. 1123.*

Cases of Political Dismissal

In some measure, the movement for teacher tenure legislation has grown out of a number of flagrant cases of political dismissal which have attained wide notoriety. In many of these cases, gross injustice has been done to individual teachers, principals or superintendents. In almost all of them severe injury has been inflicted upon the schools immediately concerned; and in all of them the hazards of the teaching profession have been emphasized, the work of the teacher discounted and fine, high-minded youth discouraged from entering it.

Noteworthy examples of such dismissal are as follows: the Denver case of 1915; the Portland series of dismissals prior to 1913; the San Diego, California, dismissals of 1918; the Oklahoma dismissals of 1922; the case of Dr. Thomas E. Finegan of Pennsylvania, the case of Dr. Chadsey of Chicago; the case of Dr. Withers of St. Louis; the case of Superintendent Stockton of Johnstown, Pennsylvania; and the recent dismissal of Dr. William L. Ettinger of New York City.

The following are signed statements reported relative to some of these cases of dismissal:

The Portland Series of dismissals.¹ The public schools suffered from politics and gross favoritism. Injustice was inflicted on many teachers who were dismissed without warning and without even knowing the cause of their dismissal. No teacher felt secure in her position solely because of her efficiency. If her principal or some influential patron who had a grievance complained against her, she had no opportunity to defend herself or to disprove the assertion of one whose complaint might be founded on a trivial matter.

The whole teaching corps suffered from the demoralization that such state of uncertainty would inevitably cause. The annual election occurred so late in the school year that teachers who were not reelected had scant opportunity to secure positions for the next year in other schools. This state of affairs resulted in a subservience in many instances and efficiency suffered accordingly.

Chicago. Sixty-eight teachers dismissed without notice, hearing or charges—June, 1916—all teachers with ratings of "Satisfactory" and recommended for re-election by the Superintendent of Schools. (Report by Illinois Subcommittee of Tenure Committee of 100.)

Denver.² (76 teachers discharged; 49 of them with ratings of "A" and "B" on four point scale.)

On June 26, 1915, the Committee on Teachers brought in a report. The schools had been dismissed June 11. At a special meeting of the Board June 29, 1915, the President made the following statement:

"As a result of the recent report of your Committee on Teachers and Textbooks, which was adopted by this Board June 26, 1915, eighteen high school teachers and thirty-five elementary teachers, making a total of fifty-three teachers out of a corps of more than a thousand, were not given a contract to teach for the next school year."

In addition there were retired five principals, nineteen elementary teachers, six high school teachers, and there were dropped six principals; there were given contracts on probation to thirty-eight elementary teachers. The quality of forty-nine of these people is indicated above in quotation from Dr. Bobbitt's Survey, i.e., 49 of 76 had ratings of "A" and "B." This occurred on June 26, school having been dismissed June 11, after the teachers had scattered from the Atlantic to the Pacific.

The first notice of the action of the Board reached them only through alphabetic lists in the newspapers, in which their names would be missing unless reelected.

The agony and distress of those humiliated by being placed without warning upon a probation list and the terror of those whose names failed to appear on the published list caused mental and physical suffering that is beyond comprehension. One can imagine the civic uprising that followed.

San Diego.³ (21 teachers discharged—all with record of "satisfactory.")

A campaign was carried on against the superintendent with statements that he was "a Czar" that the schools were too expensive, etc., etc., all of which were without foundation in fact. The economy cry and the statement that the existing Board was executing much important business in "star chamber" sessions aroused the ignorant, and the intelligent people of the city were absolutely unaware that this feeling of dissatisfaction had achieved such a momentum. In consequence, the better people "let George do it" when it came to voting, and a majority of the Board was elected who were specifically pledged to oust the superintendent at the end of the following year when his term expired.

The first step was to disregard the superintendent's recommendations in the employment of teachers and vacancies were filled with teachers who were without necessary qualifications, merely because they would support the new Board. Jani-

¹ Reported by Oregon Sub committee on Tenure—Addie Clark, Chairman.

² Reported by Dr. W. R. Smiley, c/o Board of Education, Denver, Colorado.

³ Reported by H. O. Welty, Principal Technical High School, Oakland, California.

tors and carpenters were placed in jobs as fast as they could be created or as vacancies occurred. The purchasing of school supplies, insurance, etc., was immediately parceled out to friends of the majority members of the Board. Disgruntled janitors recommended the retaining or discharging of teachers in some of the buildings, and the superintendent, within a few months, became only a figurehead. The committees in the Board took over, in a very large degree, the executive work of the superintendent, and at the end of the first year, when the superintendent's twelfth year of service terminated, every principal and teacher who had stood squarely and publicly by him was slated for dismissal on the charge that they had been "friends of the superintendent" and therefore should be discharged in order to rid the school system of his influence. The principal of the high school and twenty high school teachers were discharged in one motion.

Should Machine Politicians Attempt to Control Public Schools?

Those who are familiar with the situation believe that one of the gravest dangers that confronts the American public school system today is to be found in the attempts of groups of machine politicians, who seek to control and in many instances do control, the local government in our large municipalities. These machine politicians attempt to control the administration of the schools and use them for political purposes. We mean by this for purposes of patronage and spoils. Cases have been studied which constitute definite evidence of such attempts. Only a debased and debauched school system can result when one of these unscrupulous groups dictates the appointment of teachers in the interest of political spoils.

Do political dismissals and appointments result in more injury to children than does the retention through a tenure law of an occasional superannuated teacher? Irreparable damage to the youth of an unfortunate city, where a spoils system prevails, cannot be avoided. This damage is infinitely greater than that which results from a too drastic tenure law which protects a portion of a teaching corps that has become out of date or superannuated. It is sometimes argued that tenure laws are failing because they do protect inefficient teachers. Let it be granted that in some cases they do. Any parent with the American point of view and a full belief in American ideals would undoubtedly hold

that his child were in less danger in a system where the teachers are protected by a tenure law than where their appointment is controlled by a political machine.

Should there be a professional or a spoils control of the public schools? Evidence, which is a matter of common knowledge, points to a prevalent tendency to drag school administrators and teaching corps into politics. In many cases where progressive measures have been taken by school administrators, the schools have been subjected to vicious political attacks. Many school people who consistently stand for a modern program—which means universal training of all youth for good citizenship and which consequently costs increasingly larger sums of money—believe it impossible to sustain and protect themselves from invasion except by protective organization and effective legislation. It is not a question of selfish interest to school administrators and bodies of teachers, but a question of protection of the public schools against spoliation by vicious political groups. The issue is between a truly citizen and professional or a "spoils" control of the schools.

The Need for Tenure Legislation

These are the statements of the 1924 Committee of One Hundred on the Problem of Tenure, showing the need for legislation:

1. No State, city or community can maintain and administer a school system in the interest of its youth if its teaching body and its school leaders are subject to the dangers of political assault and professional murder represented by some of the cases of political dismissal studied by this committee.

2. It is only a natural result that radical attitudes should develop and that a feverish tendency to organize for political protection should pervade the teaching ranks of many cities and States.

3. Neither is it surprising that laws, rules, and regulations ensue which protect not only the efficient and professional-minded member of the profession, but also the incompetent and political-minded member.

4. The need of a carefully developed policy which will protect the efficient, skilful, and professional-minded teacher and eliminate those who are not is apparent to any student of the situation.

Court Cases Affecting Teacher Tenure

The 1924 Committee of One Hundred on the Problem of Tenure attempted to collect information upon court cases throughout the United States which have either precipitated movements toward teacher tenure legislation or which have resulted from such legislation. Much information on a large number of such cases was gathered. The survey is as yet far from complete, and there has not been sufficient time to analyze all the data which have been collected.

Some Court Cases Afford the Legal Occasion for Tenure Legislation

A number of significant court cases have been studied. Some of these have afforded the legal occasion for campaigns for the passage of a State tenure law. Such apparently was the situation in Illinois, California and Louisiana. In Illinois, a careful review of Court interpretations of the school laws in cities of less than 100,000 population leads to conclusions (by the sub-committee for Illinois) that causes for "dismissal" or "removal" are "matters to be determined solely by the local boards, that boards may dismiss or remove for any cause or no cause and that teachers may be elected annually."

"The fact as to whether the Board of Education acted wisely in dismissing a teacher is a fact into which the court cannot inquire."¹

Illinois' Supreme Court sustains the action of local school board. The case of greatest prominence in Illinois is that of *Ida L. Fursman vs. City of Chicago*, Vol. 278—Illinois Supreme Court reports, page 318.

This opinion was rendered April 19, 1917. The City of Chicago had appealed from a decision of the Superior Court of Cook County which had enjoined the Board of Education of Chicago from dismissing teachers because they belonged to the American Federation of Teachers, a branch of the American Federation of Labor. The Supreme Court in its opinion dissolved the injunction and held that the Board of Education was within its rights in thus dismissing teachers who refused to obey the Board's rules forbidding them to be-

long to labor unions. The essential statement of the decision reads:

No person has a right to demand that he or she shall be employed as a teacher. The board has the absolute right to decline to employ or to re-employ any applicant for any reason whatever or for no reason at all. The board is responsible for its action only to the people of the city, from whom, through the mayor, the members have received their appointments. It is no infringement on the constitutional rights of anyone for the board to decline to employ him as a teacher in the schools, and it is immaterial whether the reason for the refusal to employ him is because the applicant is married or unmarried, is of fair complexion or dark, is or is not a member of a trades union, or whether no reason is given for such refusal. The board is not bound to give any reason for its action. It is free to contract with whomsoever it chooses. . . . Questions of policy are solely for determination of the board, and when they have once been determined by it the courts will not inquire into their propriety.

Tenure legislation follows action of Illinois' Supreme Court. The tenure law for cities of 100,000 population and above which was enacted about the time that this decision was rendered was at least partially a result of the Illinois' Court holdings as to the status of teachers. The teachers, backed by strong popular forces in Chicago and elsewhere in the State, appealed to the legislature and the governor for protection in the form of permanent tenure and were successful in securing it for the teachers of Chicago.

Court rulings in California encouraged tenure legislation. In California, the *Kate Kennedy case* (*Kennedy vs. Board of Education of City & County of S. F.* 82 Cal. 483) (Jan. 1890) was the principal legal basis for the provisions of the present State tenure law passed in 1921. This famous case ruled that teachers holding city certificates and employed by Boards of Education in cities where such certificates are granted, cannot be dismissed except for causes under the following section:

The holders of city certificates are eligible to teach in the cities in which such certificates were granted, in schools of grades corresponding to the grades in such certificates and when elected shall be dismissed only for violation of the rules of the board of education, or for incompetency, unprofessional or immoral conduct.

¹ C. C. Slotlar vs. Board of Education appeal from Jackson County, (Ill.), City of Carbondale Schools,—95 Ill. App. 250.

This gave the teachers of San Francisco tenure under the State law. In 1921, a campaign was waged before the legislature to extend the rights of tenure as enjoyed by the San Francisco teachers to the teachers of the entire State. This campaign was successful and the present California Tenure law was enacted.

Problems Arising From Tenure Legislation

Should tenure legislation apply to school administrators as well as class-room teachers? A court decision filed June 24, 1924, by the District Court of Appeals of the State of California has a direct bearing upon the Teacher Tenure Law. The essential facts are:

William Bland, principal of the Galt Union High School, was dismissed by the Board of Education of Galt Joint Union High School district in August 23, 1924. In doing this the Board did not comply with the procedure provided for in the California Tenure Law. Mr. Bland sought reinstatement. The court refused upon the grounds: (1) that the teacher tenure law did not apply to principals; and (2) that the Galt Union High School district only employed seven teachers. Since the California Law states explicitly that tenure only applies to districts employing eight or more teachers, in the Galt case it did not apply to either principals or teachers.

This decision will be of much interest to the teaching profession. If the stand of the Court should result in separating the teaching profession of the State into two groups, administrators and teachers, it would be calamitous for the schools.

Should the superintendent's recommendation be necessary for dismissal of a teacher? An important case in Massachusetts takes a high professional ground under the Massachusetts tenure law. The case was that of a teacher dismissed by the school committee of the town of Hopkinton for "conduct unbecoming a teacher and insubordination," but without the recommendation of the Superintendent of Schools. The lower court held that the dismissal was legal under the tenure law because a superintendency union existed between the towns of Hopkinton and Ashland, and that the Superintendent's recommendation was not necessary in such a union under the provisions

of the teachers' tenure law of Massachusetts. The Supreme Judicial Court for County of Suffolk reversed the lower court on the ground that the Superintendent's recommendation was necessary for dismissal. The essential points in the court ruling are as follows:

The reason of the act tends in the same direction. It seems just as important to safeguard the tenure of service of teachers in small communities where schools are under a superintendent of a superintendency union as it is in more populous cities or towns. The advice of the superintendent who may be presumed to possess more than ordinary skill and judgment touching the general competency and usefulness of teachers, may be quite as necessary in order to prevent injustice and to insure the highest possible efficiency of the public schools in the small town as in larger centers.

No recommendation by the superintendent of schools was made as to the proposed dismissal of the petitioner: Hence the school committee acted beyond their power in attempting to discharge the petitioner from the service.

In the absence of special legislation, should teacher tenure be wholly on a yearly contract basis? In the State of Indiana nothing could be more unmistakable than the trend of judicial attitude toward the tenure of teachers. In the absence of any special legislation providing tenure of any kind, the Courts have, in many instances, submitted rulings placing the teachers' tenure wholly upon a contract basis. The tendency is to make boards of education wholly responsible for judging the fitness of teachers and the length of term of service. The teacher is protected when he has a definite written contract and only then. The duration of the contract is always for a definite term and the tendency of course is to make the prevalent term one year.

These citations are taken from the report of the sub-committee¹ for Indiana:

In the absence of a definite and written contract a teacher cannot recover for teaching services, although they were rendered at the request of a school trustee or school board.

This was decided in the case of Lee vs. York School Township, 163 Ind. 339; 71 N. E. 956. In that case the teacher had no written contract but had rendered the services at the request of the school trustee. It was assumed that the plaintiff could not recover on an oral contract and he sought to recover on the quantum meruit theory. The Court said: "Where a complaint by a school

¹ This committee included Dr. Lester Smith and Prof. W. E. Treanor.

teacher against a school township at the special instance and request of such township, the recovery being sought upon the quantum meruit, such complaint is bad, since Acts of 1899. . . . The law requires all contracts between school teacher and school corporations to be in writing and signed by parties thereto.

The Court also said: A township trustee is a special agent possessing statutory powers and can bind his township only when authorized by statute, and in the manner therein provided, and persons who deal with him must take notice of the extent of his authority.

The leading case of *Taylor vs. School Town of Petersburg*, 33 Ind. App. 675, 72 N. E. 159, strikingly discloses the absence from the school law of Indiana of any conception of teachers' tenure, apart from the fixed term expressly provided for in a written contract and which is, of course, not tenure at all in the true sense.

This case was an action against the School Town of Petersburg to recover for breach of contract. The complaint set out that the plaintiff had taught continuously in the Petersburg schools for ten years; that she submitted a written application to teach during the term 1901-02; that the school board had passed a resolution that the plaintiff be employed "for the ensuing year"; that she attended school during the summer of 1901 in pursuance of a requirement of the school board; that the superintendent designated the grade that she should teach during "the ensuing term"; that there were no charges against her in any way questioning her qualifications.

No formal contract was executed and later the board employed another teacher in place of the plaintiff and refused to allow her to teach.

The statements in the complaint were admitted to be true, but the court held that they did not entitle the plaintiff to recover. "A teacher cannot recover from a school corporation for the breach of an executory contract unless it is so full and definite as to be capable of specific performance.

The application of appellant for employment and the resolution of the board as set out in the complaint do not tell when the schools in the town of Petersburg began in the year 1901, neither the day nor the month, nor the grade the appellant was to teach, nor the pay she was to receive. It cannot be claimed that they are definite in these essentials to a complete contract. The facts do not show a substantial compliance with the statute.

The court decided that on the facts, as alleged by the plaintiff, the school board was under no contractual obligation to the plaintiff since there was no written contract which satisfied the statute, and since nothing else could create any contractual obligation.

The rule of this case, strengthened as it is—and not weakened—by the Act of 1921, leaves no place for teachers' tenure in the law of Indiana. A survey of the Indiana Court rulings shows that:

(a) Legally speaking, there is no teachers' tenure in Indiana.

(b) A teacher has only a term of service, and that only in case a written contract has been executed specifically setting out the essential elements of the agreement as provided for by statute.

(c) A teacher is amply protected under his contract from dismissal without legal cause.

What May be Expected From the Operations of a Tenure Law, as Illustrated by New Jersey.

The New Jersey law has been in operation since 1910. Numerous court cases have arisen under the law. The adjudication of these cases affords an interesting study to those having at heart the welfare of the schools and a high standard among the teachers of the country. Table 4 presents a list of the important cases which have occurred as a result of the operation of the New Jersey Law.

AMONG THE principles that should govern teachers' tenure are these:

1. Teachers should not be appointed unless they possess the minimum requirements as to training and certification demanded by the State.
2. Initial appointments should be for probationary periods of one year, renewable upon promise of satisfactory service for three annual terms. . . .
3. The probationary period, provided that the reports of supervisors are satisfactory and that the objective requirements for professional growth have been met, should be followed by appointment on indefinite tenure during good and satisfactory service. . . .
4. Once a teacher has acquired the right to indefinite tenure in any school district, such right should not be lost by transfer to another district within the same State. . . .
5. Definite standards of supervision and rating of teachers should be established. . . .
6. A tenure of service regulation should state as clearly and in as much detail as possible the causes for which a teacher may be dismissed. . . .
7. The proposed dismissal of a teacher on the ground of incompetence or neglect of duty should be preceded by a warning and specific statement of defects. . . .

—I. L. Kandel, *Teachers College Record*, October, 1924, p. 142-143.

TABLE 4.—DECISIONS UNDER THE NEW JERSEY TENURE LAW¹

Year	Title of the Case	Nature of Case	Appealed to	Decision
1911	Coles vs. Pilegrove Township	Inefficiency, incapacity, conduct unbecoming a teacher, insubordination.	Commissioner of Education.	Favor of teacher.
1912	Glackus vs. Delaware Township	Incompetency, inefficiency, insubordination (reported tardiness).	Commissioner of Education.	Favor of teacher.
1912	Canrow vs. Luberton Township	Without written charges, dismissed by the Board.	Commissioner of Education.	Favor of teacher.
1912	Johnson vs. Stafford Township	Drilling class in examination questions and answers, prior to examination.	Commissioner of Education.	Favor of teacher.
1912	MacDonald vs. Pleasantville	Expiration of his contract.	State Board of Education.	Favor of teacher.
1912	Nicholson vs. Borough of Swedesboro	Resigned under one Board; teacher claimed new Board could not act on her resignation.	Supreme Court.	Favor of Board.
1913	Brandes vs. Hoboken	Dismissed at the end of three years probation (to be under Tenure Law must "begin on the fourth year of consecutive service.")	State Board of Education.	Favor of Board.
1913	Davis vs. Overpeck Township	Reduced from the rank of principal to teacher, although no reduction in salary.	Supreme Court.	Favor of teacher.
1913	Marsteller vs. Pleasantville	Inefficiency; conduct unbecoming to and beneath the dignity of supervising Principal.	Commissioner of Education.	Favor of teacher.
1914	Barbize vs. West New York	Supervising Principal caused his own dismissal by negligence in starting legal action under the tenure Act.	Court of Errors and Appeals.	Favor of Board.
1914	Canrow vs. Luberton Township	Incapacity, by reason of deafness.	State Board of Education.	Favor of Board.
1914	Fitch vs. South Amboy	Inefficient in the discharge of his duties as Supervising Principal.	State Board of Education.	Favor of Board.
1914	Summer vs. Orange	No written charge; teacher dismissed.	State Board of Education.	Favor of Board.
1914	Tobey vs. Newark	Transfer of teacher under tenure due to natural diminution of pupils in school district.	Commissioner of Education.	Favor of teacher.
1914	Wakefield vs. Hoboken	Reduction of salary of teacher due to tenure.	State Board of Education.	Favor of Board.
1914	Welsh vs. West Orange	Insubordination; teacher claimed that a transfer meant demotion.	State Board of Education.	Favor of Board.
1915	Bagnell vs. Bayonne	Dismissed because his limited certificate for State-aided Vocational School was not renewed; as he held a city certificate, he claimed a transfer.	Commissioner of Education.	Favor of teacher.
1915	McGain vs. McGain vs. Harrison	No written charge; because absent from school, dismissed for insubordination, unprofessional conduct.	Commissioner of Education.	Favor of teacher.
1915	Morrison vs. Delaware Township	Transferred from principalship to teaching; no reduction in salary.	Commissioner of Education.	Favor of teacher.
1916	Davis vs. Overpeck Township	Inefficiency in teaching; incapacity; lack of training for High School Principalship; conduct unbecoming a teacher; physical disability.	State Board of Education.	Favor of teacher.
1916	Fitch vs. Overpeck Township	Dismissed because of natural diminution of the number of pupils.	State Board of Education.	Favor of Board.
1916	McAuley vs. Roxbury Township	Dismissed because of lack of certificate.	State Board of Education.	Favor of Board.
1917	Fountain vs. Prospect Park	Not diligent in visiting his schools; visits too brief to properly examine either teacher or pupils.	State Board of Education.	Favor of Board.
1917	MacDonald vs. Hamilton	Inefficiency; insubordination; conduct unbecoming a supervising principal in business affairs.	State Board of Education.	Favor of Board.
1917	Oliver vs. Hoboken	Conduct unbecoming a principal.	Commissioner of Education.	Favor of Board.
1918	Reed & Hills vs. Trenton	Reduction of salary of teacher under tenure.	State Board of Education.	Favor of Board.
1918	Smith vs. Phillipsburg	Conduct unbecoming a teacher.	State Board of Education.	Favor of Board.
1921	Gannon vs. Leonia	Inefficiency in supervising a teacher.	Commissioner of Education.	Favor of teacher.
1922	Cowperthwaite vs. Medford	Ignored her for the competency, neglect of duties and insubordination; nevertheless, the Board engaged her for the competency, school year at \$400 increase of salary.	Commissioner of Education.	Favor of teacher.
1922	Munson vs. Ringwood Borough	Dismissed as "supervisor" because of natural diminution of the number of pupils; actually, a "supervising teacher."	Commissioner of Education.	Favor of teacher.
1923	Cheesman vs. Gloucester City	Demoted from Principalship to teacher although the salary remained the same.	Certiorari to the Supreme Court.	Favor of teacher.
1923	Lachmond vs. Bergenfield	Violation of the Board's rule in regard to marriage; violation of the rule in regard to absence without leave.	Certiorari to the Supreme Court.	Favor of teacher.
1923	Nommensen vs. Hoboken		State Board of Education (may be further appealed)	Favor of teacher.

¹ These data were secured from: Miss Ida E. Houseman, High School Teacher, Hoboken, New Jersey and the Reports of Commissioner of Education of New Jersey.

Analysis of Present and Proposed State Teacher Tenure Laws

Ten States have already enacted teacher tenure laws. Seven of these have accompanied or followed the war period. Table 5 lists the States which have tenure laws.

TABLE 5.—EXISTING STATE TENURE LAWS

State	Where Law Applies	Year Enacted
California.....	Districts with eight or more teachers.	1921
Colorado.....	Districts with 20,000 or more inhabitants — Denver, Pueblo, and Colorado Springs.	1921
Illinois.....	Any district with 100,000 or more inhabitants—Chicago.	1919
Louisiana.....	New Orleans.	1922
Maryland.....	All districts except Baltimore. ¹	1921
Massachusetts...	Entire State except Boston. ¹	1914
Montana.....	Unqualified—State Wide.....	1919
New Jersey.....	Unqualified—State Wide.....	1910
New York.....	Unqualified—State Wide.....	1917
Oregon.....	Districts of 20,000 or more inhabitants—Portland.	1913
Wisconsin.....	Cities of first class—Milwaukee.	1921

¹ Baltimore and Boston have local tenure regulations.

Principal Provisions of All State Tenure Laws

The general intent of all the laws seems to be to guarantee to teachers a security in their positions during good behavior and efficiency. Several of the laws attempt to define a basis for dismissal, naming certain causes which constitute valid reasons for discontinuing a teacher in his position. All of them recognize the necessity of a probationary period. Almost all provide for a hearing for the teacher recommended for dismissal, the right of counsel, and reasonable notice of intention to dismiss or of hearing.

The principal features in the present tenure laws may be summarized as follows:

1. A probationary period—1 to 3 years.
2. A hearing before the employing board.
3. Right of counsel for teacher.
4. Specific cause for dismissal (in writing).
 - a. Immoral or unprofessional conduct (misconduct).
 - b. Incompetence (inefficiency—incapacity).
 - c. Evident unfitness for teaching.
 - d. Persistent violation of or refusal to obey State laws.

- e. Violation of or refusal to obey reasonable rules and regulations prescribed by government of schools (insubordination).
 - f. Neglect of duty (wilful neglect of duty).
 - g. Malfeasance or non-feasance when found guilty.
5. Reasonable notice of hearing or intention to prefer charges.

The causes for dismissal are given in rather general terms in six of the eleven State teacher tenure laws. The Oregon Law is the most explicit as to method of procedure for dismissal and appeal from decision rendered. The customary requirements for employment as a permanent teacher are: (1) certification; (2) definite standards of professional attainment; (3) length of service; and (4) efficiency.

For comparative purposes, a summary of all existing State laws is included in the insert on page 153, headed Tabular Statement of State Teacher Tenure Laws.

States Where No Teacher Tenure Laws Exist

In a large majority of the communities in these States, Boards of Education and superintendents "hire and fire" at will or at best upon a yearly contract basis.

Alabama	New Hampshire
Arizona	New Mexico
Arkansas	North Carolina
Connecticut	North Dakota
Delaware	*Ohio
Florida	Oklahoma
Georgia	*Pennsylvania
Idaho	Rhode Island
Indiana	South Carolina
Iowa	South Dakota
Kansas	Tennessee
Kentucky	Texas
Maine	Utah
Michigan	Vermont
*Minnesota	*Virginia
Mississippi	*Washington
Missouri	West Virginia
Nebraska	Wyoming
Nevada	

* Indicates that campaigns for tenure legislation are in progress.

States Where Tenure Laws Are Proposed

Teachers organizations are carrying on active campaigns for enactment of new tenure laws in five states; and in Massachusetts effort is being made to amend the present tenure law.

TABLE 6.—STATES IN WHICH CAMPAIGNS ARE BEING WAGED FOR TENURE LAWS.

Geographical Zone	State
Southern.....	Virginia.
Eastern.....	Massachusetts. Pennsylvania.
Middle Western.....	Minnesota. Ohio.
Western.....	Washington.

Certain Features of Proposed Measures Surpass Existing Laws

Some of the teacher tenure bills which have been or are being presented to State legislatures for consideration by teachers' organizations offer excellent features. The general trend of these measures is the same as in those already enacted and in force. But some of the proposed new laws seek to obtain the objective of protecting the schools and the children by protecting the efficient and able teacher by what seem increasingly effective methods. The proposed Ohio law is an example.

In the Ohio Tenure Law causes for dismissal are divided into two classes: (1) personal behavior and (2) teaching efficiency. Those in the first class may be acted upon at any time by the board of education upon presentation of sufficient proof of charges. Those in the second class may be acted upon at the end of the school year after sixty days notice. The first class of causes is defined more in detail by listing neglect of duty, insubordination, conduct unbecoming a teacher and immoral or criminal conduct. The second class of causes has to do with teaching efficiency and is further analyzed by listing incompetency, inefficiency, neglect of duty, and lack of professional growth. In addition, the proposed Ohio bill sets up a standard of professional attainment for all classifications of the teaching profession to be protected by tenure. It

requires for elementary and special teachers graduation from a first-grade high school of the State and two years of normal or college work; for others, including executive officers such as superintendents, high school principals, elementary principals, supervisors and high school teachers, graduation from a first-grade high school plus a four-year college course is required. The superintendent is enjoined to provide a minimum standard of study and professional growth.

The Virginia law also proposed a constructive standard, listing as requirements for employment under tenure efficiency, certification and length of service.

The Oregon State Teachers Association has likewise proposed in a report upon a suggested amendment for the tenure law of that State a standard of professional requirements.

Cardinal Points of Proposed State Teacher Tenure Laws

Are its provisions sound? This is the question that immediately arises when a new tenure law is proposed. The cardinal points of teacher tenure laws proposed in Minnesota, Ohio, Pennsylvania, and Virginia since 1921 are summarized as follows:

1. Permanent or indefinite tenure, terminated only by death, resignation, or retirement as provided by law.
2. Probationary period—1 to 3 years.
3. Dismissal for one or more of the following causes:
 - a. Immoral—unprofessional conduct
 - b. Inefficiency
 - c. Insubordination—persistent violation of or refusal to obey rules of board or laws of the State
 - d. Neglect of duty
 - e. Incapacity to discharge duties by reason of physical or mental disability
4. Written statement of charges furnished teacher.
5. Hearing before Board; advance notice of time and place required.
6. Teacher guaranteed right of counsel.

The law proposed in Minnesota also provides tenure for administrative and supervisory officers. It definitely names superintendents, supervisors, principals, and classroom teachers.

chers
ol of
llege
ficers
pals,
high
grade
se is
d to
and

truc-
em-
ation

a has
ested
ate a

te

ques-
new
ints
sota,
1921

ated
at as

ving

n of
aws

ason

shed

e of

pro-
sory
nts,
ers.

TABULAR STATEMENT OF STATE TEACH

Name of State and date when law became effective	Tenure	Application	Educational and Personal Qualifications for Protection under Tenure Laws	Probationary Period	Dismissal after Probationary Period		Written Charges	
					Usual Causes	Other Causes		
1	2	3	4	5	6	7	8	
California 1921.	Indefinite.	Districts with 8 or more teachers.	Legal certificates for teaching in full force and effect, and on file in the office of the County Superintendent of Schools.	Two years.	Immoral or unprofessional conduct, incompetence, evident unfitness, insubordination.	Decrease in number of pupils in district, discontinuance of a certain kind of teaching.	By governing board.	
Colorado 1921.	Stable and continuous.	First class School District having 20,000 or more inhabitants.		Three years.			Filed with Secretary of Board of School Directors at least ten days. In case of dismissal by board without hearing, a statement in writing of cause of dismissal is required of Secretary.	
Illinois 1919	Permanent.	Cities of 100,000 or more—Chicago.	Appointments and promotion—shall be made for merit only and after satisfactory service.	Three years.	Cause—not specified.		By Superintendent of Schools.	
Louisiana 1922.	Permanent.	City of New Orleans.	Possession and maintenance of superior qualifications as to moral character, literary attainments, industry and practical skill in imparting knowledge—and patriotism in pupils, and good health.	Three years.	Immorality, neglect of duty, incompetency, malfeasance or non-feasance.		By governing board.	
Maryland 1921.	Permanent.	All Maryland except Baltimore.		Two years.	Immorality, misconduct, insubordination, incompetency, wilful neglect of duty.		By County Board of Education on recommendation of county superintendent.	
Mass. 1914.	Permanent.	All of Massachusetts except Boston.		Three years.	Unbecoming conduct is the only cause specifically mentioned.	Decrease in the number of pupils in schools of town.	By School Committee.	
Montana 1915.	Indefinite.	Any district in the state.		Two years.	Immorality, unfitness, incompetency, or violation of rules.		By Board of Trustees.	
New Jersey 1910.	Permanent.	Any district in the state.	A proper teachers' certificate in full force and effect.	Three years.	Inefficiency, incapacity, conduct unbecoming a teacher, other just causes.	Natural diminution of number of pupils in school district.	Signed by persons making charges filed with Board of Education.	
New York 1917.	Permanent.	Unqualified.	Teachers' certificate or diploma from State Normal School or State Normal College. A board of education may prescribe additional or higher qualifications.	One to three years.	Neglect of duty, incapacity to teach, immorality, other sufficient reasons.	Treasonable or seditious acts or utterances.	Procedure not specified.	
Oregon 1913.	Permanent.	School districts population of 20,000 or more.		Two years.	Gross dereliction of duty, misconduct on the part of the teacher.		Board Directors; Superintendent or any person through Superintendent or Board of Directors.	
Wisconsin 1921.	Permanent.	First class cities—Milwaukee.		Four years.	Cause—not specified.		Required but Procedure is not specified.	

TEACHER TENURE LAWS

Procedure for Removal				Appeal	Miscellaneous-Suspension, Demotion, Rank, Salary, Resignation	References
Written Charges	Notice	Hearing	Removing Agency			
8	9	10	11	12	13	14
By governing board.	Ten days.	Public; witnesses; counsel; trial—completed in 10 days	Boards of School Trustees, city and County Board of Education, affirmative vote of majority of board. Every member voting must be present throughout entire hearing.	Court of competent jurisdiction on a question of fact and law.	Resignation not later than the close of the school year.	School Law of California, 1921, Section 1609; Article second; fifth (a) (e) (g) (j), Pages 129-134.
Filed with Secretary of Board of School Directors at least ten days. In case of dismissal by board without hearing, a statement in writing of cause of dismissal is required of Secretary.	Thirty days.	Teacher and person making the complaint.	If dismissal recommended by Superintendent or principal, teacher may be dismissed without such hearing on two-thirds vote of Board.			Digest of the School Laws of Colorado, 1922, by Katherine L. Craig, Pages 43-44.
By Superintendent of Schools.	Thirty days.	By the Board, or a duly authorized committee of the same. Defendant has privilege of being present together with counsel. At the request of either party, such hearing shall be public.	Vote of not less than a majority of the Board.	No appeal—action of the Board is final.	Suspension without loss in pay if charges are not sustained.	School Law of Illinois, Circular No. 157 Sec. 138; p. 59 Sec. 161; p. 68.
By governing board.		Investigation and report.	Parish School Board.			Public School Laws of Louisiana Twelfth Compilation issued by the State Department of Education 1923 Act No. 100 of 1922 Sec. 66; Pages 163-164 Sec. 25, Tenure of Office.
By County Board of Education on recommendation of county superintendent.	Ten days.	Procedure not specified.	County Board of Education.	State Superintendent, If Board of Education is not unanimous.	Resignation; 30 days notice during June, or July.	Maryland Public School Laws 1922 Pages 23 and 24. 1916 Chapter 506. Art. 25J, p. 23. By-law 13, 1918, pages 23-24.
School Committee.	Thirty days.	Before School Committee at which he may be accompanied by a witness.	School Committee two-thirds vote of whole committee; or on recommendation of superintendent.	No appeal provided for.	No compensation for services rendered for any period of lawful suspension followed by dismissal. Reduction on general salary revision.	General Laws, Relating to Education 1921 Chap. 71; Sec. No. 41 and 42, pages 40-41.
Board of Trustees.	To teachers on or before May first; to principals on or before February First	Not mentioned in code.	Majority of members of Board of Trustees.	To county Superintendent.	Suspension without loss in pay if charges are not sustained.	School Laws of the State of Montana, June 1923, pages 47 and 49. Sec. No. 1075 and No. 1085.
Filed by persons making charges filed with Board of Education.	Reasonable.	Counsel. Board of Education has power to compel witnesses by subpoenas.	Board of Education.	Commissioner of Education; State Board of Education.	Resignation; 60 days written notice. Teacher not doing so is guilty of unprofessional conduct.	New Jersey Laws 1921, pages 89-90; Sec. 165-167. Supplement to School Law, 1922, Chap. 206.
Procedure not specified.	Reasonable.	Counsel, procedure not specified otherwise.	Majority vote of the Board of Education.	Commissioner of Education.		University of the State of New York Bulletin No. 759 June 1922. Education Law as amended to July 1, 1922 pages 165-168 pages 258-259.
By Directors; Superintendent or any person through Superintendent or Board Directors.	Ten days.	Public or private as teacher desires; Counsel, not more than 10 witnesses.	Majority of members of Board of Directors; final if 5 of the 7 members vote for dismissal.	Three Trial Commissioners, appointed by presiding judge of circuit court to serve a year.	Reduction of salary or demotion in rank only after hearing, as under dismissal.	Oregon School Laws, 1923 Sec. 420 to 433 pages 121-125.
Procedure but not specified.	Ten days.	Procedure not specified.	Board of School Directors.	No Appeal—action of Board of School Directors final.		Statutes of Wisconsin Sec. 42-55 Subsections 18 and 19.

STATE TEACHER TENURE LAWS



The California law applies throughout the State to districts with 8 or more teachers; the Maryland law applies to all Maryland except Baltimore; the Massachusetts law, to all Massachusetts except Boston.

Survey of Local Teacher Tenure Regulations

Local Legislation Affords Less Security Than State Law

In general the provisions made by local rules and regulations for the tenure of teachers show the same trend as the State laws. Apparently the general purpose is to protect the schools and the teaching body from political attack, to guarantee the able and efficient teacher security of position as long as efficiency and good behavior continue. There can be no question that the security afforded by a local regulation is somewhat less than that afforded by a State law. A political group desiring to attack the schools locally could, except where prevented by overwhelming public sentiment and definite counter organization, overturn a series of local rules in an attack upon the school administration. Such rules, of course, become a greater protection the longer they are in operation. A tradition or a custom is more difficult to overturn if supported by an active administration than is such an administration itself.

Cities and Towns Having Tenure Rules

Replies to inquiries sent state superintendents of schools showed that in 1924 local tenure regulations were in effect in the following cities and towns:

Alabama	Maryland
Carbon Hill	Baltimore
Arizona	Michigan
Mesa	Detroit
Arkansas	River Rouge
Little Rock	Boyer City
Fort Smith	Kalamazoo
Hot Springs	Minnesota
Pine Bluff	Faribault
Connecticut	St. Paul
New Haven	Mississippi
Seymour	Greenville
Winchester	Missouri
Florida	Mexico
St. Augustine	Nebraska
Georgia	Omaha
Atlanta	New Hampshire
Augusta	Dover
Columbus	Ohio
Waynesboro	Bowling Green
Indiana	Girard
Noblesville	Maumee
North Vernon	Shelby

Ohio—(Continued)

Cleveland
Oklahoma
Ponca City
Pennsylvania
Butler
Philadelphia
Sharon
Rhode Island
Central Falls
Newport
Pawtucket
Providence

South Carolina
Charleston
Tennessee
Nashville
Texas
Honey Grove
Sulphur Springs
Wisconsin
La Crosse
Milwaukee
Sheboygan
Wausau
West Allis

Special Provisions of Tenure Regulations in Cities Located in States Not Having Tenure Laws

The variety of provisions together with the essential points of agreement which exist in many local tenure regulations are of particular interest. They should offer many valuable suggestions to those charged with the formulation of new teacher tenure laws. The essential features of the local tenure regulations obtaining in the following cities are worthy of note:

Connecticut	Nebraska
New Haven	Omaha
Georgia	New Hampshire
Atlanta	Dover
Savannah	Oklahoma
Maryland	Ponca City
Baltimore	Pennsylvania
Michigan	Philadelphia
Detroit	South Carolina
River Rouge	Charleston
Minnesota	District of Columbia
Faribault	Washington
St. Paul	

Itemized Features of Representative Local Tenure Regulations

Connecticut—New Haven

Charter provision establishing tenure for teachers in the public day schools of the city provides:

1. Probationary period of three years
2. Reasons for dismissal:
 - a. Inefficiency
 - b. Misconduct
 - c. Abolition of position
3. Suspension by superintendent
4. Written notice stating reasons
5. Suspension for misconduct immediate—other causes after 6 months

6. Hearing required on appeal of teacher
7. 30 days notice to teacher required
8. Right of counsel granted
9. Principals, supervisors, and superintendents not included.

Georgia—Atlanta

1. Permanent teachers shall serve during good behavior and efficient service
2. Includes principals, supervisors, and heads of departments
3. Probationary period two years
4. Teacher may be continued one year on probationary list on recommendation of Superintendent
5. Hearing granted on move to demote or dismiss if demanded in writing
6. Demotion or dismissal may be for:
 - a. Violation of rules of Board
 - b. Insubordination
 - c. Misconduct
 - d. Inefficiency
 - e. Lack of professional progress
 - f. Evident unfitness for position
 - g. Good of the service
7. Board reserves exclusive right of final judgment
8. Right of appeal specifically granted.

Georgia—Savannah

1. Probationary period one year
2. Tenure indefinite, continuing during good behavior and efficiency
3. Suspension for 30 days or dismissal upon written notice for:
 - a. Persistent neglect of duty
 - b. Serious inefficiency
 - c. Conduct derogatory to the schools
4. Teacher required to give 30 days notice for release.

Maryland—Baltimore

1. Teacher removed only on charges
2. Teacher may be represented by counsel
3. Right of trial granted.

Michigan—Detroit

1. Continuing contract
2. May be canceled for cause on 30 days notice
3. Probationary period one year
4. Teachers whose work is unsatisfactory classified as probationary teachers
5. Contracts probationary teachers subject to cancellation on 30 days notice

Michigan—River Rouge

1. Tenure by contract during good behavior and efficient service
2. Teacher must give 30 days notice to resign
3. Teacher may be dismissed on 30 days notice for:
 - a. Improper conduct
 - b. Inefficient service.

Minnesota—Faribault

1. Probationary period of two years
2. Placed on permanent teacher list if rating of "B"

3. If rated "C" for two years automatically dropped.

Minnesota—St. Paul

1. Dismissal by mayor and two-thirds of council on complaint of superintendent or by commissioner of education on his own motion
2. Charges in writing
3. Teacher has right of reply which with charge becomes permanent record
4. Removal for cause only
5. Teachers serve during efficiency and good behavior
6. Council may provide for probationary period.

Nebraska—Omaha

1. Teachers may be given "permanent" tenure after 5 years—if three years of this has been as "elected" teacher
2. Others elected each year
3. "Permanent" teachers continue in position until position is vacated by their own action or that of the board or the teachers committee.

New Hampshire—Dover

1. Probation two years
2. Permanent tenure except in specific case in which superintendent shall recommend annual election.

Oklahoma—Ponca City

1. Probationary period two years, which may be extended for those who do not meet established standards and requirements
2. Teachers on permanent list serve indefinitely unless notified otherwise in writing by March 15.

Pennsylvania—Philadelphia

1. Probationary period one year (may be extended one additional year)
2. Indefinite tenure
3. Dismissal only upon charges
4. Causes of dismissal:
 - a. Inefficiency
 - b. Insubordination
 - c. Other causes of serious nature
5. Hearing granted
6. Investigation by Committee on Elementary Schools
7. Notice of hearing sent teacher of time and place
8. Charges must be sent teacher in writing
9. Tenure does not apply to executives

South Carolina—Charleston

1. Indefinite tenure with no probationary period
2. Dismissal on 30 days notice.

Washington, D. C.

1. Probationary period one year
2. Tenure during good behavior and efficiency
3. Hearing granted
4. Right of counsel and presence of one additional friend granted
5. Rating of "unsatisfactory" one year brings warning; a second year teacher loses bonus; the third time longevity pay

Teacher Tenure Provisions in Foreign Countries

Teacher Tenure in Nine European Countries Appears More Secure Than in America

Indefinite teacher tenure with service during efficiency and good behavior is practically universal in the best school systems of Europe. This statement is based on data secured from the embassies at Washington of those European countries which rank higher in literacy than does the United States. Table 7 shows the order of rank of these countries in percentage of illiteracy of the total population.

The embassies of each of the countries listed in Table 7, including Finland were asked these questions:

1. Who appoints teachers in the schools of your country that are supported wholly or principally through public taxation?
2. Are such teachers reappointed at regular intervals, such as once every year, or are they appointed to a position for an indefinite period so long as they give satisfactory service?

3. For what causes may a teacher be removed from his position?

4. What difference is there in the regulation affecting the appointment and tenure of teachers and those affecting the appointment and tenure of supervisory or executive officials in the schools of your country?

Table 8 summarizes their replies. It shows that the teachers in the educational systems of European countries, where a high degree of school development has taken place, are much more completely protected by tenure than are the teachers of the United States. No such policy as the "hire-and-fire" practice, common in many of our States, exists neither is there such a thing as a "yearly contract" plan of election for teachers.

Table 8 shows that the teaching profession in those countries, in which illiteracy is very nearly abolished, seems to be upon a very stable basis. The itemized tenure provisions, enumerated by the embassies for their respec-

TABLE 7.—ILLITERACY IN THE UNITED STATES AND FOREIGN COUNTRIES¹

Country	Percentage of Illiteracy
Germany.....	.2
Denmark.....	.2
Switzerland.....	.5
Netherlands.....	.6
Norway.....	1.0
Sweden.....	1.0
Scotland.....	1.6
England and Wales.....	1.8
France.....	4.9
United States.....	6.0

¹These figures from three sources: (a) Cubberley—*History of Education*, p. 714; (b) Communications from foreign legations received by National Education Association during April, 1922, and (c) World Almanac, 1922, p. 724.

TABLE 8.—TEACHER TENURE PRACTICES IN FOREIGN COUNTRIES

Country	Tenure	Dismissal	Are Executives and Supervisory Officers Included?
Germany.....	Life	For cause Age retirement	Yes
Denmark.....	Indefinite, during satisfactory service, except in winter country schools	For cause Age retirement	No data
Switzerland....	Differs in the several cantons	For cause (Seldom occurs)	No data
Netherlands....	Indefinite	For cause	Apparently included
Finland.....	Unlimited after two years probation	For cause Inefficiency after warning—crime or immorality without warning	Yes
Norway.....	Indefinite during satisfactory service	For cause	Yes
Sweden.....	Indefinite after probation	Age retirement For cause after warning with right of appeal	No data
Great Britain...	Indefinite	For cause Age retirement	Yes
France.....	Indefinite during satisfactory service	For cause—cases rare	Yes

tive countries, show that age retirement with pension seems almost universal. Furthermore no distinction is made between executives, supervisors, and teachers in tenure and dismissal provisions.

Specific Provisions of Appointment, Tenure, and Dismissal of Teachers In Foreign Countries

Germany

1. Teachers in German public schools are appointed by the State with the coöperation of the municipalities.

2. Teachers in public schools have the rights and duties of State officers. Like all other State officers they are appointed for life, receive pension, etc.

3. Teachers in public schools may be retired on account of inability, inefficiency or old age. They may be removed after disciplinary or criminal proceedings.

4. No difference, all these classes of teachers and officials being considered State officers.

Denmark

1. The highest officials in each school: director of school (Skoleinspektør), inspector of school (Skoleinspektør), principal teacher (Overlærer) are appointed by the king on the proposal of the Department of Education. Other teachers are appointed by boards of education.

2. Excepting teachers of some schools in the country for very small children, special winter schools, etc., teachers of the Municipal Elementary Schools are appointed to a position for an indefinite period so long as they give satisfactory service.

3. A teacher can be dismissed against his own desire for several reasons: Lapse of membership in the Danish national church (the Lutheran church); incompetency; proved misbehavior; ill health, especially a contagious disease; and attainment of age of 70.

4. The supervisory and executive functions are carried out by officials appointed by the Department of Education.

Switzerland

1. Teachers of the public schools in Switzerland are appointed either by the municipal assembly or, in cities, by the town council, and in certain localities by the school board.

2. Teachers are appointed for a term of four to six years, appointments for an unrestricted period are known only in Bâle-City.

3. A teacher may be removed for the following reasons: Undutiful and improper conduct or behavior which is incompatible with the position of a teacher. In the cantons where pension laws exist, teachers are pensioned off in cases of long illness or decrepitude; otherwise, as a rule, at the age of 70.

4. Supervisory or executive officials and members of the School Board are nominated by the municipal assembly, or the town council, usually for a period of four to six years.

Netherlands

1. In the schools supported out of the public funds of the Central Government the teachers are appointed by Her Majesty the Queen, while in the schools supported out of the funds of the Municipalities, they are appointed by the Municipal Councils.

2. The teachers are appointed for an indefinite period.

3. A teacher can be removed on account of inefficiency or bad conduct.

Finland

1. Teachers in the public schools of Finland are appointed by a Board of School Directors. According to the Finnish laws, such a Board must exist in every parish or city. The appointment of a teacher must be affirmed by the Inspector of Public Schools in each district, but in case of controversy between the Board of Directors and the Inspector, by the Board of Schools of Finland in Helsingfors, which is the highest school authority in the country.

2. Teachers are first taken on trial for two years, and only after that do they get the final appointment which is for an unlimited time.

3. A teacher can be removed from his position if he, after having been warned or suspended for a limited time from service, continues to be negligent or inattentive in his work, or he can be removed directly without any warning if he, through immoral living, endangers the welfare of his pupils or commits a crime.

4. The members of the Board of Schools of Finland are appointed by the President for an unlimited time as generally are all officials in Finland.

Norway

1. In the primary schools the teachers are appointed by a School Council ("Skolestyre") which is in operation in every parish and town. The successful passing of an examination at a public training college for teachers is a necessary condition for permanent appointment in a primary school. In the secondary schools which may be public, municipal or private and which build on the primary school the teachers are appointed by the government. A university education is a condition for permanent appointment as assistant master or mistress ("lektor"), or principal ("rektor") in secondary schools, but in the lower forms teachers with lower academic qualifications are also employed.

2. The teachers are appointed for an indefinite period so long as they give satisfactory service.

3. A teacher may be removed from his position for incompetence or failing health, but this is very rarely done. Teachers have an "old age limit" and have to retire at the age of 70 and 65 (men and

women respectively). They belong to the State Pension Fund ("Statens Pensionkasse") and receive an annual pension on their retirement.

4. While teachers in primary schools are appointed by the School Council the "school inspector" supervising the schools of the municipality is appointed (permanently) by the Municipal Board. The "school directors" (usually one for each diocese) are appointed by the Government. Through the medium of the "school directors" the school councils are in connection with the highest educational authorities, the Ministry of Education, where there is a special department for primary schools.

Sweden

Each elementary school must have at least one regular (ordinarie) teacher. Only fully qualified elementary school teachers are entitled to apply for this post. The applications are submitted to the School Board, who may examine one or more of the applicants, afterwards placing three of the names on a nomination list in order of merit. The election is made by the Vestry Meeting.

Non-regular teachers are engaged by the School Board conditionally for a certain period, or provisionally. As regards teachers in infant schools, the Vestry Meeting and the School Board can make regulations, whereby these teachers obtain a more permanent position.

A regular elementary school teacher cannot be deprived of his post except for flagrant incapacity, unwarrantable neglect of his duties or gross misconduct. In such a case he receives a warning from the School Board. It is only after he has neglected to act on that warning that the School Board can dismiss him. The teacher can appeal from the warning and from the dismissal to the Diocese Board (stiftsstyrelsen), and ultimately to Government.

Great Britain

1. In schools maintained entirely by public funds, the appointment and dismissal of teachers rests with the Local Authorities, i. e., the Council of every county and of every county borough, who were appointed Local Education Authorities under the Education Act of 1902.

2. In the case of voluntary schools (i. e. Denominational Schools partially supported by public funds), the Act of 1902 gave the appointment of pupil teachers to the Local Education Authority; also power to veto the appointment of other teach-

ers who were unsuitable on educational grounds, and to require the dismissal of teachers on like grounds. As regards secular education the denominational schools are under complete control of the Local Education Authority.

3. Teachers are appointed for an indefinite period—that is, until superannuation, but may be removed from their position on the usual grounds of incompetence or undesirability. Each case is, of course, considered on its own merits.

4. The Board of Education for England and Wales and the Committee of Council on Education for Scotland appoint the government inspectors of schools, and their tenure of office terminates with superannuation.

France

Teachers are appointed by the Minister of Public Education in person or through his delegates.

a. University professors are appointed by the Minister of Public Education.

b. "Lycée professors" are appointed by the Minister of Public Education.

c. Primary school teachers, gallice, "instituteurs publics" are appointed by the "prefects"; that is to say, by the Governors of the "departments", upon recommendation of "primary school inspectors" and "académie" inspectors. (Préfets are appointed by the President of the French Republic on advice of the Ministry of the Interior); France is divided into 89 "departments."

2. All primary school teachers and Lycée professors, as well, are appointed for an indefinite period, as long as they give satisfactory service; the tenure of office may vary from 25 to 30 years.

3. No teacher can possibly be removed from office, unless he has been found guilty of a very grave misdemeanor. Removals are very rare, and cases carefully investigated.

4. Supervisory or executive officials, i. e. "primary school inspectors", "Académie inspectors" and "Lycée Provisseurs" (principals) are appointed by the Ministry of Public Education for an indefinite period, as long as their services are satisfactory.

It must be borne in mind that the removal from office of a French public teacher, or, when it comes to that, of any other French State official, is a most serious matter, as the holder of a State appointment may appeal for redress to the "Conseil d'Etat", whose decisions are final and whose organization and functions have been greatly admired by foreign observers.

EFFECTIVE administration of a school system can be most easily secured when the teacher can work with the certainty of a compensation on a fixed scale, without radical and violent fluctuations, and when the general principles of civil service prevail, and teachers are retained during efficient service and good behavior.—A. G. Lane. *Addresses and Proceedings of the National Education Association, 1922, p. 328.*

A Defensible Standard of Merit for Teacher Tenure

Tenure Should Tend to Retain Able Teachers and Eliminate Unfit

Should the teaching profession and those intimately allied with it in the support of the public schools advocate and promote teacher tenure? The mass of data submitted implies an affirmative answer. Undoubtedly, the profession and the supporters of the schools can and will promote such measures as are clearly in the interest of the schools and the youth of America—such laws as will protect and retain in the work of teaching able and growing teachers and eliminate the unfit and incompetent.

What Are Just Causes for Dismissal of Teachers?

With the standards already established by the several State tenure laws, and many local regulations as a basis, a tentative list of possible causes for dismissal was incorporated in a questionnaire. These causes are listed in Table 9.

TABLE 9.—TENTATIVE LIST OF POSSIBLE CAUSES FOR DISMISSAL

Cause number	Statement of cause
1	Manifest or proved physical disability.
2	Proved lapse of moral character.
3	Proved insubordination to reasonable rules and regulations of employing authority.
4	Continued criticism of employing authority or superior officer.
5	Continued failure to grow professionally and improve in service.
6	Continued inability to maintain—discipline in classroom (teacher), organization of school (principal), or organization of system (superintendent).
	Continued failure to develop skill in instruction.
8	Continued failure to secure results in subjects taught as measured by standard tests.
9	Continued friction with co-workers.
10	Continued friction with parents and patrons.
11	Lack of self-control.
12	Lack of sympathy with children.
13	Lack of promptness and accuracy.
14	Untidy personal appearance and lack of cleanliness.
15	Habitual use of poor English.

The Committee of One Hundred on the Problem of Tenure set out to answer moot questions of tenure by appealing to a large number of members of the profession and to intelligent members of the lay public.

To both these groups the Committee sent its questionnaire, including the fifteen possible causes for dismissal contained in Table 9. A compilation of professional and lay opinion, expressed in writing, was thus secured in answer to the question: When should teachers be dismissed? This survey presents a more just basis for provisions of future tenure laws and action of school boards than does the usual isolated opinion of individuals often given at a time of stress and hence prejudiced.

A Representative Survey of Professional and Lay Opinion as to Causes for Dismissal

Those to whom the questionnaire was sent were asked to check these possible causes for dismissal, if they believed them to be such, either singly or in combination with other causes. These questionnaires were sent to 3169 members of the teaching profession and 419 laymen. The laymen were chosen by asking each state superintendent to send a list of ten names of distinguished citizens especially interested in the public schools who might be willing to answer such a questionnaire. To these lists were added the names of the state presidents of the mothers' clubs and parent-teachers' associations.

The distribution of questionnaires to representative groups of the teaching profession was widespread. The returns presented almost a cross-section of the mind of the teaching profession.

In reply to the questionnaires sent to the professional and lay groups listed in Table 10, 2112 returns were received. The vote of each group is recorded in Tables 11 to 21. Column 1 in each of these tables lists the possible causes for dismissal given on this page.

TABLE 10.—SCOPE OF VOTE ON POSSIBLE CAUSES FOR DISMISSAL

Professional and lay groups	No. of questionnaires		
	Sent	Returned	Per cent returned
Classroom Teachers..... (Sent to officers of classroom teachers' organizations affiliated with N. E. A.—11 to each organization).	2130	1024	48+
City Superintendent of Schools..... (Sent to all city superintendents in cities of 25,000 population or over, and to 61 cities of 10,000 to 25,000 population)	346	295	85+
Principals..... (Sent to 1/10 of the membership of the Department of Elementary Principals).	187	291	
Laymen..... (Sent to list of 10 laymen from each State submitted by State Superintendents)	377	149	39+
Presidents of Teachers' Colleges..... (Sent to all presidents of teachers' colleges in the United States).	151	121	80+
Deans of Schools of Education and College Professors..... (Sent to all deans of schools of education in the United States).	55	72	
Presidents of Colleges and Universities..... (Sent to presidents of State universities and large private and endowed colleges and universities).	148	57	38+
County Superintendents..... (Sent to all county superintendents in California).	58	49	84+
State Superintendents..... (Sent to all State Superintendents in the United States).	48	39	81+
Presidents of Parent-Teachers' Associations..... (Sent to the State presidents of all parent-teachers' associations in the United States).	42	15	35+
Presidents of State Teachers' Associations.....	46		
Total.....	3588	2112	

TABLE 11.—CLASSROOM TEACHERS' VOTE ON POSSIBLE CAUSES FOR DISMISSAL

Total Ballots—1024

Cause number	Number voting for each cause of dismissal without reference to any other cause	Per cent of total	Number voting against as cause of dismissal	Per cent of total	Number voting for with special modification	Per cent of total	Number voting for in connection with one or more listed defects	Per cent of total
1	2	3	4	5	6	7	8	9
1	572	55.85	241	23.53	99	9.66	104	10.15
2	924	90.23	32	3.12	53	5.17	13	1.26
3	602	58.78	165	16.11	114	11.13	135	13.18
4	284	27.73	423	41.30	85	8.30	212	20.70
5	425	41.50	278	27.14	103	10.05	203	19.82
6	612	59.76	174	16.99	76	7.42	147	14.35
7	388	37.89	372	36.33	81	7.91	173	16.89
8	249	24.32	568	55.47	59	5.76	110	10.74
9	293	28.61	414	40.42	86	8.40	215	21.00
10	267	26.07	532	51.95	55	5.37	144	14.06
11	395	38.57	364	35.54	83	8.11	163	15.91
12	454	44.34	378	36.91	52	5.08	119	11.62
13	260	25.39	514	50.19	63	6.15	161	15.72
14	492	48.05	342	33.40	52	5.08	120	11.71
15	451	44.04	388	37.90	48	4.69	102	9.96

Read Table 1 as follows: Out of 1024 classroom teachers voting for Cause No. 1 (Manifest or proved physical disability as a cause of dismissal without reference to any other cause), 572, or 55.85 per cent, voted that this was a cause for dismissal. Two hundred forty-one classroom teachers, or 23.53 per cent, voted that it was not a sufficient cause, etc.

UNDoubtedly the teacher cannot be expected to do her most efficient work, if she is to be obsessed annually with anxiety as to her re-appointment. Obviously the public is entitled to protect and promote the progress of its educational system by such safeguards that the elimination of the incompetent teacher will not be difficult. A satisfactory system of tenure must be just to both sides—the teacher and the public; it should relieve the good teacher of anxiety for the future; it should promote contentment and stability; it should protect the efficient teacher and weed out the incompetent; above all, it should, together with the other forces mentioned, promote and encourage efficiency.—*I. L. Kandel, Teachers College Record, October, 1924, pp. 135-136.*

TABLE 12.—CITY SUPERINTENDENTS' VOTE ON POSSIBLE CAUSES FOR
DISMISSAL

Total Ballots—295

Cause number	Number voting for each cause of dismissal without reference to any other cause	Per cent of total	Number voting against as cause of dismissal	Per cent of total	Number voting for with special modification	Per cent of total	Number voting for in connection with one or more listed defects	Per cent of total
1	2	3	4	5	6	7	8	9
1	241	81.69	13	4.40	15	5.08	25	8.47
2	278	94.23	5	1.69	6	2.03	5	1.69
3	239	81.01	4	1.35	15	5.08	33	11.18
4	143	48.47	31	10.50	18	6.10	98	33.22
5	144	48.81	28	9.49	8	2.71	107	36.27
6	246	83.39	8	2.71	9	3.05	32	10.85
7	159	53.89	29	9.83	11	3.72	95	32.20
8	107	36.27	48	16.27	20	6.77	113	38.30
9	156	52.88	18	6.10	12	4.06	106	35.93
10	147	49.83	19	6.44	11	3.73	117	39.66
11	126	42.71	26	8.81	16	5.42	124	42.03
12	133	45.08	23	7.79	18	6.10	116	39.32
13	81	27.47	54	18.30	25	8.47	122	41.35
14	131	44.40	30	10.17	25	8.47	108	36.61
15	137	46.44	39	13.22	19	6.44	91	30.85

TABLE 13.—PRINCIPALS' VOTE ON POSSIBLE CAUSES FOR DISMISSAL

Total Ballots—291

Cause number	Number voting for each cause of dismissal without reference to any other cause	Per cent of total	Number voting against as cause of dismissal	Per cent of total	Number voting for with special modification	Per cent of total	Number voting for in connection with one or more listed defects	Per cent of total
1	2	3	4	5	6	7	8	9
1	173	59.45	39	13.40	47	16.15	27	9.28
2	268	92.10	5	1.72	12	4.12	4	1.38
3	215	73.88	17	5.84	31	10.65	21	7.12
4	115	39.52	79	27.15	36	12.37	50	17.18
5	125	42.96	50	17.18	42	14.43	61	20.96
6	202	69.42	22	7.56	37	12.71	25	8.59
7	128	43.95	58	19.93	39	13.40	58	19.93
8	89	30.58	99	34.02	37	12.71	49	16.84
9	126	43.30	56	19.25	44	15.12	55	18.90
10	118	40.55	93	31.96	33	11.34	42	14.43
11	127	43.64	67	23.02	37	12.71	47	16.15
12	142	48.80	69	23.71	32	10.99	39	13.40
13	83	28.52	102	35.05	40	13.74	54	18.55
14	142	48.80	62	21.31	33	11.34	34	11.68
15	122	41.92	78	26.80	38	13.06	35	12.03

TABLE 14.—LAYMEN'S VOTE ON POSSIBLE CAUSES FOR DISMISSAL

Total Ballots—149

Cause number	Number voting for each cause of dismissal without reference to any other cause	Per cent of total	Number voting against as cause of dismissal	Per cent of total	Number voting for with special modification	Per cent of total	Number voting for in connection with one or more listed defects	Per cent of total
1	2	3	4	5	6	7	8	9
1	104	69.80	15	10.07	15	10.07	11	7.38
2	142	95.30	1	.67	4	2.68	1	.67
3	117	78.52	7	4.70	17	11.41	7	4.70
4	87	58.39	15	10.07	23	15.44	15	10.07
5	87	58.39	16	10.74	19	12.75	20	13.42
6	118	79.19	7	4.70	12	8.05	12	8.05
7	96	64.43	15	10.07	20	13.42	15	10.07
8	99	66.44	15	10.07	17	11.41	15	10.07
9	96	64.43	16	10.74	20	13.42	16	10.74
10	87	58.39	24	16.11	17	11.41	14	9.39
11	104	69.80	9	6.04	14	9.39	20	13.42
12	103	69.13	11	7.38	11	7.38	16	10.74
13	80	53.69	26	17.45	21	14.09	19	12.75
14	100	67.11	16	10.74	15	10.07	14	9.39
15	104	69.80	14	9.39	14	9.39	12	8.05

TABLE 15.—VOTE ON POSSIBLE CAUSES FOR DISMISSAL BY PRESIDENTS OF STATE TEACHERS COLLEGES AND NORMAL SCHOOLS

Total Ballots—121

Cause number	Number voting for each cause of dismissal without reference to any other cause	Per cent of total	Number voting against as cause of dismissal	Per cent of total	Number voting for with special modification	Per cent of total	Number voting for in connection with one or more listed defects	Per cent of total
1	2	3	4	5	6	7	8	9
1	100	82.64	7	5.78	12	9.91	2	1.65
2	113	93.39			7	5.78		
3	99	81.82	2	1.65	14	11.57	5	4.13
4	72	59.50	15	12.39	16	13.22	15	12.39
5	69	57.02	6	4.95	27	22.31	17	14.05
6	99	81.82	3	2.48	11	9.09	8	6.61
7	68	56.19	13	10.74	22	18.18	18	14.87
8	50	41.32	31	25.62	16	13.22	21	17.35
9	67	55.37	8	6.61	25	20.66	19	15.70
10	62	51.24	20	16.52	19	15.70	18	14.87
11	64	52.89	15	12.39	24	19.83	16	13.22
12	58	47.93	21	17.35	20	16.53	19	15.70
13	40	33.06	33	27.27	18	14.87	27	22.31
14	63	52.06	18	14.87	18	14.87	18	14.87
15	64	52.89	14	11.57	18	14.87	24	19.83

TABLE 16.—VOTE ON POSSIBLE CAUSES FOR DISMISSAL BY DEANS OF TEACHERS COLLEGES, PROFESSORS OF SCHOOL ADMINISTRATION AND OTHER COLLEGE PROFESSORS.

Total Ballots—72

Cause number	Number voting for each cause of dismissal without reference to any other cause	Per cent of total	Number voting against as cause of dismissal	Per cent of total	Number voting for with special modification	Per cent of total	Number voting for in connection with one or more listed defects	Per cent of total
1	2	3	4	5	6	7	8	9
1	50	69.44	3	4.16	11	15.28	8	11.11
2	61	84.72	1	1.38	7	9.72		
3	51	70.83	2	2.77	13	18.05	2	2.77
4	19	26.38	10	13.88	21	29.16	22	30.55
5	39	54.16	5	6.94	13	18.05	14	19.44
6	50	69.44	1	1.38	17	23.61	4	5.55
7	36	50.00	5	6.94	21	29.16	8	11.11
8	21	29.16	10	13.88	22	30.55	15	20.83
9	20	27.77	7	9.72	31	43.05	14	19.44
10	22	30.55	10	13.88	27	37.5	13	18.05
11	29	40.27	8	11.11	18	25.00	14	19.44
12	39	54.16	10	13.88	14	19.44	8	11.11
13	20	27.77	16	22.22	13	18.05	21	29.16
14	34	47.22	8	11.11	13	18.05	15	20.83
15	34	47.22	11	15.28	17	23.61	10	13.88

THERE is a . . . path which will guard the rights of the teacher and yet insure the schools against deterioration. This lies in a periodical taking account of stock. If, after the first few years of probation, the teachers should be subject to a re-evaluation of their services every five or six years, they would have all the advantages of permanency without being tempted to settle back on their oars and drift with the tide. No really live teacher could object to having her work stand on its merit, after sufficient time had passed to show what she was accomplishing. Such a review of one's teaching service should, of course, be based upon some scientific method of rating, and a fair opportunity should be given a teacher who proved to have been retrograding to re-establish her record. That has been successfully accomplished in many places, and renders the suggested plan both safe and effective.

—*Editorial, Educational Review, December, 1923, pp. 285-286.*

TABLE 17.—VOTE ON POSSIBLE CAUSES FOR DISMISSAL BY PRESIDENTS OF STATE UNIVERSITIES AND COLLEGES

Total Ballots—57

Cause number	Number voting for each cause of dismissal without reference to any other cause	Per cent of total	Number voting against as cause of dismissal	Per cent of total	Number voting for with special modification	Per cent of total	Number voting for in connection with one or more listed defects	Per cent of total
1	2	3	4	5	6	7	8	9
1	37	64.91	7	12.28	12	21.05	1	1.75
2	53	92.98			4	7.02		
3	49	85.96	2	3.51	5	8.77	1	1.75
4	28	49.12	5	8.77	13	22.80	9	15.79
5	23	40.35	6	10.52	14	24.56	13	22.80
6	40	70.17	3	5.26	9	15.79	5	8.77
7	28	49.12	8	14.03	10	17.54	9	15.79
8	35	61.40	7	12.28	7	12.28	7	12.28
9	30	52.63	8	14.03	12	21.05	6	10.52
10	29	50.88	11	19.30	9	15.79	5	8.77
11	32	56.14	6	10.52	11	19.30	5	8.77
12	29	50.88	8	14.03	10	17.54	5	8.77
13	18	31.58	16	28.07	9	15.79	11	19.30
14	26	45.61	12	21.05	10	17.54	6	10.52
15	30	52.63	9	15.79	12	21.05	5	8.77

TABLE 18.—COUNTY SUPERINTENDENTS' VOTE ON POSSIBLE CAUSES OF DISMISSAL

Total Ballots—49

Cause number	Number voting for each cause of dismissal without reference to any other cause	Per cent of total	Number voting against as cause of dismissal	Per cent of total	Number voting for with special modification	Per cent of total	Number voting for in connection with one or more listed defects	Per cent of total
1	2	3	4	5	6	7	8	9
1	35	71.43	6	12.24	4	8.16	2	4.08
2	43	87.75	2	4.08	2	4.08		
3	36	73.47	3	6.12	9	18.36	1	2.04
4	18	36.73	16	32.65	4	8.16	11	22.45
5	20	40.81	8	16.32	8	16.32	12	24.49
6	39	79.59	3	6.12	2	4.08	5	10.20
7	23	46.94	10	20.41	9	18.36	7	14.28
8	13	26.53	17	34.69	11	22.45	6	12.24
9	24	48.98	7	14.28	8	16.32	10	20.40
10	23	46.93	14	28.57	8	16.32	4	8.16
11	27	55.10	5	10.20	10	20.40	6	12.24
12	23	46.94	18	36.73	6	12.24	2	4.08
13	16	32.65	10	20.40	12	24.49	10	20.40
14	25	51.02	7	14.28	9	18.36	7	14.28
15	25	51.02	13	26.53	6	12.24	2	4.08

TABLE 19.—VOTE ON POSSIBLE CAUSES FOR DISMISSAL BY STATE SUPERINTENDENTS OF PUBLIC INSTRUCTION

Total Ballots—39

Cause number	Number voting for each cause of dismissal without reference to any other cause	Per cent of total	Number voting against as cause of dismissal	Per cent of total	Number voting for with special modification	Per cent of total	Number voting for in connection with one or more listed defects	Per cent of total
1	2	3	4	5	6	7	8	9
1	30	76.92			6	15.38	1	2.56
2	35	89.74			3	7.69	1	2.56
3	24	61.54	1	2.56	9	23.08	4	10.25
4	17	43.59	7	17.95	6	15.37	9	23.08
5	18	46.15	2	5.13	11	28.20	8	20.51
6	27	69.23	2	5.13	5	12.82	3	7.69
7	16	41.02	5	12.82	9	23.08	7	17.95
8	13	33.33	9	23.08	7	17.95	7	17.95
9	15	38.46	2	5.13	11	28.20	11	28.20
10	15	38.46	5	12.82	12	30.77	7	17.95
11	11	28.20	8	20.51	11	28.20	9	23.08
12	16	41.02	5	12.82	8	20.51	8	20.51
13	4	10.25	7	17.95	11	28.20	13	33.33
14	15	38.46	7	17.95	8	20.51	8	20.51
15	18	46.15	7	17.95	6	15.38	7	17.95

Questions on Teacher Tenure Answered by Tabulation of Mass Opinion

The tabulation of the returns from the 2112 members of the profession and laymen in close touch with the schools would seem to indicate:

I. The teaching profession stands for a policy of teacher tenure and protection of competent and able teachers in their positions.

II. The teaching profession would eliminate the incompetent and the unworthy.

III. Tenure measures should provide for dismissal for such causes as:

1. Manifest or proved physical disability.
2. Proved lapse of moral character.
3. Proved insubordination to reasonable rules and regulations of employing authority.
4. Continued inability to maintain discipline in classroom (teacher), organization of school (principal), or organization of system (superintendent).

IV. The lay public would make the list of specific causes upon which dismissal should be based much larger than the members of the profession. (It is doubtful if the lay public understands the issues involved in teacher tenure or sanctions the policy advocated by the profession.)

V. These returns would seem further to indicate that a reasonable and defensible tenure law should provide the following:

1. A period of probation of one to three years.

2. Tenure during efficiency and good behavior.

3. Dismissal only upon proof of cause and after trial in at least two schools—this to apply to any cause except proved immorality.

4. Right of hearing.

VI. Recognized causes for dismissal: 1. Proved physical or mental incapacity for performing the duties of teaching. 2. Proved immorality. 3. Proved disobedience of State laws or reasonable rules prescribed for the management of the schools. 4. Inability to maintain discipline or to secure and maintain the organization of the school or system in case respectively of teacher, principal, and superintendent.

Table 21 summarizes the vote of all groups on all fifteen "possible causes for dismissal." Each of these causes was supported by fifty per cent or more of all of the members in one or more of the groups voting on the question of causes of dismissal. Over fifty per cent of the laymen held that *each* of the fifteen items was a justifiable cause for dismissing a teacher. In contrast, class-room teachers, principals, and State Superintendents, voted that only *four* of the fifteen causes were sufficient grounds for dismissal.

TABLE 20.—VOTE ON POSSIBLE CAUSES FOR DISMISSAL BY PRESIDENTS OF
STATE PARENT TEACHER ASSOCIATIONS

Total Ballots—15

Cause number	Number voting for each cause of dismissal without reference to any other cause	Per cent of total	Number voting against as cause of dismissal	Per cent of total	Number voting for with special modification	Per cent of total	Number voting for in connection with one or more listed defects	Per cent of total
1	2	3	4	5	6	7	8	9
1	9	60.00	4	26.66			2	13.33
2	14	93.33			1	6.66		
3	12	80.00	1	6.66	1	6.66	1	6.67
4	8	53.33	3	20.00	3	20.00	1	6.67
5	11	73.33	1	6.66	1	6.66	2	13.33
6	12	80.00	1	6.66	2	13.33		
7	10	66.66			2	13.33	3	20.00
8	8	53.33	5	33.33	2	13.33		
9	7	46.66	1	6.66	3	20.00	4	26.67
10	8	53.33	2	13.33	3	20.00	2	13.33
11	12	80.00	1	6.66	2	13.33		
12	8	53.33	1	6.66	4	26.66	2	13.33
13	5	33.33	2	13.33	4	26.66	3	20.00
14	10	66.66	2	13.33	2	13.33	1	6.67
15	11	73.33	2	13.33			2	13.33

TABLE 21.—NUMBER VOTING AND PER CENT OF TOTAL NUMBER IN EACH GROUP VOTING FOR EACH CAUSE OF DISMISSAL LISTED

Cause for Dismissal	Class-room Teachers	City Superintendents	Principals	Laymen	Presidents of Teachers Colleges	Deans and Professors	Presidents of Universities and Colleges	County Superintendents	State Superintendents	Presidents of Teachers Associations	Total — 2112
1	2	3	4	5	6	7	8	9	10	11	12
1. Manifest or proved physical disability	572 Yes 56% No 44%	241 Yes 82% No 18%	173 Yes 59% No 41%	104 Yes 70% No 30%	100 Yes 83% No 17%	50 Yes 69% No 31%	37 Yes 65% No 35%	35 Yes 71% No 29%	30 Yes 77% No 23%	9 Yes 60% No 40%	All groups 1351 63.95%
2. Proved lapse of moral character	924 Yes 90% No 10%	278 Yes 94% No 6%	268 Yes 92% No 8%	142 Yes 96% No 4%	113 Yes 93% No 7%	61 Yes 86% No 14%	53 Yes 83% No 17%	43 Yes 88% No 12%	35 Yes 90% No 10%	14 Yes 83% No 17%	All groups 1931 90.86%
3. Proved insubordination to reasonable rules and regulations of employing authority	602 Yes 59% No 41%	239 Yes 81% No 19%	215 Yes 74% No 26%	117 Yes 79% No 21%	99 Yes 82% No 18%	81 Yes 71% No 29%	49 Yes 86% No 14%	36 Yes 73% No 27%	24 Yes 62% No 38%	12 Yes 80% No 20%	All groups 1444 68.37%
4. Continued criticism of employing authority or superior officer											3 groups Yes 53% No 47%
5. Continued failure to grow professionally and improve in service											4 groups Yes 73% No 27%
6. Continued inability to maintain discipline	612 Yes 60% No 40%	246 Yes 83% No 17%	202 Yes 69% No 31%	118 Yes 79% No 21%	99 Yes 82% No 18%	50 Yes 69% No 31%	40 Yes 70% No 30%	39 Yes 80% No 20%	27 Yes 69% No 31%	12 Yes 80% No 20%	All groups 1445 66.41%
7. Continued failure to develop skill in instruction											4 groups Yes 67% No 33%
8. Continued failure to secure results in subjects taught as measured by standard tests											3 groups Yes 53% No 47%
9. Continued friction with co-workers											4 groups Yes 53% No 47%
10. Continued friction with parents and patrons											4 groups Yes 53% No 47%
11. Lack of self-control											5 groups Yes 80% No 20%
12. Lack of sympathy with children											4 groups Yes 53% No 47%
13. Lack of promptness and accuracy											1 group Yes 100% No 0%
14. Untidy personal appearance and lack of cleanliness											4 groups Yes 67% No 33%
15. Habitual use of poor English											4 groups Yes 72% No 28%

¹ Where spaces are not filled, vote was less than 50 per cent of group.
NOTE: Read Table 21 as follows: 572 out of 1024 class-room teachers or 56% voted "Yes" on Cause No. 1, manifest or proved physical disability.

Do Teachers Protected by Tenure Set for Themselves High Standards of Professional Achievement and Growth?

No tenure measure would be complete, nor what the teaching body can consistently continue to defend before the public, unless it provides further for a standard of professional achievement and growth. The 1924 Committee of One Hundred on the Problem of Tenure found that teachers' organizations recognize this. As proof, witness the provisions of the bill proposed by the Ohio teachers:

Proposed standards to be required for teachers on indefinite tenure in Ohio:

1. Elementary and special—graduation from first-grade high school and two years' normal school or college work or equivalent.

2. Superintendents of schools, assistant superintendents, county or district superintendents, high-school principals, elementary principals, supervisors or high-school teachers—graduation from first-grade high school, four-year college course or equivalent.

3. State superintendent must prescribe a minimum of such study for professional growth as seems necessary. Districts may add to these requirements.

Observe also the recommendations of the Oregon State Teachers' Association in suggesting amendment to the teacher tenure law of that State:

No person shall be entitled to the privilege and protection of this Act who does not hold a certificate in full force and effect of the grade required for the position:

For the elementary school teacher, principal, or supervisor: Graduation from a standard normal school or its equivalent.

For the high-school teacher, principal, or supervisor: Graduation from a four-year standard college or university, or its equivalent.

The equivalency of the qualifications of a non-graduate for certification shall be decided by the State superintendent of public instruction.

Here is further proof that tenure tends to raise professional standards and growth. For example, definite constructive provisions have been established by the rules and regulations of the New Orleans Board of Education in compliance with the State Tenure Law.

These superior qualities entitle teachers to tenure:

1. Moral character.
2. Literary attainments.
3. Industry and practical skill in imparting knowledge.
4. Discipline.
5. Inculcation of truth, honesty, morality, self-control, patriotism.
6. Good health.

Every Tenure Law Should Include a Standard of Professional Attainment

The Committee of One Hundred recommends the inclusion of a standard for professional attainment in every proposed tenure law. This standard should be adapted in a practical way to the school requirements of each State. The examples furnished show in a remarkable degree a tendency on the part of the teaching profession to establish a high standard for professional growth and attainment for all members of the teaching profession, especially those to be protected by tenure.

Validity of Method of Appeal to Prevailing Opinion

Is the "jury method" or the method of appeal to prevailing opinion, valid? Will persons answering points upon a questionnaire, such as that submitted in the foregoing investigation, answer from conviction or will answers differ materially if the same questions are submitted at a later date?

The results of this investigation on causes for dismissal of teachers were checked by submitting the same questionnaire a second time to an unselected list of one hundred of the city superintendents of schools to whom the questionnaire had been originally submitted. An interval of approximately four months had elapsed between the first sending of the questionnaire and the second.

Eighty out of the one hundred superintendents to whom the questionnaire was sent the second time returned the same with answers. Each questionnaire contained fifteen questions. A total of twelve hundred answers in all were thus returned. (It will be remembered that failure to check a question in the column on the blank submitted registered a negative vote upon the defect as a cause for dismissal.)

Twelve out of 80, or 15 per cent. of the

superintendents answered 5 or more questions of the 15 differently.

Sixty-eight out of 80, or 85 per cent, of the superintendents answered 10 or more of the questions the same as in the first returns.

In all, 256 questions out of 1200 questions, or 21.3 per cent, were answered differently.

Nine hundred and forty-four questions out of 1200, or 78.6 per cent, were answered the same as previously.

By the vote returned there were four major questions; that is, four questions upon which all groups voted favorably by a majority vote

as a cause for dismissal. These were questions No. 1, No. 2, No. 3, and No. 6.

Thirty-two out of 320 questions, or 10 per cent, were answered differently.

Two hundred and eighty-eight out of 320 questions, or 90 per cent, were answered the same as previously.

Four superintendents out of 80, or 5 per cent, answered more than one of the four principal questions differently.

Seventy-six superintendents out of 80, or 95 per cent, answered three or more of the questions the same as previously.

Bibliography on Teacher Tenure

As a result of the work of the Committee of One Hundred on the Problem of Tenure, the following comprehensive bibliography has been assembled. The Committee passes it on for the help of all those charged with investigations in the field of teacher tenure.

ALEXANDER, W. J. *Teachers' Term of Office Especially in North Dakota*. North Dakota Education Association. Proceedings. 1912. pp. 89-93.

ALMACK, J. C. *The Problem of Teacher Tenure*. American School Board Journal, Volume 63. November 1921. p. 29.

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS. *Annual Address of the President and General Report of the Committee on Academic Freedom and Academic Tenure*. Bulletin, Volume 1, Part 1. December 1915.

AMERICAN SCHOOL BOARD JOURNAL. *Chicago's Newest Difficulty*. Volume 53. July 1916. p. 32.

ANDERSON, C. J. *Status of Teachers in Wisconsin*. Madison, Wisconsin, Department of Public Instruction. 156 pp.

ANDERSON, W. N. *The Selection of Teachers*. Educational Administration and Supervision, Volume 3. February 1917. pp. 83-90.

BALLOU, FRANK W. *The Appointment of Teachers in Cities*. Cambridge, Harvard University Press. 1915. p. 202.

BEALE, R. L. *The Selection of the Teacher*. Virginia Journal of Education, Volume 8. February 1915. pp. 292-6.

BENEDICT, ERNEST M. *Reasons in Favor of Indefinite Tenure of Office for Teachers*. School Index, Volume 6. November 28, 1919. pp. 98-99, p. 102, also American School Board Journal, Volume 60. November 13, 1919. pp. 249-55.

BENSON, CHARLES E. *The Output of Professional Schools for Teachers*. 1922. Warwick and York, Baltimore, Maryland.

BENTLEY, E. R. *Indefinite Tenure of Office for Teachers*. American School Board Journal, Volume 60. January 1920. p. 85.

BETTER SCHOOLS. *Tenure of Teachers*. Volume 2. September 1916. pp. 172-75.

BONNER, H. R. *Salary Outlook for High School Teachers*. School Review, Volume 30. June 1922. pp. 414-23.

BOYNTON, F. D. *The Effects of Tenure and Compulsory Salary Increment Laws*. Journal of New York State Teachers Association, Volume 6. November 13, 1919. pp. 249-55.

BROOKS, ROBERT C. *Tenure in College and Universities*. School and Society, Volume 19. April 26, 1924. pp. 497-501.

BURR, A. W. "March." Wisconsin Journal of Education, Volume 51. April 1919. pp. 112-13.

CARNEGIE FOUNDATION FOR ADVANCEMENT OF TEACHING. *Tenure of Office and the Method of Appointment in American Colleges and Universities*. Bulletin No. 21. May 1908. pp. 55-57.

CHILDS, EDWARD P. *The Selection of Teachers*. American School Board Journal, Volume 53. November 1916. pp. 17-19, pp. 70-71.

- COOPER, H. E. *Cost of Teacher Training*. Baltimore, Warwick and York. 1924. 112 pp.
- CRABBE, A. L. *A Study in Teacher Transiency*. Peabody Journal of Education, Vol. 1. May, 1924. pp. 295-300.
- CUBBERLEY, ELLWOOD P. *Public School Administration*. Chicago, Houghton, Mifflin & Co. 1922. pp. 198-224.
- , AND ELLIOTT, E. C. *State and County School Administration*. New York, Macmillan Co. 1915. pp. 607-627.
- DEGRAFF, GRACE. *Tenure of Office for Teachers*. American School Board Journal, Volume 51. November 1915. pp. 10, 71.
- DEIBLER, F. S. *Principles of Academic Freedom and Tenure of the American Association of University Professors*. Annals of the American Academy of Political and Social Science, Volume 101. May 1922. pp. 127-37.
- DOLT, M. L. *The Tenure of Teachers in North Dakota State Institutions*. North Dakota Educational Association Proceedings. 1916. pp. 50-55.
- DRAPER, ANDREW SLOAN. *Necessary Basis of the Teacher's Tenure*. Syracuse, New York, C. W. Bardeen. 1912. 41 pp.
- ELLIOTT, CHARLES H. *The Life Tenure*. American Schoolmaster, Volume 8. December 1915. pp. 433-42.
- . *The Teachers' Tenure of Office; In his Educational Reform*. pp. 49-58.
- ELIOT, CHARLES W. *Effect of Permanent Tenure Upon School Efficiency*. Educational Review, Volume 66. December 1923. pp. 285-286.
- FERGUSON, JAMES. *Improving the Tenure of Teachers*. American School Board Journal, Volume 61. September 1920. pp. 35-36.
- HALL, WILLIAM. *The Tenure of Teachers*. American School Board Journal, Volume 65. October 1922. pp. 106, 117-18.
- HOUSMAN, IDA E. *Tenure Once More*. Educational Review. Vol. 68. October, 1924. pp. 118-122.
- HUNKINS, R. V. *Teachers' Contracts*. School and Society, Volume 11. January 3, 1920. pp. 25-27.
- IDAHO TEACHER. *The Tenure of School Teachers*. Volume 3. October 1921. pp. 63-69.
- ILLINOIS TEACHER. *Teachers' Tenure Localized*. Volume 6. September 1917. p. 10.
- ILLINOIS UNIVERSITY. *The Selection and Employment of High School Teachers*. University of Illinois Bulletin, Volume 13, No. 41. June 12, 1916. 12 pp.
- JUDD, CHARLES H. *The Professional Significance of Appointments by Teachers' Agencies*. Elementary School Journal, Volume 16. April 1916. pp. 442-48.
- . *Judging the Competency of Teachers*. School Review, Volume 30. January 1922. pp. 3-6.
- KANDEL, ISAAC L. *Tenure of Service of Teachers*. Teachers College Record, Volume 26, No. 2. October 1924.
- KEITH, JOHN A. H., AND BAGLEY, WILLIAM C. *The Nation and the Schools*. Macmillan Company. 1920. 323 pp.
- NATIONAL EDUCATION ASSOCIATION. 1201 Sixteenth Street, Washington, D. C. KEATING, J. F. *Teaching Tenure*. Department of Superintendence. Proceedings. 1916. pp. 165-68.
- . FERGUSON, JAMES. *The Tenure of Teachers*. Addresses and Proceedings. 1920. pp. 158-60.
- . GWINN, J. M., AND CLARK, M. G. *The Selection and Tenure of Office of Assistant Superintendents and Supervisors*. Addresses and Proceedings. 1913. pp. 303-7.
- . DEPARTMENT OF SUPERINTENDENCE. *First Yearbook*. February 1923.
- . SWAIN, JOSEPH. *Preliminary Report on the Tenure of Teachers*. Addresses and Proceedings. 1920. pp. 147-54.
- . WILLIAMS, CHARL O. *Report of the Committee on Tenure*. Addresses and Proceedings. 1921. pp. 145-55. Also in School and Society, Volume 14. September 3, 1921. pp. 129-36.
- . RESEARCH BULLETIN OF THE N. E. A. *Facts on the Cost of Public Education and What They Mean*. Bulletin One. June 1922. pp. 60-61. State Tenure Laws. Tables 51 and 52.
- . RESEARCH BULLETIN OF THE N. E. A. *Facts on State Educational Needs*. Volume 1, No. 1. January 1923.
- . RESEARCH BULLETIN OF THE N. E. A. *Five Questions for American Education Week*. Volume 1, No. 4. September 1923.

- OHIO TEACHER. *Wenner Tenure of Office Bill*. Volume 40. November 1919. pp. 150-51.
- PARKINSON, WILLIAM D. *Teachers' Tenure*. Journal of Education, Volume 79. January 29, 1914. pp. 115-16.
- PATTERSON, H. *Common Sense and Teachers' Contracts*. School and Society, Volume 10. November 8, 1919. pp. 553-56.
- . *Permanent Tenure*. School Review, Volume 29. January 1921. pp. 6-12.
- POORE, W. A. *The Employment of Teachers*. New Mexico Journal of Education, Volume 19. February 15, 1914. pp. 5-7.
- PORTLAND PUBLIC SCHOOLS, Portland Oregon. *A Report of the Survey of the Public School System*. 1913. Chapter IV. Reprinted by World Book Company. Yonkers-on-Hudson. New York. 1915.
- ROCKY MOUNTAIN TEACHERS' AGENCY, Denver. *How to Apply for a School and Secure Promotion; with Laws of Certification of Teachers of all States*. Compiled and Published by Wm. Ruffer, Manager. 1916. 96 pp.
- SCHERMERHORN, W. D. *Teachers' Contracts*. School and Society, Volume 10. December 27, 1919. p. 773.
- SCHOOL AND SOCIETY. *Report of the Committee of the American Association of University Professors on Academic Freedom and Academic Tenure*. Volume 3. January 22, 1916. pp. 108-21.
- SCHOOL REVIEW. *Judging the Competency of Teachers*. Volume 30. January 1922. pp. 3-6.
- . *Permanent Tenure*. Volume 29. January 1921. pp. 6-12.
- SHAPLEIGH, FREDERICK E. *Examinations, Eligible Lists and Appointments of Teachers*. American School Board Journal, Volume 54. March 1917. pp. 19-20, 44.
- SHELDON, H. D. *Teachers' Organizations and Teachers' Tenure*. Oregon Teachers' Monthly, Volume 21. December 1916. pp. 205-07.
- SHIELS, ALBERT. *Examining, Selecting and Training Teachers*. New York City Schools. Document No. 5. 1914. 50 pp.
- SMITH, GEORGE E. *The Selection of Teachers—The Buffalo Idea*. Journal of the New York State Teachers Association, Volume 3. June 1916. pp. 179-81.
- STILLMAN, CHARLES B. *Tenure of Position of Superintendents and Teachers*. American Teacher, Volume 6. March 1917. pp. 34-37.
- STOUTMEYER, J. H. *Educational Qualifications and Tenure of the Teaching Population*. School Review, Volume 25. April-May 1917. pp. 257-73, pp. 336-45.
- STRANGE, A. S. *Choosing a Teacher*. Oregon Teachers' Monthly, Volume 21. October 1916. pp. 69-71.
- SWAIN, JOSEPH. *Teachers' Tenure Localized*. Illinois Teacher, Volume 6. September 1917. p. 10.
- TERRELL, JOHN B. *The Selection of Our Teaching Force for Next Year*. Virginia Journal of Education, Volume 8. June 1915. pp. 529-33.
- UNITED STATES BUREAU OF EDUCATION. Department of Interior, Washington, D. C. SEARLEY, HOMER H. *The American Teacher*. Bulletin 44, 1922. pp. 3-4.
- . DEFFENBAUGH, W. S. *Administration of Schools in the Smaller Cities*. Bulletin, 2. 1922. pp. 50-53.
- . *Biennial Survey of Education, 1916-1918*. Bulletin No. 88. 1919.
- . *Length of Teachers' Service*. Report of the Commissioner, Volume 2. 1904. pp. 1277-1301.
- VAN HISE, CHARLES R. *The Appointment and Tenure of University Professors*. Association of American Universities. Journal of Proceedings and Addresses. 1910. pp. 50-51.
- WALTON, G. A. *Teachers' Contracts and Perquisites in Boarding Schools*. School and Society, Volume 17. May 5, 1923. pp. 485-87.
- WASHINGTON EDUCATIONAL JOURNAL. *Tenure in Washington 1921-22*. Statewide Survey by the Executive Secretary of Washington Education Association. May 1922. p. 292.
- WESTERN JOURNAL OF EDUCATION. *The Tenure of Teachers*. Volume 26. September 1920. pp. 2-3.
- YOUNG, WALTER H. *Effects of Unstable Tenure of Office*. Journal of Education, Volume 84. September 7, 1916. pp. 202-205.

Texts of State Teacher Tenure Laws

Eleven States have adopted tenure laws that embody many of the sound principles of tenure legislation. A comparison of the features of these laws is made possible by the tabulation inserted at page 153. For the aid of legislative committees, the texts of the State tenure laws, together with those of seven local laws, are included here.

California State Teacher Tenure Law

Boards of school trustees and city and county boards of education shall have power, and it shall be their duty:

To employ teachers. Teachers may be elected on or after May second for the next ensuing school year, and each teacher so elected shall be deemed re-elected from year to year except as hereinafter specified; *provided*, that any teacher who shall fail to signify his acceptance within twenty days after notice of his election or employment shall have been given him by the clerk or secretary of the governing board of the school district, or shall have been mailed to him by such clerk or secretary by depositing such notice in the United States post office, with postage thereon prepaid, addressed to such teacher at his last known place of address, shall be deemed to have declined the same.

To classify as permanent teachers all persons who shall have been successfully employed as teachers by the district for two consecutive school years at the time of classification; *provided*, also, that the two years of successful service shall have been performed in a district employing at least eight teachers under a principal who shall devote at least two hours per day to supervision in the school or schools under his control. Such classification shall be made at the end of two years of such employment.

To dismiss probationary teachers during the school year for cause only, as in the case of permanent teachers, except that on or before the tenth day of June in any year the governing board may give notice in writing to a probationary teacher that his services will not be required for the ensuing school year. Such notice shall be deemed sufficient and complete when delivered in person to the teacher by the clerk or secretary of the governing board of the school district or deposited in the United States registered mail with postage prepaid, addressed to such teacher at his last known place of address.

To dismiss permanent teachers, principals, or supervisors of special subjects, except as hereinafter provided, only for one or more of the following causes, after a fair and impartial public hearing. Causes for dismissal are immoral or unprofessional conduct, incompetence, evident unfitness for teaching, persistent violation of or refusal to obey the school laws of California, or reasonable rules prescribed for the government of public schools.

Dismissal for cause shall be made only after the following provisions shall have been complied with: The governing board shall give at least ten days' notice in writing to any permanent teacher, or principal, or supervisor of special subjects against whom charges shall have been preferred, which notice shall state fully the charges, and the time when, and the place where such hearing is to be held. Hearing for dismissal, how conducted.

The governing board shall hold such hearing under reasonable rules which it shall adopt, and the teacher against whom charges shall have been preferred shall have the right to be represented by counsel, and to call witnesses on his own behalf, and take their testimony at the hearing, and to cross-examine all other witnesses who may testify at such hearing; *provided*, that such hearing shall be confined to charges only.

The board may dismiss any permanent teacher after a hearing as in this section provided, upon proof of the charges covering any one or more of the causes for dis-

missal enumerated in this section, upon the affirmative vote of the majority of the board. No member of the board shall be qualified to vote who has not been present throughout the entire hearing. Such trial shall have been concluded and the decision rendered within ten days after the beginning of said trial.

It is hereby provided, however, that whenever it becomes necessary to decrease the number of permanent teachers employed by a school district on account of the decrease in the number of pupils attending the schools of such district, or on account of the discontinuance of a particular kind of teaching service in such district, governing board may dismiss such teacher or teachers at the close of the school year. Such teacher or teachers so dismissed shall be the teacher or teachers last employed by the district.

If the dismissal of such teacher or teachers shall become necessary on account of the discontinuance of a particular kind of teaching service in the district, the teacher or teachers so dismissed shall be the teacher or teachers engaged in the type of teaching work so discontinued. If such a course is reestablished within one year from the time of such discontinuance, the teacher or teachers so dismissed shall have the preferred right to appointment as teacher or teachers of such course.

The board shall give any teacher who shall be dismissed under this proviso a statement of honorable dismissal.

(Section No. 1609, *School Law of California*, 1921, pages 129-134, inclusive.)

Colorado State Teacher Tenure Law

Any teacher who has heretofore been or shall hereafter be employed as a regularly elected teacher for three consecutive school years in any first class school district having 20,000 or more inhabitants, and shall be re-elected after the passage of this act, shall without further election have stable and continuous tenure of his or her position during efficiency and good behavior.

No teacher who has been or shall hereafter be employed for three consecutive years shall be dismissed or retired; nor except in case of a general reduction of salaries in that district when applicable to the salaries of fifty per cent or more of all teachers in the district, shall the salary of any teacher be reduced for any political or religious reason, nor for any reason that shall not promote the efficiency of the service, nor until the charge in writing signed by the person making the same has been filed for at least ten days with the Secretary of the board of school directors employing such teacher, nor until such charge has been served upon the accused for at least thirty days, nor until the said board shall sustain such charge at a hearing at which the teacher complained against and the person making such complaint shall have been heard in person with or without counsel; provided that if the District Superintendent of Schools and the principal or other supervisor having supervision of a teacher shall recommend the dismissal of said teacher for cause not political or religious, the Board of Education may, by the vote of not less than two-thirds of its entire membership dismiss such teacher without such hearing. In such case, however, a statement in writing of the cause of such dismissal shall be delivered or mailed to such teacher by the Secretary of the district, and a copy thereof shall be preserved in the records of the district. (Copy of the State teacher tenure law of Colorado furnished by Miss Nellie Corkish, acting deputy State superintendent of public instruction, under date of January 16, 1924.)

Illinois State Teacher Tenure Law

Section 138. Appointments and promotion of teachers, principals and other educational employees shall be made for merit only and after satisfactory service for a probationary period of three years (during which period the board may dismiss or discharge any such probationary employee upon the recommendation, accompanied by the written reasons therefore, of the superintendent of schools),

appointments of teachers and principals shall become permanent, subject to the rules of the board concerning conduct and efficiency, and subject to removal for cause in the manner provided by section 161 of this act; provided, however, that in determining the duration of the probationary period of employment in this section specified there shall be included the time of past service of all teachers and principals and other educational employees who are in the schools at the time, or who have been therein within five years immediately preceding the time this act goes into effect; and further provided, that when any teacher or principal who has been promoted to the position of assistant or district superintendent or a member of the board of examiners, is relieved of the duties of such position, and such persons shall be reinstated in the position from which he was promoted. The words "teachers and principals" shall be construed to include all members of the teaching force except the superintendent of schools, assistant and district superintendents and members of the board of examiners.

Section 161. No teacher or principal who has been or shall be appointed by said board of education shall (after serving the probationary period of three years specified in section 138 of this act) be removed except for cause, and then only by a vote of not less than a majority of all members of the board, upon written charges presented by the superintendent of schools to be heard by the board, or a duly authorized committee of the same, after thirty days notice, with a copy of the charges, is served upon the person against whom they are preferred, who shall have the privilege of being present, together with counsel, offering evidence and making defense thereto; at the request of any party such hearing shall be public. The action and decision of the board in the matter shall be final. Pending the hearing of such charges, the person charged may be suspended as by the rules of the board may be prescribed: Provided, however, that in the event of acquittal, such person shall not suffer any loss of salary by reason of this suspension. (Quoted from the report of the Sub-committee for Illinois of the Teacher Tenure Committee of One Hundred.)

Louisiana State Teacher Tenure Law

All teachers holding proper certificates now employed in said public schools of Orleans parish shall be regarded as permanent employees of said board, and said teachers shall not be removed from office except on written charges of immorality, neglect of duty, incompetency, malfeasance or nonfeasance of which he has been found guilty, by the board, after investigation and report, and further provided that all teachers hereinafter appointed in said schools shall be appointed annually for the first three years, after which time the appointment may be made permanent by the board if the teacher is found satisfactory. (Extract from Section 66, Act 100 of 1922 of the Legislature of Louisiana may be found in *Public School Laws of Louisiana*, enacted by the Legislature of 1922, issued by the State Department of Education, Baton Rouge, page 27.)

The following extract is taken from *Rules and By-Laws of the Orleans Parish School Board*, published July, 1917, page 57, Section 25, and is printed in accordance with Section 66 of Act 100 of 1922 of the Legislature of Louisiana quoted above.

The possession and maintenance of superior qualifications as to moral character, literary attainments, industry and practical skill in imparting knowledge, discipline, inculcation of principles of truthfulness, honesty, morality, self-control, and patriotism in pupils, and the possession of the necessary good health shall insure teachers a continuance of their employment and shall render them eligible to promotion in accordance with these rules. (Section 25, Tenure of Office.)

Maryland State Teacher Tenure Law

The county board of education shall appoint, on the written recommendation of the county superintendent, all principals and assistant teachers, and fix their salaries, subject to the provisions of Chapter 8 of this article. The county board may suspend or dismiss without appeal any teacher so appointed, on the written recommendation of the county superintendent, for immorality, misconduct in office, insubordination, incompetency, or wilful neglect of duty;

provided that the charges be stated in writing, and that the teacher be given an opportunity to be heard by the board upon not less than ten days' notice; provided further that in all cases when the board is not unanimous in its decisions to suspend or dismiss, the right of appeal shall lie in the State Superintendent of Schools.

All contracts with teachers, both principals and assistants, employed after June 1, 1918, shall be in writing and on uniform blanks furnished by the State Board of Education, which shall be signed by the teacher, the president, and the secretary of the county board of education, and when so signed shall be filed by the secretary in the office of the board; provided teachers employed prior to June 1, 1918, and continuing in the service, shall have the contract herein prescribed when they so desire. The following shall be the form of contract and, under the foregoing conditions, no other shall be recognized:

Teacher's Contract

State of Maryland, County of.....
It is hereby agreed by and between the County Board of Education of.....County and.....
that the said.....shall be and is hereby employed to teach in the public schools of.....
County, as.....subject to assignment by the County Superintendent or transfer to some other teaching position within the county; provided that if the transfer be made during the school year or after the opening of the school for any year, the salary shall not be reduced for the remainder of the year. The salary of said teacher shall be fixed by the County Board of Education, which salary shall be not less than the minimum salary provided by law.

And it is further agreed that the said teacher will not vacate the position to which assigned during any school year, except in case of emergency, of which the county board shall judge.

And it is further agreed that either of the parties to this contract may terminate it at the end of the first or second school year by giving thirty days' notice in writing to the other during the month of June or July.

And it is further agreed that if the teacher named herein wishes to vacate his or her position after the second year, thirty days' notice in writing shall be given the County Board of Education during the month of June or July, except in case of emergency, of which the County Board of Education shall judge.

If any of the conditions of this contract shall be violated by the teacher, named herein, salary already accrued will be forfeited, in the discretion of the County Board of Education.

This contract shall continue from year to year, subject to the foregoing conditions, provided that if the teacher, on recommendation of the County Superintendent, is suspended by the County Board of Education in accordance with the provisions of Section 53 of Article 77 of the Annotated Code of Maryland, said teacher shall have the right of appeal to the State Superintendent of Schools, if the decision of said board is not unanimous.

This contract is made in accordance with the provisions of the school law, and is subject to Section 53 and 56 of Article 77 of the Annotated Code of Maryland, Chapter 506 of the Acts of the General Assembly of 1916, and any amendments thereto, and will be filed among the records of the County Board of Education.

The said.....on.....part hereby accepts said appointment, to take effect on the.....day of.....19....

Date of signing this contract.....19....

Witness our hands:

.....
President, County Board of Education.

.....
Secretary, County Board of Education.

.....
Teacher.

(By-law 13, Section, No. 25 J, *Maryland Public School Laws*, 1922, pages 23 and 24.)

Massachusetts State Teacher Tenure Law

The school committee may dismiss any teacher, but in every town except Boston no teacher or superintendent, other than a union or district superintendent, shall be dis-

missed unless by a two-thirds vote of the whole committee. In every such town a teacher or superintendent employed at discretion shall not be dismissed unless at least thirty days prior to the meeting, exclusive of customary vacation periods, at which the vote is to be taken; he shall have been notified of such intended vote, nor unless, if he so requests, he shall have been given a statement by the committee of the reasons for which dismissal is proposed; nor unless, if he so requests, he has been given a hearing before the school committee, at which he may be accompanied by a witness; nor unless, in the case of a teacher, the superintendent shall have given the committee his recommendations thereon. Neither this nor the preceding section shall affect the right of a committee to suspend a teacher or superintendent for unbecoming conduct, or to dismiss a teacher whenever an actual decrease in the number of pupils in the schools of the town renders such action advisable. No teacher or superintendent who has been lawfully dismissed shall receive compensation for service rendered thereafter, or for any period of lawful suspension followed by dismissal. (Section, No. 42, *General Laws Relating to Education*, 1921, State of Massachusetts, page 40.)

Montana State Teacher Tenure Law

After election of any teacher or principal for the second consecutive year in any district in the State, such teacher or principal so elected shall be deemed re-elected from year to year thereafter unless the board of trustees shall by a majority vote of its members on or before the first day of May give notice in writing to such teacher or principal that his services will not be required for the ensuing year; provided, that in case of principals in charge of school systems such notices shall be given on or before February first. (Section No. 1075, *School Laws of the State of Montana*, June, 1923, page 47.)

New Jersey State Teacher Tenure Law

The service of all teachers, principals and supervising principals of the public schools in any school district of this State shall be during good behavior and efficiency, after the expiration of a period of employment of three consecutive years in that district, unless a shorter period is fixed by the employing board; provided, that the time any teacher, principal, supervising principal has taught in the district in which he or she is employed at the time this act shall go into effect, shall be counted in determining such period of employment. No principal or teacher shall be dismissed or subjected to reduction of salary in said school district except for inefficiency, incapacity, conduct unbecoming a teacher, or other just cause, and after a written charge of the cause or causes shall have been preferred against him or her, signed by the person or persons making the same, and filed with the secretary or clerk of the board of education having charge of the school in which the service is being rendered, and after the charge shall have been examined into and found true in fact by said board of education, upon reasonable notice to the person charged, who may be represented by counsel at the hearing. Charges may be filed by any person, whether a member of said school board or not. (Section No. 165, *New Jersey School Laws*, 1921, page 89.)

A Supplement to an act entitled: "An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support, and management thereof," approved October nineteenth, one thousand nine hundred and three.

1. Any teacher, principal, or supervising principal, under tenure of service, desiring to relinquish his or her position, shall give the employment board of education sixty days' written notice of such intention, unless the local board of education approve of a release on shorter notice.

2. Any teacher failing to give such notice shall be deemed guilty of unprofessional conduct, and the Commissioner of Education is authorized to suspend the certificate of such teacher for a period of not exceeding one year.

3. This act shall take effect immediately. (Chapter No. 206, *Legislation Number of the Education Bulletin*, State of New Jersey, Department of Public Instruction, May, 1922—Amendments—pages 148 and 149.

New York State Teacher Tenure Law

At the expiration of the probationary term of a person appointed for such term, the superintendent of schools, and, in a city having a board of superintendents, such board shall make a written report to the board of education recommending for permanent appointment those persons who have been found competent, efficient, and satisfactory. Such persons, and all others employed in the teaching, examining, or supervising service of the schools of a city, who have served the full probationary period, or have rendered satisfactorily an equivalent period of service prior to the time this act goes into effect, shall hold their respective positions during good behavior and efficient and competent service, and shall not be removable except for cause, after a hearing by the affirmative vote of a majority of the board. In a city in which teachers have not permanent tenure under the laws in force prior to the time this act goes into effect, such teachers shall be entitled to receive permanent appointments after serving the probationary period fixed by the board of education as herein provided.

No principal, supervisor, director, or teacher shall be appointed to the teaching force of a city who does not possess qualifications required under this chapter and under the regulations prescribed by the Commissioner of Education for the persons employed in such positions in the schools of the cities of the State, but a board of education may prescribe additional or higher qualifications for the persons employed in any of such positions. (Section No. 872, *University of the State of New York Bulletin*, No. 759, June, 1922, Albany, New York, entitled *Education Law* as amended to July 1, 1922. Pages 258-259.)

Oregon Teacher Tenure Law

The word "teacher" or "teachers," as used in this act, shall include all supervisors, principals, vice principals and instructors who are in the employ of the school district or districts specified in this act, and all teachers and instructors are classified, for the purposes of this act, into the following branches of service, to wit: First, supervisors; second, high school principals; third, high school vice principals; fourth, grade school principals; fifth, assistant supervisors; sixth, heads of departments in high schools; seventh, high school instructors; eighth, grade school teachers; ninth, special teachers. All teachers and instructors shall be placed or graded in one of the foregoing branches of service for all purposes mentioned in this act. (Laws 1921, Chap. 247.)

The teachers employed in any such district or districts during their first two years of service shall be classed as probationary teachers. The board of directors may dismiss a probationary teacher at any time during the probationary period, upon cause deemed sufficient by the board; provided, if during the probationary period it is proposed to discontinue with or discontinue the service of any teacher on such probationary list at the conclusion of a school year, such teacher shall be served with a written notice, to that effect at least two and one-half (2½) months before the expiration of his or her contract; or in case no contract is entered into then such notice shall be served at least two and one-half (2½) months before the close of the then current school year. However, no teacher or instructor on the probationary list may be dismissed simply on account of friction between her and her principal, without giving such teacher a fair opportunity with one other principal. (O. L., Section 5243.)

Teachers who have been employed in the schools in any such district or districts as regularly appointed teachers for not less than two successive annual terms shall be placed by the board of directors upon the list of permanently employed teachers. (O. L., Section 5244.)

Teachers so placed upon such permanent list shall not be subject to annual appointment, but shall continue to serve until dismissed or discontinued in the service by the board in the manner herein provided, but may be suspended subject to the rules of the board of directors concerning suspension, but such rules shall be reasonable and for the good of such schools; provided, the board of directors shall have authority to transfer any teacher from any position in one branch of the service, as classified in

section 421
the service,
so to do, ex
in any one
to a positio
position is
compensatio
upon a h
Laws, as
Laws, so
the board
hereinafter
nor shall a
any branch
permanent!

Before b
of the serv
service car
of director
be deliver
to abide by
of such no
of his or
the board
of such n
upon such
any, which
gether wit
dismissal
ment shall
intendent
teacher an
all such c
as to the

Before
the teach
and place
hear evid
charges o
defense o

Witness
exceeding
teacher, s
and subj
tempt as
pomas on
teacher, l
chairman

Procee
board sh
length an
subject, l
hearing t
the grou
teacher,
cases to
on behal
be rende
bated.

If the
five met
to review
curred i
such act
receiving
teacher
school bo

Such
the hear
teacher r
be entitl
as heret
written
shall hav
blank by
mission.

Said
teacher,
by coun
sented l
not noti

section 421, to any other position in the same branch of the service, when it is deemed for the good of the service so to do, except that any teacher who has served two years in any one branch of the service shall not be transferred to a position in a different branch of the service which position is of a lower rank or carries a lower salary or compensation, without the consent of the teacher, unless upon a hearing had as provided in section 5246 of Oregon Laws, as amended by this act, or section 5250 of Oregon Laws, such transfer to the lower rank shall be found by the board of directors or upon appeal by the commission hereinafter provided for to be for the good of the service; nor shall any transfer of a teacher from one position in any branch of service remove him or her from the list of permanently employed teachers. (Laws 1921, Chap. 247.)

Before being dismissed or transferred to a lower branch of the service or to a position in a different branch of the service carrying a lower salary or compensation, the board of directors shall cause a written notice of such action to be delivered to such teacher. A teacher who is not willing to abide by such order shall within five days after service of such notice serve written notice upon the superintendent of his or her unwillingness to abide by such order, and the board shall thereupon within five days of the receipt of such notice to the superintendent, cause to be served upon such teacher a copy of the charges or complaints, if any, which may have been filed against such teacher, together with statement of the grounds upon which such dismissal or transfer is proposed to be made. Such statement shall also recite the recommendation of the superintendent as to the retention, dismissal or transfer of such teacher and it shall be the duty of such superintendent in all such cases to file with said board his recommendation as to the retention, dismissal or transfer of such teacher.

Before the hearing the board shall cause to be given to the teacher at least ten days' written notice of the time and place of such hearing and at such time and place shall hear evidence that may be adduced in support of the charges or of the order of transfer, or of the teacher's defense or resistance thereto.

Witnesses in support of the charges or transfer, not exceeding ten in number, shall be, upon request of the teacher, subpoenaed by the board and compelled to testify, and subjected to the same penalties for perjury or contempt as specified in section 5249 of Oregon Laws. Subpoenas on behalf of the teacher shall, upon request of the teacher, be issued in blank by and over the hand of the chairman of the board of directors.

Proceedings before the board shall be summary and the board shall pass upon the admissibility of evidence, the length and character of arguments and other proceedings, subject, however, to its duty to give a fair and reasonable hearing to the teacher and to fully appraise the teacher of the grounds for the proposed dismissal or transfer. A teacher, as well as the board, shall have the right in all cases to be represented by counsel. If requested by, or on behalf of, the teacher, the decision of the board shall be rendered in writing with the grounds upon which it is based.

If the action or dismissal or transfer is concurred in by five members of the board it shall be final and not subject to review by any other commission; if such action is concurred in by less than five members of the board, then such action shall be final, unless within twenty days after receiving written notice of such decision of the board such teacher shall file a written request with the clerk of the school board, asking for a hearing before the commission.

Such teacher shall state in the written request whether the hearing shall be private or public and whether such teacher shall be represented by counsel. Such teacher shall be entitled to and given a hearing before the commission as hereinafter provided within ten days after filing such written request with the clerk of the school board, and shall have full benefit of witnesses and subpoenas issued in blank by and over the hand of the chairman of the commission.

Said trial shall be public or private, as requested by the teacher, as above provided. If said teacher is represented by counsel, then the board of directors may also be represented by counsel at the hearing, but if the teacher does not notify the commission in the written request for hear-

ing that she will be represented by counsel, then neither side shall be represented by counsel at said hearing. Of any such hearing such teacher and the board shall have due notice not less than three days before the date set for the hearing, and such hearing may be continued from time to time on account of sickness or absence of material witnesses, or for such other good cause as shall be determined by the commission. (Laws, 1921, Chap. 247.)

In case of gross dereliction of duty or misconduct on the part of a teacher so employed, the board may summarily suspend such teacher. In case of such suspension it shall cause notice to be served upon the teacher, and unless the teacher shall demand a written statement of the grounds of such suspension within three days after service of such notice the suspension shall operate as a final dismissal. In case such demand is made, the same proceedings shall be had as upon the dismissal of a teacher at the end of a year, except that after service of notice of suspension the teacher shall not be admitted to teach or act in the schools until final determination in his or her favor. (Laws, 1921, Chap. 247.)

All complaints and criticisms made against any teacher on such list shall be in writing and signed by the person preferring the same, and filed with the superintendent, and the same may be inspected at any time during office hours by such teacher or any other person, unless expunged from the record after hearing, as hereinafter provided.

All charges shall be preferred by the superintendent, either upon his own motion or upon the complaint or criticisms made in writing and filed with him as above provided. If the superintendent shall fail or refuse to prefer charges against any teacher after written complaint or criticism the teacher may present the same to the board of directors after notice to the superintendent.

Upon said charges being filed with the board by the said superintendent or other person, the board of directors shall, if the charges seem to them sufficient, cause the notice to be served upon the teacher as above specified, and thereafter all proceedings for investigation, hearing and determination shall be conducted as provided in section 5246 of Oregon Laws, as amended by this act.

No testimony shall be received or considered at any hearing herein provided for unless the same is given orally before the board of directors or commission by a witness who is under oath or affirmation. Such oath or affirmation may be administered by the clerk of the school board or by any member of said board or by any of said commission. Any witness who, being under oath, shall at any hearing herein provided for make false oath to any matter under inquiry shall be guilty of perjury and punished accordingly. Any person who has been subpoenaed to appear as a witness before the board of directors of said commission who shall fail to attend in obedience to such subpoena may be arrested and punished as for contempt in a circuit court of this State for like disobedience to a subpoena issued out of such court. Witness(es) so subpoenaed shall be entitled to the mileage and per diem as witnesses called in a civil case in the circuit courts of the county where such district or districts are located, and fees to be paid by the person causing such witness to be called. (Laws, 1921, Chapter 247.)

On the first Tuesday after the first Monday in January in each year the presiding judge of the circuit court of each county within which is located a school district or districts having 20,000 or more persons shall appoint three disinterested persons, citizens of the United States, over the age of twenty-one years, and residents of the State of Oregon and of the county in which said district or districts is located, to act as commissioners as herein provided, for one year and until their successors are appointed and qualified, who shall serve without pay; provided, that upon the passage of this act, the said presiding judges of said circuit courts shall appoint three commissioners to serve the remainder of the present year and until the appointment and qualification of their successors. Said appointments shall be in writing and the acceptances shall be in writing, and said appointments and acceptances shall be filed in the office of the clerk of said school districts; that immediately after the qualification of said three commissioners they shall meet and elect a chairman from their number, and shall thereupon be the duly qualified commission to inves-

vigate, hear and determine any and all charges properly coming before them, and shall have exclusive charge and control of all cases after notice has been served by the clerk upon the teacher as above provided. In case of a vacancy in said commission, the said presiding judge of said circuit court shall appoint a person duly qualified to fill said vacancy, who shall qualify in like manner and serve until the next regular annual appointment of commissioners. Said commission shall formulate such rules and method of procedure as it shall deem best calculated to secure the ends of justice in a summary and effectual manner at the least cost and time. At the termination of each investigation or hearing said commission shall render its decision in writing, signed by each commissioner and filed with the clerk of the school board of said district. The decision of any two of said commissioners shall be the decision of the commission. The decision of said commission shall be final and conclusive upon the teacher and the school board. In all cases where the decision of the commission is in favor of the teacher, the charges shall be physically expunged from the record. (O. L., Section 5250. Sections, Numbers 420 to 480 inclusive, *Oregon School Laws*, 1923. Compiled and annotated by J. A. Churchill, Superintendent of Public Instruction, pages 121-122.)

Texts of Seven Local Teacher Tenure Regulations

Atlanta, Georgia, Teacher Tenure Rule

All teachers during the first two years of their service shall be considered as probationary teachers, during which period they shall be under temporary appointment and shall not be under civil service. Such teachers shall be elected from year to year. If, at the end of this probationary period, a teacher has received no notice to the contrary such teacher shall become a permanent teacher without further election or notice, and shall come within the civil service provision of the Board.

At the end of the probationary period of two years a teacher not qualifying as a permanent teacher may be retained on the probationary list for an additional period of not exceeding one year upon the recommendation of the Superintendent. Teachers who have been in the Atlanta system for less than two years, and other teachers now in the system not recommended by the Superintendent as permanent teachers shall be considered as probationary teachers.

Supply teachers may be appointed by the Superintendent from time to time as needed and shall have such qualifications as in his opinion will fit them to do supply work; provided, that no person shall be appointed a supply teacher who has not had at least a four-year high-school course. Supply teachers shall be considered as under temporary appointment and not under civil service.

Demotion or Dismissal

1. Any permanent teacher shall be subject to be dismissed or demoted at any time by the Board of Education after a hearing, if a hearing is demanded, either for violation of the rules of the Board of Education, or for insubordination, or misconduct, or inefficiency, or lack of professional progress, or evident unfitness for his position, or for the good of the service, to be finally and exclusively judged and determined by the Board; and no person so demoted or dismissed shall have any claim either against the Board or against the City of Atlanta. If a hearing is demanded, the accused shall be given at least one week's notice in writing of the time and place of the hearing and of the charges or reasons for the proposed demotion or dismissal. If hearing is not demanded in writing, it will be considered as having been waived.

Supply teachers may be dropped at any time by the Superintendent. Probationary teachers may be dismissed by the Board upon the recommendation of the Superintendent for satisfactory cause and without a hearing, the Board to have final determination as to sufficiency of such cause.

Wisconsin Law—First Class Cities— Milwaukee Only

All elections or appointments of teachers in such cities shall be on probation and after successful probation for four years, the election or appointment shall be permanent, during efficiency or good behavior, provided that teachers having taught four years or more in cities to which this section applies shall be deemed to have served their term of probation. No teacher who has become permanently employed as herein provided by reason of four or more years of continuous service, shall be discharged, except for cause upon written charges, which shall after ten days' written notice thereof to such teacher, upon such teacher's written request, be investigated, heard and determined by the board of school directors, whose action and decision in the matter shall be final.

The term "teacher" in this section shall include all superintendents, principals, supervisors, welfare workers, truant and attendance officers, and regular instructors employed in the public schools of such cities but nothing herein contained shall affect the election, appointment or tenure of the superintendent, assistant superintendents or special supervisors. (Sections 42-55 of the *Statutes*, subsections 18 and 19, quoted from letter of September 1, 1924, received from Mr. John Calahan, State Superintendent of Department of Public Instruction, Wisconsin.)

2. The non-election of a probationary teacher at the annual election for teachers shall automatically discontinue the services of such teacher.

3. The term of probationary teachers shall expire on August 31 unless sooner terminated by the Board.

4. The transfer of a teacher from a senior high school to a junior high school at the same salary shall not be considered as a demotion.

Right of Appeal

1. Any teacher at any time shall have the right of appeal from any person in authority over him to the Board.

2. The mode of procedure shall be as follows: Complaint should first be made to the principal; if no satisfactory adjustment is reached, the complaint may then be taken to the Superintendent. As a last resort, the complaint may be taken to the Board. (Rule of the Board of Education of Atlanta, Georgia, furnished by H. Reid Hunter, assistant Superintendent of Schools, Atlanta, Georgia.)

Baltimore, Maryland, Teacher Tenure Law

Once elected, a teacher continues in the service until she is removed by the Board on the recommendation of the Superintendent, after charges are preferred and trial had. The teacher on trial is permitted to be represented by counsel. In actual practice, this procedure is seldom resorted to, so that appointment carries with it practically a life tenure. No formal contract stating a definite tenure is entered into by the Board and the appointee.

The above statements do not apply to officers, secretaries, clerks, and other employees, all of whom are removable at the pleasure of the Board. (Quoted from letter of February 1, 1924, received from W. R. Flowers, assistant Superintendent of Schools, Baltimore, Maryland.)

River Rouge, Michigan, Teacher Tenure Law

Upon the conclusion of the first successful year of teaching experience in the local school system, assuming that she has complied with our academic and professional training standards, and has good moral conduct, a teacher is given a contract which continues in force during good behavior, coupled with efficient service. The teacher may leave at any time providing a notice of thirty days is given. The Board of Education may dismiss a teacher for improper conduct or very inefficient service by giving a like notice of thirty days. (Quoted from letter of February 14, 1924, received from A. McDonald, superintendent of schools, River Rouge, Michigan.)

Omaha,

As a con-
bers of the
shall be clas-
teachers. N
"elected" te
intendent, a
teacher with
and not uti
of success
city, three
teacher.

Members
of "assigne
of office of
have been p
and they m
on the per

The tenu
whose nam
teachers sh
vated by
by action o
namentally
assured of
the schools
a permanen
pointment
as the Su
teacher on
by her ow
beyond the
teacher sha
by the Su
Board for
ary 26, 1
tendent of

Dover, N

The vot
ballot. N
an electio
teachers, c
ject to the
one school
mittee. A
in the sch
having ten
Superinte
election.
City of I
Rules of

Ponca (

A. Tea
the regul
bationary
period mu

1. Upo
tendent,
which not
for such

2. Sho
the term
bationary

3. Sho
another c
superviso
matically

4. The
teachers
the Ponca
which st

Fu
credi

Omaha, Nebraska, Teacher Tenure Law

As a condition incident to their tenure of office, members of the teaching staff, when employed in the schools, shall be classified as "assigned," "elected," or "permanent" teachers. No person shall be elected as an "assigned" or "elected" teacher without the recommendation of the Superintendent, and no person shall be elected as a "permanent" teacher without the recommendation of the Superintendent and not until the said person has had at least five years of successful teaching experience in the schools of this city, three of which shall have been as an "elected" teacher.

Members of the teaching staff when placed on the list of "assigned" teachers shall be on probation. The tenure of office of members of the teaching staff whose names have been placed on the "elected" list shall be for one year and they must be reelected each year until they are placed on the permanent list.

The tenure of office of members of the teaching staff whose names have been placed on the list of permanent teachers shall continue until their positions have been vacated by their own action or by action of the Board or by action of the Teachers' Committee. They shall be permanently in the employ of the Board but shall not be assured of being continued in any particular position in the schools. The status of their positions shall be that of a permanent employee of the Board, held subject to appointment or assignment to such positions in the schools as the Superintendent may direct. The position of any teacher on the list of permanent teachers shall be vacated by her own action after her absence from duty extends beyond the period of one year, and the name of such teacher shall be dropped from the roll of the teaching staff by the Superintendent of Instruction and reported to the Board for record and file. (Quoted from letter of January 26, 1924, received from J. H. Beveridge, Superintendent of Schools, Omaha, Nebraska.)

Dover, New Hampshire, Teacher Tenure Law

The vote upon the election of a teacher shall be by ballot. No member of the Committee shall be eligible to an election as teacher in the schools of this city. All teachers, except for the high school, will be employed subject to the right of the Committee to transfer them from one school or grade to another at the pleasure of the Committee. Any teacher who has served two consecutive years in the schools of the city of Dover shall be considered as having tenure of office, except in specific cases where the Superintendent of Schools shall recommend an annual election. (Extract taken from a pamphlet issued by the City of Dover Public Schools, New Hampshire, entitled, Rules of the School Committee.)

Ponca City, Oklahoma, Teacher Tenure Law

A. Teachers, upon being employed under the terms of the regular Ponca City contract, shall enter upon a probationary period of at least two years. This probationary period may be extended upon the following conditions:

1. Upon written notice to the teacher by the Superintendent, with the approval of the Teachers' Committee; which notice shall be issued prior to April 15, with reason for such extension stated.
2. Should any woman teacher marry at any time during the term of her contract, she automatically enters the probationary service.
3. Should any teacher change from one department to another or change from a regular teaching position to a supervisory position or principalship, said teacher automatically enters the first year of the probationary period.
4. The probationary period shall be extended with all teachers who do not meet the educational requirements of the Ponca City Board of Education for a standard teacher, which standards are, namely:

For Grade Work: Life Certificate from some accredited normal school or university.

For Junior or Senior High School: Educational requirements sufficient to meet the standards of the North Central Association of Colleges and Secondary Schools.

The Board of Education and Superintendent assume no obligation to re-employ for the ensuing year, any probationary teacher, or to give cause for non-election. After April 15, application blanks will be mailed to such probationary teachers whom the Superintendent and the Teachers' Committee wish to recommend for re-election. Formal action in regard to each application will be taken previous to May 15, following.

B. After probationary service has been rendered, teachers shall be considered in the permanent employ of the Ponca City Board of Education, unless notified in writing on or before March 15, of the school year. Teachers, on the other hand, are requested to notify the Superintendent of Schools in case they do not plan to remain for another year, on or before the same date, March 15.

The term "Probationary" teacher shall be applied to any teacher serving in the probationary period. The term "Regular" teacher will indicate any teacher who has served her regular probationary period.

Teachers must distinctly understand that the scheme outlined here is but a plan of tenure adopted as part of the Rules and Regulations of the Ponca City Board of Education which may be changed, by a majority vote, at any time. (Quoted from Teacher's Contract received from J. N. Hamilton, Superintendent of Schools, Ponca City, Oklahoma.)

Philadelphia, Pennsylvania, Teacher Tenure Law

The appointment of any employee to a position to which a graded salary is attached shall be for a probationary period of one year. At the close of a probationary period the service of the employee whose work is unsatisfactory shall be automatically discontinued, unless, owing to extraordinary circumstances, the superintendent shall recommend an extension of the probation period. The total probationary period, however, shall in no case exceed two years.

Teachers whose service has been approved at the expiration of the probationary period have indefinite tenure, and may not be removed unless charges have been brought against them of inefficiency, insubordination, or of other serious nature. In such case, they are entitled to a hearing, in accordance with Rule XV, Section 3:

When charges, relating to or affecting personal character, shall be preferred against a teacher holding a position in any school, such charges shall be investigated by the Committee on Elementary Schools. The Committee shall notify the teacher charged of the time and place of the meeting for investigation, furnish said teacher with a verbatim copy of the charges to be investigated, and invite said teacher to be present at the investigation, and make whatever defense he or she may have. The person or persons making the charges, and all the witnesses, shall be examined under oath or affirmation. The Committee shall report to the Board the result of its investigation, together with all the evidence taken with such recommendation as the Committee may deem proper.

If the charge shall be of a serious character, and the Committee shall find that it has been proved by the evidence submitted, the report shall contain a recommendation that the teacher be dismissed.

Every employee of the Board is under indefinite tenure, under the conditions enumerated above, except the superintendent of schools, associate superintendents, district superintendents, the secretary and business manager, assistant secretary, superintendent of buildings and superintendent of supplies, who, by a provision of the code, are elected annually. (Quoted from letter of February 25, 1924, received from Oliver P. Cornman, associate superintendent of schools, Philadelphia, Pennsylvania.)

TENURE OF SERVICE OF TEACHERS

AS LONG as a teacher finds that he must be regarded as a hireling, with no guarantee of remaining in office over a year, and with all the uncertainties of an annual election before his vision,—so long as he finds himself not connected with a profession, properly so called, he lacks one of the greatest incentives to professional study, and is tempted to make his teaching not even a calling, but only a stepping-stone to some other work. Serious as is the injury to the teachers, still more serious is it to the children whom they teach.—*E. E. Higbee, Addresses and Proceedings of the National Education Association, 1887, p. 308.*

NO VALID argument has yet been proposed for the system of annual elections of teachers. Far from serving as a stimulus for efficiency and improvement, it must and does inevitably mean anxiety for the teacher who stands for reappointment. It must act as a drain on the nervous energy of the teachers and is economically wasteful. The practice of annual elections militates against the promotion of sound professional standards, and, with the reservation in their minds that an incompetent teacher can always be removed after a year's trial, there is not the same pressure on selecting committees to exercise the greatest care in making appointments.—*I. L. Kandel, Teachers College Record, October 1924, page 129.*

