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**The multistep grievance procedure: A cybernetic feedback loop
operating in local education agencies of the North Carolina
public education system (K-12)**

Davis, Grace Moore, Ed.D.

The University of North Carolina at Greensboro, 1991

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THE MULTISTEP GRIEVANCE PROCEDURE: A CYBERNETIC FEEDBACK
LOOP OPERATING IN LOCAL EDUCATION AGENCIES OF THE
NORTH CAROLINA PUBLIC EDUCATION SYSTEM (K-12)

by

Grace Moore Davis

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the Faculty of the Graduate School at
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Approved by


Dissertation Adviser

APPROVAL PAGE

This dissertation has been approved by the following committee of the Faculty of the Graduate School at The University of North Carolina at Greensboro.

Dissertation Advisor C. M. Acilleles

Committee Members R. L. Sullivan
2571 J. L.
E. J. B. B. B.

3/10/91
Date of Acceptance by Committee

2/20/91
Date of Final Oral Examination

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The purpose of this study was to test hypotheses based on the Reilly (1989) theory of change, a current revival of systems theory, in the public education system. The study described the initiation, settlement, and outcomes of the multistep grievance procedure (GP) according to what changes, if any, occurred in personnel administration as a result of its operation as a cybernetic feedback loop.

Information was gathered from a nonprobabilistic sample of 16 teachers and 3 NCAE/NEA UniServ Directors involved in 15 grievance cases in nine nonunionized North Carolina LEAs during 1987-1989 (11 cases settled inside the LEA and 4 appealed outside the LEA). Face-to-face interviews using two structured questionnaires (one for teacher-grievants and one for UniServ Directors) obtained data describing GP operation. Content validity and reliability were improved using field test interviews and clarification of responses during the interviews and follow-up telephone contacts. Eight GP policies adopted by local boards of education were summarized and compared.

The data were summarized and analyzed for frequency and percentage of like responses. It was concluded that (a) the GP, when settled inside the LEA, produced indirect change for the teacher-grievant in a majority of cases (YES=64%), but did not function, in agreement with Reilly (1989), as an

internal source of direct change in LEA personnel administration in a majority of cases (YES=27%); (b) the GP, when settled outside the LEA, produced indirect change mandated by an outside agency in one case and produced direct change, although not mandated, in two cases in response to perceived pressure from outside the LEA; and (c) teacher-grievants suffered negative consequences of grievance activity (negative teacher-administrator relations, lower performance ratings, higher turnover). Grievances were filed by teachers, typical of public school grievants, who were dissatisfied with the teaching workplace and who had overcome the fear of reprisal and punishment inhibiting others from filing.

It was recommended that a level of mediation be added to the grievance procedure to reduce negative consequences and to initiate change.

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CHAPTER I

INTRODUCTION

Historical Setting

The United States has progressed steadily during the twentieth century through periods of political, economic, and social change. Firestone and Corbett (1988) focused on change affecting the public education system. During the last half of the twentieth century, the system has faced "waves of reform" (p. 321): curriculum reform of the 1950s, social reform of the Great Society in the 1960s, individual instruction in the 1970s, and back to basics in the 1980s.

With reference to recent decades, Griffiths (1988) described 1974 to the present as a period of transition in society, in organizations, and in administrative theory. Increased accountability and heightened expectations have directed efforts to reform the public education system. These reform proposals have been designed to match system performance with the identified goals of various self-interest groups: government administrators, politicians, constituency groups, and educators (Spring, 1985). Reports, conferences, and conversations on both the national and state levels have led to policies and programs of change affecting all facets of the education system (Morgan & Watson, 1987).

Still the reformers speak of a crisis in public education, a crisis now defined as a struggle between the education system and the commissions, agencies, and individuals who have attacked its performance and have designed proposals for change (Faidley & Musser, 1989). Individuals and groups who want schools to serve their particular goals and interests act as dynamic forces for change in the education system (Spring, 1988).

But the forces for change have met with resistance from within the system. At the beginning of this decade, Goodlad (1981) recognized that both the educational institution and those who managed it were under siege from reformers. Faidley and Musser (1989) described the resistance of school administrators:

In the process of "administering" school leaders often create schools without visions. They become agents of stability rather than visionaries, adapters as opposed to transformers and maintainers rather than champions. (p. 11)

In 1989 Reilly proposed a theory of educational change based on systems theory that defined certain barriers to change within the public education system. The Reilly theory represented the current state of transition in educational administration inquiry (Griffiths, 1988). An obvious link to the theory movement of the 1960s and the once popular systems theory, Reilly confirmed the Culbertson (1988) assessment that although the theory movement had lost

its earlier vitality, "its life does not seem dangerously threatened" (p. 20). Conceptual frameworks built from systems theory remain dispersed throughout much of the educational administration literature.

Change Research

In response to the failure of reform proposals to produce fundamental change in the public education system, research studies began in the 1970s to focus on the complexity of change processes within the education system. Carpenter-Huffman, Hall, and Sumner in a 1974 Rand study evaluated performance contracting and found three obstacles to change in the education system: (a) social and behavioral barriers; (b) systematic barriers; and (c) informational barriers. Social and behavioral barriers included a general organizational inertia which interfered with mandates for change. Researchers found that the school organization worked in opposition to structural change, to change in current roles and functions of individuals, and to change which did not match current system operations.

Reilly Theory

The Reilly (1989) theory of change within the public education system further defines system resistance to change. The framework for the theory is based on an approach to organization theory known as General Systems

Theory (G. S. T.). The theoretical tools of G. S. T. are used to identify and examine system components and to predict the operations of system change processes (Reilly, 1989). Thus, it becomes a conceptual framework for investigating the current struggle over change within the public education system.

Reilly (1989) states that, although the public education system is an open system by definition (exchanges inputs and outputs with the environment), certain system operations are more characteristic of closed systems. Open systems operate according to the principle of equifinality, accomplishing goals by initiating system change in response to pressure from the environment. In an open system, change is being controlled and regulated by the system itself. However, the public education system does not operate in this instance like other open systems: it does not control the mechanisms for goal-establishment nor does it control the regulatory mechanisms for moving toward these goals (Reilly, 1989).

The purpose(s) or goal(s) of the public education system are set by environmental forces such as federal and state legislatures and not by the system itself. When America moves through periods of reform, new goals are established and thrust upon the schools by forces in the larger political, social, and economic environments (Reilly, 1989; Spring, 1988).

Based on G. S. T. concepts, any system which does not control its own goal-setting and regulatory mechanisms begins a process of entropy (uniformity of structure). The centralization of the education system is an example of such a process. The system is adopting self-maintenance as its self-determined goal in the absence of establishing its own explicit goals. In this case, education system operations are characteristic of a closed system resisting change and moving toward an equilibrium state of zero net change. System operations typical of closed systems ultimately work to create conflict between the system and its environment and to interfere with system response to pressure for change (Reilly, 1989).

Also relevant to the operation of system change processes is the cybernetic analysis of change in formal social organizations. Cybernetics is the science of regulation and control in open systems and is concerned with the exchange of information about how the system is functioning. The concepts of cybernetic analysis establish a link between the lack of internal system change and the lack of the internal exchange of information within the system (Cadwallar, 1968).

The public education system operations typical of a closed system operate to create conflict between the system and its environment and to interfere with system response to pressure for change. Given the primary goal of self-

maintenance, it follows that the education system will utilize control features and regulatory processes to achieve this purpose and will lack internal sources of change. Feedback mechanisms exchanging information about education system function will then operate to resist change rather than support it. Describing the operations of cybernetic feedback loops within the education system is fundamental to determining the degree to which the system is capable of internal change (Reilly, 1989).

Grievance Procedure

Within the area of personnel administration in the public education system, the multistep grievance procedure lends itself to investigation as a cybernetic feedback loop. Lutz, Kleinman, and Evans (1967) define the grievance procedure as a part of the normal psychology of the organization operating as a mechanism of information exchange in the area of personnel administration.

The grievance procedure is designed to provide for the internal review of an employee complaint by progressively higher levels of the organizational hierarchy. A dissatisfied employee may take his/her complaint to the next higher level of administration in the local education agency (LEA) until satisfaction is achieved or until the decision of the administration is accepted. The highest level of LEA response to the grievance complaint would be made by the

local board of education. The grievant may then choose to appeal an unresolved complaint to a judicial system or regulatory agency outside the LEA (Lutz et al., 1967).

Grievance procedure operations within the public education system indicate how the system is functioning within two dimensions of organizational activity, the particular dimension (affecting the individual employee) and the universal dimension (affecting the organization). The specific employee grievance is based on a request for corrective action which, if granted, may affect one or more particular individuals. The universal significance of the grievance is based on a systemwide corrective action which, if granted, may affect a group of individuals within the LEA.

This differentiation in dimensions of organizational activity used by Lutz et al. (1967) reflects Parsons' (1951) conceptual scheme analyzing social systems according to the role orientation of individuals. The particularistic role orientation of any given social actor centers on the individual whereas the universalistic orientation is focused on the collectivity or group of individuals. Getzels and Guba (1957) described these two dimensions of social system activity as the idiographic or personal dimension and the nomothetic or institutional dimension.

The grievance procedure operates in both of these dimensions of social system activity. In the

particularistic dimension, the grievance procedure provides procedural justice for individuals (Folger & Greenberg, 1985). The employee may bypass a superior for an impartial hearing when s/he believes treatment to be unjust (Scott, 1965). In the universalistic dimension, the grievance procedure is an appeals system granted unilaterally to members of the organization by the administration (Scott, 1965). It is a form of organizational due process that allows employee/employer disputes to be resolved without formal litigation (Folger & Greenberg, 1975).

Lewin and Peterson (1988) conducted an empirical examination of the modern grievance procedure in the United States in unionized settings including public school organizations. The researchers quoted Lewin (1987) when describing the grievance procedure as "...a systematic source of information about problem areas in the workplace-information that can be used for subsequent evaluation and corrective action" (p. 27). However, the study also described the negative outcomes of grievance activity which, among others, included subsequent disadvantages to both parties. For management it was a costly and disruptive process and for employees there were negative consequences in the form of workplace discipline.

Dispute Resolution

Goldberg, Green, and Sander (1985) described the grievance procedure as an alternative dispute resolution process. The procedure operates as an alternative to court litigation as a method for resolving disputes. Another form of alternative dispute resolution is mediation by a third party who assists the disputants in arriving at their own solution.

The public school ombudsman, an official adopted from the governmental sector, functions as the third-party mediator in the resolution of disputes in the public education system. The ombudsman handles complaints from teachers and other groups, disseminates information about the complaints to various levels of the organization, and makes recommendations for change. The role of the ombudsman is to settle disputes by addressing the specific complaint of the grievant, recognizing its organizational significance, and channeling the latter into system response (Barham, 1973).

Purpose of the Study

The purpose of this study was to test hypotheses based on the Reilly (1989) theory of change in the public education system by examining the outcomes of the multistep grievance procedure, a dispute resolution process, operating as a cybernetic feedback loop in the area of personnel

administration. The study described the outcomes of the grievance procedure according to what changes, if any, occurred on the local level of the public education system in North Carolina as a result of its operation. Change was defined and described corresponding to (a) two dimensions of organizational activity in which the change occurred (particularistic or universalistic) and (b) two levels of grievance settlement (inside or outside the LEA).

Changes in personnel administration were defined according to the dimension of grievance activity in which the change occurred, particularistic (individual) or universalistic (organizational). Change in the particularistic (individual) dimension was defined as indirect change. For example, as a result of a specific grievance complaint, the LEA administration may have taken corrective action which changed the employment or conditions of employment for the teacher who filed the grievance. Indirect change may have also occurred for the teacher-grievant in the form of negative consequences of grievance activity. Change in the universalistic (organizational) dimension was defined as direct change. For example, as a result of a specific grievance case, the LEA administration may have taken corrective action which changed the employment or conditions of employment for a group of teachers.

Two distinct levels of grievance settlement were examined in the study: (a) settlement on one of the formal levels of the grievance procedure within the LEA and (b) settlement outside the LEA either in a judicial or regulatory system. Following the Reilly (1989) theory predicting that the public education system will lack internal sources of change, the operation of the grievance procedure as a cybernetic feedback loop was described according to what change, if any, occurred when it operated as an internal appeals process. Following the Reilly (1989) theory predicting that the public education system will resist pressure for change from outside the system, the operation of a grievance procedure was described according to what change, if any, occurred as a result of the settlement of a grievance appealed outside the LEA.

Importance of the Study

Griffiths (1976) stated that testing theory with reference to reality was important to the process of building theory: "...theories should be built which reflect actual balance among people, organization, and the environment to be of value in specific situations" (p. 23). The Reilly (1989) theory of education system change, a current revival of systems theory in educational administration research, should be tested and refined with reference to the reality of LEA operations.

Thomas (1971) stated that open systems rely on feedback to permit them to respond to stimuli for change. To be an effective system, an LEA needs continuous and immediate feedback on process operation within the organization. According to Lutz et al. (1967), the grievance procedure operates in theory to provide feedback on activities within the personnel administration area of the public school organization. It operates as an exchange of information between a teacher and various levels of administration within the LEA. However, according to Lewin (1987), any employee initiating this exchange of information risks negative consequences in the form of workplace discipline.

Given the potential of the grievance procedure to operate as a cybernetic feedback loop to exchange information about personnel administration, there is insufficient empirical or descriptive research data related to the outcomes of its operation on the LEA level of the public education system in North Carolina. Given that grievance settlement outside the public education system may lead to pressure for change within the system, there is insufficient empirical or descriptive research data related to the outcomes of grievance appeals to outside agencies. Given the findings of Lewin (1987) and Lewin and Peterson (1988) that grievance procedure activity may have negative consequences for individuals, there is an absence of

empirical or descriptive research data to formulate research on the consequences of grievance activity for individual teacher-grievants in North Carolina public schools.

Hypotheses

Hypothesis One

Based on the Reilly (1989) theory of change within the public education system, it was predicted that when the multistep grievance procedure was settled on any level within the LEA: (a) there would be no indirect change in personnel administration for the teacher-grievant; no corrective action with regard to the specific complaint of the grievant; (b) there would be indirect change for the teacher-grievant in the form of negative consequences of grievance activity (Lewin, 1987; Lewin & Peterson, 1988); and (c) there would be no direct change in personnel administration (policy, regulation, practice) of the LEA.

Hypothesis One Questions. What were the outcomes of the grievance procedure when it was settled on any of the levels within the LEA (principal, superintendent, board of education)? Question 1(a): As an outcome of filing a grievance what corrective action was taken by the LEA administration with regard to the specific teacher complaint? Question 1(b): What were the consequences of grievance activity for the individual teacher-grievant? Question 1(c): As an outcome of the grievance procedure what

changed with regard to personnel administration (policy, regulation, practice) of the LEA?

Hypothesis Two

Based on the Reilly (1989) theory of change within the public education system, it was predicted that when the multistep grievance process was settled outside the LEA in a judicial or regulatory system: (a) there may be indirect change in personnel administration for the teacher-grievant; corrective action with regard to the specific complaint of the grievance may be mandated; (b) there would be indirect change for the teacher-grievant in the form of negative consequences of grievance activity (Lewin, 1987; Lewin & Peterson, 1988); and (c) there would be no direct change in the personnel administration (policy, regulation, practice) of the LEA.

Hypothesis Two Questions. What were the outcomes of the grievance procedure when it was settled outside the LEA? Question 2(a): As an outcome of a grievance appealed outside the LEA what corrective action was taken by outside agencies with regard to the specific teacher complaint? Question 2(b): What were the consequences of grievance activity for the individual teacher-grievant? Question 2(c): As an outcome of the grievance procedure appealed outside the LEA what changed with regard to personnel administration (policy, regulation, practice) of the LEA?

Definition of Terms

The following terms have specific meanings in the study and are defined for the purposes of clarity.

Change

The term, change, is defined as the act, process, or result of making different or of altering (Mish, 1987). Operationally, the term refers to change in personnel administration of LEAs. A change in personnel administration may affect the individual grievant (indirect change) or may affect the collective group of individuals in the LEA (direct change).

Consequences

The term, consequences, is defined as something produced by a cause or necessarily following from a set of conditions (Mish, 1987). Operationally, the term refers to consequences of grievance activity affecting individuals who file grievances.

Cybernetic Feedback Loop

The term, cybernetic feedback loop, refers to a feedback mechanism vital to the exchange of information in an open system (Cadwallar, 1959). Operationally, it refers to the multistep grievance procedure operating in the

personnel administration area of the North Carolina public education system on the LEA level.

Grievance Procedure

The term, grievance procedure, refers to an internal appeals system used in dispute resolution in both unionized and nonunionized organizational settings (Goldberg et al., 1985). Operationally, the term refers to a complaint-handling mechanism in the area of personnel administration in the public education system excluding any procedure used for the appeal of teacher dismissal, nonrenewal of contract, or denial of Career Ladder status.

Grievant

The term, grievant, refers to the individual employee who files a grievance. Operationally, it is defined as the teacher-grievant who filed a formal (written) grievance using a grievance procedure adopted by the LEA.

Ombudsman

The term, ombudsman, refers to an official who handles citizen complaints about bureaucratic decisions (Goldberg et al., 1985). Operationally, the term refers to the person functioning as an alternative method of dispute resolution in the LEA.

Particularistic Dimension

The term, particularistic dimension, refers to the role orientation of individuals toward themselves or other individuals (Parsons, 1951). Operationally, the term refers to the particularistic dimension of grievance activity involving the individual grievant and his/her complaint.

Public Education System

The term, public education system, refers to a sociocultural system created by the state legislature for the stated purpose of providing free public education for all citizens. Operationally, it refers to the North Carolina public education system for grades K-12 subdivided into LEAs.

Settlement

The term, settlement, refers to the adjustment of differences or accounts (Mish, 1987). Operationally, it refers to the final level of review of any grievance procedure. A grievance case is settled when the grievant is satisfied with the administrative decision regarding the original complaint or when the grievant accepts the decision and does not appeal to the next level of review.

Universalistic

The term, universalistic, refers to the organizational role orientation of individuals to a collective group of individuals (Parsons, 1951). Operationally, it refers to the universalistic dimension of grievance procedure activity related to LEA personnel administration (policy, regulation, practice) that affects all employees.

Limitations of the Study

The population selected for the study was limited to two groups involved in the operation of the grievance procedure in nonunionized LEAs of North Carolina: teachers who had filed grievances and North Carolina Association of Educators/National Education Association (NCAE/NEA) UniServ Directors who had represented teachers in grievance proceedings. Based on the use of nonprobabilistic samples, the results may not be generalized readily to other teacher-grievants or UniServ Directors in North Carolina. The results may not be generalized readily to teacher-grievants or UniServ Directors in other state public education systems or to grievance procedure operations in other organizational settings including unionized educational settings.

The population did not include any public school administrators involved in the operation of the grievance procedure in the LEAs of North Carolina. To insure the confidentiality of all information furnished by individual

teacher-grievants and UniServ Directors about grievance activity, administrators were not included in the population of the study.

A major limitation was the necessity of identifying subjects through a key informant: an NCAE/NEA UniServ Director. Information about teachers who filed grievances was not available from LEA administrators or from teachers' associations. Identification of teachers in North Carolina who had filed grievances depended upon an individual UniServ Director's recall of grievance activity and the Director's willingness to complete mailings for the researcher.

The grievance cases described in this study were limited to those initiated by teacher-grievants who were members of the North Carolina Association of Educators (NCAE) and who were represented by NCAE/NEA UniServ Directors. UniServ Directors, advising teachers about the initiation of grievance activity, performed a gate-keeping function with regard to the selection of issues over which grievances were filed.

The possibility of biased data is increased as a result of these limitations. Such nonprobability sampling requires care in analyzing and interpreting the data. When random samples are not available, "...use extreme circumspection in analysis and interpretation of data" (Kerlinger, 1986, p. 120).

CHAPTER II

REVIEW OF THE LITERATURE

Overview

This chapter presents a review of literature in five sections. These include a discussion of systems theory, selected elements of change theory, the grievance procedure, the public school ombudsman, and a final summary section. The first section presents a review of systems theory in educational administration research from 1950 to the present. The purpose of this section is to link the conceptual scheme of Reilly (1989) with past and present applications of systems theory in educational administration. Because the Reilly (1989) theory of change in the public education system is one among many perspectives on change, the second section includes a review of other change theories and models embedded in a systems perspective.

A discussion of the grievance procedure in unionized and nonunionized organizational settings is presented in the third section. This section also includes a review of literature relative to grievance procedure variables: the initiation of grievances, outcomes of grievance activity, and characteristics of grievants.

Based on the Mitroff-Kilmann (1978) model of scientific inquiry which begins with an initial problem situation and moves to a recommended solution phase, the fourth section is a discussion of alternative forms of dispute resolution. The discussion focuses on the role of the ombudsman as a form of alternative dispute resolution with attention to the functions of the ombudsman in the public education system. The final section includes a summary of the first four sections.

Systems Theory

Tracing the search for a knowledge base in educational administration during the twentieth century, Culbertson (1988) described 1951-1966 as the logical positivist period, a period of theory-based research. Illustrating the application of social science theory to major issues in educational administration, Getzels and Guba (1957) applied a socio-psychological theory of social behavior to the administrative process. The Getzels-Guba Model, conceptualizing educational administration on a general theoretical level, was based on a social system with activity in both the normative (institutional) and idiographic (individual) dimensions. System productivity could be increased by reducing the conflict between these two dimensions.

Buckley (1969) edited a source book for research by the behavioral scientist based on:

the potential of the newer systems approach as the basis of a more adequate model of society to replace the overworked equilibrium and organismic models. (p. ix)

As a principles' text, the Buckley volume covered the period of 1956-1967 including selections on: General Systems Theory (G. S. T.) as a theoretical model (Boulding, 1953; von Bertalanffy, 1962); definitions of natural and man-made systems (Hall & Fagen, 1956); systems and organization theory (Rapoport & Horvath, 1959); the cybernetic analysis of change in social organizations (Cadwaller, 1959); and the sociocultural adaptive system (Buckley, 1969).

Systems theory became a guide for analyzing the complex arrangement of any system as a whole, for classifying the system according to organization and function, and for comparing one system to another (Vickers, 1959). The laws of natural systems were used to describe the unique characteristics of a sociocultural system: a man-made system with a given purpose or set of purposes (von Bertalanffy, 1962).

Griffiths (1969), searching for understanding of administrative behavior in organizational settings, sponsored the development of four specific taxonomies of behavior. These taxonomies were based on the four major

theories of the period: (a) decision-making theory; (b) Etzioni compliance theory; (c) bureaucratic theory; and (d) G. S. T. applying physical and natural sciences to social behavior. The G. S. T. project, conducted by G. L. Immegart, focused on the processing of inputs through the education system into system output.

Culbertson (1988) designated the period from 1967 to 1985 as the post-positivistic or phenomenological, critical period of scholarly inquiry. The theory movement began to fade in 1967 with critiques of the movement itself and the rising popularity of post-positivist scholars: Kuhn, Griffiths, Greenfield.

The specific critiques of systems theory rested on epistemological foundations. There were two opposing schools of thought related to the assumptions of systems theory: one that viewed social reality as a natural system and one that regarded it as a human invention. Greenfield criticized the systems theory movement based on the premise that an organizational system is not a natural system but invented social reality (Culbertson, 1988). Acknowledging its contribution to the field of inquiry, Griffiths (1988) also critiqued the theory movement for splitting value from fact and for describing lifeless organizations.

Regardless of the whether an organizational system is considered a natural system or an invented one, the case can be made for the utility of analysis built on system

concepts. Historically, administrative theory has described the school organization as a system that responds to changes in the environment (Greenfield, 1979). Vickers (1981) defined systems analysis to include both systems modeling as a technique and systems thinking as a conceptual orientation. Systems modeling is limited to situations which can be mathematically defined. Systems thinking, however, contributes to the understanding of human affairs.

In the Handbook of Research on Educational Administration (Boyan, 1988), Griffiths described the diminishing popularity of the theory movement in educational administration research. The emphasis had shifted from the process of testing a theory to the outcomes of theory-based research. Did the theory stimulate research that was successful? Did the research produce useful knowledge?

As described by Griffiths (1988), Scott devised a systematic way to classify current research in educational administration. Developments in organizational theory were analyzed in terms of open or closed systems and rational or natural models. Research based on Type III, an open-system rational model, was prevalent during 1960-1970. Research has continued to utilize system concepts especially in the Type IV category based on an open-system, natural model.

The following studies are examples of the continued application of systems theory through the decades of the 1970s and 1980s. To understand the education organization

and improve decision-making, Thomas (1971) used an open system perspective to measure productivity by relating educational outcomes to human, material inputs. Milstein and Belasco (1973) outlined the tasks of educational administration using system theory concepts based on an input-output model. Slusher (1975) described the education system as a human resource system and performance appraisal as feedback in an input-output model. Katz and Kahn (1978), using systems theory concepts, described system feedback as adjustment cues which were necessary for the system to make efficient use of resources in responding to new inputs. Willower (1979) suggested that systems theory represented a conceptual orientation which promoted a better understanding of school organizations. Bell (1982) used a general systems approach to study the organizational patterns which interfered with change and thus maintained the status quo.

Auer and Nisenholz (1987) related the operations of system processes to open and closed systems. Humanistic processes, characteristic of open systems, emphasized the process itself and the individuals involved in the process as much as the results. Bureaucratic processes operated with impersonality and tended toward closed systems in which those who maintained the system were rewarded and those who challenged the system were not.

Elements of Change Theory

Firestone and Corbett (1988) defined planned organizational change as intentional efforts to modify some aspect of the organization or practice of schooling. In response to the failure of reform to produce fundamental change in the public education system, research studies began in the 1970s to focus on the complexity of change processes within the education system. Firestone and Corbett reviewed the literature on change research according to external efforts to shape system change and internal issues in the change process.

Getzels (1979) described several sets of contrary theories as potential sources for research problem-solving. Change theories were used as an example. In some theories, the major impetus for change came from outside the system. Contradicting theories described essential change as generated from within the organization itself (Immegart & Boyd, 1979).

Carpenter-Huffman, Hall, and Sumner (1974) evaluated performance contracting and found that the school organization worked in opposition to structural change that did not match current system operations. The system opposed change in the current roles, functions, and positions of teachers and administrators.

Williams, Wall, Martin, and Berchin (1974) studied organizational renewal in elementary schools based on the

Getzel socio-psychological approach to understanding organizations. The researchers stated that understanding the ecology of change, the complex interaction between individuals and operations, was as important to organizational renewal as the desire to change. The study found that principal behavior was related to change within the organization.

Arends and Arends (1977) described the school as a complex social system. To achieve systemwide change, measures of change must be implemented within the system where subsystems of the larger system are interdependent. Reform projects designed with an internal problem-solving approach rather than projects designed and imposed externally were more likely to succeed in producing quality solutions.

Presenting a holistic, systematic orientation to change, Scileppi (1984) stated that real change in the system required planning for systemwide implementation. Change introduced on one level of the system may be absorbed and fail to change the system itself.

Spring (1988) viewed education system change as a product of political tensions between boundary interest groups (outside the system) and various levels of system activity. Historically speaking, change in the United States public education system has resulted from the reform efforts of various groups acting out of self-interest.

However, for reform of the system to be successful it must be made consistent with all other system parts. The system must return to a steady state after the disruption of instituted change.

The Reilly (1989) theory of change in the public education system was based on an approach to organization theory known as G. S. T. and represented a revival of systems theory in educational administration research. The theoretical tools of G. S. T. were used to identify and examine system components, to predict the operations of system change processes, and to provide a blueprint for investigating the current struggle over change within the public education system.

According to systems concepts, the public education system can be described as an open system because, unlike a closed system which functions within itself, it exchanges inputs with the environment. The operations of the education system meet some criteria for open systems but not others. Critical to the discussion of the current struggle over change in the public education system are the system operations which function more like those of a closed, equilibril system. These are the operations which interfere with system-environment interaction and ultimately interfere with system change (Reilly, 1989).

First, the American public education system is moving toward a state of entropy (uniformity) rather than toward a

state of higher complexity and progressive differentiation more typical of an open system. Decisions affecting the lower subsystems are made on higher system levels. The centralization of policy and decision-making at the national and state level creates a uniformity of structure and function within subsystems: a uniformity based on increased system order, organization, and control (Reilly, 1989).

Secondly, open systems characteristically operate according to the principle of equifinality, establishing their own goals and controlling the means by which these goals are to be achieved. In an open system, change is being controlled and regulated by the system itself. However, the public education system does not operate in this instance like other open social systems. The final system state and the routes the system can take to achieve it are prescribed by the elements of the larger economic, social, and political systems of which it is a part (Reilly, 1989).

Based on systems concepts, it follows that a system which does not control its own goal-setting and regulatory mechanisms begins a process of entropy (uniformity of structure). The centralization of the public education system is characteristic of such a process. The system is adopting self-maintenance, self-preservation as its implicit goal in the absence of the capacity to establish its own explicit goals. The system then exhibits characteristics of

a closed system, a system that resists change and moves toward an equilibril state of zero net change. These system operations typical of a closed system ultimately work to create conflict between the system and its environment, to interfere with system response to pressure for change (Reilly, 1989).

Thus, according to Reilly, public education systems spend much of their energy on the primary goal of maintaining existing system structure. Operating as an equilibril system, the public education system has no internal sources of change and the system's main function is to maintain its structure.

Also relevant to predicting the operation of system change processes is the cybernetic analysis of change in formal social organizations. Cybernetics is the science of regulation and control in open systems and is concerned with information about how the system is functioning. In an open system, information is exchanged through feedback loops that act to detect disturbances between the desired and actual system state and that serve to regulate system responses. The concepts of cybernetic analysis assist in establishing a link between the communication and regulation of information within a system and the lack of internal system change (Cadwalller, 1968).

Cybernetic theory predicts that a system will survive that maintains a state of ultrastability: a state of

stability in the face of changing conditions. A system maintains ultrastability through a communication network containing specific feedback mechanisms which lead to change rather than resist innovation. System change depends on processes that operate to determine the quantity and variety of information present and available to the system about its own functioning. Change will be hampered by feedback mechanisms that work to maintain organizational patterns rather than devise new ones. The potential of a complex adaptive system to reach ultrastability, to survive and change, is directly related to information exchange through system cybernetic feedback mechanisms (Cadwaller, 1968).

Describing the operations of feedback loops within the education system is fundamental to determining the degree to which the system is capable of internal change (Reilly, 1989). Based on comparison with other open systems, it can be predicted that feedback mechanisms exchanging information within the education system will operate to resist change. Given the primary goal of self-preservation, the education system will utilize control features and regulatory processes to achieve this purpose. Thus, in the education system, feedback mechanisms will impede essential system change by operating to resist rather than support innovation. System regulation will be controlled by mechanisms governed by rules of past behavior rather than by rules of problem-solving trials.

According to Maruyama (1963), the differentiation between first and second cybernetics is based on two types of feedback mechanisms referred to as mutual causal systems. A mutual causal system involves elements of a system that influence each other. In a feedback loop, all elements influence each other either directly or indirectly and each element influences itself through these elements. First cybernetics includes those feedback loops that Maruyama designates as deviation-counteracting. A first cybernetic feedback loop is a deviation-counteracting process because it produces negative feedback and results in system maintenance rather than system change.

Change in the education system, according to Reilly (1989), can be predicted by identifying and observing the feedback loops of the education system which operate as processes characteristic of a closed equilibrial system. When there is a push for change in the system, the processes that exchange information within the system counteract the push rather than amplify it. The net result of these operations of first cybernetic feedback loops is the stabilization of the system as it maintains the status quo rather than the ultrastabilization of a changing system as described by Cadwalller (1968).

In summary, Reilly (1989) described change in the public education system as a complex process. The education system lacks the internal processes to support system

change. Further, given its primary goal of self-maintenance, the public education system does not operate to support change mandated through the reform efforts of outside environmental forces. Based on Watzlawick and Buckley, Reilly (1989) stated that the public education system, in response to pressure for change, may support a first order or functional change which essentially maintains the status quo. Therefore, a second order or structural change necessary for system survival would have to be instituted from outside the system to produce long-term improvement.

Grievance Procedure

Definition and Function

A grievance is defined as a complaint expressed by an employee about working conditions. The complaint is based on real or perceived injustices, mistreatments, or personal injuries (Dejnozka, 1983). The grievance complaint is a statement of a problem arising from the difference between what is expected and what is being obtained in a work situation (Lieberman & Patten, 1968).

The grievance procedure can be a mechanism for settling disputes amicably, for identifying significant problems, for generating facts, and for facilitating open communication among employees, unions, and management (McPherson, 1983).

According to Phay and Lillie (1973), the grievance procedure may operate to resolve conflicts before parties take firm positions. It provides an opportunity for employees to express ideas and complaints to the next system level. It also gives administrators the opportunity to explain the reasons and logic behind decisions and/or actions that precipitated the specific complaint.

The grievance procedure is used to settle intra-institutional disputes between employee and employer with attention to preserving on-going personal relationships (Goldberg, Green, & Sander, 1985). The procedure functions as an internal mechanism to reduce employee discontent, frustration, turnover, absenteeism, and to improve productivity (Lewin & Peterson, 1988; Berenbeim, 1980).

The procedure has been implemented because of the concern for individual rights (the protection of dissent) and because of the accountability of organizations under federal protection legislation (discrimination, safety) (Berenbeim, 1980). Title IX of the Education Amendments of 1972 (P. L. 92-318) legally barred sex discrimination in educational programs operated by an organization or agency which received the benefit of federal aid. One of the compliance regulations to be adopted by July 21, 1976 was the development of a grievance procedure for handling discrimination complaints (McCune & Matthews, 1977).

The Office of Education advised that the grievance procedure be extended to handle complaints of discrimination other than those based on sex discrimination. It was to be used not only as a way to register a complaint but as an organizational channel through which to formulate recommendations and suggest resolution to problems (McCune & Matthews, 1977).

Bohlander and White (1988) described the advantages of the grievance procedure operating in nonunion, private organizations. Employees may express dissatisfaction without fear of reprisal, may insure that their complaints are addressed, and may develop improved attitudes toward the organization. Grievance procedures may operate to identify the practices, regulations, or policies that cause employee dissatisfaction. The grievance procedure in nonunion settings operated with more flexibility and was more likely to result in acceptable compromise.

According to Lutz et al. (1967), the grievance procedure provides feedback information about how the public education system is functioning in accordance with established personnel policy, regulation, and practice. There are two dimensions to the outcome of this information exchange: (a) settling a specific complaint and (b) examining the organizational significance of the complaint. It is the latter that may lead to the change of a system

malfunction and may subsequently lead to increased productivity.

Social conflict theory describes the grievance procedure as a rule of conflict conduct. It is a procedure for the redress of grievances which gives groups in the social system the right to protest abuse and which operates to control conflict within the social system. Conflict handled through an approved procedure for the redress of grievances is considered legitimate conflict, conflict that does not disrupt the social system. It is an organizationally acceptable way to express dissatisfaction, to voice a complaint (Himes, 1980).

This prescription for conflict conduct has been criticized because it operates to paralyze or co-opt the conflict process. The rigidity of bureaucratic officials who control the procedure may actually inhibit communication about specific disturbances causing increased rigidity of a social system. However, it may lead to change in the social system by operating to keep the system open and flexible.

Thus the argument of critics that the institutionalization mechanism fosters structural rigidity is countered in part at least by the fact of latent changes and adaptation. (Himes, 1980, p. 233)

The grievance procedure is an internal appeals system used in both union and nonunion organizational settings (Goldberg et al., 1985). In unionized settings, it is a

mechanism to deal with conflicts that arise within contracts and to promote understanding of the negotiated agreement by both sides (Lewin & Peterson, 1988). A grievance complaint by either union or management is based on an alleged violation of the union-management contract (Price, Dewire, Nowalk, Scheckel, & Ronan, 1979). The grievance procedure is necessary in unionized public schools because, historically, neither school boards nor labor unions have "done a very good job of living with contracts" (Hale, 1985, p. 3).

In a manual for public school administrators in unionized settings, Paterson and Murphy (1983) described the grievance procedure as a process for resolving differences preferable to legal action and to disruptive tactics sometimes used by unions. Rohrer (1987) considered the grievance procedure as the final attempt at dispute settlement in the workplace. The procedure operated when all other lines of communication had broken down.

Grievance procedure policy has been adopted in nonunionized settings for various reasons. In contrast to unionized school settings, the grievance procedure has been established unilaterally by the management and has operated according to the dictates of the administration (Lieberman & Patten, 1968).

The grievance procedure, operating as a form of alternative dispute resolution, may be instituted to avoid

union organization and to limit employment-related claims filed with governmental agencies and the courts (Feliu, 1987). Scott (1965) concluded that the establishment of grievance procedures by management in nonunionized organizations resulted from a process of bureaucratization influenced by unions and by democratic motivations of administrators. The Virginia State Board of Education adopted a mandated grievance procedure for all local education agencies (LEAs) believing that it would operate as a substitute for collective bargaining (Mories, 1981).

Rowe and Baker (1984) described the traditional management position in nonunionized organizations that an employee concern is an accusation and that exposing the concern causes conflict. However, constructive ways for employees to express dissatisfaction are being developed in nonunionized business companies by United States employers. In the past several decades, the grievance procedure has operated as an adjudicative process, but it is re-emerging as a problem-solving process. Although adjudication is a necessary option in an effective complaint system, the emphasis should be on problem-solving as a constructive way to handle an employee concern (Lieberman & Patten, 1968).

Miner (1979) conducted a survey of 128 personnel executives in manufacturing, nonmanufacturing, and nonbusiness organizations for the Bureau of National Affairs. Most companies had a mechanism for nonunion

employees to appeal disciplinary actions, but less than one half (44 percent) had a formal complaint procedure and those procedures were not often used.

In the North Carolina public education system, grievance procedure policy and regulations are adopted by boards of education in LEAs. A grievance procedure for employees is required by the North Carolina Department of Public Instruction for state accreditation of LEAs. One of the performance standards under the Personnel Services Section of North Carolina Accreditation Standards requires the dissemination of information about a grievance procedure to all employees (North Carolina Department of Public Instruction [NCDPI], 1989).

In response to requests by public school administrators on how to deal with disagreements, Phay and Lillie (1973) developed a model code for a grievance procedure. The first step of the grievance procedure model was an informal one involving an interview with the immediate supervisor (principal or other). Step two included two options: an appeal to a review panel with final decision by the superintendent or an appeal to the superintendent with the final decision by the review panel. Step three of the procedure set up a final review of the grievance by the board of education. The intent of the procedure was to encourage resolution at a lower LEA level before polarized

positions were assumed by the employee and the administration.

Grievance Procedure Variables

Initiation of Grievance Activity. Within recent decades research has examined variables related to the initiation of grievances by teachers. In a study of the New York City public schools, Freed (1979) found that structural properties of the school organization provided more of the variance in teacher grievances than professional orientation. The limited findings appeared to confirm that, when principals provided greater latitude to teachers, grievances and conflicts within the organization tended to increase. Reed (1978) found to the contrary when describing Louisiana school settings and concluded that the greater the degree of openness in the school climate the fewer the number of school-based grievances.

Lutz et al. (1967) developed a theory of grievance activity relating the bureaucratic behavior of principals to the initiation of grievances. The hypotheses described the relationship between democratic principal leadership and a low incidence of grievance activity.

Aronson (1980) studied the relationship among principal sex-role characteristics, perceived principal leadership behavior, and the frequency of teacher initiated grievances in a Louisiana LEA. Five leadership characteristics that

were significantly related to sex-role characteristics were also related to the frequency of teacher initiated grievances: tolerance of freedom, consideration, initiation of structure, production emphasis, and superior orientation.

Gahala (1980) investigated grievance handling procedures by building principals and teachers' organization representatives in a unionized public school system. Variables related to teacher grievance activity were the size of the school unit and the behaviors and attitudes of the principal. Wink (1978) examined the resolution of grievances at the building level in unionized settings to determine why some building principals are more successful in resolving grievances than others. Contrary to the Gahala study, none of the four principal characteristics (initiation of structure, consideration, dogmatism, local/cosmopolitan orientation) made any difference in whether a grievance was filed or resolved at the building level.

Issues of Grievance Cases. Recently, researchers have also examined the issues of grievance cases in public schools and other work settings. In an analysis of grievances filed in the unionized Baltimore County, Maryland Public Schools from 1969 to 1981, Hackman (1983) found that 71 percent were filed under four subject classifications: observations and evaluations, transfers and assignments,

teaching conditions, and wages. In a study to gain insight into the determinants of appeal filing in nonunion private companies, Lewin (1987) categorized appeal issues as pay and work, benefits, performance and mobility, discipline, discrimination, and supervisory relations.

Hale (1985) analyzed the resolution of grievances in a unionized Tennessee county LEA. Using the interview as a method of collecting data, the study focused on which articles of the negotiated contract became the issues of grievance cases. Hale concluded that due to the large number of grievances dealing with vacancies, transfers, and teaching assignments those related clauses in the contract should be rewritten.

Zirkel and Gluckman (1986) discussed the problems that principals face when teachers file grievances based on issues of Constitutional rights. The courts afforded protection of non-disruptive expressions of public (rather than private) concern and protection of legitimate labor activity.

Level of Grievance Settlement. Lieberman and Patten (1968) described two types of grievances. The problem-centered grievances, not the politically-motivated ones, should be forwarded to higher levels of the public education system. Problem-centered grievances should be passed on to the superintendent level in a school hierarchy because they may stimulate change in the entire school system.

Knutson (1982) studied teacher grievances in large Iowa public school districts according to the most frequent level of settlement. Knutson concluded from the data that it was not possible to predict accurately the level of settlement of the grievance case based on the issue raised by the grievance.

Grievance Procedure Outcomes. Knight (1986) gathered information from union and management representatives to study the contributions of feedback from previous grievance settlement to the resolution of current grievance cases. References to prior settlements helped rather than hindered resolution (fewer grievances went to the arbitration level). The conclusions supported the propositions of systems theory that feedback, defined as frequency of reference to previous settlement, contributed to system performance.

Gordon and Bowlby (1988) gathered information from self-reports of grievants about the perceived outcomes of grievance activity. Consequences such as changes in relationships with co-workers, job performance, and job satisfaction were investigated in relationship to the type of grievance and the nature and level of grievance settlement. The nature of the settlement (winning by the grievant) restored rewards that the employee had been denied and restored the individual grievant's self-esteem. The nature of the settlement also had an impact on employee-management relations.

Lewin and Peterson (1988) conducted a three-year study of the modern grievance procedure in the United States in unionized settings including public school organizations. Using a systems model as a guide and information gathered from personnel files and personal interviews, Lewin and Peterson conducted an empirical examination of the grievance procedure and concluded that grievance settlement could be treated and measured as an intervening variable associated with certain outcomes. These outcomes included negative consequences for individual grievants with regard to turnover, internal mobility, and job performance.

The findings by Lewin and Peterson in 1988 in unionized settings followed similar findings by Lewin (1987) in nonunionized organizational settings. In an empirical analysis of dispute resolution in nonunion firms, Lewin (1987) examined the determinants, settlement, and consequences of grievance activity. The key contribution of this study was the identification of the post-appeal settlement consequences affecting employees. Those involved in grievance activity had lower promotion rates and performance ratings and significantly higher turnover rates. Empirical evidence supported the existence of organizational punishment in the workplace following grievance activity.

Grievant Characteristics. Lewin (1987) compared grievance filers with nonfilers in three large United States companies based on the following grievant characteristics:

age, gender, race, and amount of education. The majority of filers were male, minority race members, in their mid-thirties, and less educated than non-filers.

Mories (1981) investigated public school teachers in Virginia who filed grievances from 1976 through 1978. One purpose of the study was to determine relationships between selected personal characteristics and the perceptions of grievants about the functions of the grievance procedure adopted by the Virginia State Board of Education. Fifty percent of the grievants were aged 40 years or more; 65 percent were female. The majority of grievants had earned a master's degree, had 10 or fewer years of experience in teaching, and were assigned to junior or senior high schools. Ninety-eight percent belonged to one or more professional teacher associations.

Porter (1980) examined the relationship between grievant characteristics and characteristics of grievances filed during a five-year period in the Norfolk, Virginia school system. A statistically significant relationship was found between teaching level assignment of teachers and grievance characteristics. Elementary teachers filed in the category of assignment and evaluation. The majority of grievances filed by elementary school teachers were settled at Level Two (superintendent).

Dispute Resolution

In the United States disagreements among citizens may be settled through the judicial system (court litigation) or through alternative methods of dispute resolution. There are four primary dispute resolution processes: negotiation between two parties, mediation by a third party, arbitration by a third party, and adjudication with a judge as the third party (Goldberg et al., 1985). Alternative dispute resolution mechanisms are designed and implemented to provide alternatives to the traditional court process (Davis, 1984).

Some approaches to dispute resolution do not fit precisely into any of these four categories but represent combinations of several. For example, the ombudsman is an official who seeks to settle disputes outside the judicial system. Adopted from the Scandinavian parliamentary model, the ombudsman is:

a public official appointed to hear citizen complaints and conduct independent fact-finding investigation with the goal of correcting the abuses of public administration. (Goldberg et al., 1985, p. 283)

The ombudsman functions as a third party to receive and investigate grievances addressed to an institution by constituencies, clients, and employees. The official takes action which may result in the settlement of a dispute and which may produce change in the institution (Davis, 1984).

According to Kolb (1987), the corporate ombudsman operates as a voice-giving mechanism in the absence of unions to assist the claimant and to protect the organization.

In the United States the ombudsman official has been adapted and modified to varying degrees by state and local governments, by university and public education systems, and by private service and health agencies. The first public school ombudsman was appointed in 1968 by Montgomery County, Maryland school officials (Barham, 1973).

The adoption of the ombudsman within education organizations has been shaped by the singular characteristics and needs of different school settings. Both universities and public education systems have employed an ombudsman to dismantle bureaucratic barriers even if they have stopped short of appointing an official who has the mandate and power of a change agent (Barham, 1973). The ombudsman has opened up the channels of communication among educational constituencies through mediation and through interpretation of policy and rules (Montgomery County, 1988). The ombudsman provides assistance for those with problems, complaints, or suggestions to bring to the attention of the public school authorities when there is no appropriate channel of communication available (Wineinger, 1983).

Gordon and Miller (1984) suggested changing the grievance system to alter the number of steps to define the

role of an ostensibly neutral third party. The third party would act as a mediator and fact-finder and would facilitate a problem-solving approach to grievance resolution.

Folger and Greenberg (1985) stated that the institution of an ombudsman within an organization provided an opportunity for employer/employee disputes to be resolved internally. In agreement with Gordon and Miller (1984), they stated that to satisfy procedural due process requirements, the third party (the ombudsman) must be a neutral party making decisions independent of management.

Summary

The purpose of Chapter II was to review the literature relative to this study. The review was organized in four sections to (a) present the conceptual framework of systems theory and change theory relative to the Reilly (1989) theory of educational change; (b) present a discussion of the grievance procedure as a cybernetic feedback loop in union and nonunion organizational settings; and (c) present a discussion of alternative dispute resolution mechanisms including the educational ombudsman.

According to the literature, the popularity of theory-based research in educational administration has declined in recent decades, but there is evidence that systems theory continues to be used as a conceptual framework for research studies. The review of research on change in education

systems presented studies, including the Reilly (1989) theory, that emphasized the importance of considering internal change processes embedded in a systems perspective.

The discussion of the grievance procedure described how it functioned in unionized and nonunionized settings including public education settings. The grievance procedure was described as a cybernetic feedback loop exchanging information about system function and as an alternative dispute resolution mechanism. The review included studies which described employees who filed grievances and the issues involved.

A discussion of the public school ombudsman was presented to identify another method of alternative dispute resolution operating in the public education system. Functioning as a neutral third party, the ombudsman has operated to settle employer/employee disputes in a problem-solving mode and to open up channels of communication among educational constituencies.

CHAPTER III

METHODOLOGY

This chapter presents the methods used for collecting and analyzing the data. The design of the study is described in section one. A discussion of population and sample is presented in section two and a description of the instrument in section three. Procedures for data collection are described in section four and the procedures for data analysis in section five.

Design of the Study

The purpose of this study was to test the Reilly (1989) theory of change in the public education system. Qualitative research methodology produced data describing the reality of grievance procedure operations in the local education agency (LEA) analyzed in comparison with theoretical predictions derived from Reilly (1989). The study focused on multiple cases bounded by two parameters: (a) actors involved in the grievance procedure process (teachers and North Carolina Association of Educators/ National Education Association [NCAE/NEA] UniServ Directors) and (b) the operation of the grievance procedure in the North Carolina public education system (K-12) during a specified time period (Miles & Huberman, 1984).

The face-to-face interview method was used to determine a respondent's knowledge of and opinion about the topic under investigation (Long, Convey, & Chwalek, 1985). Information about grievance procedure operation in North Carolina LEAs was obtained from interviews with teacher-grievants and UniServ Directors. Access to the interview subjects was gained through a key informant, an NCAE/NEA UniServ Director.

Information about the specific form of grievance procedures was obtained from grievance procedure policies adopted by local boards of education. Copies of the policies were obtained from teacher-grievants and UniServ Directors. Numerical information about the LEAs was obtained from the North Carolina Education Directory 1989-1990 (North Carolina Department of Public Instruction [NCDPI], 1989).

Population and Sample

Sampling is defined as selecting a number of individuals for a research study so that the individuals (sample) represent the larger group from which they are selected (population). The first step in sampling is to define the population according to at least one characteristic that differentiates it from other groups (Gay, 1981). The selection of the population is based on

its relevance to theoretical or conceptual considerations (LeCompte & Goetz, 1982).

Based on the hypotheses of this study predicting the outcomes of the grievance procedure in North Carolina, the population consisted of teachers and NCAE/NEA UniServ Directors who had been involved in its operation. The study examined the procedure as a multistep appeals process adopted by LEAs to resolve complaints related to the employee's working conditions. This particular procedure was distinguished from any procedure used by teachers to appeal a dismissal or nonrenewal of contract (Phay & Lillie, 1973). It was also distinguished from any procedure adopted in North Carolina Career Development Pilot Units for teachers to appeal a denial of career status (NCDPI, Division of Personnel Services, 1988).

A purposive sampling, a form of nonprobabilistic sampling, was used to obtain a sample based on the criteria established for the study (Kerlinger, 1986). A random sampling was not possible because every unit (grievant) in the population could not be identified and because each unit (grievant) was not accessible to the researcher. According to Kerlinger (1986), the weaknesses of nonprobability samples can be "mitigated by using knowledge, expertise, and care in selecting samples" (p. 119).

The use of a total population for sampling was not possible in this study for three major reasons. First,

there was no information available through the NCDPI either on the state education agency (SEA) level or the LEA level. The Division of Personnel Relations, NCDPI, had not required LEAs to compile information about grievances filed (personal communication with A. Wagner, Staff Member, Division of Personnel Relations, NCDPI, September, 1989). The Division of Research, NCDPI, had not gathered data relevant to the operation of the grievance procedure on the SEA or the LEA level (personal communication with B. Inman, Staff Member, Division of Research, NCDPI, September, 1989).

Second, according to provisions of North Carolina Public School Law Article 21A dealing with the privacy of employee records, personnel files of employees are not open to public inspection (North Carolina State Board of Education [NCSBE], 1990). Personnel files are considered confidential records because they contain information related to promotion, demotion, transfer, leave, salary, suspension, performance evaluation, and disciplinary action (NCSBE, 1990). Grievance records, dealing with these and other personnel issues, would be considered confidential records according to the state right-to-privacy law.

Third, there were no available sources of information about teacher grievance activity in North Carolina from either of the two teachers' associations: the larger North Carolina Association of Educators (NCAE) or the American Federation of Teachers (AFT). In accordance with the NCAE

Committee on Professional Rights and Responsibilities, information about teachers who filed grievances was considered confidential and therefore names and addresses of grievants could not be released without permission of the grievants (personal communication with D. Graham, Acting Manager, Field Services, NCAE, October 4, 1989). The AFT could not furnish any information about members who had filed grievances (Personal communication, S. Stewart, President of North Carolina AFT, October, 1989).

A sample of teacher-grievants and UniServ Directors was selected with the cooperation of a key informant, an NCAE/NEA UniServ Director, who contacted potential respondents for the researcher. UniServ stands for United Service, a field service available to public education system employees in North Carolina who are members of the NCAE. There are 23 UniServ Directors serving 21 service areas in the state who, among other responsibilities, assist teachers with job-related questions including advice on grievance activity ("Members ask dollars and cents questions", 1989).

An NCAE\NEA UniServ Director known to the researcher as an active participant in grievance activity in North Carolina was contacted in October 1989 as a key informant. The UniServ Director furnished the names of two other UniServ Directors who cooperated in gathering information

for the study and who contacted grievants on behalf of the researcher.

UniServ Directors were not required to keep statistics on teacher grievance cases. Therefore, the gathering of preliminary information and the selection of the sample was contingent upon the UniServ Directors' recall of grievance activity during a recent time period (1987-1989). This time period was chosen to facilitate the availability of information based on the individual Director's recall in the absence of any required record keeping, to aid in the validity of response, and to help in assuring reliability due to sharpness of recall.

All but two cases described by respondents were initiated and settled from 1987 through 1989. In one case, the grievance was initiated at the close of the 1985-1986 school year and in another case, the grievance was filed in 1983. Because of pending litigation, the grievant in the latter case chose not to discuss a more recent grievance case which he described as a negative consequence of the 1983 case.

Preliminary information was obtained from the three UniServ Directors using a written survey form (See Appendix B). Information was obtained about (a) the UniServ Directors' recall of grievance cases during the recent time period of 1987 through 1989; (b) their willingness to compile numerical data pertinent to the study; (c) their

willingness to contact individual grievants for participation as subjects; and (d) their willingness to participate in the study as interview respondents.

Preliminary information was also obtained from a round table discussion with 15 UniServ Directors representing UniServ units within the state of North Carolina. The round table discussion, lasting approximately one hour, provided information about what questions should be asked about grievance activity in North Carolina and from whom answers to these questions could legally and ethically be obtained. This background information was used for constructing the interview questionnaires.

During the months of January, February, and March 1990, two of the three UniServ Directors contacted teacher-grievants by telephone. When the telephone response was negative, the two UniServ Directors elected not to mail contact letters. The third UniServ Director addressed letters furnished by the researcher to the potential respondents.

A cover letter to the UniServ Directors specified the criteria for selecting potential respondents (see Appendix B). No letters were to be mailed to grievants who were teacher assistants, teachers at a community college, or teachers appealing a Career Ladder status decision.

The mailing to each potential respondent included a cover letter which introduced the researcher, explained the

study, and requested the participation of the teacher-grievant in an interview session. A form was included with the letter to allow the teacher-grievant to identify himself/herself to the researcher and to indicate willingness to participate in the study (see Appendix B).

Of the 26 original contact letters mailed, 10 were returned on the first mailing and 10 on the second mailing. Responses were received from 17 grievants willing to participate in the study (2 respondents returned response sheets but declined to participate, 1 respondent declared willingness but did not meet study criteria).

A third mailing to the 17 teacher respondents indicated that the scheduling of interviews would begin in April 1990 (see Appendix B). When contacted to set up an interview, one of the 17 respondents declined to participate. One of the 16 remaining respondents was the husband of one of the original 26 teachers contacted. This respondent had been involved in grievance activity in a fourth UniServ unit.

The three UniServ Directors who furnished preliminary information about grievance activity were also asked to participate in the study as respondents to the UniServ questionnaire. Two of the original three agreed to participate. The third UniServ Director declined and was replaced by a Director representing the UniServ unit of the volunteer teacher-grievant (husband of the original teacher contacted). These interviews obtained information about

grievance activity in three UniServ field units in North Carolina.

Instrumentation

The Interview Method

The interview method was appropriate for this study because of its value as a personal method of data collection. This method allowed the respondent to describe the operation of the grievance procedure and to express opinions about issues and outcomes of grievance activity. It also allowed for clarification of responses by both the interviewer and the interviewee.

Generally speaking, the interview method has both advantages and disadvantages. By establishing rapport and building trust with the respondent, the interviewer may obtain accurate and honest answers as well as information that subjects could not or would not give on a written questionnaire. However, the interview method can be time consuming and expensive. The answers given by a respondent may be biased and affected by reaction to the interviewer or the interview situation. Further, the method requires expertise in both research methods and interpersonal communication skills (Gay, 1981).

The Interview Questionnaire.

According to Patton (1980), one method of collecting qualitative data is a standardized interview questionnaire. The interview questions are carefully worded in advance and arranged in sequence. This format is used to minimize variations in questions, to obtain data systematically, and to reduce bias. Advantages of this interview method include (a) an interview instrument available for inspection, (b) a highly focused interview, and (c) the ease of data analysis when locating respondent answers.

According to Miles and Huberman (1984) and following the objectives of this study, the rationale for a standardized interview questionnaire prior to the collection of data was the need for a common instrument to build theory, to improve predictions, and to make recommendations. Because no interview instruments existed which served the purposes of this study, instruments were developed to collect data about grievance procedure operations in LEAs. Based on a structured format, interview questionnaires were designed for both categories of respondents: teacher-grievants and UniServ Directors (see Appendix A).

Both questionnaires included an introductory section, a middle section composed of the questions and related probes, and a closing section explaining follow-up contact. The format was designed to introduce the respondent to the project, to assure confidentiality, to check the mechanical

recording equipment, to answer any respondent questions, and to complete the interview questionnaire.

Interview Questions. Interview questions were designed to answer research questions based on Hypotheses One and Two. When the grievance was settled within the LEA, what change occurred for the individual teacher-grievant and what change occurred in the personnel administration of the LEA? When the grievance was settled outside the LEA, what change occurred for the individual teacher-grievant and what change occurred in the personnel administration of the LEA?

Questions also gathered information about factors that initiate grievance activity. These factors included the issues of grievance cases, reasons why teachers do or do not file grievances, specific grievance procedure policies adopted by LEAs, teacher characteristics, and LEA characteristics. Variables affecting the initiation of grievance activity were discussed in the review of literature and were described by NCAE/NEA UniServ Directors during a round table discussion in November 1989.

There were eight questions on the teacher interview instrument. These included Question 1: the specific grievance complaint; Question 2: the grievance policy of the LEA; Question 3: the operation of the procedure inside and outside the LEA; Question 4: the settlement of grievance cases; Question 5: outcomes of the grievance procedure for individuals; Question 6: outcomes of the grievance procedure

in the personnel administration of the LEA; Question 7: descriptive information about the grievant; and Question 8: descriptive information about the LEA.

There were seven questions on the interview instrument designed to gather information from the UniServ Directors. These included Question 1: complaints and issues raised in formal grievances; Question 2: the forms of grievance procedures adopted by LEAs; Question 3: the settlement of grievance cases; Question 4: the outcomes of grievance cases settled within the system; Question 5: the outcomes of grievance cases settled outside the system; Question 6: the consequences of grievance activity for teachers; and Question 7: the outcomes of grievance activity in personnel administration of LEAs.

Validity and Reliability. The content validity of the instruments was dependent upon the design of the interview questions. According to Kerlinger (1986), a reasonable degree of content validity is obtained through the judgment of the researcher and others. The interview questionnaires were reviewed by the dissertation committee members prior to administration.

Field test interviews using the designed questionnaires were conducted to test for content validity. These preliminary interviews produced respondent answers judged to be relevant to the research questions by the researcher, the

UniServ Director acting as key informant, and the field test respondents.

There were two field test interviews for the teacher questionnaire and one for the UniServ questionnaire conducted in April 1990. The key informant, a UniServ Director, addressed envelopes for mailings to five potential respondents who qualified as field test subjects for the teacher interviews. These teachers had filed grievances under the criteria established by the study (with the exception of the recent time period) but had not been contacted in the original mailing in January 1990. The mailings included letters and consent forms similar to the ones mailed to the qualifying respondents in January 1990. The first two teachers who responded to the field test mailing were contacted as field test subjects. The UniServ Director acting as key informant also served as the respondent for the UniServ field test interview.

Following the field tests, additional probes were added to some interview questions. A question about the mediation of grievances was added to both questionnaire instruments. A question was added to the teacher questionnaire to determine the respondent's opinion about why teachers choose not to file grievances. Also, an adjustment was made in the interview format to insure that the respondent's agreement for the interview to be tape recorded would become part of the transcribed record.

The reliability of the responses to interview questions was improved by the construction of each question and by field tests of both questionnaire instruments. Reliability was dependent on the construction of clear, unambiguous, and unbiased questions. Ambiguous items allow for error variance because individuals can interpret them differently (Kerlinger, 1986). The field test of each instrument produced clarification of specific questions and modifications in the interview protocol.

Reliability was further improved by the clarification of responses during the interview and the clarification of transcribed responses in follow-up telephone contacts. Paraphrasing and summarizing by the researcher during the interview allowed the respondents to clarify or elaborate on their responses. After the transcription of the interview had been mailed to each respondent, a follow-up telephone contact was made for any further clarification and/or elaboration of responses to interview questions.

Procedures for Data Collection

In March 1990 prior to beginning the collection of data, permission to conduct the research was obtained from the Human Subjects Research Committee, University of North Carolina at Greensboro. The project was approved, exempted from full committee review because it was based on survey or interview procedures.

Interviews with teachers and UniServ Directors were scheduled, conducted, transcribed, and transcriptions mailed from April through August 1990. A follow-up letter was mailed to respondents in March 1990 indicating that the scheduling of interviews would begin in April. The number of attempts required to contact respondents for scheduling ranged from one to three. Fifteen of the 21 interviews conducted were scheduled during the summer vacation months for teachers (June and July 1990).

The length of the interviews ranged from 1 hour to 1 hour and 30 minutes in length (the average length was approximately 1 hour and 15 minutes). The average length of time required to transcribe the interviews using computerized word processing was 5 hours.

The researcher scripted the responses of one respondent who did not give permission for the interview to be tape recorded. Because of a limited amount of time allotted by the respondent for the interview, not all interview questions were asked in this case.

Copies of grievance procedures adopted by the LEAs were collected from the respondents and from the key informant during the same time period. Policy documents were obtained from eight of the nine LEAs involved in the study. The ninth recently-merged system had not yet adopted a grievance procedure policy.

A cover letter mailed with each interview transcription indicated that a follow-up telephone contact would be made for clarification and/or elaboration of the original interview responses (see Appendix B). Follow-up telephone contacts were made with 15 respondents from June through September 1990. Attempts to contact respondents for follow-up conversations were facilitated by the delivery of messages using telephone answering machines. The researcher was unable to contact the same respondent for a follow-up conversation who had withheld permission for the interview to be tape recorded.

The follow-up telephone conversations were tape recorded using a speaker telephone and were transcribed as additions to the original interview transcriptions. Two of the teacher respondents returned their interview transcriptions with written corrections. Copies of the corrected transcripts were mailed to the respondents for their approval.

Information gathered during the follow-up contacts produced clarification of respondents' answers and additional information related to the grievance cases. These telephone contacts allowed the researcher to probe for additional information needed to formulate answers to research questions.

Procedures for Data Analysis

Data collection and analysis were designed to compare the reality of grievance procedure operations in North Carolina LEAs with theoretical predictions. The objective was to collect and analyze descriptive data relevant to (a) the hypotheses based on the Reilly (1989) theory of change in the public education system predicting outcomes of grievance activity and (b) factors leading to the initiation of grievance activity. Analysis was designed to determine if the hypotheses were supported by the direction of the data (Miles & Huberman, 1984).

For each interview question, respondents' answers to both teacher and UniServ questionnaires were summarized and compared. A total of 19 interview transcriptions (16 teacher-grievant and 3 UniServ Director) were analyzed. Demographic characteristics of the teacher-grievants and the LEAs were also summarized and compared.

Interview data were transcribed from audio tapes of the interview sessions. Coding procedures were used to identify responses to interview questions (see Appendix C). Following transcription and coding, respondent data were summarized in summary chart form (see Appendix C).

Grievance procedure documents provided information about the LEA policy and were summarized using document summary sheets (see Appendix C). Certain procedural

characteristics of the process were examined for possible effect on grievance procedure operation.

Study findings were based on a comparison of the frequency of actual responses with the frequency of predicted responses (Miles & Huberman, 1984). Scoring consisted of frequencies and percentages based on negative or affirmative responses to questions related to (a) indirect change as corrective action for the individual teacher-grievant, (b) indirect change as negative consequences for the individual teacher-grievant, and (c) direct change with regard to personnel administration of the LEA (see Appendix C). Study findings were also based on a comparison of data gathered about the initiation of grievance activity with the discussion of grievance initiation in the review of literature.

CHAPTER IV

ANALYSES OF THE DATA

This chapter presents the analyses of data collected relative to the initiation, settlement, and outcome of grievance activity. In section one of this chapter the characteristics of teacher-grievants and local education agencies (LEAs) are summarized. The hypotheses and related summary data are presented in section two. Section three includes a summary of data related to the initiation of grievance activity. Section four presents a summary of data gathered from grievance policy documents and responses to inquiries about the specific grievance policies adopted by eight local boards of education.

Characteristics of the Respondents

Teachers

The teacher-grievants were asked to describe themselves at the time they filed their grievances according to 11 characteristics. These characteristics were age, gender, race, North Carolina Association of Educators (NCAE) membership, highest degree earned, teaching assignment, years of experience, number of grievances involved in, years assigned to the school, and years working with the principal (supervisor).

Age. As shown in Table 1, six of the grievants were 31 to 40 years of age, six were 41 to 50 years of age, and four were more than 51 years of age. The average age was approximately 44 years.

Gender. As shown in Table 2, approximately 69 percent (n=11) of the respondents were female and 31 percent (n=5) were male.

Table 1

Grievant Characteristic- Age

Age in Years	Frequency	Percent
<hr/>		
Age ($M = 43.8$; $SD = 8.1$)		
31-40	6	37.5
41-50	6	37.5
51-60	4	25.0
Total	16	100.0
<hr/>		

Race. As shown in Table 3, 14 respondents were white and two were African-American.

NCAE Membership. As reported by the respondents, 100 percent of the teacher-grievants were members of the NCAE.

Highest Degree Earned. The frequencies with which the grievants had achieved five levels of academic degrees are shown in Table 4 on page 71. Five had bachelor's degrees

only. Fifty percent (n=8) held master's degrees, master's degree plus hours, or educational specialist degrees. One respondent held an associate degree and one respondent was a registered nurse who had earned teaching certification.

Table 2

Grievant Characteristic- Gender

Factor	Frequency	Percent
<hr/>		
Gender		
Male	5	31.2
Female	11	68.8
Total	16	100.0
<hr/>		

Table 3

Grievant Characteristic- Race

Factor	Frequency	Percent
<hr/>		
Race		
African-American	2	12.5
White	14	87.5
Total	16	100.0
<hr/>		

Teaching Assignment. The teaching assignment levels of the respondents are presented in Table 5. The greatest number of grievances were found among middle and secondary school teachers. Approximately 44 percent (n=7) of the respondents were assigned to grades 9, 10, 11, or 12; 32 percent (n=5) to grades six, seven, or eight; and 25 percent (n=4) to kindergarten through fifth grades.

Table 4

Grievant Characteristic- Highest Degree

Factor	Frequency	Percent
<hr/>		
Highest Degree Earned		
Bachelor's	5	31.3
Bachelor's Plus Hours	1	6.3
Master's	6	37.5
Master's Plus Hours	1	6.3
Education Specialist	1	6.3
Other	2	12.5
Total	16	100.2 ^a
<hr/>		

^aDoes not equal 100.0 due to rounding.

Years of Experience. Approximately 56 percent (n=9) had more than 16 years of experience; 25 percent (n=4) had more than 20 years (see Table 6 on page 73).

Table 5

Grievant Characteristic- Teaching Assignment

Assignment Level	Frequency	Percent
Grades 9-12	7	43.8
Grades 6-8	5	31.3
Grades K-5	4	25.0
Total	16	100.1 ^a

^aDoes not equal 100.0 due to rounding.

Previous Grievance Activity. The frequencies with which grievants had been involved in previous grievance activity are shown in Table 7. Nine (56%) had been involved in only one grievance; five (33%) had been involved in two grievances.

Years Assigned to School. As shown in Table 8 on page 74, approximately 44 percent (n=7) of the teacher-grievants had been teaching at their school for five years or less. The frequencies of years of school assignment were evenly spread over the remaining three categories: 6-10 years; 11-15 years; and 16-22 years.

Table 6

Grievant Characteristic- Years of Experience

Years of Experience	Frequency	Percent
<hr/>		
Years of Experience ($M=16$; $SD=6.4$)		
5-10	3	18.8
11-15	4	25.0
16-20	5	31.3
21-31	4	25.0
Total	16	100.1 ^a
<hr/>		

^aDoes not equal 100.0 due to rounding.

Table 7

Grievant Characteristic- Previous Grievance Activity

Number of Grievances	Frequency	Percent
<hr/>		
1	9	56.3
2	5	31.3
3	1	6.3
4	1	6.3
Total	16	100.2 ^a
<hr/>		

^aDoes not equal 100.0 due to rounding.

Years Working With Principal/Supervisor. The frequencies representing the number of years that the grievant had been working with the principal or supervisor involved in the grievance are presented in Table 9 on page 76. Approximately 63 percent (n=10) of the teachers had worked with the supervisor for less than five years.

Table 8

Grievant Characteristic- Years Assigned to School

Years	Frequency	Percent
<hr/>		
Years Assigned to School (\bar{M} =9.3, SD =6.8 years)		
2-5	7	43.8
6-10	3	18.8
11-15	3	18.8
16-22	3	18.8
Total	16	100.2 ^a
<hr/>		

^aDoes not equal 100.0 due to rounding.

Characteristics of the LEA

Twelve of the 16 teacher-grievants reported the length of the tenure of the superintendent (or assistant superintendent) involved in their grievance cases. The length of tenure ranged from 2 years to 30 years with an average length of 8.3 years. Eight of the superintendents

had been in office between 1 and 6 years, three from 8 to 20 years, and one assistant superintendent had held that position for 30 years.

Five of the LEAs were classified as city overlay systems, two as county systems with city overlays, and two as county systems. The size of the LEAs ranged from 142 to 2,417 teachers employed. Five of the LEAs employed between 142 and 510 teachers. Three employed from 511 to 1000 teachers, and one LEA employed over 2,000 teachers (see Table 10).

The data gathered in this study described the operation of the grievance procedure in nine North Carolina LEAs. The sample was limited to those LEAs where grievance activity had been initiated by teachers who were members of the NCAE, who were represented by North Carolina Association of Educators/National Education Association (NCAE/NEA) UniServ Directors, and who volunteered for the study. This limitation was based on sampling procedures dependent upon the cooperation of NCAE/NEA UniServ Directors.

Contacts were made with three NCAE/NEA UniServ Directors to gain access to teacher-grievants in approximately 20 LEAs. Only one of the three UniServ Directors mailed contact letters to potential respondents. Two of the three Directors, reporting that none of the potential respondents in their field service areas were

willing to participate in the study, declined to contact respondents by mail.

Table 9

Grievant Characteristic- Years With Principal/Supervisor

Years	Frequency	Percent
<hr/>		
Years Assigned (\bar{M} =6.6, SD =6.1 years)		
2-5	10	62.5
6-10	3	18.8
10+	3	18.8
Total	16	100.1 ^a
<hr/>		

^aDoes not equal 100.0 due to rounding.

Table 10

Characteristics of the LEA: Number of Teachers Employed

Number of Teachers	Frequency	Percent
<hr/>		
142-510	5	55.5
511-1000	3	33.3
2000+	1	11.1
Total	9	99.9 ^a
<hr/>		

^aDoes not equal 100.0 due to rounding.

Data Related to Hypotheses

Data Related to Hypothesis 1(a)

Teacher-Grievant Responses. According to Hypothesis 1(a), when the multistep grievance procedure operates as a cybernetic feedback loop within the LEA, there will be no indirect change in the form of corrective action by the administration with regard to the specific teacher complaint. It was predicted that there would be no indirect change in the form of corrective action; therefore, all responses would be negative (see Table 11 for reported and predicted responses to questions related to Hypothesis 1[a]). Of the 11 cases settled within the LEA, 64% (n=7) of the responses were affirmative and 36% (n=4) were negative reporting no indirect change.

In one of the seven cases reporting indirect change, the teacher appealed a principal's Teacher Performance Appraisal System (TPAS) summative rating to the superintendent. The ratings were changed; however, the teacher now teaches in another LEA. One teacher appealed performance appraisal ratings to the assistant superintendent and a board of education committee. The performance appraisal document in question was destroyed; however, the teacher left the teaching profession.

Two teachers reporting indirect change had appealed their elementary resource teaching schedule alleging that it was physically impossible and pedagogically unsound. The

superintendent made adjustments in the schedule. One of the two teachers now teaches in another LEA. In one case, the board of education found in favor of the teacher who was appealing an involuntary transfer.

Table 11

Indirect Change: Cases Settled Inside the LEA

Corrective Action: Teacher-Grievant Responses

Type of Change	Reported/Predicted Responses		
	<u>Reported</u>		<u>Predicted</u>
	NO	YES	NO
<hr/>			
Indirect Change			
Corrective Action			
Superintendent Level(n=8)	2(25%)	6(75%)	100%
Board of Education Level(n=3)	2(66%)	1(33%)	100%
Total(n=11)	4(36%)	7(64%)	100%

One teacher complained of demeaning, unprofessional, and threatening treatment by the principal. After conferencing with the principal and notifying the LEA administration, the teacher perceived a change in principal behavior. The teacher is now teaching in another LEA. One

teacher appealed a complaint of principal harassment to the superintendent who recommended that the teacher transfer to another school in the LEA. The teacher accepted the transfer as corrective action. In another case, changes in payment practices were made after the teacher complained to the superintendent about fiscal management of longevity and annuity funds.

In each of the four cases settled inside the LEA describing no indirect change, the grievants perceived that the cases had been settled in favor of the administration. In one case, the teacher complained of unfair performance appraisal by administrators and difficult teaching conditions including lack of communication and cooperation from administrators. The situation was appealed to the superintendent, but there was no corrective action by the administration and the teacher eventually left teaching. In one case, the teacher appealed the loss of his teaching position due to a reduction-in-force (RIF) decision based on alleged arbitrary criteria. He won on appeal to the board of education, but the administration did not rehire him and he left the teaching profession. In another case, the teacher complained of harassment by the principal related to performance appraisal observations. No action was taken at the superintendent level and the teacher was later transferred to another school in the LEA. The teacher in one case appealed discriminatory salaries for extra-

curricular coaching positions to the board of education. Plans were being made for merger with another LEA and the board took no action.

UniServ Director Responses. When asked about the settlement of teacher grievance cases, UniServ Director #1 stated that over 50% of the cases he had assisted with had been settled within the LEA. "At least 50% maybe 60 or 70 if there is a resolution to be had, it will most often come at the board level or below." Of those cases that were settled inside the LEA, 75% produced indirect change for the individual (50% produced immediate change, an additional 25% over an extended period of time). He believed that half were settled in favor of the teacher and half, the administration.

UniServ Director #2 reported that all grievance cases she had been involved with had been settled inside the LEA and on the superintendent level. Of these cases settled inside the LEA, 50% resulted in corrective action and favorable settlement for the teacher. However, the UniServ Director stated: "...sometimes it's a nobody wins situation because of the information brought out."

UniServ Director #3 reported that in the last several years all but one of the grievance cases he had been involved with had been settled within the LEA with 75% resulting in favorable corrective action for the teacher.

Data Relative to Hypothesis 1(b)

Teacher-Grievant Responses. According to Hypothesis 1(b), when the multistep grievance procedure is settled on any of the formal levels within the LEA, there will be indirect change in the form of negative consequences for the teacher. Based on the findings of Lewin (1988) and Lewin and Peterson (1987) that individual grievants suffer negative consequences because of grievance activity, it was predicted that all responses would be affirmative (see Table 12 for reported and predicted responses related to Hypothesis 1[b]). Of the 12 individuals involved in the 11 cases settled within the LEA, 92% (n=11) reported indirect change in the form of negative consequences. According to one case:

When it gets to the point that you have to file a grievance...even if you get it, you're not going to win. In the end you're going to lose. There will be some way you will have to leave.

The one teacher who did not report negative consequences had been involved in a successful grievance procedure eight years earlier. She believed that, after filing the earlier grievance, there was an attempt by the superintendent to pressure her to drop the grievance, but the principal involved would not cooperate. She also expressed the positive consequences of filing a grievance.

"I think you're better off if you say I've done it, and I think you get better treatment."

Table 12

Indirect Change: Cases Settled Inside the LEA

Negative Consequences: Teacher-Grievant Responses

Type of Change	Reported/Predicted Responses		
	<u>Reported</u>		<u>Predicted</u>
	NO	YES	YES
<hr/>			
Indirect Change			
Negative Consequences			
Superintendent Level(n=9)	1(12%)	8(88%)	100%
Board of Education Level(n=3)	0(00%)	3(100%)	100%
Total(n=12)	1(08%)	11(92%)	100%

The negative consequences of grievance activity as described by 15 teacher-grievants are summarized in 10 categories (see Table 13 for summary data of negative consequences of cases settled inside and outside the LEA). The number of negative consequences described by individual respondents ranged from two to five.

Table 13

Indirect Change: Cases Settled Inside and Outside the LEASummary Data: Negative Consequences

Negative Consequence	Times Reported By 15 Respondents	
	N	%
Negative Relations-Administrators	10	24.4
Job Satisfaction-Decrease	8	19.5
Performance Appraisal-Negative	6	14.6
Teaching Conditions-Negative	5	12.2
Exit-LEA	3	07.3
Exit-Teaching	3	07.3
Absenteeism-Increase	2	04.9
Negative Relations Co-workers	2	04.9
Transfer	1	02.4
Lack of Promotion	1	02.4
Total	41	99.9 ^a

^aDoes not equal 100.0 due to rounding.

Ten teachers described negative relationships with administrators (being ignored, harassed, given extra duties), and one reported a negative relationship with members of the board of education. Eight suffered a decrease in job satisfaction; six received lower performance

appraisal ratings; and five experienced a negative change in teaching conditions. Three of the teachers have taken teaching positions in other LEAs and three are no longer employed as teachers. Two reported an increase in the number of days they were absent from school. One teacher was transferred to another teaching position within the LEA and one teacher was denied a promotion.

With regard to change in relations with co-workers following grievance activity, 10 of the 16 teacher-grievants described co-workers as supportive of their grievance activity. Two felt ostracized by co-workers and two did not discuss the grievance with other teachers.

UniServ Director Responses. UniServ Director #1 perceived a low incidence of indirect change in the form of negative consequences. Although there may be some cases where administrators act to assert their authority, usually administrators are more conscious of and cautious of their interaction with the grievant. Any negative consequences are related to the teacher-grievant not being successful with the grievance and choosing to leave the LEA.

UniServ Director #2 stated that very few of the individuals reported negative consequences. She described two cases involving grievants who left the teaching profession following grievance activity. A few teacher-grievants had reported ostracism by co-workers and a negative change in teaching conditions in the form of extra duty.

UniServ Director #3 stated that teachers were more likely to earn respect as a result of filing a grievance than to suffer negative consequences; however, personal relationships might change as a result. He reported that some teachers believed that they had been denied a promotion because of grievance activity and that some teachers had left the teaching profession.

Data Related to Hypothesis 1(c)

Teacher-Grievant Responses. According to Hypothesis 1(c), when the multistep grievance procedure operates as a cybernetic feedback loop within the LEA, there will be no direct change in the personnel administration (policy, regulation, practice) of the LEA. Based on the Reilly (1989) theory, the grievance procedure, operating as a cybernetic feedback loop, inhibits change within the system and does not result in corrective action in personnel administration on the LEA level. It was predicted that there would be no direct change in personnel administration; therefore, all responses would be negative (see Table 14 for reported and predicted responses related to Hypothesis 1[c]).

Of the 11 cases settled within the LEA, 73% (n=8) of the grievants reported no direct change, no recognized change in personnel policy, regulation, or practice as a

result of their grievance activity. Three cases described direct change in personnel administration of the LEA.

Table 14

Direct Change: Cases Settled Inside the LEA

Personnel Administration: Teacher-Grievant Responses

Type of Change	Reported/Predicted Responses		
	<u>Reported</u>		<u>Predicted</u>
	NO	YES	NO
<hr/>			
Direct Change			
Personnel Administration			
Superintendent Level(n=8)	6(75%)	2(25%)	100%
Board of Education Level(n=3)	2(66%)	1(33%)	100%
Total(n=11)	8(73%)	3(27%)	100%
<hr/>			

In one case, the fiscal management practices regarding payment of teacher longevity and annuity funds were changed to adhere to current board of education policy. The teacher in another case reported that the systemwide RIF policy was clarified after his grievance case although the grievant was not convinced that future interpretation would be consistent. In one case, the procedure for formulating the

systemwide teaching schedule for the affected resource teachers was changed to include teacher input.

UniServ Director Responses. UniServ Director #1 believed that, when change occurs in personnel administration as a result of grievance activity settled inside the LEA, it is in the form of practice modification rather than policy change. Change comes in the form of an administrative directive.

UniServ Director #2, describing cases settled within the LEA, stated that very little change occurs in personnel policy or practice on the LEA level. "With my area I don't see the organization changing a great deal." The Director described administrative behavior: "They may treat the grievant differently but very seldom does it change for more than that one individual." According to UniServ Director #2, the only way change will occur is for more teachers to get involved.

With regard to direct change as a result of grievance activity settled inside the LEA, UniServ Director #3 stated that 1 out of every 10 grievances might lead to "some kind of policy change, reinterpretation of policy, new regulation." In 30% of the cases he had been involved with there had been a change in personnel administration. His perception was that administrative behavior changed with regard to that teacher but not for all teachers in the school.

Data Related to Hypothesis 2(a)

Teacher-Grievant Responses. According to Hypothesis 2(a), when the multistep grievance procedure is settled outside the LEA, there may or may not be indirect change in the form of corrective action by the administration with regard to the specific teacher complaint. If the grievance complaint represented a violation of the rules of an outside legal or regulatory system, there might have been mandated corrective action for the individual.

Four of the 15 cases described were settled outside the LEA. Three of the four were appealed to the Equal Employment Opportunity Commission (EEOC) alleging discriminatory employment practices. The fourth case was appealed to the Occupational Safety and Health Administration (OSHA) alleging unsafe working conditions.

Of the four cases, one described indirect change in the form of corrective action mandated by the outside agency. One teacher appealed a complaint of unhealthy working conditions to the board of education and to OSHA. The local board moved to clean the area in question; however, OSHA mandated the standard of cleanliness and monitored compliance by the LEA. The three cases appealed to the EEOC reported no corrective action mandated by that agency.

UniServ Director Responses. UniServ Director #1 reported that most often cases appealed beyond the board of education level enter the court system. In a "clear

majority" of cases the court rules in the teacher's favor; therefore, there is indirect change in the form of corrective action. UniServ Director #2 had not been involved in any grievance cases settled outside the LEA. UniServ Director #3 reported only two cases that were appealed outside the LEA, one in a recent time period. That case was litigated in court with favorable settlement for the teacher who now teaches in another LEA.

Data Related to Hypothesis 2(b)

Teacher-Grievant Responses: According to Hypothesis 2(b), when the multistep grievance procedure is settled outside the LEA, there will be indirect change in the form of negative consequences for the teacher-grievant. Based on the findings of Lewin (1988) and Lewin and Peterson (1987) that individual grievants suffer negative consequences because of grievance activity, it was predicted all responses would be affirmative. All four teachers involved in grievance cases settled outside the LEA reported negative consequences.

UniServ Director Responses. UniServ Director #1 was the only one of the three Directors who described negative consequences for the individual grievants who appealed outside the LEA. UniServ Director #1 stated that in approximately 10 to 20% of these cases teachers suffer negative consequences. UniServ Director #2 had not handled

any cases appealed outside the LEA, and UniServ #3 had handled only one within the recent time period.

Data Related to Hypothesis 2(c)

Teacher-Grievant Responses. According to Hypothesis 2(c), when the multistep grievance procedure is settled outside the LEA, there will be no direct change in the personnel administration (policy, regulation, practice) of the LEA. According to the Reilly (1989) theory, the public education system, operating with closed system characteristics, will resist pressure for change from outside the system. It was predicted that there would be no direct change in personnel administration; therefore, all responses would be negative.

Direct change was described in two cases settled outside the LEA. In one case, a job description was written for the salaried position in question although the EEOC did not rule in favor of the teacher-grievant. In the second case, the teacher failed to receive a favorable EEOC ruling but believed that minority hiring practices had improved in the LEA. The other two teachers described no change in personnel administration although one reported a change in principal assignment which may have been related to the grievance.

UniServ Director Responses. According to UniServ Director #1, outside agencies "sometimes, not always"

mandate change in the LEA. LEAs respond to court mandates in "as minimal a fashion as possible...a minimal response that will get them by with meeting that directive." The change occurs more often on the building level rather than the LEA level and more often when the issue is performance appraisal.

UniServ Director #3 stated that, although a very large monetary settlement was awarded to the teacher in the one case he had handled, there was no change in personnel administration mandated by the court. Because of the favorable verdict for the teacher, the local board of education was examining the procedures questioned in the case.

Data Related to Initiation of Grievance Activity Specific Complaints of Grievance Cases

Teacher-Grievant Responses. In response to Interview Question 1 asking about the nature of their grievances, the teacher-grievants described the specific complaints and related personnel policies over which their grievances were filed. The complaints are summarized and classified under four headings: teacher-administrator relations, teaching conditions, teaching assignments, and the performance appraisal system (see Table 15 for categories of complaints). The number of complaints described by individual respondents ranged from one to six.

Nineteen incidents were described by eight respondents which involved teacher-administrator relations: harassment by the principal; a charge of insubordination; uncooperative personnel administrators on the LEA level; unprofessional treatment by the principal; the principal feeling threatened by the teachers; lack of communication among superintendent, principal, and teacher; philosophical differences between the administration and the teacher; and the failure of the teacher to be a "team player." Two teachers believed that they were perceived by administrators as troublemakers.

Table 15

Specific Complaints: Grievance CasesTeacher-Grievant Responses

Category of Complaint	Times Reported By 16 Respondents	
	N	%
Teacher-Administrator Relations	19	50.0
Teaching Conditions	8	21.1
Teacher Performance Appraisal System	6	15.8
Teaching Assignment	5	13.2
Total	38	100.1 ^a

^aDoes not equal 100.0 due to rounding.

Teaching conditions were mentioned eight times including complaints about the lack of a coaching salary scale, the payment of longevity and annuity funds, the teaching schedule of elementary resource teachers, unhealthy teaching conditions, the denial of personal leave days, and an insufficient amount of teaching materials. The TPAS was mentioned six times. Five complaints were related to teaching assignment: three involuntary reassignments, one dismissal because of the RIF policy, and one denial of application for a supervisory position.

UniServ Director Responses. The three UniServ Directors described categories of complaints appealed in recent grievance cases as complaints about teacher assignment (mentioned by two of the directors), equitable treatment of teachers by principals, personnel benefits, performance appraisal, and teacher-principal relations.

Personnel Policy, Regulation, Practice

Teacher-Grievant Responses. In response to Interview Question 1 asking about the organizational issues related to their complaints, the teacher-grievants described the personnel policy, regulation, or practice they wanted corrected. The responses are summarized and classified under the following headings: discrimination was mentioned nine times (race=4, age=1, gender=4); administration of the TPAS policy was mentioned by six teachers, three in

exceptional children's programs; teaching conditions related to administrative practices were listed six times; transfer policy three times; administrative behavior three times; and the RIF policy was mentioned by one teacher (see Table 16 for categories of personnel policy, regulation, and practice). The number of personnel issues described by individual respondents ranged from one to four.

Table 16

Personnel Policy, Regulation, Practice: Grievance Cases
Teacher-Grievant Responses

Policy, Regulation, Practice	Times Reported By 16 Respondents	
	N	%
Discrimination	9	32.1
Teacher Performance Appraisal System	6	21.4
Administrative Practice-		
Teaching Conditions	6	21.4
Transfer	3	10.7
Administrator Behavior	3	10.7
Reduction-in-Force Policy	1	03.6
Total	28	99.9*

*Does not equal 100.0 due to rounding.

UniServ Director Responses. The three UniServ Directors described grievance complaints based on two areas of personnel administration, the performance appraisal system and teacher transfer. UniServ Director #1 stated that grievances are filed because of the absence of policy and the related objectionable practices of administrators. UniServ Director #3 believed that grievances were related to the arbitrary treatment of teachers by principals who were not following policy.

Change in the Grievance Rate

Teacher-Grievant Responses. When asked if they had any information about how many grievances were filed in the LEA from 1987 to 1989, nine teachers reported that they had no information about grievance activity other than their own. Information about grievance activity is perceived to be a negative type of publicity. Teachers keep quiet about it and may even be ashamed by it. Six of the teachers reported that the rate had changed. Four teachers reported an increase and two, a decrease.

One teacher believed that more grievances had been filed since her grievance activity. Another teacher reported that one other grievance had been filed in the LEA which may have been related to her grievance activity. She also reported that NCAE membership increased in the LEA after her successful grievance. Another two teachers

reported an increase in grievances in one LEA which may or may not have been related to their grievance activity. One teacher stated that the number of grievances filed decreased when the grievant lost the case. Another stated that fewer grievances had been filed because problems were being settled on a lower level of the LEA.

UniServ Director Responses. When asked about the change in the grievance rate, UniServ Director #1 reported that the rate of grievances filed may increase or decrease following grievance activity. UniServ Director #2 believed that the rate of grievances was more closely associated with the perceived power of the local NCAE unit. UniServ Director #3 reported that the grievance rate increased when a grievance case was settled in favor of the teacher and the outcome was publicized.

Reasons Why Teachers File Grievances

Teacher-Grievant Responses. When asked why they filed a grievance, seven respondents described the situation as wrong or unfair (see Table 17). Three described the situation as unacceptable. Three mentioned career reasons: to salvage a career, to save a position. Three filed a grievance to change policy for other teachers. From one case: "I think you do a professional disservice when you don't raise issues." Two grievants filed for monetary reasons and two filed to maintain their self-respect. One

teacher's motive was to obtain information, another filed for moral support from the NCAE, and one filed because her superiors would not listen to her complaint.

Table 17

Summary Data: Why Teachers File Grievances

Teacher-Grievant Responses

Reason	Times Reported By 16 Respondents	
	N	%
Situation Wrong or Unfair	7	35.0
Career Reasons	3	15.0
Change Policy for Others	3	15.0
Self-respect	2	10.0
Monetary Reasons	2	10.0
Obtain information	1	05.0
Moral Support-NCAE	1	05.0
Superiors Did Not Listen	1	05.0
Total	20	100.0

UniServ Director Responses. UniServ Director #1 believed that teachers file grievances because they are frustrated with the administration failing to take action. He also described teacher-administrator relations where the

principal threatened, put down, or did not include a teacher.

UniServ Director #2 reported lack of communication as the reason why teachers file grievances. "Teachers are not always right, but they are not always wrong. The superintendent and principal ought to be able to say, all right let's hear your side."

UniServ Director #3 believed that the success that some teachers had with the grievance procedure gave others confidence in the teachers' association and the grievance procedure encouraging grievance activity.

Reasons Why Teachers Do Not File Grievances

Teacher-Grievant Responses. In response to the question why other teachers may choose not to file a grievance, nine teachers mentioned concern about job security (see Table 18). "Losing your job would be the worst thing...stuck in a no-promotion track." "The repercussions of filing a grievance...professionally...haunt you for the rest of your days." Four mentioned fear of reprisal, punishment. "Administrators.... If you do anything to buck them, if you feel they are being unfair, if you question them at all, they can make things very difficult for you."

Four teachers expressed the difficulty and intimidation of going against the superintendent or the board of

education. "It's scary arguing with the superintendent." One teacher stated that others choose to acquiesce to the system, to protect their turf rather than to file a grievance. Three teachers mentioned that others may consider the grievance procedure a futile operation which failed to accomplish anything and to produce change.

Table 18

Summary Data: Why Teachers Do Not File Grievances
Teacher-Grievant Responses

Reasons	Times Reported By 16 Respondents	
	N	%
Job Security	9	45.0
Fear of Reprisal, Punishment	4	20.0
Intimidation	4	20.0
Produces No Change	3	15.0
Total	20	100.0

UniServ Director Responses. UniServ Director #1 described his belief that teachers do not file grievances because "they have been socialized to do as they are told, don't rock the boat." UniServ Director #2 described the fear of teachers that "they will pay us back." UniServ #3

described the fear of taking a risk. Teachers are afraid that something will happen to them.

Data Related to Grievance Procedure Policy

Grievance Procedure Policies: Teacher Grievance Cases

Teacher-Grievant Responses. In response to Interview Question Two asking about the specific steps they followed in their grievance cases, 15 of the teacher-grievants described grievance procedure policies adopted by eight LEAs. Question Two was omitted in one interview because of a short amount of time the respondent had allotted for the interview. Grievance procedure policies had been adopted in all but one recently-merged LEA.

Grievants in four cases were not aware of any grievance policy and followed procedures suggested by the UniServ Director. Teachers who did have copies of the policy obtained them from the UniServ Directors, from LEA policy manuals, or from school officials. Two teachers had a copy of the policy placed in their school mailboxes.

In all of the cases described in this study, grievance activity began with an appeal by the teacher to the immediate supervisor (either the principal or the system-level supervisor). All teachers were assisted in their grievance activity by NCAE/NEA UniServ Directors. In 11 cases, the second level of the procedure was an appeal to the superintendent of the LEA; five teachers appealed to an

assistant superintendent on Level Two; and one appealed to a panel review committee at that level. All procedures described by teachers specified a final level of review by the LEA board of education.

UniServ Director Responses. The UniServ Directors reported that all LEAs have adopted grievance procedure policies. UniServ Director #1 stated that half of the LEAs proceed according to formal grievance policy and half, according to the normal chain of command. UniServ Director #3 related that grievance procedure policies were adopted by the LEAs during the decade of the 1970s. He also stated that, even though the procedure was included in all policy manuals, principals usually did not tell teachers about it.

According to all three UniServ Directors, grievance procedures have at least three levels beyond an informal (unwritten) first level. On the first formal (written) level, the complaint is addressed to the immediate supervisor (principal). On the second level, the appeal is directed to the superintendent or assistant superintendent. The superintendent may appoint a hearing panel on the third level. The final LEA appeal goes to the local board of education.

Grievance Procedure Changes

Teacher-Grievant Responses. When asked how mediation would affect the grievance procedure, seven teacher-

grievants believed that a third-party mediator would be a positive addition to the procedure if that person were perceived as impartial, unbiased, neutral, and free of politics. In five cases, the teachers believed that the UniServ Director acted as a mediator. Two teachers believed that administrators would be opposed to mediation and another two believed that, considering the personalities of the administrators involved, mediation would not be productive.

When asked what changes they would suggest in the grievance procedure, teacher-grievants described the following modifications. One teacher suggested that an ombudsman be employed to deal with issues affecting teachers. Eight teachers believed that a timeline with specified deadlines was important to the procedure; seven suggested a shorter timeline and one, a longer timeline. Two teachers suggested that information about the grievance procedure be made available to all teachers. Two suggested a reduction in required written forms.

UniServ Director Responses. When asked about the addition of a mediation level to the grievance procedure, one of three UniServ Directors believed that it would be helpful at the initial (principal) level if the mediator were an individual from outside the LEA. UniServ Director #1 stated that the mediation would have to be binding, that once administrators "have ownership in that policy or

practice the likelihood of their willingness to change is not very high so it's almost a futile effort to begin with." UniServ Director #2 stated that mediation would not be necessary if communication among disputants was good. "The key is communication." UniServ Director #3 suggested adding a level of binding arbitration in the interest of fairness for all parties.

Two of the three UniServ Directors stated that the policies should allow the teacher to be represented throughout the process. UniServ Director #1 described the importance of having timelines to keep the procedure from dragging. The normal chain of command was too vague.

Grievance Procedure Documents

Copies of grievance procedure policies from eight of the nine LEAs represented in the study were collected from teacher-grievants and NCAE/NEA UniServ Directors. The ninth recently-merged LEA had not adopted a grievance procedure policy. In summary, six LEAs had adopted policies which prescribed four formal levels of the multistep grievance procedure. The formal written complaint was reviewed by the principal (supervisor) on Level One, the superintendent on Level Two, a grievance committee on Level Three, and the board of education on Level Four. In one LEA, the second level was an appeal to the assistant superintendent in charge of personnel and the third was an appeal to the

superintendent. In two policies, there were three levels (principal, superintendent, board of education).

Time limitations were specified in five of the eight policies reviewed. The deadlines for a decision by the administrator or a further appeal by the grievant varied from 3 days to 15 days. Two of the LEAs did not have specific deadlines in the policy. The policy of one LEA was one sentence in length. Two of the policies emphasized a solution at the lowest possible LEA level, and two emphasized the resolution of the grievance as quickly as possible. One defined a grievance as a complaint based on conditions that were detrimental to the LEA.

In summarizing the stated objectives of the policies, four of the policies were adopted to solve problems and two, to improve teacher-administrator relations. Two were based on the right of the employee to present problems and express opinions without the fear of recrimination. Two LEAs prevented any release of information about a grievance case to the news media until after a board of education hearing. Four specified the grievant's option to proceed with court litigation if not satisfied with the decision at the board of education level.

CHAPTER V

SUMMARY AND CONCLUSIONS

This chapter presents a summary of the findings of the study and conclusions based on the findings. The chapter is organized into four sections. The first section includes a summary of the purpose of the study, the review of literature, and the design of the study. A summary of major findings is presented in section two and the conclusions are discussed in the third section. Recommendations are presented in the fourth section.

Summary of the Study

The Purpose of the Study

During the recent decades of the twentieth century, the public education system in the United States has been affected by reform proposals designed for system change. The forces of change, led by various self-interest groups, have met with resistance from within the system. The Reilly (1989) theory of change in the public education system, a current revival of systems theory, links this resistance to closed system operations and a lack of internal exchange of information within the system.

The purpose of this study was to test the Reilly (1989) theory by investigating the multistep grievance procedure, a

cybernetic feedback loop, operating to exchange information in the area of personnel administration of the North Carolina public education system (K-12). The study described the outcomes of the grievance procedure according to what changes, if any, occurred on the local education agency (LEA) level as a result of its operation. Change was defined and described corresponding to (a) two dimensions of organizational activity in which the change occurred (particularistic or universalistic) and (b) two levels of grievance settlement (inside or outside the LEA).

Data were gathered to answer research questions based on Hypotheses One and Two derived from Reilly (1989). The research questions were as follows: Hypothesis One Questions: What were the outcomes of the grievance procedure when it was settled on any of the levels inside the LEA (principal, superintendent, board of education)? What change occurred for the teacher-grievant? What change occurred in personnel policy, regulation, or practice in the LEA? Hypothesis Two Questions: What were the outcomes of the grievance procedure when it was settled outside the LEA in a judicial or regulatory system? What change occurred for the teacher-grievant? What change occurred in personnel policy, regulation, or practice in the LEA?

Information was gathered from a non-probabilistic sample of teachers who had filed grievances and North Carolina Association of Educators/National Education

Association (NCAE\NEA) UniServ Directors who had assisted teachers in grievance activity. The study was limited by a lack of random sampling of subjects, a lack of information gathered from administrators involved in grievance activity in North Carolina, and a lack of generalizability to teachers and UniServ Directors inside and outside North Carolina. The study was limited to those grievance cases based on issues selected as grievable by teacher-grievants and UniServ Directors.

Fifteen grievance cases were described by 16 teacher-grievants (two teachers were involved in the same case). Of these 15 cases, 11 were settled within the LEA either on the superintendent level (n=8) or the board of education level (n=3). Two of the eight cases at the superintendent level were settled by an assistant superintendent. Four grievance cases were appealed to regulatory agencies outside the LEA. Three were appealed to the Equal Employment Opportunity Commission (EEOC) and one was appealed to the Occupational Safety and Health Administration (OSHA).

Face-to-face interviews produced qualitative data about the initiation, settlement, and outcomes of grievance activity. Data gathered from teacher-grievants and UniServ Directors were summarized and analyzed according to frequency and percentage of like responses. Data gathered from grievance documents (grievance procedure policies adopted by the LEAs) were summarized and compared.

Review of the Literature

The review of literature included (a) a discussion of systems theory, certain elements of change theory, and the Reilly (1989) theory change in the public education system; (b) a discussion of the grievance procedure and related variables; and (c) a discussion of alternative forms of dispute resolution including the public school ombudsman.

According to the review of literature, the use of social science theory in educational administration research was characteristic of the logical positivist period (1951-1966). The laws of natural systems were used to describe and analyze sociocultural systems (manmade) systems and social behaviors. The popularity of theory-based research faded during the post-positivist period, although the concepts of systems theory continued to form the basis for analysis and research in educational administration.

Reilly (1989), reviving systems theory in educational administration research, based his theory of change in the public education system on an approach to organization theory known as General Systems Theory (G. S. T.). Public education system operations typical of closed systems interfere with the system's response to environmental pressure for change. Based on cybernetic analysis, system change is hampered by feedback mechanisms that operate to maintain organizational patterns rather than support new ones.

A discussion of the multistep grievance procedure was presented in section three of the literature review. This internal appeals process operates as a mechanism to settle disputes between labor and management in both unionized and nonunionized organizational settings. It allows for the review of an employee complaint about working conditions by progressively higher levels of system administration. Operating as a feedback loop, it communicates employee dissatisfaction about established policy and practice.

The fourth section of the literature review presented variables related to grievance procedure operations including a discussion of factors leading to the initiation of grievance activity and a discussion of the settlement and outcomes of grievance activity. The initiation of grievance activity by teachers has been related to the openness of school climate, principal characteristics, and principal attitude and behavior. The issues of grievance cases have been described as working conditions, monetary compensation, performance appraisal, discrimination, relations with supervisors, teaching assignment, and teacher transfer. The outcomes of grievance activity have been related to knowledge of previous grievance settlement and to negative consequences of grievance activity. Negative consequences have been described as changes in job performance, job satisfaction, individual self-esteem, work assignment, and relations with co-workers. Characteristics of employees

(including teachers) who file grievances have been described according to age, gender, race, professional membership, years of experience, highest degree attained, and teaching level assignment.

The review of literature concluded with a discussion of dispute resolution mechanisms considered alternatives to traditional methods of settling disagreements. One such alternative is the public school ombudsman operating as a third-party mediator in school settings. The ombudsman provides a channel of communication about school policy and practice between the teacher and the LEA administration. The ombudsman investigates grievances, settles disputes, and may stimulate change in the institution.

Design of the Study

The study was designed as descriptive research to gather information about the initiation, settlement, and outcomes of grievance activity. Qualitative research methodology using face-to-face interviews produced data describing the reality of grievance procedure operation in LEAs analyzed in comparison with theoretical predictions based on the Reilly (1989) theory of change in the public education system.

The population of the study consisted of teachers who filed grievances and NCAE/NEA UniServ Directors who had been involved in the operation of the grievance procedure on the

LEA level of the North Carolina public education system during 1987-1989. Access to a nonprobabilistic sample of teacher-grievants and UniServ Directors was gained through a key informant: an NCAE/NEA UniServ Director known to be active in grievance activity. To protect the confidentiality of subjects, the UniServ Director made contact with potential respondents through the mail. Of the 26 teacher-grievants contacted, 16 volunteered as interview subjects.

Information about grievance activity in nine LEAs in North Carolina was obtained through face-to-face interviews with 16 teachers who had filed grievances and 3 NCAE/NEA UniServ Directors who agreed to provide information about grievance activity in their field service areas.

Information was also gathered from documents: grievance procedure policies adopted by eight LEAs. Certain procedural characteristics of the process were examined for possible changes in grievance procedure operation.

Based on a structured format, interview questionnaires were designed for both categories of respondents: teacher-grievants and UniServ Directors. The face-to-face interview method produced responses to question items derived from the hypotheses, the review of literature, and personal communications with NCAE/NEA UniServ Directors. The validity and reliability of both questionnaires were

improved by field test interviews and follow-up telephone contacts with respondents.

Data were collected relative to the initiation, settlement, and outcomes of grievance activity on the LEA level of the North Carolina public education system. Hypotheses predicting the outcomes of grievance activity settled inside and outside the LEA were tested by comparing the percentages of affirmative or negative responses to research questions with the percentages of predicted responses. Affirmative responses were those that indicated indirect or direct change as defined by the study. Negative responses were those that indicated no indirect or direct change.

Data were also collected relative to the initiation of grievance activity by teachers in North Carolina. Responses to interview questions were summarized and compared to initiation variables discussed in the review of literature. Grievance procedure policies adopted by LEAs were reviewed and compared according to certain procedural characteristics affecting grievance activity.

Findings of the Study

Respondent Characteristics

Teacher-Grievants. The teacher-grievant respondents tended to be over 30 years of age, female, white, and members of the North Carolina Association of Educators

(NCAE). Half of the respondents had completed graduate work, had more than 16 years of experience, and had not been involved in prior grievance activity. Most grievants were assigned to grade levels above elementary school. Half of the teachers had been assigned to the particular school for less than five years and a majority had worked with the principal involved in the case less than five years.

Most grievants in this study were not typical of those filers in company settings described by Lewin (1987) who were male, minority race members, and less educated. The grievants' characteristics did match the Virginia public school teachers described by Mories (1981), but were assigned to a higher grade level than the teacher-grievants in Norfolk, Virginia, described by Porter (1980). Based on the selection of subjects through contact with an NCAE/NEA UniServ Director, all respondents were members of the NCAE.

Characteristics of the LEAs. Over half of the LEAs in which the grievance activity occurred were small in size (less than 500 teachers) and were classified as city overlay systems (city LEAs within a larger county LEA). The typical LEA superintendent had been in office less than eight years.

Hypothesis 1(a)

According to Hypothesis 1(a), when the multistep grievance procedure operates as a cybernetic feedback loop within the LEA, there will be no indirect change in the form

of corrective action by the administration with regard to the specific teacher complaint. It was predicted that responses would be 100 percent negative.

As reported by the teacher-grievants, 64 percent of the responses (n=7) described indirect change in the form of corrective action when the grievance case was settled inside the LEA. The three UniServ Directors agreed that indirect change occurred for the individual grievant in over 50 percent of cases. The data, therefore, did not support Hypothesis 1(a) predicting that indirect change in the form of corrective action would not be an outcome.

The data indicated that indirect change in the form of corrective action was more likely to occur when the case was settled on the superintendent level rather than the board of education level within the LEA. Of the eight cases reporting indirect change, six were settled on the superintendent level. The findings supported the Phay and Lillie (1973) position that the grievance procedure may operate to resolve conflicts before parties take firm positions.

Hypothesis 1(b)

According to Hypothesis 1(b), when the multistep grievance procedure is settled on any of the formal levels within the LEA, there will be indirect change in the form of

negative consequences for the teacher-grievant. It was predicted that responses would be 100 percent affirmative.

As reported by the grievants, 92 percent of the responses (n=11) described indirect change in the form of negative consequences. The UniServ Directors described a much lower incidence of negative consequences for teachers who filed grievances. If negative consequences do occur, they are not reported to UniServ Directors. One Director and one teacher described improvement in teacher-administrator relations as a positive consequence of grievance activity. The data from teachers provided partial support for Hypothesis 1(b) predicting that indirect change in the form of negative consequences would be an outcome; data from the UniServ Directors was less supportive.

The negative consequences of grievance activity described by all teachers-grievants were summarized for comparison with the review of literature. The high incidence of negative consequences of teacher grievance activity in LEAs would suggest that the grievance procedure operated as a bureaucratic process in a closed system described by Auer and Nisenholz (1987) rewarding those who maintain the system not those who challenge the system.

The consequences described by teacher-grievants agree with those described in organizational studies by Lewin and Peterson (1987, 1988). The negative consequences were summarized as lower performance appraisals, high turnover

rates (exit the LEA, exit teaching, transfer), and punishment in the form of negative teaching conditions. Grievance activity negatively affected teacher-administrator relationships reflecting the findings of Gordon and Bowlby (1988) in unionized settings. However, a majority (n=10) of teachers described positive relations with co-workers who were supportive of their grievance activity. Two of three Directors described the more positive consequences of grievance activity related to teacher-administrator relations.

Hypothesis 1(c)

According to Hypothesis 1(c), when the multistep grievance procedure operates as a cybernetic feedback loop within the LEA, there will be no direct change in the personnel administration (policy, regulation, practice) of the LEA. It was predicted that responses would be 100 percent negative.

As reported by the grievants, 73 percent (n=8) of the responses described no direct change. Two of the three cases reporting direct change involved a change in administrative practice and one involved policy modification. The three UniServ Directors agreed that direct change in personnel administration occurred as an outcome of settlement within the LEA less than 30% of the time. When change did occur, it was more likely to be in

the form of administrative behavior with regard to the individual teacher who filed the grievance rather than in the form of policy change affecting all teachers. The data partially supported Hypothesis 1(c) predicting that direct change in the personnel administration would not be an outcome, but some policy change was reported.

Hypothesis 2(a)

According to Hypothesis 2(a), when the multistep grievance procedure is settled outside the LEA, there may or may not be indirect change in the form of corrective action by the administration with regard to the specific teacher complaint. There may or may not be mandated change for the individual. The outcome of grievance appeal would depend on the decision of agencies outside the LEA.

As reported by the teacher-grievants, three of the four responses described no indirect change as a result of an appeal to a regulatory system outside the LEA. The EEOC, a federal regulatory agency, failed to mandate corrective action for the teacher-grievant in these three cases. Corrective action was mandated by OSHA for the teacher-grievant in one case. None of the cases described in the study were adjudicated in court. The teacher data failed to support the UniServ Directors' perception that most cases appealed outside the LEA were adjudicated and that a majority of these cases were settled in favor of the

teacher. The direction of the data partially supported Hypothesis 2(a) predicting that indirect change in the form of corrective action may or may not be an outcome.

Hypothesis 2(b)

According to Hypothesis 2(b), when the multistep grievance procedure is settled outside the LEA, there will be indirect change for the individual in the form of negative consequences of grievance activity. It was predicted that all responses would indicate negative repercussions.

As reported by the grievants, all four of the responses described indirect change in the form of negative consequences supporting the hypothesis. The response of the one UniServ Director involved in cases settled outside the LEA that less than 20% of teachers suffer negative consequences failed to support the hypothesis.

Hypothesis 2(c)

According to Hypothesis 2(c), when the multistep grievance procedure is settled outside the LEA, there will be no direct change in the personnel administration (policy, regulation, practice) in the LEA. It was predicted that all responses would indicate no change.

As reported by four teacher-grievants, two of the responses described no direct change in personnel

administration in the LEA. Although the change in personnel administration had not been mandated by an outside agency, two teachers reported that direct change was an outcome of their grievance cases. In one case, there was a change in personnel regulation (a job description developed) and in the other case, there was a change in personnel practice (hiring of minorities). Descriptive teacher data did not agree with the perception of two UniServ Directors who reported that outside agencies sometimes mandate change for the LEA. The data in two of the four cases settled outside the LEA supported Hypothesis 2(c); the data in two cases failed to support Hypothesis 2(c).

Initiation of Grievance Activity.

Specific Complaints. According to teacher-grievants and UniServ Directors, the following categories of complaints initiated grievance activity: teacher-administrator relations, teaching conditions, performance appraisal ratings, and teaching assignment. Approximately 70 percent (n=27) of complaints described by teachers originated from principal behavior and/or from conditions in the school workplace controlled by the principal.

Data agreed with three of the four complaint classifications in Hackman's (1983) analysis of grievance cases in a Maryland LEA: performance appraisal, transfer and assignment, and teaching conditions. There was also

agreement with an analysis of grievance cases in a unionized Tennessee LEA by Hale (1985) describing complaints about vacancies, transfer, and teaching assignments.

Personnel Issues. According to teacher-grievants, the issues of personnel administration initiating grievance activity were discrimination, performance appraisal, teaching conditions, and administrative behavior. The three UniServ Directors described personnel issues based on performance appraisal and teacher transfer. Both teacher and UniServ data matched the Lewin (1987) description of appeal issues related to pay and work compensation, performance and mobility, discrimination, and supervisory relations. The issue of personnel benefits listed by UniServ Directors and Lewin (1987) was not described by teacher data.

Changes in Grievance Rate. Six teacher-grievants reported that the rate of grievances filed in the LEA had changed after their grievance activity. Four indicated an increase and two, a decrease. These responses agreed with reports of the UniServ Directors that the rate tended to increase or decrease depending on the outcome of the case and the perceived power of the local unit of the NCAE.

Nine teachers had no information about grievance activity in the LEA indicating that there was no activity or that such activity was not publicized. If the latter were the case, it would diminish the relationship of any feedback

of previous grievance settlement to the outcomes of grievance activity as described by Knight (1986).

Reasons Why Teachers File Grievances. Grievance activity was initiated by teachers who were dissatisfied with their working conditions, who wanted to protect their teaching position, and who were concerned about their monetary compensation. UniServ Directors reported that teachers file grievances because of the attitudes and behavior of administrators (including a lack of communication with teachers) and because of confidence in the teachers' association and its involvement in grievance activity.

The initiation of grievance activity as described by teachers and UniServ Directors followed Aronson (1980) and Gahala (1980) who studied the relationships among principal characteristics and the frequency of teacher initiated grievances. Aronson (1980) investigated a Louisiana LEA and found that five leadership characteristics (including superior orientation) were related to sex-role characteristics and were related to the frequency of teacher initiated grievances. Gahala (1980), examining unionized LEAs in the United States, found that principal behavior and attitudes (leadership skills) were related to the frequency of teacher initiated grievances.

Reasons Why Teachers Do Not File Grievances. As reported by teacher-grievants, other teachers choose not to

file grievances because of their concern for job security and their fear of punishment by the administration. Three teachers described the perceptions of other teachers that grievance activity produced no change. The UniServ Directors also described teachers' fear of reprisal and UniServ Director #1 suggested that teachers were socialized not to challenge the system.

Grievance Procedure Policies. The grievance procedure policies collected from eight of the nine LEAs followed the model described by Phay and Lillie (1973). According to the eight grievance policies, complaints were filed first with the immediate supervisor. In all policies examined, the final level of LEA review was by the board of education.

Four of the teacher-grievants were unaware of the LEA grievance policy until the UniServ Directors became involved in their cases. Teacher descriptive data agreed with the perception of UniServ Directors that the policy was not always publicized.

A majority of teacher-grievants (12 of 16) believed that mediation would be a positive addition to the grievance procedure or that the UniServ Director had acted as a mediator in resolving the complaint. Both teachers and UniServ Directors agreed that a mediator would have to be perceived as a neutral third party in order to be an effective addition to the grievance procedure.

Both teacher-grievants and UniServ Directors believed that specific timelines were important to prevent a lengthy, time-consuming grievance procedure. There was also agreement that grievance procedure policies should allow teachers to be represented throughout the process.

Conclusions

Conclusions were drawn from data that compared the reality of grievance procedure settlement and outcome on the LEA level with the Reilly (1989) theory of change in the public education system. Conclusions were also drawn from data that described the initiation of grievance cases by teacher-grievants and UniServ Directors in the state of North Carolina.

Settlement and Outcomes of Grievance Activity

Hypothesis One. The following conclusions were made based on the reality of grievance procedure operations compared with Hypothesis One predicting the outcomes of grievance cases settled within the LEA. The direction of the data describing indirect change in the form of corrective action in over 50 percent of the cases did not support the hypothesis which predicted that there would be no indirect change. It was concluded, therefore, that the grievance procedure operating as an internal feedback mechanism did result in indirect change in the majority of

cases for the teacher-grievant especially when the case was settled before reaching the board of education level.

The direction of the data gathered from teachers describing indirect change in the form of negative consequences in over 90 percent of cases did support the hypothesis which predicted that there would be indirect change. The direction of the data from UniServ Directors did not support the hypotheses. It was concluded that teachers did suffer negative consequences of grievance activity, but they did not report these consequences to UniServ Directors.

The direction of the data describing direct change in personnel administration of the LEA in less than 30 percent of cases did support the hypothesis which predicted that there would be no direct change. It was concluded that the grievance procedure operating as an internal feedback mechanism did not result in direct change in personnel administration of the LEA in the majority of cases.

Hypothesis Two. The following conclusions were made based on the reality of grievance procedure operations compared with Hypothesis Two predicting outcomes of grievance cases settled outside the LEA. The direction of the teacher-grievant data describing indirect change in the form of corrective action in less than a majority of cases and the UniServ data describing indirect change in more than a majority of cases did support the hypothesis. It was

concluded that indirect change may or may not be mandated by the outside agency considering the grievance on appeal.

The direction of data gathered from teachers describing indirect change in the form of negative consequences in 100 percent of cases supported the hypothesis which predicted that there would be indirect change. The direction of the data from UniServ Directors did not support the hypothesis. It was concluded that teachers did suffer negative consequences of grievance activity, but they did not report these consequences to UniServ Directors.

The direction of data describing direct change in personnel administration of the LEA in 50 percent of cases neither supported nor failed to support the hypothesis. In two of the four cases settled outside the LEA, direct change in personnel administration was not mandated by the outside agency, but was related to the issues over which the grievances were filed. Although the hypothesis was not supported, the data indicated that two LEAs modified personnel practices when the grievance was appealed to an outside agency. The direct change in personnel administration may have been initiated in anticipation of pressure from outside agencies.

Summary of Conclusions Related to Hypotheses. In summary, the grievance procedure, operating as a cybernetic feedback loop within the LEA, produced indirect change in the particularistic dimension of personnel administration

affecting the individual teacher-grievant. However, grievance activity also produced the subsequent disadvantages to the individual in the particularistic dimension described by Lewin and Peterson (1987, 1988). Using the circumspection recommended by Kerlinger (1986) in analyzing data from nonprobabilistic samples, it was concluded that the grievance procedure, as predicted by Reilly (1989) theory, did not function as an internal source of change in personnel administration when it operated as a cybernetic feedback loop within the LEA.

The grievance procedure produced mandated indirect change in one of the four cases settled outside the LEA. It was concluded that indirect change did occur in the particularistic dimension of personnel administration when mandated by an agency outside the LEA. Again using circumspection in the analysis of data, it was concluded that the grievance procedure produced first order, functional change in the universalistic dimension of personnel administration of the LEA as system response to some grievance cases appealed outside the LEA.

It was concluded that, regardless of whether the grievance procedure produced indirect or direct change in personnel administration of the LEA, the teacher-grievant experienced the negative consequences of initiating grievance activity. It was concluded that these consequences were not widely reported by the teacher-

grievants although they were recognized as factors that discouraged grievance initiation.

Initiation of Grievance Activity.

Conclusions were drawn from the data describing the initiation of grievance activity. It was concluded that the majority of grievance complaints directly involved principal behavior and/or teaching conditions controlled by the principal. The personnel issues initiating grievance activity in the study agreed with those giving rise to grievances in other organizational settings.

Grievance activity was initiated by teachers in North Carolina typical of teachers-grievants in other public education systems who were dissatisfied with conditions in the teaching workplace. Teachers who did file grievances had overcome the fear of reprisal or punishment that inhibited other teachers from filing a grievance. The findings indicated that the majority of teacher-grievants did not have knowledge of previous grievance settlement within the LEA when they filed a grievance. It was concluded that feedback about previous grievance settlement did not influence the initiation of grievance activity in a majority of cases.

It was concluded that the majority of teacher-grievants and UniServ Directors perceived mediation as an effective addition to the grievance procedure. The success of the

mediation process was directly related to the perceived neutrality of the mediator. As described by the majority of respondents, any change in the grievance procedure should operate to produce a timely short-term appeals process.

The Reilly (1989) Theory: An Adequate Test?

Griffiths (1976) stated that testing theory with reference to reality was important to the process of building theory. Referring to the reality of grievance procedure operations described in this study, it can be concluded that Hypothesis 1(c) based on the Reilly (1989) theory was an adequate test of grievance procedure operations within the universalistic dimension of organizational activity. As predicted by Reilly (1989), the grievance procedure did not function as an internal source of change in LEA personnel administration in a majority (73%) of grievance cases settled inside the LEA. However, contrary to the prediction of Hypothesis 1(a) based on the Reilly (1989) theory, the grievance procedure did function as an internal source of indirect change in the particularistic dimension of personnel administration in a majority (64%) of cases settled inside the LEA.

The data gathered in this study indicated that the grievance procedure produced change for the individual teacher-grievants but not for other teachers in the LEA. The indirect change described as an outcome of grievance

activity may have been related to the nature of the issues over which the grievances were filed. Complaints selected by teachers and UniServ Directors as grievable issues may have been those that clearly violated personnel administration policy, regulation, or practice and that were readily corrected for the individual teacher-grievant. Based on the possible effect that grievance issues may have on what change, if any, is an outcome of grievance activity, it is recommended that further study investigate this relationship.

The Reilly (1989) theory predicted that the operation of the grievance procedure outside the LEA would not produce direct change in personnel administration; the LEA would resist pressure for change. Based on data gathered in this study, it is difficult to determine the adequacy of the Reilly (1989) test because change was not mandated by outside agencies in any of the cases studied. However, direct change in personnel administration was described as an outcome in two cases. The Reilly (1989) theory may be applied to describe this direct change as first order, functional change initiated to make minor adjustments in LEA personnel administration in response to perceived pressure from an outside agency.

Recommendations

Implications for Further Research

Because of several inconclusive findings and because of certain recognized limitations to this study, there are various implications for further research. Based on restrictions to population identification related to the requirements of confidentiality and anonymity of subjects, this study was confined to investigating grievance procedure operations in nine LEAs, the majority of which were city overlay systems, in the public education system in North Carolina. It is recommended that research investigate the operation of the grievance procedure in a larger number of LEAs of varying sizes for comparison with the findings of this study and other educational administration research.

A major limitation of this study was the need to use nonprobability sampling procedures which limited the generalizability of the findings to the total teacher-grievant, UniServ Director, and LEA populations. It is recommended that research be designed to compensate for the lack of randomness in sampling teacher-grievant, UniServ Director, and LEA populations due to the restrictions that now interfere with population identification.

Another major limitation of this study was the lack of any information gathered from public school administrators about the operation of the grievance procedure in North Carolina LEAs. It is recommended that research be designed

to sample the administrator population involved in grievance activity in North Carolina. Again, the research should be designed to compensate for the lack of randomness in sampling this population due to the restrictions that now interfere with population identification.

Modification of the Grievance Procedure

Representing the solution phase of the research cycle (Mitroff & Kilmann, 1978) and based on the conclusions of this study, it is recommended that the multistep grievance procedure be modified to include an additional step for the mediation of teacher grievances. It is recommended that mediation be conducted between disputants (teacher and principal) by a neutral third party to encourage resolution of the grievance before positions become polarized at a higher LEA level. The mediator would act as a fact-finder and facilitate a problem-solving approach to grievance resolution (Gordon & Miller, 1984). This modification of the grievance procedure would operate to reduce the negative consequences of grievance activity for disputants and to support the function of the grievance procedure as a cybernetic feedback loop.

The role of the mediator would be the responsibility of a public school ombudsman. The ombudsman official would function to (a) resolve the grievance complaint in a problem-solving mode before positions are polarized and

before negative teacher-administrator relationships develop (Lieberman & Patten, 1968; Phay & Lillie, 1973; Rowe & Baker, 1984); and (b) recommend change, both indirect and direct, in the personnel administration of the LEA based on information exchanged through the grievance procedure.

BIBLIOGRAPHY

- Arends, R. I., & Arends, J. H. (1977). Systems change settings in educational settings. Volume 3: New vistas in counseling series. New York: Human Sciences Press.
- Aronson, J. P. (1980). An investigation of the relationships involving: principal sex-role characteristics, perceived principal leadership behavior, and grievances. Dissertation Abstracts International, 41(6), 2362-A.
- Auer, M., & Nisenholz, B. (1987). Humanistic processes and bureaucratic structures- Are they compatible? NASSP Bulletin, 71(495), 96-101.
- Barham, F. E. (1973). The educational ombudsman: A study of the ombudsman in American public schools (Doctoral dissertation, University of Virginia, 1973). Dissertation Abstracts International, 34, 1510-A.
- Bell, L. A. (1982). Change and resistance in schools: A case study followup and general systems analysis of the impact of a federal Title IX project in one school district. Dissertation Abstracts International, 43(8), 2508-A.
- Berenbeim, R. (1980). Nonunion complaint systems: A corporate appraisal. Conference Board Report #770. New York: The Conference Board.

- Bertalanffy, L. von. (1962). General system theory - A critical review. In W. Buckley (Ed.), Modern systems research for the behavioral scientist (pp. 11-30). Chicago: Aldine Publishing Co.
- Bohlander, G., & White, H. (1988). Building bridges: nonunion employee grievance systems. Personnel, 65(7),
- Boulding, K. E. (1956). General systems theory - The skeleton of science. In W. Buckley (Ed.), Modern systems research for the behavioral scientist (pp. 3-10). Chicago: Aldine Publishing Co.
- Boyan, N. (1988). Handbook of research on educational administration: A project of the American Educational Research Association. New York: Longman, Inc.
- Buckley, W. (1969). Society as a complex adaptive system. In W. Buckley (Ed.), Modern systems research for the behavioral scientist (pp.490-513). Chicago: Aldine Publishing Co.
- Buckley, W. (Ed.). (1969). Modern systems research for the behavioral scientist. Chicago: Aldine Publishing Co.
- Cadwalller, M. L. (1959). The cybernetic analysis of change in complex social organizations. In W. Buckley (Ed.), Modern systems research for the behavioral scientist (pp. 437-441). Chicago: Aldine Publishing Co.

- Carpenter-Huffman, P., Hall, G., & Sumner, G. (1973).
Change in education: Insights from performance contracting. A Rand educational policy study. Cambridge, MA: Ballinger Publishing Co.
- Culbertson, J. (1988). A century's quest for a knowledge base. In N. Boyan (Ed.), Handbook of research on educational administration (pp. 3-26). New York: Longman, Inc.
- Davis, A. (1984). Justice without judges. Update on law-related education, Fall, 1984. Chicago, IL: ABA Special Committee on Youth Education for Citizenship.
- Dejnozka, E. (1983). Educational administration glossary. Westport, CT: Greenwood Press.
- Faidley, R., & Musser, S. (1989). Vision of school leaders must focus on excellence, dispel popular myths. NASSP Bulletin, 73(514), 9-13.
- Feliu, A. G. (1987). Legal consequences of nonunion dispute-resolution system. Employee Relations Law Journal, 13(1), 83-103.
- Firestone, W., & Corbett, H. (1988). Planned organizational change. In N. Boyan (Ed.), Handbook of research on educational administration (pp. 321-341). New York: Longman, Inc.

- Folger, R., & Greenberg, J. (1985). Procedural justice: An interpretive analysis of personnel systems. In K. Rowland & G. Ferris (Eds.), Research in personnel and human resources management: A research annual: Volume 3 (pp.141-161). Greenwich, CT: JAI Press Inc.
- Freed, A. S. (1979). A descriptive study of the relationship of organizational structure and teacher professional orientation to teachers' grievances. Dissertation Abstracts International, 40(3), 1175-A.
- Gahala, E. M. (1980). An ethnoscientific study of grievance handling procedures by principals and teachers' association representatives. Dissertation Abstracts International, 41(9), 3800-A.
- Gay, L. R. (1981). Educational research: Competencies for analysis and application. Columbus, OH: Charles E. Merrill Publishing Co.
- Getzels, J. W. (1979). Problem-finding and research in educational administration. In G. Immegart & W. Boyd (Eds.), Problem-finding in educational administration (pp. 5-23). Lexington, MA: LexingtonBooks, D. C. Heath.
- Getzels, J. W., & Guba, E. G. (1957). Social behavior and the administrative process. The School Review, 65(4), 423-441.
- Goldberg, S. B., Green, E. D., & Sander, F. (1985). Dispute resolution. Boston, MA: Little, Brown & Co.

- Goodlad, J. I. (1981). An agenda for improving our schools. Speech presented at University of Washington: Seattle, Washington.
- Gordon, M. E., & Bowlby, R. L. (1988). Propositions about grievance settlements: Finally, consultation with grievants. Personnel Psychology, 41(1), 106-123.
- Gordon, M., & Miller, S. (1984). Grievances: A review of research & practice. Personnel Psychology, 31(1), 117-146.
- Greenfield, T. B. (1979). Idea versus data: How can the data speak for themselves? In G. Immergart & W. Boyd (Eds.), Problem-finding in educational administration (pp. 167-191). Lexington, MA: LexingtonBooks, D. C. Heath & Co.
- Griffiths, D. E. (Ed.). (1969). Developing Taxonomies. Chicago: Rand McNally & Co.
- Griffiths, D. E. (1976). The individual in organization: A theoretical perspective. Paper presented at University of Tennessee, Knoxville, Tennessee.
- Griffiths, D. E. (1988). Administrative theory. In N. Boyan (Ed.), Handbook of research on educational administration (pp. 27-51). New York: Longman, Inc.
- Hackman, J. P. (1983). An analysis of formal grievance cases in the Baltimore County Public Schools. Dissertation Abstracts International, 45(5), 1253-A.

- Hale, J. W. (1985). A study of grievance resolution in a selected Tennessee county school system. (Doctoral dissertation, George Peabody College for Teachers of Vanderbilt University, 1985). Dissertation Abstracts International, 46(6), 1459-A.
- Hall, A. D., & Fagen, R. E. (1956). Definition of system. In W. Buckley (Ed.), Modern systems research for the behavioral scientist (pp.81-92). Chicago: Aldine Publishing Co.
- Himes, J. (1980). Conflict and conflict management. Athens, GA: University of Georgia Press.
- Immegart, G. L., & Boyd, W. L. (1979). Problem-finding in educational administration. Lexington, MA: LexingtonBooks D. C. Heath & Co.
- Katz, D., & Kahn, R. L. (1978). The social psychology of organizations: Second edition. New York: John Wiley & Sons.
- Kerlinger, F. W. (1986). Foundations of behavioral research. Third edition. New York: Holt, Rinehard & Winston.
- Knight, T. R. (1986). Feedback and grievance resolution. Industrial and Labor Relations Review, 39(4), 585-598.
- Kolb, D. M. (1987). Corporate ombudsman and organization conflict resolution. Journal of Conflict Resolution, 31(4), 673-691.

- Knutson, E. (1982). An investigation of teacher grievances and their settlement in large Iowa public school districts, 1976-1981. Dissertation Abstracts International, 43(8), 2519-A.
- LeCompte, M., & Goetz, J. P. (1982). Sampling and selection issues in educational ethnography. Paper presented at the annual meeting of American Educational Research Association, New York City.
- Lewin, D. (1987). Dispute resolution in nonunion firms: A theoretical and empirical analysis. Journal of Conflict Resolution, 31(3), 465-502.
- Lewin, D., & Peterson, R. (1988). The modern grievance procedure in the United States. New York: Quorum Books.
- Lieberman, M., & Patten T. H. (1968). When school districts bargain: Part I. Public Employee Relations Library #5. Chicago, IL: Public Personnel Association.
- Long, T. J., Convey, J., & Chwalek, A. R. (1985). Completing dissertations in the behavioral sciences and education. Jossey-Bass Publishers: San Francisco, CA.
- Lutz, F., Kleinman, L., & Evans, S. (1967). Grievances and their resolution: Problems in school personnel administration. Danville, IL: Interstate Publishers.
- Maruyama, M. (1963). The second cybernetics: Deviation-amplifying mutual causal processes. In W. Buckley (Ed.), Modern systems research for the behavioral scientist (pp. 305-313). Chicago: Aldine Publishing Co.

- McCune, S., & Matthews, M. (1977). Complying with Title IX. The first twelve months. Washington, DC: Office of Education. Department of Health, Education, and Welfare. (ERIC Document Reproduction Service No. ED 125 468)
- McCune, S., & Matthews, M. (Eds.). (1977). Implementing Title IX and attaining sex equity: A workshop package for elementary-secondary. The Title IX regulation and grievance process. Washington, DC: Office of Education. Department of Health, Education, and Welfare. (ERIC Document Reproduction Service No. ED 185 473)
- McPherson, D. S. (1983). Resolving grievances: A practical approach. Reston, VA: Reston Publishing Company, Inc.
- Miles, M. B. (1979). Qualitative data as an attractive nuisance: The problem of analysis. In J. Van Maanen (Ed.), Qualitative methodology (pp.9-18). Beverly Hills, CA: Sage Publications.
- Miles, M. B., & Huberman, A. (1984). Qualitative data analysis: A sourcebook of new methods. Beverly Hills, CA: Sage Publications.
- Milstein, M., & Belasco, J. (1973). Educational administration and the behavioral sciences: A systems perspective. Boston: Allyn and Bacon, Inc.
- Miner, M. (1979). Policies for unorganized employees. (Personnel Policies Forum. Survey No. 125). Washington, DC: Bureau of National Affairs.

- Mish, F. (Ed.). (1987). Webster's ninth new collegiate dictionary. Springfield, MA: Merriam-Webster, Inc.
- Mitroff, I., & Kilmann, R. (1978). Methodological approaches to social science. San Francisco: Jossey-Bass Publishers.
- Montgomery County Public Schools. (1988). Office of the ombudsman: Montgomery County. Board of Education of Montgomery County, 850 Hungerford Drive, Rockville, MD, 20850.
- Mories, E. (1981). The perceptions of grievants relative to the Virginia grievance procedure for teachers. (Doctoral dissertation, University of Virginia, 1981). Dissertation Abstracts International, 42(9), 3829-A.
- Morgan, D., & Watson, S. (1987). Comparing education performance among the American states. State and Local Government Review, 19(1), 15-20.
- North Carolina Department of Public Instruction. (1989). The North Carolina Program of Accreditation for Public School Units. Raleigh, NC: Author.
- North Carolina Department of Public Instruction, Division of Personnel Relations. (1989). North Carolina career development pilot program: Appeals panel training. Raleigh, NC: Author.
- North Carolina Department of Public Instruction. (1989). North Carolina Education Directory 1988-1989. Raleigh, NC: Author.

- North Carolina State Board of Education. (1990). Public School Law of North Carolina. Raleigh, NC: Michie Co.
- Parsons, T. (1951). The social system. New York: The Free Press.
- Paterson, L., & Murphy, R. T. (1983). The public administrator's grievance arbitration handbook. New York: Longman, Inc.
- Patton, M. Q. (1980). Qualitative evaluation methods. Beverly Hills, CA: Sage Publishing Co.
- Phay, R., & Lillie, J. (1973). A grievance procedure for public school employees. Chapel Hill, NC: Institute of Government, University of North Carolina at Chapel Hill.
- Porter, A. L. J. (1980). The relationship between the characteristics of grievants and the characteristics of their grievances. Dissertation Abstracts International, 41(9), 3817-A.
- Price, J., Dewire, J., Nowarck, J., Schenkel, K., & Ronan, W. (1979). Three studies of grievances. Personnel Journal, 55, 33-37.
- Rapoport, A., & Horvath, W. J. (1959). Thoughts on organization theory. In W. Buckley (Ed.), Modern systems research for the behavioral scientist (pp.71-75). Chicago: Aldine Publishing Co.

- Reed, S. E. (1978). The relationship between the organizational climate of the school and the frequency of school-based grievances. Dissertation Abstracts International, 39(11), 6450-A.
- Reilly, D. (1989). Education: The captive profession. Manuscript submitted for publication.
- Rohrer, R. (1987). Grievance: The misunderstood procedure. Supervision, 49, 8-10.
- Rowe, M., & Baker, M. (1984). Are you hearing enough employee concerns? Harvard Business Review, 62(3), 127-135.
- Scott, W. G. (1965). The management of conflict: Appeal systems in organizations. Homewood, IL: Richard D. Irwin, Inc. and The Dorsey Press.
- Scileppi, J. (1984). A systems view of education: A model for change. Lanham, MD: University Press of America, Inc.
- Slusher, E. (1975). A system's look at performance appraisal. Personnel Journal, 54(2), 114-117.
- Spring, J. (1985). American education: An introduction to social and political aspects. Third edition. New York: Longman, Inc.
- Spring, J. (1988). Conflict of interests: The politics of American education. White Plains, NY: Longman, Inc.
- Staff (1989, November). Members ask dollars and cents questions. NCAE News Bulletin, p.3.

- Thomas, J. A. (1971). The productive school: A systems analysis approach to educational administration. New York: John Wiley & Sons.
- Vickers, G. (1959). Is adaptability enough? In W. Buckley (Ed.), Modern systems research for the behavioral scientist (pp.460-473). New York: Longman, Inc.
- Vickers, G. (1981). Systems analysis: A tool subject or judgment demystified. Policy Sciences, 41(1), 23-31.
- Williams, R. C., Wall, C. C., Martin, W. M., & Berchin, A. (1974). Effecting organizational renewal in schools: A social systems perspective. New York: McGraw Hill Book Company.
- Willower, D. J. (1979). Some issues in research on school organizations. In G. Immergart & W. Boyd (Eds.), Problem-finding in educational administration (pp.63-87). Lexington, MA: LexingtonBooks, D. C. Heath & Co.
- Wineinger, J. (1983). An American school ombudsman. In G. E. Caiden (Ed.), International handbook of the ombudsman: Evolution and present function (pp. 157-162). Westport, CT: Greenwood Press.
- Wink C. (1978). A study of the relationship between principal variables, school variables, and control variables when compared to the incidence of grievance resolution. Dissertation Abstracts International, 39(2), 603-A.

Zirkel, P., & Gluckman, I. (1986). Teacher grievances and the first amendment. NASSP Bulletin, 70(490), 98-102.

Appendix A
Interview Instruments

Interview Instrument (TEACHER) 5/13/90

INT: Introduction of interviewer. The purpose of my research is to gather information about the grievance procedure as it operates on the local education agency level in the K-12 public education system in North Carolina. Specifically this study will investigate the outcomes of the grievance procedure for both the individual and the organization. Thank you for your participation in the study. Are you comfortable?

I'd like to tape what you have to say so that I don't miss any of it. I don't want to take the chance of relying on my notes and thereby miss something that you say or inadvertently change your words. So, if you don't mind, I'd very much like to use the recorder. If at any time during the interview you would like me to turn the tape recorder off, let me know.

TURN ON RECORDER...

INT: Please speak on your favorite subject for several seconds. This will help us check equipment before our interview begins. (check equipment, rewind, listen, check for quality of recording; advise, regulate).

INT: Everything is ready. Let me assure you that your identity will remain anonymous and that all information provided will be held in the strictest confidence.

Reporting of data will use numerical codes and will not use the name of any individual or local education agency. I understand and respect the sensitive nature of the subject that we are going to talk about. If at any time you would like to withdraw from the interview, please let me know. For the record I will ask you this question again: May I have your permission to record this interview on audio tape?

R:

INT: After the taping session is over, I will transcribe your interview responses and mail you a copy of the transcription. Sometime after that I will contact you by telephone. At that time you may make any changes in your responses (additions or deletions). Do you have any questions before we begin?

The questions are designed to get information from you about your experience with the grievance procedure. There are no right or wrong answers. Please feel free to express your thoughts, opinions, feelings about your experience. Consider our interview a conversation that we are having.

Question 1. The first series of questions will ask about the specific complaint stated in the formal grievance that you filed.

a. Tell me how it happened that you filed a grievance.

Probes:

--specific complaint

--organizational issue

b. What personnel policy, regulation, practice did you want corrected?

Probes:

--transfer

--teaching conditions

--performance appraisal evaluation

--discrimination

--demotion

c. Why did you file a grievance?

d. Have you known other teachers who might have filed a grievance but chose not to?

e. Is there anything else you would like to add about why you filed a grievance?

Question 2. The next series of questions will concern the particular grievance policy adopted by the local board of education for teachers to use who wish to file a grievance (voice a complaint).

- a. Please describe the multistep grievance procedure outlined in local school system policy that you used when you filed your grievance.

Probes:

--number of informal steps: level of review

--number of formal steps: level of review

If there was no policy, describe the procedure the you used.

- b. How did you obtain a copy of the grievance policy?

Probes:

--local system manual

--personnel (employee) handbook

--contact with individual

- c. How may I obtain a copy of the grievance policy?
- d. Do you have information about how many grievances have been filed in the system? Within the last two years?
- e. How would mediation (dispute settlement) involving a third party as mediator affect the grievance procedure? At what level? Would mediation have helped to resolve your grievance?
- f. Any other changes?

Question 3. The next series of questions will be concerned with what happened as your grievance moved from one formal level to the next.

a. Beginning at the _____ (first, second, third) formal level of the grievance procedure designated as the _____ (building, supt/review panel, board of education, other) what changed for you as a result of filing a grievance?

- 1). Was there any corrective action taken in regard to your specific complaint?
- 2). Were there any negative consequences as a result of your grievance activity at this level?
- 3). Did you appeal the grievance to the next formal step?

(If no, ask why not and then go to 3c)

(If yes, go back to 3a and the next level until the board of education level then go to question 3b)

3b. After the Board of Education review, did you appeal the grievance to an agency outside the LEA?

(If no, ask why not?)

Probes:

--judicial system

--federal regulatory agency

--other

- 1). Was there any corrective action taken in regard to your specific complaint?
- 2). Were there any negative consequences as a result of your grievance activity at this level?

3c. To summarize, what changed for you as a result of your filing a grievance? Summarize any corrective action.

Question 4. A grievance procedure is settled (or ends) when the grievant is satisfied with the administrative action taken or when the grievant chooses not to pursue the grievance to a higher level of appeal. The next questions will ask you to summarize the settlement of your grievance.

- a. On what formal level of the grievance procedure did the settlement occur in your case?

Probes:

- do you consider the case settled (ended)?
- inside the system (levels I, II, III)
- outside the system (judicial, federal regulatory, other)

- b. In whose favor would you say the grievance was settled?

Probes:

- yours
- system administration
- both

Question 5. This question will ask you to describe what happened to you professionally after you filed a formal grievance with the local school system. After the grievance was settled (or ended) what happened to you regarding your employment and conditions of employment with the LEA? Were there any negative consequences of grievance activity in the form of workplace discipline?

Probes:

- transfer
- demotion/promotion
- change in appraisal ratings
- teacher attendance
- exit-LEA
- exit-teaching
- change in job satisfaction
- relations with coworkers
- others

Would you do it again?

Was your case covered in the newspaper?

Question 6. The next set of questions will ask you to describe any change(s) in systemwide personnel administration that have occurred as a result of your filing this grievance. Did your grievance result in:

- a. Any changes or modifications in school board personnel policy, regulations? any elimination of? any addition of?
- b. Any change in the behavior of administrator(s) in the area of personnel administration? other areas?
- c. Any change in the grievance rate (increase, decrease)?
- d. To summarize, as a result of your filing a grievance did anything change systemwide?

Question 7a. This question will ask you to respond with information about yourself at the time that you filed this grievance. Please remember that this information will be used only for comparison with other grievants and not to identify any individual respondents. If you are uncomfortable answering any of the questions please let me know.

Age?

Gender?

Race?

NCAE member?

Highest degree?

Grade level teaching assignment?

Years of experience?

How many grievances been involved in?

Years at the school assigned when grievance filed?

Years of working with principal involved in grievance?

(OPTIONAL QUESTION FOR TEACHERS). Question 7b. Please answer the next question about the superintendent of the school system involved in the grievance. Do you know the number of years that the SUPERINTENDENT of the LEA had served at the time that you filed your grievance?
(approximate?)

(QUESTION 8 to be answered from documents and/or other sources:

8. Characteristics of LEA

Number of teachers?

Superintendent longevity?

County system?

City system?

Question 9: Is there anything else you would like to add about your specific grievance, the grievance procedure in general, or any related topics?

Conclusion: That concludes the formal interview process. Again thank you for your help. In the near future I will mail you a copy of the transcription of your interview. Sometime after that we will talk over the telephone about any changes (revisions) that you would like to make. You have my card, please call me at any time if you have any concerns.

Protocol - Interview Instrument - UNISERV

5/12/90

INT: Introduction of interviewer. The purpose of my research is to gather information about the grievance procedure as it operates on the local education agency level in the K-12 public education system in North Carolina. Specifically, this study will investigate the outcomes of the grievance procedure for both the individual and the organization. Thank you for your participation in the study. I'd like to tape record what you have to say so that I don't miss any of it. I don't want to take the chance of relying on my notes and thereby miss something that you say or inadvertently change your words. So, if you don't mind, I'd very much like to use the recorder.

R:

INT: (After equipment setup, test recording equipment). This will help us check equipment before our interview begins. Please speak to a favorite subject for several seconds.

R:

INT: (check equipment, rewind, listen, check for quality of recording, advise, regulate.

INT: Everything is ready. I would like to ask this question again for the record. May I have your permission to tape record this interview?

R:

INT: If at any time during the interview you would like me to turn the tape recorder off, let me know. After the taping session is over, I will transcribe what you have said and mail you a copy. Sometime after that, I will contact you by telephone so that you can make any changes that you would like. Do you have any questions before we begin?

R:

UNISERV Director Interview Questionnaire:

Page One:

Introductory statement: The questions I will ask during the interview will be about the grievance procedure as it operates in local education agencies (K-12) in North Carolina. In responding to the interview questions, please consider teacher grievance activity in which you have been involved as a UNISERV Director. The grievance procedure in this study refers to the appeals process used by a teacher who wishes to register a formal complaint. It is to be distinguished from an appeals process for teacher dismissal or an appeals process used for Career Ladder complaints.

I can assure you that your identity will remain anonymous and that all information provided will be held in the strictest confidence. Reporting of data will use numerical codes and will not use the name of any individual or local education agency. If at any time you would like to withdraw from the interview, please let me know. Let's arrange ourselves comfortably around the table.

Question 1. The first series of questions will ask about the complaints and issues raised in formal grievance activity.

- a. In general, how would you describe the complaints that teachers raise when they file a formal written grievance? patterns of complaints?

Probes: --specific complaint

--organizational issue

- b. What personnel policy and regulation do grievants want corrected?

Probes:

--transfer

--teaching conditions

--performance appraisal evaluation

--discrimination

--demotion

- c. What personnel practice or administrative behavior do grievants want corrected?

- d. What factors do you think lead to increase or decrease in teacher grievance activity? number of grievances filed?

- e. In comparing the LEAs you have dealt with over the years, do you believe that the size of the LEA with regard to number of teachers is a factor related to incidence of grievance activity? longevity of superintendent a factor?

Question 2. The next series of questions will be concerned with the form(s) of the grievance procedures that teachers use to pursue complaints about working conditions.

- a. First please describe the multistep grievance procedure and its variations that are used by teachers in LEAs.

Probes:

number of informal steps: level of review

number of formal steps: level of review

- b. How many LEAs that you have dealt with do not have a grievance policy? How many do not publicize the grievance policy?
- c. If there was no policy, describe the procedure(s) that you used.
- d. At what level do you usually become involved?
- e. What changes would you recommend in the procedure?
- d. How do feel about the addition of a mediation step as a level of review? (mediation as dispute settlement by a third party) How would the addition of a mediation level affect the grievance procedure?

Question 3. The next questions will concern the settlement of grievance cases. (Settled meaning ended either to the satisfaction or dissatisfaction of the grievants).

- a. How often are cases settled within the system? %?
- b. Of those cases in whose favor are grievances settled (Probes: teacher, administrator, both)? What would be the approximate percentages of these categories?
- c. If the grievance is not settled within the system, what options are available for the teacher who wishes to continue the appeal? %? Which ones are used the most?
- d. With regard to those cases settled outside the system in whose favor are grievances settled outside the LEA? What would be the approximate percentages of these categories?
- e. What are some of the reasons that a teacher chooses not to appeal to the next higher level of the grievance procedure? or outside the system?

Question 4. The next series of questions will ask you to summarize the outcomes of grievance cases that are settled within the system.

- a. When the case is settled on any of the formal levels of the procedure within the system, how often is corrective action taken with regard to the specific teacher complaint? (does anything change for the teacher-grievant)? %?
- b. Do teachers suffer negative consequences in the form of workplace discipline as a result of grievance activity carried on inside the LEA? %?
- c. As a result of grievance activity how often are changes made in the personnel administration of local education agencies? %?
 - policy, regulation
 - administrative behavior (practice)
- d. What % of time is there a change in personnel administration (a change in LEA, organizational change)?
- e. As a result of grievance activity settled inside the system is there a change in the rate of grievances filed?

Question 5. The next series of questions will ask you to summarize the outcomes of grievance cases that are settled outside the system.

- a. When the case is settled outside the system, how often is corrective action taken with regard to the specific teacher complaint? (does anything change for the teacher-grievant)? %?
- b. Do teachers suffer negative consequences in the form of workplace discipline as a result of grievance activity? %?
- c. When the case is settled outside the system, how often is there change in personnel administration of local education agencies (policy, regulation, practice)? %? In what areas are these changes made?
- d. Do these outside agencies mandate that the system change in the area of personnel administration? Do LEAs respond?
- e. As a result of grievance activity settled outside the system is there a change in the rate of grievances filed?

Question 6. This question will ask you to describe what happens to teachers who file a formal grievance with the local school system regarding employment and/or conditions of employment? Are there any negative consequences of grievance activity in the form of workplace discipline?

Probes:

- transfer
- demotion/lack of promotion
- change in appraisal ratings
- exit-LEA
- exit-teaching
- change in job satisfaction
- relations with coworkers
- others

Question 7. The next set of questions will ask you to describe any change(s) in LEA personnel administration that may have occurred as a result of grievance activity.

- a. Any changes or modifications in school board personnel policy, regulations? any elimination of? any addition of?
- b. Any change in the behavior of administrator(s) in the area of personnel administration? other areas?
- c. Any change in the grievance rate (increase, decrease)?
- d. As a result of grievance activity what percentage of the time is there a change in personnel administration? What percentage of the time does something change for the individual? What percentage of the time is there systemwide change?

Question 8. Is there anything you would like to add about the grievance procedure or about grievance activity involving teachers?

Appendix B
Data Collection

December 11, 1989

Mr. Dave Graham
North Carolina Association of Educators
Post Office Box 27347
Raleigh, North Carolina 27611

Dear Dave:

As a follow-up to our two telephone conversations in October, I am enclosing a copy of a brief survey distributed for me by _____ and completed by three (3) UniServ Directors. The numbers furnished have been used in formulating the methodology chapter of my dissertation.

In addition, on Thursday, November 30, 1989, I met with twelve (12) UniServ Directors following an NCAE training session at Tanglewood Park. _____ introduced me to the group and facilitated a brainstorming session in regard to my project: what information I could expect to obtain about the grievance procedure and from whom I could legally and ethically gather it.

The NCAE UniServ Directors have been and, I hope, will continue to be a primary source of information about the grievance procedure as it operates in the state of North Carolina. The cooperation I have received is greatly appreciated.

Sincerely,

Grace D. Hawfield

October 12, 1989

TO: Uniserv Directors

FR: Grace D. Hawfield, UNCG Doctoral Student
494 Camrose Circle, NE
Concord, NC 28025
H: 704-782-0989
W: 704-753-4713

SUBJECT: Preliminary Data Gathering - Grievance Procedure Study

The information requested on the attached sheet will be used in determining the methodology for a study of the grievance procedure used by teachers in the public schools (K-12) of North Carolina.

The purpose of the research is to investigate the outcomes of the grievance procedure for both the teacher and the school organization. The grievance procedure is being studied as a process of change within the public educational system. In other words, as a result of any grievance situation, what changed for the individual? what changed for the organization?

Please understand that not only will I appreciate your help, but hopefully you will be contributing to research that, by describing the reality of grievance procedure operation, may lead to more effective dispute resolution for all parties.

Thank you.

Grievance Procedure Survey

Instructions: Please answer the following questions using numbers that are as accurate as possible. This information will be used in designing a study of the grievance procedure as it operates for TEACHERS in the K-12 public schools of North Carolina. The purpose of the study is to investigate the outcomes of the grievance procedure for both the individual and the school organization.

PLEASE estimate the number of teachers in A-E below that you believe would be willing to be interviewed about their experience. Complete ANONYMITY and CONFIDENTIALITY will be guaranteed. Interview questions will ask about issues and outcomes. (Interviewee estimates go in parentheses).

1. How many school systems (LEAs) do you serve? _____
2. According to your records, how many teachers have filed a grievance on a FORMAL (written) level that was settled (or simply ended) in the last two years? Consider the period from July, 1987 to June, 1989. Do not include those still in progress.
 - A. TOTAL _____ (_____)
 - B. Number settled (ended) at the building level?
(by principal/other administrator) _____ (_____)
 - C. Number settled (ended) at the system level?
(by superintendent/review panel) _____ (_____)
 - D. Number settled (ended) at the board of
education level? _____ (_____)
 - E. Number settled (ended) outside the school
system (in court system or federal
regulatory system: EEOC, HEW)? _____ (_____)

SUGGESTIONS:

January 17, 1990

TO:

FR: Grace Hawfield

My research project on the grievance procedure is moving ahead. I am asking for your help with a letter to be mailed to the grievants listed on your survey (October, 1989). If you have settled any grievances since the survey please include them. Send to grievants who are (were) teachers, teachers employed in public schools K-12, and teachers NOT involved in Career Ladder disputes.

Please mail the following materials to each grievant:

- Letter from me
- Response sheet (stapled to letter)
- Stamped self-addressed envelope (my address)
- Any other communication from you

I included enough stamps for YOUR envelopes also.

Please DO NOT SEND to:

- Teacher Assistants
- Employees of Community Colleges
- Career Ladder grievants

Enclosed is a note from you indicating when the letters were mailed. Please date and return in self-addressed stamped envelope. If you have ANY questions, feel free to call me at home or at Piedmont High School. I can never thank you enough for your help with my research. Please call on me if I can ever help you in any way. Again thanks.

Sincerely,

Grace D. Hawfield
494 Camrose Circle, NE
Concord, NC 28025
H: 704-782-0989
W: 704-753-4713 Piedmont High School

TO: G. Hawfield

I mailed out _____ letters for you on

_____.

Signed _____.

Again, thanks a million!!

January 15, 1990

Dear Sir/Madam:

This letter has been mailed to you on my behalf by _____, UniServ Director for your area. Your identity is unknown to me at this time. I am beginning a dissertation research project to investigate how the grievance procedure operates in local school systems in North Carolina. The chairman of my dissertation committee at UNC-Greensboro is Dr. Charles Achilles (919-334-5100).

In order to find out how the grievance procedure works and what the outcomes are, I need to interview people like you who have filed formal grievances. Having been involved in the process as a grievant, I understand the sensitivity of the subject and the reservations that you might have about discussing it with me. I do believe, however, that this research study will not only benefit teachers who may file grievances in the future, but also administrators and NCAE Directors involved in the process.

If you agree to be interviewed, I will guarantee complete confidentiality and anonymity. In other words, no one would ever know that you had discussed the subject with me. Your specific grievance would be identified only by a blind code. With your consent, the interview would take place after school hours at a site of your choosing (municipal libraries, for instance, have taping rooms available). It would require approximately one hour of your time. Questions will be about the issue(s) of your grievance, the settlement, and the outcomes of grievance activity.

I have included a response sheet for you to indicate your interest and furnish your name, address, phone number. There should be a self-addressed stamped envelope included for you to use. If you have questions about the project you may contact me personally or through _____. Again the purpose of this request for an interview with you is based solely on research objectives. I certainly understand any reluctance you might have to discuss the grievance situation with me. However, I do believe the project will benefit others. Please consider my request and return the attached response sheet if you are willing to help. Thank you.

Sincerely,

Grace D. Hawfield
494 Camrose Circle, NE
Concord, NC 28025
H: 704-782-0989
W: 704-753-4713 (Piedmont High School)

TO: Grace D. Hawfield

FROM: Name _____

Address _____

Phone # () _____

I agree to be interviewed about the grievance I filed with the

_____ school system

which was settled (ended) on the following level (Please check one):

- _____ Building level (principal, other administrator)
- _____ System level (superintendent or review panel)
- _____ Board of Education level
- _____ Settled outside the school system (court system or federal regulatory system)
- _____ None of these apply: please explain if you check this answer.

Mrs. Hawfield: You may contact me (check as many as apply):

- _____ by phone
- _____ by mail
- _____ to setup interview appointment
- _____ to answer questions about the project or the interview
- _____ other:

Additional comments:

Signature _____

Date _____

February 8, 1990

Dear Sir/Madam:

This is a second mailing sent to you on my behalf by _____ UniServ Director, for your area. Attached is a copy of the first mailing including response sheet.

I would like to give you a second opportunity to respond. ANY HELP you can give me would be greatly appreciated.

Sincerely,

Grace D. Hawfield
494 Camrose Circle, NE
Concord, NC 28025
H: 704-782-0989
W: 704-753-4713

March 8, 1990

^F1^ ^F2^ ^F3^
^F4^
^F5^

Dear ^F1^ ^F3^:

Thank you for your response to my request for an interview. I appreciate your support and look forward to meeting you.

At the present time my dissertation research is being cleared with various UNCG committees. As soon as the formalities are completed, I will be contacting you to schedule an interview. The actual interviews should begin shortly after Easter if not before.

Again thank you for your willingness to be interviewed. I am most grateful. If you have any questions or concerns please contact me at home or at school.

Sincerely yours,

Grace D. Hawfield
494 Camrose Circle, NE
Concord, NC 28025
H: 704-782-0989
W: 704-753-4713 (Piedmont High School)

Date

Name
Address
Address

Dear _____:

Thank you again for your participation in my research project on the grievance procedure. I have enclosed your copy of the interview transcription. Please keep in mind that the printed transcript may seem to be an awkward representation of our conversation together. The interview went very well and I appreciate your diligence in responding to the questions.

I will call you in the near future to ask for any further comments that you would like to make about the interview questions and/or answers. There may be a point that you would like to clarify or perhaps additional points that you would like to make. In the meantime please feel free to contact me by telephone or through the mail with any concerns that you may have.

Again my sincere thanks.

Grace M. Davis
494 Camrose Circle, NE
Concord, NC 28025
H: 704-782-0989

Appendix C
Data Analysis

Contact Summary Report

Name _____ Date _____

Position _____

Method of Communication _____ Telephone # _____

Mailing Address _____

SUMMARY:

Theoretical Relevance:

Methodology:

Informant:

Information:

Transcribed: _____

Mailed: _____

Telephone: _____

Document Summary Form

NAME: _____

LEA Code: _____

Obtained from: _____

Copy attached: _____ Date: _____

Additional forms: (for the procedure) _____

SUMMARY:

Steps: (Number and level of review; informal and formal)

Objective of Policy:

Availability of Policy, Procedure:

Additional Information:

CONTACT SUMMARY SHEET

Respondent Code: (Circle one)

Teacher : GPCASE 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17

LEA: LEACASE A B C D E F G H I

Meeting Place _____ Date _____ Time _____

Grievance Settled on Level: _____ (inside) _____ (outside)

Grievance Settled in Favor of: _____

Grievance Issue: _____

Grievant Characteristics:

Age _____

Gender _____

Race _____

NCAE Member _____

Yrs at school _____

Highest Degree _____

Grade Level - Teaching _____

Yrs. of Experience _____

How Many Grievances involved in? _____

Years w/ principal _____

LEA Characteristics:

Number of Teachers _____

Length of Superintendent Tenure _____

Type of LEA (county, city overlay) _____

Grievance Procedure Policy _____

Level of Grievance Settlement

<u>Type of Change</u>	Inside LEA			Outside LEA		
	Bldg.	System Spt/Panel	B/E	Judicial	Fed Reg	Other
INDIRECT CHANGE						
Corrective Action - Individual grievant						
Negative Postappeal Settlement Consequences- Individual grievant						
DIRECT CHANGE						
Personnel Administration on LEA system level - Change in policy, regula- tion, practice						

Y = YES, change as defined was an outcome

N = NO, change as defined was not an outcome

(sitesc)

TEACHER-GRIEVANT RESPONSE ANALYSIS
Level of Grievance Settlement and Type of Change

Level of Grievance Settlement

<u>Type of Change</u>	INSIDE LEA			OUTSIDE LEA		
	Supt	B/E	Total*	EEOC	OSHA	Total**
INDIRECT CHANGE	n=8	n=3	n=11	n=3	n=1	n=4
Corrective Action- Individual Grievant	N=2 Y=6 N=25% Y=75%	N=2 Y=1 N=66% Y=33%	N=4 36% Y=7 64% PN=100% PY= 00%	N=3 Y=0 N=100% Y=00%	N=0 Y=1 N=00% Y=100%	N=3 75% Y=1 25% PN=50% PY=50%
Negative Consequences- Grievance Activity	N=1 Y=8 N=12% Y=88%	N=0 Y=3 N=00% Y=100%	N=1 08% Y=11 92% PN= 00% PY=100%	N=0 Y=3 N= 00% Y=100%	N=0 Y=1 N=00% Y=100%	N=0 00% Y=4 100% PN= 00% PY=100%
DIRECT CHANGE						
Personnel Administration Change in policy, regu- lation, practice	N=6 Y=2 N=75% Y=25%	N=2 Y=1 N=66% Y=33%	N=8 73% Y=3 27% PN=100% PY= 00%	N=2 Y=1 N=66% Y=33%	N=0 Y=1 N=00% Y=100%	N=2 50% Y=2 50% PN=100% PY= 00%

* 11 Cases, 12 Individuals

** 4 Cases

N= No, change as defined was not an outcome

Y= Yes, change as defined was an outcome

PN= Predicted No Response

PY= Predicted Yes Response

CODES - Analysis During Data Collection
TEACHER QUESTIONNAIRE

INTERVIEW INSTRUMENT Question 1: Grievance Complaint/Issue

Q1a. GRIEVANCE COMPLAINT: INDIVIDUAL ORGANIZATION	GRCOMP-I/O GRCOMP-TR GRCOMP-TCON GRCOMP-PAPP GRCOMP-DIS GRCOMP-DE GRCOMP-PROM
transfer	
teaching conditions	
performance appraisal ratings	
discrimination	
demotion/promotion	
Q1b. PERSONNEL POLICY: ISSUE	I-PERPOL I-PERPOL-TR I-PERPOL-TCON I-PERPOL-PAPP I-PERPOL-DIS I-PERPOL-DE I-PERPOL-PROM
transfer	
teaching conditions	
performance appraisal ratings	
discrimination	
demotion/promotion	
Q1c. GRIEVANCE GENERATORS	GRGEN
reasons teacher filed	GRGEN-TREAS
reasons why teachers do not file	GRGEN-OREAS

INTERVIEW INSTRUMENT Question 2: Grievance Procedure Policy

Q2a. GRIEVANCE POLICY: FORMAL LEVELS	GRPOL-LEV
4 levels	GRPOL-LEV-4
3 levels	GRPOL-LEV-3
2 levels	GRPOL-LEV-2
GRIEVANCE POLICY: NONE	GRPOL-NO
Q2b. GRIEVANCE POLICY: SOURCE	GRPOL-SR
Available (in publication)	GRPOL-SR-AVPUB
Not Available (in publication)	GRPOL-SR-NAVPUB
Available (from person)	GRPOL-SR-PER
Q2d. GRIEVANCE PROCEDURE NUMBERS	GRPRO-#
Q2e. GRIEVANCE POLICY: CHANGES	GRPOL-CHG
mediation	GRPOL-CHG-MED

TEACHER QUESTIONNAIRE CODES - Page 2INTERVIEW INSTRUMENT Question 3: Grievance Procedure Outcomes

Q3a. OUTCOMES - ON LEVELS OF GP PROCEDURE	OUTC-IN
Formal Level 1 -corrective action	OUTC-1-CA
Formal Level 1 -negative consequences	OUTC-1-NC
Formal Level 2 -corrective action	OUTC-2-CA
Formal Level 2 -negative consequences	OUTC-2-NC
Formal Level 3 -corrective action	OUTC-3-CA
Formal Level 3 -negative consequences	OUTC-3-NC
Q3b. OUTCOMES - APPEALS OUTSIDE THE SYSTEM	OUTC-OUT
Judicial system - corrective action	OUTC-J-CA
Judicial system - negative consequences	OUTC-J-NC
Fed Reg Agency - corrective action	OUTC-F-CA
Fed Reg Agency - negative consequences	OUTC-J-NC
Other - corrective action	OUTC-O-CA
Other - negative consequences	OUTC-O-NC
Q3c. OUTCOMES	
change for the individual	OUTC-CHG-1

INTERVIEW INSTRUMENT Question 4: Grievance Procedure Settlement

Q4a. LEVEL OF SETTLEMENT	SETT-LEV
considers not settled	SETT-No
inside the system	SETT-IN
outside the system	SETT-OUT
Q4b. SETTLEMENT IN FAVOR OF	SETT-FAV
teacher	SETT-FAV-T
administrator	SETT-FAV-A
both	SETT-FAV-B

TEACHER QUESTIONNAIRE CODES - Page 3INTERVIEW INSTRUMENT Question 5: Outcomes of Grievance Procedure
Individual - Negative Consequences

Q5. OUTCOMES - INDIVIDUAL NEGATIVE CONSEQUENCES	OUTC-NC
transfer	OUTC-NC-T
demotion	OUTC-NC-DE
teacher attendance	OUTC-NC-TA
exit-LEA	OUTC-NC-XLEA
exit-teaching	OUTC-NC-XT
job satisfaction	OUTC-NC-JSAT
relations with coworkers	OUTC-NC-COW

INTERVIEW INSTRUMENT Question 6: Outcomes of Grievance Procedure
Change in Personnel Administration - LEA

Q6a. OUTCOMES - CHANGE IN PERSONNEL ADMIN modification of BE policy, regulation elimination? addition?	OUTC-CHG-PA OUTC-CHG-FOL OUTC-CHG-REG
Q6b. OUTCOMES - CHANGE IN PERSONNEL ADMIN administrative behavior	OUTC-CHG-ADB
Q6c. OUTCOMES - CHANGE IN PERSONNEL ADMIN grievance rate (incidence of)	OUTC-CHG-GRR
Q6d. OUTCOMES change organization	OUTC-CHG-O

INTERVIEW INSTRUMENT Question 7: Teacher Demographics

Q7. TEACHER DEMOGRAPHICS	TDEM
age	TDEM-AGE
gender	TDEM-GEN
race	TDEM-R
NCAE	TDEM-NCAE
highest degree	TDEM-HDEG
grade level - teaching assignment	TDEM-TA
years of experience	TDEM-YEX
how many grievances been involved in?	TDEM-GR

TEACHER QUESTIONNAIRE CODES - Page 4INTERVIEW INSTRUMENT Question 8: LEA Demographics

Q8. LEA DEMOGRAPHICS
number of teachers
length of supt tenure
county
city overlay

LEADEM
LEADEM-#T
LEADEM-SPT
LEADEM-CV
LEADEM-CITY

CODES - Analysis During Data Collection
UniServ Director Interviews

INTERVIEW INSTRUMENT Question 1: Grievance Complaint/Issue

Q1a. GRIEVANCE COMPLAINT: INDIVIDUAL ORGANIZATION	GRCOMP-I/O GRCOMP-TR GRCOMP-TCON GRCOMP-PAPP GRCOMP-DIS GRCOMP-DE GRCOMP-PROM
transfer	
teaching conditions	
performance appraisal ratings	
discrimination	
demotion/promotion	
Q1b. PERSONNEL POLICY: ISSUE	I-PERPOL I-PERPOL-TR I-PERPOL-TCON I-PERPOL-PAPP I-PERPOL-DIS I-PERPOL-DE I-PERPOL-PROM
transfer	
teaching conditions	
performance appraisal ratings	
discrimination	
demotion/promotion	
Q1c. PERSONNEL PRACTICE	
administrator behavior	I-PERPRAC-ADB
Q1d. GRIEVANCE GENERATORS	GRGEN GRGEN-#T GRGEN-SUPT
e. number of teachers	
longevity of superintendent	

INTERVIEW INSTRUMENT Question 2: Grievance Procedure Policy

Q2a. GRIEVANCE POLICY: FORMAL LEVELS	GRPOL-LEV GRPOL-LEV-4 GRPOL-LEV-3 GRPOL-LEV-2
4 levels	
3 levels	
2 levels	
Q2b. GRIEVANCE POLICY: NONE	GRPOL-NO GRPOL-NO-PROU
c. procedure used	
Q2d. GRIEVANCE POLICY: LEVEL	
UniServ involvement	GRPOL-LEV-UNI
Q2e. GRIEVANCE POLICY: CHANGES	GRPOL-CHG GRPOL-CHG-MED
mediation	

UNISERV QUESTIONNAIRE CODES - Page 2INTERVIEW INSTRUMENT Question 3: Grievance Procedure Settlement

Q3a. LEVEL OF SETTLEMENT inside the system	GPSETT-LEV GPSETT-IN
Q3b. SETTLEMENT IN FAVOR OF teacher administrator both	GPSETT-IN-FAV GPSETT-IN-FAV-T GPSETT-IN-FAV-A GPSETT-IN-FAV-B
Q3c. LEVEL OF SETTLEMENT outside the system	GPSETT-OUT
Q3d. SETTLEMENT IN FAVOR OF teacher administrator both	GPSETT-OUT-FAV GPSETT-OUT-FAV-T GPSETT-OUT-FAV-A GPSETT-OUT-FAV-B
Q3e. SETTLEMENT: NO APPEAL	GPSETT-NA

INTERVIEW INSTRUMENT Question 4: Grievance Procedure Outcomes

Q4a. OUTCOMES - INSIDE SYSEM formal Levels-corrective action	GPOUTC-IN GPOUTC-IN-CA
Q4b. OUTCOMES - INSIDE SYSTEM Formal Levels-negative consequences	GPOUTC-IN-NC
Q4c. OUTCOMES - INSIDE SYSTEM personnel policy administrative behavior	GPOUTC-IN-PERPOL GPOUTC-IN-ADBEV
Q4d. OUTCOMES - INSIDE SYSTEM personnel administration change	GPOUTC-IN-CHG
Q4e. OUTCOMES - INSIDE SYSTEM change in grievance rate	GPOUTC-IN-CHG-GRR

UNISERV QUESTIONNAIRE CODES- Page 3INTERVIEW INSTRUMENT Question 5: Outcomes of Grievance Procedure

Q5a. OUTCOMES - OUTSIDE SYSTEM outside agencies- corrective actions	GPOUTC-OUT GPOUTC-OUT-CA
Q5b. OUTCOMES - OUTSIDE SYSTEM outside agencies - negative consequences	GPOUTC-OUT-NC
Q5c. OUTCOMES - OUTSIDE SYSTEM personnel policy administrative behavior	GPOUTC-OUT-PERPOL GPOUTC-OUT-ADBEH
Q5d. OUTCOMES - OUTSIDE SYSTEM personnel administration change mandated	GPOUTC-OUT-CHG-MAN
Q5e. OUTCOMES - OUTSIDE SYSTEM change in rate of grievances filed	GPOUTC-OUT-CHG-GRR

INTERVIEW INSTRUMENT Question 6: Outcomes of Grievance Procedure SUMMARY
Individual - Negative Consequences

Q6. OUTCOMES - INDIVIDUAL NEGATIVE CONSEQUENCES	OUTC-NC
transfer	OUTC-NC-T
demotion	OUTC-NC-DE
teacher attendance	OUTC-NC-TA
exit-LEA	OUTC-NC-XI,EA
exit-teaching	OUTC-NC-XT
job satisfaction	OUTC-NC-JSAT
relations with coworkers	OUTC-NC-COW

UNISERV QUESTIONNAIRE CODES - Page 4**INTERVIEW QUESTION 7: Outcomes of Grievance Procedure - SUMMARY**
Change in Personnel Administration-LEA

Q7a. OUTCOMES - CHANGE IN PERSONNEL ADMIN policy regulation	GPOUTC-CHG-PA GPOUTC-CHG-POL GPOUTC-CHG-REG
Q7b. OUTCOMES - CHANGE IN PERSONNEL ADMIN administrative behavior	GPOUTC-CHG-ADB
Q7c. OUTCOMES - CHANGE IN PERSONNEL ADMIN change in grievance rate	GPOUTC-CHG-GRR
Q7d. OUTCOMES - CHANGE IN PERSONNEL ADMIN percentage time change occurs percentage time change individual percentage time change organization	GPOUTC-CHG- t GPOUTC-CHG-I GPOUTC-CHG-O