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**A comparison of the statutory framework and perceived role  
of the superintendent in teacher negotiations in the states of  
Kansas and Nebraska**

Rawson, Dale V., Ed.D.

The University of Nebraska - Lincoln, 1989

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A COMPARISON OF THE STATUTORY FRAMEWORK AND PERCEIVED ROLE  
OF THE SUPERINTENDENT IN TEACHER NEGOTIATIONS  
IN THE STATES OF KANSAS AND NEBRASKA

by

Dale V. Rawson

A DISSERTATION

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The Graduate College in the University of Nebraska  
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For the Degree of Doctor of Education

Major: Interdepartmental Area of Administration,  
Curriculum, and Instruction

Under the Supervision of Professor C. Cale Hudson

Lincoln, Nebraska

May, 1989

**TITLE**

A COMPARISON OF THE STATUTORY FRAMEWORK AND PERCEIVED ROLE OF THE

SUPERINTENDENT IN TEACHER NEGOTIATIONS IN THE STATES

OF KANSAS AND NEBRASKA

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A COMPARISON OF THE STATUTORY FRAMEWORK AND PERCEIVED ROLE  
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Dale V. Rawson, Ed.D.

University of Nebraska, 1989

Adviser: C. Cale Hudson

The perceptions of superintendents in Nebraska and Kansas concerning the statutory framework governing teacher negotiations and the perceived role of the superintendent in the teacher negotiation process were compared in this study. The relationship among the factors of statutory framework, superintendent's age, years of superintendent experience, recent impasse experience and district size was also explored in order to determine the influence of those factors upon the perceived role of the superintendent in teacher negotiations.

A questionnaire was used to gather data from 100 superintendents from each of the states of Kansas and Nebraska. A t test was conducted on the data to determine whether a significant difference existed in the statutory framework governing teacher negotiations in Kansas and Nebraska as perceived by superintendents in those states.

Analysis of variance determined whether a significant difference existed between the perceptions of superintendents concerning the role of the superintendent in teacher negotiations according to the factors of statutory framework, age, superintendent experience, recent impasse experience and district size. Multiple regression analysis was used to examine the relationship among the five factors and the perceived role of the superintendent in teacher negotiations as well as to determine the amount of variance concerning the perceived role of the superintendent which was explained by the factors.

Kansas superintendents perceived their statutory framework governing teacher negotiations to be significantly more management oriented than did Nebraska superintendents. The role of the superintendent in teacher negotiations was also perceived differently by superintendents in Kansas and Nebraska as well as by superintendents in schools with less than 200 students compared to selected categories of schools with more than 800 students. The most significant factors of statutory framework and district size explained only 9.39 percent of the variance concerning the perceived role of the superintendent in teacher negotiations.



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## CHAPTER 1

### INTRODUCTION

The signing of Executive Order 10988 by President John F. Kennedy on January 19, 1962 prefaced a new chapter in the history of public education in the United States. Although teacher organizations had been in existence before the turn of the century, the ability of those organizations to have meaningful input into the setting of wages and working conditions for their membership was not realized until the provisions of this order were extended to public school teachers through subsequent state legislation.

Executive Order 10988 granted federal employees the right to organize as well as negotiate wages and conditions of employment and served as the basis for a labor relations framework in the public sector.<sup>1</sup> Although the previous public policy, enunciated by Calvin Coolidge in 1919, which had prohibited organization and negotiation by public employees was repudiated by this order, the Kennedy directive was limited to federal employees and did not

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<sup>1</sup>Anthony M. Cresswell, Michael J. Murphy, and Charles T. Kerchner, Teachers, Unions, and Collective Bargaining in Public Education, (Berkeley, CA: McCutchan Publishing, 1980), p. 149.

govern public schools which were regulated by the state rather than the federal government.<sup>2</sup>

Following the issuance of Executive Order 10988 and the subsequent shift in public policy, the legislatures of individual states were left with the responsibility of regulating the remaining public employees and did so in a manner that varied widely from state to state.<sup>3</sup> The Teachers' Professional Negotiation Act first adopted by the Nebraska Unicameral in 1967 and the Professional Negotiations Act enacted by the Kansas legislature in 1970 are two examples of different processes which were enacted.

Although the dynamics of interaction and the techniques of bargaining teachers' wages and working conditions may be similar under different jurisdictions, statutory controls with respect to impasse resolution procedures differ significantly. Under current Nebraska law, fact finding may be required at the request of either party in the dispute. If fact finding is unsuccessful, impasse resolution is delegated to a judicial commission which is empowered to order a school district to establish specific wages to be paid as determined by a review of wages

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<sup>2</sup>Lloyd W. Ashby, James E. McGinnis, and Thomas E. Persing, Common Sense in Negotiations in Public Education (Danville, IL: The Interstate Printers, 1972), pp. 2-3.

<sup>3</sup>Cresswell, Murphy, and Kerchner, loc. cit.



paid in comparable school districts.<sup>4</sup> As an alternate procedure, Kansas statutes require districts at impasse to participate in mediation and fact finding; however, the recommendations emanating from those processes are not binding. Following mediation and fact finding, a Kansas Board of Education may issue unilateral employment contracts containing any language and salary the board desires with no recourse, except resignation, available to teachers.<sup>5</sup>

The differences between this variant of "binding arbitration" as practiced in Nebraska and the "meet and confer" procedure used in Kansas may influence the role of the superintendent in the bargaining process. The superintendent's role has been addressed in the literature and may be viewed as different locations on a continuum ranging from board negotiator to teacher advocate. The American Association of School Administrators (AASA) in 1963 advocated a role of non-partisan neutrality where the superintendent would serve as a resource to both management and association negotiators.<sup>6</sup> Within five years, the position of neutrality was altered according to Ashby,

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<sup>4</sup>Nebraska, Reissue Revised Statutes (as amended), Sections 48-801 through 48-839.

<sup>5</sup>Kansas, Kansas Statutes Annotated (as amended), Sections 72-5413 through 72-5432.

<sup>6</sup>John D. Kennedy, "When Collective Bargaining First Came to Education: A Superintendent's Viewpoint," Government Union Review, V, No. 1 (1984), p. 19.

McGinnis and Persing who reviewed a 1968 AASA publication which called for the superintendent to be on the management team with roles varying from board negotiator to consultant for an outside management negotiator.<sup>7</sup> The authors continued their examination of the superintendent in negotiations by examining factors which affected the role of the superintendent. In so doing, they noted that "the superintendent's specific role in negotiations is a function of the local situation and/or state legislation."<sup>8</sup> Derber concurred and observed further that the statutory frameworks enacted by various state legislatures were often patterned after private sector labor relations statutes and caused superintendents to be classified as members of the management team which obligated them to "abandon their dual role of management and employee."<sup>9</sup>

A variety of studies exist which deal with the economic effects of bargaining as well as a number which deal with the roles and relationships of participants in the negotiations process. No research has been found which measures the influence of the statutory framework governing

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<sup>7</sup> Ashby, McGinnis, and Persing, p. 79.

<sup>8</sup> Ibid., p. 81.

<sup>9</sup> Milton Derber, "Management Organization for Collective Bargaining in the Public Sector," Public-Sector Bargaining, eds. Benjamin Aaron, Joseph R. Grodin, and James L. Stern (Washington, D.C.: The Bureau of National Affairs, 1979), p. 88.

teacher negotiations upon the role of the superintendent in negotiations process; however, other factors impacting the superintendent's role have been examined in recent studies.<sup>10,11,12</sup> In Nebraska and Kansas, limited research has been completed in this area. In a 1974 dissertation by Moore, the salary effects of negotiations on salaries of teachers in Nebraska were examined while Zeiss examined the impact of negotiations on Nebraska schools in a 1978 study.<sup>13,14</sup> In a 1986 dissertation, Staver determined the perceptions of a variety of negotiation participants as to the instructional and noninstructional outcomes of collective bargaining and Wagaman reviewed the history and

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<sup>10</sup>Charles J. Borchetta, "Collective Bargaining in Education: Role of the Superintendent of Schools in the State of New Jersey," Dissertation Abstracts International, XLV, No. 2 (1984), p. 356.

<sup>11</sup>Ireland Wiley, Jr, "Teacher Perceptions of the Leadership Behavior of the Superintendent as a Factor in Labor Relations Conflict," Dissertation Abstracts International, XLVII, No. 6 (1986), p. 1975.

<sup>12</sup>Darrell K. Salter, "The Effects of Collective Bargaining on Selected Areas of School Management in South Dakota," Dissertation Abstracts International, XLVII, No. 9 (1987), p. 3272.

<sup>13</sup>Gary A. Moore, "Some Salary Effects of Professional Negotiations in the Public Schools: The Nebraska Experience" (Unpublished Doctoral Dissertation, University of Nebraska-Lincoln, 1974).

<sup>14</sup>Donald V. Zeiss, "The Impact of Professional Negotiations on Class III Schools of Nebraska: Perceptions of Superintendents, Board of Education Presidents, and Teacher Organization Presidents" (Unpublished Doctoral Dissertation, University of Nebraska-Lincoln, 1978).

development of the Nebraska impasse resolution machinery in a 1977 study.<sup>15,16</sup> In a thesis completed in 1972, Townsend examined the role of the superintendent in negotiations for selected school districts in Nebraska.<sup>17</sup> In Kansas, Bensen analyzed contract provisions in terms of motivational factors in 1986, while Nusbaum and Nichols examined chief negotiators in 1982 and 1984 dissertations.<sup>18,19,20</sup> Gordon in 1980 as well as Reilly and Bowser in 1984 examined Kansas

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<sup>15</sup>Richard G. Staver, "The Perceptions of Teachers, Superintendents, and Board Members Concerning the Outcomes of Teacher Collective Bargaining in Nebraska" (Unpublished Doctoral Dissertation, University of Nebraska-Lincoln, 1986).

<sup>16</sup>David G. Wagaman, "Public Employee Impasse Resolution: A Historical Examination of the Nebraska Experience with some Comparisons to the New York State Experience" (Unpublished Doctoral Dissertation, University of Nebraska-Lincoln, 1977).

<sup>17</sup>Samuel M. Townsend, "A Study of the Role of the Superintendent of Schools in Teacher Negotiations in Class 'C' and 'D' School Districts in Nebraska" (Unpublished Thesis, University of Nebraska-Omaha, 1972).

<sup>18</sup>David L. Benson, "An Analysis of Negotiation Proposals and Final Agreement Language in Larger School Districts of Kansas," Dissertation Abstracts International, XLVII, No. 5 (1986), p. 1540.

<sup>19</sup>Ned A. Nusbaum, "The Differences Between Types of School District Chief Negotiators and the Final Agreement," Dissertation Abstracts International, XLIII, No. 7 (1982), p. 2189.

<sup>20</sup>Lance C. Nichols, "Identification of Conflict Management Styles of Board of Education Member Negotiators," Dissertation Abstracts International, XLV, No. 4 (1984), p. 1004.

impasse resolution procedures.<sup>21,22,23</sup> Given the identification of statutory framework as a major factor influencing the role of the superintendent in teacher negotiations, a study addressing this area seemed to be appropriate.

### Purposes in the Study

The role of the superintendent in teacher negotiations may be influenced by several factors. Among those may be demographic factors intrinsic to individual superintendents or school districts; however, the influence of the statutory framework governing teacher negotiations may also affect the superintendent's role in the negotiation process.

Three purposes were identified for conducting this study. The first purpose was to compare the perceptions of superintendents operating under the different statutory frameworks governing teacher negotiations in the states of

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<sup>21</sup>Gary L. Gordon, "An Analysis of Impasse and Nonimpasse Kansas School Districts in 1977-78 Negotiations," Dissertation Abstracts International, XLI, No. 12 (1980), p. 4906.

<sup>22</sup>Marceta A. Reilly, "Teacher Collective Bargaining in Kansas for the Contract Years 1978-79 through 1983-84," Dissertation Abstracts International, XLVI, No. 4 (1984), p. 864.

<sup>23</sup>Larry L. Bowser, "The Seaman Teachers' Strike: A Case Study of the Only Kansas Professional Negotiations Strike," Dissertation Abstracts International, XLV, No. 6 (1984), p. 2319.

Kansas and Nebraska concerning the statutory framework governing teacher negotiations in those states. The second purpose was to compare the perceptions of the superintendents within and between those states based upon the factors of age, superintendent experience, recent impasse experience, and district size concerning the role of the superintendent in teacher negotiations. The third purpose was to examine the relationship among the factors of statutory framework, age, superintendent experience, recent impasse experience, and district size and the influence those factors have upon the perceptions of superintendents concerning the role of the superintendent in teacher negotiations.

#### Research Hypotheses

The hypotheses addressed by this study were as follows:

1. There will be no significant difference between the perceptions of superintendents in Kansas and the perceptions of superintendents in Nebraska concerning the statutory framework governing teacher negotiations.
2. There will be no significant difference between the perceptions of superintendents within and between the states of Kansas and Nebraska concerning the perceived role of the superintendent in teacher negotiations according to age.

3. There will be no significant difference between the perceptions of superintendents within and between the states of Kansas and Nebraska concerning the perceived role of the superintendent in teacher negotiations according to superintendent experience.
4. There will be no significant difference between the perceptions of superintendents within and between the states of Kansas and Nebraska concerning the perceived role of the superintendent in teacher negotiations according to recent impasse experience.
5. There will be no significant difference between the perceptions of superintendents within and between the states of Kansas and Nebraska concerning the perceived role of the superintendent in teacher negotiations according to district size.
6. There will be no significant relationship among the factors of statutory framework, age, superintendent experience, recent impasse experience, and district size and the influence those factors have upon the perceived role of the superintendent in teacher negotiations.

#### Theoretical Perspective

Several authors noted the absence of a general theory of collective bargaining and asserted that theories dealing with specific areas of the bargaining process are

contributed from a number of disciplines.<sup>24,25</sup> None of these theories has been generally accepted as definitive or dominant; therefore, a relationship between specific constructs influencing the bargaining process may be explained by the synthesis of theories dealing with component parts of teacher negotiations.<sup>26,27,28</sup> Central to understanding the relationship between the statutory framework governing negotiations and the role of the superintendent in the bargaining process are the concepts of influence, power, fairness and governance.<sup>29</sup>

Cresswell, Murphy, and Kerchner's analysis of Sroufe's work related the concepts of governance and influence in a political system. This relationship may be expressed conditionally as follows.

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<sup>24</sup>Thomas A. Kochan, "A Theory of Multilateral Collective Bargaining in City Governments," Industrial and Labor Relations Review, XXVII, No. 4 (1974), p. 525.

<sup>25</sup>Anthony M. Cresswell, "Power, Collective Bargaining, and School Governance," Education and Urban Society, XII, No. 4 (1980), p. 467.

<sup>26</sup>Cresswell, Murphy and Kerchner, op. cit., p. 4.

<sup>27</sup>Richard E. Walton and Robert B. McKersie, A Behavioral Theory of Labor Negotiations, (New York: McGraw-Hill, Inc., 1965) p. viii.

<sup>28</sup>Anthony M. Cresswell and Daniel Simpson, "Collective Bargaining and Conflict: Impacts on School Governance," Educational Administration Quarterly, XIII, No. 3 (1977), p. 49.

<sup>29</sup>Cresswell, Murphy and Kerchner, op. cit., p. 192.



If people possess power and influence, they will use that power and influence to affect the governance of that system by the distribution of stakes. In the bargaining sector, stakes include money, prestige, employment, status, and influence.<sup>30</sup>

Another component necessary for understanding the relationship between the statutory framework and the superintendent's role is one which relates the concepts of fairness and power. In analyzing factors essential to fair bargaining, Cresswell et al. theorized that:

If parties relevant to the bargaining process have the necessary information about the process and have access to the bargaining representatives as well as representation mechanisms necessary to act in their own interests, "then the process has the best chance to be fair and produce outcomes in the public interest."<sup>31</sup>

Recognition of the role of administrative management in teacher negotiations as a function of governance may be used to synthesize the theory of governance and influence with the theory of fairness and power. Chamberlain and Cullen defined the role of administrative management to be one of coordinating bargains between involved parties in order to keep the operation running.<sup>32</sup> "Keeping the operation running" implies a workable level of cooperation and may be associated with the perceived fairness of the bargaining process.

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<sup>30</sup>Ibid., p. 192.      <sup>31</sup>Ibid., p. 14.

<sup>32</sup>Neil W. Chamberlain and Donald E. Cullen, The Labor Sector, 2nd ed. (New York: McGraw-Hill, 1971), p. 128.

Working under the governance-influence theory, the administrator's role in the bargaining process may be viewed as an exercise of the power and influence associated with the administrative position upon the distribution of the stakes at issue between the relevant parties. When the role of administrative management is superimposed upon the relationship between power and fairness, it may be concluded that the role of administrative management will be to act in a manner so as to coordinate bargains and keep the operation running by ensuring that all parties involved in the process are fairly treated. Synthesis of these concepts yields the following generalization.

If the information necessary for bargaining or access to the bargaining representatives or mechanisms of representation is not sufficient to ensure fair bargaining with outcomes in the public interest, then administrative management will use the power and influence of its position to affect the governance of the process to ensure that a fair outcome consistent with the public interest is achieved so as to keep the operation running.

The concepts of statutory framework governing teacher negotiations and the superintendent's role in the process may be interjected into this theoretical perspective to provide a basis of expectation for this study. This theory may be written as follows.

If the statutory framework governing teacher negotiations is not sufficient to ensure fair bargaining with outcomes in the public interest, then the superintendent's role in teacher negotiations will be one of influencing the bargaining process to ensure that an agreement acceptable to both the board and teachers is achieved so that the school district can continue to operate.

This theory may be applied to the states of Kansas and Nebraska by observing that the statutory framework of teacher negotiations in Nebraska limits the power of the Board of Education in impasse resolution by calling for a judicial decision based upon comparability with other school districts. In Kansas, the Board of Education possesses more power in impasse resolution as it may issue a unilateral contract following completion of mediation and factfinding. Given that board power in the negotiation process is greater in Kansas than in Nebraska, it was expected that the role of the superintendent in Kansas teacher negotiations would be located closer to the teacher side of the board advocacy-teacher advocacy continuum than would the role of the superintendent in Nebraska.

#### Definition of Terms

Selected terms common to labor relations literature which were used throughout this study are defined

conceptually as follows in order to clarify their meanings and usage.

Collective bargaining/professional negotiations/teacher negotiations. These terms are synonymous for the purpose of this study. They will refer "to negotiations in which both management and employee representatives are equal legal parties in the bargaining process and decisions are reached jointly through bilateral negotiations" of which the end result will be a mutually binding contractual agreement.<sup>33</sup>

Meet and confer negotiations. A process where public employees are given the right to organize and make recommendations to management but where management retains the right to make the ultimate decision concerning the terms and conditions of employment.<sup>34</sup>

Unilateral decision making. A process whereby one party or group is empowered to make a decision as in the authority of a school board to establish policy.<sup>35</sup>

Bilateral decision making. A process whereby two groups have an active role in the decision making process as

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<sup>33</sup>Myron Lieberman, Public-Sector Bargaining: A Policy Reappraisal, (Lexington, MA: D.C. Heath, 1980), p. 11.

<sup>34</sup>Raymond Goetz, "The Kansas Public Employer-Employee Relations Law," Kansas Law Review, XXVIII (1980), p. 283.

<sup>35</sup>John R. Pisapia, "The Open Bargaining Model," Journal of Law and Education, X, No. 1 (1981), p. 66.

in bilateral negotiations where public employees have been given a formal procedure with which to influence the outcome of the wage setting process.<sup>36</sup>

Multilateral decision making. A process whereby more than two distinct parties are involved as in the involvement of parents, taxpayers or students as participants in the negotiation process.<sup>37</sup>

Impasse. A deadlock in the negotiation process where neither side will further modify its position and where discussions cease.<sup>38</sup>

Mediation. Synonymous with conciliation and refers to efforts by an impartial third party to help settle an employment dispute or reestablish negotiations by the use of suggestions or advice. Mediation does not include mandating a settlement or further bargaining.<sup>39</sup>

Fact finding. A process where a neutral party or panel defines the issues at dispute and offers recommendations for a solution. The recommendations are

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<sup>36</sup>J. Joseph Loewenberg, "The Open Bargaining Model: Prospects and Problems," Journal of Law and Education, X, No. 1 (1981), p. 83.

<sup>37</sup>Kochan, op. cit., p. 526.

<sup>38</sup>Thomas P. Gilroy and others, Educator's Guide to Collective Negotiations, (Columbus, OH: Charles E. Merrill, 1969), p. 52.

<sup>39</sup>Myron Lieberman, Before During and After Bargaining, (Chicago, IL: Teach'em, 1979), p. 215.

nonbinding upon the parties at impasse.<sup>40</sup>

Arbitration. A process where an impartial third party renders a decision regarding the labor dispute.<sup>41</sup> Arbitration may be compulsory or entered voluntarily and the results may be advisory or binding, thereby creating four types of arbitration.<sup>42</sup>

Strike. A work stoppage by employees for the purpose of gaining concessions from an employer.<sup>43</sup>

In addition to the conceptual definitions of terms common to the labor relations literature, the following terms are operationally defined for the purposes in this study.

Statutory framework governing teacher negotiations. The body of law created by statutes, judicial proceedings, federal regulations, or state regulations which enable, control, and otherwise govern the collective bargaining process for public school teachers in a given state.

Role of the superintendent in teacher negotiations. The degree to which a superintendent supports management

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<sup>40</sup>David A. Dilts, "An Examination of Factfinding as a Method of Dispute Settlement: Training Grounds for Arbitrators," Journal of Collective Negotiations, XIII, No. 3 (1984), p. 252.

<sup>41</sup>Lieberman, Before During and..., loc. cit.

<sup>42</sup>Ashby, McGinnis, and Persing, op. cit., p. 67.

<sup>43</sup>Gilroy, op. cit., p. 54.

versus labor as measured by the adaptation of the Labor-Management Attitude Questionnaire used in this study.

Age. The age of the superintendent as of the most recent birthday.

Superintendent experience. The total number of years of experience as a public school superintendent in any state excluding the current year.

Recent impasse experience. The number of times a superintendent has been personally involved in a school district labor dispute resulting in impasse while serving as a superintendent during the last four years.

District size. The number of students enrolled in a school district during the 1988-89 school year categorized by a range of intervals as follows: Under 200, 200-400, 401-800, 801-1600, 1601-3200 and Over 3200.

#### Assumptions

This study was predicated upon the following assumptions.

1. The Labor-Management Attitude Questionnaire as adapted for this study will be an appropriate instrument to measure the perceptions of superintendents toward labor and management.
2. The perceptions of superintendents toward labor and management are measurable and can be compared.

3. The procedures used to select the subjects will be valid and will result in a representative sample.
4. The perceptions of superintendents toward teacher negotiations will influence their role in teacher negotiations.
5. The variables of statutory framework governing teacher negotiations, age, superintendent experience, recent impasse experience and district size are definitionally independent and as such may be measured as separate variables.
6. The statutory framework will be generally understood by superintendents and any recent changes in that framework will be assimilated and accommodated by superintendents prior to their response to the questionnaire.

#### Delimitations

The delimitations of this study were as follows.

1. The population involved in this study was confined to public school superintendents of K-12 school districts practicing in the states of Kansas and Nebraska during both of the 1987-88 and 1988-89 academic school years.
2. This study was delimited to the influence of the variables of statutory framework, age, superintendent experience, recent impasse experience, and district size.
3. The methodology of this study was survey research. A cross-sectional survey of random samples of an equal



number of superintendents in Kansas and Nebraska was measured through the use of a written questionnaire.

### Limitations

The results of this study are limited as follows.

1. Conclusions from this study are applicable only to public school superintendents of K-12 school districts who served in Kansas and Nebraska during both of the 1987-88 and 1988-89 academic school years.
2. Explained variances in the perceived role of the superintendent are limited to those associated with the variables of statutory framework, age, superintendent experience, recent impasse experience, and district size.
3. This study was subject to the weaknesses inherent in survey research including the influence of the respondents' feelings at the time of questionnaire completion.

### Significance of the Study

As O'Reilly has observed, the history of bargaining in the public sector is very short.<sup>44</sup> For being in place at the federal level for fewer than thirty years and considerably less than that in many states, public sector negotiation is, as Aaron noted, in its infancy and still

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<sup>44</sup>Robert C. O'Reilly, Understanding Collective Bargaining in Education: Negotiations, Contracts, and Disputes Between Teachers and Boards, (Metuchen, NJ: The Scarecrow Press, 1978), p. 37.

developing.<sup>45</sup> The impact of collective bargaining on the role of the superintendent was observed by Young who predicted in 1967 that collective bargaining would be "the single most significant determinant of the character of the superintendency in the foreseeable future."<sup>46</sup> The influence of collective bargaining on the superintendent was supported by Mitchell who argued that research on the development of management in public sector bargaining was as essential to the bargaining game as a person on the other side of the net in tennis.<sup>47</sup> This rapid growth of negotiations in public education and its accompanying influence on the role of the superintendent, which, according to Cresswell et al. occupies not less than 20 percent of the superintendent's time, justifies further study of the topic.<sup>48</sup>

This study was significant in that it addressed a

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<sup>45</sup> Benjamin Aaron, "Future of Collective Bargaining in the Public Sector," Public-Sector Bargaining, eds. Benjamin Aaron, Joseph R. Grodin, and James L. Stern (Washington, D.C.: The Bureau of National Affairs, 1979), p. 314.

<sup>46</sup> Charles R. Young, "The Superintendent of Schools in a Collective Bargaining Milieu," The Collective Dilemma: Negotiations in Education, eds. Patrick Carlton and Harold I. Goodwin (Worthington, OH: Charles A. Jones Publishing, 1969), p. 102.

<sup>47</sup> Daniel J. B. Mitchell, "The Impact of Collective Bargaining on Compensation in the Public Sector," Public-Sector Bargaining, eds. Benjamin Aaron, Joseph R. Grodin, and James L. Stern (Washington, D.C.: The Bureau of National Affairs, 1979), p. 144.

<sup>48</sup> Cresswell, Murphy and Kerchner, op. cit., p. 44.

heretofore unexplored component of the bargaining process; that is, the influence of the statutory framework upon the role of the superintendent. The results of this study added to the body of research concerning this topic and provided a reference point for further research.

In addition to increasing the body of scholarly research concerning collective bargaining in the public sector, this study was significant in that it may assist newcomers to the superintendency in the states of Kansas and Nebraska to recognize the influence of the statutory framework upon the role of the superintendent in teacher negotiations. During the next decade, the occupants of the superintendency in Kansas and Nebraska will change significantly. Currently, 52 percent of superintendents in Kansas are over 51 years of age with 29 percent of those in the 56 and over age bracket. Compared with national figures showing nearly 23 percent of all superintendents in the 56 and over age bracket, it appears likely that many of these persons will be replaced by individuals new to the superintendency in the near future.<sup>49</sup> Knowledge of the various roles taken by superintendents with respect to the negotiation process, especially as those roles are influenced by the statutory framework governing teacher

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<sup>49</sup>Profile of Superintendents (Topeka, KS: Kansas State Department of Education, 1986).

negotiations as adopted by different states may assist superintendents in assessing their role in the collective bargaining process.

## CHAPTER 2

### REVIEW OF LITERATURE

An abundance of literature exists concerning the topic of collective bargaining in both the private and public sectors. In order to understand the role of the superintendent in teacher negotiations, it is necessary to trace the development of that role through the evolution of public sector bargaining. In like manner, it is necessary to understand bargaining in the private sector as the genesis of its public sector counterpart.

This exploration of literature is organized about the emergence of collective bargaining in the public sector with special attention paid to the role of the superintendent in that process and the factors which influence that role. The organizational bases for this chapter are: (1) The History and Development of Teacher Negotiations, (2) Major Participants in the Bargaining Process, and (3) Major Findings from the Literature.

In Section 1, the history of bargaining is explored as well as statutory factors which impact the bargaining process. The roles of various bargaining participants

including an examination of the role of the superintendent and the factors which affect it is contained in Section 2. The literature and a restatement of the problem which was addressed by this study are summarized in Section 3.

### The History and Development of Teacher Negotiations

The development of collective bargaining for public school teachers was influenced by several factors. Among those factors were collective bargaining in the private sector and bargaining with employees of the federal government.<sup>1</sup>

#### Collective Bargaining in the Private Sector

Even as private sector bargaining was an influence upon the development of public sector bargaining, it too was influenced by several factors. The organization of employees into trade unions followed by federal legislation permitting affiliation and bargaining were among those factors.<sup>2</sup>

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<sup>1</sup>Ross A. Engel, "Teacher Negotiation: History and Comment," Education and Collective Bargaining: Readings in Policy and Research, Anthony M. Cresswell, and Michael J. Murphy (Berkeley, CA: McCutchan Publishing, 1976), p. 22.

<sup>2</sup>Edwin F. Beal and James P. Begin, The Practice of Collective Bargaining, (Homewood, IL: Richard D. Irwin, 1982), p. 48.

Foundations of trade unionism. The history of private sector unionism in the United States may be traced to its roots in the period immediately following Colonization and the Revolutionary War.<sup>3</sup> Workers with similar skills banded together in the population centers of that time and founded social and common benefit clubs, one purpose of which was the establishment of mutual funds to care for families of injured or deceased members.<sup>4</sup> These craftsmen were responsible for forming embryonic craft unions which remained small regionalized units until the Industrial Revolution and Civil War.<sup>5</sup>

Shortly after the Civil War, the Knights of Labor became a national organization by initially opening membership to a variety of craftsmen and eventually to the general working man.<sup>6</sup> The Knights flourished briefly, but disappeared due to an apparent concern for grand social reforms at the expense of improvements in wages and working conditions for its members.<sup>7</sup> The decline of the Knights of Labor paralleled the rise of another multicraft organization led by Samuel Gompers.<sup>8</sup> In 1886, the Knights disintegrated

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<sup>3</sup>Ibid., p. 53.      <sup>4</sup>Ibid., p. 52.

<sup>5</sup>Ibid., p. 53.      <sup>6</sup>Ibid.

<sup>7</sup>Robert C. O'Reilly, Understanding Collective Bargaining in Education: Negotiations, Contracts, and Disputes Between Teachers and Boards, (Metuchen, NJ: The Scarecrow Press, 1978), p. 7.

<sup>8</sup>Beal and Begin, op. cit., p. 58.

with workers from many of the crafts joining Gomper's newly renamed American Federation of Labor (AFL).<sup>9</sup> This union succeeded where the other had failed by narrowing its concerns to improvements in wages and working conditions for its members.<sup>10</sup>

Although private sector unionism existed during this time, Ashby, McGinnis and Persing noted "the right of employees in private industry to organize, to negotiate, and to exercise any effective sanctions was frowned upon by the owners, the courts, and the general public."<sup>11</sup> It was not until the 1920's that public opinion changed and began to favor labor over management.<sup>12</sup> While the 1920's showed a shift in public opinion, "the Great Depression of the 1930's was the backdrop for the drama of the rise of industrial unionism."<sup>13</sup>

Federal governmental intervention in private sector labor relations. Beal and Begin asserted that the first general labor relations law to affect all private sector employees was the Norris-LaGuardia Act passed by the Congress in 1932.<sup>14</sup> This legislation outlawed the use of

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<sup>9</sup>Ibid., p. 79.   <sup>10</sup>O'Reilly, loc. cit.

<sup>11</sup>Lloyd W. Ashby, James E. McGinnis, and Thomas E. Persing, Common Sense in Negotiations in Public Education (Danville, IL: The Interstate Printers, 1972), p. 2.

<sup>12</sup>O'Reilly, op. cit., p. 8.

<sup>13</sup>Beal and Begin, op. cit., p. 65.   <sup>14</sup>Ibid., p. 127.



"yellow dog contracts" and prohibited the issuance of injunctions in labor disputes.<sup>15</sup> Yellow dog contracts required employees to affirm, as a condition of employment, that they were not union members nor would they join a union while employed with the company. These contracts had been upheld in the courts until the Norris-LaGuardia Act.<sup>16</sup> The cornerstone of private sector labor relations as it is known today was laid with the passage of the Wagner Act in 1935.<sup>17</sup> Formally entitled the National Labor Relations Act (NLRA), this legislation gave private sector employees the right to affiliate with unions, select representatives for collective bargaining,<sup>18</sup> and also required that employers meet and bargain in good faith with unions that had recognition.<sup>19</sup> The NLRA was based on the concept of economic equality between company owners and employees.<sup>20</sup> As Lieberman observed, the NLRA was "essentially a test of economic

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<sup>15</sup>O'Reilly, loc. cit.

<sup>16</sup>Eugene C. Hagburg and Marvin J. Levine, Labor Relations: An Integrated Perspective, (St. Paul, MN: West Publishing, 1978), p. 17.

<sup>17</sup>Amie D. Thornton, "Policies and Practices of the Federal Labor Relations Authority," Government Union Review, VIII, No. 2 (1987), p. 11.

<sup>18</sup>O'Reilly, loc. cit.

<sup>19</sup>Beal and Begin, op. cit., p. 70.

<sup>20</sup>Richard G. Neal, "It's Time to Cut Back on Collective Bargaining for Teachers and Other Public Employees," Journal of Collective Negotiations, XIV, No. 1 (1985), p. 92.

power. The union's ability to inflict economic damage upon the employer is the basis of bargaining power."<sup>21</sup>

Following passage of the Wagner Act, Congress passed the Fair Labor Standards Act (FLSA) of 1938 which established a minimum wage for employees and affirmed a favorable governmental attitude toward labor.<sup>22</sup> Beal and Begin observed that unions experienced growth in membership and power during this period and continued to prosper throughout World War II.<sup>23</sup> Labor statistics for that period reflected the percentage of nonagricultural workers affiliated with a union to have grown from 11.6 percent in 1930 to 35.5 percent by 1945.<sup>24</sup>

Membership decline and spillover into the public sector. The return to peacetime was coupled with a series of strikes in 1946 which "laid the political groundwork for reactionary or compensatory legislation."<sup>25</sup> The Taft-Hartley Act of 1947 was Congress' answer to the changing attitude and attempted to restore balance between

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<sup>21</sup>Myron Lieberman, "Educational Reform and Teacher Bargaining," Government Union Review, V, No. 1 (1984), p. 60.

<sup>22</sup>O'Reilly, op. cit., p. 9.

<sup>23</sup>Beal and Begin, op. cit., p. 73.

<sup>24</sup>Michael Goldfield, The Decline of Organized Labor in the United States, (Chicago, IL: The University of Chicago Press, 1987) p. 10.

<sup>25</sup>O'Reilly, loc. cit.

owners and employees by favoring management through initiating stronger labor controls.<sup>26</sup> The shift of balance created by the Taft-Hartley Act was evidenced by a relative decline in private sector unionism. From a high of 35.5 percent in 1945, the percentage of nonagricultural workers affiliated with national unions declined to 20.6 percent in 1982.<sup>27</sup> This relative decline in private sector union membership and the corresponding difficulty to maintain or increase membership density was exacerbated by a significant increase in white collar and public employment during the 1950's and 1960's. With organizing prospects among blue collar workers limited, unions focused upon the white collar and public sector workers.<sup>28</sup> As Doherty and Oberer observed, "Teachers, being both public employees and white collar workers, posed a fat target for unionization."<sup>29</sup>

#### Collective Bargaining in the Public Sector

Although the roots of public sector collective bargaining may be traced to private sector trade unionism, Goldstein and Gee noted that the growth of collective bargaining in the public sector was closely allied to the

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<sup>26</sup>Beal and Begin, loc. cit.

<sup>27</sup>Goldfield, op. cit., p. 11.

<sup>28</sup>Hagburg and Levine, op. cit., p.132.

<sup>29</sup>Robert E. Doherty and Walter E. Oberer, Teachers, School Boards, and Collective Bargaining: A Changing of the Guard, (Ithaca, NY: Cornell University, 1967), p. 32.

history of the two leading teacher organizations, namely the National Education Association (NEA) and the American Federation of Teachers (AFT).<sup>30</sup> The importance of examining these organizations as factors which influenced the development of collective bargaining in the public sector was underscored by Cresswell, Murphy and Kerchner who observed that the NEA and the AFT served as organizational vehicles for unionizing teachers.<sup>31</sup>

The National Education Association. Attempts to affiliate teachers into a national organization were initiated as early as 1830; however, it was not until 1857 that the National Education Association was organized and stayed in existence.<sup>32</sup> The early years of the organization were nondescript and after sixty years, the organization only enrolled five percent of public school teachers.<sup>33</sup> In a biography of the NEA's first century, Wesley observed that the organization took little interest in issues of teacher welfare during the first fifty years of its existence.

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<sup>30</sup> Stephen R. Goldstein and E. G. Gee, Law and Public Education: Cases and Materials, (Charlottesville, VA: The Michie Co., 1980), p. 439.

<sup>31</sup> Anthony M. Cresswell, Michael J. Murphy, and Charles T. Kerchner, Teachers, Unions, and Collective Bargaining in Public Education, (Berkeley, CA: McCutchan Publishing, 1980), p. 33.

<sup>32</sup> Edgar B. Wesley, NEA: The First Hundred Years: The Building of a Teaching Profession, (New York: Harper and Brothers, 1957), p. 3.

<sup>33</sup> Doherty and Oberer, op. cit., p. 23.

Noting one "monumental factual report on teachers salaries" published in 1905, Wesley concluded that NEA involvement in teacher salary concerns was limited to words without actions.<sup>34</sup> This lack of concern was attributed to the superintendents, principals, college presidents and college professors who dominated the organization's hierarchy at the time and who did not pay attention to teachers' welfare claims.<sup>35</sup>

Urban noted a series of reform efforts during the early years of the twentieth century which increased the teachers' voice in organization affairs. A bylaw change enacted during the 1912 convention established a town-meeting format for the national convention which ensured voting control to the membership and represented a victory for teachers interested in addressing salary concerns.<sup>36</sup>

The victory was shortlived as membership increases spurred by World War I were influential in convincing delegates at the 1920 convention to abolish the town-meeting format in favor of a representative assembly.<sup>37</sup> By 1922, the administrator dominated NEA leadership had firmly reestablished its control and quelled the voice of the

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<sup>34</sup>Wesley, op. cit., p. 335.    <sup>35</sup>Ibid., p. 337.

<sup>36</sup>Wayne J. Urban, Why Teachers Organized, (Detroit, MI: Wayne State University, 1982), pp. 122-127.

<sup>37</sup>Ibid., p. 127.

independent teacher.<sup>38</sup> By advocating a belief that "economic betterment of teaching would come through vigorous efforts to professionalize," NEA leaders were able to "prevent the teachers' organization from aggressively pursuing welfare claims."<sup>39</sup> At the same time that professionalism was advocated as the mechanism for raising wages, "cost conscious administrators were manipulating the labor market to develop a cheap compliant teaching force."<sup>40</sup>

As World War I changed the membership size of the National Education Association, World War II changed its composition. Randles noted an influx of men into teaching immediately following this war and cited research completed in 1950 which revealed that 80 percent of male teachers intended to make teaching a lifetime career compared to 40 percent of female teachers.<sup>41</sup> In addition to the trend toward longer service, Randles also observed other changes in the teaching force at that time. Among the changes that took place were a shift in balance from female to male teachers, an increased proportion of young to old teachers, a higher occupational status expectation, and an increased

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<sup>38</sup>Ibid., p. 128.

<sup>39</sup>Cresswell, Murphy, and Kerchner, op. cit., p. 61.

<sup>40</sup>Ibid., p. 62.

<sup>41</sup>Harry Randles, "Toward an Understanding of Negotiations in the Public Sector: Part I," Journal of Collective Negotiations, II, No. 2 (1973), pp. 222-223.

number of teachers from blue collar backgrounds.<sup>42</sup>

When coupled with low salaries, frequent complaints about working conditions, and an organization indifferent to the employment arrangement, Doherty and Oberer concluded that teachers in the 1950's were a ripe target for unionization.<sup>43</sup> In addition to these factors of unrest, competition for membership with its rival organization, the American Federation of Teachers, was responsible for a significant transformation of the National Education Association from a professional organization to a trade union.<sup>44</sup>

The American Federation of Teachers. Like the National Education Association, the AFT had modest beginnings. Initiated in 1916 with a goal of advancing the cause of classroom teachers, the AFT initially tried to influence the NEA into adopting a platform supportive of its position.<sup>45</sup> Rebuffed by an NEA leadership that was not interested in vocal or active teachers, the fledgling

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<sup>42</sup>Ibid., p. 222.

<sup>43</sup>Doherty and Oberer, op. cit., p. 32.

<sup>44</sup>Ibid., p. 33.

<sup>45</sup>William E. Eaton, The American Federation of Teachers, 1916-1920: A History of the Movement, (Carbondale, IL: Southern Illinois University Press, 1975), p. 18.

organization "tied itself closer to organized labor"<sup>46</sup> and by 1921 became a rival organization for membership of teachers.<sup>47</sup>

As an affiliate of Samuel Gomper's American Federation of Labor, the AFT championed the cause of teachers in the areas of working conditions and salaries. In order to distinguish itself from the National Education Association, the AFT took a more militant role with respect to teacher welfare issues.<sup>48</sup> Plagued with a small membership that did not exceed "five percent of the teaching force until 1964,"<sup>49</sup> Cresswell, Murphy and Kerchner observed that the AFT was forced to husband its resources carefully and expend much of its energy merely maintaining the organization. These authors further asserted that this crisis orientation "produced an opportunistic, ad hoc style of organization that is constantly looking for organizational opportunities and probing grievances among teachers."<sup>50</sup>

Called a "trade union for classroom teachers, the

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<sup>46</sup>Ibid., p. 167.      <sup>47</sup>Ibid., pp. 18-19.

<sup>48</sup>Marvin J. Levine, and Katherine G. Lewis, "The Status of Collective Bargaining in Public Education: An Overview," Labor Law Journal, XXXIII, No. 3 (1982), p. 178.

<sup>49</sup>Ibid.

<sup>50</sup>Cresswell, Murphy, and Kerchner, op. cit., p. 87.



AFT concentrated its organization efforts in urban areas and was successful in organizing New York City teachers and subsequently leading them to strike on November 7, 1960.<sup>51</sup> This action, coupled with the election of a new President of the United States on the following day, ushered in a new era of collective action for public school teachers.<sup>52</sup>

Federal governmental intervention in public sector labor relations. Kovach observed that public sector labor relations at the federal level in the 1960's were patterned after those of the private sector of the 1930's.<sup>53</sup> Following election to the Presidency in 1960 with the support of organized labor,<sup>54</sup> John F. Kennedy marked a significant change in public policy on January 17, 1962 by signing Executive Order 10988 which granted federal workers the right to organize and bargain collectively.<sup>55</sup> Troy argued that this order was the starting of federal policy toward public sector bargaining and concluded that the order

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<sup>51</sup>Kenneth A. Kovach, "State and Local Public Employee Labor Relations - Where are They Headed?," Journal of Collective Negotiations, VIII, No. 1 (1979), p. 23.

<sup>52</sup>Eaton, op. cit., pp. 165-166.

<sup>53</sup>Kovach, op. cit., p. 28.

<sup>54</sup>Beal and Begin, op. cit., p. 452.

<sup>55</sup>Craig Overton, and Max S. Wortman, Jr., "One More Time: What is Collective Bargaining in the Public Sector all About?," Journal of Collective Negotiations, V, No. 1 (1976), p. 5.

was patterned after the National Labor Relations Act (Wagner Act) of 1935.<sup>56</sup>

While Executive Order 10988 did allow federal workers rights previously granted only to their private sector counterparts, it stopped short of allowing federal workers the right to strike.<sup>57</sup> Following several years of unsatisfactory labor relations and several illegal strikes tolerated by the federal government, a second Executive Order was signed by President Richard Nixon which provided for binding arbitration in federal labor disputes.<sup>58</sup>

Even more significant than the absence of strike provisions of Executive Order 10988 was the limitation of the order to federal employees. As Ashby, McGinnis and Persing noted,

The transition from an order affecting teachers in federal establishments to teachers who were employed by local government units was easily made in the minds of the latter group. But since public schools are organs of the several states rather than of the federal government, Executive Order 10988 provided no legal basis for public school employees to organize or negotiate.<sup>59</sup>

Although the Kennedy directive changed public policy toward public sector labor relations, that change was not accepted without opposition. The doctrine of sovereignty

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<sup>56</sup>Leo Troy, "The Convergence of Public and Private Industrial Relations Systems in the United States," Government Union Review, V, No. 3 (1984), p. 44.

<sup>57</sup>Ashby, McGinnis, and Persing, op. cit., p. 3.

<sup>58</sup>Ibid., p. 4.      <sup>59</sup>Ibid., p. 3.

was cited by several authors as a rationale for withholding bargaining rights from public employees. Beal and Begin observed that this doctrine emphasized the role of government as the trustee for all people. Sharing this power through collective bargaining with a certain group of people violated that trust and abdicated the responsibility of government.<sup>60</sup> Brock commented that involvement in bargaining with public employees was feared as a practice which could disrupt public services.<sup>61</sup>

In addition to the sovereignty argument, Thornton and Neal noted the fundamental difference between private and public employment. In the private sector, labor relations are controlled by economic feasibility. These relationships are centered about the fair distribution of profits and the need for mutual cooperation to ensure survival of the business or industry. In the public sector, these authors noted that labor relations are a political process concerned with influencing governmental decision making through collective action.<sup>62,63</sup>

Even though Executive Order 10988 did not grant

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<sup>60</sup>Beal and Begin, op. cit., p. 458.

<sup>61</sup>Jonathan Brock, Bargaining Beyond Impasse: Joint Resolution of Public Sector Labor Disputes, (Boston, MA: Auburn House, 1982), p. 5.

<sup>62</sup>Thornton, op. cit., pp. 6-7.

<sup>63</sup>Neal, op. cit., pp. 191-194.

bargaining rights to state and local governmental employees, Kovach observed that it was nonetheless "interpreted by state and local government employees as a mandate for protesting the historical denial of such rights" under the doctrine of sovereignty.<sup>64</sup> As Tyler noted,

In the 1960's, the public employee repeated the history of the industrial employee thirty years before and of the craftsmen sixty years before; having discovered his collective power, he moved - like a<sub>65</sub> teenager come of age - to express his collective power.

This collective power took shape in the various collective bargaining statutes passed by individual states. Although Wisconsin passed bargaining legislation which predated the Kennedy directive,<sup>66</sup> many states reacted to the pressure of organized teachers through the state affiliates of the National Education Association and the American Federation of Teachers and enacted legislation in the face of the federal order.<sup>67</sup> Lieberman observed that by 1970, "thirty eight states had enacted some type of bargaining or meet-and-confer legislation."<sup>68</sup>

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<sup>64</sup>Kovach, op. cit., p. 20.

<sup>65</sup>Gus Tyler, "Why They Organize," Education and Collective Bargaining, Anthony M. Cresswell and Michael J. Murphy (Berkeley, CA: McCutchan Publishing, 1976), p. 19.

<sup>66</sup>Cresswell, Murphy, and Kerchner, op. cit., p. 21.

<sup>67</sup>Ashby, McGinnis, and Persing, op. cit., p. 3.

<sup>68</sup>Myron Lieberman, Public-Sector Bargaining: A Policy Reappraisal, (Lexington, MA: D.C. Heath, 1980), p. 23.

Transformation of the National Education Association into a labor union. The early rapid growth of state legislation was the result of competition between the NEA and the AFT.<sup>69</sup> Following the success of the New York City teachers strike, the NEA was forced to examine its attitude toward collective bargaining.<sup>70</sup> Stern observed the National Education Association underwent a metamorphosis since the New York strike and transformed from a professional association into a bargaining association.<sup>71</sup> This transformation, seen by Burton as the "most important development in public-sector bargaining since 1960,"<sup>72</sup> was also observed by Troy who noted rivalry with the American Federation of Teachers caused the NEA to accelerate its movement toward collective bargaining.<sup>73</sup>

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<sup>69</sup>Ashby, McGinnis, and Persing, loc. cit.

<sup>70</sup>Randall W. Eberts and Joe A. Stone, Unions and Public Schools: The Effect of Collective Bargaining on American Education, (Lexington, MA: D. C. Heath and Co., 1984), p. 19.

<sup>71</sup>James L. Stern, "Unionism in the Public Sector," Public-Sector Bargaining, eds. Benjamin Aaron, Joseph R. Grodin, and James L. Stern (Washington, D.C.: The Bureau of National Affairs, 1979), p. 63.

<sup>72</sup>John F. Burton, Jr., "The Extent of Collective Bargaining in the Public Sector," Public-Sector Bargaining, eds. Benjamin Aaron, Joseph R. Grodin, and James L. Stern (Washington, D.C.: The Bureau of National Affairs, 1979), p. 30.

<sup>73</sup>Troy, op. cit., p. 39.

Doherty and Oberer commented on the rapid movement of the NEA in collective bargaining when they noted that "the NEA's collective bargaining arm, although not established until 1962, had by 1965 a budget that accounted for 13 percent of all NEA expenditures."<sup>74</sup> The importance of collective bargaining continued to grow as evidenced by the 44 percent claim that teacher welfare concerns had on the 1976-77 NEA budget.<sup>75</sup>

The emphasis of the NEA and the AFT in bargaining for public school teachers was not limited to legislative activity at the state level. Attempts at a federal bargaining statute in the 1970's as well as intervention in labor disputes before the courts were also supervised by these national organizations.<sup>76</sup>

Federal court actions affecting public sector bargaining. O'Reilly noted that "much of the umbrella of governance under which labor relations are conducted is constructed in court cases."<sup>77</sup> The positions of the federal judiciary with respect to public sector labor relations has in some ways paralleled the positions it established concerning private sector labor relations years earlier.

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<sup>74</sup>Doherty and Oberer, op. cit., p. 36.

<sup>75</sup>Cresswell, Murphy, and Kerchner, op. cit., p. 101.

<sup>76</sup>Beal and Begin, op. cit., p. 453.

<sup>77</sup>O'Reilly, op. cit., p. 11.

In 1917 and 1930, Veir reported that "yellow dog" contract provisions were upheld in Illinois and Washington respectively.<sup>78</sup> These decisions were reflective of the strong sovereignty doctrine of the period and were supported as late as 1945 when a Circuit Court of Appeals upheld the dismissal of police officers who refused to forsake union membership.<sup>79</sup>

During the years immediately following World War II, the erosion of the doctrine of sovereignty was evidenced by a Missouri court decision which held that absent a prohibitory statute, there was no reason why public employees should not organize as a labor union.<sup>80</sup> When striking teachers in Norwalk, Connecticut were dismissed for their actions, Veir's commentary reflected a change in position for the judiciary. While upholding the dismissal on the grounds of an illegal strike, the 1951 Connecticut court held, in contrast to the sovereignty doctrine, that public school teachers may organize and school boards may, but are not required to, negotiate with teachers.<sup>81</sup> The action of the Norwalk court was supported in later decisions and in 1968 the United States Court of Appeals for the

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<sup>78</sup>Carole Veir, "Collective Bargaining for Teachers," Education, CII, No. 2 (1981), p. 185.

<sup>79</sup>William Boulter, Johnny Purvis, and Rex Leonard, "Foundations of Teacher Unionism," Journal of Collective Negotiations, XIV, No. 3 (1985), p. 243.

<sup>80</sup>Veir, loc. cit.      <sup>81</sup>Ibid., p. 185-186.

Seventh Circuit found "that the First Amendment confers the right to form and join a labor union."<sup>82</sup>

While case law reflected the public policy of the 1960's and supported the rights of teachers to organize, the courts firmly rejected the strike as a method of dispute resolution. When Hortonville, Wisconsin teachers went on strike in 1976, the United States Supreme Court upheld their firing.<sup>83</sup> Veir's review of this case quoted an excerpt from the decision which rejected intervention by the court regarding legislatively imposed strike bans. This rejection was interpreted by Veir and others to support the argument that collective bargaining at the state and local level was a function of state legislation rather than a federal right.<sup>84</sup>

In an attempt to create a collective bargaining environment for all states, the National Education Association initiated the introduction of a federal bargaining bill in 1974. Although NEA president Helen Wise noted support of this bill by both Houses of Congress in a speech at the 1974 NEA convention, federal court action in the form of a Supreme Court decision caused the ensuing NEA president to state in 1976 that the courts had struck

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<sup>82</sup>McLaughlin v. Tilendis, 398 F.2d 287 at 287.

<sup>83</sup>Hortonville Joint School Dist. No. 1 v. Hortonville Educ. Assn., 426 U.S. at 482.

<sup>84</sup>Veir, op. cit., p. 187.



"at the very core of the power of Congress to act on a federal collective bargaining bill for state and local government employees."<sup>85</sup> This intervention in federal bargaining legislation took place in National League of Cities v. Usery.

The Fair Labor Standards Act (FLSA) was passed by Congress in 1938 and established a minimum wage for employees in the private sector.<sup>86</sup> In 1966, amendments to the FLSA increased its jurisdiction to state and local government employees.<sup>87</sup> Since the Tenth Amendment of the United States Constitution reserves to the states all power not delegated to the United States, the extension of FLSA coverage to public employees had been generally seen as an exercise of federal authority to implement minimum wage provisions on public employees.<sup>88</sup> When the Supreme Court struck down the constitutionality of the FLSA amendments in National League of Cities v. Usery, hopes for a federal labor relations statute relying upon the constitutionality

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<sup>85</sup>O'Reilly, op. cit., pp. 11-13.

<sup>86</sup>Ibid., p. 9.

<sup>87</sup>"State and Local Government Employees under the Fair Labor Standards Act," School Law Newsletter of Kansas Association of School Boards, (Topeka: Kansas Association of School Boards, May 1985), p.1.

<sup>88</sup>Leo Troy, "State and Local Government Employee Relations After Garcia," Government Union Review, VII, No. 3 (1986), p. 39.

of the FLSA were similarly dashed.<sup>89</sup>

Current perspectives in public sector labor relations at the federal level. Although the 1976 court decision forestalled attempts for federal bargaining legislation applicable to state and local government employees, the rationale of the court was recognized as deficient by Aaron who observed in 1979 that, "National League of Cities v. Usery was a bad decision and should be overruled."<sup>90</sup> This prophecy was fulfilled in 1985 when the Supreme Court vacated the Usery restraints in Garcia v. San Antonio Metropolitan Transit Authority, et al.. Troy observed that this decision "reopened the opportunity for Congress to extend its governance of relations between state and local governments and their ... employees."<sup>91</sup>

Even though a federal bargaining statute may now be possible, changes in attitudes toward organized labor in the public sector similar to the Taft-Hartley retrenchment of the private sector in the late 1940's were cited by Hill as the basis for his prediction that the trend toward labor

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<sup>89</sup>Stern, op. cit., p. 222.

<sup>90</sup>Benjamin Aaron, "Future of Collective Bargaining in the Public Sector," Public-Sector Bargaining, eds. Benjamin Aaron, Joseph R. Grodin, and James L. Stern (Washington, D.C.: The Bureau of National Affairs, 1979), p. 308.

<sup>91</sup>Troy, "Garcia," loc. cit.

legislation in the 1980's would slow or even regress.<sup>92</sup> Shannon also predicted retrenchment in the 1980's with increased public support of school boards in the bargaining relationship.<sup>93</sup> A nonsympathetic feeling toward labor was evidenced at the national level in 1981 when air traffic controllers striking in violation of federal law were fired by President Reagan.<sup>94</sup>

Although public support for organized labor may wane during the decade, its voice in public school decision making has continued to be felt. In 1985, Finn noted that 90 percent of public school teachers belonged to the NEA, the AFT, or an independent union. Representing nearly 2,000,000 teachers, the impact of these voices in the school was seen by Finn to have changed the "basic relationship between teachers and their employers."<sup>95</sup> Mary Hatwood Futrell, third term president of the National Education Association, echoed Finn's thought when she stated,

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<sup>92</sup>Frederick W. Hill, "From the Front Office: What's Ahead in Negotiations: Part 1," American School and University, LIV, No. 1 (1981), p. 19.

<sup>93</sup>Thomas D. Shannon, "School District Collective Bargaining in the 1980's," Education Digest, XLV, No. 7 (1980), p. 31.

<sup>94</sup>Herbert R. Northrup, "The Rise and Demise of PATCO," Industrial and Labor Relations Review, XXXVII, No. 2 (1984), p. 167.

<sup>95</sup>Chester E. Finn, Jr., "Teacher Unions and School Quality: Potential Allies or Inevitable Foes?," Phi Delta Kappan, LXVI, No. 5 (1985), p. 331-333.

"Teachers welcome change, but they also want a say in the change process."<sup>96</sup>

State Governance of Public Sector Collective Bargaining

The governance of public sector bargaining for employees of state and local government was clearly expressed as a prerogative of the several states by the court in Indianapolis Educ. Assn. v. Lewalew when it ruled that there was no constitutional duty to bargain with teachers and that any duty to do so was imposed by statute.<sup>97</sup> This statutory duty was observed by Faber and Martin who noted that collective bargaining for public employees was a high interest topic of state legislators who considered changes to bargaining laws nearly every year.<sup>98</sup> The variation in bargaining regulations imposed by individual states was reviewed by Lieberman who recounted bargaining provisions which ranged from the exercise of defacto bargaining rights in the absence of legislation to legalized strike provisions.<sup>99</sup> While comparing differences

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<sup>96</sup>Mary H. Futrell, "Chester Finn and Quality Education," Phi Delta Kappan, LXVI, No. 5 (1985), p. 340.

<sup>97</sup>Indianapolis Educ. Assn. v. Lewalew, 721 L.R.R.M., 2071 at 2072.

<sup>98</sup>Charles F. Faber and Donald L. Martin, Jr., "Two Factors Affecting Enactment of Collective Bargaining Legislation in Public Education," Journal of Collective Negotiations, VIII, No. 2 (1979), p. 151.

<sup>99</sup>Myron Lieberman, Beyond Public Education, (Westport, CN: Greenwood Press (1986), p. 21.

between the provisions of various jurisdictions, Wagner noted similarity in many bargaining models and asserted that in most instances, state legislation was modeled after the National Labor Relations Act.<sup>100</sup> Finch and Nagel concurred and asserted that "in devising public employee bargaining statutes, states have relied extensively on private sector precedent."<sup>101</sup>

Levine and Hagburg summarized characteristics of major bargaining laws enacted by various states. They noted sixteen states including Nebraska had comprehensive bargaining laws mandating collective bargaining on wages, hours and conditions of employment. Although bargaining was required in these states, the mandate stopped short of granting public employees the rights enjoyed by their private sector counterparts under the NLRA.<sup>102</sup> Similarly, Kansas was noted as one of three states governed by meet and confer bargaining laws. While the Kansas statutes were viewed as relatively comprehensive, Levine and Hagburg

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<sup>100</sup>Thomas E. Wagner, "Public Employee Collective Bargaining in the Absence of Enabling State Legislation," Journal of Collective Negotiations, X, No. 4 (1981), pp. 338-9.

<sup>101</sup>Michael Finch and Trevor W. Nagel, "Collective Bargaining in the Public Schools: Reassessing Labor Policy in an Era of Reform," Wisconsin Law Review, No. 6 (1984), p. 1670.

<sup>102</sup>Marvin J. Levine, and Eugene C. Hagburg, Public Sector Labor Relations (St. Paul, MN: West Publishing, 1979), p. 103.

stated that "these laws fall far short of genuine bargaining in that the results of the meetings, when reduced to writing, do not constitute a legally enforceable contract."<sup>103</sup>

The dissimilarity of the Kansas and Nebraska statutes was more pronounced when their nearly identical beginnings were explored. Arnold noted that both states well predated any bargaining thrust by public school teachers, Kansas having enacted provisions for the creation of a Court of Industrial Relations in the 1920's and Nebraska doing so in 1947.<sup>104</sup> While the 1947 Nebraska statutes enabling the Court to resolve labor disputes were upheld during constitutional challenges, those in Kansas were struck down by the United States Supreme Court in 1925 as unconstitutional. When the Supreme Court decisions were vacated in 1949, the Kansas legislature declined to reinstate the Court of Industrial Relations concept and left Nebraska with a unique device for the adjudication of labor disputes.<sup>105</sup>

The development of public sector bargaining in Nebraska. The roots of public sector bargaining in

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<sup>103</sup>Ibid., p. 104.

<sup>104</sup>Janet S. Arnold, "The Historical Development of Public Employee Collective Bargaining in Nebraska," Creighton Law Review, XV (1982), pp. 477-8.

<sup>105</sup>Ibid., pp. 477-8.

Nebraska may be traced to a constitutional convention in the state during 1919 and 1920. Included with other changes, Article XV, Section 9 was created which established a constitutional backdrop for a labor dispute resolution mechanism. As reported by Arnold, this Article permitted the legislature to create an Industrial Commission for the purpose of administering legislative remedies for controversies affecting the public welfare.<sup>106</sup> Although unused until 1947, the legislature utilized this constitutional power to pass LB 537 at the end of that session in order to avert an impending strike by telephone workers.<sup>107</sup>

The Court of Industrial Relations (CIR) was created by LB 537 as a "statutory quid pro quo for a no-strike provision" enacted in the same bill.<sup>108</sup> While the bill specifically excluded employees of state and local government, "the pattern was established by the 1947 Act for the extension of jurisdiction legislated in the 1960's."<sup>109</sup>

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<sup>106</sup>Ibid., p. 478.

<sup>107</sup>John E. Gradwohl, "Nebraska's Unique Public Employee Wage Setting Mechanism: Some Clarifications of Pursell and Torrence," Journal of Collective Negotiations, XIII, No. 4 (1984), p. 374.

<sup>108</sup>Wallace E. Good, "Public Employee Impasse Resolution by Judicial Order: The Nebraska Court of Industrial Relations," Journal of Law and Education, II, No. 2 (1973), p. 265.

<sup>109</sup>Ibid., p. 253.

Following the national trend, the Nebraska Unicameral addressed the collective bargaining concerns of teachers in 1967 when it enacted the Teachers Professional Negotiation Act (TPNA).<sup>110</sup> This act was limited to teachers in K-12 school districts with populations over 1000 people and was designed as a meet and confer statute.<sup>111</sup> While teachers were accorded the right to organize by the TPNA, discussions with school boards were limited by the act to only those items which the board consented to discuss.<sup>112</sup>

In 1969, significant legislation in the form of LB 15 was enacted. Included with other provisions, Good noted that this legislation extended the jurisdiction of the Court of Industrial Relations to resolve impasses between teachers and school boards. While teachers not covered by the TPNA were immediately included under the jurisdiction of the Court, the bill required that covered districts exhaust the provisions of the TPNA prior to intervention by the CIR.<sup>113</sup> Arnold observed that among the TPNA provisions which must be exhausted was the completion of non binding recommendations

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<sup>110</sup>Ibid., p. 254.

<sup>111</sup>David G. Wagaman, "Public Employee Impasse Resolution: A Historical Examination of the Nebraska Experience with some Comparisons to the New York State Experience" (Unpublished Doctoral Dissertation, University of Nebraska-Lincoln, 1977), pp. 136, 150.

<sup>112</sup>Arnold, op. cit., pp. 480-81.

<sup>113</sup>Good, op. cit., pp. 254-55.



issued by a tripartite fact finding board.<sup>114</sup>

The constitutionality of the Court of Industrial Relations was challenged and successfully defended in 1972 and subsequent cases were cited by Arnold which determined the jurisdictional boundaries of the CIR.<sup>115</sup> In order to distinguish between the Court of Industrial Relations and a traditional court of law, Arnold observed that in 1979 the legislature enacted LB 444 which changed the name of the body to the Commission of Industrial Relations (CIR).<sup>116</sup> This statute also authorized the CIR "to order mediation and fact finding as preliminary dispute resolution procedures."<sup>117</sup>

In 1987, legislative changes enacted under LB 524 repealed the Teachers Professional Negotiation Act and placed all public school teacher negotiations under the jurisdiction of the Commission of Industrial Relations.<sup>118</sup> Additionally, this legislation changed the permissive authority of the CIR to order fact finding or mediation and directed that, "the commission shall require the parties ... to submit to mediation or fact finding upon request of

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<sup>114</sup>Arnold, op. cit., p. 487.

<sup>115</sup>Ibid., pp. 482-84.

<sup>116</sup>Ibid., p. 487.

<sup>117</sup>Ibid., p. 489.

<sup>118</sup>Nebraska, 1987 Session Laws, LB 524, p. 4.

either party.<sup>119</sup>

The Commission of Industrial Relations was given statutory authority to adjudicate labor impasse disputes through the provisions of Section 48-818 of Nebraska statutes. This section has been amended throughout the years but has retained the essential mandate to the CIR which currently reads that,

The Commission of Industrial Relations shall establish rates of pay and conditions of employment which are comparable to the prevalent wage rates paid and conditions of employment maintained for the same or similar work of workers exhibiting like or similar skills under the same or similar working conditions.<sup>120</sup>

Gradwohl asserted that the application of the single standard of comparability to impasse resolution through the judicial-type procedure employed by the CIR was unique from impasse resolution techniques mandated by other states.<sup>121</sup> Contrasting the CIR model to that of binding arbitration, Gradwohl distinguished the CIR on the basis of procedure and single standard of comparability.<sup>122</sup>

While the difference between an administrative hearing and judicial proceeding as well as application of a single standard of comparability versus a combination of

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<sup>119</sup>Ibid., p. 2.

<sup>120</sup>Nebraska, Reissue Revised Statutes (1987), Section 48-818.

<sup>121</sup>Gradwohl, op. cit., pp. 374-75.

<sup>122</sup>Ibid., p. 376.

other factors utilized in other jurisdictions were seen as evidence of a unique system by Gradwohl, other authors did not draw so clear a distinction. Janet Arnold, Clerk of the Commission from 1975 until 1980, referred to the variations between CIR procedures and those of other jurisdictions as "more procedural than substantive"<sup>123</sup> and observed that the CIR provided "binding impasse settlement" which she likened to the Iowa model of binding arbitration.<sup>124</sup> Good noted that Section 48-818 provided for "binding adjudication"<sup>125</sup> of labor disputes while Pursell and Torrence referred to the Nebraska model as "compulsory arbitration."<sup>126</sup> Given Lieberman's definition of binding arbitration as "a procedure in which an impartial third party actually renders a decision - which can be binding or nonbinding,"<sup>127</sup> the procedure of impasse dispute resolution exercised by the Nebraska Commission of Industrial Relations may be classified as a variant of binding arbitration.

The development of public sector bargaining in Kansas. Article 15, Section 12 of the Kansas Constitution

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<sup>123</sup>Arnold, op. cit., p. 497.

<sup>124</sup>Ibid., pp. 490-91. <sup>125</sup>Good, op. cit., p. 259.

<sup>126</sup>Donald E. Pursell and William D. Torrence, "The Impact of Compulsory Arbitration of Municipal Budgets - The Case of Omaha, Nebraska," Journal of Collective Negotiations, XII, No. 2 (1983), p. 119.

<sup>127</sup>Myron Lieberman, Before During and After Bargaining, (Chicago, IL: Teach'em, 1979), p. 215.

was adopted by the people in 1958. This Section has been referred to as the "right to work" amendment and permitted public employees to join and maintain membership in labor organizations.<sup>128</sup> While public employees were permitted to join labor unions, Goetz noted that the Kansas Supreme Court rebuffed an attempt at collective bargaining by those employees when it determined that public school boards were not considered employers under the general state labor laws.<sup>129</sup> In a 1964 decision, the Kansas Supreme Court concluded that the collective bargaining statutes "must be construed to apply only to private industry until such time as the legislature shows a definite intent to include political subdivisions."<sup>130</sup> The sovereignty doctrine was also noted by the court when it asserted that "under our form of government ... public employment cannot become a matter of collective bargaining and contract."<sup>131</sup>

Following the national trend toward formal labor relations with public employees, the legislature adopted the Collective Negotiations Act in 1970 which became commonly known as the Professional Negotiations Act.<sup>132</sup> This Act

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<sup>128</sup>Kansas Constitution, Article 15, Section 9.

<sup>129</sup>Raymond Goetz, "The Kansas Public Employer-Employee Relations Law," Kansas Law Review, XXVIII (1980), pp. 243-244.

<sup>130</sup>Wichita Public Schools Employees Union v. Smith, 194 Kan. 3 at 5.

<sup>131</sup>Ibid.      <sup>132</sup>Goetz, op. cit., p. 245.

defined professional negotiations for teachers as

meeting, conferring, consulting and discussing in a good faith effort by both parties to reach agreement with respect to the terms and conditions of professional service.<sup>133</sup>

Chubb and Gray observed that the original legislation was similar to that of many other states in that strikes by public school teachers were prohibited.<sup>134</sup> When teachers in the Seaman School District struck in 1973, the Kansas Supreme Court refused to sympathize with their subsequent employment termination when it stated, "[O]ur courts will give no assistance ... to professional employees who do strike."<sup>135</sup>

Goetz observed a weakness in the 1970 Act in that it contained no provision for resolution of impasse.<sup>136</sup> This omission was addressed by the Kansas legislature in 1977 when an impasse resolution procedure was grafted onto the Act.<sup>137</sup> In a review of the 1977 amendments, Babcock and

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<sup>133</sup>Kansas Statutes Annotated, Section 72-5413g (1985).

<sup>134</sup>Janet Chubb and David Gray, "Teachers and the School Board - Negotiations in Kansas," Washburn Law Journal, XV (1976), pp. 458-59.

<sup>135</sup>Seaman Dist. Teachers' Ass'n. v. Board of Education, 217 Kan. 233 at 246.

<sup>136</sup>Goetz, op. cit., p. 246.

<sup>137</sup>Mary K. Babcock and William R. Kaufman, "Impasse in Wonderland: Some Ramifications of the 1977 Amendments to the Kansas Collective Negotiations Act," Washburn Law Journal, XVIII (1978), p. 12.

Kaufman observed that provisions for determining impasse as well as mediation and fact finding were included as required components of the impasse resolution procedures.<sup>138</sup> Noting that the mediation and fact finding recommendations were advisory only, the management domination of the bargaining process was seen in the final step of impasse resolution in the 1977 amendments which permitted the board of education to "take such action as it deems in the public interest."<sup>139</sup> The Professional Negotiations Act and the impasse resolution techniques were tested in 1978 and found to be constitutional.<sup>140</sup>

Dietrich noted that additional amendments occurred in 1980 which extended and specified the list of subjects which were mandatorily negotiable under the definition of "terms and conditions of employment".<sup>141</sup> Goetz noted that the 1980 amendments also included changes to the impasse declaration procedure. Under the 1977 legislation, impasse could only be declared by action of the state district court; however, the 1980 amendments included provisions for

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<sup>138</sup>Ibid., pp. 13-15.

<sup>139</sup>Kansas, House Bill 2325, Section 9f (1977).

<sup>140</sup>Babcock and Kaufman, op. cit., pp. 33-35.

<sup>141</sup>Diana Dietrich, "Labor Law - Mandatory Subjects of Bargaining Under the Kansas Public Employer-Employee Relations Act - Kansas Board of Regents v. Pittsburg State University Chapter of Kansas-National Education Association," Kansas Law Review, XXXII (1984), pp. 708-9.

declaration of impasse by determination of the Secretary of Human Resources.<sup>142</sup> Additionally, the legislature proposed an ending time for negotiations by establishing a statutory impasse date of June 1 for schools who had not completed negotiations by that time.<sup>143</sup>

The identification of what final action a board could take in the event that both mediation and fact finding were unsuccessful was also addressed by the 1980 legislature. In a new section appended to the Act, the legislature permitted the board of education "to issue a unilateral contract" as the final action to terminate the negotiation process.<sup>144</sup> Teachers were accordingly given fifteen days from this final action to accept the contract or resign without penalty.<sup>145</sup>

While the Kansas statutes refer to discussions between teachers and school boards as "professional negotiation," Dilts concurred with the position that the statutory framework governing teacher negotiations in Kansas is a variant of the meet and confer negotiation model. The employer's freedom to offer unilateral employment contracts following unsuccessful mediation and fact finding supported Dilts' conclusion that "Kansas' Professional Negotiations

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<sup>142</sup>Goetz, op. cit., p. 246.

<sup>143</sup>Kansas, Senate Bill 539, Section 1n (1980).

<sup>144</sup>Ibid., Section 15.      <sup>145</sup>Ibid., Sections 16-17.

Act requires the parties to meet and confer on terms and conditions of employment."<sup>146</sup>

Major Participants in the Bargaining Process

Recognition of collective bargaining as an interactive process between representatives of labor and management was supported throughout the literature. Cresswell, Murphy and Kerchner introduced a comprehensive study of collective bargaining by acknowledging that it "has come to touch the lives of most workers and clients in public education."<sup>147</sup> Brock noted that competition for economic resources has made "the quality of the relationship between labor and management ... more difficult to develop and maintain"<sup>148</sup> while Williams stated his belief that "the movement toward a negotiations model is forcing a fundamental reordering of the public schools."<sup>149</sup> An examination of the participants in the teacher negotiation process as well as the factors which influence their roles

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<sup>146</sup>David A. Dilts, "The Negotiation of Teacher Economic Packages: An Analysis of Kansas' Settlements for 1983 and 1984," Journal of Collective Negotiations, XV, No. 3 (1986), p. 274.

<sup>147</sup>Cresswell, Murphy, and Kerchner, op. cit., p. v.

<sup>148</sup>Brock, op. cit., p. 2.

<sup>149</sup>Richard C. Williams, "Essay Reviews: The Impact of Negotiations in Public Education: The Evidence from the Schools: 1964-69," Educational Administration Quarterly, VII, No. 2 (1971), p. 77.



in that process was seen by Randles and Baum to be useful in analyzing behavior in labor-management relations.<sup>150</sup>

Webster noted that teachers, superintendents and school boards were among six groups which were influential in or affected by the teacher negotiation process.<sup>151</sup> Inclusion of these groups was seen in the broader categories of teachers' unions, district administrators, and taxpayers which were noted by Eberts and Stone as playing important roles in teacher negotiations.<sup>152</sup> The existence of these parties as well as their positions with respect to bargaining were also identified by Holley, Scebra, and Rector. In a study of the role of the principal in negotiations, these authors identified school boards, superintendents and teachers together with teacher associations as the other participants in the teacher negotiation process.<sup>153</sup>

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<sup>150</sup>Harry Randles and Steve Baum, "Attitudes of Professional Educators Toward Labor and Management," Journal of Collective Negotiations, XIV, No. 1 (1985), p. 77.

<sup>151</sup>William G. Webster, Sr., Effective Collective Bargaining in Public Education (Ames, IA: Iowa State University Press, 1985), p. 19.

<sup>152</sup>Eberts and Stone, op. cit., pp. 32-33.

<sup>153</sup>William H. Holley, Jr., J. Boyd Scebra, and William Rector, "Perceptions of the Role of the Principal in Professional Negotiations," Journal of Collective Negotiations, V, No. 4 (1976), p. 368.

The School Board in Teacher Negotiations

That the role of the school board in teacher negotiations is one of management is self evident. O'Reilly noted that the school board must provide education for the students of the district as stipulated by the state legislature. With this mandate, the contract becomes a necessity and bargaining to achieve that contract a reality.<sup>154</sup> Preparation of the board of education for the responsibility of negotiating the contract was noted by Schachter to have been deficient. As teacher negotiation legislation swept the country in the 1960's, she observed that "insufficient attention was paid to preparing the board of education for its new responsibilities."<sup>155</sup> A 1984 study by Bishop confirmed that board member training in negotiations was still deficient. Citing only 15 percent of board members with prior negotiation experience, Dennis Bishop, as cited by Rist, concluded that most board members were not qualified to negotiate.<sup>156</sup>

Cresswell, Murphy and Kerchner asserted that the participation of the school board in teacher negotiations

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<sup>154</sup>O'Reilly, op. cit., pp. 70-71.

<sup>155</sup>Hindy L. Schachter, "Collective Bargaining and School Policy," Peabody Journal of Education, LVIII, No. 1 (1980), p. 41.

<sup>156</sup>Marilee C. Rist, "Arm Negotiators for Bargaining Success," The American School Board Journal, CLXXII, No. 5 (1985), p. 35.

was a source of disagreement among negotiation experts.<sup>157</sup> Derber noted that in most school districts, members of the board were involved in teacher negotiations from the preparation phase to approval of the agreement and in some cases served as members of the bargaining team.<sup>158</sup> Recognizing the complexity of the labor agreement, Schwerdtfeger advocated involvement of board members to the extent that each member assume responsibility for one portion of the agreement.<sup>159</sup> Gilroy et al. recommended noninvolvement in negotiations by board members unless board confidence in its negotiator was shaken.<sup>160</sup> Cresswell, Murphy and Kerchner acknowledged this concern and further observed that board involvement can "threaten the role of the superintendent as chief executive officer."<sup>161</sup> The role conflict between a board member serving as the negotiator who desires settlement and the elected representative

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<sup>157</sup>Cresswell, Murphy, and Kerchner, op. cit., p. 230.

<sup>158</sup>Milton Derber, "Management Organization for Collective Bargaining in the Public Sector," Public-Sector Bargaining, eds. Benjamin Aaron, Joseph R. Grodin, and James L. Stern (Washington, D.C.: The Bureau of National Affairs, 1979), p. 104.

<sup>159</sup>Robert D. Schwerdtfeger, "Labor Relations Thrive When You Control Collective Bargaining," The American School Board Journal, CLXXIII, No. 10 (1986), pp. 41-42.

<sup>160</sup>Thomas P. Gilroy and others, Educator's Guide to Collective Negotiations, (Columbus, OH: Charles E. Merrill, 1969), p. 34.

<sup>161</sup>Cresswell, Murphy, and Kerchner, loc. cit.

responsible to the public was one of two arguments against board involvement in teacher negotiations cited by Lieberman.<sup>162</sup> A similar desire to settle was used as a second argument against members of school boards even serving on negotiation teams so as to avoid internal conflicts with ratification of an agreement. Even with this recommendation of noninvolvement, Lieberman recognized the effect of district size upon board involvement when he admitted that in small districts, the board may constitute the pool from which the management team may be drawn.<sup>163</sup>

Regardless of the disagreement among authors about the degree of involvement with teacher negotiations, board members were seen as highly involved in the actual negotiation process. At the national level, Doherty indicated that the board was represented by at least one member on 78 percent of management negotiation teams.<sup>164</sup>

Evidence of board involvement on the negotiation team was also noted in both Kansas and Nebraska. Nusbaum reported in 1982 that 41 percent of Kansas school districts

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<sup>162</sup>Myron Lieberman, "The Role and Responsibilities of the Parties in School District Bargaining," Journal of Collective Negotiations, X, No. 1 (1981), p. 95.

<sup>163</sup>Lieberman, Public-Sector Bargaining, op. cit., p. 72.

<sup>164</sup>Robert E. Doherty, "Public Education," Collective Bargaining: Contemporary American Experience, ed. Gerald G. Somers (Bloomington, IL: Pantagraph Printing, 1980), p. 512.

which negotiated used board members as chief negotiators.<sup>165</sup> A research report reflecting the 1987-88 negotiations season indicated school board members who served as the chief negotiator had increased to 51 percent.<sup>166</sup> An even higher degree of board involvement in negotiations was found in Nebraska. In a 1984 study, Staver found that 91.4 percent of board member respondents had served on the district negotiations team.<sup>167</sup>

#### The Teacher in Teacher Negotiations

As the role of the school board was seen as representing management, so is the role of the teacher seen as representing labor in public education collective bargaining. Blumberg and Castallo found that the expected role of the teacher, as spoken through the teacher union, was that of a protagonist in order to "change the status quo relative to gaining more ... money or additional

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<sup>165</sup>Ned A. Nusbaum, "The Differences Between Types of School District Chief Negotiators and the Final Agreement," Dissertation Abstracts International, XLIII, No. 7 (1982), p. 2189.

<sup>166</sup>James Hays, "1987-88 Negotiations in Kansas School Districts," Kansas Association of School Boards (Research Bulletin, No. 5-II, February 1988), p. 1.

<sup>167</sup>Richard G. Staver, "The Perceptions of Teachers, Superintendents, and Board Members Concerning the Outcomes of Teacher Collective Bargaining in Nebraska" (Unpublished Doctoral Dissertation, University of Nebraska-Lincoln, 1986), p. 68.

benefits."<sup>168</sup> The "added benefits" desired by teachers as observed by Nelson and Robson included economic and employment security as well as a voice in educational decision making.<sup>169</sup>

Several authors noted the positive effect of teacher negotiations for teachers in the employment relationship. Yeakey and Johnston observed that teacher negotiations have granted "teachers a measure of power and control over certain decisions of management."<sup>170</sup> In a review of teacher bargaining, Perry included participatory decision making together with expanded contractual rights and protection from arbitrary employment actions as effects of teacher negotiations.<sup>171</sup> Attitudinal changes were seen by Feyerherm and Muchinsky who cited teachers' beliefs that negotiations enhanced communication between themselves and management

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<sup>168</sup> Arthur Blumberg and Richard Castallo, "When the Union Has Something the School Board Wants; Role Reversal in Collective Bargaining," Educational Administration Quarterly, XVI, No. 3 (1980), p. 100-01.

<sup>169</sup> Norbert J. Nelson and Donald L. Robson, "A House Divided Against Itself: School House Adversaries," Journal of Collective Negotiations, VIII, No. 3 (1979), p. 274.

<sup>170</sup> Carol C. Yeakey and Gladys S. Johnston, "Collective Bargaining and Community Participation in Educational Decision Making: A View Toward Trilateral Bargaining and School Reform," Journal of Collective Negotiations, VIII, No. 4 (1979), p. 347.

<sup>171</sup> Charles R. Perry, "Teacher Bargaining: The Experience in Nine Systems," Industrial and Labor Relations Review, XXXIII, No. 1 (1979), p. 17.

representatives.<sup>172</sup>

Both positive and negative effects were noted by Johnson who asserted that while collective bargaining "enhances the rights of teachers," it simultaneously "constrains the prerogatives of management."<sup>173</sup> Webster also noted dual effects of negotiations upon teachers. While California teachers in a 1978 study indicated pleasure with increases in power as a result of negotiations, displeasure was registered about the limited scope of bargaining.<sup>174</sup>

Negative effects of the teacher negotiation process were observed by other researchers. In a 1972 study, Randles asserted that feelings of mistrust between teachers and boards had a marked tendency to develop where negotiations had taken place over a period of time.<sup>175</sup> Writing some eight years later, Nottingham cited this lack of trust as one of eleven indicators of an immature bargaining relationship. Nottingham continued to observe

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<sup>172</sup>Ann E. Feyerherm and Paul M. Muchinsky, "Structural and Attitudinal Factors Related to Collective Negotiations in Public School Systems," Journal of Collective Negotiations, VII, No. 1 (1978), p. 78.

<sup>173</sup>Susan M. Johnson, Teacher Unions in Schools, (Philadelphia, PA: Temple University Press, 1983), pp. 14-5.

<sup>174</sup>Webster, op. cit., pp. 30-1.

<sup>175</sup>Harry Randles, "Attitudes of School Board Members and Professional Staff Toward Labor and Management," Journal of Collective Negotiations, I, No. 3 (1972), p. 200.

that as the relationship matured, acknowledgement of the rights of both management and teachers would occur.<sup>176</sup> Speaking of teachers individually rather than collectively, Cresswell, Murphy and Kerchner noted instances where teachers acted unethically and used the teaching process to gain sympathy for union bargaining positions.<sup>177</sup> Although abuse may occur, the practice was not perceived as problematic by Nighswander and Klahn who reported that among survey groups of superintendents, principals, and college presidents there was general consensus "that teacher bargaining had "no effect" on instructional programs ... and student morale."<sup>178</sup>

Projecting limited economic resources which would cause teachers to accept increased student-teacher ratios in return for gains in remuneration, Reed and Connors hypothesized that job satisfaction of teachers will decrease due to increased student loads as a result of monetary gains.<sup>179</sup> Lieberman addressed the impact of teacher

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<sup>176</sup>Marvin A. Nottingham, "Food for Thought: Maturity in Collective Bargaining," Educational Research Quarterly, V, No. 2 (1980), pp. 2-3.

<sup>177</sup>Cresswell, Murphy, and Kerchner, op. cit., pp. 184-5.

<sup>178</sup>James K. Nighswander and Richard P. Klahn, "Teacher Collective Bargaining - A Survey of Administrators," North Central Association Quarterly, LI, No. 3 (1977), p. 337, 341.

<sup>179</sup>Donald B. Reed and Dennis A. Connors, "The Paradox of 'Making It': Teachers and Collective



negotiations upon educational reform and asserted that organized resistance toward reform efforts would be exercised by teacher unions not interested in improving education at the expense of their membership.<sup>180</sup>

The participation of teachers on the bargaining team was noted by Gilroy et al. who suggested that the teacher negotiations team be composed of a chairman elected by a negotiations committee which in turn, was either appointed or elected by the membership.<sup>181</sup> These authors continued to note the importance of not only the institutional significance in winning concessions for teachers but also the organizational importance of negotiations as a ritualistic ceremony used to demonstrate the usefulness of the teacher union.<sup>182</sup>

The involvement of teachers in Nebraska was observed by Staver who found in 1984 that 52 percent of a random sample of Nebraska teachers had served on a negotiations team.<sup>183</sup> Involvement by Kansas teachers in the negotiations process was also viewed as high with 83 percent of Kansas schools reporting a district teacher serving as chief

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Bargaining," Peabody Journal of Education, LIX, No. 2 (1982), pp. 119-120.

<sup>180</sup>Lieberman, "Educational Reform and Teacher Bargaining," op. cit., pp. 54-7.

<sup>181</sup>Gilroy et al., op. cit., p. 31.

<sup>182</sup>Ibid., p. 29. <sup>183</sup>Staver, op. cit., p. 65.

negotiator during the 1987-88 negotiations season.<sup>184</sup>

The Superintendent in Teacher Negotiations

That the superintendent is an integral part of the collective bargaining process in teacher negotiations is undisputed; the specific part which he/she plays however, does not receive the same unanimity in the literature. Cresswell, Murphy and Kerchner asserted that by 1965 the superintendent "was a dominant figure in the handling of collective action"<sup>185</sup> but recognized that the superintendent "was not always the bargaining representative of the board."<sup>186</sup>

The involvement of the superintendent in teacher negotiations grew rapidly. Wildman concluded in 1955 that administrators were playing a negligible role in the development of public sector bargaining legislation.<sup>187</sup> Troy concurred and noted that when the process began in earnest, management was "ill prepared in knowledge and experience for collective bargaining."<sup>188</sup> This negligible

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<sup>184</sup>Hays, op. cit., p. 2.

<sup>185</sup>Cresswell, Murphy, and Kerchner, op. cit., p. 36.

<sup>186</sup>Ibid.

<sup>187</sup>Wesley A. Wildman, "Legal Aspects of Teacher Collective Action," Readings on Collective Negotiations in Public Education, eds. Stanley Elam, Myron Lieberman, and Michael H. Moskow (Chicago, IL: Rand McNally and Co., 1967), p. 85.

<sup>188</sup>Troy, "The Convergence . . .," op. cit., p.43.

involvement of the superintendent in teacher negotiations was contrasted with the significant involvement as evidenced by a 1976 study which revealed that up to 20 percent of a superintendent's time was devoted to that function.<sup>189</sup>

While the involvement of the superintendent in teacher negotiations grew comparatively with the growth of collective action in public education, the role of the superintendent in the bargaining process was not seen with the same consistency by researchers. When viewed as a location on a continuum between the extremes of management negotiator and labor negotiator, the role of the superintendent was perceived as ranging from that of management negotiator to teacher advocate. Levine and Lewis noted in 1982 that the role of the superintendent was still being defined and cited Miller and Newbury who stated that the superintendent may "function as board negotiator, teacher spokesman, mediator for both sides, or be completely neutral."<sup>190</sup>

The role of the superintendent in teacher negotiations. Ashby, McGinnis and Persing asserted that the role of the superintendent in negotiations was inseparable from the other roles played by the superintendent. Citing such roles as chief executive officer of the board,

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<sup>189</sup>Cresswell, Murphy, and Kerchner, op. cit., p. 44.

<sup>190</sup>Levine and Lewis, op. cit., p. 185.

educational leader, district decision maker and fiscal agent, Ashby et al. concluded that the superintendent's role in teacher negotiations was affected by those other roles.<sup>191</sup>

The interaction of the negotiations role with other roles of the superintendent was recognized as a source of role conflict by Cresswell, Murphy and Kerchner. These authors observed that the superintendent who acts as the chief executive officer of the board during negotiations may enhance public trust and board support but diminishes collegiality with teaching staff. Conversely, while taking a neutral role in negotiations may enhance collegiality with staff, it may decrease public confidence in the superintendent and even erode board support.<sup>192</sup>

The basic conflict between management representative and staff leader was apparent in the roles advocated for the superintendent during the developmental years of teacher negotiations. In 1961, the American Association of School Administrators (AASA) rejected the two extreme concepts of a superintendent as a management negotiator or uninvolved party and opted instead to recommend the superintendent serve as an independent third party in the negotiation

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<sup>191</sup>Ashby, McGinnis, and Persing, op. cit., p. 77.

<sup>192</sup>Cresswell, Murphy, and Kerchner, op. cit., p. 229.

process.<sup>193</sup> Commonly seen as a go-between, Kennedy observed that by 1966 the view of the superintendent "as a 'gopher' for the teachers and the board" was being challenged with emphasis placed on a management role for the superintendent.<sup>194</sup> The inadequacy of the independent third party concept was also recognized by the AASA in 1968 when it changed its position and recommended the role of the superintendent be one ranging from chief negotiator for the board to that of consultant to the board.<sup>195</sup>

While the placement of the superintendent on the labor-management continuum was generally conceded to be on the management side, the exact location and degree of polarity of the superintendent toward the management extreme has continued to be debated. Young identified six roles that the superintendent may play in teacher negotiations. Ranging from management agent to staff supporter, Young challenged superintendents to always champion the welfare of children during the negotiation process.<sup>196</sup> Andree

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<sup>193</sup> Ashby, McGinnis, and Persing, op. cit., pp. 78-9.

<sup>194</sup> John D. Kennedy, "When Collective Bargaining First Came to Education: A Superintendent's Viewpoint," Government Union Review, V, No. 1 (1984), p. 21.

<sup>195</sup> Ashby, McGinnis, and Persing, op. cit., p. 79.

<sup>196</sup> Charles R. Young, "The Superintendent of Schools in a Collective Bargaining Milieu," The Collective Dilemma: Negotiations in Education, eds. Patrick Carlton and Harold I. Goodwin (Worthington, OH: Charles A. Jones Publishing, 1969), pp. 110-12.

concurred with Young's call for a child advocate but continued to note that the superintendent must play an important leadership role in teacher negotiations."<sup>197</sup> The specific components of this leadership role were defined differently by other authors.

Gilroy et al. stated in 1969 that the superintendent should represent management in teacher negotiations and further recommended that the board not be involved in the process.<sup>198</sup> Carlton and Goodwin observed in the same year that while the superintendent claimed to represent the interests of both boards and teachers prior to the onset of collective bargaining, there was pressure by both of these groups to place the superintendent on the management side of the labor-management continuum.<sup>199</sup> The American Association of School Administrators reflected the movement of the superintendent toward management in 1974 when it stated its position that the excessive commitment in both time and knowledge would cause school boards to delegate the negotiator's function to the superintendent.<sup>200</sup> Somers

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<sup>197</sup> Robert G. Andree, Collective Negotiations, (Lexington, MA: D. C. Heath and Co., 1970), p. 64.

<sup>198</sup> Gilroy, et al., op. cit., pp. 33-34.

<sup>199</sup> Patrick Carlton and Harold I. Goodwin, The Collective Dilemma: Negotiations in Education, op. cit., p. 84.

<sup>200</sup> American Association of School Administrators, Helping Administrators Negotiate: A Profile of the Emerging Management Position of Director of Employee Relations in the

utilized the experience of sixteen years of bargaining in 1985 when he concluded the superintendent should represent management at the negotiations table. Reasons used to support Somer's argument included knowledge of local bargaining history, educational systems experience and appreciation of the ramifications of specific contract provisions.<sup>201</sup>

Arguments against the superintendent's role as a management negotiator were equally vociferous. Sarthory noted in a 1971 study that "equal proportions of superintendents served as a member of the board team, a consultant for both sides, or as a consultant to the board team only."<sup>202</sup> Citing results of the study which demonstrated no significant effect of the role of the superintendent upon negotiations impasse, Sarthory concluded that the controversy over the proper role of the superintendent as board negotiator versus educational leader was related more to role conflict than the success of

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Administrative Structure of a School District, (Arlington, VA: American Association of School Administrators, 1974), p. 2.

<sup>201</sup>Norman L. Somers, "Superintendents Make Surefire Negotiators, So Dump Your Hired Guns," The American School Board Journal, CLXXII, No. 5 (1985), p. 29.

<sup>202</sup>Joseph A. Sarthory, "Structural Characteristics and the Outcome of Collective Negotiations," Educational Administration Quarterly, VII, No. 3 (1971), p. 86.

negotiations in the district.<sup>203</sup> Further recognition of the role conflict was emphasized by Kershen who asserted that the superintendent should not represent management in teacher negotiations. In an exploration of the various parties eligible to serve as district negotiator, Kershen concluded that the superintendent was the educational leader to the board, teachers, and community and as such should not be placed in the role of management advocate "where he is inevitably in the impossible position of alienating one of his constituencies."<sup>204</sup> In a rebuttal of Somer's assertion that the superintendent should serve as the board's negotiator, Ficklen recommended the use of an outside negotiator to serve as a focal point for the anger and frustration inherent in the bargaining process. Noting that the superintendent must serve as the educational leader of the community, Ficklen concluded that abstinence from negotiating for management was necessary to maintain a good working relationship with teachers.<sup>205</sup>

Other authors recommended the role of the superintendent in teacher negotiations be located between

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<sup>203</sup>Ibid., pp. 86-87.

<sup>204</sup>Harry Kershen, "Who Should Negotiate for the Board?," Journal of Collective Negotiations, I, No. 4 (1972), p.351.

<sup>205</sup>Ellen Ficklen, "Whoa, There! By Stationing the Superintendent at the Bargaining Table, You Could Be Gunning for Trouble," The American School Board Journal, CLXXII, No. 5 (1985), p. 32.



the extremes on the labor-management continuum. Nelson and Robson advocated the superintendent serve as a mediator between the board and teachers to soften negative attitudes which may result from bargaining. Noting that this role could put the superintendent at odds with the board, the importance of avoiding a loss of confidence in teachers and the educational enterprise was deemed valuable enough to make this risk worth taking.<sup>206</sup> Derber suggested that the role of the superintendent was related to that person's expertise and experience in the field of labor relations. Derber further noted that superintendents with negotiations experience may play a dominant role in the process whereas their less experienced counterparts may play a very minor part.<sup>207</sup>

In Nebraska, Townsend completed a limited survey of small school districts four years after passage of the Teachers Professional Negotiations Act. The results of this 1971 study indicated that the superintendent's role in teacher negotiations varied from spokesman for teachers to board negotiator. While these extreme positions were present, the majority of respondents saw themselves in an advisory capacity.<sup>208</sup> In a study that did not examine the

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<sup>206</sup>Nelson and Robson, op. cit., p. 272.

<sup>207</sup>Derber, op. cit., p. 82.

<sup>208</sup>Samuel M. Townsend, "A Study of the Role of the Superintendent of Schools in Teacher Negotiations in Class

specific role of the superintendent, Staver discovered that nearly 58 percent of Nebraska superintendents in 1984 were on the bargaining team for either the board or the teachers.<sup>209</sup> In Kansas, a summary of negotiations for the 1987-88 school year indicated 17 percent of school districts were represented in teacher negotiations by the superintendent.<sup>210</sup>

Factors which affect the role of the superintendent in teacher negotiations. The variance in the literature with respect to the role of the superintendent may be attributed to a variety of factors which may influence the superintendent's role in teacher negotiations. In a study of local governmental subdivisions, Gerhart asserted that the negotiation process was influenced by several factors related to the bargaining environment.<sup>211</sup>

One of the factors found to be significant in Gerhart's study was the statutory framework governing the bargaining process. Noting increased union power where mandatory bargaining was legislated compared to other

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'C' and 'D' School Districts in Nebraska" (Unpublished Thesis, University of Nebraska-Omaha, 1972), p. 20.

<sup>209</sup>Staver, op. cit., p. 6.

<sup>210</sup>Hays, loc. cit.

<sup>211</sup>Paul F. Gerhart, "Determinants of Bargaining Outcomes in Local Government Labor Negotiations," Industrial and Labor Relations Review, XXIX, No. 3 (1976), p.333.

jurisdictions where meet and confer legislation applied, Gerhart concluded that the statutory framework governing bargaining had a significant effect upon bargaining outcomes.<sup>212</sup> Smit observed the impact of the statutory framework in the teacher negotiation process when he found state bargaining laws had a negative impact on the role and function of the board of education in states with mandatory bargaining laws.<sup>213</sup> Ashby, McGinnis and Persing focused upon the superintendent when they stated, "The superintendent's specific role in negotiations is a function of the local situation and/or state legislation."<sup>214</sup>

A second factor which may affect the role of the superintendent is district size. Lieberman asserted that a district's size plays an important role in bargaining in that small school districts are unwilling or financially unable to withstand labor-related litigation and as a result, acquiesce to union demands.<sup>215</sup> Derber concluded that the management of the negotiation process was centralized in large districts which caused authority for personnel decisions to shift to the office of the

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<sup>212</sup>Ibid., pp. 342-3.

<sup>213</sup>Gary Smit, "The Effect of Collective Bargaining on Governance in Education," Government Union Review, V, No. 1 (1984), p. 33.

<sup>214</sup>Ashby, McGinnis, and Persing, op. cit., p. 81.

<sup>215</sup>Lieberman, "The Role and Responsibilities . . .," op. cit., p. 99.

superintendent in order to ensure compliance with the provisions of the negotiated contract.<sup>216</sup> Kochan also noted the effect of district size when he reported a relationship between size of the jurisdiction and impasse.<sup>217</sup> Cresswell, Murphy, and Kerchner agreed with Kochan's finding and observed further that a higher incidence of bargaining impasse occurred in larger school districts.<sup>218</sup>

A third factor which may affect the role of the superintendent in teacher negotiations is recent impasse experience. Related to district size as observed by Kochan and Cresswell et al., recent impasse experience may also influence the political climate of negotiations by creating a heightened public awareness of bargaining and a possible exercise of influence by the local constituency. Mitchell spoke to the political climate when he referred to it as an explanatory factor in collective bargaining and noted that public sector employees were more affected by the political climate surrounding negotiations than were private sector employees.<sup>219</sup> Staver also discussed the effect of recent

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<sup>216</sup>Derber, op. cit., p. 90.

<sup>217</sup>Thomas A. Kochan, "Dynamics of Dispute Resolution in the Public Sector," Public-Sector Bargaining, eds. Benjamin Aaron, Joseph R. Grodin, and James L. Stern (Washington, D.C.: The Bureau of National Affairs, 1979), p. 174.

<sup>218</sup>Cresswell, Murphy, and Kerchner, op. cit., p. 35.

<sup>219</sup>Daniel J. B. Mitchell, "The Impact of Collective Bargaining on Compensation in the Public Sector,"

impasse experience upon instructional and noninstructional outcomes of teacher negotiations.<sup>220</sup>

A fourth factor which may influence the superintendent's role in teacher negotiations is the age of the superintendent. Cresswell, Murphy, and Kerchner noted that a relationship between age and behavior was revealed by other researchers and continued to observe that youth was positively correlated with militancy while higher age frequently reflected greater job dissatisfaction.<sup>221</sup> Levine and Lewis concurred and indicated that the change from older to younger teachers was a factor used to explain growing militancy in their ranks.<sup>222</sup> Randles observed that age was a variable used to attempt to determine differences between two groups of teachers regarding their perceptions of teacher negotiations.<sup>223</sup>

A fifth factor which may influence the role of the superintendent in teacher negotiations is the number of years of superintendent experience. Although this number will undoubtedly be positively correlated with the

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Public-Sector Bargaining, eds. Benjamin Aaron, Joseph R. Grodin, and James L. Stern (Washington, D.C.: The Bureau of National Affairs, 1979), p. 139.

<sup>220</sup>Staver, loc. cit.

<sup>221</sup>Cresswell, Murphy and Kerchner, op. cit., p. 131.

<sup>222</sup>Levine and Lewis, op. cit., p. 179.

<sup>223</sup>Randles. "Toward an Understanding..." op. cit., p. 208.

superintendent's age, the experience factor may provide a different influence upon the superintendent in the negotiation process. Webster noted the "number of years in the superintendency" as a variable which influenced "the attitudes of superintendents toward collective bargaining."<sup>224</sup> Citing an erosion of board support following the initial "honeymoon" period, Webster asserted that the superintendent's actions during bargaining may be influenced by the need to generate board support rather than by the negotiations issue being discussed.<sup>225</sup> Staver also studied years of experience and concluded that there may be a mitigating effect of perceptions toward negotiations that comes with experience.<sup>226</sup> Brock further noted experience as a possible factor affecting the superintendent's role when he asserted that the lack of experience was an impediment toward bargaining.<sup>227</sup>

The influence of attitude and perceptions upon the superintendent's role in teacher negotiations. Walton and McKersie stated, "Without question the character of the relationship between labor and management is influenced by

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<sup>224</sup>Webster, op. cit., pp. 24-5.

<sup>225</sup>Ibid.

<sup>226</sup>Staver, op. cit., p. 115.

<sup>227</sup>Brock, op. cit., p. 197.

the social beliefs of the management and union groups."<sup>228</sup> Martin, Barclay, and Biasatti echoed this statement when they concluded "that attitudes may be a determining factor in the functioning of union-management relationships."<sup>229</sup> Nelson and Robson asserted that "the attitudes of those who engage in collective bargaining will affect both the process and outcome of that bargaining."<sup>230</sup> The effect of attitudes upon personnel managers was noted by Davis and West who concluded that "attitudes might be reflected in judgments pertaining to contract administration."<sup>231</sup>

The influence of attitude upon the role of the superintendent in teacher negotiations may be explained by the following commentary by Randles.

Attitudes are one index of an individuals view of rightness, or oughtness, and thus influence individual choices of what issues are appropriate to debate, as well as the appropriate way (process) to debate.<sup>232</sup>

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<sup>228</sup>Richard E. Walton and Robert B. McKersie, A Behavioral Theory of Labor Negotiations, (New York: McGraw-Hill, Inc., 1965) p. 196.

<sup>229</sup>James E. Martin, Elizabeth A. Barclay, and Lawrence L. Biasatti, "Attitudes and Public Sector Union-Management Relationships," Journal of Collective Negotiations, VIII, No. 2 (1979), p. 171.

<sup>230</sup>Nelson and Robson, op. cit., p. 270.

<sup>231</sup>Charles E. Davis and Jonathan P. West, "Attitudes of Municipal Personnel Directors Toward Collective Bargaining and Merit: Accommodation or Conflict?," Journal of Collective Negotiations, XII, No. 3 (1983), p. 187.

<sup>232</sup>Randles, "Attitudes of School Board Members....," op. cit., p. 198.

When the theoretical perspective identified in Chapter 1 of this thesis is considered in light of the possible factors which may affect the role of the superintendent in teacher negotiations as well as the influence of attitude upon the perceptions of an individual, it is reasonable to conclude that the measurement of the perceptions of superintendents with respect to labor and management may provide data which will reflect the influence of the various identified factors upon the perceived role of the superintendent in the teacher negotiation process.

#### Major Findings from the Literature

The relevant findings from the literature are presented in a numerical format. The findings and theoretical perspective presented in Chapter 1 are then synthesized and applied to the questions to be addressed by this study in a restatement of the problem.

#### Findings

1. Public sector collective bargaining is modeled after the National Labor Relations Act in many jurisdictions and is developing in the same pattern that its private sector counterpart developed some 30 years earlier.
2. As private sector unions influenced the growth of private sector bargaining, so has the National Education Association and American Federation of Teachers influenced the growth of public sector bargaining.



3. While federal intervention in public sector bargaining increased during the 1960's and early 1970's, that intervention was curtailed by court decisions and changing public sentiment leaving the control and management of local governmental subdivision collective bargaining to the individual states.
4. The bargaining statutes devised by individual states are not consistent. Nebraska statutes include mandatory bargaining with a variant of binding arbitration to resolve impasse. Kansas uses a meet and confer model and allows the local board of education to issue unilateral employment contracts to teachers when impasse cannot be resolved.
5. The school board and teachers represent the extremes of management and labor at the bargaining table.
6. The superintendent plays a role in teacher negotiations which may vary from board negotiator to teacher advocate. The specific role of the superintendent may be influenced by a variety of factors including the statutory framework governing the bargaining process.
7. The specific role of the superintendent may result in part from his/her perceptions of the bargaining process. Responsible for the smooth operation of the school district, the superintendent may utilize his/her power to influence the bargaining process by working to achieve a fair outcome in the public interest.

8. A measurement of superintendents' perceptions toward labor and management may provide the data necessary to conclude if differences in superintendents' perceptions exist based upon a variety of factors including the statutory framework governing teacher negotiations.

#### Restatement of the Purposes in the Study

The literature indicated the superintendent plays an important role in teacher negotiations; however, researchers disagreed on what the precise role should be. Several factors including the statutory framework governing the bargaining process have been found to influence the role of the superintendent in teacher negotiations.

The influence of the statutory framework upon the role of the superintendent may be related to the power relationship between the parties involved in the negotiations process. Given that one of the most important tasks of the superintendent is to ensure the smooth and efficient operation of the school system, it is logical to assume that the superintendent may use the power of the position to achieve a fair and equitable settlement which meets not only the needs of the board of education but also those of the teachers. If the statutory framework governing bargaining places an inordinate amount of power with either the board or the teachers, the superintendent may be expected to use his/her power to help equalize the relationship between the board and teachers.

The public role of the superintendent as the chief executive officer of the board may preclude his/her influence being exercised by overt and demonstrable methods; therefore, a measurement of the perceptions of the superintendent about the statutory framework and the parties involved in teacher negotiations may provide a more realistic insight as to the true role of the superintendent in the negotiations process.

In this study, the perceptions of superintendents in Kansas and Nebraska were compared concerning the statutory framework governing teacher negotiations. It was expected that the perceptions of Kansas superintendents concerning the statutory framework would be closer to the labor side of the continuum than would the perceptions of their Nebraska counterparts since the meet and confer framework governing negotiations in Kansas provides more board power than does the binding arbitration model utilized in Nebraska.

In addition to measuring the perceptions of superintendents concerning the statutory framework governing teacher negotiations, comparisons between the Kansas and Nebraska superintendents both between states and within the states according to the factors of age, superintendent experience, recent impasse experience and district size were analyzed to determine if those factors created significant differences in the way superintendents perceived their role in teacher negotiations. Consistent with the expectation

concerning the statutory framework, it was expected that the perceptions of Kansas superintendents toward their role in teacher negotiations would be closer to the labor side of the continuum than would the perceptions of the Nebraska superintendents in order to offset the management advantage created through the statutory framework.

Finally, the factors of statutory framework, age, superintendent experience, recent impasse experience and district size were examined to determine the relationship among those factors as well as the influence those factors had upon the perceptions of superintendents concerning the role of the superintendent in teacher negotiations.

## CHAPTER 3

### METHODS

This chapter describes the methods and procedures used in this study. The organizational bases for this chapter are: (1) Design, (2) Population and Sample, (3) Instrumentation, (4) Collection of Data, and (5) Data Analysis.

#### Design

The research method used in this study was survey research. Kerlinger noted that survey research may be used to discover the "interrelations of sociological and psychological variables" and observed that survey research has the "ability to provide accurate information on whole populations of people using relatively small samples."<sup>1</sup> Kerlinger also concluded that survey research is most often used "to find out what exists in the social environment of a ... geographic or political area."<sup>2</sup> Given that this study measured the perceptions of superintendents toward their

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<sup>1</sup>Fred N. Kerlinger, Behavioral Research: A Conceptual Approach, (New York: Holt, Rinehart, and Winston, 1979), p. 151.

<sup>2</sup>Ibid.

role in teacher negotiations according to a number of sociological and psychological variables, the survey research design was considered appropriate.

The survey was cross sectional in nature and utilized a mailed questionnaire for the collection of data. Comparisons were drawn both between and within the groups of superintendents from each state and the relationship among the factors was examined to determine their influence upon the perceptions of superintendents.

#### Population and Sample

The unit of analysis in this study was individual public school superintendents. The population consisted of public school superintendents of K-12 school districts in the states of Kansas and Nebraska who served in the same district during both the 1987-88 and 1988-89 school years. Since the study was not completed until the fall of 1988 and as it required measurement of the perceptions of superintendents concerning teacher negotiations during the 1987-88 school year, superintendents who changed employment between the 1987-88 and 1988-89 school years were excluded from the population. A random sample of superintendents was selected to approximate the population.

The sample of superintendents consisted of 100 superintendents from Kansas and an equal number from Nebraska. Borg and Call asserted that larger samples are

necessary when "many uncontrolled variables are present," "when small effect sizes are anticipated," and "when groups must be broken into subgroups."<sup>3</sup> Since this study was one of first impression in comparing the influence of the statutory framework on the role of the superintendent in teacher negotiations, it was possible that uncontrolled variables were present. Additionally, past research by Staver indicated that small differences existed between the perceptions of superintendents concerning the instructional and noninstructional outcomes of collective bargaining.<sup>4</sup> These factors as well as the need to divide the sample into subgroups for analysis warranted the use of a large sample.

The population was determined by comparing the list of superintendents of K-12 public school districts as published in the 1987-88 Educational Directories of Kansas<sup>5</sup> and Nebraska<sup>6</sup> with a list of 1988-89 Kansas superintendents

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<sup>3</sup>Walter R. Borg and Meredith D. Gall, Educational Research: An Introduction, (White Plains, NY: Longman, Inc., 1983), p. 258.

<sup>4</sup>Richard G. Staver, "The Perceptions of Teachers, Superintendents, and Board Members Concerning the Outcomes of Teacher Collective Bargaining in Nebraska" (Unpublished Doctoral Dissertation, University of Nebraska-Lincoln, 1986), pp. 87-92.

<sup>5</sup>Kansas State Department of Education, Kansas Educational Directory 1987-88, (Topeka, KS: Kansas State Department of Education, 1987).

<sup>6</sup>Nebraska Department of Education, Nebraska Education Directory 1987-88, (Lincoln, NE: Nebraska Department of Education, 1987).

provided by the United School Administrators of Kansas and a similar list of 1988-89 Nebraska superintendents published by the Nebraska School Activities Association.<sup>7</sup> When an individual's name appeared on both the 1987-88 list and the 1988-89 list, it was assumed that the superintendent would meet the population requirements established for this study. Following elimination of superintendents who were not on both the 1987-88 lists and the 1988-89 lists, 239 Nebraska superintendents and 242 Kansas superintendents remained in the population. The Nebraska superintendents were identified numerically as alphabetized by school district since both lists provided for Nebraska superintendents had been identified in this manner. Kansas superintendents were identified numerically as alphabetized by last name as the list provided by the United School Administrators had been identified in this manner.

The sample of 100 superintendents from each state was determined by a microcomputer program developed to generate mutually exclusive random numbers between the limits of a specified range. The sample of Nebraska superintendents was determined by using the first 100 random numbers generated within the range 1 through 239 and the

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<sup>7</sup>Nebraska School Activities Association, Directory of Schools for 1988-89, (Lincoln, NE: Nebraska School Activities Association, 1988).



sample of Kansas superintendents was determined by using the first 100 random numbers generated within the range 1 through 242. A copy of the random number generation program as well as copies of the Nebraska and Kansas random number lists have been reproduced in Appendix A.

In the event that a superintendent changed positions after the publication of the 1988-89 lists provided by the respective state organizations, the survey cover letter directed individuals who had not served in the same school district during 1987-88 to return the questionnaire without completing it. One Nebraska questionnaire was returned blank and was sent to the next individual on the ordered random number list. Four Kansas questionnaires were returned blank before the deadline and were sent to subsequent individuals on the ordered random number list. One superintendent in Nebraska appeared twice on the list by virtue of serving in two school districts. Since the unit of analysis was individual superintendents, one of these multiple selections was deleted and a replacement selection made by selecting the next random number on the ordered list.

#### Instrumentation

The survey instrument used in this study was patterned after the Labor-Management Attitude Questionnaire

developed by J. W. Hepler in 1953 and revised by R. J. Campbell in 1960. As noted by Randles and Baum, this instrument assesses the perceptions of the respondents toward labor and management by analyzing their responses to a series of pro-labor and pro-management questions.<sup>8</sup>

The questionnaire as revised consisted of a brief description of the statutory framework governing teacher negotiations followed by a series of 58 perceptual questions and four demographic questions. Kansas superintendents received the questionnaire with an explanation of the Kansas statutory framework while Nebraska superintendents received an explanation of the Nebraska model.

The 58 perceptual questions varied from pro-management to pro-labor and were subdivided into three parts. Part I consisted of 12 questions which dealt with the statutory framework governing teacher negotiations. Part II consisted of 18 questions concerning the duties of the superintendent in teacher negotiations, and Part III presented 28 questions which examined the role and function of the superintendent in teacher negotiations in both public and private meetings with the Board of Education and teachers. All of the 58 perceptual questions were measured using a five-point Likert scale ranging from "Strongly

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<sup>8</sup>Harry Randles and Steve Baum, "Attitudes of Professional Educators Toward Labor and Management," Journal of Collective Negotiations, XIV, No. 1 (1985), p. 80.

Agree" to "Strongly Disagree."

#### Scoring of the Instrument

Responses to the pro-management questions were scored directly with strong agreement valued at one and strong disagreement valued at five. Pro-labor responses were scored inversely with strong agreement valued at five and strong disagreement valued at one. Subtotals of the individual parts of the questionnaire were also computed.

A low score on Part I of the questionnaire represented agreement with a pro-management position and/or disagreement with a pro-labor position concerning the statutory framework. A pro-management position was interpreted as a general belief that the statutory framework governing teacher negotiations worked to the advantage of teachers and/or the disadvantage of Boards of Education.

Part II of the questionnaire concerned the duties of the superintendent in teacher negotiations while Part III concerned the role and function of the superintendent in the teacher negotiation process. A low score on Parts II and III represented agreement with pro-management positions and/or disagreement with pro-labor positions while a higher score represented more agreement with pro-labor positions and/or disagreement with pro-management positions. A pro-management position was interpreted as a general belief that the role of the superintendent in teacher negotiations

was to work to the advantage of management and/or the disadvantage of labor.

#### Validation of the Instrument

Following development, the survey questions were submitted for validation to a jury consisting of five individuals from Kansas and the same number from Nebraska who were recognized as experts in educational negotiations. The questions were designed so as to reflect a pro-labor or pro-management orientation and the jury was asked to indicate whether agreement with the question as presented represented such an orientation. Seven of ten responses were received, four from Nebraska and three from Kansas. In all cases, the majority of the respondents concurred with the pro-management or pro-labor orientation of the question as presented in the validation questionnaire; therefore, it was determined that the questions should be scored as pro-labor or pro-management questions as hypothesized. In addition to a determination as to the accuracy of the orientation of the questions, the jury of experts was asked to determine if each question was clearly and concisely written and whether it should be retained in the survey. The majority of the respondents agreed that each question was clearly and concisely written and also agreed that each question should be retained. Based upon the consensus of the panel of experts, it was determined that the questionnaire should include the 58 questions developed and

should be scored as had been hypothesized. The jury of experts is identified in Appendix B together with a copy of the validation cover letter and validation instrument.

#### Internal Consistency and Administration of the Instrument

Following validation of the survey instrument by the panel of experts, a pilot study was conducted to test the internal consistency and administration of the questionnaire. The survey instrument was mailed to 16 superintendents from Kansas and an equal number from Nebraska. The superintendents selected for the pilot study were selected from those superintendents who were excluded from the population by virtue of having moved at the conclusion of the 1987-88 school year or who were serving in Nebraska Class VI (high school only) districts and were ineligible for the survey. While these individuals would not qualify for membership in the survey population, their advice on the pilot survey was defensible since they worked under the same statutory framework governing teacher negotiations as the survey population and since the purpose of the pilot study was to examine the reliability of the questions as opposed to analysis of the data based upon the demographic information.

A total of 25 pilot questionnaires were returned. Twenty-one of the questionnaires were usable while four surveys contained missing information and were invalidated for data analysis. Of the 21 usable surveys, 11 were from

Kansas and 10 were from Nebraska. Two of the invalidated surveys were returned with all of the questions on the reverse side of the front page omitted. In order to improve the completion of all questions on the instrument, it was amended to include appropriate instructions that questions appeared on both sides of the survey form.

The 21 usable surveys were analyzed for internal consistency using the Statistical Package for the Social Sciences (SPSS). Based upon the 58 questions included on the questionnaire, the reliability analysis resulted in a Cronbach's Coefficient Alpha of .81. Cronbach's Coefficient Alpha was chosen as the appropriate test for internal consistency in this study since this technique for determining reliability is superior to other methods due to the fact that it requires a single administration of the questionnaire and also allows determination of reliability when the data are not scored dichotomously.<sup>9</sup>

While the overall reliability for the 58 questions was .81, 12 of the questions as presented correlated negatively with the total. Based upon earlier research by Staver, small effect sizes were expected.<sup>10</sup> Borg and Gall asserted that "if the research project is such that the research worker can expect only small differences ..., it is

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<sup>9</sup>Borg and Gall, op. cit., p. 285.

<sup>10</sup>Staver, loc. cit.

necessary that a test of high reliability be used."<sup>11</sup> Given that a high reliability coefficient would be advantageous, repeated applications of the internal consistency test were conducted with removal of items of negative or extremely low correlation. Following the fourth reliability test, a Cronbach's Coefficient Alpha of .91 was achieved by retaining 38 of the 58 questions on the survey.

Given the high reliability of the questionnaire, it was believed that major revision of the survey questions was unnecessary. Although a reliability coefficient of .91 was achieved by the removal of 20 questions from the instrument, examination of the 20 questions slated for removal raised a concern that their deletion could cause the remaining questions to appear disjointed and unclear to the respondents as well as eliminate several questions which had been hypothesized to be the most discriminatory between the superintendents of Kansas and Nebraska. In addition to the concern over the effect of deletion of 20 questions, the possibility that the small number of usable responses from the pilot survey may have had an effect on the reliability results was also considered. Given that a reliability coefficient of .81 was possible with all 58 questions during the pilot study and after considering that the questionnaire as originally developed contained a reasonable number of

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<sup>11</sup>Borg and Gall, op. cit., p. 281.

questions, it was determined to mail the questionnaire to the sample without removing the 20 questions of low or negative reliability. Additionally, it was determined that the reliability coefficient would be recomputed based upon the survey responses with any determination to retain or exclude questions based upon the actual survey data.

### Collection of Data

The month of October was chosen for the study as it avoids disruption attributable to school vacations as well as the high work demands which accompany the spring and summer months. This month also serves as a time when most school districts are not involved in teacher negotiations and when perceptions regarding teacher negotiations may not be distorted by the emotion which frequently accompanies bargaining.

### Administration of the Survey

On October 1, 1988 superintendents in the sample were mailed a copy of the survey instrument with a stamped, addressed return envelope and a cover letter designed to encourage participation in the study. The signatures of the Directors of the state school board organizations of Kansas and Nebraska were solicited and affixed to the cover letter to assist in providing credibility for the study and to encourage increased participation. Each cover letter was



individually signed by the researcher to demonstrate the sincerity of the survey request. A copy of the cover letter and questionnaire for each state is found in Appendix C.

The cover letter requested that respondents return the completed questionnaire by mail no later than October 7, 1988. When time intransit for mail delivery was considered, 75 of 100 Kansas superintendents or 75 percent of the total responded by this deadline as did 72 of 100 or 72 percent of Nebraska superintendents.

In accordance with the study proposal, a follow-up letter was mailed to nonrespondents on October 13, 1988. Each follow-up letter was individually generated using the data base-word processor merge function of a microcomputer. The follow-up reminder also included a handwritten postscript encouraging response as well as another copy of the questionnaire and an additional stamped response envelope. A copy of the follow-up letter is located in Appendix D.

The follow-up letter requested the respondent mail the completed questionnaire not later than October 19, 1988. As of October 24, an additional 23 Kansas responses were received for a total of 98 out of 100 or 98 percent as well as 24 additional Nebraska responses for a total of 96 out of 100 or 96 percent. Given the high response rate, the determination was made to omit a third follow-up request. While many of the questionnaires received after the

follow-up request were the second copy, several questionnaires from the initial mailing were also received after October 13. In two instances both the initial questionnaire and the follow-up copy were returned. When this occurred, the first questionnaire returned was used in the response data.

The responses included six blank questionnaires, five from Kansas and one from Nebraska, which, under the explanation found in the cover letter (see Appendix C), signified the superintendent was not in the district during both the 1987-88 and 1988-89 school years. Five of the blank responses were mailed to subsequent selections from the ordered random number list. The sixth blank response arrived on October 21 and was not remailed as it could not be returned prior to the last day of data collection on October 24.

Fourteen questionnaires, seven from each state, were returned incomplete. Prior to analysis of the research data, a decision was reached to utilize mean substitution to replace missing responses on individual questionnaires when the number of incomplete responses was three or less. Mean substitution was used to supply the missing response or responses on eleven questionnaires while three questionnaires, one from Kansas and two from Nebraska, contained more than three blank responses and were discarded from the response data as unusable.

Description of the Responses

The number and percentages of usable returns by state are shown in Table 1.

Table 1. Number and Percentage of Usable Questionnaire Responses by State

	Kansas		Nebraska		Total	
	Number	Percent	Number	Percent	Number	Percent
Initial Usable Questionnaires Returned	83	83.0	80	80.0	163	81.5
Followup Usable Questionnaires Returned	13	13.0	13	13.0	26	13.0
Total Usable Questionnaires Returned	96	96.0	93	93.0	189	94.5

Kansas superintendents returned 96 questionnaires in usable form which equated to a usable response rate of 96 percent and Nebraska superintendents returned 93 usable questionnaires equal to 93 percent. A total of 189 questionnaires were returned in usable form for an overall usable response rate of 94.5 percent.

The frequency of usable responses by age and state of respondent is shown in Table 2. Included in this table are summary data by age and state as well as means and standard deviations by state and total.

Table 2. Frequency of Usable Questionnaire Responses by Age and State of Respondents with State and Total Means and Standard Deviations

Reported Ages	Kansas		Nebraska		Total	
	Frequency	Percent	Frequency	Percent	Frequency	Percent
36	2	2.1	1	1.1	3	1.6
37	2	2.1	0	0.0	2	1.1
38	3	3.1	2	2.2	5	2.6
39	0	0.0	2	2.2	2	1.1
40	3	3.1	3	3.2	6	3.2
41	2	2.1	2	2.2	4	2.1
42	5	5.2	4	4.3	9	4.8
43	2	2.1	3	3.2	5	2.6
44	3	3.1	9	9.7	12	6.3
45	3	3.1	1	1.1	4	2.1
46	3	3.1	7	7.5	10	5.3
47	2	2.1	9	9.7	11	5.8
48	8	8.3	4	4.3	12	6.3
49	3	3.1	5	5.4	8	4.2
50	5	5.2	4	4.3	9	4.8
51	3	3.1	1	1.1	4	2.1
52	5	5.2	3	3.2	8	4.2
53	9	9.4	7	7.5	16	8.5
54	7	7.3	2	2.2	9	4.8
55	5	5.2	5	5.4	10	5.3
56	3	3.1	4	4.3	7	3.7
57	6	6.3	2	2.2	8	4.2
58	2	2.1	3	3.2	5	2.6
59	3	3.1	1	1.1	4	2.1
60	4	4.2	2	2.2	6	3.2
61	2	2.1	5	5.4	7	3.7
62	0	0.0	2	2.2	2	1.1
65	1	1.0	0	0.0	1	.5
Total	96	100.0	93	100.0	189	100.0
Mean	50.1		49.4		49.8	
Standard Deviation	6.7		6.6		6.6	

A near normal distribution of ages about the mean in both Kansas and Nebraska is shown in the frequency table. The average age of a superintendent in the sample was 49.8 years with a standard deviation of 6.64 years. The age of

superintendents in the sample ranged from 36 to 65 years.

The frequency of usable responses by years of superintendent experience and state of respondent is shown in Table 3.

Table 3. Frequency of Usable Questionnaire Responses by Years of Superintendent Experience and State of Respondents

Reported Experience	Kansas		Nebraska		Total	
	Frequency	Percent	Frequency	Percent	Frequency	Percent
1	8	8.3	4	4.3	12	6.3
2	5	5.2	3	3.2	8	4.2
3	9	9.4	4	4.3	13	6.9
4	4	4.2	3	3.2	7	3.7
5	5	5.2	2	2.2	7	3.7
6	3	3.1	0	0.0	3	1.6
7	2	2.1	5	5.4	7	3.7
8	4	4.2	5	5.4	9	4.8
9	4	4.2	5	5.4	9	4.8
10	4	4.2	6	6.5	10	5.3
11	4	4.2	5	5.4	9	4.8
12	5	5.2	5	5.4	10	5.3
13	3	3.1	5	5.4	8	4.2
14	5	5.2	3	3.2	8	4.2
15	4	4.2	2	2.2	6	3.2
16	2	2.1	5	5.4	7	3.7
17	4	4.2	1	1.1	5	2.6
18	3	3.1	3	3.2	6	3.2
19	3	3.1	0	0.0	3	1.6
20	3	3.1	5	5.4	8	4.2
21	3	3.1	1	1.1	4	2.1
22	0	0.0	4	4.3	4	2.1
23	3	3.1	3	3.2	6	3.2
24	2	2.1	0	0.0	2	1.1
25	2	2.1	0	0.0	2	1.1
26	0	0.0	4	4.3	4	2.1
27	0	0.0	1	1.1	1	.5
28	0	0.0	1	1.1	1	.5
29	0	0.0	3	3.2	3	1.6
30	1	1.0	0	0.0	1	.5
31	0	0.0	1	1.1	1	.5
32	0	0.0	2	2.2	2	1.1
33	1	1.0	1	1.1	2	1.1
37	0	0.0	1	1.1	1	.5
Total	96	100.0	93	100.0	189	100.0

The average experience of a Nebraska superintendent in the sample was 11.6 years with a standard deviation of 7.6 years. Kansas superintendents averaged 14.2 years of experience with a standard deviation of 8.7 years. The average experience of all 189 respondents was 12.6 years with a standard deviation of 8.34 years. The years of experience of superintendents in the sample ranged from 1 year to 37 years. While the age distribution shown in Table 2 was normally distributed with respect to the range of ages, the experience distribution was positively skewed with half of the respondents located in the first third of the experience range.

The frequency of usable responses by number of negotiation impasses during the last four years and state of respondent is shown in Table 4.

Table 4. Frequency of Usable Questionnaire Responses by Number of Negotiation Impasses During the Last Four Years and State of Respondents

Reported Impasses	Kansas		Nebraska		Total	
	Frequency	Percent	Frequency	Percent	Frequency	Percent
0	54	56.3	70	75.3	124	65.6
1	23	24.0	16	17.2	39	20.6
2	16	16.7	4	4.3	20	10.6
3	2	2.1	2	2.2	4	2.1
4	1	1.0	0	0.0	1	.5
5	0	0.0	1	1.1	1	.5
Total	96	100.0	93	100.0	189	100.0

As shown in Table 4, approximately one half of Kansas superintendents had not experienced a negotiation impasse during the last four years while three fourths of Nebraska superintendents had not experienced recent impasse. Of the 189 respondents, two thirds had not been involved in a labor impasse during the last four years while the remaining one third had been involved in one or more labor impasses.

The frequency of usable responses by school district size category and state of respondent is shown in Table 5.

Table 5. Frequency of Usable Questionnaire Responses by Size Category of School District and State of Respondents

District Size	Kansas		Nebraska		Total	
	Frequency	Percent	Frequency	Percent	Frequency	Percent
Under 200	9	9.4	16	17.2	25	13.2
200 - 400	22	22.9	38	40.9	60	31.7
401 - 800	32	33.3	19	20.4	51	27.0
801 -1600	13	13.5	10	10.8	23	12.2
1601-3200	8	8.3	5	5.4	13	6.9
Over 3200	12	12.5	5	5.4	17	9.0
Total	96	100.0	93	100.0	189	100.0

While the mean and median size category was the 401-800 range for the total sample, the results by individual states differed. Nearly 60 percent of Nebraska respondents were affiliated with school districts of less than 401 pupils compared to 32 percent of Kansas superintendents in districts in the smaller two size

categories. Conversely, 21 percent of Kansas superintendents were in the largest two categories compared with 11 percent of Nebraska superintendents.

### Data Analysis

The independent variables of this study were the statutory framework governing teacher negotiations, the superintendent's age, experience as a superintendent, recent impasse experience, and the size of the school district. The statutory framework governing teacher negotiations was determined by current legislative requirements of the states of Kansas and Nebraska. The factors of age, years of superintendent experience, recent impasse experience, and district size were determined by responses to demographic questions asked as a part of the survey.

The dependent variables of this study were the perception of superintendents toward the statutory framework governing teacher negotiations and the perceived role of the superintendent in teacher negotiations. The perception of superintendents toward the statutory framework governing teacher negotiations was measured by the subscore from Part I of the questionnaire which dealt with the statutory framework governing teacher negotiations. The perceived role of the superintendent in teacher negotiations was measured by the combined subscores of Part II and Part III of the questionnaire which dealt with the role, function,



and duties of the superintendent in teacher negotiations.

#### Measurement of the Dependent Variables

Responses to the perceptual questions were measured on a five-point scale ranging from one to five. Pro-management questions were scored with one representing agreement with management positions and/or disagreement with labor positions while reverse scoring was used for pro-labor questions. Individual question responses were subtotaled in accordance with the three parts of the survey instrument.

Part I of the questionnaire concerned the perceptions of superintendents regarding the statutory framework governing teacher negotiations in their state. The Part I score was used to address the first hypothesis concerning the statutory framework governing teacher negotiations.

Parts II and III of the questionnaire concerned the duties, role, and function of the superintendent in teacher negotiations. The sum of the scores of these parts was used to address hypotheses two through five concerning the role of the superintendent in teacher negotiations according to age, superintendent experience, recent impasse experience, and district size. The sum of Parts II and III was also used to address hypothesis six which investigated the relationship among the independent variables of statutory framework, age, superintendent experience, recent impasse experience, and district size and the influence of those

variables upon the perceived role of the superintendent in teacher negotiations.

#### Determination of Questions Used for Data Analysis

Prior to addressing the hypotheses of this study, a test for internal consistency of individual questions was completed on the response data as had been decided following analysis of the pilot survey data. The 189 usable responses were analyzed for internal consistency using the Statistical Package for the Social Sciences (SPSS). The results of this reliability analysis which includes the corrected item to total correlation for the 58 questions as well as the effect on the reliability coefficient if a specific question was to be deleted is presented in Table 6.

Based upon the 58 perceptual questions in the survey instrument, the reliability analysis resulted in a Cronbach's Coefficient Alpha of .81. Five questions had negative item to total correlations while several other questions had low item to total correlations. Since the subscores for Part I and the sum of the subscores for Parts II and III were to be used separately, the reliability coefficients for those subscores were computed independently prior to deleting the items of low or negative reliability.

The corrected item to total correlation and the effect on the reliability coefficient if a specific question was to be deleted for the 12 questions in Part I as well as the 46 questions in Parts II/III is presented in Table 7.

Table 6. Reliability Analysis of the 58 Questions Without  
Subdivision by Part with Item to Total Correlations  
and Alpha if Item Deleted

Question	Item-to-Total Correlation	Alpha if Item Deleted	Question	Item-to-Total Correlation	Alpha if Item Deleted
Part I			Part IIIa		
1	.36	.80	1	.17	.81
2	.30	.81	2	.20	.81
3	.34	.80	3	.42	.80
4	.36	.80	4	.37	.80
5	.35	.81	5	.30	.81
6	.40	.80	6	.31	.80
7	.28	.81	7	.29	.81
8	.46	.80	8	.20	.81
9	.28	.81	9	.32	.81
10	.40	.80	10	.35	.81
11	.23	.81			
12	.26	.81	Part IIIb		
Part II			1	.05	.81
1	.27	.81	2	.35	.81
2	.03	.81	3	.39	.80
3	.01	.81	4	.40	.80
4	.21	.81	5	.11	.81
5	.41	.80	6	.15	.81
6	.04	.81	7	-.08	.81
7	.23	.81	8	.36	.81
8	.14	.81	9	-.13	.81
9	.42	.80	Part IIIc		
10	.08	.81	1	.28	.81
11	.45	.80	2	.34	.81
12	.41	.80	3	.30	.81
13	-.07	.81	4	-.01	.81
14	.24	.81	5	.11	.81
15	.22	.81	6	-.05	.81
16	.31	.81	7	.31	.81
17	.17	.81	8	.36	.81
18	.36	.80	9	.22	.81

Number of Items = 58

Alpha = .81

Table 7. Reliability Analysis of the 58 Questions With Subdivision by Part I and Parts II/III with Item to Total Correlations and Alpha if Item Deleted by Subdivisions

Question	Item-to-Total Correlation	Alpha if Item Deleted	Question	Item-to-Total Correlation	Alpha if Item Deleted
Part I			Part I		
1	.73	.82	7	.56	.83
2	.70	.82	8	.68	.82
3	.58	.83	9	.57	.83
4	.56	.83	10	.31	.85
5	.35	.84	11	-.05	.88
6	.79	.81	12	.47	.84
Number of Items in Part I = 12			Part I Alpha = .85		
Part II			Part IIIa		
1	.24	.77	7	.34	.77
2	.01	.78	8	.22	.77
3	.03	.78	9	.34	.77
4	.26	.77	10	.34	.77
5	.43	.77	Part IIIb		
6	.06	.78	1	.08	.78
7	.32	.77	2	.42	.77
8	.07	.78	3	.36	.77
9	.48	.76	4	.49	.76
10	.13	.78	5	.13	.78
11	.51	.76	6	.11	.78
12	.45	.77	7	-.08	.78
13	-.12	.78	8	.40	.77
14	.27	.77	9	-.11	.78
15	.17	.78	Part IIIc		
16	.34	.77	1	.42	.76
17	.14	.78	2	.39	.77
18	.38	.77	3	.32	.77
Part IIIa			4	.02	.78
1	.13	.78	5	.13	.78
2	.24	.77	6	-.04	.78
3	.55	.76	7	.35	.77
4	.45	.76	8	.36	.77
5	.32	.77	9	.20	.77
6	.41	.76			
Number of Items in Parts II/III = 46			Parts II/III Alpha = .78		

Based upon the 58 perceptual questions subdivided by Part I and Parts II/III, the reliability analysis resulted in a Cronbach's Coefficient Alpha of .85 for Part I and .78 for Parts II/III. Five questions had negative item to total correlations while several other questions had low item to total correlations.

Eighteen items of negative or low item to total correlation were removed from the list of questions subject to analysis by comparing the results of Table 6 and Table 7. Items were defined as having low correlation when the item to total correlation in both Tables 6 and 7 was less than .20. Analysis of the remaining 40 questions without subdivision by part resulted in a Cronbach's Coefficient alpha of .86.

The corrected item to total correlation as well as the effect on the reliability coefficient if specific questions were to be deleted for the subscores formed by the remaining 11 questions in Part I and the remaining 29 questions in Part II and Part III is presented in Table 8. The Part I reliability coefficient was .88 while the coefficient for Parts II/III was .87. Additionally, no individual question had an item to total correlation of less than .27. Based upon the subscore coefficients of .88 and .87, it was determined to utilize the remaining 40 questions for analysis of the hypotheses of the study.

Table 8. Reliability Analysis of the 40 Questions With Subdivision by Part I and Parts II/III with Item to Total Correlations and Alpha if Item Deleted by Subdivisions

Question	Item-to-Total Correlation	Alpha if Item Deleted	Question	Item-to-Total Correlation	Alpha if Item Deleted
Part I			Part I		
1	.75	.85	7	.58	.87
2	.72	.86	8	.65	.86
3	.60	.87	9	.60	.87
4	.59	.88	10	.27	.88
5	.34	.88	12	.50	.87
6	.79	.85			

Number of Items in Part I = 11      Part I Alpha = .88

Part II			Part IIIa		
1	.35	.86	7	.34	.86
4	.36	.86	9	.38	.86
5	.56	.86	10	.39	.86
7	.16	.87	Part IIIb		
9	.55	.86	2	.51	.86
11	.58	.86	3	.40	.86
12	.48	.86	4	.64	.86
14	.45	.86	8	.46	.86
15	.19	.87	Part IIIc		
16	.49	.86	1	.40	.86
18	.50	.86	2	.52	.86
Part IIIa			3	.42	.86
2	.30	.87	7	.28	.87
3	.63	.86	8	.40	.86
4	.49	.86	9	.37	.86
5	.36	.86			
6	.38	.86			

Number of Items in Parts II/III = 29      Parts II/III Alpha = .87

### Descriptive Analysis of the Data

Following removal of unreliable questions, the survey instrument retained 40 items. Eleven of these items were retained in Part I and were used to determine if a

significant difference existed between the perceptions of superintendents in Kansas and Nebraska concerning the statutory framework governing teacher negotiations in their respective states. The minimum possible score for Part I was 11 while the maximum possible score for this part was 55. A low score represented agreement with management positions and could be thought of as agreement with the position that the statutory framework governing teacher negotiations favored labor over management. Conversely, a high score on Part I indicated agreement with the belief that management retained an advantage in teacher negotiations under the statutory framework.

A total of 29 items were retained from Part II and Part III of the questionnaire. The scores from Parts II and III were combined to determine whether any significant differences existed between the perceptions of superintendents within and between the states of Kansas and Nebraska concerning the role of the superintendent in teacher negotiations according to the factors of age, years of superintendent experience, recent impasse experience, or size of school district. The lowest possible score from Parts II and III was 29 while the highest possible score was 145. A low score on these parts represented a strong management orientation while a score near the upper extreme represented a labor orientation.

The 29 items retained from Parts II and III were also used to determine if a significant relationship existed among the variables of state, age, superintendent experience, recent impasse experience, and district size and the perceived role of the superintendent in teacher negotiations. Additionally, these items were used to determine the amount of variance explained by these factors concerning the perceived role of the superintendent in teacher negotiations.

The mean scores for Part I as well as for Part II/III were summarized by the variables of state, age, superintendent experience, recent impasse experience and district size. In addition to the mean scores, summary data as well as the standard deviation for each group was computed and utilized for the analysis of the hypotheses. The mean scores and summary data for the factors of state, superintendent age, superintendent experience, recent impasse experience and district size have been reproduced in Appendix E.

#### Analysis of the Hypotheses

Hypothesis One concerned the perceptions of superintendents operating under the different statutory frameworks governing teacher negotiations in the states of Kansas and Nebraska. This hypothesis was examined using the t test for independent samples. The Part I mean score for superintendents from Kansas was compared with the Part I



mean score for superintendents from Nebraska to see if a statistically significant difference existed between the means. Since directionality was not established, a two tailed test was used and significance was set at the .05 level. The results of this analysis are presented in Chapter 4 of this study.

Hypotheses Two through Five addressed the perceptions of superintendents within and between the states of Kansas and Nebraska concerning the role of the superintendent in teacher negotiations according to the factors of age, superintendent experience, recent impasse experience, and district size. These hypotheses were tested using two factor analysis of variance (ANOVA). This statistical technique compares group means for more than two groups and determines if mean differences are statistically significant. For each of these hypotheses, one factor consisted of two levels, each representing one of the two states (Kansas or Nebraska) being examined in this study. The remaining factor represented two or more levels of the other independent variable being tested. The combined mean of all levels of a single factor is called a marginal mean. A significant difference between marginal means is referred to as main effect. The main effect of the geographic location factor was tested for significant differences between superintendents in the states of Kansas and Nebraska. The main effect of the second factor was tested

for significant differences between superintendents according to the various levels of the factor being tested. The means of individual levels of a specific factor are called cell means. A significant difference between cell means of different factors is referred to as interaction effect. When an interaction effect exists and the correlate between the cell means comprising the interaction is positive, the interaction effect is referred to as ordinal. When the correlate is negative, the interaction effect is disordinal. The interaction effect was examined for ordinal and disordinal interactions between the two factors. Whenever a factor contained more than two levels and a significant difference was noted at the .05 level, a Tukey-Kramer post hoc test was conducted to determine which particular means differed significantly. The results of the analyses of these hypotheses are presented in Chapter 4 of this study.

Hypothesis Six was tested using multiple regression analysis. All of the factors, including statutory framework, were entered into the multiple regression formula and a forward step comparison yielded the predictive value of each of the independent variables as well as the total variance concerning the perceived role of the superintendent in teacher negotiations explained by these factors. The results of this analysis are presented in Chapter 4 of this study.

Rationale for the Data Analysis Techniques

The use of a t test for independent samples was appropriate for the examination of the first hypothesis since the difference between the means of two independent samples was being tested. Stalcup asserted that the t test for separate groups is appropriate when the purpose of the research is to compare group means of interval data and there are two samples.<sup>12</sup> Likewise, the use of analysis of variance was appropriate for the examination of hypotheses two through five. As noted by Stalcup, when the purpose of the research is to compare groups, ANOVA is appropriate for more than two samples which use interval data.<sup>13</sup> The use of the Tukey post hoc test was supported by Gravetter and Wallnau who observed that "it is a good representative of a posteriori tests."<sup>14</sup> The Tukey-Kramer variation of the Tukey post hoc test provided a method for post hoc analysis with unequal cell sizes.<sup>15</sup> The use of multiple regression was also supported by Stalcup who noted that multiple

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<sup>12</sup>Robert J. Stalcup, Packet of Materials for Questionnaire Research 900G for the Fall 1987 term at the University of Nebraska-Lincoln, (Lincoln, NE: Kinko's Professor Publishing, 1987), p. 200.

<sup>13</sup>Ibid.

<sup>14</sup>Frederick J. Gravetter and Larry B. Wallnau, Statistics for the Behavioral Sciences, (St. Paul, MN: West Publishing, 1985), p. 424.

<sup>15</sup>Roger E. Kirk, Experimental Design: Procedures for the Behavioral Sciences, 2nd ed. (Belmont, CA: Brooks/Cole Publishing, 1982), pp. 119-120.

regression analysis is an appropriate statistical tool to examine the relationship between variables.<sup>16</sup>

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<sup>16</sup>Stalcup, loc. cit.

## CHAPTER 4

### ANALYSIS AND RESULTS

The purpose of this study was threefold. The first purpose was to compare the perceptions of superintendents in the states of Kansas and Nebraska concerning the statutory framework governing teacher negotiations in their respective states. The second purpose was to compare the perceived role of the superintendent in the teacher negotiation process. Finally, the relationship among the variables of state (Kansas or Nebraska), superintendent's age, superintendent's experience, recent impasse experience, and district size and the influence of those factors upon the perceived role of the superintendent in teacher negotiations was examined.

In order to achieve the purposes in the study, six hypotheses were developed. The remainder of this chapter is devoted to the presentation of those hypotheses and statistical techniques utilized for the analysis and interpretation of the data.

Hypothesis One

The first hypothesis concerned the statutory framework governing teacher negotiations. Stated in null form, this hypothesis read as follows:

1. There will be no significant difference between the perceptions of superintendents in Kansas and the perceptions of superintendents in Nebraska concerning the statutory framework governing teacher negotiations.

In order to test this hypothesis, the mean score from Part I of the survey instrument was computed for each state. Since this hypothesis predicted there would be no significant difference between the Part I mean score from Kansas superintendents and the Part I mean score from Nebraska superintendents, a t test for independent samples was chosen as the appropriate test for this hypothesis. The results of the t test for independent samples are presented in Table 9.

Table 9. t test for Independent Samples Applied to the Part I Mean Score for Kansas Superintendents and the Part I Mean Score for Nebraska Superintendents

Group	n	$\bar{X}$	SD	t	df	Two Tailed Probability
Kansas	96	31.67	7.28	5.65	187	.000*
Nebraska	93	25.98	6.53			

\* denotes significance at  $p < .05$

The t statistic,  $t(187) = 5.65$ ;  $p < .05$ , reflects a significant difference between the perceptions of superintendents in Kansas and superintendents in Nebraska concerning the statutory framework governing teacher negotiations as measured by Part I of the survey instrument. Based upon the significance of the t-statistic at the .05 level, the null hypothesis was rejected.

### Hypothesis Two

The second hypothesis concerned the perceived role of the superintendent in teacher negotiations according to the state and age of the superintendent. Stated in null form, this hypothesis read as follows:

2. There will be no significant difference between the perceptions of superintendents within and between the states of Kansas and Nebraska concerning the perceived role of the superintendent in teacher negotiations according to age.

A two-way analysis of variance was chosen to test the second hypothesis. The factor of state was divided into the two levels of Kansas and Nebraska. The factor of age was divided into two levels about the median. The first level included 93 superintendents in the 36 to 49 year old age bracket and the second level included 96 superintendents in the 50 to 65 year old age bracket. Mean scores of the individual subgroups were computed by the combined totals of Parts II and III of the survey instrument. The cell and

marginal means as well as the results of the two-way analysis of variance are presented in Table 10.

Table 10. Cell Means, Marginal Means and Two-Way Analysis of Variance on the Part II and Part III Combined Score Representing the Perceived Role of the Superintendent in Teacher Negotiations by Age Group of Superintendent and State of School District

	Kansas	Nebraska	Marginal Means (Age)
36-49 Age Group			
$\bar{X}$	55.29	57.35	56.44
SD	10.93	10.69	10.78
	n=41	n=52	n=93
50-65 Age Group			
$\bar{X}$	53.31	58.34	55.46
SD	11.79	11.54	11.89
	n=55	n=41	n=96
Marginal Means (State)			
$\bar{X}$	54.16	57.78	
SD	11.42	11.02	
	n=96	n=93	

Source	SS	df	MS	F	Significance Level of F
Superintendent Age	12.180	1	12.180	.096	.757
State of School	588.583	1	588.583	4.646	.032*
Age x State	102.953	1	102.953	.813	.369
Error	23439.222	185	126.698		
Total	24176.360	188	128.598		

\* denotes significance at  $p < .05$

As shown in Table 10, neither the interaction effect nor the main effect for age was significant at the .05 level; however, the main effect for state was significant,  $F(1,185) = 4.65$ ;  $p < .05$ . Based upon the main effect, the



null hypothesis for the factor of state was rejected. Since there was no significant difference for the main effect of age and since there was no significant interaction effect between age and state, the null hypothesis was retained for the factor of age and the age x state interaction.

### Hypothesis Three

The third hypothesis concerned the perceived role of the superintendent in teacher negotiations according to the state and years of superintendent experience. Stated in null form, this hypothesis read as follows:

3. There will be no significant difference between the perceptions of superintendents within and between the states of Kansas and Nebraska concerning the perceived role of the superintendent in teacher negotiations according to superintendent experience.

A two-way analysis of variance was chosen to test the third hypothesis. The factor of state was divided into the two levels of Kansas and Nebraska. The factor of superintendent experience was divided into two levels about the median. The first level included 94 superintendents in the 1 to 11 years of experience bracket and the second level included 95 superintendents in the 12 to 37 years of experience bracket. Mean scores of the individual subgroups were computed by the combined totals of Parts II and III of the survey instrument. The cell and marginal means as well

as the results of the two-way analysis of variance are presented in Table 11.

Table 11. Cell Means, Marginal Means and Two-Way Analysis of Variance on the Part II and Part III Combined Score Representing the Perceived Role of the Superintendent in Teacher Negotiations by Years of Superintendent Experience and State of School District

	Kansas	Nebraska	Marginal Means (Experience)		
1-11 Years of Experience Group					
$\bar{X}$	55.69	57.83	56.65		
SD	12.04	9.84	11.11		
	n=52	n=42	n=94		
12-27 Years of Experience Group					
$\bar{X}$	52.34	57.75	55.24		
SD	10.47	12.00	11.58		
	n=44	n=51	n=95		
Marginal Means (State)					
$\bar{X}$	54.16	57.78			
SD	11.42	11.02			
	n=96	n=93			
Source	SS	df	MS	F	Significance Level of F
Years Experience	143.150	1	143.150	1.137	.228
State of School	671.641	1	671.641	5.336	.022*
Experience x State	124.723	1	124.723	.991	.321
Error	23286.483	185	125.873		
Total	24176.360	188	128.598		

\* denotes significance at  $p < .05$

As shown in Table 11, neither the interaction effect nor the main effect for superintendent experience was significant at the .05 level; however, the main effect for state was significant,  $F(1,185) = 5.34$ ;  $p < .05$ . Based

upon the main effect, the null hypothesis for the factor of state was rejected. Since there was no significant difference for the main effect for experience and since there was no significant interaction effect, the null hypothesis was retained for the factor of superintendent experience and the experience x state interaction.

#### Hypothesis Four

The fourth hypothesis concerned the perceived role of the superintendent in teacher negotiations according to state and recent impasse experience of the superintendent. Stated in null form, this hypothesis read as follows:

4. There will be no significant difference between the perceptions of superintendents within and between the states of Kansas and Nebraska concerning the perceived role of the superintendent in teacher negotiations according to recent impasse experience.

A two-way analysis of variance was chosen to test the fourth hypothesis. The factor of state was divided into the two levels of Kansas and Nebraska. The factor of recent impasse experience was divided into two levels. The first level included 124 superintendents who had not been involved in an impasse during the last four years. The second level included 65 superintendents who had been involved in one or more impasses during the last four years. Mean scores of individual subgroups were computed by the combined totals of

Parts II and III of the survey instrument. In order to compensate for the unequal cell sizes, a regression approach option was utilized in the analysis formula. This option assessed all effects in the model simultaneously while adjusting each effect for all other effects in the model.

The cell and marginal means as well as the results of the two-way analysis of variance are presented in Table 12.

Table 12. Cell Means, Marginal Means and Two-Way Analysis of Variance on the Part II and Part III Combined Score Representing the Perceived Role of the Superintendent in Teacher Negotiations by Recent Impasse Experience and State of School District

	Kansas	Nebraska	Marginal Means (Impasse Exp)		
0 Impasse Experience Group					
$\bar{X}$	54.48	58.50	56.75		
SD	11.04	10.79	11.04		
	n=54	n=70	n=124		
1-5 Impasse Experience Group					
$\bar{X}$	53.74	55.61	54.40		
SD	12.00	11.67	11.82		
	n=42	n=23	n=65		
Marginal Means (State)					
$\bar{X}$	54.16	57.78			
SD	11.42	11.02			
	n=96	n=93			
Source	SS	df	MS	F	Significance Level of F
Impasse Experience	131.988	1	131.988	1.044	.308
State of School	346.498	1	346.498	2.740	.100
Impasse x State	46.093	1	46.093	.364	.547
Error	23396.579	185	126.468		
Total	24176.360	188	128.598		

\* denotes significance at  $p < .05$

As shown in Table 12, neither the interaction effect nor the main effects for recent impasse experience or state were significant at the .05 level. Since there was no significant difference between any of the marginal means and since there was no significant interaction effect, the null hypothesis was retained for the factors of state and recent impasse experience as well as for the impasse experience x state interaction.

#### Hypothesis Five

The fifth hypothesis concerned the perceived role of the superintendent in teacher negotiations according to the state and district size. Stated in null form, this hypothesis read as follows:

5. There will be no significant difference between the perceptions of superintendents within and between the states of Kansas and Nebraska concerning the perceived role of the superintendent in teacher negotiations according to district size.

A two-way analysis of variance was chosen to test the fifth hypothesis. The factor of state was divided into the two levels of Kansas and Nebraska. The factor of district size was divided into six levels according to student population. The size categories presented were: Under 200, 200 - 400, 401 - 800, 801 - 1600, 1601 - 3200, and Over 3200. Mean scores of the individual subgroups were

computed by the combined totals of Parts II and III of the survey instrument. The cell and marginal means by size category and state of respondent are presented in Table 13.

Table 13. Cell Means and Marginal Means on the Part II and Part III Combined Score Representing the Perceived Role of the Superintendent in Teacher Negotiations by District Size and State of School District

	Kansas	Nebraska	Marginal Means (District Size)
Under 200 Size Group			
$\bar{X}$	62.78	60.50	61.32
SD	13.58	8.79	10.53
	n=9	n=16	n=25
200-400 Size Group			
$\bar{X}$	51.09	60.05	56.77
SD	12.29	11.53	12.49
	n=22	n=38	n=60
401-800 Size Group			
$\bar{X}$	56.12	58.37	56.96
SD	10.92	11.37	11.03
	n=32	n=19	n=51
801-1600 Size Group			
$\bar{X}$	54.31	47.20	51.22
SD	10.22	9.09	10.18
	n=13	n=10	n=23
1601-3200 Size Group			
$\bar{X}$	51.50	56.20	53.31
SD	5.45	5.76	5.84
	n=8	n=5	n=13
Over 3200 Size Group			
$\bar{X}$	49.67	52.40	50.47
SD	10.77	8.62	10.00
	n=12	n=5	n=17
Marginal Means (State)			
$\bar{X}$	54.16	57.78	
SD	11.42	11.02	
	n=96	n=93	

The Kansas and Nebraska means presented in Table 13 reflect a decreasing trend as district size category increases. This trend was reflective of a tendency for superintendents to move closer to the management side of the labor-management continuum as the district size increased. The sample mean was 55.9 and was midway between the extremes of 61.3 and 50.5 found in the smallest and largest size categories.

The results of the two-way analysis of variance for the district size and state of school district factors are presented in Table 14. In order to compensate for the unequal cell sizes, a regression approach option was utilized in the analysis formula. This option assessed all effects in the model simultaneously while adjusting each effect for all other effects in the model.

Table 14. Two-Way Analysis of Variance on the Part II and Part III Combined Score Representing the Perceived Role of the Superintendent in Teacher Negotiations by District Size and State of School District

Source	SS	df	MS	F	Significance Level of F
District Size	1830.260	5	366.052	3.136	.010*
State of School	76.821	1	76.821	.658	.418
Size x State	1247.162	5	249.432	2.137	.063
Error	20658.225	177	116.713		
Total	24176.360	188	128.598		

\* denotes significance at  $p < .05$

As shown in Table 14, neither the interaction effect

nor the main effect for state were significant at the .05 level; however, the main effect for district size was significant,  $F(5,177) = 3.14$ ;  $p < .05$ . Based upon the significance of the F-statistic for the main effect of district size, the null hypothesis for this factor was rejected. Since there was no significant difference for the main effect for state and since there was no significant interaction effect, the null hypothesis was retained for the factor of state and the district size x state interaction.

Since the size factor had more than two levels, an appropriate post hoc test was necessary to determine at which level(s) the significant difference existed. The Tukey-Kramer post hoc test was chosen as it allows posteriori analysis with unequal cell sizes. A microcomputer program (see Appendix F) was developed to apply the Tukey-Kramer formula to the 15 possible marginal mean differences for the factor of district size. The results of the post hoc analysis are presented in Table 15.

Table 15. Post Hoc Analysis of Marginal Mean Differences for District Size Factor

District Size	Under 200	200-400	401-800	801-1600	1601-3200
200- 400	4.55				
401- 800	4.36	0.19			
801-1600	10.10*	5.55	5.74		
1601-3200	8.01	3.46	3.65	2.09	
Over 3200	10.85*	6.30	6.49	0.75	2.84

\* denotes significance at  $p < .05$



The results of the post hoc analysis shown in Table 15 revealed a significant difference between the size categories of "Under 200" and "801 to 1600" as well as between the categories of "Under 200" and "Over 3200."

#### Hypothesis Six

The sixth hypothesis examined the relationship among the five independent variables and the perceived role of the superintendent in teacher negotiations. Stated in null form, this hypothesis read as follows:

6. There will be no significant relationship among the factors of statutory framework, age, superintendent experience, recent impasse experience, and district size and the influence those factors have upon the perceived role of the superintendent in teacher negotiations.

Multiple regression analysis was used to test this hypothesis. The use of regression analysis was intended to determine the total amount of variance concerning the perceived role of the superintendent in teacher negotiations which was explained by the combination of all of the independent variables. Additionally, the analysis was used to determine which individual variables contributed significant portions to the total explained variance.

Mean scores of the individual subgroups were computed by the combined total of Parts II and III of the survey instrument. Since regression analysis was designed

for use on continuous data, the dichotomous variable of state and the categorical variable of district size required special attention in the development of the regression model. In order to enter these factors into the analysis, the variables were dummy coded into the regression formula.

Due to the existence of categorical and dichotomous variables, the use of the stepwise comparison techniques was precluded. Since the theoretical perspective upon which this study was based concerned differences in the perceived role of the superintendent in teacher negotiations and since the factor of state was significant in two ANOVAs concerning that role, the factor of state was entered into the first block of the regression analysis. Similarly, since the factor of district size had been shown to be significant with respect to certain marginal means, it was chosen as the factor for block two of the analysis. The remaining variables of age, superintendent experience, and recent impasse experience were entered in blocks three through five, respectively.

The results of the regression analysis for the five independent variables is presented in Table 16 and includes the forward-step multiple correlation for all variables in the model, the coefficient of determination,  $R^2$  increment, the F-statistic for the model, and the F-statistic change for each variable added to the model.

Table 16. Forward Step Regression Analysis for the Factors of State, District Size, Superintendent Age, Superintendent Experience, and Recent Impasse Experience and the Influence of Those Factors Upon the Perceived Role of the Superintendent in Teacher Negotiations

Source	Forward Step Multiple Correlation (R)	df	Coefficient of Determination (R <sup>2</sup> )	R <sup>2</sup> Increment	Total F	F Change
State	.1604	1,187	.0257	.0257	4.94*	4.94*
District Size	.3065	6,182	.0939	.0682	3.14*	2.74*
Supt. Age	.3073	7,181	.0944	.0005	2.70*	0.096
Supt. Exprnce	.3104	8,180	.0964	.0020	2.40*	0.392
Impasse Exp.	.3178	9,179	.1010	.0046	2.24*	0.926

\* denotes significance at  $p < .05$

As demonstrated in Table 16, the model consisting of all five independent variables had a significant relationship with the perceived role of the superintendent in teacher negotiations,  $F(9,179) = 2.24$ ;  $p < .05$ ; however, only the variables of state and district size contributed significantly to the model as independent factors. Based upon the regression analysis, the null hypothesis was rejected for the variables of state and district size. The state,  $F(1,187) = 4.94$ ;  $p < .05$ , explained 2.57 percent of the variance while district size,  $F(6,182) = 2.74$ ;  $p < .05$ , explained an additional 6.82 percent of the variance for a total of 9.39 percent. While the variables of age, superintendent experience, and recent impasse experience explained an additional .71 percent of the variance, neither

the individual nor combined contributions of these variables to the model were significant; therefore, the null hypothesis was retained for the factors of age, superintendent experience, and recent impasse experience.

## CHAPTER 5

### SUMMARY, MAJOR FINDINGS, CONCLUSIONS OF THE STUDY, AND RECOMMENDATIONS FOR FURTHER RESEARCH

This chapter summarizes the results of this study. The organizational bases for this chapter are: (1) Summary, (2) Major Findings, (3) Conclusions, and (4) Recommendations for Further Research.

#### Summary

Collective bargaining between teachers and Boards of Education developed rapidly during the past twenty-five years. Following an executive order by President Kennedy in 1962 which granted federal employees the right to negotiate for wages, state employees and especially public school teachers, used the labor oriented political climate of the 1960's to secure bargaining rights through state legislation. The bargaining statutes adopted by the states varied; Kansas adopted a "meet and confer" model while Nebraska approved a variant of "binding arbitration."

The differences between these statutory frameworks was significant. Under the meet and confer model, failure to reach a settlement results in a unilateral contract offer

by the Board of Education. Teachers are given a chance to accept the contract or resign their position. The binding arbitration model however, provides for a neutral third party to decide a negotiation dispute.

Given these different methods of resolving bargaining impasse, it was theorized that school superintendents, charged with the day to day operation of the school district, would use the power of their position to ensure negotiation settlements which were equitable and in the best interests of all parties involved. Under this theory, it was expected that the perceived role of superintendents working under a statutory framework which favored management, such as the meet and confer model of Kansas, would be more labor oriented than would superintendents who worked under a system with a neutral or labor orientation such as the binding arbitration variant used in Nebraska.

#### Purposes in the Study

The purposes in this study were to compare the perceptions of superintendents in Nebraska and Kansas concerning the statutory framework governing teacher negotiations and the perceived role of the superintendent in the teacher negotiation process. Additionally, the relationship among five independent variables was explored in order to determine their influence upon the perceptions

of superintendents with respect to the role of the superintendent in the teacher negotiation process.

In order to achieve the purposes in the study, six hypotheses were developed. These hypotheses were constructed to determine whether a significant difference existed between the statutory framework governing teacher negotiations in the states of Kansas and Nebraska as perceived by superintendents in those states. In addition to exploring the existence of differing statutory frameworks, the hypotheses were designed to determine whether the perceived role of the superintendent in teacher negotiations differed significantly according to state as well as a series of demographic variables. Finally, the relationship between the independent and dependent variables of the study were addressed by the hypotheses in order to determine the amount of variance explained by the independent variables concerning the perceived role of the superintendent in teacher negotiations.

#### Hypotheses of the Study

The hypotheses of the study, written in null form, were stated as follows:

1. There will be no significant difference between the perceptions of superintendents in Kansas and the perceptions of superintendents in Nebraska concerning the statutory framework governing teacher negotiations.

2. There will be no significant difference between the perceptions of superintendents within and between the states of Kansas and Nebraska concerning the perceived role of the superintendent in teacher negotiations according to age.
3. There will be no significant difference between the perceptions of superintendents within and between the states of Kansas and Nebraska concerning the perceived role of the superintendent in teacher negotiations according to superintendent experience.
4. There will be no significant difference between the perceptions of superintendents within and between the states of Kansas and Nebraska concerning the perceived role of the superintendent in teacher negotiations according to recent impasse experience.
5. There will be no significant difference between the perceptions of superintendents within and between the states of Kansas and Nebraska concerning the perceived role of the superintendent in teacher negotiations according to district size.
6. There will be no significant relationship among the factors of statutory framework, age, superintendent experience, recent impasse experience, and district size and the influence those factors have upon the perceived role of the superintendent in teacher negotiations.



### Review of Literature

The literature reviewed for this study traced the development of private sector bargaining as the genesis of negotiations in the public sector. The review addressed bargaining at both the federal and state levels and focused on the development of the teacher negotiation process in Kansas and Nebraska. The influence of national organizations including the National Education Association and American Federation of Teachers was examined as were the roles of the major participants in the negotiation process. The review also identified the various roles superintendents assume during teacher negotiations as well as factors which influence those roles and concluded by summarizing findings from the literature.

The organizational bases of the review were: (1) The History and Development of Teacher Negotiations, (2) Major Participants in the Bargaining Process, and (3) Major Findings from the Literature.

### Methods and Procedures

In order to measure the perceptions of superintendents regarding the statutory framework and the perceived role of the superintendent in the teacher negotiation process, a series of perceptual questions was developed. Scored on a Likert scale ranging from Strong Agreement to Strong Disagreement, the questions were

designed to measure the perceptions of superintendents toward both management and labor positions. Direct scoring was used on the management questions while reverse scoring was used on the labor questions.

A jury of experts was used to validate the labor-management orientation of each question as well as its clarity and relevance for the study. Following validation, a pilot study was conducted to examine the internal consistency of the questionnaire as well as the survey administration techniques.

A mailed questionnaire was used for the collection of data and individual item responses were totaled according to two major categories of the questionnaire. The first score was used to determine whether a significant difference existed in the perceptions of superintendents concerning the statutory framework governing teacher negotiations according to the state of the school district. The second score was used to determine whether significant differences existed concerning the perceived role of the superintendent in teacher negotiations according to the state and one of four other demographic variables. The second score was also used to determine if a significant relationship existed among any of the five independent variables in the study and the perceived role of the superintendent in teacher negotiations. Additionally, the second score was used to determine the variance explained by the independent

variables concerning the perceived role of the superintendent in the teacher negotiation process.

The questionnaire was mailed during the month of October 1988 to 100 superintendents in Kansas and an equal number in Nebraska. A response rate of 97 percent provided 189 usable questionnaires for data analysis. Descriptive statistics were provided for both the demographic and response data and were presented in tables according to the independent variables of the study.

The hypotheses were tested using one of three statistical techniques. A t test for independent samples was utilized to compare the perceptions of superintendents in Kansas and Nebraska concerning the statutory framework governing teacher negotiations. A two factor ANOVA was used to examine each of four hypotheses which compared the perceived role of the superintendent in teacher negotiations according to state and one of the other four independent variables of age, superintendent experience, recent impasse experience and district size. Multiple regression analysis was used to examine the relationship among the five independent variables and the perceived role of the superintendent in teacher negotiations as well as to determine the amount of variance explained by these variables.

### Major Findings

The findings of this study emanate from the analysis of the hypotheses. In order to state the findings more succinctly, the hypotheses have been rephrased as research questions.

#### Research Question Number One

1. Is there a significant difference between the perceptions of superintendents in Kansas and the perceptions of superintendents in Nebraska concerning the statutory framework governing teacher negotiations?

A t test for independent samples was utilized to compare the perceptions of superintendents in Kansas and Nebraska concerning the statutory framework governing teacher negotiations in their respective states. A significant difference ( $\alpha = .05$ ) existed between the mean response of the Kansas superintendents and the mean response of the Nebraska superintendents concerning the statutory framework governing teacher negotiations.

The perception of superintendents concerning the statutory framework was measured by the combined score of the eleven questions in Part I of the survey. A low score on Part I of the questionnaire signified agreement with a pro-management position which could be characterized as a general belief that the statutory framework worked to the advantage of teachers and/or the disadvantage of Boards of

Education. Conversely, a higher score signified neutrality or a pro-labor point of view and could be characterized as a general belief that the statutory framework worked to the advantage of Boards of Education and/or the disadvantage of teachers.

Under the theoretical perspective developed for this study, it was expected that the Part I score for Nebraska superintendents would be lower than the Part I score for Kansas superintendents since the Nebraska Commission of Industrial Relations was viewed as more advantageous to teachers than was the unilateral contract used in Kansas. The mean Nebraska response to Part I of the questionnaire was 25.98 while the mean Kansas response was 31.67. The significant difference between these means provided the evidence necessary to reject the null hypothesis and to answer "yes" to the restated research question. Further, the lower Nebraska mean supported the theory that Nebraska superintendents perceived the Nebraska statutory framework as more labor oriented and closer to the labor side of a management-labor continuum than Kansas superintendents did the Kansas framework.

#### Research Question Number Two

2. Is there a significant difference between the perceptions of superintendents within and between the states of Kansas and Nebraska concerning the perceived role of the

superintendent in teacher negotiations according to age?

A two-factor ANOVA was used to compare the mean responses of superintendents concerning the perceived role of the superintendent in teacher negotiations according to state and age of the respondents. A significant difference at the .05 level of confidence existed between the mean responses of superintendents in Kansas and Nebraska concerning the perceived role of the superintendent in teacher negotiations. While a difference did exist between the respondents according to age, that difference was not significant. Additionally, the interaction effect between the factors of state and age was not significant.

The perceptions of superintendents concerning the role of the superintendent in teacher negotiations was measured by the combined scores of Parts II and III of the survey instrument. A total of 29 individual responses produced a single score for each respondent. A low score on the Part II/III total signified general agreement with a pro-management orientation and/or disagreement with a pro-labor point of view concerning the role of the superintendent in teacher negotiations and was interpreted as a belief that the role of the superintendent was to work to the advantage of management and/or the disadvantage of labor. Conversely, a higher score indicated a weaker management orientation and/or a stronger labor orientation.

Under the theoretical perspective developed for this study, it was expected that the Part II/III score would be higher for Kansas superintendents than for Nebraska superintendents. Since the Kansas framework was perceived as more management oriented than the Nebraska framework, the theory postulated for this study suggested that Kansas superintendents would compensate for the management orientation of the statutory framework by perceiving their negotiation role to be closer to the labor side of the management-labor continuum than would their Nebraska counterparts. For both age groups examined in the analysis of this hypothesis, the Kansas respondents reflected a lower score than did the Nebraska respondents. The results contradicted the theory that superintendents would compensate for the statutory framework by shifting their role toward labor under a statutory framework oriented toward management.

The significant difference between the state means provided the evidence necessary to reject the null hypothesis for the factor of state and to answer "yes" to the accompanying research question. The difference between the age means was not significant; therefore, the null hypothesis was retained for the factor of age and the accompanying research question was answered "no." As was the case with age, the interaction between the levels of age and state was not significant; therefore, the null

hypothesis was retained for the interaction effect and the accompanying research question was also answered "no."

While a significant difference was shown in the perceived role of the superintendent in teacher negotiations between the states of Kansas and Nebraska, that difference did not support the theoretical perspective developed for this study and provided rationale for its invalidation.

### Research Question Number Three

3. Is there a significant difference between the perceptions of superintendents within and between the states of Kansas and Nebraska concerning the perceived role of the superintendent in teacher negotiations according to superintendent experience?

A two-factor ANOVA was used to compare the mean responses of superintendents concerning the perceived role of the superintendent in teacher negotiations according to state and years of superintendent experience of the respondents. A significant difference existed between the mean responses of superintendents in Kansas and Nebraska concerning the perceived role of the superintendent in teacher negotiations. While a difference did exist between the respondents according to superintendent experience, that difference was not significant. Additionally, the interaction effect between the factors of state and superintendent experience was not significant.



As was the case with Research Question Two, the perceptions of superintendents were measured by using the combined scores of Parts II and III of the survey instrument. For both experience groups examined in the analysis of this hypothesis, the Kansas respondents reflected a lower score than did the Nebraska respondents. These results also contradicted the theory that superintendents would compensate for the statutory framework by shifting their role toward labor under a statutory framework oriented toward management.

The significant difference between the state means provided the evidence necessary to reject the null hypothesis for the factor of state and to answer "yes" to the accompanying research question. The difference between the superintendent experience means was not significant; therefore, the null hypothesis was retained for the factor of superintendent experience and the accompanying research question was answered "no." As was the case with superintendent experience, the interaction between the levels of superintendent experience and state was not significant; therefore, the null hypothesis was retained for the interaction effect and the accompanying research question was also answered "no."

As was the case with Research Question Two, while a significant difference was shown in the perceived role of the superintendent in teacher negotiations between the

states of Kansas and Nebraska, that difference did not support the theoretical perspective developed for this study and provided additional support for its invalidation.

Research Question Number Four

4. Is there a significant difference between the perceptions of superintendents within and between the states of Kansas and Nebraska concerning the perceived role of the superintendent in teacher negotiations according to recent impasse experience?

A two-factor ANOVA was used to compare the mean responses of superintendents concerning the perceived role of the superintendent in teacher negotiations according to state and recent impasse experience of the respondents. No significant differences existed between the mean responses of superintendents concerning the perceived role of the superintendent in teacher negotiations according to the factors of state or recent impasse experience. Additionally, the interaction effect between the factors of state and superintendent experience was not significant.

While no significant difference existed, the Kansas means were lower than the Nebraska means in both impasse groups. This mean difference, although not significant, provided additional support for the invalidation of the theory developed for this study. Since no significant differences existed, the null hypothesis was retained and

the accompanying research question was answered "no" for the factors of state and recent impasse experience as well as for the state x recent impasse experience interaction.

Research Question Number Five

5. Is there a significant difference between the perceptions of superintendents within and between the states of Kansas and Nebraska concerning the perceived role of the superintendent in teacher negotiations according to district size?

A two-factor ANOVA was used to compare the mean responses of superintendents concerning the perceived role of the superintendent in teacher negotiations according to state and district size of the respondents. A significant difference existed between the mean responses of superintendents concerning the perceived role of the superintendent in teacher negotiations in specific levels of the district size factor. The significant differences occurred between the "Under 200" group and each of the groups "801 to 1600" and "Over 3200." While a difference did exist between the respondents according to state, that difference was not significant. Additionally, the interaction effect between the factors of state and district size was not significant.

As was the case with Research Question Two, the perceptions of superintendents were measured by using the

combined scores of Parts II and III of the survey instrument. The significant difference between the district size means provided the evidence necessary to reject the null hypothesis for the factor of district size and to answer "yes" to the accompanying research question. The difference between the state means was not significant; therefore, the null hypothesis was retained for the factor of state and the accompanying research question was answered "no." As was the case with state, the interaction between the levels of state and district size was not significant; therefore, the null hypothesis was retained for the interaction effect and the accompanying research question was also answered "no."

The factor of size was divided into six levels. Examination of the marginal means by the levels of the size factor revealed a general trend for the mean to decrease as the district size increased. While initial examination of the means indicated that the "Under 200" group appeared anomalous with a mean of 61.3 compared to means of 51.2 for the "801 - 1600" group and 50.5 for the "Over 3200" group, both of the extremes reflected in the "Under 200" group and the "Over 3200" group were equidistant from the sample mean of 55.9. Given the trend of general mean decrease as size category increased, it was concluded that as district size increased, superintendents tended to perceive the role of the superintendent in teacher negotiations closer to the

management side of the labor-management continuum. Although this trend was reflected in the data, significant differences occurred only between superintendents in the smallest size category school districts and superintendents in districts more than four times their size.

The factor of district size both supported and contradicted the theory concerning the role of the superintendent in teacher negotiations developed for this study. Under the theoretical perspective, it was expected that the Kansas means would be larger, reflecting a stronger labor orientation to counter the statutory framework advantageous to management. The Kansas means for the "Under 200" group and the "801 to 1600" group were higher than the Nebraska means for the same groups; however, the Kansas mean for the "Over 3200" group was less than the Nebraska mean for the identical group. Based upon the mixed results of the means, the theory postulated for this study was supported in part and contradicted in part.

#### Research Question Number Six

6. Is there a significant relationship among the factors of statutory framework, age, superintendent experience, recent impasse experience, and district size and the influence those factors have upon the perceived role of the superintendent in teacher negotiations?

Multiple regression analysis was used to determine whether a significant relationship existed among the

independent variables and the perceived role of the superintendent in teacher negotiations. The factors of state and district size were each found to be significantly related to the perceived role of the superintendent. The factor of state explained 2.57 percent of the variance concerning the perceived role of the superintendent in teacher negotiations while district size explained an additional 6.82 percent. The combined variance explained by these two-factors was 9.39 percent.

The factors of age, superintendent experience and recent impasse experience each contributed slight amounts to the explained variance; however, none of these contributions were significant.

Based upon the significant relationship between the variables of state and district size concerning the perceived role of the superintendent in teacher negotiations, the null hypothesis was rejected and the accompanying research question was answered "yes" for each of the factors of state and district size. Similarly, since the factors of age, superintendent experience and recent impasse experience were not individually significant, the null hypothesis was retained for those factors and the accompanying research question was answered "no" for the factors of age, superintendent experience and recent impasse experience.

### Conclusions of the Study

The conclusions of this study were drawn from the research findings and results. The conclusions are presented in a numerical format.

1. The statutory frameworks governing teacher negotiations between the states of Kansas and Nebraska were perceived differently by superintendents of K-12 public school districts in those states. The meet and confer model of Kansas was perceived as being more management oriented than was the binding arbitration variant utilized in Nebraska.
2. The role of the superintendent in teacher negotiations was perceived differently by superintendents in Kansas and Nebraska. A theory which postulated superintendents would use the power of their position to offset a management or labor orientation which existed in the statutory framework was generally found to be without merit as Kansas superintendents appeared to have accommodated the management orientation of the statutory framework and responded to questions concerning the role of the superintendent in teacher negotiations with a stronger management orientation than did Nebraska superintendents.
3. The superintendent's perceived role in teacher negotiations tended toward a stronger management position as district size increased and implies that superintendents of

large schools identify more closely with management positions than do superintendents of small schools. This finding may also be indicative of a closer relationship with teachers on the part of superintendents in small schools compared with their larger school counterparts which may result in closer identification with labor concerns by small school superintendents.

4. The factors of age, years of superintendent experience, and recent impasse experience do not significantly influence the role of the superintendent in teacher negotiations.

5. Factors other than those examined in this study explain the majority of the variance between superintendents concerning the perceived role of the superintendent in teacher negotiations. While statutory framework and district size explained significant amounts of variance, the total explained variance of 10.1 percent implies that the factors examined in this study have minimal influence upon the perceived role of the superintendent in teacher negotiations.

#### Recommendations for Further Research

Several recommendations for further research emanate from findings in the literature and conclusions of this study. Those recommendations are presented in a numerical format.



1. Further research into the similarity of development of private and public sector labor relations should be conducted. Such research may prove useful in identifying future trends in public sector labor relations which may follow similar trends in the private sector. Identification of future public sector labor relations trends could be beneficial in the development of strategies which may improve bargaining practices.
2. The political climate of the federal government should be studied to determine the likelihood of a federal labor relations statute affecting state and local governmental employees made possible by the 1984 United States Supreme Court decision, Garcia v. San Antonio Metropolitan Transit Authority, et al.. Such a study would enable state legislatures to direct public policy with respect to public sector labor relations in a manner consistent with federal legislation.
3. This study, insofar as it concerns differences in the statutory frameworks governing teacher negotiations, should be replicated with other states to see if states with similar and dissimilar statutory frameworks are viewed the same or differently as the models presented in this study. Such research would prove useful in determining whether other statutory frameworks have different effects upon labor relations issues.

4. The economic effects of the statutory frameworks of Kansas and Nebraska should be studied. In addition to the costs of the bargaining process, the influence of the different frameworks upon settlements should be studied to determine if significant economic differences exist between negotiated labor contracts.
5. The effect of the statutory framework upon school climate and impasse frequency should be studied. Such research may provide information concerning statutory components which may minimize negotiation impasse and contribute to positive school climate.
6. The statutory framework of Kansas and Nebraska should be compared concerning teacher job satisfaction and superintendent effectiveness. Such a study would be useful in determining whether the statutory framework governing teacher negotiations promotes or inhibits job satisfaction of teachers or the effectiveness of school superintendents.
7. Further research concerning the role conflict of the superintendent in teacher negotiations should be completed. Such research may provide information as to how superintendents may resolve such a role conflict and maintain credibility as both a management executive and staff leader.
8. The role of the superintendent in teacher negotiations should also be studied under an alternate theory of

assimilation and accomodation with respect to the influence of the statutory framework. Such a study may provide additional information to help define and explain the role of the superintendent in the teacher negotiation process as well as the factors which influence the role of the superintendent.

9. Qualitative research should be completed to determine the existence of other factors which may influence the role of the superintendent in teacher negotiations. If other factors are discovered which appear to influence the role of the superintendent in teacher negotiations, this study should be replicated with respect to the influence of those factors upon the perceived role of the superintendent in teacher negotiations. Such research may explain additional variance concerning the perceived role of the superintendent in the teacher negotiation process and would prove beneficial by increasing the predictive validity of those factors concerning the role of the superintendent in teacher negotiations.

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Appendix A

RANDOM NUMBER GENERATION PROGRAM WITH  
COPIES OF RANDOM NUMBER LISTS



```

LOAD RANDOMS
]
]
]LIST

8 CLEAR
10 D$ = ""
11 I$ = "
12 HOME
13 PRINT "THIS PROGRAM WILL SELECT MUTUALLY EXCLUSIVE RANDOM NUMBERS FROM 1 TO A SPECIFIED UPPER EXTREME.
14 PRINT
15 INPUT "ENTER THE UPPER EXTREME ";P
20 DIM STG(P,3)
22 J = 1
23 R = 1
24 CNT = 0
100 X = RND (P)
110 Y = INT (X * 1000)
120 IF Y > 0 AND Y < P + 1 GOTO 500
125 R = R + 1
130 GOTO 100
500 FOR I = 1 TO J
520 IF STG(I,1) = Y THEN CNT = CNT + 1: GOTO 549
530 NEXT I
542 STG(J,1) = Y
543 STG(J,2) = R
544 STG(J,3) = CNT
545 PRINT "# ";J;" = ";STG(J,1);" TOOK ";R;" RANGE TRIES AND ";CNT;" DUPS"
546 CNT = 0
547 IF J = P GOTO 700
548 J = J + 1
549 R = 1
550 GOTO 100
700 PRINT D$;"PR#1"
701 PRINT I$;"80N"
702 PRINT "THE FOLLOWING LIST REPRESENTS MUTUALLY EXCLUSIVE RANDOM NUMBERS WHICH WERE": PRINT "SELECTED THROUGH THE USE OF A RANDOM NUMBER GENERATOR"
703 PRINT : PRINT "THE RANGE OF RANDOM NUMBERS SELECTED FOR THIS LIST WAS FROM 1 TO ";P: PRINT : PRINT
705 PRINT "COLUMN A = THE ORDER THE RANDOM NUMBER WAS SELECTED"
706 PRINT : PRINT "COLUMN B = THE MUTUALLY EXCLUSIVE RANDOM NUMBER WITHIN THE GIVEN RANGE"
707 PRINT : PRINT "COLUMN C = THE NUMBER OF TIMES A RANDOM NUMBER WAS EXCLUDED BECAUSE IT": PRINT " EXCEEDED THE GIVEN RANGE"
708 PRINT : PRINT "COLUMN D = THE NUMBER OF DUPLICATIONS OF AN ALREADY SELECTED RANDOM NUMBER"
709 PRINT : PRINT : PRINT "      A      B      C      D"
710 PRINT
711 FOR J = 1 TO P
715 HTAB 5
720 PRINT J;
721 HTAB 10
722 PRINT STG(J,1);
723 HTAB 18
724 PRINT STG(J,2);
725 HTAB 28
726 PRINT STG(J,3)
727 NEXT J
730 PRINT D$;"PR#0"
740 END

```

THE FOLLOWING LIST REPRESENTS MUTUALLY EXCLUSIVE RANDOM NUMBERS WHICH WERE  
SELECTED THROUGH THE USE OF A RANDOM NUMBER GENERATOR

THE RANGE OF RANDOM NUMBERS SELECTED FOR THIS LIST WAS FROM 1 TO 242

COLUMN A = THE ORDER THE RANDOM NUMBER WAS SELECTED

COLUMN B = THE MUTUALLY EXCLUSIVE RANDOM NUMBER WITHIN THE GIVEN RANGE

COLUMN C = THE NUMBER OF TIMES A RANDOM NUMBER WAS EXCLUDED BECAUSE IT  
EXCEEDED THE GIVEN RANGE

COLUMN D = THE NUMBER OF DUPLICATIONS OF AN ALREADY SELECTED RANDOM NUMBER

A	B	C	D	A	B	C	D
1	103	2	0	54	178	1	1
2	17	1	0	55	47	3	0
3	131	8	0	56	146	9	0
4	123	9	0	57	96	2	0
5	115	3	0	58	166	4	0
6	22	5	0	59	10	4	0
7	128	2	1	60	145	4	0
8	91	8	0	61	89	5	0
9	68	3	0	62	204	1	1
10	169	8	0	63	71	9	0
11	129	1	0	64	67	4	2
12	37	1	0	65	101	3	0
13	99	5	0	66	84	1	0
14	212	1	0	67	154	8	0
15	161	1	0	68	192	3	1
16	203	1	0	69	138	4	0
17	197	6	0	70	196	11	0
18	182	7	1	71	82	2	1
19	175	2	0	72	1	4	0
20	90	4	0	73	34	3	0
21	225	12	0	74	164	6	0
22	216	2	0	75	45	7	1
23	198	13	0	76	189	2	0
24	221	2	1	77	72	1	0
25	13	5	0	78	65	2	0
26	36	3	0	79	213	1	0
27	235	2	0	80	233	2	0
28	214	2	1	81	56	1	0
29	155	2	0	82	226	1	0
30	51	1	0	83	152	14	0
31	162	12	0	84	174	3	0
32	73	9	0	85	30	1	1
33	74	9	0	86	28	2	0
34	234	1	0	87	75	1	0
35	223	3	0	88	241	3	0
36	139	3	0	89	87	2	0
37	114	2	0	90	242	1	2
38	237	6	0	91	119	1	2
39	121	3	0	92	124	2	2
40	185	5	0	93	135	3	2
41	70	9	0	94	211	3	4
42	187	1	0	95	136	1	1
43	222	1	0	96	227	4	1
44	208	12	2	97	63	1	0
45	109	8	0	98	130	4	2
46	86	6	1	99	100	2	2
47	160	1	1	100	184	7	0
48	33	2	1	101	43	1	0
49	19	2	0	102	156	13	0
50	104	1	0	103	177	3	1
51	193	12	0	104	111	4	1
52	20	7	0	105	153	3	0
53	32	9	1	106	168	1	0

A	B	C	D	A	B	C	D
107	21	4	0	175	102	7	0
108	157	4	0	176	94	1	0
109	158	37	1	177	205	2	14
110	54	9	0	178	172	2	1
111	62	2	0	179	179	1	1
112	59	2	1	180	112	1	0
113	238	2	2	181	167	12	3
114	132	1	0	182	79	1	3
115	171	2	0	183	26	5	1
116	81	4	0	184	220	7	0
117	228	8	0	185	8	6	2
118	23	3	0	186	217	8	4
119	83	1	1	187	120	5	0
120	44	3	1	188	194	5	7
121	141	4	6	189	85	1	10
122	199	1	0	190	230	1	1
123	76	5	1	191	53	1	3
124	25	1	1	192	49	12	1
125	16	1	0	193	147	6	18
126	195	12	6	194	190	10	12
127	181	5	2	195	38	3	7
128	39	6	1	196	218	11	6
129	11	4	1	197	148	5	2
130	150	5	0	198	180	3	4
131	31	3	0	199	69	2	6
132	93	9	2	200	239	7	6
133	97	5	1	201	133	2	4
134	48	9	2	202	3	1	7
135	15	8	1	203	24	20	3
136	173	1	0	204	92	10	4
137	64	1	2	205	40	3	1
138	232	6	0	206	117	3	1
139	165	1	0	207	143	5	0
140	207	1	2	208	125	2	2
141	55	3	1	209	106	6	2
142	219	15	8	210	4	1	12
143	61	2	0	211	191	5	14
144	7	7	3	212	60	1	17
145	159	3	1	213	98	1	1
146	183	2	1	214	202	4	4
147	151	1	0	215	50	1	0
148	95	5	2	216	66	3	2
149	9	11	1	217	46	3	19
150	134	4	2	218	240	6	7
151	231	9	0	219	126	6	5
152	201	5	2	220	35	1	41
153	108	5	5	221	80	6	19
154	127	5	2	222	29	4	26
155	209	6	0	223	5	1	3
156	149	7	2	224	206	5	8
157	105	1	12	225	137	3	2
158	88	17	1	226	77	4	5
159	200	3	5	227	110	3	17
160	58	1	2	228	140	2	24
161	144	10	0	229	176	10	4
162	236	1	2	230	116	2	7
163	170	1	0	231	107	3	80
164	186	4	0	232	224	2	27
165	27	4	0	233	229	5	11
166	57	3	3	234	18	1	3
167	52	1	0	235	2	7	12
168	42	2	0	236	215	2	3
169	142	9	3	237	14	2	27
170	78	5	2	238	122	4	2
171	163	5	0	239	41	8	34
172	12	3	0	240	113	3	8
173	210	2	0	241	118	6	104
174	188	3	0	242	6	2	90

THE FOLLOWING LIST REPRESENTS MUTUALLY EXCLUSIVE RANDOM NUMBERS WHICH WERE  
SELECTED THROUGH THE USE OF A RANDOM NUMBER GENERATOR

THE RANGE OF RANDOM NUMBERS SELECTED FOR THIS LIST WAS FROM 1 TO 239

COLUMN A = THE ORDER THE RANDOM NUMBER WAS SELECTED

COLUMN B = THE MUTUALLY EXCLUSIVE RANDOM NUMBER WITHIN THE GIVEN RANGE

COLUMN C = THE NUMBER OF TIMES A RANDOM NUMBER WAS EXCLUDED BECAUSE IT  
EXCEEDED THE GIVEN RANGE

COLUMN D = THE NUMBER OF DUPLICATIONS OF AN ALREADY SELECTED RANDOM NUMBER

A	B	C	D	A	B	C	D
1	57	7	0	54	236	1	1
2	200	1	0	55	205	9	0
3	136	6	0	56	133	4	0
4	154	1	0	57	212	2	0
5	141	1	0	58	126	1	0
6	101	4	0	59	156	2	0
7	191	9	0	60	185	1	0
8	34	3	0	61	68	10	0
9	116	11	0	62	183	3	2
10	219	2	0	63	59	4	0
11	164	2	0	64	56	5	0
12	217	1	0	65	51	15	1
13	162	3	0	66	195	1	2
14	61	3	0	67	140	2	0
15	131	7	0	68	234	6	0
16	207	6	0	69	120	4	2
17	62	4	0	70	139	6	1
18	58	12	0	71	49	3	0
19	121	2	0	72	232	5	0
20	5	2	0	73	222	3	0
21	196	2	0	74	149	1	0
22	105	9	0	75	36	2	0
23	194	4	0	76	92	3	0
24	8	4	0	77	19	3	0
25	13	5	0	78	203	2	0
26	21	3	0	79	130	3	0
27	7	2	0	80	167	2	3
28	4	1	0	81	91	13	1
29	239	3	2	82	135	1	0
30	6	6	0	83	89	10	0
31	124	5	0	84	157	1	1
32	40	8	0	85	78	1	0
33	107	9	0	86	170	1	5
34	163	2	1	87	77	3	0
35	83	3	0	88	24	5	1
36	87	3	0	89	184	3	0
37	226	1	1	90	18	3	1
38	153	1	0	91	129	2	3
39	204	2	1	92	73	1	0
40	150	16	0	93	106	3	0
41	32	8	0	94	165	2	0
42	95	6	1	95	16	4	0
43	29	4	0	96	41	15	1
44	84	6	1	97	85	4	0
45	223	1	0	98	202	1	0
46	171	1	0	99	67	5	2
47	11	7	0	100	63	2	0
48	93	3	0	101	42	5	1
49	237	1	0	102	187	5	0
50	54	6	0	103	199	5	0
51	152	1	1	104	10	11	0
52	214	2	0	105	46	10	2
53	53	1	0	106	208	3	0

A	B	C	D	A	B	C	D
107	75	2	1	174	197	3	0
108	110	2	0	175	90	8	4
109	12	3	0	176	220	3	1
110	238	3	0	177	94	4	11
111	99	5	0	178	64	2	1
112	125	2	0	179	213	1	6
113	79	3	1	180	71	4	0
114	102	1	0	181	81	3	0
115	215	8	0	182	27	3	17
116	111	17	1	183	97	2	7
117	104	5	3	184	30	11	1
118	159	2	0	185	48	6	3
119	117	1	2	186	227	4	1
120	69	1	0	187	22	1	0
121	225	3	2	188	25	6	3
122	190	6	1	189	88	4	0
123	72	12	2	190	35	2	5
124	148	3	1	191	201	4	8
125	114	5	0	192	112	1	6
126	145	3	1	193	65	15	1
127	182	1	0	194	166	3	4
128	23	19	2	195	174	6	2
129	230	2	0	196	132	1	11
130	119	4	1	197	216	2	1
131	211	1	0	198	98	3	4
132	192	5	0	199	33	1	0
133	127	3	0	200	228	2	0
134	15	1	1	201	158	3	13
135	178	2	0	202	113	2	7
136	224	1	4	203	218	1	1
137	235	7	0	204	169	4	4
138	60	1	1	205	82	2	11
139	1	1	0	206	210	2	7
140	177	1	0	207	172	3	8
141	96	4	4	208	66	8	3
142	198	9	0	209	209	8	6
143	233	3	3	210	155	2	0
144	160	2	0	211	2	1	6
145	47	5	1	212	173	2	2
146	100	9	0	213	188	1	20
147	175	9	2	214	189	1	1
148	137	5	0	215	103	2	13
149	20	2	13	216	28	1	15
150	50	1	2	217	45	4	5
151	193	4	4	218	186	1	0
152	181	2	0	219	17	4	8
153	74	3	0	220	231	2	1
154	123	3	1	221	108	3	2
155	14	1	0	222	122	3	1
156	138	1	0	223	179	8	7
157	180	1	1	224	52	2	2
158	115	2	0	225	151	2	1
159	44	4	3	226	31	10	22
160	86	4	2	227	3	2	3
161	39	1	0	228	146	7	34
162	70	2	4	229	143	13	13
163	109	1	3	230	147	1	137
164	144	2	6	231	176	1	0
165	128	10	6	232	118	2	5
166	229	14	1	233	161	3	25
167	221	6	1	234	43	3	38
168	206	6	2	235	55	12	10
169	134	11	0	236	80	3	9
170	9	2	4	237	76	16	28
171	168	1	0	238	37	2	34
172	38	4	1	239	26	15	134
173	142	6	8				

Appendix B

JURY OF EXPERTS AND  
VALIDATION INSTRUMENT

## PANEL OF EXPERTS USED FOR QUESTIONNAIRE VALIDATION

Mr. Norm Wilks, Labor Relations Specialist  
Kansas Association of School Boards  
Topeka, Kansas

Mrs. Patricia Baker, General Counsel  
Kansas Association of School Boards  
Topeka, Kansas

Dr. G. Kent Stewart, Professor  
Department of Educational Administration  
Kansas State University  
Manhattan, Kansas

Mr. Mike Barricklow, Superintendent  
Silver Lake Unified School District No. 372  
Box 39  
Silver Lake, Kansas

Dr. Frank Ybarra, Assistant Superintendent  
Topeka Public Schools  
Topeka, Kansas

Mr. Kelley Baker, Attorney  
Nelson and Harding  
Lincoln, Nebraska

Mr. Kenneth Fossen, Attorney  
Mousel Law Firm  
McCook, Nebraska

Dr. C. Cale Hudson, Professor  
Department of Educational Administration  
University of Nebraska-Lincoln  
Lincoln, Nebraska

Dr. Mark Alderman, Superintendent  
Fairbury Public Schools  
Fairbury, Nebraska

Dr. Paul Brochtrup  
Assistant Superintendent  
North Platte Public Schools  
North Platte, Nebraska

**REPUBLIC COUNTY  
UNIFIED SCHOOL DISTRICT NO. 427**

## ADMINISTRATION

Serving the Communities of Belleville, Munden &amp; Republic

## BOARD OF EDUCATION

Dale V. Rawson, Superintendent  
(913) 527-5621  
Edward Fuhman, Belleville High School Principal  
(913) 527-2281  
Larry Cates, West Elementary Principal  
(913) 527-5669  
Donald Westphal, East/Munden Elementary Principal  
(913) 527-2330/(913) 987-5468  
Gordon Mohr, Special Services Director  
(913) 527-2281

1205 19th, Box 469  
Belleville, Kansas 66935  
(913) 527-5621

July 14, 1988

Robert Deterding, President  
David Black, Vice-President  
Loisann Brown, Member  
Nan Coonrod, Member  
Randy Everf, Member  
Gerald Holmberg, Member  
Vincent Pachta, Member  
  
Kathryn Johnson, Clerk  
Marion Lesovsky, Treasurer

^<NAME>  
^<SCHOOL>  
^[ADD]  
^<CSZ>

Dear ^<header title>:

This letter is a request for your assistance in the validation of questions which may be included in a survey instrument concerning the role of the superintendent in teacher negotiations. You were chosen as one of a limited panel of individuals with expertise in the field of labor relations to assist in determining if the questions on the enclosed document should be retained for use in the pilot phase of this research project.

The questions have been designed to differentiate between individuals who tend to strongly support management and management positions in the negotiation process as opposed to those who do not strongly support management and may tend to support positions taken by teachers and teacher associations. It is hoped that each question will be classifiable as a management oriented or labor oriented question.

You will be asked to make three determinations about each question. Those determinations are as follows:

1. Is the question clearly and concisely written?
2. Is the orientation of the question accurate?
3. Should the question be retained during the pilot phase of the study?

Your time and attention in this survey is most certainly appreciated. In order to have your responses to the validation phase of the study included, they are needed no later than August 3, 1988. Again, thank you for your assistance.

Sincerely,

Dale V. Rawson, Superintendent  
Republic County U. S. D. No. 427  
1205 19th Street  
Belleville, KS 66935

Enc: Validation Questionnaire



## VALIDATION QUESTIONNAIRE

During the data collection phase of this study, each of the following statements will be answered using a scale ranging from Strongly Agree to Strongly Disagree. You are asked to determine whether the questions are clear and concise as well as whether the question discriminates between a management versus labor orientation and should be retained.

For the purpose of validation of the questions, PLEASE ASSUME THAT THE RESPONDENT HAS AGREED WITH THE STATEMENT. Based upon this assumption, you are requested to indicate whether the orientation of the question is correct as written.

Please return this questionnaire in the envelope provided no later than August 3, 1988 and THANKS FOR YOUR HELP.

Dale V. Rawson, Superintendent  
Republic County U.S.D. No. 427  
1205 19th  
Belleville, KS 66935

The following questions are assumed to have a MANAGEMENT ORIENTATION. Agreement with the question would represent a view supportive of management.

	Is the statement written clearly and concisely?	Does agreement with the statement reflect a MANAGEMENT orientation?	Should the statement be retained?
<b>THE TEACHER NEGOTIATION/IMPASSE RESOLUTION PROCESS IN THIS STATE:</b>			
1. is structured to give teachers and teacher associations an advantage in the negotiation process.	Y N	Y N	Y N
2. is biased in favor of labor.	Y N	Y N	Y N
3. gives teachers and teacher associations too much power in setting wages and conditions of employment.	Y N	Y N	Y N
4. has removed the ability of the local board of education to be responsive to its constituency in matters of teacher salaries and conditions of employment.	Y N	Y N	Y N
5. should be amended to increase board power in the teacher negotiation process.	Y N	Y N	Y N
6. has eliminated the right of the local board of education to determine salaries and conditions of employment for teachers.	Y N	Y N	Y N
<b>ONE OF THE DUTIES OF THE SUPERINTENDENT IN TEACHER NEGOTIATIONS SHOULD BE TO:</b>			
1. provide data and information upon request to the board of education.	Y N	Y N	Y N
2. voluntarily provide data and information to the board of education.	Y N	Y N	Y N
3. develop and share with the board of education relevant data to support board positions.	Y N	Y N	Y N
4. develop and share with teachers and the teacher association relevant data to support board positions.	Y N	Y N	Y N
5. support the concerns raised by boards of education during teacher negotiations.	Y N	Y N	Y N
6. develop negotiation strategy for the board of education.	Y N	Y N	Y N
7. work to see that teachers and the teacher association recognize the budgetary restraints faced by boards of education.	Y N	Y N	Y N
8. serve as the management representative in teacher negotiations.	Y N	Y N	Y N
9. make certain the board does not relinquish management prerogative during teacher negotiations.	Y N	Y N	Y N

The following questions are assumed to have a MANAGEMENT ORIENTATION. Agreement with the question would represent a view supportive of management.

IN PUBLIC, AT PUBLIC MEETINGS, OR DURING NEGOTIATION SESSIONS BETWEEN THE BOARD AND TEACHERS, THE SUPERINTENDENT SHOULD BE RECOGNIZED AS:

	Is the statement written clearly and concisely?	Does agreement with the statement reflect a MANAGEMENT orientation?	Should the statement be retained?
1. the chief negotiator for the board of education.	Y N	Y N	Y N
2. a member of the board of education negotiating team.	Y N	Y N	Y N
3. an advocate for positions expressed by the board of education.	Y N	Y N	Y N
4. the strategist for the board of education.	Y N	Y N	Y N
5. the process expert for the board of education.	Y N	Y N	Y N

WHEN TEACHER NEGOTIATIONS ARE DISCUSSED IN EXECUTIVE OR CLOSED SESSION OF THE BOARD OF EDUCATION, THE SUPERINTENDENT SHOULD:

1. support all positions of the board of education.	Y N	Y N	Y N
2. support reasonable positions of the board of education.	Y N	Y N	Y N
3. advocate positions supportive of management.	Y N	Y N	Y N
4. develop strategy useful to the board of education.	Y N	Y N	Y N
5. recommend taking advantage of errors or miscalculations by the teachers which prove advantageous to the board of education.	Y N	Y N	Y N

IN PRIVATE MEETINGS WITH TEACHERS OR MEMBERS OF THE TEACHER NEGOTIATION TEAM, THE SUPERINTENDENT SHOULD:

1. support all positions of the board of education.	Y N	Y N	Y N
2. support reasonable positions of the board of education.	Y N	Y N	Y N
3. advocate positions supportive of management.	Y N	Y N	Y N
4. recommend agreement with board proposals when those proposals are believed fair.	Y N	Y N	Y N

The following questions are assumed to have a LABOR ORIENTATION. Agreement with the question would represent a view supportive of labor.

THE TEACHER NEGOTIATION/IMPASSE RESOLUTION PROCESS IN THIS STATE:

	Is the statement written clearly and concisely?	Does agreement with the statement reflect a LABOR orientation?	Should the statement be retained?
1. is structured to give boards of education an advantage in the negotiation process.	Y N	Y N	Y N
2. is biased in favor of management.	Y N	Y N	Y N
3. gives boards of education too much power in setting wages and conditions of employment.	Y N	Y N	Y N
4. provides a method for establishing teachers salaries and conditions of employment without removing the right of the board of education to be responsive to its constituency.	Y N	Y N	Y N
5. should be amended to increase teacher and teacher association power in the teacher negotiation process.	Y N	Y N	Y N
6. should give teachers and teacher associations equality with boards of education in the determination of wages and conditions of employment for teachers.	Y N	Y N	Y N

ONE OF THE DUTIES OF THE SUPERINTENDENT IN TEACHER NEGOTIATIONS SHOULD BE TO:

1. provide data and information upon request to teachers and the teacher association.	Y N	Y N	Y N
2. voluntarily provide data and information to teachers and the teacher association.	Y N	Y N	Y N
3. develop and share with the board of education relevant data to support teacher positions.	Y N	Y N	Y N
4. develop and share with teachers and the teacher association relevant data to support teacher positions.	Y N	Y N	Y N
5. support the concerns raised by teachers and teacher associations during teacher negotiations.	Y N	Y N	Y N
6. develop negotiation strategy for teachers and the teacher association.	Y N	Y N	Y N
7. work to see that boards of education recognize the importance of increased pay for teachers.	Y N	Y N	Y N
8. serve as the representative for teachers in teacher negotiations.	Y N	Y N	Y N
9. help the board recognize the importance of teacher input in school governance.	Y N	Y N	Y N

The following questions are assumed to have a LABOR ORIENTATION. Agreement with the question would represent a view supportive of labor.

IN PUBLIC, AT PUBLIC MEETINGS, OR DURING NEGOTIATION SESSIONS BETWEEN THE BOARD AND TEACHERS, THE SUPERINTENDENT SHOULD BE RECOGNIZED AS:

	Is the statement written clearly and concisely?	Does agreement with the statement reflect a LABOR orientation?	Should the statement be retained?
1. the process expert for teachers and the teacher association.	Y N	Y N	Y N
2. the strategist for teachers and the teacher association.	Y N	Y N	Y N
3. an advocate for the positions expressed by teachers and the teacher association.	Y N	Y N	Y N
4. a member of the teacher negotiating team.	Y N	Y N	Y N
5. the chief negotiator for the teachers and teacher association.	Y N	Y N	Y N

WHEN TEACHER NEGOTIATIONS ARE DISCUSSED IN EXECUTIVE OR CLOSED SESSION OF THE BOARD OF EDUCATION, THE SUPERINTENDENT SHOULD:

1. advocate positions supportive of teachers.	Y N	Y N	Y N
2. support reasonable positions of teachers and the teacher association.	Y N	Y N	Y N
3. support all positions of teachers and the teacher association.	Y N	Y N	Y N
4. recommend agreement with teacher proposals when those proposals are believed fair.	Y N	Y N	Y N

IN PRIVATE MEETINGS WITH TEACHERS OR MEMBERS OF THE TEACHER NEGOTIATION TEAM, THE SUPERINTENDENT SHOULD:

1. recommend taking advantage of errors or miscalculations by the board which prove advantageous to the teachers.	Y N	Y N	Y N
2. advocate positions supportive of teachers.	Y N	Y N	Y N
3. support reasonable positions of teachers and the teacher association.	Y N	Y N	Y N
4. develop strategy useful to teachers and the teacher association.	Y N	Y N	Y N
5. support all positions of teachers and the teacher association.	Y N	Y N	Y N

Appendix C

COVER LETTER AND QUESTIONNAIRES

**REPUBLIC COUNTY  
UNIFIED SCHOOL DISTRICT NO. 427**

## ADMINISTRATION

Serving the Communities of Belleville, Munden &amp; Republic

## BOARD OF EDUCATION

Dale V. Rawson, Superintendent  
(913) 527-5621Edward Fuhman, Belleville High School Principal  
(913) 527-2281Larry Cates, West Elementary Principal  
(913) 527-5669Donald Westphal, East/Munden Elementary Principal  
(913) 527-2300/(913) 527-5488Gordon Mohr, Special Services Director  
(913) 527-22811205 19th, Box 469  
Belleville, Kansas 66935  
(913) 527-5621

October 1, 1988

Robert Deterding, President  
David Black, Vice-President  
Loisann Brown, Member  
Van Coorvod, Member  
Randy Evert, Member  
Gerald Holmberg, Member  
Vincent Pachla, MemberKathryn Johnson, Clerk  
Marion Lesovsky, Treasurer

Dear Superintendent:

As part of a joint research project with the Kansas Association of School Boards and the Nebraska Association of School Boards, we are attempting to determine the perceptions of superintendents in Kansas and Nebraska concerning the role of the superintendent in teacher negotiations. It is hoped that the results of this study will not only be beneficial in recognizing the similarity and differences of the superintendent's role between states but will also identify factors which influence the role of the superintendent in teacher negotiations.

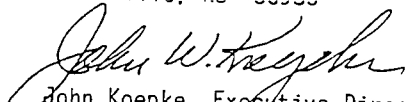
Your participation in this study is requested. You have been selected as a one of a limited number of superintendents to respond to a questionnaire concerning your perceptions of the role of the superintendent in teacher negotiations. As one of a limited sample of superintendents drawn from each state, your response to the enclosed instrument is critical to the success of this study.

The nature of this study requires that the data collected be based upon your experience with teacher negotiations in your current school district. Since experience with teacher negotiations in your current district is required, individuals new to the superintendency in 1988-89 or individuals who changed positions at the conclusion of the 1987-88 school year are asked to so indicate and return the questionnaire without completing it.

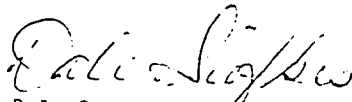
Although your identity will be used to monitor the return of the questionnaire, neither individuals nor schools will be identified in the analysis and reporting of the data received in this study.

Thank you in advance for your assistance in this research project. Please return the questionnaire not later than October 7, 1988 in the postage paid envelope.

Sincerely,

Dale V. Rawson, Superintendent  
Republic County U.S.D. No. 427  
Belleville, KS 66935


John Koepke, Executive Director  
Kansas Association of School Boards  
5401 Southwest 7th Avenue  
Topeka, KS 66606



Dale Siefkes, Executive Director  
Nebraska Association of School Boards  
140 South 16th Street  
Lincoln, NE 68508

NEGOTIATION QUESTIONNAIRE

Listed below and on the attached pages is a series of questions regarding your perceptions of teacher negotiations under the Kansas negotiations model as well as the specific role and duties of the superintendent in the teacher negotiation process. Please respond to the questions and return your responses in the stamped self addressed envelope not later than October 7, 1988. In the event that you are not familiar with the current negotiations model used in Kansas, a brief synopsis has been provided below.

THE KANSAS NEGOTIATIONS MODEL

The Professional Negotiations Act was originally enacted by the Kansas Legislature in 1970 and was significantly amended in 1977 and 1980. As a result of this legislation, all Kansas public school districts became subject to the provisions of Sections 72-5413 through 72-5432 of the Kansas Statutes.

These statutes define the procedures governing teacher negotiations and require that in the event of a negotiations impasse, the Secretary of Human Resources shall appoint a mediator to meet with the board and teachers to attempt resolution of the impasse. If mediation is unsuccessful, the Secretary appoints a fact finding board to make recommendations for the resolution of the impasse. If settlement through the use of mediation and fact finding is not achieved, K.S.A. 72-5428 and 72-5429 authorizes the board of education to "take such action as it deems in the public interest" including the issuance of unilateral employment contracts.

YOUR RESPONSE TO THE FOLLOWING QUESTIONS IS REQUESTED. PLEASE BASE YOUR RESPONSES UPON YOUR EXPERIENCE WITH THE KANSAS NEGOTIATIONS MODEL.

PART I: STATUTORY FRAMEWORK

- |  |   |   |
|--|---|---|
| Strongly Agree<br>Agree<br>No Opinion<br>Disagree<br>Strongly Disagree | _____<br>_____<br>_____<br>_____<br>_____<br>_____<br>_____<br>_____<br>_____<br>_____<br>_____ | The statutory framework governing teacher negotiations and impasse resolution may influence the role, function and duties of the superintendent in the teacher negotiation process. Please indicate your agreement/disagreement with each of the statements listed below.<br><br>THE TEACHER NEGOTIATION/IMPASSE RESOLUTION PROCESS IN THIS STATE:<br><br>1. is structured to give teachers and teacher associations an advantage in the negotiation process.<br><br>2. is biased in favor of labor.<br><br>3. is structured to give boards of education an advantage in the negotiation process.<br><br>4. is biased in favor of management.<br><br>5. gives boards of education too much power in setting wages and conditions of employment.<br><br>6. gives teachers and teacher associations too much power in setting wages and conditions of employment.<br><br>7. has removed the ability of the local board of education to be responsive to its constituency in matters of teacher salaries and conditions of employment.<br><br>8. should be amended to increase board power in the teacher negotiation process.<br><br>9. provides a method for establishing teachers salaries and conditions of employment without removing the right of the board of education to be responsive to its constituency.<br><br>10. should be amended to increase teacher and teacher association power in the teacher negotiation process. |
|--|---|---|

(over)



Strongly Agree  
 Agree  
 No Opinion  
 Disagree  
 Strongly Disagree

PART I: STATUTORY FRAMEWORK (continued)

THE TEACHER NEGOTIATION/IMPASSE RESOLUTION  
 PROCESS IN THIS STATE:

- 11. should give teachers and teacher associations equality with boards of education in the determination of wages and conditions of employment for teachers.
- 12. has eliminated the right of the local board of education to determine salaries and conditions of employment for teachers.

PART II: DUTIES OF THE SUPERINTENDENT IN TEACHER NEGOTIATIONS

Listed below is a variety of duties the superintendent may perform during teacher negotiations. Please indicate your agreement/disagreement with each of the duties identified.

Strongly Agree  
 Agree  
 No Opinion  
 Disagree  
 Strongly Disagree

ONE OF THE DUTIES OF THE SUPERINTENDENT  
 IN TEACHER NEGOTIATIONS SHOULD BE TO:

- 1. provide data and information upon request to the board of education.
- 2. provide data and information upon request to teachers and the teacher association.
- 3. voluntarily provide data and information to teachers and the teacher association.
- 4. voluntarily provide data and information to the board of education.
- 5. develop and share with the board of education relevant data to support board positions.
- 6. develop and share with the board of education relevant data to support teacher positions.
- 7. develop and share with teachers and the teacher association relevant data to support teacher positions.
- 8. develop and share with teachers and the teacher association relevant data to support board positions.
- 9. support the concerns raised by boards of education during teacher negotiations.
- 10. support the concerns raised by teachers and teacher associations during teacher negotiations.
- 11. develop negotiation strategy for the board of education.
- 12. develop negotiation strategy for teachers and the teacher association.
- 13. work to see that boards of education recognize the importance of increased pay for teachers.
- 14. work to see that teachers and the teacher association recognize the budgetary restraints faced by boards of education.
- 15. serve as the management representative in teacher negotiations.
- 16. serve as the representative for teachers in teacher negotiations.
- 17. help the board of education recognize the importance of teacher input in school governance.
- 18. make certain the board of education does not relinquish management prerogative during teacher negotiations.

PART III: ROLE AND FUNCTION OF THE SUPERINTENDENT IN TEACHER NEGOTIATIONS

The influence of the superintendent in teacher negotiations may result not only from the specific duties the superintendent performs, but also from the role played by the superintendent in the negotiation process. This role may be stable throughout teacher negotiations or it may change as the situation dictates. Please indicate your agreement/disagreement with each of the identified roles and/or functions of the superintendent in teacher negotiations.

Strongly Agree  
Agree  
No Opinion  
Disagree  
Strongly Disagree

IN PUBLIC, AT PUBLIC MEETINGS, OR DURING NEGOTIATION SESSIONS BETWEEN THE BOARD AND TEACHERS, THE SUPERINTENDENT SHOULD BE RECOGNIZED AS:

- \_\_\_ \_\_\_ \_\_\_ \_\_\_ 1. the chief negotiator for the board of education.
- \_\_\_ \_\_\_ \_\_\_ \_\_\_ 2. a member of the board of education negotiating team.
- \_\_\_ \_\_\_ \_\_\_ \_\_\_ 3. an advocate for positions expressed by the board of education.
- \_\_\_ \_\_\_ \_\_\_ \_\_\_ 4. the strategist for the board of education.
- \_\_\_ \_\_\_ \_\_\_ \_\_\_ 5. the process expert for the board of education.
- \_\_\_ \_\_\_ \_\_\_ \_\_\_ 6. the process expert for teachers and the teacher association.
- \_\_\_ \_\_\_ \_\_\_ \_\_\_ 7. the strategist for teachers and the teacher association.
- \_\_\_ \_\_\_ \_\_\_ \_\_\_ 8. an advocate for the positions expressed by teachers and the teacher association.
- \_\_\_ \_\_\_ \_\_\_ \_\_\_ 9. a member of the teacher negotiating team.
- \_\_\_ \_\_\_ \_\_\_ \_\_\_ 10. the chief negotiator for the teachers and teacher association.

WHEN TEACHER NEGOTIATIONS ARE DISCUSSED IN EXECUTIVE OR CLOSED SESSION OF THE BOARD OF EDUCATION, THE SUPERINTENDENT SHOULD:

- \_\_\_ \_\_\_ \_\_\_ \_\_\_ 1. support all positions of the board of education.
- \_\_\_ \_\_\_ \_\_\_ \_\_\_ 2. support reasonable positions of the board of education.
- \_\_\_ \_\_\_ \_\_\_ \_\_\_ 3. advocate positions supportive of management.
- \_\_\_ \_\_\_ \_\_\_ \_\_\_ 4. develop strategy useful to the board of education.
- \_\_\_ \_\_\_ \_\_\_ \_\_\_ 5. recommend taking advantage of errors or miscalculations by the teachers which prove advantageous to the board of education.
- \_\_\_ \_\_\_ \_\_\_ \_\_\_ 6. advocate positions supportive of teachers.
- \_\_\_ \_\_\_ \_\_\_ \_\_\_ 7. support reasonable positions of teachers and the teacher association.
- \_\_\_ \_\_\_ \_\_\_ \_\_\_ 8. support all positions of teachers and the teacher association.
- \_\_\_ \_\_\_ \_\_\_ \_\_\_ 9. recommend agreement with teacher proposals when those proposals are believed fair.

(over)

Strongly Agree  
Agree  
No Opinion  
Disagree  
Strongly Disagree

PART III: ROLE AND FUNCTION OF THE SUPERINTENDENT IN  
TEACHER NEGOTIATIONS (continued)

IN PRIVATE MEETINGS WITH TEACHERS OR MEMBERS OF  
THE TEACHER NEGOTIATION TEAM, THE SUPERINTENDENT  
SHOULD:

- 1. support all positions of the board of education.
- 2. support reasonable positions of the board of education.
- 3. advocate positions supportive of management.
- 4. recommend taking advantage of errors or miscalculations by the board which prove advantageous to the teachers.
- 5. advocate positions supportive of teachers.
- 6. support reasonable positions of teachers and the teacher association.
- 7. develop strategy useful to teachers and the teacher association.
- 8. support all positions of teachers and the teacher association.
- 9. recommend agreement with board proposals when those proposals are believed fair.

PART IV: DEMOGRAPHIC INFORMATION

Please answer the following demographic questions to enable the statistical analysis of your responses:

- AGE. As of your last birthday.
- SUPERINTENDENT EXPERIENCE. Total years of experience, excluding this year, as a superintendent in this or any other school district.
- IMPASSE EXPERIENCE. The number of times during the past four years that you have been superintendent in a school district that experienced a negotiation impasse which required mediation, fact finding, or the issuance of unilateral contracts.
- DISTRICT SIZE. K-12 pupil enrollment on Full Time Equivalency (FTE) basis for current year.
 

<input type="checkbox"/> Under 200	<input type="checkbox"/> 401-800	<input type="checkbox"/> 1601-3200
<input type="checkbox"/> 200 - 400	<input type="checkbox"/> 801-1600	<input type="checkbox"/> Over 3200

Thank you for taking the time to respond to this questionnaire. Please return the completed questionnaire no later than October 7, 1988 to:

Dale V. Rawson, Superintendent  
Republic County Unified School District No. 427  
1205 19th Street  
Belleville, KS 66935

Should you desire a summary of the results of the study, please indicate your name and address below.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NEGOTIATION QUESTIONNAIRE

Listed below and on the attached pages is a series of questions regarding your perceptions of teacher negotiations under the Nebraska negotiations model as well as the specific role and duties of the superintendent in the teacher negotiation process. Please respond to the questions and return your responses in the stamped self addressed envelope not later than October 7, 1988. In the event that you are not familiar with the current negotiations model used in Nebraska, a brief synopsis has been provided below.

THE NEBRASKA NEGOTIATIONS MODEL

Following repeal of the Teachers Professional Negotiation Act (TPNA) in 1987, teacher negotiations and impasse resolution in all Nebraska public school districts became immediately subject to the provisions of Sections 48-801 through 48-839 of the Nebraska Statutes.

These statutes define the powers and duties of the Commission of Industrial Relations (CIR) and require that in the event of a negotiations impasse, the CIR shall appoint mediators or fact finders upon the request of either the board or the teachers. If settlement through the use of mediation and fact finding is not achieved, Section 48-818 empowers the CIR to, "establish rates of pay and conditions of employment which are comparable to the prevalent wage rates paid ... under the same or similar working conditions."

YOUR RESPONSE TO THE FOLLOWING QUESTIONS IS REQUESTED. PLEASE BASE YOUR RESPONSES UPON YOUR EXPERIENCE WITH THE NEBRASKA NEGOTIATIONS MODEL.

PART I: STATUTORY FRAMEWORK

- |                |       |            |          |                   |   |
|----------------|-------|------------|----------|-------------------|---|
| Strongly Agree | Agree | No Opinion | Disagree | Strongly Disagree |   |
|                |       |            |          |                   | The statutory framework governing teacher negotiations and impasse resolution may influence the role, function and duties of the superintendent in the teacher negotiation process. Please indicate your agreement/disagreement with each of the statements listed below. |
|                |       |            |          |                   | THE TEACHER NEGOTIATION/IMPASSE RESOLUTION PROCESS IN THIS STATE:   |
| —              | —     | —          | —        | —                 | 1. is structured to give teachers and teacher associations an advantage in the negotiation process.   |
| —              | —     | —          | —        | —                 | 2. is biased in favor of labor.   |
| —              | —     | —          | —        | —                 | 3. is structured to give boards of education an advantage in the negotiation process.   |
| —              | —     | —          | —        | —                 | 4. is biased in favor of management.  |
| —              | —     | —          | —        | —                 | 5. gives boards of education too much power in setting wages and conditions of employment.  |
| —              | —     | —          | —        | —                 | 6. gives teachers and teacher associations too much power in setting wages and conditions of employment.  |
| —              | —     | —          | —        | —                 | 7. has removed the ability of the local board of education to be responsive to its constituency in matters of teacher salaries and conditions of employment.  |
| —              | —     | —          | —        | —                 | 8. should be amended to increase board power in the teacher negotiation process.  |
| —              | —     | —          | —        | —                 | 9. provides a method for establishing teachers salaries and conditions of employment without removing the right of the board of education to be responsive to its constituency.   |
| —              | —     | —          | —        | —                 | 10. should be amended to increase teacher and teacher association power in the teacher negotiation process.   |

(over)

Strongly Agree  
 Agree  
 No Opinion  
 Disagree  
 Strongly Disagree

PART I: STATUTORY FRAMEWORK (continued)

THE TEACHER NEGOTIATION/IMPASSE RESOLUTION  
 PROCESS IN THIS STATE:

- 11. should give teachers and teacher associations equality with boards of education in the determination of wages and conditions of employment for teachers.
- 12. has eliminated the right of the local board of education to determine salaries and conditions of employment for teachers.

PART II: DUTIES OF THE SUPERINTENDENT IN TEACHER NEGOTIATIONS

Listed below is a variety of duties the superintendent may perform during teacher negotiations. Please indicate your agreement/disagreement with each of the duties identified.

Strongly Agree  
 Agree  
 No Opinion  
 Disagree  
 Strongly Disagree

ONE OF THE DUTIES OF THE SUPERINTENDENT  
 IN TEACHER NEGOTIATIONS SHOULD BE TO:

- 1. provide data and information upon request to the board of education.
- 2. provide data and information upon request to teachers and the teacher association.
- 3. voluntarily provide data and information to teachers and the teacher association.
- 4. voluntarily provide data and information to the board of education.
- 5. develop and share with the board of education relevant data to support board positions.
- 6. develop and share with the board of education relevant data to support teacher positions.
- 7. develop and share with teachers and the teacher association relevant data to support teacher positions.
- 8. develop and share with teachers and the teacher association relevant data to support board positions.
- 9. support the concerns raised by boards of education during teacher negotiations.
- 10. support the concerns raised by teachers and teacher associations during teacher negotiations.
- 11. develop negotiation strategy for the board of education.
- 12. develop negotiation strategy for teachers and the teacher association.
- 13. work to see that boards of education recognize the importance of increased pay for teachers.
- 14. work to see that teachers and the teacher association recognize the budgetary restraints faced by boards of education.
- 15. serve as the management representative in teacher negotiations.
- 16. serve as the representative for teachers in teacher negotiations.
- 17. help the board of education recognize the importance of teacher input in school governance.
- 18. make certain the board of education does not relinquish management prerogative during teacher negotiations.

PART III: ROLE AND FUNCTION OF THE SUPERINTENDENT IN TEACHER NEGOTIATIONS

The influence of the superintendent in teacher negotiations may result not only from the specific duties the superintendent performs, but also from the role played by the superintendent in the negotiation process. This role may be stable throughout teacher negotiations or it may change as the situation dictates. Please indicate your agreement/disagreement with each of the identified roles and/or functions of the superintendent in teacher negotiations.

Strongly Agree  
Agree  
No Opinion  
Disagree  
Strongly Disagree

IN PUBLIC, AT PUBLIC MEETINGS, OR DURING NEGOTIATION SESSIONS BETWEEN THE BOARD AND TEACHERS, THE SUPERINTENDENT SHOULD BE RECOGNIZED AS:

- \_\_\_ 1. the chief negotiator for the board of education.
- \_\_\_ 2. a member of the board of education negotiating team.
- \_\_\_ 3. an advocate for positions expressed by the board of education.
- \_\_\_ 4. the strategist for the board of education.
- \_\_\_ 5. the process expert for the board of education.
- \_\_\_ 6. the process expert for teachers and the teacher association.
- \_\_\_ 7. the strategist for teachers and the teacher association.
- \_\_\_ 8. an advocate for the positions expressed by teachers and the teacher association.
- \_\_\_ 9. a member of the teacher negotiating team.
- \_\_\_ 10. the chief negotiator for the teachers and teacher association.

WHEN TEACHER NEGOTIATIONS ARE DISCUSSED IN EXECUTIVE OR CLOSED SESSION OF THE BOARD OF EDUCATION, THE SUPERINTENDENT SHOULD:

- \_\_\_ 1. support all positions of the board of education.
- \_\_\_ 2. support reasonable positions of the board of education.
- \_\_\_ 3. advocate positions supportive of management.
- \_\_\_ 4. develop strategy useful to the board of education.
- \_\_\_ 5. recommend taking advantage of errors or miscalculations by the teachers which prove advantageous to the board of education.
- \_\_\_ 6. advocate positions supportive of teachers.
- \_\_\_ 7. support reasonable positions of teachers and the teacher association.
- \_\_\_ 8. support all positions of teachers and the teacher association.
- \_\_\_ 9. recommend agreement with teacher proposals when those proposals are believed fair.

(over)

- |  |  |
|--|--|
| Strongly Agree<br>Agree<br>No Opinion<br>Disagree<br>Strongly Disagree | PART III: ROLE AND FUNCTION OF THE SUPERINTENDENT IN<br>TEACHER NEGOTIATIONS (continued)<br><br>IN PRIVATE MEETINGS WITH TEACHERS OR MEMBERS OF<br>THE TEACHER NEGOTIATION TEAM, THE SUPERINTENDENT<br>SHOULD: |
|--|--|
- \_\_\_ \_\_\_ \_\_\_ \_\_\_ 1. support all positions of the board of education.
  - \_\_\_ \_\_\_ \_\_\_ \_\_\_ 2. support reasonable positions of the board of education.
  - \_\_\_ \_\_\_ \_\_\_ \_\_\_ 3. advocate positions supportive of management.
  - \_\_\_ \_\_\_ \_\_\_ \_\_\_ 4. recommend taking advantage of errors or miscalculations by the board which prove advantageous to the teachers.
  - \_\_\_ \_\_\_ \_\_\_ \_\_\_ 5. advocate positions supportive of teachers.
  - \_\_\_ \_\_\_ \_\_\_ \_\_\_ 6. support reasonable positions of teachers and the teacher association.
  - \_\_\_ \_\_\_ \_\_\_ \_\_\_ 7. develop strategy useful to teachers and the teacher association.
  - \_\_\_ \_\_\_ \_\_\_ \_\_\_ 8. support all positions of teachers and the teacher association.
  - \_\_\_ \_\_\_ \_\_\_ \_\_\_ 9. recommend agreement with board proposals when those proposals are believed fair.

PART IV: DEMOGRAPHIC INFORMATION

Please answer the following demographic questions to enable the statistical analysis of your responses:

- \_\_\_ AGE. As of your last birthday.
- \_\_\_ SUPERINTENDENT EXPERIENCE. Total years of experience, excluding this year, as a superintendent in this or any other school district.
- \_\_\_ IMPASSE EXPERIENCE. The number of times during the past four years that you have been superintendent in a school district that experienced a negotiation impasse which required mediation, fact finding, or wage determination by the Commission of Industrial Relations.
- DISTRICT SIZE. K-12 pupil enrollment on Full Time Equivalency (FTE) basis for current year.
- |               |              |               |
|---------------|--------------|---------------|
| ___ Under 200 | ___ 401-800  | ___ 1601-3200 |
| ___ 200 - 400 | ___ 801-1600 | ___ Over 3200 |

Thank you for taking the time to respond to this questionnaire. Please return the completed questionnaire no later than October 7, 1988 to:

Dale V. Rawson, Superintendent  
 Republic County Unified School District No. 427  
 1205 19th Street  
 Belleville, KS 66935

Should you desire a summary of the results of the study, please indicate your name and address below.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Appendix D

FOLLOW UP LETTER



## REPUBLIC COUNTY UNIFIED SCHOOL DISTRICT NO. 427

## ADMINISTRATION

Serving the Communities of Belleville, Munden & Republic

## BOARD OF EDUCATION

Dale V. Rawson, Superintendent  
(913) 527-5621  
Edward Fuhman, Belleville High School Principal  
(913) 527-2281  
Larry Cales, West Elementary Principal  
(913) 527-5669  
Donald Westphal, East/Munden Elementary Principal  
(913) 527-2330/(913)987-5468  
Gordon Mohn, Special Services Director  
(913) 527-2281

1205 19th, Box 469  
Belleville, Kansas 66935  
(913) 527-5621

October 13, 1988

Robert Detering, President  
David Black, Vice-President  
Loisann Brown, Member  
Ivan Coonrod, Member  
Randy Evert, Member  
Gerald Holmberg, Member  
Vincent Pechis, Member  
  
Kathym Johnson, Clerk  
Marion Lesovsky, Treasurer

^<NAME>  
^<SCHOOL>  
^[ADDRESS]  
^<CITY.ST.ZIP>

Dear ^<TITLE.NAME>,

On October 1 you were mailed a survey concerning the perceptions of superintendents regarding teacher negotiations. As of the date of this letter, I have not received your response to this survey.

Since there were a limited number of superintendents selected for the survey, each response is important. In the hope that you will take the time to complete the instrument, I have enclosed a duplicate copy as well as another self addressed stamped envelope.

As indicated in the initial mailing, your identity will not be used in the data collection; rather, the code number at the top of the survey is to monitor the returns. If you are unable to complete the survey, please indicate so and return it in the envelope provided so that you may avoid further requests to complete the instrument.

I certainly appreciate your consideration and hope that you will assist me in completing this research project by mailing the enclosed survey no later than October 19, 1988.

Thank you.

Sincerely,

Dale V. Rawson, Superintendent  
Republic County U.S.D. No. 427  
Belleville, KS 66935

Enclosure

Appendix E

TABLES OF MEAN SCORES SUMMARIZED  
BY INDEPENDENT VARIABLES

Mean Results of Part I and Parts II/III of the  
Questionnaire by Age and State of Respondents with  
Analysis Grouping Means and Standard Deviations

Reported Ages	Kansas		Nebraska		Total	
	Part I	Parts II/III	Part I	Parts II/III	Part I	Parts II/III
36	28.5	52.0	24.0	68.0	27.0	57.3
37	27.5	52.5	-	-	27.5	52.5
38	35.7	57.7	25.0	60.0	31.4	58.6
39	-	-	33.0	59.0	33.0	59.0
40	36.3	53.3	20.3	59.0	28.3	56.2
41	27.5	46.0	33.5	63.5	30.5	54.8
42	35.6	57.2	26.0	52.5	31.3	55.1
43	35.0	43.0	30.0	55.0	32.0	50.2
44	33.3	44.0	24.8	59.9	26.9	55.9
45	35.0	61.7	34.0	55.0	34.8	60.0
46	35.0	55.0	22.4	54.0	26.2	54.3
47	32.0	65.5	30.2	54.8	30.5	56.7
48	31.9	57.2	26.0	61.5	29.9	58.7
49	37.7	63.3	27.6	57.2	31.4	59.5
50	33.4	45.2	28.5	59.8	31.2	51.7
51	36.3	61.0	21.0	68.0	32.5	62.8
52	37.6	56.2	27.7	63.0	33.9	58.8
53	26.7	61.3	26.6	50.7	26.6	56.7
54	29.1	49.3	20.0	53.0	27.1	50.1
55	29.2	54.8	20.8	62.0	25.0	58.4
56	26.7	53.0	28.0	63.0	27.4	58.7
57	31.5	47.3	17.5	50.5	28.0	48.1
58	31.0	52.0	27.3	53.3	28.8	52.8
59	28.7	48.0	34.0	67.0	30.0	52.8
60	30.5	58.8	19.5	52.5	26.8	56.7
61	26.5	51.0	24.0	55.0	24.7	53.9
62	-	-	28.0	82.5	28.0	82.5
65	21.0	43.0	-	-	21.0	43.0
$\bar{X}$	31.67	54.16	25.98	57.78	28.87	55.94
SD	7.28	11.42	6.53	11.02	7.47	11.34
36-49 Age Group						
$\bar{X}$	33.49	55.29	26.73	57.35	29.71	56.44
SD	6.87	10.93	6.67	10.69	7.52	10.78
50-65 Age Group						
$\bar{X}$	30.31	53.31	25.02	58.34	28.05	55.46
SD	7.34	11.79	6.29	11.54	7.36	11.89

Mean Results of Part I and Parts II/III of the  
Questionnaire by Years of Superintendent Experience  
and State of Respondents with Analysis Grouping Means  
and Standard Deviations

Years of Exprnce	Kansas		Nebraska		Total	
	Part I	Parts II/III	Part I	Parts II/III	Part I	Parts II/III
1	35.6	52.8	26.8	56.8	32.7	54.1
2	35.6	52.4	26.0	56.3	32.0	53.9
3	30.8	57.4	24.5	51.8	28.8	55.7
4	34.2	54.5	23.7	51.7	29.7	53.3
5	32.0	59.2	30.0	65.0	31.4	60.9
6	28.7	55.3	-	-	28.7	55.3
7	24.5	35.0	35.0	62.4	32.0	54.6
8	31.0	55.8	24.4	64.6	27.3	60.7
9	33.0	59.5	24.8	56.4	28.4	57.8
10	25.2	60.8	25.0	57.2	25.1	58.6
11	35.8	60.2	20.8	56.2	27.4	58.0
12	39.0	58.4	30.8	56.4	34.9	57.4
13	31.7	51.7	26.8	57.0	28.6	55.0
14	33.2	47.8	26.0	54.0	30.5	50.1
15	26.2	50.0	22.0	41.5	24.8	47.2
16	29.5	73.5	27.8	58.6	28.3	62.9
17	35.2	55.5	35.0	78.0	35.2	60.0
18	24.7	48.3	22.3	60.7	23.5	54.5
19	30.3	57.3	-	-	30.3	57.3
20	35.3	56.7	24.6	61.4	28.6	59.6
21	28.0	50.3	31.0	47.0	28.8	49.5
22	-	-	25.8	52.8	25.8	52.8
23	29.0	43.7	25.7	66.0	27.3	54.8
24	35.0	53.5	-	-	35.0	53.5
25	22.5	41.0	-	-	22.5	41.0
26	-	-	27.0	60.2	27.0	60.2
27	-	-	27.0	63.0	27.0	63.0
28	-	-	18.0	53.0	18.3	53.0
29	-	-	24.0	64.0	24.0	64.0
30	21.0	43.0	-	-	21.0	43.0
31	-	-	33.0	90.0	33.0	90.0
32	-	-	24.0	48.5	24.0	48.5
33	29.0	47.0	12.0	41.0	20.5	44.0
37	-	-	24.0	40.0	24.0	40.0
$\bar{X}$	31.67	54.16	25.98	57.78	28.87	55.94
SD	7.28	11.42	6.53	11.02	7.47	11.34
1-11 Experience Group						
$\bar{X}$	32.15	55.69	25.93	57.83	29.37	56.65
SD	6.59	12.04	6.92	9.84	7.39	11.11
12-37 Experience Group						
$\bar{X}$	31.09	52.34	26.02	57.75	28.37	55.24
SD	8.06	10.47	6.26	12.00	7.55	11.58

Mean Results of Part I and Parts II/III of the  
Questionnaire by Recent Impasse Experience and  
State of Respondents with Analysis Grouping Means  
and Standard Deviations

Recent Impasse Experience	Kansas		Nebraska		Total	
	Part I	Parts II/III	Part I	Parts II/III	Part I	Parts II/III
0	31.9	54.5	26.4	58.5	28.8	56.8
1	31.0	56.3	25.3	57.1	28.7	56.6
2	31.4	50.4	23.2	50.5	29.8	50.4
3	36.5	45.0	24.5	62.0	30.5	53.5
4	29.0	66.0	-	-	29.0	66.0
5	-	-	24.0	40.0	24.0	40.0
$\bar{X}$	31.67	54.16	25.98	57.78	28.87	55.94
SD	7.28	11.42	6.53	11.02	7.47	11.34
0 Impasse Experience Group						
$\bar{X}$	31.89	54.48	26.36	58.50	28.77	56.75
SD	7.16	11.04	6.59	10.79	7.35	11.04
1-5 Impasse Experience Group						
$\bar{X}$	31.38	53.74	24.83	55.61	29.06	54.40
SD	7.51	12.00	6.34	11.67	7.74	11.82

Mean Results of Part I and Parts II/III of the  
Questionnaire by District Size Category and  
State of Respondents with Analysis Grouping Means  
and Standard Deviations

---

District Size = Size Category		District Size = Size Category					
Under 200	1	801 - 1600	4				
200 - 400	2	1601 - 3200	5				
401 - 800	3	Over 3200	6				
District Size Category	Kansas		Nebraska		Total		
	Part I	Parts II/III	Part I	Parts II/III	Part I	Parts II/III	
1	34.4	62.8	25.4	60.5	28.6	61.3	
2	29.7	51.1	26.7	60.0	27.7	56.8	
3	32.6	56.1	25.8	58.4	30.1	57.0	
4	29.2	54.3	24.2	47.2	27.0	51.2	
5	28.0	51.5	23.6	56.2	26.3	53.3	
6	35.9	49.7	29.6	52.4	34.1	50.5	
$\bar{X}$	31.67	54.16	25.98	57.78	28.87	55.94	
SD	7.28	11.42	6.53	11.02	7.47	11.34	
Under 200 Size Category Group							
$\bar{X}$	34.44	62.78	25.38	60.50	28.64	61.32	
SD	6.67	13.58	5.84	8.79	7.48	10.53	
200-400 Size Category Group							
$\bar{X}$	29.68	51.09	26.61	60.05	27.73	56.77	
SD	7.37	12.29	6.11	11.53	6.70	12.49	
401-800 Size Category Group							
$\bar{X}$	32.59	56.12	25.84	58.37	30.08	56.96	
SD	7.08	10.92	7.13	11.37	7.76	11.03	
801-1600 Size Category Group							
$\bar{X}$	29.15	54.31	24.20	47.20	27.00	51.22	
SD	7.43	10.22	8.18	9.09	7.98	10.18	
1601-3200 Size Category Group							
$\bar{X}$	28.00	51.50	23.60	56.20	26.31	53.31	
SD	7.73	5.45	6.19	5.76	7.25	5.84	
Over 3200 Size Category Group							
$\bar{X}$	35.92	49.67	29.60	52.40	34.06	50.47	
SD	5.35	10.77	7.27	8.62	6.46	10.00	

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Appendix F

MICROCOMPUTER PROGRAM FOR TUKEY-KRAMER POST HOC  
ANALYSIS OF CELL MEANS WITH UNEQUAL CELL SIZES

LOAD TUKEYKRAMER  
JLIST

```

10 D$ = ""
12 I$ = "
15 DIM N(10,2)
20 HOME
30 INPUT "ENTER Q VALUE ";Q
40 INPUT "ENTER MSError VALUE ";MS
45 INPUT "ENTER NUMBER OF LEVELS ";Z
60 FOR X = 1 TO Z
70 PRINT "NUMBER OF CASES IN CELL ";X;
80 INPUT " IS ";K
82 PRINT "CELL ";X;" VALUE IS ";
83 INPUT S
90 PRINT
100 N(X,1) = R
102 N(X,2) = S
110 NEXT X
145 Y = Z - 1
147 PRINT D$;"PR#1"
148 PRINT I$;"80N"
149 PRINT "THE STUDENTIZED RANGE STATISTIC WAS ";Q
150 PRINT : PRINT " THE MS (error) TERM WAS ";MS
151 PRINT : PRINT " THE NUMBER OF LEVELS WERE ";Z
152 PRINT : PRINT : PRINT
155 PRINT "CELL NUMBERS      CELL CASES      CELL VALUES      DIFF
      ERENCE      TUKEY      SIG?"
156 FOR I = 1 TO Y
160 J = I + 1
170 FOR K = J TO Z
180 TUKEY = Q * SQR (MS / 2) * SQR ((N(I,1) + N(K,1)) / (N(I,
      1) * N(K,1)))
299 PRINT " ";
300 H = I: GOSUB 1000
310 H = K: GOSUB 1000
315 PRINT " ";
320 H = N(I,1): GOSUB 1000
330 H = N(K,1): GOSUB 1000
340 H = N(I,2): GOSUB 2000
350 H = N(K,2): GOSUB 2000
360 H = ABS (N(I,2) - N(K,2)): GOSUB 2000
365 PRINT " ";
370 H = TUKEY: GOSUB 2000
400 IF ABS (N(I,2) - N(K,2)) > TUKEY THEN PRINT "      YES": PRINT

410 IF ABS (N(I,2) - N(K,2)) < = TUKEY THEN PRINT : PRINT
420 NEXT K
430 NEXT I
440 PRINT D$;"PR#0"
450 END
1000 H$ = STR$ (H)
1010 L$ = LEFT$ (H$,5)
1020 PRINT L$; SPC( 6 - ( LEN (L$)));
1030 RETURN
2000 H$ = STR$ (H)
2010 L$ = LEFT$ (H$.7)
2020 PRINT L$; SPC( 10 - ( LEN (L$)));
2030 RETURN

```



THE STUDENTIZED RANGE STATISTIC WAS 4.03

THE MS (error) TERM WAS 116.713

THE NUMBER OF LEVELS WERE 6

CELL NUMBERS		CELL CASES		CELL VALUES		DIFFERENCE	TUKEY	SIG?
1	2	25	60	61.32	56.7667	4.55330	7.32847	
1	3	25	51	61.32	56.9608	4.3592	7.51625	
1	4	25	23	61.32	51.2174	10.1026	8.89480	YES
1	5	25	13	61.32	53.3077	8.0123	10.5268	
1	6	25	17	61.32	50.4706	10.8494	9.67787	YES
2	3	60	51	56.7667	56.9608	.194100	5.86341	
2	4	60	23	56.7667	51.2174	5.5493	7.55003	
2	5	60	13	56.7667	53.3077	3.45899	9.41811	
2	6	60	17	56.7667	50.4706	6.29609	8.45853	
3	4	51	23	56.9608	51.2174	5.74340	7.73243	
3	5	51	13	56.9608	53.3077	3.6531	9.56495	
3	6	51	17	56.9608	50.4706	6.4902	8.62173	
4	5	23	13	51.2174	53.3077	2.09030	10.6823	
4	6	23	17	51.2174	50.4706	.746799	9.84671	
5	6	13	17	53.3077	50.4706	2.8371	11.3426	