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Grievance procedures for certified personnel in the public schools of Iowa

Merle Ralph Lesher

Iowa State University

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GRIEVANCE PROCEDURES FOR CERTIFIED PERSONNEL IN THE PUBLIC SCHOOLS OF IOWA

by

Merle Ralph Lesher

A Dissertation Submitted to the Graduate Faculty in Partial Fulfillment of The Requirements for the Degree of

DOCTOR OF PHILOSOPHY

Major Subject: Educational Administration

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Dean of Graduate College

Iowa State University
Of Science and Technology
Ames, Iowa
1967
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INTRODUCTION

School administrators of today face problems of growing complexity in the management of professional personnel. These problems, along with the rapidly increasing militancy of teachers across the nation, are causing school superintendents to closely examine personnel policies and practices. This scrutinization is leading to the implementation of many needed changes. School administrators are finding that they can no longer be content with the status quo, but must exert a concentrated effort toward the innovation of staff personnel policies.

Teachers are now demanding a greater voice in the formulation of personnel policies, and teacher organizations are insisting on collective negotiations with school boards concerning personnel policies and working conditions.

Regarding the role of the superintendent in this current situation, Forrest E. Connor, Executive Secretary of the American Association of School Administrators (AASA) (2, p.5) stated:

Of this we can be sure: School administrators cannot afford to be in the untenable position of trying blindly to apply traditional concepts to new and changing circumstances. School administrators must reassess, and, when appropriate, reshape and redesign their leadership role, using all the intelligence, insight, and understanding which can be brought to bear.

Closely related to collective negotiations are formal employee appeal systems or grievance procedures. Collective agreements in public education define grievances in a variety of ways. Some agreements define a grievance as virtually any complaint which a teacher has. In most agreements, however, a grievance is defined as a charge that the collective
agreement is being violated or misinterpreted (26, p.347). Collective agreements usually clearly outline the step-by-step procedure to be followed in resolving a grievance. Grievance procedures, however, can and often do exist in the absence of collective negotiation.

Collective negotiations have contributed greatly to focusing attention on grievance procedures and have undoubtedly been one of the major causes of the increasing number of formal grievance procedures, both in school districts with, and in those without collective agreements.

Concerning teacher conflicts which have been referred to it, the National Education Association's (NEA) Commission on Professional Rights and Responsibilities (32, p.3) stated:

that in most cases where its services have been requested, differences could have been settled within the school system itself, without outside assistance if a vehicle had existed in the first instance for the orderly consideration of the problem by the parties concerned.

Such a vehicle, namely formal employee grievance procedures or appeal systems, adapted to the Iowa school setting, is the subject of this study.

This area of personnel administration is concerned with due process of law. It relates to public law inasmuch as some of the matters which may be the basis for grievances are covered by Constitutional provisions, statutes, and common law interpretations. It is involved in public law since some formal grievance procedures include, as one of the final steps, the processing through a court of law. It is, also, concerned with that segment of private law termed by Scott (39, p.3) "intraorganization laws". These included: (1) Statements of the rights, duties, and obligations of members, and (2) Provisions for redress of members' grievances and
complaints.

Until recently, the typical administrative pattern in school organization has consisted of a hierarchical line-and-staff relationship with vertical communication flowing primarily in a downward direction from the superintendent. Any upward communication which took place was usually accomplished through the chain of command with the teacher reporting to his immediate supervisor (usually the building principal), then up the "hierarchical ladder" to the superintendent, and possibly the school board. Some superintendents maintained informal avenues by which employees could be heard. The open door policy where a superintendent allows employees to come directly to him with a communication seems to be the most common of these.

Any type of formal grievance procedure for teachers was practically unheard of before 1950, and has been employed only in a very limited way in school systems between that time and the present.

Formal grievance procedures are found to be more prevalent in non-educational organizations. Such systems are common in the Catholic church, the Federal Government, the United States Army and private business and industry. The formal administrative process used in each case provides an avenue of communication which a person may follow in an attempt to improve or remedy a situation relating to an employment dissatisfaction. Such systems operate in addition to the established chain of command.

These administrative conflict procedures employed appear to be serving an important function in these organizations. The specific objectives of these procedures seem to vary greatly. However, their broad
general goals are always related to efficiency through the maintenance of a high level of employee satisfaction.

As was mentioned earlier, many of the existing appeal systems employed in public schools have been limited largely to informal procedures such as the open door policy. However, several writers indicated that there seems to be reasonable doubt regarding the effectiveness of such informal procedures in resolving personnel conflicts (37, p.44; 26, pp.359-360; 8, p.1).

Of the school districts that use formal conflict resolving administrative machinery, many do so in cooperation with professional teacher organizations.

The limited use of appeal systems in school districts has been accounted for in several ways:

1. In schools, the tradition of following chain of command in upward communication is deeply rooted.

2. Many school superintendents view formal conflict resolving administrative machinery as a threat to their power.

3. In the small school district, the superintendent usually feels that the teachers know him well enough to bring their problems to him (open door policy).

4. Until recently, teachers generally have been willing to accept existing personnel policies and practices.
The Problem

The purpose of this study was twofold: (1) to determine the potential for, and feasibility of, establishing formal grievance procedures in the public high school districts of Iowa, and (2) to design a model appeal system. This entailed the examination of formal and informal appeal systems in all Iowa high school districts. The survey consisted of the determination of the number of districts having such systems, and a close inspection of procedures employed in selected school districts where formal systems were present. It also involved an estimation by school administrators, classroom teachers and board members of the value of such administrative systems, as well as suggestions regarding what constitutes an "ideal grievance procedure".

Specifically, answers to the following questions were sought:

1. To what extent do grievance procedures exist in Iowa's public high school districts?
   a. Formal appeal systems
   b. Informal appeal systems

2. What administrative procedures are employed in the existing grievance procedures?
   a. Formal appeal systems
   b. Informal appeal systems

3. How effective are the existing formal grievance procedures in terms of employee satisfaction?

4. Do school administrators, classroom teachers and board members see a need for formal grievance procedures?
5. Are existing grievance procedures designed in such a way that teachers feel free to use them?

6. Are existing formal grievance procedures designed to meet established criteria?

7. Should the immediate supervisor (for most teachers this will be the school principal) represent the first level at which a grievance settlement is sought by an employee?

8. Should a person or group outside the organization have authority to make binding decisions regarding grievance settlements?

9. Should an employee grievance procedure provide for, as a last resort, the processing through a court of law as final authority in conflict resolution?

10. Is there a relationship between the size of school and the presence and form of grievance procedure?

11. Should local education associations and/or teachers' unions play a part in formal grievance procedures?

The following hypotheses were formulated to give direction to the study:

1. Formal grievance procedures are associated with large districts in the sense that the larger the district, the more likely it is to have an appeal system.

2. The majority of Iowa school superintendents see little or no value in formal appeal systems for their districts.

3. The majority of school superintendents are in favor of a grievance procedure designed to operate cooperatively with the local teachers
association (NEA affiliate).

4. A formal appeal system functioning cooperatively with the district administration and a local teacher organization can be effective in terms of employee satisfaction.

5. Teachers are more inclined to use a well defined formal grievance procedure than an informal procedure not legalized by written policy.

Definition of Terms

In order to present a clear concept of the topic under discussion, the following definitions are given:

Appeal system or grievance procedure - A set administrative procedure designed to give an employee an avenue of redress when he feels he has been treated unfairly in an employment situation. In this study, "appeal system" and "grievance procedure" will be used synonymously.

Formal grievance procedure - An organized procedure formalized by adoption by the board of education and/or written into an official school document such as "school board policies" or a teacher's handbook.

Informal grievance procedure - Any grievance procedure not formalized by adoption or written policy (for example, open door policy).

Employee grievance - An employment situation believed to be unjust or unfair, usually resulting from misinterpretation of, or lack of,
personnel policy or contractual provision.

**Open door policy** - An unwritten governing principle which guarantees each employee the privilege of walking into the office of the top executive to voice his complaints or suggestions.

**Chain of command** - A hierarchical arrangement of organizational authority.

**Impasse** - That stage in the processing of a particular grievance at which settlement between the two parties appears impossible without outside help.

**Binding arbitration** - Settlement of a grievance by an outside person or group whose authority in the decision is final.

**Mediation or advisory arbitration** - A process by which a third party advises or makes recommendations toward settlement but who has no authority to settle the dispute.

**Sources of Data**

The majority of data for this study was obtained by means of a mail survey sent to the superintendent of each high school district in the state. Since one initial objective of the study was to determine the total number of districts having formal appeal systems, it was essential that all high school districts be surveyed.

Another factor of importance in selecting the total population was that the initial questionnaire asked for only a limited amount of basic information which could be handled with facility.

In addition, a depth study of the selected school districts among those whose superintendents indicated the prevalence of formal grievance
procedures was conducted to substantiate the mail survey and to secure attitudes of other administrators, classroom teachers and board members.

Delimitations

The scope of this survey was limited to the public high school districts in the state of Iowa for the 1966-1967 school year. The depth portion of the study included selected districts which had formal appeal systems.

The study attempted to secure information regarding administrative policies, patterns and procedures in grievance procedures for certified public school employees. In the depth study, a limited number of administrators, classroom teachers and board members were questioned to secure attitudes and opinions of existing and ideal grievance procedures. The focus of this survey was primarily on individual rather than group grievances with a broad rather than narrow scope of grievance subject matter. No attempt was made to survey types of grievances.

Organization of the Study

This study was organized into five chapters. Chapter One, the Introduction, relates a statement of the purpose and scope of the problem, specific questions to be answered by the study, sources of information and delimitations. Chapter Two presents a review of related literature. The procedures followed in gathering and treating the data are discussed in Chapter Three. The fourth chapter includes the findings, in tabular and discussion form, of both the mail and field surveys. Chapter Five
summarizes the entire study and gives recommendations regarding implementation for formal appeal systems. This final chapter presents a model appeal system and includes recommendations for further study.
REVIEW OF LITERATURE

The first chapter stated the purposes of this study to be: (1) to determine the potential for, and the feasibility of, employing formal employee appeal systems in Iowa's public school districts, and (2) to design a model appeal system for Iowa's public high school districts. In accordance with these purposes, this chapter is divided into the following major categories:

1. Principles and elements of a desirable grievance procedure.
2. Sample grievance procedures.
4. Legal implications.
5. Related research.

In reviewing the literature in this area, it was found that, until recently, relatively little had been written relating directly to grievance procedures for school personnel.

Currently, a considerable number of writings are being devoted to collective action of teachers and, to a lesser extent, to grievance procedures, an area constituting a part of the collective negotiation agreement. There has been, however, a vast amount of material regarding grievance procedures in non-educational organizations. Since educators have "borrowed" many of their ideas for policies and practices from business and industry, some such written material which seems applicable to the educational employment situation will be cited in this review.
Principles and Elements of a Desirable Grievance Procedure

A number of authors have outlined the principles and objectives which they believe are basic for a desirable grievance procedure. Among those relating specifically to the educational setting are the following broad objectives reported by the NEA's Commission on Professional Rights and Responsibilities (32, p.3):

1. To assure an opportunity for staff-members and administrators to have unobstructed communication with respect to alleged grievances without fear of reprisal.

2. To reduce the potential area of grievances between staff-members and administrators and boards of education.

3. To assure freedom of two-way communication through recognized channels between administrators and staff-members and boards of education.

4. To develop the morale and responsibility of members of the professional staff.

Kindred and Woodard (25, p.42) stated that:

Since grievances cannot be abolished, it is essential to establish procedures and machinery for processing them. If the procedures are well defined and generally understood, they can reduce the number and the seriousness of grievances which are likely to develop.

These authors presented a list of essential elements and objectives which they believed were common to industrial personnel management and educational personnel management. They stated that the policy should provide each staff member with the opportunity (25, p.42):

1. to state his grievance, without fear of reprisal, to his administrative superior;

2. to appeal the decisions of the administrative superior to a higher administrator and ultimately to the board of education;

3. to seek advice and counsel from a grievance committee, elected by the staff, concerning his presentation and/or appeal of a grievance;

4. to initiate, appeal, and obtain a final decision on a grievance within specified time limitations.
Castetter (7, p.325) described the anatomy of most grievance machinery as fairly simple, consisting of a prescribed series of steps, or line of appeal, beginning with presentation of the problem to the immedi­ate superior. If the employee finds no redress at one level, it is possible for him to take the case to higher officials in order of author­ity, such as principal-superintendent-board of education-state education agency. A general feature of the process is a committee which acts in an advisory capacity as well as a liaison body between the aggrieved and the administration.

In 1954, Elsbree and Reutter (11, p.277) listed the following advan­tages inherent in a well-conceived grievance procedure:

1. The fact that established precedents can be used in the settlement of disputes tends to reduce the number of conflicting opinions;
2. It makes for impartiality;
3. It ensures the consideration of pertinent facts;
4. In the long run, it tends to eliminate most of the petty complaints.

Elsbree and Reutter (11, pp.277-278) also described the well-conceived grievance procedure as follows:

The first principle is to encourage the complainant to negotiate directly with the principal of the school or his immediate superior officer on a face-to-face basis. Where the employee feels that he will be at a disadvantage in such a conference, he should be privileged to have someone of his choice accompany him. This direct approach to the settlement of a misunderstanding should always be taken. Moreover, principals and directors should be given the necessary authority to settle grievances and make redresses when indicated. Appeal, of course, from the decisions of immediate superiors must always be open. In case the complainant is not satisfied with the decision of his superior, the grievance should be reduced to writing and made available to the interested parties, and one copy should be placed in the hands of the staff relations or employee grievance committee. This committee should be
elected by secret ballot from among the teaching staff.

Within a specified period of time, not to exceed fifteen or twenty days after the principal or director has made his decision, the appeal should go to an assistant superintendent of schools or the officer next in line above the principal. Again the complainant, if not satisfied, should have the right to appeal to the superintendent of schools, and a written record of the previous appeal and the comments of the first officer to whom the complaint was made should be available for the participants in the conference. Should a mutually satisfactory solution not be found, the matter should be submitted to the board of education by the superintendent, with a request that the grievance be placed before a board of arbitration. If the board of education agrees, a committee of three arbitrators is appointed, consisting of one official designated by the board of education, one staff member chosen by the complainant, and a third member designated by the other two members. In case of failure to agree on the third member, the chairman of the State Mediation Board or the State Commissioner of Education might well be asked to name the third. The decision of this group should be final.

Appropriate matters for arbitration should include misinterpretation of existing policy, rules, and by-laws, and claims of unjust and inequitable treatment. In most school systems the number of cases that will reach the board of arbitration would be extremely small. But the knowledge that an appeal is open to every employee who has a grievance will contribute decidedly to morale.

Pigors and Myers (35, p.140) have outlined as technical requirements for grievance procedures:

1. The dissatisfied employee should have an opportunity to express his complaint to the supervisor, without fear of retaliation.

2. If the complaint is not settled at the first step, it becomes a grievance and should be reduced to writing. It can then be considered by the next higher line-management representative.

3. As a final step within the organization, an unsettled grievance reaches the top level of management, the chief executive.

4. In an increasing number of grievance procedures, a final step is appeal to an impartial arbitrator or umpire, whose decision the parties agree in advance to accept.

Writing in 1961, Pigors and Myers (36, pp.252-253) suggested other
criteria needed for the evaluation of grievance machinery:

1. It should be demonstrably fair . . .
2. The provisions should be clear cut . . .
3. It should be simple . . .
4. It should function promptly . . .

Yoder, in 1959, (52, pp.149-150) agreed with the above principles, and stated that

No small part of the administrative job concerns the handling of grievances. When dissatisfaction appears, it cannot be ignored. Sound administration requires that grievances be handled promptly and not permitted to accumulate. Often they are the best indicators of contract deficiencies and shortcomings . . . .

In addition to principles previously mentioned by other authors, Davis (10, p.439) emphasized that "the basic objective of grievance settlement should be justice which is defined as fairness according to established rules and relationships".

Jucius (24, p.452) stressed the importance of illustrating the channels of communication by the use of charts or pictures distributed to employees or placed on bulletin boards. He also pointed out that long-run principles should be taken into consideration in handling grievances.

Thus a decision reached today has an immediate effect and also very likely will have an influence upon the future relationship between employees and management. As a consequence, grievances should be handled in terms of their total effect upon the organization and not solely upon their immediate or individual effect.

In 1963, the AASA (1, p.13) indicated its recognition of a need for grievance procedures for educators:

We believe that if boards of education fail to make reasonable welfare provisions for all staff members and fail to provide machinery through which grievances can be given appropriate consideration, their respective state legislatures are likely to establish appeal procedures. We believe that there is an
intrinsic value in local decision making which is worth preserving to the maximum extent consistent with the obligations of citizenship in the state and nation.

In a more recent publication (2, p.43), the same organization listed educational principles which may be applied to the evaluation of any grievance procedure:

1. It should be cooperatively developed and in writing.
2. It should be an integral part of the negotiation agreement.
3. It should clearly define a grievance.
4. It should encourage resolution of the grievance as close as possible to the point of origin but also contain a specified sequence of steps, with reasonable time limits imposed at each step.
5. It should provide for adjudication of grievances through regular administrative channels or through channels provided by the recognized staff organization.
6. It should provide for participation by an impartial third party as one of the steps in impasse resolution, with subsequent appeal to the final authority - the board of education.
7. It should safeguard the grievant from prejudice or retaliation as a result of the processing of the grievance.
8. All internal methods of resolving a grievance should be used before any external means is employed.

The NEA Commission on Professional Rights and Responsibilities (32, pp.4-7) listed the following principles which they felt should be incorporated in any grievance plan:

1. The plan should be in writing, and should be made a part of the written rules and regulations of the school system . . . .
2. There should be a grievance committee, elected by the professional staff.
3. It is essential to the proper operation of such a committee that its authority and jurisdiction be clearly defined . . . .
4. . . . in public school systems a staff-member should present his problems or suggestions in the first instance to his immediate superior.
5. . . . grievance machinery functions well only if clear-cut time limits apply to the various steps contemplated by the plan.
6. Consideration should be given to providing a procedure for the resolution of differences that are not settled by an appeal to the board of education.

The Commission (32, p.6) took a practical approach in defining the duties and responsibilities of the grievance committee:

The committee itself should not settle grievances but rather should operate in an advisory capacity. Its function should be to consult with, advise, and assist a member of the professional staff or the administration with a suggestion or an alleged grievance, on request. It should endeavor by consultation and advice to resolve misunderstandings in a constructive manner. A representative of the committee should be available to staff members, to assist them in presenting or appealing any grievance which seems justified to the committee. If a grievance does not seem justified, the committee should inform all parties concerned of this fact.

In their 1966 text, Lieberman and Moskow (26, pp.360-361) provided the most comprehensive coverage of grievance procedures found. This work appears likely to become the standard reference in the area. The first five of their sixteen summarized characteristics of an effective grievance procedure differed little from those presented by others. The last eleven related specifically to the question of arbitration of grievances:

6. There should be a clear distinction between arbitrable and nonarbitrable grievances. In general, arbitrable grievances should be those which arise out of application or interpretation or alleged violation of a collective agreement.
7. All grievances should be considered, whether arbitrable or not.
8. Procedures should insure independent representation to the aggrieved party if he so desires.
9. There should be effective safeguards against reprisal for initiating or participating in a grievance proceeding.
10. The final resolution of arbitrable grievances should be made by a competent, independent person or agency.
11. The administration and the organization should share arbitrator costs equally; each side should pay its own costs of preparation of cases submitted to arbitration.
12. The authority of the arbitrator should be clearly defined. For example, is the arbitrator restricted to applying or to
interpreting the agreement, or is he authorized to settle grievances on the basis of what he regards as fair, regardless of the agreement?

13. Procedures before an arbitrator should provide the arbitrator with ample means for investigating the facts of any relevant situation.

14. Although the arbitrator's task must be clearly defined before he accepts the assignment, both parties should avoid a legalistic approach. Cases should be carefully prepared, but the arbitrator should not be restricted by rules applying to judicial proceedings.

15. Excessive reliance on precedent is to be avoided. Arbitration is designed to resolve specific disputes based upon specific circumstances. Precedents within a school system are more likely to be important and relevant than precedents from other systems. In either case, care is necessary to prevent arbitration by reference to precedents involving different agreements or different facts.

16. The parties should emphasize the basic purpose of arbitration. It is to provide fair and objective administration of collective agreements, and to provide it in such a way as to improve the relationships between the parties to the greatest possible extent.

In a further discussion of grievance arbitration, Lieberman and Moskow (26, p.363) presented the following arguments:

Grievance arbitration has many positive features for both the school administration and the teachers. Quite frequently, the top echelons in a school system drift out of touch with teacher problems and grievances. The administrator relies upon his staff for information about classroom teacher attitudes, but the staff assessments may be far off the mark. The teachers may feel that their criticisms will never get to a level where something can be done; hence they may not voice their real feelings. If the grievance is about the teacher's principal -- and it usually does concern the action of an immediate administrative superior -- the teacher cannot expect the principal to press the grievance. The upshot is that upper administrative officers and school boards frequently lack realistic assessments of teacher thinking.

A grievance procedure subject of arbitration changes this. The teachers know there is a disinterested party at the end of the procedure who can do something about the grievance . . . . Thus they tend to speak up, and the administration gets a much more realistic insight into teacher feelings. This is an important positive feature of grievance procedures not completely controlled by the administration.
Discussing the issue of binding, as opposed to advisory, arbitration as the final step in the grievance process, Stinnett, et al. (43, pp.171-172) stated:

Few, if any, grievance procedures in public education contain this feature, although it is almost universal in private employment. Since the disposition of grievance actions generally hinges upon the dispassionate interpretation of written policies, it would appear desirable to leave the final judgment on such matters to the good offices of an experienced, impartial arbitrator rather than to an individual or group which was a party to the development and adoption of the policy in question. In the absence of a statute to the contrary, there would be no legal impediment to a board of education agreeing beforehand to abide by the judgment of an impartial, educationally oriented arbitrator with respect to a specific fact situation. It is emphasized that such binding arbitration is suggested as the final step in a grievance procedure and not for the negotiation process itself. Determination, then, would be made concerning already-established policy. While such a proposal is not likely to be greeted warmly by all parties, its use should merit serious consideration in the interests of efficient school operation and improved employee morale.

Although Lieberman and Moskow (26, p.363) endorsed final arbitration as a part of the grievance procedure, they noted two dangers of arbitration. Both relate to the kind of arbitration used. These authors stated:

Arbitrators may come to have a vested interest in dragging matters out. If they are paid so much a day, it becomes easy for them to believe that they must investigate the situation to a fare-thee-well, that lengthy briefs should be submitted, and so on. Some of the best arbitrators are lawyers, but lawyers may also account for the excessively legalistic and time-consuming procedures which characterize some grievance arbitration in private employment.

All of the descriptive material discussed thus far generally fits a formalized appeal system of some kind rather than an informal one. The consensus of most authorities appears to be that informal grievance procedures are rapidly becoming inadequate to satisfactorily handle the
majority of employee appeals. Lieberman and Moskow reported that this was true, especially in the larger school districts.

Their criticisms of the open door policy as employed in large school districts can be summarized as follows (26, pp.359-360):

1. It encourages teachers to avoid fair and frank discussion at the lowest possible level. This is counter to one of the basic principles of a desirable grievance procedure, namely that the grievance settlement should be sought at the lowest possible level.

2. If the superintendent rules on the complaint before it has been made to the principal, the authority of the principal is seriously undermined. Under such conditions, the principal fails to get first-hand information that is either stated or implied in the grievance.

The authors' following statement appears to sum up well their views of the open door policy (26, pp.359-360):

... the top level administrator whose "door is always open" may be well advised to shut it before he ends up doing the work of his subordinates and confusing everybody else in the process . . .

Conrad (8, p.1) indicated a similar view when he wrote:

As small school districts consolidate and joint the ever-increasing number of large administrative systems, we will see a greater need to replace grievance adjustment through the informal and personal with processes that are relatively formal and objective. The potential for invidious treatment exists in all human organizations. The procedure for dealing with employee complaints must be improved in the light of this potential. If the relationship between teacher and administrator is a successful one, the right of appeal may rarely be exercised. Nevertheless, the awareness that it is there to be used when needed provides the staff member with
a feeling of independence which is not otherwise possible.

In the following passage, Van Zwoll (46, pp.223-224) related a condition under which the open door policy would work:

It is easy to raise the question as to how to get employees to cross the threshold when the administrator has sincerely set up and announced an "open door" policy. It is almost impossible to answer the question. Yet, it is important that every effort be exerted to make the open door policy work. It will work if confidence in the administration has been generated.

It should be noted that most of the principles listed and the discussions described up to this point suggest provisions for communications mainly in an upward direction, and improvement of conditions primarily for the aggrieved employee or employees.

Mary Parker Follett was well known in the early 1900's as a lecturer and writer in the areas of industrial organization and administration. Her areas of contribution also included early movements in adult education and vocational guidance. She was far in advance of the time in her concepts of employing human relations principles to organizational administration.

In her collected papers (29, pp.31-32), she took a decidedly different approach to the resolution of conflict. Follett stated that conflict, which she defined as any difference between two persons or parties, may be resolved in one of three ways: by domination, by compromise, or by integration. She stated:

Domination is a victory of one side over the other. This is the easiest way of dealing with conflict, the easiest for the moment but not usually successful in the long run . . . . The second way of dealing with conflict, that of compromise, we understand well, for it is the way we settle most of our controversies; each side gives up a little in order to have peace,
or, to speak more accurately, in order that the activity which has been interrupted by the conflict may go on.

She described integration as follows:

When two desires are integrated, that means that a solution has been found in which both desires have found a place, that neither side has had to sacrifice anything . . . . Integration involves invention, and the clever thing is to recognize this, and not to let one's thinking stay within the boundaries of two alternatives which are mutually exclusive.

Writing in 1958, Roy (38, pp.126-127) elaborated on Miss Follett's idea of integration as a means of conflict resolution. "Integration", he said, "is resolution of conflict by means which yield gain to both of the disputants. The conflict itself is made to work for those in dispute, to yield a result which is better than that which existed before the dispute occurred."

He continued:

Obviously, integration is not always possible. Many conflicts, by their very nature, do not permit this kind of resolution. Many more do but fail of integration because of human frailty. If either of two disputants is hell-bent upon dominating the other, integration is not possible. If either mistrusts the other, integration is not possible. If neither thinks of this means, integration will not result. If one thinks of integration but does not broach the idea, or broaches it and has it rejected, there will be none. It takes two to integrate a conflict. One may lead and propose but his opponent must understand and respond in kind, or there will be no integration.

These restrictions are much more severe than is apparent on casual reading. Ignorance of the concept of integration is widespread. Mistrust between those in conflict often is too deep to permit either disputant to lower his guard to make integration possible. And, above all, the desire to dominate is so very strong in all of us as to put integration beyond our reach. We lack the wisdom and the strength to sacrifice the will to win, the desire for victory, for the larger but less personal gains of integration.

Although Follett and Roy were discussing a concept of grievance for
management in business and industry, the idea appears to merit consideration for use in the educational setting as well.

The basic principles and elements of a desirable employment appeal system for public education listed in common by several authors are:

1. To assure an avenue of communication for stating a grievance without fear of reprisal.
2. It should be based upon written policies and rules which have been formulated cooperatively by representatives of all employment levels concerned.
3. There should be a clear cut, well defined, simple step-by-step procedure with specific time limits at each step.
4. The term "grievance" should be clearly defined.
5. Provisions should be made for a thorough investigation of pertinent information related to the grievance.
6. There should be provision for records to be kept at each step to establish precedents for the future.
7. A grievance committee should be elected by the professional staff. This committee should act in an advisory capacity.
8. The first step should be with the immediate supervisor (usually the principal).
9. Where professional negotiation is present, the grievance procedure should be defined in the collective agreement.

There was some controversy regarding the desirability of final arbitration. Some authors asserted it was acceptable as a last step if it was clearly agreed to in advance by both parties. Others held that only
advisory arbitration was necessary.

In addition to these clearly defined principles, two authors, Follett and Roy, suggested that "integration" was the best method for conflict resolution. This method suggested that it is possible for both disputants to realize a gain through the resolution process. Although somewhat idealistic, this concept appears to merit consideration for use by educators in solving personnel problems.

Sample Grievance Procedures

Four sample grievance systems will now be presented for review. Three of these are designed for public high school districts; one is designed for a state university. A copy of each of these procedures will be found in Appendix A. Two of the public school procedures illustrate grievance procedures which are outlined in collective negotiation agreements. The first of these is the grievance procedure provision included in the American Federation of Teachers (AFT) Model Collective Bargaining Agreement (3).

This is a short descriptive form which allows for considerable flexibility. It seems to adhere to most of the basic principles of a desirable grievance procedure inasmuch as it provides: (1) that the grievance be in written form, (2) that there is involvement of the immediate supervisor (building principal) in the resolution of the conflict, (3) for specific time limits at each step, and (4) for binding arbitration which would be considered an advantage by some authorities and a disadvantage by others.

Some criticisms of this procedure could be that: (1) It does not
describe the composition of the grievance committee, nor does it prescribe
the manner of placement on the committee, and (2) Although the building
principal is involved in the grievance settlement, the procedure does not
specify that the aggrieved should take his complaint to him first.
However, the union concept of grievances assumes that the complaint does
not become a grievance until it fails to be resolved at the immediate
supervisor level.

An example of a grievance procedure which is a part of an NEA-
affiliate Professional Negotiation Agreement is illustrated by the New

In contrast to the union model, this plan is lengthy and somewhat
inflexible. It does, however, have most of the desirable features of a
grievance procedure since: (1) it consists of well-defined steps, (2) the
grievance is in written form, (3) clear-cut time limits are designated,
(4) it provides for discussing the matter with the immediate supervisor as
the first step. Differing from the union model, it calls for advisory
rather than binding arbitration.

Some authorities would criticize this plan because it places members
on the Professional Rights and Responsibilities panel by appointment of
the local association rather than election by the employees.

The Orleans Parish School Board grievance procedure (34) represents
an appeal system which is not a part of a collective action agreement.
This is a unilaterally designed system which includes some of the desirable
principles outlined earlier in this chapter. The system, however, does
lack one of the basic elements of a desirable grievance procedure, in that
there are no specified time limits at each step. This procedure has some similarities to appeal procedures used in business since it involves a personnel officer and a board of review. This particular procedure also makes it clear that the board of education is the final authority in the disposition of employee grievances.

Illustrating an instrument designed for professional employees at a different educational level is a formal appeal system which was established at Iowa State University in April, 1964 (23, pp.192-193). It was adopted on the recommendation of the Faculty Council, with the endorsement of the University administration. This faculty appeal channel will be included in the next edition of the Iowa State University Faculty Handbook.

In this brief and flexible procedure, the Chairman of the Faculty Council is a key person in the resolution of the conflict. He is involved in the first step since he is the first contact of the complainant. The Faculty Council Chairman also must appoint an ad hoc committee of three faculty members if requested to do so by the aggrieved faculty member.

This procedure provides for advisory action by the ad hoc committee, a report of which shall be filed with the faculty member in question, with the department head or chairman and dean concerned, and with the Chairman of the Faculty Council. The report itself will be addressed to the Vice President for Academic Affairs. The procedure does not, however, insure that corrective action will be taken.
Collective Negotiation and Its Relationship to Grievance Procedures

Since grievance procedures are usually an integral part of any collective agreement, collective negotiations and their relationships to grievance procedures will be discussed.

Collective action in employment relationships is referred to by a number of different terms. In explaining the use of two of these terms, Lieberman and Moskow (26, p.2) stated:

The NEA advocates a set of procedures labeled "professional negotiation", and the AFT advocates "collective bargaining". The rivalry between the two organizations is a long-standing one, but in recent years it has reached new heights - or perhaps new lows - in the organizational competition to persuade teachers that one of these procedures is superior to the other . . . . The differences between collective bargaining and professional negotiation are not at all clear. Some respected authorities not connected with either the NEA or the AFT have asserted that there are no differences or only relatively unimportant ones between these procedures.

Regarding a comparison of collective action terms, Seitz (41, p.52) stated:

At this point it should be stressed that the terms "collective bargaining", "professional bargaining", and "professional negotiations" all have the same meaning. They are synonymous. I believe this is the viewpoint of most persons who have impartially studied the matter.

In discussing collective action by teachers, Manning (27, p.14) stated:

Whether conducted by an AFT unit, the professional association, or a labor group, the process is the same. Essentially, the same problems arise, and the participants assume the identical role. The tenor and climate of the across-the-table negotiating session are very similar.

Lieberman and Moskow (26, p.1) used the term "collective negotiations"
in reference to

a process whereby employees as a group and their employers make offers and counter-offers in good faith on the conditions of their employment relationship for the purpose of reaching a mutually acceptable agreement. A written document incorporating any such agreement is executed if requested by either party.

They further stated that

Collective negotiations is an agreement-making process . . . . It involves agreement within a group of employees as well as between the employees and their employer. Collective negotiations must not be confused with teacher rights to be consulted, to make proposals, or to confer with the school administration. Under collective negotiations, certain employment decisions are made jointly by the school board and the designated representative of the teachers.

In referring to the patterns of teacher collective bargaining, Wildman (48, p.3) said:

The forms taken by teacher collective action vis-a-vis local school administrations and boards encompass an entire range of possibilities from, 1) wholly informal solicitation of teacher views, either through the administration or by the board directly, to, 2) an "advisory" sort of negotiation conducted by the school board, meeting with representatives of teacher groups in the system, possibly accompanied by a legally innocuous "memorandum of understanding" incorporating any agreement reached, to, 3) a formal relationship between a majority representative union and the board marked by "hard" bargaining in the traditional labor sense, and the execution of a complete collective bargaining agreement . . . .

In 1966, Wildman and Perry (51, p.245) presented the following views:

Collective bargaining as it is practiced in industry, and at least in some school systems, is essentially a power relationship and a process of power accommodation. The essence of bargaining is compromise and concession-making on matters over which there is conflict between the parties involved in the bargaining. The avowed theoretical purpose and practical effect of collective bargaining is to grant to employee organizations an increased measure of control over the decision-making process of management.

Using the union frame of reference, Davey (9, p.6) stated:
Collective bargaining may be defined as an institutional process the principal object of which is negotiation between company and union representatives in an attempt to reach agreement on the terms and conditions of employment, i.e. wages, hours, and working conditions. Such negotiation normally culminates in the signing of a written instrument, termed a collective labor agreement or union contract, which sets forth the terms and conditions of employment for a fixed period of time.

To the usual "collective bargaining" definition, Jucius (24, p.429) added:

"To those who deplore the use of the word "bargaining" as indicative of a struggle between employer and employee, the relationship would be better stated by calling the process "collective cooperation". The role of the union becomes one of a beneficial and understanding partner."

Carl Megel (28, p.51), past President of the American Federation of Teachers, presented the following discussion:

Collective bargaining does not mean strikes. It is the avenue by which teachers can resolve grievances with their employers and circumvent the need for a strike. Teacher strikes are lamentable, but they usually are the result of deep frustrations and suppressed grievances. A collective bargaining contract, by which teachers are provided with a procedure to air their grievances and to make proposals, will bring about a reduction in the need for strikes . . . . The administrator, of course, is concerned with quality education. But to picture him as an impartial observer who is both representative of employees and top management is untrue.

Collective bargaining is the avenue around this dilemma. Through it a grievance procedure may be established that extends the concept of an educational democracy into every school. The individual teacher who believes he has been treated unfairly knows he may obtain redress if he has acted according to established school policy.

In 1957, Barbash (4, p.8) discussed the applicability of collective bargaining to professionals:

The only practical way to resolve differences in interests between employer and employees is through a mechanism which permits either side to say No and get away with it. Or as an alternative, if both sides say No to each other, which
means an impasse has been reached, then there must be some impartial third party who can decide between the parties.

Of course, what I am describing is collective bargaining between a free union and a free employer and the right of the union to strike and the employer to say No. Or as an alternative, the use of some method of impartial arbitration. The collective bargaining process must, of course, be tailored to the special circumstances surrounding each situation.

In answer to the question, "Why are only about 17 per cent of white collar people in free unions, in contrast to the high degree of union organization in mass production industry?", Barbash wrote:

I suggest that our culture has developed an array of myths and pieces of folklore that attempt to deny the applicability of these principles to the white collar workers and particularly the professionals have been effectively convinced that they are different:
1. That, as one item of folklore goes, the white collar worker has no problems on the job;
2. That with respect to a white collar worker employed by a government nonprofit agency, the government is not really an employer in any real sense of the word;
3. That if there are differences of interest, the white collar worker can depend on the employer, whoever he is, to do the right thing . . .
4. That in any case, unions and collective bargaining are fine for manual workers but they won't work for professionals.

For many professionals this folklore is a rationalization - the good reason rather than the real reason. The real reason is, to put it plainly, fear. . . . One thing about the professional worker has been very interesting to me as a student of the labor movement. Despite all the talk about professionals being a separate breed, when professional workers do organize unions, they negotiate agreements which in the main headings do not differ from other kinds of contracts. They concern themselves with the day-to-day grievances of the workers they represent; and professionals strike when they have to.

A diametrically opposed view is indicated in the following statement from NEA Resolution 18 (30, p.178):
Under no circumstances should the resolution of differences between professional associations and boards of education be sought through channels set up for handling industrial disputes. The teacher's situation is completely unlike that of an industrial employee. A board of education is not a private employer, and a teacher is not a private employee. Both are public servants. Both are committed to serve the common, indivisible interest of all persons and groups in the community in the best possible education for their children. Teachers and boards of education can perform their indispensable functions only if they act in terms of identity of purpose in carrying out this commitment. Industrial-disputes conciliation machinery, which assumes a conflict of interest and a diversity of purpose between persons and groups, is not appropriate to professional negotiation.

The term "professional negotiation" originated in 1962 when, at the NEA annual meeting held in Denver, the following statement (another part of Resolution 18) regarding negotiations between boards of education and organizations of teaching personnel was adopted (30, p.178):

The Association believes that procedures should be established which provide an orderly method for professional education associations and boards of education to reach mutually satisfactory agreements. These procedures should include provisions for appeal through designated educational channels when agreement cannot be reached.

Ware (47, p.28) listed as basic elements of professional negotiation procedures:

1. A provision for teachers' representatives and the board of education to meet and to express their views each to the other.
2. Each in good faith, listening to the views of the other and taking the other's views into consideration in coming to a decision; both negotiation problems on which they do not at first agree.
3. A provision to deal with an impasse, whether the impasse be caused by the board, by the association, or by what seems to be the most obvious (but seldom mentioned) cause: the simple fact that the two honestly cannot agree.
4. Final decisions jointly determined by the teachers' representatives and the school board with, when necessary, the assistance of other educational agencies.

Under professional negotiation, the teachers would determine
whom they wish their representatives to be. Those representatives and the board would meet and negotiate. The procedure for an impasse would be one of several types, depending upon the legislation or the agreement made between the board and the professional association.

NEA's 1965 edition of Guidelines for Professional Negotiations (31, p.1) stated:

The primary objective of professional negotiation is to establish for teachers, through their local associations, a formal role in the development of educational policies which affect them and the quality of the educational program to which they contribute their professional competence.

Professional negotiation is a set of procedures, written and officially adopted by the local association and the school board, which provides an orderly method for the school board and the local association to negotiate, through professional channels, on matters of mutual concern, to reach agreement on these matters, and to establish educational channels for mediation and appeal in the event of impasse.

In speaking on the status of professional negotiations, Gast (13, p.1) said:

Basically, this term refers to the right of groups of professional educators to participate in an organized manner in the formulation of educational policies. Although it can conceivably be at state and national levels, it typically and most effectively is at the local level.

Gast also stated:

For many schools, written professional negotiation agreements reduce to writing what is basically done anyway. Some items lend themselves better to negotiation while others can best be achieved by political action at the appropriate level.

The relationship of grievance procedures to collective negotiation was discussed in a recent AASA publication (2, pp.42-43):

A grievance may be defined as a complaint based upon an event or condition under which an employee works, allegedly caused by misinterpretation or inequitable application of an established policy. A grievance procedure should not be confused with the negotiation procedure itself. Negotiation is the process by
which policies are jointly developed; a grievance procedure is one of the jointly developed policies. A grievance policy is similar to the judicial process by which the administration of legislated policies may be tested. It represents the presence of procedural due process within a school district . . . .

An explanation of the relationship of grievance procedures to collective negotiation was given by Stinnett, et al. (43, pp.170-171):

Confusion sometimes exists concerning the relationship of grievance procedures to professional negotiation. A grievance may be defined as a claim based upon an event or condition under which an employee works, allegedly caused by misinterpretation or inequitable application of an established policy. Professional negotiation is the process by which such policy is formulated and established. A grievance policy, then, is a most necessary concomitant of any negotiation procedure, since it provides for the democratic adjudication of any questions of alleged injustice to an individual or group arising from the interpretation and application of policy or from the day-by-day management of school affairs. Significantly, even in the absence of negotiation laws, many states have enacted specific statutes pertaining to the processing of employee grievances.

In spite of a variance of terminology and verbalization of procedures in AFT and NEA literature, most independent authorities described all collective action as essentially the same. It involves the same employee goals, and, for the most part, utilizes the same type of tactics.

Grievance procedures relate to collective negotiation inasmuch as the procedures are nearly always detailed in the collective negotiation agreement. Grievance procedures may exist, however, independently, and may be established in districts in which there is no collective negotiation.

Legal Implications

For the most part, legal concepts involved in the establishment and maintenance of employment grievance machinery stem initially from the
traditional concept of "due process of law" as provided for in the United States Constitution. In giving their views on the rights of the individual, Gibson and Hunt (15, p.359) stated:

Our society has been built upon firm belief in the rights of individuals. We hold it to be important that the individual be treated fairly. This means that he has a right to "due process of law" as a protection against arbitrary or otherwise unfair treatment by others who may be in authority. Moreover, theoretically he can appeal an injustice to a body which assures fair and expeditious attention to his rights.

Traditionally the courts have dispensed justice in civil and criminal matters. The proceedings are, in general, formal and deliberate in a manner suited to the gravity of the case at hand. What alternative might the individual have when faced with what appears to be unfair administration of legislation or interpretation of public policy? Clearly legislation and statements of rights and duties cannot be made specific enough to cover the details of each case. An attempt to make them so might very well result in as much injustice as it avoided. It appears, therefore, to be both necessary and desirable to leave with the administrator a discretionary leeway to interpret, in individual cases, the legislative determinations of his school board. In exercising that control the administrator makes various rules and regulations and so helps to make--or, indeed remake--the law. In varying degrees the administrator also has the power of review over his own rules and regulations and judges their application in particular cases. Thus, in the process of administering the school, he exercises additionally, to some extent, both legislative and judicial functions.

The power for establishing and maintaining the public schools definitely belongs to the individual states. State statutory provisions related to grievance procedures are quite varied, but the states typically provide by law that local school boards have the authority to govern their schools. For example, statute 279.8 of the Iowa Code (16) provides that:

The board shall make rules for its own government and that of the directors, officers, teachers, and pupils, and for the care of the schoolhouse, grounds, and property of the school corporation, and aid in the enforcement of the same, and
require the performance of duties by said persons imposed by law and the rules.

Thus the authority of school boards to govern is established. What avenues, then, do public school employees have when they feel they have been treated unfairly in an employment situation and seek justice? Nolte and Linn (33, p.199) stated the following regarding teachers' rights to a redress of grievances:

The statutes of nearly every state outline the procedure for appeal from a decision of the board of education to other authority, usually the county superintendent, county board of education, state superintendent, or state board of education. In some states, all steps in the power hierarchy may be involved when the teacher appeals to higher authority for adjudication of a board rule or decision. In other states, the statutes may call for original appeal to the lower courts. In only a few states is there no statutory provision for appeal from a board decision.

Unless expressly prohibited, appeal is available from board directly to the lower courts. Courts, however, will not upset decisions of boards of education unless there has been an abuse of the discretionary power. To do so would be to substitute the judgment of the court for that of the board. It is only where the jurisdiction or the right of the board to act is in question that the courts will intercede, or where there is some question that the board acted in good faith, or in the best interest of the schools. Usually at issue in these latter cases is the question of whether the statute under which the board acted is constitutional. The court will recognize the teacher's rights, but it will not interfere in the normal operation of the schools where the board acts in good faith within its powers.

The Iowa Code contains a provision for the redress of grievances in Statute 290.1. This statute provides for appeal to the County Superintendent as follows (19):

Any person aggrieved by any decision or order of the board of directors of any school corporation in a matter of law or fact may, within thirty days after the rendition of such decision or the making of such order, appeal therefrom to the county superintendent of the proper county; the basis of
the proceedings shall be an affidavit filed with the county superintendent by the party aggrieved within the time for taking the appeal, which affidavit shall set forth any error complained of in a plain and concise manner.

Relative to this law, in 1949 an Iowa court (45) held that, "Teacher participating in school board meeting after which teacher is discharged must appeal to county superintendent and cannot maintain action at law."

Iowa statute 290.5 (20) involves a higher appeal. It provides that:

An appeal may be taken from the decision of the county superintendent to the state board of public instruction in the same manner as provided in this chapter for taking appeals from the board of a school corporation to the county superintendent, as nearly as applicable, except that thirty days notice of the appeal shall be given by the appellant to the county superintendent, and also to the adverse party. The decision when made shall be final.

There are two additional Iowa statutes that provide for a "narrow" type of appeal system or grievance procedure concerned only with teacher dismissal. Statute 279.13 (17) deals with the continuing contract of teachers and provides for appeal to the board of education. It reads in part:

Said contract shall remain in force and effect for the period stated in the contract and thereafter shall be automatically continued in force and effect for equivalent periods, except as modified or terminated by mutual agreement of the board of directors and the teacher, until terminated as hereinafter provided. On or before April 15, of each year the teacher may file his written resignation with the secretary of the board of directors, or the board may be a majority vote of the elected membership of the board, cause said contract to be terminated by written notification of termination by a certified letter mailed to the teacher not later than the tenth day of April: Provided, however, that at least ten days prior to mailing of any notice of termination the board or its agent shall inform the teacher in writing that (1) the board is considering termination of said contract and that (2) the teacher shall have the right to a private conference with the board if the teacher files a request therefor with the president or secretary of the board within five days; and if within five days after
receipt by the teacher of such written information the teacher files with the president or secretary of the board a written request for a conference, the board shall, before any notice of termination is mailed, give the teacher written notice of the time and place of such conference and shall hold a private conference between the board and teacher and his representative if the teacher appears at such time and place.

In the event of such termination it shall take effect at the close of the school year in which the contract is terminated by either of said methods. The teacher shall have the right to protest the action of the board, and to a hearing thereon, by notifying the president or secretary of the board in writing of such protest within twenty days of the receipt by him of the notice to terminate, in which event the board shall hold a public hearing on such protest at the next regular meeting of the board, or at a special meeting called by the president of the board for that purpose, and shall give notice in writing to the teacher of the time of the hearing on the protest. Upon the conclusion of the hearing of the board shall determine the question of continuance or discontinuance of the contract by a roll call vote entered in the minutes of the board, and the action of the board shall be final. The foregoing provisions for termination shall not affect the power of the board of directors to discharge a teacher for cause under the provisions of section 279.24.

Regarding the discharge of a teacher, Iowa statute 279.24 (18) states:

The board may, by a majority vote, discharge any teacher for incompetency, inattention to duty, partiality, or any good cause, after a full and fair investigation made at a meeting of the board held for that purpose, at which the teacher shall be permitted to be present and make defense, allowing him a reasonable time therefor.

Although the appeal systems established by these Iowa statutes are types of grievance procedures, they do not fit the principles or criteria of a desirable grievance machinery discussed earlier in this chapter. Such appeal systems must involve the professional staff members both in the policy formulation and in the dispensing of justice. This, of course, suggests collective negotiations and grievance machinery established by collective agreement contracts.
In regard to the question of the legality of collective negotiations, Stinnett, et al. (43, p.40) wrote:

Undoubtedly if the question of legality is ever raised in the districts where negotiation is practiced, the view will be that the governing boards do have the power. Boards of education have the power and authority to set educational and personnel policies for the school district. Within this power, they may devise procedures to carry out their duties. Under this power, the board should be able to participate in negotiation procedures, even in the absence of statute.

If it is held that the board cannot bind itself to a professional negotiation agreement or contract with a local association under its general powers, there is nothing legally to prohibit the board from adopting negotiation procedures and abiding by them as it abides by its other rules and regulations. In the absence of fraud, statute violation, or abuse of discretion, the courts will not interfere with reasonable regulations adopted by a board for the government of the schools.

Seitz (42, p.114) expressed the view that

Those who question the right of public school teachers to negotiate and bargain collectively most frequently express their basic objection in the contention that negotiation and collective bargaining constitute a serious invasion of school board authority.

Seitz (42, p.121) also stated:

It is, of course, apparent that when the school board undertakes collective bargaining, as it has been defined, it undertakes burdens which it does not need to assume if it does not bargain collectively. The assumption, however, of these burdens does not mean that the board has delegated away its authority. In this respect it is interesting to recall that the history of industrial relations establishes that when the employer was first confronted with the statutory necessity of bargaining collectively, he complained that he was being forced to delegate away his authority. The courts did not agree with him. The courts recognized that he did assume additional burdens but that he still retained ultimate authority to make final decisions ....

In the public employee field, if legislative bodies decree or courts permit collective bargaining, it represents a decision, just as it did in the industrial field, that employee relations will be benefited. It does not appear that this decision can be
logically frustrated by the argument that the provision results in forcing a school board to delegate away its authority.

Nolte and Linn (33, p.183) discussed the rights of teachers to bargain collectively as follows:

There seems to be no reason why teachers and other employee groups in the public schools may not legally organize and bargain in a collective manner with their employer, the board of education. As a matter of fact, teachers have been engaging in this type of activity through their appointed professional committees for many years. In such situations, it is well settled that the board may listen or not as it wishes, accept or reject the proposals which teachers present, and take any action which it considers necessary and proper to the general welfare of the schools. In negotiations involving a board of education, including those pertaining to teachers' salaries and conditions of work, the board, however, will not be permitted to "tie its own hands", since to do so would rob it of its legal prerogative to have the last word concerning all matters pertaining to the schools. A board of education must remain forever free to decide unilaterally what is good and best for the children and for the school system in general.

Garber and Edwards (12, p.6) presented the following views on the right of teachers to strike and to engage in collective negotiation:

The law governing the right of teachers to strike has not been precisely established, but such authority as there is indicates that teachers, like other government employees, do not have this right. It has been held, however, that teachers may engage in collective bargaining provided they do not do so under a threat to strike. It has also been held that a board of education has no authority to enact a rule which discriminates against teachers who fail to maintain membership in a teachers union.

Favoring statutory provisions, Seitz (41, p.53) stated:

If a statute does not provide for collective negotiations, most courts are going to hold that voluntary bargaining is legal. It seems, however, that teachers will endeavor to have the matter taken care of by statute because voluntary bargaining can break down at any time and may prove to be rather ineffective.

Regarding the need for state legislation in this area, the NEA publication Guidelines For Professional Negotiations (31, pp.17-18) stated:
The use of the argument that professional negotiation is beyond the power of a board of education is a strong reason for enacting laws in every state to provide for it. That the profession believes in legislation is illustrated by the NEA Resolution of Professional Negotiation which states: "The National Education Association calls upon its members and affiliates and upon boards of education to seek state legislation and local board action which clearly and firmly establish these [professional negotiation] rights for the teaching profession".

The AASA (2, p.30) reported the following on collective negotiation legislation:

Without question, state negotiation or bargaining legislation has had and will continue to have a profound effect upon personnel relationships in the public schools. In 1965 alone, seven statutes were enacted, which, added to three enacted prior to 1965 and one enacted in 1966, make a total of eleven currently in existence.

The variety in the provisions of statutes presently on the books almost defies categorization. On the one hand, state affiliates of the NEA favor legislation applicable solely to educational employees, with procedural matters and impasse resolution governed by state educational agencies or independent agencies created specifically for these purposes.

On the other hand, the American Federation of Teachers supports legislation in many states that would bring educational employees under the same collective bargaining laws which cover all public employees, with procedures governed by applicable state labor relations agencies.

Another basic difference between the Association and union-supported legislation lies in the determination of the negotiation unit, i.e., whether the unit is restricted to classroom teachers.

It has been estimated that the existing statutes dealing with collective negotiation for teachers cover approximately 25 per cent of the instructional staff in the public schools of the United States. At this time the state laws are obviously having a greater impact upon personnel relationships in the schools than are agreements entered into voluntarily by boards of education and staff organizations. Pressure for the passage of additional legislation in the remaining states will undoubtedly continue in the years immediately ahead.
Referring specifically to grievance procedures for public education, Wildman (49, p.58) wrote:

... A public employee's right to present a grievance is protected by law in six states, and specific grievance machinery has been established by statute, executive order, or municipal ordinance in at least ten other areas. In most cases, the final step in the grievance procedure consists of nonbinding (advisory) arbitration, mediation, conciliation, or fact-finding. Grievance procedures have also been adopted voluntarily by numerous governmental agencies, including many school systems. Often these procedures have been adopted in the absence of any relationship with a collective employee organization.

Since it is suggested by some that, if necessary, the final step in a grievance procedure be "process through court of law", a brief discussion of the implications relative to this concept follows.

Every legal controversy is in reality a contest between two or more parties, each of whom is attempting to persuade the umpire of the rightness of his position. It is not possible to state precisely what the court procedure will be in the event of legal trouble; however, the following descriptive list of steps involved reported by Gauerke (14, pp.7-8) summarizes a typical case:

1. A lawsuit usually results from a disagreement as to legal rights.
2. The first step in a court procedure is the issuance and delivery of a summons.
3. The statement of the case by the plaintiff (the party who initiates the court action) and the answer by the defendant are known as court pleadings.
4. In a defendant's demurrer he temporarily admits the declaration of the plaintiff but alleges that no law makes him liable. This issue is determined by the trial judge.
5. The trial is a legal process by which the evidence in the case is brought before a jury of twelve persons for their verdict.
6. Prospective jurors may be rejected by the attorneys if their knowledge or occupation would tend to make them partial to either party.
7. Witnesses, after having testified, are usually subjected to cross-examination to attempt to expose weaknesses in their statements.

8. The verdict entered in the court records by the judge becomes a judgment.

9. The carrying out of the verdict according to court instructions is called the execution.

10. If errors have been committed in the original trial, the defendant may appeal to a court of higher jurisdiction. Then it is the plaintiff who becomes the defendant if and when the case on appeal is accepted by a higher court.

In 1943, Sears (40, pp.265-266) stated:

... Further, when a school board enforces one of its rules it is found that the rule will stand in court if it is reasonable and reasonably applied and within the board's jurisdiction to make. Difference of opinion between the board and contestant can be taken to court for judgment, however, whether the board wishes it or not. So, while a board may make a rule and judge where and how to apply it, it cannot pass on whether its rule and procedure are legal.

Scott perceived intraorganizational laws as playing a major role in appeal systems. He divided these laws into two categories (39, pp.3-4):

The first relates to the organization's expectations and the rights of its membership as stated in official documents like union constitutions, employee handbooks, or government personnel manuals. The other relates to specific guarantees to an organization's membership that redress is available if those in authority usurp or violate the rights of such membership. Organizational due process is a way to insure that redress against arbitrary authority will be available ....

In a later section of the book, Scott discussed this internal legal structure relative to appeal systems (39, pp.119-120):

The standards for judicial actions are derived internally from the organization's value system. In this respect, this alternative differs little from the authoritarian. The distinction is that the internal legalistic approach seeks consistent and impartial application of organizational law to all organization members.

The chief difficulty of this approach is implementation. In order for laws and policies to be administered impartially those who hear and decide appeal cases should not be members
of the organizational hierarchy. This is probably too extreme to be realistic. So let us amend it and say that at least one decision stage, preferably the last in the appeal procedure, ought to be in the hands of responsible parties having no connection with the executive structure. They should have the power to interpret and enforce the laws and policies as these have evolved in the organization, and yet they must be detached from the hierarchy of the organization.

These provisions are necessary for the internal legalistic approach to work. First, there must be a statutory base provided by a constitution or some other kind of pact as the foundation for membership rights. In a business organization this could be as simple as a manual. Second, a file of decisions reached in all appeal cases at all steps in the procedure must be maintained as precedents for future cases. Neither of these requirements poses a problem. The third does. It requires outside participation in conflict resolution.

By opening the appeal procedure to an external uncommitted party in the settlement process, the crucial separation of judicial from other management activities occurs. This is an aspect of the legalistic approach which many policy makers would find hard to accept. Yet the separation of functions in the administration of an appeal network is essential if a modicum of organizational justice is sought . . . .

Davis (10, pp.440-441) discussed two types of justice in this same general frame of reference:

... The first is executive justice dispensed by fair managers to their subordinates in a chain of command. The second is judicial justice dispensed by a separate judicial system having different persons or the same persons in different roles and subject to different procedures. Executive justice is initiated primarily by the judge; its orientation is primarily downward. Judicial justice cannot be initiated by the judge; instead an aggrieved party must bring it to him. Its orientation is upward. Executive justice is primarily a personal action which is personally oriented; but judicial justice is mostly the action of a system which is equity-oriented. Experience seems to indicate that the judicial type is needed to protect persons from deficiencies in the executive type. The two types are complementary and are mutually needed. Appeal procedures are either directly or indirectly involved with the administrative hierarchical structure. In the public schools this is traditionally referred to as the chain of command.
Gauerke (14, p.126) described the chain of command concept from a legal standpoint in the following manner:

In terms of legal responsibility, the "chain of command" idea refers to the scope of authority exercised by persons in the series of positions that make up the educational "hierarchy." It refers to the kind and amount of authority—the right to command the actions of others—that can be exerted by "superiors" over "inferiors." In a typical local situation, the "chain" would be made up of these persons, listing them in the order of legal powers and duties: board of education (where members act in concert), the superintendent of schools, school committee (if any), the principals, teachers, and the pupils.

The same author (14, p.129) stated concerning the teacher's role in the chain of command:

A teacher's place in the administrative hierarchy is one that precludes his working directly with the board of education. His contacts are indirect. All requests should be channeled through the office of the building principal, who in turn submits them to the superintendent for consideration.

McGregor (5, p.64) discussed the right of appeal within the organizational framework:

There are occasions when subordinates differ radically but sincerely with their superiors on important questions. Unless the superior follows an "appeasement" policy (which in the end will cost him his subordinates' respect), there exists in such disagreement the possibility of an exaggerated feeling of dependence and helplessness in the minds of the subordinates. They disagree for reasons that seem to them sound; yet they must defer to the judgment of one person whom they know to be fallible.

If these occasions are too frequent, the subordinates will be blocked in their search for independence, and they may readily revert to a reactive struggle. The way out of the dilemma is to provide the subordinate with a mechanism for appealing his superior's decisions to a higher level of the organization. The subordinate can then have at hand a check upon the correctness and fairness of his superior's actions. His feeling of independence is thereby increased.

This is one of the justifications for an adequate grievance
procedure for workers. All too often, however, there is no similar mechanism provided for members of management. To be sure, in the absence of a union it is difficult to safeguard the individual against retaliative measures by his immediate superior, but it is possible to guarantee a reasonable degree of protection.

If the relationship between subordinate and superior is a successful one, the right of appeal may rarely be exercised. Nevertheless, the awareness that it is there to be used when needed provides the subordinate with a feeling of independence which is not otherwise possible.

A review of legal aspects regarding grievance procedures indicated the underlying basis to be "due process of law", the traditional concept which is provided for in the United States Constitution. Since the education process is firmly established as a duty of the state, several statutes which apply to, or actually constitute a type of appeal system were revealed. However, they do not generally meet the criteria established for desirable grievance procedures. The question of the legality of collective negotiation was discussed with the major contention being that in the absence of statute, teachers and boards of education could legally carry on collective negotiation. Specific legislation has been enacted in eleven states regarding collective negotiations and indications are that eventually legislation is inevitable for all other states. A public employee's right to present a grievance is protected by law in six states and at least ten other areas.

Some authorities suggested processing through a court of law when necessary as a final step in the grievance procedure. In such cases it has been found that rules enforced by the school board will usually be upheld if the rule is reasonable and reasonably applied and within the board's jurisdiction to make. It is the responsibility of the court to
judge whether the rule and procedure are legal. The traditional legalistic concept of the chain of command is that series of positions that constitute the educational hierarchy. This suggests a power arrangement designed for efficiency of operation. The important legal area of intraorganizational law is that area in which control is set from within by the values of the organization and the members constituting it.

Related Research

A survey of the related research in the area of grievance procedures for certified public school personnel revealed the following:

1. There are practically no studies devoted exclusively to grievance procedures in the public school setting.

2. There is a limited amount of recent research on the subject of collective negotiation for public school professional personnel which includes grievance procedures.

3. There are numerous studies involving grievance procedures in non-educational organizations. However, very few were relevant to the problem at hand.

In regard to category number one listed above, the NEA Research Division is in the process of conducting a nationwide status study of grievance procedures for public school personnel. A report of the results of this study is scheduled to be published in the near future.

The only doctoral research found which dealt directly with grievance procedures for professional public school personnel was done in 1960. At that time, Gerald A. Randall surveyed public school districts in cities
of more than 95,000 population. He found that 87 of the 91 school systems analyzed in the study disclosed a keen interest in the grievance process. Twenty-five school systems had adopted formal procedures and six were preparing to adopt them in the near future (37, pp.107-108).

Some other salient findings of Randall's study can be summarized as follows (37, pp.110-123):

1. Grievance procedures in the public school systems have been generally developed through the efforts of administrators.
2. Only one out of the 25 formal grievance procedures was established as a part of a collective bargaining agreement.
3. Twenty-one of the 25 large public school grievance procedures studied were in writing.
4. Sixteen of the 25 public school procedures studied required that aggrieved employees put grievances in writing at some point in the process.
5. Only five of the 25 formal grievance procedures studied had provisions for specified time limits.
6. Eight of the formal grievance procedures studied included teachers (as members of a committee or board of review) at one of the appeal steps.
7. Eighteen of the 25 large city school systems studied have procedures which allow teachers to engage aid or counsel for the purpose of presenting grievances and taking the grievances through the procedure.

Based upon the evidence gathered in his study, Randall recommended
the following principles as essential to the structure of any grievance procedure (37, p.138):

1. The grievance procedure should be in writing and officially adopted by the board of education.
2. The procedure should include provisions for the classification of grievances.
3. The grievance procedure should contain a series of appeal steps, the number of such steps determined by the size and nature of the school system.
4. Time limits for action should be established for each appeal step and between steps within the procedure.
5. If a grievance is not settled at first step of the formal procedure (this should involve the building principal), it should be placed in writing for appeal to the next step.
6. Teachers should be included in the deliberations at one or more of the steps of the grievance process.
7. The grievance procedure should be adequately staffed with interested, trained, and competent persons.
8. Provision should be made in the procedure to enable an aggrieved person to enlist and use aid or counsel in presenting and processing his grievance.
9. The grievance procedure should contain definite provisions for enforcement [mediation and/or arbitration].

Concerning studies involving grievance procedures for public school personnel within "collective bargaining", Wildman and Perry (50, p.149) recently reported the results of a nationwide survey of "collective bargaining" procedures prevailing in American public school districts. Although only a small part of the study was devoted to the grievance procedure aspect, it did investigate the substantive content of negotiation documents. This examination indicated that the subject of grievance procedures was one of the most widely dealt with, ranking second only to salaries, the most popular subject of the collective agreements studied.

A State University of Iowa Doctoral study conducted by Birdsell in 1966, examined and compared reactions of superintendents and teachers to various aspects of professional negotiations. The survey included school
systems in a midwestern twelve state area serving populations of 50,000 - 200,000. Iowa was one of the states included in the study.

Birdsell's study (6, p.120) indicated that both teachers and administrators saw a need for direct communication with the board of education which implied recognition of a need for appeal systems:

The majority of superintendents and teachers agreed that channels should exist whereby teachers may communicate directly with the board of education. Teachers favored this situation more than did superintendents, as might be expected. Nevertheless, this would seem to substantiate the fact that superintendents more often than not, believe that situations may arise when teachers should communicate directly with their school boards. A greater proportion of superintendents than teachers indicated that such channels were already in existence. This difference in responses indicated that teachers, in some cases, probably were not well informed concerning avenues provided them when considering direct discussion with their board of education.

Scott, in 1965, reported a study of non-educational appeal procedures which may have implications for the educational setting. His was a study of unilateral employee appeal systems in five organizational areas. This survey included the United Auto Workers, the Roman Catholic Church, the Federal Government, the United States Army and business firms. In the beginning of his study, Scott introduced the following propositions (39, p.6):

1. Appeal systems are peculiarly associated with large organizations;
2. They arise from conditions which reduce the mobility and increase the dependency of organizational participants; and
3. these systems seem ubiquitous.

In summarizing his findings as they pertain to the foregoing hypotheses, he stated (39, pp.91-93):

1. As an organization increases in size, measured by numbers
of members, the more likely it is to formalize its personnel practices. Often included in this process is the formalization of a judicial function allowing for the redress of complaints and grievances.

2. ... If an employee finds himself with a complaint that is not going to be resolved he is free to move or, if the job promises to be a short term one, he may stay with an uncomfortable situation. Thus, the data seems to support the hypothesis pertaining to the inverse relationship between mobility and systems of appeal in organizational personnel policies.

3. As long as the size and mobility determinants prevail within various institutions appeal systems will find the environment to flourish. Wherever one looks in business, government, religious life, military, and even organized labor, internal appeal mechanisms exist. Their significance is as a formal mechanism which has been adopted by many organizations to enhance their capacity to accomplish goals. The policy of redress and the mechanism for due process is indifferent to the organization's objectives. It can serve IBM just as it can the United States Army.

After reviewing the data, Scott concluded that unionism and industrial humanism are determinants of appeal systems in certain specific organizational cases, but the bureaucratic model is most consistent with the findings.

Scott suggested a fully democratic approach may be necessary to dispel the attitude of cynicism that many people have toward formalized grievance procedures. He stated further that the demands for more restraint on arbitrary authority and greater opportunities for personal development will become imperative as the character of the work force continues to change and the numbers increase (39, p.125).

In November, 1964, the United States Department of Labor (44, p.1) reported a study of major collective bargaining agreements in the United States. This research revealed that "Virtually all (99 per cent) of the
1,717 major agreements studied included a procedure for handling grievances.

This report agreed with the hypothesis supported by Scott's study that formal grievance procedures are more prevalent in large organizations when they concluded that "... The size of the plant or company is a key factor; that is, the larger the unit the more formalized the grievance procedure tends to become". (44, p.33).

The review of related research indicated a decided lack in the area dealing specifically with grievance procedures for professional school personnel. The meager amount of research that has been conducted in this area indicated that a relatively small percentage of school districts employ formal appeal procedures for their professional personnel. It also revealed that many of the existing formal procedures do not meet the criteria established by authorities for a desirable system. All of the research reviewed implied a need for formal grievance procedures for professional public school personnel.

Summary

A survey of the literature related to grievance procedures for certified public school personnel indicated the following:

1. Most authorities are in agreement regarding basic principles and criteria for formal grievance procedures.

2. Public school grievance procedures may exist as a part of a collective negotiation agreement or as a unilaterally designed system.
3. The traditional concept of "due process of law" is the underlying legal basis for employee grievance procedures.

4. There is a definite trend toward increased state legislation providing for collective negotiation and/or grievance procedures.

5. Highly important to grievance procedures is the area of intra-organizational law where control is set from within by the value of the organization and the members constituting it.

6. Research in the area pointed out a decided lack of and a definite need for formal grievance procedures for certified public school personnel.
METHODS AND PROCEDURES

The purpose of this study was twofold: (1) to determine the potential for, and feasibility of, establishing formal grievance procedures in the public high school districts of Iowa, and (2) to design a model appeal system based on the results of the survey. This necessitated the determination of the status of grievance procedures in Iowa public school districts, as well as an evaluation of the effectiveness, or potential effectiveness, of these appeal systems.

Preliminary Survey

Eight months prior to the conducting of the survey, a preliminary investigation was carried out to attempt to ascertain the feasibility of the study. Thirteen educators, including top officials in administrator and teacher organizations as well as selected Iowa school superintendents, were questioned to determine the amount of interest in the subject. A letter was written and sent to each of these educators explaining briefly the tentative research. A checklist postcard was enclosed asking for a response to three questions:

1. Do you believe a formal appeal system is needed in public school systems?
2. Do you have a formal appeal system in your organization?
3. Do you think this would be a fruitful area of research and development?

At the bottom of each card a space for comments was provided.

Almost all of the respondents indicated a need for a formal appeal
system in public schools, and also indicated their belief that this was a fruitful area of research. A number of them also made comments which gave new insights to the problem.

At about the same time, a number of letters were written to educators throughout the United States attempting to secure sources of literature related to the research problem. The NEA and AFT were both contacted and were very helpful in citing sources of information. The state affiliates of each of these organizations supplied helpful materials also. A letter was written to William G. Scott who conducted a study of unilateral appeal systems in five different non-educational settings in 1965. Mr. Scott encouraged a similar study adapted to the educational setting and gave several valuable suggestions for procedures. Practically all the educators contacted encouraged the study, indicating a need for more research in this specific area.

Selecting the Survey Subjects

Since one major objective of the study was the determination of what grievance procedures actually exist for certified personnel in the public school districts of Iowa, the only practical and accurate means of accomplishing this appeared to be by surveying all district superintendents in the state. As chief executive of the district, the superintendent should have the most knowledge of the administrative machinery of his district. He is also the person in the authority position who permits the release of information desired in connection with this survey. An up-to-date list of Iowa School Districts and their superintendents was
The Pilot Study

Prior to the final preparation and release of the survey forms, pilot studies were conducted in seven selected school districts. These selected school districts ranged in size of total enrollments from 331 to 3,074.

Superintendents in these districts were asked to complete the questionnaires and offer critical suggestions. The returns from the pilot schools were reviewed and some changes were made in the survey form. Several of the respondents offered suggestions for clarification of directions and improvement of questions.

Collecting the Data

A mail survey was used to determine the following:

1. the districts having informal and formal grievance procedures;
2. the attitudes of superintendents regarding the potential value of formal appeal systems;
3. an estimate of what constitutes a desirable administrative pattern for effective formal appeal systems.

A field survey was accomplished in six selected school districts, to validate findings of the mail survey and to provide detailed descriptions of some of the formal grievance procedures presently in use.
The mail survey

The instrument used (see Appendix B) was patterned after a questionnaire used by Scott who conducted a similar study of unilateral appeal systems in non-educational organizations. The questionnaire was kept short, requiring no more than five minutes to complete, in order to ensure a high percentage of returns. The first part contained only questions regarding the prevalence and the type of grievance procedure employed in the district. It asked that a copy of the description or policy of the grievance procedure from a teachers handbook or other document be enclosed and returned with the questionnaire.

The second part of the questionnaire asked for opinions and attitudes of the superintendents toward the potential value of formal grievance procedures in their districts. It also asked for a preference as to the administrative pattern of a grievance procedure.

All survey forms, along with cover letters, were mailed on the same day. Over 70 percent were returned within 16 days, at which time the first follow-up letter was mailed. This brought the returns up to more than 95 percent within another two week period at which time the second follow-up letter was sent. (The cover letter and follow-up letters will be found in Appendix B). Since a total return was desired, no close-off date was set. By 60 days after the initial mailing, 99 percent of all the questionnaires had been returned. The superintendents of the three remaining districts were telephoned and their questionnaire information was secured.
The field survey

As a major phase of this study, a field survey was conducted to ascertain the formal step-by-step procedures used by selected districts to process employee grievances. Following a careful study of the returns from the mail survey, six districts which maintained a type of formal employee appeal system were selected. Two of these districts had grievance procedures designed and operated by the local education associations (NEA affiliates). Two were well defined appeal procedures which utilized the chain of command. One had an appeal system that permitted aggrieved employees to go directly to the superintendent. The other involved a review committee made up of a member of the board of education, the superintendent and one teacher. Characteristics of the districts visited are outlined in Table 1. Permission for the survey visits was

Table 1. Characteristics of field survey districts

<table>
<thead>
<tr>
<th>District</th>
<th>Type of grievance procedure</th>
<th>Total enrollment</th>
<th>Total prof. emp.</th>
<th>Organizational pattern</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Local teacher association</td>
<td>1,500</td>
<td>90</td>
<td>6-2-4</td>
</tr>
<tr>
<td>B</td>
<td>Local teacher association</td>
<td>1,000</td>
<td>50</td>
<td>8-4</td>
</tr>
<tr>
<td>C</td>
<td>Chain of command</td>
<td>20,000</td>
<td>800+</td>
<td>6-3-3</td>
</tr>
<tr>
<td>D</td>
<td>Chain of command</td>
<td>600</td>
<td>45</td>
<td>6-2-4</td>
</tr>
<tr>
<td>E</td>
<td>Direct channel to supt.</td>
<td>5,100</td>
<td>210</td>
<td>6-3-3</td>
</tr>
<tr>
<td>F</td>
<td>Committee composed of supt., teacher and board member</td>
<td>700</td>
<td>45</td>
<td>8-4</td>
</tr>
</tbody>
</table>

^In order to prevent identification of districts, exact figures are not given.
obtained from the district superintendents by letter. A telephone call to explain procedures and arrange the visitation time was made after permission to visit the district was received.

The following persons were interviewed at each of the districts visited: the superintendent, a principal and one teacher from each level (senior high, junior high and elementary), and one member of the board of education. Each of the interviewees were asked the same questions concerning their attitudes toward their present grievance procedure and suggestions for improvement. They were also asked to give their opinions as to what constitutes an ideal grievance procedure.

Treatment of the Data

The mail survey

Questionnaire response information, as well as the total enrollment for each district, was coded for computer tabulation. Districts were classified into categories according to enrollment size. All questionnaire information was presented numerically and in percentages in tabular form by enrollment size classification and total.

Biserial correlations were computed between size of district in terms of total school enrollment and the factual questionnaire item responses involving prevalence of grievance procedures.

The attitude questionnaire item responses were tested by means of the chi square technique to determine relationships with size of district. The subjectivity involved in the responses in the attitude section of the questionnaire justified the use of this technique.
The field survey

Since all interviews were structured, it was possible to present all responses of superintendents, principals, teachers and members of boards of education in table form for all of the districts visited. A schematic diagram or model illustrating each district's channels for Solution of Grievances was shown. These presentations enable the reader to readily make comparisons by visual observation. The Proposed Outline of the Field Survey can be found in Appendix C.
FINDINGS

This chapter contains data gathered by means of the mail and field surveys. These investigations were designed to collect two types of grievance machinery information: 1) factual data relating to the present status of grievance procedures employed in Iowa for certified public school personnel, and 2) attitudes and opinions of administrators, teachers and board members regarding what should constitute an ideal grievance procedure.

The Mail Survey

The findings reported were based on data obtained from every public school superintendent in the state. Of the 455 district superintendents, 452 returned questionnaires by mail. Information from the other three was obtained as a result of personal telephone calls. The data reported here, then, is based on Iowa's total school district population of 455.

Since size of the district was deemed to be an important influence on prevalence and type of grievance procedures, the districts were stratified by total enrollment size. Most of the tables relating to the mail survey reports procedures by size classification.

Factual information relating to existing procedures

Prevalence and type of grievance procedures were the two major issues covered in the part of the questionnaire asking for factual information. A brief description of the appeal program, or a copy of the policy manual covering it was also requested.
Data in Table 2 permit a comparison of grievance procedure prevalence and type by district size classification. In observing the data it can be noted that 143 or 31.4 percent of the 455 districts have some type of grievance system for their certified personnel. Considering size of district, it was found that the largest enrollment size category (5000 and up) had by far the highest percentage of grievance procedures with 47.6 percent. The smallest district size classification (100-499) had the lowest proportion with 23 percent. In placing these grievance procedures in specific categories, it was found that 12.5 percent of the total districts had some type of formal grievance procedure. About 19 percent had an informal type.

Concerning formal-type grievance procedures, the largest size category had by far the largest percentage, 33.3 percent. The smallest size category had decidedly the smallest ratio of districts with formal grievance procedures with only 5.9 percent having them. That is, smaller schools seldom had formal grievance procedures. There is no definite pattern regarding size of district of those in which informal procedures were found. In comparing mean enrollment figures, it can be observed that districts having formal procedures had an average enrollment which exceeded by far any other category.

One of the major hypotheses of this study was: Formal grievance procedures are associated with large school districts in the sense that the larger the district the more likely it is to have a formal grievance procedure. In order to determine relationships between district size and the type variables, biserial correlations using raw total enrollment data
<table>
<thead>
<tr>
<th>Total enrollment classification</th>
<th>100-499</th>
<th>500-699</th>
<th>700-1199</th>
<th>1200-4888</th>
<th>5000+</th>
<th>Total</th>
<th>Mean enrollment</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No.</td>
<td>%</td>
<td>No.</td>
<td>%</td>
<td>No.</td>
<td>%</td>
<td>No. %</td>
</tr>
<tr>
<td><strong>Formal</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>7</td>
<td>5.9</td>
<td>14</td>
<td>13.5</td>
<td>19</td>
<td>16.2</td>
<td>10 10.5</td>
</tr>
<tr>
<td><strong>Informal</strong></td>
<td>21</td>
<td>17.8</td>
<td>23</td>
<td>22.1</td>
<td>15</td>
<td>12.8</td>
<td>24 25.3</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>28</td>
<td>23.7</td>
<td>37</td>
<td>35.6</td>
<td>34</td>
<td>29.0</td>
<td>34 35.8</td>
</tr>
<tr>
<td><strong>Districts w/no grievance procedure</strong></td>
<td>90</td>
<td>76.3</td>
<td>67</td>
<td>64.4</td>
<td>83</td>
<td>71.0</td>
<td>61 64.2</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>118</td>
<td>100.0</td>
<td>104</td>
<td>100.0</td>
<td>117</td>
<td>100.0</td>
<td>95 100.0</td>
</tr>
</tbody>
</table>
were computed on the following: 1) districts having some type of grievance procedure, 2) districts having formal grievance procedures. The biserial correlation coefficient between district size and prevalence of any type of grievance procedure was found to be 0.109. The value 0.135 was the biserial correlation coefficient computed between size of district and prevalence of a formal grievance procedure. Although positive relationships are indicated in each case, the figures are so low that no really meaningful conclusions can be drawn from them. Despite the low correlation figures, the data presented in Table 2 tend to agree with the original hypothesis that formal grievance procedures are associated with large school districts in the sense that the larger the district the more likely it is to have a formal grievance procedure.

Examination of Table 3 indicates that 39 of the 57 districts having formal grievance procedures employed the type stated in a written policy and adopted by the board of education. The remaining 31.6 percent maintained a grievance procedure covered by a policy written in a teachers' handbook or other document, but not officially adopted by the board of education. Comparison by district size classification revealed no discernible pattern.

The request for a brief description of the appeal program, or a copy of the policy, produced a wide variety of material. A number of respondents, however, who indicated that their districts employed grievance procedures, furnished no descriptive information.

Twenty superintendents whose districts maintained formal grievance procedures indicated a type of system operated by a committee from the
Table 3. Number and type of formal grievance procedures by district size classification

<table>
<thead>
<tr>
<th>Type of formal procedure</th>
<th>100-499</th>
<th>500-699</th>
<th>700-1199</th>
<th>1200-4999</th>
<th>5000+</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Written policy adopted by board</td>
<td>6</td>
<td>85.7%</td>
<td>10</td>
<td>71.4%</td>
<td>10</td>
<td>52.6%</td>
</tr>
<tr>
<td>Policy not adopted by board but written in teacher handbook or other document</td>
<td>1</td>
<td>14.3%</td>
<td>4</td>
<td>28.6%</td>
<td>9</td>
<td>47.4%</td>
</tr>
<tr>
<td>Total</td>
<td>7</td>
<td>100.0%</td>
<td>14</td>
<td>100.0%</td>
<td>19</td>
<td>100.0%</td>
</tr>
</tbody>
</table>
local education association. Some of these were labeled welfare commit­
tees. Others were designated Professional Rights and Responsibilities
(PR&R) committees. This latter type generally followed a set pattern of
procedures (see Appendix D for examples of PR&R systems studied in the
field survey).

Three districts furnished statements regarding professional negotia­
tions with provisions for grievance processing. In each of these cases,
the grievance procedure was stated in very general terms and not defined
as a step-by-step procedure.

Several districts furnished policy statements dealing with grievances
only in terms of teacher dismissal or continuation of contract problems.

Nearly all of these cited pertinent laws from the Iowa Code.

Seven districts indicated procedures for by-passing the principal to
go directly to the superintendent and to the board of education. Some of
these policies were rather vague and sometimes even contradictory regard­
ing the permissibility of circumventing the immediate supervisor.

Two of the larger districts which employed a personnel officer
indicated that it was permissible for an employee to take his complaint
directly to the personnel officer.

The written materials collected describing informal grievance
procedures, indicated that most such procedures involved a channel whereby
any professional employee may be granted a hearing before the board of
education. Usually the aggrieved individual is required to contact the
superintendent who arranges the meeting with the board.

Many superintendents indicated the open door type of informal
grievance procedure. Under this procedure, respondents usually indicated that the superintendent was always ready to listen to complaints or suggestions of his employees. In some cases it was suggested that an employee could walk into the office of any administrator or supervisor and relate his complaints or suggestions.

Since informal procedures reported were not based on any written policy, in many instances these systems were completely dependent upon the personal philosophy of the top administrator. Many of the superintendents made comments regarding their philosophies in the area of personnel relations. Some emphasized the concept that the personalities of the administrators were more important than any devices created for the purpose of resolving conflicts.

**Attitudes and opinions relating to ideal procedures**

Table 4 presents data relevant to the following hypothesis: The majority of Iowa school superintendents see little or no value in formal appeal systems for their districts. Sixty-five percent of the district superintendents selected the choices "great value" or "some value" rather than "little value" or "no value", when asked to judge the potential value of a formal grievance procedure in their districts. Fifty and eight tenths percent of the group responded to the "some value" choice. About 16 percent indicated that a formal grievance procedure would be of little value in their district. Roughly six percent felt that such a procedure would have no value in their districts. Thirteen percent of the superintendents did not respond to this question. In analyzing the data
Table 4. Opinions of district superintendents concerning potential value of formal grievance procedures for their districts

<table>
<thead>
<tr>
<th>Opinion</th>
<th>100-499</th>
<th>500-699</th>
<th>700-1199</th>
<th>1200-4999</th>
<th>5000+</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No.</td>
<td>%</td>
<td>No.</td>
<td>%</td>
<td>No.</td>
<td>%</td>
</tr>
<tr>
<td>Great value</td>
<td>11</td>
<td>9.3</td>
<td>17</td>
<td>16.4</td>
<td>16</td>
<td>13.7</td>
</tr>
<tr>
<td>Some value</td>
<td>52</td>
<td>44.0</td>
<td>44</td>
<td>42.2</td>
<td>68</td>
<td>58.1</td>
</tr>
<tr>
<td>Little value</td>
<td>29</td>
<td>24.6</td>
<td>16</td>
<td>15.4</td>
<td>16</td>
<td>13.7</td>
</tr>
<tr>
<td>No value</td>
<td>11</td>
<td>9.3</td>
<td>10</td>
<td>9.6</td>
<td>4</td>
<td>3.4</td>
</tr>
<tr>
<td>No response</td>
<td>15</td>
<td>12.8</td>
<td>17</td>
<td>16.4</td>
<td>13</td>
<td>11.1</td>
</tr>
<tr>
<td>Total</td>
<td>118</td>
<td>100.0</td>
<td>104</td>
<td>100.0</td>
<td>117</td>
<td>100.0</td>
</tr>
</tbody>
</table>
by size classification it can readily be observed that the administrators of schools in the 5000 and up category placed the highest potential value on grievance procedures. The smallest size category (100-499) had the lowest percentage, 9.3 percent on the same evaluation. The evaluations "little value" and "no value" showed an inverse relationship by size classification, in that the larger the enrollment classification the smaller was the percent of response. On the basis of the data presented, the hypothesis that the majority of Iowa school superintendents see little or no value in formal appeal systems for their district, seems untenable.

Evaluations of potential value of grievance procedures categorized by type of present grievance system employed in the districts represented, is disclosed in Table 5. Of the 57 superintendents whose districts maintained some type of formal grievance procedure, 19 or one-third evaluated the potential of such a system as great. Forty-nine percent indicated such procedures had some value for their districts. Only 1.8 percent of this group judged such a system to have no value for their districts. The category having the highest proportion of selections of little value came from superintendents maintaining informal grievance procedures, with seven percent responding in this manner. It is interesting to observe that 55 of the 60 superintendents who did not respond to this question represented districts where no grievance procedure was employed.

Potential value estimates of grievance procedures, by superintendents from districts above and below 699 total enrollment is presented in Table 6. Dependency of response on size of district enrollment was tested by the chi square technique. Size categories and opinion categories were
Table 5. Frequency of responses to the question, What is your estimate of the potential value of a formal grievance procedure in your district in terms of employee satisfaction? by type of present grievance system employed

<table>
<thead>
<tr>
<th>Opinion of potential value</th>
<th>Type of present grievance procedure</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Formal informal No. %</td>
<td></td>
</tr>
<tr>
<td>Great value</td>
<td>19 33.3 13 15.1 33 10.6</td>
<td>65 14.3</td>
</tr>
<tr>
<td>Some value</td>
<td>28 49.1 53 61.6 150 48.1</td>
<td>231 50.8</td>
</tr>
<tr>
<td>Little value</td>
<td>8 14.0 10 11.6 54 17.3</td>
<td>72 15.8</td>
</tr>
<tr>
<td>No value</td>
<td>1 1.8 6 7.0 20 6.4</td>
<td>27 5.9</td>
</tr>
<tr>
<td>No response</td>
<td>1 1.8 4 4.7 55 17.6</td>
<td>60 13.2</td>
</tr>
<tr>
<td>Total</td>
<td>57 100.0 86 100.0 312 100.0</td>
<td>455 100.0</td>
</tr>
</tbody>
</table>

Table 6. Potential value estimates of grievance procedures, by superintendents from districts above and below 699 total enrollment

<table>
<thead>
<tr>
<th>Total district enrollment</th>
<th>Value estimate</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Great value</td>
<td>Some value</td>
</tr>
<tr>
<td>-699</td>
<td>28</td>
<td>96</td>
</tr>
<tr>
<td>%</td>
<td>14.7</td>
<td>50.6</td>
</tr>
<tr>
<td>699+</td>
<td>37</td>
<td>135</td>
</tr>
<tr>
<td>%</td>
<td>18.0</td>
<td>65.9</td>
</tr>
<tr>
<td>Total</td>
<td>65</td>
<td>231</td>
</tr>
<tr>
<td>%</td>
<td>16.4</td>
<td>58.5</td>
</tr>
</tbody>
</table>

aSixty superintendents did not respond to this question.
combined in Table 6 in order to have a sufficient number of responses in each cell to compute a meaningful chi square value. The computed chi square value, 17.86, was found to exceed the tabular value at the one percent confidence level (9.21). From this it was concluded that the difference in responses of the two size classifications was highly significant. The hypothesis that there is no difference in estimates of value of potential of formal grievance procedures by enrollment size of district was rejected. Inspection of the data indicates that the larger districts' superintendents placed more value on formal grievance procedures.

Examination of Table 7 reveals that 61.8 percent of all district superintendents indicated a preference for a grievance procedure operated within the framework of the district administration. Those preferring a cooperative arrangement between district administration and an NEA affiliate represented 25.3 percent of the total. Four of the 455 superintendents were in favor of a grievance procedure operated cooperatively by the district administration and an AFT affiliate. Seven respondents preferred a grievance procedure operated exclusively by either an NEA or AFT affiliate with only one of these preferring the latter organization. Visual observation discloses no significant pattern of responses by district size classification. It is interesting to note however, that four of the five superintendents who indicated a preference for involvement of the AFT were in the group representing smallest size districts. The data presented failed to support the hypothesis that the majority of school superintendents are in favor of a grievance procedure designed to
Table 7. Grievance procedure organizational preference of superintendents by enrollment size classification of district represented

<table>
<thead>
<tr>
<th>Organizational preference</th>
<th>Total enrollment classification</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>100-499</td>
<td>500-699</td>
<td>700-1199</td>
<td>1200-4999</td>
<td>5000+</td>
<td>Total</td>
</tr>
<tr>
<td></td>
<td>No. %</td>
<td>No. %</td>
<td>No. %</td>
<td>No. %</td>
<td>No. %</td>
<td>No. %</td>
</tr>
<tr>
<td>W/in framework of district only</td>
<td>71 60.2</td>
<td>58 55.8</td>
<td>78 66.7</td>
<td>64 67.3</td>
<td>10 47.6</td>
<td>281 61.8</td>
</tr>
<tr>
<td>Coop. bet. dist. and NEA affil.</td>
<td>25 21.2</td>
<td>29 27.9</td>
<td>32 27.4</td>
<td>22 23.2</td>
<td>7 33.3</td>
<td>115 25.3</td>
</tr>
<tr>
<td>Coop. bet. dist. and AFT affil.</td>
<td>3 2.5</td>
<td>0 0</td>
<td>1 0.8</td>
<td>0 0</td>
<td>0 0</td>
<td>4 0.9</td>
</tr>
<tr>
<td>Excl. by NEA affil.</td>
<td>0 0</td>
<td>4 3.8</td>
<td>1 0.8</td>
<td>1 1.1</td>
<td>0 0</td>
<td>6 1.3</td>
</tr>
<tr>
<td>Excl. by AFT affil.</td>
<td>1 0.8</td>
<td>0 0</td>
<td>0 0</td>
<td>0 0</td>
<td>0 0</td>
<td>1 0.2</td>
</tr>
<tr>
<td>Other</td>
<td>4 3.4</td>
<td>0 0</td>
<td>2 1.7</td>
<td>3 3.2</td>
<td>1 4.8</td>
<td>10 2.2</td>
</tr>
<tr>
<td>No response</td>
<td>14 11.9</td>
<td>13 12.5</td>
<td>3 2.6</td>
<td>5 5.2</td>
<td>3 14.3</td>
<td>38 8.3</td>
</tr>
<tr>
<td>Total</td>
<td>118 100.0</td>
<td>104 100.0</td>
<td>117 100.0</td>
<td>95 100.0</td>
<td>21 100.0</td>
<td>455 100.0</td>
</tr>
</tbody>
</table>
operate cooperatively with the local teachers association.

Table 8 outlines organizational preferences by superintendents from districts above and below 699 total enrollment. The chi square technique was employed using this data in testing dependency of response on enrollment size of district. The computed chi square value was 6.83. This value exceeded the chi square tabular value (5.99) at the five percent confidence level, but was less than the tabular value at the one percent level. It was concluded therefore that there was a significant difference in responses of organizational preferences of the two size classifications. The hypothesis that there is no difference in preferences of organizational pattern of grievance procedures by enrollment size of districts, was rejected. Examination of the percentage figures in the table indicates

Table 8. Organizational preferences by superintendents from districts above and below 699 total enrollment

<table>
<thead>
<tr>
<th>Organizational preference</th>
<th>Operated</th>
<th>Operated coop. by dist. and tchr.org.</th>
<th>Other</th>
<th>Total No.</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Operated by dist. only</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-699</td>
<td>129</td>
<td>57</td>
<td>36</td>
<td>222</td>
<td>48.8</td>
</tr>
<tr>
<td>%</td>
<td>58.1</td>
<td>25.7</td>
<td>16.2</td>
<td>100.0</td>
<td></td>
</tr>
<tr>
<td>699+</td>
<td>152</td>
<td>62</td>
<td>19</td>
<td>233</td>
<td>51.2</td>
</tr>
<tr>
<td>%</td>
<td>65.2</td>
<td>26.6</td>
<td>8.2</td>
<td>100.0</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>281</td>
<td>119</td>
<td>55</td>
<td>455</td>
<td>100.0</td>
</tr>
</tbody>
</table>
in which opinion categories major size differences occur.

The Field Survey

A field survey was made in six districts whose superintendents indicated the prevalence of formal grievance procedures. Administrators, teachers and board members were queried regarding existing grievance procedures and were also asked for opinions concerning what should constitute an ideal grievance system.

Field study results of existing procedures

This section presents the narrative descriptions and the schematic diagrams of the professional grievance procedures employed by the six school districts of the field survey. Each of these districts maintained some type of formal grievance procedure. Two had grievance procedures designed and operated by the local education associations (District A, total enrollment 1,500, and District B, total enrollment 1,000). Two districts employed grievance procedures within the chain of command (District C, total enrollment 20,000, and District D, total enrollment 600). District E (total enrollment 5,100) utilized a procedure which provided employees an avenue of redress directly to the superintendent. District F (total enrollment 700) used a three-person grievance committee composed of the superintendent, one teacher and one member of the board of education. The number of respondents from each district was varied because of the differences in organizational structures.
Procedures designed by local associations

Districts A and B had local association designed grievance procedures which employed the Professional Rights and Responsibilities Committees. District A's procedure, however, was less well-defined than most PR&R procedures. District B's system followed a more distinct step-by-step pattern, conforming to the current trend in NEA affiliate designed grievance machinery. Both of the procedures were built around PR&R committees composed of teacher members who were appointed by the executive committees of their respective local education associations.

The policy guiding each of these two procedures has not been officially adopted by the districts' boards of education. However, since they are written as policy in a teachers' handbook or other official document, they do meet the criteria established in this study for being formal.

District A's procedure, covered in the Constitution of the Local Education Association (Appendix D), has been in effect three years. During this period it was used only once. A copy of the constitution appeared in the Teachers' Handbook. Figure 1 illustrates the Channels for Solution of Employee grievances in District A. Although the policy made it clear that the PR&R committee may be called in at any time, it did not define the authority of the committee. It failed also to outline a step-by-step procedure to be followed.

Concerning the type of records kept of grievances processed, interviewees indicated that the PR&R committee wrote the information and presented it as a committee report to the general meeting of the Local
PR&R Committee may be called in at any step of the administrative channel. In most cases, the administrative channel will be followed at least to the Principal.

Figure 1. District A channels for solution of grievances
Education Association. If the grievance reached the Board of Education level, it was, of course, recorded in the board minutes.

Five of the eight respondents indicated that they were satisfied with the procedure. Two felt that it had not been sufficiently tested, and one declined to comment.

When asked how the procedure could be improved, two of the administrators indicated that there should be a provision requiring that the administration be informed of the problem first before going to the committee. One administrator felt that there should be a committee within each building to take care of the personnel problems. One teacher indicated that there should be clearer definitions and procedures. The Board of Education member interviewed commented that he could not imagine any situation where the employee, the administration and the school board could not work out the problem.

District B had a PR&R Grievance Procedure which was detailed in a separate handout for teachers entitled Professional Rights and Responsibilities Grievance Policies (Appendix D). Although it had not been adopted by the Board of Education, it was given de facto recognition by the board and by the school administration. Respondents indicated that the procedure has never been used in its two years of existence. Figure 2 illustrates District B's Channels for Solution of Employee Grievances.

The printed policy guiding this grievance procedure clearly outlined eight steps to be followed in processing a grievance. The authority of the committee was clearly defined as a fact-finding, advisory body.
Board of Education

Superintendent

Building Principal

Court of Law

Board of Education

Superintendent

Executive Committee

PR&R Committee

PR&R Committee Member

Aggrieved Individual

PR&R channel may be used at any time the administrative channel fails to yield satisfactory solution to the conflict.

Figure 2. District B channels for solution of grievances
Respondents indicated that the record made of grievances processed was done by the PR&R Committee as a committee report.

Seven of the eight respondents indicated that they were satisfied with the procedure. Two of these, however, stated that it had never been tested. The other interviewee, a member of the Board of Education, declined to comment on the satisfaction aspect. When asked for suggestions for improvement, he stated that the Superintendent should be made a member of the committee. One of the administrators commented that the procedure seemed a little complex. A teacher felt that committee members should be elected rather than appointed.

Even though the formalized procedure had never actually been used, respondents indicated that having the procedure available seemed to give most of the teachers a feeling of security and generally has raised the morale of teachers.

Chain of command grievance procedure

School districts C and D each employed a well-defined grievance procedure providing for a grievance channel within the line organization (principal, Superintendent, Board of Education). School District C, one of the larger districts in Iowa, had a grievance policy formalized by adoption by the Board of Education and appearing in the official Board Policy Handbook (Appendix D). District C's Channel for Solution of Grievances is illustrated in Figure 3. The exact date of the policy's adoption could not be determined, however, the consensus of the respondents was that it had been effect ten or more years. Respondents indicated that the channel was used for grievance purposes rather
Figure 3. District C channel for solution of grievances
frequently at the building level, but very rarely reached the central office level.

The Superintendent or Director of Personnel kept a record of the proceedings of each grievance processed. This record was maintained in the teacher's file.

Three of the four administrators indicated that they were satisfied with the procedure. The fourth administrator declined to comment on this aspect. Conversely, however, the three teachers voiced opposing views. Two of these answered, "no" when asked if they were satisfied with the procedure. The third answered, "yes, in getting people to listen, no, as far as getting results". A member of the Board of Education was not contacted in District C since personal interviews were prohibited by board policy.

In regard to improving the procedure, two respondents indicated that there should be an active grievance procedure, such as PR&R, designed and operated by the local education association. Another individual indicated that greater teacher voice was needed in decisions. One teacher felt that the process should allow for more expeditious resolution of conflicts. One administrator commented, "the only way to improve the procedure is to maintain high caliber people".

Although no mention was made in the initial questionnaire response, it was discovered in the field survey that this district possessed other devices that could be considered grievance procedures. The Curriculum Council, a committee of teachers and administrators whose purpose was to solve problems related to instruction functioned as a type of grievance
procedure. The Council's function was advisory in nature, and it did not possess executive powers. A committee composed of four teachers, three administrators and two school board members, functioned to deal with problems of employee welfare and salary. This committee made recommendations to the board of education on such matters. Indications were that the actions of this committee have resulted in bringing about needed changes in policy and practice.

School District D's grievance procedure was adopted by the Board of Education seven years ago and appeared in the Teachers Handbook (Appendix D). Section 3-22, number one, provided for strict adherence to following the traditional chain of command in resolving conflicts. The second item in this section, however, implied that the principal may be circumvented by the aggrieved employee. Figure 4 illustrates the Channel for Solution of Grievances used in District D.

There was a variety of answers to the question, "How often is your grievance procedure used?" The responses ranged from once each year to five times a year.

The only account of grievance processing was maintained at the Superintendent and Board of Education levels. The Superintendent kept a record in the teacher's file. The record kept by the Board of Education appeared in the official board meeting minutes.

Five of the seven respondents indicated that they were satisfied with the procedure. One administrator and one teacher were dissatisfied with it. Five of the seven people interviewed declined to comment when asked for suggestions for improvement. One teacher felt that there should be a
Although policy states that employee should contact his immediate supervisor, a provision is made for by-passing the principal.

Figure 4. District D channel for solution of grievances
teacher committee for resolution of conflict. The member of the Board of Education indicated that the present procedure needed clearer definition.

Direct channel to Superintendent

More than ten years ago, District E's Board of Education adopted a grievance policy that provided an avenue of redress directly to the Superintendent. This policy appears in the official board policies handbook, of which each professional employee has a copy. Figure 5 indicates District E's channels for redress of grievances. Interviews revealed that the procedure is used very little on a formal basis. Its use apparently has been confined to major grievances.

Regarding records kept, a copy of the summary of the complaint was kept at the building level. The Superintendent kept informal notes in the teacher's file. If a board hearing was involved, the account appeared in the formal board meeting minutes.

Only one of the respondents indicated satisfaction with the present grievance procedure. One declined to comment, and the other six indicated dissatisfaction with the system. One of the administrators in the latter group stated that he had been satisfied with the procedure until the time a major personnel problem arose. He expressed the belief that a procedure involving a teacher committee might have contributed greatly toward the solution of the problem.

In suggesting improvements, five of the eight respondents indicated that something on the teacher level, such as a PR&R type of procedure was needed. The other three people interviewed felt there should be
Figure 5. District E channel for solution of grievances
provision in the procedure requiring the aggrieved individual to go
directly to the building principal.

The survey revealed that the Local Education Association has been
actively planning a PR&R type of grievance procedure. It was discovered
that the policy for this procedure had been completed and was soon to be
presented to the Board of Education for adoption. This procedure, in
line with the current trend, followed the pattern of being well-defined
and consisted of a series of steps to be followed in attempting to resolve
a conflict. Nearly all of the people interviewed, believed that the
adoption of this new procedure would contribute to better personnel rela-
tions.

Teacher-Superintendent-Board member grievance committee

District F had a grievance procedure which was designed and put into
effect by the school administration one year ago to provide a method of
solving problems concerned primarily with salaries. The Grievance
Channels for District F appears in Figure 6. The policy guiding this
procedure was a part of the official salary-schedule document. This
system had been used only once since its inception. Respondents indicated
that there were no records kept of grievances processed unless they
reached the Board of Education level.

Only one of the six persons interviewed expressed dissatisfaction
with the procedure. Four of the respondents indicated that they were
satisfied with the system and one felt that it was too new to be evalu-
ated. Only two of the interviewees had suggestions for improvement. One
commented that the procedure should be better explained. The other felt
Figure 6. District F channels for solution of grievances
there should be more teachers serving on the grievance committee.

Summary of factual field survey data

In comparing types of grievance procedures in relation to satisfaction expressed by respondents, the types designed and operated by the local education associations (PR&R) appeared to be the most successful. As can be observed in Table 9, twelve of the sixteen respondents indicated

Table 9. Frequency of responses of field survey subjects, by grievance procedure type, to the question, Are you satisfied with your grievance procedure?

<table>
<thead>
<tr>
<th>Procedure type</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td>PR&amp;R</td>
<td>12</td>
</tr>
<tr>
<td>Chain of command</td>
<td>8</td>
</tr>
<tr>
<td>Channel to Superintendent</td>
<td>1</td>
</tr>
<tr>
<td>Chairman-Superintendent-Board member committee</td>
<td>4</td>
</tr>
<tr>
<td>Total</td>
<td>25</td>
</tr>
</tbody>
</table>

satisfaction with this type procedure. Four were undecided, but no one responded negatively to the satisfaction query. The chain of command type appears to rank second in yes responses to the satisfaction question with eight of the fourteen respondents indicating satisfaction with this procedure. Six people, however, were not satisfied and one was undecided.
The grievance channel directly to the Superintendent seemed to be the most unsatisfactory with only one of eight people indicating satisfaction and six responding negatively. The field study responses to the question of satisfaction of grievance procedures tend to support the hypothesis that formal appeal system functioning cooperatively with the district administration and a local teacher organization can be effective in terms of employee satisfaction.

Suggestions for improvement of grievance procedures involved three basic concepts: 1) more teacher involvement, 2) clearer definition of procedures, and 3) provision for an initial contact with the immediate supervisor.

Committee type procedures were found to be relatively new, ranging in age from one to three years. The chain of command types had been in existence longer with each of the two being first adopted more than ten years ago.

Kinds of records kept of grievances processed included informal notes kept by principals and Superintendents and maintained in the teachers file, committee reports kept by PR&R committees and formal accounts in board of education meeting minutes.

Field Survey Opinions and Attitudes of Ideal Procedures

The second part of the structured interview guide asked for opinions and attitudes of the respondents regarding what should constitute an ideal grievance procedure.

An examination of Table 10 revealed that 35 of the 44 respondents
Table 10. Frequency of responses of administrators, teachers and board members regarding organization of ideal grievance procedure

<table>
<thead>
<tr>
<th>Type of organization</th>
<th>Respondents</th>
<th></th>
<th></th>
<th></th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Administrators</td>
<td>Teachers</td>
<td>Board members</td>
<td></td>
<td></td>
</tr>
<tr>
<td>District administration</td>
<td>4</td>
<td>1</td>
<td>2</td>
<td></td>
<td>7</td>
</tr>
<tr>
<td>Cooperatively by district and teachers organization</td>
<td>18</td>
<td>14</td>
<td>3</td>
<td></td>
<td>35</td>
</tr>
<tr>
<td>Exclusively by teachers organization</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Undecided</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>22</td>
<td>17</td>
<td>5</td>
<td></td>
<td>44</td>
</tr>
</tbody>
</table>

thought an ideal grievance procedure should be operated cooperatively by the district and the local education association. All of these respondents indicated the teachers group should be the NEA affiliate. This is a decided contrast to responses of superintendents in the mail survey.

In reviewing Table 7 it can be observed that 61.8 percent of all of the district superintendents in the state favored a grievance procedure operated by the district administration only.

Should a grievance procedure provide for suggestion for improvement to the administration? Thirty-seven of the 44 respondents answered this question affirmatively as is indicated by Table 11. One of these qualified his answer by stating that suggestions for improvement of practices,
Table 11. Frequency of responses of administrators, teachers and board members to the question, Should grievance procedure provide for suggestions for improvement to administration?

<table>
<thead>
<tr>
<th>Response</th>
<th>Administrators</th>
<th>Teachers</th>
<th>Board members</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>19</td>
<td>14</td>
<td>4</td>
<td>37</td>
</tr>
<tr>
<td>No</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>Undecided</td>
<td>1</td>
<td>2</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Total</td>
<td>22</td>
<td>17</td>
<td>5</td>
<td>44</td>
</tr>
</tbody>
</table>

not policies, would be desirable.

When asked, to suggest the first step in a grievance procedure, the respondents nearly unanimously indicated that the immediate supervisor (building principal) should be the first one contacted. Only three of the interviewees gave other answers. One of these stated that the aggrieved employee should go directly to the person about whom he had a complaint. The other two said that whether the matter should be taken to the immediate supervisor or the grievance committee depended upon the situation.

Table 12 provides data produced by the question: Should a grievance procedure provide for processing of a grievance of a superintendent concerning problems with teachers? Teacher and administrator respondents differed on their answers. The majority of administrators queried, felt this was not a desirable plan, whereas most of the teachers in the survey indicated that they were in favor of the idea. One board member suggested
Table 12. Frequency of responses of administrators, teachers and board members to the question, Should grievance procedure provide for processing of grievances of superintendent concerning problems with teachers?

<table>
<thead>
<tr>
<th>Response</th>
<th>Administrators</th>
<th>Teachers</th>
<th>Board members</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>8</td>
<td>9</td>
<td>3</td>
<td>20</td>
</tr>
<tr>
<td>No</td>
<td>12</td>
<td>6</td>
<td>1</td>
<td>19</td>
</tr>
<tr>
<td>Undecided</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>Total</td>
<td>22</td>
<td>17</td>
<td>5</td>
<td>44</td>
</tr>
</tbody>
</table>

that the idea was good in theory only and would not work in practice.

Table 13 indicates that more than three-fourths of the interview subjects felt that teachers are more likely to use a grievance procedure if it is in written form and adopted as an official board policy. One superintendent stated that teachers would have no confidence in the procedure if it was not legalized by a board policy.

Are teachers more likely to use a well-defined formal grievance procedure rather than a loosely-structured informal one? An examination of Table 14 reveals that a slight majority answered in the affirmative to this question. Fourteen of the 44 respondents, however, were undecided or gave some answer other than yes or no. One high school principal indicated that it would depend upon the size of the district. The data presented in Table 14 tend to support the hypothesis that teachers are more inclined to use a well-defined formal grievance procedure rather
Table 13. Frequency of responses of administrators, teachers, and board members to the question, Are teachers more likely to use a grievance procedure if it is in written form and adopted as an official board policy?

<table>
<thead>
<tr>
<th>Response</th>
<th>Administrators</th>
<th>Teachers</th>
<th>Board members</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>18</td>
<td>15</td>
<td>3</td>
<td>36</td>
</tr>
<tr>
<td>No</td>
<td>3</td>
<td>1</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>Undecided</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Total</td>
<td>22</td>
<td>17</td>
<td>5</td>
<td>44</td>
</tr>
</tbody>
</table>

Table 14. Frequency of responses of administrators, teachers and board members to the question, Are teachers more likely to use a well-defined formal grievance procedure rather than a loosely structured informal one?

<table>
<thead>
<tr>
<th>Response</th>
<th>Administrators</th>
<th>Teachers</th>
<th>Board members</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>12</td>
<td>8</td>
<td>3</td>
<td>23</td>
</tr>
<tr>
<td>No</td>
<td>1</td>
<td>4</td>
<td>2</td>
<td>7</td>
</tr>
<tr>
<td>Undecided</td>
<td>9</td>
<td>5</td>
<td>0</td>
<td>14</td>
</tr>
<tr>
<td>Total</td>
<td>22</td>
<td>17</td>
<td>5</td>
<td>44</td>
</tr>
</tbody>
</table>
than an informal procedure not legalized by written policy.

Inspection of Table 15 discloses that the majority of respondents were not in favor of final arbitration as the last step in a grievance procedure. Of the twelve people who answered the question affirmatively five inserted the condition that such arbitration must be by the Iowa State Education Association.

Table 15. Frequency of responses of administrators, teachers and board members to the question, Should final arbitration be the last step in a grievance procedure?

<table>
<thead>
<tr>
<th>Response</th>
<th>Respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Administrators</td>
</tr>
<tr>
<td>Yes</td>
<td>4</td>
</tr>
<tr>
<td>No</td>
<td>13</td>
</tr>
<tr>
<td>Undecided</td>
<td>5</td>
</tr>
<tr>
<td>Total</td>
<td>22</td>
</tr>
</tbody>
</table>

A wide variety of answers were produced by the question: Should the processing through a court of law if necessary be the last step in a grievance procedure. Only 19 respondents gave a clear-cut yes or no answer. Eleven of these answered yes. Several of the subjects recognized that the condition of being able to resort to a court of law exists and indicated that it would make little difference whether or not it was included as a step in the grievance procedure. A number of other interviewees felt it desirable to include it as a step in case all else
fails. Others indicated that it would be better for an individual to move to a new position rather than to resort to a court of law.
SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

The purpose of this study was two-fold: (1) to determine the potential for, and the feasibility of, establishing formal grievance procedures in the public high school districts of Iowa, and (2) to design a model appeal system. This involved inspection of formal and informal appeal systems by means of a mail questionnaire sent to the 455 district superintendents in the state. A follow-up field survey which covered six districts that maintained formal grievance procedures was conducted to substantiate results of the mail survey and to secure detailed information and attitudes for comparison purposes.

Summary of Mail Survey

The results of the mail survey indicated that 31.4 percent of the 455 Iowa school districts had some type of procedure for the redress of certified employees' grievances. Of this number, 12.5 percent had a type of formal grievance procedure and about 19 percent had an unwritten informal type. In analyzing formal procedures, it was found that 39 of the 57 were based on written policies adopted by the board of education. The remaining 31.6 percent maintained a grievance procedure covered by a policy written in a teachers' handbook or other document, but not officially adopted by the board of education.

The biserial correlation coefficient between enrollment size of district and prevalence of a formal type of grievance procedure was found to be 0.135. Although this correlation figure was too low to draw any
meaningful conclusions, inspection of the data indicated agreement with
the hypothesis that formal grievance procedures are associated with large
school districts in the sense that the larger the district the more
likely it is to have a formal grievance procedure.

The request for a brief description of the appeal program, or a copy
of the policy, yielded a wide variety of material. Based on these
descriptive materials, the following summation can be made regarding
formal grievance procedures for Iowa public school certified personnel:

1. Existing grievance procedures designed and operated by local
   education associations generally are the most comprehensive in
terms of grievance subject areas.

2. Existing grievance procedures designed and operated by local edu­
cation associations generally consist of well-defined step-by-
step procedures. This is especially true of those involving
PR&R committees.

3. The majority of formal grievance procedures which are covered by
   policies do not clearly define step-by-step procedures.

4. The majority of formal grievance procedures do not clearly
   define the authority of the individuals involved in grievance
   settlement.

5. Several existing formal grievance procedures are designed only
   for one grievance subject area (such as salary problems only)
   rather than for the entire grievance gamut.

6. Most of the existing formal grievance procedures do not meet
   established criteria for desirable appeal programs.
Written descriptions of informal grievance procedures indicated that most such systems involved a channel whereby any professional employee may be granted a hearing before the board of education. The open door type constituted the major number of the remainder of informal procedures.

Attitudes and opinions relating to ideal procedures

Data from the second part of the questionnaire revealed that 65 percent of the district superintendents selected the choices "great value", or "some value" rather than "little value" or "no value", when asked to judge the potential value of a formal grievance procedure in their districts.

A chi square value using potential value estimates and two district enrollment categories, below 699 and above 699 was found to be highly significant. Thus the hypothesis that there is no difference in estimates of value of potential of formal grievance procedures by enrollment size of district, was rejected.

Regarding opinions of who should operate the employee grievance procedures, about 62 percent of all district superintendents indicated a preference for operation within the framework of the district administration. The data presented failed to support the hypothesis that the majority of school superintendents are in favor of a grievance procedure designed to operate cooperatively with the local teacher association.

Dependency of response on enrollment size of district was tested by the chi square technique. The results indicated a significant difference of response of organizational preferences by the two district size classifications, below 699 total enrollment and above 699 total enroll-
Summary of Field Survey

The field survey included six school districts maintaining some type of formal grievance procedure. Administrators, classroom teachers and board members were questioned concerning existing procedures in their districts. They were also asked for opinions regarding what should constitute an ideal grievance procedure.

Existing procedures

Two districts studied had local association designed grievance procedures built around PR&R committees. One of these employed a procedure that was less well-defined than most PR&R procedures. The other system followed a more distinct step-by-step pattern, conforming to the current trend in NEA-affiliate designed grievance machinery.

Two other districts included in the field survey employed a well-defined grievance procedure providing for a grievance channel within the line organization (principal, superintendent, board of education). The procedures in these districts were covered by policies which had been officially adopted by the Boards of Education.

One district surveyed maintained a type of procedure providing a channel of redress directly to the superintendent. Interviews in this district, however, revealed that a PR&R grievance procedure would soon be put into effect.

Two years ago, the remaining district studied in the field survey implemented a grievance procedure designed specifically to cope with
problems arising from salary dissatisfactions. The policy covering this procedure was included in the official salary schedule document and provided for a grievance committee composed of a teacher, the Superintendent and a member of the Board of Education.

Inspection of responses regarding the satisfaction aspect of existing grievance procedures suggested that the PR&R type was most popular. Twelve of the 16 respondents indicated satisfaction with this type procedure. The grievance channel direct to the superintendent appeared to be the least favored with only one of the eight people indicating satisfaction and six responding negatively. The field study responses to the question of satisfaction tend to support the hypothesis that a formal appeal system functioning cooperatively with the district administration and a local teacher organization can be effective in terms of employee satisfaction.

Suggestions for improvement of grievance procedures involved three basic concepts: 1) more teacher involvement, 2) clearer definition of procedures, and 3) provision that the initial contact be with the immediate supervisor (principal).

Committee type procedures were found to be relatively new, ranging in age from one to three years. Each of the chain of command types had been adopted ten or more years ago.

Kinds of records kept of grievances processed included informal notes maintained in the teachers' files by principals and superintendents, committee reports kept by PR&R committees and formal accounts in the board of education meeting minutes.
Opinion and attitudes of ideal procedures

Some of the most salient findings produced by the field study opinionnaire were:

1. Thirty-five of the 44 respondents felt an ideal grievance procedure should be operated cooperatively by the district and the local education association (NEA affiliate).

2. Thirty-seven of the 44 interview subjects indicated that a grievance procedure should provide for suggestion for improvement to the administration.

3. All but three of the 44 individuals interviewed suggested that contacting the immediate supervisor should be the initial step of any grievance procedure.

4. The majority of administrators felt that a grievance procedure should not provide for the processing of a grievance of a superintendent concerning problems with teachers. The majority of teachers however felt that this was a good idea.

5. More than 75 percent of the interview subjects believed that teachers are more likely to use a grievance procedure if it is in written form and adopted as an official board policy.

6. A slight majority of the respondents felt that teachers are more likely to use a well-defined formal grievance procedure rather than a loosely structured informal one.

7. A slight majority of interview subjects were not in favor of final arbitration as the last step in a grievance procedure.
Conclusions

The determination of the potential for, and feasibility of, establishing formal grievance procedures in the public school districts of Iowa involved ascertaining the prevalence and type of such systems as well as evaluation by criteria established by authorities in the field.

Prevalence of grievance procedures

About one-third (31.4 percent) of the Iowa school districts had some form of grievance procedure. Of this number, 12.5 percent had a type of formal procedure and 19 percent had an unwritten informal type.

Evaluation by established criteria

The basic criteria of a desirable grievance procedure listed in common by a number of authors reviewed in Chapter Two are:

1. It should provide an avenue of communication for stating a grievance without fear of reprisal.

2. It should be based upon written policies and rules which have been formulated cooperatively by representatives of all employment levels concerned.

3. There should be a clear cut, well defined, simple step-by-step procedure with specific time limits at each step.

4. The term "grievance" should be clearly defined.

5. Provisions should be made for a thorough investigation of pertinent information related to the grievance.

6. There should be provisions for records to be kept at each step to establish precedents for the future.
7. A grievance committee should be elected by the professional staff. This committee should act in an advisory capacity.

8. The first step should be with the immediate supervisor (usually the principal).

9. Where professional negotiation is present, the grievance procedure should be defined in the collective agreement.

Comparing types of existing grievance procedures with the criteria revealed the following:

1. Informal types of grievance procedures actually meet none of the criteria since no written policies are provided to guide the procedure.

2. Of the formal grievance procedures employed in the public schools in the State of Iowa, none meet all of the basic criteria.

3. The type of procedure that most nearly fits the criteria is that designed and operated by the local education association (PR&R). Most PR&R systems do not adhere to number seven, since committees are generally appointed rather than elected by the professional staff. PR&R procedures do measure up to the second part of number seven as they act only in an advisory capacity with no final authority in conflict resolution.

4. The only criterion that the chain of command type grievance procedure would consistently meet is number eight. This type could include criteria two, three, four, five and six but rarely does. It is virtually impossible for this type procedure to meet criteria two and seven.
5. Criterion nine applied to procedures held in only three districts. The criterion was not met in any of these since the grievance procedures were only mentioned, but not clearly defined as a step-by-step sequence.

6. Most of the other formal grievance procedures were restricted to one grievance area (such as salary problems). These types met the criteria to a varying degree. None of them met more than half of the criteria listed.

**Need for grievance machinery**

Although no specific questions regarding need were asked, the item concerning potential value of formal grievance procedures was related to the need factor. The results of this query indicated that the majority of superintendents felt a need for some type of formal grievance system. In addition, many superintendents and field survey subjects made comments indicating their attitudes concerning the need for such devices. The general consensus appeared to be that there is a definite need for grievance procedures for Iowa's certified public school personnel.

A decided difference in reaction was apparent between the three classifications of subjects interviewed in the field survey. Administrators, as a rule, indicated that formal grievance procedures should be implemented, however they indicated a desire to retain their authority and to play an important part in the conflict resolution. Many administrators expressed a feeling that grievance machinery was being forced by militant teachers. Most teachers felt that some type of formal grievance procedures were needed, although they agreed that such devices would be
used very seldom. They believed that such grievances should be resolved by teacher committees. Board members had definitely different reactions in that they emphasized that the final authority by law rests with the board of education. They seemed to want the situation to remain this way and did not wish to relinquish this authority to any other agency.

**Line and staff concept**

This survey revealed a deep entrenchment of the chain-of-command principle on the part of most interview subjects. The suggestion of a staff member circumventing the chain of command was counter to the beliefs of most respondents. Many respondents felt that the chain of command organization could accommodate the majority of personnel problems. The consensus was, however, that another type of formal procedure should be initiated to accommodate those problems not solvable by the chain of command principle.

In light of the findings, the following conclusions appear warranted:

1. Most of the existing formal grievance procedures employed for certified public school personnel in Iowa do not meet the established criteria for desirable grievance systems.

2. Informal grievance procedures practiced in the public schools of Iowa may be satisfactory for some employment problems, but their success will depend to a great extent on the personality of the administrators involved.

3. Of the types of formal grievance procedures employed in the state for public school personnel, the type designed and operated by local education associations most nearly fits the criteria of a
desirable system. People involved with this type of system indicated a high degree of satisfaction with it.

4. Many existing grievance procedures for Iowa's public school certified personnel are designed only for one grievance area (such as salary problems only).

5. Administrators and teachers see a definite need for formal grievance machinery, but generally are in disagreement concerning the structure of the procedures.

6. A decided lack of knowledge concerning existing grievance procedures was apparent in administrators and teachers.

7. The chain of command principle, prohibiting circumvention of the building principal is deeply entrenched in the thinking of Iowa public school employees.

8. The grievance procedures fixed by state law do not meet established criteria and appear inadequate to provide for the complex personnel problems which occur in Iowa's schools today.

9. Although not foreseen in the immediate future, legislation providing for professional negotiation and grievance procedures seems inevitable in the future.

10. Union influence on Iowa's public school personnel grievance procedures has been largely indirect. Some of the larger Iowa districts, however, may feel considerable influence from the AFT in the future.

One major purpose of this study was the determination of the potential for, and feasibility of, establishing formal grievance procedures in the
public school districts of Iowa. On the basis of the data of this study, the following conclusions relating to this purpose are drawn.

1. Considerable potential exists for establishing formal grievance procedures in the public school districts of Iowa in that establishing such procedures should contribute to:
   a. The feeling of security of certified public school employees.
   b. The escalation of employee morale.
   c. The improvement of personnel relations.
   d. The improvement of personnel policies.

2. Formal grievance procedures are operating successfully in a number of different sized districts in Iowa and throughout the nation. It is, therefore, feasible to establish formal grievance procedures in the public school districts of Iowa.

Recommendations

One of the major purposes of this study was to design a model grievance procedure for the public school districts of Iowa. There, of course, can be no single standard, universal, ideal structure ready-made for all school districts. It is impossible to design a system which in definition is broad enough to meet such varying needs. It is not implied here that any type of grievance device can take the place of effective human relations or concerned and dedicated board members and school administrators. The design of this model is of a general nature, allowing a great deal of flexibility and providing for several types of grievances. It may serve as a guide for those school districts planning to establish formal grievance procedures for professional employees.

The design of the model was derived from the basic criteria
established by authorities in the field, aspects of successful grievance procedures currently in use in public school districts (both AFT and NEA affiliate procedures), and the ideas of administrators, teachers and board members regarding what should constitute an ideal grievance procedure.

Essential elements of the model grievance procedure

The model grievance procedure proposed for Iowa's certified public school personnel contains the following elements:

1. The grievance procedure should assure an avenue of redress for an employee's grievance without fear of reprisal.

2. It should be based upon written policies and rules which preferably have been adopted by the board of education.

3. There should be a clear cut, well defined, simple step-by-step procedure with specific time limits at each step.

4. The term "grievance" should be clearly defined.

5. Provisions should be made for a thorough investigation of pertinent information related to the grievance.

6. There should be provision for records to be kept at each step to establish precedents for the future.

7. A grievance committee should be elected by the professional staff. The functions and authority of this committee should be clearly defined and it should be advisory in nature.

8. The first step should be a conference with the immediate supervisor (usually the building principal).
Policy of model grievance procedure

Public School District's Board of Education has officially adopted the following described grievance procedure for its certified employees which will go into effect September 5, 1967.

A. General principles

1. The primary purpose of the grievance procedure is to attain, at the lowest possible level, conflict resolution equitable to all parties involved.

2. Members of each building will elect a representative for their respective building. From this membership, the president of the local association will appoint a grievance committee, designating one person to serve as chairman. This grievance committee shall serve for a period of one year. The grievance committee size will range from three to nine members (depending upon size of district). Provisions should be made for alternates to serve when the regular members cannot be present. Any member who has a personal interest in the grievance brought before the committee should be disqualified from considering the grievance.

3. Every certified employee is assured an opportunity to have the unobstructed use of the grievance procedure without fear of reprisal or without prejudice in any manner to his professional status. Any action believed by the aggrieved employee to constitute reprisal or prejudice should be reported to the
grievance committee for appropriate processing.

4. The aggrieved person may terminate procedural action at any step unless the grievance committee members judge the situation to have an effect on a number of teachers, in which case they may see fit to process it through to resolution of the conflict.

5. The failure of an administrator to give his decision to the teacher within the specified time limits shall permit the teacher and/or the grievance committee to proceed to the next level in the grievance procedure.

6. The failure of the aggrieved person to proceed to the next level within the time limits set forth shall be deemed to be an acceptance of the decision previously rendered and shall constitute a waiver of any future appeal concerning the particular grievance.

7. In the event that the aggrieved employee seeks redress of the grievance through the administrative channel (chain of command), he may contact the grievance committee at any point in the administrative channel.

8. Although the building principal is listed as the first step in the procedure, if the grievance involves the principal, this step may be circumvented.

9. There shall be a record of the grievance proceedings kept at each level. All documents, communications and records dealing with the processing of a grievance shall be filed
separately from the personnel files of the participants.

B. Definitions

1. A grievance is an employment situation believed to be unjust, usually resulting from misinterpretation of, or lack of, personnel policy or contractual provision.

2. An aggrieved person is the employee making the claim.

3. In specifying time limits, the term days shall mean all days other than Saturdays, Sundays, and school holidays.

C. Procedure

The number of days indicated at each level should be considered as maximum and every effort should be made to expedite the process. The time limits specified may, however, be extended by mutual agreement.

1. Level One (building level)

An aggrieved person may, either orally or in writing, present a grievance to the principal within ten school days after he has knowledge of the facts giving rise to the act or condition which is the basis of his complaint. The teacher and the principal shall confer on the grievance with a view to arriving at a mutually satisfactory resolution of the complaint. (If the grievance involves the principal, this step may be by-passed.)

2. Level Two

a. In the event the aggrieved person is not satisfied with the disposition of his grievance at Level One, he,
within five days of such disposition, may file the grievance, along with the decision which shall be signed by both parties, with the district grievance committee. In the event that Level One was by-passed, the aggrieved person shall file a grievance in writing within ten school days after he has knowledge of the facts giving rise to the act or condition which is the basis of his complaint.

b. Within five days of receipt of the grievance, the grievance committee shall decide whether or not there is a legitimate grievance. If the committee decides there is a legitimate grievance, its chairman shall immediately forward the claim after assembling all supporting documents to the superintendent of schools. Within ten days from receipt of the grievance, the superintendent shall render a decision or recommend a solution. (In case of large districts where a director of personnel or an assistant superintendent in charge of personnel is employed, an additional step between Levels Two and Three on the grievance procedure would be necessary.)

3. Level Three

   In the event the aggrieved person and the grievance committee are not satisfied with the disposition of the grievance at Level Two, they may refer the grievance in writing to the board of education. The board of education
shall designate a Review Committee comprised of not less than three board members not involved in the grievance, who shall, within ten days from receipt of the written referral by the grievance committee, meet with the grievance committee and the aggrieved person for the purpose of arriving at a mutually satisfactory solution. The decision of the board of education's Review Committee shall be rendered within ten days of their meeting.

4. Level Four

In the event the grievance is not satisfactorily resolved at Level Three, or if no decision is reached within ten days, the grievance may immediately be transmitted to the State Education Association or a committee of State Department of Public Instruction employees for advisory arbitration.

Figure 7 illustrates the avenue to be followed in resolution of a grievance. This model must remain flexible and subject to modification to fit the needs of individual districts. Large districts, for instance, may have one or two additional steps, depending upon the prevalence of supervisors and personnel specialists. Again, the reader should be reminded that the model is meant to be used only as a guide.

Further research

There are a number of research studies in the area of personnel administration suggested by the results of this survey.

Since the primary focus of this study was from the point of view of
Figure 7. Model grievance procedure channel
administrators, it would be interesting to conduct a similar survey focusing primarily upon the viewpoint of classroom teachers. Such research could serve as a feasibility check regarding the results of the present study.

Relating to this study, other recommendations for research are:

1. A study of all districts that indicated they had any kind of a grievance procedure. This could include comparisons between the attitudes regarding formal and attitudes regarding informal existing systems.
   a. A field study of those districts maintaining formal grievance procedures.
   b. A field study of those districts maintaining informal grievance procedures.

2. The latter two studies would be narrow enough that a comprehensive survey could be conducted including grievance subject areas as well as other aspects that were included in the present study.

3. Research focusing upon building principals and the amount of time they spend on personnel grievances would be another area of interest.

4. In addition, a comprehensive study of the legal aspects of grievance procedures could constitute a major undertaking.

5. A comparative study between union-designed and education association-designed grievance procedures for certified public school personnel would be another research possibility.

6. For comparative purposes, a replication of the present study in
ten years would be valuable.

7. Action research should be conducted using the model grievance procedure recommended in this study, in several school districts over a five year period.

A well-designed grievance procedure may fulfill a real need in a given school district, or it may lie dormant and never be used. Most authorities agree that the major value of such a system lies in its potential and availability rather than in what it actually does. The inescapable fact is that the true value of any grievance procedure is completely dependent upon the administrators, teachers and school board members involved in working with it. If the members of each of these groups share the same long-range educational goals, and keep these goals uppermost in their minds, fewer personnel conflicts will arise and conflict resolution will be accomplished more easily. The concept of integration discussed in Chapter Three where, in a conflict resolution, both disputants realize a gain does not seem completely beyond reach when the needs of the students constitute the core of the educational goals common to teachers, administrators and board of education members.
SELECTED REFERENCES


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Finally, grateful recognition is afforded to the writer's wife, Barbara, for her unceasing assistance and encouragement.
APPENDIX A: SAMPLE GRIEVANCE PROCEDURES

AFT Model Grievance Procedure

ARTICLE IV: GRIEVANCE PROCEDURE

Section 1. A "grievance" shall mean a complaint by an employee in the bargaining unit (1) that there has been as to him a violation, misinterpretation, or inequitable application of any of the provisions of this agreement or (2) that he has been treated unfairly or inequitably by reason of any act or condition which is contrary to established policy or practice governing or affecting employees, except that the term "grievance" shall not apply to any matter as to which (1) a method of review is prescribed by law, or by any rule or regulation of the State Commissioner of Education having the force and effect of law, or by any bylaw of the Board of Education or (2) the Board of Education is without authority to act.

Section 2. Individual grievances shall be handled as follows -- each school shall have one building representative appointed by the union. All grievances shall be referred in writing to the building representative in the school where the grievance arises, and the aggrieved employee shall file a written grievance on a form which would include five copies.

Copies would be filed with the principal of the school, the superintendent of schools, and the building representative of the Union. Within five days after such written grievance is filed, the aggrieved, the building representative of the Union, and the principal of the school involved shall meet to resolve the grievance. If they cannot resolve the grievance within five days after such deadlock, the matter shall be presented by the chairman of the Union grievance committee to the superintendent.

If the grievance cannot be resolved between the superintendent and the chairman of the Union grievance committee, and the aggrieved, two arbitrators shall be selected to represent the Union, and two arbitrators to represent the Board of Education.

If an agreement is not reached in five days, this group shall select a fifth arbitrator. The fifth arbitrator shall be selected within ten days. A written decision arrived at by the arbitrators shall be binding on both employer and employees.
New Rochelle, New York Plan

Article XI

PROCEDURE FOR HANDLING GRIEVANCES

1. Definitions

   a. A grievance is a claim based upon an event or condition which affects the conditions or circumstances under which a teacher works, allegedly caused by misinterpretation or inequitable application of established policy or the terms of this Agreement. Provided: No claim or cause for which there is another procedure, settlement, or adjudication established by law or rule or regulation having the force of law shall constitute a grievance.

   b. The term "teacher" may include a group of teachers who are similarly affected by a grievance.

   c. A "party in interest" is the person making the claim and any person who might be required to take action or against whom action might be taken in order to resolve the problem.

   d. The term "days" when used in this article shall, except where otherwise indicated, mean working school days.

2. Purpose

The primary purpose of the procedure set forth in this Article is to secure, at the lowest level possible, equitable solutions to the problems of the parties. Except as is necessary for the purpose of implementing this Article, both parties agree that these proceedings shall be kept as informal and confidential as may be appropriate at any level of such procedure. Nothing contained herein shall be construed as limiting the right of any teacher having a grievance to discuss the matter informally with any appropriate member of the administration.

3. Structure

   a. There shall be a School Representative for each school building chosen by the Executive Committee of the Association.

   b. The Association shall establish a Professional Rights and Responsibilities Panel (hereinafter referred to as the PR&R Panel).

      In the event that any member of the Panel is a party in interest to any grievance brought before it, he shall disqualify himself from considering such grievance and shall be replaced by his alternate.

   c. The PR&R Panel shall constitute an advisory group of teachers who shall be broadly representative of teacher classifications and representative of the various elements of the School District.

      From time to time the chairman of the PR&R Panel shall appoint from the PR&R Panel Ad Hoc - three man advisory groups to determine, in accordance with the procedure hereinafter set forth, whether in the opinion of any
such committee a particular grievance brought to it by a School Representative or a teacher is or is not meritorious.

The Association will provide the Superintendent with the names of members of the PR&R Panel at the beginning of the school year.

d. The Board shall establish the "Board's Review Committee." Such committee shall consist of as many Board members as the Board shall determine.

4. Procedure

It is important that grievances be processed as rapidly as possible. The number of days indicated at each level should be considered as maximum and every effort should be made to expediate the process. However, when mutually agreed upon, the time limits given below may be extended.

In the event a grievance is filed on or after the 1st of June which, if left unresolved until the beginning of the following school term, could result in irreparable harm to the teacher or group of teachers concerned, the time limits set forth herein shall be appropriately reduced.

a. Level One. The teacher with a grievance shall first discuss the matter with his immediate supervisor or principal, whichever has the authority to deal most effectively with the grievance, either directly or through his School Representative, with the objective of resolving the matter informally. In the event the grievance is first discussed with anyone other than the principal, the principal shall be apprised of such meeting.

b. Level Two. (i) In the event that the teacher is not satisfied with the disposition of his grievance at Level One, he shall file the grievance in writing with the appropriate Ad Hoc Committee within five (5) days after the decision at Level One, for the purpose of review by such Committee. The Ad Hoc Committee shall within ten (10) days make a judgment on the merits. If the Ad Hoc Committee decides either that the grievance lacks merit or that the decision at Level One is in the best interests of the educational system, it shall so notify the teacher and the School Representative. If the Ad Hoc Committee decides that, in its opinion, the grievance has merit, it shall refer such grievance in writing to the Superintendent of Schools.

(ii) The Superintendent of Schools shall designate two persons, who may include himself, to represent the administration in working with the Ad Hoc Committee to arrive at an equitable solution of such grievance. Within ten (10) days after receipt of the written grievance by the Superintendent of Schools, he and/or his representatives shall meet with the Ad Hoc Committee to consider the problem and to resolve it. The Superintendent and/or his representative shall prepare a written report, including any agreement reached, of the meeting with the Ad Hoc Committee.

c. Level Three. If the grievance is not resolved by the Superintendent or his representatives and the Ad Hoc Committee within five (5) days of its consideration by them, it shall be referred for consideration to the Board's Review Committee. After such referral, the Ad Hoc Committee and the Board's Review Committee shall meet for the purpose of discussing the matter and disposing of it in a mutually satisfactory manner. The
Superintendent and/or the Board's Review Committee shall prepare a written report, including any agreement reached, of the meeting with the Ad Hoc Committee.

d. Level Four. (i) If the Board's Review Committee and the Ad Hoc Committee are unable to agree on a disposition of the grievance, either party may submit such matter to advisory arbitration in accordance with the procedure hereinafter set forth. The arbitration shall be commenced by either party within ten (10) days after such failure to agree, filing with the other party and with the President of Teachers College, Columbia University, a notice of intention to submit the grievance to an arbitrator for an advisory decision.

(ii) The parties will attempt to select an arbitrator by mutual agreement. If they are unable to agree on an arbitrator within ten (10) days after notice of arbitration has been received, then the arbitrator shall be selected by the President of Teachers College, Columbia University. The arbitrator shall be an experienced, impartial and disinterested person of recognized competence in the field of public education.

(iii) The arbitrator shall issue his decision not later than twenty (20) calendar days from the date of the closing of the hearings or, if oral hearings have been waived, then from the date of transmitting the final statements and proofs to the arbitrator. The decision shall be in writing and shall set forth the arbitrator's opinion and conclusions on the issues submitted. The parties recognize that the Board is legally charged with the responsibility of operating the school system. The sole power of the arbitrator shall be to determine whether established policy or the terms of this Agreement have been misinterpreted or inequitably applied in such a manner as to affect the condition or circumstances under which a particular teacher or group of teachers works; and the arbitrator shall have no power or authority to make any decision which modified, alters or amends any then established policy or term of this Agreement, or which requires the commission of an act prohibited by law or which is violative of the terms of this Agreement. The arbitrator shall not substitute his judgment for that of the Board where the Board's action is not unreasonable. The decision of the arbitrator shall be rendered to the Board and to the Association and shall be advisory only, and no judgment may be entered thereon.

(iv) The expenses of the arbitration will be borne equally by the Association and the Board.

(v) In the event that, in the judgment of the PR&R Panel, a grievance affects a group or class of teachers, the PR&R Panel may submit such grievance in writing to the Superintendent of Schools directly, and such grievance shall be disposed of in accordance with the procedure set forth commencing at Level b(ii) above.

5. Rights of Teachers to Representation

a. Any party in interest may be represented at all meetings and hearings at all steps and stages of the grievance and arbitration procedure by another teacher or by another person. Provided, however: That the party in interest may in no event be represented by an officer, agent
or other representative of any teacher organization other than the New Rochelle Teachers Association. Provided, further: When a teacher is not represented by the Association, the Association shall have the right to be present and to state its views at all stages of grievance processing, except where the grievance involves only questions of fact peculiar to the individual grievant.

b. There shall be no reprisals of any kind by supervisory or administrative personnel taken against any party in interest or his School Representative, any member of the PR&R Panel or of the Ad Hoc Committees, or any other participant in the procedure set forth herein by reason of such participation.

c. All documents, communications and records dealing with the processing of a grievance shall be filed separately from the personnel files of the participants.

d. Copies of a written grievance and all written answers will be given to all parties in interest and to the Ad Hoc Committee.
Orleans Parish School Board Grievance Procedure

SECTION THREE
GRIEVANCES or COMPLAINTS

3-1-0 DEFINITIONS

3-1-1 A grievance is a disagreement involving the work situation in which an individual or a group believes that an injustice has been done because of the lack of policy, because of a policy which is unfair, or because of deviation from the policy or the misrepresentation of a policy. A complaint regarding a transfer made under the transfer policy contained in SECTION FOURTEEN of the Personnel Handbook is not considered a grievance, nor is the development or modification of a salary schedule.

3-1-2 A complaint is a minor disagreement, which may become a grievance if left unattended.

3-2-0 DISCUSSION

3-2-1 Members of the teaching staff are professional people governed by a code of ethics in keeping with the profession. State laws, rules and regulations of the School Board, and administrative policies are all necessary in the operation of an efficient and effective school system. Employees have accepted the responsibility of abiding by these laws and rules in order that good organization may be maintained. Minor irritations may develop quite often in dealing with large groups of employees, children, and parents. Employees sometimes disagree with the interpretation of laws, rules, or policies. Alert, well-trained, and well adjusted teachers are able to meet and solve most of their problems, to reconcile minor disagreements, and to overcome irritations as they occur. Most problems of this type can be eliminated by the maintenance of a professional and friendly relationship among members of the staff.

3-3-0 PLAN

3-3-1 Employees are encouraged to present any grievance or complaint with full assurance that such presentation will in no way prejudice his standing or status with the Orleans Parish School System.

3-3-2 Employees are encouraged to first discuss their grievances or complaints with their Principal or Department Head who should endeavor to effect a solution. If no satisfactory solution is reached, the employee is encouraged to discuss the grievance with the Assistant Superintendent or Division Head.
3-3-3 It is also recognized that some problems can arise wherein a teacher may be reluctant to discuss the matter with his Principal or Assistant Superintendent, or his Department Head or Division Head. In such cases he may consult directly with the Director of Personnel, and may, at the time, present his grievance in person or with representatives of any employee organization or other interested parties.

3-3-4 Upon hearing any grievance or complaint, the Director of Personnel will advise, counsel, and take steps which are in his opinion necessary or desirable to effect a proper solution.

3-3-5 Where none of the above steps offers a solution satisfactory to the employee, he may present his problem, in writing, to the Superintendent with the request that the grievance be referred to the Board of Review. Immediately upon receipt of this request, the Superintendent shall request of the Director of Personnel all information he has pertaining to the case and, in conjunction with the employee, appoint a Board of Review. The Board of Review will review all information available relative to the case and make a recommendation to the Superintendent. After the Superintendent has received the recommendation of the Board of Review, he shall notify the aggrieved employee and others concerned in the matter of his decision.

3-3-6 After receiving the decision of the Superintendent, if the aggrieved employee is not satisfied therewith, he may request the Orleans Parish School Board, in writing, to review the decision. The Board, in its sole discretion, may grant or deny the request. If the request is granted, the Board will determine, and notify the aggrieved employee of, the scope of, and the manner in which, the review will be conducted.
Iowa State University Faculty Appeal Channel

1. Any faculty member at any rank who considers that he has been treated "unfairly" with respect to salary, promotion or other academic concerns may avail himself of this procedure.

2. Any faculty member who wishes to invoke this procedure should communicate personally or in writing with the Chairman of the Faculty Council, requesting an interview with him for the purpose of discussing the problem at hand.

3. If requested to do so by the faculty member in question, the Chairman of the Faculty Council shall appoint an ad hoc committee of three faculty members who shall consider formally the faculty member's complaint. At least one member of such ad hoc committee shall be a member of Faculty Council and he shall serve as chairman of said committee. No member of an ad hoc committee shall be directly or indirectly involved in the circumstances occasioning the faculty member's complaint. Normally one member of the ad hoc committee should be from the college in question, but this should be discretionary with the Chairman of the Faculty Council in recognition of the fact that in some cases it may be advisable that no member of the ad hoc committee be from the college in question.

4. At the time he appoints the ad hoc committee, the Chairman of the Faculty Council shall notify the department head or chairman and dean concerned and the Vice President for Academic Affairs that the appeal procedure has been invoked. Faculty Council shall be notified only that the procedure has been invoked.

5. The ad hoc committee shall review the complaint and the evidence with reference thereto, utilizing those procedures that may seem appropriate to the circumstances of the case. The committee should complete its investigation and render an advisory report within thirty (30) days if possible and in all cases within ninety (90) days.

6. The committee's advisory report shall be filed with the faculty member in question, with the department head or chairman and dean concerned, and with the Chairman of Faculty Council. The report itself will be addressed to the Vice President for Academic Affairs.

7. The best interests of the faculty member concerned and the University argue in favor of keeping proceedings at all stages confidential. No publicity should be given to the case at any stage of the procedure prescribed herein unless it is agreed to be desirable by all interested parties.
APPENDIX B: QUESTIONNAIRE, COVER LETTER AND FOLLOW-UP LETTERS
Dear Superintendent:

The Iowa State Educational Administration section has initiated a research study designed to test the potential for and the feasibility of establishing formal personnel appeal systems (individual rather than group) in Iowa's public high school districts. The AASA (in the latest issue of Phi Delta Kappan) and many Iowa school superintendents have expressed a belief that such formal appeal procedures are inevitable, and that these procedures will be more workable if designed by administrators rather than by teachers or teacher organizations. Our secondary purpose of this study, then, is to design a "model" formal appeal system which will satisfy the teachers and meet the administrative specifications of the district superintendents.

In order to gather information which will be helpful in designing a "model" formal appeal system, the study will (1) determine what presently exists in the area of personnel appeal systems, and (2) survey attitudes of district superintendents and other educators regarding design and the potential values of formal appeal systems in their districts.

The study will be done in two parts. First, a mail survey of all public high school district superintendents will be performed. Second, selected school districts will be visited to analyze the personnel appeal systems used.

To make this study as complete as possible, we ask you to reply to the one page questionnaire enclosed. It is important that you return the questionnaire even if your district has no appeal system.

No individual or school district will be identified in the publication of the results of this study. The returns will be treated in a strictly confidential manner. Identification asked for on the questionnaire will be used only for the purpose of follow up study.

It will take only five minutes to complete the questionnaire. Please complete the items and return in the enclosed, self-addressed, stamped envelope. We would appreciate your returning the response form today.

Sincerely,

Merle R. Lesher
Research Associate
Educational Administration

Richard P. Manatt
Assistant Professor
of Education
A. Does your school district have an appeal program for professional personnel that conforms to, or is reasonably close to, the description given below?

A set administrative procedure designed to give an employee an avenue of redress when he feels he has been treated unfairly in an employment situation. This system must exist in addition to the chain of command.

☐ 1. Yes ☐ 2. No

B. If yes, is a program formulated as: (please check one)

☐ 1. A formal policy adopted by the board and in written form.

☐ 2. A policy written in a teachers' handbook or other document, but not formally approved by the board.

☐ 3. An unwritten informal policy. (example, open door policy)

C. A brief description of your district's personnel appeal program, or a copy of the policy manual covering it, would be appreciated. (Please use the other side of this questionnaire if necessary.)

D. What is your estimate of the potential value of a formal appeal system in your district in terms of employee satisfaction?

☐ 1. Great value ☐ 3. Little value

☐ 2. Some value ☐ 4. No value

E. If a personnel appeal system were to prevail in your district, in which of the following ways would you prefer to see it organized?

☐ 1. Personnel appeal system within the framework of the district only.

☐ 2. Appeal system operated cooperatively by the district and NEA affiliate.

☐ 3. Appeal system operated cooperatively by the district and AFT affiliate.

☐ 4. Appeal system operated exclusively by NEA or affiliate.

☐ 5. Appeal system operated exclusively by AFT or affiliate.

☐ 6. Other type of organization for appeal system. (Please write suggested method on the back of this sheet.)

F. ☐ 1. I would like a summary report of the results of this study.

Name of School District ____________________________

Name of Person reporting ____________________________
Dear Superintendent:

I am enclosing copies of the letter and questionnaire which were mailed to you on November 11, 1966. These are for your use in case you misplaced the originals. It is very important to me that you return the questionnaire. I would greatly appreciate your taking five minutes from your busy schedule to complete and mail it in the return envelope as soon as possible.

Sincerely,

/s/ Merle R. Lesher

Merle R. Lesher
Research Associate
Educational Administration

MRL/cp

Enclosures
December 12, 1966

Dear ____________:

Merle Lesher and I now have all but 17 districts represented in our study of Appeal Systems used by Iowa schools. Because this is a status study (trying to determine "what is") we need a return from every superintendent in the state. Would you give us two minutes of your time? We promise to repay your effort with some much-needed research in grievance procedures.

Very truly yours,

Richard P. Manatt
Assistant Professor of Education
APPENDIX C:
PROPOSED OUTLINE OF FIELD SURVEY

A. Interview subjects

1. District superintendent
2. a. High School Principal
   b. High School teacher
3. a. Junior High School Principal
   b. Junior High School teacher
4. a. Elementary Principal
   b. Elementary teacher
5. Member of the board of education

Interview Guide

1. Substantiate type of grievance procedure or appeal system.
   ___a. Formal, written form and adopted by the board of education.
   ___b. Based on policy written in teachers handbook or other document but not formally approved by the board.
   ___c. Informal

2. How many years has your grievance procedure been in effect? _____

3. This grievance procedure is designed for use by what employee groups?
   ___a. Central office administrators  ___c. Teachers and other prof. staff
   ___b. Building administrators  ___d. Nonprofessional employees

4. How and by whom was your present grievance procedure constructed?
   ___a. Professional employees organization  ___c. Board of education
   ___b. School administration  ___d. Other

5. Are you satisfied with the system?  ___yes  ___no

6. How could it be improved?

7. In what written document does the grievance procedure appear?

8. Who has a copy of the written grievance procedure?

9. How often is your grievance procedure used? _____

10. What kind of records are kept regarding grievances that are processed?
Model Grievance Procedure

11. Should an ideal grievance procedure be:
   _____ a. Operated within the framework of the district only.
   _____ b. Operated cooperatively by the district and a teacher organization.
          _____ NEA affil. _____ AFT affiliate
   _____ c. Operated exclusively by teacher organization. _____ NEA affil.
          _____ AFT affil.
   _____ d. Other type of organization.

12. Should grievance procedure provide for suggestion for improvement to
    administration?
       _____ yes    _____ no

13. What should be the first step in a grievance procedure?

14. Should grievance procedure provide for processing of grievance of
    superintendent concerning problems with teachers?

15. Are teachers more likely to use a grievance procedure if it is in
    written form and adopted as an official board policy?

16. Are teachers more likely to use a well-defined formal grievance
    procedure rather than a loosely structured informal one?

17. Should final arbitration be the last step in a grievance procedure?

18. Should the "processing through a court of law" if necessary be the
    last step in a grievance procedure?
DISTRICT A

Article I, Section IX Constitution of Education Association

Professional Rights and Responsibilities Committee

1. The membership of this committee shall consist of one delegate selected from the East School Building, one delegate selected from the West School Building, one delegate selected from Central Junior High Building, and two delegates selected from the Lincoln High School. The President shall be a voting member of this committee.

2. Duties:

a. To promote understanding of the code of ethics adopted by the NEA and ISEA and to encourage members to abide by its provisions.

b. To act as an appeal channel when agreements cannot be satisfactorily reached between individual faculty members, administration and/or Board of Education.

c. To act upon all situations presented to the committee in writing.

1. To investigate all facts pertaining to the case.
2. To act as a mediation committee on the situation progressing through channels - principal, superintendent, Board of Education.
3. To call on ISEA for advice and counsel when needed.
I. Grievance Procedure

A member with a grievance should have several courses open to him. One is the administrative grievance procedure wherein he takes his problem to his principal or other administrative superior. In some situations this arrangement is clearly impossible.

A professional association channel must be open then to aid in resolving professional problems of members of the association. The responsibility of assisting educators in this area has been assigned to the Committee on Professional Rights and Responsibilities.

The grievance procedure set up by the BEA would include the following steps:

A. The member with the problem may initially contact any member of the PR&R Committee.

B. The contacted member then brings the problem before the whole committee.

C. Should a solution not be apparent after conferring with the committee, a letter must be written by the complainant to the chairman of the PR&R Committee, expressing his complaint in general terms and authorizing action by the committee.

D. The committee acts as a fact-finding body, carefully studies the problem, and makes recommendations to the Executive Committee for its approval or further consideration.

E. If further action is warranted, the Superintendent of Schools is notified in writing by the Executive Committee for its approval or further consideration.

F. If necessary, a formal approach may be made to the board of education by the executive committee.

G. A final step, if necessary, may be for the Executive Committee of the BEA to initiate legal process in a due court of law.
H. The PR&R Committee may seek assistance from the ISEA at any step it is deemed necessary.

DISTRICT C

Grievance Policy

It is the policy of the school service in so far as possible to prevent occurrence of grievances and to deal promptly with those which occur. When any grievance comes or is directed to the attention of any supervisory employees by an employee or his or her representative, the supervisor shall promptly discuss all relevant circumstances with the employee and consider and examine the cause of the grievance, and attempt to resolve it to the extent that he possesses authority. Failing resolution at any level, the grievance may be carried up to higher authority until a satisfactory solution has been reached or authority to deal with the situation has been exhausted.
DISTRICT D

Section 3-22 Complaint and Communication Procedure

1. In the event that an employee feels he has a grievance, he should contact his immediate supervisor or administrator in the normal channels of supervision and administration. Whenever it is possible to reach a satisfactory solution through this means, this should end the grievance or complaint.

2. Grievances, complaints and communications from employees shall not be brought before the Board until they have been taken up with the Superintendent of Schools. Any employee or group of employees may at any time appeal to the Superintendent from the immediate supervisors or administrator and in turn to the Board from the decision of the Superintendent.

Employees or group of employees desiring to address the Board on any matter shall direct their communication to the Superintendent and Secretary and not to the individual members, except that copies of any communication may be sent to all members.

DISTRICT E

Grievance Policies

C. 3. Complaints of teachers against fellow teachers or principals shall be brought directly to the superintendent and should be made in a constructive and professional manner. They should never be made in the presence of other teachers, pupils or outside persons.

4. Teachers having suggestions for changes or improvements in administrative procedure or policy shall be given a fair and courteous hearing by the principal and the superintendent. They should, however, refrain from general outside discussions of these matters; and after a final decision is made, they will be expected to accept it in their subsequent discussions, actions and relations.
7. A salary grievance committee will be made up of the following:
   a. The Superintendent of Schools
   b. One teacher
   c. One member of the board of education

This committee will function as an advisory committee to the Board of Education. They will hear and discuss salary complaints and make recommendations to the Board.