

THE ECONOMIC STATUS OF THE CLASSROOM
TEACHER FROM 1925-45

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**THE ECONOMIC STATUS OF THE CLASSROOM
TEACHER FROM 1925-45**

THESIS

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CHAPTER I

INTRODUCTION

Problem

The problem in this study will be to trace the economic progress of the classroom teacher from 1925 until 1947. Three factors pertaining to the economic welfare of the teacher will be taken into consideration. A study will be made of the trends in salaries and buying power of the teacher. A comparison will be made between the salaries of teachers and those of skilled and unskilled labor. The second phase of this thesis will deal with the advancement made in teacher retirement programs over a period of twenty years. The third factor in this study will contain a summary of the principles and purposes of teacher tenure, the types of tenure legislation, a study of the development of tenure laws in the various states, and the benefits of tenure.

Purpose

The purpose of this study is to present a history of the progress made in advancing the welfare of teachers, to evaluate the trends in teachers' salaries over a period of twenty years, and to show the extent to which teacher retirement and teacher tenure laws have gained momentum in the United States. Recommendations for improvement will be made in cases where deficiencies exist.

Limitations

This study will be limited to the financial attainments, to the old age security, and to the provisions for permanent employment for the classroom teacher in the United States from 1925 until 1947. The wages of skilled and unskilled labor will be used only in comparison with teachers' salaries.

Method of Procedure

This study will be divided into five parts. Chapter I will contain the problem, the purpose, the limitations, method of procedure, sources of data, definition of terms, and related study. Chapter II will take up the salary situation of teachers over a period of twenty-two years, showing the trends in buying power and the real salaries of the teachers in the United States in comparison with the wages of skilled and unskilled labor. The third chapter will pertain to a study of retirement programs. The general nature of a retirement system, eligibility requirements for membership, the extent of the retirement movement from 1925 until 1947, and benefits derived from retirement programs will be shown. Chapter IV will contain the principles and purposes of teacher tenure, the types of tenure, the development of tenure legislation in the various states, and the benefits derived from tenure laws. Chapter V will contain the summary, conclusions, and recommendations.

Sources of Data

The approach to the present problem has been largely statistical in regard to the income of teachers and skilled and unskilled labor. Educational publications were also used. Information for the study of salaries of skilled and unskilled labor was secured from the Statistical Abstract of the United States. The cost-of-living index was secured from the same source, although it was originally published by the Bureau of Labor Statistics. The historical data used in this study were obtained from books, publications of the National Education Association, and current periodicals.

Definition of Terms

In this study the classroom teacher will refer only to the personnel employed to instruct students in the elementary and secondary public schools in the United States.

Related Study

In his Master's thesis, C. D. Kirksey used the subject "An Income and Cost-of-Living Comparison for Selected Trades and Professions for the Period 1936-45." It involves extensive research on salaries of various professional levels and selected trades, as well as on the cost of living. Kirksey's purpose in making this comparative study was to show which incomes of the selected trades and professions more nearly

approached a parallel to the changing cost of living during the period January 1, 1936 to December 31, 1945.¹

He concluded that during this period all trades and professions received an increase in real income with the exception of teachers and retail clerical workers. He found that the teachers suffered very little loss in buying power when a comparison was made between their salaries and the cost-of-living index.

¹C. Darwin Kirksey, "An Income and Cost-of-Living Comparison for Selected Trades and Professions for the Period 1936-45." (Unpublished Master's thesis, Department of Business Administration, North Texas State Teachers College, 1947.)

CHAPTER II

TEACHERS' SALARIES

During recent years, especially since the beginning of World War II, there has been a great deal of agitation in regard to teachers' salaries and the economic status of teachers in general. Even as early as 1925 there were many publications and much effort put forth in this direction and although there was much ground lost during the years of war, there is now a marked tendency toward increased salaries for those employed in the teaching profession. The economic status of the teacher is of utmost importance, not only to the teachers but also to the nation as a whole. This fact is brought forth by the National Education Association.

The economic status of any teacher is naturally of major personal concern to that teacher. The economic status of teachers as a group is, or should be, a matter of fundamental professional concern to all educators and to parents and citizens generally. From the purely personal point of view, a satisfactory economic status is important because it means having the necessities of life in sufficient amounts for one's self and dependents; a reasonable amount for giving to worthy causes outside one's own household; ample opportunity for wholesome recreation and for cultural and professional growth, and a chance to make adequate provision for future emergencies and for retirement. From the strictly professional point of view, these things are important because they help to maintain the morale of teachers and to improve generally the efficiency of our schools. The profession of education may well give even more careful consideration than in the past, to the economic conditions and problems of its members and to ways of getting other citizens to do the same.¹

¹National Education Association Research Bulletin, XIII (1935), 169.

A fundamental principle in the payment of teachers is that even the teacher with the minimum qualifications required by law should receive at least as much as it will cost her to live at the minimum standard necessary for the maintenance and improvement of her efficiency. No teacher who is not capable enough to be worth such a salary should be employed in any school system.²

There is no way to determine accurately whether or not the teachers' services are more or less valuable to society than the services performed by other occupational groups. However, in a democracy, our philosophy tends to place a relatively high value on education, and there are few that question the fact that the services of teachers are at least as valuable as those of other average gainfully occupied individuals. Most people agree that teaching should be rated on a level with professions such as law, engineering, and medicine.³

In 1925 the average salaries of teachers in the United States were \$1,252.00 and in 1926 the average salaries were \$1,277.00. There was an increase of \$25.00 per year but we also find that the standard of living of the country as a whole, in 1926, was the highest in the nation in recent years. The teachers' salaries though higher than previously did not

² National Education Association, Sixth Yearbook of the Department of Classroom Teachers, p. 21.

³ National Education Association Journal, XXV (January 1946), p. 45-6.

increase as rapidly as other wage rates. This tendency could eventually have a very injurious effect on school progress by causing a less and less capable quality of human material to accept teaching positions. Not only all members of the teaching profession, but more important, the children of the nation would suffer from such a tendency.⁴

In the 1929-30 school year the teachers' salaries in general were not high, the average for the entire country being only \$1,420.00. Fifty-eight per cent of the rural white teachers were receiving less than \$1,000.00 a year, twenty-seven per cent less than \$800.00 a year, and seven per cent less than \$600.00 a year. The median salary, in 1929, for rural white teachers in all types of rural schools was \$945.00.⁵

It was found, in a study made by the National Education Association in 1930, that the average salary of all teachers was still considerably below the average salary of all gainfully employed persons. The salaries of rural school teachers in particular were far below the average income of other workers.⁶

In 1932 the average salary of teachers was \$1,417.00 and in 1934 the average salary was \$1,227.00. From 1930 to 1934 salaries decreased, on an average, \$193.00 or 13.6 per cent

⁴N. E. A., Sixth Yearbook of the Department of Classroom Teachers, p. 21.

⁵Biennial Survey of Education, I, 1937, p. 3.

⁶National Education Association Research Bulletin, Vol. I, 1930, p. 124.

for the country as a whole. In 1936 a gradual rise in the teachers' salary's was reflected by the average salary being \$1,283.00.⁷

During the four year period ending in 1938, the average salary of teachers increased over those for 1934. From 1930 to 1934 the salaries decreased from \$1,440.00 to \$1,244.00, and from 1934 to 1938 the salaries increased until they reached \$1,408.00. However, the loss between 1930-34 was not entirely gained back by 1938.⁸

Between 1939-40 and 1942-43 the price increase in living costs represented a hidden salary cut of eleven per cent for those of the teaching profession. This hidden salary cut averaged about \$162.00 in 1942-43 per teacher below the 1939-40 level.⁹

By 1943-44 the average annual salary of teachers was greater than in 1939. Some of the factors reflected in this increase are the higher cost of living, changes in the cost of living, and greater emphasis on the educational preparation of teachers. However, the teacher was still so far behind other gainfully employed persons economically that there was a serious shortage of teachers which resulted in the closing of many rural schools because teachers simply were not available. The teachers' salaries were, in 1944, far below the

⁷Biennial Survey of Education, Vol. II, 1934-36, p. 21.

⁸Ibid., Vol. I, 1937-38, p. 15.

⁹School and Society, Vol. LX, 1944, p. 277.

acceptable standard, very far below the standard wage scale of skilled labor, and there was a movement toward lowering the certification standards as a means of keeping schools staffed.¹⁰

The average salaries of teachers continued to increase slowly. In 1944 the teacher, on the average, was receiving an income of \$1,850.00, in 1945 an average salary of \$2,000.00 had been obtained. The National Education Association has estimated the average salary of teachers to have been \$2,250.00 in 1946 and \$2,350.00 in 1947. It can be assumed that these estimates made by the National Education Association are fairly accurate.¹¹

Due to the rapidly advancing prices of living costs, in 1942, the National Education Association became alarmed at the rapidly increasing shortage of qualified teachers in the United States and urged boards of education "to relieve the situation of the trend away from the teaching profession by advancing teachers' salaries before the educational standards are seriously impaired." At this time the teacher shortages were due mainly to inflated living costs while teachers' salaries were still so low that the teachers were driven to accept higher salaries in business fields and in industry.¹²

In order to make an authentic study of the teachers'

¹⁰"Salaries in City School Systems," Monthly Labor Review, LVIII, 1158.

¹¹National Education Association Pamphlet, No. 3, 1947.

¹²"Salaries in City School Systems," Monthly Labor Review, LVIII, 1158.

salary situation from 1925 until 1947, and to compare their economic status to that of skilled and unskilled labor, it is necessary that both teachers' and labors' annual salaries be shown not only in terms of actual salaries but also in terms of purchasing power. This is accomplished by dividing the cost-of-living index for the year in question into the actual salary.

The cost-of-living index is made up of the most recent figures on the cost of living published as the Consumers' Price Index of the United States Bureau of Labor Statistics. The index uses the average level of consumers' prices from 1935 through 1939 as a base of 100.¹³

The total war time increase in the cost of living of teachers, as well as skilled and unskilled labor, is not fully measured by the official Bureau of Labor Statistics Index. The index does not show the full wartime effect on the cost of living of such factors as lowered quality, disappearance of low-priced goods, and forced changes in housing and eating away from home. Income taxes are not included either. However, it is sufficiently accurate so that it may be used to show trends in the purchasing power of employed persons.¹⁴

Table 1 contains the average salaries of teachers, skilled and unskilled labor from 1925 until 1947.

¹³Statistical Abstract of the United States, 1946, p. 210.

¹⁴School and Society, LX, 1943-44, 277.

TABLE 1

AVERAGE ANNUAL SALARIES OF TEACHERS AND AVERAGE ANNUAL WAGES
OF SKILLED AND UNSKILLED LABOR 1925-45

Year	Average Annual Salaries of Teachers	Average Annual Wages of Skilled Labor	Average Annual Wages of Unskilled Labor
1925	\$1,277	\$1,627	\$1,192
1926	1,320	1,644	1,207
1927	1,364	1,659	1,224
1928	1,392	1,661	1,242
1929	1,420	1,696	1,269
1930	1,440	1,517	1,139
1931	1,417	1,307	997
1932	1,316	1,013	753
1933	1,227	1,054	775
1934	1,244	1,167	856
1935	1,283	1,299	953
1936	1,327	1,434	1,040
1937	1,374	1,580	1,165
1938	1,408	1,429	1,075
1939	1,441	1,588	1,197
1940	1,470	1,685	1,243
1941	1,507	1,923	1,466
1942	1,599	2,408	1,741
1943	1,728	2,813	2,021
1944	1,850	3,008	2,136
1945	2,000	2,932	2,134

Source: Statistical Abstract of the United States 1946

In making a comparison of teachers' salaries with the earnings of skilled and unskilled labor we assume that the teachers' annual income, as shown in Table 1 column 2, consists of the total earnings of the teacher during a twelve month period.

It will be noted in Table 1 that the average salaries of teachers increased from \$1,277.00 in 1925 to \$2,000.00 in 1945. The increase in actual dollars is readily seen to be

\$723.00. It will also be noted that the average annual salaries of skilled labor increased from \$1,627.00 in 1925 to \$2,932.00 in 1945. Over a period of twenty years, skilled labor's salaries advanced \$1,305.00. Unskilled labor was receiving an average annual salary of \$1,192.00 in 1925 and over a twenty year period their salaries were increased \$942.00 yearly, making their average salaries \$2,134.00 in 1945. The average annual salaries for skilled and unskilled labor were unavailable for the years 1946 and 1947.

For a period of approximately four years, 1931 to 1935, the teachers' salaries exceeded those of skilled labor. These four years constituted the only period in the twenty year trend in which this was the case. However, teachers' salaries exceeded those of unskilled labor from 1925 to 1941, at which time salaries of unskilled labor rose above those of teachers and continued to be higher throughout 1945.

The discrepancy between the actual salaries of teachers, and skilled and unskilled labor may best be shown by a graphic picture. This is accomplished in Figure 1, and is constructed by setting up the vertical axis as the scale of income received by teachers and skilled and unskilled labor. The horizontal axis represents the period of time covered by this study, 1925-45 for all groups of workers.

It will be noted in Figure 1 that during the period 1931 through 1935, unskilled labor received an average annual income of less than \$1,000.00 per year.

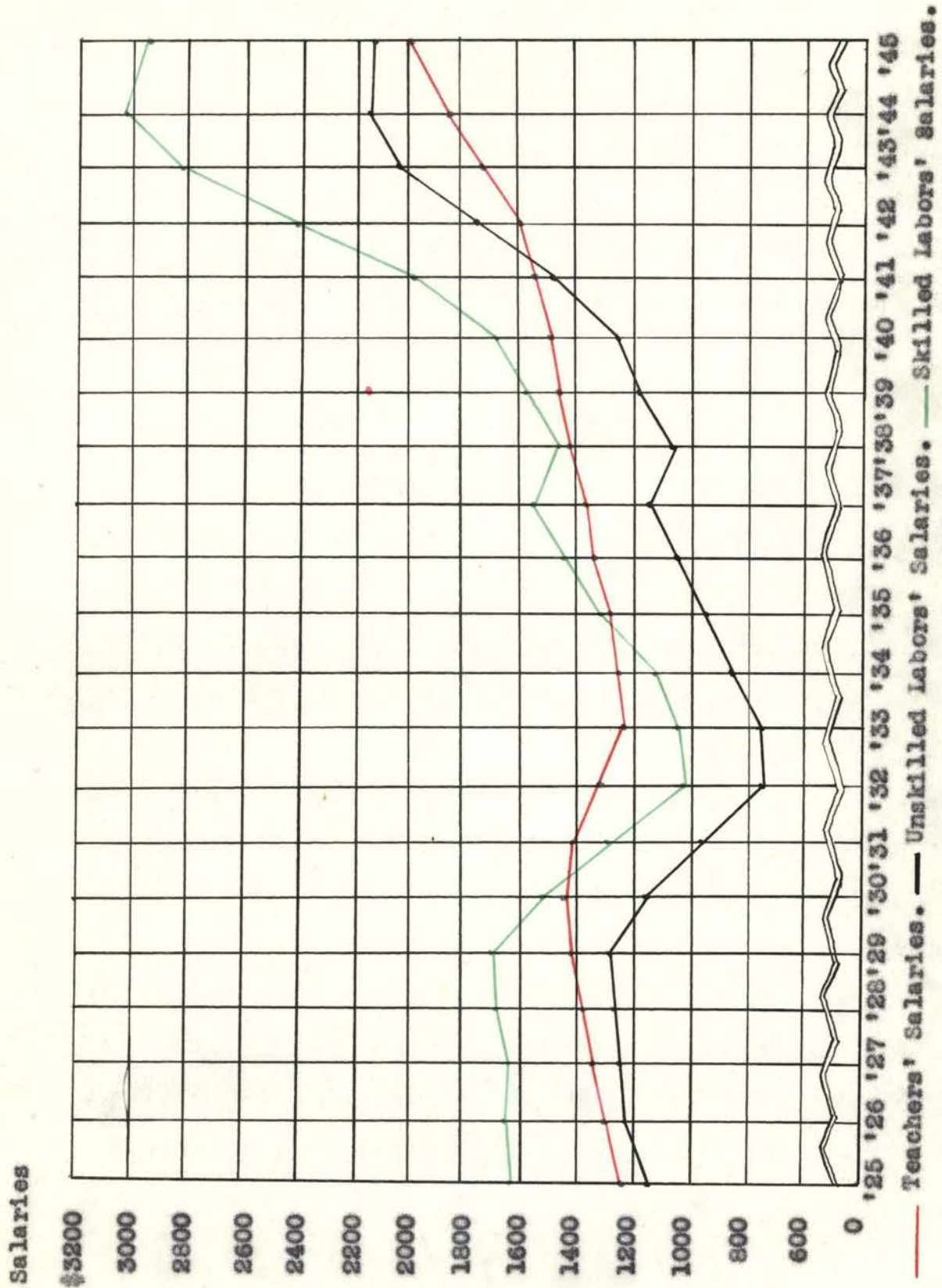


Fig. 1.—A comparison of the average annual salaries of teachers and skilled and unskilled labor from 1925-45.

From a study of Figure 1, it is evident that since the salaries of teachers and skilled and unskilled labor fluctuated during this twenty year period there were years in which the teacher received more annually than either of the other groups of workers. This situation occurred during the years of the economic depression when the teacher received an average annual salary of more than skilled or unskilled labor.

One factor that must be taken into consideration in this study is that the mean salary for teachers is used by the National Education Association in compiling the average salaries of teachers and the salaries shown in Table 1, for skilled and unskilled labor, are mean salaries. An example of the discrepancy between mean and median salaries, for teachers, is available for 1936. The highest salaries paid to teachers, in 1936, were in New York where the state average was \$2,414.00 while the lowest salaries paid in any state were in Arkansas which paid their teachers an annual average salary of only \$506.00. During this year the mean salary for the United States as a whole was \$1,283.00 while the median salary was only \$1,073.00.¹⁵

In most discussions concerning the revision of teachers' salaries, the importance of changes in the cost of living have been emphasized. The usual line of reasoning prior to the depression was that since the cost of living had increased

¹⁵ Biennial Survey of Education, II, 1934-36, 21.

markedly since 1913 or 1914, teachers' salaries should be raised at least enough to keep pace with the higher living costs. The fact that these costs reached their peak and were somewhat lower during the following decade was not generally considered a valid reason for cutting salaries in the 1920's, because during the preceding period of inflation teachers' salaries had actually declined considerably in purchasing power. Partly to make up for these losses and partly to place the remuneration of teachers on a more professional level, most school systems either maintained or increased teachers' salaries during the decade following 1920.¹⁶

In a discussion of this kind it is essential to have clearly in mind what is meant by changes in the cost of living. As everyone knows, the price of services and commonly used goods fluctuate from year to year, from month to month, and even from day to day. Frequently, of course, the prices of certain commodities rise while the prices of others fall or remain unchanged. This may occur without affecting the cost of living as a whole. But when the general price level of a representative list of commodities shows a change, we say that the cost of living has increased or decreased, as the case may be. Because of such changes, the purchasing power of money is not a permanently fixed thing. A given sum of money will buy more at one time than at another.¹⁷

¹⁶National Education Association Research Bulletin, XIII, 282.

¹⁷ibid.

The trend of teachers' salaries, as well as those of skilled and unskilled labor, in relation to changes in their cost of living may best be shown by translating the actual salaries received each year into dollars having the purchasing power of a selected base period of time. This is accomplished in Table 2 by dividing the actual salary for each year by the cost-of-living index for that year.

TABLE 2
PURCHASING POWER OF THE INCOME OF TEACHERS AND SKILLED
AND UNSKILLED LABOR 1925-45*

Year	Cost-of-Living Index	Purchasing Power of Teachers' Salaries	Purchasing Power of Skilled Labor's Salaries	Purchasing Power of Unskilled Labor's Salaries
1925	125.4	\$1,018	\$1,297	\$ 951
1926	126.4	1,044	1,301	955
1927	124.0	1,100	1,322	987
1928	122.6	1,135	1,355	1,013
1929	122.5	1,159	1,384	1,036
1930	119.4	1,206	1,271	954
1931	108.7	1,304	1,199	917
1932	97.6	1,348	1,056	771
1933	92.4	1,328	1,140	839
1934	95.7	1,300	1,219	894
1935	98.1	1,308	1,324	971
1936	99.1	1,339	1,447	1,049
1937	102.7	1,338	1,538	1,134
1938	100.8	1,397	1,418	1,066
1939	99.4	1,450	1,598	1,204
1940	100.2	1,467	1,682	1,241
1941	105.2	1,433	1,894	1,394
1942	116.5	1,373	2,067	1,494
1943	123.6	1,398	2,276	1,635
1944	125.5	1,474	2,397	1,702
1945	128.4	1,558	2,283	1,662

*Average 1935-39 = 100

The cost-of-living index used in Table 2 was compiled by the Bureau of Labor Statistics in Washington, D. C. This index is based on the level of purchasing power of wage earners and low-salaries workers. It is a weighted total of price levels of six major items, which count as follows in the total for all cities:¹⁸

Food.	43.6
Clothing.	13.0
Rent.	15.1
Fuel.	5.6
House furnishings	3.1
Miscellaneous	19.6

The index represents city prices, which do not change at the same rate as prices in rural areas. Rural prices apparently rose more rapidly during the war years than city prices.¹⁹

The general trend indicated by Table 2 may be more easily understood if the trends are presented in graphic form. Figure 2 is a graphic analysis of the relative differences between the purchasing power of the teachers' salaries and those of skilled and unskilled labor. It is constructed by setting up the vertical axis as the scale of purchasing power of teachers and skilled and unskilled labor. The horizontal axis is used to represent the period of time covered by this study. The line indicating the trend for each type of worker is drawn in a different color to facilitate understanding.

¹⁸ National Education Association Research Pamphlet, September 1946, p. 3.

¹⁹ Ibid.

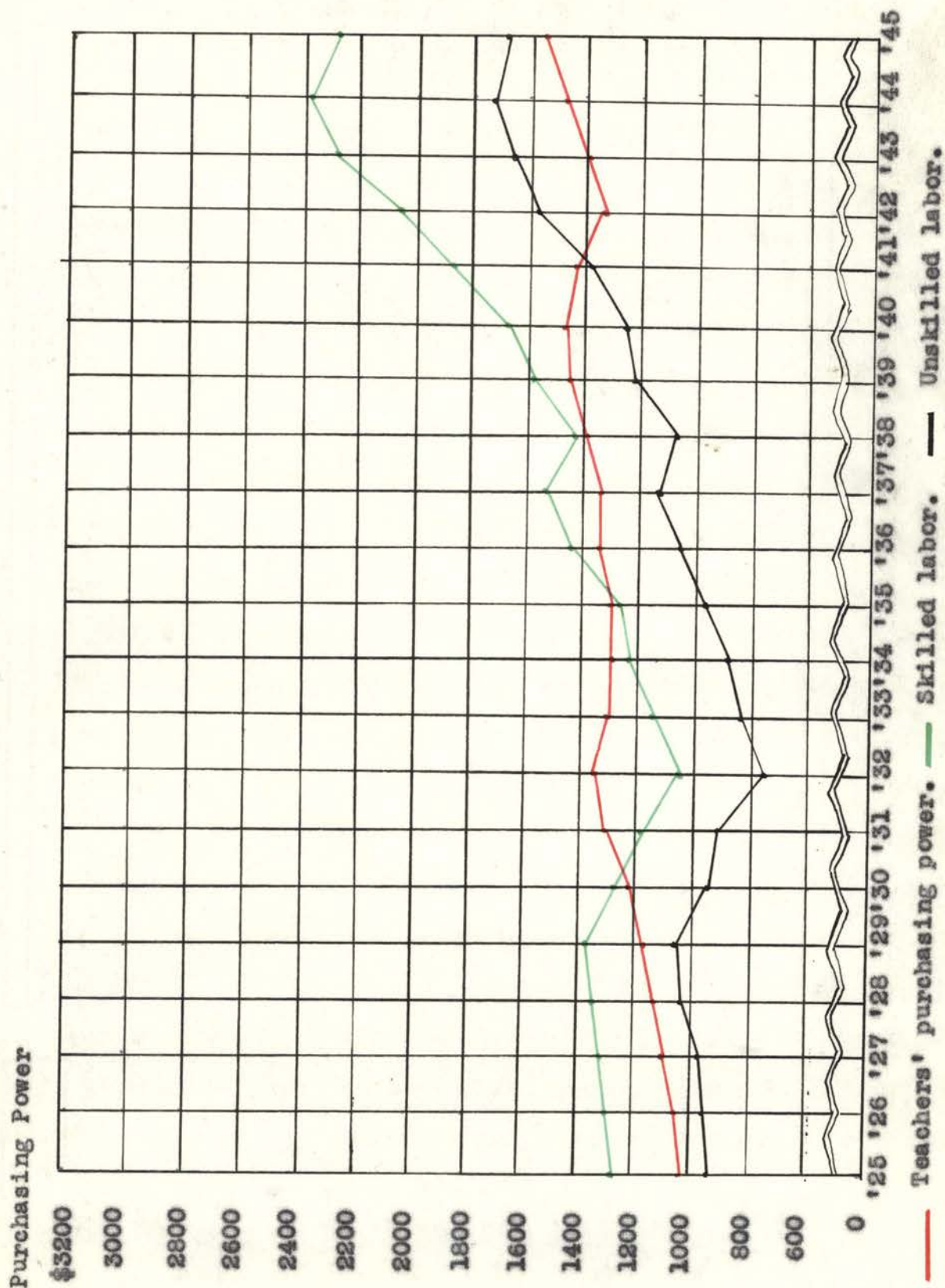


Fig. 2.—A comparison of the average annual purchasing power of teachers and skilled and unskilled labor from 1925-45.

It will be noted in Figure 2 that the purchasing power of the teacher remained below that of skilled labor throughout the twenty year period, with the exception of approximately four years, 1930-34. In this twenty year period, the purchasing power of unskilled labor remained below that of teachers until 1941, when it began an upward climb. In 1945, although the teachers' purchasing power displayed a slight gain, the purchasing power of unskilled labor was \$104.00 or 6.3 per cent higher than that of teachers.

The depression during the 1930's did not result in a setback in the teachers' purchasing power. Instead, it will be noted in Figure 2 that the teachers' purchasing power fluctuated somewhat but not since 1930 has it been as low as \$1,200.00. The teachers' greatest setback resulted from the higher costs of living and inadequate salaries during the war years.

In 1941 the trend in teachers' salaries and the trend in wages of unskilled labor were reversed. This trend started in 1940, at which time the purchasing power of the teacher started declining and that of unskilled labor began rising. In 1941 the salaries of unskilled labor surpassed those of teachers and although teachers' salaries began increasing in 1942, the increases were not sufficiently large so that the teachers' purchasing power could equal that of unskilled labor even as late as 1945. The greatest discrepancy between the teachers' income and that of unskilled labor occurred in 1943, when

the teacher was receiving \$237.00 or 14.5 per cent less in purchasing power than was unskilled labor.

It will be noted in Figure 2, that the greatest difference in the purchasing power of the teachers' dollar and that of skilled labor occurred in 1944. At this time the teachers' purchasing power was \$1,474.00 while that of skilled labor was \$2,397.00, a difference of \$923.00 or 38.5 per cent.

It is evident that the economic situation of the teacher, in regard to salaries, has been most unfavorable during the years of World War II. The preparation of the teacher requires a great deal more time and involves considerably larger expense than does that of skilled and unskilled labor. Yet it can readily be seen that the teacher has occupied a position economically inferior to that of labor.

Not only has the teacher been placed in a difficult situation but even more important is the fact that the schools of the nation and the children in particular have suffered.

The closing of schools throughout the nation was considered one of the serious problems resulting from World War II. In a survey made of three hundred and thirty-seven different school systems, the National Education Association found that two and six tenths per cent of the schools studied had been forced to close due to the shortage of teachers. The relatively low salaries paid to teachers on the whole, made it difficult to replace those who left their school positions.²⁰

²⁰ National Education Association Research Bulletin,
XXI, 44-5.

It was also found that in cities of over 100,000 in population no schools were reported to have been closed during the war. The small city schools and rural districts suffered, in some cases, with such an acute shortage of teachers that they were forced to close the schools. While the city schools in municipalities of over 100,000 in population suffered more from a high rate of teacher turn-over and being forced to employ teachers with inadequate educational preparation.²¹

The loss of staff members ranks high in comparison to the other problems resulting from the war. In their comments, made to the National Education Association, the administrators deplored the "loss of their best teachers." The most efficient teachers had been the first to leave and many of them would never return to the profession. It was necessary to fill the vacancies left by these teachers with less competent ones.²²

The past seven years has been a time when the resignations of teachers and the turn-over were twice as high as in a typical year just prior to World War II. In this process the profession lost several hundred thousand qualified teachers.²³

The major causes of the loss of qualified teachers were the relatively unfavorable conditions under which many teachers were employed. Chief among these conditions was the salary level, notoriously inadequate in urban school systems and unbelievably low in rural areas.

²¹Ibid.

²²Ibid., p. 53.

²³National Education Association Pamphlet, October 1947.

With the rise of wages in defense and war employment and the upward turn of salaries in business and the federal service, the salaries of teachers decreased relatively in rank and drastically in purchasing power.²⁴

Beginning in the middle of the war period a number of the school systems attempted, through improved salary schedules, to hold their qualified teachers and to attract a new supply. In general, these efforts were "too little, and too late." At this point, public relations programs became active in carrying to the people an appreciation of what was happening to the schools. As a result, public opinion began to affect the state legislatures in 1945 and by gathering increased momentum produced even more significant state legislation in 1947. State school appropriations were increased, general tax systems improved, and minimum salaries were raised to new levels. Some of these legislative achievements have been remarkable, but it must be remembered that they came after great damage had been done to the schools and that the rise in prices reduced the effectiveness and purchasing power of these new increases below their pre-war value.²⁵

However, the outlook for the teacher is today much brighter than it has been at any time during World War II. If the present trend continues, the teacher, in all probability will realize greater purchasing power during the next few years than at any time since 1925.

²⁴Ibid.

²⁵Ibid.

CHAPTER III

RETIREMENT PROGRAMS

In a study of the three factors which constitute the economic status of the classroom teacher, it is obvious that a scientifically planned and sound system of retirement should be provided in all states. The teacher retirement programs are as essential as adequate salaries and tenure legislation. In fact, this particular type of security for the teacher might in some instances outweigh even the tenure legislation. When teachers are young and capable of meeting the requirements necessary in earning a living, there is provided a basic sense of security if they are assured of having the necessities of life when they reach the age at which they are no longer able to work. One of the important factors in a retirement program is the effect of the disability retirement plan upon teachers of all ages and in various teaching positions. The assurance of being provided with sufficient funds so that they will not be dependent upon relatives or upon charity of state institutions, and the assurance that in the event they are disabled through illness or accidents they will be properly cared for, will be deciding factors which will induce many capable young people to choose the teaching profession as their life work.

No person, irrespective of the size of his present income or of the probability of his continuous employment during efficiency, can be sure of continued economic independence unless he makes adequate provision for loss of his earning power due to old age or early permanent disability. The infirmities of old age are sure to come sooner or later to those who escape premature death, and the possibility of illness or accident which will permanently incapacitate one for the pursuit of his life work is ever present among persons of all ages and occupations. Teachers, as well as the members of all other vocational groups, must act in accordance with these factors if they are to maintain the economic status necessary for their own efficiency, comfort, and happiness.¹

The National Education Association, in an effort to attain retirement security for teachers, advocates a "formally organized retirement or pension system for teachers, administered not by Teachers' organizations, but by state or local governmental units."²

This idea, if organized upon a sound basis and administered properly, will be a decided inducement to young people and will provide all factors which are necessary to the economic security of the teacher during old age or during permanent disability or illness.

The preparation of the teacher is costly, and many men find themselves in debt when they begin their teaching career. The demands upon the teacher's income are great, not only for the care of his family and for some measure of culture and enjoyment, but also to enable him to keep abreast of his profession, and if he saves money at all, it can be done only by the exercise of great economy and self-denial. It would seem clearly, therefore, in the interest of the social order that in a profession

¹National Education Association, "The Economic Welfare of Teachers," Sixth Yearbook of the Department of Classroom Teachers, 1931, p. 102.

²Ibid.

so circumstanced some form of organization should be developed under which the teacher could within his means and ability and without too great a burden secure reasonable protection for his family and reasonable security for himself. Such a provision makes for happiness, for contentment, and for the general progress of civilization.

General Nature of a Retirement Program

The terms retirement system and pension system are sometimes used synonymously, although a pension system usually refers to a plan whereby the employee is granted a certain amount of money annually by the employer and contributes nothing to the funds from which the pension is paid. While the retirement system, on the other hand, usually refers to the plan whereby the employee and employer make joint contributions to the fund from which the allowance is paid. Most of the plans for teachers are considered to be retirement programs, since the teacher as well as the state or local school district contributes toward building up the fund from which the allowances will be paid.⁴

A sound teacher retirement system should stipulate that the teacher and the state are contracting parties; the rates should be agreed upon as well as the kind and value of the benefits. The contributions made by the teachers are credited to the teacher with interest. The state appropriates a specified

³Henry S. Fritchett, A Comprehensive Plan of Insurance and Annuities for College Teachers, p. 15.

⁴N. E. A., Sixth Yearbook of the Department of Classroom Teachers, p. 102.

amount to be added to the individual teacher's contribution. However, should the teacher withdraw from the program, only the amount paid into the fund by the teacher, plus the interest accrued, would be payable at the time the retirement membership was terminated.⁵

The primary factors which constitute a sound retirement system for teachers are:

1. Membership required of new teachers; optional for those in service.

This statement sets forth the idea that membership in the retirement system should be compulsory for all teachers entering the profession after the enactment of the retirement law, and optional for those in service prior to that time.

2. Costs shared by teachers and public.

The National Education Association issued the statement that "sums deposited by the teachers and by the public during the period of service should be approximately equal."

3. Provision for disability.

This factor provided for those teachers who became disabled before the age of retirement.

4. Teachers' accumulated deposits returnable in case of withdrawal from service or death prior to retirement.

5. Choice of options offered upon retirement.

The teacher should have the opportunity of selecting

⁵Ibid., p. 103.

The manner in which he will receive the benefits from his accumulated deposits.

6. Credit allowed for past service.

7. Retirement board in control.⁶

The retirement system should be administered by a retirement board which represents both the public and the teachers.

The Extent of the Retirement Movement from 1925-47

During the early phases of retirement systems for teachers, they were generally local in nature. It was found that interest was more easily aroused and organization was more easily accomplished among the smaller groups. However, the work of the earlier groups along with the gradual "conception of the importance of the retirement movement," finally led to the establishment of retirement plans along a statewide basis.⁷

In 1929 the state legislatures in seven states which had retirement systems made amendments or additions to the existing laws. Connecticut restricted the date in which teachers in service could apply for membership in the retirement association to June 30, 1931. This state also made a revision which stated that the retirement would be based upon twenty years of service instead of fifteen, and the disability pension was not to exceed a pension granted under any provision other

⁶Ibid.

⁷Ibid.

than for disability. The final change made by Connecticut was that a teacher employed after July 1, 1929, would receive credit for service outside of this state up to ten years, providing he paid the amount due the retirement fund in this state with interest.⁸

Indiana added two provisions to its retirement system in 1929. Receipts were to be issued to teachers to account for the salary deductions paid to the retirement fund, and the trustees and treasurers of schools in cities and towns were made liable for failure to deduct the retirement fund.⁹

In Maine, the state legislature provided that the annual pension received by teachers with thirty-five years' experience was raised from \$400.00 to \$500.00, teachers with thirty years' experience from \$325.00 to \$375.00, and for teachers of twenty-five years' experience the salary was raised from \$250.00 to \$275.00. Provision was also made so that teachers fifty years of age, who were totally disabled and had no other means of support, might be granted a pension determined by their length of service.¹⁰

The Michigan state teacher retirement law which was repealed by the legislature in 1927 was re-enacted in 1929.¹¹

⁸E. Ruth Pyrtle, National Education Association Addresses and Proceedings, 1929, p. 223.

⁹Ibid.

¹⁰Ibid.

¹¹Ibid.

Ohio passed an act, in 1929, which stated that teachers who had withdrawn their money from the state retirement fund might have the privilege of depositing it with interest, and be re-instated in the retirement program.¹²

Pennsylvania passed a law which provided for pensions to be paid to those teachers with fifteen years of service, who had retired before the state retirement act was passed. The sum of \$150,000 was made available to meet those pension payments.¹³

Vermont amended the state teacher retirement law to a minimum average annual allowance of \$200.00 for superannuation or disability retirement. Also teachers who retired prior to the enactment of the state teacher retirement system would be granted pensions, and the retirement board was allowed the privilege of dropping members who were two years or more in arrears with their dues.¹⁴

California, Minnesota, and Montana had movements on, in 1929, to reorganize existing statewide teacher retirement laws or to amend certain of those laws.¹⁵

The retirement committee of the Louisiana Teachers Association, in 1929, was attempting to create favorable

¹²Ibid.

¹³Ibid.

¹⁴Ibid.

¹⁵Ibid.

attitudes among the teachers and the public toward establishing a statewide retirement law. Nebraska, Omaha, and Georgia were also working along this line.¹⁶

Retirement provisions, of some kind, were available in 1931 to about sixty per cent of the nation's classroom teachers. The report of the Committee on Retirement Allowances of the National Education Association established the fact that retirement systems were statewide in twenty-two states. Those states were Arizona, California, Connecticut, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nevada, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, and Wisconsin. In 1931 bills to reorganize and to improve the existing statewide retirement systems were under consideration in Arizona, California, Michigan, Minnesota, and Washington. Minnesota was the only one of those states that was securing a new retirement law.¹⁷

In 1936 Missouri and Texas passed constitutional amendments making teacher retirement legislation possible.¹⁸

In 1937 state teacher retirement laws had been enacted in twenty-eight states. Table 3 contains a list of states that had retirement laws in 1937 and the date of enactment.

¹⁶Ibid.

¹⁷N. E. A., Sixth Yearbook of the Department of Classroom Teachers, p. 106.

¹⁸National Education Association Research Bulletin, p. 102.

TABLE 3
STATES HAVING TEACHER RETIREMENT LAWS IN 1937

State	Year Enacted	State	Year Enacted
Arizona	1921	Nevada	1937
Arkansas	1937	New Jersey	1919
California	1913	New Mexico	1935-37
Connecticut	1917	New York	1921
Illinois	1915	North Dakota	1913
Indiana	1921	Ohio	1920
Kentucky	1928	Pennsylvania	1919
Louisiana	1936	Rhode Island	1908
Maine	1924	Texas	1937
Maryland	1927	Utah	1935-37
Massachusetts	1914	Vermont	1919
Michigan	1915	Virginia	1908
Minnesota	1915	Washington	1923-37
Montana	1915-37	Wisconsin	1921

Source: National Education Association Bulletin

Statewide systems were contemplated in a number of states in 1937. Four of the nine states holding legislative sessions, in 1936, enacted some type of law improving the teacher's prospects for old age benefits, and in 1937 eleven states were working toward retirement legislation.¹⁹

In 1937 all statewide systems were joint contributory except those in Arizona, New Mexico, and Rhode Island, where the teachers did not contribute to the retirement fund, and in Michigan where the state did not contribute. In California, Illinois, and Indiana, a flat amount was set by law as the

¹⁹Ibid., p. 105.

part which the teacher was to contribute. In the other states which had the joint contributory plan, the law provided for a definite percentage of the teachers salary to be contributed by the members of the teaching profession. Some systems set a minimum and maximum amount, some graded the per cent according to service, while others determined the per cent by the benefits promised.²⁰

Thirty states had enacted retirement laws by 1940. In addition to the twenty-eight which had retirement programs in 1937, Alabama and Florida passed retirement legislation. Four states, in 1940, had adopted pension plans. Those states were Arizona, New Mexico, Rhode Island, and West Virginia. The pension plans differ from the retirement systems, in that they are financed entirely by public funds.²¹

The joint contributory systems of retirement for teachers may be classified into two types, or groups, on the basis of provisions for members' contributions. One type provides for a fixed per cent of the member's salary to be withheld for contribution to the fund and the other provides for a per cent to be fixed by actuarial investigation.²²

Table 4 shows the amount of percentages paid by the members which contribute from their salaries. The contributions

²⁰ Ibid.

²¹ Ibid., XVIII, 85.

²² Ibid., XIX, 8.

are only the amounts paid in by the teachers and do not include any state contributions.

TABLE 4

MEMBERS' CONTRIBUTIONS TABULATED BY STATES AND PERCENTAGES

State	Contribution
Alabama.	3 $\frac{1}{2}$
Arkansas	4
Connecticut.	5
Illinois	4
Louisiana.	4
Maine.	5
Michigan	3
Minnesota.	5
Montana.	5
New York	4
Ohio	4
Texas.	5
Virginia	1
Wisconsin.	5
Nevada	5
California	4
Massachusetts.	5
New Hampshire.	5
Vermont.	5

Source: N. E. A. Bulletin, 1941

The following states provide for deduction of a per cent of the teacher's salary to be fixed by actuarial investigation; Florida, Maryland, New Jersey, Pennsylvania, South Dakota, Utah, and Washington. In general, the proportion of the salary to be deducted depends upon the amount of funds which need to be accumulated before minimum retirement qualifications are met, so that there will be sufficient funds to provide for the annuity which will be payable to teachers upon retirement.²⁵

²⁵Ibid.

The money contributed by the public to the joint contributory plan usually comes from state funds. However, Louisiana, New York, and Ohio have laws which stipulate that the public contribution is cared for by the employers. This money usually comes from or is deducted from money otherwise payable to the school district from the state. A fixed appropriation is set in the Michigan and Utah state laws. Arkansas, Kentucky, New Hampshire, and Texas have laws providing that the state match the members' contributions. In most of the retirement systems, the money to pay annuities and pensions is transferred when the member retires and is paid from an annuity reserve fund or a pension reserve fund, respectively. Then, at the time of retirement, the member's future retirement payments are set aside and kept separate from the general funds accumulating for the system.²⁴

In 1945 the public school teachers were protected by statewide joint contributory retirement plans in forty-four states. Of these forty-four states, six states enacted their teacher retirement laws during the 1945 Legislative session but they were not put into operation this same year.²⁵

Table 5 supplies a list of the states which had joint contributory retirement laws, in 1945, and the date of enactment.

²³Ibid., p. 9.

²⁴Ibid., XXIII, 1945, 80.

TABLE 5

STATES HAVING JOINT CONTRIBUTORY RETIREMENT LAWS IN 1945

State	Date of Enactment
Alabama	1939
Arizona	1943
Arkansas	1937
California	1913
Colorado	1944
Connecticut	1917
Florida	1939
Georgia	1944
Iowa	1945
Illinois	1939
Indiana	1915
Kansas	1941
Kentucky	1940
Louisiana	1936
Maine	1924
Maryland	1927
Massachusetts	1914
Michigan	1937
Minnesota	1931
Mississippi	1944
Missouri	1945
Montana	1937
Nebraska	1945
Nevada	1937
New Hampshire	1937
New Jersey	1919
New York	1920
North Carolina	1941
North Dakota	1913
Ohio	1920
Oregon	1945
Oklahoma	1944
Pennsylvania	1919
South Carolina	1945
South Dakota	1945
Tennessee	1945
Texas	1937
Utah	1937
Vermont	1919
Virginia	1942
Washington	1937
West Virginia	1941
Wisconsin	1937
Wyoming	1944

Source: N. E. A. Research Bulletin

In 1945, three other states, Delaware, New Mexico and Rhode Island had statewide retirement systems to which the teachers did not contribute. The Delaware law was passed in 1945.²⁶

In 1946 Idaho still remained the only state not having any type of teacher retirement law.²⁷

The Texas Teacher Retirement System stipulates that a teacher must have taught a minimum of twenty years in the public schools of Texas and must have reached the age of sixty, as an active member of the Teacher Retirement System, in order to retire and receive the benefits for old age retirement. Retirement is optional at sixty years of age, in this state, and mandatory at seventy with the exception that a teacher may continue to teach after reaching the age of seventy if it is agreeable to his employer. A teacher may retire upon disability before the age of sixty provided the teacher has taught twenty years in Texas schools.²⁸

Whenever the teacher applies for retirement, after reaching the age of sixty, the amount of his contributions plus interest will be matched by an equal amount from the state's accumulated fund. The sum of money from these two sources is used to grant a membership annuity to the teacher on the same

²⁶ Ibid., XXII, 1945, 50.

²⁷ National Education Association Bulletin, 1946, p. 5.

²⁸ Texas Outlook, XXV (July 1941), 9.

basis that is used by other institutions issuing annuities on a reserve basis. The amount of the membership annuity depends upon the amount of money the teacher has contributed and the age of the teacher upon retirement. In addition to the membership annuity or yearly payments calculated by this method there is paid, each year, a prior-service annuity to all retired members who have prior-service credit. In other words, if the teacher's savings plus the state's matching contribution secures an annuity of \$540.00 per year and the prior-service annuity is \$360.00 per year, the teacher would receive \$900.00 annually in monthly installments until death.²⁹

An example of how the Texas Teacher Retirement Law operates may be shown by assuming facts for an individual. If a member of the Texas Teacher Retirement System retired at the age of sixty-five with thirty-four years of service she would receive a minimum allowance of \$33.78 per month or \$405.36 per year providing her average annual compensation for the ten years immediately preceding retirement was not less than \$1,080.00.³⁰

A member of the New York State Teacher Retirement System retiring with thirty-five years of service, at the age of sixty, would receive an annual allowance of \$1,078.92 providing the final average salary of this individual was \$2,400.00 per year.

²⁹Ibid.

³⁰Texas Outlook, XXVI (January 1942), 21.

Since this state bases the retirement allowance upon the final average salary rather than the amount of contributions made by the employee, those teachers retiring immediately after earning large salaries would have increasingly larger retirement allowances. Should the New York teacher earn a final salary of \$4,766.00 per year his retirement allowance, providing the age and number of years of service were the same as the preceding case, would be \$2,040.25 annually.³¹

In Indiana the teacher receives a base annuity of \$1,200.00 per year from the permanent fund, plus an annuity accrued from additional payments permitted the member. However, this additional annuity is not to exceed one half of the base annuity. In this state four-sevenths of the base annuity is paid by state funds.³²

In Wyoming a total annual allowance of \$20.00 times the years of service is paid to the teacher upon retirement. The maximum total allowance is \$600.00. Therefore, a teacher retiring after thirty years of service would receive an amount equal to one retiring after thirty-five years of service.³³

Eligibility Requirements for Membership and Retirement

Eligibility requirements for teacher retirement include two kinds of eligibility: eligibility to membership and

³¹ New York State Teachers Retirement System Pamphlet, 1946, p. 13.

³² National Education Association Research Bulletin, XXIII, 1946, 13.

³³ Ibid., p. 28.

eligibility to benefits. Eligibility to membership is either voluntary or compulsory; eligibility to benefits involves the requirements for service, allowable interruptions in service, and the age at which retirement is compulsory.³⁴

The retirement board passes upon applications for membership, issues membership certificates, and maintains records of service of members. The retirement board is not allowed, in most states, to deny membership to any person regularly employed as a teacher. However, some states restrict membership to full time employees while others allow part-time employees to become members.³⁵

In most retirement systems membership is compulsory for all new teachers employed after the enactment of the law and voluntary for teachers employed within a specified time prior to the enactment. Exceptions to this general rule are of three kinds: membership may be voluntary or compulsory for all, an exception to the general rule may be made on the basis of type of position, and the exception may be based upon age.³⁶

In some states retirement is based upon age, upon years of service or both. Since membership must be continuous to meet the eligibility requirements, most states provide for leaves of absence which will not terminate membership unless the member withdraws his contribution to the retirement fund.

³⁴Ibid., p. 17.

³⁵Ibid.

³⁶Ibid., p. 19.

In Florida, Mississippi, and West Virginia there is no limit as to the number of years a teacher may be out of service without losing his membership. In Alabama, Arizona, Louisiana, Maryland, North Carolina, Oklahoma, Oregon, South Carolina, Tennessee, Texas, and Washington a teacher may be out of service five years out of any six consecutive years without losing his membership. In South Dakota the teacher must not be out of service more than ten years, and in Illinois not more than six. The retirement law is silent on this subject in California, Kansas, Maine, Massachusetts, Michigan, Minnesota, Nebraska, Nevada, New Hampshire, North Dakota, Pennsylvania, Utah, Vermont, Wisconsin, and Wyoming.³⁷

All but eleven states prescribe that retirement is compulsory at a specified age, usually seventy. Extensions beyond this age are possible in some states if the employer, the member, and the retirement board agree.³⁸

Benefits Derived from Retirement Programs

The chief benefit provided in the retirement laws is an allowance payable to members who meet requirements for service. However, there are other benefits such as disability retirement, death benefits, refunds in case of withdrawal from service, and in one state the benefit of borrowing from the retirement fund.

³⁷Ibid., p. 23.

³⁸Ibid., p. 24.

The allowance payable for service is paid in most states by a single monthly check, although it is composed of two separately computed parts. It is based upon the member's own contributions, and upon the contributions from public funds. Members entitled to prior service benefits receive an additional, separately computed state pension in most states.³⁹

In some cases teachers are unable to continue their work, until they are old enough to receive an allowance for service, because of mental or physical illness of a permanent nature. All states which have retirement programs provide for these emergencies except Oklahoma. After a specified number of years of service or after a specified age, members may retire because of disability and receive an allowance. Before being eligible for disability retirement the member must submit to a physical examination by a physician or by a group of physicians. Usually, the individual will be required to have a physical examination periodically for at least five years.⁴⁰

Since retirement systems are designed to provide an income for the teacher after a specified number of years of service, the death benefits are of secondary importance. As a rule, when a member dies in active service, his accumulated contributions are refunded to his estate or to a beneficiary. Some states give an additional lump sum death benefit, while

³⁹Ibid., p. 32.

⁴⁰Ibid.

others do not even return the total contributions made by the member.⁴¹

When a member dies after retirement, the general rule is that his retirement allowance ends and no death benefit is paid to his estate. Recently, some states have provided that in the event the member dies before his total contributions have been returned in the form of retirement allowances, the remainder of his contributions is paid to the estate.⁴²

West Virginia is the only state that has made provision for loans to the members of the retirement program. However, the loans from the retirement fund must not exceed twice the monthly salary of the borrower nor half of his accumulated contributions to the retirement fund. Interest of six per cent is charged on all loans and the principal and interest must be repaid in not less than six nor more than sixteen months. All interest earned by the retirement system is deposited in the expense account of the system.⁴³

⁴¹Ibid., p. 32.

⁴²Ibid., p. 37.

⁴³Ibid., p. 42.

CHAPTER IV

TEACHER TENURE

The Principles and Purposes of Teacher Tenure

The principles and purposes of teacher tenure are to produce more highly qualified and more capable teachers, which in turn will result in better school systems. One of the important items of teacher tenure is that of improving teaching and teaching conditions.¹ The purpose of tenure as seen and reported by the National Education Association are as follows:

1. To protect teachers and other members of the teaching profession against unjust dismissal of any kind--political, religious, or personal.
2. To prevent the management of or domination of the schools by political or non-educational groups for improper or selfish purposes.
3. To secure for the teacher, teaching conditions which will encourage him to grow in the full practice of his profession, unharried by constant pressure and fear.
4. To encourage competent, independent thinkers to enter and to remain in the teaching profession.
5. To encourage school management to devote itself to the cause of education, which otherwise might have to sacrifice the welfare of the school to fear and favor.
6. To set up honest, definite procedures by which undesirable people may be excluded from the teaching profession.

¹"Report of the Committee on Tenure," National Education Association Bulletin, 1937, p. 4.

7. To protect educators in their efforts to promote the financial and educational interests of public school children.

8. To protect teachers in the exercise of their American Citizenship.²

The first purpose of teacher tenure as reported by the National Education Association is important to teachers in those states having no form of teacher tenure legislation. In the past, as well as at the present time, the teacher in such states may be discharged at the end of the school term without sufficient reason. It is apparent that in some instances efficient teachers have been removed and less capable teachers have been hired in their places due to personal likes and dislikes of the members of the board of trustees.

The second reason for teacher tenure is to prevent political pressure being brought to bear upon teachers and upon school policies, and it may well be aided by sufficient tenure legislation.

The third purpose is important in that it gives the teacher a sense of security which is essential to the welfare of all people. When the teacher is assured of a position, providing his work is efficient, he then has a chance to become adjusted to his environment and to plan for future progress in the particular community in which he works. School systems having no tenure law cannot expect their teachers to perform the best type of work.

²"Teacher Tenure Legislation to Date," National Education Association Bulletin, 1937, p. 5.

The fourth purpose of tenure, to encourage competent, independent thinkers in the teaching profession is based upon the principles of democracy. It is every American citizen's right to enjoy freedom of speech and action, and the teacher should not be made an exception to this rule. It is in the interest of the nation, as a whole, that freedom of speech be allowed those in the teaching profession.

The fifth purpose of tenure is to encourage school management or the board of trustees to prevent pressure groups from forcing certain policies upon the school systems, which would be detrimental to the school.

The argument has been used that tenure tends to keep in service those teachers who are not desirable. The sixth purpose of tenure legislation is designed to prevent this. There are, of course, undesirable people in the teaching profession as well as in other types of work. However, the lack of teacher tenure legislation does not mean that the undesirable teachers will be eliminated from the school systems. In states which have teacher tenure laws there should be valid, fair reasons for dismissing any teacher who proves to be inefficient.

Tenure legislation proves exceptionally beneficial to teachers who, having the interest of school children at heart, help to promote sources of revenue for the advancement of educational opportunities. When tenure is lacking, the teacher may hesitate to help in raising taxes due to the pressure of certain groups being brought to bear upon the school boards.

In some cases the opposing forces may cause the dismissal of teachers simply because they are unsympathetic to the financial needs of school systems. The seventh purpose of tenure is to prevent this from happening.

The eighth purpose of tenure set forth by the National Education Association is to assure teachers of certain constitutional rights. In some cases the teachers' activities have been curtailed or hampered outside of school as well as in the classroom.

Types of Tenure Legislation

The careless use of the word tenure frequently causes misunderstandings. There are various types of tenure legislation and distinction must be made among them if the contractual status of teachers is to be discussed intelligently. Tenure legislation can, as a rule, be classed in four types. The first type of tenure legislation is one which has been used extensively by many local school boards. Under this form of tenure the teacher is elected for one year and is under contract. The school boards are not allowed to employ teachers on any contract covering more than one year. At the end of the contract period the teacher may be dismissed for any reason whatever or for no reason at all. The courts assume that, under these conditions, the school boards are qualified to judge the reason for dismissal and to use valid and fair reasons for letting a teacher go. It is evident

that since the burden of proof is placed on the teacher to show that the school board acted arbitrarily, the annual election plan lessens the teachers' economic independence by giving a minimum amount of security to those placed under a one year contract.³

The second type of tenure legislation allows the school board to enter into contracts with teachers for more than a single year. This plan is a decided improvement over the one year contract. However, even though the indefinite contract is legal, the courts usually hold that contracts between the school boards and teachers may not cover an unreasonably long period of time. One example of this type of tenure legislation is that found in the statutes of Texas in 1930. It allows school boards in certain districts to employ teachers on contracts for as long as five years.⁴

The third type of law in regard to the contractual relationship of teachers and school boards states that an annual election is not necessary. It is commonly termed the continuing contract and unless the school board notifies the teacher by a specified date that his services are not required for another year, the teacher is entitled to assume that his contract continues. This type of tenure legislation was passed by the Pennsylvania legislature in 1929.⁵

³National Education Association, "The Economic Welfare of Teachers," Sixth Yearbook of the Department of Classroom Teachers, p. 40.

⁴Ibid.

⁵Ibid.

The fourth type of tenure legislation fixes a probationary period of a number of years, during which, the teacher may be dismissed at the termination of any school year period. After the probationary period is completed the school board must place the teacher on indefinite tenure and can only discharge him by proving grounds of incompetency, insubordination, immorality, or other similar charges. There is an important subdivision in the fourth type of tenure legislation. The teacher may be allowed an appeal to higher authorities than the electing school boards. The California law states that the teacher must either accept dismissal or else carry an appeal to the courts. The New Jersey law, on the other hand, allows a teacher to carry an appeal to the courts or to the chief state school official. The experience of New Jersey reveals that in most cases where professional and judicial hearings are allowed, the teachers prefer to make a professional appeal.⁶

Summary of Teacher Tenure Legislation

The National Education Association has accomplished more than any other agency in establishing and promoting teacher tenure legislation. In 1919 this agency broadened its activities to include both tenure and pensions. From that time to the present, the National Education Association has worked unceasingly to help in establishing nationwide tenure. In

⁶Ibid.

1923 the committee was organized into the Committee of One Hundred on Problems of Tenure and after 1933 it has operated as the Committee on Tenure. In 1935 the Association appointed a Committee on Academic Freedom and since the work of these two committees sometimes overlapped they were merged under the title of Tenure and Academic Freedom in 1944.⁷

New Jersey was the first state to pass a tenure law and the original law was enacted in 1909. This law provided for a three year probationary period, the discharge of tenure teachers for specified causes only, the right prior to dismissal of a teacher, to a hearing before the board with witnesses and counsel, and the right to appeal from the board's decision to the commissioner of education. Several years later it was amended and now stands out as one of the most satisfactory tenure laws in the United States.⁸

In 1925 and 1926 state tenure laws had been enacted in eleven states. Those states providing some type of tenure law were California, Colorado, Illinois, Louisiana, Maryland, Massachusetts, Montana, New Jersey, New York, Oregon, and Wisconsin. The general purpose of these laws was to guarantee security of position to teachers during efficiency and proper behavior. The principal features in these laws were to provide a probationary period of from one to three years, to

⁷"Tenure and Academic Freedom," National Education Association Handbook, 1946, p. 78.

⁸Donald Du Shane, "Report of Committee on Tenure," N. E. A. Addresses and Proceedings, LXXIII, 221.

produce specific cause for dismissal, to provide a hearing before the employing boards, the right of counsel for the teacher, and reasonable notice of hearing or intention to prefer charges.⁹

During the period of 1925 and 1926, thirty-seven states in this country had no type of tenure law. The prevailing system of school boards was that of selecting and dismissing teachers as the local boards thought fit.

In 1927 thirteen states and the District of Columbia had enacted tenure legislation, and twelve additional states reported that they had plans under way and were looking forward to teacher tenure legislation during the next year. The general provisions of these laws were based upon the same principles as those of 1925 and 1926.¹⁰

In order to provide a concise picture of tenure legislation throughout the United States in 1927, Table 6 has been constructed. It will be noted that each of the thirteen states having some type of tenure law is listed alphabetically in the first column. The second column contains information as to the particular area or district to which the law applies in each of the states. The year of enactment of the various laws is shown in the third column.

⁹ Fred M. Hunter, "Teacher Tenure in the United States," National Education Association Addresses and Proceedings, LXIV, 203.

¹⁰ Ibid., LXV, 221.

TABLE 6
STATES HAVING TEACHER TENURE LAWS IN 1927

State	Where Law Applies	Year Enacted
California	Statewide	1927
Colorado	Districts with 20,000 pop.	1921
Illinois	Districts with 100,000 pop.	1919
Indiana	Statewide	1927
Louisiana	New Orleans	1922
Maryland	Statewide	1921
Massachusetts	Entire State except Boston	1914
Minnesota	Cities of the first class	1927
Montana	Statewide	1927
New Jersey	Statewide	1909
New York	Statewide except for rural areas	1917
Oregon	Districts of 20,000 pop. or more	1913
Wisconsin	Cities of the first class	1921

Source: N. E. A. Addresses and Proceedings, LXV

It will be noted in Table 6 that in 1927 only five states had enacted statewide tenure laws. One instance occurred, that of Louisiana, in which the state law applied only to one city.

In 1928 there were still only thirteen states having teacher tenure laws and those laws were passed in the preceding sixteen years. The insecurity of the teachers' position is one reason why the United States stands out glaringly in its number of unprepared and unprogressive teachers. The European countries by 1928 had outdistanced America with respect to tenure. Little progress had been made by new teacher tenure laws in those states which had no tenure legislation because the greatest part of the United States had no tenure laws.¹¹

¹¹ National Education Association, "Problem and Opportunities in Teaching," Third Yearbook of the Classroom Teachers, p. 44.

Little progress was made from 1928 until 1935. Only fourteen states had tenure laws in 1935. Oregon first passed a tenure law in 1917; however, it was limited to the two largest school districts. This law was rewritten in 1935 but was still limited to the same districts. Massachusetts passed the first tenure law for that state in 1921 and this law in its original form was statewide in scope. The original law was amended in 1934. Montana passed a tenure law in 1915 which was at that time a new type of tenure law. This legislation provided that the teachers' contracts be continuous unless they were terminated by the appointing board. As can easily be seen, this type of law gives the teacher little protection and cannot be classed as a favorable type. However, Montana set a precedent and later several states followed this example. In 1924 Illinois passed its first tenure law, but it applied only to Chicago. The original law in Illinois was the outgrowth of a wholesale discharging of Chicago teachers and was enacted for the purpose of relieving that city from future occurrences of this kind. New York passed a tenure law which applied only to cities and not to rural districts. California, in 1935, had a statewide law in regard to teacher tenure. Maryland, in 1935, had the same type of law as was passed in California. Indiana and Nevada had the continuous contract law. Colorado had teacher tenure laws in the three largest cities and Wisconsin had a tenure law which applied only to Milwaukee. Louisiana's teacher tenure law was applicable to the city of New Orleans. Minnesota had a law

applicable to Minneapolis, St. Paul, and Duluth. The teacher tenure statutes in these various states differed greatly, yet most of them had made provisions for a probationary period, for the discharge of teachers for specified causes only, and to give the dismissed teacher the right to a hearing with witnesses and with counsel.¹²

In 1937 the extent of teacher tenure had progressed a great deal. At this time twenty states had some kind of tenure law. Louisiana, Maryland, Massachusetts, New Jersey, and Pennsylvania had statewide tenure laws. Montana, Nebraska, Nevada, and Texas had continuing contracts in certain districts. Indiana, Minnesota, and New York had statewide tenure except for small districts. Colorado had permanent tenure in first class districts. Connecticut had tenure in New Haven, and Illinois had tenure in several areas. Kansas had tenure in cities over 120,000 population. Oklahoma had tenure in districts with a population of 100,000. Wisconsin and Oregon had tenure laws in large districts.¹³

The National Education Association Committee on Tenure has stated that liberal teacher retirement laws are needed to encourage teachers to remain in the profession during their productive years and to provide security for teachers during their old age. The value of the retirement system to the

¹²Donald Du Shane, "Report of the Committee on Tenure," N. E. A. Addresses and Proceedings, LXXIII, 221.

¹³"Teacher Tenure Legislation to Date," National Education Association Bulletin, 1937, p. 4.

public and to teachers is immeasurably increased by tenure legislation. During the past four years this committee has been interested not only in tenure but also in other legislative methods of preventing teacher injustices. Tenure is only one of the legislative measures which is designed to improve teaching conditions and to discourage the mistreatment of teachers. The Committee has found gross abuses of the teachers' rights by insertions of unfair provisions in the teachers' contracts. It is the opinion of the Committee on Tenure that every state should have uniform teacher contract laws which will provide for a safe, fair, and legal contract for teachers, and which will prevent the insertion of unfair clauses and provisions in a teacher's contract.¹⁴

The outstanding achievement of 1937 was the passing of a statewide tenure law by the state of Louisiana. This law provided that, after a probationary period of three years, a teacher should be considered permanent and could only be removed upon written charges of wilful neglect of duty, incompetency, or dishonesty, and after a public hearing. The teacher was guaranteed the right of having witnesses and counsel, and if at the completion of the hearing he was not satisfied, he had a right to a court appeal. During the probationary period teachers could only be removed by the parish

¹⁴Donald Du Shane, "Report of the Committee on Tenure," N. E. A. Addresses and Proceedings, LXIII, 913.

school boards upon written recommendation which must be accompanied by valid reasons given by the superintendent of schools.¹⁵

Another important tenure achievement was the statewide tenure law passed by the state of Pennsylvania. This changed the unsatisfactory continuing contract law to an iron-clad statewide tenure law which applied to all school employees with the exception of superintendents. The Indiana plan of providing tenure followed this law and made teacher contracts indefinite.¹⁶

Some difficulty has been encountered in tenure states because probationary teachers have been discharged unjustly. The Pennsylvania law eliminates the probationary period entirely and provides tenure protection immediately upon appointment. Under this law teachers may be dismissed only for immorality, incompetency, intemperance, wilful and persistent negligence, mental derangement, and wilful violation of the state laws. This law requires that any teacher must be furnished with a written statement of the reasons for dismissal, and upon his request shall be given a public hearing. The teacher has the right to present witnesses and after the hearing he can be dismissed only by a two-thirds vote. If the action of the board does not satisfy the teacher, he may

¹⁵Ibid.

¹⁶Ibid., p. 915.

appeal to the court of common pleas. The law further provides that no teacher can waive his tenure rights by any provision made in the contract. This law extends greater protection to the teachers than any other statewide law.¹⁷

The Oklahoma tenure bill which applied only to the districts having a population of 100,000 or more, provided that after a three year probationary period the teachers would be given permanent tenure. Under this law teachers could only be removed for just cause and after written charges and a hearing. Statewide tenure, it was believed, would soon follow this law.¹⁸

The law passed by Minnesota provided for a continuing contract applicable to all but the first class cities, which already had satisfactory tenure protection. The state of Nebraska also had the continuing contract law which was applicable to all schools with the exception of rural districts. The passage of this law was considered a real achievement since Nebraska had been adverse to any tenure legislation. The law provided that the contracts of teachers would be automatically renewed upon their expiration unless the board of education voted a dismissal before April 1.¹⁹

Tenure bills, unfortunately, were not passed by all of

¹⁷Ibid., p. 916.

¹⁸Ibid.

¹⁹Ibid.

the legislatures considering them. In Ohio the bill was reported favorably in the senate but did not reach a vote. In Washington the tenure bill and the continuing contract bill were defeated. North Dakota and Connecticut also lost tenure legislation.²⁰

Tenure laws are rarely attacked directly, once they are established in a community or state. The benefits to pupils and to teachers are much too obvious. However, the newest and most vigorous of the indirect methods of attack is that of "recertification."²¹ This type of opposition usually comes from within the ranks of the educational profession and it has as its object the prohibiting of granting certificates to teachers for longer than a specified number of years. After the certificate expires, it must be renewed. This is usually accomplished by attending a University or College in order to obtain the required number of credits.

In 1942 an analysis of state legislation governing the duration of teachers' contracts displays two general types of provisions. One provision is that of uniform legislation statewide in effect, and the other is varied provisions for different school districts in the same state. In eight states, Idaho, New Hampshire, Rhode Island, South Dakota, Utah, Vermont, Virginia, and Wyoming no provisions regarding the term of

²⁰ Ibid.

²¹ Ibid., p. 912.

employment of public school teachers are to be found in the statute books. In most of these states annual election is practiced and in a few localities permanent tenure is granted by the local school boards, although it is not required by law. Three states, Arizona, Missouri, and Oklahoma, have laws requiring the employment of teachers by annual contracts. These laws make it necessary to have annual elections and create a period of uncertainty from year to year, which is detrimental to the welfare of the schools.²²

In 1942 much progress had been made in the extent of the growth of teacher tenure. However, there remained eleven states which had not passed tenure laws that would help to effect better teaching conditions or better school systems. The remaining thirty-seven states had on their statute books some type of law that was satisfactory at that time or that was a step in the right direction toward securing future tenure laws which would be effective in promoting better schools.

In 1945 teacher tenure protection was found to have made great progress over the period of the last twenty years. Thirty-eight states afforded some type of tenure protection for all or a great part of the teachers in the various states. Those states which afforded no protection from year to year were Arizona, Wyoming, Utah, New Hampshire, Rhode Island, South Dakota, Virginia, Idaho, and Oklahoma.

²²"Teacher Tenure; Its Status Critically Appraised," National Education Association Bulletin, 1942, p. 91.

In 1946 there were plans to introduce tenure bills in Arizona, Oklahoma, and in Texas. Texas is considered to have a form of tenure law since, in this state, long term contracts are permitted. Several of the states which had continuing contract laws were planning to amend them to include tenure procedure for the dismissal of teachers, or to replace the continuing contract laws with tenure laws. New Jersey expected to extend tenure provisions to include superintendents and assistant superintendents. New Mexico was working on improvements in its existing tenure law and planned to introduce an entirely new bill if the improvements were not sufficient. Michigan hoped to make its optional tenure law mandatory in certain size school districts. Kansas planned to introduce a continuing contract law and Iowa planned to extend the present continuing contract law to superintendents. Alabama was making a study of its present tenure law to determine ways to make the adjustments and improvements that they considered necessary.²³

In other tenure states the attitude appeared to be to keep intact what was on the statute books and in the non-tenure states it appeared that no action was contemplated to provide for teacher dismissal protection.²⁴

In 1947 there were thirty-eight states which provided for permanent tenure, for continuing contracts, or for long term

²³"Report of the Committee on Tenure and Academic Freedom," National Education Association Bulletin, 1946, p. 6.

²⁴Ibid.

contracts. Table 7 gives tabulated information on those states having permanent tenure laws in 1947.

TABLE 7
STATES OPERATING UNDER PERMANENT TENURE LAWS IN 1947

State	Where Law Applies	Year Enacted or Amended
Alabama	Statewide	1940
California	Statewide	1943
Colorado	First-class districts	1935
Connecticut	Large Cities	1935
Florida	Statewide law effective 1950	1947
Georgia	DeKalb, Fulton, Richmond Counties	1939
Illinois	Districts less than 500,000 pop.	1945
Indiana	Statewide except for townships	1927
Iowa	Statewide	1946
Kansas	Cities with population of 120,000	1945
Kentucky	Statewide	1946
Louisiana	Statewide	1922
Maryland	Statewide	1939
Massachusetts	Statewide	1941
Michigan	Statewide
Minnesota	Cities of first class	1945
Missouri	Cities of 500,000 population
Nebraska	Cities over 40,000 population	1943
New Jersey	Statewide	1917
New Mexico	Statewide	1941
New York	Cities of 400,000 or more pop.	1917
Ohio	Statewide	1945
Oregon	Districts of 20,000 pop. or more	1940
Pennsylvania	Statewide
Rhode Island	Statewide	1946
South Carolina	Richland County	1942
Wisconsin	Cities with 500,000 population	1945

Source: National Education Association Bulletin, 1947

It will be noted in Table 7 that twenty-seven states had permanent tenure laws in 1947. These states are listed alphabetically in column one. The area where the law applied and the year the law was enacted or amended are shown in columns

two and three. The information as to the date of enactment of the laws in Michigan, Missouri, and Pennsylvania was unavailable. Of these twenty-seven states, Iowa is the only one which does not provide, in the state statutes, for a probationary period.

In 1947 eight states had provided for statewide continuing contract laws. These states were Arkansas, Delaware, Montana, Nevada, North Carolina, North Dakota, Tennessee, Washington, and West Virginia.²⁵

Maine, Mississippi, and Texas had, by 1947, enacted laws to permit contracts with teachers for a period of more than one year. The Maine law, enacted in 1939, was statewide and allowed contracts for terms not to exceed five years. The Mississippi law provided for contracts with teachers not to exceed three years.²⁶

Since 1930, Texas teachers in cities, towns, or any independent school districts could be allowed contracts not to exceed three years and in independent districts with a population of five thousand or more scholastics the contracts could be for as long as five years. Texas amended this law in 1937 to allow common school districts or consolidated common school districts authority to contract for terms not in excess of two years.²⁷

²⁵National Education Association Bulletin, 1947, p. 17.

²⁶Ibid., p. 16.

²⁷Ibid.

Annual election was required, in 1947, for teachers in Arizona and Oklahoma.²⁸

The remaining seven states, Utah, Idaho, New Hampshire, South Dakota, Vermont, Virginia, and Wyoming are not considered to have any type of tenure law since these states have not provided laws which apply to the teachers' contracts.

The most outstanding type of tenure law which had been enacted in any state by 1947 was that of New Jersey. This law was originally enacted in 1909 and has since been amended. After the latest amendments the New Jersey law provides statewide coverage for teachers, principals, and supervising principals. The probationary period under this law is three years, unless shorter time is fixed by the board. Permanent employment is granted at the beginning of the fourth year, or the equivalent of three years in any consecutive four years. After the probationary period has expired the teachers serve during good behavior and efficiency. Inefficiency, incapacity, conduct unbecoming a teacher, or other just causes for dismissal must be proven before any teacher on permanent tenure in New Jersey can be discharged. The charges against the teacher must be signed by the person making them and filed with the board. Reasonable notice of the charges must be given to the teacher, after which the hearing becomes automatic. During the hearing the teacher may be represented by counsel, all testimony must be given under oath, and witnesses may be subpoenaed.²⁹

²⁸Ibid., p. 16.

²⁹Ibid., p. 63.

If it becomes necessary for the board to reduce the number of teaching positions because of a reduction in the number of pupils in the district, then the teacher or teachers dismissed under such circumstances may not be selected by reason of residence, age, sex, marriage, race, religion, or political affiliation. In such cases, seniority rights are observed and the names of those teachers dismissed are placed upon a preferred list in order of years of service for re-employment. In a case of this kind, no hearing is required before dismissal. In the event the teacher wishes to resign from the school system in any district in New Jersey it is necessary that he give sixty days' notice to the board.³⁰

Texas may be used as an example of a state which has a law providing for long term contracts. As has previously been noted, Texas allows for contracts covering five years duration, and this only in independent school districts having a population of five thousand or more scholastics. The only advantage found in this type of law is that it increases the possibility of continued service for several years at a time.³¹

Benefits of Teacher Tenure

The benefits of teacher tenure are numerous. Not only does it benefit the members of the teaching profession but

³⁰Ibid., p. 63.

³¹Ibid., p. 16.

the schools and the children as well. Teacher tenure promotes better teaching conditions from the viewpoint of the teachers because it assures them of fair treatment and eliminates the possibility of their being discharged without justification. The following statement on tenure of service was adopted in 1941 as the platform of the National Education Association.

Teachers, regardless of position or title, are professional workers in a common cause, and, as such, have certain responsibilities and rights. The interests of the child and of the profession require teachers who are protected from discharge for political, religious, personal, or other unjust reasons by effective tenure laws.³²

The security afforded teachers working under tenure laws helps to impart to those in the teaching profession the stability of position which is essential to good teaching. Every person has a right to job security if he fulfills the requirements necessary to maintain the standards of his particular position. Obtaining this type of security enables the teacher to adjust himself to his environment and to work toward future improvements in the city in which he works. The teacher operating under an annual election system is never assured from one year to another that, even though he performs his work efficiently and gives no just cause for dismissal, he will be re-elected.

Teacher tenure benefits the school children because it tends to decrease teacher turnover and adds to the stability

³²Ibid., p. 5.

of the teaching profession. In a survey made of thirty-one cities of 100,000 population and above in the United States the annual turnover in states having tenure laws is only four per cent. In states having no tenure law, the annual turnover averages six per cent.³³

Teacher tenure is in the interest of children because the states having indefinite tenure laws rank among the highest in the professional standards in this country. It also has a tendency to attract better personnel into the profession. In the past, teaching has afforded little opportunity for a career and has afforded little permanency. Indefinite tenure usually adds the element of permanency and makes the teaching profession more inviting to able people.³⁴

Tenure also creates a professional reward for self-improvement and growth in teaching ability. It protects the teachers from attack on personal and political grounds and establishes them as a permanent and professional working body whose chief motive is the improvement of teaching and the welfare of the schools. It is in the interest of the community because a permanent teacher contributes much more to the community than a temporary one. If teachers are transients

³³Fred M. Hunter, "Teacher Tenure in the United States," National Education Association Addresses and Proceedings, XXV, 214.

³⁴Ibid.

the community and its progress are the losers because the teacher should identify himself with the important movements and issues of his community.³⁵

³⁵ Ibid.

CHAPTER V

SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

Summary

In this study of the economic status of the classroom teacher for a period of twenty years, it was found that the average salaries of teachers increased approximately \$723.00 from 1925 until 1945. The purchasing power of the teachers' income increased approximately \$540.00 during this twenty year period.

The average wage of skilled labor, during the period of 1925 until 1945, increased approximately \$1306.00. Since the average income of skilled labor, in 1925, was \$1,627.00 and the average income in 1945 was \$2,932.00 it can easily be seen that the teachers' salaries did not increase as much as the income of skilled labor. The teacher was receiving \$932.00 per year less than skilled labor in 1945. Skilled labor received an average of \$986.00 increase in real wages over the twenty year period.

Unskilled labor received an average annual wage of \$1,192.00 in 1925 and \$2,134.00 in 1945. This increase over a period of twenty years represented a raise of \$942.00. The purchasing power of unskilled labor's income increased from 1925, at which time it was \$951.00 to \$1,662.00 in 1945. This represented an increase of \$711.00 in real wages.

It was noted that although the teacher received increases both in average salary and in purchasing power, he was receiving less in money income and in real income than were skilled and unskilled labor.

Since the salaries of teachers and the wages of skilled and unskilled labor fluctuated during this twenty year period there were years in which the teacher was better off financially than were the other two groups of workers. This situation occurred during the years of the economic depression when the teacher received more annually, on the average, than either of the other groups. During the four year period 1931 through 1934 the teacher received more in average income and in purchasing power than did skilled labor. From 1925 until 1941 the actual wages and purchasing power of unskilled labor were lower than the salaries and real income of teachers.

In 1942 the trend in teachers' salaries and the trend in wages of unskilled labor were reversed. This reversion of trends began in 1940, at which time the purchasing power of the teacher started declining while that of unskilled labor began rising. From 1942 through 1945, the increase in the average income and the increase in the purchasing power of the teacher's earnings were not sufficient to bring the income of the teacher to a level with that of unskilled labor.

The primary factor that resulted in a shortage of well

qualified teachers and that apparently lowered our educational standards, to some extent throughout the nation, was the lack of adequate salaries for those in the teaching profession. However, the National Education Association estimated the average salary of the teacher to have been \$2,250.00 during 1946 and \$2,350.00 during the 1947 school year. If these trends in salary increases continue and the cost-of-living index levels off, the purchasing power of the teachers' dollar will be advanced along with the actual salary increases.

During the twenty-two year period from 1925 until 1947 teacher retirement laws increased from twenty-one state programs in 1925 to forty-seven programs in 1947. Every state in the union, with the exception of Idaho, had some form of teacher retirement benefit for its teachers. Of these forty-seven states, forty-four have joint contributory retirement programs in which the teacher and the state contribute toward the fund from which retirement benefits are paid. Three states, in 1947, had statewide systems to which the teacher did not contribute.

The benefits received by the teachers in the different states vary. In Texas the teachers receive an allowance which is the actuarial equivalent of their contributions. In New York state the teacher receives an allowance based upon his final average salary. Since the salaries have increased on an average during recent years, the teacher in Texas is at a disadvantage since his contributions during the years of

low salaries were small. While on the other hand the New York teacher will in all probability receive a substantial allowance since New York is noted for being one of the highest paying states in regard to teachers' salaries. The conclusion is drawn, therefore, that Texas, along with other states which base retirement allowances on the members' contributions, suffered from inadequate teacher retirement programs in 1947.

In 1925 only eleven states had enacted tenure laws for the benefit of teachers. However, in 1947, twenty-seven states had enacted permanent tenure laws. Eight states, in 1947, had made legal provisions for statewide continuing contract laws. Three states, Maine, Mississippi, and Texas had, by 1947, enacted legislation providing for long-term contracts. However, in Texas the long-term contract was not compulsory but left to the discretion of the boards of education.

Conclusions

The teachers received an increase of \$725.00, on the average, throughout the United States in actual salaries. In purchasing power the teacher received an increase of approximately \$540.00. Although the figures on this increase appear to be substantial, in 1945 the teacher received \$725.00 less in purchasing power than did skilled labor and \$104.00 less in purchasing power than did unskilled labor. Therefore, the teacher can not be said to have made adequate progress as far as income is concerned.

Throughout the nation the retirement programs for teachers have progressed substantially. In 1947 all of the states except Idaho provided for an allowance for the retired teacher.

Although some states provide larger retirement allowances than do others, it is apparent that since forty-seven states have seen fit to put forth effort to provide for the teachers' security during old age, the problem will be met, in time, with increasingly larger retirement allowances for the teacher in the future.

Tenure laws, throughout the nation, have made considerable progress. Twenty-seven states provide for permanent tenure for the teachers during efficiency and proper behavior. Since more than fifty per cent of the states now provide for permanent tenure it is highly probable that other states will see the advantages of this action and follow the precedent set by the twenty-seven states which had tenure laws in 1947.

Recommendations

It is recommended that each state make a study of the salary situation of its teachers and see to it that adequate salaries are provided so that these states will be able to secure and retain qualified teachers in the public schools. Since teachers' salaries are not paid by the federal government, it will be necessary that each state enact legislation to assure its teachers of sufficient income. This, in turn, will help to assure the states of having a sufficient number of well qualified teachers.

It is recommended that the states having retirement programs whereby the teacher receives an allowance based upon his contributions over a period of years, make a study of such programs and if the present retirement systems are inadequate, that they follow the example of New York State and base the retirement allowance upon the final average salary. Texas is among those with a program based upon the teachers' contributions and should Texas follow the precedent set by New York, it would provide an incentive for teachers incapacitated by age to retire.

It is recommended that those states which have not passed statewide tenure laws follow the example of New Jersey and assure the teacher of academic freedom, protection from political pressure, and protection from unjust dismissal. One of the most suitable ways in which this could be accomplished would be to enact uniform tenure laws throughout the nation.

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