

Designing Contracts for a Modern Classroom: The ABCs of CBAs

Executive Summary

We are a nation full of talented children and capable, dedicated teachers. Yet in too many places, our school systems are not working for students and families, and they are not working for teachers either. In fact, only 16% of teachers say they would recommend the profession to others.¹ We must do better for our teachers and the students and families they serve. On this, we can all agree.

Teacher contracts present an opportunity to do better.

Teacher contracts (often, collective bargaining agreements or CBAs), which provide critical workforce protections for teachers and govern much of the profession, remain an underutilized lever for enabling strong teaching and learning, elevating the teaching profession, and equipping school systems with tools and capacities to confront the challenges of a rapidly changing, increasingly uncertain world.

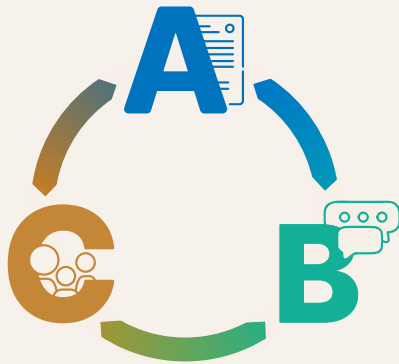
This research sets forth a conceptual framework that aims to spotlight opportunities in teacher contracts and their bargaining processes to reimagine what is possible when teacher contracts are taken up to help unleash the power of the modern classroom.



“We need to think differently. We need to think about what’s next, and how to keep pace with it.”

- Teacher

A Framework for Change: The ABCs of CBAs



Agreements that are backed by research, keep students at the center, and promote shared decision-making and problem-solving.

Bargaining, both formal and informal, that encourages transparency, collaboration around shared interests, joint problem-solving, and building stronger relationships among people working together to educate students.

A **Collective** that is inclusive, supported, and strategically engaged through a diversity of opportunities for participation in the building, implementation, and improvement of teacher contracts for the modern classroom.

The framework also introduces **a set of cross-cutting design principles** that each of the A, B, and C must follow to build teacher contracts for the modern classroom:

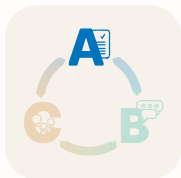
- **Shared, student-focused purpose:** Efforts to build teacher contracts for the modern classroom must be motivated by a shared resolve to provide students what they need to succeed, as defined by the evolving evidence base and the voices of students, parents and caregivers, and teachers.
- **Flexible, transparent design:** Schools operate in rapidly changing circumstances, and for students and families with context-specific, highly differentiated needs. We need carefully constructed but also pliable structures to guide the design of our policies, the way we bargain, and how we think about the collective.
- **Authentic participation:** The challenges that K-12 public education face require deep collaboration at both the system and school levels to build teacher contracts for the modern classroom. To optimize such collaboration, stakeholder engagement must be purposely designed to elicit meaningful and informed contributions from the full set of individuals involved in educating students.

Methodology

Two core questions guided our research:

1. Where, how, and why have teachers, teachers unions, school systems, and others taken steps to design teacher contracts that enable and catalyze modern classrooms and strengthen the teaching profession?
2. How can these changes in teacher contracts and bargaining processes take hold in more places across the country? What are the accompanying opportunities and risks, and why?

To answer these questions, we conducted a systematic review of the academic research base on innovative contracting, labor-management relations, and collective bargaining, interviewed 84 leaders on the topic across a variety of backgrounds, analyzed 41 teacher contracts, and convened an Advisory Council of experts in the field.



(A)greement (the What): The Codification of Employment Terms and Educational Policies

Research shows that in many cases, the policies codified in teacher contracts today are rigid, not student-focused, and do not serve teachers well, individually or collectively. Our research, however, also reveals promising examples of contractual provisions that emanate from a shared, student-focused purpose; leverage flexible, transparent designs; and facilitate opportunities for authentic stakeholder participation.

Survey data from E4E's nationally representative **Voices from the Classroom** survey show that teachers are calling for contract change:³

- **Teacher Leadership:** In 2020, 89% of teachers said that opportunities to progress in their teaching career, in terms of responsibility, authority, title, and pay, would make them more likely to stay in the classroom. In 2024, teachers of color chose leadership opportunities as a top way to retain a high-quality, diverse workforce, second only to better benefits. In 2022, they chose it as the number one way to retain teachers.
- **Compensation:** In 2024, teachers of color chose opportunities for higher pay for working in a hard-to-staff school or subject area as the best way to recruit a talented and diverse teacher workforce. In 2023, teachers reported favoring financial incentives to teachers who work in hard-to-staff subject areas (87%) and schools (93%), as well as to teachers who receive multiple outstanding evaluations (75%). Teachers of color favor these incentives at even higher rates.
- **Staffing:** In 2024, 75% of teachers reported preferring that multiple factors—such as performance, seniority, and subject or grade-level certification—be used when making layoff decisions, rather than seniority alone. In 2023, teachers reported preferring using performance over seniority as a decision-making factor in layoffs by nearly 2:1.
- **Professional Learning:** In 2024, one third of teachers reported that their professional learning experiences included 1:1 coaching, built-in follow-up structures, or a focus on building subject-specific pedagogical practices—all of which are research-backed components of effective professional learning.
- **Evaluation:** In 2023, 83% of teachers said that teachers should be responsible for their students' academic progress, and they indicated that student academic growth is the most valuable measure in evaluating teachers' effectiveness.

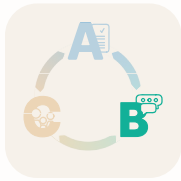
“Teachers are at the ground level. We see the problems first-hand, we see the changes first-hand. If we're not involved in the big shifts and decisions, we end up getting burned out treating the symptoms of a problem each day because we weren't consulted in designing the cure.”

- Teacher



Agreements in Action

| Mechanisms | Examples |
|---|---|
| <p>Preambles</p> <p>Preambles can be powerful levers for aligning on shared goals and catalyzing change when supported by specific policies that enact what they envision.</p> | <p>Glenview Community Consolidated School District, IL</p> <p>The 2023-28 contract preamble enshrines a commitment to “broad-based involvement in decision making . . . and processes which rely on collaboration and consensus” and “encourag[es] innovation and creative risk-taking.” This vision comes to life in provisions such as the creation of a District Coordinating Council that includes a caregiver and is charged with monitoring adherence to, and amending, the contract over time.</p> |
| <p>Specific Policies</p> <p>Many contracts contain provisions that aim to achieve a shared purpose centered on what students need, the evidence base, and a commitment to a shared mission and values.</p> | <p>Urban Prep Academies, IL</p> <p>In line with the research on effective layoff policies, the 2018-24 contract establishes a layoff order that incorporates effectiveness, beginning with teachers “whose most recent summative . . . evaluation rating is unsatisfactory,” followed by substitutes and temporary teachers, and finally in order of lowest to highest score on a matrix that rates teachers holistically according to planning and preparation, classroom environment, and instruction (among other criteria).</p> |
| <p>School-level Flexibility</p> <p>Contracts can promote locally tailored solutions through school-level flexibility, options, incentives, or even silence on an issue, empowering schools to adopt policies best suited to their context.</p> | <p>Long Beach Unified School District, CA</p> <p>The 2022-25 contract includes a clause that allows any contract provision to be waived by school sites with a two-thirds vote, where the waiver supports the broader educational mission of the district. Schools in Long Beach have used the waiver to innovate around school scheduling, with high schools shifting toward block schedules that enable more instructional time for core subjects.</p> <p>Lindsay Unified School District, CA</p> <p>Compared to typical teacher contracts, the 2022-25 contract is broader—oftentimes remaining silent on issues commonly spelled out in contracts to allow for flexibility. Additionally, the contract provides pliability around things like class size; it notes class size maximums, but states they may be exceeded “when there is mutual agreement between the Bargaining Unit Member and the District.”</p> |
| <p>Ongoing Iteration</p> <p>Contracts can support the ability to adapt to changing needs and information by enabling evaluation and iteration.</p> | <p>Ravenswood City School District, CA</p> <p>The 2019-22 contract contains a designated reopener clause setting out provisions such as class size and compensation that can be renegotiated at specified times during the contract’s term, thus providing a built-in mechanism for reflection and adjustment.</p> |



(B)argaining (The How): The Process through which Teacher Contracts are Created

Designing contract provisions for the modern classroom requires ingenuity, collaboration, and a commitment to solving problems to meet the needs of students, families, and teachers. It is difficult to create these conditions through bargaining as usual. In many systems, contract negotiations are competitive, adversarial, fixed on predetermined positions, and predicated on power. Yet, our research reveals promising examples of formal and informal bargaining processes that, by contrast, operate in service of a shared, student-centered purpose; create flexible, transparent conditions; and enable authentic participation. Across the country, there are people who choose to collaborate—rather than compete—with each other; to communicate—rather than withhold—information; and to prioritize—rather than neglect—the relationships that are so central to efforts to improve K-12 public education.

These efforts require time and capacity, but research suggests bargaining with informational transparency and without zero-sum game mindsets are more likely to yield innovative and collaborative contractual provisions, cultivating more productive working relationships that can increase the likelihood of successful implementation. Crucially, recent research also points to “a significant link between collaboration and student performance.”⁴

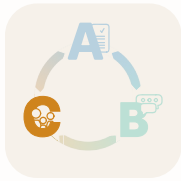
“We don’t have a culture [in this country] where collaboration is acceptable. . . It gets you attacked. In union relations, the default position is, we’re us and they’re them and we have to fight for everything we get.”

- Former Union Leader



Bargaining in Action

| Mechanisms | Examples |
|---|---|
| <p>Collaboration</p> <p>The ability of bargaining parties to identify and relate to a shared purpose is central to bargaining in a collaborative rather than competitive way. Informal collaboration opportunities outside of the bargaining process can help establish this.</p> | <p>Envision Education, CA</p> <p>The administration recognized the need to ground improvement efforts on shared values and emphasized fostering a system-wide culture that prioritizes high quality professional development and performance assessment to strengthen teaching and learning. It did this through frequent, informal meetings with union representatives to better understand their objectives and to set ground rules and agendas for formal meetings.</p> |
| <p>Co-Creation</p> <p>Each side speaking transparently about long-term interests that sit behind bargaining positions with the goal of reaching consensus can support effective bargaining.</p> | <p>Glenview Community Consolidated School District, IL</p> <p>The 2023-28 contract defines “consensus” as “a decision in which all members of the group can agree because the decision was reached openly and fairly” and does not require unanimity but rather asks whether diverse points of view are permitted and heard.</p> |
| <p>Mechanisms Supporting Off-Cycle Collaboration</p> <p>The periods between bargaining cycles can be fertile for relationship-building and joint problem-solving, especially given the stigma of adversarialism associated with formal negotiations. These efforts can be supported by Memorandums of Understanding (MOUs) that can modify the contract off-cycle.</p> | <p>Meriden Public Schools, CT</p> <p>The district and union agreed to extend the length of its school day via an MOU instead of a contract amendment because, according to MPS Superintendent Mark Benigni, the MOU’s increased flexibility allowed the district to bring “innovations and student-centered initiatives to our schools and students without violating union contracts”⁵ and without having to wait for formal contract negotiations.</p> |
| <p>Clear, Open Information Exchange</p> <p>The bargaining process can embed varied ways for parties and other stakeholders to exchange relevant information.</p> | <p>ABC Unified School District, CA</p> <p>School system and union leaders convened a District Leadership Team (DLT) several times a year. The DLT, union representatives, and building leaders participate in annual retreats to exchange information, share learnings, monitor progress, and democratize ways of thinking and solution generation.</p> |



(C)ollective (The Who): The Full Set of People who Shape or Rely on Schools

In most places today, school system leaders, union leaders, and their lawyers are the main, if not only, participants in formal and informal contract negotiations. Our research reveals that teachers, paraprofessionals, teacher residents, families, community members, students, and others are often not informed, let alone involved. Indeed, until a final product is drafted and presented on a take-it-or-leave-it basis, even teachers—a contract’s main beneficiary—rarely, if ever, have opportunities to provide substantive input or feedback on their contracts, much less on the processes that lead to codification.

Our research also reveals, though, promising examples of and ideas around engagement of the collective that, by contrast, maintain a shared, student-focused purpose; provide a range of flexible, transparent participation activities; and enable authentic participation through tailored opportunities. We found instances where limited, superficial engagement was replaced by a rich diversity of voices, experiences, and expertise, as well as concerted efforts—though certainly not yet perfect—to facilitate and support their participation. Of course, there is no one right way to engage the collective; while broad consensus exists that the tent of who participates in the decisions that ultimately find their way into teacher contracts needs to broaden, ideas for how to make this happen are still developing.

The Collective in Action

| Mechanisms | Examples |
|---|---|
| <p>Adjusting with the Collective</p> <p>The collective’s composition will shift according to local contexts, and the proximity of various stakeholder groups to the problem(s) at hand will vary depending on the topic of discussion.</p> | <p>Envision Education, CA</p> <p>Leaders realized during the pandemic that pivots were needed to adapt to school closures and social distancing requirements. It turned to committees including teachers and students, in lieu of existing decision-making structures, to decide how to design a distance learning program.</p> |
| <p>Councils</p> <p>When implemented effectively, advisory or decision-making bodies at the school- or district-level can bolster stakeholder engagement.</p> | <p>Boston Public Schools, MA</p> <p>The 2018-21 contract establishes school site councils—“the central governing body of the school under the school-based management/shared decision making model”—comprising the principal, elected teachers, elected parents, and some students; school site councils can further have “non-voting members [such as] representatives from the business or university community, or representatives of other employee groups in the school.”</p> |
| <p>Preparation</p> <p>Authentic participation is a function not only of expanding who participates, but of preparing participants to engage effectively.</p> | <p>Meriden Public Schools, CT</p> <p>The teachers union conducts training for its members to enhance their understanding of the negotiation process and to surface their concerns so that they can be reflected during formal bargaining.</p> |

Looking Ahead

Teacher contracts are powerful tools for creating the modern classrooms our teachers, students, and families deserve. Our K-12 public education system must become more collaborative, flexible, democratic, equitable, and future-ready if it is going to serve our students and families well, and the profession of teaching undeniably must be at the center of any effort to improve the system. Teacher contracts are one potentially powerful resource to harness the power of the teaching profession for this transformation—and to ensure it is centered on student needs, on evidence, and on the pursuit of equity and of excellence for students and their families. As we work to build on where people agree, the ABCs of CBAs provides a vision for capitalizing on teacher contracts as a powerful built-in lever for defining or redefining the work of teaching to strengthen the profession, ready our public school systems for today and tomorrow, and most important of all, meet the needs of students and their families.



Endnotes

1. Educators for Excellence, *Voices from the Classroom 2024: A Survey of America's Educators*, <https://e4e.org/what-we-do/a-survey-of-americas-educators/voices-from-the-classroom-2023-a-survey-of-americas-educators/>.
2. This work builds upon an earlier phase of the research where TNTP and E4E partnered to conduct a systematic review of 50 teacher contracts.
3. E4E's *Voices from the Classroom 2024* survey questionnaire was written and administered by Penta Group Intelligence, an independent research firm, and conducted online from January 2 through February 14, 2023, among a nationally representative sample of 1,000 full-time public-school teachers, plus an oversample of 300 teachers of color. Where data from a year prior to 2024 is used, it indicates that E4E did not ask the same question in the 2024 survey.
4. Saul Rubinstein, Charles Heckscher, and John McCarthy, *Democracy and Reform in Public Schools: The Case for Collaborative Partnerships* (Harvard Education Press: 2024), p. 25.
5. Mark D. Benigni, "Innovating Through District-Union Collaboration," *EduTopia*, May 3, 2017, <https://www.edutopia.org/article/innovating-through-district-union-collaboration-mark-benigni/>.