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The Superintendent's Role in Collective Bargaining in Small School Districts

Deborah Lynn Philpot

Eastern Illinois University

This research is a product of the graduate program in Educational Administration at Eastern Illinois University. Find out more about the program.

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The Superintendent's Role in Collective Bargaining in Small School Districts

BY
Deborah Lynn Philpot

FIELD EXPERIENCE
SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF Specialist in Education IN THE GRADUATE SCHOOL, EASTERN ILLINOIS UNIVERSITY CHARLESTON, ILLINOIS

1995 YEAR

I HEREBY RECOMMEND THIS THESIS BE ACCEPTED AS FULFILLING THIS PART OF THE GRADUATE DEGREE CITED ABOVE

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Abstract

This study was designed to research and statistically assess factors associated with the role of the superintendents in small school districts in the collective bargaining process. All superintendents of districts in Illinois that house either Pre-K through 12 or K through 12 enrollments of 400 to 1,000 located geographically south of Interstate 80 were surveyed. Of 140 superintendents issued surveys, there were 115 responses received. Two of the 115 responses were eliminated because their enrollment had increased to over 1,000. Thus, 113 school districts, or 80.7% out of 140, represented the sample. The survey sought demographic information and attitudinal statements reflected through descriptive statistics. Superintendents were found to be largely involved in the collective bargaining process in their districts, yet their perceptions did not always reflect that they were content with their level of involvement, nor with the role that they assumed. Based on this study, recommendations were made which may prove useful to practicing superintendents.
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Chapter 1
Overview

Overview of the Problem

The most common role for the superintendent of a small school district historically has been that of advisor to the board (Kennedy, 1984). In more recent years, the superintendent has often assumed the lead as chief negotiator for the board of education (Kerchner, 1991). However, in the author's opinion, more and more districts have hired professional negotiators to assume the lead role. The main reason for hiring professional negotiators was because of their specific knowledge needed for the legal interpretation of contract language (W. Warfield, personal communication, November, 1994). The purpose of this study was to determine the most effective role for the superintendent to assume in the collective bargaining process in small school districts in Illinois.

The historical background of the superintendent's role indicates that superintendents feel uncomfortable serving as the chief negotiator for the board of education. This often results in bad feelings between
the superintendent and the teachers' union, and
sometimes between the superintendent and the board
(Sharp, 1989). As written by Powell, "collective
bargaining policies, contracts, and activities are
confrontational in nature and promote discord" (1990,
p. 6). The superintendent's involvement in the
collective bargaining process can put constraints on
his/her administrative influence.

In more recent years, some boards of education
have realized the awkwardness of the superintendent in
the lead role, and have hired professional negotiators
to play the lead. Professional negotiators serve in a
paid position. Therefore, some school districts have
kept the superintendent in the lead role simply to keep
costs down (Herman & Megiveron, 1993).

Statement of the Problem

Numerous articles and research documents have
provided information regarding the role of the
superintendent in the collective bargaining process.
Yet, none have provided specific data relating to
superintendents in small school districts. Therefore,
the purpose of this study was to determine the most
The Superintendent's Role

effective role for the superintendent to assume in the collective bargaining process in small school districts in Illinois.

The research questions addressed by this study were:

1. To what extent do superintendents serve as chief negotiator in the collective bargaining process?

2. To what extent do superintendents serve in an advisory capacity in the collective bargaining process?

3. At what level would superintendents prefer their involvement be in the collective bargaining process?

4. Who was listed most often by superintendents surveyed as being a member of the district's collective bargaining team (board member, superintendent, assistant superintendent, principal, attorney, professional negotiator, or other)?

5. Who, by title, do districts currently use as chief negotiators for the board?
6. Who, by title, do superintendents surveyed believe the chief negotiator should be?

7. What do superintendents believe are the advantages and disadvantages of having the superintendent as chief negotiator?

8. What do superintendents believe are the advantages and disadvantages of hiring a professional negotiator?

9. How many superintendents surveyed were, by definition, career-bound?

10. How many superintendents surveyed were, by definition, place-bound?

11. To what extent did the opinions of the place-bound superintendents differ from the career-bound superintendents in their preference as to who, by title, the chief negotiator should be for the district?

12. To what extent did the opinions of the place-bound superintendents differ from the career-bound superintendents in their preference as to the degree of involvement
that should be required of the superintendent in the collective bargaining process?

There were several findings that were acquired from this study. The effects of the study were not limited to small districts surveyed in the study. It was meant to be utilized as a resource by all school districts throughout Illinois, yet, for data purposes, focused on small school districts.

Assumptions

Specific assumptions were made during the study as follows:

1. That every small school district would have criteria established for collective bargaining.

2. That every district board of education would assign one person to be responsible as the chief negotiator.

3. That superintendents would answer the survey honestly.

4. That the instrument sample measured would be representative of all small school districts located South of Interstate 80 in Illinois.
5. That most small school districts have limited financial resources.

Limitations of the Study

Certain limitations were placed on the study in order for it to represent a specific sample. Those limitations were:

1. Only small school districts that housed grades Pre-K or K through 12 with enrollments between 400 and 1,000 were surveyed.
2. Only small school districts in Illinois located South of Interstate 80 were surveyed.
3. Only superintendents in small districts were surveyed.

Definition of Terms

The following terms were operationally defined to provide the reader with an understanding of their contextual use:

1. Collective Bargaining. The legally required process wherein both the school district board of education's negotiation team and the exclusive representatives of a union's negotiation team meet, confer, and bargain in
good faith for the purpose of executing a written master contractual agreement that incorporates all of the agreements reached during the bargaining process (Herman & Megiveron, 1993).

2. **Superintendent.** The chief executive officer of a school district (Herman & Megiveron, 1993).

3. **Negotiations.** The active and formal give-and-take between members of a union's negotiation team and a management's negotiation team, which ultimately ends in a master contract that governs the provisions, activities, and accommodations agreed to by both union and management (Herman & Megiveron, 1993).

4. **Spokesperson.** The person selected to be in complete control of communication at the table. This person must possess the ability to think on her/his feet, must be able to manage conflict and disagreement within the team and between the union and management.
teams, must possess leadership skills that will cause consensus within the team members, and will share responsibility for the training and overall preparation for upcoming negotiations with the various negotiation team members (Herman & Megiveron, 1993).

5. **Board of Education.** The policy-setting local body that carries legal responsibility for the official decisions related to the education of the children within a school district and for all decisions related to the operation of the local school district. Boards of Education may be either elected or appointed, and their memberships usually vary between five and eleven members (Herman & Megiveron, 1993).

6. **Bargaining Team.** Refers to those members who are selected or elected to represent the union or management during the process of negotiating a collective bargaining master contractual agreement (Herman & Megiveron, 1993).
7. **Chief Negotiator.** The person appointed to do all the communication at the table for one side or the other in the presentation of proposals or counters and to discuss content and intent of the language. She/he is empowered to call caucuses, initial (temporarily approve) all items as agreed upon, set the calendar for at-the-table bargaining, and, in general, be responsible for the conduct of the team at the table (Herman & Megiveron, 1993).

8. **Career-bound Superintendent.** A superintendent who does not wait for a position in any one district. Sometimes referred to as an outsider (Hofmann & Granger, 1991).

9. **Place-bound Superintendent.** An insider who had worked within a school system until he or she had reached the highest position there (Hofmann & Granger, 1991).

One term was defined theoretically in the study as follows:
Small School District. A school district that houses grades Pre-K or K through 12 and has a student enrollment between 400 and 1,000 located geographically South of Interstate 80.
Chapter 2
Rationale, Related Literature, and Research

Rationale

From the beginning of collective bargaining in school districts to recent years, superintendents have portrayed various roles in the process. In the 1960's and early 1970's, superintendents were "gophers" between school boards and the teacher associations (Kennedy, 1984). From the mid-1970's to the 1990's, superintendents have played the role as chief negotiator, advisor to the board, negotiating team member, or have not been involved in collective bargaining in their districts. Several school districts have, in more recent years, hired professional negotiators to bargain for the board of education.

Through research and literature, the superintendent's role in collective bargaining has been discussed and recommended by various authorities. The recommendations of the superintendent's role has changed over time, yet there has been no specific research in regard to the roles portrayed by
superintendents in small schools in Illinois. Therefore, a study to examine the roles performed by superintendents in small schools in Illinois was conducted. Superintendents in small school districts in Illinois were surveyed regarding their roles and perceptions as to who should perform the lead in the collective bargaining process.

Related Literature and Research

In 1989, a study was conducted by the American Association of School Administrators of a random sample of 400 superintendents throughout the United States regarding the superintendent's role in collective bargaining. Of the 246 superintendents that responded, 85.9% were from K-12 school districts. When asked if the superintendent should be on the collective bargaining team, 47.5% said he/she should be a member of the team, 40.5% stated he/she did not want to be on the team, and 11.6% had no opinion or said his/her opinion could change from year to year. As to what role the superintendents surveyed had played in negotiations, 5.6% were non-participants in the process, 0% were advisors to the teachers' organization
only, 16.6% had advised both the teachers' organization and the school board, 46% were advisors to the board only, 15.1% had the role of board negotiator with limited authority, and 16.7% negotiated for the board with full authority (Sharp, 1989). The study conducted by the A.A.S.A. was a random sample from throughout the United States. A study conducted through mailing questionnaires to 300 superintendents in Ohio regarding their feelings toward collective bargaining categorized superintendents into two types (Hofmann and Granger, 1991). The first type, career-bound, was a superintendent who did not wait for a position in any one district. The second type, place-bound, was an insider who had worked within a school system until he/she had reached the highest position there. Depending on whether superintendents were career-bound or place-bound affected their feelings on their role in the collective bargaining process. Career-bound superintendents did not want to be involved in the collective bargaining process, while place-bound superintendents did. Not only did place-bound superintendents want to be involved, they wanted to be
the chief negotiator. Neither type supported the use of an outside specialized negotiator (Hofmann and Granger, 1991).

The book *Effective Collective Bargaining in Public Education* (Webster, 1985) stressed that the role of superintendents in collective bargaining depended on the district's size. Webster found that large school districts were more apt to hire professional negotiators and that bargaining superintendents were often found in small districts. He felt that bargaining superintendents in small districts were at a disadvantage, yet were much better prepared to lead negotiations than board members. He stated that several school districts throughout the United States were using professional negotiators, but that money was an issue for small school districts in hiring a professional negotiator.

A more recent book *Collective Bargaining in Education: Win/Win, Win/Lose, Lose/Lose* (Herman & Megiverson, 1993) stated that it was not wise to have the superintendent as a member of the negotiating team. Furthermore, the superintendent should have provided
information to the team and received reports from the team during the process. They felt that a good superintendent could often lose his/her position if he/she were on the team and negotiations became adversarial in nature. They advised that an attorney might or might not have been the best spokesperson for the board. They felt that the only way a superintendent should have been on the team was only if there were no other person that possessed the necessary skills.

In the article, "Reflections of a Strike as Seen Through the Eyes of a Superintendent," the authors performed a study on the effects that strikes had on superintendents who were involved in the collective bargaining process (Shreeve, Carlson, Goetter, Midgley, & Norby, 1990). They found that, even though involved in the collective bargaining process, the superintendent usually was not the focal issue in strikes. Ninety-two percent of the superintendents surveyed who had been in strike situations did not leave their districts after the strike.
In a phone interview with Dr. Walt Warfield, Executive Director of the Illinois Association of School Administrators, he stated that several school districts in Illinois were now using professional negotiators. He stressed that collective bargaining was a specific skill and fraught with legal entanglements. He stated that attorneys and professional negotiators were much better qualified to bargain for districts if districts were willing to spend the money. He said that there was no statistical information on file regarding how many districts use professional negotiators although he felt it was much higher than it used to be (W. Warfield, personal communication, November, 1994).

In another phone interview with George Kohut, Labor Consultant with the law firm of Miller, Tracy, Braun, and Wilson, Limited, Mr. Kohut stated that the superintendent should only be used as a source for information in the collective bargaining process. He said that if districts were smart, they would hire an advocate to run their negotiations. He, as well as Dr. Warfield, stated that the legal interpretation and
writing of contract language needed to be handled by a specialized person, not a superintendent. He also pointed out that the chief negotiator was in the middle of the heat in negotiations, and that a board should not want to place its superintendent in that position. He felt that the best negotiating team, on average, would consist of a professional negotiator as the chief spokesperson, two to three board members, and the superintendent as a source for information (G. Kohut, personal communication, December, 1994).

It appears that, through the years, the role of the superintendent in the collective bargaining process has been one of a variety of roles previously listed in research. Collective bargaining can often become a legal nightmare, at times requiring the assistance of attorneys and/or professional negotiators. Some school districts have hired professional negotiators that were highly skilled in collective bargaining to negotiate for them and to write and interpret contract language. Some school districts have not been comfortable bringing in an outsider to negotiate for them, or possibly not willing to pay the fee, and therefore have
continued to use their superintendent in the role. From a professional negotiator's viewpoint, the recommendation has been to use the superintendent only as a resource for information. The role of the superintendent in collective bargaining has not been limited to any one specific position, and has normally been determined by each individual school district board.
Chapter 3
Design of the Study

General Design of the Study

As stated in Chapter 1, the purpose of this study was to gain information to answer the following questions:

1. To what extent do superintendents serve as chief negotiator in the collective bargaining process?

2. To what extent do superintendents serve in an advisory capacity in the collective bargaining process?

3. At what level would superintendents prefer their involvement be in the collective bargaining process?

4. Who was listed most often by superintendents surveyed as being a member of the district's collective bargaining team (board member, superintendent, assistant superintendent, principal, attorney, professional negotiator, or other)?
5. Who, by title, do districts currently use the chief negotiators for the board?

6. Who, by title, do superintendents surveyed believe the chief negotiator should be?

7. What do superintendents believe are the advantages and disadvantages of having the superintendent as chief negotiator?

8. What do superintendents believe are the advantages and disadvantages of hiring a professional negotiator?

9. How many superintendents surveyed were, by definition, career-bound?

10. How many superintendents surveyed were, by definition, place-bound?

11. To what extent did the opinions of the place-bound superintendents differ from the career-bound superintendents in their preference as to who, by title, the chief negotiator should be for the district?

12. To what extent did the opinions of the place-bound superintendents differ from the career-bound superintendent in their
preference as to the degree of involvement that should be required of the superintendent in the collective bargaining process?

Data were collected from practicing superintendents in small school districts in Illinois. A survey was sent to selected superintendents in Illinois. The survey instrument contained questions regarding the length of the time the superintendent had been in that district in the role of superintendent and whether he/she came from inside or outside of the district. Pertinent information regarding the district's size in student enrollment and financial condition was addressed. Collective bargaining issues regarding the superintendent's perceptions of the superintendent's role in collective bargaining in his or her district were obtained (see Appendix B). A letter was sent with the instrument that asked the superintendent to complete the instrument and return it in the enclosed envelope (see Appendix A).

Sample and Population

The superintendents sampled were from small Pre-K or K through 12 school districts in Illinois located
The Superintendent's Role

geographically South of Interstate 80 (see Appendix C). A resource book, *1994 DIRPRO: Directory of Illinois Schools* (Powell and Powell, 1994) was used to locate all small Pre-K or K through 12 school districts with enrollments between 400 and 1,000. By scanning through the "public school" section, a list was compiled of all Pre-K or K through 12 districts between the size of 400 and 1,000. Then, by locating the districts on an Illinois map, the determination was made as to whether the districts were located South of Interstate 80. At the end of the process, it was found that there were 140 small school districts to sample (see Appendix C). All 140 small school districts were mailed the instrument.

Data Collection and Instrumentation

The survey questionnaire (see Appendix B) was developed by the author of this study. It was a goal to keep the instrument short in hopes that more surveys would be returned. The completion of the survey questionnaire by a superintendent should have taken five minutes or less.
Most demographic information needed for the study was obtained through use of the 1994 DIRPRO: Directory of Illinois Schools (Powell and Powell, 1994). The directory provided district names, addresses, and enrollments. Geographic location was determined by the use of an Illinois map. To determine if the enrollment was still between the range of 400 and 1000, Question 1 asked superintendents to write down their district's enrollment.

To determine whether a district had financial concerns, Question 2 asked the superintendent to answer whether or not the district was on the financial watch list. This question was used to determine whether financially distressed districts used professional negotiators.

Questions 5 through 11 addressed the superintendent's role in the collective bargaining process in his/her district. The questions also addressed the superintendent's opinion as to whom he/she felt the chief negotiator should be, and whether the superintendent should be involved in the process.
Questions 12 and 13 required superintendents to make attitudinal statements regarding the advantages and disadvantages of the superintendent having the lead role in the collective bargaining process. The superintendents were also asked to list advantages and disadvantages in the use of a professional negotiator.

The survey concluded with the superintendent having the option of receiving results of this study by writing his/her name and address on the form.

Data Analysis

The instruments were mailed to the superintendents on March 1, 1995, and a return date of March 17, 1995, was requested in the letter. The superintendents had over two weeks to return the instruments from the date that they were mailed out.

Once the majority of instruments came back and the date for returns had elapsed, results were tallied by entering the collected data on a spreadsheet. A spreadsheet was used so that results could be sorted and calculated easily once the data were entered. Data were compiled for the study using descriptive statistics.
Chapter 4

Results

General Information

The purpose of this study was to determine the most effective role for the superintendent to assume in the collective bargaining process in small school districts in Illinois. Surveys were mailed to district superintendents for them to complete and return. Of the 140 small school district superintendents selected from the DIRPRO Directory of Illinois Schools, responses were received from 115 school district superintendents, representing 82.14% of the selected school superintendents. Of the 115 schools responding, two districts were removed from the group because their enrollment had increased to over 1,000. Therefore, 113 responses were used in the data analysis.

School Enrollment and School Type

School districts selected for the study were specifically made up of Pre-K through 12, or K through 12 districts with student enrollments ranging from 400 to 1,000. The average size of the districts surveyed
was 643. Table 1 illustrates the schools sampled by their sizes ranging from 400 to 1,000.

Table 1

School Enrollment

<table>
<thead>
<tr>
<th>Question</th>
<th>N</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>School Enrollment:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>400 - 549</td>
<td>45</td>
<td>39.8</td>
</tr>
<tr>
<td>550 - 699</td>
<td>24</td>
<td>21.2</td>
</tr>
<tr>
<td>700 - 849</td>
<td>22</td>
<td>19.5</td>
</tr>
<tr>
<td>850 - 1000</td>
<td>22</td>
<td>19.5</td>
</tr>
</tbody>
</table>

Financial Watch List

Superintendents were asked if their districts were currently on the financial watch list. This was asked to determine whether districts that were on the watch list hired a professional negotiator or avoided the expense. Only 15 districts out of 113 responses were on the financial watch list. Six of the 15 districts on the watch list hired professional negotiators. Therefore, there seemed to be no difference concerning
whether districts on the watch list avoid using professional negotiators because of the expense. However, 23 of 98 school districts not on the watch list use a paid negotiator. Thus, one may assume that districts not on the watch list keep costs down by using an insider.

Years of Experience in District as Superintendent

Of 113 superintendents surveyed, only one-fourth had been employed in their position in the district for five or more years. Almost 45% of the superintendents had been serving their districts for less than two years. The average years of experience for the 113 superintendents in their most recent superintendent position was 4.13. Table 2 reflects years of superintendent experience in their current districts.

The Superintendent as a Member of the Collective Bargaining Team

Superintendents were asked in the survey if they were required to be on the collective bargaining team. If the superintendent's response was yes, then he/she was to specify if he/she was on the team as the chief negotiator, as an advisor to the board, or in another
Table 2

Superintendents' Years of Experience in Current District

<table>
<thead>
<tr>
<th>Question</th>
<th>N</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Years of superintendent experience in current district:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>0 - .99</td>
<td>24</td>
<td>21.2</td>
</tr>
<tr>
<td>1 - 1.99</td>
<td>26</td>
<td>23.0</td>
</tr>
<tr>
<td>2 - 4.99</td>
<td>31</td>
<td>27.5</td>
</tr>
<tr>
<td>5 - 9.99</td>
<td>19</td>
<td>16.8</td>
</tr>
<tr>
<td>10 - 35</td>
<td>13</td>
<td>11.5</td>
</tr>
</tbody>
</table>

The role. A majority (73%) of the superintendents indicated that they are required to be on the collective bargaining team and were expected to serve as advisor to the board in 79% of those situations. Table 3 reflects their responses.

Level of Involvement in Collective Bargaining

Superintendents were asked what their preference was toward their level of involvement in the collective
Table 3

Assigned Role in the Collective Bargaining Process

<table>
<thead>
<tr>
<th>Question</th>
<th>N</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Required to be on collective bargaining team:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>83</td>
<td>73.4</td>
</tr>
<tr>
<td>No</td>
<td>30</td>
<td>26.6</td>
</tr>
<tr>
<td>Role performed by those answering yes:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Advisor to Board</td>
<td>66</td>
<td>79.5</td>
</tr>
<tr>
<td>Chief Negotiator</td>
<td>14</td>
<td>16.9</td>
</tr>
<tr>
<td>Other</td>
<td>3</td>
<td>3.6</td>
</tr>
</tbody>
</table>

One-half of the superintendents surveyed thought that the superintendent should be fully involved in the collective bargaining process. Another 41% thought the level of involvement should be limited. Less than 10% thought there should be no involvement by the superintendent. Table 4 represents the results pertaining to the preferred level of involvement.
Table 4

Level of Involvement of Superintendent in Collective Bargaining Process

<table>
<thead>
<tr>
<th>Question</th>
<th>N</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preferred level of involvement in collective bargaining process:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Full involvement</td>
<td>57</td>
<td>50.4</td>
</tr>
<tr>
<td>Limited involvement</td>
<td>47</td>
<td>41.6</td>
</tr>
<tr>
<td>No involvement</td>
<td>9</td>
<td>8.0</td>
</tr>
</tbody>
</table>

Members of Collective Bargaining Team

Superintendents were asked to list all who served as members, by title, on the collective bargaining team in their district. Board members were listed by nearly 98% of the superintendents surveyed as being members of the collective bargaining team. Superintendents were listed by over 75% as being involved. Over 20% of the superintendents listed their districts having attorneys as members of their collective bargaining team. Others listed as involved were principals, professional
negotiators, and assistant superintendents. Table 5 lists the members involved in the collective bargaining process in small schools.

Table 5

Make-up of District Collective Bargaining Teams

<table>
<thead>
<tr>
<th>Question</th>
<th>N</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Members representing board of education on collective bargaining team:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Board members</td>
<td>111</td>
<td>98.3</td>
</tr>
<tr>
<td>Superintendents</td>
<td>90</td>
<td>79.6</td>
</tr>
<tr>
<td>Attorneys</td>
<td>27</td>
<td>23.9</td>
</tr>
<tr>
<td>Principals</td>
<td>24</td>
<td>21.2</td>
</tr>
<tr>
<td>Professional Negotiators</td>
<td>20</td>
<td>17.7</td>
</tr>
<tr>
<td>Assistant Superintendent</td>
<td>1</td>
<td>.4</td>
</tr>
</tbody>
</table>

Chief Negotiator for Board of Education

Superintendents surveyed were asked two questions regarding the role of the chief negotiator for the collective bargaining process. The first question
asked the superintendents to list who currently was the chief negotiator for the board. The second question asked the superintendents who they believed the chief negotiator should be.

In reference to who the current chief negotiator is for the board of education, board members were listed as representing over 50% of their districts. Attorneys represented almost 18% of the districts as chief negotiator. Superintendents represented slightly less than 20%. Professional negotiators were listed as representing 8% of the districts.

When superintendents were asked as to whom they preferred the chief negotiator be for school districts, 102 of 113 superintendents responded. Board members received 37% of the vote as their top choice. Professional negotiators were their second choice receiving 27% of the vote, followed by attorneys, superintendents themselves, and others not listed.

Table 6 compares current chief negotiators utilized by districts to the superintendents' preference as to who the chief negotiator should be.
Table 6

The Role of Chief Negotiator

<table>
<thead>
<tr>
<th>Question</th>
<th>N</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chief negotiator for Board of education: (113 responses)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Board member</td>
<td>65</td>
<td>57.5</td>
</tr>
<tr>
<td>Attorney</td>
<td>20</td>
<td>17.7</td>
</tr>
<tr>
<td>Superintendent</td>
<td>19</td>
<td>16.8</td>
</tr>
<tr>
<td>Professional Negotiator</td>
<td>9</td>
<td>8.0</td>
</tr>
<tr>
<td>Chief negotiator/ superintendents' preference: (102 responses)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Board member</td>
<td>38</td>
<td>37.3</td>
</tr>
<tr>
<td>Professional negotiator</td>
<td>28</td>
<td>27.4</td>
</tr>
<tr>
<td>Attorney</td>
<td>14</td>
<td>13.7</td>
</tr>
<tr>
<td>Superintendent</td>
<td>11</td>
<td>10.8</td>
</tr>
<tr>
<td>Other</td>
<td>11</td>
<td>10.8</td>
</tr>
</tbody>
</table>

Career-Bound Versus Place-Bound Superintendents

Superintendents were questioned regarding whether they were hired from within the district advancing into
the position, or from outside. Superintendents hired from within the district, known as place-bound, resulted in almost 26% of the superintendents surveyed. Superintendents hired from outside of the district, known as career-bound, resulted in 74%.

Superintendents were placed in the category of place-bound or career-bound to determine if there was a difference in their perceptions as to what the level of involvement should be of the superintendent in the collective bargaining process. Of the superintendents that were considered place-bound, nearly 38% thought that they should be fully involved in the collective bargaining process. Limited involvement was perceived as the degree that over 50% of the place-bound superintendents selected. No involvement was the selection of less than 7% of the place-bound superintendents.

Career-bound superintendents had a slight difference in their opinions compared to the place-bound superintendents on their perception of the level of involvement in the collective bargaining process. Of the career-bound superintendents, over 50% thought
that superintendents should be fully involved in the collective bargaining process. Limited involvement was selected by nearly 40%. No involvement was selected by less than 9%. Table 7 represents the responses from the 113 superintendents surveyed regarding career-bound and place-bound opinions.

Advantages and Disadvantages of Superintendent Assuming Role as Chief Negotiator

Superintendents were asked to list advantages and disadvantages pertaining to the superintendent assuming the role of chief negotiator for the board. They were asked to list two of each, yet some superintendents only listed one, and some listed none.

There were a total of 121 advantages listed by 113 superintendents. Of those advantages, over 33% of those listed were in reference to the superintendent having first hand knowledge of the district. Over 30% more listed the superintendent's financial expertise as being an advantage. Several other advantages were listed, as depicted in Table 8.
<table>
<thead>
<tr>
<th>Question</th>
<th>N</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Superintendents hired from within/career-bound, or outside/place-bound:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Career-bound</td>
<td>84</td>
<td>74.3</td>
</tr>
<tr>
<td>Place-bound</td>
<td>29</td>
<td>25.7</td>
</tr>
<tr>
<td>Career-bound superintendent's choice in level of participation in collective bargaining:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Full involvement</td>
<td>46</td>
<td>54.8</td>
</tr>
<tr>
<td>Limited involvement</td>
<td>31</td>
<td>36.9</td>
</tr>
<tr>
<td>No involvement</td>
<td>7</td>
<td>8.3</td>
</tr>
<tr>
<td>Place-bound superintendent's choice in level of participation in collective bargaining:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Full involvement</td>
<td>11</td>
<td>37.9</td>
</tr>
<tr>
<td>Limited involvement</td>
<td>16</td>
<td>55.2</td>
</tr>
<tr>
<td>No involvement</td>
<td>2</td>
<td>6.9</td>
</tr>
</tbody>
</table>
Table 8

Advantages of Superintendent Being Chief Negotiator

<table>
<thead>
<tr>
<th>Question</th>
<th>N</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advantages listed by superintendents:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(121 responses)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>First hand knowledge</td>
<td>40</td>
<td>33.1</td>
</tr>
<tr>
<td>Financial expertise</td>
<td>37</td>
<td>30.6</td>
</tr>
<tr>
<td>Direct control/ support of board</td>
<td>13</td>
<td>10.7</td>
</tr>
<tr>
<td>Knows staff</td>
<td>12</td>
<td>9.9</td>
</tr>
<tr>
<td>Knowledge of contract</td>
<td>7</td>
<td>5.8</td>
</tr>
<tr>
<td>Trusted by staff</td>
<td>6</td>
<td>5.0</td>
</tr>
<tr>
<td>No cost to board</td>
<td>3</td>
<td>2.5</td>
</tr>
<tr>
<td>Ownership</td>
<td>2</td>
<td>1.6</td>
</tr>
<tr>
<td>Legal resource</td>
<td>1</td>
<td>.8</td>
</tr>
</tbody>
</table>

There were a total of 182 disadvantages listed by 113 superintendents. Over 25% of the disadvantages listed were in reference to the strain in future working relationships with staff that the superintendent might incur due to his/her being the chief negotiator for the board. Almost 25% of the
disadvantages referred to the superintendent being in an adversarial role. All disadvantages listed by superintendents are depicted in Table 9.

Advantages and Disadvantages of Utilizing a Professional Negotiator

Superintendents were asked to list advantages and disadvantages related to districts hiring and utilizing professional negotiators to act as the chief negotiator. A total of 104 advantages and 96 disadvantages were listed.

When listing advantages to having a professional negotiator, 36% of the responses were regarding the expertise of a professional negotiator. Another 22% of the responses referred to a professional negotiator not being tied to anyone in the district. Over 10% of the responses related to staff working relationships with administration. Several other advantages were listed, but no others were given over 10% preference. All advantages to utilizing a professional negotiator as perceived by superintendents are listed in Table 10.
Table 9

<table>
<thead>
<tr>
<th>Question</th>
<th>N</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disadvantages listed by superintendents:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(182 responses)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Strains future working relationships</td>
<td>56</td>
<td>30.8</td>
</tr>
<tr>
<td>Adversarial role</td>
<td>42</td>
<td>23.1</td>
</tr>
<tr>
<td>Takes too much of superintendent's leadership time</td>
<td>18</td>
<td>9.9</td>
</tr>
<tr>
<td>Bad guy/bad feelings</td>
<td>15</td>
<td>8.3</td>
</tr>
<tr>
<td>Personality conflicts</td>
<td>12</td>
<td>6.6</td>
</tr>
<tr>
<td>Risk of losing job</td>
<td>8</td>
<td>4.4</td>
</tr>
<tr>
<td>Resentment</td>
<td>7</td>
<td>3.8</td>
</tr>
<tr>
<td>Not qualified</td>
<td>7</td>
<td>3.8</td>
</tr>
<tr>
<td>Underlying issues</td>
<td>6</td>
<td>3.3</td>
</tr>
<tr>
<td>Perceived as other side</td>
<td>5</td>
<td>2.8</td>
</tr>
<tr>
<td>Held accountable by union</td>
<td>4</td>
<td>2.2</td>
</tr>
<tr>
<td>Lack of board support</td>
<td>2</td>
<td>1.0</td>
</tr>
</tbody>
</table>
Table 10

Advantages of Utilizing a Professional Negotiator

<table>
<thead>
<tr>
<th>Question</th>
<th>N</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Perceived advantages listed by superintendents: (104 responses)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Professional expertise</td>
<td>41</td>
<td>39.4</td>
</tr>
<tr>
<td>No ties to district</td>
<td>23</td>
<td>22.1</td>
</tr>
<tr>
<td>Avoidance of staff/work conflicts</td>
<td>16</td>
<td>15.4</td>
</tr>
<tr>
<td>Knowledge of law and procedures</td>
<td>10</td>
<td>9.6</td>
</tr>
<tr>
<td>No personal feelings</td>
<td>8</td>
<td>7.7</td>
</tr>
<tr>
<td>More objective</td>
<td>4</td>
<td>3.9</td>
</tr>
<tr>
<td>Only seen during negotiations</td>
<td>2</td>
<td>1.9</td>
</tr>
</tbody>
</table>

Over 36% of the responses regarding disadvantages of a professional negotiator were relating to cost to the district. Over 25% of the responses related to the
professional negotiator not knowing district and community information. Several other disadvantages were listed, but no others received more than 10% of the responses. Disadvantages are listed in Table 11.

Table 11
Disadvantages of Utilizing a Professional Negotiator

<table>
<thead>
<tr>
<th>Question</th>
<th>N</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Perceived disadvantages listed by superintendents: (96 responses)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cost/expense</td>
<td>35</td>
<td>36.5</td>
</tr>
<tr>
<td>Lack of district knowledge</td>
<td>28</td>
<td>29.2</td>
</tr>
<tr>
<td>Creates tension with teachers</td>
<td>8</td>
<td>8.3</td>
</tr>
<tr>
<td>Lack of concern about costs to district</td>
<td>8</td>
<td>8.3</td>
</tr>
<tr>
<td>Alienates staff</td>
<td>6</td>
<td>6.3</td>
</tr>
<tr>
<td>Lack of loyalty to district</td>
<td>5</td>
<td>5.2</td>
</tr>
<tr>
<td>Leaves hard feelings</td>
<td>2</td>
<td>2.0</td>
</tr>
<tr>
<td>Tends to lengthen process</td>
<td>2</td>
<td>2.0</td>
</tr>
<tr>
<td>&quot;Hired gun&quot; stereotype</td>
<td>2</td>
<td>2.0</td>
</tr>
</tbody>
</table>
Chapter 5
Summary, Findings, Conclusions, and Recommendations

Summary

The purpose of this study was to determine the most effective role for the superintendent to assume in the collective bargaining process in small school districts in Illinois. The study centered on demographic information and responses to attitudinal statements from practicing superintendents in either small Pre-K through 12 or K through 12 school districts in Illinois. A review of the literature revealed that there were various roles assumed by superintendents in the collective bargaining process. These roles normally consisted of advisor to the board, chief negotiator, advisor to board and union, resource person, or not involved.

Several questions were addressed through the study by obtaining necessary information from small school superintendents. Questions to be answered were:

1. To what extent do superintendents serve as chief negotiator in the collective bargaining process?
2. To what extent do superintendents serve in an advisory capacity in the collective bargaining process?

3. At what level would superintendents prefer their involvement be in the collective bargaining process?

4. Who was listed most often by superintendents surveyed as being a member of the district's collective bargaining team (board member, superintendent, assistant superintendent, principal, attorney, professional negotiator, or other)?

5. Who, by title, do districts currently use as chief negotiators for the board?

6. Who, by title, do superintendents surveyed believe the chief negotiator should be?

7. What do superintendents believe are the advantages and disadvantages of having the superintendent as chief negotiator?

8. What do superintendents believe are the advantages and disadvantages of hiring a professional negotiator?
9. How many superintendents surveyed were, by definition, career-bound?

10. How many superintendents surveyed were, by definition, place-bound?

11. To what extent did the opinions of the place-bound superintendents differ from the career-bound superintendents in their preference as to who, by title, the chief negotiator should be for the district?

12. To what extent did the opinions of the place-bound superintendents differ from the career-bound superintendents in their preference as to the degree of involvement that should be required of the superintendent in the collective bargaining process?

Answers to these questions could prepare aspiring superintendents as to what they might expect as small school superintendents regarding their involvement in the collective bargaining process. It would also help superintendents to understand that they are not alone in the role that they are assuming.
Findings

Demographic information revealed in this study supported what was found in the literature. Of 115 school districts responding, 113 had enrollments between 400 and 1,000.

Only 15 of 113 districts surveyed were on the financial watch list. Of those 15 districts, six currently used a professional negotiator in their collective bargaining process. Thus, the cost of a professional negotiator did not seem to be a factor for financially strapped districts. However, only 23 of 98 districts that were not financially strapped used professional/paid negotiators.

Superintendents surveyed had an average of 4.13 years of experience in their current district. The "5 plus 5" early retirement incentive for Illinois educators definitely reflected on the experience level of superintendent experience. Almost 45% of the superintendents surveyed had been superintendents in their current districts for less than two years. Slightly more than 10% had been in their current district as a superintendent for ten or more years.
When asked if superintendents were required to be on their district's collective bargaining team, nearly 75% answered yes. Of those answering yes, nearly 80% acted as an advisor to the board, 17% as chief negotiator, and 3% assumed other related roles.

Superintendents were questioned on their preference as to what their level of involvement should be in the collective bargaining process. One-half of the superintendents responding thought they should be fully involved in the process. Slightly less than 50% felt that their involvement should be limited, and less than 10% felt they should not be involved.

When asked what the current make-up of their board's collective bargaining team was, the results revealed that board members were on 98% of the school districts' teams. Almost 80% of the superintendents surveyed were required to be on their district's team. Nearly 24% of the districts had attorneys, professional negotiators, and principals as members of their teams. Only one district listed an assistant superintendent as a member.
Superintendents were asked to list who their current negotiator for their district was, and also to list who they preferred to be in that role. Currently, nearly 58% of the districts use a board member as their chief negotiator. Only 37% of superintendents surveyed felt that a board member should be the chief negotiator. Professional negotiators were currently used by only 8% of the districts. However, over 25% of superintendents surveyed thought their district should use a professional negotiator. Currently 17% of the districts were using an attorney as the chief negotiator. This was slightly higher than the perceived 13% selected by superintendents. Superintendents were currently utilized by nearly 17% of the districts as chief negotiators, yet only 10% of the superintendents surveyed believed that they should be the chief negotiator.

Superintendents were questioned as to whether they were hired from within the district or outside of the district. This was to determine whether they were categorized as career-bound or place-bound. The results were then categorized into the perceptions of
the two groups as to their level of involvement in the collective bargaining process. Nearly 75% of the superintendents surveyed were career-bound superintendents. Only 25% were categorized as place-bound. Of the 75% listed as career-bound, over 50% of them believed they should be fully involved in the collective bargaining process compared to slightly less than 40% selected by place-bound. Nearly 40% of the career-bound superintendents thought they should be limited in their involvement in the collective bargaining process while over 50% of the place-bound felt they should be involved in a limited manner. Less than 10% of both groups thought that they should not be involved in the process at all.

Several advantages were listed by superintendents as to the superintendent assuming the role as chief negotiator for the board. The top five advantages listed from highest to lowest in responses were:

- First hand knowledge 33%
- Financial expertise 31%
- Direct control and support of board 11%
Knows staff 10%
Knowledge of contract 5%

Other advantages listed were: trusted by staff, no cost to board, ownership, and legal resource.

Disadvantages of the superintendent assuming the lead as chief negotiator for the board were also listed by superintendents. The top five, from highest to lowest were:

- Strains future working relationship 31%
- Adversarial role 23%
- Takes too much of superintendent's leadership time 10%
- Bad guy/bad feelings 8%
- Personality conflicts 7%

Other disadvantages listed were: risk of losing job, resentment, not qualified, underlying issues, perceived as other side, held accountable by union, and lack of board support.

Superintendents were asked to list what they perceived as advantages to hiring a professional negotiator to assume the role as chief negotiator. The
top five advantages, listed from highest to lowest, are as follows:

- Professional expertise 39%
- No ties to district 22%
- Avoidance of staff/work conflicts 15%
- Knowledge of law and procedures 10%
- No personal feelings 8%

Other advantages listed were: more objective, and only seen during negotiations.

Superintendents were asked to list disadvantages they perceived to having a professional negotiator assume the chief negotiator role. The top five, from highest to lowest, were:

- Cost/expense 36%
- Lack of district knowledge 29%
- Creates tension with teachers 8%
- Lack of concern about costs to district 8%
- Alienates staff 6%

Other disadvantages listed were: lack of loyalty to district, leaves hard feelings, tends to lengthen process, and "hired gun" stereotype.
Recommendations Based on the Present Study

This study revealed several factors that superintendents should be aware of pertaining to their role in the collective bargaining process. It revealed that nearly 90% of all small school districts in Illinois require their superintendent to be a member of their collective bargaining team. It also revealed that 94% of superintendents surveyed felt they should be either fully involved or somewhat involved in the collective bargaining process.

A large contrast between who currently assumes the role of chief negotiators and who superintendents perceived should assume the role was revealed. Nearly 60% of the districts currently used a board member as the chief negotiator, while only 37% of the superintendents surveyed felt a board member should assume the role. Only 26% of the districts currently used an attorney or professional negotiator as their chief negotiator, while 41% of superintendents thought that either an attorney or professional negotiator should be chief negotiator. Currently, nearly 17% of districts used their superintendent as the chief
negotiator, while only 11% of superintendents surveyed thought they should be the chief negotiator.

Recommendations for superintendents and the role they assume in the collective bargaining process are as follows:

1. Results from the surveys were clear that most superintendents in small school districts were involved in the collective bargaining process. Superintendents should accept that they will probably have some type of involvement in the small school district collective bargaining process.

2. Superintendents should share the results of this study with their boards, emphasizing the preferences of superintendents toward their involvement and the roles they should assume in the process.

3. Since it is inevitable that superintendents will be involved in the collective bargaining process, they should attend seminars and workshops to enhance their knowledge of the
collective bargaining process and legal interpretations.

4. Superintendents that assume the lead as chief negotiator in a school district should share the advantages and disadvantages listed in the study with the board members to inform them that it might be best for someone else to assume the role.

Recommendations for Further Study

The following recommendations may be beneficial in further research endeavors:

1. A follow-up study should be conducted every five years as to the changing role of the superintendent in the collective bargaining process.

2. A study should be conducted relating to roles assumed by superintendents in the collective bargaining process comparing male versus female superintendent statistics.
References


Appendix A

Cover Letter Sent to Superintendents
March 1, 1995

Dear Superintendent:

As a graduate student at Eastern Illinois University, I am conducting a survey regarding the role of the superintendent in the collective bargaining process in small schools. Approximately 140 superintendents in small school districts will be surveyed. This survey project is under the supervision of Dr. Beverly Findley of the Educational Administration Department.

Please take a few minutes of your time to fill out the enclosed questionnaire and return it to me in the self-addressed, pre-stamped envelope. It will be greatly appreciated. My goal is to have all surveys returned to me by March 17, 1995. If you would like a copy of the results, please mark the proper space and fill in the necessary information on the questionnaire. The surveys have been numbered to ensure a geographical balance of responses. All information received will remain confidential as to the source. Again, thank you for your time and cooperation in this matter.
Respectfully submitted,

Deborah Philpot, Principal
Ramsey High School
716 W. 6th St.
Ramsey, Illinois 62080
Appendix B

Survey Instrument
The Superintendent's Role

Collective Bargaining Survey Questionnaire
To be filled out by District Superintendent

1. What is the student enrollment in the district?
   
   
2. Is the district on the financial watch list?
   
   Yes     No

3. How long have you been the superintendent of this school district?
   
   Years     Months

4. Were you hired for the superintendent's position from within the district (already employed by the district), or were you hired from outside of the district?
   
   Within     Outside

5. Are you required to be a member of your district's negotiating team?
   
   Yes     No

*If yes, what role do you perform?

   Chief Negotiator
   Advisor to Board's chief spokesperson
   Other (Please specify)
6. If it were up to you, would you be involved in the district's negotiations?
   ___Fully    ___Limited    ___No involvement

7. Does your district use a professional negotiator?
   ___Yes    ___No

8. Who is the chief negotiator on your district's team?


9. In your opinion, who do you believe should be the chief negotiator for the district's team?


10. From the following list, please check all that are on the board's negotiating team:
    ___Board member(s)    ___Superintendent
    ___Assistant Supt.    ___Principal
    ___Attorney
    ___Professional Negotiator
    ___Others (Please specify)
11. What are the advantages and disadvantages of having the superintendent as the chief negotiator? Please list two of each:

Advantages:

1. 

2. 

Disadvantages:

1. 

2. 

12. What are the advantages and disadvantages of hiring a professional negotiator for the district's negotiating team? Please list two of each:

Advantages:

1. 

2. 

Disadvantages:

1.

2.

** Would you like a copy of the results of this questionnaire? ___Yes ___No

If yes, please write your name and address listed below:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________