        This volume is the final in a 4-part series of monographs comprising a broad
investigation of teacher collective action in local school districts. It presents the
results of investigations of the shortrun and probable longrun impact of negotiating
activity between school boards and teacher organizations in 22 selected school
districts across the country. Organization is based on discussion of 5 basic research
problems with cross-sectional reference to the 22 case studies, 8 of which were
intensive, longitudinal investigations. Chapter II is devoted to the impact of collective
bargaining on the nature of the interaction between school management and the
representatives of teachers, Chapter III to its impact on educational policies and
programs. The effects of bargaining on the allocation of financial resources within the
community and the school system and the effects on the utilization of teachers are
analyzed in Chapters IV and V. Finally, Chapter VI examines the future of collective
negotiations in education and the probable impact of bargaining on the ability of
school systems to adapt to changes in technology and environment.

FINAL REPORT--Project 2444
HEW Contract No. OE-4-10-089

COLLECTIVE ACTION BY
PUBLIC SCHOOL TEACHERS

Vol. IV: The Impact of Teacher
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BR-5-1052
PA.24

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Volume IV

The Impact of Teacher Bargaining
on the Schools

May, 1968

U. S. DEPARTMENT OF
HEALTH, EDUCATION, AND WELFARE

Office of Education
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SP001522
ED021790

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The Impact of Teacher Bargaining

on the Schools

Charles R. Perry
Wesley A. Wildman

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Chicago, Illinois

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PREFACE

This volume is the fourth and final in a series of monographs comprising a comprehensive investigation of teacher collective action in local school districts in the United States conducted at the Industrial Relations Center, The University of Chicago. Volume I of the series contains a history of teacher organization welfare efforts and the results of a nation-wide survey of local district teacher collective activity. Volume II is a summary and discussion of the law relating to collective negotiations in the schools. Volume III is a detailed analysis of bargaining impasses in a sample of school districts which experienced difficulty in reaching agreement during negotiations. Finally, Volume IV presents the results of investigations of the impact of negotiating activity between school boards and teacher organizations in twenty selected districts across the country.

Charles R. Perry
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I. INTRODUCTION

There is clear evidence of increasing unrest among public school teachers in the United States. This unrest has been manifested through group action designed to secure for teachers a more powerful role in policy formulation and implementation in local school districts. To date, the primary thrust of such group action has been to substitute formal collective negotiations for informal consultation between local teacher organizations, local school boards and school administrations as the basis for teacher participation in the decision-making process.

The preceding volumes in this series have dealt with the history, legal framework and power dimension of negotiations in local school districts. This final volume is devoted to a consideration of the short run and probable long run impact of collective bargaining in public education at the local level.

Analytical Framework

The substitution of collective bargaining for consultation or testimony as the basis for teacher participation in decision-making involves more than a change in form. Full-scale collective bargaining is much more than an elaborate structure for open communication or a formal procedure for the mutually satisfactory resolution of problems. As traditionally perceived and practiced, it is an adversary process for the articulation and accommodation of group conflict on the basis of power.

The establishment of a formal collective bargaining relationship changes the structure of the decision-making process in a local school district. It serves to create a basic cleavage between teachers, as a group, and those who supervise and employ them and to change the extent to which conflict is the focus of interaction between teachers and school management. Collective bargaining assumes and requires the existence of significant conflict between teachers and school management. The essence of bargaining is compromise and concession-making on those issues where such conflict does exist.

The establishment of a collective bargaining relationship also changes the basis of decision-making in a school system. The practical effect of collective bargaining is to grant to teachers an increased measure of control over the decisions of management. Collective bargaining creates a presumption in favor of compromise and accommodation which provides teachers with a partial veto over management decisions. Collective bargaining also serves to augment the political and economic power of teachers and to substitute such power for rational persuasion as the basis for teacher participation in decision-making.

It is these potential changes in the structure and basis of decision-making in local school districts which constitute the primary framework for a consideration of the impact of collective bargaining on school systems. Each of these changes, if realized, will require significant modification of current theory and practice in educational administration and school system management.

Structure and Conflict

In the absence of a collective bargaining relationship, policy formulation and implementation in a local school district is a de facto legislative process. Although a board of education enjoys a legal right to make final decisions on policy, this right is qualified by the political need to consider and accommodate, to some extent, the views of various constituent groups. Thus, in practice, decision-making by a board can be viewed as a multilateral process in which a board of education serves to mediate possibly conflicting interests among the following types of groups:

1) taxpayers;
2) parents;
3) civil rights organizations;
4) school administrators;
5) classroom teachers;
6) board members themselves.

Collective bargaining is a bilateral rather than multilateral decision-making process. It requires that a board of education achieve a consensus among all interest groups but teachers and then defend that consensus against a consensus among teachers as developed and articulated by a teacher organization. As a result, a board of education and school management engaged in bargaining must often aban-

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don its neutral role of mediator and assume an active role as adversary to teachers.

This change in the structure of the decision-making process tends to confirm or accentuate conflict between teachers as a group and those who supervise and employ them. It forces the constituents of both a board of education and a teacher organization to focus attention on their own common interests and on the difference between those interests and the goals of the other party. This tendency toward a crystallization and polarization of views can be reinforced by the institutional and political pressures on a teacher organization and its leaders to seek out conflict as a basis for justifying their existence.

The appearance, acceptance and reinforcement of group conflict in a school system has definite implications for both theory and practice in education administration. It requires a significant modification of currently prevalent views of the nature of the organization. It also requires change in the roles played by educational administrators in the local school, the school system, and community.

Theory and research in educational administration have not, to date, been much concerned with group conflict. Instead, primary attention has been given to individual personality and role conflicts within the organization. The types of conflict recognized under this approach include conflict within an individual, between individuals, between individual needs and organizational role demands and between professional and bureaucratic role demands. This "individual needs-organization goals" view of conflict does not adequately encompass the possibility of group conflict based on status differentiation within the organization.

The individual-centered concept of conflict is based in part on a common interest view of the school organization, i.e., that the members of the organization are part of a united, client-centered profession. Group conflict, however, implies the existence of a discontinuity or gap in the organizational structure. In short, it indicates the absence of a true community of interests within the school organization and the profession.

This discontinuity serves to establish strong challenges to the colleague and leadership roles of administrative personnel. The adversary character of the bargaining process requires that someone play the role of adversary. To the extent that administrative personnel control resources or rewards sought by teachers,

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they will be cast in that role and lose their status as colleagues. Where this occurs, the teachers and particularly the teacher organization will also challenge the claims of administrative personnel to the roles of professional leaders and spokesmen for the professional staff. These roles will be claimed by the teacher organization and its leadership.

The result will be a tendency for school administrators to become managers in the traditional bureaucratic sense. They will retain their status as officers which is conferred by the formal organization. They may, however, lose their status as leaders which they enjoyed in the absence of a formal organization of teachers and the competitive hierarchy which it establishes.

Basis and Power

In the absence of collective negotiations, the decision-making process in schools is likely to be viewed by teachers as unilateral rather than multilateral in character. From the teachers' point of view, there is often no necessity for school management to do more than listen to the proposals of teachers and accept or reject them at will. The legal right of a board of education to make final decisions on policy and the organizational authority of the superintendent or principal to make administrative decisions on policy implementation eliminates any certain obligation to discuss or accommodate the proposals of teachers when conflict arises.

The unilateral character of the decision-making process, as viewed by teachers, reflects an underlying imbalance of power among the various interest groups which are party to the quasi-legislative decision-making process. Teachers are forced to rely on persuasion as the basis for influencing decisions. This reliance is dictated by dependency on the system and lack of numbers and organization. As viewed by teachers, the other parties to the process enjoy either easier access to the centers of decision-making power, by virtue of organizational position, or superior political power over the system, by virtue of numbers and organization.

The establishment of a collective bargaining relationship can significantly alter the distribution of power among the various groups with interests in the schools and, in extreme cases, may grant to teachers an effective veto power in the decision-making process. The basis for this change in the distribution of power is the substitution of group power for individual power. The emergence of group

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power serves to increase the rational, political and economic power of teachers vis-a-vis school management and the community.

Collective bargaining assures teachers of access to the centers of decision-making power within a school system. This is a procedural by-product of the establishment of a bargaining relationship. The status of the teacher organization as formal or exclusive bargaining representative of teachers provides it with one effective basis for taking advantage of this access. On a priori grounds, one would expect that a consensus of the staff as articulated by a single organization representing all teachers would have greater persuasive value vis-a-vis school management than informal statements by non-exclusive representatives of teachers.

The fact that teachers are apparently able to achieve a consensus may also give them a measure of persuasive power over the community and, hence, political power over a board of education or superintendent of schools. The value of such a consensus rests on two factors. First, teachers, as a group, control the practice of education and are assumed by much of the community to be most knowledgeable about the needs of students. Second, the existence of a formal bargaining relationship may create a presumption that some compromise by both sides is inevitable and desirable. The fact that bargaining is generally perceived as an adversary process implies that a community may reject the assertion that either party is "right" and expect some compromise by school management, although compromise is not required under any technical definition of good faith bargaining.

The fact that teachers, as a group, can exercise short run control over the teaching resources available to a school system provides them with real power to induce a community and, hence, a school management, to accede to demands. This power rests on the inability of a community to defer demand for the services of the public schools or to find adequate short run substitute suppliers for those services. The services referred to include not only classroom education but babysitting for the working mother and amusement, through athletics, for the community-at-large.

The economic power of teachers has not been significantly diminished by no-strike legislation. The sanctions which have been employed against strikes and strikers under such laws have proven largely ineffective to date wherever a majority of employees have felt willing and able to terminate their employment.

The long run results of this change in the distribution of power in the decision-making process are difficult to predict. In the short run, it does appear unlikely that reason will soon predominate as the basis for the decision-making process under collective bargaining in local school districts. It is far more probable that countervailing political power or the economic power of teachers will be the arbiters of conflict. In the long run, however, it is possible that collective bargaining will lead to the rationalization and depoliticalization of the decision-making process, particularly if adequate procedures can be devised as a substitute for the strike.

If political and economic power are to be an increasingly important basis for teacher participation in decision-making, school management may have to alter its approach to interaction with teachers. Reliance on power as the arbiter of conflict tends to place a premium on disingenuousness. It also tends to reduce flexibility and opportunities for problem-solving in favor of commitments to formal rules or positions and debate over right and wrong. In short, clinical approaches to problems may be supplanted by adversary approaches to issues.

Research Questions

The changes in the structure and basis of decision-making associated with the advent of collective bargaining imply that bargaining can have a highly significant impact on the operation of a school system. It is this potential impact which is the primary concern of this study. Specifically, attention will be focused on the impact of collective bargaining on the following aspects of school system operation and management:

1) the decision-making strategies and tactics of school boards and school administrators;

2) the extent of lay or administration control over educational policies;

3) the way in which financial resources are allocated within the community and the school system;

4) the way in which teachers are utilized within the school system;

5) the ability of a school system to adapt to changes in technology and environment and modify its operations.

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The Dynamics of Bargaining

The essence of bargaining is compromise in search of accommodation on matters over which there is disagreement between the parties to the bargaining relationship. There is, however, a wide range of strategies open to the parties in their search for accommodation. Where do collective bargaining relationships in public education fall within this range?

The strategies available to the parties to a bargaining relationship can be placed on a continuum bounded by 1) pure integrative bargaining and 2) pure distributive bargaining. Integrative bargaining is essentially problem-solving conducted in an effort to maximize the joint gains of the parties. The primary characteristics of this approach are:

1) recognition of mutual dependence and emphasis of common interests;

2) free and open communicat'on and a complete sharing of information;

3) avoidance of commitments to formal positions or demands in favor of an unstructured approach to problem areas;

4) reliance on facts and reason as the basis for decision-making.

Distributive bargaining involves a purely adversary approach to issues conducted in an effort to maximize individual gain. The primary characteristics of this approach are:

1) recognition that one party's gain is the other's loss;

2) limited and distorted communication in an effort to conceal goals and values;

3) commitment to formal positions and demands on specific issues;

4) reliance on power as the basis for decisions.

Collective bargaining in the private sector is basically a distributive process. The persistence of distributive bargaining in the private sector can be traced to two forces:

1) the existence of basic economic conflict between cost-oriented management and income-oriented employees;

2) the existence of pressure on a union, as a political institution, to wrest concessions from management as a basis for justifying its existence and guaranteeing its survival.

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Under these conditions, a union has a political incentive to play the distributive bargaining game and management has a defensive economic incentive to adopt the same approach.

Collective bargaining in public education may or may not follow the pattern of the private sector. The potential for integrative bargaining in public education will be a function of the following:

1) the extent to which a common commitment to public service and a professional commitment to rationality make power an unacceptable basis for decision-making;

2) the extent to which teacher organizations are political institutions which must have something to deliver to their members;

3) the extent to which boards of education, as political agencies, must have something to deliver to their constituents.

It is these forces which will determine whether or not school managements will be led or forced to "play the bargaining game."

Lay vs. Professional Control

The effect of collective bargaining is to grant to employees a greater measure of control over the decisions of management. A question does exist, however, as to the range of such decisions over which this control can or should be extended. On what kinds of issues have teachers sought to exercise influence through collective bargaining?

At a pragmatic level, this question centers on the scope of bargaining and the definition of the appropriate subject matter for collective bargaining. The issue, at this level, is whether collective bargaining shall be limited to "wages, hours and conditions of employment" or shall extend to "anything that affects the working life of the teacher" and "all matters which affect the quality of the educational program."

On a more basic level, the question involves the extent to which collective bargaining will alter the distribution of lay and professional control over basic educational policy. This issue has been raised by one union leader in the following terms:

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The coming of age of the teaching profession, through collective bargaining, forces us to meet, head-on, the critical problem of the respective roles of teachers and civic and parent groups in the system of public education. . . . It is inconceivable that laymen will insist on keeping the educational process out of the control of educators, any more than they would think of depriving doctors, lawyers and theologians of the ultimate control of their respective professions. Lay groups will have to recognize and accept the realities of the new world of collective bargaining by teachers in the educational system. By definition, bargaining means co-determination, together with Boards of Education, and not unilateral decisions.

Boards of education have generally taken quite the opposite position. In the words of one board member:

It is the belief of our scheme of public education that the objectives of the school system, the basic emphasis on the teaching effort, the goals to be achieved, shall be determined by the community itself, and not by the professionals. . . . I do not believe that this philosophy is altered, or modified by the fact that a Board of Education has entered into a collective bargaining agreement with an organization which represents the teachers in that system.

Collective bargaining in the private sector has not raised a comparable issue. Despite perennial concern over management prerogatives in the face of an expanding scope of bargaining, unions have generally been more than willing to leave the basic direction of the enterprise to management. To do otherwise would require the organization to compromise its adversary role and assume responsibility for management decisions. Except in crisis situations, unions have not been willing or able to make this change in role.

It is not clear what the experience will be in public education. The extension of collective bargaining beyond its traditional scope—salaries, benefits, a narrow range of employment conditions and protection of individual rights in the day-to-day application of the agreement—requires two things. First, teachers must enjoy the expertise required to set policy and be able to achieve a consensus on policy issues. Second, the teacher organization must be willing to accept responsibility as well as authority in policy areas. It remains to be seen whether these conditions can be met within the adversary framework of collective bargaining, or whether they will require some other decision-making structure.

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Fiscal Resource Allocation

It is clear that teacher salaries have been the major or primary focus of the early collective bargaining activities of teacher organizations. This is by no means surprising in light of the apparent consensus that public school teachers are underpaid and the absence of any basis for denying the negotiability of salaries. It does, however, raise two significant questions:

1) Have teacher organizations been able to secure larger salary increases through collective bargaining than would have been forthcoming in the absence of bargaining?

2) If they have, at whose expense did the increases come?

Unions in the private sector have traditionally claimed credit for forcing management to grant wage increases in excess of those which would have been granted in the absence of the union. Similar claims are now being made by both the major teacher organizations on behalf of their affiliates. The validity of these claims is difficult to assess particularly since bargaining may force management to hide its true position on salary issues. However, it is possible to estimate the level of salary increase which would have been forthcoming in the absence of bargaining in any single district in an effort to "measure" gains attributable to bargaining pressure.

If teacher organizations have been successful in securing larger salary increases than would have been granted in the absence of the threat or exercise of group power, a question arises as to the source of the funds necessary to finance those increases. Although it may be appropriate for a teacher organization to take the position that "we don't care where the money comes from—that's your problem" at the bargaining table, the source of the funds is of definite interest in assessing the impact of bargaining on the school system and the school district. If teachers have been able to exercise group power effectively, it is important to identify against whom that power was exercised.

In the private sector, wage increases in excess of increases in labor productivity can come at the expense of one or more of the following: 1) employer monopsony power; 2) reduced output and employment; and 3) increased prices. The greater the degree to which the employer is a monopolist facing an inelas-

tic demand curve for his product the greater the degree to which increased prices will absorb the impact of raises in wages.

A public school system is a monopoly which faces a relatively inelastic demand for its product. Assuming a limited degree of monopsony power, one would expect teacher salary increases to come at the expense of the consumers of public education—the community. This could be accomplished through the following means:

1) an increase in state aid under the threat of the exercise of group power;

2) an increase in local support of education in the short run or a backward shift in time of such an increase;

3) a change in the allocation of resources within the school system which may serve to reduce the quality of education received for a constant price.

In any of these cases, teachers gain at the expense of the unorganized and inarticulate claimants on governmental revenues, whether those revenues are attached to the state, the local government or the school system.

Human Resource Allocation

Experience with collective bargaining in the private sector indicates that one output of the process is an elaborate set of rules which serve to limit management discretion in the use of personnel. This "web of rules" generally deals with the following types of personnel decisions:

1) hours of work;

2) scheduling of work;

3) work loads;

4) assignment of personnel;

5) promotion, transfer and layoff of personnel.

In more advanced relationships in public education there is evidence that a comparable web of rules is beginning to emerge. This web of rules, like that in the private sector, involves procedures and standards for day-to-day decision-making within the system. There is also evidence of some comparability between the web of rules in the private sector and that in public education with respect to content in the following areas:

1) seniority suggested as a substitute for rated ability and school system need in making certain personnel decisions;

2) individual equity suggested as a substitute for efficiency in assignments and transfers;

3) limitations imposed on the amount of teacher time and energy at the disposal of the system.

These developments raise three basic questions. First, what is the impact of these rules on the ability of the central administration to staff the schools? Second, to what extent have these rules served to limit the ability of the building principal to staff classrooms and other activities? Third, what has been the impact of these rules on teacher-student contact and school-community relations?

The basis for this web of rules is the desire of employees to gain a greater measure of control over economic opportunity within the enterprise. Such control inevitably rests on the limitation of management's discretion in basic staffing decisions such as hiring, assignment, transfer, discipline and discharge. The result can be a reduction in the economic efficiency with which human resources can be allocated and utilized, at least in the short run.

Experience in the private sector has shown that the advent of collective bargaining has particularly significant implications for the role of first line supervision. In general, collective bargaining can serve to reduce both the power and status of supervisors by: 1) centralizing decision-making on the management side, and by 2) providing employees with the means to challenge any or all decisions of the supervisor.

These changes in the authority of central office and local administration can have definite implications for the structure and functioning of the system. The traditional assumption has been that the schools should be primarily oriented toward pupils and only secondarily to the needs of teachers as employees. While the needs of the staff, students and community do not have to be in conflict, there is also no assurance that they will be congruent. Where conflict does exist, it should be the function of the administration to mediate or resolve the conflict. The organization of the staff may provide a valuable check against

excessive community power in this process. It may also generate excessive teacher power with an equally dangerous potential for distortion in the educational process.

Adaptability and Change

Collective bargaining as practiced in the private sector is, in the final analysis, an essentially conservative process which confirms and adapts to the status quo. Unions tend to resist or seek compensation for changes proposed or instituted by management in the interests of efficiency; innovation and change are often perceived as threats to stability and security.

It is perhaps somewhat premature to speculate as to whether or not collective bargaining will play a similarly "conservative" role in public education. At the same time, such speculation may be valuable. For instance, unless some dramatic improvement occurs in the school finance picture, the rising costs of education—including teacher salaries—imply that some form of technological change may be inevitable. And, the increasing apathy or hostility of communities toward public school systems—particularly in the largest cities —implies that some structural changes such as decentralization may be necessary or inevitable. Under conditions such as these, it is important to attempt to predict what impact collective bargaining will have on the ability of school districts to undertake change.

Research Methodology

The five broad research problems outlined above will be discussed on the basis of the experience with collective bargaining in twenty-two school districts. The districts studied were:

1) Champaign, Illinois [NEA]
2) Chicago, Illinois [AFT]
3) Cicero, Illinois [AFT]
4) Dearborn, Michigan [AFT]
5) Detroit, Michigan [AFT]
6) East St. Louis, Illinois [AFT]

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7) Eau Claire, Wisconsin [AFT]

8) Howell, Michigan [NEA]

9) Inglewood, California [NEA]

10) Janesville, Wisconsin [NEA]

11) Lansing, Michigan [NEA]

12) Leyden Township, Illinois [AFT]

13) Los Angeles, California [Dual]

14) Milwaukee, Wisconsin [NEA]

15) New York, New York [AFT]

16) Pawtucket, Rhode Island [AFT]

17) Proviso, Illinois [AFT]

18) San Diego, California [NEA]

19) Stratford, Connecticut [NEA]

20) Warren, Michigan [NEA]

21) Winona, Minnesota [Dual]

22) York-Willowbrook, Illinois [AFT]

Selection of the Sample

The choice of these districts was dictated by a number of considerations. The basic criteria used in the selection of the sample were as follows:

1) structure of the relationship;

2) age or stage of development of the relationship;

3) teacher organization[s] involved;

4) size of the system and nature of the community;

5) state policy regarding collective bargaining in the schools.

In addition, an attempt was made to include relationships to which the NEA and AFT attached significance or prominence.

Original contact was made with most of the districts during the 1964-65 school year. In most cases, the teacher organizations welcomed study and cooperated with enthusiasm. School management was far more reserved in its reactions but did cooperate fully, in most cases. In a few instances where management did refuse to participate actively in the study, primary reliance had to be placed on the teacher organization and informal contacts with management personnel.

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An analysis of the status and structure of the relationships originally selected for study indicated that the sample did provide an adequate cross-section of teacher organization-school board relationships in 1964-65. The relationships ranged from informal consultation to full-scale bargaining. The oldest of the relationships dated from 1944; the youngest from 1964. Most of the relationships had evolved slowly without benefit of public policy support, although a few developed as a result of the early Wisconsin legislation. The full-scale bargaining relationships found in the sample were, however, new and immature, with few exceptions.

In order to compensate for the scarcity of mature bargaining relationships, it was decided to undertake longitudinal study of some of the more advanced and rapidly developing relationships. For this purpose, the following districts were singled out for intensive study over a period of time encompassing several sets of negotiations:

1) Detroit, Michigan [AFT]
2) Eau Claire, Wisconsin [AFT]
3) East St. Louis, Illinois [AFT]
4) Los Angeles, California [Dual]
5) Milwaukee, Wisconsin [NEA]
6) New York, New York [AFT]
7) Warren, Michigan [NEA]
8) Winona, Minnesota [Dual]

During the time in which these longitudinal studies were being conducted, significant changes were taking place in public policy. Several states enacted legislation supporting the rights of public school teachers to bargain collectively. These changes in public policy gave rise to a complete new generation of full-scale bargaining relationships whose origins were "revolutionary" rather than evolutionary. In order to gain some insight into this type of situation, two other relationships were added to those studied intensively over time:

1) Lansing, Michigan [NEA]
2) Stratford, Connecticut [NEA]

The districts studied do not represent a scientific sample of either all school districts in the United States or all school districts in which collective bargaining is currently being practiced. Limitations on time and money forced some reliance on publicity and geography as a basis for the selection. At the same time, however, it was possible to achieve significant dispersion within the sample in terms of the size of system, nature of the community and state of public policy. Both the larger sample and the sub-sample include large urban systems, medium-size suburban systems and small rural systems. The public policy environment of the districts studied ranged from at least neutral (Illinois) to the supportive (Wisconsin, Michigan). Furthermore, there is no evidence that these districts shared any common pathological problems which would set them apart from other districts. As current developments indicate, districts in the sample cannot be considered atypical in that bargaining appeared at all in the districts, but only perhaps in that bargaining appeared relatively early in the history of local district collective negotiations in education.

Conduct of Field Research

In each of the districts studied, much emphasis was placed on interviews with individuals most heavily involved in the interaction between the teacher organization and school management. Thus, in most districts an attempt was made to interview the following persons:

1) past and current presidents of the teacher organization;

2) members of the teachers' bargaining committee;

3) members of the board of education, particularly those who had played the most active role in negotiations;

4) the superintendent of schools and his immediate staff, including bargaining specialists.

In addition, if outside parties were involved in bargaining, as in the case of an impasse, an attempt was made to interview the outside party. This was particularly important where the outside party made no formal written recommendations for settlement of the dispute.

Interviews were not conducted on a standardized basis. Interviewees were encouraged to give their views on what had happened in negotiations in the past

and on developments which could be expected in the future. In all cases, an attempt was made to avoid any expression of explicit or implicit value judgments by the interviewer with respect to the decisions made by the parties. This was, in some cases, a difficult posture to maintain as inexperienced participants in bargaining clearly sought approval of their actions or advice on future strategies.

These accounts of developments thus elicited were supplemented by a series of specific questions raised by the interviewers. These questions were based on a formal interview guide and were designed to insure that comparable information was secured in all districts. The common information sought included the following:

1) the current structure of negotiations;
2) the previous structure of interaction between the teacher organization and the board;
3) the forces responsible for any change in structure and the process by which that change was accomplished;
4) the primary conflict issues in negotiations and the way in which they were resolved;
5) the way in which both sides sought to defend their positions and exercise power;
6) the impact of bargaining and the exercise of power by either or both sides on the settlement of conflict issues;
7) probable future areas of conflict and approaches to conflict resolution.

These individual accounts of the history, conduct, outcome and impact of bargaining were supplemented in several ways. First, any written documents associated with the bargaining process were reviewed. Such documents included:

1) lists of formal teacher demands;
2) formal responses by school management;
3) minutes of negotiation sessions;
4) press releases and internal communications on both sides.

Second, any written recommendations made by a third party for settlement of

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a dispute were read and analyzed. Third, grievance cases and arbitration briefs and decisions were read, where available. Finally, an attempt was made to gain access to actual negotiation sessions. Although these attempts were generally unsuccessful, the interviewers were able to monitor such sessions in a limited number of districts.

In all cases, an attempt was also made to secure outside views of the bargaining relationship and its impact on the system from sources not privy to the bargaining process. At a minimum, this involved review and analysis of press coverage of negotiations. This was augmented, where possible, by interviews with the following individuals:

1) building principals;

2) board members not actively involved in negotiations;

3) representatives of parent and other interest groups;

4) representatives of city government.

The function of these interviews was to provide a check on the perceptions of those most intimately involved in negotiations as to the impact of the process on the system. In most cases, there was little significant difference between the perceptions of those inside the organization and those outside in this respect. There were, however, some cases in which interesting differences did emerge.

The data collected through these means were organized in a series of case studies. These studies were organized on a chronological basis and focused on four specific topics:

1) the history of the relationship prior to the advent of the current relationship;

2) developments under the current relationship;

3) the impact of the relationship on decisions as viewed by the parties and the community-at-large;

4) predictions as to the probable future course of the relationship.

It is these individual case studies which provide the raw material for this work.

Presentation of the Data

The data on the experience with bargaining in these twenty-two districts will be presented on a cross-sectional basis. No attempt will be made to present entire case studies or to provide detailed information on the experience in each of the districts studied. Instead, the highlights of the experiences in the districts with respect to the questions raised earlier will be presented as examples of what has occurred in collective bargaining relationships in public education.

This approach was selected for two reasons. First, the detail of the experience with collective bargaining in over twenty school districts would have filled many hundreds of pages. In order to make a coherent presentation of the case studies, some significant selection of material would have been required. The nature of this selection would not have been markedly different from that which underlies the approach chosen. Second, the requirement that anonymity be preserved would have meant that much of the most interesting and significant detail of the case studies be omitted. It was judged that this emasculation of the cases would render them far less valuable than if they were used as a source for careful selection of information to be presented on an anonymous basis in a cross-sectional analysis.

This approach inevitably places much power in the hands of those selecting the information from the case studies. Hopefully, in this case, that power has been used with discretion.

Each of the following chapters will deal with one of the research problems set forth above. Chapter II will be devoted to the impact of collective bargaining on the nature of the interaction between school management and the representatives of teachers. Chapter III will deal with the impact of collective bargaining on educational policies and programs. Chapters IV and V will be directed to an analysis of the impact of bargaining on the allocation of financial and human resources within the system (save for one major deployment problem in the large cities which is of such significance it is discussed in the "policy" chapter). Finally, Chapter VI will deal with the future of collective negotiations in education and with the probable impact of bargaining on the ability of school systems to adapt to change.

II. THE DYNAMICS OF BARGAINING

The appearance of collective bargaining relationships in local school districts represents the transfer of a well-established and understood decision-making device to a new environment. It is possible, however, that the transfer has not been and will not be complete. The public and professional dimensions of the employment relationship in school systems may have a significant impact on the nature of the collective bargaining process.

It is the purpose of this chapter to consider the extent to which such an impact has occurred and/or can be expected to occur. The framework for this undertaking will be the history and current status of the collective bargaining process in the private sector.

Experience in the Private Sector

Collective bargaining as practiced in the private sector is not a simple or static phenomenon. There is significant diversity among individual relationships with respect to the conduct of bargaining. This diversity can be traced to two factors:

1) differences in the age and stage of development of relationships;

2) differences in the circumstances surrounding relationships.

The first of these factors recognizes the fact that the nature of the bargaining process changes over time in individual relationships and implies the existence of an evolutionary element in the practice of bargaining. The second of these factors recognizes the fact that diversity exists among relationships of the same age and implies the existence of an adaptive element in the practice of bargaining.

For analytic purposes, it is sufficient to identify three broad, but reasonably distinct, approaches to collective bargaining. The first is "crisis bargaining" which represents an extreme form of distributive bargaining centered ex-

clusively on the exercise of power. The second is "game playing" which involves compromise by both sides in an effort to minimize costs associated with the threat of the exercise of power. The third is "problem solving" which represents integrative bargaining based largely on reason, rather than power.

Crisis Bargaining

The essence of crisis bargaining is a refusal to compromise prior to the exercise of power at the impasse stage. The primary characteristics of this approach are:

1) an early public commitment to a formal position;
2) a refusal to compromise on even minor issues of substance or procedure;
3) public debate over issues rather than private negotiation in search of agreement;
4) repeated threats to exercise power if the opposing party will not concede.

Crisis bargaining, in this sense, appears frequently in new relationships. There are two forces which determine the appearance of crisis bargaining:

1) the extent to which the parties to such relationships are likely to perceive conflict and compromise as involving institutional survival;
2) the extent to which the parties are likely to fail to perceive significant costs as being associated with a test of power.

A union is a political institution which must satisfy the needs of its membership in order to survive. This implies that it can only accept compromise at the bargaining table to the extent that its members are willing to accept compromise or to the extent that the leadership of the union is willing to risk alienation of its constituents. Both of these bases for compromise are often lacking prior to a strike in a new relationship. The establishment of a collective bargaining relationship is often perceived by employees as providing them with a basis for the immediate redress of all past grievances and frustrations. This perception is encouraged by the nature and extent of the promises generally made by a union in the course of an organizing campaign and by the acquisition of group power. It results in strong pressure on the union to achieve all bargaining de-

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mands, pressure which the union leadership cannot easily ignore. The probable existence of one or more of the following conditions in a new relationship make the risks associated with alienating members prohibitive:

1) the existence or persistence of a rival union;

2) the existence of a rival leadership faction and the absence of an effective political organization with which to fight this faction;

3) the existence of a large body of employees who are not committed to the union and who must be won over.

Management is an economic institution. It will, therefore, accept compromise at the bargaining table to the extent that it perceives greater costs as being associated with a failure to compromise than with compromise. In a new relationship, management is likely to overestimate the costs associated with compromise and underestimate those associated with a failure to compromise. The establishment of a collective bargaining relationship is generally perceived by management as constituting a threat to its ability to control the enterprise and, hence, to the survival of the enterprise. This perception is encouraged by the nature of the union's campaign promises and initial bargaining demands. It results in a highly defensive strategy based on a desire to protect the firm from the long run economic implications of joint decision-making and to preserve management prerogatives. The only offset to such a strategy is the short run economic costs associated with a failure to reach agreement—the costs of a strike. A management which is inexperienced in bargaining is likely to underestimate these costs by 1) underestimating the willingness of employees to exercise their power and 2) overestimating the extent to which consumers are willing to accept short run inconvenience in the interests of long run efficiency.

Under these conditions, it is not surprising that impasses and strikes often occur in the first set of negotiations following recognition of a union. This was particularly true early in the history of collective bargaining in the private sector. Crisis bargaining has not, however, persisted. The costs associated with repeated recourse to the strike require a modification of views of conflict and power and an acceptance of the need for compromise by both parties to a bargaining relationship.

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Crisis bargaining is not, thus, a stable approach to a negotiations relationship. In general, it tends to give way to game playing based on the threat of the exercise of power rather than on the exercise of power itself. The exceptions to this trend arise only where the costs of a failure to reach agreement are insignificant for one or both parties. This has proven to be the case under the following conditions:

1) one party enjoys and can maintain a clear power advantage over the other, usually as a function of the structure of the relationship, with respect to the structure of the product market;

2) both parties are relieved of the costs of a failure to reach agreement by substitution of a formal impasse resolution procedure for the strike.

Game Playing

The essence of game playing is a series of compromises by both sides which are designed to minimize costs. The form taken by this process is the "bid and ask" or auction approach to decision-making. The basis of the process is the economic power inherent in the implicit or explicit threat to resort to the strike if agreement cannot be reached. The primary characteristics of this approach are:

1) a willingness on the part of management to make those concessions which are of great political value to the union but have little economic cost for the company;

2) a willingness on the part of the union to drop those of its demands which have the greatest economic costs but relatively little political value;

3) a withholding of major concessions by both sides until the last minute when they can be justified by the strike threat associated with a bargaining deadline.

This type of approach to collective bargaining has replaced crisis bargaining in most relationships and is, at this point in time, the most prevalent form of bargaining in the private sector. There are two factors which account for this:

1) managements and unions have been forced to recognize a long run

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mutual dependence through acceptance of collective bargaining as a permanent process;

2) game playing frequently provides an adequate basis for satisfying both the political needs of a union and the economic needs of a management.

As a political institution, a union must articulate, defend, and, in the final analysis, satisfy the expectations of its members. To do so, it must either be able to force management to accede to those expectations or be able to limit those expectations to that which management can reasonably be expected to concede. Game playing facilitates the latter approach to satisfying members' expectations in two ways. First, it permits the leadership of the union to fulfill the behavioral expectations focused on it by constituents and, thereby, gain the legitimacy required to take an active role in limiting or shaping expectations. Second, it permits the union leader to substitute when necessary the psychological satisfaction of "victories over management" for the economic satisfaction of fulfillment of substantive expectations.

Management has an economic incentive to participate in this process. This incentive comes from the fact that the exercise of economic power by employees is inevitable unless their expectations can be met. It is this incentive which makes management accept and play the role of adversary as required by the union despite the fact that it may be distasteful to have to resist all demands, reasonable and unreasonable, and to make concessions only grudgingly.

Game playing and the economic and political utility matching which underlie it do not insure that agreement will be reached. The threat of the strike may not prove sufficiently ominous to provide the basis for a reconciliation of management goals and worker expectations. There are limits on the extent to which psychological satisfaction can be substituted for substantive gain and a strike may be the only way to induce workers or management to revise expectation to a sufficient degree to permit settlement. Thus, the strike weapon continues to be required and used in the bargaining process.

There is some evidence that forces are at work which may undermine the appropriateness and acceptability of game playing as an approach to collective

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bargaining and lead to the substitution of problem-solving for game playing. In recent years, increasing criticism has been directed against the game approach on two grounds. First, it has been argued that politically and economically motivated compromises are an inappropriate way to settle complex and technical bargaining issues. Second, it has been asserted that the costs of the strike may often be unacceptable in our highly interdependent economy.

Problem Solving

The essence of problem solving is a rational approach to questions rather than an adversary approach to issues. In the context of collective bargaining, the primary characteristics of this approach are:

1) year-round or continuous bargaining in order to avoid deadlines;
2) issue-by-issue bargaining in an effort to limit trade-offs in favor of rational solutions;
3) use of sub-committees and outside consultants in an effort to maximize the rational inputs into the decision-making process.

This approach to collective bargaining has been tried in a few individual relationships. In most cases, the adoption of this approach can be traced to either an economic crisis in the firm or political pressure from outside the relationship. In general, the attempt has worked well only so long as the crisis persisted or the pressure was maintained. The basic reason for this is the fact that it is difficult for a union and a management to abandon their adversary roles given the existence of basic economic conflict and group economic power.

As a political institution, a union cannot change its view of management as an adversary, accept management's goals as legitimate constraints in decision-making and engage in free and open discussion until its constituents do. The existence of basic economic conflict between workers and their employer makes it unlikely that workers will change their view of management. The possession of economic power by employees makes it unnecessary for them to change their view or to accept a rational approach to decision-making. If a union attempts to ignore these forces and lead its members to accept a rational approach to decision-making, it loses its representative value in the eyes of its membership and is likely to be suspected of collusion with management.

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It is equally difficult for management to abandon its adversary view of collective bargaining. A problem solving approach to decision-making requires full disclosure of all relevant information. At a minimum, such disclosure subjects management to "second-guessing" and criticism by the union. At a maximum, it serves to involve the union in a broader range of management decisions and thereby threatens management prerogatives. This threat is difficult to ignore, particularly when workers do enjoy economic power over the firm.

Thus, problem solving, like crisis bargaining, has not proven to be a stable bargaining strategy. Forces exist on both sides of the relationship which tend to push the parties to adopt or return to a game approach in order to satisfy political and economic needs.

Experience in Public Education

The private sector experience with collective bargaining prompts the following questions regarding the practice of bargaining in public education:

1) Does crisis bargaining tend to appear at the outset of a bargaining relationship? Is the first contract the most difficult to negotiate?

2) Does crisis bargaining persist where it appears or are there sufficient economic or political costs for both sides associated with crisis bargaining to lead the parties to abandon it?

3) Does game playing tend to replace crisis bargaining? Are school boards and teachers learning to accept bargaining as a compromise oriented process?

4) Is there a visible trend toward problem solving as a reflection of the professional and public dimensions of the employment relationship?

5) Is problem solving a stable strategy in education bargaining or do political forces exist which make it untenable?

These questions provide the framework for the analysis of the bargaining experiences in the districts studied.

The Early Stages

The emergence of collective bargaining relationships in public education differs markedly from experience in the private sector. For the most part, the

appearance of widespread collective bargaining in the private sector was a quite sudden substitution of group action for individual bargaining. The basis for the new practices was a change in public policy in the form of the passage of the Wagner Act in 1935. The appearance of collective bargaining in local school districts has been, to a far greater extent, an evolutionary or adaptive process involving modification of informal systems of teacher representation through an organization. The major modification of traditional procedures in education is designation of an exclusive representative, not recognition of the employee organization. The only exceptions in the sample were those few districts in which collective bargaining relationships had appeared prior to the end of World War II.

In the districts studied, three patterns can be identified with respect to the basis for conversion of informal representation to formal collective bargaining:

1) spontaneous reaction to salary increases achieved through informal representation;

2) organizational reactions to changes in the policies of the National Education Association;

3) institutional reaction to a change in public policy at the state level.

Most of the collective bargaining relationships which appeared prior to the 1962-63 school year in the districts studied were the result of a reaction by teachers to unilaterally determined salary schedules. In these cases, it appears that organization, most often in the form of union membership, was the result of significant and continuing conflict between teachers and the community over total support of education. Where boards of education were closely allied with the tax-conscious community, organization and achievement of bargaining rights were accompanied by open conflict. Where the board and administration were not extremely sensitive to community views, collective bargaining was accepted without conflict.

The change in the NEA's policy regarding local negotiations made in 1962 was a major factor in the appearance of a number of bargaining relationships between the 1962-63 school year and the 1964-65 school year. As a result of

this policy change and the competition between the NEA and the AFT, a number of superintendents and local associations suggested adoption by boards of education of formal policies on "professional negotiations." In a large number of districts, boards of education accepted these suggestions, generally on the assumption that they involved little more than formalization of existing procedures. It was this type of action which appears to have been responsible for a large number of the early "professional negotiation agreements" claimed by the NEA.

Since the end of the 1964-65 school year, an increasing number of states have followed the example of Wisconsin and adopted legislation supporting the rights of public school teachers to bargain collectively. The passage of such legislation, supported by the continued competition between the NEA and the AFT has proven to be an important causal factor in the establishment of collective bargaining relationships. In effect, it has substituted legal support for both spontaneous reaction and rational power as the basis for organization and collective bargaining. It is this force which underlies the appearance of collective bargaining in very recent years in some of the sample of districts studied and which will undoubtedly be a major causal factor in the appearance of bargaining relationships in the immediate future.

The experience in the districts studied indicates that the nature of the origin of a bargaining relationship has a significant impact on the development of the relationship. In general, the emergence of collective bargaining in response to a sudden change in public policy results in the same drastic experiences as was the case in the private sector. It tends to generate the greatest short-run change in the perceptions of teachers as to their power in the decision-making process. The appearance of bargaining under the impact of shifts in organizational policy is an adaptive process. It does not induce an immediate change in teachers' perception of their own power because of the link between the new procedures and the old process. The emergence of collective bargaining under the pressure of a spontaneous reaction, particularly where the board of education does not resist, is the most evolutionary process. Under this set of circumstances, there appears to be no immediate shift to an adversary view

of the decision-making process and, hence, no perceived need for group power.

When allowance is made for these differences in origin and the concomitant differences in rate of development, new collective bargaining relationships in public education share a number of characteristics with similar relationships in the private sector. Predominant among these characteristics are:

1) a preoccupation with procedure as opposed to substance;

2) a concern with the structure of representation in negotiations;

3) a failure to appreciate bargaining as a compromise-oriented process;

4) a high incidence of impasses in negotiations;

5) a reaction against reliance on power as the basis for dispute settlement after an initial experience.

The advent of true collective bargaining in public education has been accompanied by a strong preoccupation with procedures. This concern has been manifested in the following ways:

1) elaborate board of education policies on the conduct of negotiations;

2) devotion of up to one year in some districts to the development of mutually acceptable rules for negotiations;

3) strong emphasis on procedure rather than substance in early agreements.

This same concern with procedure was found in the private sector with the advent of collective bargaining. It has, however, been carried somewhat further in public education for two reasons. The first is the need to differentiate bargaining from the earlier representational activities of teacher organizations. The second is the existence of, in effect, a dual management which provides a professionally and legally sanctioned basis for an internal appeal in cases of disagreement.

This concern with procedure in local school districts has extended to about the same range of topics as it did in the private sector. Two topics have, however, taken on far greater practical significance in education than they did in the private sector—rights of minority organizations and communication between management and employees. Both issues reflect the difficulty encountered by a

teacher organization in achieving the status of a true exclusive representative given: 1) the public status of the employer; and 2) the persistence of minority organizations on the basis of other services provided. This difficulty leads the organization to seek monopoly power over all communications between teachers and management in order to protect and enhance its status. This search for monopoly power has been manifested in the following ways:

1) restriction of the right of minority organizations to use school facilities to communicate with teachers;

2) limitations on the rights of minority organizations to make presentations to the board or to participate in the processing of grievances;

3) limitations on the right of the board or administration to consult with minority organizations;

4) objections to unilateral management announcements of changes in working conditions or benefits even where those conditions or benefits are not the subject of bargaining and the changes are not the result of organization effort.

Paralleling the concern with procedure has been a concern with the structure of negotiations. For the most part, this concern has been focused on management's representation at the bargaining table. Teacher organizations, like unions in the private sector, have demanded the right of access to those who enjoy decision-making power. Under law, it is the board of education which enjoys such power and teacher organizations have generally sought direct board involvement in negotiations, at least at the impasse stage. Generally, boards of education have not resisted this pressure. In an effort to retain authority they have assumed some degree of direct responsibility for the conduct of negotiations. This is in marked contrast with early experience in the private sector where management sought to retain control by delegating the responsibility for negotiations, while retaining the authority to make final decisions.

This type of management representation has served to shift a great deal of practical decision-making power to the top of the management structure. In some cases, this shift is at the expense of the superintendent. More often, it has come at the expense of the school principal whose discretion is eroded by the central

policy decisions required in negotiations. The result is resentment and disaffection among principals of a type which can lead and has led to organization and demands for bargaining rights. This reaction to the centralization of decision-making in response to the crisis of collective bargaining has exact parallels in early private sector experience.

There is some similar centralization of decision-making on the teacher side of the relationship. Collective bargaining requires to an extent the temporary suspension of democratic decision-making. It also requires that the interests of the minority be sacrificed to those of the majority and, specifically, the more militant and politically active segments of the majority. A democratically elected negotiating committee and ratification procedures do not necessarily insure that all segments of the staff will be adequately represented as indicated by the following two examples:

1) An elected seven-man committee composed of three members of one organization and four members of a rival organization selected a four-man negotiating committee composed only of members of the majority organization.

2) The recommendations of a third party for settlement of a dispute were rejected by teachers by a vote of 247 to 5 in a district where over 700 teachers were members of the organization.

Once negotiations over substantive employment issues began in new relationships, they often assumed the character of a debate. It appears that both boards of education and teachers initially viewed bargaining as an extension of earlier forms of teacher participation based essentially on persuasion and reason rather than as a compromise-oriented process of power accommodation. These views led both sides to support and defend their positions on rational grounds and to attempt to reconcile differences by establishing what was "right."

The parties were encouraged to take such a rational approach to issues by their perceptions of the balance of decision-making power under collective bargaining. In general, boards of education did not recognize that bargaining implied a shift of power to teachers and a practical limitation on the legal power to make policy decisions. Teachers, however, overestimated the extent to which they ac-

quired power by virtue of the establishment of a collective bargaining relationship. They appear to have viewed bargaining as requiring the board to accept their logic just as earlier forms of participation had required them to accept the board's logic. The rational approach to issues failed to produce agreement in most cases due to the nature of the issues involved. In new relationships, salaries have been the primary or only focus of serious bargaining largely because it is easy for the teacher organization to develop a consensus in this area among teachers and to secure agreement from management that the issue is negotiable. Conflict in this area has tended to center on other than practical questions and, hence, has not been easily amenable to compromise solution. Teachers have asserted that salaries be set on the basis of absolute equity and demanded that the community be required to support such salaries. Boards of education have asserted that salaries should be set within the limits set by the resources made available by the community, i.e., on a relative or residual basis rather than an "absolute" or first priority basis. Conflict thus came to involve debate over the question of whether teachers would be called upon to "subsidize" the system or whether the community would be called upon to "subsidize" the teachers.

When the salary issues are framed in these terms, the entire political constituency of both parties becomes involved. This makes it extremely difficult for either side to accept the other's logic and to compromise. The more insistent either party becomes, the more resistant is the other likely to become. The result is often the appearance of open interpersonal hostility and acrimony which can and has left the participants in the process with bitter feelings as long as two years after the negotiations. This is particularly likely to be the case where the leadership of the teacher organization faces a political challenge from either a rival organization or from an internal faction. It is also most likely to occur where board members are politically insecure.

In most districts, the debate ends in an impasse when persuasion fails to produce capitulation by the opposite party, and either or both sides turn to the exercise of power. On the board of education side of the relationship this involves the making of a unilateral decision in accordance with the earlier model

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of teacher participation and decision-making. On the teacher organization side of the relationship, this involves recourse to an impasse resolution procedure, where available, or the threat or exercise of economic power in an effort to secure either the involvement of a third party or a resumption of negotiations. In either case, the result is community involvement, and the substitution of political power for rational persuasion in the resolution of conflict.

Experience with community involvement has led one or both parties to advocate a withdrawal from such involvement and to attempt to avoid future crises in negotiations. The location and strength of this interest in abandoning crisis bargaining is a function of the balance of the political costs incurred in the resolution of the initial dispute. In those communities in which the public rejected the positions of both sides, both parties expressed an interest in private settlement of conflict. Public rejection in these situations appears to have reconfirmed the perceptions of both parties that the community did not share either of their views and commitments to education and was, therefore, a hostile or indifferent arbitrator of conflict. Where either party was able to persuade or coerce the community in the course of impasse resolution, the withdrawal from crisis bargaining was unilateral rather than bilateral. The successful party expressed no interest in changing its approach to negotiations; the opposing party, however, expressed a definite interest in withdrawing from public involvement. Where teachers were successful in forcing concessions from the community through the exercise of economic power, the boards of education involved were likely to advocate substitution of a private rationally-based impasse resolution procedure for the use of economic power. Where the board was successful in forcing concessions from the community through a unilateral decision supported by the economic or political power of teachers, the teacher organization might "withdraw" from the public through a two-year agreement in order to avoid alienating the community by appearing too unreasonable and demanding.

The experience in new relationships in public education parallels quite closely that in the private. Crisis bargaining does tend to appear at the outset of the bargaining relationship. In most cases, it produced an impasse in the first set of full-scale negotiations and required the parties to test their power

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against one another. The first agreement is thus a major undertaking. Once it has been achieved, there is some evidence of a desire on the part of one or both parties to modify the process in order to avoid crises and the public involvement they entail. Although crisis bargaining may persist for several sets of negotiations where an imbalance of power exists, adverse community reaction to a series of crises and the accompanying "plague on both your houses" attitude imply that crisis bargaining cannot continue indefinitely.

The Intermediate Stages

The experience in the districts indicates that once the parties to a bargaining relationship have had experience with negotiations as a process of power accommodation they tend to modify their bargaining strategies, in order to reduce the probability that a test of power will be necessary. The speed with which this change occurs depends on the level and balance of the costs associated with a failure to agree experienced by the parties in previous tests of power. In general, the change involves acceptance of bargaining as a compromise-oriented process. Specifically, this change is associated with the following types of developments:

1) simplification of procedures;
2) change in bargaining structure;
3) acceptance of bargaining as a game;
4) a reduction in the number or frequency of impasses;
5) appearance of concern with the impact of bargaining on the efficiency rather than basic control of the system.

Experience with collective bargaining leads the parties to abandon elaborate and formal rules and procedures in favor of a more flexible approach to negotiations. Decisions as to the conduct of the actual negotiations are increasingly made on an ad hoc basis in the course of bargaining rather than in advance of negotiations. This is a reflection of the recognition by both parties that the ability to carry out a strategy requires flexibility. Thus, once formal rules have served their initial function of insuring that negotiations take place, they become a handicap and are discarded or ignored.

Experience with bargaining also leads to some fairly consistent changes

in bargaining procedures. In general, the time period allowed for negotiations prior to externally-imposed deadlines such as school closing or opening or budget submission is expanded. This is a result of recognition that negotiations are a time-consuming process which must be integrated into other decision-making processes. These same factors also lead the parties, and particularly management, to settle all issues in contract negotiations and to preclude bargaining during the life of the contract. Finally there is a marked tendency for the parties to avoid or severely limit any public involvement in the negotiation process. This is a reflection of the recognition that compromise is difficult, if not impossible, when a party becomes publicly identified with a specific position. Thus, in more mature relationships, the press is excluded from negotiation sessions and all press releases are jointly developed and issued.

Experience with negotiations also produces significant changes in the structure of negotiations. In general, these changes involve a greater degree of delegation of authority and responsibility for decision-making through bargaining by the board and the teaching staff. The result is a reduction in the size of negotiating committees with a consequent increase in their efficiency as decision-makers.

There appears to be a clear tendency for boards of education to withdraw from an active role in the conduct of negotiations over time. In some cases, this withdrawal reflects a desire by the board to retain and protect its legal authority to make final policy decisions. In most cases, however, it is a response to the increase in time and technical competence required to conduct negotiations as the scope of bargaining expands over time. The burden of negotiations is shifted to one of the following:

1) a committee of the board;
2) the superintendent;
3) an experienced specialist in labor relations.

The larger the system and the broader the scope of bargaining, the more likely it is that a professional negotiator will be used. There is, however, evidence of increasing use of such personnel in districts of all sizes as negotiations become more complex.

This change in the structure of management representation creates significant communication and ratification problems. The negotiators must be aware of the limits to which the full board of education will go to achieve an agreement and must, if necessary, be able to influence those limits. This requires not only good communication with the board regarding specific issues but also the ability to predict the board's reaction to the settlement of an entire package of issues. Given political diversity among the members of the board, it is possible that a majority of the board will approve each settlement of a specific issue but reject the total agreement containing those settlements. Problems of this type have arisen in a number of the districts studied.

Comparable changes in structure and representation take place on the teacher side of the relationship. Experience with bargaining has generally led the leaders of local teacher organizations to realize that the demands of negotiations are inconsistent with the tradition of part-time leadership and constitutional succession. Once outside assistance and support is withdrawn, usually after the first agreement is negotiated, strong pressure exists for full-time, permanent bargaining leadership. This pressure has produced the following types of changes in organizational structure:

1) placing the presidency on a full-time paid basis;
2) hiring a full-time executive secretary;
3) rotation of bargaining committee assignments among a limited number of persons;
4) expansion of bargaining committees to insure a supply of experienced teachers.

These types of changes, particularly when coupled with use of a single spokesman in negotiations, run counter to the democratic traditions of most teacher organizations. This can produce political unrest among the membership and foster factionalism. Both of these developments can and have had unsettling effects on bargaining relationships by forcing leaders of teacher organizations to be sensitive to all member demands and by complicating the ratification process.

Acceptance of collective bargaining as a compromise-oriented process is

based on the recognition by both parties that they cannot easily impose their will on the other party. This implies acceptance of the expectations of one party's constituents as a legitimate and significant limiting factor in the decision-making process. Given this view, the function of bargaining is to provide a basis for modifying the expectations of the constituents of both parties to the point where an agreement is possible. As is the case in the private sector, the parties to collective bargaining relationships in public education have found that the game approach to bargaining is useful in this process.

There is clear evidence in the districts studied that the leaders of teacher organizations and members of school management have become aware, through experience, of the necessity for limiting and managing the expectations of constituent groups. Both parties to most advanced relationships have begun to make conscious efforts to: 1) prevent the formation of high and specific expectations on the part of their own constituents and lead those constituents to expect compromise; and to 2) facilitate the acceptance of compromise by the constituents of the other party.

In many districts, experience with bargaining has led boards of education and/or superintendents to intensify their "educational" efforts designed to convince the community, the local fiscal authority or the state legislature that the system requires additional resources to operate effectively. These attempts at rational persuasion can be and have been supplemented by reference to the requirements of collective bargaining and the possession of the power by teachers, as a group, to disrupt the system. The role of the teacher organization in this process varies greatly among districts. In some cases, the organizations play an extremely active role in attempting to persuade the community to increase its support of public education. In other districts they play virtually no role in this process for one of two reasons:

1) fear of being bound by the results of the appeal in bargaining;

2) fear of alienating the community, since teachers are a prime beneficiary of any increase in support, given the existence of collective bargaining.

On the teacher organization side of relationships, the efforts of leaders to

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limit member expectations and to keep those expectations flexible have been reflected in changes in their approaches to the formation of bargaining demands. Traditionally, teacher organizations developed their demands or suggestions as follows:

1) solicitation of demands from individual teachers;

2) compilation of those demands in a straightforward list;

3) elaborate documentation of all demands.

This democratic and apparently rational approach served to commit the entire membership to all demands as a matter of right and made compromise difficult. With experience, this approach has been abandoned in favor of a list of general proposals by the leadership of the organization based on a private assessment of majority sentiment. These proposals are then translated into a set of specific "padded" demands by the leadership after ratification by the membership. In general, significant resistance to the "padding" of demands on the grounds that it is "unprofessional" has been encountered within the leadership of organizations. To justify such action, those experienced in bargaining have to invoke the power of the board of education and the sentiments of the community.

Boards of education have also become aware of the need to provide the leaders of a teacher organization with a basis for manipulating members' expectations in the course of bargaining. This can be done in three ways: 1) selective provision of information; 2) consciously permitting the organization to "win" something; and 3) threatening to exercise power against teachers. Despite the fact that all of these can be considered unprofessional or "irrational," they have been used by school management, as indicated in the following examples:

In one district, the superintendent responded to the salary demands of teachers with information showing that to grant those demands, given the resources anticipated by the system, would require a significant increase in class size. The superintendent did not reveal, however, that he had discovered a source of supplementary funds which would make the increase in class size unnecessary.

In one district, the board buried a $40,000 "contingency fund" for negotiations in its budget in order to permit the teacher organization to secure salary increases in excess of the amount formally set aside by the board on a unilateral basis in its budget. The board spent none of the $40,000

prior to declaration of an impasse and never did reveal to the teacher organization the existence of the fund.

In one district, the board developed a plan to put schools on half day sessions and to offer double pay to teachers who would take such sessions in response to a threat by teachers that schools would not open in the fall if a contract had not been signed. The existence and nature of this plan was "leaked" to the teacher organization and to teachers.

To some extent, teacher organizations have also recognized the need to facilitate compromise by management. For the most part, this has been done through a willingness to establish or recognize explicit trade-offs and to drop those demands which are most costly to the board of education or most distasteful to the community-at-large. With the exception of the threat to exercise power or the actual exercise of power, the organizations have done little in a positive sense to change the views of the community, except at the impasse stage. In most districts, the teacher organization has not been willing to take an active part in selling agreements to the local community, largely because this would involve compromise of their adversary role.

In the districts studied, the basis for utility matching by teachers and boards was largely political and/or economic. The following examples are representative of the types of utility matching found in the districts:

In one district, the amount of money set aside by the board of education to finance fully-paid hospital and medical insurance for teachers and their dependents proved inadequate due to an increase in premiums. The teachers suggested and agreed to a deferral of the effective date of the program.

In one district, in which the board of education and community were opposed to an index schedule, teachers agreed to a dollar increment schedule which "reflected a four percent index" in the base.

In one district, teachers agreed not to inform the community of the fact that a disproportionately high share of the district's budget was allocated to administration, if the board would grant the salary increase sought by the organization.

In one district, the teacher organization offered to secure the withdrawal of sanctions if the board would grant an interim increase in salaries before the effective date of the first contract.

These tactical maneuvers by boards of education and teacher organizations do not insure that an agreement can be reached. Impasses continue to

occur as relationships develop and mature and political and economic power continue to be the final arbiters of conflict. There is, however, evidence of an increasing willingness to accept mediation, as opposed to formal fact finding or strike action, as the first step in impasse resolution in an effort to maintain private control over the decision-making process. One primary function of the mediator in such cases appears to be that of providing both parties with a scapegoat for any failure to satisfy the expectations of constituents.

The experience in the districts studied indicates that collective bargaining in local school districts, as in the private sector, tends to become a compromise-oriented process. Experience leads the parties to accept the political necessity of the "bid and ask" form of decision-making and to play the adversary roles required by it. The existence of group power and the persistence of conflict between constituent groups forces the parties to accept power as the ultimate basis for decision-making.

The acceptance of the need to "play the bargaining game" has not, in all cases, been accompanied by acceptance of the desirability of the process. Individual participants in the bargaining process have expressed strong dissatisfaction with their adversary role. Those who are required to operate under collective bargaining agreements have charged that the output of the process is undesirable. They claim that the system is too inflexible in that it does not permit clinical approaches to problems or adequate adaptation to changing circumstance Outside observers have echoed and extended these charges by questioning whethe politically and economically motivated short-run decisions can promote quality education in the long run.

Those who question the desirability and appropriateness of collective bargaining in public education generally advocate change in the process which would increase the rational element in decision-making. Such change may take one of two forms:

1) evolution of collective bargaining into a rationally-based decision-making process;

2) imposition of some new decision-making device as a substitute for collective bargaining based on the exercise of power and the possibility of impasse.

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The need for and desirability of the second of these possibilities may depend on the extent to which the rational component in decision-making through collective bargaining does or does not increase as relationships mature in local school districts.

The "Rational" Approach: Problem Solving

Some districts in the sample studied (occasionally, those with older, more stable relationships) displayed a tendency toward a "reasoned" approach to negotiations marked by a disinclination to exercise political or economic power. This tendency may be reflected in the following ways:

1) avoidance of formal demands and offers in favor of statements of problems;

2) increased reliance on the superintendent or outside parties as consultants in negotiations;

3) consideration of problems or issues on an individual basis, through sub-committees or study groups, as they arise;

4) informal interaction on a continuous basis between the teacher organization and the administrative staff and individual board members.

Two factors appear to play an important role in the emergence of a highly rational approach to bargaining. The first is the absence of overt economic conflict. The second is the absence of significant political and economic power on the teacher organization side of the relationship.

A "rational" approach to bargaining occurred in those districts in which there was no significant and overt economic conflict between teachers and the board of education. The absence of such conflict could be traced to one of two sets of circumstances. In some districts, the board of education held sufficient power over the community to secure adequate and increasing resources. In other districts, neither the board nor the teacher organization enjoyed such power in the short run and were forced to operate within the limits set by available resources in such a way as to induce the community to increase its support of the schools in the long run.

Where adequate resources were available, the teacher organization was deprived of a basis for achieving a strong consensus among teachers which it

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could bring to the bargaining table. Given adequate salary levels and increases, the differences in the values of various groups within the teaching staff become more prominent and intra-organizational conflict tends to become the primary concern of both parties. In this situation, it is advantageous for both school management and the leaders of the teacher organization to identify common goals and to utilize a rational approach to issues based on these goals. Reason provides the most efficient basis for resolving the conflict within the teaching staff.

Where both boards of education and teachers agreed that total support and salary levels were inadequate, a "rational" approach to bargaining emerged if, in addition, teachers felt they lacked the power to force a short run increase in community support. In all such cases, a rational approach was associated with a complete withdrawal by the teacher organization from contact with the community. This withdrawal was a reflection of two factors:

1) hostility between the community and the school system deprived the organization of any basis for the exercise of rational persuasion against the community;

2) teachers were unwilling to risk their job rights in the exercise of economic power against the community.

In this situation, a rational approach to issues is necessary in the short run and advantageous to both parties in the long run. Bilateral agreement based on reason is the best and perhaps the only basis available to the parties for managing the conflict between the community and the school system.

The persistence of these "rational" approaches to bargaining depends, at a minimum, on the continued absence of sharply defined conflict between teachers and school management and stability with regard to the quantum of "teacher power" existent in the situation. Thus, changes in the environment constitute a major threat to the stability of such relationships. Conflict may arise out of any of the following developments:

1) failure on the part of the community to increase its support of education as requested;

2) increased demands on the system in the form of larger enrollments or higher prices for non-teacher salary items in the budget;

3) changes in the nature of the student population or in educational technology;

4) changes in salary levels or working conditions in other districts.

Changes in power of the teacher group can emerge as a result of any of the following:

1) a change in public policy;

2) a change in the political structure of the community;

3) a change in the composition of the teaching staff;

4) a change in the leadership of the teacher organization.

Experience in the districts studied indicates that, in addition to these external forces, there are strong internal forces which can undermine a rational approach to bargaining. These forces stem from the fact that a purely rational approach to issues requires the parties to abandon their adversary roles and, thereby, violate the behavioral expectations focused on them by their constituents. The absence of conflict and recourse to power which is associated with a rational approach can make the process appear more like collusion than bargaining to constituents.

The political problems associated with a rational approach to bargaining are particularly acute on the teacher organization side of the relationship. In several of the districts studied, the very absence of conflict and impasses led some teachers to voice the opinion that collective bargaining was not taking place. In one district, a series of peaceful negotiations conducted on rational grounds served to convince a significant minority of the teaching staff that the organization had not asked for enough. The fact that the board, in this district, had initiated some suggestions for changes in salaries and benefits, as would be expected under a rational approach, simply served to reinforce this perception. In other districts, the teacher organization decided to submit proposals on only those issues on which they knew that the board would not take some action on its own, and not to submit proposals on such items as starting salaries in which the board was bound to make changes. By restricting its activities to true problem areas, the organization reduced its "batting average" in negotiations and found itself facing charges of having settled for too little.

Again, the absence of overt conflict and a test of power served to confirm this perception among teachers.

Somewhat similar problems exist on the board of education side of the relationship. A series of peaceful settlements which involve increased financial demands on the community can lead the community to suspect the board of giving away too much. This type of sentiment has appeared in some districts and has been manifested in the following ways:

1) increasing reluctance on the part of an entire board of education to accept the results of negotiations;

2) increasing resistance on the part of local fiscal authorities to approve school district budget requests;

3) election of board members who promise to take a firmer stand vis-a-vis teachers.

In these districts, board members tend to predict the occurrence of an impasse in negotiations in the near future. In many cases, these board members welcome, rather than dread, the occurrence of an impasse as a means to re-establish favorable board-community relationships.

The experience in the districts studied thus indicates that the political dimensions of bargaining relationships in public education place stringent limits on the extent to which collective bargaining is likely to become a rationally-based decision-making process.

Evidence for this proposition comes specifically, too, from those California districts in which the negotiating council structure has been substituted for full-scale collective bargaining based on exclusive representation. With experience, particularly in the face of economic conflict, three types of changes have tended to appear:

1) development of a consensus among teachers outside of the council to be presented in council meetings;

2) abandonment of issue-by-issue bargaining in favor of grouping issues in order to maximize the potential for the exercise of power by teachers, if necessary;

3) demands to meet directly with the board of education in formal negotiation sessions.

In these cases, the majority or plurality teacher organizations were forced to seek a basis for identifying a consensus among teachers and exerting power in defense of that consensus in order to justify their continued existence.

Summary and Conclusions

There appear to be strong similarities between public education and private industry with respect to the development and practice of collective bargaining. As is the case in the private sector, collective bargaining is, in the long run, an evolutionary and adaptive phenomenon. As is also the case in the private sector, collective bargaining tends to become and remain a compromise-oriented process of power accommodation.

Crisis bargaining and the impasses which it produces are prevalent in the early stages of collective bargaining in school districts. This can be attributed to the same lack of understanding and acceptance of collective bargaining as a decision-making device which produced a similar pattern in the private sector in the 1930's and early 1940's. Specifically, the prevalence of crises can be traced to the following forces:

1) exceptionally high employee expectations;
2) exceptionally strong management concern for its rights and prerogatives;
3) inexperience with the costs associated with reliance on power as the basis for dispute settlement.

As relationships mature, crisis bargaining tends to disappear and to be replaced by the game playing and utility matching which characterizes most private sector bargaining relationships. This development can be attributed to the fact that experience with the exercise of power and the political and/or economic costs associated with that exercise leads both parties to recognize mutual dependence and accept the threat of the exercise of power as a basis for decision-making. This is reflected in two major changes in tactics:

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1) increasing efforts by both parties to limit and manage the expectations of their own constituents;

2) acceptance by each of the parties, but particularly by boards of education, of the need to facilitate the efforts of the other party to limit the expectations of its constituents.

Any tendency for "reason" to replace political and economic power as the basis for decision-making in bargaining may reflect either or both of the following forces:

1) rejection of the process or outputs of an adversary approach to decision-making by the community as the "stockholder" of the system;

2) rejection of an adversary approach to decision-making by teachers as practicing professionals as the scope of bargaining expands beyond basic economic issues.

The rate and extent of evolution along these lines is determined by the environment of the relationships. The two primary elements in the environment, in this respect, are the community and the teaching staff.

The community imposes a long run economic constraint on a bargaining relationship. In this respect, it plays the same limiting role in public education as does the product market in the private sector. The more stringent this constraint, i.e., the greater the hostility between a community and its school system, the more inappropriate and ineffective is power as a basis for decision-making and the greater the pressure to accept "reason" as the basis for bargaining.

The teaching staff, as the constituents of the teaching organization impose a short run political constraint on a bargaining relationship. As employees of the system, they impose a long run economic constraint on the relationship. The greater the degree to which teachers perceive basic conflict between themselves and management and/or the community and feel that they possess power which can be exercised in the resolution of this conflict, the less likely it is that "reason" will replace power as the basis for decision-making.

The experience in the districts studied indicates that the nature of these two environmental constraints is such that it is unlikely that collective bargaining can or will serve as a vehicle for decision-making on the basis of "reason" rather than power. There is clear evidence that, at this point in time, the political constraint imposed on a relationship by the teaching staff makes a purely rational approach to decision-making unacceptable and untenable. This has proven to be the case even in relationships where the scope of bargaining has been extended to a wide range of benefits, working conditions and professional issues. There is also evidence that communities are unwilling to accept a purely rational approach to issues where such an approach results in changes in those aspects of the system which are most visible or meaningful to the community, e.g., tax levels, salary levels, staffing patterns, class sizes, extra-curricular activities and physical facilities.

There are two reasons for these limitations on the extent to which "reason" has been and is likely to be substituted for power as the basis for decision-making in bargaining in education:

1) the existence and persistence of conflict between the lay community and teachers over support and control of the educational system;

2) the existence and persistence of teacher power given the social importance and monopoly status of public education.

As political institutions, both a teacher organization and a board of education must articulate and defend the views of their constituents on support and control issues. In so doing, they must utilize power wherever it exists. The monopoly status of public education and the legal concept of lay control go far to insure that such power will exist and be perceived on both sides of the relationship.

The incentive of the parties to articulate and defend the views of their constituents and, hence, to reject a "rational" approach to bargaining is enhanced by the existence of political competition. Thus, the following conditions tend to inhibit the drift toward reason, over time, in collective bargaining relationships:

1) active political competition for school board positions or for control of the board of education;

2) strong political divisions within a board of education;

3) the existence of a rival teacher organization in the local district;

4) the existence of a rival leadership faction within the teacher organization.

The currently intense competition between the AFT and the NEA at the state and national levels represents another, broader limitation on the ability of a teacher organization to accept a purely rational approach to issues.

In the final analysis, it does not appear that collective negotiations in public education will be radically different than collective bargaining in the private sector. The basis of the process will continue to be power. The public monopoly dimension of the employment relationship would seem to require, in theory at least, that it be ultimately political rather than economic power which serves as the basis for decision-making. The professional dimension of the employment relationship does not, however, appear to have required or induced the substitution of reason for power.

III. NEGOTIATIONS AND SCHOOL "POLICY"

School boards and administrators frequently express the fear that formal negotiations in education will divest the community of control over its schools and submerge any opportunity for creative administrative leadership in the inflexible common rule of the collective agreement. And, as if in confirmation, the teacher organizations proudly assert that increased control over basic district policy and a determinative voice in "professional" considerations are two of the primary goals in the drive for negotiations in education. What is the evidence to date?

The Definitional Problem

First, it should be noted that it is exceedingly difficult to distinguish between "educational policy" and "salaries and working conditions" where teacher bargaining is concerned. For instance, it is generally accepted that the salary schedule and teacher benefits are "bargainable" if anything is. However, if raising teacher salaries in a district as a result of bargaining forces a budget reallocation of sums set aside for textbooks, hiring of additional professional personnel, building maintenance, or even new school construction, a decision on school district "policy" is clearly involved and may, indeed, be discussed as such, although all that is ostensibly under consideration is the salary schedule. Or, take for example the problem of teacher transfers. Transfer rules and procedures have long been considered, in both private and public employment, as falling clearly within any reasonable definition of "working conditions." Yet, in our major cities, where schools in lower socio-economic areas have a grossly disproportionate share of the system's inexperienced teachers who are minimally qualified in terms of training and advanced degrees, the problem of fairly and equitably balancing teaching staffs, and thus curtailing the right of transfer by seniority, has become, for large city boards, a

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"policy" issue of great significance. Examples of this kind pointing up the difficulty of distinguishing between "policy" and "working conditions" can be cited endlessly. Similarly, no really satisfying distinction can be made between "policy" matters and many so-called "professional" issues. For instance, basic decisions concerning many aspects of curriculum, methodology, or textbook selection are clearly at one and the same time both "policy" questions for the board or the administration and "professional" concerns of the teaching staff. However, despite overlap and untidiness, it is necessary and possible for purposes of analysis and discussion to establish a rough, somewhat arbitrary category of "policy" and "professional" issues.

It is, of course, true that in many school systems in this country, teachers, through one medium or another, have exercised significant influence over numerous policy and professional questions long before the advent of formal collective negotiation relationships. However, our focus here is the extent to which collective negotiations in the schools has been used as a vehicle for gaining a greater measure of teacher control over or participation in decisions in these areas.

Overall Impact

Our investigations indicate that, as yet, the direct impact of collective negotiations on the board's freedom to set basic policy and on administrative discretion to implement that policy and decide questions involving school or systemwide "professional" judgment is not as great as might be assumed.

The evidence from the districts studied, a survey of substantive collective negotiation agreements from around the country, and awareness of the reality behind many seemingly significant contract clauses have led to the conclusion that there are few cases where negotiations have actually forced a significant shift in basic school district policy on a reluctant, unwilling board, and few examples of a board being blocked from initiating action or change on a basic policy matter solely as a result of teacher power exercised through the negotiation process.* Also, administrative discretion in

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*As we shall see, teacher power exercised in negotiations on salary and other cost items has resulted in significant reassessment of budget priorities

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areas calling for significant exercise of professional judgment, while curbed or modified in certain instances, has rarely been radically altered.

It should be remembered, though, that collective negotiations in education is a quite recent and immature phenomenon, and it must be recognized that there is evidence that the potential clearly exists for the power generated by negotiations to bring about significant changes in the distribution of authority among boards, administrators, and teacher organizations with respect to "policy" and "professional" matters.

As yet, there are relatively few instances where specific, substantive issues which might be considered in the policy or "professional" realm have become the focus of pointed conflict at the bargaining table.[*] However, while bargaining over specific, tangible issues of policy or professional judgment may be rare as yet, bargaining is being used as a vehicle for establishing procedures and structures for interaction assuring teachers[**] a voice in so-called policy and "professional" matters outside and independent of the process of negotiations over the collective agreement. For instance, a number of

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and forced boards to make reallocations with definite policy consequences, at least in the short run. Our focus, presently, however, is on the impact of negotiations in policy areas not directly budget related.

[*] There are exceptions, of course, and dramatic ones at that. The most recent significant instance of a "policy" question providing bargaining table conflict occurred in the fall of 1967 between the New York City Board of Education and the United Federation of Teachers. A key teacher demand in New York was for the extension to more inner city schools of the expensive "saturation services" More Effective Schools program. The board, which had judged that the additional outlay for the MES program had not been justified by the results and that extra sums might better be spent on alternative compensatory educational activities, argued that the issue was clearly an educational policy matter, not appropriate for resolution through collective bargaining. Ultimately, the issue was compromised by establishment of a committee which included parent and community representatives. This important confrontration took place well after the final work on the New York system for this study was completed; thus, a thorough investigation of this issue is not a part of this research.

[**] A distinction should be recognized at this point between "teacher" in a system and the organization representing teachers in the system. Particularly in systems where the exclusive representative organization has far from all of the teachers enrolled, the board and the administration may evidence much desire to assure a continuing voice for teachers who are not in the majority orga-

contracts have provided for committees to be established for a wide variety of research, deliberative and decision-making purposes embracing subjects such as curriculum, methodology, textbook selection, promotion to the principalship, screening and recommendations of candidates for openings at any level in the system (including the superintendency), methods of achieving pupil and teacher integration in the system, pupil discipline, and many more. In some instances the establishment of committees for such purposes has constituted a dramatic departure from past practice. In other cases, the functioning reality behind the exciting contract clause may be anything but impressive. Also, in some cases, clauses which seem to represent significant inroads on a board's traditional, unilateral discretion over "policy" are actually not a source of conflict in negotiations; indeed, in some instances what may appear to be "revolutionary" commitments are actually encouraged by the administration and the board.

Some boards of education have agreed to clauses in collective agreements calling for mutual agreement between board and teacher organization before adoption and installation of innovative programs which might force modification of fixed class size, programming, or assignment provisions in the agreement. In one district studied, the administration rationale for acceptance of such a clause was to the effect that "we haven't given anything up, because if the teachers aren't in favor of a new program, it wouldn't succeed and there wouldn't be any sense in trying it out anyway." Reflecting on the need or desirability in some circumstances for administration to exercise innovative leadership, and given what we know of frequent resistance to change in large organizations (especially, perhaps, schools) one might find this justification less than satisfying. However, in none of the systems studied had new programs or innovations been proposed which might have made such a clause the

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nization, especially with regard to issues involving subject matter expertise and professional judgment generally. On the other hand the right to appoint teachers to any and all committees or councils in a school (particularly those which have been established by contract) regardless of the subject to be considered has important organizational security and prestige implications for the exclusive representative. Thus, the stage may be set in bargaining for significant conflict over a not unimportant issue.

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