

Teacher-Supervisor Conflicts and the Issue of Academic Freedom

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WHETHER the classroom teacher has academic freedoms which go along with his professional responsibilities is a concern largely unanswered. Up to now, court decisions have established only the personal rights of teachers to make private choices on out-of-school matters. Teacher rights on instructional matters remain to be determined by courts and other quasi-judicial conflict-resolving agencies. A recent arbitration decision directly bearing on instructional matters and academic freedom offers some guidelines about questions of academic freedom.

Conflicting Views on Instructional Matters

Questions of academic freedom crop up when there is conflict between a teacher and his supervisor-administrator on an instructional issue. Let us look at some conflicts which could easily erupt in any school:

Can a teacher demand that a student be retained in grade?

Can a teacher be forced to mark on a curve?

Can a teacher refuse to teach a constantly disrupting child?

Can a teacher bar a reading specialist from his classroom?

Can a teacher be made to work exclusively with low groups?

Can a teacher refuse to cooperate in a non-graded reading plan?

Can a teacher ignore directives to teach "modern" math?

Can a teacher be forced to use the language text expounding a transformational grammar approach which has not earned his intellectual assent?

Can a teacher decide to have one group in reading instead of many?

Without a doubt, chances for conflict on instructional issues abound. On one hand, professional supervisors are committed to changing what teachers are doing. Supervisors revise and develop curriculum, they evaluate instruction, they develop and circulate media and materials for instructing, they plan in-service activities to improve the teachers' ability to serve the children (Harris, 1967). The central focus is on improving instruction—making the instruction more effective, more relevant, more efficient. Even when supervisory responsibility is a limited or part-time aspect of his assignment, such as might be the case of a principal, a super-

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intendent, or a department chairman, an orientation toward changing the status quo in teaching must be his goal when wearing the supervisor's hat.

Teachers, on the other hand, have a much different view of supervision. From their vantage point as professionally certified, highly trained, and competent teachers who have earned tenure status, supervisory activities can seem to call into question their professional integrity. Guss (1961) and Neville (1966), in studies of teachers' perceptions of supervision, document the fact that most teachers misunderstand supervision, interpreting it as a threat or as an attack on them. Neville concluded, after an extensive review of research on teacher attitudes toward supervision, that:

1. Teachers *do not* see supervision as focusing on the improvement of instruction.
2. Teachers *do not* see supervision as having a strong "human relations" base.
3. Teachers *do not* see supervisors as being prepared to help them in the study of teaching (4).

Conflict on any particular issue may be a distinct possibility when supervisors and teachers have such different perceptions of supervision. Beyond that, teachers might resist programs sponsored by the supervisor even without being vengeful or negative. Well-intentioned, conscientious, and successful teachers may be unconvinced that the change is an improvement. They may hold a different value position or perhaps argue that some other principle or right overrides the view supported by the faculty consensus or advocated by the supervisor. They might be reluctant to swerve away from the "tried and comfortable."

Long and hard experience has taught supervisors that direct orders and explicit demands gain only "mere compliance." Any attempts to control and enforce when willing participation has not been granted are unproductive. Success with democratic approaches to supervision has shown that, in time, the coordinating, facilitating, stimulating, and communicating activities of supervisors do bring about consensus for change

without dependence on orders and directions. Often, though, one teacher, or perhaps a few, do not see the need for change which other teachers, after careful and creative involvement of staff members by the supervisor, find necessary. It may not be possible to ignore the reluctant ones. Total involvement of a faculty may be needed to ensure smooth operation of a plan in innovative situations.

For example, nongrading of the reading program cannot be undertaken without every teacher being party to the scheme. Evaluation of programs is often dependent on having all teachers as the test administrators. The communication to parents and the public of some common expectations requires total faculty participation, such as when it is to be conveyed that instruction in modern math or investigation-oriented science is sequentially organized in the school. If there is to be a change in procedure, say, for example, that teachers will hold conferences in place of first quarter report cards, parents should expect every teacher to comply. When one or more teachers persist in ignoring the faculty's consensus on an issue or when a few avoid a change put into effect by most others, demoralization can set in. Issues on which faculty consensus might operate are legion: cutting down or increasing homework, placing more emphasis on tests, doing away with whole-class competitions such as spelling bees, having three reading groups instead of one. Most supervisors recognize that less-than-total compliance gives the impression that the new venture is not crucial or worthwhile and that a reduction of concern and effort will soon set in.

What rights are operative in situations where total compliance with a change seems necessary to the successful implementation of the improvement? Can the supervisor, after carefully establishing a consensus or after convincing the greater number of the need for a change, expect compliance from the minority or the individual teacher? Does the majority group have some rights to try out a project that demands 100 percent participation? Does the individual teacher have rights derived from the principles of academic freedom to defy the supervisor?

The Teacher's Right To Grade: A Conflict Case

One arbitration case (Educators Negotiations Service, 1968) can be examined in detail for guidelines on academic freedom. This ruling, called by the Massachusetts Teachers Association the "Right To Grade Ruling" was handed down by an arbitrator of the American Arbitration Association, the neutral agency which both parties to the contract had agreed to call on to settle by a final and binding decision any disputes that could not be settled within the community.

The dispute in question grew out of a complaint by a high school chemistry teacher with seven years of successful teaching experience that his principal had ordered him to abandon his personal judgments about student grades and to substitute higher grades. The demand was accompanied by the threat of insubordination which is, in effect, ground for dismissal in Massachusetts. The principal noted that only 18 percent of the teacher's students had received grades of A or B while the school average for college preparatory students was 50 percent. Pupil and parent dissatisfaction with chemistry grades was widespread.

Prior to writing the memo demanding that the teacher revise his marking system to bring it into line with marks received by college preparatory students in other classes in the school, the principal held two conferences with the teacher where the dissatisfaction was discussed and possible remedies sought out. In addition, two short visits were made to the classroom of the teacher. At the conferences and in the memo the principal stressed the importance of the teacher's repeatedly examining his teaching techniques, methods of motivation, degree of student participation, and use of audio-visual aids. The principal said, "This is done to make every effort possible to increase learning, thereby raising standards." The teacher was given a breakdown by percentages and ordered to have his chemistry marks show the same percentage of distribution. Although all other teachers were aware of the distribution of marks in the school, no others

were asked to comply with that standard in grading their students.

The reasoning and analysis by the arbitrator are interesting. He affirmed that the principal has every reason to be concerned if only 18 percent of students get A's or B's as opposed to 50 percent in other classes. However, investigation into the case showed that the principal treated the teacher's marking system as the cause of the low marks. The arbitrator disagreed. "Marks," he said, "are the effect and not the cause of his students' inability to better understand the subject matter." To illustrate this point the arbitrator offered several alternative plausible factors which rival the principal's explanation for the low marks: the course might need to be organized differently, or restructured to provide more lecture time and less class time, or vice versa. The arbitrator further stated,

There are enough natural hazards in any marking system which make it difficult to grade students with precisely the marks they deserve without imposing an artificial standard. . . . After proper investigation by the administration, which up to now has not taken place, it may be found that a simple rearrangement of the subject matter or a rewording of certain test questions will result in chemistry students having a better understanding of their subject, with better marks resulting. If this be so then the teacher may be directed to make the rearrangement or rephrase his test questions.

A breakdown in communication between the teacher and the administrator which grew out of the differences in view was deplored, and blame for this breakdown was placed on both men. Nevertheless the arbitrator, emphasizing that the principal had not helped the teacher with the instructional problem, ruled against the principal saying simply that the teacher did not have to comply with the principal's demands to mark on the school's curve. The decision is final and binding.

Academic Freedom Guidelines

The arbitrator limited his discussion to the facts of this particular case. His decision was aimed at settling only the dispute in a final and binding way. In no place within the

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text of his ruling did he attempt a broader interpretation of his findings, nor did he generalize to other similar cases.

Notwithstanding, the ruling containing his reasoning and justifications does exist for other arbitrators to examine and for lawyers to cite as they prepare briefs in future disputes. Taken this way, the case gives some guidelines for handling academic freedom issues.

First and foremost, this arbitrator recognized that a successful, tenured teacher has rights and that principles of academic freedom apply in public school settings.

Reflecting on this particular arbitration case, it becomes clear that if a teacher is given the freedom to select the content of instruction, he has the concurrent right to judge how well the students have mastered the content. Unless a supervisor or principal works closely with the teacher on improving instruction, the teacher has the sole and unalterable right to assign grades as he sees fit. Only to the degree that the principal

or supervisor aids on such day-to-day level concerns as the rearranging of subject organization and the rewording of test items can he substitute his judgment for that of the teacher. To order a teacher to comply with standards of all other teachers by substituting some artificial curve or standard is a violation of the teacher's academic and professional freedom.

Academic freedom, interpreted here as the freedom of a teacher to make professional decisions concerning the instruction of children assigned to him, is the province of the teacher for as long as he is the only one on the scene where instructional decisions are made. As the sole professional, his judgment must be honored. Once other professionals arrive at the scene to participate, standards of rationality and justification become operative.

From this case, it would seem that the teacher can defy the directives of supervisors to comply with standards set by faculty consensus or supervisors if he feels that his pro-

professional responsibility and freedom to make instructional decisions were not considered or that the directive was arbitrary in asking him to comply without due consideration of the particulars in his classroom setting.

Supervisors can demand and require compliance when they have involved themselves with the issue at the day-to-day instructional level. At the point where they know and feel the situation as it involves the teacher, they can substitute their judgment for his.

Academic freedom does not give the teacher the right to be ineffective, inept, or even mediocre. It merely protects a teacher from the judgments of others made at great distances from the day-to-day operations of that particular classroom. Supervisors must be familiar with all the forces operating in the teacher's classroom and must be there in the classroom observing, asking the teacher to try out instructional procedures, planning and evaluating along with the teacher, and helping the teacher work out instructional problems.

This case does not limit the value and role of conferences between teachers and supervisor. A conference is important, and frequently it is the only way to counsel a teacher to broaden his perspective, to help him clarify his misconceptions. Teachers deserve to receive summary evaluations and this is best done in a conference setting. But the supervisor should not rely solely on this technique in working toward improvement of instruction. Out-of-the-classroom procedures, while necessary to a broad program of teacher improvement, are not sufficient when the supervisor wishes to exact compliance on a particular instructional issue.

Significantly, the decision by the arbitrator makes clear one further point: the tenure teacher cannot consider his classroom a sanctuary into which supervisors and administrators tread only at the risk of hav-

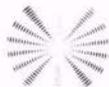
ing a grievance filed. On the contrary, the freedom of fellow professionals to move freely in and out of classrooms is the basis for the academic freedom of the teacher!

Neville's findings, mentioned earlier, take on an added significance for supervisors in the light of this arbitration ruling. The arbitrator in effect is saying that a supervisor who is about to demand compliance must have made repeated efforts—even on the level of day-to-day classroom instruction—to get the teachers to see the intentions of the supervisor in wanting improvement of instruction. Interaction and communication must be frequent so that the demand for compliance is not viewed as substitute technique called into play just because the human relations processes broke down.

This arbitration ruling on academic freedom and responsibility is a precursor of many more to come. Teachers' organizations have been insisting on final and binding arbitration in contracts they negotiate as evidence that disputes between teachers and representatives of the boards of education will be settled fairly and rationally. Further clarification of the rights of teachers, of their academic freedom, and of professional responsibilities can be expected.

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