



What Are the Issues?



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NEGOTIATIONS have now appeared upon the public school scene and have evolved at least a beginning level of maturity. It is appropriate as well as possible, therefore, to review and to assess the issues which remain in question between the American Federation of Teachers and the National Education Association—the two organizations which have been responsible for the negotiations movement in public education.

In fact, the issues between the two national behemoths are, in my opinion, of degree rather than substance, and perhaps the only real remaining issue is the selection of the date upon which the merger of the two organizations will become effective. Obviously, this kind of statement is a crass oversimplification, but only so because of the multitude of details that must be settled before such a merger can take place. The central fact that the two national teacher organizations are essentially similar, having similar goals and using similar techniques to achieve their goals, remains obvious.

Research Study

In terms of background data, this writer conducted a study in 1967 with the purpose of collecting objective information about the content of negotiated agreements for teachers. A complete list of the local teacher organizations that had negotiated agreements with boards of education was developed.

From this list a sample of 40 agreements was drawn for inclusion in the study.

One of the factors utilized was whether the agreement was negotiated by a local teacher organization affiliated with the NEA or the AFT. An assumption of the study was that the sample of 40 agreements was representative of the total group of negotiated agreements ($N = 602$). The chi-square statistic was used to test the assumption, and the assumption was not rejected. The agreements included in the study were then subjected to a content analysis.

The following findings and conclusions were reported:

1. Exclusive recognition was the dominant pattern of recognition.
2. Negotiating units either included all professional staff members or separated classroom teachers from other staff members.
3. The dominant role for the superintendent of schools to play in negotiations was as a representative of the board of education.
4. Most agreements were for a period of one year, but some were for a period of three years.
5. The provision for payroll deduction of organization dues was the most-often-found organization security clause.
6. Specific procedures for the conduct of negotiations were not included in the written agreements.

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7. Impasse procedures involving such processes as mediation and fact finding were included in about three-fourths of the agreements, but the board of education usually retained the authority to make unilateral final decisions.

8. Grievance procedures were included in about one-half of all agreements.

9. Salary was the most-often-found topic of negotiation.

10. About one-fourth of all agreements contained written results of negotiations on specific topics.

11. Topics most-often-included as negotiable included salary, health and life insurance benefits, leave benefits, promotion and transfer policy, length of the school day and year, class size, and duty-free lunch provisions.

In actual comparison of the results of negotiations, that is, the written agreements that result from negotiation activities between local teacher unions and local education association affiliates, certain similarities become obvious. The findings reported below are similar for both groups.

1. The search for and achievement of exclusive recognition

2. The superintendent representing the board of education in negotiations activities

3. The push for agreements of one-year duration

4. Organizational security provisions (such as dues checkoff) as a significant element of "working conditions" for teachers

5. Grievance procedures with advisory or binding arbitration as the final settlement steps

6. The use of outside third parties in impasse situations utilizing such processes as fact finding and mediation

7. Topics for negotiation, ranging from salary and other economic conditions to textbook selection and release of teachers to conduct teacher-organization business.

The only real difference of substance was found in the composition of the negotiating unit. Union organizations represent only teachers, while association organizations tend to represent all professional staff members. This, of course, reflects the differences in present membership practices of the AFT and NEA. However, it should be pointed

out that in recent months a number of association agreements have been negotiated only for the classroom teachers of a given school system.

Negotiation Topics

The actual topics of negotiation deserve some further discussion at this point. In general, the agreements negotiated by union groups tended to be somewhat more comprehensive than those negotiated by association groups. For example, in such areas as teacher transfers, study leaves, and promotion, the union-negotiated agreements more often included the topic and, when included, the clause on each of these topics was more complete and specific than were those in the association agreements.

However, in such instructional areas as the selection of instructional materials and school curricular matters, only limited reference was found in any agreements. When such topics were included, both union and association agreements contained similar provisions.

The salient point is that when differences occur between association and union organizations on all of these matters, the differences are of *degree* rather than *substance*. Both organizations say that whatever affects the working life of a teacher is negotiable. Both support the use of essentially the same tactics in problem situations.

While the competition between the union and association has to at least some degree (especially when competing local teachers groups exist) accelerated both the rate and depth of militant action on the part of teachers, the advantageous return on such competitive action has, or soon will, reach a point where its benefits no longer override its debits to teacher organization officials. When this happens the problems associated with merger will be worked out.

Bargaining Model

If one can resolve the differences between the NEA and the AFT (and this seems only a matter of time), the essential problem

of the appropriateness of the negotiating model for the public schools still remains. In the private sector, the collective bargaining model is essentially a conflict model; bargaining (or negotiating, if you will) implies by its very definitions two sides, not one.

Many writers insist that in educational negotiations, a very fine operational model can be established where conflict is minimized and where rational, reasonable people who do not have the profit motive, and who want to achieve the same basic goals, can go down the road together in something close to perfect harmony. While this writer can accept the fact that perhaps such harmony is achievable, practice indicates something else.

Educators are attempting to implement the private sector collective bargaining conflict model in its totality, and are experiencing the same rocky road that was found by private sector industries in the 1930's. This is far from ideal; it represents educator adoption of power strategies rather than rational strategies in order to solve some of the major problems that presently face education. The *appropriateness* of the bargaining model in public education remains a major issue.

Instructional Decisions

The decision as to what curricular or instructional matters are negotiable or as to what are the roles of such middle management personnel as supervisors and coordinators seems not yet to have been determined. There is enough evidence to indicate that teacher organizations will press for as broad as possible a scope of topics for negotiation, including instructional matters.

There is also evidence to indicate that school boards tend to resist the determination of instructional matters at the negotiating table. It may ultimately develop that, as some have proposed, procedures for the determination of instructional matters will be negotiated. However, it seems doubtful that this approach will prove satisfactory to teacher organization representatives.

Negotiating a process for instructional

decision making does not give true bilateral control to the teacher organization. The achievement of such authority is almost a necessity to the recognized organization for representing teachers.

An Alternative

It seems clear to the writer that establishing negotiations as the vehicle through which professional educational decisions are made is doomed to less than perfect success because of one simple fact. The profession is, of necessity, divided in a negotiating climate. Therefore, it seems reasonable to conclude that some process wherein the best thinking of all staff members can be appropriately channeled would be the best approach to be followed.

Perhaps when the time comes that rival teacher organizations are not competing for membership, and do not have to worry so much about the security of the teacher organization as an entity, some viable alternative to negotiations might have a chance for success.

Without attempting to be specific about the details of an improved operational model for public schools, it can be suggested that such a model must provide for positive and unified rather than divisive relationships among all members of the professional staff and that ultimate control of the public schools must rest with the schools' owners, the public. Assuming that these two groups, the public and the professional staff of the school system, want to achieve the same goal, that is, educational excellence, questions would develop in primarily two areas. First, what is educational excellence? Second, what financial resources is a community going to make available for support of public education?

It seems clear that in a democracy the answer to the two questions noted above cannot come from the profession. The answers must come from the public through its representative, the school board. This is not to say that the profession should not have a major contribution to make in this decision-making process. It can, should, and must.

It is important, however, that the role of the organized profession be seen by the public as being positive, constructive, and facilitative of problem solving. This *can* be accomplished.

An elected council of representatives of the total professional staff could be established. The teachers organization president and the superintendent of schools could each be automatic members of this group, whose task would be to present to the public the economic and other professional needs of the school system. Further, this group would share some responsibility for getting general community support for the proposals. The teachers organization and the superintendent of schools could each publicly react to the council's proposals. The essential point would be, however, that the public is the decision maker.

Under such a system, militant action by the staff might still become reality. If that did develop, unified action by all staff members, including the superintendent of schools, would be a possibility. Obviously, such a pattern would mean that the school superintendency as a position would need some redefinition. However, it may very well be that many school superintendents would welcome the opportunity to provide more direct leadership to a staff, school board, and community in pointing the way toward the attainment of real educational excellence.

It seems that the present negotiations model can relegate the role of this person,

chosen for his ability as an educational leader, to that of being an administrator—or a corporate executive. The school superintendency is not today what it was yesterday. Nor does there seem to be a great urgency to maintain it for tomorrow as it is today.

In conclusion, real educational leadership means that professionals make every possible effort to provide the necessary components that will enable schools to educate children efficiently and effectively. The lesson of the past years is clear: the goal of the attainment of educational excellence by the public schools has not been achieved.

Negotiations may very well be the needed interim step to help improve and expand the economic resources available to public education, and thus to provide for the real improvement of the enterprise. In the ultimate achievement of such a goal, the divisiveness and potential disruptiveness inherent in the negotiations model might well need substantive modification.

The schools still belong to the public. Professional educators realize this and desire it. They also desire a real participation in the decision-making process. Negotiations can be the vehicle for progress. The ultimate future of public education depends upon the maturity of judgment of the public and the profession. Judging from the present state of affairs, both groups have some distance yet to go. □

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