

NEW DIRECTIONS FOR THE STUDY OF COLLECTIVE BARGAINING IN SCHOOLS

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ABSTRACT

Research on the implications of collective bargaining in schools has been sluggish in its progress over the past two decades. This article proposes new directions for future research to rouse the area from its lethargy. First, studies on student outcomes should remedy limitations in methods and analysis that have hindered earlier studies and perhaps compromised their findings. Second, scholars should explore whether bargaining yields conditional effects. Third, and perhaps most important, there has been myopic focus on student outcomes to the neglect of how bargaining shapes schools as workplaces. Nearly all studies suggest that bargaining has—at most—only modest effects on student performance. More attention is warranted where bargaining likely yields larger influences, i.e., on the social organization of schools. Such an emphasis would lead to a better understanding of how contracts shape the day-to-day experiences for millions of administrators, teachers, and support staff. Finally, better gauging the relationship between bargaining and workplace outcomes would enhance our knowledge of these variables as possible mediators of bargaining on student outcomes, thereby highlighting specific levers for reform.

Research on the implications of collective bargaining in schools has been sluggish in its progress over the past two decades. A careful review of the literature suggests that bargaining is—at a minimum—not detrimental to student achievement across a range of subjects and grade levels, high school drop-out, and student

educational expectations in the United States [1, 2].¹ Although disagreement about the direction of the relationship persists, nearly all studies dovetail in that effect sizes tend to be modest, i.e., bargaining is not a strong predictor of academic performance [3]. What should we glean from these findings? First, it may be that bargaining is, in fact, not strongly related to student outcomes. Even if this is true, bargaining may exert considerable effects on the day-to-day operation of schools. Bargaining may prompt a variety of social organizational responses, but the processes may work—in aggregate—to boost and lower student outcomes nearly equally, i.e., favorable processes may be largely counterweighted by unfavorable counterparts. Second, a stronger relationship may exist between bargaining and student outcomes, but it may be obscured at present by methodological limitations.² Researchers have faced formidable obstacles in carrying out studies in this area, to the extent that the veracity of their findings has often been questioned. Research using more appropriate data sources, richer measurement, and tailored analyses would permit more confidence in findings and perhaps reveal stronger implications of bargaining. Third, it is possible that bargaining effects are small for most students, but larger influences may exist for subgroups, i.e., conditional effects. Similarly, bargaining may wield different influences for particular school cultures, regions of the country, unions, or time periods. It is also an empirical question as to whether bargaining may lead to deleterious consequences for student achievement when instruction is interrupted by a strike. Research centering on conditional effects may uncover nuances beneath what is often assumed to be a monolithic bargaining effect. Future study of the possible relationship between bargaining and student outcomes should improve on methodologies used previously and/or examine conditional effects in order to galvanize progress.

An even more promising direction hinges on how bargaining may shape the social organization of schools, e.g., teachers' autonomy in the classroom, influence over school policymaking, job satisfaction, collaboration with peers, administrators' discretion to lead their school(s), and the level of conflict within schools. Theoretical bases exist as to why bargaining should alter school environments, and preliminary findings point to intriguing differences between schools with and without bargaining [6]. How bargaining shapes social organization is important whether or not these workplace outcomes constitute

¹ Standardized achievement tests and high school drop-out measures are “gold standards” in education, but other outcomes merit consideration, such as effective writing, critical thinking, portfolios, civics, and student affect.

² Processes relating to the so-called “threat effect” [4], diffusion of knowledge and reforms across districts, and institutional isomorphism [5] may have narrowed differences between unionized and nonunionized districts over the last 45 years [6]. Research today cannot determine what the effect of never having bargaining might have been, or alternately, the consequences of eliminating it.

pathways to student success. And it is possible that bargaining has influence in schools yet has little aggregate effect on student outcomes. Alternately, differences in social organization attributable to bargaining may be responsible for the modest differences in student outcomes found previously, i.e., they may serve as mediators.

OVERCOME METHODOLOGICAL LIMITATIONS

That bargaining has modest influence on student outcomes should be considered tentative in that many studies have been hindered by methodological and/or analytic limitations [1]. Quantitative analyses have been hampered by a paucity of secondary data sources containing both measures of bargaining and student outcomes collected over time. As a result, researchers have often relied on data collected in cross-sectional fashion, making it impossible to assess if bargaining is causally responsible for observed outcomes. Researchers need access to more panel data to make a tenable argument that bargaining is likely responsible for changes in outcomes. Researchers have analyzed older data or cobbled together disparate sources in creative fashion so as to investigate the topic in some manner. Data were collected in many instances at a unit much more aggregated than the student level, i.e., schools, districts, or states. Ideally, data on student outcomes would be collected at the lowest unit possible to minimize the possibility that the ecological fallacy will distort findings. It is possible that the dearth of high-quality data has discouraged scholars from studying this topic, as only about two dozen empirical works exist on the implications of bargaining for student outcomes [2]. That data collection on student outcomes seldom includes a measure of bargaining likely signals that policymakers and educational researchers consider it a relatively unimportant predictor, and also one that is not amenable to straightforward remedies.

Measurement of the bargaining variable itself has come under increasing scrutiny. Simple dichotomous measurement of the presence or absence of a bargaining agreement conveys little about the *strength* of the contract, e.g., the number and nature of its provisions. Greater strength may arise from a larger number of provisions as well as having provisions that extend beyond bread and butter issues. Strength has also been assessed by the reach of legal rights to bargain in a state [7, 8] and the percentage of teachers covered within a state [8, 9]. Future work should incorporate richer measures of bargaining that incorporate strength as a check on the robustness of both its own findings, and indirectly, those reported earlier.

Previous studies have seldom considered that region of the country and collective bargaining are confounded. Bargaining and region are related because most districts are nonunionized in the South, while most are unionized outside the South [10]. For example, analysis of a recent nationally representative source

revealed that only 26.3% of schools in the South³ were covered by a collective bargaining agreement, as compared with 74.4% in the West, 81.9% in the Midwest, and a remarkable 98.4% in the Northeast [11]. National studies that contrast outcomes in the absence of bargaining to its presence ultimately compare the South against the nonSouth to considerable degree. Since the South tends to exhibit lower student outcomes than other regions, a regional pattern—rather than bargaining status or strength—may account for lower student outcomes in the South. Simply put, what some have reported as implications of bargaining may be artifactual, as region strongly mediates the effect of bargaining [6, 8]. Researchers might begin by investigating whether these atypical findings for the South are robust across states in the region. After all, it is possible that only a few states account for the unusual pattern in the South. Although confounding selection processes may be operative—districts that avoided unionization in the Northeast may be unusual in many respects, as with unionized districts in the South—future inquiries should attempt to disentangle the respective effects of bargaining and region.

Future studies should apply multilevel modeling (MLM) statistical techniques when appropriate. Most quantitative studies on bargaining employ linear or logistic regression techniques, despite the fact that they employ hierarchic data. Variables are commonly collected from students, while others, including bargaining, are collected at the district or school level. When variables from nested levels are incorporated into a single regression equation, the standard errors for the bargaining variable may be biased too small, thereby increasing the probability of a Type I error [12]. Since reported effect sizes for bargaining tend to be modest, they may wither to nonsignificance if MLM was used to generate robust and unbiased standard errors.

EXPLORE CONDITIONAL EFFECTS

It is possible that bargaining yields little effect for students overall, but substantial effects “under particular conditions or” for a small number of students. The conditional or moderating pattern that has captured the greatest attention is that bargaining appears to benefit middle-range students the most, while simultaneously having no or even slightly negative influence on the highest and lowest-achieving students [13, 14]. A few studies have examined whether bargaining has different influences for female and male students [15], or for African American and Euro American students [16, 17]. Future studies should

³ The public version of these data used the U.S. Census Bureau’s definition of the South: Alabama, Arkansas, Delaware, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

explore these further and whether conditional effects might exist for Latinos/as or those from different socioeconomic backgrounds.

Qualitative research has shown that the bargaining contract is animated differently within schools within the *same* district [18, 19]. This runs counter to the notion that contracts are laden with provisions so that parties will interpret and apply their specifics uniformly. In practice, however, there is considerable variation in how the same contract is interpreted and enforced daily in different workplaces. Implications of the contract are conditional on the interplay of bargaining with particulars of school culture, e.g., the leadership style of the principal, how resources are distributed, and how often the principal(s) visits classrooms for observation. Social organizational factors may serve to amplify or dampen the effects of bargaining on student outcomes; these conditional processes have been seldom explored.

Some studies report that bargaining is associated with a different pattern of outcomes in Southern states than other regions [6, 8]. Region of the country is a highly aggregated construct that is confounded with deeper processes that are social, economic, and political in nature. Prior research has suggested a number of factors that have hampered unionization in the South, including an agriculturally-based economy, paternalistic employers, a ready supply of workers, and persistent racial tension [20-22]. These processes may continue to operate in the South and thus may attenuate the more favorable implications of bargaining. If so, bargaining—and its effects—may take on a different nature within rather than outside the South.

It is also possible that the two major teacher unions in the United States, the American Federation of Teachers (AFT) and the National Education Association (NEA) evince dissimilar outcomes in schools. Studies that have probed for particular union effects have found mixed patterns [23-25]. Finding that the two unions differed in their effects might suggest new reforms for the teacher unions going forward.

It is important to consider that virtually none of the extant studies have analyzed data collected after 2000. Both the educational landscape and the teacher unions themselves have changed since the millennium began. In particular, the *No Child Left Behind Act of 2001* has pressed school systems to be more accountable for student performance and has likely altered their daily operations in many ways. The AFT and NEA have embraced the “new unionism” over the past decade, a movement away from the adversarial model of relations with management toward a more collaborative approach wherein teachers contribute to making school policy [26]. Perhaps there has been a shift in the relationship between bargaining and student outcomes given the changes in both education and bargaining reforms over the last decade.

Labor strikes are often considered the most deleterious dimension of bargaining. Considering the salience and drama of strikes, it is surprising that so few studies have tested their import for student achievement. Evidence is scant

that strikes—no matter their duration—have a durable effect on achievement over the course of a full school year [27, 28]. We can speculate that the absence of long-term effects is explained by the short duration of most strikes, the make-up of lost days, and that replacement educators are called in for longer strikes. More subtle is the possibility that frequent and protracted acrimony during the bargaining process—even without actual strikes—may have corrosive effects on relations between teachers and their principals, between the community and schools, and ultimately, on achievement [29, 30]. Future research should consider whether unionized districts with protracted labor conflict exhibit lower achievement than unionized counterparts with more harmonious relationships.

As the aforementioned discussion suggests, a number of questions remain unanswered for the implications of bargaining for student outcomes. Student outcomes are important as a window into school productivity, carry substantial cache in an increased era of accountability in education, and have been observed keenly by those interested in school reform. But studies have been remarkably consistent in reporting that bargaining is not an important predictor of achievement. Additional research is needed to ascertain the veracity of this pattern as well as its uniformity across different students, schools, places, unions, and times. Yet it is time to grant greater attention to how bargaining shapes social organizational outcomes in schools.

EMPHASIZE SOCIAL ORGANIZATIONAL OUTCOMES

The social organizational implications of bargaining have too often been treated as important only as potential mediators of the effect of bargaining on student outcomes. Yet collective bargaining likely alters school environments in important ways. Content analyses of contracts reveal many provisions that promote a greater role for teachers in policy development, e.g., curriculum planning, teaching techniques, placement of students and teachers into classrooms, and professional development opportunities [31, 32]. Other researchers have collected data from administrators and teachers to examine whether and, if so, how contract provisions and their accompanying processes alter social organizational outcomes.

Perhaps the most consistent finding is that bargaining standardizes schools in terms of hierarchic relationships, programs, instruction, and formalizes hierarchical relations between principals and teachers [13, 18, 33]. Bargaining may shape horizontal relations as well, as teachers under bargaining appear to coordinate course content less often and collaborate less than teachers without a collective voice [6, 34]. Bargaining has been linked to greater teacher empowerment in some studies, such as an increased perception of having input in important school decisions, autonomy to teach the content wanted and in

the manner desired, and greater instructional efficacy [6]. That the unions have pressed for greater instructional autonomy supports Meyer, Scott, and Deal's tenet that principals prefer to focus on their core competencies, such as coordinating and leading schools, and relegate instructional issues to teachers [35]. Results have been more mixed on whether bargaining is related to teacher job satisfaction, retention, or absenteeism [6, 17, 29, 36]. It may be that while bargaining tends to objectively increase satisfaction over and above what it would be without unionism, bargaining may also inflate teacher expectations for the workplace to the point where disappointment may set in when expectations are not met. Alternately, less satisfied teachers may lean toward unionization in the first place.

Future research should explore the challenges that principals face under bargaining. For example, principals have little influence at the bargaining table but must work within the provisions of the contract. These provisions likely constrain how principals can motivate and reward their faculty and staff. While some studies find that principals under bargaining believe that their discretion to make personnel decisions and distribute resources has been curtailed [15, 33, 37], less discretion in these areas does not necessarily signal that principals are less effective [18]. Some principals leverage contract provisions to gain compliance with previously unenforced rules [18] or increase their influence with teachers via informal collaborative relationships [19]. Yet one recent study found that unionized teachers rated their principals as less supportive and effective as leaders than did teachers without a collective voice [6]. Are principals under collective bargaining really less effective? Or is it that unions foster more critical assessment of principals? Are unionized teachers seeking different leadership qualities in their principals than nonunionized teachers? Principals may find it difficult to share policy-making with teachers, especially if they consider this a potential threat to their authority or a key aspect of their job. A need exists for more work on how principals treat and negotiate the greater challenges in bargaining environments.

Teachers may benefit from bargaining in terms of greater empowerment, but some busy teachers may not want the greater responsibilities of school-level decisions, particularly without extrinsic reward for this increased workload. Even if a principal is open to a more collaborative style of leadership in a unionized school, she may be rebuffed in her efforts if enough teachers are apathetic to joint decision-making. More generally, are there other forms of actions by teachers that may work against the fulfillment of the contract? Qualitative approaches using in-depth interviews and observations would be useful to uncover conditional processes such as these.

While some attention has been given to how bargaining shapes vertical relations in schools, the horizontal dimension has been overlooked. For example, teachers coordinate their course content less often with peers under collective bargaining

[6]. Is it possible that bargaining standardizes instruction so that less coordination is required across classes and grade levels? It also seems prudent to consider and capitalize on circumstances by which teachers may coordinate a great deal under bargaining. Interviews with teachers might yield *why* they appear to coordinate less often under bargaining, what the consequences may be of doing so, and if desired, how coordination might be increased. Researchers should also consider whether bargaining influences formal and informal collaboration with peers on issues such as obtaining teaching-related resources, completing paperwork, management of classroom behavior, and dealing with parents.

In sum, future studies should identify characteristics of schools that result in more favorable outcomes for bargaining, including those that confer protection against its more harmful aspects. The upshot is that certain schools may benefit disproportionately from the contract—if so, how does this happen? This identification of enabling mechanisms would suggest practical strategies on how the social organizational implications of collective bargaining could be enhanced at particular schools. Such an effort might uncover more general processes that could also be applied to nonunionized environments.

Research involving bargaining and social organizational outcomes is rife with contradictory findings. In part this has occurred because this research shares many of the methodological limitations discussed earlier for student outcomes. Whereas work on student outcomes has been quantitative because of its focus on achievement test scores, research involving social organizational outcomes has used both qualitative and quantitative analyses. The use of mixed methods potentially offers richer insights, but may also contribute to the inconsistent patterns observed, particularly since so many important organizational measures have been treated by only a handful of studies. The scant attention devoted to social organizational outcomes ultimately limits any firm assessment of the processes bargaining may set in motion.

Social Organizational Outcomes as Mediators

A better understanding of how bargaining shapes social organization might also render insight into whether these variables mediate the effect of bargaining on student outcomes. Policymakers should be interested if one or more social organizational aspects could be practically altered so as to boost achievement. Unfortunately, studies that have found a directional effect of bargaining have enjoyed little success in isolating the specific underlying mechanism(s). Pundits would find the small effects of bargaining on student outcomes more believable and useful if their mediators could be identified.

Research suggests that many of the things that unions bargain explicitly for, e.g., higher teacher salaries or smaller class sizes do not substantially explain differences in student outcomes [7, 8]. Yet two intriguing possibilities merit

future scrutiny. The first is that increased standardization via the contract is responsible for higher student achievement in that most students benefit from standardized curricula and techniques [13]. However, research to date is vague on exactly what sort of educational processes and products are standardized by bargaining, and which yield the largest payoffs to students. In other words, future research should explore processes by which contracts may standardize course offerings, instructional resources, content, and techniques.

A second promising explanation is that contracts “shock” schools into greater effectiveness by clamping down on loose vertical coupling between principals and teachers [33]. Yet the exact mechanism(s) by which loose coupling can be tightened remains vague to this point. Does tighter coupling occur when principals increase their scrutiny of teacher performance? Perhaps tighter coupling increases the flow of information between parties and facilitates better decision-making. Or is there some other manner of increasing the interconnectedness between principals and teachers that increases school effectiveness?

Some pundits argue that increased professionalism and psychosocial returns for teachers from bargaining will ultimately vault student achievement higher. Yet variables such as teacher input in school policy, autonomy in the classroom, instructional efficacy, job satisfaction, and motivation have been scarcely explored as potential mediators of bargaining on outcomes. Further, reforms that unions advocate such as peer review, dedicated planning time, professional development, and assessment alternatives to high-stakes testing deserve further attention to better understand how they might function as mediators in schools.

CONCLUSION

It has been more than 20 years—and nearly as many studies on the topic—since the first research into possible linkages between bargaining and academic performance. This cluster of research suggests that bargaining may not have strong influence on student outcomes. It is time to hurdle the methodological obstacles that provide us pause about the trustworthiness of earlier findings. Future studies should investigate conditional effects that may prove exceptions to this overarching pattern. Although work remains to be done on bargaining and student outcomes, it is time to consider that bargaining may set in motion a constellation of social organizational processes that altogether have little to no net effect on student outcomes. A better understanding of how bargaining shapes the day-to-day operation and organization of schools may constitute the real payoff to research on the implications of bargaining.

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