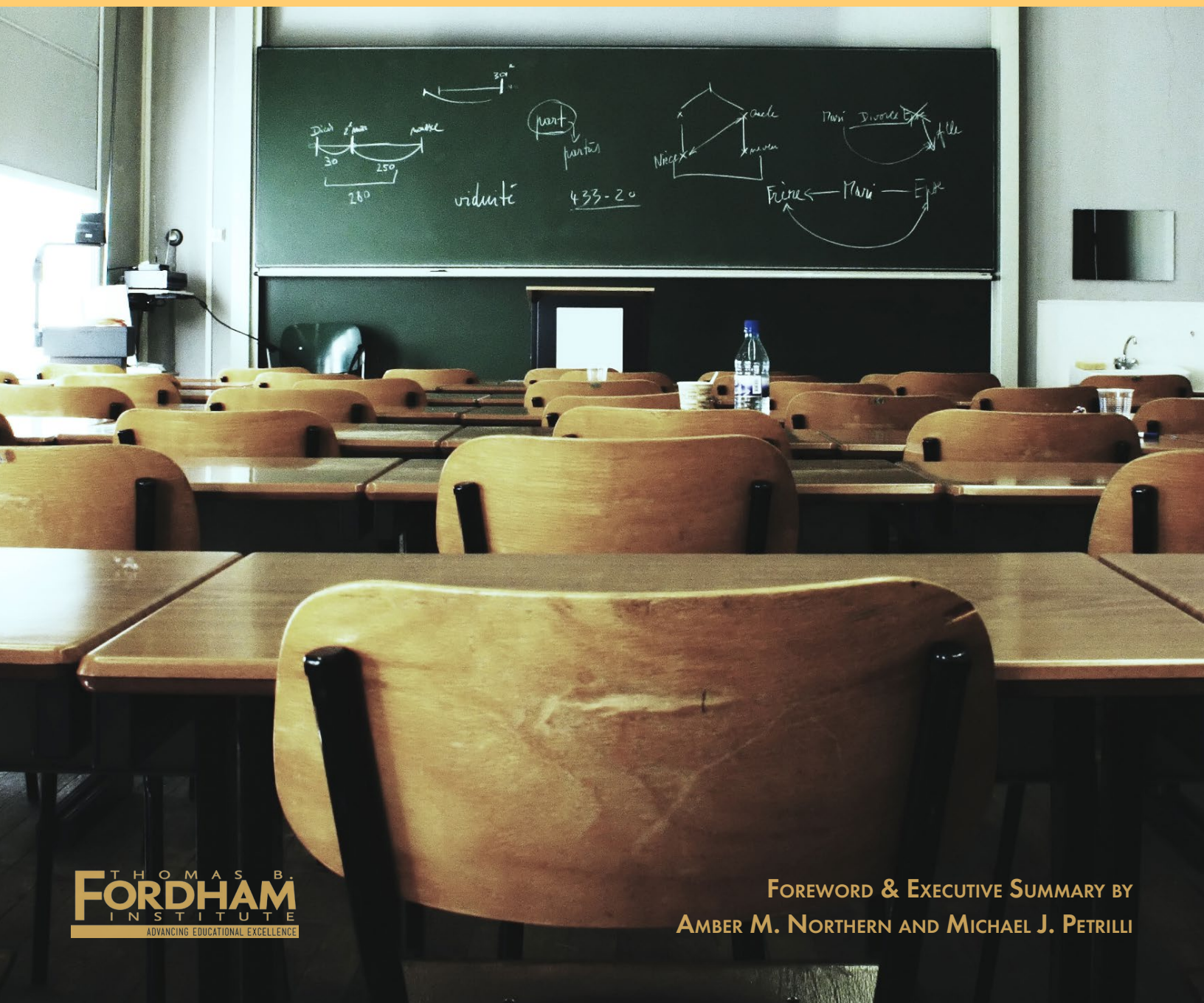


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# TEACHER ABSENTEEISM IN CHARTER AND TRADITIONAL PUBLIC SCHOOLS

BY DAVID GRIFFITH





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# CONTENTS

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—4	FOREWORD & EXECUTIVE SUMMARY
—9	INTRODUCTION
—11	BACKGROUND
—13	METHODS
—16	FINDINGS
—28	CONCLUSION
—29	APPENDIX
—32	ENDNOTES

# FOREWORD & EXECUTIVE SUMMARY

**By Amber M. Northern and Michael J. Petrilli**

Take a look at most state plans for implementing the Every Student Succeeds Act (ESSA) and you'll see that a popular choice for the "fifth indicator" of school quality is chronic absenteeism. Of the seventeen jurisdictions that submitted their ESSA plans in spring 2017, a dozen opted for student chronic absenteeism as a measure of school quality, and fourteen included some gauge of pupil attendance.<sup>1</sup> At least thirteen more states are considering making chronic absenteeism part of their forthcoming plans.<sup>2</sup>

Yet not a single state has opted to use *teacher* chronic absenteeism as an indicator of school quality, despite the fact that most schools already report a version of such data to the federal Office for Civil Rights.

Why would we hold schools to account for the attendance of their students but not of their own teachers? How can anyone expect students to learn when their teachers are absent?

Like everyone else, educators occasionally have to miss work. They get the flu, too. And anyone who has never actually taught would be wise not to underestimate the challenges that teachers face, especially in high-poverty schools and those with many at-risk children. We begrudge no teacher for taking a "mental health day" now and again, or needing to be home to care for a sick child of her own.

Yet we also know that teachers are the single most powerful instrument that schools have to boost student learning. When teachers miss school, students miss out on education.

Understandably, then, teacher absences have become a topic of increased research interest—and we have learned a lot in recent years. Several studies have examined the relationship between teacher absenteeism and pupil achievement and found a strong connection. In fact, there appears to be a one-to-one relationship: a ten-day increase in teacher absence results in at least a ten-day learning loss for students.<sup>3</sup>

School systems have been generous in supplying teachers with excused absences. On average, teachers get more than twelve sick and personal days per year, though only one-third of US workers are entitled to ten or more sick days, even though the latter have a longer work year (up to 60 days more).<sup>4</sup> For the most part, these generous leave policies are negotiated by teacher unions and school boards and incorporated into contracts (or sometimes state law).

These policies explain why more than one-quarter of public school teachers in the United States are "chronically absent" as defined by the Department of Education's Office of Civil Rights—meaning they miss more than ten days of school per year due to sick or personal leave. In some states, the numbers are truly shocking. For example, three-quarters of teachers in Hawaii are chronically absent.

The extent of and tolerance for teacher absenteeism in traditional public schools made us wonder about a sector of public education that is largely union-free: charter schools. We couldn't find much extant research on their teacher attendance,<sup>5</sup> so we undertook this study. It asks:

1. How do chronic absenteeism rates for teachers in charter and traditional public schools compare—nationally, state-by-state, and within the nation's ten largest cities?
2. To what degree do collective bargaining laws and teacher contracts shed light on the variation observed at the state level?
3. How do teacher chronic absenteeism rates in unionized and non-unionized charters compare?

Fordham senior research and policy associate David Griffith was keen to tackle these questions. In the past few years, he has deployed his intellectual curiosity and analytic skills on several Fordham studies, including examinations of teacher dismissal policies, whether America's cities are "choice-friendly," and how state accountability plans treat high-achieving students.

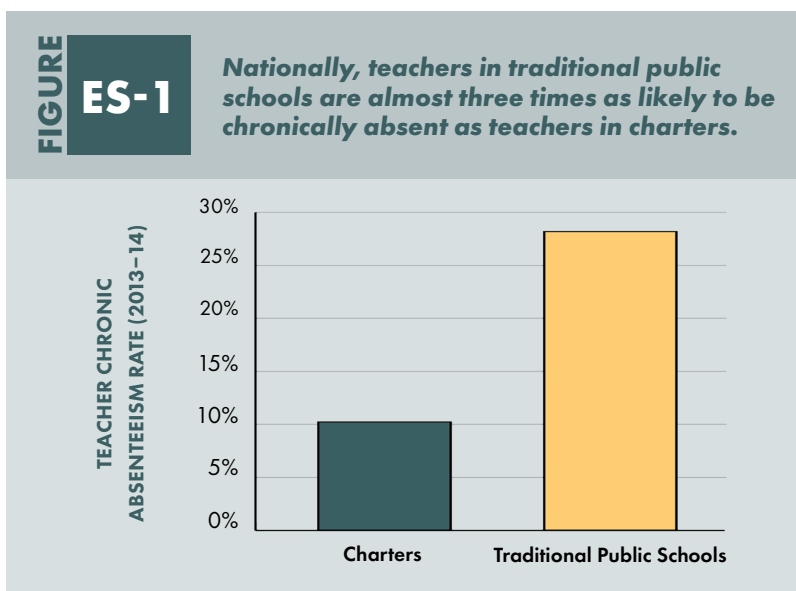
Seeking answers to the questions above, he linked information from four sources: the U.S. Department of Education's Civil Rights Data Collection (CRDC), the National Center for Education Statistics' Common Core of Data, the National Council on Teacher Quality's teacher contract database, and the National Alliance for Public Charter Schools' Data Dashboard and "Model Law" rankings. In combination, these data yield a path-breaking look at chronic absenteeism rates for teachers in American public schools.

So what did he find?

## **FIRST, TEACHERS IN TRADITIONAL (I.E., DISTRICT-RUN) PUBLIC SCHOOLS ARE ALMOST THREE TIMES AS LIKELY TO BE CHRONICALLY ABSENT AS TEACHERS IN CHARTERS.**

Nationally, 28.3 percent of teachers in traditional public schools miss more than ten school days a year for sick or personal leave. (This is apart from all school holidays and summer vacation, as well as professional development days.) In contrast, just 10.3 percent of teachers in charter schools are chronically absent (see Figure ES-1).

Further, in thirty-four of the thirty-five states with sizable charter sectors, teachers in traditional public schools are more likely to be chronically absent than teachers in charter schools. Hawaii and Nevada have the largest gaps: In the former, the chronic absenteeism gap between charter and traditional public school teachers is 56 percentage points (23 percent versus 79 percent).



In the latter, teachers in traditional public schools are *seven times* as likely to be chronically absent than their charter school counterparts. In eight other states (Colorado, Delaware, Florida, Idaho, New Hampshire, New York, Ohio, and Oklahoma), plus the District of Columbia, traditional public school teachers are at least *four times* as likely to be chronically absent.

Keep in mind that in most states, charter schools enroll a more disadvantaged student population than district schools. In other words, many charter school teachers serve more challenging students, yet take far less time off.

## **SECOND, THE CHRONIC ABSENTEEISM GAP BETWEEN CHARTER AND TRADITIONAL PUBLIC SCHOOL TEACHERS IS LARGEST IN STATES WHERE DISTRICTS MUST BARGAIN COLLECTIVELY BUT CHARTERS AREN'T REQUIRED TO.**

The most obvious difference between charter and district schools is that the latter are typically bound by collective bargaining agreements (CBAs) while the former typically are not. However, there are important exceptions to this rule, and a careful examination of teacher chronic absenteeism rates in these places is revealing. Suffice it to say that, although there is no clear relationship between collective bargaining laws and teacher chronic absenteeism in district schools, the gap between charter and district teachers is smallest in states where collective bargaining is illegal (such as Georgia and Texas), and in states where charters are legally bound to district contracts (such as Alaska).

Conversely, in the thirteen states (plus D.C.) where districts must bargain collectively but charters need not, the gaps between the two sectors are especially large. On average, the chronic absenteeism rate for district teachers in these jurisdictions is *three times* higher than the rate for charter school teachers.

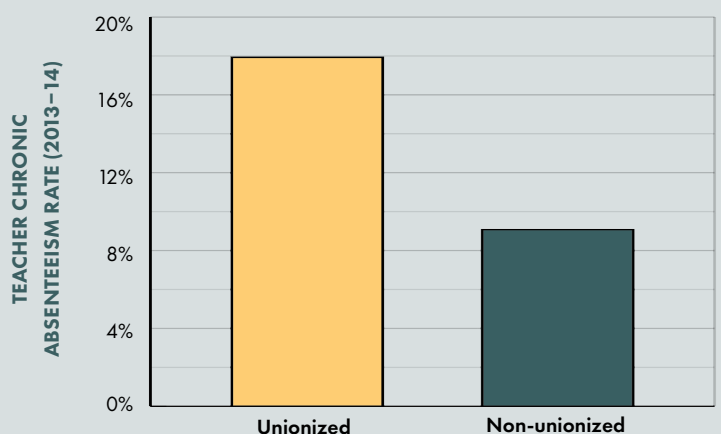
## **THIRD, TEACHERS IN UNIONIZED CHARTER SCHOOLS ARE TWICE AS LIKELY TO BE CHRONICALLY ABSENT AS TEACHERS IN NON-UNIONIZED CHARTERS.**

Nationally, 18 percent of teachers in unionized charter schools are chronically absent, versus 9 percent of teachers in nonunionized charters (see Figure ES-2).

In all of the six states with significant numbers of *both* unionized and non-unionized charter schools (California, Florida, New York, Ohio, Oregon, and Wisconsin), the chronic absenteeism rate is higher for teachers in unionized schools. For example, in California, the rate is 15 percent for unionized charters and 8 percent for non-unionized charters. In New York, the rates are 13 percent and 5 percent.

**FIGURE ES-2**

*Nationally, teachers in unionized charters are twice as likely to be chronically absent as teachers in non-unionized charters.*



The gap between the two categories of charter schools is particularly striking in the nation's leading charter networks, only one of which has fully unionized: the Green Dot network in California. Its teacher chronic absenteeism rate is more than *three times* that of the five biggest CMOs in the country (Harmony, IDEA, KIPP, Uncommon Schools, and Responsive Education).

Here's what we make of David's findings.

## THE GROUND RULES MATTER.

Though we cannot prove it, it's impossible not to sense that the high chronic absenteeism rates for traditional public school teachers are linked to the generous leave policies and myriad job protections that are enshrined in state law and local collective bargaining agreements. Because they can't easily be fired, district teachers can use all their sick and personal days (and get paid for it) without worrying about what their principal or department head will think. But charter school teachers don't have that luxury.

Given this reality, those who negotiate teacher contracts and write the laws governing them should pay close attention to how teacher attendance practices are structured. For example, teacher absenteeism rates have previously been linked to teachers' ability to "sell back" unused sick days at the end of the school year (or when they retire), whether they are required to notify principals of impending absences, and (most importantly) whether they have achieved tenure.<sup>6</sup> One obvious question: If you give teachers more paid leave, are they more prone to take it? The current study cannot answer this question, though the broader workplace absenteeism literature does suggest that paid sick leave has some impact on the number of sick days that workers take.

## SCHOOL CULTURE AND NORMS CAN CURB—OR EXACERBATE—TEACHER ABSENTEEISM.

Even within districts, different schools can have very different teacher absenteeism rates—and there is variation in the charter sector too.

Many charter schools are founded on the premise that "no excuses" will be tolerated from either students or teachers. And in keeping with that ideal, this study shows that chronic absenteeism is almost nonexistent at some of the nation's leading charter networks.

In other words, there's a cultural component to teacher absenteeism. How school leaders and teaching peers view and deal with teacher absences are key considerations in curbing or worsening their frequency. If I know that my school taps other teachers in my department during their planning period to cover my class when I'm absent, I may be less prone to miss school. If the performance of my students is combined with that of other teachers in my department and we're working together to advance our collective cohort of pupils, I'm also less likely to be out multiple days if I can avoid it.

## WORKING CONDITIONS MATTER.

Much has been written about the working conditions in schools—and with good reason. Given the challenges teachers face, we ought to take greater pains to make schools inviting, especially in places that may be very *hard* to work in.

In recent years, some of the more reputable charter networks have taken seriously the task of improving the workplace for their hardworking teachers. For example, as of 2014, roughly one-third of KIPP teachers had access to on-site daycare.<sup>7</sup> And the network has also offered flexible schedules and shorter hours for new parents.

Needless to say, younger and older teachers face different circumstances, so to the extent that schools can make the work-life balance more tolerable for educators, they should do it.

\*\*\*\*\*

Closer consideration of teacher attendance policies, school culture, and working conditions could make a real dent in chronic absenteeism rates in every sector. But that doesn't mask the blunt fact that 28.3 percent of district teachers and 10.3 percent of charter teachers are chronically absent. From the students' point of view, that's an educational disaster from which few are likely to recover.

We have the utmost respect for conscientious and dedicated classroom teachers. (One of us used to be one.) And we know that they comprise the majority of America's teacher labor force. What riles us are teachers who take more days off than they need to. We suspect that their colleagues feel the same way. Nor do we have much love for union leaders who condemn charter schools while pushing for teacher contracts that put student needs last.

So we'll end where we started: State leaders, why not pay as much attention to *teacher* absenteeism in your ESSA plans as you do to *student* absenteeism? How far can we get by fixing the second problem if we don't fix the first?

## ACKNOWLEDGMENTS

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# INTRODUCTION

Research confirms what common sense dictates: Students learn less when their teachers aren't there. According to multiple studies,<sup>8</sup> a ten-day increase in teacher absence results in at least ten fewer days of learning for students.<sup>9</sup> And then there's the financial cost: According to one estimate, American taxpayers spend some \$4 billion every year on substitute teachers and associated administration.<sup>10</sup>

Clearly, some absence is unavoidable—teachers are only human. Yet US teachers seem to have poor attendance compared to their counterparts in other industries and other countries. Early studies estimated that 5.2 percent of American teachers are absent on a typical school day,<sup>11</sup> compared to just 3.2 percent of British teachers<sup>12</sup> and 3.1 percent of Australian teachers.<sup>13</sup> However, a more recent analysis pegged the teacher absenteeism rate in the United States at 4.4 percent.<sup>14</sup> Put differently, the average US teacher misses approximately eight school days a year due to sick or personal days, in addition to whatever time off she receives as a result of school vacations and national holidays. Meanwhile, the average US worker takes about three-and-a-half sick days a year, despite not getting a long summer break.<sup>15</sup>

Obscured by these averages is the degree to which teacher absenteeism seems to be concentrated among a subset of teachers. For example, a 2014 study by the National Council on Teacher Quality (NCTQ) found that the 16 percent of teachers who were absent at least eighteen days a year accounted for one-third of all absences, while the 16 percent who missed three or fewer days accounted for just 2 percent.<sup>16</sup> Prior analyses have also demonstrated that the “chronic absenteeism” rate for teachers—that is, the fraction who are missing from their classrooms more than ten days a year—varies widely by school, district, and state. The chronic absenteeism rate for teachers in Utah, for example, was 16 percent in 2013–14; in Hawaii, it was 75 percent. Unless you think there's something particularly unhealthy about living in Hawaii, this geographic variation suggests that teacher absenteeism is as much about policy and culture as illness and personal circumstance.

Prior research has highlighted a number of relationships between specific state and district policies and teacher absenteeism. However, most of that research focused on traditional district schools (nearly all of which are subject to collective bargaining agreements) as opposed to charter schools (which typically aren't). This report considers both types of schools.

It asks three questions:

- 1.** How do chronic absenteeism rates for teachers in charter and traditional public schools compare—nationally, state-by-state, and within the nation’s ten largest cities?
- 2.** To what degree do collective bargaining laws and teacher contracts shed light on the variation observed at the state level?
- 3.** How do teacher chronic absenteeism rates in unionized and non-unionized charters compare?

The analysis uses the most recent data on chronic absenteeism from the US Department of Education’s Office for Civil Rights (OCR) to compare chronic absenteeism rates for teachers in charter and traditional public schools nationally, in the thirty-five states (plus the District of Columbia) that had sizable charter sectors at the time the data were collected, and in the nation’s ten largest metropolitan statistical areas. It also uses data from NCTQ’s teacher contract database and the National Alliance for Public Charter Schools’ (NAPCS) “model law” database to examine the relationship between state and district policies and teacher chronic absenteeism in charter schools. Finally, it uses information on charter unionization to compare chronic absenteeism rates for teachers in unionized and non-unionized charters, both nationally and in states that are home to both types of schools.

# BACKGROUND

On average, US workers are entitled to approximately eight days of paid sick leave per year,<sup>17</sup> and only two-fifths are entitled to paid personal leave. Yet, despite the fact that the typical school year is only 180 days<sup>18</sup> (or about 20–25 percent shorter than the typical work year in other industries), teachers in traditional public schools are entitled to an average of twelve sick and personal days.<sup>19</sup> (See *How Many Sick And/Or Personal Days Are Teachers Entitled To?* on page 20 for more.)

Since the 2009–10 school year, the federal Office for Civil Rights has collected data on the number of chronically absent teachers in American public schools. According to OCR, a teacher is “absent” when he or she takes a sick or personal day but not when he or she participates in an administratively approved activity such as professional development or a field trip (see *OCR’s Definition of Teacher Absenteeism*). A teacher who is absent for more than ten days in a school year is considered chronically absent. Thus, under OCR’s definition, most teachers are legally entitled to be chronically absent—and get paid for it.

## OCR’S DEFINITION OF TEACHER ABSENTEEISM

A teacher is absent if he or she is not in attendance on a day in the regular school year when the teacher would otherwise be expected to be teaching students in an assigned class. This includes both days taken for sick leave and days taken for personal leave. Personal leave includes voluntary absences for reasons other than sick leave. Teacher absenteeism does not include administratively approved leave for professional development, field trips, or other off-campus activities.

Prior research has found that a number of personal factors are related to teacher absenteeism, including gender, experience, and length of commute.<sup>20</sup> Similarly, studies suggest that school-level factors such as peer behavior may be important. For example, a 2007 study found that teachers who moved to schools where their fellow teachers had higher absenteeism rates were more likely to be absent,<sup>21</sup> and several studies have found that teacher absenteeism is slightly higher in schools with a higher proportion of poor, African American, and Latino students.<sup>22</sup> In addition to these factors, teacher absenteeism has also been linked to a variety of state and local policies, including the amount of paid leave teachers are guaranteed, their ability to “sell back” unused sick days at the end of the school year (or when they retire),<sup>23</sup> whether they are required to notify principals of impending absences,<sup>24</sup> and, most importantly, whether they have achieved “permanent employment status” (i.e., tenure).<sup>25</sup>

In 2012, an analysis of the first wave of OCR data found that 36 percent of US teachers were chronically absent, with individual schools reporting rates ranging from 0 percent to 100 percent.<sup>26</sup> Interestingly, although the study uncovered significant variation in teacher chronic absenteeism *within* school districts, it found even more variation *between* schools in different districts, suggesting that district policies (or perhaps state policies with varying local implications) might be important determinants of teacher absenteeism. Consistent with this interpretation, it also estimated that the teacher chronic absenteeism rate was 15.2 percentage points higher in traditional public schools than in demographically similar charter schools (which are considered their own districts in many states). However, it found a surprisingly modest relationship between student demographics and teacher chronic absenteeism. For example, the chronic absenteeism rate for schools at the 90th percentile for African American students was only 3.5 percentage points higher than for schools at the 10th percentile.<sup>27</sup>

In June 2016, OCR released teacher absenteeism data for 2013–14, showing that 27 percent of US teachers were chronically absent in that year. Yet, despite this apparent improvement, it noted that fifty-eight school districts with more than one thousand teachers had reported chronic absenteeism rates above 50 percent. Shortly thereafter, the Education Week Research Center published a state-level analysis, which revealed even wider variation among states than earlier studies had documented.<sup>28</sup>

This brief extends that analysis by comparing chronic absenteeism rates for charter and traditional public school teachers, for teachers in unionized and non-unionized charters, and for teachers and schools that are subject to different state and local policies.



# METHODS

## DATA SOURCES

Data come from four sources: The Office for Civil Rights (OCR) at the US Department of Education; the National Alliance for Public Charters Schools' (NAPCS) Data Dashboard; the Common Core of Data, which is maintained by the National Center for Education Statistics (NCES); and the National Council on Teacher Quality's (NCTQ) Teacher Contract Database.<sup>29</sup>

The most recent OCR data, which were collected in 2013–14, contain information on the number of chronically absent teachers in more than 98 percent of US public schools (including charters), making it possible to calculate the teacher chronic absenteeism rate for schools, districts, cities, and states, as well as the country as a whole. Because data are collected at the school level, they tell us nothing about the characteristics of individual teachers.

The NAPCS data, which were collected via a survey of charter school administrators, contain information on the union status of the 4,936 charter schools that NAPCS has a record for in 2009–2010. (These are the most recent systematic data on charters' union status, though subsequent news reports suggest there has been some increase in charter unionization.)<sup>30</sup>

NCES data contain information on student demographics (including race, gender, and free-and-reduced-price lunch status) for nearly all public elementary and secondary schools in the United States.

Finally, NCTQ's data contain information on the sick and personal leave policies of 156 major districts in all fifty states and the District of Columbia, as well as information on the sick and personal leave policies the states themselves mandate for teachers. These data are updated on an ongoing basis.

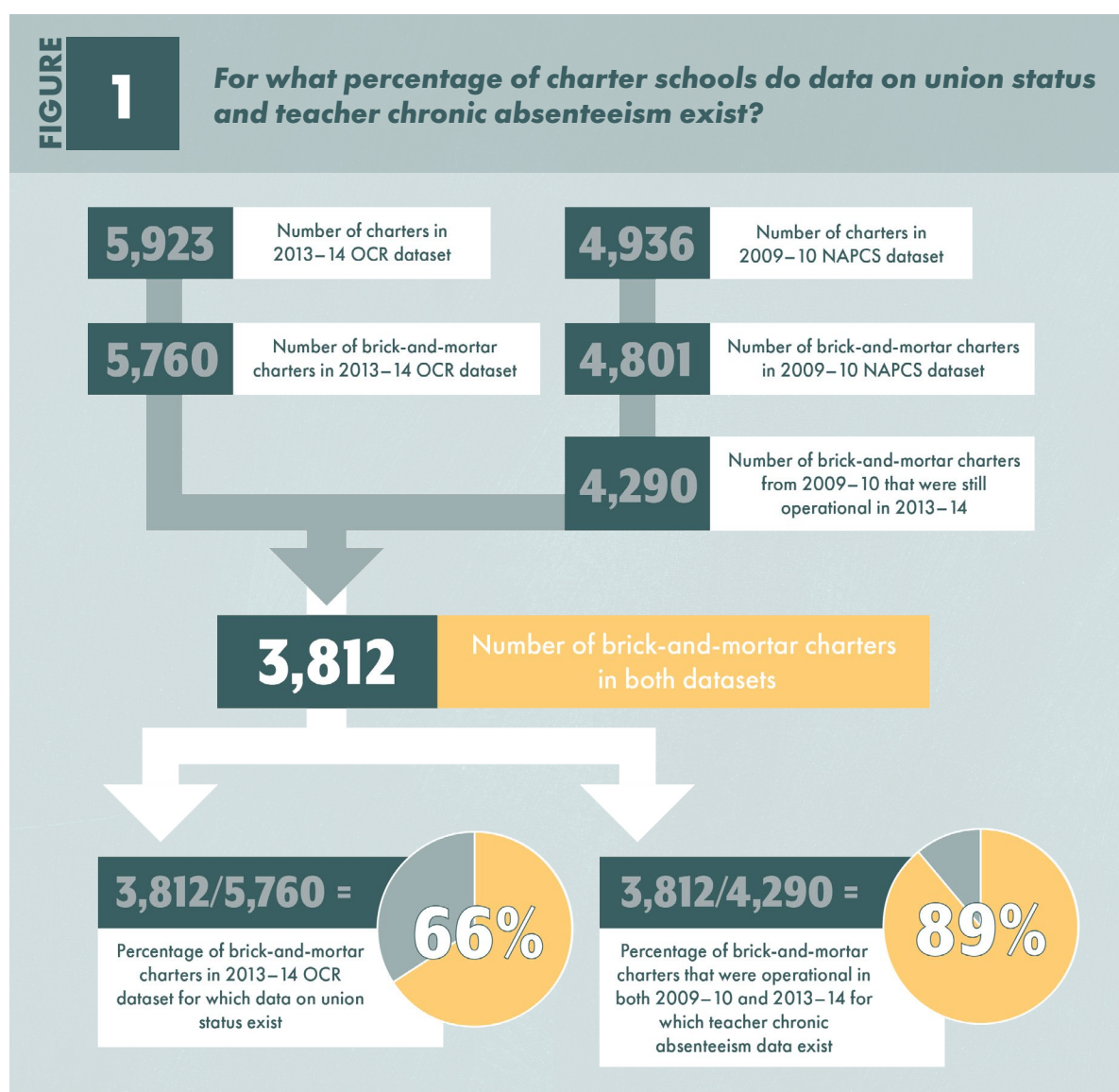
Linking these data sets makes it possible to conduct a descriptive study that connects teacher chronic absenteeism rates to state and local policies—and to union status, in the case of charter schools.

## SAMPLE

According to NAPCS, the United States had 6,440 charter schools in 2013–14. However, OCR has teacher chronic absenteeism data for just 5,923 charters.<sup>31</sup> Of these, 163 were excluded from the sample because their names included words such as "online," "virtual," "digital," "cyber," or "distance," leaving 5,760 brick-and-mortar charters for which absenteeism data exist.<sup>32</sup> (Non-charters with names that included these terms were also excluded.)

NAPCS's information on charters' union status in 2009–10 is comprehensive. However, of the 4,801 brick-and-mortar charters for which it has a record, 989 could not be matched with the 2013–14 OCR data, leaving 3,812 schools for which both 2013–14 teacher chronic absenteeism data and union status data exist. Based on the number of schools for which the National Center for Education Statistics (NCES) has a consistent record, it appears that 511 charters in the 2009–10 NAPCS dataset closed between 2009–10 and 2013–14.<sup>33</sup> As shown in Figure 1, these numbers imply that the schools in the matched sample account for 66 percent of charters that were in operation in 2013–14 and 89 percent of those that were in operation in both 2009–10 and 2013–14. Of the matched schools, NAPCS identifies 430 (or approximately 11.3 percent) as unionized.

Because charters that were operational in both 2009–10 and 2013–14 are older and more established (and successfully avoided closure), they are not representative of the sector as a whole.<sup>34</sup> However, since this observation applies to both unionized and non-unionized charters, plausible comparisons between these groups are still possible.<sup>35</sup>



## LIMITATIONS

Because this study is descriptive, it can highlight revealing patterns in rates of teacher chronic absenteeism, but it cannot establish a causal relationship between any specific policy or factor and absenteeism. Moreover, because the OCR data only capture *chronic* absenteeism, it is not clear whether they provide a reasonable proxy for teacher absenteeism in general (though some relationship seems extremely likely). In addition to these limitations, many of the data on which the study is based are incomplete or aging. For example, our list of unionized charter schools is from 2009–10, and the OCR data are from 2013–14. Finally, there is no feasible way of independently verifying the chronic absenteeism data collected by OCR, so it is impossible to know how much of the variation that is observed between states, districts, and schools reflects differences in the way those entities report these data.

# FINDINGS

**1A**

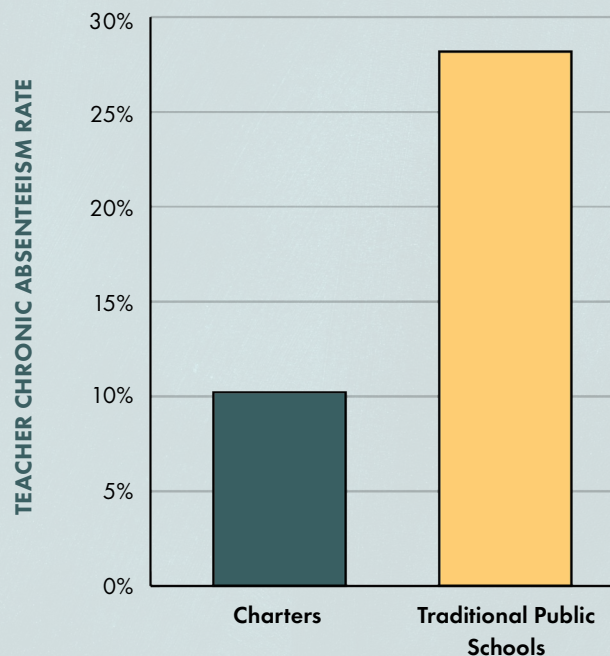
***Nationally, teachers in traditional public schools are almost three times as likely to be chronically absent as teachers in charter schools.***

Nationally, 28.3 percent of teachers in traditional public schools are “chronically absent,” meaning they miss more than ten school days a year for sick and personal leave. In contrast, only 10.3 percent of teachers in charter schools are chronically absent (see Figure 2).<sup>36</sup>

Because of the lack of similarly comprehensive absenteeism data for other industries, putting these numbers in context is challenging. However, according to one study that used data from the National Health Interview Survey (NHIS), only 7.7 percent of US workers with access to paid sick leave take ten or more sick days per year, and just 17.6 percent take five or more sick days.<sup>37</sup> In other words, the percentage of teachers in traditional public schools who take more than ten sick and personal days is almost four times higher than the percentage of employees in other industries who take at least ten sick days—despite the fact that teachers have significantly fewer work days than employees in other industries.<sup>38</sup>

**FIGURE**
**2**

***Nationally, teachers in traditional public schools are almost three times as likely to be chronically absent as teachers in charters.***





## 1B

***In thirty-four of the thirty-five states with sizable charter sectors, teachers in traditional public schools are more likely to be chronically absent than teachers in charter schools.***

When the most recent teacher absenteeism data were collected, thirty-five states and the District of Columbia had sizable charter sectors, meaning they had at least ten brick-and-mortar charter schools in operation.<sup>39</sup> In thirty-four of these states, plus the District, teachers in traditional public schools were more likely to be chronically absent than their charter school counterparts (see Figure 3).

Specifically:

- In twelve states (Arizona, California, Louisiana, Massachusetts, Michigan, Minnesota, New Jersey, New Mexico, North Carolina, Rhode Island, Texas, and Utah), teachers in traditional public schools are at least twice as likely to be chronically absent as teachers in charter schools.
- In seven states (Connecticut, Hawaii, Illinois, Indiana, Oregon, Pennsylvania, and Tennessee) teachers in traditional public schools are at least three times as likely to be chronically absent as teachers in charter schools.
- In seven states (Colorado, Delaware, Florida, Idaho, New York, Ohio, and Oklahoma), plus the District of Columbia, teachers in traditional public schools are at least four times as likely to be chronically absent as teachers in charter schools.
- In New Hampshire, teachers in traditional public schools are more than five times as likely to be chronically absent as teachers in charter schools.
- In Nevada, teachers in traditional public schools are more than seven times as likely to be chronically absent as teachers in charter schools.
- Alaska—the only state where teachers in traditional public schools are less likely to be chronically absent than their charter school counterparts—is the exception that proves the rule.

## 1C

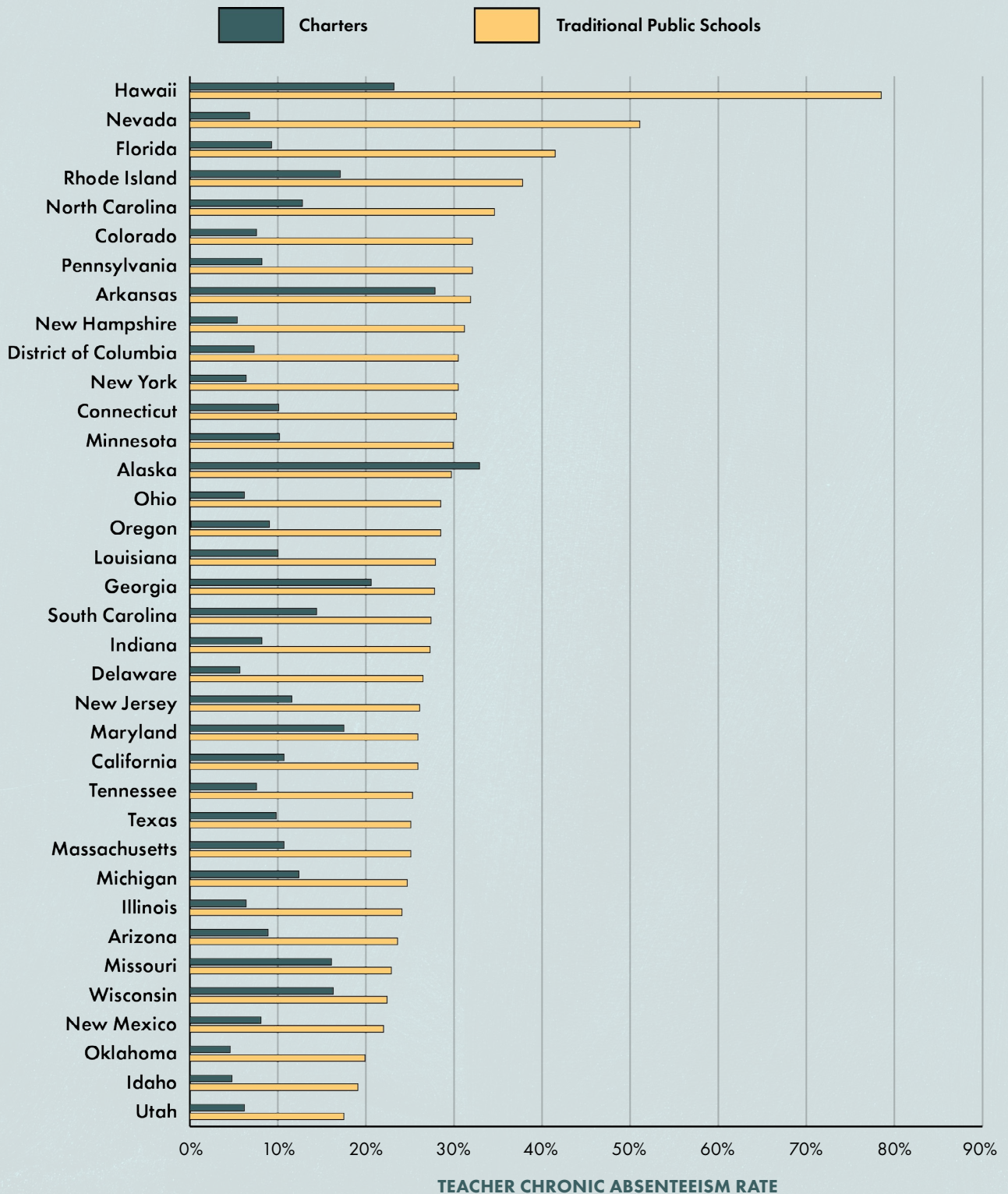
***In each of the ten biggest cities in the country, teachers in traditional public schools are more likely to be chronically absent than teachers in charter schools.***

The US Office of Management and Budget lists the following as the ten most populous “primary statistical areas” in the country: New York, Los Angeles, Chicago, Washington, Boston, San Francisco, Dallas, Philadelphia, Houston, and Atlanta.<sup>40</sup> In each of these cities, teachers in traditional public schools are more likely to be chronically absent than teachers in charter schools (see Figure 4).

FIGURE

3

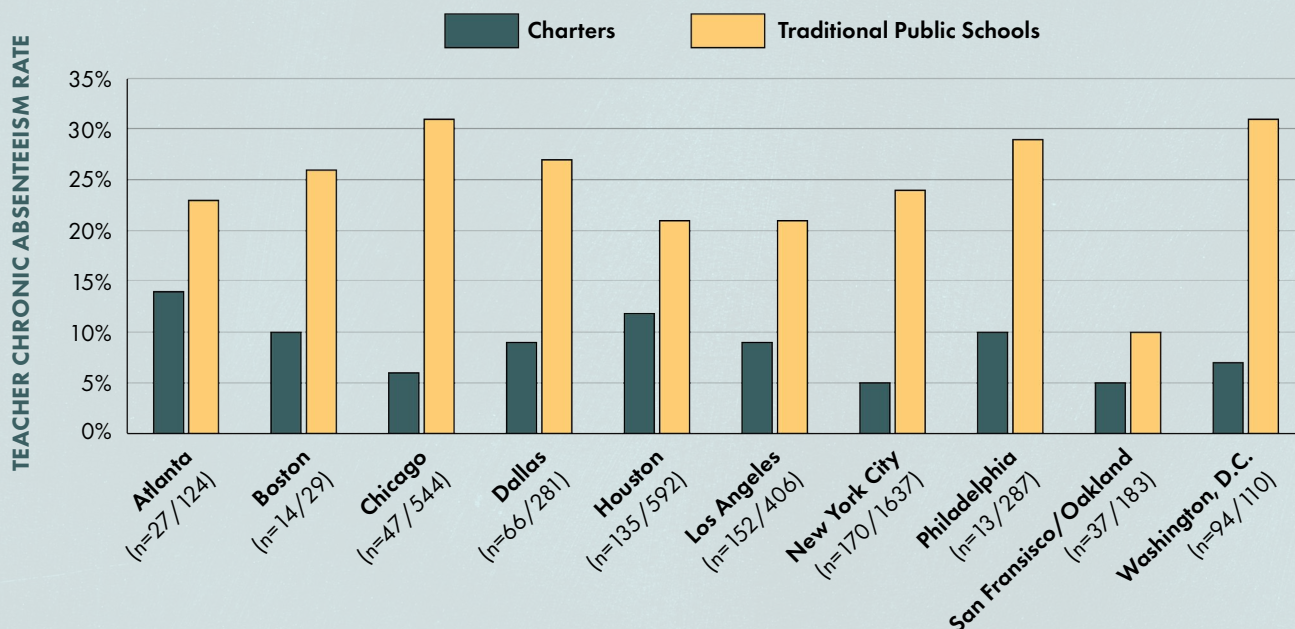
*In thirty-four of thirty-five states, teachers in traditional public schools are more likely to be chronically absent than teachers in charter schools.*



FIGURE

4

*In each of the ten largest US cities, teachers in traditional public schools are more likely to be chronically absent than teachers in charter schools.*



Note: "n" is the number of charter schools and traditional schools in the city that reported teacher chronic absenteeism data in 2013–14.

Specifically:

- In Houston and Atlanta, teachers in traditional public schools are at least 50 percent more likely to be chronically absent than teachers in charter schools.
- In Boston, Los Angeles, and the Bay Area, teachers in traditional public schools are more than twice as likely to be chronically absent as teachers in charter schools.<sup>41</sup>
- In Dallas and Philadelphia, teachers in traditional public schools are approximately three times as likely to be chronically absent as teachers in charter schools.
- In New York City and Washington, D.C., teachers in traditional public schools are more than four times as likely to be chronically absent as teachers in charter schools.
- In Chicago, teachers in traditional public schools are more than five times as likely to be chronically absent as teachers in charter schools.



## HOW MANY SICK AND/OR PERSONAL DAYS ARE TEACHERS ENTITLED TO?

States have adopted a wide (and surprisingly specific) range of policies when it comes to teachers' paid sick leave, as well as their personal leave (which is sometimes subtracted from their sick leave).<sup>42</sup> For example, in nineteen states and the District of Columbia, teachers are entitled to ten days of paid sick and personal leave per year, and in eleven states they are entitled to *more than ten* days of sick and personal leave (see Figure 5).

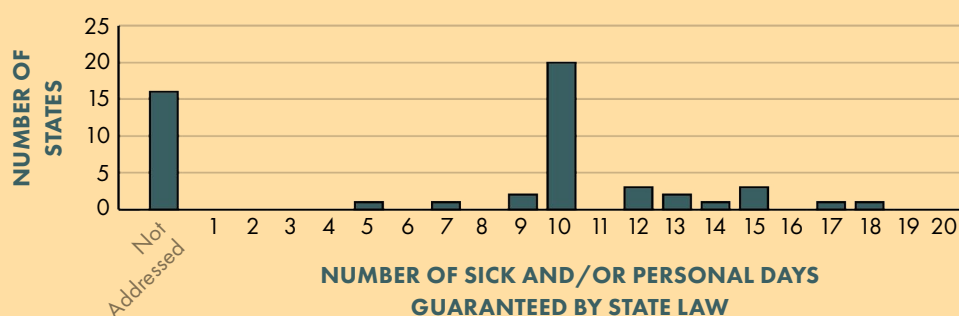
In contrast, Texas law entitles teachers to just five personal days (and no sick days), and sixteen states do not address the issue of sick and personal leave at the state level.

Consistent with the laws of their respective states, the 156 districts in NCTQ's database grant

teachers anywhere from seven to twenty-five paid sick and personal days a year under their local collective bargaining agreements (CBAs) or board policies (see Figure 6).<sup>43</sup> Moreover, no contract in the database fails to address this issue—meaning teachers who are not guaranteed sick or personal leave under state law are almost always guaranteed such leave at the district level. In more than 95 percent of districts in NCTQ's database, teachers are entitled to at least ten sick and personal days. And in the average district they are entitled to 12.7 days of sick and personal leave per school year—meaning they are actually entitled to be “chronically absent” as defined by OCR, and get paid for it.<sup>44</sup> In contrast, despite the fact that they may have as many as sixty more work days per year, only 36 percent of US workers are entitled to ten or more sick days, and most aren't entitled to any personal days.<sup>45</sup>

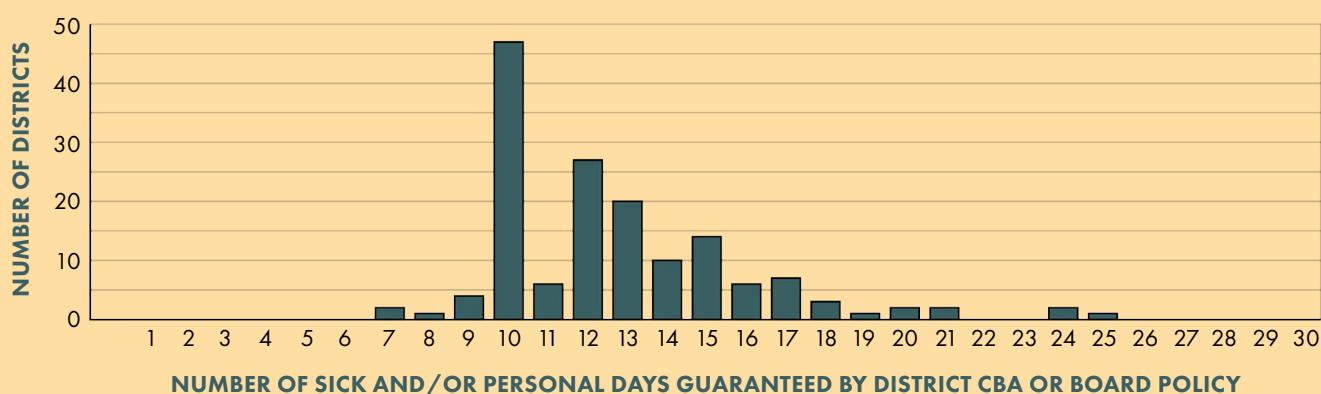
**FIGURE 5**

***In most states, teachers are entitled to at least ten sick and/or personal days under state law.***



**FIGURE 6**

***In most districts, teachers are guaranteed at least 10 sick and/or personal days under their local CBA or board policy.***





## 2

***The chronic absenteeism gap between charter and traditional public school teachers is largest in states where districts must bargain collectively but charters aren't required to.***

The most obvious difference between charter and traditional public schools is that the latter are typically bound by district CBAs while the former are not. However, there are important exceptions to both of these rules, which shed some light on the relationship between collective bargaining and teacher chronic absenteeism.

First, although many states require school districts to bargain collectively with their local teachers' union, in some states collective bargaining is optional (at least in theory). And in a few states it is illegal, meaning one of the chief differences between charter and traditional public schools does not exist in these places.

As shown in Figure 7, although there is no clear relationship between collective bargaining laws and teacher chronic absenteeism in traditional public schools, the gap between charter and traditional public school teachers is smallest in states where collective bargaining is illegal.<sup>46</sup>

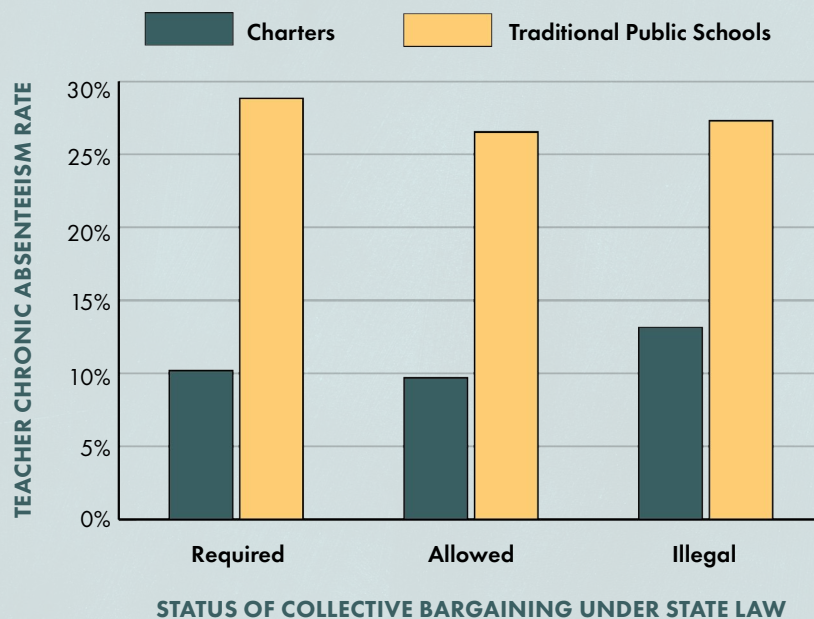
Similarly, while most states automatically exempt charter schools from district CBAs, some states don't—meaning charters are legally bound to these agreements. Although less than one-tenth of the nation's charters fall into this category,<sup>47</sup> in three states with sizable charter sectors (Alaska, Hawaii, and Maryland) all charters are bound to their district CBAs, meaning teachers

in these schools are entitled to the same number of sick and personal days as teachers in traditional public schools. (For more on the relationship between paid sick and personal leave and chronic absenteeism, see *Does It Matter How Much Leave Teachers Are Guaranteed?*)

FIGURE

7

***The chronic absenteeism gap between charter and traditional public school teachers is largest in states where districts must bargain collectively.***



As shown in Figure 8, teachers in traditional public schools in these three states are about 50 percent more likely to be chronically absent than their charter school counterparts, thanks mostly to the astounding gap between the two sectors in Hawaii (see *Hawaiian Time*).<sup>48</sup> However, in states where charters are not subject to district CBAs, teachers in traditional public schools are more than two-and-a-half times as likely to be chronically absent as teachers in charter schools.

FIGURE

8

*The chronic absenteeism gap between charter and traditional public school teachers is largest in states where charters are exempt from district CBAs.*



## DOES IT MATTER HOW MUCH LEAVE TEACHERS ARE GUARANTEED?

Overall, the OCR data suggest little relationship between policies that address tendance directly (such as the number of sick and personal days teachers are guaranteed) and the likelihood that a teacher will be chronically absent. However, because these data don't tell us *exactly* how many days teachers are absent, it's possible that some policies are actually effective at reducing absenteeism, even if they don't reduce *chronic* absenteeism (i.e., the percentage of teachers missing ten or more days).

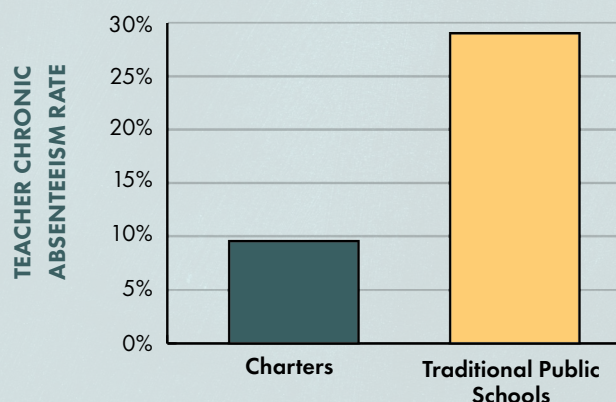
In particular, reducing the number of sick and personal days teachers are guaranteed might have a significant impact on the number of days missed but little impact on chronic absenteeism if the number of guaranteed days is still greater than ten. So it is notable that there is, in fact, a weak ( $r = 0.21$ ) but highly significant ( $p = .01$ ) correlation between chronic absenteeism and the number of sick and personal days teachers are guaranteed under their local CBA or board policy.<sup>49</sup> This pattern is consistent with the broader workplace absenteeism literature, which suggests that paid sick leave has at least some impact on the number of sick days that workers take.<sup>50</sup>

Given these patterns, it's no surprise that the chronic absenteeism gap between charter and traditional public school teachers is particularly striking in the thirteen states (plus the District of Columbia) where both conditions are present simultaneously—that is, in states where districts must bargain collectively but charters aren't required to (see Figure 9). On average, the chronic absenteeism rate for teachers in traditional public schools in these states is three times higher than the chronic absenteeism rate for teachers in charter schools.

FIGURE

9

*The chronic absenteeism gap between charter and traditional public school teachers is largest in states where districts must bargain collectively but charters aren't required to.*



Note: States include CA, DE, FL, IL, IN, MI, NV, NH, NM, OK, OR, PA, TN, and DC.

## HAWAIIAN TIME

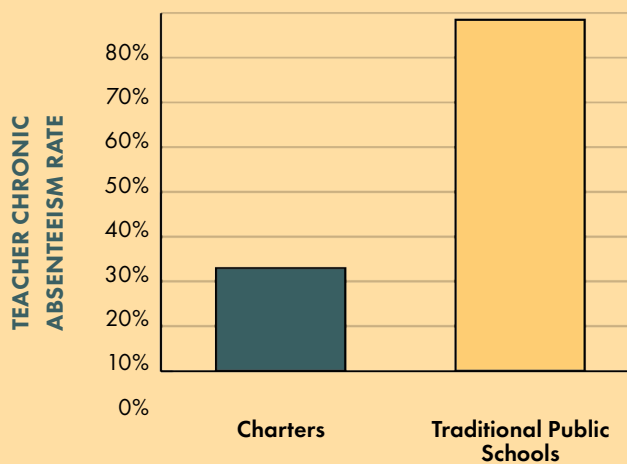
When it comes to teacher chronic absenteeism, Hawaii is something of an outlier. First, the 79 percent chronic absenteeism rate exhibited by its teachers in traditional public schools is the highest of any state—perhaps because Hawaii also has one of the most generous teacher benefits in the country, with eighteen days of paid sick leave.<sup>51</sup> Second, as shown in Figure 10, teachers in Hawaii's traditional public schools are three times as likely to be chronically absent as their charter school counterparts, despite the fact that schools in both sectors are required to bargain collectively.

One potential explanation for this difference is that state law allows charter schools in Hawaii to negotiate supplementary CBAs with their own *independent* governing boards, whereas charters in Maryland must negotiate with the local teachers' union, and those in Alaska are at the mercy of the local school board (which may explain why the two sectors have similar teacher chronic absenteeism rates).<sup>52</sup>

FIGURE

10

*Hawaii's traditional public schools have the highest teacher chronic absenteeism rate in the country.*



## 3A

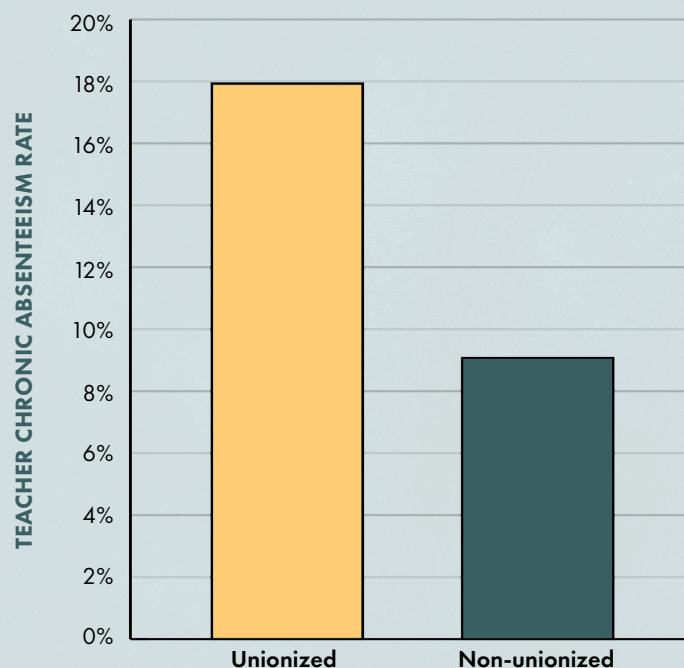
***Nationally, teachers in unionized charter schools are twice as likely to be chronically absent as teachers in non-unionized charters.***

Of the 12 percent of charter schools that are typically described as “unionized,” more than three-fifths are bound by state law to their local district’s CBA—meaning their teachers did not make an active choice to unionize (and may not even be union members).<sup>53</sup> Conversely, fewer than 5 percent of charters that aren’t legally required to unionize have done so.<sup>54</sup>

Because there is such a strong relationship between state collective bargaining laws and charter unionization, the relationship between these laws and teacher chronic absenteeism documented in Finding 2 strongly implies a similar relationship between unionization and absenteeism—and the data confirm this intuition. As shown in Figure 11, 17.9 percent of teachers in unionized charters are chronically absent versus 9.1 percent of teachers in non-unionized charters. Controlling for student demographics has almost no impact on the size of this gap.<sup>55</sup>

FIGURE 11

***Nationally, teachers in unionized charters are twice as likely to be chronically absent as teachers in non-unionized charters.***



## 3B

***In every state with both unionized and non-unionized charter schools, teachers in unionized charters are more likely to be chronically absent.***

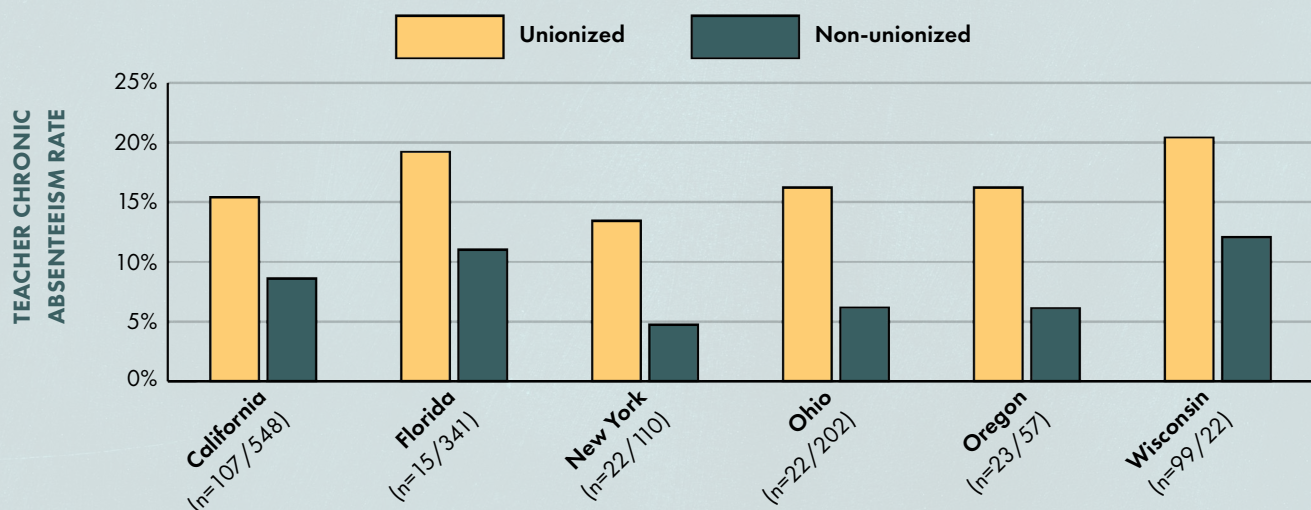
Like the gap between charter and traditional public schools, the gap between unionized and non-unionized charters is more or less universal at the state level.<sup>56</sup> In all six states with significant numbers of both unionized and non-unionized charter schools (California, Florida, New York, Ohio, Oregon, and Wisconsin), the chronic absenteeism rate is higher for teachers in unionized schools (see Figure 12). Again, controlling for student demographics has almost no impact on the size of these gaps.<sup>57</sup>



FIGURE

12

*In every state with unionized and non-unionized charter schools, teachers in unionized charters are more likely to be chronically absent.*



Note: "n" is the number of unionized and non-unionized charters for which there are data on both teacher chronic absenteeism and union status.

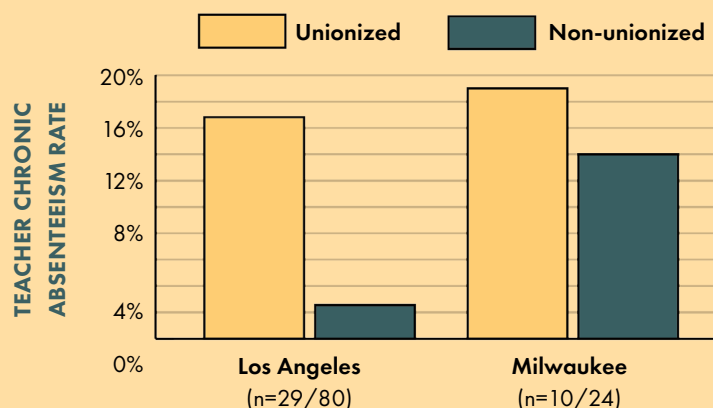
## UNIONIZED AND NON-UNIONIZED CHARTERS IN MAJOR US CITIES

Los Angeles and Milwaukee are the only cities in the country that have enough unionized charter schools to facilitate a comparison with non-unionized charters. But data from both places are consistent with the notion that teachers in unionized charter schools are more likely to be chronically absent (see Figure 13). In Milwaukee, teachers in unionized charters are about 35 percent more likely to be chronically absent than teachers in non-unionized schools. In Los Angeles, the teacher chronic absenteeism rate is more than six times higher in unionized charters.<sup>58</sup>

FIGURE

13

*In Los Angeles and Milwaukee, teachers in unionized charters are more likely to be chronically absent than teachers in non-unionized charters.*



Note: "n" is the number of unionized and non-unionized charter schools that are located in the city for which there are data on both teacher chronic absenteeism and union status.

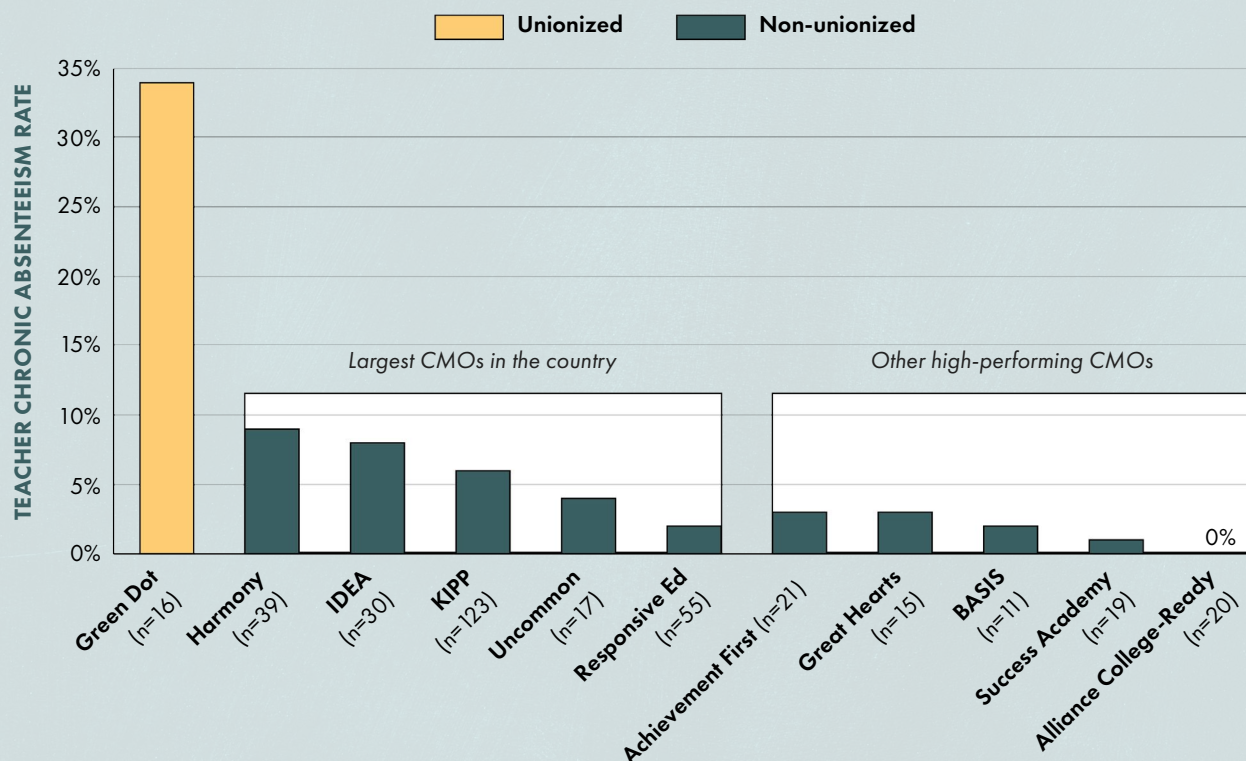
**3C**

***Green Dot—the only major charter network that has unionized—has the highest teacher chronic absenteeism rate of any network in the country.***

In addition to manifesting itself at the national, state, and city levels, the teacher chronic absenteeism gap between unionized and non-unionized charter schools is strikingly evident in the nation's leading charter networks, of which only one has fully unionized—the Green Dot network in California. As shown in Figure 14, Green Dot's chronic absenteeism rate is more than three times higher than the rate for the five biggest CMOs in the country<sup>59</sup> (Harmony, IDEA, KIPP, Uncommon Schools, and Responsive Education), and it is an order of magnitude higher than the chronic absenteeism rate at other leading CMOs.<sup>60</sup>

**FIGURE****14**

***Green Dot teachers are more likely to be chronically absent than teachers in other leading charter networks.***

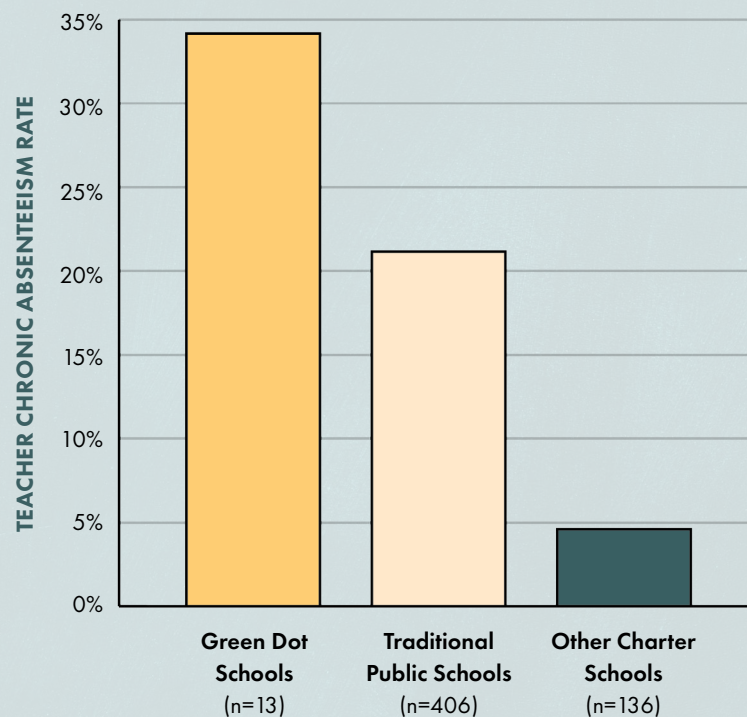


Note: "n" is the number of charter schools in a network that reported data on teacher chronic absenteeism in 2013–14.

As illustrated in Figure 15, Green Dot schools in the city of Los Angeles (where thirteen of the network's sixteen campuses were located in 2013–14) also have a higher teacher chronic absenteeism rate (34 percent) than the city's traditional public schools (21 percent) and a far higher rate than other Los Angeles charters (5 percent). Once again, controlling for student demographics has almost no impact on the size of these gaps.<sup>61</sup>

**FIGURE****15**

***Green Dot teachers are more likely to be chronically absent than other Los Angeles teachers.***



Note: "n" is the number of schools that reported teacher chronic absenteeism data in 2013–14.



# CONCLUSION

While the gains associated with improving one teacher's attendance are modest, the potential gains associated with improving teacher attendance nationwide are considerable: equivalent to extending the school year in every state or hiring thousands of additional teachers at no cost to taxpayers. Consequently, any policy that appears to systematically improve teacher attendance is worthy of attention.

All across the country, in almost every state and city where they have sprouted, charter schools are likely to have fewer chronically absent teachers than their district counterparts. But what accounts for this difference?

Although this study is descriptive, the patterns it highlights certainly suggest that the high chronic absenteeism rates we observe for teachers in traditional public schools are at least partly attributable to the generous leave policies and myriad job protections enshrined in state laws and local collective bargaining agreements.<sup>62</sup> In addition, many charter schools are founded on the premise that they will go the extra mile and that "no excuses" will be tolerated from students or teachers. And consistent with that ethos, the data suggest that teacher chronic absenteeism is almost nonexistent in many of the nation's leading charter networks.

Teacher attendance is obviously just one piece of the student achievement puzzle. But imagine what an organization with Green Dot's reputation could accomplish with a chronic absenteeism rate of 10 percent instead of 34 percent. Imagine what Chicago's traditional public school system could do for students if its teacher chronic absenteeism rate were 5 percent (like the city's charter schools) rather than 31 percent. Finally, imagine what Hawaiian students might accomplish if three-quarters of their teachers weren't chronically absent.

Isn't it time we stopped imagining?



# APPENDIX

All teacher chronic absenteeism rates are weighted averages of the school level absenteeism rates reported to the Office for Civil Rights in 2013-14. Schools with words like “online,” “virtual,” “digital,” “cyber,” or “distance” were excluded from the sample, as were a handful of larger schools (including one charter) that reported teacher chronic absenteeism rates of 100 percent (suggesting a reporting error).

To be analyzed separately, a state, city, or charter network had to report teacher chronic absenteeism rates for at least ten schools in each of the groups to be compared. For example, unionized and non-unionized charters were not compared in states with fewer than ten schools in either group. Teacher chronic absenteeism data were collected for the entire population of traditional and/or charter schools; however, comparisons made between unionized and non-unionized charters include only those schools that were operational in both 2009-10 and 2013-14. Descriptive statistics for the matched sample of unionized and non-unionized charters appear in Table A-1.

When linking state collective bargaining laws and chronic absenteeism gaps between sectors, charters were considered “exempt” from district CBAs in states that received a score of 12 on Question 14 (“Automatic Collective Bargaining Exemption”) of the National Association of Public Charter Schools’ “Model Law” index, indicating that all charters were automatically exempt from district collective bargaining agreements.<sup>63</sup> Conversely, charters were deemed “not exempt” if a state received a score of 0 or 3 on Question 14, indicating that no charters were automatically exempt from district collective bargaining agreements. (States that received a score of 6 or 9, indicating that some charters were exempt, were excluded. However, they appear to more closely resemble states that received a score of 12 than those that received a score of 0 or 3.)

Merging the teacher chronic absenteeism data from OCR with the union status data from NAPCS presented minor challenges due to inconsistencies in reporting. For example, a number of individual schools failed to match on their NCES codes due to anomalies in the OCR data, so they were matched on their name and location. In addition, a number of charter networks for which NAPCS collected campus-level data on union status reported their teacher chronic absenteeism rates at the network level (meaning that one rate was reported for multiple schools). In cases where none of the schools in the network were identified as unionized, their chronic absenteeism rates were included in the national and statewide rates for non-unionized charters. Similarly, if every school in a network was identified as unionized, its absenteeism rate was included in the rates for unionized charters. A few networks (such as the Noble Street network in Chicago) had both unionized and non-unionized schools, so it was impossible to include their chronic absenteeism rates in either group.

Teacher chronic absenteeism rates for individual charter networks were calculated by identifying a list of CMOs that could plausibly meet the ten school minimum based on the appendix of the most recent CREDO report on charter networks and then conducting a search of the OCR database using key words or phrases (such as “KIPP”).<sup>64</sup> When these terms did not consistently identify a network’s schools, the list of currently operational schools on each network’s website was consulted. Finally, the five highest-performing networks were selected based on the total number of additional days of learning they achieved in math and reading combined, according to the most recent CREDO report.

TABLE

A-1

*Unionized and non-unionized charter schools by state*

STATE	NUMBER OF CHARTER SCHOOLS MATCHED	NUMBER OF UNIONIZED CHARTERS MATCHED	NUMBER OF NON-UNIONIZED CHARTERS MATCHED	% OF MATCHED CHARTERS THAT ARE UNIONIZED	% OF TEACHERS IN UNIONIZED CHARTERS WHO ARE CHRONICALLY ABSENT	% OF TEACHERS IN NON-UNIONIZED CHARTERS WHO ARE CHRONICALLY ABSENT
AK	24	24	0	100.0	33.5	N/A
AR	20	0	20	0.0	N/A	4.9
AZ	380	0	380	0.0	N/A	5.1
CA	655	107	548	16.3	15.3	8.4
CO	141	0	141	0.0	N/A	8.4
CT	14	3	11	21.4	N/A	8.6
DC	62	0	62	0.0	N/A	7.2
DE	15	0	15	0.0	N/A	6.6
FL	356	15	341	4.2	18.8	11.1
GA	46	0	46	0.0	N/A	16.6
HI	31	31	0	100.0	19.4	N/A
IA	2	2	0	100.0	N/A	N/A
ID	25	0	25	0.0	N/A	5.3
IL	72	6	66	8.3	N/A	4.3
IN	37	1	36	2.7	N/A	7.6
KS	8	8	0	100.0	N/A	N/A
LA	56	0	56	0.0	N/A	11.8
MA	58	5	53	8.6	N/A	10.5
MD	27	27	0	100.0	18.3	N/A
MI	184	5	179	2.7	N/A	13.4

\*Indicates that NAPCS identifies these schools as “unionized” because they are required to abide by district personnel policies, which are the product of “meet and confer” agreements between teachers associations and districts. Because collective bargaining is illegal in Texas and Virginia, strictly speaking, these schools have not been unionized.

N/A (not applicable) indicates that a state did not meet the minimum n-size for inclusion.

**TABLE  
A-1****Unionized and non-unionized charter schools by state (cont'd)**

STATE	NUMBER OF CHARTER SCHOOLS MATCHED	NUMBER OF UNIONIZED CHARTERS MATCHED	NUMBER OF NON-UNIONIZED CHARTERS MATCHED	% OF MATCHED CHARTERS THAT ARE UNIONIZED	% OF TEACHERS IN UNIONIZED CHARTERS WHO ARE CHRONICALLY ABSENT	% OF TEACHERS IN NON-UNIONIZED CHARTERS WHO ARE CHRONICALLY ABSENT
MN	125	0	125	0.0	N/A	9.8
MO	21	1	20	4.8	N/A	16.2
NC	88	0	88	0.0	N/A	15.3
NH	6	0	6	0.0	N/A	N/A
NJ	53	7	46	13.2	N/A	9.2
NM	57	1	56	1.8	N/A	7.4
NV	23	0	23	0.0	N/A	9.6
NY	132	22	110	16.7	13.5	4.8
OH	224	22	202	9.8	16.0	6.3
OK	14	0	14	0.0	N/A	6.4
OR	80	23	57	28.8	16.2	6.7
PA	111	2	109	1.8	N/A	8.2
RI	12	3	9	25.0	N/A	N/A
SC	28	0	28	0.0	N/A	15.0
TN	17	0	17	0.0	N/A	7.5
TX	412	13 *	399	3.2	21.1	9.8
UT	70	0	70	0.0	N/A	6.3
VA	3	3 *	0	100.0	N/A	N/A
WI	121	99	22	81.8	20.3	12.4
WY	2	0	2	0.0	N/A	N/A
<b>Total</b>	<b>3812</b>	<b>430</b>	<b>3382</b>	<b>11.3</b>	<b>17.9</b>	<b>9.1</b>

\*Indicates that NAPCS identifies these schools as "unionized" because they are required to abide by district personnel policies, which are the product of "meet and confer" agreements between teachers associations and districts. Because collective bargaining is illegal in Texas and Virginia, strictly speaking, these schools have not been unionized.

N/A (not applicable) indicates that a state did not meet the minimum n-size for inclusion.

# ENDNOTES

1. Attendance Works, "Inclusion of Chronic Absence in State ESSA Plans," <http://www.attendanceworks.org/wordpress/wp-content/uploads/2017/07/ESSA-Plan-Chronic-Absence-Chart-6-9-2017-.pdf>.
2. M. Boddie, "Popular Fifth Indicator: Chronic Absenteeism" (Alexandria, VA: State Board Insight, July 19, 2017), <https://stateboardinsight.nasbe.org/popular-fifth-indicator-chronic-absenteeism/>.
3. R. Miller et al., "Do Teacher Absences Impact Student Achievement? Longitudinal Evidence from One Urban School District" (Cambridge, MA: National Bureau of Economic Research, August 2007), <http://www.nctq.org/nctq/research/1190910822841.pdf>; C. Clotfelter et al., "Are Teacher Absences Worth Worrying About in the U.S.?" (Cambridge, MA: National Bureau of Economic Research, November 2007), <http://www.nber.org/papers/w13648.pdf>; M. Herrmann and J. Rockoff, "Worker Absence and Productivity: Evidence from Teaching" *Journal of Labor Economics* 30 (2010).
4. Bureau of Labor Statistics, "Employee Benefits Survey: Table 35A. Paid Sick Leave: Number of Annual Days by Service Requirement March 2016" (Washington, D.C.: Bureau of Labor Statistics, March 2016), <https://www.bls.gov/ncs/ebs/benefits/2016/ownership/civilian/table35a.htm>.
5. A notable exception is Raegen Miller's 2012 study of teacher chronic absenteeism: R. Miller, "Teacher Absence as Leading Indicator of Student Achievement" (Washington, D.C.: Center for American Progress, November 2012), <https://www.americanprogress.org/wp-content/uploads/2012/11/TeacherAbsence-6.pdf>.
6. R. Ehrenberg et al., "School District Leave Policies, Teacher Absenteeism, and Student Achievement," *Journal of Human Resources* 26, no. 1 (1991), 72–105; R. Miller et al., "Do Teacher Absences Impact Student Achievement?"; C. Clotfelter et al., "Are Teacher Absences Worth Worrying About in the U.S.?"; R. Freeman and F. Grant, "How We Increase Staff Attendance by 16 Percent and Saves \$156,000," *American School Board Journal* 174, no. 2 (1987), 31.
7. R. Monahan, "Charter Schools Try to Retain Teachers with Mom-Friendly Policies," *The Atlantic*, November 11, 2014, <https://www.theatlantic.com/education/archive/2014/11/charter-schools-now-try-to-keep-teachers-with-mom-friendly-policies/382602/>.
8. R. Miller et al., "Do Teacher Absences Impact Student Achievement?"; C. Clotfelter et al., "Are Teacher Absences Worth Worrying About in the U.S.?"; and M. Herrmann and J. Rockoff, "Worker Absence and Productivity: Evidence from Teaching."



9. One potential explanation for the magnitude of this effect is that teachers lose valuable planning time when they are asked to cover for their absent colleagues. Research shows that less than half of teacher absences are covered by substitute teachers (see “Professionally Related Absences: Incidence, Causes, and Key Findings for School Districts” (Malvern, PA: Frontline Research and Learning Institute, April 2016), [https://www.frontlineeducation.com/Frontline\\_Research\\_Learning\\_Institute/Reports/April\\_Research\\_Report](https://www.frontlineeducation.com/Frontline_Research_Learning_Institute/Reports/April_Research_Report)).
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13. S. Bradley et al., “Worker Absence and Shirking: Evidence from Matched Teacher-School Data,” *Labour Economics* 14, no. 3 (2007), 319–34.
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15. T. Ahn and A. Yelowitz, “Paid Sick Leave and Absenteeism: The First Evidence from the U.S.” (Lexington, KY: University of Kentucky, March 1, 2016), [https://mpr.a.ub.uni-muenchen.de/69794/1/MPRA\\_paper\\_69794.pdf](https://mpr.a.ub.uni-muenchen.de/69794/1/MPRA_paper_69794.pdf).
16. N. Joseph et al., “Roll Call: The Importance of Teacher Attendance” (Washington D.C.: National Council on Teacher Quality, June 2014), [http://www.nctq.org/dmsView/RollCall\\_TeacherAttendance](http://www.nctq.org/dmsView/RollCall_TeacherAttendance).
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18. M. Bush et al., “School Calendar Length of School Year” (Denver, CO: Education Commission of the States, August 2011), <http://www.ecs.org/clearinghouse/95/05/9505.pdf>.
19. This is an unweighted average of the number of days teachers are guaranteed by the 156 contracts in NCTQ’s database.
20. C. Clotfelter et al., “Are Teacher Absences Worth Worrying About in the U.S.?”
21. S. Bradley et al., “Worker Absence and Shirking: Evidence from Matched Teacher-School Data.”

- 22.** See, for example, C. Clotfelter et al., “Are Teacher Absences Worth Worrying About in the U.S.?” and R. Miller, “Tales of Teacher Absence: New Research Yield Patterns that Speak to Policymakers” (Washington, D.C.: Center for American Progress, October 2008), [https://www.americanprogress.org/wp-content/uploads/issues/2008/10/pdf/teacher\\_absence.pdf](https://www.americanprogress.org/wp-content/uploads/issues/2008/10/pdf/teacher_absence.pdf).
- 23.** R. Ehrenberg et al., “School District Leave Policies, Teacher Absenteeism, and Student Achievement,” 72–105.
- 24.** R. Freeman and F. Grant, “How We Increased Staff Attendance by 16 Percent and Saved \$156,000,” *American School Board Journal* 174, no. 2 (1987), 31.
- 25.** R. Miller et al., “Do Teacher Absences Impact Student Achievement?” and C. Clotfelter et al., “Are Teacher Absences Worth Worrying About in the U.S.?”
- 26.** R. Miller, “Teacher Absence as Leading Indicator of Student Achievement.”
- 27.** Similarly, a 2014 study of forty urban school districts found no relationship between teacher absence and the poverty levels of students. See N. Joseph et al., “Roll Call: The Importance of Teacher Attendance.”
- 28.** S. Sparks, “One in Four Teachers Miss 10 or More School Days, Analysis Finds,” (Bethesda, MD: Education Week, June 27, 2016), <http://www.edweek.org/ew/articles/2016/06/27/1-in-4-teachers-miss-10-or.html>.
- 29.** The NAPCS “Model Law” rankings were also used to determine which states exempt some or all charter schools from local collective bargaining agreements.
- 30.** Because of the limitations of these data, parts of the report also use information gleaned from state department of education websites and the websites of major charter networks.
- 31.** Part of this discrepancy is due to the fact that OCR does not receive teacher absenteeism data from every school. In addition, a number of charter operators reported teacher absenteeism rates at the network level rather than the school level. For example, the Noble Street network in Chicago had more than a dozen campuses in 2013–14 but reported only one chronic absenteeism rate for its 527 teachers to OCR. Whenever it was possible to do so, these networks were linked to the data on union status. However, in certain cases, this was impossible. For example, because Noble Street was *partially* unionized when data were collected, it was impossible to make this link.
- 32.** Excluding online schools from the sample has almost no impact on either the teacher chronic absenteeism rate for charters or the rate traditional public schools.
- 33.** NCES, “Fast Facts: Closed Schools” (Washington D.C.: National Center for Education Statistics, 2016), <https://nces.ed.gov/fastfacts/display.asp?id=619>.
- 34.** The average teacher chronic absenteeism rate for these schools, however, is virtually identical to the overall rate for charters.

35. Unionized charters account for 13 percent of unmatched schools (versus 11 percent of matched schools) so there is no reason to believe that they are disadvantaged by this approach.
36. These percentages are virtually identical when states that lack sizable charter sectors are excluded from the sample.
37. These percentages are based on data from 2005 to 2013; see Ahn and Yelowitz, “Paid Sick Leave and Absenteeism: The First Evidence from the U.S.”
38. Although these comparisons are not as straightforward as one might like, because more than half of US workers report taking zero sick days (and because only 38 percent of US workers had access to paid personal leave in 2013), it is highly unlikely that the chronic absenteeism gap between teachers in traditional public schools and workers in other industries is attributable to the fact that the NHIS estimates do not reflect personal days. Similarly, although the OCR data include teachers who are chronically absent due to the birth of a child, since less than 2.5 percent of teachers give birth each year, it is unlikely that childbirth accounts for more than a small fraction of chronically absent teachers.
39. To be analyzed separately, a state had to have at least ten charter schools when teacher chronic absenteeism data were collected in 2013–14. Eight states had no charter schools in that year: Alabama, Kentucky, Mississippi, Montana, Nebraska, North Dakota, South Dakota, and West Virginia. Seven states had fewer than ten charters: Iowa, Kansas, Maine, Vermont, Virginia, Washington, and Wyoming. In all of these states except Washington (which had just one charter school) teachers in traditional public schools were more likely to be chronically absent than teachers in charter schools.
40. For simplicity’s sake, the analysis considers only those schools that are within the limits of these cities as opposed to the broader metropolitan area. However, since there were only seven charter schools in San Francisco proper in 2013–14, we include Oakland (which had thirty charters) to obtain a meaningful n-size.
41. If anything, this ratio flatters Bay Area charter schools. When San Francisco and Oakland are considered separately, the teacher chronic absenteeism rate in each city is five times higher in traditional public schools than it is in charter schools. For example, the teacher chronic absenteeism rate in Oakland charters is 5 percent, versus 25 percent for traditional public schools.
42. For the purposes of this brief, personal leave includes any leave not related to illness or employer-driven activities. In some states, teachers’ personal days are subtracted from sick days. In others, teachers are entitled to a fixed number of personal days in addition to their sick days.
43. In states where collective bargaining is illegal, local school boards set district personnel policies.
44. Again, this is an unweighted average of the districts in NCTQ’s database. To the best of our knowledge, this is the most comprehensive source of information on teacher leave that exists.
45. Bureau of Labor Statistics, “Employee Benefits Survey: Table 35A. Paid Sick Leave: Number of Annual Days by Service Requirement March 2016.”
46. All averages in this section of the report are calculated using data from the thirty-five states (plus the District of Columbia) with ten or more charter schools.

47. NAPCS, “Unionized Charter Schools: Data from 2009 – 10” (Washington D.C.: National Alliance for Public Charter Schools, 2014), [http://www.publiccharters.org/wp-content/uploads/2014/01/NAPCS-Unionized-Charter-Schools-Dashboard-Details\\_20111103T104815.pdf](http://www.publiccharters.org/wp-content/uploads/2014/01/NAPCS-Unionized-Charter-Schools-Dashboard-Details_20111103T104815.pdf).
48. The impact of exempting charter schools from district CBAs is also apparent in states where only some charters must abide by these agreements. For example, teachers in Wisconsin charter schools that are authorized by local school boards (and are thus subject to the local CBA) are almost twice as likely to be chronically absent as teachers in schools that are authorized by other entities.
49. Again, a few of the districts on which this correlation is based are in Texas and Virginia, where collective bargaining is illegal but teachers may still be entitled to benefits under so-called “meet and confer” agreements or state law.
50. For example, one study found that across all US industries, access to paid sick leave increases absenteeism by 1.2 days per year. See Ahn and Yelowitz, “Paid Sick Leave and Absenteeism.”
51. Unsurprisingly, out of fifty states, Hawaii also ranked first for union strength in Fordham’s 2012 study: See A. Winkler et al., *How Strong are U.S. Teachers Unions?* (Washington, D.C.: Thomas B. Fordham Institute, October 2012), <https://edexcellence.net/publications/how-strong-are-us-teacher-unions.html>.
52. Conversely, the astounding 79 percent chronic absenteeism rate of Hawaii’s teachers in traditional public schools may have something to do with the fact that their “master” CBA is essentially negotiated at the state rather than the district level. Hawaii is the nation’s only single-district state.
53. NAPCS, “Unionized Charter Schools: Data from 2009–10.”
54. Nationally, charters that are legally bound to district CBAs have a 20.1 percent teacher chronic absenteeism rate, while charters that choose to unionize have a 16.2 percent teacher chronic absenteeism rate, so the two groups are closer to one another than they are to non-unionized charters or traditional public schools. Hence, the analysis does not consider voluntarily and involuntary unionized charter schools separately.
55. Specifically, including student demographics such as race, gender, and FRL status reduces the estimate by about one percentage point.
56. To be analyzed separately, states needed at least ten unionized and ten non-unionized charter schools. Twenty-eight states were excluded because they had fewer than ten unionized charters. Two states were excluded because they had fewer than ten non-unionized charters. Fifteen states were excluded because they had fewer than ten charters of any kind.
57. In most states, controlling for student demographics reduces the estimated impact of unionization by 1-2 percentage points.
58. In Milwaukee, the gap between unionized and non-unionized charters is fully explained by student demographics. In Los Angeles, controlling for student demographics reduces the estimated impact of unionization by approximately 4 percentage points.
59. These are the five biggest CMOs in 2013–14 based on the total number of FTE teachers.



- 60.** These are the five highest performing CMOs (Achievement First, Great Hearts, BASIS, Success Academy, Alliance College Ready) with ten or more schools (excluding the five largest CMOs), according to the most recent CREDO report: J. Woodworth et al., "Charter Management Organizations 2017" (Stanford, CA: Center for Research of Education Outcomes, 2017), <https://credo.stanford.edu/pdfs/CMO%20FINAL.pdf>.
- 61.** If anything, the chronic absenteeism gap between Green Dot and other Los Angeles teachers widens when student demographics are taken into account.
- 62.** One study found that tenured teachers take 29 percent more sick days than untenured teachers. See C. Clotfelter et al., "Are Teacher Absences Worth Worrying About in the U.S.?"
- 63.** NAPCS, "Model Law Rankings," Question 14, <http://www.publiccharters.org/law-database/automatic-collective-bargaining-exemption/>
- 64.** J. Woodworth et al., "Charter Management Organizations 2017."