

1969

## The Changing Roles of School Personnel as a Result of the Professional Negotiations Act in the State of Washington

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THE CHANGING ROLES OF SCHOOL PERSONNEL AS A RESULT  
OF THE PROFESSIONAL NEGOTIATIONS ACT IN THE  
STATE OF WASHINGTON

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A Thesis  
Presented to  
the Graduate Faculty  
Central Washington State College

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In Partial Fulfillment  
of the Requirements for the Degree  
Master of Education

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by  
Edward J. Hill, Jr.  
August, 1969

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## ACKNOWLEDGMENTS

Grateful acknowledgment is extended to Dr. Frank Carlson, Dr. Alan Bergstrom, and Dr. James Monasmith for their guidance, direction, and constructive criticism which has been invaluable. The sincere efforts of each member of this committee in helping the writer achieve the intended purpose has been paramount to whatever success was realized.

The writer wishes to express special appreciation to Dr. Frank Carlson for his assistance and encouragement during the early development of this study.

Special appreciation and gratitude is extended to the writer's wife, June, for her assistance and gentle encouragement during this study has been a major contribution.

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## Chapter 1

### THE PROBLEM AND DEFINITIONS OF TERMS USED

Historically speaking, school boards and the administrative staff have been dominant figures in influencing the educational setting through the establishment of policy. The role of the chief administrative officer of the board, the superintendent, has been to implement these policies through the administrative procedures and practices established in the superintendent's office. The role of the teacher has been one of abiding by the board policies within the context of the administrative procedures set forth by school administrators.

Some school districts throughout the United States have been moving in the direction of involving the total staff in the formulation of school policies. To insure a legal right in policy formulation, teachers have sought legislative action. Impetus in this direction came in the state of Washington in the 1965 legislative session with Chapter 143 of the Revised Code of Public Laws of Washington. This is an act to strengthen employer-employee relations through the establishment of orderly methods of communication. This has become known as the Professional Negotiations Law of 1965.

## THE PROBLEM

### Statement of the Problem

This study attempted to determine if participants in school policy making feel that there have been significant changes in their roles as a result of the professional negotiations law in the state of Washington.

### Importance of the Study

There appears to be a need to clarify the roles of the various school personnel as a result of the professional negotiations law. If the roles are changing, the need to identify and establish the specific roles of the various school personnel in professional negotiations is essential.

### Need for the Study

Teachers are directly affected by school policy. For this reason, they have been demanding a part in the formulation of the school policies. This led teachers to seek legislative means for being recognized as equal partners with the school board in developing school policies. The professional negotiations law, as defined in Chapter 143 of 1965 Public Laws of the State of Washington, clearly establishes the right of the teachers to negotiate matters of mutual concern between themselves and local school boards. As a result of the legislative action, teachers are now in a position to participate legally in the development of school policy.

In the past, most school boards would listen to teacher organizations' requests, but not on an equal basis, in respect to developing school policy. Usually, the boards would listen to teacher organization representatives only regarding salaries. However, the professional negotiations law provides an opportunity for teachers to share--as equals of the school board--the responsibility for developing school policies on many matters besides salaries. The new law has raised considerable concern on the part of boards of education by giving teachers legal status to participate in the development of school policies.

The law further states that "teachers shall have the right to meet, confer, and negotiate with the board of education" (11:16). This seemed to change the role of the superintendents and gave the impression that they could be left out of the negotiations procedures. At first this was most startling to superintendents; they did not know what role they were to take in professional negotiations.

#### DEFINITIONS OF TERMS USED

##### Professional Negotiations

Professional negotiations is a process designed to assist school directors in arriving at the best decisions possible. The "rightness" of the decision, and the degree to which all parties are willing to support it, should be determined by the facts presented and the application of principles which are educationally sound.

### Collective Bargaining

This term is used to describe a process designed to meet the needs of labor. It describes the relationship between labor and management in bargaining for matters of mutual concern. It excludes supervision or management personnel from the bargaining unit, provides for labor channels and arbitration routes, and places educational operations and decisions in the labor setting, restricting legal procedures to labor law. This definition is included because most sources of literature use it, rather than the term "professional negotiations."

### Professional Negotiations Law

This term is interpreted as meaning Chapter 143 of the Public Laws of 1965, of the state of Washington. (See Appendix for copy of Law)

### Boards of Education

The elected representatives of the community, who have the authority and responsibility to make the final decisions on school policies. This authority is established by law.

### School Directors

This term pertains to members of the boards of education.

### Superintendent

The chief administrative officer of the board of education, whose responsibility it is to implement the school policies as adopted by the board of education.

### Administrative Staff and Supervisors

Those administrators and supervisory personnel below the rank of superintendent who usually have non-teaching assignments.

### Teachers

This term refers to classroom teachers, whose primary function is that of teaching in the classroom. This term shall include other non-administrative certified personnel as well.

### Sanction

A sanction is a coercive measure adopted, usually by the state or national educational organization, to force (or encourage) a school district with sub-standard educational programs to upgrade their programs, by withholding teacher services to the district.

### Impasse

This is a term used to mean agreement cannot be reached by the two parties in negotiations.

### Strike

A strike is an act of quitting work; such an act is done by mutual understanding by a body of workmen as a means of enforcing compliance with demands made on their employer.

### Written Agreement

The term as it is used in this paper pertains to the agreement on procedure to be used in negotiations, rather than to specific items of school policy which may also be agreed upon after negotiations.

### First Class School Districts

A term that refers to districts having a high school and a population of at least ten thousand people.

## Chapter 2

### REVIEW OF THE LITERATURE

This chapter will include two major components. The first will be a brief historical review tracing the origin and development of professional negotiations nationally. The second major portion will include statements of policy or points of view expressed towards professional negotiations by organizations representing school directors, superintendents, other administrators, and teachers.

#### HISTORICAL BACKGROUND OF PROFESSIONAL NEGOTIATIONS

Demands by teachers and their organizations for professional negotiations agreements with their employers have been largely a product of the last decade. The abruptness and forcefulness of the demand, which have even been responsible for legislation in several states, have seemed to alter relationships developed previously within the educational structure.

Stinnett, Kleinmann, and Ware attribute the sudden demand to these six causal factors:

1. The mounting impatience of teachers with what they consider to be economic injustice . . . . Teachers' salaries have historically lagged behind the rewards to other comparable groups, and often behind the pay of unskilled labor . . . .

2. . . . teachers have grown increasingly bitter at the neglect of schools by our affluent society. They have been disturbed about inadequate support of the total school program . . . .

3. . . . the hunger for recognition by teachers is the matter of bigness--the bigness of cities and of school districts, with the resultant loss of identity of the teachers . . . .

4. . . . the impact of a rapid emergence of a new status [of teachers] . . . greatly increased levels of preparation and the nature of services . . . demanded . . . .

5. The demand for recognition and participation in policy formation by teachers is a product of the times . . . a commitment of peoples throughout the world to a new status and dignity . . . .

6. . . . Teachers . . . have often viewed themselves as oppressed; they have viewed their treatment by society as being less than commensurate with the importance of their contribution to the general welfare . . . the activism of the civil rights movement and the effectiveness of that activism have had a significant impact upon the behavior patterns of teachers who have aspired to improve their status (21:5-6).

It is widely believed among educators that the struggles between the New York City Board of Education and the United Federation of Teachers between 1960 and 1962 constituted the origin of the demands of teachers for participation in policy-making. This is not the case. It is also believed that the entrance of the professional associations into the field of collective bargaining began with the resolution adopted by the National Education Association Representative Assembly in 1962 in Denver. This is erroneous, too. This resolution did mark, however, the official entry of the National Education Association (NEA) into this process (21:10).



Even earlier, the Educational Policies Commission in 1938 had advocated the involvement of the total staff in developing the school program in the democratic concept of school administration (21:11).

Apparently, the first collective negotiations agreement between an independent association and its board was a group contract negotiated in 1946, in Norwalk, Connecticut. This contract was formulated as the result of a bitter teachers' strike. At that time the Norwalk Teachers' Association (NTA) was not affiliated with any state or national organization; the NTA later affiliated with the Connecticut Education Association and the NEA in 1957. In 1951, the Connecticut Supreme Court of Errors held that teachers were entitled to organize. What are now called "professional negotiations agreements" were entered into at that time by boards of education and staff members (21:8).

The Norwalk teachers in 1957 negotiated an agreement that provided an appeals procedure in the form of mediation by the State Commission of Education. This is believed to be the first agreement, under what is now termed professional negotiation, providing appeal provisions. This feature has become recognized as an essential part of a complete written agreement.

Most of the professional negotiations agreements in the period between 1946 and 1962 entered into by boards of education and school staffs occurred in Connecticut; some were designated by the title "cooperative determination" agreements. Virtually all except the

Norwalk contract were informal agreements, officially adopted by the boards of education and recorded in their minutes.

Teachers outside of Connecticut were also concerned with their place in educational policy making. As evidence of this concern, a formal resolution recommending the general adoption of professional negotiations agreements was proposed at the 1960 NEA Representative Assembly in Los Angeles. Although not approved initially, the resolution was adopted in 1962 by the NEA in Denver. One change from the original resolution was an outright demand for legal provisions to assure the rights of professional negotiations for teachers. Incorporated in this resolution was a procedure for appeals through educational channels.

Following adoption of the resolution by NEA, the National School Boards Association (NSBA) and the American Association of School Administrators (AASA) indicated their belief that NEA had, in effect, embraced the same tactics as teachers' unions, and that despite the use of different phraseology, the NEA had adopted labor practices but under different names.

Board members were especially concerned by the demand for legalizing negotiation rights as well as provisions for an appeals machinery. The latter demand, in the opinion of board members, was a confirmation that the intent of professional negotiations was to take away a major portion of their legal authority to make all policy decisions regarding the operation of local schools.

The attitudes of board members were further influenced negatively by the adoption of a resolution endorsing sanctions by the NEA Representative Assembly in Denver in 1962. To board members, this action seemed a companion to professional negotiations and a powerful weapon to enforce teachers' demands. Many board members could see no reasonable distinction between the "strike" and "sanctions."

To avoid a wave of sanctions, strikes, boycotts, and mandated mediation in local school districts, the NSBA adopted a resolution in 1963 which stated in part that each local board should review its policies, procedures, and activities and give careful consideration to incorporating the following items if they were not included:

(a) Procedures which actively involve school boards, the administrative staff and teachers in discussing total budget needs with particular emphasis on the determination of salaries and the handling of grievances.

(b) Written policies concerning the above procedures that are widely disseminated, and presented in such a way that they are clearly understood by all parties concerned--the teacher, the administrative staff, the board of education and the general public.

(c) Policies whereby the superintendent, as administrative officer of the board, can function as a channel and interpreter of teacher concerns to the board and of board responsibilities and concerns to the teacher. Direct hearings with the board should be arranged through the superintendent if this proves inadequate (21:13).

The NSBA further recommended that local school boards support their state school board associations in opposing legislation condoning "sanctions, boycotts, strikes, or mandated mediation against school

districts." In the event such legislation or judicial decision was existent in their agreements, state school board associations were urged to seek appropriate legal means to repeal or overrule them (21:13).

## POSITION STATEMENTS REGARDING ROLES IN NEGOTIATIONS

### Roles of Boards of Education

There is a great deal of hesitancy, much concern, and a high degree of defensiveness, according to Benton, on the part of school board members about the whole question of professional negotiations.

School board members, because they are elected by the people in their district, are at once susceptible to the application of direct and indirect pressure to keep mill levies down, keep budget expenditures to a minimum, to be conservative in advancing educational innovations; educational problems call instead for extensive remedial measures of one kind or another (4:23). The general attitude of school boards is one of resistance, one of opposition; it should instead be one of acceptance of the "challenge and the potentiality that exists for the betterment of public education" (4:24).

Negotiations hopefully take place in a private session where the two parties getting together jointly reach a decision. This is one of the major changes as far as the board of education is concerned. Negotiations is a bilateral decision-making process. Earlier, teachers made a suggestion or stated a preference, the school board considered the suggestion,

and then the board went ahead to make the final decision. Now, final decisions are reached by the parties sitting in the same room. By the fact that this is a bilateral, rather than a unilateral, decision-making process, the two parties have actually moved into negotiations. The change from unilateral to bilateral decision-making is the cause of some resistance from school administrators and school boards (16:3).

The boards of education, who serve in many areas without financial compensation, cannot take time away from their own personal business for long negotiating sessions. For this reason they often designate an agent to negotiate for them. It is possible that negotiations will be conducted by someone other than the superintendent (12:15). This is a practice being carried on in some school districts in the state of Washington at the present time. For example, in the Highline School District, negotiations for the board are being conducted by professional negotiators and public relations men.

It seems to boards of education that teachers show a varying degree of maturity from time to time. Often, boards of education take a dim view of the seeming over-concern of teacher associations with working conditions and a lesser concern for the kinds of educational services they provide to the children and the community (25:29).

The following is the position as stated at the NSBA Delegate Assembly in 1967:

In determining general policies relating to the operation of the schools, handling of personnel problems, and the general welfare of all personnel, each local school board should set up satisfactory procedures for communication with all professional personnel. Such procedures should recognize that the function of the professional practice of teaching requires that individual teachers have and exercise full freedom of association, expression, organization, and designation of representatives of their own choosing for the purpose of conferring with school boards concerning the terms and conditions of their employment.

Strikes, sanctions, boycotts, or other concerted actions which interfere with the orderly functioning of the public school system are improper procedures to be used by public school employees. These conflicts in employer-employee relations can be avoided or minimized if school boards and teacher organizations each respect the legitimate role of the other and recognize that neither has any legal or moral right to engage in acts or practices which jeopardize the right of students to receive an education (25:31).

When boards of education and the teacher organization have adopted a written agreement, negotiations should proceed relatively smoothly. From that point on, the lack of proper financial support at the state or local level will usually be the main cause of the problems that exist in reaching satisfactory agreements on specific policies.

The authority to make the final decisions on any school policy, financial and other benefits still remains with the boards of education. This responsibility shall not be delegated to any other individual or group. In the case of impasse on any policy, the board of education has equal right with the teacher organization to request assistance from the State Superintendent of Public Instruction (11:14).

## Role of the Superintendent

Superintendents sensed that as a result of professional negotiations laws they would be by-passed in all matters concerning school policies. This caused apprehension about what their role would be in the negotiations process. Many different ideas were expressed regarding the part the superintendent would take in this new concept in education.

Schoonover indicates that the superintendent of schools finds himself assuming a role similar to that of the managerial groups in industry, that is, representing the management. Schoonover feels this new role eliminates the superintendent's responsibility to represent both the boards of education and the teachers (19:42-49).

According to Schoonover, this "management representative" role must be accepted by superintendents. They must also recognize the educational circle is not the "one little happy family" that it was once thought to be. Conflicts will arise and these conflicts must be resolved. Furthermore, superintendents must be aware that in many instances they will no longer be able to "call the shots." Increasingly, large amounts of time will be devoted to negotiating and discussing problems with employee groups (19:42-49).

On the other hand, Stinnett, Kleinmann, and Ware see the role of the superintendent in negotiations as a dual one: (1) the executive officer of the board of education, responsible for administering adopted

policy, and (2) a responsible member and leader of the professional staff (21:103).

The role of the superintendent in negotiations is a central one. Because the superintendent possesses more facts about school revenue and needs, it is clearly understood his deep and active involvement is essential. The board of education may delegate the superintendent to work with the association negotiations committee in the preliminary stages of negotiations. However, in the middle and latter stages of negotiations, the association committee should work out a solution with the board of education and the superintendent; there needs to be ample opportunity for give and take in reaching a cooperative decision.

The superintendent's responsibility in the negotiating process is to provide both the teachers and the board with information that will help clarify issues and to stimulate both groups to keep the best interests of the total school program uppermost in their thinking as they combine their best efforts to achieve agreements (21:103).

According to Unruh, the superintendent's office should be the focal point for teacher organization negotiations with boards of education on policy and administrative matters. Superintendents prefer that their school boards direct any communications to the teachers through the superintendent's office (24:165). In most school districts, the superintendent is not ignored or by-passed; he plays an active part in policy development and preliminary negotiations.



Stinnett, Kleinmann, and Ware quote Dr. Forbes Bottomly, Superintendent of Seattle Public Schools, who says this about the role of the superintendent:

The superintendent does what he has to do under the circumstances. I act as a supplier of information, as a liaison, as a referee, as a judge, as an active participant, as a mediator, as a "cajoler," as one who tries to seek a consensus.

I've made it clear from the outset that I am my own man, and having done so, do not anticipate getting into any compromising situations with either the board or the teachers. As the executive officer of the board, I must give it the best advice and support. However, I don't hesitate to side with either group on any question. And, when dealing directly with the teachers myself, I certainly represent my own views as to what is best for the district. The superintendent cannot satisfy everyone. If he tries, he will get into trouble. He can only react honestly to each situation as it arises (21:17).

Becker believes that in some of the large districts the board of education is choosing to have the superintendent act as their chief negotiator. When this occurs, the superintendent cannot be regarded as a resource person for the teacher organization. It also appears that as negotiations becomes more time-consuming, two leaders will be required-- one representing the teachers' organization, the other representing the board of education (4:10).

#### Role of Principals and Supervisory Staff

The school principal is in a vulnerable position in professional negotiations, according to Tompkins (23:78). Not all pressures are from the outside. As teachers are engaged in complex negotiations with the

superintendent and the board of education, the teachers are inclined to be more militant. How does the principal fit into negotiations? Often he is by-passed by both groups. At the very time that the principal's range of responsibilities is broader than ever before, this scarcely enhances his status or strengthens his leadership in the school (23:78-79).

Becker explains the role of the administrators, regardless of their specific assignments, as "assistants to the superintendent." As an assistant to the superintendent, administrators should provide both the superintendent and the teachers with pertinent information (4:9).

According to Becker, administrators may be aware of situations causing dissatisfaction with administrative regulations or actions that have been misunderstood. He can help the superintendent to be more effective by relaying this information to him. At the same time the administrator can inform teachers of the superintendent's opinion regarding a problem, and why he feels as he does. If the administrator does not understand the situation himself, he can obtain the necessary information for explanation to the concerned, upset teacher. Fewer matters would reach the negotiation table if every member of the administrative team played his role in expediting communications and mutual understanding; even those requiring negotiation would be disposed of more easily (4:10).

Epstein sees the principal as the "person who is responsible for the welfare of all the children in his particular school." He believes

that negotiations should in no way detract from the principal carrying out this responsibility. Epstein makes the following general recommendations for principals and other administrative staff to follow in the professional negotiations processes:

(1) Principals and administrators should set up strong organizations on the local school district level which can separately and distinctly present their views and protect their interests. This may mean that in many localities, the local teachers organization will no longer be the organization for principals.

(2) Local organizations of principals and administrators must undertake to become bold spokesmen and vigorous advocates in seeking measures to satisfy the needs of the schools on the district level and improving their leadership in pursuit of better salaries and welfare benefits for all staff members and in eliminating factors which handicap good education.

(3) Local and statewide principals' associations must give initiative and independent cooperative participation with other organizations in campaigns to secure sufficient funds to support good schools. Principals' organizations must be prominent in the fight for greater local effort, for increase in state aid, and for substantial federal assistance.

(4) Individual principals and their organizations must support the right of teachers to join, or not to join, teacher organizations of their own choice freely and without any administrative pressure.

(5) Principals and all administrative staff must acknowledge and support the right of teachers' organizations to negotiate with school boards on behalf of the personal welfare of their members. This does not mean simply to be heard.

(6) Principals and administrators must insist that the superintendent participate in all negotiations, not only as a neutral, unconcerned consultant. Rather he should be involved because he is the one person who is in a position to know the total effects of granting teacher demands.

(7) Because of the unique duties of the principal, representatives delegated by principals' organizations must be integral participants in the negotiations process at all times.

(8) Principals and administrators must not hesitate to resist, interpret and make known their opposition to any and all teacher requests and proposals which might lead to any impairment of the education of pupils.

(9) Principals should be concerned with agreements reached with non-teacher groups which may deal with the board of education separately from teacher groups but whose conditions of employment affect the operation of a school (10:252-255).

Epstein believes that principals must be involved in, and a definite part of, what goes on around the negotiating table. Principals should be there and be heard; they have a great many contributions to make to all parties concerned in negotiations (10:252-255).

The professional negotiations law passed by the Washington State Legislature in 1965 provides for the inclusion of all certificated personnel in the negotiating unit. This includes all certificated personnel in the "exclusive recognition" category, where an organization represents the entire professional staff in the negotiating unit.

### Role of the Teacher

Probably the greatest change taking place as a result of the professional negotiations law is that of the role of the teacher, according to Lieberman and Moskow. They state that for many years there has been basically an inadequate representation of teachers at the local level, with protests occurring only intermittently. Today, teachers are becoming less tolerant of this inadequacy in education (15:57).

Lieberman and Moskow go on to say that as the school system increases in size, so too increases the importance of developing professional negotiations for dealing with staff problems. The larger the employee group becomes, the more likely aggressive action will be

assumed by a few of its members on behalf of the group. In addition, the sense of personal participation in policy-making is easily lost in a large school system. This loss of personal participation creates a need for mechanisms by which large numbers of teachers can influence policy or express their views effectively (15:58-59).

There are four general types of recognition in education, according to Lieberman and Moskow:

(1) Teacher councils. "Teacher Councils" are representation systems which have at least two common elements. First, teacher representatives are not chosen by any teacher organization. Instead, they are voted into office by the teachers in a particular system or school. Second, the representative of the teachers must themselves be employees of the school system.

(2) Joint (dual) representation. Sometimes, two or more teacher organizations are accorded rights to negotiate with the school board.

(3) Proportional representation. Teacher organizations are represented on the negotiating committee according to the proportion of teachers who are members of the organizations.

(4) Exclusive recognition. A single organization represents the entire professional staff in the negotiating unit. The "negotiating unit" consists of all employees whose conditions of employment are to be covered by the negotiations (15:91-92).

Washington law provides for the last category, exclusive recognition. According to Lieberman and Moskow, the Attorney General in the State of Washington in 1965 ruled that, under provisions of the professional negotiations law, an organization had to accept all certificated employees of a school district. Under the Washington act, it is

impossible to establish separate units of representation for administrative and/or supervisory personnel (15:52).

Lieberman and Moskow concur that the organization serving as the exclusive representative of the teachers must be represented by an individual or individuals. The typical pattern is for the organization to represent the teachers collectively, and for specific individuals to represent the organization in its dealings with the school administration (15:93). The individuals negotiating for the teachers' organization should be appointed rather than elected. The practice of electing the chief negotiator is a common mistake made by many local teacher organizations (15:250).

Lieberman and Moskow believe there are several reasons for exclusive recognition with which teachers should become familiar:

(1) It provides more feasible solutions to the problems of multiple representation, differences will be resolved, at least for negotiating purposes, before negotiations begin.

(2) An advantage of exclusive recognition is that responsibility is fixed, if the employees are dissatisfied, they know who is responsible--the exclusive representative.

(3) The exclusive recognition encourages employee adherence to the written agreement.

(4) Responsibility is fixed on and for the school board as well. Under exclusive recognition, a board is required to meet with a single representative and is, therefore, unable to evade its responsibility by citing disunity among representative organizations as an obstacle (15:108-109).

Exclusive recognition is also in keeping with the majority rule principle of democracy, whereby the representative organization chosen by the majority speaks for all until replaced (15:110). However, exclusive recognition does not prevent an individual teacher going to the board in his own behalf (11:17).

Kleinmann believes that teachers must become much more competent than they are now, because in general, they are not competent enough on many matters that will come to the negotiating table. Teachers are going to have to become more convinced than they are now, that they can really make a difference in what goes on in the schools; they need to become familiar with the existing policies and be aware of any changes that might be made in these policies; they can no longer afford to wait and see what the board is going to do, and then act; they must be prepared in advance of any action taken by the board; they must insist on being involved in making decisions that are important for education today and in the future (14:42).

As teachers become more competent in negotiations, Kleinmann says these conditions will prevail:

1. Teachers will no longer watch others enjoy the economic harvest of the most affluent society the world has ever known without seeking to share in these financial benefits.
2. Teachers will no longer tolerate educational conditions which impair their ability to do the best job possible.
3. Teachers will no longer tolerate either school administrators or employing boards that treat them as irresponsible, who must be told what to do and when to do it.

4. Teachers will no longer stand placidly by as the urban ghettos of our nation deteriorate both educationally and socially.

5. Teachers will no longer render professional service unless they have a voice in determining educational policy in all areas which affect the quality of the educational program.

6. Teachers will no longer tolerate having the schools starved by public officials who are more interested in low tax rates than in adequate educational programs (14:42).

Schmidt believes that the goals of teachers through negotiations are as follows:

(1) to survive as an organization and to grow

(2) to improve their members wages, hours, and conditions of employment

(3) to control jobs for the membership of the organization

(4) to form and jointly administer with the school boards a system for the settling of grievances and the resolution of disputes arising during the term of negotiations

(5) to promote both the profession of teaching and the advancement of the individual teacher

(6) to provide a superior education for the nation's youth (18:4-5)

According to the literature written about professional negotiations, it seems that the teacher organizations have developed their position. The boards of education have reacted to this new demand made by the teachers to share as equals in policy making. The superintendents are now taking a position as to what the role of the chief executive officer for the board of education should be. The principals and other



supervisory staff are beginning to become very concerned as to their position in professional negotiations .

Most of the literature written about professional negotiations appears as short articles in professional journals or periodicals . Stinnett , Kleinmann , and Ware did a comprehensive study of all aspects of the negotiations process , and this is found in book form (21) . There seems to be a limited amount of literature on professional negotiations , as most authors refer to the process as "collective bargaining ."

The remaining chapters will include the procedures used in writing this paper , and the answers to the specific questions asked of school directors , superintendents , principals and other supervisory staff , teachers , and chief negotiators . The final chapter will cover the summary , conclusions , and recommendations .

## Chapter 3

### PROCEDURES USED

Selected literature written on professional negotiations or collective bargaining was reviewed. The writer used this literature to determine how others see the roles of boards of education, superintendents, principals and other supervisory staff, as well as teachers, in professional negotiations.

This researcher has had personal, practical experience in negotiations, serving as a chief negotiator for one year and as a member of a negotiating team for four years.

Personal interviews of an informal nature were conducted to learn and compare the reactions and opinions of others working in negotiations. The interviews took place during the years 1968 and 1969. During this same period of time, this writer was working closely with negotiations as chief negotiator representing the certificated personnel in his district. The points of view expressed by the interviewees were personal opinions. This researcher can attest only to his honest, sincere attempt to record the interviews as accurately as possible. Those interviewed were from larger first class districts in the state. To be specific, the districts represented in the interviews were Bellevue, Renton, Edmonds, Kent,

South Kitsap, Moses Lake, Spokane, Yakima, and Tacoma. The reason for selecting these districts was their longer involvement in negotiations.

Those interviewed in each of the five categories were asked two questions. The questions for each category follow:

School Directors:

1. Has the Professional Negotiations Law made any significant difference in your role, as a school director, in policy making?

2. Do you anticipate any significant changes in your role as a school director, as a result of the Professional Negotiations Law?

Superintendents:

1. Has the Professional Negotiations Law significantly changed your role as a superintendent?

2. Do you anticipate any significant changes in your role, as a superintendent, as a result of the Professional Negotiations Law?

Principals and Supervisory Staff:

1. Has the Professional Negotiations Law significantly changed your role as an administrator?

2. Do you anticipate any significant changes in your role as an administrator, as a result of the Professional Negotiations Law?

Teachers:

1. Has the Professional Negotiations Law made any significant change in your role as a teacher?

2. Do you anticipate any significant changes in your role as a teacher, as a result of the Professional Negotiations Law?

Negotiators:

1. Has the Professional Negotiations Law significantly changed your role as a teacher or an administrator?

2. Do you anticipate any significant changes in your role as a teacher or administrator, as a result of the Professional Negotiations Law?

In addition to answering the specific questions above, interviewees also made free comments regarding negotiations. A condensation of these comments by interviewees will be included in Chapter 4.

## Chapter 4

### ANALYSIS OF DATA FROM INTERVIEWS

This chapter will include information regarding changes of school personnel as indicated by answers to questions used in interviews. Following are the questions asked by the writer of board members, superintendents, principals and supervisory staff, teachers, and chief negotiators.

#### GENERAL QUESTIONS

1. Has the Professional Negotiations Law made any significant difference in your role in education?
2. Do you anticipate any significant changes in your role in education as the result of the Professional Negotiations Law?

#### INTERVIEWEES CATEGORIZED BY POSITION

The interviewees were categorized by position. The order as listed below will be found in Table 1.

- I. School Directors
- II. Superintendents
- III. Principals and other Supervisory Personnel
- IV. Teachers
- V. Negotiators

Table 1

Interview Data Collected Regarding  
Professional Negotiations

Questions	Responses By Categories				
	I	II	III	IV	V
1. Difference in role					
Yes	8	2	16	30	10
No	7	7	8	20	0
Total	15	9	24	50	10
2. Changes anticipated					
Yes	10	2	20	40	10
No	5	7	4	10	0
Total	15	9	24	50	10

SPECIFIC QUESTIONS ASKED OF SCHOOL DIRECTORS

1. Has the Professional Negotiations Law made any significant difference in your role as a school director, in policy making?

2. Do you anticipate any significant changes in your role as a school director, as a result of the Professional Negotiations Law?

Eight directors interviewed believed there had been changes in their roles as school directors. Seven could see no significant changes in their roles as school directors. (See Table 1.)

The following reasons were given for "yes" answers: (1) Teachers have not made themselves aware of the present policies and procedures; (2) apprehension and challenge of the legal rights given school directors by law; (3) time involved in negotiations sessions has caused concern to several school directors.

The following reason was given for "no" answers: The directors felt the written agreement with the local teachers' association had kept their roles from changing.

As the answers to question one indicate, school directors seem to be evenly split on whether or not there have been significant changes made in their roles as a result of the professional negotiations act.

In reply to the second question asked of school directors, the answers were in the affirmative two to one. (See Table 1, page 30.)

The following reason was given for "yes" answers: The biggest change would be that of the personal time involved in negotiation sessions. They felt this could cause school directors either to appoint the superintendent as their negotiator or experts taking over negotiations.

Directors answering "No" to the question felt the board-superintendent-and-staff have been involved in policy making even before the negotiations act and that this working relationship would continue. These directors also felt they still have legal right to make the final decision on any school policy.

There seems to be more disagreement among school directors in answering question two. The primary reason that school directors anticipate changes in their roles is a result of the personal time that will be involved in negotiations. If the school directors turn negotiations over to experts or other representatives, the local associations could eventually

lose some directors who are in favor of negotiations, but feel they cannot take personal time for long negotiation sessions.

#### SPECIFIC QUESTIONS ASKED OF SUPERINTENDENTS

1. Has the Professional Negotiations Law significantly changed your role as a superintendent?

2. Do you anticipate any significant changes in your role as a superintendent, as a result of the Professional Negotiations Law?

Of the nine superintendents interviewed, two answered "yes" to question one and seven answered "no." (See Table 1, page 30.)

The superintendents answering "yes" to question one felt that teachers are not well prepared when coming to the negotiating table. The teachers do not seem to know what they want.

The majority of the seven superintendents answering "no" to question one are taking an active part in negotiations mainly as a resource person for both the board and the teachers. Most items go through the superintendent's office and therefore the superintendent is involved in all items for negotiations.

In nearly all cases the superintendent is taking an active part in policy-making. The superintendent's role seems to be about the same as before the negotiations law.

The superintendents answered question two proportionately the same as they did question one. Two superintendents said "yes" and seven said "no." (See Table 1, page 30.)



The two superintendents answering question two affirmatively felt that a significant change in their role would be made if the boards of education should choose to have the superintendent act as the chief negotiator for the school directors. If this should be the case, then the superintendent could no longer serve as a resource person to both the directors and the teachers.

The seven superintendents answering this question negatively felt that no significant change would take place in their role as long as they could remain a resource person to both the directors and teachers. These superintendents anticipated no changes because they had been continuously involved with staff in policy making, both prior to and since the passage of the negotiations law.

In nearly all cases the superintendents anticipated no significant changes in their roles, unless the boards of education chose to have the superintendents act as chief negotiator for the school directors.

#### SPECIFIC QUESTIONS ASKED OF PRINCIPALS AND OTHER SUPERVISORY PERSONNEL

1. Has the Professional Negotiations Law significantly changed your role as an administrator?
2. Do you anticipate any significant changes in your role as an administrator, as a result of the Professional Negotiations Law?

Sixteen people in this category answered "yes" to question one. Half as many responded negatively. (See Table 1, page 30.)

Most of the sixteen administrators answering affirmatively to question one felt that their role in negotiations was not clearly defined. The administrators felt that (1) no one really represents them in the negotiations process, (2) they were being by-passed by the teachers in their buildings, and (3) they were being out-voted on items for negotiations. These caused concern among administrators.

The eight administrators that answered "no" to question one have been chief negotiators for their local associations. Most negotiations in which they have been involved so far have been in the areas of salaries and working conditions.

Two-thirds of the administrators interviewed felt that their roles as administrators had changed since passage of the professional negotiations law. The main concern evolved from feeling they were being by-passed or left out of the negotiations process.

Administrators answered question two with twenty "yes" and four "no" answers. (See Table 1, page 30.)

It was the general feeling of the administrators that because they are being left out of the negotiating process, two courses of action are open to them. They can either (1) attempt to form their own negotiating unit and separate from the local association, or (2) join the employer unit in negotiations.

The four administrators answering negatively felt they can continue to be chief negotiators for the local education association. They

also felt that administrators and teachers need to stay together as a unified group in the negotiating process.

In response to question two, five-sixths of the administrators interviewed anticipated some changes in their roles. Many anticipated the forming of a separate negotiations unit. However, it appears that the Washington Education Association (WEA) will prevent this for some time. Therefore, the administrators may very possibly take the second course of action and join the employer unit in negotiations. At the time of this writing, it appears the most concerned school personnel in regards to the negotiations act are the administrators.

#### SPECIFIC QUESTIONS ASKED OF TEACHERS

1. Has the Professional Negotiations Law made any significant change in your role as a teacher?
2. Do you anticipate any significant changes in your role as a teacher, as a result of the Professional Negotiations Law?

Thirty teachers interviewed answered positively to question one, and twenty answered negatively. (See Table 1, page 30.)

The role of the teacher has changed if the teacher is active in the local education association. The teacher must now take a more active interest in the formulation of school policy. The passage of the Professional Negotiations Law has made it necessary for teachers to be better informed in matters pertaining to school policies. Teachers must

also be involved in the total educational program. Two-fifths of the teachers interviewed did not even know what the Professional Negotiations Law was, its purpose or implications.

Teachers who are active in the local associations in education believe their role as a teacher has changed since passage of the negotiations law. Those teachers not active in local association business are relatively detached as they set themselves apart, engrossed in their own classroom teaching problems, with little or no awareness of problems of education on a larger scale. These teachers see no change in their role since passage of the negotiations act.

Forty teachers interviewed answered "yes" and ten answered "no" to question two. (See Table 1, page 30.)

Teachers answering "yes" to this question felt it necessary for teachers to take a more active part in the negotiating process by (1) being involved in committee work on school policies, and (2) giving negotiating committee directions. For either of these responsibilities, teachers must be better informed on matters pertaining to school policies. In the future teachers will take more interest in the formulation of school policies.

Teachers replying negatively to this question felt that their roles would not change because (1) they did not have time to get involved in committee work with their regular teaching assignment, or (2) they had no desire or ambition to get involved.

The teachers who are active in educational associations have more interest in negotiations and recognize the "need" to be better informed. These teachers feel their roles will change as a result of the negotiations law. Those teachers having no desire or intention of getting involved in negotiations can see no change in their role as a result of the negotiations law.

#### SPECIFIC QUESTIONS ASKED OF CHIEF NEGOTIATORS

1. Has the Professional Negotiations Law significantly changed your role as a teacher or administrator?
2. Do you anticipate any significant changes in your role as a teacher or administrator, as a result of the Professional Negotiations Law?

The ten chief negotiators interviewed answered unanimously in the affirmative to question one. (See Table 1, page 30)

The most significant change indicated by chief negotiators was the additional time involved and interest necessitated in carrying out the responsibilities of the chief negotiator, which took them away from their primary function as a teacher or administrator. The added time was spent fulfilling the following obligations: A chief negotiator must (1) be aware of any policies that are coming up for change and (2) be aware of any new policies coming up for adoption. (3) The chief negotiator must become better acquainted with the board of education and how each individual board member reacts to different school policies. (4) Chief negotiators

must be well prepared with documented materials before going to the negotiations table.

All chief negotiators feel their role has changed as a result of the professional negotiations law.

All ten chief negotiators questioned answered "yes" to question two (see Table 1, page 30) for the following reasons:

1. Teachers must become more knowledgeable regarding policies and procedures.

2. Teachers and administrators must form a strong, unified group in regards to negotiations. Both groups working together can bring unique talents to the negotiations table.

3. Teachers must make themselves better acquainted with school board business and procedures by attending school board meetings.

4. The biggest change the chief negotiators anticipated will be in the role of the administrators below the rank of the superintendent. This group seems to be the most concerned about the professional negotiations law. Negotiators believe much energy and work must be spent to keep the administrators a part of the educational association in order to have a unified group of the certificated staff.

The greatest concern expressed by the chief negotiators interviewed seemed to be in regards to the administration taking a position either as a separate unit or becoming part of the employer unit.

The negotiators see the greatest change in the roles of teachers and administrators actively engaged in negotiations as a result of the professional negotiations law.

#### SUMMARY OF DATA COLLECTED IN INTERVIEWS

In analyzing the data gathered from a limited number of interviews, it appears the same trend is true as was indicative in the review of the literature in Chapter 2.

Most school directors and some superintendents have faced professional negotiations with a feeling of apprehension and regard negotiations as a challenge to their legal rights. Some of this threat has been removed since they have entered into written negotiations agreements with the educational associations.

In the larger districts where more time will continue to be taken up with negotiations, the trend seems to be toward school directors delegating negotiations to representatives of the board, most likely the superintendent.

It appears the principals and supervisory staff will set up their own unit for negotiations; the present feeling of non-representation for their group is not likely to be endured in silence for long. The role of the principal seems to be the role most affected by the professional negotiations law.

Teachers will have to change in their attitude, from one of apathy to one of involvement in negotiations, if they expect to have any influence on school policies. They have been successful in getting legislation passed which gives them the right to formulate policy on equal terms with boards of education. This right carries a definite responsibility as well. It is imperative that teachers, both individually and collectively, take an active part in negotiations. Teachers must become better informed on all aspects of the educational program if negotiations are to be successful. Many districts are still in the process of negotiating a written agreement with their boards of education. At this same time in the larger districts, educational staffs are continuing to make progress as their negotiating units are beginning to negotiate many items other than salaries and working conditions.



## Chapter 5

### SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

#### SUMMARY

The different sources of research information and the experience of this writer, as chief negotiator, indicate that the roles of the various school personnel are changing. The roles seem to be changing in varying degrees, depending on the time the districts have been actively negotiating. It is also indicated that the roles of the administrators below the rank of superintendent are changing the most; this, in effect, results from their roles not being clearly defined in the professional negotiations law.

Many local associations are still in the process of negotiating written agreements with their boards of education, and therefore negotiations, as such, have not really begun in many districts.

The local associations should be aware of the fact that if too much time is involved in negotiations, they may lose some valuable allies in boards of education. If negotiations become so time-consuming that boards of education appoint other people or the superintendent to represent them in negotiations, teachers may find themselves hard pressed to achieve the goals of the local association. It appears if this were to

happen, that teachers would find themselves in the same position as they were before the negotiations law was passed.

It seems imperative that the local associations do something about including the principals and other supervisory staff in the negotiations process. As a chief negotiator, this writer would much rather go to the board of education knowing that the chief negotiator had the support of all the certificated staff. A great deal more can be accomplished at the negotiating table, if this is the case.

Teachers must become more sophisticated in their demands and more knowledgeable of the total school program if they want to succeed in negotiations. They must, in addition, become more involved in committee work and in preparing items for negotiations.

## CONCLUSIONS

The following are conclusions reached from the information acquired in interviews with school directors, superintendents, principals and other supervisory staff, teachers, and chief negotiators.

1. School directors' roles have not changed significantly and they anticipate no major change unless negotiations take too much of their personal time, forcing them to turn negotiations over to experts.
2. Superintendents have not witnessed any major changes in their roles. If the school directors should choose to have them represent

the boards of education as their negotiator, then the superintendents anticipate a change in their roles.

3. Principals and other supervisory staff believe their role has changed and that they are being by-passed in negotiations. In addition, administrators feel they have no representation in negotiations.

4. Teachers who are taking an active part in their local education associations feel that their role is changing. However, many teachers not active in local education associations see no major change.

5. Chief negotiators feel that their role [as teachers or administrators] has changed because of the time involved and interest necessitated to carry out their responsibilities as negotiators. The necessitated interest and time involved in negotiation sessions takes them away from their primary duties as teachers or administrators.

## RECOMMENDATIONS

The following recommendations are made for further study by the writer of this thesis.

1. A study of the present law should be made to determine if items for negotiations should be placed in an order of priority. The reason for this recommendation is that under the present law items for negotiations seem to be too general to be clearly understood. The way the present law is stated, depending on the interpretation given, any item that comes up for board action is negotiable.

2. A study should be made to determine what the role of administrators, other than superintendents, will be when negotiations involves items other than salaries and working conditions. This study will be necessitated if principals are to continue to evaluate teachers, curriculum, student teachers, and make recommendations to the board of education for approval.

3. A study should be made to see how the "exclusive representation clause" could be strengthened. This is essential because of the movement by administrators to withdraw from the association and form their own negotiations unit. This movement appears to be gaining momentum.

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**APPENDIX**

APPENDIX

THE STATUTE . . .

Chapter 143, Laws of 1965, Revised Code of Washington

AN ACT Relating to education; recognizing the right of employee organizations to represent certificated employees in their relations with school districts.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. It is the purpose of this act to strengthen methods of administering employer-employee relations through the establishment of orderly methods of communication between certificated employees and the school districts by which they are employed.

NEW SECTION. Section 2. As used in this act:

"Employee organization" means any organization which includes as members certificated employees of a school district and which has as one of its purposes the representation of the employees in their employment relations with the school district.

"Certificated employee" means any employee holding a regular teaching certificate of the state and who is employed by any school district with the exception of the chief administrative officer of each local district.

NEW SECTION. Section 3. Representatives of an employee organization, which organization shall by secret ballot have won a majority in an election to represent the certificated employees within its school district, shall have the right, after using established administrative channels, to meet, confer, and negotiate with the board of directors of the school district or a committee thereof to communicate the considered professional judgment of the certificated staff prior to the final adoption by the board of proposed school policies relating to, but not limited to, curriculum, textbook selection, in-service training, student teaching programs, personnel, hiring and assignment practices, leaves of absence, salaries and salary schedules, and non-instructional duties.

NEW SECTION. Section 4. If in any school district there is a separate employee organization of certificated employees of a community college which organization shall, by secret ballot, have won a majority in an election to represent the certificated employees of the community college, as determined by a secret election, the representatives of the separate aggregation shall have the right, after using established administrative channels, to meet, confer, and negotiate with the board of directors of the school district or a committee thereof to communicate the considered professional judgment of the certificated staff prior to the final adoption by the board of proposed school policies related to, but not limited to, curriculum, textbook selection, in-service training, student teaching programs, personnel, hiring and assignment practices, leaves of absence, salaries and salary schedules, and non-instructional duties.

NEW SECTION. Section 5. Nothing in this act shall prohibit any certificated employee from appearing in his own behalf on matters relating to his employment relations with the school district.

NEW SECTION. Section 6. In the event that any matter being jointly considered by the employee organization and the board of directors of the school district is not settled by the means provided in this act, either party may request the assistance and advice of a committee composed of educators and school directors appointed by the state superintendent of public instruction. This committee shall make a written report with recommendations to both parties within fifteen days of receipt of the request for assistance. Any recommendations of the committee shall be advisory only and not binding upon the board of directors or the employee organization.

NEW SECTION. Section 7. Boards of directors of school districts or any administrative officer thereof shall not discriminate against certificated employees because of their exercise of rights under this act.

NEW SECTION. Section 8. Boards of directors of school districts shall adopt reasonable rules and regulations for the administration of employer-employee relations under this act.

NEW SECTION. Section 9. Nothing in this law shall be construed to annul or modify, or to preclude the renewal or continuation of, any lawful agreement heretofore entered into between any school district and any representative of its employees.