

THE INFLUENCE OF COLLECTIVE BARGAINING UPON WRITTEN
POLICIES OF GOVERNANCE IN SELECTED
COMMUNITY/JUNIOR COLLEGES

By

Lawrence H. Poole

A DISSERTATION PRESENTED TO THE GRADUATE COUNCIL OF THE
UNIVERSITY OF FLORIDA IN PARTIAL FULFILLMENT OF THE
REQUIREMENTS FOR THE DEGREE OF DOCTOR OF PHILOSOPHY

UNIVERSITY OF FLORIDA

1975

Copyright by
Lawrence H. Poole
1975

ACKNOWLEDGEMENTS

The support and assistance needed to complete this study came from many individuals and this writer wishes to express appreciation to all those who provided such. A special word of thanks is given to Dr. James L. Wattenbarger for his help and guidance as chairman of the doctoral committee and director of the dissertation.

Special recognition is also due Drs. John M. Nickens and Albert B. Smith for their assistance in the formulation and completion of the study and their guidance as members of the doctoral committee.

The writer would also like to thank Elaine Buckley for her help with and typing of the study.

Finally, the writer wishes to express particular appreciation to his wife, Jean, and sons, Eric and Geoffrey, for their patience, unwavering support, and many personal sacrifices in making this effort possible.

TABLE OF CONTENTS

	Page
ACKNOWLEDGEMENTS	iii
ABSTRACT	vii
CHAPTER	
I DESIGN OF THE STUDY.	1
Introduction.	1
The Problem	3
Statement of the Problem	3
Delimitations and Limitations.	4
Assumption	6
Justification for the Study.	6
Definition of Terms	7
Procedures.	11
Overview of Study Design	11
Selection of the Participating Community/Junior Colleges.	13
Data Collection.	14
Data Analysis.	15
Organization of the Research Report	17
II REVIEW OF RELATED LITERATURE AND RESEARCH.	19
Community/Junior College Faculty Involvement in Governance	20
Growth of Collective Bargaining in Higher Education.	24
Integration of Collective Bargaining and Governance.	25
Research, Based on Empirical Data, Related to This Study	27
Generalizations	29
III CONTENT OF POLICIES.	31
Academic Freedom	32
Administrator Selection.	33
Admission Standards.	34

	Page
Class Size	35
Curriculum Policies.	38
Degree Requirements.	39
Establishment of the Calendar.	40
Evening and Summer Load.	42
Grievance Procedures	40
Initial Appointment Policies	48
Management Rights.	50
Non-reappointment/Dismissal Policies	52
Non-teaching Responsibilities.	54
Overload	56
Personnel Evaluation	57
Promotion Policies	60
Reappointment Policies	62
Teaching Load.	63
Tenure Policies.	66
Text Selection	69
Summary	70
IV ANALYSIS AND DISCUSSION OF POLICIES.	71
Academic Freedom	71
Administrator Selection.	72
Admission Standards.	73
Class Size	74
Curriculum Policies.	74
Degree Requirements.	75
Establishment of the Calendar.	76
Evening and Summer Load.	77
Grievance Procedures	77
Initial Appointment Policies	78
Management Rights.	79
Non-reappointment/Dismissal Policies	80
Non-teaching Responsibilities.	80
Overload	81
Personnel Evaluation	81
Promotion Policies	82
Reappointment Policies	83
Teaching Load.	83
Tenure Policies.	84
Text Selection	84
Summary	85
V SUMMARY, CONCLUSIONS, AND IMPLICATIONS FOR THEORIES OF ACADEMIC GOVERNANCE.	86
Summary	86
Conclusions	89
Implications for Theories of Academic Governance.	94

	Page
APPENDIX A	
Letters of Request and Attachment	96
APPENDIX B	
Materials Received.	100
APPENDIX C	
Representative Management Rights Statement--As Developed from a Composite of Statements Found in Various Collective Bargaining Contracts.	102
REFERENCES	104
BIOGRAPHICAL SKETCH.	108

Abstract of Dissertation Presented to the Graduate
Council of the University of Florida in Partial
Fulfillment of the Requirements for the Degree
of Doctor of Philosophy

THE INFLUENCE OF COLLECTIVE BARGAINING UPON WRITTEN
POLICIES OF GOVERNANCE IN SELECTED COMMUNITY/
JUNIOR COLLEGES

by

Lawrence H. Poole

June, 1975

Chairman: James L. Wattenbarger
Major Department: Educational Administration

The purpose of this study was to determine what influence, if any, collective bargaining has had on specified written policies of governance at selected community/junior colleges. The study was directed toward the development of a taxonomy of policy changes which have resulted from collective bargaining. The objective was to identify those policy changes which appeared to be affected by the negotiations that occur in the collective bargaining process. This was accomplished by: 1) comparing the policies in effect during the academic year prior to the advent of bargaining at community/junior colleges that had bargained with the policies in effect during the academic year of 1969-70 at community/junior colleges that had not bargained in order to establish a base for determining changes in policies; 2) comparing 1974-75 policies with the "base" year policies in order to ascertain any changes in policies at the colleges studied; 3) noting whether or not the 1974-75 policies were

part of the negotiated contract in effect during the same year in order to determine the part that collective bargaining had played in the policy changes; and 4) comparing 1974-75 policies at non-bargaining community/junior colleges with 1974-75 policies at bargaining community/junior colleges as a check to find out whether or not the changes would have occurred anyway (as a result of other factors).

There were 23 colleges selected from 8 states. The colleges that had bargained were from 4 states that had well-developed community/junior college systems with at least 5 years' experience in collective bargaining (Michigan, New Jersey, New York, and Washington). The colleges that had not bargained were from 4 states that also had well-developed community/junior college systems, but had not yet experienced collective bargaining (Florida, North Carolina, Texas, and Virginia). The colleges from each state were selected on the basis of size (small, medium, and large) and their willingness to participate in the study.

Twenty areas of written policies of governance were selected for study. They were academic freedom, administrator selection, admission standards, class size, curriculum policies, degree requirements, establishment of the calendar, evening and summer load, grievance procedures, initial appointment policies, management rights, non-reappointment/dismissal policies, non-teaching responsibilities, overload, personnel evaluation, promotion policies, reappointment policies, teaching load, tenure policies, and text selection.

The written policies were obtained and analyzed through examination of policy manuals, faculty handbooks, and contracts sent to the researcher by the selected community/junior colleges. No attempt was made to determine what the actual practices of the colleges were.

After the examination and analysis of the policies received were completed, it was concluded that the policies could be broken down into four general groups:

1. Those policies on which collective bargaining had had no influence; academic freedom, admission standards, degree requirements, management rights, non-reappointment/dismissal policies, tenure policies, and text selection.

2. Those policies on which collective bargaining had had some influence; curriculum policies, initial appointment policies, non-teaching responsibilities, reappointment policies, and teaching load.

3. Those policies on which collective bargaining had had substantial influence; administrator selection, class size, establishment of the calendar, evening and summer load, grievance procedures, and overload.

4. Those policies on which collective bargaining had not changed the content but faculty had gained a voice in the future direction of the policies; personnel evaluation and promotion policies.

CHAPTER I

DESIGN OF THE STUDY

Introduction

Faculty members at institutions of higher education have traditionally sought to keep their terms of employment on a professional level rather than on the more conventional employee-employer basis that has been accepted in the business sector of the United States. The history of the labor movement in the business sector has generally made union activities appear distasteful to those in the world of academe.

In the early part of the twentieth century Veblen (1918) wrote:

There is no trades-union among university teachers, and no collective bargaining. There appears to be a feeling prevalent among them that their salaries are not of the nature of wages, and that there would be a species of moral obliquity implied in overtly so dealing with the matter. (p. 118)

While Veblen's statement had relevance for almost five decades, the past ten years have seen collective bargaining become one of the major issues in higher education today (Lindeman, 1973, p. 85).

The issues surrounding the introduction of collective bargaining into the governance process of institutions of

higher education have come first and most intensely to higher education's "youngest" member, the community/junior college. A major reason for its introduction and emphasis at this level of higher education was the lack of any established method whereby faculty could become involved in the governance or policy formulation of the institutions where they taught. In commenting on this fact, Bylsma and Blackburn (1971) wrote:

When examining the historical literature on two year colleges, agreement on faculty participation in governance runs high. The unanimity, however, is diametrically opposed to the professional stance [that faculty should be involved in governance].
 . . . (p. 4)

They continued by pointing out that before 1964 books on the two-year college made no mention of faculty involvement in governance, and furthermore there was an absence of articles on this subject in journals. This further emphasizes the fact that faculty had little or no voice in governance until the mid-sixties.

Garbarino (1974) pointed out that the community/junior colleges have often been part of and have had a similarity to our public secondary schools. He used this as one of the reasons to explain the more rapid growth of collective bargaining at community/junior colleges when he wrote:

In my opinion, the community colleges are in the not yet completed transition from a position as the top stratum of the lower schools to that of the first stratum of higher education. What was formerly a sharp gap between junior colleges and the rest of post-secondary education is being filled in by the evolution of the new

community colleges, but faculty-administration relations still partake of the flavor of the previous system. Community colleges are still largely under the control of local or district boards, often as part of a K-14 unit. (p. 321)

At the end of 1973 there were 212 colleges and universities with collective bargaining agents and of these 150 were two year colleges (The Chronicle, 1973, p. 8). With such a large number of community/junior colleges already bargaining and with more states passing laws that specifically provide for public employees to bargain collectively, it was important to conduct research that would provide information as to what specific effects, if any, collective bargaining has had on policies of governance.

The Problem

Statement of the Problem

The problem of the study was to determine the influence of collective bargaining upon specified written policies of governance at selected community/junior colleges. More specifically answers were sought to the following questions.

1. What were the differences, if any, between specified written policies of governance which were in effect during the year prior to the advent of collective bargaining and those in effect during 1974-75 at selected community/junior colleges which have engaged in collective bargaining?

2. If there were any differences between the specified written policies of governance which were in effect during the year prior to the advent of collective bargaining and those in effect during 1974-75 at selected community/junior

colleges which have engaged in collective bargaining, were the policies in effect during 1974-75 stated or provided for in the collectively bargained contract in effect during the 1974-75 academic year?

3. What differences and/or similarities were there between specified written policies of governance in effect during the year prior to the advent of collective bargaining at selected community/junior colleges that have engaged in collective bargaining and those selected written policies of governance in effect for the 1969-70 academic year at selected community/junior colleges that have not engaged in collective bargaining?

4. What differences and/or similarities were there between specified written policies of governance in effect during the 1974-75 academic year at selected community/junior colleges that have engaged in collective bargaining and those selected written policies of governance in effect during the 1974-75 academic year at selected community/junior colleges that have not engaged in collective bargaining?

Delimitations and Limitations

This researcher compared specified written policies of governance in selected community/junior colleges which have engaged in collective bargaining, from Michigan, New Jersey, New York, and Washington. Additionally, a comparison was made of selected written policies of governance in selected community/junior colleges which had not engaged in

collective bargaining, from Florida, North Carolina, Texas, and Virginia.

The comparison was limited to the written policies of governance and there was no attempt to verify whether or not these policies were actually adhered to in practice. The specified written policies of governance for the purposes of this study were confined to the following areas: academic freedom, administrator selection, admission standards, class size, curriculum policies, degree requirements, establishment of the calendar, evening and summer load, grievance procedures, initial appointment policies, management rights, non-reappointment/dismissal policies, non-teaching responsibilities, overload, personnel evaluation, promotion policies, reappointment policies, teaching load, tenure policies, and text selection.

Since only community/junior colleges which were willing to participate and could provide copies of the necessary policies and contracts were compared, no generalization of the results would be valid. Further, this investigator recognized that historical events and other influences, besides collective bargaining, might have caused changes in policies of governance. Because of this and the fact that the study was an ex post facto design and not an experimental study no definitive cause and effect statements regarding the introduction of collective bargaining can be made.

Assumption

For the purposes of this study it was assumed that the introduction of collective bargaining into the governance process had effects which were manifested in written policies of governance.

Justification for the Study

As noted in the introduction, collective bargaining has expanded very rapidly in community/junior colleges and has done so in a very short time span, approximately 10 years. Garbarino (1974) wrote that community/junior colleges will probably continue to be the fastest growing segment of higher education that utilizes collective bargaining. Furthermore, the legal environment is one of the key factors in the growth of collective bargaining (Garbarino, 1973; Lindeman, 1973) and there has been much activity in the states in this regard. During the past several years a number of states have had legislation introduced to provide a legal framework for public employees to bargain within (Tice, 1973). Although not all the proposed legislation has passed, the pressure is still there. Helsby (1974), in a speech, stated that the possibility of federal legislation to provide all public employees with the right to bargain was the best it has ever been and that he would not be surprised to see it passed within the next five years.

In view of increased activity in the field of public employee collective bargaining, it is important for administrators and faculty members of community/junior colleges

where collective bargaining has not occurred, to learn from the experiences of others and become aware of what changes policies of governance are apt to undergo if collective bargaining is introduced into the governing process.

Only through knowledge of possible consequences of the introduction of the bargaining process into governance can individuals and groups make intelligent judgments for themselves regarding the best course of action to take in this matter. Further, it is important to build a knowledge base for future research in the area of collective bargaining and its relationship to governance. It is toward these ends that this study was conducted.

Definition of Terms

Academic freedom - the ability to examine data and seek the truth; teach in the area(s) of one's competence; question assumptions; be guided by evidence; participate in scholarly endeavors; report the truth as one sees it; and to teach in an atmosphere of free intellectual inquiry without fear of reprisals, censorship, or disciplinary actions (Goodwin and Andes, 1974, p. 1).

Administrator selection - the policies that detail the parties involved, the authority and responsibilities of the parties, and the process to be followed in appointing individuals to vacant positions in the administration of community/junior colleges.

Admissions standards - the detailing of the criteria, the procedures, parties involved, and the authority and responsibilities of the parties involved in setting the policies used to determine whether or not an individual is admitted to the community/junior college and program for which he applied.

Bargaining unit - a group of employees who have a community of interest, similar working conditions, and receive similar wages and benefits who are recognized to collectively bargain with their employer as a group.

Class size - the standards and procedures for determining the minimum and maximum numbers of students assigned to a particular class section and the incorporation of these into the teaching load.

Collective bargaining - "a process whereby employees as a group and their employers make offers and counter-offers in good faith on the conditions of their employment for the purpose of reaching a mutually acceptable agreement" (Lieberman and Moskow, 1966, p. 1).

Collective bargaining contract - the resultant agreement, that is legally binding on and signed by the parties involved in collective bargaining.

Community/junior college - an institution supported by public funds and governed by a publicly appointed or elected board, which offers the first two years of post-secondary instruction, including university parallel programs, and programs in at least one of the following two areas, vocational/technical and continuing education.

Curriculum policies - the standards, procedures, parties involved, and authority and responsibilities of the parties in approving and reviewing courses of study leading to a degree or certificate and individual courses of instruction.

Degree requirements - the levels of performance and completion that must be obtained by individuals in order to be awarded a certificate or diploma by a community/junior college.

Establishment of the calendar - the procedures, parties involved, and the authority and responsibilities of the parties to determine the dates on which the community/junior college will be in operation for regularly scheduled classes and any other dates that faculty will be required to perform assigned duties that are part of their terms of employment.

Evening and summer load - the procedures and regulations surrounding the assignment of duties for faculty members in the evening hours (after 5 p.m.) and for summer employment that is not considered part of an annual term of employment.

Grievance procedures - the steps and course of action set forth to resolve conflicts arising over conditions of work and employment of an individual or group of individuals and/or the interpretation and implementation of any contractual agreements (Goodwin and Andes, 1974, p. 31).

Initial appointment policies - the procedures, standards, parties involved, authority and responsibilities

of the parties, and conditions of employment in assigning individuals employed for the first time at that institution to a faculty rank or employment category.

Management rights - the retention of all powers, responsibilities, authority and duties of the governing board conferred upon it by the legal framework within which it operates and for the purposes it has been charged with (Goodwin and Andes, 1974, p. 41).

Non-reappointment/dismissal policies - the procedures, standards, parties involved and the authority and responsibilities of the parties in not reemploying individuals of the faculty for the positions they have held in their most recent term of employment or relieving individuals of their duties before the completion of the term of employment in the position they presently hold.

Non-teaching responsibilities - the duties and involvement in activities outside the instructional load that are part of a faculty member's employment conditions (e.g., committee work, academic advisement, community service, etc.).

Overload - the procedures and regulations surrounding the assignment of duties and responsibilities beyond the maximum teaching load and other normal duties.

Personnel evaluation - the procedures, parties involved, and authority and responsibilities of the parties to provide feedback to individuals of the faculty on the level of performance achieved in performing the duties of the positions they hold.

Promotion policies - the detailing of the standards, procedures, parties involved, and the authority and responsibilities of the parties in assigning individuals of the faculty to a higher rank or employment category.

Reappointment policies - the procedures, standards, parties involved, and the authority and responsibilities of the parties in reemploying individuals of the faculty for positions they have held for the most recently completed term of employment.

Teaching load - the minimum and maximum credit, contact, or clock hours of teaching, or its equivalent, required of full-time faculty members at community/junior colleges.

Tenure policies - the detailing of the standards, procedures, parties involved, and the authority and responsibilities of the parties in providing individuals of the faculty with a continuing contract of employment as long as the individual is not proved incompetent, immoral, insubordinate, or neglectful of duty, or wanting in other areas of good cause.

Text selection - the procedures, standards, parties involved, and the authority and responsibilities of the parties to choose the books that will be assigned to students for use in helping to present course content.

Procedures

Overview of Study Design

The study concentrated on determining "what is" and "what was" with regard to specified written policies of

governance in selected community/junior colleges before and after collective bargaining. Therefore, a content analysis of the actual policy documents and contracts was used to provide the information to answer the questions posed in the statement of the problem.

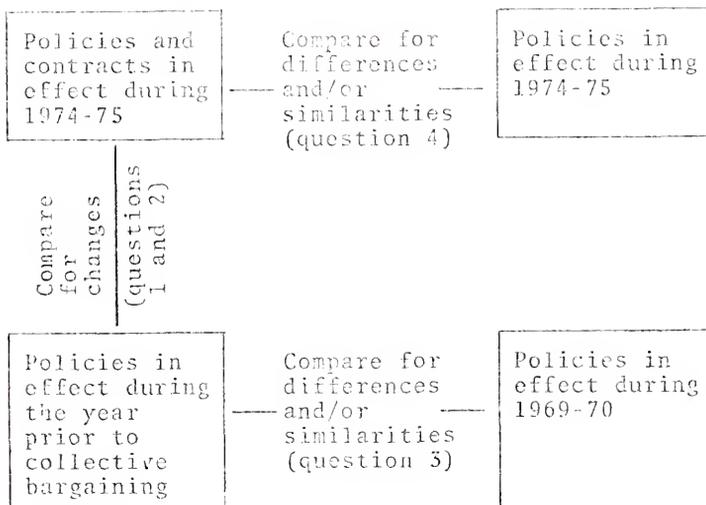
The study design may be best understood by examining a diagram of the logic (see p. 13) used in deciding upon the four questions asked in the statement of the problem.

In order to establish a broad base for the study, an examination of the policies of all colleges that submitted complete or partial materials was undertaken. This examination determined the differences and/or similarities that existed before collective bargaining was introduced (question 3). This base allowed the investigator to point out during the comparison of the 1974-75 policies (question 4) whether any of the differences had a relationship to the introduction of collective bargaining or whether the differences in the base year were such that no conclusions could be reached.

Any changes in the specified written policies at the community/junior colleges that have engaged in bargaining was detailed in answering question 1. Finally, whether or not changes found in question 1 were part of the bargaining process was determined by checking for the inclusion of or wording calling for the "change" policy in the contract in effect during 1974-75 (question 2).

Community/Junior Colleges
That Have Bargained

Community/Junior Colleges
That Have Not Bargained



In order to accomplish the above comparisons, the researcher selected the institutions, collected the data, and analyzed the content of the data in accordance with the procedures outlined below.

Selection of the Participating Community/
Junior Colleges

The community/junior colleges that participated in the study were chosen on an expected willingness to participate in the study. Initially, three institutions from each of the eight states were contacted by letter (see Appendix A for a copy of the letter) asking them to participate in the study. The eight states were Michigan, New Jersey, New York, Washington, Florida, North Carolina, Texas, and Virginia. The first four states being representative of

those with community/junior colleges that have had at least five years' experience with collective bargaining and the last four states being representative of those with community/junior colleges that had not had collective bargaining experience.

The three community/junior colleges initially contacted in each of the eight states were of varying sizes. Size was determined by the number of full-time students enrolled. A small community/junior college was defined as one with less than 1,000 full-time students, a medium community/junior college was defined as one with 1,000 to 2,500 full-time students, and a large community/junior college was defined as one with more than 2,500 full-time students (Medsker and Tillery, 1971, p. 22). One college from each size category was contacted in each state.

Of the initial 24 colleges contacted, 4 indicated that they would not participate in the study. An additional 5 colleges were contacted with 3 being willing to participate in the study. Thus, 23 colleges agreed to participate in the study.

Data Collection

The data for the study were obtained from the contracts and policy books and/or faculty handbooks of the community/junior colleges willing to participate in the study. Those community/junior colleges selected because they have engaged in collective bargaining were asked to supply the relevant policies for the academic year preceding the year that the

first collectively bargained contract was put into effect; the relevant policies in effect for the academic year 1974-75; and the contract in effect for the academic year 1974-75.

The community/junior colleges selected because they have not engaged in collective bargaining were asked to provide the relevant policies in effect for the academic year 1969-70 [the mid-year of a three-year period when the majority of community/junior colleges that have engaged in collective bargaining had their first contract go into effect (Tice, 1973)] and the relevant policies in effect for the academic year 1974-75.

The letters requesting materials were sent in mid-November of 1974 and the following three months were spent in receiving, analyzing, requesting additional materials, and follow-up. By mid-February the materials received were considered complete enough to end the data collection phase.

Of the 23 colleges, 8 supplied all the materials requested. Of these, 4 were from colleges that had engaged in collective bargaining and 4 were from colleges that had not engaged in collective bargaining. Of the other 15 colleges that agreed to participate in the study, all supplied one or more pieces of the information requested. The materials received are listed in Appendix B.

Data Analysis

In order to answer the questions put forth in the statement of the problem, the policy books or policy statement and contracts received during the process of data

collection were reviewed to determine what changes, differences, and/or similarities there were among them. The policies of governance reviewed were limited to the 20 specified areas mentioned in the delimitations and limitations (p. 4). These 20 policy areas of governance were selected because of their frequency of being mentioned in related research and literature regarding collective bargaining and governance policies in higher education (Blomerly, 1971; Carr and Van Eych, 1973; Chandler and Chiang, 1973; Finkin, 1971; Gianopoulos, 1972; Goodwin and Andes, 1972, 1974; Olsen, 1974; Upton, 1971; Vavoulis, 1964; and Weber, 1967).

More specifically, in analyzing the data in order to answer question 1, the appropriate available documents (the policy books of the community/junior colleges that have engaged in collective bargaining) were reviewed in regard to the 20 policies of governance that had been specified. A record, for each college, of the exact policy or lack of policy was made in each specified policy area for both the policies in effect the academic year prior to collective bargaining (old) and those in effect during the 1974-75 academic year (current).

A comparison of the "old" and the "current" policies was then made for each specified area at each college to see if any change had occurred. A change in written policy, for the purposes of this study, was the presence of any variation in wording between the "old" and the "current" policy,

moving from no written policy to a written policy, or moving from a written policy to no written policy.

The results of the comparisons are presented by frequency distributions along with illustrative descriptions of the policies.

In analyzing the data to provide an answer to question 2, the investigator indicated whether or not the "current" policies were part of the contract in effect for the academic year 1974-75. If the policy was not written into the contract, the language of the contract was examined to discover whether or not it mandated the writing of the "current" policies.

A similar process to that outlined for question 1 was used to analyze the data for providing the information to answer questions 3 and 4 in the statement of the problem. But in these latter questions, when comparing written policies for differences and/or similarities the investigator had to, as objectively as possible, compare the wording of the policies to determine whether or not the meaning is similar or different. Representative examples of the policies are included so that the reader can follow the researcher's reasoning for classifying the policies as he did.

Organization of the Research Report

Chapter I has provided the introduction, the statement of the problem, and the procedures of the study. Chapter II is a review of the related literature and research;

Chapter III is a presentation of the content of the contracts and policies in each of the twenty policy areas; Chapter IV is an analysis and discussion of the findings presented in Chapter III; and Chapter V is a summary of the study and presents suggestions for further research.

CHAPTER 11

REVIEW OF RELATED LITERATURE AND RESEARCH

In conducting the review of literature and research related to this study, this investigator acknowledged those items concerning collective bargaining and its impact on the governance policies in higher education, specifically in community/junior colleges. Since collective bargaining in higher education has occurred mainly after 1964, the amount of research, based on empirical data, conducted on all aspects of collective bargaining in higher education is limited. Those studies dealing with the impact of collective bargaining upon governance are even more limited. In contrast, the number of articles and books dealing with collective bargaining in higher education has grown rapidly each year as more and more colleges experienced the process of collective bargaining or the prospect of incorporating this process into their governance.

In order to develop an understanding of the possible impact that collective bargaining has on governance policies, the review of the related research and literature consists of an overview of four areas and generalizations drawn from these as follows:

1. Community/junior college faculty involvement in governance.

2. Growth of collective bargaining in higher education.
3. Integration of collective bargaining and governance.
4. Research, based on empirical data, related to this study.
5. Generalizations

Community/Junior College Faculty
Involvement in Governance

As mentioned in the introduction, the faculty's role in the governance of community/junior colleges has changed rapidly in the decade since the mid-sixties. It has moved from one of non-involvement to one of frequent participation in the formulation of policy in a wide number of areas. Cohen (1972) acknowledged this change when he wrote:

Much of the history of the community college has centered around its attempts to reconcile the anomalies in structure and functioning that resulted from the disparities in its heritage. The early community colleges developed with autocratic leaders making all the major decisions in a context of rigid bureaucracy, secrecy, and an attitude of "If you don't like it, you can leave!" However, the twin developments of faculty militancy and student unrest in the 1960's forced a redefinition of community college administration. The autocrat became as outmoded as the hickory stick and today's college administrator operates in a sphere of compromise and reconciliation between contending forces. (p. v)

In the late 1950's Bartky (1957) argued for the status quo with regard to faculty involvement in governance at junior colleges when he wrote:

The universally accepted pattern for the higher education administrative organization is one of direct participation by the faculty and non-directive powerless leadership by those designated administrative responsibility. I shall attempt to demonstrate that this pattern is inappropriate for the junior college and that when it is applied to this institution it is undemocratic. (p. 3)

In reading articles written in 1964 one can identify the growing concerns over the faculty's role in governance. Priest (1964) noted:

In the junior college, board members make policy; administrators administer; and teachers teach. Half a dozen years ago, this statement might have evoked a "so what?" Today, particularly in California, forces are militantly at work to bring about a full-scale review of this alignment of functions. (p. 4)

In an article by Vavoulis (1964) the point that faculty in the early 1960's had little voice in governance was made when the author stated:

A survey of fifty-one junior colleges in California conducted in 1961 disclosed that the role of the faculty is not conceived in terms of policy determination. (p. 32)

In discussing the changes beginning to occur in the faculty's push to gain a voice in governance, Priest (1964) pointed out:

A major element in the California unrest is the conviction on the part of a great many faculty members that, as a result of the Master Plan for Higher Education, junior colleges have shed the yoke of secondary education status. Junior colleges are more closely allied with universities than with the high schools. They conclude that as college faculty members, their rights, privileges, and responsibilities

must be commensurate with their official membership in California's system of higher education. (p. 5)

Priest concluded his article by noting that as a result of his study of other states "[t]he evidence at hand demonstrates that there is a trend toward increasing friction between faculty and administration in the junior college" (p. 8).

The trend of faculty involvement continued and was acknowledged by Lombardi (1966) when he wrote:

The junior college president cannot ignore the logic that, to be successful, faculty-administrator relations must involve more than lip service to the principle of faculty participation in the governance of the college; and that this participation must include the principle that faculty should have a say in determining the means by which this participation shall take place. (p. 16)

Due to these growing conflicts and concerns over the role of faculty in the governance of community/junior colleges in 1964 the American Association of Junior Colleges undertook a mass study of some 443 member colleges as to the status of this issue at that time. Less than 50 percent of the respondents reported any type of a faculty senate, but a majority reported some type of administrative council that dealt with policy formulation. Based on the survey, and to help alleviate some of the problems, a committee recommended that all members of the professional staff should participate on a peer basis when policy is being developed (Lahti, 1966).

This struggle for faculty control of governance in higher education is long standing, as pointed out by Dill (1973) when he wrote:

Throughout the history of the university the autonomy and control of the faculty has oscillated. In the middle ages faculty sustained self-government through academic guilds; in America faculty control was rekindled through the development of science and the assertion of professionalism. However, faculty again perceive a decline in their control over the university and academic policy, and they are turning to a new means of influence: unionization and collective bargaining. (p. 2)

Ikenberry (1971) identified six trends in higher education governance. They were "the demise of the academic mystique" in which the campuses have become open to both internal and external examination and criticism, "decline in autonomy," "procedure regularization" in that the ad hoc traditions have given way to standardized and formalized procedures, "conflict recognition and management," "decentralization," and "challenges to academic professionalism." In discussing the implications of the trends the author wrote:

The debate over whether faculty should share the power is no longer at issue. The real questions revolve around matters or areas most appropriate for heavy faculty involvement, the levels within and beyond the institution at which the involvement will take place, and the means through which the faculty will be involved. (p. 14)

Kudile and Multer (1975), Simon (1973), and Nelson (1973), authors of three articles in the Community Junior College

Journal, all put forth examples of the latest attempts in various colleges to cope with the problems of finding meaningful methods to involve faculty and other constituents of the college's community in the process of governance.

Growth of Collective Bargaining in Higher Education

During much of the time period during which community/junior colleges have been struggling with defining the role faculty should play in governance, the use of collective bargaining as a means of having a "say" in policies of governance has been rapidly expanding. This growth is reflected in the number of collective bargaining contracts in effect in 1973. At the end of 1973, 10 percent of higher education's faculty were unionized and 156 institutions (multi-campus units being counted only once) had collective bargaining contracts. This growth started with 2 contracts in 1966 and increased to 8 contracts in 1967, 9 in 1968, 27 in 1969, 48 in 1970, 80 in 1971, and 140 in 1972 (The Chronicle, 1973, p. 8).

There have been many reasons given for the growth of collective bargaining, but Lindeman (1973) in reviewing over 100 publications dealing with collective bargaining found

. . . five primary reasons for the increase in collective bargaining: inadequate compensation, dissatisfaction with the faculty role in governance, the statutory right to bargain, inept administration, and competition for members among the NEA, AFT, and AAUP. (p. 85)

Garberino (1975) also discussed several factors which caused the increase in academic unionism when he wrote:

These factors include the movement to extend legal encouragement for collective bargaining to public employees generally, the cycle of boom and quasi-bust that higher education has passed through in terms of enrollment and finances along with the concurrent shifts in public attitudes toward higher education, and finally changes in the institutional structure of higher education itself. (p. 3)

Integration of Collective Bargaining and Governance

When looking at the ways in which collective bargaining and governance may be integrated, Bucklew (1974) described three basic patterns of negotiations that have evolved in higher education. The first pattern is "comprehensive negotiations." In this type the scope of the negotiations is very broad and the contract details both procedure and policies. The second pattern is "structural negotiations." In this pattern the scope remains very broad but the language is "constitutional" in nature and policies and criteria are not described. The third pattern is "employment negotiations." In this type there can be a full range of topics covering salary, fringe benefits, and working conditions but there are no governance items in the contract.

When one of the first two patterns, described above, is adopted it basically replaces the traditional pattern of governance with that of a collective bargaining process and a union as the exclusive bargaining agent. The third type

allows for the traditional governance to coexist with the bargaining unit with each one having specific roles and areas of responsibility.

Mortimer (1973) in an article on forms of campus governance, presented Garbarino's classification system which is similar to Bucklew's. Garbarino's three classes are "defensive unionism" which retains the same leadership in both the senate and the bargaining unit, "constitutional unionism" where bargaining is very comprehensive and contracts resemble policy handbooks, and "reform unionism" which generally occurs in large multi-campus institutions and has great potential for changing the membership in and the structure of the governance system.

Begin (1974) in his preliminary findings of a study of 26 colleges and universities in New Jersey found that, what Bucklew would classify as, "employment negotiations" was the most prevalent method being used and there had been little intrusion of collective bargaining into governance areas such as curriculum, admissions policies, and degree requirements.

The problem of deciding which governance areas should be included within the scope of collective bargaining and which areas should be included within the traditional governance process has been addressed in a number of articles. No agreement on this issue has been reached and the views range from seeing no way to limit the scope to that of wanting bargaining on a very narrow basis. Howe's (1969) following statement is representative of the broad view,

"I know of no practical limits upon the negotiability of any items affecting the college. The determination of what is negotiable is itself negotiable" (p. 90). The limited view is represented by Hanley's (1971) statement, "It seems good to start bargaining on one topic . . ." (p. 12). The one topic being salary.

There also exists a wide range of views on the issue of whether the introduction of collective bargaining enhances collegiality or drives the relationship between faculty and administration to that of the strict business viewpoint of employee-employer. Howe (1972, 1973) and Walters (1973) support the view that through the use of collective bargaining a balance of power by use of the "legal adversary" system is achieved and a true sense of collegiality results. On the other side of the argument Loyd (1972), Garbarino (1971), Hanley (1971), and Smith (1972) all articulate concerns that management rights will prevail in the end and that the de facto power that faculty members have had will be lost to the de jure power that the boards have always had.

Research, Based on Empirical Data,
Related to This Study

A review of research that is related to the study shows that most was concentrated in the area of overall governance changes, opinions, and feelings about governance changes, and the relationships between faculty and administration. As mentioned previously, Begin (1974) in his preliminary findings of a study on New Jersey institutions of higher

education found few major effects on faculty senates. He wrote:

. . . evaluation of two possible criteria for assessing the impact of faculty bargaining on senates (changes in senate structure and decision-making jurisdiction) has indicated that major alterations in senate operations have not yet occurred at most institutions now bargaining. (p. 5)

In the same report, Begin attributed the lack of change to the establishment of "a balance between three sets of relationships: bargaining agent - senate relationships, administration - senate relationships, and bargaining agent - administration relationships" (p. 5).

Bylsma (1969) researched the impact of collective bargaining in the areas of organizational structure and the locus of decision making in community colleges. The research involved the study of six Michigan community colleges and utilized both interviews and analyses of policy handbooks. Bylsma found that change in locus of decision making as a result of collective bargaining occurred primarily in the areas of faculty welfare as opposed to the areas of academic affairs. Further, it was found that as a result of collective bargaining, institutions have become both more democratized and bureaucratized, resulting in an organizational structure of representative bureaucracy.

Hudson (1975) in a study patterned after Bylsma's examined four community colleges in four separate states and found a number of changes in the individual institutions. These included an increase in rules and regulations, a change

in the locus of decision making in faculty salaries from a coequal status to one of heavy involvement, a decrease in communications at one institution, and a change in tenure decisions from strong administrative domination to greater faculty involvement. Additionally, he found that collective bargaining stimulated a concern for even more participation in institutional governance.

Gianopulos (1972) in reporting a study he had done in 1970 of 10 Midwest community colleges found that the key issues were related more to faculty welfare than student welfare. Based on his research Gianopulos predicted that the scope of bargaining would continue to expand beyond the "bread and butter" issues. His results are consistent with those of Bylsma and Hudson.

Goodwin and Andes (1972, 1974) compiled the major substance of contracts in higher education that have been collectively bargained. They had acquired almost 100 percent of all the known contracts in higher education by the time they finished their study. Their work gives extensive listings of what areas are included in contracts and examples of the actual language used.

Generalizations

In tying together the research and literature related to this study, the researcher derived the following generalizations.

1. The growth of collective bargaining and the concern over faculty involvement in the governance process of community/junior colleges have come about during the same time period. This time period began in the mid-sixties and ran until at least the mid-seventies. The late sixties and early seventies were the most active years of this period for institutions to begin to engage in collective bargaining. Further, while the growth of collective bargaining in higher education had been substantial through 1974, its potential for growth in the future is even greater. Also, the problem of faculty involvement in the governance process will more than likely continue beyond the mid-seventies.

2. The fact that the above mentioned items have occurred during the same time period has further complicated the problem of how best to integrate collective bargaining with the governance process. This, in turn, relates closely to the question of who is involved in policy formulation and determination.

3. While studies regarding the integration of collective bargaining and the governance process have been undertaken and there are data available as to what is actually included in collective bargaining contracts, there still is a need to ascertain more facts regarding how collective bargaining influences policies of governance.

4. The research to date strongly suggests that policies and relationships among the board, administration, and faculty do undergo changes as a result of collective bargaining but that more knowledge of the "particulars" is needed.

CHAPTER III

CONTENT OF POLICIES

This chapter presents the content of the policies at the participating community/junior colleges in the twenty selected policy areas studied by the researcher. For organizational purposes each of the selected policy areas will be presented separately and in alphabetic order. A similar pattern of description will be used for each policy area to facilitate the comparison of the various policies. In describing these policies, the terms "old" and "current" policies will be used. The term "old" policies refers to those policies in effect in 1969-70 at colleges that had not bargained and the policies in effect the academic year prior to the first contract at colleges that had bargained. The term "current" policies refers to those policies in effect for the 1974-75 academic year.

It is important to note that the researcher found that in most instances where a policy was stated as part of a contract there was no similar policy given elsewhere. Therefore the "current" policy at colleges that had bargained was in fact, most of the time, that which had been collectively bargained and was in a contract.

Academic Freedom

Table 1 provides the overall occurrence of an academic freedom policy in the materials analyzed.

TABLE 1
Frequency of Occurrence of a Policy
for Academic Freedom

	"Old" Policies	"Current" Policies	Contracts	
Non-bargaining Colleges	5 of 6	9 of 10	N.A.	
Bargaining Colleges	4 of 5	4 of 5	7 of 12	
Total	9 of 11	13 of 15	7 of 12	29 of 38

The majority of the statements (17 of 24) either quote or paraphrase the American Association of University Professors' (AAUP) statement on academic freedom. Some of these specifically refer to the AAUP policy and quote pertinent sections.

The analysis of data from the eight colleges, from which complete materials were received, revealed that little change has occurred within this area during the period of study. Seven of the eight had an "old" policy on academic freedom; of the four in this group that had bargained, three included a statement in the contract. In one of the four non-bargaining colleges the policy regarding academic freedom had been dropped in the "current" policies, and in another instance the

bargaining process had brought about the introduction of a policy on academic freedom.

Administrator Selection

Table 2 presents the overall occurrence of a policy regarding the selection of administrators. It should be noted that only policies which contained specific procedures for selecting an administrator have been tabulated. Without exception the "old" and "current" policies contained language designating final authority of administrator selection to the board.

TABLE 2
Frequency of Occurrence of a Policy
for Administrator Selection

	"Old" Policies	"Current" Policies	Contracts	
Non-bargaining Colleges	0 of 6	1 of 10	N.A.	
Bargaining Colleges	1 of 5	2 of 5	6 of 12	
Total	1 of 11	3 of 15	6 of 12	10 of 38

In five of the six contracts that contained language about administrator selection, the primary purpose was to involve faculty in the selection process in one way or another. Four of these five named specific administrative levels: two were procedures for presidential selection, one

was a procedure for the selection of department and division chairmen, and one for the selection of department chairmen only. One of these five contracts contained broad language which included all administrative staff. The one policy negotiated that did not include provisions for faculty involvement set limits on salary scale placement of administrators selected by the president.

Of the "current" policies at colleges that had bargained, one of the two policies called for advice from faculty in departments that would be working with the administrator being selected, and the other concerned only the procedural nature of presenting recommended administrative candidates to the board. The first, however, was not present in "old" policy and parallels that which was negotiated for hiring department chairmen while the latter policy represented no change from "old" policy.

In colleges that had not bargained the only specific policy regarding administrator selection was concerning the selection of the president and appeared in the "current" policies.

Admission Standards

Table 3 displays the overall occurrence of a policy regarding admission standards. As mentioned in the definition of terms the admission standards are the criteria, procedures, parties involved, and authority and responsibility of the parties in determining students' admissibility.

TABLE 3
Frequency of Occurrence of a Policy
for Admission Standards

	"Old" Policies	"Current" Policies	Contracts	
Non-bargaining Colleges	2 of 6	8 of 10	N.A.	
Bargaining Colleges	3 of 5	3 of 5	0 of 12	
Total	5 of 11	11 of 15	0 of 12	16 of 38

Of colleges that submitted complete materials there was one instance of change from the "old" policies to the "current" policies. It should be noted that the lack of written policies on admission standards reported in this study is due in part to the fact that college catalogs were not a source document utilized in this study. Generally catalogs have been the "traditional" document which is used to state policies regarding admission standards.

For the most part, policies that were studied reflected an "open door" philosophy and provided at least for admission into some program for those with a high school diploma or those who were 18 years of age or older.

Class Size

Table 4 presents the overall occurrence of a policy regarding class size. Class size, as mentioned in the definition of terms, is the standards and procedures for

determining the minimum and maximum numbers of students assigned to a particular class section.

TABLE 4
Frequency of Occurrence of a Policy
for Class Size

	"Old" Policies	"Current" Policies	Contracts	
Non-bargaining Colleges	1 of 6	3 of 10	N.A.	
Bargaining Colleges	2 of 5	1 of 5	8 of 12	
Total	3 of 11	4 of 15	8 of 12	15 of 38

Policies regarding class size can be broken into two categories (although both types accomplish similar results: a maximum student load for each faculty member). One type of policy specifies a maximum class size (such as stating 25 students as the limit for a particular class section of a course). The other type builds into the workload a maximum number of student credit hours or student contact hours assigned to a particular faculty member; thus an instructor possibly could reach the limit, for example, by teaching one large class section.

Four of the policies in contracts are of the first type, while three are of the latter type. The remaining policy of the eight is very general and states that class size, among other factors, will be considered when determining a faculty

member's workload. None of the bargaining colleges, that had a class size policy in their contracts, had any mention of class size in their "current" policies. One of the bargaining colleges had class size as a consideration in the workload of faculty in its "current" policies but not in the contract. Of the two bargaining colleges that had class size policies in their "old" policies, one dropped the policy and no provisions appear either in the "current" policies or in the contract, while the other had the "old" policy modified by the bargaining process and now included in the contract.

The three non-bargaining colleges which had class size policies in their "current" policies were all of the second type, where class size is considered a part of the workload. Of these three, the one policy that could be compared against an "old" policy had remained unchanged and was identically included in the "old" policies.

The total number of students taught in a semester per faculty member seemed to work out to be approximately 150 regardless of the method for limiting class size or whether or not the policy was from a bargaining or non-bargaining college.

Also, it was noted that in 7 of the 15 policies, smaller classes or student loads were recognized for English composition and/or remedial classes.

Curriculum Policies

Table 5 presents the overall occurrence of a policy regarding curriculum. As previously defined, curriculum policies are those that give the standards, procedures, parties involved and authority and responsibility of the parties in approving and reviewing courses of study leading to a degree or certificate and individual courses of instruction.

TABLE 5
Frequency of Occurrence of a Policy
for Curriculum

	"Old" Policies	"Current" Policies	Contracts
Non-bargaining Colleges	2 of 6	5 of 10	N.A.
Bargaining Colleges	1 of 5	1 of 5	4 of 12
Total	3 of 11	6 of 15	4 of 12 13 of 38

A number of colleges made reference to a curriculum committee, but since the existence of a committee does not give any specific policy direction, these were not considered for the purposes of this study.

The four policies included in contracts were aimed at providing faculty a specific voice in approval of curriculum matters. One of these policies was limited to new programs. While one not only provided for faculty involvement in

curriculum matters, it also called for an actual dollar amount to be set aside and awarded to faculty for curriculum development projects.

The one policy at a bargaining college that was in the "old" policies, remained in the "current" policies unchanged and charges the faculty with responsibility for curriculum development and innovation.

Likewise, the two "old" policies and five "current" policies at non-bargaining colleges are aimed at charging the faculty with the responsibility for curriculum development. The two "old" policies remained unchanged in the "current" policies.

Degree Requirements

Table 6 provides the overall occurrence of a policy regarding degree requirements. As with admission standards, the college catalogs were not used as a source document, although catalogs have been a traditional place to present policies for degree requirements. As mentioned in the definition of terms, the degree requirements are the level of performance and completion that must be obtained by individuals in order to be awarded a certificate or diploma.

The nature of these policies, where they occur, is very similar if not in fact a duplicate of the types of general degree requirements that appear in college catalogs. Of the 10 policies, 3 included information regarding the responsibilities and the parties involved in determining degree requirements. The other seven policies did not contain

that type of information but dealt only with the actual degree requirements.

TABLE 6
Frequency of Occurrence of a Policy
for Degree Requirements

	"Old" Policies	"Current" Policies	Contracts	
Non-bargaining Colleges	2 of 6	3 of 10	N.A.	
Bargaining Colleges	3 of 5	2 of 5	0 of 12	
Total	5 of 11	5 of 15	0 of 12	10 of 38

Establishment of the Calendar

Table 7 displays the overall occurrence of a policy regarding the establishment of the calendar. As defined earlier, the policies regarding the establishment of the calendar included procedures, parties involved, and the authority and responsibility of the parties in determining the dates of operation of the college and other dates on which the faculty have required duties to perform. Additionally, one could consider the actual determination of the "type" of calendar to be used (e.g., semester or quarter). In no case was there a policy spelling out procedures, etc. for determining the "type" of calendar to be used, although one contract which required negotiation of the calendar could easily have included this factor in the negotiations

because of the non-specific language used in the contract. The discussion on establishment of the calendar that follows centers on the determination of the particulars of a calendar not the "type."

TABLE 7
Frequency of Occurrence of a Policy
for Establishment of the Calendar

	"Old" Policies	"Current" Policies	Contracts	
Non-bargaining Colleges	1 of 6	2 of 10	N.A.	
Bargaining Colleges	0 of 5	1 of 5	9 of 12	
Total	1 of 11	3 of 15	9 of 12	13 of 38

For the purposes of this particular policy if the actual calendar for the academic year was included in the contract it was noted in the tabulations for Table 7. This researcher felt that because of the nature of collective bargaining the fact that the calendar was included in the contract gave the faculty a voice in the establishment of the calendar and further it insured that no unilateral changes could be made by the board or administration without breaching the contract. Whereas, the inclusion of just a calendar in a policy book or faculty handbook gives no indication of the parties involved or the responsibilities they had in the development of the calendar.

Five of the nine contracts contained just a calendar as part of the negotiated agreement. Three contained specific language for the adoption of the calendar, two of these three had wording to the effect that the faculty must be consulted in the development of the calendar and the third specifically required that the board negotiate with the union for the calendars over the 4-year life of the contract. One of the nine contracts contained language designating what the specific paid holidays would be for faculty. In this latter case the college also had a "current" policy calling for the president to prepare and present to the board a calendar and schedule of college holidays. But this was shaped by the negotiated holidays.

Among the colleges that had not bargained, the one college that had had a policy regarding the calendar in the "old" policies delegated the coordination and development of the calendar to an administrator. The policy remained unchanged in the "current" policies. The other non-bargaining college with a "current" policy in this area, spelled out general guidelines in its policy for the development of the calendar. These guidelines included the minimum number of "duty days" for faculty, and charged the administration with the development of the calendar using these guidelines.

Evening and Summer Load

Table 8 presents the overall occurrence of policies regarding evening and summer loads. As defined previously, evening and summer load policies are those which contain the

procedures and regulations surrounding the assignment of duties for faculty members in the evening hours (after 5 p.m.) and for summer employment that is not considered part of an annual term of employment.

TABLE 8
Frequency of Occurrence of a Policy
for Evening and Summer Load

	"Old" Policies	"Current" Policies	Contracts	
Non-bargaining Colleges	4 of 6	9 of 10	N.A.	
Bargaining Colleges	1 of 5	1 of 5	10 of 12	
Total	5 of 11	10 of 15	10 of 12	25 of 38

Of the 10 contracts containing policies regarding evening and summer loads, 6 contained language about both summer and evening loads, 3 contained language regarding just evening loads and 1 just about summer loads. Of the 9 colleges that had evening load provisions, 6 allowed the assignment of evening courses but with limits on the total number of courses and/or limits on the scheduled times or number of days in a week that classes could be assigned. One of the 9 did not allow the assignment of evening courses and the other 2 allowed assignment of evening classes if a full load could not be assigned during the day.

The provisions for summer loads were basically of two types. Four colleges included summer loads as part of a regular yearly contract and the conditions for a full load during the summer were spelled out for faculty holding such contracts. The policies at the three colleges, which hired faculty much the same as part-time faculty for the summer session(s), contained provisions that stressed giving priority to full-time faculty when hiring teaching staff for the summer.

The one college that had bargained and included an evening and summer load policy in its "current" policies had no provisions regarding this area in its negotiated contract. The evening load policy in this instance provided for an adjusted schedule in terms of class meeting times, while their summer load policy centered around the point of insuring full-time faculty preference for the summer positions that were available. The "old" policy of the colleges that had bargained was at a college which had neither a contract provision or "current" policy in this area. The policy which was no longer in effect allowed for evening load assignments and indicated that full-time faculty along with part-time faculty would be utilized in making up the summer session staff.

The "current" policies of non-bargaining colleges were evenly split. Three colleges had policies concerning both summer and evening loads, three concerning just summer loads, and three concerning just evening loads. The six policies

regarding evening loads all were worded such that the administration was given the leeway of assigning such loads. In fact, there were no stated limitations as to how many courses could be taught in the evening, leaving open the possibility of a full load of evening courses for a faculty member.

The six summer load policies broke into the two types mentioned under the contracts and a third type that leaves summer hiring up to the discretion of the administration. Two colleges included summer responsibilities in faculty contracts for those holding such appointments, one college provided priority to full-time faculty desiring summer teaching, and three (all under the same state policy) provided for summer appointments of faculty at the discretion of the administration.

Of the four "old" policies at non-bargaining colleges, two were summer load policies and were the same as those in the "current" policies at the colleges (one each of the second and third types mentioned above). Another of these colleges had an evening load policy that showed change from the "old" to the "current," moving from a policy that emphasized evening courses as an overload situation to one of requiring evening loads as the administration deemed them necessary. The fourth and final college of this group included summer load as part of regular 12-month faculty contracts and made evening assignments at the discretion of the administration.

Grievance Procedures

Table 9 presents the overall occurrence of a policy regarding grievance procedures. Grievance procedures, as defined earlier, provide for the steps and course of action set forth to resolve conflicts arising over conditions of work and employment of an individual or group and/or the interpretation and implementation of contractual agreements.

TABLE 9
Frequency of Occurrence of a Policy
for Grievance Procedures

	"Old" Policies	"Current" Policies	Contracts	
Non-bargaining Colleges	1 of 6	5 of 10	N.A.	
Bargaining Colleges	2 of 5	2 of 5	11 of 12	
Total	3 of 11	7 of 15	11 of 12	21 of 38

The grievance procedures in the contracts fell into three categories: automatic arbitration with binding results, mutual consent arbitration with binding results, and automatic arbitration with advisory results. Six of the 11 contract policies were of the first type described above, 1 was of the second type, and 3 were of the third type. The remaining policy was a combination of the second and third types in that if there was mutual consent then the results

were binding, but if there was not mutual consent there was automatic arbitration with the results advisory.

The policies defined three to five steps to be used in the grievance procedure with seven of the policies having four steps. All the policies provided for shared arbitration costs except one which called for the sponsor to pick up the total costs in any case that involved the dismissal of a tenured faculty member.

The two "current" policies at bargaining colleges that contained grievance procedures were the exact procedures that were contained in the contract of that college. The two "old" policies at bargaining colleges were considerably different from those subsequently bargained. Both gave the president broad powers in settlement of grievances. In one policy a grievance could go to the board only if it involved policy decisions and in the other policy the president was the final authority. The subsequent policies at these two colleges resulted in one mutual consent and one automatic arbitration with binding results on both policies.

The "current" policies at the non-bargaining colleges are basically of two types. One with the president of the college having final authority and the other with the board having final authority. Of the five, three (all bound by a single state policy) are of the first type and the other two are of the second type. The one "old" policy at a non-bargaining college is of the second type and is virtually the same as the "current" policy at that college.

Initial Appointment Policies

Table 10 shows the overall occurrence of a policy regarding initial appointment. As defined earlier these policies refer only to those individuals assigned to a faculty rank or faculty employment category and these initial appointment policies describe the procedures, standards, parties involved, responsibilities and authority of the parties, and conditions of employment in employing individuals for the first time at that institution.

TABLE 10
Frequency of Occurrence of a Policy
for Initial Appointment

	"Old" Policies	"Current" Policies	Contracts	
Non-bargaining Colleges	5 of 6	10 of 10	N.A.	
Bargaining Colleges	4 of 5	4 of 5	10 of 12	
Total	9 of 11	14 of 15	10 of 12	33 of 38

The policies in the contracts that pertain to initial appointment can be broken into three categories. One category has language that provides for faculty involvement in determining who receives initial appointments, a second has language describing the terms of the initial appointment, and a third is the listing of criteria for initial appointments. The language contained in the 10 contracts was as follows:

3 included a description of the term of appointment; 2 included a description of both the term of appointment and provisions for faculty involvement in determining who received initial appointments; 1 included a description of both the term of appointment and criteria for appointment; 2 included a description of criteria for initial appointments; and 1 included a description of provisions for faculty involvement. The one policy that did not fall into any of the above categories was one which provided that the present staff would receive preference when applying for professional staff openings they desired, if the present staff member's other criteria were equal to that of those applying for the position from the "outside."

Of the four colleges that had bargained and had submitted complete materials for the study, three had additional "current" policies different from those in the contract. These all dealt with final authority for initial appointments and described all other administrators that would be involved in recommending individuals for appointment. The fourth college of this group did not have additional policies. A fifth college (which did not submit complete materials) had "current" policies in this area that included provisions for faculty involvement and a description of the term of the initial appointment.

As noted in Table 10, there were four colleges which had bargained that had "old" policies regarding initial appointments. Two of these were colleges that had "current"

policies the same as the "old" policies which spelled out the final authority for initial appointments. The other two had since been modified by bargaining, but originally they had provided a description of the type of term that would be used for initial appointments.

Among the 10 non-bargaining colleges that had "current" policies regarding initial appointments, 2 dealt with appointment authority, 3 dealt with both appointment authority and the term of the appointment, and the remaining 5 dealt only with the term of the appointment.

Of the four "old" policies that can be compared with the "current" policies, three are unchanged. Of these three, two dealt with terms of the appointment and one dealt with the procedures and authority for appointment. The fourth did not have any initial appointment policy in its "old" policies, but did have a "current" policy that spelled out both the authority and terms. The remaining two policies included one which dealt with appointment authority and one that stated the conditions of the initial appointment.

Management Rights

Table 11 provides the overall occurrence of a policy regarding management rights. Management rights, as defined previously, are the retention of all powers, responsibilities, authority and duties of the governing board conferred upon it by the legal framework within which it operates and for the purposes it has been charged with.

TABLE 11
 Frequency of Occurrence of a Policy
 For Management Rights

	"Old" Policies	"Current" Policies	Contracts	
Non-bargaining Colleges	6 of 6	10 of 10	N.A.	
Bargaining Colleges	5 of 5	5 of 5	6 of 12	
Total	11 of 11	15 of 15	6 of 12	32 of 38

It should be noted that while there are no colleges with "old" or "current" policies that do not specify the rights and responsibilities of the board to operate the college as provided for under the laws and constitutions of their own state and of the United States of America, the management rights that appear in contracts vary somewhat in their language and intent than those contained in the various policy books.

The management rights statements in contracts contain wording which is designed to prevent the use of bargained policies to encroach upon the authority of the board if it has not been so specified in other areas of the contract. The six management rights policies in the negotiated contracts basically follow the same pattern and make a statement to the effect that the board retains all rights, powers, duties, authority, and responsibilities conferred upon it by

the laws and constitutions of the state and federal governments. Additionally, the board has the right to use the above mentioned powers as long as they are not inconsistent with the terms of the contract. Further that any part of the agreement that conflicts with the laws of constitutions of the state or federal governments will not be binding but all other parts of the agreement shall remain in effect.

A final point to note is that none of the management rights statements in the "old" and "current" policies deal with the possible effects of a negotiated agreement while those in the contracts do. For a representative example of a management rights statement that appears in negotiated contracts, see Appendix C.

Non-reappointment/Dismissal Policies

Table 12 presents the overall occurrence of a policy regarding non-reappointment and/or dismissal. As defined, non-reappointment/dismissal policies give the procedures, standards, parties involved, and the authority and responsibilities of the parties in not re-employing or relieving individuals of their duties from the positions they have held in their most recent term of employment.

The language contained in the 10 contracts that had policies regarding non-reappointment and/or dismissal stressed one or more of the following items: dates before which notice of non-reappointment/dismissal must be given (7 of the 10 contracts contained such dates); access to the grievance procedure at a certain level (1 such case); special hearing

procedures, instead of grievance procedures (3 such cases); and retrenchment criteria which included seniority rights and "hire back" priorities for those faculty not reappointed because of retrenchment (4 such cases). One of the policies, which is different from any of the other policies in this area, defines unproductive and inefficient performance; dismissal is automatic when a minimum level of performance over a 3-year period is not obtained.

TABLE 12
Frequency of Occurrence of a Policy
for Non-reappointment/Dismissal

	"Old" Policies	"Current" Policies	Contracts	
Non-bargaining Colleges	5 of 6	9 of 10	N.A.	
Bargaining Colleges	4 of 5	3 of 5	10 of 12	
Total	9 of 11	12 of 15	10 of 12	31 of 38

Of the "current" and "old" policies at colleges that had bargained, the language is very similar in the cases studied. Where comparisons could be made there was no difference except for changes in the dates when faculty must be notified of non-reappointment/dismissal. In the two such instances, the "current" policy gave the faculty earlier notice than did the "old" policy. Also, the two colleges that did not

have policies regarding non-reappointment/dismissal in their contracts, both had such policies in their "current" policies. Similarly, the two colleges which did not have "current" policies in this area had provisions regarding this area in their contracts.

The policies regarding non-reappointment/dismissal at non-bargaining colleges paralleled the bargaining colleges, with notification dates, procedures, and/or retrenchment as the main focus of the language in the policies. Again, the only changes between "old" and "current" policies were the changes to give faculty more notice time.

Non-teaching Responsibilities

Table 13 shows the overall occurrence of a policy regarding non-teaching responsibilities for faculty members. Non-teaching responsibilities, as defined, refer to the duties and involvement in activities outside the instructional load that are part of a faculty member's employment conditions.

TABLE 13
Frequency of Occurrence of a Policy
for Non-teaching Responsibilities

	"Old" Policies	"Current" Policies	Contracts	
Non-bargaining Colleges	4 of 6	9 of 10	N.A.	
Bargaining Colleges	4 of 5	4 of 5	11 of 12	
Total	8 of 11	13 of 15	11 of 12	32 of 38

The non-teaching responsibilities most often mentioned in contracts are office hours (9 of 12) and academic advisement (6 of 12 contracts). In 5 of the 9 contracts that contained items dealing with office hours, a specific number of hours per week were mentioned. Other non-teaching responsibilities mentioned in contracts include: restrictive language on the number and/or hours required for faculty and department meetings, advisees, committee assignments, and inservice education. One college listed a number of duties in the contract followed by a statement that faculty could not be required to perform any other duties than those given in the contract. Two colleges had wording in their contracts that encouraged professional and community service as considerations for promotions.

The "old" and "current" policies of the colleges that had bargained were similar in content to those of the contracts but the language was more general in nature, with only one of the eight policies mentioning any specific hours. Where a comparison could be made, little change had occurred between the "old" and "current" policies. The "old" and "current" policies at non-bargaining colleges that could be compared likewise had undergone little change. The policies at these colleges dealt with the same areas as those at bargaining colleges except they were more general in nature and called for more office hours than the bargaining colleges. Of the eight "current" policies at non-bargaining colleges requiring office hours, the five that mentioned a minimum number of

hours called for at least 10 hours per week. In contrast, of the five contracts with specific hours, one called for 10 hours, one for 6 hours, two for 5 hours, and one for 4 hours per week.

Overload

Table 14 presents the overall occurrence of a policy regarding faculty members teaching an overload. As mentioned previously, overload policies are those outlining the procedures and regulations surrounding the assignment of duties and responsibilities beyond the maximum teaching load and other normal duties.

TABLE 14
Frequency of Occurrence of a Policy
for Overload

	"Old" Policies	"Current" Policies	Contracts
Non-bargaining Colleges	2 of 6	7 of 10	N.A.
Bargaining Colleges	1 of 5	0 of 5	9 of 12
Total	3 of 11	7 of 15	9 of 12 19 of 38

Generally, the language of the overload policies in the nine contracts allows for full-time faculty to carry overloads. In one case, however, the contract prevents the authorizing or assignment of overloads for faculty. Three

of the policies give specific priority to full-time faculty for overloads before part-time faculty may be hired. The remaining policies in contracts regarding overload deal with one or more of the following: maximum overload, salary for overload, and approval procedure for assignment of overloads.

The one "old" policy at colleges that had bargained dealt with the permission to teach overloads and the fact that faculty with overloads would be paid on a contract hour basis.

Among the seven "current" overload policies at colleges that had not bargained, three were at colleges in a state with a state policy that governs the colleges. The policy at those colleges permitted overloads only in unusual circumstances and these exceptions needed state department approval. The other four policies were similar in nature to the contract provisions in that they also spell out one or more of the provisions mentioned above for contracts. The one difference was that none of the non-bargaining policies gave full-time faculty preferential consideration in assigning overloads. One of the non-bargaining colleges had a change from the "old" policy, changing from a policy that allowed overloads to no "current" policy that dealt with overload.

Personnel Evaluation

Table 15 displays the overall occurrence of a policy regarding personnel evaluation. As mentioned in the definitions the policies studied were limited to those about faculty personnel and refer to the procedures, parties involved,

and authority and responsibilities of the parties to provide feedback to individuals of the faculty on the level of performance achieved in performing the duties of their positions.

TABLE 15
Frequency of Occurrence of a Policy
for Personnel Evaluation

	"Old" Policies	"Current" Policies	Contracts	
Non-bargaining Colleges	4 of 6	7 of 10	N.A.	
Bargaining Colleges	4 of 5	3 of 5	8 of 12	
Total	8 of 11	10 of 15	8 of 12	26 of 38

Of the eight contracts with policies regarding evaluation, four were very specific and detailed in spelling out the procedures to be used in evaluation and the recording of the evaluation. These four stressed that evaluation was primarily for instructional improvement and they gave the faculty members protection in the form of notification procedures and rebuttal opportunities. Of the other four, two dealt with the procedures for placing evaluation information in the faculty member's permanent record. Another policy was based on productivity and efficiency criteria established for the faculty. (This policy also was referred to under non-reappointment/dismissal policies.) The remaining policy detailed the procedures and methods of evaluation and

additionally had language calling for review, modification and implementation of the evaluation system during the life of the contract.

Two of the three "current" policies at colleges that had bargained were at institutions that did not incorporate evaluation procedures into their contracts. These two policies are virtually the same as the first four mentioned in the contracts. The third policy of this group is more general in nature, calling for evaluation and stressing a classroom observation method of evaluation. This policy was supplemented by a policy in the contract spelling out the way in which the evaluation information became part of the permanent faculty record.

The "current" policies of non-bargaining colleges are more similar than dissimilar to the bargaining colleges. The major difference seems to be in the protection and rebuttal procedures provided for the faculty member. Three of the seven policies only required discussion of the evaluation results, while four specified written acknowledgement and rebuttal procedures. One of these latter four also provided an appeals procedure. The "old" policies at non-bargaining colleges, where they could be compared, were more general in nature than the "current" policies and provided fewer protections for the faculty.

The "old" policies in this area at the bargaining colleges were generally similar to the "old" policies at the non-bargaining colleges in that they were more general and less protective of the faculty member.

Promotion Policies

Table 16 shows the overall occurrence of a policy regarding promotion of faculty. As defined, promotion policies are the detailing of the standards, procedures, parties involved, and the authority and responsibilities of the parties in assigning individuals of the faculty to a higher rank or employment category.

TABLE 16
Frequency of Occurrence of a Policy
for Promotion

	"Old" Policies	"Current" Policies	Contracts
Non-bargaining Colleges	2 of 6	4 of 10	N.A.
Bargaining Colleges	4 of 5	3 of 5	10 of 12
Total	6 of 11	7 of 15	10 of 12 23 of 38

Of the 10 contracts containing policies regarding promotion, 5 were based on merit and traditional rank (i.e., instructor, assistant professor, etc.) and 5 specified automatic promotion based on stated criteria. Four of this last group have degrees, credits beyond last degree, approved self-improvement activities, and/or experience as the criteria for automatic promotion to a higher salary scale. The other college in this area had promotion criteria based on productivity and efficiency standards (this was also mentioned

under personnel evaluation and non-reappointment/dismissal policies).

One of the colleges with rank and merit promotions had percentage quotas for each rank, while two institutions in this category provided for automatic promotion from instructor to assistant professor when tenure was granted.

Of the three "current" policies at colleges that had bargained, two listed criteria for promotion that were not given in contract provisions. In both instances the colleges were institutions that used merit and rank promotions. The other "current" policy of these three specified both procedures and criteria for promotions.

In comparing for change in this area from the "old" to "current" policy at bargaining colleges, two colleges showed no change, while one went from no policy to a policy with quotas, and a fourth went from no peer involvement to peer involvement in making the initial recommendations for promotion.

Three of the four non-bargaining colleges with "current" policies regarding promotion were under a state policy which takes into consideration: formal education, performance evaluation, total years' experience, years' experience in the system, professional activities, and community service. These policies were the same as the "old" policies at these colleges. The other non-bargaining college with a policy in this area had moved from an "old" policy of merit consideration to a "current" policy of automatic promotion based on years of service and formal education.

Reappointment Policies

Table 17 provides the overall occurrence of a policy regarding reappointment of faculty members. Reappointment policies, as previously defined, contain the procedures, standards, parties involved, and the authority and responsibilities of the parties in reemploying faculty in the positions they have most recently held.

TABLE 17
Frequency of Occurrence of a Policy
for Reappointment

	"Old" Policies	"Current" Policies	Contracts	
Non-bargaining Colleges	4 of 6	8 of 10	N.A.	
Bargaining Colleges	4 of 5	2 of 5	6 of 12	
Total	8 of 11	10 of 15	6 of 12	24 of 38

Six of the 12 contracts required specific dates and procedures for issuing contracts and the return of such. Additionally, 4 of the 6 contracts without reappointment policies have reappointment procedures implied by the nature of their non-reappointment policies (i.e., if the date of non-reappointment passes without notice this implies that a reappointment will be forthcoming).

Three of the 6 contracts that list specific deadlines for notification of reappointment have the deadlines tied

in to the ratification of an agreement. This means that individual faculty contracts for employment cannot be issued until a negotiated agreement has been executed for that year.

In general, the reappointment policies gave a later date for reappointment to a second year than for succeeding years. The "current" and "old" policies of bargaining colleges showed little difference from the contracts. Like the contracts, they generally spell out the dates for offering and accepting reappointment as a faculty member. The dates have changed very little, with March and April being the months most often cited for offering reappointment for first year faculty and January and February the months most often cited for faculty with at least 2 years of service to receive their reappointments.

The "current" and "old" policies of the non-bargaining colleges were very similar to the policies at bargaining colleges. Dates for issuing and returning the reappointment contracts are in the same time range as those mentioned above.

Teaching Load

Table 18 presents the overall occurrence of a policy regarding teaching loads. As defined earlier, teaching load is the minimum and maximum credit, contact, or clock hours of teaching, or its equivalent, required of full-time faculty members.

The contracts of the bargaining colleges contained policies that called for teaching loads that averaged 15-16 credit hours per term or 50-52 credit hours per year. Where

contact hours were used, a slightly higher total of hours was generally allowed. Three of the colleges in this group included more than two terms of teaching in the normal individual faculty member's contract. Two of these three provided 10-month contracts and required the teaching of two "regular" semesters and one short term. The other college was on a 4-1-4 calendar with required responsibilities in the one-month term every other year.

TABLE 18
Frequency of Occurrence of a Policy
for Teaching Load

	"Old" Policies	"Current" Policies	Contracts	
Non-bargaining Colleges	4 of 6	8 of 10	N.A.	
Bargaining Colleges	4 of 5	2 of 5	11 of 12	
Total	8 of 11	10 of 15	11 of 12	29 of 38

Ten of the 11 contracts contained special considerations for teaching in certain areas. For example, 6 of the contracts called for a reduced load for those faculty members teaching in the English composition area and 3 had higher loads for shop and lab instructors. In general, the contracts were detailed and provided little flexibility in assignment of teaching loads to faculty members.

One policy was extremely detailed and worked on a point system, which took into account such factors as the number of preparations and whether or not they were new ones, contact hours, evaluation methods (objective or essay exams), and special assignments. Three other contracts also included a maximum number of different preparations that a faculty member could be assigned in any one term. Again, the college which had based its policies on productivity and efficiency had a minimum load defined in terms of student credit hours coupled with an efficiency rate. Four of the contracts had class size built into the teaching load computation.

Of the two "current" policies at colleges that had bargained, one was at the college which did not contain provisions regarding teaching load in its contract. But this college's policy conditions were very similar to those in the contracts; this policy also made special allowances for certain instructional areas and the total student load. The other "current" policy was more specific than the contract item for that college. (The contract referred to continuing the practices outlined in the "current" policy.) This policy, likewise, stipulated considerations for class size, number of preparations, and area of teaching when determining a faculty member's teaching load.

The "old" policies at the colleges that had bargained, in the three instances where a comparison with "current" policies could be made, showed that they had been much more

general and had fewer factors considered in determining the teaching load than the "current" policies had.

The "current" policies at the non-bargaining colleges called for about the same average load as those at the bargaining colleges. The major differences were that fewer factors, such as class size, teaching area, or number of preparations, were taken into account when the teaching loads were figured. One non-bargaining college had a policy that took into account the number of preparations and total student load; it also recognized a reduced credit load for faculty teaching English composition.

The non-bargaining colleges generally allowed for more flexibility in scheduling; for example, one heavier teaching load term to be offset by a lighter teaching load term.

The "old" policies, when compared with the "current" policies, showed that the non-bargaining colleges have also had changes in their policies but not to the same degree as the bargaining colleges. Two specific changes resulted in fewer teaching credit hours being assigned to laboratory courses and in changing the load computation in these courses to a contact hour basis. Another moved from no policy to a general policy of 15 credit hours per semester and finally, one college showed no change.

Tenure Policies

Table 19 shows the overall occurrence of a policy regarding tenure. For the purposes of this study, continuing contracts were considered synonymous with tenure and counted as such.

TABLE 19
Frequency of Occurrence of a Policy
for Tenure

	"Old" Policies	"Current" Policies	Contracts	
Non-bargaining Colleges	4 of 6	5 of 10	N.A.	
Bargaining Colleges	4 of 5	4 of 5	10 of 12	
Total	8 of 11	9 of 15	10 of 12	27 of 38

Seven of the 10 policies regarding tenure in the contracts actually used the term tenure. The other 3 used the term continuing contracts. Eight of the 10 policies required 3 years of probationary service before the granting of tenure or continuing contract. The other 2 conformed to the maximum years (5) allowable under a state tenure law. All the policies in the contracts either actually state or infer by the absence of alternatives that tenure must be granted after the probationary period or the faculty member in question must be dismissed.

The "old" and "current" policies follow the contracts with little exception. At one of the institutions without a contract provision for tenure, the "current" policy showed this similarity by providing for tenure at the end of 5 years of probationary service. One difference was noted at a college where a "current" policy added an additional factor

to those already in the contract, in that it called for a maximum of 90 percent of the faculty to be on tenure in 1982 and gave a plan for accomplishing this goal.

The only "old" policy, of those that could be compared with "current" policies, that indicated there had been a change was one that moved from a continuing contract situation which required 5 years of probationary service to one of tenure which required 3 years of probationary service.

Of the five "current" tenure policies at non-bargaining colleges, three were controlled by a state policy that provided a continuing contract after 3 probationary years. Two were tenure policies calling for 7 years of probationary and/or continuing contracts before the granting of tenure. Of the other five non-bargaining colleges that did not have "current" policies that had tenure, four offered multi-year contracts to faculty members and one offered year to year contracts to its faculty members. Three of the multi-year contract colleges were under a statewide policy that had a normal progression of three 1-year contracts, one 3-year contract, and then 5-year contracts. Under this system there was no limit to the number of 1-year or 3-year contracts that could be awarded. Also, shorter contracts could be awarded even after an individual had held a longer contract. The other non-bargaining college that gave multi-year contracts did so after 5 years of satisfactory performance.

The "old" policies compared with the "current" policies at non-bargaining colleges as follows: two were changed (one by a state law and one by a state policy), and two remained unchanged. The state policy changed the tenure policy to a multi-year contract situation.

Text Selection

Table 20 provides the overall occurrence of a policy regarding text selection by faculty for required use by students in their courses.

TABLE 20
Frequency of Occurrence of a Policy
for Text Selection

	"Old" Policies	"Current" Policies	Contracts	
Non-bargaining Colleges	5 of 6	6 of 10	N.A.	
Bargaining Colleges	1 of 5	0 of 5	1 of 10	
Total	4 of 11	6 of 15	1 of 10	11 of 38

The one contract and one "old" policy regarding text selection at the bargaining colleges were at the same college. They both required department chairman approval of text selections. The contract was more explicit, giving procedures for selecting texts where multiple sections were taught.

The policies at the non-bargaining colleges required administrative approval of text selection and/or placed a time limit on the number of years a text must be used before a change could be made. Of the six "current" policies, three required administrative approval, one set a time limit, and two defined conditions requiring administrative approval and imposing a time limit. Where comparisons could be made, two of the "current" policies represented changes from the "old" policies. One moved from no policy to a policy that required administrative approval and one went from a policy that required the use of the same text for 3 years to one that required 2 years of use before a change could be made. A third college had no change in its text selection policy.

Summary

This chapter has presented the content of the policies and negotiated contracts in the 20 selected policy areas of this study. The policies and contracts were received from 23 community/junior colleges, 12 colleges that had bargained collectively, and 11 colleges that had not bargained. While all the colleges were not able to supply all the information requested, there was an adequate response in the various areas to present findings of some depth.

CHAPTER IV
ANALYSIS AND DISCUSSION OF POLICIES

This chapter presents an analysis and discussion of the findings presented in Chapter III. The focus of this analysis and discussion is directed toward answering the questions put forth in the statement of the problem. As mentioned in the design of the study, the "old" policies of the non-bargaining and bargaining community/junior colleges will be compared to determine similarities and differences. This comparison will establish a base from which to examine any changes from "old" to "current" policies to see if the changes were brought about by the influence of and/or the actual process of collective bargaining. Lastly, the similarities and differences of the "current" policies at non-bargaining and bargaining community/junior colleges will be analyzed and discussed.

The order of presentation of the twenty policy areas is the same in this chapter as it was in Chapter III.

Academic Freedom

The findings indicate that the differences between the "old" policies, regarding academic freedom, at both non-bargaining and bargaining colleges were virtually nonexistent. As mentioned in Chapter III, most colleges

subscribed to the AAUP statement on academic freedom. However, where there were variations, these did not correlate in any way with whether or not a college had bargained collectively. Also, the findings indicated that the "current" policies of both categories of colleges evidenced little change from those in the "old" policies.

The fact that academic freedom policies were well established before collective bargaining had occurred at the colleges studied and have remained unchanged supports a conclusion of this researcher that, within the colleges of this study, the "current" academic freedom policies had not been affected by the collective bargaining process.

Administrator Selection

In the policy area regarding administrator selection, there was little difference between the "old" policies of non-bargaining and bargaining colleges. As mentioned in the findings the only "old" policy of any kind in this area was a procedural one for obtaining board approval of the appointment of administrators. Additionally, "current" policies of both groups of colleges indicated that there had been little change in this area. Only two colleges added policies, one in a bargaining college and one in a non-bargaining college. The bargaining college's policy called for faculty advice on administrator selection while the non-bargaining college's policy required that faculty be involved in the selection of the college's president.

The major differences appeared in the collectively bargained contracts, where half of the contracts analyzed contained language about the selection of administrators. Therefore, it seems appropriate to conclude that within the colleges of this study, collective bargaining had been a factor in giving faculty the binding assurance that they have some voice in deciding on the administrator(s) who will have authority over them.

This researcher feels that this type of involvement constitutes a significant voice in governance and that faculty at some colleges had obtained that voice. At the very least, it certainly was a major shift from the role of faculty in governance in the early and mid-1960's described in the Review of Related Literature and Research.

Admission Standards

The policy area of admission standards revealed few differences among any of the policies that were studied. The fact that none of the contracts had any language regarding admission standards seems to indicate that for the colleges surveyed, the faculty were either satisfied with their participation in this area or were not in conflict with those policies regarding admission standards that had been developed by the administration and/or the board.

Class Size

In analyzing the "old" class size policies of both bargaining and non-bargaining colleges there appeared to be some differences, but not enough, in this researcher's opinion, to question the marked change in policies at bargaining colleges as a result of collective bargaining. The fact that 8 of 12 contracts analyzed contained language regarding the class size while only 3 of 10 "current" policies at non-bargaining colleges had such language seems to be reason enough to credit the bargaining process with the changes in this area. Also, to this writer, the occurrence of 4 of 8 contracts with class size policies that actually limit the total number in any one class, implies that the faculty at these colleges not only had a voice in deciding their overall workload, but also in deciding the type of learning environment in which they would be teaching.

In conjunction with teaching loads and salaries, class size policies of this type would have been an important factor in determining educational costs at these colleges.

Curriculum Policies

As noted in the findings, a comparison of the "old" policies regarding curriculum between the non-bargaining and bargaining colleges indicated that they were basically similar in that they were written with the intent to charge the faculty with responsibility for curriculum development. This language that called for faculty responsibility remained unchanged in the "current" policies at non-bargaining

colleges but a change in that emphasis of the policies contained in the contracts seems to have developed. The new emphasis was on faculty approval of curriculum rather than faculty development of curriculum.

This researcher feels there is an important difference between the development and the approval phases of curriculum. The development generally occurs among faculty in the area of "expertise" while the approval process is a judgment of that development. Language calling for faculty to be consulted to make recommendations on their peers' proposals appears to be the type of involvement in the governance process that was lacking in the policies at the non-bargaining colleges. It is also recognized by this researcher that the trend within the bargaining colleges studied, toward the peer approval type language, was not strong; but it appeared that the proverbial "foot in the door" was accomplished by faculty, at four of the colleges studied, in the curriculum approval process.

Degree Requirements

The findings in the policy area of degree requirements are similar to those of admission standards in that none of the contracts had language regarding degree requirements. Again, this researcher feels that this lack of policies in the contracts indicated that faculty were satisfied with their role in this area.

Establishment of the Calendar

In comparing the "old" policies in the area of the establishment of the calendar between non-bargaining and bargaining colleges a similarity was found. The "current" policies at the non-bargaining and bargaining colleges stressed the administrative responsibility or gave guidelines for the development of the calendar. Further, there was no indication in these policies of faculty involvement in the development of the calendar.

If one accepts the promise (set forth in Chapter III) that the inclusion of the calendar in a contract does give faculty a direct voice in this governance area, then the fact that 9 of the 12 contracts contained the calendar (or even stronger language for faculty involvement in the development of the calendar) is sufficient evidence that collective bargaining, at the colleges surveyed, had a direct impact on the involvement of faculty in the area of establishing the calendar.

This researcher feels that although the establishment of the calendar may not seem like an important item to contest in bargaining, if one examines management rights statements (see Appendix C for an example), they usually contain language regarding the assignment of faculty which would imply the management's right to set the calendar or work days for the faculty. This implies that this is a governance item where the final control could be unilaterally maintained by management and not negotiated.

Evening and Summer Load

The "old" policies regarding evening and summer load, as indicated in the findings, evidenced a number of differences and this made the influence of collective bargaining a little more difficult to ascertain.

This researcher felt that the important aspect to look at in these policy areas was the intent of the language in the policies. The findings indicated that the "old" and "current" policies of the non-bargaining colleges emphasized the administration's authority to make evening and summer assignments as needed. Of the 13 policies only 2 gave the faculty any rights in the situation. However, the reverse was true in the colleges that had bargained; the majority of situations with this latter group placed restrictions on the administration in making evening assignments or, where there was a choice, they gave faculty (in the bargaining unit) preferential treatment in being hired as summer faculty.

Even though the base for the "old" policies was not similar, the fact that only 1 of 5 bargaining colleges had a policy in this area before collective bargaining and subsequently 10 of 12 colleges had contract provisions regarding evening and summer load would seem to support the conclusion that collective bargaining had been quite influential in this area at the colleges studied.

Grievance Procedures

The findings regarding grievance procedure policies indicated that the "old" policies at the non-bargaining and

bargaining colleges were very similar. When the "current" policies in this area between the non-bargaining and bargaining colleges are compared it is clear that collective bargaining has had a good deal of influence.

Collective bargaining's influence on grievance procedures has mainly been on a specific aspect of the procedures, namely arbitration considerations. Eleven of 12 contracts provided an avenue for some type of arbitration. This was contrasted to the situation where none of the non-bargaining colleges allowed for arbitration under any circumstance.

Because of this major difference in almost all of the colleges studied, it seems probable that changes in grievance procedures is one of the areas in which an equal voice would be sought by faculty very early where collective bargaining is instituted.

Initial Appointment Policies

The findings in this area were difficult to sort out because of the many variations in the initial appointment policies. The "old" policies and "current" policies of both the non-bargaining and bargaining colleges were very similar in their total overall composition, although there was considerable variation within each group of colleges.

The only factor that appeared in 3 of the 10 contracts that indicated some movement in policies where bargaining had occurred was language that provided for the involvement of faculty in determining who should receive initial

appointments. While this was not a particularly strong movement in the policies studied, it is one that deserves recognition due to the fact that initial appointments are such a key aspect of personnel decisions.

Management Rights

As noted in the findings, there were few differences to compare in the area of management rights. However, this researcher believes that the importance of management rights should not be underestimated by those just entering a collective bargaining situation.

Bangs (1972) in writing about collective bargaining in the business sector stressed the importance of management rights. His statement regarding this could be applied to community/junior college management and is given below.

Management must stringently safeguard its rights and prerogatives while engaging in any aspect of collective bargaining. The management team must scrutinize minutely the language of any proposed agreement. When the language is ambiguous and clauses have crept in that may encroach on management's rights, the agreement must be revised and, where necessary, rewritten. This is not possible when some of the privileges have already been bargained away in past negotiations by oversight.

Theoretically, management controls its properties and its employees, unless it has specifically reached an agreement with a union which limits these controls. In other words, management reserves all the rights associated with operating its business except those rights which are restricted by legislation and binding labor agreements. (p. 85)

Non-reappointment/Dismissal Policies

As mentioned in the findings, the contract provisions, "old" policies, and "current" policies regarding non-reappointment/dismissal at both non-bargaining and bargaining colleges evidenced little variation. Where changes had occurred they did not seem to be limited to any particular group.

The legal recourse that most individual faculty members have and the courts insistence on due process could be an explanation for the commonality of the policies in this area.

Non-teaching Responsibilities

The findings indicated that the "old" and "current" policies regarding non-teaching responsibilities at both non-bargaining and bargaining colleges were similar in scope but that the policies at the bargaining colleges were more specific and had lower minimum office hours. While there had been changes in non-teaching responsibilities at the bargaining colleges, again it was in terms of limiting the degree of the activities more than limiting the scope of the activities.

While there were differences in the old policies to begin with, the changes and restrictions of the numbers and/or hours that can be required of faculty in the area of non-teaching responsibilities were such that it appeared that the contracts were imposing greater restrictions more rapidly than those at non-bargaining colleges.

Again, it was not a clear cut trend, but the differences at the colleges studied seemed to be great enough to take note of.

Overload

As pointed out in the findings, the "old" policies regarding overload at both non-bargaining and bargaining colleges were similar and the "current" policies at non-bargaining colleges evidenced little change from the "old" ones. The major differences between the non-bargaining and bargaining colleges revolved around two factors. The first was whether or not overloads were permitted at all. At three non-bargaining colleges a state policy dictated that no overloads would be allowed, while only one of the nine colleges was affected in the same way among the bargaining colleges. The other, and more important factor, in this writer's opinion, was that of giving full-time faculty priority in requesting and receiving overloads. The implications here are that once priority has been established the possibility for full-time faculty to bargain for and receive favorable compensation for overloads is very much enhanced. This could then affect the cost savings that some colleges have been able to obtain through the use of part-time faculty.

Personnel Evaluation

As noted in the findings of the "old" policies, at both non-bargaining and bargaining colleges, regarding personnel evaluation were very similar. The "current" policies

had little change from the "old" policies and the similarity of both groups of colleges remained in the "current" policies.

The only differences that this researcher could detect in this policy area were minor. Further, these differences were only in degree of detail of the procedures called for by the contracts when compared to the policies at the non-bargaining colleges.

Therefore, the findings at the colleges studied suggested that collective bargaining had had little effect other than including the evaluation procedures in the contract which prevented unilateral changes by management in this area.

Promotion Policies

The "old" policies at both non-bargaining and bargaining colleges were very similar. The major difference among the colleges surveyed appeared to be that more of the bargaining colleges started with a merit-traditional rank system for promotions. The "current" policies indicated that little had changed from the "old" policies in either group.

Again, as with the personnel evaluation, collective bargaining seemed to have had little effect on the structure and content of promotion policies, but the fact that at 10 of 12 colleges surveyed, the faculty had the promotion policies in the contract gave them an equal voice in future directions of these policies. To this researcher, this latter point is a significant one for the faculty in gaining a voice in the governance process.

Reappointment Policies

The findings in the area of reappointment policies indicated that there was very little difference in any of the policies. The only exception was that three negotiated contracts tied the issuance of individual reappointment contracts to a ratification date of the negotiated contract.

While no rationale was given, it appeared that in these three latter cases the faculty associations were attempting to bring pressure on management to settle negotiations early through the threat of withholding services due to the lack of individual contracts.

Teaching Load

The comparison of policies regarding the total teaching load of faculty members was very difficult to make due to the wide range of calendars, special considerations, and differences among the terms, contact, credit, and quarter hours. Because of this the findings regarding teaching load were presented in a more general manner than this researcher would have liked, but it appears that there were enough variations in the special considerations to make some observations.

When comparing the "old" policies regarding teaching load at both the non-bargaining and bargaining colleges some differences were noted, but not enough (in this researcher's opinion) to conclude that prior to bargaining these differences were such that changes noted in the "current" policies could be negated. As mentioned in the findings, the key differences did not seem to be in the total contact, credit,

and/or quarter hours but they were in such items as maximum number of students, special load considerations for certain subject areas (e.g., English Composition), and the inflexibility of contracts in allowing a heavier load in one term and a lighter load in another in order to create a yearly average that did not exceed the maximum called for. It is these areas that were affected by collective bargaining at the colleges studied.

Tenure Policies

The findings indicated that tenure policies had undergone little change as the result of collective bargaining. It appeared that legislative and state board action had been the major factor in changing conditions of tenure and continuing contract. Florida, New Jersey, and Virginia all had legislative acts or state board policy changes during the time frame used for the purposes of this study that affected the tenure policies at the community/junior colleges in those states.

Text Selection

In examining the policies regarding text selection, the findings suggest that the initial difference between the "old" policies at non-bargaining and bargaining colleges, coupled with no "current" policies in this area at bargaining colleges, were such that one could conclude that collective bargaining has had little influence in this policy area.

Summary

For the purposes of summarizing the 20 policy areas analyzed and discussed in this chapter, they have been placed into the following four groups: 1) policies where collective bargaining had no influence; 2) policies where collective bargaining had some influence; 3) policies where collective bargaining had substantial influence; and 4) policies where collective bargaining did not change the content of the policies but faculty gained a voice in the future direction of these policies.

The policies at the colleges studied fit into the above groups as follows:

1. No influence - Academic freedom, admission standards, degree requirements, management rights, non-reappointment/dismissal policies, tenure policies, and textbook selection.

2. Some influence - Curriculum policies, initial appointment policies, non-teaching responsibilities, re-appointment policies, and teaching load.

3. Substantial influence - Administrator selection, class size, establishment of the calendar, evening and summer load, grievance procedures, and overload.

4. Voice in the future direction - Personnel evaluation and promotion policies.

Administrators and faculty anticipating involvement in the collective bargaining process or others who are interested in examples of the types of policies in contracts during the early to mid-70's are referred to Goodwin and Andes' work mentioned on page 29 in this study.

CHAPTER V

SUMMARY, CONCLUSIONS, AND IMPLICATIONS FOR THEORIES OF ACADEMIC GOVERNANCE

Summary

The purpose of this study was to determine what influence, if any, collective bargaining has had on specified written policies of governance at selected community/junior colleges. As mentioned in the statement of the problem, the answers to four questions were sought in order to determine whether or not collective bargaining had influenced policies of governance. By comparing the policies in effect during the academic year prior to the advent of bargaining at community/junior colleges that had bargained with the policies in effect during the academic year of 1969-70 at community/junior colleges that had not bargained, a base for determining changes in policies was established. Then, by comparing 1974-75 policies with the "base" year policies, any changes at these colleges were ascertained. Further, by noting whether or not the 1974-75 policies were part of the negotiated contracts in effect during that same year, the part that collective bargaining had played in the policy changes was then identified. Finally, as a check to find out whether or not the changes would have occurred anyway (as a result

of other factors), a comparison of 1974-75 policies at non-bargaining community/junior colleges was made with 1974-75 policies at bargaining community/junior colleges.

The 25 colleges selected for this study were from 8 states. The bargaining community/junior colleges were from 4 states that had well-developed community/junior college systems with at least 5 years' experience in collective bargaining (Michigan, New Jersey, New York, and Washington). The non-bargaining community/junior colleges were from 4 states that also had well-developed community/junior college systems, but had not yet experienced collective bargaining (Florida, North Carolina, Texas, and Virginia). The colleges from each state were selected on the basis of size (small, medium, and large) and their expected willingness to participate in the study.

The 20 areas of written policies of governance were selected because of their frequency of being mentioned in related research and literature regarding collective bargaining and governance policies in higher education. They were academic freedom, administrator selection, admission standards, class size, curriculum policies, degree requirements, establishment of the calendar, evening and summer load, grievance procedures, initial appointment policies, management rights, non-reappointment/dismissal policies, non-teaching responsibilities, overload, personnel evaluation, promotion policies, reappointment policies, teaching load, tenure policies, and text selection.

The written policies were obtained and analyzed through examination of policy manuals, faculty handbooks, and contracts sent to the researcher by the selected community/junior colleges. No attempt was made to determine what the actual practices of the colleges were.

After the examination and analysis of the policies received were completed, this writer concluded that the policies could be broken down into four general groups:

1. Those policies on which collective bargaining had had no influence:

- Academic freedom
- Admission standards
- Degree requirements
- Management rights
- Non-reappointment/dismissal policies
- Tenure policies
- Textbook selection

2. Those policies on which collective bargaining had some influence:

- Curriculum policies
- Initial appointment policies
- Non-teaching responsibilities
- Reappointment policies
- Teaching load

3. Those policies on which collective bargaining had substantial influence:

- Administrator selection
- Class size
- Establishment of the calendar
- Evening and summer load
- Grievance procedures
- Overload

4. Those policies on which collective bargaining did not change the content but faculty gained a voice in the

future direction of the policies:

Personnel evaluation
Promotion policies

Conclusions

In this researcher's opinion, the findings of this study contain sufficient evidence to draw a conclusion that collective bargaining had been influential in changing written policies of governance. While there were a number of policy areas in which there had been little change as a result of collective bargaining or similar change at both bargaining and non-bargaining community/junior colleges, there were other policy areas that evidenced varying degrees of change at the community/junior colleges that had bargained. Further, in most of these latter cases the only indication of a policy change was in the contract. The policybooks, in general, did not restate the policies in the contracts or give evidence through recorded dates of change that the policies were adopted first and then incorporated into the contract.

The policy area that indicated the most change as a result of collective bargaining was that of grievance procedures. The significant point to be considered in this area was that in half of the 12 colleges that had bargained there was a final step in the grievance procedure that allowed the faculty or management unilaterally to carry a grievance to binding arbitration. The implication for an impartial third party to judicate a legally binding decision on the

parties involved is that it gives the faculty heretofore unequalled power in forcing the administration to listen to legitimate grievances and take some action toward resolving them. Not only did these 6 colleges have unilateral discretion but 5 additional colleges within this group of 12 also had the possibility of some type of neutral third party influence in a grievance. This is compared to the non-bargaining colleges where the grievance was finally decided either by the president of the college or the board of the college. Not one of the non-bargaining colleges studied left open the possibility for a third party decision in a grievance.

The policy area that indicated the second most amount of change as a result of collective bargaining was that of administrator selection. In this area half of the community/junior colleges that had bargained gave the faculty a voice in the selection of the individuals to whom they would be responsible. As mentioned earlier, this represented a definite change in the governance policies in favor of the faculty. The ramifications of this change are quite important since this has been an area where most presidents of institutions have had a free hand in selecting their top administrators to help carry out the administrative work and program of the institution. This may lead presidents to become more adversarial in their role with regard to collective bargaining and shy away from the mediator role or non-involvement stance when areas they have traditionally controlled are threatened.

It is important to note, as evidenced by the findings in this study, that in almost all contracts the items negotiated represented changes in policies that favored faculty. While this is not inherently bad, this factor makes a good management rights statement one of the key items for the administration to establish early during collective bargaining. Once these rights are established, management is then on solid ground in determining what items it must bargain on in "good faith." Labor law has generally held that management does not have to bargain on items that are considered its right to manage. This point is well made by a recent New Jersey Supreme Court decision (Burlington County College, 1972) upholding the right of the Board of Trustees to set the calendar as a management right and not to negotiate it as conditions of employment. Yet this study shows that in a number of instances that management has given up their rights and negotiated items they did not have to. The future direction of management's ability to maintain its rights is of great importance in the area of policy determination within a collective bargaining situation.

Although the other policy areas listed as having been influenced substantially or to some degree by collective bargaining may not be as strongly supported as the two areas mentioned above, there is an additional factor that must be considered when discussing the influence of collective bargaining on written policies of governance. This factor

is, that once a policy is included in a contract, the faculty are given an equal voice (under the force of law) in determining the future direction of that policy. Any changes in policy must come at the negotiations table or at the very least with a majority of the faculty in mutual agreement with management to the proposed change. One can hardly ignore this important power that the contracts negotiated to date (1975) have given the faculty. This gain in power by faculty, that is clearly shown by comparing faculty status in the early 1960's (as documented in the related literature and research) to their status a little more than a decade later, is most impressive to this writer. At the colleges studied, in 15 of 20 policy areas (all areas except admission standards, curriculum policies, degree requirements, management rights, and text selection) 75 percent of the possible 180 policy items are included in negotiated contracts. All of these items give faculty a voice in the future direction of these policies.

This researcher feels that the continued monitoring of policy changes to observe what influence collective bargaining has had in these changes is quite important in order to determine if the proverbial "pendulum" has reached the outer limits of its arc or whether it still has forces to carry it further in giving faculty a voice in written policies of governance. One of these forces might be the passage of a federal collective bargaining law for public employees in 1975. Currently, its passage looks more promising than

ever (Mathews, 1975) and it appears that faculty at both community/junior colleges and four-year colleges and universities will receive this added "boost" in realizing the power offered by collective bargaining in gaining an equal voice (rather than advisory or "de facto") in policies of governance.

While many of the initial gains for faculty in bargaining have been centered around salary and benefits, the present "belt tightening" of state legislatures and other public governing bodies may change the thrust of bargaining to one which attempts further to solidify and establish the faculty's voice in policies of governance. Specifically, the findings of this study show that faculty have first bargained for and achieved changes in policy areas that they had not had a voice in. The more traditional areas for faculty involvement, such as admission standards and degree requirements, have not been bargained to any great extent and faculty involvement in these areas is still based on tradition rather than a condition of employment that has been collectively bargained. This above conjecture that faculty may bargain more traditional policy areas is one that bears close attention and continued research to ascertain the major thrust of collective bargaining would certainly be important in evaluating this relatively new phenomenon in higher education.

Implications for Theories of
Academic Governance

The results of this study support the concept that collective bargaining is having an impact on the traditional theories of governance that have been used in higher education up to the present time.

While higher education has a bureaucratic structure, through the use of a number of means it has modified the structure to one that is generally recognized as the academic model. The academic model "softens" the bureaucratic model by changes in the strict adherence to the chain of command and hierarchy of office concept which culminates in the position of president and utilizes the community of scholars concept with shared decision making and problem solving that has been the "hallmark" of the academic model.

The direction of the academic governance model is being "pushed" by collective bargaining to a more strict bureaucratic model, with the increase in rules and regulations that are clearly defined, structured, and stable and the delimitation of management rights and the reestablishment of an employee-employer relationship that the academic model has fought to eliminate.

Other shifts in the theoretical base of management that show changes in the academic model are in the resolution of problems and in the compliance relations. Resolution of problems are shifting from those of domination and consensus to that of bargaining and compromise and in the area of

compliance relations the movement has been from normative-moral types of incentives for compliance to those of calculative and remunerative.

While the influence of collective bargaining has been more substantial in the areas of governance that are less firmly entrenched in the academic model, there is evidence that some influence in areas that are more traditional, such as curriculum policies, are being affected. Further such items as evaluation and promotion are clearly being placed into the bargaining situation although the actual policy changes have not been great. It is also recognized that collective bargaining will most likely influence the direction and application of management theories to higher education. These theories include those developed by Griffiths, Etzioni, Barnard, Argyris, and Drucker.

Continued research is needed to determine how far collective bargaining forces the traditional academic model towards becoming a strict bureaucratic model and/or creates other changes in the theories that have been the basis for the academic model.

APPENDIX A
LETTERS OF REQUEST AND ATTACHMENT

Lawrence Poole, Associate Dean of North Country Community College in New York, is on leave studying here at the Institute of Higher Education. We are conducting research designed to determine the influence of collective bargaining on written policies of governance. The study will be an indepth content analysis of selected written policies of governance at selected community/junior colleges. The analysis will be of colleges that have not bargained in order that any trends in policy change due to collective bargaining might be discovered.

We would like to request that you, as president of a college that has not engaged in collective bargaining, send us a copy of the policies in effect in 1969-70 and policies which are now in force.

We realize that copying these materials could be time consuming and expensive, therefore, we would be happy to receive the actual policy statements and contract. These will be returned after we have had the opportunity to extract the necessary information if you so desire. The information about your college would remain anonymous in reporting the results of the study and a summary of the study will be furnished to all colleges participating.

If you have any questions about participating in this study, we will be happy to discuss the project in more detail with you. Call me or Mr. Poole at (904) 392-0746 if you want any further information.

Your cooperation in this endeavor would be much appreciated. Thanking you in advance for your consideration.

Sincerely,

James L. Wattenbarger, Director
Institute of Higher Education

Attachment

Lawrence Poole, Associate Dean of North Country Community College in New York, is on leave studying here at the Institute of Higher Education. We are conducting research designed to determine the influence of collective bargaining on written policies of governance. The study will be an indepth content analysis of selected written policies of governance at selected community/junior colleges. The analysis will be of colleges that have bargained in order that any trends in policy change due to collective bargaining might be discovered.

We would like to request that you, as president of a college that has engaged in collective bargaining, send us a copy of the policies that were in effect the year before the college's first contract became binding. (This was according to the information available to us.) Additionally, we would like to have a copy of the current policies and the contract now in force.

We realize that copying these materials could be time consuming and expensive, therefore, we would be happy to receive the actual policy statements and contract. These will be returned after we have had the opportunity to extract the necessary information if you so desire. The information about your college would remain anonymous in reporting the results of the study and a summary of the study will be furnished to all colleges participating.

If you have any questions about participating in this study, we will be happy to discuss the project in more detail with you. Call me or Mr. Poole at (904) 392-0746 if you want any further information.

Your cooperation in this endeavor would be much appreciated. Thanking you in advance for your consideration.

Sincerely,

James L. Wattenbarger, Director
Institute of Higher Education

Attachment

In order to select alternate colleges, if necessary, and to plan our work, we would appreciate an initial response by your filling in the appropriate statement below and returning it to us in the enclosed self-addressed envelope.

_____ We will be able to send the requested materials and will try to get them to you by _____.
(Please give an approximate date.)

_____ We are sorry, but we will be unable to participate in the study.

Signed

Name of College

APPENDIX B
MATERIALS RECEIVED

<u>Bargaining Colleges</u>		<u>Pre-Bargaining Policies</u>	<u>1974-75 Policies</u>	<u>1974-75 Contract</u>
Michigan	A			X
	B			X
	C	X	X	X
New Jersey	D			X
	E			X
	F	X	X	X
New York	G	X	X	X
	H	X		X
	I	X	X	X
Washington	J			X
	K		X	X
	L			X

<u>Non-Bargaining Colleges</u>		<u>1969-70 Policies</u>	<u>1974-75 Policies</u>
Florida	M	X	X
	N		X
	O	X	X
North Carolina	P	X	
	Q		X
	R		X
Texas	S	X	X
	T	X*	X*
Virginia	U		X
	V		X
	W	X	X**

* Partial Materials

** Supplemented by State Policies

APPENDIX C

REPRESENTATIVE MANAGEMENT RIGHTS STATEMENT--AS
DEVELOPED FROM A COMPOSITE OF STATEMENTS
FOUND IN VARIOUS COLLECTIVE
BARGAINING CONTRACTS

Nothing in this agreement shall be deemed to limit or restrict in any way the authority of the Board and executive officers of the college in exercising the function of management.

The Board retains to itself and its appointed executive officers all rights, powers, authorities, duties, and responsibilities conferred upon and invested in it by the laws and constitution of the State of _____ and the United States of America.

These rights and responsibilities include but are not necessarily limited to the following to the extent that the same are not inconsistent with the terms of this agreement:

1. To determine the standards of service of the college and its operators.
2. To direct the college's employees.
3. To select, hire, promote, transfer, assign, and retain employees.
4. To maintain the discipline and efficiency of employees through suspension, demotion, discharge, or other disciplinary action deemed necessary for just cause.
5. To relieve employees from duties for lack of work or other reasons that are legitimate.
6. To determine the resources, including personnel, necessary to carry out the operations of the college.
7. To take the necessary actions to accomplish the goals and objectives of the college.

REFERENCES

- Bangs, J. R. Modern business - Collective bargaining. New York: Alexander Hamilton Institute, 1972 Edition.
- Bartky, J. The nature of junior college administration. Junior college journal. 1957, 28 (1), 3-7.
- ✓ Begin, J. P. Faculty governance and collective bargaining: An early appraisal. Academic Collective Bargaining Information Service. 1974, Report no. 5.
- Blomerly, P. The junior college department and academic governance. Junior college journal. 1971, 41 (5), 38-40.
- Boyd, W. B. The impact of collective bargaining on university governance. Liberal education. 1972, 58, 265-271.
- Bucklew, N. S. Collective bargaining and policymaking. In D. W. Vermilye (Ed.), Lifelong learners - A new clientele for higher education. San Francisco: Jossey-Bass, 1974.
- Burlington County College Faculty Association v. Board of Trustees, Burlington County College. 64 NJ 10, 511 A2d 733, 1972.
- Bylsma, D., Jr. Changes in locus of decision making and organizational structure in selected public community colleges in Michigan since 1965. Doctoral dissertation, University of Michigan, 1969.
- Bylsma, D., Jr. & Blackburn, R. T. Changes in faculty governance and faculty welfare: Some empirical consequences of collective negotiations. Ann Arbor, Michigan: University of Michigan, 1971. (ERIC Document Reproductive Service No. ED 058 882)
- Carr, R. K., & Van Eych, D. K. Collective bargaining comes to the campus. Washington, D.C.: American Council on Education, 1973.
- Chandler, M. K., & Chiang, C. Management rights issues in collective bargaining in higher education. A paper presented at the first annual conference of the National Center for the Study of Collective Bargaining in Higher

Education, New York, April 12-13, 1973. (ERIC Document Reproduction Service No. ED 077 417)

- Cohen, A. M. Forward. In Richardson, R. C., Jr., Blocker, C. E., & Bender, L. W. Governance for the two-year college. Englewood Cliffs, New Jersey: Prentice-Hall, 1972.
- Dill, D. D. The academic implications of collective bargaining: A case study of the City College of New York. Washington, D.C.: American Council on Education, 1973. (ERIC Document Reproductive Service No. ED 094 650)
- ✓ Finkin, M. W. Collective bargaining and university governance. AAUP bulletin. 1971, 57, 149-167.
- Garbarino, J. W. Precarious professors: New patterns of representation. Industrial relations. 1971, 10 (1), 1-20.
- Garbarino, J. W. Emergence of collective bargaining. In E. D. Duryea, & R. S. Fisk (Ed.), Faculty unions and collective bargaining. San Francisco: Jossey-Bass, 1973.
- Garbarino, J. W. Creeping unionism and the faculty labor market. In M. S. Gordon (Ed.), Higher education and the labor market. New York: McGraw-Hill, 1974.
- ✓ Gianopoulos, J. W. Beyond the bread and butter issues. Junior college journal. 1972, 42 (6), 18-19.
- Goodwin, H. I., & Andes, J. O. Collective bargaining in higher education: Contract content - 1972. Morgantown, West Virginia: West Virginia University, 1972. (ERIC Document Reproductive Service No. ED 074 923)
- Goodwin, H. I. & Andes, J. O. Collective bargaining in higher education: Contract content - 1973. Morgantown, West Virginia: West Virginia University, 1974.
- ✓ Hanley, D. J. Issues and models for collective bargaining in higher education. Liberal education. 1971, 57, 5-14.
- Helsby, R. Overview of collective bargaining. Speech at collective bargaining seminar for administrators at the University of Florida, Gainesville, October 3, 1974.
- Howe, R. A. In S. Elam, & M. H. Moskow (Ed.), Employment relations in higher education. Bloomington, Indiana: Phi Delta Kappa, 1969.

- ✓Howe, R. A. A view from the bridge. Compact. 1972, 6 (3), 21-23.
- Howe, R. A. Myths and mysteries of collective bargaining. In A. M. Cohen (Ed.), Toward a professional faculty. San Francisco: Jossey-Bass, 1973.
- Hudson, B. J. Perceptions of post-bargaining changes in organizational structure and locus of institutional decision making in selected community colleges. Doctoral dissertation, University of Florida, 1973.
- Ikenberry, S. O. Governance and the faculty. Junior college journal. 1971, 42 (3), 12-15.
- ✓Kudile, R., & Multer, E. Shared governance: Hard work but worth it. Community and junior college journal. 1973, 44 (3), 19-20.
- ✓Lahti, R. E. A faculty role in policy formulation. Junior college journal. 1966, 37 (1), 9-12.
- Lieberman, M., & Moskow, M. H. Collective negotiations for teachers. Chicago: Rand McNally, 1966.
- Lindeman, L. W. The five most cited reasons for faculty unionization. Intellect. 1973, 102, 85-86.
- Lombardi, J. Faculty in the administrative process. Junior college journal, 1966, 37 (3), 9-16.
- Mathews, J. Now, a federal law on teacher bargaining? Compact. 1975, 9 (1), 13-15.
- Medsker, L. L., & Tillery, D. Breaking the access barriers. New York: McGraw-Hill, 1971.
- Mortimer, K. P. Forms of campus governance: Joint participation, separate jurisdictions and collective bargaining. Presentation at annual meeting of American Association of Colleges. Washington, D.C.: January, 1973. (ERIC Document Reproduction Service No. ED 076 085)
- Nelson, M. The moraine mix. Community and junior college journal. 1973, 44 (3), 25.
- ✓Olsen, J. K. Governance by confrontation: Adversarialism at the university. Intellect. 1974, 102, 361-364.
- ✓Priest, B. J. Faculty administrator relationships. Junior college journal. 1964, 34 (6), 4-8.

- Simon, D. P. Faculty as initiators of change. Community and junior college journal. 1973, 44 (3), 21-22.
- Smith, B. L. New governance, old problems. Liberal education. 1972, 58, 478-487.
- The Chronicle of Higher Education. The chronicle fact-file. The chronicle of higher education. 1973, 8 (10), 8.
- Tice, T. N. The situation in the states. In T. N. Tice, & G. W. Holmes (Ed.), Faculty bargaining in the seventies. Ann Arbor, Michigan: The Institute of Continuing Legal Education, 1973.
- Upton, J. H. Role conflict and faculty confidence in leadership. Junior college journal. 1971, 41 (5), 28-31.
- Vavoulis, A. A faculty role in academic policy making. Junior college journal. 1964, 34 (7), 32-34.
- Weblen, T. The higher learning in America. New York: Sagamore Press, 1957. (Originally published: B. W. Huebsch, 1918.)
- Walters, D. C. Collective bargaining: Helping to restore collegiality. The chronicle of higher education. 1973, 8 (10), 24.
- Weber, A. R. , & Others. Faculty participation in academic governance: Report of the AAHE task force. Washington, D.C.: American Association for Higher Education, 1967. (ERIC Document Reproductive Service No. ED 018 850)

BIOGRAPHICAL SKETCH

Lawrence H. Poole was born January 10, 1941 at Daytona Beach, Florida. He attended public schools in Connecticut, graduating from Glastonbury High School in June, 1959. He received a Bachelor of Science degree with a major in Marketing from the University of Connecticut in June, 1963. From September, 1963 to June, 1966 he taught sixth grade at Chaplin Elementary School in Chaplin, Connecticut. In July, 1966 he joined the administrative staff of the Graduate School of the University of Connecticut and held that position until June, 1969. Also, in June, 1969, he received a Master of Science degree with a major in Elementary Education from Eastern Connecticut State College. In July, 1969 he accepted a position at North Country Community College in Saranac Lake, New York, as Registrar. In July, 1970 he assumed the duties of the Associate Dean of the College at North Country Community College. In September, 1973 he took leave from that position and entered the Institute of Higher Education, Department of Educational Administration, University of Florida on a W. K. Kellogg Foundation Fellowship. At the Institute, he specialized in community junior college administration for this doctoral degree.

Lawrence H. Poole is married to the former Jean S. Young of Wilton, Connecticut. They have two sons, Eric and Geoffrey.

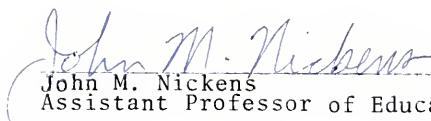
I certify that I have read this study and that in my opinion it conforms to acceptable standards of scholarly presentation and is fully adequate, in scope and quality, as a dissertation for the degree of Doctor of Philosophy.


James L. Wattenbarger, Chairman
Professor of Education

I certify that I have read this study and that in my opinion it conforms to acceptable standards of scholarly presentation and is fully adequate, in scope and quality, as a dissertation for the degree of Doctor of Philosophy.


Albert B. Smith, III
Assistant Professor of Education

I certify that I have read this study and that in my opinion it conforms to acceptable standards of scholarly presentation and is fully adequate, in scope and quality, as a dissertation for the degree of Doctor of Philosophy.


John M. Nickens
Assistant Professor of Education

This dissertation was submitted to the Graduate Faculty of the College of Education and to the Graduate Council and was accepted as partial fulfillment of the requirements for the degree of Doctor of Philosophy.

June, 1975


Dean, College of Education

Dean, Graduate School



UNIVERSITY OF FLORIDA

3 1262 08553 0896