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American Federation of Teachers, AFL-CIO

# **The Impact of Collective Bargaining on Teacher Transfer Rates in Urban High-Poverty Schools**

## **SUMMARY**

F. Howard Nelson, Ph.D.  
American Federation of Teachers

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## The Impact of Collective Bargaining on Teacher Transfer Rates in Urban High-Poverty Schools<sup>1</sup>

Strong evidence indicates that students in high-poverty schools are much more likely to be taught by less qualified teachers than those who teach in schools on average; and suburban school systems have dramatically lower percentages of unqualified teachers than urban districts. The shortage of qualified teachers in urban school districts has an impact on every district school, regardless of the level of poverty, as districts seek to allocate qualified teachers evenly among schools. As The New Teacher Project concludes in its report on the distribution of teachers, “There are nearly no ‘wealthy’ schools in the [urban] districts we studied. Comparing the effects on the poor to the slightly less poor, we believe, is a perverse baseline.”<sup>2</sup> Solutions to the urban teacher quality problem must address the supply of qualified teachers prepared and willing to teach in urban schools.

Education policy reforms that focus solely on school district teacher placement practices, especially staffing provisions in collectively bargained agreements with teachers, will have a limited impact, however. As the data in our report reveal, collectively bargained agreements are not the source of the teacher quality problem in urban school districts. Further, as our report demonstrates, a collective bargaining agreement is associated with *reduced* teacher transfer activity, especially in high-poverty schools, and less reliance on first-year teachers to staff high-poverty schools. To make substantial progress in addressing the underlying problem of how to increase the supply of qualified teachers prepared and ready to teach in urban schools, reform efforts must address the real and measurable issues of workload, class size, neighborhood safety, school safety, and community support, as well as repair of facilities, and classroom resources.

### Summary of Findings

- In recent years, considerable attention has been focused on teacher assignment and mobility in urban high-poverty schools, especially in districts in which teachers work under a collectively bargained agreement. This portion of the teaching population amounts to 5.1 percent of teachers in the United States, or about 150,000 teachers when high-poverty is defined as 75 percent of students eligible for free or reduced-price lunch (Figure 1).
- The percentage of teachers transferring to another school or another district from a high-poverty urban school (9.5 percent) is only 2.2 percentage points higher than the national average (7.3 percent). (Figure 2)

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<sup>1</sup> A summary of findings from this study was presented at an event sponsored by Education Sector titled, “Is It A Bargain? How Staffing Provisions in Teacher Collective Bargaining Agreements Affect Schools and Students,” May 25, 2006. An early version of this study was presented at the American Education Finance Association Conference in Denver, Colo., March 2006.

<sup>2</sup> Jessica Levin, Jennifer Mulhern & Joan Schunck (2005). *Unintended Consequences: The Case for Reforming the Staffing Rules in Urban Teachers Union Contracts*. New York: The New Teacher Project.

- A collective bargaining agreement is associated with reducing teacher transfers. In high-poverty schools where teachers have a collectively bargained agreement, the transfer rate to another school or another district is 7.5 percent, which is on par with the national average transfer rate of 7.3 percent. In high-poverty schools where teachers do not have a collective bargaining agreement, the transfer rate to another school is 11.3 percent. (Figure 3)
- A collective bargaining agreement is also associated with reduced teacher transfers from *urban* high-poverty schools, where teachers with a collectively bargained agreement have a transfer rate of 8.4 percent compared to 13 percent for similar schools in states that do not allow collective bargaining agreements. (Figure 4)
- In urban school districts with a collective bargaining agreement, low-poverty schools (6.1 percent) are about as likely as high-poverty schools (5.7 percent) to replace transferring teachers with first-year teachers, but without a collective bargaining agreement, high-poverty schools hire first-year teachers at three times the rate of low-poverty schools (10.1 percent versus 3.3 percent). (Figure 5)
- Urban high-poverty schools with collective bargaining (4.4 percent) are more likely than low-poverty schools in the district (2.4 percent) to hire transfers from within the school district. (Figure 6)
- In 1999–2000, most teachers transferred voluntarily, and contract language rarely, if ever, restricts the flexibility of principals or site-based committees in these situations. Contrary to conventional wisdom, more senior teachers do not have an unfettered right to a vacant position. (See Appendix C). Only 0.7 percent of teachers in the SASS sample reported being laid off or *involuntarily* transferred and remained in teaching the following year in another school or another district. (Figure 7)
- Of the teachers that transfer, just one in 10 is an involuntary transfer, (e.g. “displacement” or “excessing” resulting from enrollment changes or budget cuts in a particular school or “layoffs” if the reductions are system wide). The language in collective bargaining agreements addressing layoffs and involuntary transfers varies widely from district to district, as does the implementation of the processes established by the language, which is why this report examines the data to understand teacher transfer activity rather than relying only on an analysis of language. Less senior teachers are the first to be displaced or excessed, and most contracts provide administrators with significant flexibility in filling vacant positions elsewhere in the system (Appendix D).
- Collectively bargained agreements do not address issues of teacher transfer to a *different* school district. Approximately 50 percent of teachers who transferred from urban high-poverty schools moved to a different district, as did 60 percent of transfers from low-poverty schools. (Figure 8)
- School district transfer policies pertain only to the approximately one in 20 teachers who transfer from one district school to another district school in any given year. After excluding teachers who transferred due to layoffs and teachers who transferred to another

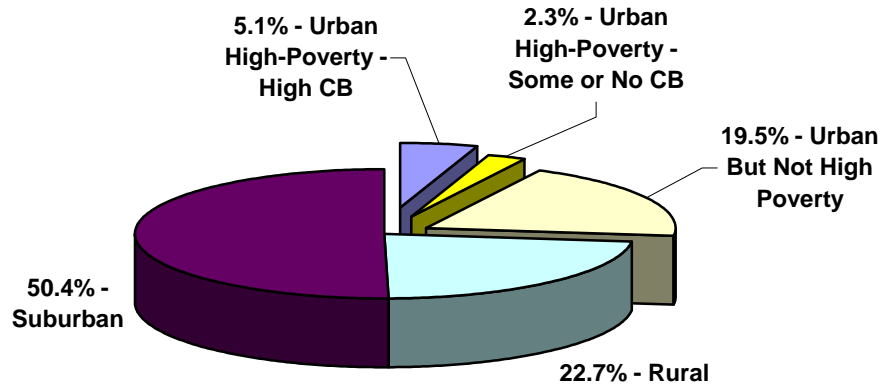
school district, the *within-district* transfer rate in urban schools was relatively low—only 3 percent for low-poverty schools and 5.3 in high-poverty schools. (Figure 9)

- The *within-district* voluntary transfer rate in high-poverty urban schools where teachers work under a collective bargaining agreement was 4 percent, compared to 5.6 percent in high-poverty urban schools without a collective bargaining agreement. (Figure 10)
- Charter schools seldom have a collectively bargained agreement with their teachers. Teachers in urban charter schools report much higher transfer rates (13.2 percent) than teachers in urban schools with collectively bargained agreements (6.4 percent). (Figure 11)
- Urban charter schools are more than three times as likely to hire first-year teachers (17.6 percent) than urban schools with teachers working under a collective bargaining agreement (5.2 percent). (Figure 12)
- The most common reason teachers reported for transferring was the opportunity to teach a different grade or subject. Teachers in high-poverty urban schools cited this as their third most common reason. (Figure 13)
- Teachers on average cited similar reasons for transferring to a different school as teachers in high-poverty urban schools. However, teachers in urban high-poverty schools reported higher dissatisfaction with administrative support than teachers on average (43 percent, compared with 38 percent), as well as higher dissatisfaction with working conditions (45 percent versus 32 percent) and change of residence (30 percent versus 23 percent). (Figure 13)
- Both on average and in urban high-poverty schools, the most senior teachers are not transferring to other schools. Teachers who continue teaching in high-poverty schools where teachers work under a collective bargaining agreement are more experienced (14.1 years of experience) than teachers who voluntarily transferred to another school in the district (10.2 years of experience) or switched to another school district (only 4.6 years of experience). (Figure 15)
- Teachers transferring from a school under the provisions of a collective bargaining agreement are about as likely to be certified as teachers continuing in the same school. In the United States as a whole, teachers who transferred to another school in the same district are less likely to be certified than teachers who continued to teach in the same school. With collective bargaining agreements, teachers continuing in high-poverty schools (84 percent) were just as likely to be certified as teachers who transferred to another school in the district (83 percent) or switched to another district (85 percent). In schools without a collective bargaining agreement, teachers transferring out of high-poverty schools are more likely to be uncertified than teachers continuing in the same school. (Figure 16)

## Literature Review on Transfer Provisions in Collectively Bargained Agreements

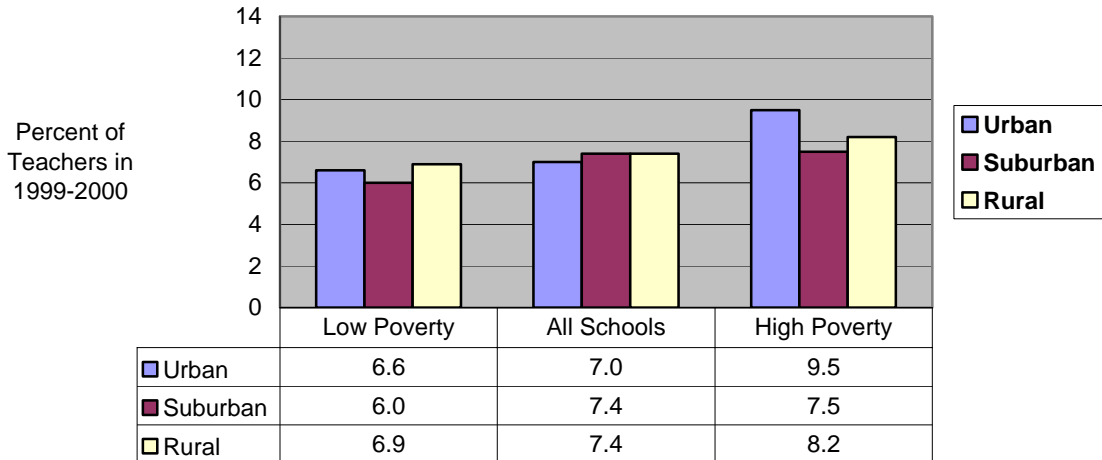
- Unions hurt poor kids because more senior teachers exercise seniority provisions in collective bargaining contracts to leave more disadvantaged schools and go to more advantaged ones (Moe, Hill, Roza, PPI).
- Voluntary transfers and staff reductions cause massive transfer activity due to seniority rights and “bumping” (Hill).
- Average teacher salary differentials between high and low-poverty schools is attributable to seniority-based transfers (Hill, Roza, PPI, Hess and West).
- Teacher distribution is governed by seniority rules, teacher preferences *and principal discretion* (Harvard Civil Rights Project).
- Preference which extends across districts (i.e., teachers prefer suburban over urban districts) as well as to schools within a district, results in teachers moving to more advantaged schools when the opportunity arises (Harvard Civil Rights Project).
- Transfer activity was about the same in high- and low-poverty schools (New Teacher Project).
- Significant ambiguity exists with regard to the language governing seniority and voluntary teacher transfers and is not as restrictive as its critics claim (Hess and Kelly, Cohn-Vogel).
- Little difference between the qualifications of teachers who continue in the same schools and those that transfer to other schools in the same district (Lankford, Loeb, and Wyckoff in New York State)

**Figure 1 - Urban High-Poverty Schools, Percent of All U.S. Schools, 1999-2000**



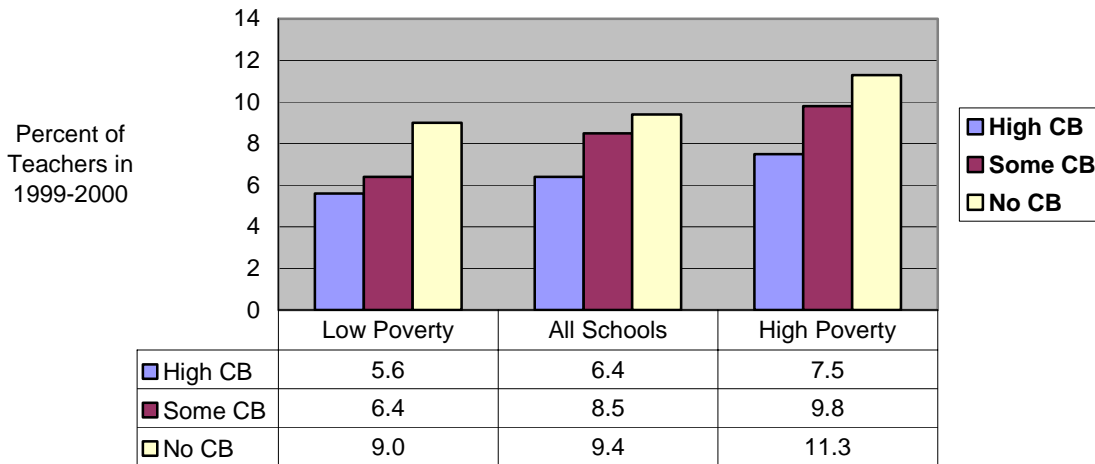
Note: See Appendix Figure B1 for a more detailed breakdown of teachers by urbanicity, poverty and collective bargaining.

**Figure 2 - Teachers Transferring to Another School in 2000-01 by School Poverty and Urbanicity**



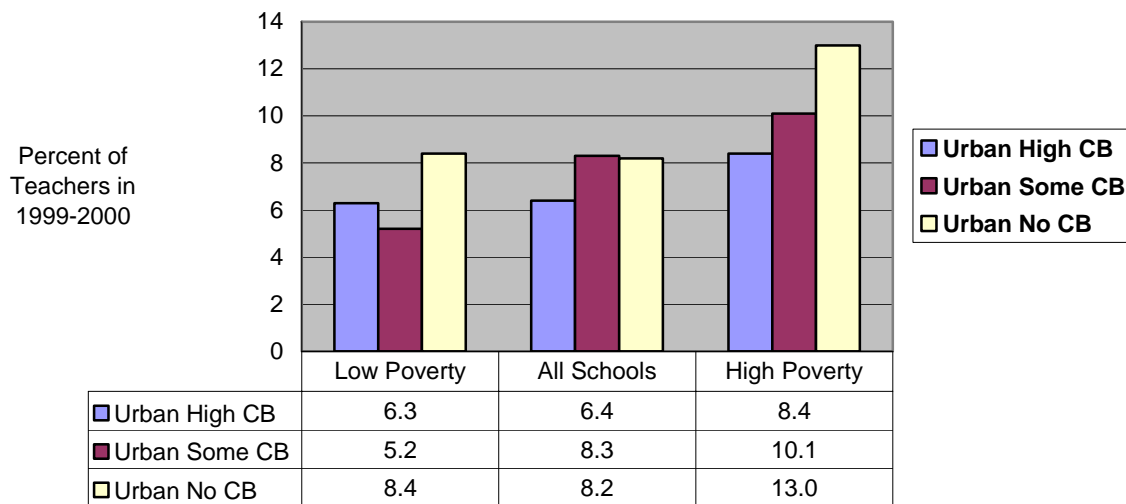
Note: See Table A2 in Appendix for more detailed mobility data, including information on those who left teaching altogether. This chart includes transfers to another school within the district or to a different district.

**Figure 3 - Teachers Transferring to Another School in 2000-01 by School Poverty and Collective Bargaining Status**



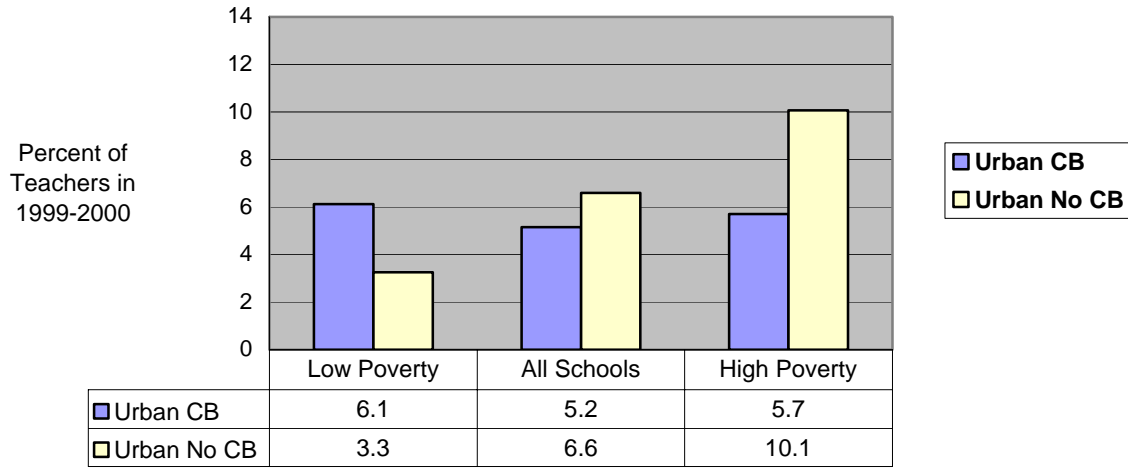
Note: See Table A3 in Appendix for more detailed mobility data, including information on those who left teaching. This chart includes transfers to another school within the district, or to another district. No CB states: Alabama, Georgia, Mississippi, North Carolina, South Carolina, Texas, Virginia and West Virginia. Some CB states: Arizona, Arkansas, Colorado, Idaho, Kansas, Kentucky, Louisiana, Missouri, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Tennessee, Utah and Wyoming.

**Figure 4 - Teachers in Urban Schools Transferring to Another School in 2000-01, by School Poverty and Collective Bargaining Status**



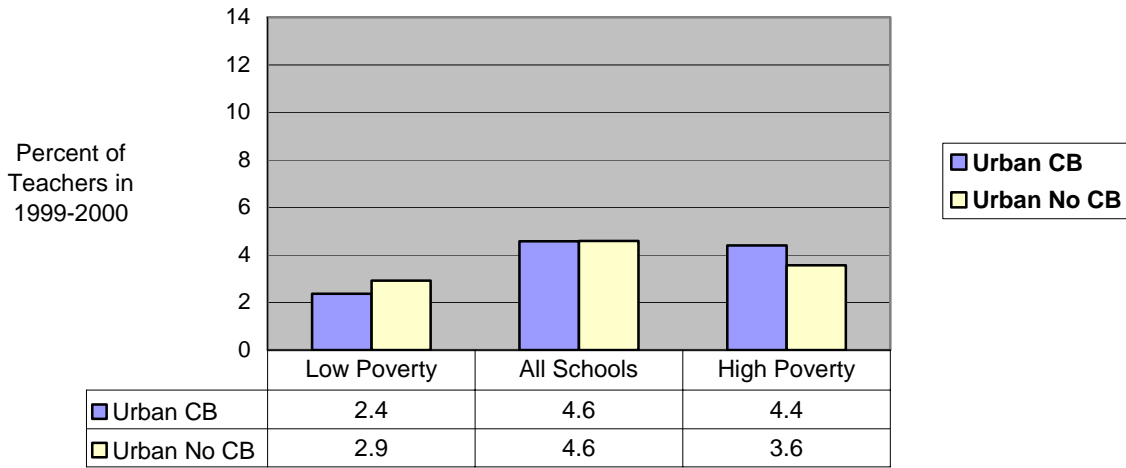
Note: See Table A4 in Appendix for more detailed mobility data, including information on those who left teaching. This chart includes transfers to another school within the district or to another district.

**Figure 5 - First-Year Teachers Hired in Urban Schools, 1999-2000**



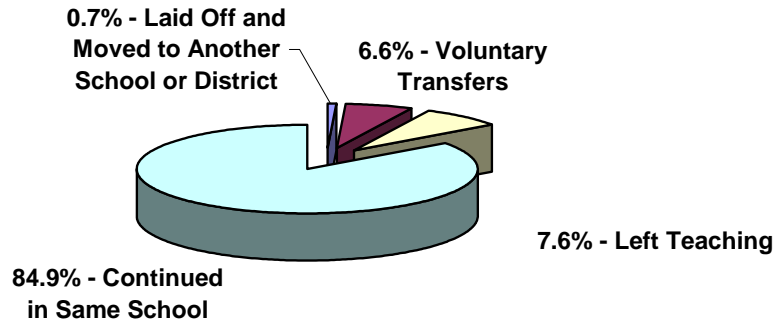
Note: First-year teachers have one year of experience.

**Figure 6 - Staff Replacement by Transfers From Another School Within the District, Urban Schools in 1999-2000**



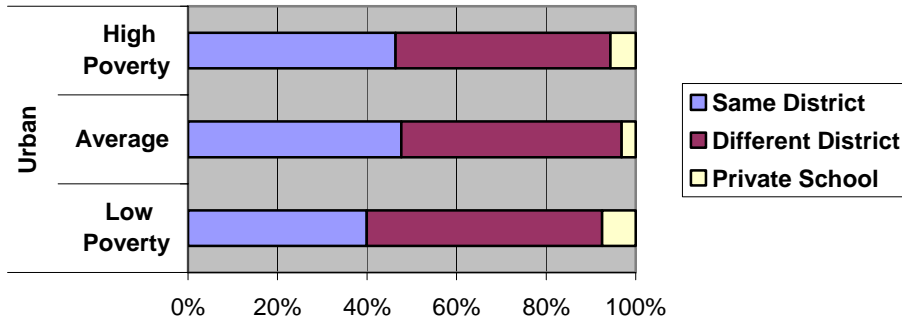
Note: See Figure B2 in Appendix for more information on replacement by transfers from a different school district.

**Figure 7 - Percentage of Teachers in 1999-2000 Who Left Teaching, Voluntarily Transferred, or Were Laid Off and Moved to Another School**



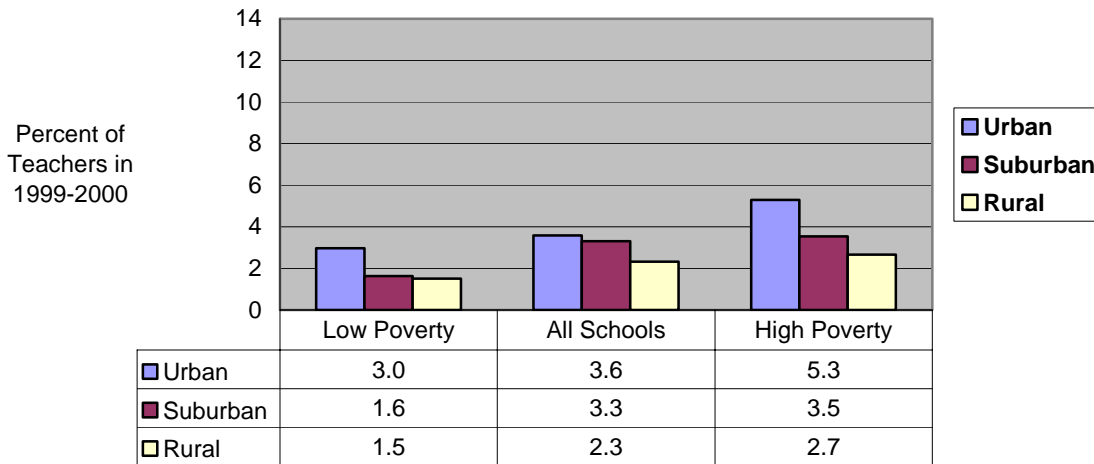
Note: This chart includes transfers to another school within the district or to another district. Laid-off teachers who did not continue teaching are counted as leaving teaching. See Appendix Figure B3 for information on the percentage of transfers who were laid off or involuntarily transferred by urbanicity or collective bargaining status.

**Figure 8 - Percent of Teachers Who Transferred From an Urban School in 1999-2000 to Another School in the Same District or Switched to a Different District**



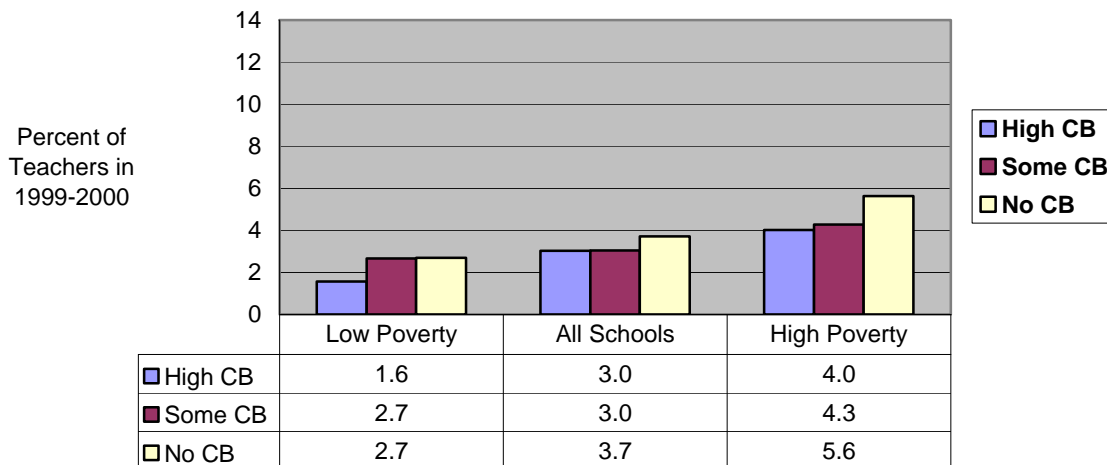
Note: See Appendix Figure B4 for similar information on suburban and rural schools. Data comes from the 2000–01 Teacher Follow-Up Survey of 946 teachers who transferred between 1999–2000 and 2000–01 (sample weights applied).

**Figure 9 - Teachers Voluntarily Transferring to Another School in the District in 2000-01 by Poverty and Urbanicity of the 1999-2000 School**



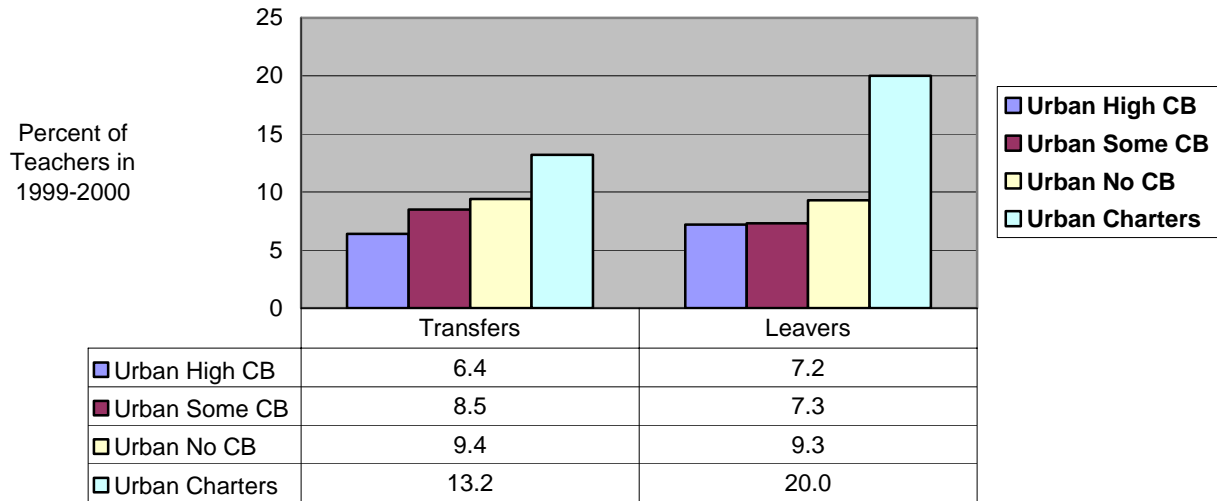
Note: This chart does not include transfers to another school district or teachers who transferred after being laid off. Sample weights are applied to the stratified random sample of 948 transfers in the 2000–01 Teacher Follow-Up Survey.

**Figure 10 - Teachers Voluntarily Transferring to Another School in the District in 2000-01, by Poverty of 1999-2000 School and Collective Bargaining Status**



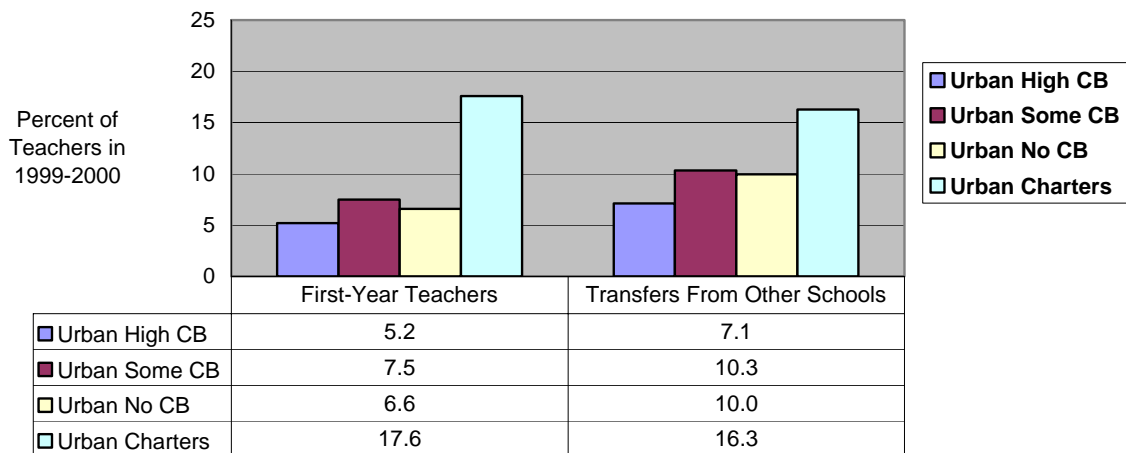
Note: This chart does not include transfers to another school district or teachers who transferred after being laid off. Sample weights are applied to the stratified random sample of 948 transfers in the 2000–01 Teacher Follow-Up Survey.

**Figure 11 - Teachers in Urban Charter and Urban Public Schools Transferring or Leaving Teaching in 2000-01**



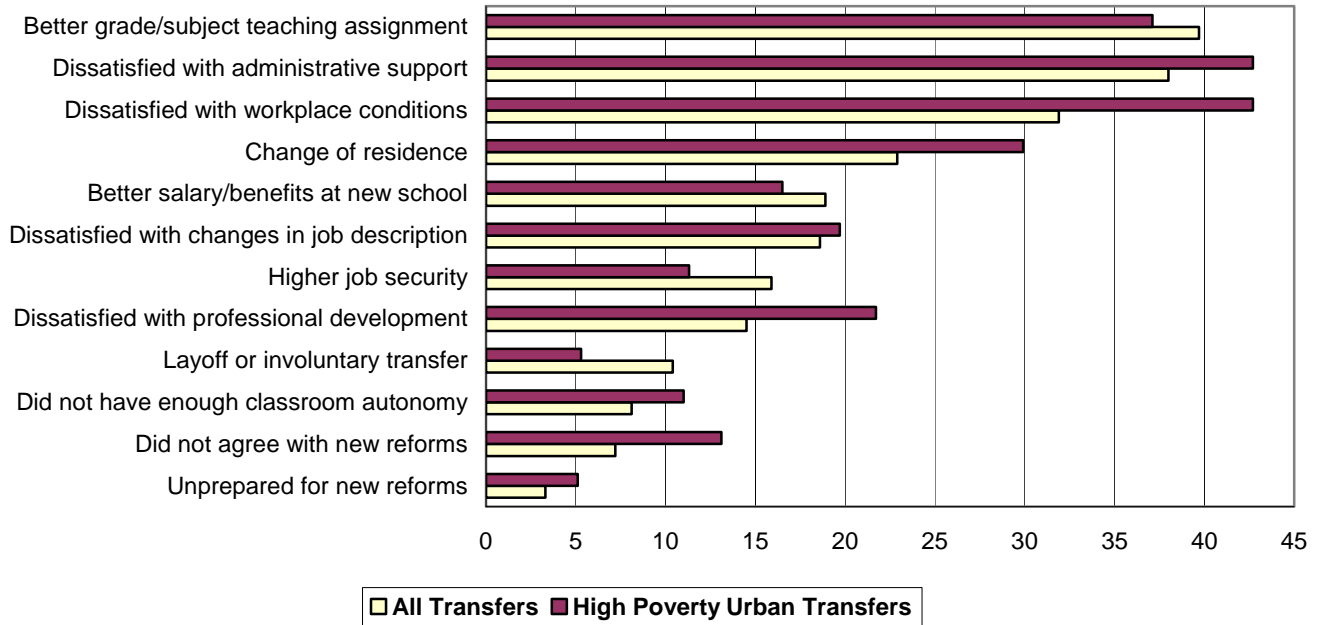
Note: See Table A10 in the Appendix for more detailed charter school mobility data. This chart includes transfers to another school within the district and transfers to another district. Sample weights are applied to the stratified random sample of 2,966 transfers in public schools and 329 transfers in charter schools.

**Figure 12 - First-Year Teachers and Transfers From Other Schools Hired in Urban Charter and Public Schools, 1999-2000**



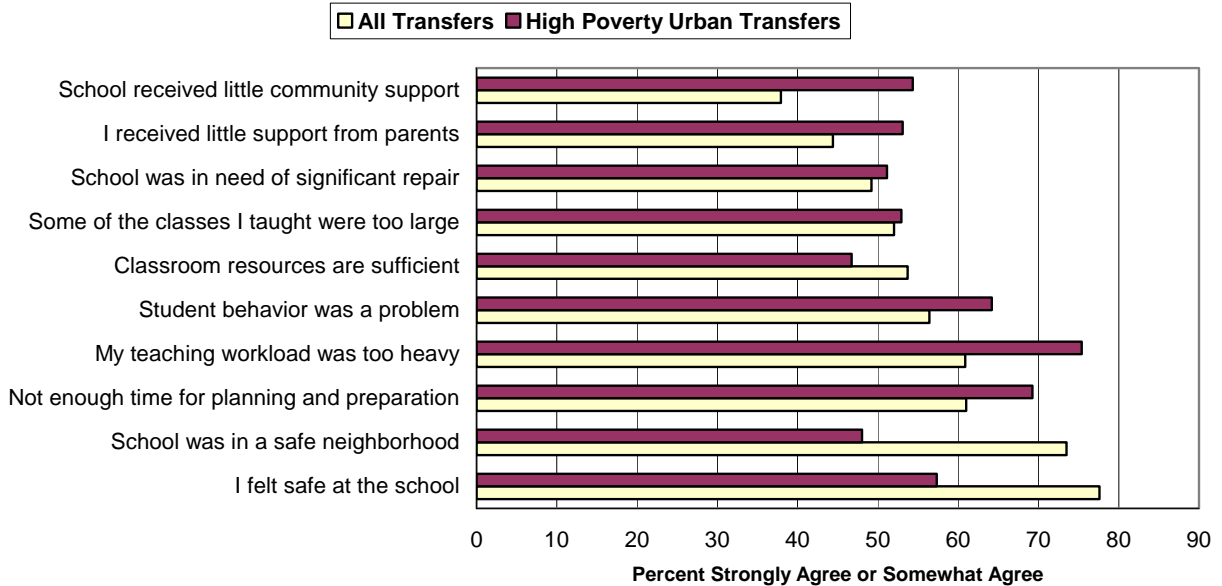
Note: This chart includes transfers to another school within the district or to another district. Sample weights are applied to the stratified random sample of 2,966 transfers in public schools and 329 transfers in charter schools.

**Figure 13 - Extremely or Very Important Reasons for Transferring to a Different School in 2000-01**



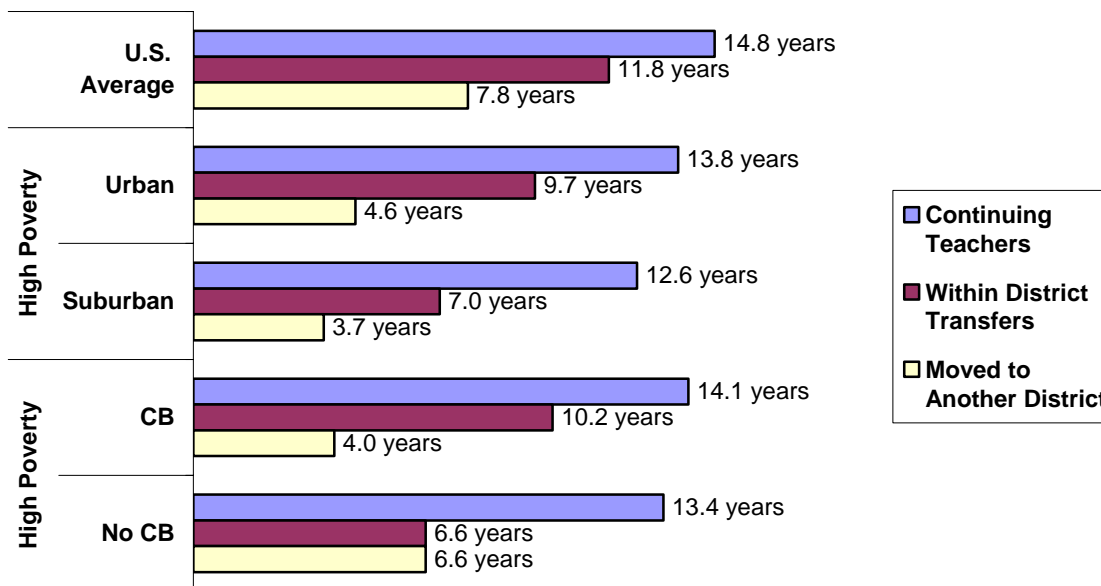
Note: See Table A8 in Appendix A for more detailed breakdown by school poverty. This chart includes transfers to another school within the district or to a different school district. Sample weights are applied to the stratified random sample of 948 transfers in the 2000–01 Teacher Follow-Up Survey.

**Figure 14 - Satisfaction With Working Conditions in Last Year's School for Teachers Transferring to a Different School in 2000-01**



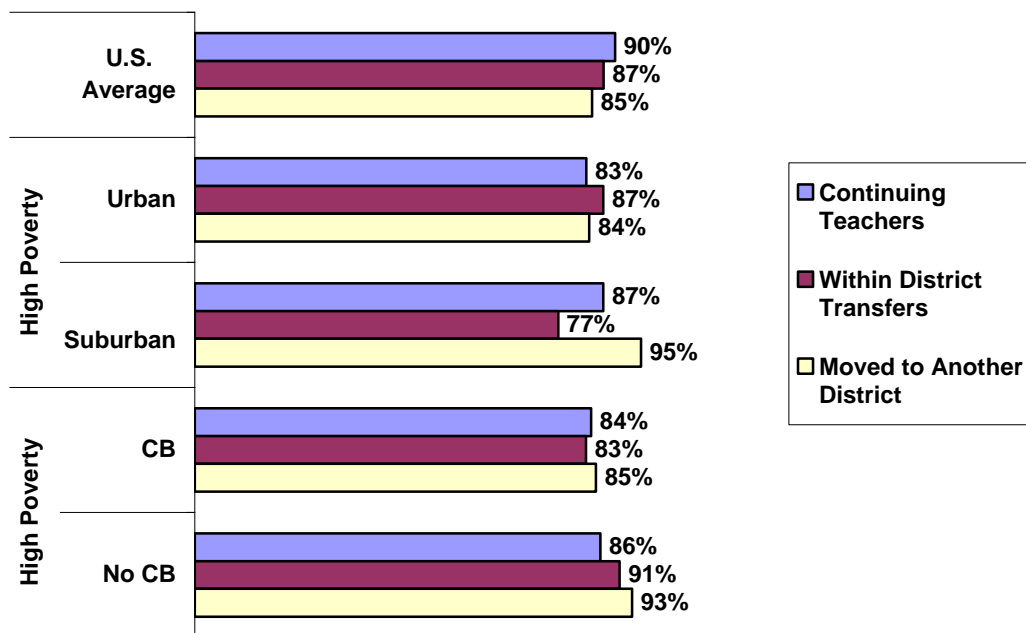
Note: Read the detailed question in the text before interpreting results because some questions are stated in the negative. See Table A9 in Appendix for more detailed dissatisfaction data. This chart includes transfers to another school within the district or to another school district. Sample weights are applied to the stratified random sample of 948 transfers in the 2000–01 Teacher Follow-Up Survey.

**Figure 15 - Years of Experience for Transfers and Continuing Teachers Who Taught in High-Poverty Schools in 1999-2000**



Note: This chart does not include teachers who transferred after being laid off. Sample weights are applied to the stratified random sample of 948 transfers in the 2000–01 Teacher Follow-Up Survey.

**Figure 16 - Percent of Voluntary Transfers Who Were Certified\* When They Taught in High-Poverty Schools in 1999-2000**



\*Percent of transfers who met requirements for full state certification in 1999–2000.

Note: This chart does not include teachers who transferred after being laid off. Sample weights are applied to the stratified random sample of 948 transfers in the 2000–01 Teacher Follow-Up Survey.

## VI. Conclusion

Using a large national database, our report found no evidence that collective bargaining agreements contribute to shortages of qualified teachers in urban high-poverty schools. If anything, the evidence indicates that collective bargaining is associated with lower transfer rates out of urban high-poverty schools to another school in the district or to a school in a different district. Perhaps more important, in urban school districts with a collective bargaining agreement, low-poverty schools are about as likely as high-poverty schools to replace transferring teachers with first-year teachers. Without a collective bargaining agreement, high-poverty schools hire first-year teachers at three times the rate of low-poverty schools.

The attention focused on teacher seniority and collective bargaining as causes of the urban teacher shortage needs to be redirected to solutions for the real problem: attracting and retaining teachers who are prepared to teach in urban schools. To make substantial progress in addressing the underlying problem of how to increase the supply of qualified teachers ready to teach in urban schools, reform efforts must address the real and measurable issues of improving school and neighborhood safety, establishing and maintaining orderly schools, and providing teachers with necessary professional and administrative support, reasonable workloads and class sizes, as well as attractive facilities and well-stocked classrooms.

Our findings should not be entirely unexpected. Collective bargaining agreements do not have any direct impact on a teacher's decision to leave the profession, to move to a school in a different district, or on a school district's decision to hire a teacher. Collective bargaining agreements rely on seniority as a fair and orderly way to reduce staff in a school or lay off teachers during a district-wide staff reduction (about one in 10 transfers resulted from a displacement or layoff). However, the agreements vary substantially in specific language on the role of seniority, if any, in voluntary transfers (approximately nine of 10 transfers). The effects of collective bargaining on teacher transfers cannot be determined by analyzing language in a small number of collective bargaining agreements due to ambiguity in language and variations in implementation. It is important to know how the bargaining agreement actually works and to get data on the actual impact—as is done in this report.

The association of collective bargaining with lower rates of transferring in high-poverty schools, as well as less reliance on first-year teachers, indicates that collective bargaining agreements add objectivity and order to teacher hiring and transfers. Collective bargaining agreements require posting of vacant positions, and typically do not allow voluntary transfers until a teacher has completed a probationary period (usually around three years). Seniority often plays no role in voluntary transfers and seldom is the decisive factor in filling a vacancy. Additionally, almost all agreements give the personnel office or superintendent authority to deny transfers that would adversely affect racial balance, experience balance and program or operational needs.

American Federation of Teachers, AFL-CIO  
555 New Jersey Ave. N.W. • Washington, DC 20001 • 202/879-4400 • [www.aft.org](http://www.aft.org)