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GRIEVANCE PROCEDURES IN ARIZONA
PUBLIC SCHOOL DISTRICTS

by

Donald Francis Scott

A Dissertation Submitted to the Faculty of the
DEPARTMENT OF EDUCATIONAL ADMINISTRATION
In Partial Fulfillment of the Requirements
For the Degree of
DOCTOR OF EDUCATION
In the Graduate College
THE UNIVERSITY OF ARIZONA

1975
I hereby recommend that this dissertation prepared under my direction by Donald Francis Scott, entitled GRIEVANCE PROCEDURES IN ARIZONA PUBLIC SCHOOL DISTRICTS, be accepted as fulfilling the dissertation requirement of the degree of DOCTOR OF EDUCATION.

Dissertation Director

Date

After inspection of the final copy of the dissertation, the following members of the Final Examination Committee concur in its approval and recommend its acceptance:

[Signatures of committee members]

1/29/75

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This approval and acceptance is contingent on the candidate's adequate performance and defense of this dissertation at the final oral examination. The inclusion of this sheet bound into the library copy of the dissertation is evidence of satisfactory performance at the final examination.
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ABSTRACT

Statement of the Problem

The purpose of this study was to examine the extent to which Arizona public school districts have adopted, developed, and utilized formal grievance procedures for certificated personnel.

Procedures

A three phase study was conducted. In phase one Arizona's school districts were surveyed to determine whether grievance procedures existed. Existing grievance procedures were collected, and the results reported.

In phase two, the Arizona grievance procedures were compared with grievance procedure criteria selected from the recommendations of leading educational organizations. Results of the comparison were analyzed and reported.

In phase three, focused unstructured interviews were conducted with administrators and teachers in a representative random sample of school districts reporting grievance procedures. The interviews examined reasons for grievance procedure adoption, dynamics of grievance procedure development, amount of grievance procedure utilization, and relationship of grievances filed to policies and practices in a random sample of Arizona districts. An
interview instrument was utilized in this phase. Interview results were analyzed and reported.

Findings

1. Forty of Arizona's 215 public school districts reported grievance procedures for certificated personnel.

2. Grievance procedures are more often adopted in districts enrolling over five thousand students. There has been little acceptance of grievance procedures in districts enrolling under two thousand students.

3. Grievance procedure acceptance is greater in high school and unified districts than in elementary districts.

4. Five per cent of the grievance procedures examined met the recommended criteria while another twenty per cent very nearly met the criteria.

5. A majority of the grievance procedures of districts enrolling under two thousand students were embryonic in substantive provisions.

6. The population grievance procedures averaged meeting 4.87 of the 8 criteria characteristics. Districts enrolling over five thousand students met more of the recommended criteria characteristics
than did districts enrolling under five thousand students.

7. In a majority of the districts, grievance procedure development has been a bilateral process brought about by teacher association desire for a grievance procedure.

8. A majority of the grievance procedures examined have been adopted subsequent to 1969.

9. Ninety grievances were reported by 56.2 per cent of the population districts. No grievances were filed in 43.7 per cent of the districts. One district accounted for 64 per cent of the grievances reported.

10. Grievance rates for the time period from 1968 through 1972 ranged from 25 to .11 grievances per one hundred employees.

11. In 43.7 per cent of the sample districts, the filing of a grievance effected change in district policy and practice.

Conclusions

1. There has been little acceptance of the grievance procedure as a means of resolving conflict in school districts enrolling under five thousand students.

2. A majority of the grievance procedures examined in this study failed to meet the recommended criteria characteristics.
3. Bilateral grievance procedure development has been initiated primarily by teacher associations.

4. Grievance procedures generally are little utilized primarily due to teachers' lack of familiarity with the procedure and fear of reprisal for having filed a grievance.

5. Grievances filed have served as a means of monitoring district policies and practices.

Recommendations

1. School districts without grievance procedures should consider adopting such procedures.

2. Grievance procedures failing to meet the criteria of recommended characteristics should be restructured to include all of the recommended criteria characteristics.

3. The adoption of grievance procedures should be fostered by administrators and teacher associations alike, and teachers and administrators should be trained in their use.

4. Grievance records should be viewed as a means of monitoring district policy and practice.

5. Efforts to bypass established grievance procedures should be discouraged.
CHAPTER I

STATEMENT OF THE PROBLEM

Introduction

Adolf Berle (1954, p. 61) tells of the feudal practice of allowing aggrieved people to approach the lord or king with the cry of "haro," which signified they were seeking redress of a wrong. These appeals were to the benevolence of the king's conscience because all other avenues for justice had been exhausted. Berle found a similarity between appeals invoking the conscience of the king and appeals to the conscience of the corporation. But the problem, as Berle noted, was that the rights and mechanisms necessary in calling upon the judicial conscience of the corporation were not well defined or firmly established.

The development of relatively formal procedures for solving conflicts between management and labor in business and industry or between teachers and administration in public education parallels the evolution of a bilateral system of organizational control and decision making. Teachers, traditionally subjected to hierarchically imposed unilateral determination of policy, regulation, rule, and condition of employment, have had in the past only informal
avenues for redress of grievances open to them. Grievance disposition in a unilateral determination system is often characterized by lack of clearly defined procedures.

The recent advent of what has been popularly labeled "teacher militancy," characterized by teachers' emerging demands to be included in the decision making processes in a wide spectrum of educational determination, has gradually contributed to the evolution of a bilateral system of decision making. This bilateral trend is readily evidenced in the professional negotiation of contracts between teachers' associations and boards of education.

The formalization of the professional negotiations process is implemented by the adoption of a professional negotiations agreement. The American Association of School Administrators (1966) characterizes the agreement as "... a cooperatively developed written agreement which clarifies the roles and relationships of all those involved in the negotiations process, clearly outlines procedures to be followed, and sets out the responsibilities of the various parties" (pp. 33-34).

The formalization of the negotiations process provides structure through which policies may be jointly developed by teachers and boards of education. A formal grievance procedure may be jointly developed and "should be an integral part of the negotiations agreement" (American Association of School Administrators, 1966, p. 43). In this
context the grievance procedure serves to ensure that the provisions of the agreement are properly administered. Because of this relationship the grievance procedure is often regarded as "the real heart of the negotiated agreement" (Law, 1970, p. 36). This does not preclude the existence of grievance procedures in the absence of collective negotiations, for the scope of the procedure often covers more than the provisions of the negotiated contract. Grievance procedures are often adopted in the absence of collective negotiations; however, there remains a close relationship between the adoption of negotiations agreements and the adoption of formal grievance procedures in public education.

The formalized grievance procedure is generally defined as a bilaterally developed and well conceived appeal procedure providing for the adjudication of:

- a claim by a teacher or a group of teachers that there has been a violation, misinterpretation, or misapplication of the provisions of the Agreement (Professional Negotiations Agreement) or of the rules, regulations, administrative directives, or policies of the Board of Education (Becker, 1969, p. 2).

The provision of a grievance procedure in public school policy is being actively sought by the National Education Association and the American Federation of Teachers and is considered essential to the efficient and harmonious operation of a school district by the American Association of School Administrators (1966, p. 43).
Acceptance of the need for grievance appeal procedure by boards of education, administrators, and teachers calls for perceiving the constructive usefulness of grievances as a part of the normal psychology of organization (Lutz, Kleinman, and Evans, 1967, Foreword).

The relatively recent advent of formal grievance appeal procedures in public school districts in Arizona suggests that this is an area for serious study. Of immediate concern are questions regarding the extent to which grievance procedures have been adopted by school districts, the characteristics of the adopted procedures, and their utilization in seeking equitable and efficient adjudication of grievances.

The Problem

It was the purpose of this study to examine the extent to which grievance procedures have been adopted, structurally developed, and utilized in the public school districts of Arizona. Specifically, the study sought to answer the following questions:

1. How many school districts in Arizona have adopted grievance procedures for certificated personnel?
2. Do the characteristics of the grievance procedures adopted by the school districts of Arizona meet the selected criteria of grievance procedure
characteristics recommended by leading professional educational organizations?

3. What were the reasons for the adoption of the grievance procedures by Arizona districts?

4. What were the dynamics of grievance procedure development by school districts in Arizona?

5. What has been the experience of the school districts of Arizona with respect to the utilization of grievance procedures?

6. What is the relationship of grievances filed to the policies and practices of the school districts in Arizona?

Significance of the Problem

The relationship between a negotiated contract and a grievance procedure for assuring that its provisions were properly and fairly administered was of particular importance in this study. Previous studies dealing with grievance adjudication in public education have described grievance procedures in states where statutory provision established the right of teachers to bargain collectively and mutually adopt contracts with boards of education covering a variety of areas of educational determination. Such legislation has provided much impetus for the development and adoption of collective bargaining agreements and formal grievance procedure systems.
This study focused on grievance procedures developed and utilized in Arizona, a state with no statutory provision regarding the right of teachers to bargain collectively and negotiate contracts with boards of education. Of immediate significance is the question regarding the extent to which grievance procedures have been developed and adopted by school districts in Arizona despite the lack of statutory provisions. Of related significance are questions regarding the etiology, structure, and utilization of grievance procedures by the school districts of Arizona.

The findings of this study are of importance to those involved in public education in Arizona in the following ways:

1. The study described the extent to which grievance procedures have been developed and adopted by the school districts of Arizona.
2. Through an analysis of the adopted grievance procedures, information was developed regarding the characteristics of the grievance procedures.
3. The analysis of the data regarding the etiology, development, and utilization of grievance procedures may be utilized in either restructuring present grievance procedures or in the initiation and development of grievance procedures in districts contemplating such action.
Assumptions Underlying the Study

The basic assumptions underlying this study were:

1. The public school districts of Arizona have adopted grievance procedures in sufficient number to merit serious study.

2. The recommendations of the leading educational organizations regarding the characteristics of sound grievance procedures reflect the true positions of the organizations.

Limitations of the Study

The limitations of this study were:

1. Grievance procedures for certificated public school personnel only were considered in this study.

2. Data regarding the utilization of grievance procedures was limited to the numbers of grievances filed and grievance rates. Individual grievances were not included in this study.

Definitions of Terms

For the purposes of this study the following definitions were established:

1. Grievance: A claim by a teacher or group of teachers that there has been a violation, misinterpretation, or misapplication of the provisions of a negotiated agreement or of the policies, rules, or regulations of the board of education.
2. **Complaint:** An act of an administrator, or a claim of an act of some substance not included in the provisions of the agreement (professional negotiations agreement), policies, rules, or regulations of the board of education, that has aroused the ire and objection of a teacher or a group of teachers.

3. **Grievant:** A certificated individual or group of certificated individuals who files a formal grievance.

4. **Grievance Procedure:** A specific procedure providing for the adjustment of grievances through decision and appeal at progressively higher levels of authority. The levels of authority may refer to both administration levels and teacher organization levels according to the specific procedure.

5. **Grievance Rate:** The ratio of the number of grievances filed to the number of certificated personnel covered by the grievance procedure for one school year.

6. **Third Party:** An impartial (neutral) individual, or panel of individuals, summoned from outside the organization in which the grievance has been filed, to assist in the resolution of a grievance.

7. **Negotiations:** A formal relationship between two parties which has been initiated in an attempt to arrive at agreement on matters of mutual concern.
The process may be distributive (collective bargaining) or integrative (meet and confer).

Summary

The relatively recent advent of professional negotiations between boards of education and teacher organizations has provided impetus for the adoption of grievance procedures for certificated personnel. The relationship of the grievance procedure to the professional negotiations agreement is integral for it serves, in part, as one means of insuring that the provisions of the agreement are properly implemented.

Many states have enacted legislation establishing the right of teachers to bargain collectively and mutually adopt contracts with boards of education. Previous grievance procedure studies have been conducted in states where impetus for the adoption of negotiations agreements and related grievance procedures has come from a statutory provision.

This study investigates grievance procedure development and utilization in Arizona, a state with no statutory provision regarding collective bargaining rights for teachers. The purpose of the study was to answer specific questions regarding the extent to which grievance procedures had been adopted, as well as questions regarding the
development, characteristics, and utilization of such procedures in Arizona school districts.

A review of the related literature is presented in Chapter II, including data on the need for formal grievance procedures, the establishment of grievance procedures in public education, the definitions of grievance and grievance procedure, the characteristics of formal grievance procedures, the utilization of grievance procedures, and the relationship of grievances to district policy. Chapter III describes the research design and the methodology used in the study. Chapter IV presents the data and Chapter V sets forth the findings, conclusions, recommendations, and summary.
CHAPTER II

REVIEW OF RELATED LITERATURE

Introduction

For the purposes of this study, a compilation of appropriate literature is reported regarding the need for formal grievance procedures, the establishment of grievance procedures in public education, the definitions of grievance and grievance procedure, the characteristics of formal grievance procedures, the utilization of grievance procedures, and the relationship of grievances filed to school district policy.

The Need for Formal Grievance Procedures

Conflict is a fact of life in any organizational setting. Shils (Shils and Whittier, 1968) states: "No matter how effectively an organization is managed, employees will have problems, questions, and complaints from time to time" (p. 439). This basic premise requires that organizations perceive grievances and complaints as part of the normal psychology of organization and seek means of managing conflict that arises (Lutz et al., 1967, Foreword). Through viewing conflict as normal in any organizational setting, it becomes the task of the organization not to avoid, but rather to find means by which to
manage conflict. Grievance procedures provide an avenue for the management and resolution of conflict. The need for grievance procedures through which to manage conflict that arises in the school setting has been stated in various ways by many individuals. London (1957b) states:

Without some formalized system of grievance adjudication, typical teachers are apt to suffer in silence when they feel that some injustice has been committed against them. When this occurs, the school system becomes less efficient and more ineffective; when the teaching staff harbors resentment against the administration, the teacher may express her frustration through her behavior in the classroom (p. 89).

Reference to the possible effect of unresolved grievances on the performance of the teacher in the classroom makes London's statement most significant and somewhat unique among statements from the literature on the need for grievance procedures in education.

In discussing the inevitability of conflict in the organization setting, Shils and Whittier (1968) state:

There must be some consistent policy and method for settling misunderstandings which may be described as grievances. If such procedures are not devised, morale and teaching effectiveness will suffer. Unresolved misunderstandings multiply in dissatisfaction as facts become garbled in the retelling of each incidence (p. 439).

In placing grievance processing in the contemporary organizational setting, Herndon (1969) states:

Grievance processing is no longer feared, but is accepted as meritorious. We know that problems exist. The whole spirit of negotiations is to get problems out of the teacher's lounge and
onto the table where they can be dealt with and provided for (p. 66).

Angell (1972), in reporting the results of a study of grievance procedures developed and utilized by community colleges in upstate New York, notes:

The swift and equitable handling of grievances is perhaps the most important factor in securing harmonious and cooperative relationships between employer and professional employees in educational institutions. Properly conceived, grievance procedures can be a boon to both administrators and faculty whose common concern is progress based on justice and harmony (p. 505).

In an article focusing on the role of the principal when conflict arises, Kramer (1971) discusses the need for a regularized means of resolving differences. He states: "Despite the geniality of the principal, true professional differences of opinion arise which simply cannot be resolved over a cup of coffee or even through mature discussion. At such times, there are technical procedures which must be followed to resolve the differences" (p. 160).

An informal approach to conflict control, alluded to by Kramer as not always sufficient for resolving differences, has traditionally served as the primary means of conflict resolution in the school setting. The open door policy of many school districts, predicated on the assumption the superintendent's door is always open to the employee when problems and conflict arise, has been sharply questioned. Randall (1960), in an early study of grievance procedures in public education, noted that the traditional
open door policy of many school districts simply would not suffice in present day public education. He pointed out that the rise of large school organization has changed the teacher-administrator relationship and that these relationships are often no longer established on an individual basis.

He stated that, "... the complexity of the organization and the increasing degree of impersonality of the relationships have not only led to a greater number of situations that could promote grievances, but have also made it more difficult to find and justly settle complaints and grievances" (pp. 12-13).

Difficulties involved in adhering to an "open door policy" of conflict control is candidly treated in a recent National Education Association (1971) publication stating:

"The policy that the principal always has his door open sounds fine, but unless the teacher is about to resign he is not likely to go through that open door to suggest that his superior is handling work in ways that are inefficient, is creating unnecessary difficulty for teachers, or is unfair or unreasonable. The worse the situation, the less effective the open door. Furthermore, a superintendent is well advised to shut his "open door" before he ends up doing the work of his principals and confusing everybody in the process (p. 13).

Further constraints inherent in an open door policy in which the employee would take his concerns directly to the superintendent are cited by Blocker and Sterling (1954) as follows:
1. The individual is reluctant to confront the superintendent in his office.

2. The superintendent may not be available when the problem arises.

3. The employee and the superintendent may view the problems, complaints, and disputes in a different frame of reference.

4. Bypassing the immediate supervisor may create a resentment or strained feelings (p. 219).

An important consideration implied in the previous two references regarding difficulties inherent in the open door policy of conflict control is one of undermining the authority of the principal through bypassing him in resolving differences. Lieberman and Moskow (1966) begin their discussion of grievance procedures by stating:

One of the purposes of a formal grievance procedure is to guarantee that all complaints are processed through proper administrative and supervisory channels. Administrators who espouse the "open door" policy are encouraging teachers to avoid fair and frank discussion of these problems at the lowest possible level at which the problems can be solved (p. 359).

These authors further point out that the bypassed line administrator is placed in a precarious position if the superintendent chooses to rule on a complaint or grievance rather than refer it back to the line officer. In this situation the ruling can have negative results in that the authority of the line officer may be seriously weakened (Lieberman and Moskow, 1966, p. 359).

In considering the need for grievance procedures on an ideological basis, Scott (1965, p. 11) credits industrial
humanists such as Roethlisberger, Likert, McGregor, and Argyris with contributing most of the ideological, if not the empirical, content of the subject of managerial justice in the organizational setting. In their concern for promoting the subordinates' psychological maturity, self-awareness, and security through democratic leadership within the organization, the industrial humanist viewed appeal systems as playing an important role. A statement made by McGregor (1944) over 28 years ago is still appropriate today because of its ideological importance to the whole concept of managerial justice:

There are occasions when subordinates differ radically, but sincerely with their superiors on important questions. Unless the superior follows an "appeasement" policy, there exists in such a disagreement the possibility of an exaggerated feeling of dependence and helplessness in the minds of the subordinates. They disagree for reasons which 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 situation 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 management. To safeguard the individual against retaliative measures by his immediate superior is impossible, 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 (pp. 62-63).

Scott (1965, p. 111) points out that although union influence and the democratic motivations of administrators had much to do with the development of grievance procedures, the main impetus for the establishment of grievance procedures has come from the development of bureaucracy.

Generally, bureaucracy is in an advanced stage of formalization. The accomplishment of organizational goals makes three demands on the structure. The demands are specialization of work, coordination of work activities, and a rational program of personnel administration (Scott, 1965, p. 98).

In the context of the bureaucratic model, Scott feels that we can understand how growing size and decreasing mobility in any organizational setting will create pressures in the areas of employee personnel practices. In this context Scott calls for the development of formal systems for the redress of grievances (p. 111).

It becomes evident from the preceding considerations that in order for a formal organization to meet its objectives it must function as a legal system as well as an economic, social, or informational system, depending upon its purpose. Scott (1965) states that in order for the
organization to fulfill its legal function, the following essentials must be present:

1. A statutory base provided by a constitution or some kind of delineation of employee rights. (In education this might include the collective negotiations agreement, policies of the board of education, and administrative rules and regulations.)

2. A file of decisions maintained as precedent for future cases. (Case files of grievances processed.)

3. Participation from outside the organization in the resolution of conflicts. (Third party involvement.) (pp. 119-120).

The Establishment of Grievance Procedures in Public Education

Many factors have influenced the establishment of grievance procedures in public education. As indicated in the previous consideration of the need for grievance procedures in the public school organization, the advanced formalization of bureaucracy with added layers of supervision instituted between the operations level and top level administration has brought about the need for rational personnel policies, including grievance procedures.

A significant factor has been the evolution of what has been popularly labeled "teacher militancy" characterized by teachers' emerging demands to be included in the decision making processes in an ever widening spectrum of educational issues. Perhaps the first intimation of this evolutionary process occurred in 1938 in a pronouncement by the
Educational Policies Commission (a joint National Education Association-American Association of School Administrators commission) which stated, in part:

The entire staff of the school system should take part in the formulation of the educational program. To indicate the place of leadership in all good administration is not to deny the large part to be played in the development of policy by all professional workers. Our schools are organized for the purpose of educating children for participation in a democratic society. Certainly these virtues may not be expected to abound among those who are taught unless they are found also in the experience of the teacher (American Association of School Administrators, 1966, p. 23).

At the time of this statement and throughout the early 1960's the traditional role of the teacher remained passive, one of subordinance to the unilateral decisions of administrators and boards of education. Sarpa (1971), in tracing the history of the evolution of teacher militancy, states:

As long as the teacher and the teacher organizations remained passive and subservient, little change occurred in the teacher's relationship with administrators and the school district. Teacher organizations operated as "social clubs" with "salary committees" making recommendations that reflected the thinking of the local administrator. Little attention was paid to the problems and grievances of the individual teacher and the teacher organization (p. 3).

Sarpa further states that the experiences of the past decade (the 1960's) characterized by teacher strikes, bargaining elections, teacher unions, sanctions, and the advent of formal grievance procedures have changed the
image of the passive professional to one of an active professional willing to use procedures adapted from the private sector of the economy in order to gain recognition (Sarpa, 1971, p. 3).

A significant factor in the establishment of grievance procedures in school organization has been the adaptation from the private sector, of collective bargaining to the educational sector. The inclusion of the bargaining process in the educational sector has contributed greatly to the evolution of a bilateral system of decision making. For most practical purposes, 1960 marks the beginning of the collective bargaining process in education (Lieberman and Moskow, 1966, p. 35).

In discussing the history of the collective bargaining movement in education, Sarpa (1971) states:

The active drive of the United Federation of Teachers in New York City in 1960 in seeking collective bargaining rights was probably the most important single stimulus for the development of the collective negotiations movement in the United States. The UFT's rise to power signaled a deep and pervasive change in the relationships between the individual teacher and the school organization. The United Federation of Teachers helped initiate a change in internal relationships in the public schools that has continued to the present day (p. 4).

Public employees in fields other than education have recently come to participate in this process. Shils and Whittier (1968) report that:

On January 17, 1962, President John F. Kennedy signed Executive Order 10988, devoted to seeking
employee-management cooperation in the federal service. Under this order, employees in practically all federal departments and agencies have joined unions and been represented by employee organizations enjoying majority support (pp. 71-72).

Perry and Wildman (1971), in tracing the growth of the collective bargaining movement in education, stated that in 1970:

An estimated 300,000 teachers are presently covered by some 600 substantive, bilateral, signed contracts with boards of education which contain salary schedules, grievance procedures, and clauses covering all manner of so-called "working conditions" and, perhaps, "professional" matters. In this all important category, the AFT's coverage is probably at least half or more of the 300,000 total (p. 13).

With the increase of negotiations in education, it is important to clarify the relationship of negotiations to the establishment of grievance procedures. The relative formality regarding the procedures utilized for solving conflicts between management and labor in business and industry or between teachers and boards of education in public education parallels the evolution of a bilateral system of organizational control and decision making. Teachers, traditionally subjected to hierarchically imposed unilateral determination of policies, regulations, rules, and conditions of employment, have had in the past only informal avenues for redress of grievances open to them. Grievance disposition in a unilateral determination system is often characterized by a lack of regularized means for
processing grievances (Berle, 1954, p. 61). The recent demand of teachers to be included in the decision making process is evidenced most readily in the bilateral development of a formalized collective negotiations agreement. The American Association of School Administrators (1966) characterizes an agreement as:

>a cooperatively developed written agreement which clarifies the roles and relationships of all those involved in the negotiations process, clearly outlines procedures to be followed, and sets out the responsibilities of the various parties (pp. 33-34).

The formalization of the negotiations process provides structure through which policies may be jointly developed by teachers and boards of education. A formal grievance procedure is one of the policies that may be jointly developed and "should be an integral part of the negotiations agreement" (American Association of School Administrators, 1966, p. 43). In this context, the grievance procedure serves to insure that the provisions of the agreement are properly implemented and often the procedure covers conflicts that arise involving the policies of the board of education as well as administrative rules, regulations and general practices. Because of this relationship, the grievance procedure is often regarded as "the real heart of the negotiated agreement" (Law, 1970, p. 36). In 1969 Lieberman reported that grievance procedures had become the most frequently negotiated
non-economic item in collective agreements. Schmidt (1967), in considering the goals of the employee group in establishing collective bargaining, clearly expresses the relationship of the grievance procedure to the bargaining process by stating that one of the major goals is "... to formulate and jointly administer with the management group a system for the adjudication of grievances and the resolution of disputes arising during the term of the collective agreement" (p. 4).

Stinnett, Kleinman, and Ware (1966) affirm the relationship of the grievance procedure to the negotiations process by stating:

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 negotiations procedure, since it provides for the democratic adjudication of any problem of alleged injustice to an individual or group arising from the interpretation or application of policy or from day to day management of school affairs (pp. 442-443).

In a succinct description of the relationship of grievance processing to collective negotiation, Arvid Anderson states:

Specifically, I describe the collective bargaining table as being supported by four legs; the first is wages and all other economic benefits; the second is seniority;
the third is grievance arbitration; and the fourth is union security (Elam, Lieberman, and Moskow, 1967, p. 106).

This relationship of the grievance procedure to the negotiations process does not preclude the existence of grievance procedures in the absence of collective negotiations, for as previously stated, the scope of the procedure usually covers more than the provisions of the negotiations agreement or the negotiated contract. Grievance procedures are often adopted in the absence of collective negotiations; however, there remains a close relationship between the adoption of the negotiations agreement and the adoption of a formal grievance procedure in public education.

Little research is reported regarding the extent of inclusion of grievance procedures in the policies and procedures of school districts across the nation. However, two early nationwide surveys conducted by the National Education Association do provide some insight into the growth of grievance procedures in public education. The first NEA survey conducted during the 1961-62 school year revealed that of the 4,697 urban school districts surveyed, 31 per cent had formally adopted grievance procedures. The procedures reported generally included only administrative steps (levels of authority) with no local association involvement (National Education Association, 1963, p. 21). In response to the question of why no procedures had been developed, respondents from 55 per cent of the districts
without formal grievance procedures indicated that no procedures had been requested and 50 per cent indicated no need for grievance procedures (National Education Association, 1963, p. 23). The second NEA survey, conducted in October of 1965 in school districts in the nation with enrollments of 12,000 or more students, revealed that 34.5 per cent of the districts reporting had formal grievance procedures. Large school districts had a higher prevalence of reported grievance procedures than did smaller school districts (National Education Association, 1967a, pp. 81-83).

In 1969 the NEA reported the results of a negotiations' survey of school systems with enrollments of 1,000 or more pupils. Negotiations' agreements were received from 2,212 (30.8 per cent) of the systems surveyed. Of the districts reporting, 603 had comprehensive negotiations agreements and 550 (91.2 per cent) of the agreements included grievance procedures (National Education Association, 1969, p. 5).

Three recent studies reported the prevalence of grievance procedures in limited geographic areas of the United States. In a study conducted in 1968 in the Minneapolis-St. Paul area, Janneck (1969, p. 82) asked the 49 member districts of the Twin Cities Educational Research and Development Council whether or not they had developed and adopted formal grievance procedures. Of the 36 districts responding, 17 (47.2 per cent) reported that they
had grievance procedures of some sort that were part of the personnel policies of the district.

In a 1970 study of the incidence of grievance procedures in school districts of Southern California with enrollments of between 10,000 and 30,000 students, Searles (1971, p. 9) received a response from 46 of 51 districts. Twenty-seven (58.7 per cent) of the district superintendents indicated that they had a grievance procedure while 19 district superintendents indicated that they did not have a grievance procedure at the time.

In a similar study conducted in the San Francisco Bay Area in 1970, Sarpa (1971, p. 74) requested information on grievance procedures from 68 school districts with student enrollments of 50,000 or less. Of the 52 districts responding, 31 districts (59.6 per cent) had adopted formal grievance procedures for certificated personnel.

Although information on the extent of adoption of grievance procedures by public school districts is limited, it is evident that there is an increasing propensity for school districts to adopt such procedures. In reporting the incidence of grievance procedures in Janneck's (1969) Minneapolis-St. Paul study, as well as Searles' (1971) and Sarpa's (1971) California studies, it is important to note that in both Minnesota and California legislation has been passed that guarantees teachers the right to enter into negotiations with boards of education. Such legislation
provides great impetus for the development of collective negotiations agreements and related grievance procedures.

In considering the establishment of grievance procedures in the policies of school districts, it is important to view the impetus for their adoption that is provided by legislation. The close relationship between collective negotiations agreements, through which contracts between teachers and boards of education are negotiated, and allied grievance procedures, often viewed as a means of insuring that the contracts are properly administered, points up the important impact that enabling legislation has on the establishment of formal grievance procedures.

Doherty (1967, p. 6) stated that prior to 1960 not one state authorized collective agreements or any form of negotiations between teachers' organizations and boards of education. The decade between 1960 and 1970 was a decade of rapid development of legislation enabling collective negotiations in public education, Perry and Wildman (1971) state:

By 1970, 23 states had statutes relating directly to collective negotiations, or "discussing" in the schools; in some jurisdictions teacher bargaining is provided for in separate legislation; in others, teachers are included with other employees generally. In 4 of these 23 states, the laws relating to interaction between teachers and school boards are quite rudimentary in form and are "permissive" in that they provide that a board of education may or may not, at its discretion, undertake to recognize and negotiate or open discussions with
teachers or a representative teacher organization. In the remaining 19 states, the negotiation laws are "mandatory" in that they provide that boards of education or their representatives, if the teachers or their organization so request, must discuss, negotiate, "meet and confer," or whatever, according to the dictates of the statute (p. 56).

During the time period from 1970 to 1974 the number of states passing legislation enabling negotiations has grown considerably. A recent American Association of School Administrators (1974, p. 1) publication reports that as of 1974 35 states (70 per cent) provide legislation enabling some form of negotiations between teachers' organizations and boards of education.

In consideration of the constraint imposed on the growth of collective negotiation by a lack of enabling legislation the National Education Association (1965) states:

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 on 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 (pp. 17-18).

Legal Implications for Collective Negotiations

In considering the establishment of grievance procedures, and for that matter, the entire subject of
collective negotiation, attention must be paid to the legal implications surrounding the topic. One of the recurring questions is that of the legality of establishing collective agreements with employee groups.

In a 1966 publication, Stinnett et al. address the legality issue by stating:

Undoubtedly if the question of legality is ever raised in the states 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, the board should be able to participate in negotiation procedures, even in the absence of statute (p. 40).

The enactment of legislation enabling collective bargaining is viewed by Lieberman and Moskow (1966) as consistent with a community of interest that must exist in an adversary relationship that often arises between management and labor. For government to suppress this conflict directly would be inconsistent with our way of life. An alternative would be for government, through legislation, "to provide a mechanism for resolving conflict in a mutually satisfactory manner. Collective bargaining is the mechanism chosen by the American people. Its primary function is to reconcile the divergent interests of employers and employees in a way this is hopefully consistent with the public interest" (p. 79).

State statutes, both permissive and mandatory, regarding the establishment of collective negotiations for
public employees have provided much impetus for the adoption of related grievance procedures. Several states have gone a step further by providing statutes guaranteeing machinery for grievance appeal. These statutes are designed basically for individual employees with grievances rather than to facilitate solutions to bargaining impasses between a school district and an employee organization. In reviewing several of these statutes, Shils and Whittier (1968) state:

Under the Michigan statute, individual employees may present grievances to their employers without intervention of the bargaining representative, if the adjustment is not inconsistent with the collective agreement. The exclusive representative, however, has the opportunity to be present at the hearings.

Under the California statute, individuals may appear before the local school board on their own behalf in respect to employment relationships with the school district.

In the Connecticut statute any certificated group of employees or an individual employee shall have the right to present grievances to the body specified by the local school board at any time.

In Oregon and Washington, individual certificated employees have the right to appear before the local boards on their own behalf; in Oregon, "to confer, consult and discuss"; in Washington, "on matters relating to their employment relations" (pp. 443-444).

In a relatively brief "schools only" negotiations statute passed in the 1969 session of the legislature, North Dakota provides for written contracts, binding arbitration of grievances, mediation and fact-finding, with separate
negotiating units for teachers and administrators implied in the language of the Act (Perry and Wildman, 1971, p. 60).

States that have enacted legislation providing for the establishment of negotiations and grievance procedure machinery do not constitute the complete spectrum for negotiations and grievance procedure activity. School districts in many states, like Arizona, have established this machinery through local impetus and in the absence of enabling legislation. Although the trend toward the adoption of enabling legislation and the state of flux, nationally, in this activity have influenced the extent to which school districts in these states have implemented negotiation and grievance procedures, it remains that the impetus for such agreement is more locally based reflecting the bilateral relationship between boards of education and employee groups. The incidence of negotiations and grievance provisions and the formality of these provisions are influenced by the provision, or lack thereof, of enabling legislation.

Definitions of Grievance

Grievances are defined in a variety of ways. The scope of definition can be viewed as a continuum extending from an open all-inclusive definition to a clearly stipulated definition. Lieberman and Moskow (1966) state, "Collective agreements in public education define grievances
in various ways. Some agreements define grievances as virtually any complaint which a teacher has. In most agreements, however, grievances are defined as a charge that the collective agreement is being violated or misinterpreted" (p. 347).

A recent National Education Association (1971) publication states that grievances are often defined as ". . . any dissatisfaction of any employee" (p. 4). Lieberman and Moskow (1966) state that grievance is often defined as ". . . a charge that the collective agreement is being violated or misinterpreted" (p. 347). These varying definitions reflect the extreme ends of the continuum of grievance definition extending from a clinical approach to conflict at one extreme and a legal approach to conflict at the other extreme. At one extreme any concern is grievable while at the other extreme only specific clearly stipulated matters are grievable.

Becker (1969) calls for a clear distinction between what constitutes a grievance and what constitutes a complaint. He states:

Grievances should be distinguished from complaints. Any act of an administrator which arouses the ire or objection of a teacher may be grounds for a complaint. The teacher may disagree with the principal's evaluation of his teaching or may resent the way the principal talked to him. A complaint, however, is not a grievance unless there is a claim that an administrator has denied the complainant something to which he had a right under the rules, policies, or contractual provisions. In other
words, in a grievance action, the aggrieved claims that the guarantee of some right, privilege, or benefit provided in a rule, policy, procedure, or contractual provision has not been honored (Part A, p. 1).

A definition of grievance that exemplifies Becker's statement is included in the contract between the Stamford Education Association and the Stamford Board of Education. In this contract, a grievance is defined as:

a claim by a teacher or a group of teachers that there has been a violation, misinterpretation, or misapplication of the provisions of this Agreement, or of the rules, regulations, administrative directives or policies of the Board of Education (Becker, 1969, Part A, p. 1).

According to Becker the criterion for determining whether a complaint is a grievance is not dependent upon the subject or the merit of the complaint, but rather, upon whether the subject is spelled out in rule, policy, regulation, or contract and a claim that the established in these is not being followed or is being followed incorrectly.

An example of a definition of grievance that skews toward the clinical end of the continuum appears in the collective bargaining agreement between North Providence Local 920 and The School Committee of North Providence, In this agreement, grievance is defined as:

a complaint by the Union or by a teacher and the Union that there has been a violation, misinterpretation or inequitable application of any of the provisions of this agreement, or that a member of the bargaining unit has been treated unfairly or inequitably or discriminated against for any reason (North Providence Federation of Teachers Local 920, 1971, p. 10).
It is interesting to note that in the 1971-72 contract signed between the East Detroit Federation of Teachers AFT Local 698 and East Detroit Board of Education (1971) the following provision is included.

4.3 If a question arises as to whether or not a particular complaint is a "grievance" as defined in this Article, the question may be considered through the grievance procedure as herein provided (p. 25).

Many grievance procedures include not only provisions of the negotiated agreement, policies of the board of education, administrative rules and regulations but encompass practice as well. An example of such inclusion is found in the agreement between the Board of Education of the School District of the City of Detroit and the Detroit Federation of Teachers Local 231 (1971). In this agreement, grievance is defined as:

a complaint submitted as a grievance involving the work situation, or that there has been a deviation from, or a misinterpretation, or misapplication of a practice or policy; or that there has been a violation, misinterpretation, or misapplication of any provision of this Agreement (p. 50).

A definition of grievance including a provision for settling conflict arising over administrative practice might include many situations not covered by written policy. The practice of rotating teacher class assignment in an organizational pattern of homogeneously grouping students according to ability might become open to grievance if the
administrator disrupts the rotation of teachers from low to high group class assignments.

Views of how grievance should be defined in the context of educational policy making reflect both sides of the bargaining table. Law (1970), negotiations specialist for the NEA, states: "a grievance procedure must include a clear and broad definition (the broader the better) of what constitutes a grievance" (p. 36). He further states:

Attempts by the board of education to limit the definition of a grievance is a frequent problem. From the board's point of view, the narrower the definition, the greater the opportunity for unilateral exercise of management discretion (p. 37).

Koerner and Parker (1969) oppose Law's view by stating:

The best grievance procedure, in the opinion of the authors, is one that applies only to items in the negotiated contract. Indeed, the grievance procedure is a part of the contract, and it should not be extended beyond the limits of that contract. Boards that do otherwise place their school district in an untenable position (p. 23).

The above statements well reflect the parameters within which grievance may be defined.

Definitions of Grievance Procedure

The National Education Association (1967b) clearly defines a grievance procedure by stating:

a grievance procedure is a method by which an individual employee can express a complaint, problem, or dispute without fear of reprisal
and obtain a fair hearing at progressively higher administrative levels (p. 5).

In a recent National Education Association (1971) publication, grievance procedure is described through a listing of the structural parts of a skeletal contract grievance procedure. According to the National Education Association, the skeletal procedure includes these structural parts:

1. Definition of a grievance.

2. Definition of who may grieve—negotiating representative, teacher(s), employee—and who may appear on behalf of the aggrieved.

3. Formal procedure which specifies:
   a. maximum time for processing at each step;
   b. what happens if time limits are not observed;
   c. when grievance is committed to writing.

4. Authority of arbitrator (an employee of the disputants).

5. Procedure for appointment of arbitrator(s).

6. How costs of arbitration are to be met (p. 8).

McConnell (1969), in providing a simple definition of a grievance procedure, states:

A grievance procedure is simply a logical method of adjusting grievances with value as a protection for the individual worker, insuring him against judgment by his accusers (p. 21),
Lieberman and Moskow (1966) present a definition of a grievance procedure through a description of its utilization in grievance resolution. They state:

At the first step, the grievance is usually presented orally, and over 90% of all grievances are settled at this level. If the teacher does not obtain satisfaction at the first level, he may then present his grievance to the person representing the second step in the grievance procedure. In a large school system, this person might be the assistant superintendent, while in a small system, the grievance may go directly to the superintendent of schools. Once the grievance goes beyond the first level, it is desirable to require that it be in writing. The requirement discourages frivolous grievances and helps build a clear record in case the grievance is appealed to higher levels.

If the teacher does not obtain satisfaction at the second level, he may then present his grievance to the person representing the third level in the procedure. In a large system, the third step would be the associated superintendent for personnel or a designee of the superintendent of schools. In a small system, the board of education or a grievance committee of the board may perform this function.

If satisfaction is still not obtained at the third level, the teacher usually has the right to request a decision or opinion from an impartial source. In the past, school boards have been extremely reluctant to permit a person outside the school system to issue an award that would be binding on the board. Recently, however, more school boards have been willing to accept such a procedure (p. 348).

**Characteristics of a Formal Grievance Procedure**

It is evident from the literature that although grievance procedures vary in design, it is possible to isolate a number of common, pertinent characteristics which
apply generally. These common, pertinent characteristics emerge in the compilation of grievance procedure inclusions recommended by authorities in the field of grievance administration as well as inclusions recommended by leading educational organizations.

Shils and Whittier (1968) describe the necessary components of a sound grievance procedure as follows:

Grievance procedure must be integral to personnel policy, whether negotiated or unilateral. The definition of grievance should isolate what types of complaints are properly covered by the procedure. Grievance procedure should be clear and explicit on channels to be followed in handling complaints: steps stated; requirements for reducing a grievance to writing; the number of days each administrator is permitted in filing a decision; the rights of the parties; the presence of witnesses; permission for representation of the grievant by another teacher or organization. The procedure should also provide a final step which is impartial (pp. 446-447).

Elam et al. (1967) state that a grievance procedure should have the following six major characteristics:

1. The terms should be clearly defined so that a teacher may have fair notice of when the procedure can be invoked.
2. The procedure should be easily accessible to any person who thinks he has a grievance, and its use should be encouraged by the administration.
3. The procedure should have prescribed time limits within which the grievance must be processed at each stage.
4. The procedure should guarantee the grievant independent representation at all stages.
5. The procedure should guarantee the grievant protection from administrative coercion,
interference, restraint, discrimination, or reprisal by reason of having filed and processed his grievance.

6. The procedure should terminate in a full and fair review, where the grievant so desires, by an agency which is in no way beholden to or prejudicial against any party in interest (pp. 160-161).

In order to determine grievance procedure characteristics recommended by leading educational organizations, the executive secretaries of the National Education Association, the American Federation of Teachers, the American Association of School Administrators and the National School Boards Association were asked, by the researcher, to submit a listing of characteristics each organization would recommend for inclusion in a sound grievance procedure. The purposes of this request were to gather and report pertinent literature regarding recommended grievance procedure characteristics and to utilize these recommendations in a further portion of this study.

John D. Sullivan, Assistant Executive Secretary of the National Education Association, submitted the "Illustrative Grievance Procedure" set forth in a 1971 National Education Association publication. Although lengthy, it is included here because of its importance as a major statement of the National Education Association with regard to provisions the Association wishes included in grievance procedures.
I. Definitions

A. A "grievant" shall mean a teacher or group of teachers or the Association filing a grievance.

B. A "grievance" shall mean a claim by a grievant that a dispute or disagreement of any kind exists involving interpretation or application of the terms of this Agreement or of an existing board rule, policy, or practice, or that an employee has been treated inequitably, or that there exists a condition which jeopardizes employee health or safety.

C. A "party in interest" is the person or persons 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 claim.

D. "Days" shall mean teacher employment days, except as otherwise indicated. If the stipulated time limits are not met, the grievant shall have the right to appeal the grievance to the next level of the procedure.

II. Rights to Representation

A. The Board shall recognize a P R & R committee upon its selection by the Association. At least an Association representative shall be present for any meetings, hearings, appeals, or other proceedings relating to a grievance which has been formally presented.

b. If, in the judgment of the Association, a grievance affects a group of teachers or the Association, the Association may initiate and submit such grievance in writing to the Superintendent directly, and the processing of such grievance shall be commenced at Level II. The Association may process such a grievance through all levels of the procedure, even though there is no individual aggrieved person who wishes to do so. Class grievances involving more than one
supervisor and grievances involving the administrator above the building level may be filed by the Association at Step II.

C. In matters dealing with alleged violations of Association rights, the grievance shall be initiated at Step II.

D. The Association on its own may continue and submit to arbitration any grievances filed and later dropped by a grievant, provided that the grievance involves the application or interpretation of the Agreement.

III. Individual Rights

A. Nothing contained herein shall be construed as limiting the right of any teacher having a complaint to discuss the matter via administrative channels and to have the problem adjusted without the intervention of the Association as long as the Association is in attendance at these discussions and is notified in writing as to the disposition of the matter and such disposition is not inconsistent with the terms of the Agreement.

B. A grievant may be represented at all stages of the grievance procedure by himself, or, at his option, by an Association representative selected by the Association. If an aggrieved party is not represented by the Association, the Association shall have the right to be present and to state its views at all stages of the grievance procedure.

IV. Procedure

Step 1. The parties in interest acknowledge that it is usually most desirable for an employee and his immediately involved supervisor to resolve problems through free and informal communications. Within a reasonable amount of time following knowledge of the act or condition which is the basis of the complaint, the grievant may present the grievance in writing to the immediately
involved supervisor, who will arrange a meeting to take place within four (4) days after receipt of the grievance. The grievant and/or the Association and the supervisor shall be present for the meeting. The supervisor shall provide the aggrieved party and the Association with a written answer to the grievance within two (2) days after the meeting. Such answer shall include the reasons upon which the decision was based.

Step 2. If the grievant is not satisfied with the disposition of his grievance at Level I, or if no decision has been rendered within six (6) school days after presentation of the grievance, then the grievance may be referred to the Superintendent or his official designee. The Superintendent shall arrange for a hearing with the grievant and/or the Association, to take place within five (5) days of his receipt of the appeal. The parties in interest shall have the right to include in the representation such witnesses and counselors as they deem necessary to develop facts pertinent to the grievance. Upon conclusion of the hearings, the Superintendent will have four (4) days to provide his written decision, together with the reasons for the decision, to the Association.

Step 3. Binding Arbitration

a. If the grievant is not satisfied with the disposition of his grievance at Level II, or if no decision has been rendered within ten (10) school days after he has first met with the Superintendent, he may within five (5) school days after a decision by the Superintendent or fifteen (15) school days after he has first met with the Superintendent, whichever is sooner, request in writing that the Association submit his grievance to arbitration. If the Association determines that the grievance involves the interpretation, meaning or application of any of the provisions of this Agreement, it may, by written notice to the Superintendent within fifteen (15) school days after receipt of the request from the aggrieved person, submit the grievance to binding
arbitration. If any question arises as to arbitrability, such question will first be ruled upon by the arbitrator to hear the dispute.

b. Within ten (10) school days after such written notice of submission to arbitration, the Superintendent and the Association will attempt to agree upon a mutually acceptable arbitrator and to obtain a commitment from such arbitrator to serve. If the parties are unable to agree upon an arbitrator or to obtain such a commitment within the 10 day period, a request for a list of arbitrators may be made to the American Arbitration Association by either party. The parties will be bound by the rules and procedures of the American Arbitration Association.

c. Neither party shall be permitted to assert in the arbitration proceeding any evidence which was not submitted to the other party before the completion of Level II meetings.

d. The arbitrator selected will confer with the representatives of the Superintendent and the Association and hold hearings promptly and will issue his decision not later than twenty (20) days from the date of the close of the hearings or, if oral hearings have been waived, then from the date the final statements and proofs are submitted to him. The arbitrator's decision will be in writing and will set forth his findings of fact, reasoning and conclusions on the issues submitted. The arbitrator will be without power or authority to make any decisions which require the commission of an act prohibited by law or which is violative of the terms of this Agreement. The decision of the arbitrator will be submitted to the Board and the Association and will be final and binding upon the parties.

e. The cost for the services of the arbitrator, including per diem expenses, if any, and his travel and subsistence expenses and the cost of any hearing room will be borne equally by the Board and the
Association. All other costs will be borne by the party incurring them.

V. Exceptions to Time Limits

When a grievance is submitted on or after June 1, time limits shall consist of all weekdays, so that the matter may be resolved before the close of the school term or as soon as possible thereafter.

VI. No Reprisals

No reprisal of any kind will be taken by the Board or the school administration against any teacher because of his participation in this grievance procedure.

VII. Cooperation of Board and Administration

The Board and the administration will cooperate with the Association in its investigation of any grievance, and further, will furnish the Association such information as is requested for the processing of any grievance.

VIII. Released Time

Should the investigation or processing of any grievance require that a teacher or an Association representative be released from his regular assignment, he shall be released without loss of pay or benefits.

IX. Personnel Files

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

X. Grievance Forms

Forms for filing grievances, serving notices, taking appeals, reports and recommendations, and other necessary documents will be prepared jointly by the Superintendent and the Association so as to facilitate operation of the grievance procedure. The costs of preparing such forms shall be borne
by the Board (National Education Association, 1971, pp. 15-23).

John Oliver, 1972 Director of the Department of Collective Bargaining Services of the American Federation of Teachers, provided the researcher with several grievance procedures negotiated by AFT locals which include grievance procedure provisions recommended by the AFT. The grievance procedures submitted were quite similar in their substantive characteristics. The following grievance procedure, negotiated in 1971 between the Board of Education of the School District of the City of Detroit and the Detroit Federation of Teachers Local 231, contains the major provisions typically included in grievance procedures negotiated between AFT locals and boards of education:

**Grievance Procedure**

A. A grievance is a complaint submitted as a grievance involving the work situation, or that there has been a deviation from, or a misinterpretation or misapplications of a practice or policy; or that there has been a violation, misinterpretation, or misapplication of any provision of this Agreement.

B. Problems and grievances shall be presented and adjusted in accordance with the following procedures:

The teacher with a problem may first discuss the matter with the principal, directly or accompanied by the Union building representative, with the objective of resolving the matter informally.

**Step 1.** In the event the matter is not resolved informally, the problem, stated in writing, may be lodged with or submitted as a grievance to the principal of the school in
which the grievance arises within a reasonable
time following the act or condition which is
the basis of the grievance.

a. A grievance may be lodged and thereafter
discussed with the principal:

(1) by a teacher accompanied by a Union
representative.

(2) through a Union representative if the
teacher so request.

(3) by a Union representative in the name
of the Union.

b. Within ten days after receiving the
grivance, the principal shall state his
decision in writing, together with the
supporting reasons, and shall furnish one
copy to the teacher, if any, who lodged
the grievance and two copies to the Union
representative.

Step 2. Within ten school days after receiving
the decision of the principal, the aggrieved
teacher may, on his own or through the Union
office, or the Union in its own name may
appeal from the decision at Step 1 to the
region superintendent. The appeal shall be in
writing and shall be accompanied by a copy of
the decision at Step 1.

a. Within ten school days after delivery of
the appeal, the region superintendent
shall investigate the grievance including
giving all persons who participated in
Step 1 and representatives from the Union
office a reasonable opportunity to be
heard. Upon request of the region super-
intendent or the Union all parties will
meet at the same time.

b. Within fifteen school days after delivery
of the appeal the region superintendent
shall communicate his decision in writing,
together with the supporting reasons, to
the aggrieved teacher, if any, to the
representative designated by the Union who
participated in this step, and to the
principal,
Step 3. Within ten school days after receiving the decision of the region superintendent, the Union may appeal from his decision to the Superintendent of Schools or to any designee of the Superintendent upon whom the Superintendent has conferred authority to act in the premises. The appeal shall be in writing and shall be accompanied by a copy of the decision at Step 2.

a. Within ten school days after delivery of the appeal, the Superintendent or his designee shall investigate the grievance, including giving all persons who participated in Step 2 and representatives from the Union office a reasonable opportunity to be heard. Upon request of the Superintendent or the Union all parties will meet at the same time.

b. Within fifteen school days after delivery of the appeal, the Superintendent shall communicate his decision in writing, together with the supporting reasons, to the aggrieved teacher, if any, to the representative designated by the Union who participated in this step, and to the principal.

Step 4. Within ten school days after receiving the decision of the Superintendent, the Union may appeal the decision in writing to the Board of Education, which shall give the Union an opportunity to be heard within twenty school days after delivery of the appeal and shall communicate its decision in writing, together with supporting reasons, to the Union within twenty-five school days after delivery of the appeal.

Step 5. If the Union is dissatisfied with the decision of the Board of Education, the Union may within twenty school days submit any grievance under the Agreement to final and binding arbitration under the labor arbitration rules of the American Arbitration Association, at the equal expense of the parties. No grievance or occurrence prior to July 1, 1971 shall be submitted to binding arbitration under this provision.
C. 1. In all steps of the grievance procedure, when it becomes necessary for individuals to be involved during school hours, they shall be excused with pay for that purpose.

2. No teacher at any stage of the grievance procedure will be required to meet with any administrator without Union representation.

D. 1. If a grievance arises from the action of authority higher than the principal of a school, the Union may present such grievance at the appropriate step of the grievance procedure.

2. If a grievance is of such nature as to require immediate action such as may be required in transfer cases, the person acting for the Union may appeal immediately to the office or person empowered to act, and said office or person will resolve the matter jointly with the Union representative. If the matter is not satisfactorily resolved, it may be appealed through the grievance procedure beginning with Step 3.

E. 1. Failure at any step of this procedure to communicate the decision on a grievance within the specified time limits shall permit lodging an appeal at the next step of this procedure within the time allotted had the decision been given. Failure to appeal shall be deemed an acceptance of the decision.

2. The time limits specified in this procedure may be extended, in any specific instance, by mutual agreement in writing.

F. The grievance procedure provided in the Agreement shall be supplementary or cumulative to, rather than exclusive of, any procedures or remedies afforded to any teacher by law (Board of Education of the School District of the City of Detroit and the Detroit Federation of Teachers Local 231, 1971, pp. 50-52).

George Redfern, Assistant to the Executive Secretary for the American Association of School Administrators,
replied that AASA has not developed guidelines for the
development of a grievance procedure for certificated
public school personnel but has passed resolutions at con-
vention proceedings calling for the inclusion of sound
grievance procedures as part of good personnel management.
However, in a 1966 American Association of School Adminis-
trators publication the following is stated:

Grievance procedures will vary greatly from dis­
trict to district due to differing local needs
and conditions, but the following principles may
be applied to the evaluation of any procedure:

1. It should be cooperatively developed and in
   writing.

2. It should be an integral part of the negotia-
tions agreement.

3. It should clearly define grievance.

4. It should encourage resolution of the
grievance as close as possible to the
origin but also include a specific 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 a grievance.

8. All internal methods of resolving a
grievance should be used before external
means are employed (p. 43),
Fred B. Lifton, Collective Bargaining Consultant for the National School Boards Association, submitted Wildman's (1969, pp. 1-4) publication, "From the Bargaining Table: The Grievance Procedure" as a model for school boards to use in negotiating grievance procedures for certificated personnel. Wildman's recommended grievance procedure is as follows:

Article - Grievance Procedure

Section 1. Definition

A grievance shall mean a complaint that there has been an alleged violation, misinterpretation, or misapplication of any provision of this Agreement.

Section 2. Statement of Basic Principles,

(a) Every teacher covered by this Agreement shall have the right to present grievances in accordance with these procedures, with or without representation. Nothing contained in this article or elsewhere in this agreement shall be construed to prevent any individual employee from discussing a problem with the administration and having it adjusted without intervention or representation of organization representatives.

(b) A teacher who participates in these grievance procedures shall not be subjected to discipline or reprisal because of such participation.

(c) The failure of a teacher or the (Organization) to act on any grievance within the prescribed time limits will act as a bar to any further appeal and an administrator's failure to give a decision within the time limits shall permit the grievant to proceed to the next step. The time limits, however, may be extended by mutual agreement.

(d) Any teacher has a right to be represented in the grievance procedure. The teacher shall be present at any grievance discussion when the
administration and/or the (Organization) deems it necessary. When the presence of a teacher at a grievance hearing is requested by either party, illness or other incapacity of the teacher shall be grounds for any necessary extension of grievance procedure time limits.

(e) In any instance where the (Organization) is not represented in the grievance procedure, the (Organization) will be notified of the final disposition of the grievance which disposition shall not be in conflict with any of the terms or conditions of this Agreement.

Any final disposition of grievance alleged by the (Organization) to be in conflict with this Agreement shall be grievable by the (Organization).

(f) Hearings and conferences under this procedure shall be conducted at a time and place which will afford a fair and reasonable opportunity for all persons, including witnesses entitled to be present, to attend and will be held, insofar as possible, after regular school hours, or during non-teaching time of personnel involved. When such hearings and conferences are held, at the option of the administration, during school hours all employees whose presence is required shall be excused, with pay, for that purpose.

(g) It is agreed that any investigation or other handling or processing of any grievance by the grieving teacher or teacher organization representatives shall be conducted so as to result in no interference with or interruption whatsoever of the instructional program and related work activities of the teaching staff.

Section 3. Procedures.

(a) First step. An attempt shall be made to resolve any grievance in informal, verbal discussion between complainant and his immediate superior.

(b) Second step. If grievance cannot be resolved informally, the aggrieved teacher shall file the grievance in writing and at a mutually
agreeable time, discuss the matter with the principal. The written grievance should state the nature of the grievance, should note the specific clause or clauses of the Agreement allegedly violated, and should state the remedy requested. The filing of the grievance at the second step must be within 10 days from the date of the occurrence of the event giving rise to the grievance. The principal or other administrator who has authority to make a decision on the grievance shall make such decision and communicate it in writing to the teacher and the Superintendent within ten (10) working days.

(c) Third step. In the event a grievance has not been satisfactorily resolved at the second step, the aggrieved teacher shall file, within five (5) school days of the principal's written decision or answer at the second step, a copy of the grievance with the Superintendent. Within ten (10) school days after such written grievance is filed, the aggrieved, representative of the aggrieved as desired, the principal and the Superintendent or his designee, shall meet to resolve the grievance. The Superintendent, or his designee, shall file an answer within ten (10) school days of the third step grievance meeting and communicate it in writing to the teacher, the principal, and the (Organization).

(d) Fourth step. If the grievance cannot be settled at the third step the grievance shall be submitted to the Board of Education to be considered in as timely a fashion as the schedule of board meetings and the agendas therefore permit. The aggrieved, acting independently or through the (Organization), may present a written brief to the Board and may request an oral hearing on the grievance which will be granted at the discretion of the Board. If granted, the hearing will be conducted by the full Board or by a subcommittee of the Board, as the Board may designate.

(e) Fifth step. If the grievance is not resolved satisfactorily to the (Organization) within five (5) days after consideration by the Board, there shall be available a fifth step of impartial,
advisory arbitration. The (Organization) may submit, in writing, a request to enter into such arbitration. The arbitration proceeding shall be conducted by an Arbitrator to be selected by the two parties within seven (7) days after said notice is given. If the two parties fail to reach agreement on an Arbitrator within 7 days, the American Arbitration Association will be requested to provide a panel of seven (7) arbitrators. Each of the two parties will alternately strike one name at a time from the panel until only one shall remain. The remaining name shall be the Arbitrator. The decision of the Arbitrator will be advisory only and shall not be binding on the parties.

Expenses for the Arbitrator's services and the expenses which are common to both parties to the arbitration shall be borne equally by the Board and the (Organization). Each party to an arbitration proceeding shall be responsible for compensating its own representatives and witnesses.

The Arbitrator, in his opinion, shall not amend, modify, nullify, ignore, or add to the provisions of the Agreement. His authority shall be strictly limited to deciding only the issue or issues presented to him in writing by the School Board and the (Organization) and his decision must be based solely upon his interpretation of the meaning or application of the express relevant language of the Agreement (Wildman, 1969, pp. 1-4).

A comparison of the major grievance procedure characteristics included in the "Illustrative Grievance Procedure" recommended by the National Education Association; the Detroit Federation of Teachers Local 231 Grievance Procedure, representative of the seven grievance procedures recommended and submitted by the American Federation of Teachers; Wildman's "Grievance Procedure," recommended by the National School Board's Association; and
the grievance procedure evaluative principles appearing in the 1966 American Association of School Administrators publication reported above yields a number of major characteristics commonly held by these leading educational organizations as necessary inclusions for sound grievance procedures. The following listing of major characteristics was compiled through a comparison of the recommendations of these four educational organizations. Each major characteristic listed appeared in recommendations of at least three of the four organizations. The major characteristics, thusly identified, are:

1. "Grievance" is defined,
2. Steps in the procedure are stated,
3. Provision for reducing the grievance to writing by Step II is stated,
4. Time limits for decision and appeal are stated,
5. The grievant's right to representation is stated,
6. The grievant's right to appeal is stated.
7. Safeguard against reprisal for having filed a grievance is guaranteed,
8. The final step is impartial.

Although other minor characteristics appear in grievance procedures, the major characteristics listed above reflect not only the recommendation of leading educational organizations but also the major characteristics recommended
by authorities in the field reported in the initial portion of this review of the characteristics of formal grievance procedures.

Utilization of the Grievance Procedure

The literature yields little information on incidence of grievance procedure utilization and grievance rates. The number of grievance cases reported has marginal relationship to the actual utilization of the procedure, since reported cases are normally those that are appealed from Step I, the informal step of the procedure. Lieberman and Moskow (1966) point out that "At the first step, the grievance is usually presented orally and over 90% of all grievances are settled at this level" (p. 348). Most procedures do not require written presentation at the first step of the procedure, and thus resolution at this initial step is not recorded.

An early national survey of grievance procedure utilization conducted by the National Education Association (1967b, p. 5) reported a grievance rate of approximately one grievance per 1,000 employees per year.

In a 1971 study Sarpa reported the number of grievances filed in 31 school districts in the San Francisco area over an eight year period of time. He states, "Only two formal appeals were reported processed before 1961, four in the period 1961-63, and five in the period 1963-65.
In 1965-67, the sample reported twenty-three processed appeals. In the final period of the study, 1967-69, the respondents reported thirty-nine processed grievances" (p. 81). Sarpa stated, "The important point was that the use of the appeal-grievance procedures was increasing and provided an added channel of communication for the school organization" (p. 81).

In a sample of four California school districts representing four cities, McConnell (1969) found that the rates varied in the four cities from 1.28 to 7.75 grievances per hundred teacher organization members per year. He states:

The highest rate (7.75 per hundred members) was produced by a teacher organization that enrolled only 15 percent of the staff and was fighting for members in a district with an embryonic grievance procedure. The second highest rate (2.81 per hundred members) occurred in a rapidly growing, energetic teacher organization representing 90% of the staff with a new grievance procedure and a good system of implementing it. The third highest (1.46 per hundred members) had a new, barely adequate procedure and had just begun to use it with a membership that represented over two-thirds of the staff. The lowest rate (1.28 per hundred members) was produced by a strong teacher organization that represented 85 percent of the staff, had a good grievance procedure, and was making other (substantial) gains for teachers through negotiation (p. 97).

McConnell states that his findings indicate, "... that grievance rates may be influenced by the relative strength of teacher organizations, the degree of rivalry between teacher organizations, the effectiveness of teacher
organization leadership, and the teacher organization's internal system of implementing the grievance procedure" (p. 98).

In an appeal for association control over grievance machinery, the Commission on Professional Rights and Responsibilities of the National Education Association (1971) states "... if employee organizations control or influence grievance initiation, the entry rate will approximate 10-20 grievances per 100 employees per year. If employees or managers control initiation of a grievance, the rate will be much lower" (p. 10).

Although information on numbers of grievances filed and grievance rates is sparse, it is evident that utilization of grievance procedures is increasing. It is important to note in a consideration of grievance rates that the objectives of each of the parties to a grievance should be to achieve resolution at the lowest possible level. Resolutions at the initial, informal or oral step, though usually unreported, and thus uncounted, are of primary significance.

The Relationship of Grievances to District Policy

In order to perceive a relationship between grievances and school district policy and implementing practice that is dynamic as well as reflective, it is necessary to view the constructive usefulness of conflict
in the organizational setting. Mary Parker Follett's statement below presents this perspective:

If man is known by the dilemmas he keeps, one test of your business organization is not how many conflicts you have, for conflicts are the essence of life, but what are your conflicts? And how do you deal with them? It is to be hoped that we shall not always have strikes, but it is equally to be hoped that we shall always have conflict, the kind which leads to invention, to the emergence of new values (Metcalf and Urwick, 1940, pp. 35-36).

In a later statement Lutz et al. (1967) reflect Follett's perspective in viewing grievances as "... part of the normal psychology of organization" (Foreword).

Lutz et al. pragmatically describe grievance as part of the normal psychology of organization in relating grievances to policies and practices of the organization by stating:

I want to root grievances in the solid bedrock of social action, I assume that we start with a system of action, with people doing things. Our initial focus, therefore, is the enterprise of education. Enterprises are the sorts of things which have policies; the policies get carried out in daily practices. About both these things people may differ. They differ on the ideas they hold about the proper policies and the proper practices in the education enterprise. And so we have grievances. Grievances in this context are not extraneous form of grief—they are rooted in the somewhat frail structure of social organization. Grievances spring up readily just because people find it so easy to differ about their daily practices and about the policies they apprehend behind or beyond daily practices (p. 2).

The inevitability of conflict in the school organizational setting places grievances and grievance administration in a dynamic context. Grievances arising as a result of
employees' claims that the policies and practices of the district have been misapplied, misinterpreted, or violated can provide one basis for reviewing, changing, and developing policies and practices as the district strives to remain flexible and viable. Shils and Whittier (1968) succinctly state the usefulness of the grievance record as a monitoring system of policy as follows: "A canvass of the types of cases that cause most of the grievances will facilitate a revision of personnel policies so as to eliminate these irritants. A review at a bargaining table of the causes of grievances that occur most frequently will provide an opportunity for constructive discussion and negotiation" (p. 447).

The Professional Rights and Responsibilities Commission of the National Education Association (1971) delineates the usefulness of a record of grievances filed as the basis of a system for monitoring district policies and the negotiations agreement. The Commission states:

One of the more obvious and quite important effects of grievance processing is on negotiation of subsequent contracts. The kinds of complaints that are processed, and their history as they move into the machinery of grievance review, provide an excellent means of appraising the quality and content of the contract and of the other school district policies which may not be incorporated in the contract (p. 76).

The survival of any organization rests, in part, on its ability to remain flexible and viable in a dynamic
society. Grievances provide one means of identifying needed changes in the constructive management of conflict.

**Summary**

The need for a regularized means of resolving conflict between certificated public school personnel and administration and boards of education has resulted in the adoption of formal grievance procedures in the educational setting. The growing complexity of educational institutions combined with teachers' increasing demands to be included, through professional negotiations, in the decision making processes of school districts has provided much impetus for the adoption of grievance procedures.

Increase in the number of grievance procedures adopted is closely related to growth in the number of agreements negotiated between teacher organizations and boards of education. From 1960 to the present approximately thirty-five states have passed legislation enabling collective negotiations in education. This legislation has also provided much impetus for the development of grievance procedures.

The scope of the definition of grievance extends from an all inclusive definition of what constitutes a grievance to a narrow, clearly stipulated definition based solely on a negotiated agreement. The grievance procedure is an appeals system providing for the appeal of a grievance
to successively higher levels of authority in the quest for resolution. Often the final step in the procedure provides for grievance review by an impartial third party from outside the organization, resulting in either an advisory or binding recommendation for resolution.

Although grievance procedures differ substantively and procedurally, it is possible to isolate several pertinent general characteristics which ought to be included in sound grievance procedure. There is much agreement among leading educational organizations and authorities in the field of grievance administration regarding these characteristics.

Data on the utilization of grievance procedures and grievance rates, though sparse, indicate an increasing use of the procedures.

Records of grievances filed can be used as a means of reviewing school district policies and practices. The record of grievances filed can be used to identify problems in existing policy or practice as well as to point out the need for the development of additional policy.
CHAPTER III

DESIGN AND METHODOLOGY

Introduction

The design of the study, the sample chosen for the study, the instruments used to gather data, and the procedures involved in conducting the research are reviewed in this chapter.

Design of the Study

The study involved three phases: (1) Phase I—a determination of the extent to which Arizona school districts have adopted grievance procedures for certificated personnel, (2) Phase II—a determination of the characteristics of the adopted grievance procedures, and (3) Phase III—a determination of the experience of Arizona school districts in the development and utilization of grievance procedures.

Phase I

The purpose of Phase I was to answer the specific question: How many school districts in Arizona have adopted grievance procedures for certificated personnel? Every school district in Arizona was contacted to determine whether a grievance procedure existed, and if so, to collect the written procedure.
Phase II

The purpose of Phase II was to seek answers to the question: Do the characteristics of the grievance procedures adopted by the school districts of Arizona meet the grievance procedure criteria recommended by leading educational organizations? Major grievance procedure characteristics recommended by the National Education Association, the American Federation of Teachers, the National School Board's Association, and the American Association of School Administrators were compiled. The compilation, reported in the Chapter III section "Collection of Data," included the grievance procedure characteristics recommended by at least three of the four educational organizations. The compilation of recommended grievance procedure characteristics, thusly selected, was used to analyze the grievance procedures collected from the school districts of Arizona. The characteristics of each grievance procedure collected were compared with the recommended characteristics and the results of the comparisons reported.

Phase III

The purpose of Phase III was to seek answers to the following specific questions:

1. What were the reasons for the adoption of the grievance procedures by Arizona school districts?
2. What were the dynamics of the development of the grievance procedures by school districts in Arizona? (The purpose of this question was to determine the processes followed from initiation through adoption of the grievance procedures in the sample districts.)

3. What has been the experience of the school districts of Arizona with respect to the utilization of grievance procedures?

4. What was the relationship of grievances filed to the policies and practices of the school districts of Arizona? (The purpose of this question was to determine if policies of the board of education, provisions of the negotiations agreement, or administrative rules, regulations, or practices had been changed, added, or removed as a result of grievances filed in the sample districts.)

Answers to these questions were obtained through interviews with the Superintendent or his designee and the head of the district teacher's organization or his designee. A random sample of Arizona school districts that have adopted grievance procedures for certificated personnel was utilized.

Using the simple random sampling process described by Glass and Stanley (1970, pp. 212-213) a 40 per cent random sample of Arizona school districts reporting and
submitting grievance procedures was made. This sampling process yielded sixteen of the forty Arizona districts reporting grievance procedures.

A Grievance Procedure Questionnaire (Appendix A) and a focused, unstructured Grievance Procedure Interview Guide (Appendix B) were used in Phase III of the study.

Collection of Data

The data for this study were collected in three phases congruent with the three phases described in the design of the study.

Phase I

In this phase of the collection of data a letter requesting cooperation in the study was sent to the Superintendent of each of the 215 operating public school districts in Arizona (see Appendix C). Enclosed in the request was an outline of the study (see Appendix D) and a Respondent Card (see Appendix E) as well as a self-addressed stamped return envelope.

Each Superintendent was asked to complete the Respondent Card and in so doing indicate:

1. Willingness to cooperate in the study.

2. Whether his district did or did not have a grievance procedure for certificated personnel.
3. The name of the administrator in the district who is most knowledgeable regarding the district's grievance procedure.

4. The Superintendent's name, and the school district's name and number(s).

The Respondent Card as well as the letter requested that the district's grievance procedure, if existent, be returned with the Respondent Card.

Phase II

In this phase of the data collection the characteristics of the grievance procedures submitted by the Superintendents of Arizona school districts were compared with a compilation of major grievance procedure characteristics recommended by the National Education Association, the American Federation of Teachers, the National School Board's Association, and the American Association of School Administrators.

In order to identify grievance procedure characteristics recommended by leading educational organizations the following procedures were employed:

1. A letter (Appendix F) requesting "a listing of grievance procedure characteristics recommended by your organization for inclusion in a grievance procedure for certificated personnel" was sent to the Assistant Executive Secretary of the National
Education Association, the Assistant to the President of the American Federation of Teachers, the Executive Secretary of the American Association of School Administrators, and the Executive Director of the National School Board's Association. The National Education Association submitted the "Illustrative Grievance Procedure" presented in the National Education Association (1971, pp. 15-23) publication *Grievance Administration*. The American Federation of Teachers submitted seven similar grievance procedures negotiated by boards of education and American Federation of Teachers locals. The National School Board's Association submitted Wildman's (1969, pp. 1-4) publication "From the Bargaining Table: The Grievance Procedure" as a model to be used by school boards in negotiating grievance procedures. Although the American Association of School Administrators reported that it had not developed guidelines for the writing of grievance procedures for certificated personnel, a 1966 American Association of School Administrators publication entitled *School Administrators View Professional Negotiations* provided a listing of principles that "... may be applied to the evaluation of any procedure (grievance procedure)" (p. 43). This listing of principles was used.
2. The recommendations of each organization, presented in their entirety in Chapter II "Characteristics of Formal Grievances Procedures" of this study, were compared. From this comparison a listing of major grievance procedure characteristics was compiled. In order for a grievance procedure characteristic to be included in this compilation it had to appear in the recommendations of at least three of the four organizations. The compilation of recommended major grievance procedure characteristics, thusly selected, provided, for the purpose of this study, a selected criteria of grievance procedure characteristics commonly held by leading educational organizations as necessary characteristics for sound grievance procedures. The compilation included the following characteristics:

a. "Grievance" is defined.
b. Steps in the procedure are stated.
c. The right to appeal is stated.
d. The grievance is reduced to writing by Step II,
e. Time limits for each step are stated.
f. The right of the grievant to representation is stated.
g. Safeguard against reprisal for having filed a grievance is guaranteed.
h. The final step is impartial.
3. The major characteristics of the grievance procedures submitted by the Superintendents of the school districts of Arizona were compared with the compilation of major characteristics recommended by the four educational organizations. The results of the comparison are reported. Tables are used where appropriate.

Phase III

In this phase of the collection of data, a representative random sample of the Arizona school districts that submitted grievance procedures for certificated personnel in Phase I of the collection of data was drawn. A letter requesting cooperation in the study (see Appendix G) was sent to the head of the teacher's organization in each district in the sample. Enclosed in the letter was an outline of the study and a Respondent Card (see Appendix H). By completing and returning the Respondent Card, the head of the teacher's organization submitted the name, title, address, and phone number of the organization member most knowledgeable regarding the district's grievance procedure.

For each district in the representative random sample, the designee of the superintendent, secured in Phase I of the collection of data, and the designee of the head of the teacher's organization, secured in this phase of the
A Brief Grievance Procedure Questionnaire was submitted to the superintendent's designee prior to the interview. The questionnaire, requesting information and requiring a limited search of records, was submitted prior to the interview in order to conserve time. The Grievance Procedure Questionnaire was designed to collect data regarding faculty organizational affiliation, school board adoption of a professional negotiation agreement and grievance procedure, publications of the district in which the grievance procedure may be found, grievance rates, and levels of the procedure at which grievances were resolved. The Grievance Procedure Questionnaire was collected prior to the interview.

The purpose of the interview was to collect the data needed to answer the following specific questions:

1. What were the reasons for the adoption of the grievance procedures by Arizona school districts?
2. What were the dynamics of the development of the grievance procedures by school districts in Arizona?
3. What has been the experience of the school districts of Arizona with respect to the utilization of grievance procedures?
4. What is the relationship of grievances filed to the policies and practices of the school districts in Arizona?

The focused, unstructured interview procedure, as described by Merton, Fiske, and Kendall (1956, pp. 15-17), and utilized by Carter and Sutthoff (1960, pp. 221-228), was employed for this phase of the collection of data in order to obtain greater depth in response than would be possible through using a rigidly structured questionnaire. This method, as indicated by Merton, allows the interviewer the flexibility to pursue responses, and it allows the interviewee to expand on responses in order to provide necessary detail for comprehensive answers to questions (Merton et al., 1956, pp. 95-96).

The interviewees' responses were recorded in note form during the interviews. Immediately following the interview, the interviewer tape recorded as much additional data as possible. This procedure was employed in order to preserve an open atmosphere for response that would not be possible if the interview was tape recorded.

The interview instrument was developed with the assistance of a faculty member of the Department of Educational Administration at The University of Arizona, a faculty member of the Department of Business Administration at The University of Arizona, a Director of Personnel of an
urban school district, and a President of an urban classroom teacher's association. These individuals were experienced in grievance administration.

The instrument was successfully field tested in two school districts. Although one of these was included in Phase III of the collection of data, the instrument was field tested with district personnel who were not included in the actual study.

Treatment of Data

The data collected for each of the three phases of this study were analyzed and reported in the manner stated below.

Phase I

The data collected in Phase I were tabulated and summarized in order to answer the specific question: How many school districts in Arizona have adopted grievance procedures for certificated personnel? The data are reported in appropriate tables. District size (i.e., number of students enrolled) and district organizational pattern (i.e., elementary, high school, or unified) provided a means of stratifying districts for the purpose of reporting the extent of grievance procedure inclusion in the policies of the districts of Arizona.
Phase II

The data collected in this phase were analyzed in order to answer the specific question: Do the characteristics of the grievance procedures adopted by the school districts of Arizona meet the characteristics of grievance procedure recommended by leading educational organizations? In answering this question the compilation of recommended major grievance characteristics, attained in Phase II of the collection of data, was used as a basis for analyzing the Arizona grievance procedures collected. Each procedure was analyzed in terms of the consistency of its characteristics with the compilation of recommended characteristics. This analysis established the nature of each procedure and provided a means for discovering and reporting consistency or variance in characteristic inclusions throughout the population districts. Appropriate tables are included in reporting the findings of this phase of the study.

Phase III

The data collected in this phase were analyzed in order to answer the specific questions:

1. What were the reasons for the adoption of the grievance procedures by Arizona school districts?
2. What were the dynamics of the development of the grievance procedures by school districts in Arizona?
3. What has been the experience of the school districts of Arizona with respect to the utilization of grievance procedures?

4. What is the relationship of grievances filed to the policies and practices of the school districts of Arizona?

In order to answer these questions the nineteen questions included in the Grievance Procedure Interview Guide were sectioned and coded in direct relation to the four specific questions stated above. All responses were categorized according to the question areas of the Grievance Procedure Interview Guide. Each category of response was analyzed and the consistency or variance within categories was reported for the population districts. The analysis yielded an ordering of data from which conclusions were drawn.

**Summary**

This study was designed to answer specific questions regarding grievance procedure development, adoption, structure, utilization, and effect in the school districts of Arizona. In order to answer specific questions regarding these areas a three phase study was employed.
Phase I

Each district in Arizona was contacted in order to determine the number of districts with grievance procedures and to collect the existing grievance procedures.

Phase II

The characteristics of the Arizona grievance procedures collected in Phase I were compared with a compilation of major grievance procedure characteristics recommended by leading educational organizations. The results of this comparison were reported.

Phase III

Interviews were conducted in a representative random sample of Arizona school districts submitting grievance procedures. Administrative personnel and teachers' organization members were interviewed for the purpose of determining:

1. The reasons for the adoption of the grievance procedure.
2. The dynamics of the development of the grievance procedure.
3. The experience of the district in using the grievance procedure.
4. The relationship of grievance filed to the policies and practices of the district.
CHAPTER IV

PRESENTATION OF DATA

Introduction

The purpose of each of the three phases of this study and the procedures and methods employed in conducting each phase have been described in Chapter III. This chapter presents the data collected in each phase of the study.

Phase I: Grievance Procedure Adoption

The purpose of this phase of the study was to answer the specific question: How many public school districts in Arizona have adopted grievance procedures for certificated personnel?

In order to answer this question, the superintendent of each of the 215 operating school districts in Arizona was mailed a letter of introduction, an outline of the study, and a respondent card. Each superintendent was asked to complete and return the respondent card and, in so doing, indicate:

1. Willingness to cooperate in the study.
2. Whether the district does or does not have a grievance procedure for certificated personnel.
3. The name of the district administrator most knowledgeable regarding the grievance procedure.
4. The superintendent's name and the district's name and number(s).

Included in the letter of introduction and the respondent card was a request that a copy of the district's grievance procedure, if any, be returned with the respondent card. Some minor difficulty was experienced in obtaining returns, and many districts were sent a second request in order to bring about a greater response.

Responses were received from 190 (88.4 per cent) of Arizona's 215 operating school districts. Forty districts (21.1 per cent of districts responding) reported and submitted grievance procedures for certificated personnel while 150 (78.9 per cent of districts responding) reported no grievance procedures. The 190 districts responding serve 93 per cent of the total student population of Arizona enrolled in average daily attendance as reported in January, 1972 (Arizona Department of Public Instruction, 1972), and 95.2 per cent of the number of certificated personnel employed in the public school districts of Arizona during January, 1972.

The 40 districts (21.1 per cent of districts reporting) reporting and submitting grievance procedures serve 65.8 per cent of the student population of Arizona enrolled in average daily attendance and 66.8 per cent of the certificated personnel of the public school districts of Arizona.
Table 1 provides information on incidence of grievance procedures in Arizona school districts based on district size. Stratum I represented school districts with student enrollment (ADA) of 1 to 1999 students; Stratum II, 2000 to 4999 students; Stratum III, 5000 to 9999 students; and Stratum IV, 10,000 students and above.

The 151 districts reporting in Stratum I represent 88.3 per cent of the (172) school districts with enrollments (ADA) below 1999 students. Fourteen of the districts (8.7 per cent) provide grievance procedures for certificated personnel while 137 (91.3 per cent) reported no grievance procedures.

The 19 districts reporting in Stratum II represent 82.6 per cent of the 23 school districts with enrollments (ADA) of 2000 to 4999 students. Seven of these districts (36.8 per cent) provide grievance procedures for certificated personnel while 12 (63.2 per cent) reported no grievance procedures.

The 12 districts reporting in Stratum III represent 100 per cent of the school districts with enrollments (ADA) of 5000 to 9999. Eleven of these districts (91.7 per cent) provide grievance procedures for certificated personnel while one district (8.3 per cent) reported no grievance procedure.

The eight districts reporting in Stratum IV represent 100 per cent of Arizona school districts with
<table>
<thead>
<tr>
<th>District Size (All Organizational Patterns Combined)</th>
<th>No. of Districts Polled</th>
<th>No. of Districts Responding</th>
<th>No. of Districts Responding as Per Cent of Total Districts</th>
<th>Number and Per Cent of Districts Responding with Grievance Procedures</th>
<th>Number and Per Cent of Districts Responding with no Grievance Procedures</th>
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<tbody>
<tr>
<td>Stratum I 1-1999</td>
<td>172</td>
<td>151</td>
<td>88.3</td>
<td>14 8.7</td>
<td>137 91.3</td>
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<td>Stratum II 2000-4999</td>
<td>23</td>
<td>19</td>
<td>82.6</td>
<td>7 36.8</td>
<td>12 63.2</td>
</tr>
<tr>
<td>Stratum III 5000-9999</td>
<td>12</td>
<td>12</td>
<td>100</td>
<td>11 91.7</td>
<td>1 8.3</td>
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<tr>
<td>Stratum IV 10,000-</td>
<td>8</td>
<td>8</td>
<td>100</td>
<td>8 100</td>
<td>0 0</td>
</tr>
<tr>
<td>Total</td>
<td>215</td>
<td>190</td>
<td>88.4</td>
<td>40 21.1</td>
<td>150 78.9</td>
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enrollments (ADA) of 10,000 or more students. All Stratum IV districts (100 per cent) provide grievance procedures for certificated personnel.

A summary of the data included in Table 1 indicates a relationship between district size and the adoption of grievance procedures. While 8.7 per cent of the Stratum I districts and 36.8 per cent of the Stratum II districts provided grievance procedures, 91.7 per cent of the Stratum III districts, and 100 per cent of the Stratum IV districts provided grievance procedures. For each progressively larger enrollment stratum there was an increase over the previous enrollment stratum in the percentage of districts providing grievance procedures with a marked increase in the adoption of grievance procedures in Stratum III and IV districts over Stratum I and II districts.

Table 2 provides information on the incidence of grievance procedures in Arizona school districts based on district organizational pattern (i.e., elementary, unified, and union high school) and district size. Table 2 shows that small elementary districts in Stratum I comprise 115 of Arizona's 215 operating school districts. Ninety-seven districts, or 85 per cent of the state's Stratum I elementary districts, responded and provided eight of the 40 grievance procedures submitted. The eight Stratum I elementary districts responding with grievance procedures comprise 8.2 per cent of the Stratum I elementary districts reporting
Table 2. Grievance Procedure Incidence According to District Organizational Pattern and Size

<table>
<thead>
<tr>
<th>Organizational Pattern and District Size</th>
<th>No. of Districts Polled</th>
<th>No. of Districts Responding</th>
<th>Number Responding as Per Cent of Total Districts</th>
<th>Number and Per Cent of Districts Responding with Grievance Procedures</th>
<th>Number and Per Cent of Districts Responding with no Grievance Procedures</th>
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<td>Elementary:</td>
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<td>85</td>
<td>8</td>
<td>8.2</td>
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<td>6</td>
<td>100</td>
<td>2</td>
<td>33.3</td>
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<td>Stratum III—5000-9999</td>
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<td>7</td>
<td>100</td>
<td>6</td>
<td>85.7</td>
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<td>3</td>
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<tr>
<td>Unified:</td>
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<td></td>
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<td>42</td>
<td>93.3</td>
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<td>9.5</td>
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<td>80</td>
<td>5</td>
<td>41.7</td>
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<td>100</td>
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<td>16.6</td>
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<tr>
<td>Stratum III—5000-9999</td>
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<td>0</td>
<td>0</td>
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<tr>
<td>Stratum IV—10,000-</td>
<td>2</td>
<td>2</td>
<td>100</td>
<td>2</td>
<td>100</td>
</tr>
<tr>
<td>Total</td>
<td>215</td>
<td>190</td>
<td>88.4</td>
<td>40</td>
<td>21.1</td>
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</table>


while 89 districts (91.8 per cent) reported no grievance procedures at all for certificated personnel. The two Stratum II elementary districts responding with grievance procedures comprise 33.3 per cent of the Stratum II elementary districts reporting while four districts (66.7 per cent) reported no grievance procedures. The six Stratum III elementary districts responding with grievance procedures comprise 85.7 per cent of the Stratum III elementary districts reporting while one district (14.3 per cent) reported no grievance procedures. The three Stratum IV elementary districts responding with grievance procedures comprise 100 per cent of the Stratum IV elementary districts.

The 113 elementary districts (59.6 per cent of all districts responding) reported and submitted 19 (47.5 per cent) of the 40 grievance procedures collected. There was a relationship between elementary district size and the adoption of grievance procedures. For each progressively larger elementary district enrollment stratum, there was an increase, over the previous enrollment stratum, in the percentage of districts providing grievance procedures. A marked increase in the adoption of grievance procedures is noted in Stratum III and IV elementary districts over Stratum I and II districts with 85.7 per cent of Stratum III and 100 per cent of Stratum IV districts providing grievance procedures while only 8.2 per cent of the Stratum I and 33.3
per cent of the Stratum II districts provided grievance procedures.

The 62 unified districts (32.6 per cent of all districts responding) reported and submitted 17 (42.5 per cent) of the 40 grievance procedures collected. As in the elementary districts, there was a relationship between unified district size and the provision of grievance procedures. Each progressively larger unified district showed an increase over the previous enrollment stratum in the percentage of districts providing grievance procedures. A marked increase in the adoption of grievance procedures was noted in Stratum III and IV unified districts over Stratum I and II districts with 100 per cent of the Stratum III and IV districts providing grievance procedures while only 9.5 per cent of Stratum I and 41.7 per cent of the Stratum II districts provided grievance procedures.

All 12 of the Stratum I union high school districts responded. Two (16.6 per cent) of the Stratum I union high school districts reported and submitted grievance procedures while ten (83.4 per cent) reported no grievance procedures. One (50 per cent) of the two Stratum II union high school districts responded but reported no grievance procedure. There were no union high school districts in Stratum III; however, the state's two Stratum IV union high school districts responded with grievance procedures.
The 15 union high school districts (7.7 per cent of all districts responding) reported and submitted four (10 per cent) of the 40 grievance procedures collected. The relationship of union high school district size to the provision of grievance procedures varied slightly from the relationship reported for elementary and unified districts. Two districts (16.6 per cent of the Stratum I districts) provided grievance procedures while the one responding Stratum II district reported no grievance procedure. There were no Stratum III union high school districts; however, 100 per cent of the Stratum IV districts provided procedures. A marked increase in the percentage of Stratum IV districts providing grievance procedures over the percentage of Stratum I and II districts providing grievance procedures was noted.

In summary, all of Arizona's Stratum IV elementary, unified, and union high school districts provided grievance procedures for certificated personnel. In Stratum III, all of the state's unified districts and 85.7 per cent of its elementary districts provided grievance procedures (there were no Stratum III union high school districts). In the Stratum II districts reporting, 33.3 per cent of the elementary districts, 41.7 per cent of the unified districts, and none of the union high school districts provided grievance procedures. In the Stratum I districts reporting, 8.2 per cent of the elementary districts, 9.5 per cent of
the unified districts, and 16.6 per cent of the union high school districts provided grievance procedures.

Summary: Phase I

The purpose of Phase I was to answer the specific question: How many public school districts in Arizona have adopted grievance procedures for certificated personnel? In summarizing the data presented here, the question may be answered as follows:

1. One hundred ninety (88.4 per cent) of Arizona's 215 school districts responded to the query. Forty districts (21.1 per cent of the districts responding) reported and submitted grievance procedures for certificated personnel while 150 districts (78.9 per cent of those responding) reported no grievance procedure adoption.

2. The 40 districts reporting and submitting grievance procedures serve 65.8 per cent of Arizona's public school students enrolled in average daily attendance and employ 66.8 per cent of the certificated personnel in the state's public schools.

3. There was a positive relationship between district size and the adoption of grievance procedures. Only 14 (8.7 per cent) of the 151 Stratum I districts reporting provided grievance procedures for certificated personnel. Seven (36.8 per cent) of the 19
Stratum II districts reporting provided procedures while 11 (91.7 per cent) of the Stratum III districts and eight (100 per cent) of the Stratum IV districts responding provided grievance procedures.

4. Nineteen (47.5 per cent) of the grievance procedures were reported by the state's 131 elementary districts. Seventeen (42.5 per cent) of the grievance procedures were reported from the 68 unified districts and four (10 per cent) from the state's 16 union high school districts.

5. All of Arizona's Stratum IV elementary, unified, and union high school districts provided grievance procedures for certificated personnel. In Stratum III, all of the state's unified districts and 85.7 per cent of its elementary districts provided grievance procedures (there were no stratum III union high school districts). In the Stratum II districts reporting, 33.3 per cent of the elementary districts, 41.7 per cent of the unified districts, and none of the union high school districts provided grievance procedures. In the Stratum I districts reporting, 8.2 per cent of the elementary districts, 9.5 per cent of the unified districts, and 16.6 per cent of the union high school districts provided grievance procedures.
Phase II: Grievance Procedure

Provisions

The purpose of Phase II was to seek answers to the question: Do the characteristics of the grievance procedures adopted by the school districts in Arizona meet the selected criteria of grievance procedure characteristics recommended by leading professional educational organizations?

In seeking answers to this question the grievance procedures collected from the school districts of Arizona were compared with grievance procedure criteria recommended by the National Education Association, the American Federation of Teachers, the American Association of School Administrators, and the National School Board's Association. The grievance procedure of each of the 40 Arizona school districts that reported and submitted grievance procedures for certificated personnel was analyzed in terms of the extent it contained the characteristics set forth in the criteria of characteristics compiled from the recommendations of the four educational organizations.

Table 3 reports, by district size and organizational pattern, the extent to which each of the 40 grievance procedures met the criteria. A scale of 0, 1, and 2 was used in Table 3 for reporting the results of the analysis. If the grievance procedure did not contain the criteria characteristic a 0 was entered, if the characteristic was
Table 3. A Comparison of the Characteristics of the Grievance Procedures of Arizona School Districts with Grievance Procedure Criteria Recommended by Leading Educational Organizations

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<th>Recommended Criteria</th>
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<th>E2</th>
<th>E3</th>
<th>E4</th>
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<th>E6</th>
<th>E7</th>
<th>E8</th>
<th>U1</th>
<th>U2</th>
<th>U3</th>
<th>U4</th>
<th>H1</th>
<th>H2</th>
</tr>
</thead>
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<td>0</td>
<td>0</td>
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<tr>
<td>2. Steps are stated</td>
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<td>3. Final step is impartial</td>
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<td>4. Grievance is written by Step II</td>
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<td>5. Time limits are stated</td>
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<td>6. Right to representation is stated</td>
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</table>

0 = no provision; 1 = provision partially stated; 2 = provision is stated.
with Grievance Procedures Received

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<th>Stratum III--5000-9999 Enrollment</th>
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<td>Grievance Procedures Received</td>
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<td>U2</td>
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2 = provision is
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<td>15</td>
<td>15</td>
<td>6</td>
<td>15</td>
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partially stated a 1 was entered, and if the characteristic fully met the criterion a 2 was entered. A total score for each grievance procedures was arrived at by totaling the points awarded for each criterion. The school districts were classified by size, according to enrollment Stratum, and by organizational pattern. The letter E preceding the district number indicates an elementary district, U indicates a unified district, and H indicates a union high school district.

As reported in Table 3, only two (5 per cent) of the 40 grievance procedures received a total of 16 points indicating that the grievance procedures met all of the criteria completely. These procedures were from Stratum III elementary districts. Eight (20 per cent) of the procedures received a total of 15 points indicating the fulfilling of seven of the criteria and the partial fulfilling of the remaining criterion. These procedures represented one Stratum I elementary district, one Stratum II unified district, two Stratum III unified districts, two Stratum IV unified districts, and one Stratum IV union high school district. For the remaining 30 procedures (75 per cent of the population procedures) the eight characteristics of the criteria were various met as follows:

1. Seven criteria characteristics were met by seven (17.5 per cent) procedures.
2. Six criteria characteristics were met by six (15 per cent) procedures.

3. Five criteria characteristics were met by two (5 per cent) procedures.

4. Three criteria characteristics were met by six (15 per cent) procedures.

5. Two criteria characteristics were met by four (10 per cent) procedures.

6. One criteria characteristic was met by five (12.5 per cent) procedures.

Upon examining each of the four enrollment Strata, the elementary districts' grievance procedures tended to meet fewer of the criteria characteristics than did the procedures of the unified and union high school districts. Little difference was found between the scores of Strata II, III, and IV districts, with the exception that the Strata III and IV districts' procedures tended to receive slightly higher criteria scores than did the Stratum II districts' procedures. A large disparity is noted between the scores of Stratum I districts' grievance procedures and the procedures of the Strata II, III, and IV districts. The grievance procedures of the small districts, particularly the small elementary districts, were embryonic in substantive inclusions providing often only a simple statement of the steps followed in resolving a grievance. Although
meaningless in relation to the extent to which each grievance procedure met the criteria, a consideration of the average number of criterion met by the grievance procedures of each Stratum points up the relationship of district size to grievance procedure structure. The average number of criteria characteristics met by each Stratum I district's procedure was 3,10, Stratum II was 5.23, Stratum III 6.41, and Stratum IV 6.37. For the entire population, including the grievance procedures of all districts, the average number of criteria characteristics met by each procedure was 4.87 of the eight criteria characteristics.

Table 4 reports a ranking of the criteria by the number and per cent of the population of grievance procedures meeting each characteristic of the criteria. The characteristics of the criteria are ordered from the characteristic most often stated in the forty grievance procedures to the characteristic least often stated.

Table 4 points up the general strengths and weaknesses of the population grievance procedures. While the steps were stated in all of the procedures, only 25 per cent provided for the appeal of a grievance to an impartial third party. While over 82 per cent of the procedures stated the grievant's right to appeal an unsatisfactory decision, only 62 per cent stated the right to representation in the appeal and less than half of the procedures guaranteed a safeguard
Table 4. Grievance Procedure Criteria Ranking by Number and Per Cent of Grievance Procedures Including the Criteria Characteristics

<table>
<thead>
<tr>
<th>Rank</th>
<th>Criteria</th>
<th>Number</th>
<th>Per Cent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Steps in the procedure are stated.</td>
<td>40</td>
<td>100</td>
</tr>
<tr>
<td>2</td>
<td>The grievant's right to appeal is stated.</td>
<td>33</td>
<td>82.5</td>
</tr>
<tr>
<td>3</td>
<td>The grievance is reduced to writing by Step II.</td>
<td>29</td>
<td>72.5</td>
</tr>
<tr>
<td>4</td>
<td>Grievance is defined.</td>
<td>26</td>
<td>65</td>
</tr>
<tr>
<td>5</td>
<td>Time limits for decision and appeal are stated,</td>
<td>26</td>
<td>65</td>
</tr>
<tr>
<td>6</td>
<td>The grievant's right to representation is stated.</td>
<td>25</td>
<td>62.5</td>
</tr>
<tr>
<td>7</td>
<td>Safeguard against reprisal is stated.</td>
<td>19</td>
<td>47.5</td>
</tr>
<tr>
<td>8</td>
<td>The final Step is impartial.</td>
<td>10</td>
<td>25</td>
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</tbody>
</table>
against reprisal for having filed the grievance. Thirty-five per cent of the procedures failed to define what was grievable and the same per cent failed to state time limits for decision and appeal in the steps of the procedures.

In the remaining portion of this phase, the extent to which the population grievance procedures met each of the characteristics of the criteria is reported. Each characteristic of the criteria is stated and followed by the analysis.

Criterion 1: Grievance is Defined

Twenty-six (65 per cent) of the forty grievance procedures met this criterion by including a definition of grievance in the procedure while 14 (35 per cent) procedures failed to define a grievance at all. Failure to define grievance occurred mainly in the small districts. Ten of the 14 Stratum I procedures contained no definition of grievance while four of the twenty-six Strata II, III, and IV procedures failed to define what was grievable under the procedures. The variety of definition of grievance contained in the procedures ranged from all inclusive definitions, allowing any complaint to be filed, to clearly stipulated definitions covering those definitive circumstances in which grievances may be filed. The most prevalent definition of grievance, contained in the procedures, was definitive. Twelve procedures (46.1 per cent
of the procedures including a definition of grievance) permitted a grievance to be filed in matters involving ". . . board policies, or administrative rules and regulations." The second most prevalent definition contained in the procedures skewed toward an all inclusive definition. Eight procedures (30.8 per cent) permitted a grievance to be filed in matters involving ". . . board policy or practice governing or affecting employees." The inclusion of the word practice in the definition of grievance allows the filing of grievances in situations not delineated in written policy, rule, or regulation. Three procedures provided an all inclusive definition by defining a grievance as ". . . any condition, action, or lack of action of the school district which the employee believes to be unjust," while two districts limited grievances to matters involving the ". . . terms of the Agreement (Professional Negotiations Agreement)."

Criterion 2: Steps in the Procedure are Stated

All grievance procedures met this criterion. After charting the levels of appeal in the forty grievance procedures, it was apparent that the procedures could be divided into three relatively distinct groups. In the first group were the procedures in which grievances were appealed from one administrative level to the next; in the second group a grievance review committee was included as one of
the levels of appeal, while in the third group an established teacher association committee such as the Professional Rights and Responsibilities Committee was included as a step in the procedure.

**Administrative Progression.** Twenty-four (60 percent) of the forty grievance procedures limited the appeal to the administrative channel. A typical progression included the following steps in the procedures:

<table>
<thead>
<tr>
<th>Oral</th>
<th>Written</th>
</tr>
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<tbody>
<tr>
<td>Principal</td>
<td>Step I Principal</td>
</tr>
<tr>
<td></td>
<td>Step II Superintendent</td>
</tr>
<tr>
<td></td>
<td>Step III Board of Education</td>
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</tbody>
</table>

The grievance was first presented orally by the aggrieved to the principal. The principal had a specific number of days to respond to the aggrieved. If after the specified time the principal failed to respond, or if the response was unsatisfactory, the aggrieved could appeal to Step I of the procedure.

In Step I, the aggrieved must present the grievance in writing to the principal. Several districts required a meeting between the aggrieved and the principal prior to the principal's written response, which would normally be submitted within a specified number of days. If the principal failed to respond within the specified time period, or if the response was unsatisfactory, the aggrieved
could appeal, within a specified time period, to Step II of the procedure.

Step II involved a written presentation of the grievance to the superintendent (along with the written response to the grievant from previous levels). Usually a meeting was held, between the parties to the grievance, prior to the written response of the superintendent. The response of the superintendent was usually required within a specified number of days. If the superintendent did not respond within the time allotted, or if the response was unsatisfactory, the aggrieved could appeal to Step III.

Step III was an appeal to the board of education. This was done in writing and included all previous appeals and responses. Within a specified number of days, the board would respond to the parties in interest. The board made the final determination in a majority of the grievances.

Some variations of the administrative progression appeal system occurred in a few districts. Three procedures permitted appeal from Step III to advisory arbitration and one procedure permitted appeal to binding arbitration. One district terminated the procedure at the superintendent level (Step II).

Grievance Review Committee. Three districts (7.5 per cent) provided a grievance review committee step in the procedure. In each procedure, a committee made up of teacher
association members and administrators received appeals from Step I, the principal's level. The Step II Grievance Review Committee responded to the aggrieved within a specified number of days. In each procedure the decision of the committee could be appealed to Step III. In one of the procedures, an appeal from the committee went directly to the board, in another to the superintendent (as the final step), and in the remaining procedure, providing a rather unique progression, to the superintendent at Step III, with subsequent appeal to the professional negotiations committee as Step IV, and finally to the board as Step V.

**Administrative Progression (with Professional Rights and Responsibilities).** Twelve procedures (30 per cent) followed the administrative line progression with the inclusion of the teachers' association Professional Rights and Responsibilities Committee between steps. The following was the typical progression in these procedures:

<table>
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<tr>
<th>Oral</th>
<th>Written</th>
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<tr>
<td>Principal Step I P.R.&amp;R. Principal Comm.</td>
<td>Step II Superintendent P.R.&amp;R. Comm.</td>
</tr>
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</table>

The grievance could be appealed to progressively higher levels of line offices, but only through the Professional Rights and Responsibilities Committee. In eight of the twelve procedures, the function of the P.R.&R. Committee
was one of advising the grievant regarding the merits of the grievance and providing the grievant representation and assistance in pursuing the grievance. However, in four of the procedures the P.R.&R. Committee determined whether the grievance was to be filed at the next higher level. This function placed the P.R.&R. Committee in the position of terminating a grievance if, in the committee's view, the grievance lacked merit.

The final level of appeal in five of the procedures was advisory arbitration, while one procedure terminated with binding arbitration as the final step. The six procedures utilizing this format and including a final impartial step of arbitration occurred primarily in districts enrolling over 5000 students. One procedure included a P.R.&R. step following the grievant's informal discussion of the grievance with the principal, but before the grievance was presented formally in writing to the principal.

In one Stratum II unified district the Professional Rights and Responsibilities Committee had complete control of the grievance procedure. The procedure appeared as part of the published standing rules of the committee and all grievances, beyond the aggrieved's informal discussion of the grievance with the principal, were filed with the P.R.&R. Committee for consideration. If the committee determined that the grievance had merit, it assisted the
grievant in presenting and appealing the case through the administrative line progression of principal, superintendent, and board. If the committee deemed the grievance without merit, the grievance terminated following the initial informal presentation to the principal.

Criterion 3: The Final Step is Impartial

Only ten (25 per cent) of the forty grievance procedures met this criterion through providing a final step in the procedure that was impartial. In these ten districts, the final step in the procedure allowed an individual, or panel of individuals, to be summoned from outside of the district to assist in the resolution of a grievance. In the remaining thirty districts (75 per cent), the grievance terminated at the board of education step or the superintendent step.

Eight of the ten procedures including an impartial final step were in Stratum III and IV districts enrolling over 5000 students while only one Stratum II district procedure contained an impartial final step. Interestingly, the two smaller districts were the only districts allowing binding arbitration as the final step of the procedure.

Four of the Stratum III districts and four of the Stratum IV districts included advisory arbitration as the final step in their grievance procedures. In the eight districts including advisory arbitration two patterns of
arbitrator selection emerged. Four procedures contained the following process: If the aggrieved was dissatisfied with the response of the line officer(s) at the final organizational level of appeal, the aggrieved could request that the teachers' association submit the grievance to advisory arbitration. If, in the wisdom of the teachers' association, the grievance had merit, the association notified the board of education that the grievance was being submitted to arbitration. Within a specified number of days the board of education selected an arbitrator to act on the board's behalf and the teachers' association selected an arbitrator to act on the association's behalf. The two arbitrators would then jointly select a third person to serve as chairman of the panel. The arbitrators were granted the power to hold hearings, make procedural rules, and secure the necessary records of the case. After a reasonable amount of time, the arbitrators filed a joint recommendation for resolution of the grievance with the board and the teachers' association. The recommendation was advisory only, leaving the final disposition of the grievance to the board of education. The costs of arbitration were shared equally by the board and the teachers' association.

The four remaining districts employing advisory arbitration as the final step in the grievance procedure followed the same format as stated above with the exception
of the method of selecting an arbitrator. In these districts the board and the teachers' association jointly selected one arbitrator. If agreement on the selection could not be reached within a specified number of days the American Arbitration Association would be summoned to select the arbitrator.

The two small districts including binding arbitration as the final step in the procedure followed the method of the joint selection of one arbitrator by the board and the teachers' association with the American Arbitration Association making the selection in the event of deadlock. These procedures differed substantially from those including advisory arbitration in that the findings of the arbitrator were binding upon the board, the teachers' association, and all parties in interest to the grievance.

Criterion 4: The Grievance is Reduced to Writing by Step II

Twenty-nine (72.5 per cent) of the forty grievance procedures met this criterion by requiring that the grievance be submitted in writing in the formal steps of filing and appeal. Eleven grievance procedures (27.5 per cent) failed to meet this criterion.

Reducing the grievance to writing early in the presentation of the grievance allows all who participate in the case a clear and sharable presentation of the problem and prevents the case from being expanded or imbued with
issues not germane to the problem. This is particularly important as the grievance is appealed beyond the building level. The effective handling of grievance cases requires that all parties in interest to the grievance have a clearly stipulated written statement of the problem as well as a written record of responses to the grievance for each successive level of appeal.

A written record of the case can serve to prevent the case from being reopened through a claim of misunderstanding or ambiguity in the processing of the grievance. A written record further provides a means of establishing precedence as well as a means of identifying problem areas in district function.

As reported in Table 3, only five of the fourteen Stratum I procedures required that the grievance be reduced to writing by Step II of the procedure while 24 of the 26 procedures of the Stratum II, III, and IV districts met this requirement. Of the 29 procedures requiring that the grievance be written early in the processing, 24 required that the grievance be reduced to writing at Step I of the formal procedure. The following statement is typical of the procedures requiring that the grievance be written at Step I: "If an aggrieved person is not satisfied with the outcome of the informal procedure he may file a written grievance with his principal or supervisor, as the case may be, within ten days following the principal's informal
decision." In the five remaining procedures requiring that the grievance be reduced to writing, the requirement was at Step II, the superintendent level of the procedure. In each grievance procedure requiring that the grievance be written, all appeals and decisions, subsequent to the initial filing of the written grievance, had to be in writing.

Criterion 5: Time Limits for Decision and Appeal are Stated

The efficient processing of a grievance requires that time limits for decision and appeal be stated for each step of the grievance procedure. The absence of a time limit at any step in the procedure may result in the unnecessary prolonging of the case, thus undermining the confidence in the procedure, or the failure of the case to proceed beyond that step.

Thirteen (32.5 per cent) of the forty grievance procedures met this criterion by stating a time limit for decision and appeal for each step of the procedure. In each of these procedures, the failure of an administrator to submit a decision within the specified time period for decision permitted the grievant to file an appeal at the next higher level of the procedure. Failure of the grievant to appeal an administrator's decision within the specified time period for appeal signalled the grievant's acceptance of the decision.
The least number of days for the completion of all steps appeared in the grievance procedure of a Stratum I unified district. The procedure required that the process be completed within thirty days. The most number of days for processing a grievance was 115, which appeared in the procedure of a Stratum IV elementary district. The average maximum number of days for processing a grievance for all procedures was sixty.

Thirteen (32.5 per cent) of the forty grievance procedures specified time limits for all but the final step in the procedure. In Table 3 these procedures are identified by the numeral 1 indicating partial fulfillment of the criterion. Seven of these procedures included arbitration as the final step and did not specify a time limit for the arbitrator(s) to submit a recommendation. In each case the arbitrator(s) was to submit a recommendation in a "reasonable amount of time" or "as soon as possible."

If the arbitrator was a representative of the American Arbitration Association, the rules of the association regarding time limits would apply. Rule thirty-seven of the Voluntary Labor Arbitration Rules of the American Arbitration Association states:

The award shall be rendered promptly by the Arbitrator and, unless otherwise agreed by the parties, or specified by law, not later than thirty days from the date of closing the hearings, or if oral hearings have been waived, then from the date of transmitting the final statements and

In the remaining six procedures partially meeting this criterion, time limits were stated for each level of the procedure with the exception of the final level, the board of education step. These procedures did not specify a time limit, following the appeal to the board, in which the board must render a decision. Fourteen (35 per cent) of the 40 grievance procedures, including nine Stratum I procedures, specified no time limits in the procedures.

Criterion 6: The Grievant's Right to Representation is Stated

The right of the grievant to be represented by a member of the teachers' association in presenting a grievance at all levels of the procedure tends to add the collective strength of the teachers' association to the case. It further tends to bolster an aggrieved who might feel disadvantaged in confronting superordinates as well as provide credibility in the interpretation of the actions and communications of the proceedings.

The right of the grievant to be represented by a teacher association member or person of his choosing was stated in 25 (62.5 per cent) of the 40 grievance procedures. Fifteen (37.5 per cent) procedures failed to state the right of the aggrieved to representation. Eleven of these were found to be the grievance procedures of Stratum I districts.
Of the 25 grievance procedures stating the right to representation, twenty provided for grievant representation by a teacher association member while five procedures provided for grievant representation by any person of the grievant's choosing. Nine procedures identified the representative as a teachers' association representative, four procedures identified the representative as a teachers' association grievance representative, and seven procedures stated that the grievant would be represented by a member of the Professional Rights and Responsibilities Committee.

In all procedures stating the grievant's right to representation, the representation could begin at the first formal level of the procedure and continue throughout all levels of the procedure. Two procedures expressly stated that the aggrieved could be accompanied by a representative at the initial informal discussion of the alleged grievance with the principal if the grievant so desired.

Criterion 7: The Grievant's Right to Appeal is Stated

The right of the individual to appeal a grievance through each progressive step of authority provided in the grievance procedure allows the ultimate authority inherent in the levels of the procedure to be brought to bear in seeking an equitable resolution of the grievance. If this right is not stated, a grievance could be terminated at the first step of the procedures in which the right to appeal
is not stated and full review of the grievance could be disallowed.

Thirty-three (82.5 per cent) of the 40 procedures met this criterion through stating the right to appeal the decision of the authority at each level of the procedure from the initial to the final step. This right was, in most cases, expressly granted to the grievant, but in several instances the right to appeal was controlled by the teachers' association. Restrictions on the individual grievant's right to appeal were as follows:

1. Four procedures required that the decision of the administrator at each level of the procedure be submitted to the Professional Rights and Responsibilities Committee of the teachers' association. The Committee determined whether the grievance should be appealed or terminated.

2. Two procedures required that the grievant meet with a teachers' association grievance committee subsequent to the informal discussion of the grievance with the principal. If the committee determined that the grievance had merit, the grievant could formally file and successively appeal the grievance; however, if the committee judged the grievance to be without merit, it was not filed.

3. One procedure required that the teachers' association grievance committee make a determination as to
whether the superintendent's decision should be appealed to the board. A decision not to appeal signalled acceptance of the decision on the part of the association.

4. Six procedures required that the teachers' association make the determination to appeal a grievance to the arbitration step. The appeal of a grievance to arbitration encumbered the teachers' association funds in meeting the association's share of the costs of arbitration, thus the decision to appeal necessarily rested with the association.

Seven (17.5 per cent) of the 40 grievance procedures failed to meet this criterion. Four of the grievance procedures failing to state the right to appeal were the procedures of Stratum I districts. These procedures were controlled by the administration in that requests for appeal of an administrator's decision to the superintendent or to the board had to be made through an administrator. In each procedure the grievant could request a meeting with the superintendent or a hearing before the board of education but in no procedure was the meeting or hearing mandatory on the part of the board.
Criterion 8: Safeguard Against Reprisal for Having Filed a Grievance is Stated

Fear of reprisal from the administration for having filed or participated in a grievance could result in suppressing grievances rather than resolving them. A grievance procedure including a guarantee against reprisal tends to ameliorate this fear and adds to a feeling of confidence in the procedure necessary for objectively dealing with existing conflict.

Nineteen (47.5 per cent) of the 40 grievance procedures contained a guarantee against reprisal for having filed or participated in a grievance. The following statement, taken from one of the procedures, is typical of all of the procedure statements guaranteeing a safeguard against reprisal: "No reprisals of any kind shall be taken by or against any party of interest or any participant in the grievance procedure by reason of participation." Twenty-one (52.5 per cent) of the 40 grievance procedures failed to meet this criterion.

Summary: Phase II

In Phase II the characteristics of the 40 grievance procedures were compared with the criteria of grievance procedure characteristics recommended by leading educational organizations. The extent to which each of the 40 Arizona grievance procedures met the criteria was reported.
Only two (5 per cent) of the grievance procedures met all eight criteria characteristics. Eight procedures (20 per cent) satisfied seven of the criteria characteristics and a portion of the eighth. The remaining 80 per cent of the procedures met the criteria to varying degrees. Elementary districts in each of the four enrollment strata tended to meet fewer of the provisions than did the unified or union high school districts. While the relative differences in meeting the criteria among Stratum II, III, and IV grievance procedures were small, great differences existed between Stratum I districts' procedures and the procedures of the larger districts. The procedures of the Stratum I districts, particularly the elementary districts, were embryonic in substantive inclusions.

A ranking of the criteria characteristics by the number and per cent of the population grievance procedures meeting each criteria characteristic pointed up the general strengths and weaknesses of the Arizona procedures. While all districts met the criterion requiring that the steps of the procedure be stated, only 25 per cent of the procedures provided an impartial final step. Although the right to appeal an unsatisfactory decision ranked high among the inclusions, the grievant's right to representation in appeal and the guarantee of safeguard from reprisal for having filed a grievance ranked low.
Twenty-six (65 per cent) of the procedures defined grievance while 14 (35 per cent) failed to define what was grievable. Grievance definition ranged from definitive definitions, stipulating precisely what was grievable, to all inclusive definitions admitting any concern or complaint to the procedure.

All of the grievance procedures stated a progression of the steps. Twenty-four (60 per cent) procedures followed the straight administrative line progression of steps while three procedures (7.5 per cent) followed the administrative line progression but included a grievance review committee as one of the steps in the procedure. Twelve procedures (30 per cent) followed the administrative line progression but included the Professional Rights and Responsibilities Committee of the teachers' association between steps. The committee provided the grievant assistance and representation appealing his case in eight of the procedures while in four procedures the committee determined whether appeal would be made.

Only ten (25 per cent) of the procedures provided an impartial final step. Eight of these procedures provided for advisory arbitration as the final step and two procedures included binding arbitration. The procedures providing for advisory arbitration were in Stratum III and IV districts while one Stratum II procedure and one Stratum I procedure provided for binding arbitration.
Twenty-nine (72.5 per cent) of the procedures required that the grievance be reduced to writing early in the process. Twenty-four required that the grievance be submitted in writing at the first formal step of the procedure while five made the requirement at Step II.

Thirteen (32.5 per cent) of the grievance procedures stated time limits for decision and appeal for each step while thirteen (32.5 per cent) stated time limits for all but one step. Procedures including arbitration usually failed to mandate a time limit for the arbitrator's decision. Fourteen (35 per cent), including nine Stratum I procedures, failed to state time limits.

Twenty-five (61.1 per cent) of the grievance procedures stated the right of the grievant to representation in filing and appealing a grievance. The majority of the procedures identified the representative as a teacher association member, association grievance representative, or a member of the PRR committee. Five procedures identified the representative as a person of the grievant's choosing.

The right to appeal an unsatisfactory decision to each successive step of the procedure was stated in 33 (82.5 per cent) procedures. Several restrictions on appeal were noted. The restrictions usually involved a determination by the teachers' association to appeal a grievance rather than allowing the individual grievant the right to
appeal. This was particularly true of appeal when arbitration was involved.

Less than half of the grievance procedures guaranteed the grievant safeguard from reprisal for having participated in a grievance.

Phase III: Development and Utilization of Grievance Procedures

Introduction

The purpose of Phase III was to answer the following specific questions:

1. What were the reasons for the adoption of grievance procedures by Arizona school districts?

2. What were the dynamics of the development of grievance procedures by school districts in Arizona?

3. What has been the experience of the school districts of Arizona with respect to the utilization of grievance procedures?

4. What is the relationship of grievances filed to the policies and practices of the school districts in Arizona?

In order to answer these questions, focused, unstructured interviews were held with the Superintendent, or his designee, and the head of the teachers' organization, or his designee, from a representative sample of Arizona school districts reporting and submitting grievance procedures.
The random sample yielded 16 districts in which 32 interviews, two in each district, were held.

The sample included four Stratum I districts, two Stratum II districts, six Stratum III districts, and four Stratum IV districts. Eight of the sample districts were elementary districts, six were unified districts, and two were union high school districts.

Administrators interviewed included four superintendents, six assistant superintendents, two personnel directors, one director of planning and development, one administrative assistant to the superintendent, one principal, and one head teacher. Two of the superintendents and the head teacher interviewed were from Stratum I districts. The superintendents of the larger districts tended to delegate the interview to a subordinate. The teacher organization members interviewed included eight classroom teacher association presidents, five past presidents, and three Professional Rights and Responsibilities Committee chairpersons.

The interview instrument was divided into four sections. Each section presented questions directly related to one of the specific questions posed in Phase III. In presenting the data, each Phase III specific question is stated, followed by the sub-questions and data from the corresponding section of the interview instrument.
Etiology of Grievance Procedure

Questions 1.1 and 1.2 of the Interview Guide were used to answer the question: What were the reasons for the adoption of grievance procedures by Arizona school districts?

Question 1.1. What was the reason(s) for the development of the grievance procedure in your district?

General agreement existed among administrator and teacher interviewees regarding the reasons for the development of grievance procedures in their districts. Thirteen administrators (81.2 per cent) and twelve teachers (75 per cent), reporting in thirteen districts, stated that the procedures were developed as a result of teacher organization desire for a grievance procedure. Eight of the thirteen administrators (50 per cent of the administrators) and nine of the twelve teachers (56.2 per cent of the teachers) reported that the grievance procedures were developed as a direct result of the professional negotiations agreements. The statement of one C.T.A. president that, "We wanted a way to enforce the contract," was characteristic of the reasons given by other teachers for grievance procedure negotiation.

Three administrators (18.7 per cent) and four teachers (25 per cent), reporting in four districts, stated that their grievance procedures were developed because of
the administration's desire for the procedures. Two of the three administrators reported that the procedures were developed to protect board members from informal approach by teachers with complaints while the remaining administrator stated, "The many problems of my predecessor (a superintendent) prompted me to initiate a grievance procedure."

Two of the four teachers stated that they needed a way to get their complaints to the board, because prior to the adoption of the procedure, their complaints went only as far as the administration desired. In one district the administrator reported that teacher association desire brought about the grievance procedure, while the teacher interviewee stated that administrative desire brought about the procedure.

Four administrators (25 per cent) and three teachers (18.7 per cent), in four districts reporting, stated that conflict in the district provided impetus for the adoption of the grievance procedure. All other interviewees reported no conflict in the district at the time the grievance procedure was being developed.

**Question 1.2.** What party(s) provided the initial action that led to the adoption of the grievance procedure?

There was general agreement among administrators and teachers regarding the parties providing initial action that led to the adoption of the grievance procedure. Eleven
administrators (68.7 per cent) and eleven teachers (68.7 per cent), reporting in eleven districts, credited teacher organization leadership, including teacher association executive board members and negotiations committee members, with providing the initial action.

Four administrators (25 per cent) and five teachers (31.2 per cent), reporting in five districts, credited administrative leadership, including superintendents, directors of personnel, and a head teacher, with providing initial action. The remaining administrator was unable to identify the initiator of the grievance procedure but felt certain that the initiator was a teacher organization member.

The administrative interviewees, in providing the information requested on the Grievance Procedure Questionnaire, reported that all of the grievance procedures in the population districts were officially adopted by the boards of education. In twelve of the districts (75 per cent of the sample districts), professional negotiation agreements had been adopted while four districts (25 per cent of the sample districts) reported no professional negotiations agreements.

Most of the grievance procedures of the 16 sample districts were adopted in recent years. Seven of the districts adopted grievance procedures during the 1970-71 school year, four during 1969-70, three during 1968-69, and
two during 1967-68. Most of the districts adopted grievance procedures during the period from 1969 through 1971.

Summary. General agreement existed among administrator and teacher organization interviewees regarding the reasons for grievance procedure development and the parties whose actions initiated the process. Thirteen administrators and twelve teachers, comprising 25 (78 per cent) of the 32 interviewees, cited teacher organization desire for a grievance procedure as the reason for procedure realization. Seventeen (68 per cent) of the 25 interviewees citing teacher organization desire as impetus for grievance procedure development stated that the procedures came about as a direct result of the professional negotiations movement.

Seven interviewees (22 per cent of all interviewees), including three administrators and four teachers, cited administration's desire for a grievance procedure as a reason for providing the procedure. Protecting school board members from informal approach by complaining teachers, the desire for rational personnel policy, and the need for a formal method of communicating complaints were stated by these interviewees as necessitating grievance procedures. Only seven of the 32 interviewees (22 per cent), reporting in four districts, stated that conflict within the district provided the impetus for grievance procedure adoption.
With regard to parties initiating action that led to the adoption of the grievance procedure, 22 interviewees (68.7 per cent), including eleven administrators and eleven teachers, named members of the teacher organization executive boards and negotiations committee members as initiators of the procedures. Nine interviewees (20.8 per cent), including four administrators and five teachers, named administrators as initiators of the grievance procedures.

All of the grievance procedures in the sample districts were officially adopted by the board of education. The majority of the procedures have been adopted since 1969.

In the population sample, grievance procedures have been developed primarily as a result of teacher organization desire implemented by the professional negotiations movement. Administrative desire has provided impetus for the development of a small percentage of procedures in rural districts. Initiators of action leading to the realization of grievance procedures have primarily been individuals in teacher organization leadership positions, with administrators, to a much lesser degree, initiating procedures.

Development of the Grievance Procedures

Questions 2.1 through 2.7 of the Interview Guide were used to answer the Phase III question: What were the dynamics of the development of the grievance procedures by school districts in Arizona?
Question 2.1. Who was involved in the development of your grievance procedure?

Responses to this question are separated into three categories of grievance procedure development: (1) Category 1, a teacher organization committee working with administrators; (2) Category 2, a teacher organization committee; and (3) Category 3, administrators.

The responses reported are limited to those individuals involved in the original draft of the grievance procedure. The responses do not take into account changes made through proposal and counter proposal during negotiations.

Category 1 response was the most numerous. Eight administrators (50 per cent) and eight teachers (50 per cent), from eight districts, reported that a teacher organization committee, either Professional Rights and Responsibilities or an ad hoc committee appointed by the teacher organization executive board, worked with administrators appointed by the superintendent in writing the grievance procedure. The administrators most often mentioned were central office administrators including personnel directors, assistant superintendents, and superintendents. Principals were involved in the development of four procedures.

Category 2 was the second-most numerous response. Five administrators (31.2 per cent) and five teachers (31.2 per cent), reporting in five districts, stated that the
original grievance procedure proposal was drafted unilaterally by teacher association committees without administrative input.

Category 3, grievance procedures drafted unilaterally by administrators, was reported by three administrators (18.7 per cent) and three teachers (18.7 per cent). The three districts reported here are small rural districts.

**Question 2.2.** What steps were followed in the development of the grievance procedure?

The purpose of this question was to determine the extent to which the grievance procedures in the sample districts were unilaterally or bilaterally developed. The responses of the interviewees revealed three processes employed in the development of the grievance procedures: two bilateral processes involving teacher organization members and administrators, and one unilateral process involving only administrators.

In eight districts (50 per cent of the sample districts) the following bilateral process of grievance procedure development was used:

1. The procedure was drafted by teacher organization members working with administrators. (Administrative involvement varied from administrators meeting consistently with the teacher committee throughout the process of development to one
presentation, to a superintendent, of the teacher organization committee's draft before submitting the procedure for adoption.)

2. The procedure was submitted to teacher organization membership for ratification.

3. The procedure was submitted in negotiations by the teacher organization negotiators in five districts and directly to the board for adoption in three districts.

4. The procedure was adopted by the board.

In five districts (31.2 per cent of the sample districts) the following process was followed:

1. The procedure was drafted by a teacher organization committee.

2. The procedure was submitted to the teacher organization membership for ratification.

3. The procedure was presented in negotiations by teacher organization negotiators.

4. The procedure was amended through standard proposal counter-proposal negotiations.

5. The procedure was adopted by the board.

In three small rural districts (18.7 per cent of the sample districts) the following unilateral process of grievance procedure development was reported:
1. The superintendent initiated and wrote the procedure. (In one district a head teacher, administrative leader of the district, wrote the procedure.)

2. The superintendent submitted the procedure to the board for adoption.

3. The procedure was adopted by the board and presented to the teachers.

In only three population districts (18.7 per cent) was the grievance procedure unilaterally developed by administration while in 13 districts (81.1 per cent) the grievance procedure was bilaterally developed through teachers and administrators either working together in drafting the procedure, or negotiating a mutually acceptable procedure at the negotiations table.

**Question 2.3.** Was administration adequately represented in the development of the grievance procedure?

There was general agreement among the administrators and teachers in response to this question. Fifteen administrators (93.7 per cent) and fourteen teachers (87.4 per cent), reporting in fifteen districts, stated that administration was adequately represented in the development of the grievance procedure. One administrator (6.3 per cent) and two teachers (12.6 per cent) answered negatively by stating that only central office administrators were involved. These three interviewees, as well as three
interviewees (one administrator and two teachers) who answered affirmatively, voiced concern over the fact that principals were not included in the development of the procedures. One of the teacher interviewees stated this concern as follows: "The Superintendent was the only administrator to see the procedure before it went to the Board. This was a mistake. The principals stated later that they would like to have been involved in developing the procedure."

**Question 2.4.** Was the teacher organization adequately represented in the development of the grievance procedure?

Thirteen administrators (81.2 per cent) and twelve teachers (74.3 per cent), reporting in 13 districts, answered that the teachers' association was adequately represented in the development of the grievance procedure. In three small rural districts, where the grievance procedure was unilaterally developed by administration, the six interviewees (37.5 per cent of all interviewees) answered that the teacher organization was not represented. In answering negatively, one of the superintendents stated, "I know we should have formed a committee but there was so much fighting going on that we couldn't get together. With the problems we had, something had to be done quickly."
Question 2.5. Has the grievance procedure been changed since its original formulation?

There was slight disagreement among administrators and teachers in response to this question. Twelve administrators (75 per cent) and ten teachers (62.3 per cent), reporting in twelve districts, reported no change in the grievance procedures since adoption. Four administrators (25 per cent) and six teachers (37.5 per cent), reporting in six districts, reported that the procedures had been changed since adoption.

In two districts (12.5 per cent of the sample districts) there was disagreement in that in the two administrators reported no change while the two teacher interviewees reported that the procedures had been changed. In one of these two districts the teacher interviewee stated that Level II in their procedure had been changed. A grievance council, including three teacher association members and three administrators, had replaced the Assistant Superintendent at Level II. In the other districts where disagreement was encountered the teacher interviewee reported two changes. With relation to time limits for decision and appeal, the word "days" was changed to "school days," and with relation to communicating decisions above Level I, the word "reply" was clarified by substituting "reply in writing."
In four districts (25 per cent of the sample districts) administrators and teachers agreed that the procedure had been changed. In two of these districts the changes reported were minor changes for the purpose of clarifying the language of the procedure, while in the other two districts substantive changes were reported. Respondents in one district reported the following changes:

1. Time limits were added for decision and appeal.
2. A clause was added allowing the teacher association to appeal a grievance dropped by an individual.
3. Advisory arbitration, as the final step in the procedure, was added.

Respondents in the other districts reporting substantive changes listed the following:

1. The number of steps have been reduced by the removal of appeal to the Personnel Director.
2. The number of days for decision and appeal have been reduced.
3. Only the third neutral member of the arbitration panel is to be paid.

**Question 2.6.** Is there, at present, pressure from any faction(s) in your district to change the existing grievance procedure?

There was much agreement between administrators and teachers in response to this question. Ten administrators
(62.3 per cent) and eleven teachers (68.7 per cent) reporting in eleven districts, reported no pressure from any faction(s) in their districts for changing the procedure. The most prevalent statement made by respondents indicating no pressures for changing the procedure was that the procedure either "had not been used" or "had not been used enough to know if changes were needed." Others commented that, "Everyone seems satisfied with the procedure," or "If changes are desired they are not being communicated to me."

Six administrators (37.5 per cent) and four teachers (25 per cent), reporting in six districts, reported pressure from the teachers' organization for changing the procedure. (It was noted that in two districts administrators reported teacher organization pressure to change the procedure while the teacher interviewees indicated no such pressure.)

The change most often cited as desired by the teachers' organization was for binding arbitration as the final step in the procedure. Other changes desired included provision for teacher association grievances, an open definition of grievance, removal of a no-strike clause, and the inclusion of a Professional Rights and Responsibilities Committee as one step in the procedure.

In one large high school district the teacher association interviewee stated, "Our two new board members are anti-teacher association. They want to throw out the
negotiations agreement and the grievance procedure. We may lose our grievance procedure."

**Question 2.7.** How could your grievance procedure be improved?

Ten administrators (62.3 per cent) and eight teachers (50 per cent), reporting in ten districts, reported that no improvements were needed in their grievance procedures. Prevalent in the responses of interviewees reporting no need for improving the procedures was that the procedures "had not been used," or "had not been used enough to know what improvements were needed."

Five administrators (31.2 per cent) and eight teachers (50 per cent) reported the need for improving their procedures and stated the improvements needed. Improvements suggested by the administrators included:

1. Removal of binding arbitration as the final step.
2. Terminate appeals at the Superintendent level.
3. Disallow the teacher association the right to pursue a grievance that had been dropped by an individual.
4. Disallow teacher association involvement in a grievance unless invited to participate by the individual grievant.
5. Increase time limits for decision and appeal.
7. Provide for grievance settlement by the end of the school year.

There was much consistency in the responses of the teachers regarding two of the changes needed for grievance procedure improvement. The improvements desired were as follows:

1. Binding arbitration as the final step (five teachers reporting).
2. Allow the teachers' association to file a grievance (four teachers reporting).
3. Provide a more open definition of grievance (one teacher reporting).
4. Add Professional Rights and Responsibilities Committee as a step in the procedure (one teacher reporting).
5. Decrease the number of days for decision and appeal (one teacher reporting).
6. All records of grievance cases should be filed with the teachers' association (one teacher reporting).

Summary. Grievance procedure development in the sample districts of this study was mainly a bilateral process. In eight districts (50 per cent of the sample districts) teacher organization members working with administrators drafted the procedure, submitted it for ratification by the teachers, and either entered the procedure into
negotiations or submitted it directly to the Board of Education for adoption.

In five districts (31.2 per cent of the sample districts) the grievance procedure was unilaterally drafted by a committee of the teachers' organization, submitted to the teacher organization membership for ratification, and entered into bilateral negotiations where a mutually acceptable procedure was realized through negotiations. In three small rural districts (18.7 per cent of the sample districts) the grievance procedure was unilaterally developed by administrators and adopted by the Board of Education without teacher involvement.

There was considerable agreement among interviewees that both administration and teacher organizations were adequately represented in the development of the grievance procedures. Exceptions to this agreement were reported by interviewees in the three districts where teachers were not represented in the development of the grievance procedure. Several interviewees reported that principals were not represented in the development of the grievance procedure.

Although some disagreement between administrators and teachers was noted in reporting that the grievance procedures had been changed since adoption, in a majority of the districts the procedure remained as adopted. In only three districts (18.7 per cent of the sample districts) were substantive changes in the procedure reported while in
three other districts (18.7 per cent of the sample districts) minor changes, for the purpose of clarifying the language of the procedure, were reported.

In the majority of the sample districts there was no report of pressure from factions within the district to change the grievance procedure. However, in six districts (37.5 per cent of the sample districts), pressure from the teacher organization for change was reported. The changes most often sought were for binding arbitration as the final step in the procedure, and provision for teacher association grievances.

In response to the question: How could your procedure be improved? teachers most often cited binding arbitration as the final step in the procedure and provision for the filing of association grievances. Administrators suggested a variety of desired changes including termination of the procedure at an administrative level within the district, and the disallowal of association grievances. While teachers suggested procedure improvement through providing binding arbitration as the final step, administrators suggested improvement be realized through removal of binding arbitration as the final step.

Utilization of the Grievance Procedure

Data collected through the Grievance Procedure Questionnaire and questions 3.1 through 3.6 of the Interview
Guide were used to answer the Phase III question: What has been the experience of the school districts of Arizona with respect to the utilization of grievance procedures?

In completing the Grievance Procedure Questionnaire administrator interviewees were asked to search their records and report the number of grievances processed and the number of certificated personnel covered by the grievance procedure for each school year during the time period from 1968-69 through 1971-72. In seven (43.7 per cent) of the sample districts, administrators reported that no grievances had been filed or processed during the four year time period, while in nine (56.3 per cent) of the sample districts administrators collectively reported 90 grievances filed for the same time period.

Tables 5 and 6 report grievance rates for the sample districts during the time period 1968-69 through 1971-72. The grievance rate is expressed as a ratio of the number of grievances filed in a school year to the number of certificated personnel covered by the procedure during that year. Table 5 reports grievance rates for Stratum I districts employing under 100 teachers. In Table 5 the grievance rate is expressed as the number of grievances filed per hundred certificated employees per school year. Table 6 reports grievance rates for Stratum II, III, and IV districts employing over 100 certificated employees. In
Table 5. Grievance Rates for Districts Employing Under One Hundred Certificated Employees

<table>
<thead>
<tr>
<th>Districts (by Size and Organizational Pattern)</th>
<th>School Years</th>
<th>Number of Grievances Filed</th>
<th>Number of Certificated Personnel</th>
<th>Grievance Rate as Grievances per 100 Certified Personnel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stratum I: Elem.</td>
<td>1967-68-1971-72</td>
<td>65</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Stratum I: Elem.</td>
<td>1970-71</td>
<td>68</td>
<td></td>
<td>2.91</td>
</tr>
<tr>
<td>Stratum I: Elem.</td>
<td>1969-70a</td>
<td>65</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Stratum I: Elem.</td>
<td>1971-72</td>
<td>12</td>
<td>12</td>
<td>8.33</td>
</tr>
<tr>
<td>Stratum I: Elem.</td>
<td>1970-71</td>
<td>12</td>
<td>12</td>
<td>25.00</td>
</tr>
<tr>
<td>Stratum I: Elem.</td>
<td>1969-70</td>
<td>13</td>
<td>13</td>
<td>15.42</td>
</tr>
<tr>
<td>Stratum I: Unified</td>
<td>1968-69</td>
<td>12</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Stratum I: Unified</td>
<td>1971-72</td>
<td>46</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Stratum I: Unified</td>
<td>1970-71a</td>
<td>46</td>
<td></td>
<td>2.21</td>
</tr>
</tbody>
</table>

*aDenotes the year grievance procedure was adopted.*
Table 6. Grievance Rates for Districts Employing Over One Hundred Certificated Employees

<table>
<thead>
<tr>
<th>Districts (by Size and Organizational Pattern)</th>
<th>School Years</th>
<th>Number of Grievances Filed</th>
<th>Number of Certificated Personnel</th>
<th>Grievance Rate as Grievances per 100 Certificated Personnel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stratum II: Unified</td>
<td>1971-72</td>
<td>0</td>
<td>130</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>1970-71</td>
<td>1</td>
<td>120</td>
<td>.83</td>
</tr>
<tr>
<td></td>
<td>1969-70</td>
<td>0</td>
<td>100</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>1968-69a</td>
<td>0</td>
<td>100</td>
<td>0</td>
</tr>
<tr>
<td>Stratum III: Unified</td>
<td>1971-72</td>
<td>3</td>
<td>513</td>
<td>.58</td>
</tr>
<tr>
<td></td>
<td>1970-71</td>
<td>2</td>
<td>501</td>
<td>.40</td>
</tr>
<tr>
<td></td>
<td>1969-70a</td>
<td>1</td>
<td>480</td>
<td>.21</td>
</tr>
<tr>
<td>Stratum III: Unified</td>
<td>1971-72</td>
<td>1</td>
<td>348</td>
<td>.28</td>
</tr>
<tr>
<td></td>
<td>1970-71a</td>
<td>1</td>
<td>305</td>
<td>.33</td>
</tr>
<tr>
<td>Stratum IV: Elem.</td>
<td>1971-72</td>
<td>1</td>
<td>925</td>
<td>.11</td>
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<td></td>
<td>1970-71</td>
<td>2</td>
<td>825</td>
<td>.24</td>
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<td></td>
<td>1969-70a</td>
<td>0</td>
<td>790</td>
<td>0</td>
</tr>
<tr>
<td>Stratum IV: Unified</td>
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<td>23</td>
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<td>1.85</td>
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<tr>
<td></td>
<td>1970-71</td>
<td>18</td>
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<td>1.50</td>
</tr>
<tr>
<td></td>
<td>1969-70</td>
<td>13</td>
<td>1130</td>
<td>1.15</td>
</tr>
<tr>
<td></td>
<td>1968-69</td>
<td>4</td>
<td>1000</td>
<td>.40</td>
</tr>
<tr>
<td>Stratum IV: Union High School</td>
<td>1971-72</td>
<td>2</td>
<td>1150</td>
<td>.17</td>
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<tr>
<td></td>
<td>1970-71</td>
<td>3</td>
<td>1125</td>
<td>.27</td>
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<td></td>
<td>1969-70</td>
<td>3</td>
<td>1116</td>
<td>.27</td>
</tr>
<tr>
<td></td>
<td>1968-69</td>
<td>3</td>
<td>1090</td>
<td>.28</td>
</tr>
</tbody>
</table>

\( ^a \) Denotes the year grievance procedure was adopted.
Table 6 the grievance rate is expressed as the number of grievances filed per 100 certificated employees per year.

As reported in Table 5, the three Stratum I districts collectively reported nine grievances filed during the time period 1968-69 through 1971-72 with a range of grievance rates from 2.50 to 2.21. The highest rate was reported by the smallest district in the sample. In this district, the grievance procedure had been unilaterally developed by the head teacher and board. A cohesive teachers' association, enrolling all teachers in membership, had four of the six grievances resolved in favor of the grievant.

The remaining two districts collectively reported three grievances. Two of the grievances were resolved in favor of the board and one in favor of the teacher.

The Stratum II, III, and IV districts collectively reported 81 grievances filed during the time period 1968-69 through 1971-72 with a range of grievance rates from 1.85 to .11. The highest rate was reported by a large unified district in which the Education Association's leadership was being challenged by an American Federation of Teachers local enrolling 25 per cent of the teachers in its membership. This district reported 58 grievances (64 per cent of all grievances reported by the sample districts) including 41 Level I grievances. Although this was one of only two districts in the sample reporting Level I grievances, its
grievance rate, excluding Level I grievances, remained the highest of the districts employing over 100 certificated employees. Thirty-nine (67 per cent) of the 59 grievances processed were resolved in favor of the grievant while 19 (33 per cent) were resolved in favor of the board.

The remaining five districts represented in Table 6 collectively reported 23 grievances processed over the four year period. Grievance resolution in these districts favored the administration and board. One large union high school district reported eight (72 per cent) of its eleven grievances resolved in favor of the administration and board, while three (28 per cent) were resolved in favor of the grievant. The other four districts collectively reported twelve grievances, of which seven (58 per cent) were resolved in favor of the administration and board and five (42 per cent) in favor of the grievant.

The 90 grievances processed by the nine districts reported in Tables 5 and 6 were resolved at the following levels of the grievance procedure:

- 44 grievances (49 per cent) -- building principal level
- 8 grievances (9 per cent) -- Assistant Superintendent level
- 23 grievances (25 per cent) -- District Superintendent level
11 grievances (12 per cent)—Board of Education level

4 grievances (5 per cent)—advisory arbitration level.

**Question 3.1.** How familiar are certificated personnel with the use of the grievance procedure?

Ten administrators (62.3 per cent) and 13 teachers (81.2 per cent) reported that the teachers in their districts were unfamiliar with the grievance procedure and its use. A superintendent stated, "My wife wouldn't know what we are talking about and she teaches here." Several administrators generalized the lack of knowledge of the grievance procedure to all written policies stating, "Teachers just don't read policy." The superintendent of a high school district expressed this concern as follows, "If we were as hard on teachers to do their homework as they are on kids, they wouldn't have jobs."

Thirteen teacher interviewees expressed concerns similar to the administrators'. An association president stated, "I have mentioned grievances and teachers have asked, 'What is a grievance?'" An association president in a high school district stated, "The teachers are almost illiterate regarding the procedure." Several teachers placed responsibility for the lack of knowledge of the procedure on teacher association leadership. Only three districts (18.7 per cent) reported that training sessions had been held for the
purpose of orienting personnel in the use of the grievance procedure. Eleven districts (68.7 per cent) reported that no training in the use of the procedure had been provided.

Six administrators (37.5 per cent) and three teachers (18.7 per cent) reported that the teachers were familiar with the grievance procedure and its utilization. In reporting teacher familiarity with the procedure, an association president stated, "The building representatives have been trained and in turn are training the teachers. You need to sit around a faculty lounge to find a grievance and pull the prospective grievants aside and tell them to grieve."

In the 16 sample districts the grievance procedure either appeared in district publications accessible to teachers in each building or was distributed to the teachers in teachers' handbooks. In one high school district the Professional Negotiations Agreement, including the grievance Procedure, was stapled to the teacher's contract each year. The signing of the contract implied acceptance of the Agreement.

Question 3.2. How are complaints not covered by the definition of grievance in your district processed?

Interviewees in four of the sample districts (25 per cent) reported structured ancillary methods for resolving complaints. One large elementary district formed a
District Liaison Committee including the Superintendent, Assistant Superintendent, and a teacher association member from each school. At monthly meetings the committee discussed problems placed on the agenda by teacher committee members. Principals were excluded from the meetings.

A large high school district reported Campus Committees, including building administrators and teachers, meeting as the need arose in each school. The committees maintained open agendas for teacher complaints. A similar committee was reported by a small high school district, varying from the above only in that the Superintendent was a committee member.

An elementary district reported a yearly January meeting for the purpose of discussing needed policy. The Superintendent, Assistant Superintendent, and the Teachers' Association Executive Board conferred on persistent complaints as well as needed policy. Two teacher interviewees (12.5 per cent) identified the yearly survey for items teachers wished presented in negotiations as a means of processing complaints.

Three administrators (18.7 per cent) and seven teachers (43.7 per cent), reporting in seven districts, stated that the "open door" method of communicating complaints was operating, to some extent, within their districts. The superintendent of a small unified district stated, "Board members pop questions to me resulting from
informal discussions with teachers. I've explained to the teachers that this is no way to proceed." Another Superintendent reported that his high school coaches told board members who to hire for various coaching positions. A Professional Rights and Responsibilities Committee Chairman stated, "Some teachers in this district pick up the phone and complain to the Superintendent. He violates policy by listening to them." A teacher in a large elementary district reported that the Superintendent had reversed a principal's decision as a result of a direct complaint from a teacher.

**Question 3.3.** To what extent do grievants take advantage of provisions for representation by other individuals or the teacher organization?

The grievance procedures of 12 of the 16 sample districts (75 per cent) enrolling 2000 or more students contained provisions for grievant representation by a teachers' organization member or a person of the grievant's choosing at the formal levels of the procedure. The four sample districts (25 per cent) enrolling under 2000 students contained no such provisions.

Six of the 12 districts providing representation provisions in their procedures reported the filing of grievances, while the remaining six reported none. In five (83.3 per cent) of the six districts reporting grievances,
administrative and teacher interviewees agreed that the grievant was accompanied by a representative in all appeals above the informal presentation at Level I. The administrative interviewee in the district reporting the highest grievance rate of the larger districts stated, "They [the grievants] never go it alone. They use the collective strength of their Association." In the remaining district the grievant had been represented in one of three grievances filed.

Although the procedures of the four small districts, enrolling under 2000 students, contained no provisions for grievant representation, one district reported grievant representation by another teacher in one of the six grievances processed. This district also reported the highest grievance rate of the sample districts.

Grievants have been represented by a teacher association member or persons of their choosing in 37 (78.7 per cent) of the 47 grievances appealed from Level I reported by the sample districts.

**Question 3.4.** Are steps in the grievance procedure ever skipped?

The purpose of this question was to determine if in a grievance procedure provision, or in actual practice, levels of the procedure were ever bypassed.
In three grievance procedures (18.7 per cent) provisions were included which allow the teachers' association to directly file a grievance at the superintendent level of the procedure. The remaining 13 (81.2 per cent) procedures included no such provisions.

In two of the three districts allowing a grievance to be filed with the superintendent, the grievance had to be filed by the association on behalf of a group of teachers or on its own behalf. Each of these large districts, including one elementary district and one union high school district, reported one grievance filed at the superintendent level.

**Question 3.5.** To what degree is your procedure fulfilling its intended purpose?

Thirteen administrators (81.2 per cent) and eleven teachers (68.7 per cent) stated that the main purpose of the grievance procedure was to provide a means for the equitable solution of problems. Most of these interviewees stated that solutions should be reached at the lowest possible level of the grievance procedure. Other purposes stated by administrators included: (1) "a safety valve for frustration," (2) "a relief valve for the negotiations process," and (3) "a protection system for the Board and an avenue for teachers to air their concerns." Additional purposes for the grievance procedure stated by teachers included: (1) "to
Twelve administrators (75 per cent) and seven teachers (43.7 per cent) reported that the procedure was fulfilling its purpose. Four administrators (25 per cent) and eight teachers (50 per cent) stated that the procedure was functioning as a preventive system in that administrators were avoiding grievances through careful decision-making and considered handling of teacher complaints at the building level. The Superintendent of a large elementary district expressed this function as follows, "The grievance procedure really helps at the informal level. A principal might have a tendency to cover up problems from those above him. With this [the grievance procedure] they can't."

A teacher interviewee expressed the prevention function by stating: "We have a principal who wouldn't think about his decisions if not for the grievance procedure." For this reason several teacher interviewees stated that the procedure was fulfilling its purpose even though it had never been used.

One administrator (6.2 per cent) and four teachers (25 per cent), reporting in four districts, answered that the procedure was not fulfilling its purpose in that it had never been used, while three administrators (18.7 per cent) and five teachers (31.2 per cent) expressed that the
procedure was partially fulfilling its purpose but that infrequent use of the procedure prevented a definitive answer.

**Question 3.6.** Is your procedure adequately utilized?

Eight administrators (50 per cent) and 13 teachers (81.2 per cent), reporting in 13 districts, stated that their grievance procedures had not been adequately utilized. The primary reasons stated for such disuse were fear of the administration and lack of knowledge of the grievance procedure. Two administrators (12.5 per cent) and seven teachers (47.7 per cent) stated that fear of the administration was the primary reason for low utilization. A teacher association president stated, "Too many teachers fear psychological reprisal from administrators. I believe this fear is unfounded, but nevertheless, it is suppressing grievances." Another teacher stated, "Filing a grievance is like asking a girl for a date. A few will risk being turned down, but the majority won't even try."

Two administrators (12.5 per cent) and six teachers (37.5 per cent) reported that lack of knowledge of the procedure was the primary reason for low utilization. The remaining four administrators (25 per cent), answering that the procedure was not adequately utilized, were uncertain as to why. One administrator conjectured that because both administrators and teachers were members of the education
association, teachers might be hesitant to grieve against fellow members.

Five administrators (31.2 per cent) and three teachers (18.7 per cent), reporting in five districts, stated that the procedure was adequately used. These individuals stated that teachers and administrators have confidence in the process. A teacher interviewee in a district reporting adequate utilization stated, "Teachers here don't hesitate to go to the administration with their concerns." The superintendent of the same district stated, "It is adequately utilized because of the trust that exists between administrators and teachers." The past president of the teachers' association in a large unified district stated that the procedure was adequately utilized because of a militant staff that is always ready to air concerns.

Summary. Slightly less than one-half (43.7 per cent) of the sample districts reported no grievances filed during the four year period from 1968 through 1972. Large and small districts are included in those reporting no grievances. Nine districts (56.3 per cent of the sample districts) collectively reported 90 grievances for the same time period with 58 grievances (64 per cent of all grievances reported by the sample districts) occurring in one large unified district.
Grievance rates, among the districts reporting grievances, ranged from a high of 25.00 grievances per 100 teachers in one school year to a low of .11 grievances per 100 teachers in one year. The highest grievance rate was reported by the smallest elementary district in the sample, while the lowest grievance rate was reported by the largest elementary district in the sample.

The elementary district reporting the highest grievance rate of the sample districts enrolling under 2000 students and the unified district reporting the highest grievance rate of the districts enrolling over 2000 students reported that 66.7 per cent and 64 per cent, respectively, of their grievances were resolved in favor of the grievant. In all other sample districts the majority of the grievances were resolved in favor of the administration and the Board of Education.

The 90 grievances processed by the nine districts reporting grievances were resolved at various levels of the grievance procedures. The building principal and district superintendent levels of the grievance procedures were the most prevalent levels for grievance resolution, accounting for 74 per cent of the grievances reported.

Twenty-three (71.8 per cent) of the 32 interviewees stated that teachers in their districts were unfamiliar with the grievance procedure. Lack of association leadership in training teachers in the use of the procedure and the
lack of teacher initiative in learning about the procedure were reported as the primary reasons for the unfamiliarity. Eleven districts (68.7 per cent) reported that no training in the use of the procedure had been provided. Only nine interviewees (28.2 per cent of all interviewees) reported that teachers were familiar with the grievance procedure and its utilization. The grievance procedures appeared in publications readily accessible to teachers in all districts of the population.

Interviewees in four districts (25 per cent) reported structured ancillary methods of handling teacher complaints not covered by the grievance procedure. These involved committees of administrators and teacher meeting periodically to resolve teacher complaints. Teacher interviewees in two districts identified the yearly survey of items which were proposed for presentation in negotiations as a means of processing complaints.

It was apparent that the open door method of airing complaints was operating to some extent in the sample districts. Ten interviewees reporting in seven districts (43.7 per cent) stated that some teachers were going directly to superintendents and board members with their complaints. This practice was viewed as detrimental to effective communication by all interviewees reporting its practice.
The grievance procedures of the 12 districts enrolling over 2000 students contain provisions allowing the grievant to be represented by an association member or a person of his choosing. Although only six of these districts reported grievances, interviewees in five (83.3 per cent) of the six districts reported that the grievant was accompanied by a representative in all appeals above the informal presentation of the grievance at Level I. Grievants have been represented in 37 (78.7 per cent) of the 47 grievances appealed from Level I in the sample districts.

Only three (18.7 per cent) of the grievance procedures of the sample districts provide for filing a grievance directly with the superintendent. In each of these districts, one grievance, either on behalf of a group of teachers, or on behalf of the association, was filed with the superintendent.

An attempt was made to determine if the grievance procedure was fulfilling its intended purpose. Twenty-four interviewees (75 per cent of all interviewees) including 13 administrators and 11 teachers reported that the main purpose of the grievance procedure was to provide an equitable means for the solution of problems, with most stating that solution should be reached at the lowest possible level of the procedure. Other purposes related to protection of board members from complaining teachers, a
means of making administrators think about their decisions, and a means of bolstering teacher morale.

Nineteen interviewees (59.4 per cent of all interviewees) including twelve administrators and seven teachers stated that the grievance procedure was fulfilling its purpose. Twelve of these individuals stated that the procedure was functioning as a preventive system in that administrators were avoiding grievances through careful handling of employees' concerns at the building level. Several interviewees reporting that the grievance procedure was fulfilling its purpose represented districts reporting no grievances filed. Five interviewees (15.6 per cent of all interviewees) reported that the grievance procedure was not fulfilling its purpose while eight (25 per cent of all interviewees) failed to report a definite answer due to low utilization of the procedure.

Eight administrators and 13 teachers (65.6 per cent of all interviewees) agreed that the grievance procedure was not adequately used. The primary reasons stated for the lack of utilization were fear of the administration and a lack of knowledge of the procedure. Five administrators and three teachers (25 per cent of all interviewees) reported that the procedure was adequately used due to confidence in the process and successful past experiences in grievance resolution.
Effect of Grievances on District Policy and Practice

In order to answer the Phase III question: What is the relationship of grievances filed to the policies and practices of the school districts in Arizona? Question 4.1 was utilized. The purpose of this question was to determine if board policies, district rules and regulations, administrative practices, or provisions of the negotiations agreement had been changed, added to, or deleted as a result of grievances filed.

Question 4.1 What effect have grievances filed had on the policies and practices of your school district?

Five administrators (31.2 per cent) and seven teachers (43.7 per cent), reporting in seven districts, stated that board policies and/or administrative practices had been affected as a result of grievances filed while 11 administrators (68.8 per cent) and nine teachers (56.3 per cent) reported no changes as a result of grievances filed. The five administrators, collectively, reported four policy changes and three general administrative practice changes. Policy changes included:

1. "Tenure is recommended only for residents of the school districts" was changed to include four neighboring communities just outside the district.
2. "Up to ten sick leave days may be used in the event of the death of a member of the immediate family" was changed to include any relative.

3. The definition of class size was clarified by stating that class size was computed on a district average.

4. "Maternity leave is to commence three months after conception" was changed to maternity leave commencing at the doctor's discretion.

Changes in administrative practices reported by administrators included:

1. The practice of having all teachers on lunch and playground duty each day was replaced with a rotating duty schedule.

2. The use of the public address system as a means of monitoring teaching was discontinued.

3. The practice of interviewing only a few candidates from within the district for vacant positions was changed to a more extensive interviewing schedule.

Policy changes reported by teachers included those reported by administrators and the following additions:

1. "One day of personnel leave may be granted by the Superintendent" was changed by removing the need for the Superintendent's permission.
2. A class size policy was added stating "... class size will be no more than 157 students per teacher per day."

3. The addition of a policy stating that teacher transfer may not be used as a punitive measure.

General administrative practice changes reported by teachers included those reported by administrators and the following: additions:

1. Teacher evaluation by administrators only was changed to an evaluative team approach including teachers on the evaluation team.

2. The practice of allowing teachers to formally apply for transfers within the district was added.

In seven of the nine population districts reporting grievances, some changes in board policy and/or administrative practice resulted from grievances processed.

Summary. Grievances filed are serving, to some degree, as a means for monitoring the policies of the board of education and the general practices of administration in the sample districts. Interviewees in seven districts (43.7 per cent of the sample districts) reported that policies of the board and practices of the administration have been changed, added to, or deleted as a result of grievances filed. The interviewees collectively reported
that six policy matters and five administrative practices were affected by grievances filed.
CHAPTER V

SUMMARY, FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

Introduction

In this chapter the study is summarized, the findings are presented and conclusions are drawn. Recommendations based on the findings are made and suggestions for further study are offered.

Summary

Throughout the decade of the 1960's and to the present, organizational control and decision making in public education has been evolving from a unilateral to a bilateral process. Teachers' increasing demands to be included in a wide spectrum of educational determination has been characterized by their willingness to use procedures adapted from the private sector of the economy in order to gain recognition. Teacher strikes, teacher unions, collective bargaining, and formal grievance procedures are a few of the methods and procedures adapted. This study focused on one of these methods, the formal grievance procedure.

The adoption and utilization of formal grievance procedures by public school districts has been viewed by
leading educational authorities and organizations as a necessary and rational policy providing an efficient and equitable means of dealing with conflict in the educational setting. The increase in professional negotiations in education, assisted in many states by enabling legislation, has resulted in the increasing adoption of formal grievance procedures. It was the purpose of this study to examine the extent to which formal grievance procedures have been adopted, structurally developed, and utilized in the public school districts of Arizona, a state where the impetus for the adoption of professional negotiations agreements and related formal grievance procedures must come from other than a statutory base.

A thorough review of literature was made concerning the need for formal grievance procedures, the establishment of grievance procedures in public education, the definitions of grievance and grievance procedure, the characteristics of formal grievance procedures, the utilization of the grievance procedure, and the relationship of grievances to district policy. In the review of literature section entitled "Characteristics of Formal Grievance Procedures," recommendations of leading educational organizations regarding necessary substantive characteristics for sound grievance procedures were reported. From these recommendations criteria for a sound grievance procedure were compiled.
These criteria were utilized in analyzing the grievance procedures of the Arizona school districts.

The study was conducted in three phases. Phase I sought answers to the following question: How many school districts in Arizona have adopted grievance procedures for certificated personnel? In order to provide answers to this question, each Arizona school district was contacted, existing grievance procedures collected, and the results of the query reported.

Phase II sought answers to the question: Do the characteristics of the grievance procedures adopted by the school districts of Arizona meet the criteria recommended by leading educational organizations? In order to provide answers to this question, the grievance procedures of the Arizona school districts were analyzed in terms of the extent to which they met the recommended criteria. The results of this analysis were reported.

Phase III sought answers to the questions: (1) What were the reasons for the adoption of the grievance procedures by Arizona districts? (2) What were the dynamics of grievance procedure development in school districts in Arizona? (3) What has been the experience of the school districts of Arizona with respect to the utilization of grievance procedures? and (4) What is the relationship of grievances filed to the policies and practices of the school districts in Arizona? In order to provide answers to these
questions, unstructured focused interviews were conducted with an administrator and a teacher's association member in a representative random sample of school districts reporting grievance procedures. The results of the interviews were analyzed and reported.

**Review of Findings**

The findings from this study were derived and are reported according to the three phases.

**Phase I: Extent of Grievance Procedure Adoption**

1. In an 88.4 per cent survey response from Arizona's 215 operating public school districts, 40 districts (21.1 per cent of the districts reporting) provided grievance procedures for certificated personnel.

2. The 40 districts providing grievance procedures serve 65.8 per cent of the public school student population of Arizona and employ 66.8 per cent of the certificated personnel of the public school districts of Arizona.

3. The provision of grievance procedures was directly related to district size in that a progressively greater percentage of larger districts reported procedures than did smaller districts. Procedures were reported by: 8.7 per cent of the districts enrolling under 2000 students; 36.8 per cent of the
districts enrolling from 2000 to 4999 students; 91.7 per cent of the districts enrolling from 5000 to 9999 students; and 100 per cent of the districts enrolling over 10,000 students.

4. There has been a greater acceptance of grievance procedures by Arizona union high school and unified districts than by elementary districts. Of the districts responding, grievance procedures are provided in 25 per cent of the union high school districts, 23.5 per cent of the unified districts, and 14.5 per cent of the elementary districts.

5. District organizational pattern was less important than district size in viewing the provision of grievance procedures in that:
   a. 100 per cent of the districts enrolling over 10,000 students in all organizational patterns provided grievance procedures;
   b. 100 per cent of the unified districts and 85.7 per cent of the elementary districts enrolling from 5000 to 9999 students provided grievance procedures (there were no union high school districts in this enrollment stratum);
   c. 41.7 per cent of the unified districts, 33.5 per cent of the elementary districts, and no union high school districts enrolling from 2000 to 4999 students provided grievance procedures;
d. 9.5 per cent of the unified districts, 8.2 per cent of the elementary districts, and 16.6 per cent of the union high school districts enrolling less than 2000 students provided grievance procedures.

Phase II: The Extent to which the Arizona Grievance Procedures Met the Criteria

1. Only two (5 per cent) of the grievance procedures met the eight criteria characteristics, while eight (20 per cent) approached meeting the criteria by satisfying seven criteria and a portion of the eighth criterion.

2. A majority of the grievance procedures of the districts enrolling under 2000 students were embryonic in substantive provisions, often providing only a simple statement of the steps followed in resolving a grievance, while the procedures of the districts enrolling over 2000 students tended to contain more substantive provisions.

3. Of the eight criteria, the average number met by the grievance procedures of Arizona districts enrolling under 2000 students was 3.10; for districts enrolling from 2000 to 4999, 5.23; for districts enrolling from 5000 to 9999, 6.41; and for districts enrolling over 10,000, 6.37. The average number of criterion characteristics met for the entire population was 4.87.
4. The criterion most often met was, "Steps in the procedure are stated," while the criterion least often met was, "The final step is impartial."

5. Grievance was defined in 65 per cent of the procedures. Failure to define grievance occurred mainly in the procedures of districts enrolling under 2000 students. Of the procedures defining grievance, approximately half limited the definition to violations or alleged violations of policies, rules, and regulations while half had more open, all inclusive definitions.

6. Sixty per cent of the grievance procedures limited steps to an administrative progression, while thirty per cent utilized the administrative progression but included the P.R. and R. Committee between steps. A few procedures utilized a grievance review committee of administrators and teachers as one of the steps in the procedure.

7. Twenty-five per cent of the procedures included an impartial or neutral party in the final step. Eight of these procedures involved advisory arbitration while two involved binding arbitration. The inclusion of an arbitration step occurred mainly in districts enrolling over 5000 students.

8. The grievance was reduced to writing by Step II in 72.5 per cent of the procedures. The majority of
the procedures failing to meet this criterion represented districts enrolling under 2000 students.

9. Approximately one-third of the procedures stated time limits for decision and appeal for each step in the procedure while one-third stated time limits for all but one step. Seven of the ten procedures including arbitration as the final step failed to specify a time limit for the arbitrator's decision.

10. Approximately sixty per cent of the procedures stated the grievant's right to representation in appealing a grievance through the formal levels of the procedure. The majority of the procedures providing representation identified the representative as a teacher association member.

11. Approximately eighty per cent of the procedures stated the grievant's right to appeal a decision from all but the final step of the procedure. Thirteen procedures restricted the individual grievant's right to appeal by requiring that a teacher association committee approve the appeal at some step in the procedure before the appeal could be forwarded. The majority of the procedures failing to state the right to appeal were the procedures of districts enrolling under 2000 students.
12. Less than half of the grievance procedures guaranteed the grievant any safeguards against reprisal for having filed a grievance.

Phase III: Development and Utilization of Grievance Procedures in Arizona School Districts

1. Grievance procedures in Arizona school districts have been developed mainly as a result of a teacher association's desire for grievance procedures implemented through the professional negotiations movement.

2. Conflict within districts has provided little impetus for the development of grievance procedures.

3. Individuals in teacher association leadership positions provided the initial action that led to the adoption of the grievance procedures in a majority of the sample districts.

4. All of the grievance procedures in the sample districts were adopted by the boards of education.

5. A majority of the grievance procedures have been adopted since 1969.

6. Grievance procedure development was a bilateral process in over eighty per cent of the sample districts while in slightly under twenty per cent, the procedures were unilaterally developed by administrators. Unilateral development occurred only in sample districts enrolling under 2000 students.
7. Teacher association and administrative interviewees generally agreed that both the teacher association and the administration were adequately represented in the development of the grievance procedures in the districts.

8. The grievance procedures of the sample districts have largely remained unchanged since adoption. A majority of the interviewees reported little pressure from factions in the districts for changing the procedures.

9. The grievance procedure changes most often cited as desired by the teacher association interviewees were for binding arbitration, and provision for association grievances.

10. There was a disagreement between administrators and teachers regarding how the grievance procedures could be improved.

11. During the four year time period for 1968-69 through 1971-72, 43.7 per cent of the sample districts reported no grievances filed while 56.3 per cent collectively reported ninety grievances.

12. Grievance rates changed from a high of 25 grievances per hundred employees in the smallest sample district to a low of .11 grievances per hundred employees in a Stratum IV elementary district.
13. One Stratum III unified district accounted for 64 per cent of all grievances filed in the sample districts.

14. In the two districts with the highest grievance rates, a majority of the grievances were resolved in favor of the grievant while in all other districts a majority of the grievances were resolved in favor of the administration and board of education.

15. Forty-nine per cent of the grievances reported were resolved at the building principal level, nine per cent at the assistant superintendent level, twelve per cent at the board of education level, and five per cent by arbitration.

16. The majority of the interviewees agreed that teachers in their districts were unfamiliar with the grievance procedure and its use. In 68.7 per cent of the districts no training in the use of the procedure had been undertaken.

17. The grievance procedures in all of the sample districts appeared in district publications readily accessible to certificated personnel.

18. Twenty-five per cent of the sample districts reported structured ancillary methods for resolving complaints not covered by the grievance procedure.
19. The open door method of communicating complaints was operative, to some extent, within forty-three per cent of the sample districts.

20. In 83.3 per cent of the districts in which grievances had been filed the grievant had been accompanied by a representative at all levels of appeal.

21. Only three (18.7 per cent) of the grievance procedures provided for the filing of association grievances.

22. Grievance procedures served to prevent conflict in the sample districts in that administrators were avoiding grievances through careful decision making and considered handling of teacher complaints.

23. A majority of the interviewees agreed that the grievance procedures were not adequately used. The primary reasons for lack of use were fear of administration and lack of knowledge about the procedure.

24. In 43.7 per cent of the sample districts, policies of the board of education and practices of the administration had been changed, added to, or modified as a result of grievances filed.
Conclusions

The conclusions of this study consist of answers to the questions posed at its inception and additional conclusions which emerged from the findings:

Answers to Questions Posed in this Study

1. How many school districts in Arizona have adopted grievance procedures for certificated personnel?

Only 40 of Arizona's 215 operating school districts reported the adoption of grievance procedures. There has been very limited acceptance of the grievance procedure as a means for resolving conflict in Arizona school districts enrolling under 5000 students.

2. Do the characteristics of the grievance procedures adopted by the school districts meet the criteria of grievance procedure characteristics recommended by leading educational organizations?

The characteristics of the grievance procedures adopted by Arizona school districts largely failed to meet the selected criteria recommended by leading educational organizations. The grievance procedures of the districts enrolling under 2000 students tended to be embryonic in relation to the criteria.
3. What were the reasons for the adoption of the grievance procedures by Arizona school districts?

The grievance procedures of the Arizona school districts have come into existence primarily as a result of teacher organization desire for grievance procedures encouraged by the negotiations movement.

4. What were the dynamics of grievance procedure development by school districts in Arizona?

Grievance procedure development in Arizona school districts has been primarily a bilateral process. Both administrators and teachers were involved in the drafting of procedures or in negotiating mutually acceptable procedures.

5. What has been the experience of the school districts of Arizona with respect to the utilization of grievance procedures?

The grievance procedures of the school districts of Arizona have received little utilization due primarily to teachers' lack of knowledge of the grievance procedures and fear of reprisal from administration for having filed a grievance.

6. What is the relationship of grievances filed to the policies and practices of the school districts in Arizona?
Grievances filed in Arizona school districts have served as a means of monitoring the policies of the boards of education and the practices of administrators in that grievances filed have resulted in the change, addition to, or removal of certain policies and practices in a majority of the districts in which grievances have been filed.

Other Conclusions

1. The mere presence of grievance procedures in the policies of Arizona school districts has served to reduce conflict by affecting administrative decision making and the informal handling of teachers' complaints.

2. Administrators and teacher organization members in Arizona school districts that have adopted formal grievance procedures view the grievance procedure as a positive, necessary, and rational means of resolving conflict.

Recommendations

Based on the findings of this study the following recommendations are made:

1. In Arizona school districts with no grievance procedures, which currently comprise a majority of the state's school districts, discussion should begin between administration and teacher associations
leading to the development and adoption of grievance procedures.

2. The grievance procedures of Arizona school districts that failed to meet the criteria recommended by the leading educational organizations should be bilaterally restructured to include each characteristic of the criteria in order that equitable and efficient means of handling grievances be established.

3. Arizona school districts initiating and developing grievance procedures for certificated personnel should structure their procedures to include the grievance procedure criteria characteristics recommended in this study.

4. Grievance procedure development in Arizona school districts should be a bilateral process involving administrators and teachers. Building principals should be included among those developing the procedure.

5. Each Arizona school district which has a grievance procedure, but limited or no experience in its utilization, should thoroughly examine the procedure to determine if it is structured in a way that discourages its use.

6. In each Arizona school district providing a grievance procedure, the administration and teacher association
should make certain that the certificated personnel are familiar with the procedure and trained in its use.

7. The use of the grievance procedures in Arizona school districts should be fostered by administration in order that confidence in the procedure be built and fear of reprisal for filing a grievance be allayed.

8. The record of grievances filed in each Arizona school district should be periodically reviewed in order to determine whether district policies, regulations, rules, or practices need to be changed, added to, or deleted.

9. All complaints and grievances should be handled through established channels in accordance with the organizational structure of the school district. Attempts to bypass or subvert established channels of communication should be discouraged.

**Suggestions for Further Study**

This study was limited in scope; there are, therefore, areas where there is a need for additional study. The recommendations for further study are as follows:

1. To what extent does the structure of the grievance procedure relate to its rate of utilization?
2. How does the rate of grievances filed relate to the organizational climate of the school district?

3. What has been the impact of professional negotiations legislation on the provision and structure of related grievance procedures?

4. How does the ombudsman concept compare with the formal grievance procedure in the resolution of early conflict in the educational setting?

5. What are the factors affecting grievance resolution in districts where resolution favors the grievant as opposed to districts in which grievance resolution favors the administration and board of education?

6. What are the causes and content of grievances filed and how do these relate to grievance resolution?
APPENDIX A

GRIEVANCE PROCEDURE QUESTIONNAIRE

District_________________________Respondent_________________________

Position_________________________

1. What is the organizational affiliation of the faculty of your district?

____ % affiliated with NEA

____ % affiliated with AFT

2. Has your district adopted a professional negotiation agreement?

Yes ___

No ___

Year adopted ___

3. Has your district's grievance procedure been adopted by your Board of Education?

Yes ___

No ___

Year adopted ___

4. In what publication(s) of the district may the grievance procedure be found?

5. For each school year listed below please fill in the number of grievances processed and the number of certificated personnel covered by the procedure for the same year.

<table>
<thead>
<tr>
<th>Year</th>
<th>Grievances Processed</th>
<th>Certificated Personnel</th>
</tr>
</thead>
<tbody>
<tr>
<td>1971-72</td>
<td>___</td>
<td>___</td>
</tr>
<tr>
<td>1970-71</td>
<td>___</td>
<td>___</td>
</tr>
<tr>
<td>1969-70</td>
<td>___</td>
<td>___</td>
</tr>
<tr>
<td>1968-69</td>
<td>___</td>
<td>___</td>
</tr>
</tbody>
</table>

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A. of the total number of grievances processed during the above four year period, how many were resolved at each level listed below?

LEVEL ONE ___ (If records are not available for level one, please omit level one)
LEVEL TWO ___
LEVEL THREE ___
LEVEL FOUR ___
LEVEL FIVE
1.1 What was the reason(s) for the development of the grievance procedure in your district?
Ascertain
because of conflict
because of administrative desire
because of teacher organization desire
because of collective negotiations
other

1.2 What party(s) provided the initial action that led to the adoption of the grievance procedure?
Ascertain
faction responsible for initial action

Development of Grievance Procedure

2.1 Who was involved in the development of your grievance procedure?
Ascertain
degree to which the procedure was unilaterally or bilaterally developed
2.2 What steps were followed in the development of the grievance procedure?
Ascertain
sequence of steps from initiation to adoption

2.3 Was administration adequately represented in the development of the grievance procedure?
Ascertain
perception and judgment of involvement

2.4 Was the teacher organization adequately represented in the development of the grievance procedure?
Ascertain
perception and judgment of involvement

2.5 Has the grievance procedure been changed since its original formulation?
Ascertain
how has it been changed

2.6 Is there, at present, pressure from any faction(s) in your district to change the existing grievance procedure?
Ascertain
faction(s)
changes desired
2.7 How could your grievance procedure be improved?
Ascertain
improvements
reasons for suggested improvements

Utilization of Grievance Procedure

3.1 How familiar are certificated personnel with the use of the grievance procedure?
Ascertain
familiarity with use
how have personnel been made aware of use of the procedure

3.2 How are complaints not covered by the definition of "grievance" in your procedure processed?
Ascertain
scope of procedure utilization
existence of ancillary methods for handling grievances and complaints

3.3 To what extent do grievants utilize provisions for representation by other individuals or teacher organization in filing or appealing a grievance?
Ascertain
degree of utilization (how much)

3.4 Are steps in the procedure ever skipped?
Ascertain
under what circumstances
3.5 To what degree is your grievance procedure fulfilling its intended purpose?
   Ascertain
   purpose
efficacy in terms of utilization

3.6 Is your procedure adequately utilized?
   Ascertain
   if yes, to what do you contribute this utilization
   if no, why is it not used more often

Effect of Grievances Filed on District Policy and Practice

4.1 What effect have grievances filed had on the policies and practices of your district?
   Ascertain
   board policies added, changed, or removed, as a result of grievances filed
   rule and/or regulation changed, added, or removed, as a result of grievances filed
   general administrative practices added, changed, or removed, as a result of grievances filed
   provisions of the negotiated agreement re-negotiated as a result of grievances filed
This letter is to introduce Mr. Donald Scott who is principal of Harelson Elementary School in the Amphitheater School District and a doctoral candidate at The University of Arizona. As part of his dissertation, Mr. Scott is seeking to collect information on grievance procedures for certificated personnel from all of the public school districts in Arizona. With your cooperation and that of other administrators and school personnel, Mr. Scott will be able to provide information of importance to all districts in Arizona concerned with the efficient and equitable handling of employee grievances.

This study, outlined for your information in the enclosure, will impose minimum demands on your district for it involves only the collection of the existing grievance procedures from all districts and two interviews in each of a random selection of districts with adopted grievance procedures. Will you please fill out the enclosed "Respondent Card" and send a copy of your grievance procedure to Mr. Scott? The self-addressed stamped envelope is for the return of the completed "Respondent Card" and a copy of your grievance procedure.

We wish to thank you in advance for your cooperation in this study.

Sincerely,

/s/ Iola S. Frans
President, A.S.A., Inc.

/s/ Elliott D. Becken
Supt., Amphitheater Public Schools

/s/ Robert T. Grant
Dissertation Director
APPENDIX D

GRIEVANCE PROCEDURES IN ARIZONA
PUBLIC SCHOOL DISTRICTS

In recent years school districts across the nation have become concerned with providing certificated personnel a means through which grievances can be handled in a channel of communication established within the district by district personnel. Myron Lieberman noted that in 1969 the adoption of grievance procedures was the most often negotiated non-economic issue in public education. Although negotiations legislation and the adoption of negotiations agreements have given much impetus to the development of grievance procedures, many districts not involved in contract negotiation between board of education and teachers have established grievance procedures for certificated personnel.

To date, studies of grievance procedures have taken place in states that have enacted negotiations legislation giving impetus for the adoption of negotiations agreements and related grievance procedures. Little study has taken place in states, like Arizona, where the impetus for the establishment of grievance procedures has come from other than a statutory base.

The purpose of this study will be to answer the following questions:
1. How many school districts in Arizona have adopted grievance procedures for certificated personnel?

2. What are the provisions of the adopted grievance procedures?

3. What were the reasons for adoption, and the dynamics involved in the development of grievance procedures in the school districts of Arizona?

4. What has been the experience of the school districts in the utilization of grievance procedures?

The finding and reporting of information regarding the efficacy of the adopted grievance procedures, as well as information, perceptions, attitudes, and recommendations of district personnel knowledgeable in grievance procedure and grievance processing will be of value to those districts contemplating the adoption of grievance procedures as well as all concerned with the efficient and equitable handling of employee grievances.

Initially, the study will involve contacting the chief administrator of each district in Arizona for the purpose of requesting cooperation in the study and the securing of a copy of the district's grievance procedure. This will provide for reporting the extent of adoption and the nature of the adopted grievance procedures. From all school districts with grievance procedures, a representative random sample of districts will be made. In each district
in the sample, an interview will be scheduled with an administrative representative and a teacher organization representative most able to provide information regarding the district's grievance procedure. Information, perceptions, and attitudes regarding the grievance procedure will be collected, categorized, and reported in order that an overview, or "state of the art," of grievance procedure in the public school districts of Arizona may be reported.

This study will impose minimum demands on each district for it involves only the collection of the grievance procedures from all districts and two interviews in those districts randomly selected from all districts with grievance procedures. Complete anonymity, with respect to districts and individuals included in the study, will be maintained throughout the study and no attempt will be made to secure information of confidential nature.
APPENDIX E

RESPONDENT CARD (SUPERINTENDENT'S)
Dear Mr. Scott:

Yes, we have a grievance procedure for certificated personnel, and we will cooperate in this study.

The administrator you should contact in this district, who is most knowledgeable regarding our grievance procedure, is:

Name

Title

Address

Phone Number

No, we do not have a grievance procedure for certificated personnel.

Sincerely,

Chief Administrator

School District Name and No.(s)

(Please enclose a copy of your grievance procedure.)
Dear

I am a doctoral candidate at The University of Arizona. My dissertation, "Grievance Procedures in Arizona Public School Districts," involves, in part, an analysis of the characteristics of each grievance procedure adopted by school districts in Arizona. It is my intent to compare the characteristics of each grievance procedure adopted with a compilation of grievance procedure characteristics recommended by leading national professional educational organizations, of which the National Education Association is certainly one of the foremost.

I would very much appreciate a listing of the characteristics that your Association recommends for inclusion in a grievance procedure for certificated public school personnel. Any materials that you might provide me with reference to grievance procedure characteristics, in particular, or treating the topic of grievance procedure in general, will be of great value. Remittance for any costs involved will be immediate.

It is my desire, through this study, to provide information of value to the public school personnel of Arizona concerned with seeking efficient and equitable handling of employee grievances.

Thank you very much for your assistance.

Sincerely,

April 21, 1972
APPENDIX G

COPY OF LETTER REQUESTING TEACHER ASSOCIATION PRESIDENT'S COOPERATION IN THE STUDY

June 3, 1972

This letter is to introduce Mr. Donald Scott who is principal of Harelson Elementary School in the Amphitheater School District and a doctoral candidate at The University of Arizona. As part of his dissertation, Mr. Scott is seeking to collect information on the grievance procedures developed and utilized by school districts in Arizona.

The Superintendent of your district has graciously granted his cooperation in the study and provided Mr. Scott a copy of your district's grievance procedure for certificated personnel. In order to gain additional information regarding your district's grievance procedure, Mr. Scott would like to interview district personnel most knowledgeable concerning your grievance procedure. Will you take just a minute and fill out the enclosed "Respondent Card" by providing the name and address of the Teacher Association member in your district who is most knowledgeable regarding your grievance procedure and who Mr. Scott might contact for an interview? Please return the completed card.

With your cooperation and that of other Teacher Association representatives from around the State Mr. Scott will be able to provide information of value to all educators in Arizona concerned with the efficient and equitable handling of personnel grievances.

We wish to thank you in advance for your cooperation in this study. (An outline of the study is enclosed for your information.)

Sincerely,

/s/ Judy Johnson
Secretary, AEA-Association of Classroom Teachers 1971-72

/s/ Bill S. Nicholson
President, Amphitheater CTA, 1971-72

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APPENDIX H

RESPONDENT CARD (TEACHER ASSOCIATION PRESIDENT'S)
Dear Mr. Scott:

The Teacher Association member you should contact in this district, who is most knowledgeable regarding our grievance procedure, is:

Name

Title

Address (home address)

Phone Number

(Please list home address in order that contact may be made over the summer.)

Sincerely,

President, CTA, 1971-72

School District Name
SELECTED BIBLIOGRAPHY


Arizona Department of Public Instruction, "State Department of Education Program: Basic Grant," (Computer printout of average daily attendance figures for each Arizona public school district.) Phoenix, January, 1972.


North Providence Federation of Teachers Local 920, American Federation of Teachers, AFL-CIO and the School Committee of the Town of North Providence, Collective Bargaining Agreement. North Providence, Rhode Island, September 1, 1971.


