

**Teachers' Militancy and the Changing Teacher-School  
Management Relationships**  
**Le militantisme des enseignants et leurs relations avec leurs  
employeurs**

Aimé Nault

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Article abstract

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# Teachers' Militancy and the Changing Teacher-School Management Relationships

**Aimé Nault**

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## **Introduction**

The traditional pattern of board-administrator-teacher relationship has been (A) that broad policies are formulated by lay school board members; (B) that carrying out the board policies is the limited function of the professional school administrators who detain the power to make the necessary decisions; (C) that teachers follow instruction from above in their teaching (they are usually told what to do and how to do it). However, this traditional organizational structure has become increasingly ill-adapted and today one of the most dynamic issues facing public education is the redefinition of the relationships between school management and teachers.

I intend in the first part of this paper to explain why teachers are increasingly willing to employ means that even by them were not considered as appropriate for professionals up to very recently. I will examine the various factors giving rise to the new and growing teacher militancy, to their intensified demands to bargain collectively concerning their salaries and other conditions of employment and to have a much larger share in setting educational policy. After reviewing the main causes of current teacher unrest I will examine in a second part the question to what

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extent and how teachers should participate in policy development and decision making; I will suggest a dual structure for collective bargaining and genuine consultation to cover the full scope of teacher concerns while keeping in mind school management essential function and the continuing improvement of public education.

### **Causes of the New and Growing Militancy among Teachers**

Why teachers are turning to union and union-type activities? Why their insistence to seek more active and more formal involvement in school policy matters? Why their increasing willingness to employ means to influence educational policy that were not considered appropriate for professionals even a few short years ago? What factors have given rise to the current teacher unrest? How do these factors differ from the traditional causes of dissatisfaction among teachers? The reasons are many and complex. It is doubtful that anyone could give definite all-inclusive analysis of the new and growing militancy among teachers.

Most often, the growing militancy of teachers has been explained in terms of the mounting competition for member allegiance and for power between the National Education Association and the American Federation of Teachers. I find this easy explanation rather superficial. It is true that part of the militancy of teachers is due to the successes of the A.F.T. over the N.E.A. in large city school districts. But, since the labor-affiliated A.F.T. has been competing for more than 50 years, the more relevant question is to explain the new and far-reaching growth (the A.F.T. doubled its membership in the last five years, and now has acquired more than 150,000 members) of this old but small union-oriented competitor of the one million-plus member professionally-oriented N.E.A. The N.E.A. — A.F.T. competition appears to me only a small part of the complex of forces that have caused the dramatic shift in teachers' attitudes and values.

Because of the present emphasis on salaries in teacher negotiations many observers are inclined to believe that the obvious important causal factor is the mounting anger of teachers with economic injustice. But money cannot be and is far from being the complete answer. In fact, the economic condition of teachers has been vastly improved in the recent years: the rise of teachers' salaries has been significantly more rapid than that in the wages of all industrial workers. It is true that these salary increases, however, started from a very low base (a generation ago, teachers' salaries

were lower than those of manufacturers' employees whose occupations required only an elementary education) and moreover that teachers' salaries are still generally too low. But precisely because teaching has traditionally been a low-salaried occupation, (hence, the low salaries should have justified teacher militancy and unionism a long time ago!) we must find that teachers' new assertiveness, their claim for power which leads sometimes to dramatic confrontation with school officials, their strikes or threats of strike, is not solely a response to economic dissatisfactions. The clamor and press of teachers for more money (salary and other benefits) is real, but, to use the terms of the newly militant N.E.A., « it is often more symptomatic than causative ». <sup>(1)</sup> Since salary increases are a tangible and appealing objective, teachers can more easily mobilize round a money program as a central issue for building a cohesive and effective organization, but the most crucial issues are often job satisfaction and teachers recognition. A careful scrutiny would reveal the changing characters of both the schools and the teaching staffs as the new important factors in the fundamental and dramatic shift in the values and attitudes of teachers.

In the past, far from being militant and resisting outside pressures or administrative controls teachers seemed to subscribe to the expectations of their superordinates and apparently accepted rigid community control over their personal lives. Teaching was essentially a submissive vocation. Teachers achieved their own basis of security by cautious attention to external norms. Following the rules strictly was the only way to keep out of « hot water » with administrators and school boards. Even the N.E.A. had up to very recently a customarily submissive posture.

Public school teaching was traditionally (and still is, though to a lesser degree) a ladder out of low economic status. The individual teacher sought his economic welfare sometimes by personal contact with school officials, or more usually by moving into a wealthier district. Teachers resisted any attempt to organize them as a union: upward mobiles, they did not want to be identified with workers or laborers, they were reluctant or even hostile to unionism, and collective bargaining for them was rather distasteful. Meanwhile, being suggested by school administrators that they were expected to join educational associations, <sup>(2)</sup> an overwhelming majority of

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<sup>(1)</sup> James P. STEFFENSEN, *Teachers Negotiate with their School Boards*, U.S.O.E. Bulletin, No. 40, Washington, D.C.: Government Printing Office, 1964.

<sup>(2)</sup> Michael H. MOSKOV, « Teacher Organizations: An Analysis of the Issues, » *Teachers College Record*, February, 1965, pp. 453-63.

teachers voluntarily gave their adhesion to the N.E.A. and its state and local affiliates, all of which being professionally oriented and relegating teachers' status as *employees* to a rather minor role.

Up to recently, many factors made it very difficult for a labor union to organize teachers. (1) Unions have traditionally had difficulties in organizing female employees and the teaching force is approximately 70% female ; (2) Salary increases are not as crucial for those whose salary is a « second income » in the family as they are to primary income family earners ; in fact, a substantial proportion of all teachers (approximately 40%) are married women teachers ; furthermore, for most other female teachers, the income is solely to support one person (themselves) ; (3) A high moonlighting rate (nearly  $\frac{2}{3}$  of all male teachers hold second jobs to support their family — only postal workers are more likely than teachers to be holders of more than one job <sup>(9)</sup> ; high turnover and separation rates ; large number of teachers studying on a part-time basis . . . these are all difficult conditions for any organization to get active participation from membership ; (4) Unionism is often thought to be incompatible with professionalism, and joining a union is still believed by most teachers to negatively affect their status and prestige.

Today, teachers are increasingly willing to employ means like collective bargaining, picketing, demonstrations, and even work-stoppages that were not considered appropriate for professionals just a few short years ago. How then really explain the move toward union-like activities and unionism itself among teachers ?

#### THE CHARACTERS OF THE SCHOOLS :

##### *Increased bureaucratization*

Larger and more bureaucratically organized school systems have been a major factor in the alienation of teachers. As school districts grow, teachers have fewer personal contacts with school officials and effective communication becomes more complex and difficult. Staff dissatisfaction and frustration easily results and rebellion attitudes tend to develop among segments of the staff if corrective action is not rapidly taken. Since one single teacher is weak when he must deal with distant school officials, the natural

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(9) Doyne M. SMITH and Bernice COOPER, « Moonlighting by Public School Teachers, » *American Educational Research Journal*, January, 1967.

desire for greater security makes teachers more ready to organize into strong power blocs. Incidentally, higher levels of conflict intensity is associated with rapidly growing districts. Also, let us remember that the pressures developing as a result of the problems of the large city school systems are important : they explain why the relative success of unionism among teachers started in large urban school districts. The greatest discontent and most visible tendencies toward unionization are found in big city school districts.

### *Archaic personnel practices*

This is a factor of considerable import. The negativism of most school boards and superintendents toward the reform of personnel administration is patent : for example, the National School Boards Association was until this year reputedly against collective bargaining even for salaries ! School boards and superintendents frequently assume positions which have long been discredited in private industry. Sovereignty, patronizing, paternalism (that is frequently a glove for autocratic administration), and unilateralism are deeply in the traditions and psychology of school management. The demands of the teachers that they be given a greater share in educational decision-making are a source of anxiety to regressive school boards and administrators.

The myth that a central office must stand responsible for every decision throughout the school system, perhaps more than any other single factor, is deterring administration from utilizing the decision-making process in a creative manner to accommodate the phenomena of professionalization of teachers. Unless organizational patterns are modified, it appears that there will be a tendency toward greater conflict between administration and teachers.

The relationships between teachers and administrators which developed at a time when most teachers were lacking in higher education and professional training, and when a considerable number of them were « temporary » teachers and planned to marry after two or three years, are no more appropriate for the new breeds of well-qualified and more career-conscious teachers. Too much emphasis is placed on legal rights, prerogatives and authority of management, which claims deference and support ; teachers' performance is measured too exclusively in terms of obedience, respect for authority, and compliance with rules and regulations. There is an urgent need for a modern form of school government, for a democratic organization of the educational enterprise.

*The fear of « power erosion »*

The movement toward a new formally organized and represented power group in the school system is perceived as a threatening source of conflict by school administrators and school boards. Many fear their authority will erode away by collective bargaining, strong grievance procedure and consultative decision-making.

Are the alarms and reactions of so many school boards and administrators justified face to the new distribution of power presently in the making in public education?

Concepts of authority, power and control do not have sharp operational definitions. It appears that the power of the administration increases directly with the complexity of school systems. On the other hand, the power of subordinate teachers increases directly with the level of their specialized competence (professional training). Specialization and complexity, and coordination, enhance the power of both the professionals and the administration, thus challenging the privilege of lay control . . . The fears of « power erosion » felt by the existing authority are due to the concept of a fixed power pie, or to the assumption of a fixed or finite amount of power in the school system, and that an increase in influence or control by one group (teachers) implies necessarily a decrease in control by others (administrators and school boards). However, perceived mutual influence or control by and at all hierarchical levels within an organization may be the basis for the effective coordination of the organization. It can be also the basis for integrating the goals of individual members with those of the organization, as Barnard<sup>(4)</sup> proposed as being so essential for the effectiveness and the efficiency of any organization.

In their recent and very interesting study « Power and Stress in Organizational Response to Collective Action, » Professors Ohm and Manahan<sup>(5)</sup> conclude that the total power in an organization as open as the school system can be increased and they see there a new challenge for administrators « to make the changes in power structure that will make the most of the potential increase in total power » in the school system.

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(4) Chester I. BARNARD, *The Functions of the Executive*, Cambridge: Harvard University Press, 1938.

(5) Robert E. OHM and William G. MANAHAN, « Power and Stress in Organizational Response to Collective Action, » in Ohm and Johns, eds, *Negotiations in the Schools: The Superintendent Confronts Collective Action*, Oklahoma University Press, 1965, pp. 71-76.

The assumption of a fixed amount of power in a system is related to the view of the school as a closed system (. . .)

An increase in power and control by teachers does not necessarily decrease the power and control of administrators. Administrative resistance to collective action by teachers may be dysfunctional for the system by preventing an increase in total power and the correlates of more effective coordination and integration of member activity.

The addition to and formal board recognition of an organized teacher group by the school system may increase the total power of that system in relation to the larger community and enable it to achieve its purposes more effectively.

## THE PROFILE OF THE TEACHING FORCE HAS CHANGED

### *The increased level of preparation and expertise of teachers*

In the past two decades, certification requirements have risen drastically. By placing teacher training at the university level and by requiring university degrees (baccalaureate, master's . . .) instead of normal school diplomas, a big step was taken for teaching to be comparable to other professions.

More advanced preparatory training should justify giving teachers more responsibility and discretion. Curriculum guides, program of study, supervisory practices, and teaching systems generally have not been yet modified with having in mind that teachers must now be given more latitude and greater freedom of initiative in doing their work. Furthermore, the most qualified teachers are frequently disdainful of authority based upon assigned position in the hierarchy rather than upon demonstrated expertness as an educator or a teacher. Many are better qualified than their administrators to make curriculum decisions, to decide what books should be used and how the school day should be organized.

### *A steadily growing proportion of men*

Male teachers now constitute more than a half of teaching staffs at the secondary level. Ten years ago men classroom teachers comprised 26 percent of all teachers ; in 1967-68, they account for 32 percent of the classroom teaching staff. <sup>(6)</sup> Men have more career consciousness. They hold

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<sup>(6)</sup> *N.E.A. Research Bulletin*, March, 1968.

The fast growing proportion of men in the classroom teaching force can mainly be explained by the faster rate of enrollment increase at the secondary level, where most men teachers (83% of them) are assigned. While from 1930 to 1967, the elementary population was increasing from 22 to 29 million, the high school population increased from 4 to 18 million.



more advanced degrees and look upon teaching as a lifetime commitment (while many women still look upon teaching as a respectable way of making a living until marriage). They are more concerned about economic welfare benefits because of their usual financial responsibilities toward their family. They are more vocal and express themselves more vigorously on employment issues. Furthermore, men are less submissive than women and they are more anxious to have a greater influence in the school system. The change in sex ratio results in a sharper need for higher salaries and better working conditions and for a greater participation of teachers in policy determination.

### *A recent and steady increase in the number of young teachers*

In 1956-57 the median age of all teachers in the public schools was 42.9 years ; in 1966-67, this median had dropped to 36.0 In the same 10-year period, the median years of teaching experience dropped from 13.1 years to 8.0 years. In 1966-67, about 37% of all teachers were under 30 years of age. <sup>(7)</sup>

The new graduates entering into the profession in recent years have grown up in a new social and economic milieu, their preparation for teaching is more comprehensive and of a higher level, and they have different concept of the role and rights of teachers. The traditional image of the teacher — a « public servant, » a salaried employee of the school board and administration which control his advance — is not acceptable to this new breed of teachers. The new teacher now is well educated, competent, and confident. He resents more readily assignments to non-professional duties and has much less patience with the traditional organizational inadequacies of time, facilities and administrative support.

### *Increased teacher mobility*

In the past, most teachers were settling down in their local community and envisaged their career within its border ; in such conditions, teachers tended to be very conservative and compliant, reluctant to take risks . . . Today, a growing proportion of teaching staffs do not feel tied to the community in which they teach. Few grew up in the same community, and

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<sup>(7)</sup> *N.E.A. Research Bulletin*, October, 1967.

The increased proportion of young teachers (male and female) can mainly be explained by the rapidly growing school enrollments. Between 1930 and 1967, the pupil population increased from 26 million to 47 million.

many do not even live there. They do not have to be cautious about numerous external norms or rigid community control over their personal lives. Moreover, they can nowadays more easily transfer to another school district. The well-qualified teacher always has other options. Job mobility strengthens the bargaining position of employees, thus placing the teachers in a position of greater influence in the system. Significantly, militant teacher activity comes more frequently from young teachers with good academic credentials than from the more experienced members of the teaching staff, whose mobility is quite restricted.

### *The increasing professionalization of teachers*

Frankly, teaching is not yet really a profession ; however, it certainly is in the process of professionalization. There is conflict between teacher professionalism and hierarchical control of schools. It is well known that when professionals are introduced into bureaucracies, the professionals threaten to usurp some of the power of those in hierarchical authority. Professionalism encourages teacher militancy because the increased autonomy over work demanded by professionalized teachers is resisted by the strong traditions of lay control by the school board and the entrenched power of school administrators. The professional principles (loyalty to clients and to colleagues) are often in conflict with bureaucratic principles (loyalty to organization and to administration). Research has shown that more professionally-oriented teachers become involved in overt conflict with relatively higher frequency than employee-oriented teachers. <sup>(8)</sup>

Teachers have more than an employee's concern with the production process : they are concerned with and knowledgeable about a vast range of the school's problems and objectives. They feel that the philosophy and techniques of education are as much their province as that of school officials. They are no longer satisfied with their traditional passive role in a highly centralized structure.

Neal Gross, in *Staff Leadership in Public Schools* mentions the possibility of a collision between the traditional authority structure of the school system and the professional autonomy teachers may claim in their work. <sup>(9)</sup> Wesley A. Wildman, who authored numerous articles on aspects

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<sup>(8)</sup> Ronald G. Corwin, « Militant Professionalism: Initiative and Compliance in Public Education, » *Sociology of Education*, Vol. 38, no. 4, pp. 310-330.

<sup>(9)</sup> Neal Gross, and Robert E. Herriott, *Staff Leadership in Public Schools*, New York: John Wiley and Sons, Inc., 1965, p. 94.

of teacher collective action, is much more categorical :

An organization staffed by professionnals but governed by lay people is an institution which almost by definition has a built-in conflict level of high order. <sup>(10)</sup>

Incidentally the word « professional » in educational parlance must recover its « classical » meaning. Too often, this term has degenerated into a concept signifying obedience : conform to rule, remain silent, do not criticize or discuss any directive . . . Teachers who dare voice some mild criticism at a faculty meeting are more often than not labeled trouble-makers, « unprofessionals. » In fact, « professional » should mean something quite different : teachers as employed professionals, should possess a good part of self-direction and decision-making power which characterize the independent professional.

#### TEACHER MILITANCY IS AN OUTGROWTH OF LARGER MOVEMENTS OF SOCIETY

##### *The new etiquette of social protest*

The exercise of group power seems to be a major theme of society today. One of the strongest factors, I believe, that have caused the teachers to shed their traditional middle-class behavior is the radical change in the etiquette of social protest so visible a part of the national scene the last few years. New teachers' values and attitudes are marked by the willingness of the public opinion to grant legitimacy to the kinds of social protest actions being employed in the current civil rights movements (such as strikes, sit-ins, picketing, demonstrations . . .). Furthermore, the relatively wide acceptance of civil disobedience as an appropriate means for protesting the persistence of unjust laws or social inequities was perceived by teachers as a useful lesson for themselves : if the public opinion accepts direct action as a legitimate means for challenging the status quo, when the cause is just . . . teachers felt they had only to translate their demands into social imperatives. And undoubtedly, a relatively large portion of citizens passively accept, if not actively support teachers' actions. A recent Gallup Poll revealed that 36% of the nation's adults presently believe that teachers should be permitted to strike, while (only) 57% believed they should not be permitted to strike. <sup>(11)</sup>

<sup>(10)</sup> Wesley A. Wildman, « Teacher Collective Action in the U.S.: 1965, » in Ohm and Johns, eds., *op. cit.*, pp. 20-35.

<sup>(11)</sup> See the *American School Board Journal*, May, 1968, p. 4.

*New climate in government labor relations*

Recent developments in the areas of government labor relations, with the initiation of policies supporting collective bargaining by the federal and various state governments have certainly had a significant influence on school boards and state departments of education.

If public employees were at a time considered as parasites and relative incompetents, holders of gratuitous sinecures, this image is no longer true. Nowadays, governments at all levels — federal, state, and local — have more and more to compete with business, industry, and private institutions for competent professional personnel. The public gradually has come to have a new concept of the government employees and their rights and the concept of the « public servants » as second — and third-class citizens is fading.

The most obvious evidence is the 1962 President Kennedy's Executive Order 10988 which for the first time established a government-wide official federal policy clearly granting employees the right to organize, to be consulted concerning personnel procedures and policies, and under certain conditions, to negotiate with management. Such a strong example from the Federal Government surely made more easy the spreading of public teacher negotiations.

*New climate among professionals*

A new climate of behavior among professional people should also be seen as an important external influence over teacher behavior. Unrest, aggressiveness, and even militancy among professional people, especially those in public practice, at times served to alert the public and to protest or resist what was felt as inequities or unjust treatment. The long doctors' strike in Saskatchewan (1963), the world-wide publicized 12,000 doctors' and dentists' strike in Belgium and a similar strike in Mexico (both in 1964), to recall just the most important such events, represent radical and dramatic shift in the traditional « professional » behavior. And teachers learned lessons . . .

*The revolution of rising expectations*

Along with other members of society, teachers have been caught up in what a few social observers have called the revolution of rising expecta-

tions.<sup>(12)</sup> So much the more that public school teachers are aware of the growing importance of public education, now publicly recognized as the nation's major « growth industry. » Teachers have become more cognizant of the part that public education plays in shaping affairs in the nation. They now would like to have a better social status and would like to have a better share in the fruits of an affluent society.

But rising expectations are not fulfilled automatically . . . Resulting frustrations are furthermore increased by the growing and sometimes unrealistic demands that society has placed on the schools. Teachers are under greater pressures to provide high-quality education than ever before, but meanwhile the relative economic neglect of schools generally causes serious problems. If the politicians employ the rhetoric of commitment to education, but fail to match words with action — as they often do — frustrations can raise beyond the point of tolerance . . . Public reliance upon lip service only to the importance of education and teachers can no more satisfy or pacify concerned teaching staffs as to some extent it did in the past. It becomes increasingly clear to teachers that their rising expectations can be satisfied only through strong organizations and direct group action.

### *The democratic trends of the times*

In democracy, mature adults are recognized the right to participate in decisions concerning themselves. The right to be governed by rules developed with a group's involvement and consent and not by caprice of men is rather generally accepted in western civilization. It forms a part of an historic movement for human advancement and human solidarity.

The democratic idea is one of the major forces impelling mankind. Society has delegated to teachers, as one of their responsibilities, to convey the essential principle of democracy to young people. How can teachers truly incalculates the values and virtues of democracy while they experience less of what is meant by democracy in the school system than most segments of society? It is not very surprising today to see teacher organizations trying to find ways to give greater dignity to all teachers and seeking to apply procedures in school organization that will make sure that every teacher is able to exercise his rights fully and use fully his capabilities.

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<sup>(12)</sup> The enhancement of the economic and social welfare is accompanied by a more rapid rise in expectations. This phenomenon is particularly well known in underdeveloped nations, and seems to apply as well to underdeveloped professions, or to disadvantaged minority groups. . .

These are the most obvious forces which in combination have moved teachers to insist upon their recognition for playing a more responsible role in school policy making, to demand a voice in determining what goes on in the classroom, and to assert a better share in economic rewards. There are, of course, other less clearly perceptible factors involved in the recent and continuing upsurge of teacher aggressiveness. All these forces that have contributed to teacher militancy almost certainly are going to increase rather than diminish in the next few years. Any realistic appraisal seems to indicate that school officials have seen only the beginning.

### **To what extent and how should Teachers participate in policy and decision making ?**

The power to set policy in public education has traditionally been invested in non-professional board members and professional administrators. Today, teachers insist on having a meaningful share in setting educational policy. The issues of control of the schools and the authority of the school boards are raised ; many administrators and school boards have exaggerated fears that teachers want to « take over the system. » Much of the board-teacher conflict can be generalized as conflict over which decisions are properly the domain of the professional teacher and which are properly made by the citizen board. In which areas should collective bargaining be allowed to enter ? How large a role should teachers play ? What is the proper scope of bargaining if one keeps in mind the continuing improvement of public education ? How educational issues could be removed from the high pressure and conflict often involved at the bargaining table ?

In the private sector, some of the most critical labor-management conflicts have arisen over the making of the necessary differentiation between those subjects that can and should be jointly determined in bargaining and those which should remain subject to unilateral determination by the management if it is to perform its essential function. Similarly, in public education, a refusal by the school management to discuss a particular demand is always a most irritating cause for teachers.

#### *What is negotiable ?*

Hard and fast rules on what is or is not negotiable are impossible to promulgate. The matters subject to negotiation vary greatly. In the private sector, the list of negotiable items has been expanded and refined with experience ; it is quite realistic to assume that in public education the types of matters which are considered as negotiable will in the years ahead ex-

pand considerably. Areas of potential concern as negotiable items are numerous. In fact, there is hardly any precise limit to the scope of bargaining.

Teacher concern shifts rapidly toward professional issues. In several of the current disputes, issues other than compensation and fringe benefits or narrowly defined working conditions are clearly involved, and sometimes professional issues which have little or no relationship to teacher welfare overshadow the salary question. To give some examples : (a) reduction in class size ; (b) elimination of double-shift classes ; (c) need for teacher aides in problem schools ; (d) prohibition of classroom interruptions ; (e) greater teacher participation in curriculum development studies and textbook selections ; (f) greater autonomy for the individual schools ; (g) an influential voice in school policy making. (When teachers have decided to try collective bargaining, it can hardly be said they have abandoned professional standards and objectives !) The extent to which negotiation may become involved with matters well beyond the economic welfare area is difficult to predict. The parties themselves have to establish a tacit understanding on the extent to which teachers could or should participate in formulation of school policies. However, school boards should recognize the fact that dynamic or internal politic of any organization engaged in collective bargaining demands an ever increasing scope for action and concern ; the employee organization is faced with ways to maintain the momentum which is so instrumental in its success and the process of goal replacement is necessary to maintain the identity and cohesion of a group which has achieved most of its previous objectives.

### *Working conditions and educational policy*

It is extremely difficult to distinguish between working conditions and educational policy. The two are closely interrelated. In fact, many conditions are both. If working conditions are clearly negotiable, educational policies are most frequently presumed non-negotiable, in application of a prevailing industrial relations concept delineating between bargainable working conditions and management prerogatives over policy. I think that the scope of bargaining in public education should be very broad and not limited to traditional areas of salaries, economic welfare benefits and strict working conditions. It should cover all related matters which substantially affect the total working environment of teachers. (Those questions which have little impact on working conditions can be administered by school management with due regard to teachers' interests through joint committees.)

While school boards and superintendents should take a firm position on educational policies as non-negotiable issues, they generally should not take inflexible stands when teachers demonstrate deep concern because their working conditions are really affected by a particular school policy. More militancy and much friction would result. The Board of Education of New York City, for example, had regarded class size as a matter of educational policy and definitely not negotiable, but after a strike, signed an agreement including specific clauses on the matter. Many other examples could be given.

The best preventive for teacher demands to negotiate the presently non-negotiable is for the school management to initiate establishing a special structure of school government, collegial in nature, by which outside collective bargaining administrators and teachers would develop educational policies and procedures to be ultimately adopted by the school board or the superintendent. I will suggest below a dual structure for the purpose of meeting concurrently the necessity of collective bargaining on the one hand and genuine consultation for policy and program development on the other hand.

The items which are submitted by a teacher organization to the school board for negotiation can be classified in four categories : (A) Issues beyond the authority, the responsibility of the school board : for example, to permit the use of teacher aides, in some states a change in school law would be required ; (B) Items within the authority of the board to negotiate, but involving other staff groups, community groups, or other governmental agencies in the case ; consultation with these other parties or even multiple negotiations must concurrently or jointly take place ; (C) Negotiable items ; (D) Items non-negotiable as a matter of principle, being the sole responsibility of the school board and/or the superintendent. Here, school management should not rely on « educational policy » as a device either to avoid negotiation on policy matters having an impact on conditions of employment, or consultations on other matters of legitimate teacher interest and expertise. If teachers are sincerely interested in improving the performance of the school system, should they be rebuffed and told in effect that the matters are none of their business ? School officials should be aware that overt opposition would cause teacher groups to select more militant leaders ; on the contrary, if teacher organization becomes deeply involved in a cooperative and meaningful sharing of educational policy development and program development, teachers will soon select their best professional leaders to face adequately new responsibilities.



*The scope of negotiations (list of items)*

Despite difficulties of precise delineation, a list of negotiable items could normally include the following (as did the collective agreement signed in Montreal last year):

Absence for professional duties	Personal leave
After-school faculty meetings	Preparation periods
Assignments	Promotions
Class size or Teacher-pupil ratio	Rating
Clerical or teaching aids	Relief from non-teaching duties
Consultative committees	Rest period for staff
Curriculum development	Rotation in assignments
Damage to teacher property	Sabbatical leave
Department heads	Salary for extra-duty
Discipline	Salary schedules
Dismissals	School staff council
Duty-free lunch periods	Seniority provisions
Engagement	Sick leave bank
Experience previous to engagement	Special services
Fee-deduction	Student grouping
Grievance procedure (terminating	Substitute teachers
Job security	Summer school assignments
in binding arbitration)	Supply of instructional resource materials
In-service training	Teaching hours
Insurances	Teaching load
Leave without pay	Textbook selection mechanism
Legal assistance for teachers	Transfer policies
Maternity leave	Use of teacher time
Medical examinations	

The list above is not exhaustive and does not include recognition, jurisdiction, definitions of terms, and many other technical items which are not properly conditions of employment.

*Three difficult areas, as examples*

Many items are such that it is extremely difficult to determine where working conditions leave off in favor of educational policy. The two are sometimes so intertwined that it becomes rather impossible to decide, within negotiable subjects, issues pertaining to working conditions apart from

issues pertaining to educational policy. To give a few examples, let us briefly look at the questions of transfers and seniority, class size, and teacher aids.

Transfer policies are both significant educational policies and important working conditions. Each school or each neighborhood should have an equitable proportion of experienced or properly qualified teachers. Permitting transfers on the sole basis of seniority can lead to a concentration of more qualified and experienced teachers in more interesting neighborhoods and to a concentration of underqualified and inexperienced teachers in less interesting neighborhoods. However, a teacher who owns a house in one neighborhood may have a strong interest in remaining or being transferred in one particular school, and could understandably protest against an involuntary transfer to a distant neighborhood. Transfer policies should be developed by the school administration with due regard to teacher interests ; teacher organizations have a clear right to participate in that policy development but have also the responsibility to keep in mind educational objectives and student interests. Administrators and teacher representatives must find the point of equilibrium, admittedly sometimes not easy to find, whereby both sets of interests will have received due consideration. Somewhat elaborate provisions might have to be designed to honor reasonable requests, from teachers or from school administration, which are consistent with the interests of the entire school system.

A salary differential in the less desirable assignment might be an alternative to a transfer policy mainly based upon seniority, but personally I would prefer the recognition of the difficult assignment through a smaller teaching load, additional assistance, or a higher individual school budget of instructional materials. If the so-called difficult schools are made more attractive professionally, there will be less problems about seniority rights and it will be much easier to achieve balance in staffing of schools without penalizing any teacher.

In the Montreal collective agreement, the main transfer provision is limited to the following, since in practice we have had rather limited problems on this issue : « When the Board on its own initiative proceeds to a transfer, it must take into account the following factors for the selection of the teacher to transfer : qualifications, experience, proficiency, and seniority, with regards to the specific requirements of the posting. When these combined factors are shared equally by two or more teachers, the seniority rights will prevail. » A complementary provision states that any teacher who disagrees with a new assignment « may submit his case for revision, within the eight days following, to the administration ; if after he believes

himself wronged by a transfer imposed on him, he may submit his case to the grievance procedure. » The main seniority provision for promotion specifies that « the Board will consider qualifications, competence, experience and seniority, while according particular importance to the specific aptitudes required for the post to be occupied. When two or more teachers have similar or equivalent requirements needed to fill the post, seniority shall prevail. »

Class size might be the most « classic » example illustrating present problems of negotiability. Teachers insist on having class size limitations as an important working condition (it is an essential dimension of the total work load) while usually the board initially refuses to bargain over such an important educational policy matter. But, soon the board must concede that class size has in effect very serious working condition implications, while usually teacher organizations must recognize certain exceptions to the proposed rule for experimentation and sometimes for lack of classroom facilities or other « uncontrollable circumstances. »

In Montreal, we have had such class size provisions, insisting on a program of school construction which in effect reduced the average class size from about 34 in 1961 to near 30 in 1967. It is considered on both sides that efforts by teacher organization in reducing the class size has dual benefits, improving both teacher work load and educational program per se. Previously school officials' efforts were not sufficient to face adequately enrollment increase trends. However, in the last collective agreement, we shifted from class size limitations to teacher-pupil ratios (1/27 at the elementary level, and 1/17 at the secondary level) because this new concept permits much more flexibility in student grouping ; this, to help initiate activist methods, more individualization, team teaching ; to favor the teaching of specialities, where groups may vary as to the number of students, and the maximum effective use of teaching facilities and equipment, etc.

A teacher-pupil ratio gives much more flexibility to school administration to shape an organization involving instruction of various-sized units, and the complementary provisions of our collective agreement were both the role of the individual school faculty committee in teaching assignments and school organization, and again the right of the individual teacher first to submit his case for revision to administration and further to use the grievance machinery if necessary. In practice, very few appeals were submitted to the grievance committee.

There are few program adaptations which do not affect in some way the conditions of work of the teachers whether it be a change in the pupil-

teacher ratio, the use of T.V. instruction, team-teaching, or the utilization of teacher aids. The assignment of teaching aides is a good illustration of new developments in staff utilization. It presupposes a set of criteria through which some schools, or some teachers, receive such additional assistance and others do not. Secretarial help, volunteer and hired aides, and paraprofessionals on teaching teams are used to support teacher professional work and improve school achievement, but such assignments alter the conditions of employment in some schools or of some teachers relative to other schools or teachers who do not receive such assistance. It is quite normal that a teacher organization wishes to participate in the development of the criteria by which these assignments are made. School management should at least consider a teacher's point of view while considering the different alternatives before the reaching of its decision.

When problems are so complicated, it often is possible only to delineate methods of resolving these problems rather than making substantive decisions. Joint committees to experiment and work out formulas are one dynamic way to face these complex situations. However, let us note that school boards that accept procedures requiring acquiescence of their staffs to experimental or innovative programs could easily find their effectiveness severely hampered. Because of the rapid advances in school organization and teaching methods, a school district may be called to create new functions during the course of a collective agreement ; the working and salary conditions themselves of these new functions should be agreed upon beforehand by the parties, or submitted to arbitration, but school management should keep its rights of initiative and innovation to face new situations.

#### THE NEED OF A COLLEGIAL FRAMEWORK

Teachers must have a significant role in determining the programs and policies of the schools in which they serve, they must have some systematic ways through which they can participate either directly or through their representatives, in decisions which affect them. The basic assumption for this democratic and professional principle is that higher quality and more effectively carried out decisions should result. It is well known that lack of involvement produces unconcern and lack of effective responsibility. In part, teacher participation is being accomplished through collective bargaining boards and teacher organizations. However, even where collective bargaining between boards and teacher organizations. However, even where collective bargaining is well-established, parallel channels should be created to assure as much of collective and individual teacher freedom as possible to make constructive contributions to policy and programs in the individual school and in the school system.

Most educational issues could be removed from the high pressure and conflict often involved at the bargaining table by structured consultative decision-making and a strong collegial framework. All matters which affect the quality of the educational program and all other matters of mutual concern could be studied through procedures and structural relationships affecting more or less formal interaction, consultation, and decisions apart from the collective bargaining process. The ultimate result should be more reason and less power. This approach provides the professional staff with an opportunity to play a part in shaping policies and it also enables the school system to benefit from special talents and expertise of the teaching staff in improving the educational program. School management is presented with creative possibilities which were not previously considered, and school officials would broaden their own views by analysing the worth of teachers' proposals. The appropriate type of collegial framework in teaching is still to be invented but we must immediately experiment some formulas. Consultation has been talked about a great deal, but in fact has been tried out to a small degree. Most often school decisions lying within the professional competence of the teachers are made without any teacher consultation.

### *A dual structure*

I do not think there is one best procedure for sharing responsibility for policy development, but I would personally suggest two separate but combined structures, or a dual structure, as follows:

A. The first structure involves the teachers as professional *employees* in a collective negotiation process, around a bargaining table, at the summit (superintendent or representatives of management) for the joint determination of salaries and recognized working conditions. Participation here is not at the discretion of the school board, and all decisions are bilateral.

B. The second structure involves teachers as employed *professionals* in a participating process, within appropriate advisory committees at all echelons (principals, up to superintendent; individual school, area, and district-wide) for policy formulation and decision making on educational matters of mutual concern. Participation here is recognized as a « right », but final authority still rests with the superintendent or the board who could ultimately decide unilaterally.

The distinction between the two structures is particularly important at time of impasse, when a third party might be necessary to help resolve the impasse. In the first structure, the impasse procedure should be compulsory

binding arbitration, while in the second structure the appeal to an unbiased and competent third party, limited to fact-finding, advisory assistance, or arbitration as mutually agreed upon, should be available.

The second structure offers the opportunity to discuss educational issues which the board insists are not working conditions and therefore not negotiable within the first structure. A good written collective agreement on salaries and recognized working conditions should always include in broad terms the agreed formal structure by which teachers will have a voice — a voice at least as decisive as that of a consultant to any board of directors — in non-bargainable matters of educational policy and professional concern.

The December, 1967 issue of *The American School Board Journal*, in quest of « a mechanism for resolving differences with minimal conflict and pressure, » presents a much similar proposition : a dual procedure utilizing the bargaining process « in combination with an agreed-upon structure for consultative decision-making. » The two authors, Metzler and Knade, the first being a professor of industrial relations, develop a much similar rationale for their suggestion : « It is the lack of structured consultation that causes teachers to want to negotiate all matters of mutual concern ( . . . ) These arrangements cannot be subject to the transitory relationships between administrators and staff or on the prevailing mood of the decision-makers. They must be built into the school system by design. » <sup>(13)</sup>

Some recent contracts, in addition to the clauses pertaining to the general procedure of participation and consultation and probably to give the teacher organization supplementary guarantee for discussion over definite crucial issues, contain a few other specific clauses, such as :

- 1) giving the teachers the right to challenge administrators on teaching methods ;
- 2) assuring teachers a voice in the promotional policies of the district ;
- 3) providing for the election of department head by teachers ;
- 4) providing for peer evaluation of teachers in the event of disagreement over the principals rating of a teacher. <sup>(14)</sup>

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<sup>(13)</sup> John H. Metzler and Oscar Knade, pr., « A Tranquilizer for Negotiations, » *The American School Board Journal*, December 1967, pp. 12-14.

<sup>(14)</sup> Wesley A. Wildman, « What's Negotiable? » *The American School Board Journal*, Nov. 1967, pp. 6-10.

The Montreal teachers' collective agreement alone contains a quite extensive assortment of clauses related to teacher participation and consultation :

I. *Consultative committees*

A. *School board or Central Office level*

1. Board-Teachers-Community
2. Professional Relations (general)
3. Teaching Personnel
4. Curriculum
5. Supervisory
6. Adult Education
7. Building and Equipment
8. Planning

B. *School building level*

1. School Council (4 clauses)
2. Local representative's recognition

II. *Specific consultations (Policy formulation)*

1. Hiring
2. Teacher rating
3. In-service training
4. Promotion
5. New methods
6. Textbooks
7. Substitutes
8. School calendar (holidays)
9. Assignment and teaching load

III. *Right of Appeal (up to binding arbitration)*

1. Classification (salary)
2. Transfers
3. Assignments
4. Teaching load
5. Teacher evaluation
6. Sanctions
7. Dismissal or suspension

#### IV. *Grievance Procedures and Binding Arbitration*

*Scope* : any complaint raised by teacher organization

- V. *Miscellaneous* : Joint research on teaching load —  
 Election of Department Head — Technological  
 change . . . — 10 teachers on professional  
 leave full-time, etc.

#### *Policies and procedures for true consultation*

Genuine free consultation implies the possibility for the teachers consulted to express their opposition as well as their approval on ideas, principles, or programs submitted to them, and the possibility for teachers to initiate new proposals for discussion.

All organizations grow through intelligent controversy. Teachers should be recognized the right to « fight » a project of the board as well as to support it. As Robert H. Anderson said, « The missing ingredient in education is criticism — of teaching, of each other's work, and of current mode of operation. » <sup>(15)</sup>

The touchstone of authentic collaboration is the will to dialogue and the spirit of partnership. Here are a few considerations which would certainly help to insure genuine consultation and participation :

a) It is essential that the necessary facts and information be made available to teachers' representatives if we really want them to develop intelligent, accurate, and constructive proposals and programs.

b) Earlier timing will be essential too, to give teachers' representatives ample time to study facts and prepare materials that will represent their best thinking before a suggestion is made.

c) Consultation on everything is not possible, nor is it desirable : some problems are not important enough. But consultation should be a permanent « year round » activity.

d) Consultation must not remain a simple exchange of views : teachers should see some results at the level of decisions. For example, it

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<sup>(15)</sup> See Joseph M. Cronin, « School Boards and Principals — Before and After Negotiations, » in *Phi Delta Kappan*, Nov, 1967, pp. 120-123.



would be a grave error if, having recognized real needs, administration does not take aggressive and known steps to lessen them.

e) A sincere and honest effort to reach a fair agreement — without abdicating responsibility — is essential, otherwise teachers will require the power to bargain on neglected issues.

f) In case of impasse, mediation, fact-finding, and advisory arbitration are the best means in most school boards' point of view . . . Sometimes, voluntary binding arbitration, on a specific important issue, is very appropriate to resolve a most crucial impasse and reabsorb the high turbulence that could otherwise degenerate into a strike move. Compulsory binding arbitration, even for educational issues, is included in some rare contracts (example : Montreal).

### *Grievance adjustment procedures*

Grievance machinery, another formal and distinct channel, is essential to prevent or diminish conflict and misunderstanding in the school system. It is an essential part of both the collective agreement and of a dynamic personnel administration program. That is, even in the absence of a collective agreement, the need for a formal and protected method of protesting allegedly capricious administrative decisions or discriminatory application of rules and policies within the school system should be met. The relation of grievance adjustment procedures to personnel policies is similar to and as essential as the relation of the judicial function to the legislative function. Even with the best of personnel policies and administrations, grievances are bound to arise. The grievance machinery provides a system of appeals whereby alleged discriminatory applications of rules and policies within the system are examined to assure equity and fair treatment. The need for a protected method of protesting allegedly capricious administrative decisions is such that modern societies are now creating the specific function of « ombudsman » in addition to their judicial systems.

There is a prevailing attitude within education systems that views grievance disputes as negative or abnormal phenomena. Grievances may be perceived in useful and constructive ways. For example, there is interaction between the functioning of grievance machinery and the continuous development of sound personnel policies.

Grievance machinery is not only a concession to teacher militancy and teacher power. The growing professional competence of teachers and the shortage of good teachers ask for better adjustments to teacher demands and needs. If mediocre teachers are easily retained good teachers always have other options ; they are so mobile they need not put up with injustices or poor working conditions. In fact : « The more competent the teaching staff the more imperative it is that the school district structures and maintains a mutually satisfying system of grievance procedures ( . . . ) The ultimate purpose of instituting formal grievance procedures is to reduce the number and intensity of dissatisfactions, and thereby retain competent staff and stimulate their productivity. » <sup>(16)</sup> It is evident that a bitter teacher is not likely to perform at his best. Good grievance machinery frees the aggrieved teacher to turn his resources from self-defense and to direct all his professional energies to the instruction of his students.

The terminal step is the heart of any grievance procedure and it affects all the procedure. It makes a great difference if the final decision rests with the school board or with an impartial third party.

Administrators should remember that grievances at any echelon, when not resolved, become the topics of the next bargaining session. Here, as elsewhere, an ounce of prevention is worth a pound of cure.

Teacher participation and consultation could result in a continuously improved educational program for pupils and a stimulating environment for teachers. The revitalization of the teacher's role will lead to a large increase in teacher-initiated innovation and cannot fail to raise the teacher's professional self-image. The morale of the average teacher is enhanced by the knowledge that his professional aspirations are given serious and formal considerations ; satisfaction and dignity results from the admission of his representatives to the sharing of decision on educational policy ; a growth of pride in the school system and a strong sense of commitment result from his participation in an important undertaking. It is well known that research studies in industrial sociology have found a positive correlation between workers' morale and their productivity. Furthermore, by making public schools more intellectually exciting institutions, the job of the teacher is made more manageable and appealing to talented people, which again will not only upgrade the professional status of teachers, but also enhance the quality of education.

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<sup>(16)</sup> Frank W. Lutz, *Grievances and Their Resolutions*, The Interstate, Danville, Illinois, 1967, p. 69.

## **Conclusion**

I would like to conclude this study by the following observation concerning possible trends in employer-employee relations in the public education sector.

The future teacher-administrator-board relationships will be much more elaborate and sophisticated. A great variety of procedures and structural relationships will be used affecting more or less formal and informal interaction, consultation, participation, and negotiation. Faced with teacher militancy and with strong state and national teacher organizations, school boards will have to unite into more potent organizations to seek greater power. In case of conflict in local bargaining, each party will have more and more the tendency to look to a more powerful agency outside the community or the district. On both sides, state and national organizations will provide support in the form of consultants and research services. Negotiations will move gradually to regional and state level. In a few states, negotiations will move rapidly to the state level (mainly if the state finances the major portion of the school budget) as it happened in some provinces in Canada. Local school board's importance will decline, and consolidation of school districts will come more naturally. While local bargaining is maintained, in small school districts the state organizations will play an important role; in large districts, the local organization will retain full control. Centralized structures are more conducive to rational negotiations. The complexity and sophistication of the relationships will require, on both sides, the development of personnel relations experts. As school boards, administrators, and teachers become better acquainted with collective bargaining the strife will tend to diminish.

## **LE MILITANTISME DES ENSEIGNANTS ET LEURS RELATIONS AVEC LEURS EMPLOYEURS**

### **INTRODUCTION**

Nous avons l'intention d'expliquer, dans la première partie de cet article, pourquoi les enseignants sont de plus en plus d'accord à employer des moyens dont ils refusaient, jusqu'à récemment encore, l'usage par les professionnels. Dans un second temps, nous entendons considérer jusqu'à quel point les enseignants devraient participer à l'établissement des politiques et à la prise des décisions.

### LES CAUSES DU MILITANTISME CROISSANT DES ENSEIGNANTS

Les causes de ce militantisme sont nombreuses et complexes. Une première pourrait être la concurrence qui existe entre la « National Education Association » et « l'American Federation of Teacher ». En second lieu, on pourrait faire appel au facteur salaire pour justifier ce militantisme des enseignants mais la partie de ces explications est plutôt mince.

Les raisons plus profondes seraient :

1. – les caractéristiques des organismes scolaires:
  - a) une grande bureaucratisation;
  - b) des politiques archaïques de personnel;
  - c) la peur de perdre son autorité.
2. – le profil de la main-d'oeuvre enseignante a changé:
  - a) les enseignants sont mieux préparés et ont une plus grande expertise;
  - b) la proportion des enseignants mâles croît d'une façon constante;
  - c) un accroissement récent et constant des jeunes professeurs;
  - d) une plus grande mobilité des enseignants;
  - e) une professionnalisation croissante des maîtres.
3. – le militantisme des enseignants est une ex-croissance de mouvements de plus grande importance à l'intérieur de la société:
  - a) la nouvelle vague de contestation;
  - b) le nouveau climat des relations patronales-ouvrières au gouvernement;
  - c) un nouveau climat chez les professionnels;
  - d) la révolution d'attentes croissantes;
  - e) les tendances démocratiques.

### LA PARTICIPATION DES ENSEIGNANTS DANS L'ÉTABLISSEMENT DES POLITIQUES ET LA PRISE DE DÉCISION

#### *Ce qui est matière négociable*

Il n'y a ici aucune règle précise. Cependant, nous pouvons dire que les enseignants manifestent un intérêt de plus en plus grand pour les questions d'ordre professionnel.

#### *Les conditions de travail et les politiques en matière d'éducation*

Il est très difficile d'établir une différence claire entre ces deux points qui en fait sont interreliés. Nous croyons cependant, qu'en ce domaine, l'étendue de la négociation devrait être très vaste. Nous suggérons plus loin une structure à deux dimensions permettant l'atteinte de chacun des buts.

#### *Trois grandes difficultés*

Il existe certains sujets ou points précis desquels on peut difficilement dire que ce sont des conditions de travail ou une politique éducationnelle. Notons par exemple les cas de l'ancienneté et des mutations, de la grandeur des classes et des auxiliaires.

### *Le besoin d'un cadre collégial*

Les enseignants doivent participer à la détermination des programmes et des politiques scolaires. Pour ce faire, ils doivent avoir des moyens concrets de participation soit directe ou par voie de représentation. Ainsi, une prise de décision structurée de façon consultative et un cadre collégial permettraient de libérer la table des négociations de la pression et souvent des conflits qu'elle amène.

### *Une double structure*

Nous ne croyons pas à l'existence de la solution miracle. C'est pourquoi nous proposons la combinaison de deux structures séparées comme moyen de partage des responsabilités dans l'établissement des politiques.

- 1° structure: elle considère les enseignants comme des *employés* professionnels impliqués dans le processus de négociation collective en vue de la détermination conjointe des salaires et des conditions de travail. A ce niveau, toutes les décisions doivent être bilatérales.
- 2° structure: ici on considère les enseignants comme des *professionnels* embauchés et faisant partie du processus de participation. Cette dernière est ici reconnue comme un droit ou privilège. Cependant la décision finale appartient au côté patronal.

### *Les politiques et les procédures nécessaires à la consultation véritable*

La consultation véritable implique la possibilité de refuser ou d'accepter une idée. Voici quelques idées dont l'usage aiderait à rendre la consultation et la participation plus authentiques:

- a) l'information disponible;
- b) temps de préparation plus long;
- c) la consultation à l'année longue;
- d) connaissance du résultat des décisions;
- e) effort sincère de s'entendre;
- f) en cas d'impasse, médiation et arbitrage consultatif.

### CONCLUSION

En guise de conclusion, permettez-moi de prédire que dans l'avenir, les relations entre les enseignants, les administrateurs et la commission vont être plus élaborées et plus raffinées.