

SUCCESSFUL NEGOTIATIONS: A PHENOMENOLOGICAL STUDY OF THE LIVED  
EXPERIENCES OF SUPERINTENDENTS WHO SUCCESSFULLY NEGOTIATE  
TEACHER CONTRACTS

by

Kelly A. Theurer

Liberty University

A Dissertation Presented in Partial Fulfillment

Of the Requirements for the Degree

Doctor of Education

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APPROVED BY:

Andrea Beam, Ed.D., Committee Chair

Timothy Nelson, Ed.D., Committee Member

Michael Mensch, Ed.D., Committee Member

## ABSTRACT

New York State has a long history related to teachers' unions. Superintendents are often the main players for school districts when negotiating teachers' contracts. While much has been researched about negotiations, there is a gap in the literature in relation to the motivating factors of superintendents to successfully negotiate teachers' contracts. The purpose of this transcendental phenomenological study was to describe the lived experiences of school superintendents who have successfully negotiated teachers' contracts within suburban areas of New York State. The central research question was: What are the lived experiences of school superintendents who have successfully negotiated teachers' contracts in public school districts in suburban New York? Sub-questions explored motivations, external factors, and internal or personal characteristics of the superintendents who have lived experience. The theories guiding this study included the negotiation theory (Zartman, 1978) and the self-determination theory (Deci & Ryan, 2000b). The methodology that was utilized was a transcendental phenomenological design that includes purposeful sampling of participants, data collection obtained through questionnaires, interviews, and document analysis for 11 participants. Data analysis utilized Moustakas' (1994) prescribed procedures for constructing thematic portrayals of the lived experiences of the participants. When the data were analyzed, four themes emerged: negotiations processes, opportunities of negotiating, obstacles of negotiating, and effectuation of success. Results described the lived experiences of superintendents and how these experiences play a role in administration, with teachers' unions and within the community.

*Keywords:* successful negotiation, self-determination theory, motivation, superintendents, teachers' contracts, teachers' unions, negotiation theory

## Dedication

In memory of my father,

Woodrow Wilson Theurer,

this paper is dedicated to my mother,

Rosemary Theurer.

Mom...you and Dad have guided and encouraged me to keep on going

and I am grateful for all of your support and love.

I hope he's proudly smiling down on us.

Thank you. I love you.

## Acknowledgments

Throughout this long adventure, I have learned that I should not be anxious about anything, but by prayer and petition, with thanksgiving, present my requests to God. He listened, and I am grateful.

I would like to thank my husband, Peter, who encouraged me to work (even when I didn't want to), gave me space to get it done, and believed in me. We are a good team, and I love you.

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### **List of Abbreviations**

American Federation of Teachers (AFT)

Annual Professional Performance Review (APPR)

General Causality Orientations Scale (GCOS)

Institutional Review Board (IRB)

Public Employee Relations Board (PERB)

National Educational Association (NEA)

New York State Teachers Association (NYSTA)

New York State United Teachers (NYSUT)

Self-determination theory (SDT)

United Federation of Teachers (UFT)

United Teachers of New York (UTNY)

## **CHAPTER ONE: INTRODUCTION**

### **Overview**

In suburban areas such as Long Island, New York, union members and the school superintendent often negotiate teachers' contracts. The role of a superintendent is vast, and negotiations are only one responsibility these busy professionals face. While some previous research has focused on negotiations within schools and the effects of state laws, this study focused on the lived experience of school superintendents who have successfully negotiated teachers' contracts in suburban New York. This chapter will focus on background information related to negotiating procedures of teachers' unions in addition to providing information related to the researcher's motivation in conducting the study, the problem and purpose of the study, and research questions that will be answered throughout the study.

### **Background**

Teachers' unions are an important component in public school systems within suburban areas of New York State. A major responsibility of teachers' unions includes negotiation of contracts for individual union chapters within suburban school districts.

### **Historical Context**

As workers' unions began to form in the early 1900s, collective bargaining units ultimately began to form within the field of education as well. As years expanded into decades, many small teachers' unions joined together (American Federation of Teachers, n.d.). Throughout the years, teachers' unions have faced many ups and downs (Kahlenberg & Greene, 2012). Today, unions within New York regularly advocate for human and civil rights with a dedication and commitment to all students (Feldman, 2004). Each school district with union members has a teachers' contract that details working conditions and guidelines of employment

for teachers within public schools. These contracts are negotiated between teachers' unions and school boards. Often, the school superintendent is the negotiating party on behalf of the school board. This is one of the essential roles within the superintendency (Hilliard & Newsome, 2013).

### **Social Context**

The negotiations performed by superintendents have been studied somewhat extensively in the research. Research often focuses around factors that improve collaboration in negotiation procedures (Forner, 2014). It has been found that increasing levels of collaboration among negotiating parties are the catalyst for successful negotiations (Noggle, 2009). While beneficial strategies of negotiation have been disclosed in the literature (Fisher & Ury, 2011), and fundamental practices of trustworthiness and clarity of negotiations have been evidenced between superintendents and teachers' unions (Kirschinger, 2012), there has been little focus on the lived experience of superintendents within the negotiations process.

### **Theoretical Context**

Theories informing this study include self-determination theory (SDT) (Deci & Ryan, 1985, 2000a, 2000b) and negotiation theory (Zartman, 1978). In SDT, Deci & Ryan (1985) discussed the motivations of individuals in relation to completing tasks. The understanding of these personal motivations can be applied to the concept of negotiations because of the focus on how individuals achieve goals. Negotiation theory (Zartman, 1978) guides this theory with a focus on how the outcomes of negotiations are guided by the different processes of negotiation.

Fox (2012) studied the perceptions of superintendents of negotiation procedures that included impasse, finding that situations similar to impasse have negative effects on relationships of superintendents with other constituents within the public school system in New York State. While positive negotiation strategies have been studied in general terms and experiences with the

difficulties of negotiations of superintendents have been examined, research focusing on the combination of positive strategies and superintendents is lacking in the literature.

### **Situation to Self**

I have worked as a special education teacher for a small suburban school on Long Island for the past 16 years. My motivation to conduct this study began two years ago when I was presented with the opportunity to become the secretary of the district's teachers' union. By accepting this position, it was also required that I serve on the negotiating committee as a union official.

The teachers' previous contract had expired year before, and the negotiation process was prolonged due to employment issues of the current superintendent at the time. When the school secured the tenure of an interim superintendent, negotiations began in full force. This was my first negotiation experience, and it was a positive one. All negotiating parties were cooperative and respectful. However, I knew from what I heard about negotiation in the past that this cooperative climate is not always the case.

As a result, this led me to question: what is the difference between previous negotiations and the one I just witnessed? The negotiating group for the teachers' union was comprised of teachers just as it had been in the past. However, the superintendent was new. I figured he must be the reason, and this assumption was supported by the stories that I heard regarding previous negotiation procedures.

This realization made me want to understand more, and I knew I had to design my study to answer some questions that were actively swirling in my head:

- What is this superintendent doing differently?
- How can he approach this difficult situation so cooperatively?



- What is he thinking while we sit in negotiations? What is he *experiencing*?

These questions were ultimately the basis for seeking information and analyzing the literature, thus leading to the point of designing this qualitative study.

I bring a set of philosophical assumptions to this study including ontological, epistemological, and axiological assumptions that coordinate with qualitative research as expressed by Creswell (2013).

Ontologically, I understand that reality can be through many lenses. I realize that each superintendent understands negotiation procedures differently. Phenomenology allows me, as the researcher, to report these differences within experiences by demonstrating the various perspectives of the participants.

Epistemologically, I rely on collaboration among individuals. I understand the importance of interviewing superintendent participants within the environments in which they work. By spending time with participants in this manner, I can become as close as possible to understanding their experiences.

Finally, from an axiological perspective, I realize that I have biases based upon my own experiences. I understand the need to utilize details from research to understand experiences. It is important to give a voice to the participants but recognize that the experiences I describe are an interpretation of the experiences as portrayed to me as the researcher.

The paradigm I bring forth to this study is one of pragmatism. Pragmatism guides this qualitative study because I am focused on the outcomes of this study. According to Creswell (2013), pragmatism allows an individual to focus on the outcomes of the research based upon the problem being studied and the questions being asked about the problem. As the researcher, I believe that I have the freedom to choose the methodological components of the study. I believe

there are many appropriate ways to collect and analyze data. I believe the “what” and “how” of the experiences of the participants will guide the study. Lastly, I believe in the practical implications of the study and the importance of research that focuses on the purpose on the research problem.

This study was originally developed based upon my experiences with contract negotiations from a point of view of a member of a teachers’ union. The combination of my philosophical assumptions and the pragmatist paradigm discussed are the foundation that guide this qualitative study.

### **Problem Statement**

The problem leading to this qualitative research study focuses on the gap in the literature that limits the understanding of school superintendents in regard to their personalities, motivations, and lived experiences. Elements of negotiation with impasse characteristics between negotiating parties within the school system have been examined (Fox, 2012), and it has been found that working relationships among individuals are significantly affected when negotiations are not successful. Successful negotiation strategies have been researched (Forner, 2014; Herman & Herman, 1998), and previous research points to the necessity of collaboration and good working-relationships (Noggle, 2009). Positive relationships among negotiating parties within the school system have been found to be essential components of successful negotiations (Kirschinger, 2012). Conflict can ensue when teachers’ contracts are not negotiated successfully within school districts. This qualitative phenomenological research study focuses on the lived experiences of superintendents as there is no research that gives a voice to superintendents who successfully negotiate teachers’ contracts with union representatives.

### **Purpose Statement**

The purpose of this transcendental phenomenological study was to describe the lived experiences of superintendents who have successfully negotiated teachers' contracts in public school districts in suburban New York. At this stage in the research, successful negotiation is defined as process of negotiation that results in approval of a finalized contract without impasse, mediation, fact-finding, or arbitration. According to the Public Employee Relations Board (PERB; 2016), the Taylor Law states when unions and superintendents, in conjunction with school boards, cannot come to an agreement regarding a teachers' contract, a period of impasse begins. During this period, the union and superintendent may utilize mediation, fact-finding, or arbitration to achieve agreement. Mediators and fact-finding teams present ideas to enable the negotiating parties to compromise (PERB, 2016). When these procedures do not work, arbitration may be utilized to secure compromise because all decisions made through arbitration are binding for both parties (PERB, 2016). The first theory guiding this study is the self-determination theory (SDT) (Deci & Ryan, 1985) as it examines the personal motivations of individuals and allows for the development of themes between motivations and lived experiences of superintendents. The second theory guiding this study is the negotiation theory (Zartman, 1978) as it provides analyses as components of successful negotiations that can be influenced by the personalities and characteristics of superintendents.

### **Significance of the Study**

This study is significant under four main domains. First, this study focused on the lived experience of superintendents who have successfully negotiated teachers' contracts within public schools in suburban areas of New York State. This study has empirical significance because this area has not been specifically studied; however, previous researchers recommended that a review

of these experiences is necessary (Fox, 2012). According to Fox (2012), the practices and motivations of superintendents who have successfully negotiated teachers' contracts can increase perceptivity of successful negotiations that do not result in a period of impasse. This study furthers research and fills a gap in the literature focusing on successful negotiation practices that take place specifically in public school districts.

Second, this study has practical significance because it informs new superintendents who may not have experience in the process of negotiation. The process of analyzing documents written by successful superintendents for this specific purpose may enlighten the outlook of other superintendents. Narrative analysis such as this can provide a vision for new superintendents as they begin to understand the meaning of this lived experience (Grbich, 2013).

Third, this study is theoretically significant as well. The significance of this study may serve to address and increase understanding within the negotiation theory (Zartman, 1978). In particular, this research study may provide more concise information regarding the analysis of behavior. The outcome of situations, such as negotiation, can be dependent upon personality types (Alfredson & Cungu, 2008). Because this study will focus on the lived experience of superintendents, the associated motivations of behavior in negotiations may impact the field of negotiation by providing increased comprehension of behavioral analysis.

The theoretical significance extends as well into the fourth area of significance of this study as it relates to the self-determination theory (Deci & Ryan, 1985, 2000a, 2000b). Because this study is applying this theory among the theoretical framework, the lived experience of superintendents may expand the relevance of this theory into the process of negotiation.

## Research Questions

There is a need to share practices that demonstrate the successful practices of negotiation within the public-school setting. It is essential to understand what motivates superintendents to negotiate successfully (Noggle, 2009). Polubiec (2016) found that motivators among leaders need to be examined to determine how these motivators impact success. One central research question and three sub-questions will guide this qualitative study to address these concerns. The central research question is:

What are the lived experiences of school superintendents who have successfully negotiated teachers' contracts in public school districts in suburban New York?

This central research question will guide the focus of this study. Negotiations are comprised of a step-by-step process that involves interaction among parties to meet a cooperative goal (Zartman, 1978). Considering that negotiation is one of the many roles of the superintendent within a school district (Hilliard & Newsome, 2013), the question is raised about what the superintendent experiences during periods of negotiation. The answers to this central question will provide insight into the topic.

The three sub-questions are as follows:

- (1) What are the sources of motivation for superintendents who persist in successful contract negotiations?

Sources of motivation have been demonstrated to encourage behavior. Deci and Ryan (1985, 2000a, 2000b) demonstrated that motivation orientations lead to certain leadership and behavior styles. Palmerston (2016) reported that the influence of motivation within leadership positions helps to determine the leadership style and level of success that an administrator may

experience. This sub-question will focus on how the motivation of superintendents affects their negotiation practices.

- (2) What external supports do superintendents attribute to their successful contract negotiations?

External supports, otherwise known as extrinsic rewards, can play a role in motivations of individuals. Extrinsic motivation refers to factors outside of an individual's mind, within the real world, that encourage behavior (Deci & Ryan, 2000a). According to Palmerston (2016), leaders who experience extrinsic motivation are more likely to feel confident and competent within the role of their position. This sub-question will focus on how extrinsic motivation, or external supports, enables superintendents to successfully negotiate teachers' contracts.

- (3) What internal or personal characteristics do superintendents attribute to their successful contract negotiations?

Personal characteristics and intrinsic, or internal, motivations can also play a role in motivation of individuals. Intrinsic motivation refers to factors within an individual's own mind, including personal satisfaction and drive that encourage behavior (Deci & Ryan, 2000a). According to Scudella (2015), intrinsic motivation leads to more success within the position of superintendent. This sub-question will interpret how intrinsic motivations and personal characteristics enable superintendents to successfully negotiate teachers' contracts.

### **Definitions**

To help in understanding necessary terminology related to this research, definitions and abbreviations are listed below.

1. *Collective bargaining* - see *negotiation*

2. *Extrinsic motivation* - Extrinsic motivation occurs when the guiding factors for the behavior of an individual stem from sources outside of the mind or thought-process of the individual (Deci & Ryan, 2000a).
3. *General Causality Orientations Scale (GCOS)* - The GCOS is an instrument developed by Deci & Ryan (1985) to measure the motivation orientations of individuals. The orientation of an individual may fall into any one of three categories known as autonomous orientation, control orientation, or impersonal orientation (Deci & Ryan, 1985).
4. *Intrinsic motivation* - Intrinsic motivation occurs when the guiding factors for the behavior of an individual stem from sources related to the mind or thought process of the individual (Deci & Ryan, 2000a).
5. *Negotiation* - Negotiation is a process of conflict resolution in which two or more parties make efforts to form an agreeable outcome (Zartman, 1978).
6. *Negotiation theory* - Negotiation theory is a theory that presents five components to promote the explanation of the process of negotiation. The components include structural analysis, strategic analysis, process analysis, integrative analysis, and behavioral analysis (Zartman, 1978).
7. *Self-determination theory (SDT)* - SDT is a theory that demonstrates that human behavior is affected by the motivations of the individual (Deci & Ryan, 2000b).
8. *Superintendent* - A superintendent is an individual who serves as the chief officer of a school district.

9. *Teachers' union* - A teachers' union is a group of individuals employed within the educational setting that combine for the purpose of managing working conditions and benefits.
10. *Transcendental phenomenology* - Transcendental phenomenology is a qualitative research design that allows the researcher to put aside his or her preconceived notions to focus on the phenomenon being studied utilizing thick, rich description (Moustakas, 1994).

### **Summary**

Superintendents, in New York State and elsewhere, assume a vast amount of responsibility when accepting their roles in this administrative assignment. One of these responsibilities is to be the main negotiator in contract negotiations with teachers' unions. While the literature is brimming with information about the roles of the superintendent and strategies related to successful negotiation (Alfredson & Cungu, 2008; Feldman, 2004; Fisher & Ury, 2011; Forner, 2014; Herman & Herman, 1998; Hilliard & Newsome, 2013; Kaboolian, 2006; Kahlenberg & Greene, 2012; Marzano & Waters, 2009; Sharp, 2012), content related to the lived experience of superintendents in successful negotiations is lacking. This chapter focused on the background information related to successful negotiations, provided information related to the researcher's motivation for conducting this study, explained the problem and purpose of the study, and determined research questions that will be answered within the study. It is the purpose of this transcendental phenomenological qualitative study to examine the lived experience of superintendents who have successfully negotiated teachers' contracts in suburban New York State.



## **CHAPTER TWO: LITERATURE REVIEW**

### **Overview**

Superintendents in suburban New York State are faced with a multitude of responsibilities within the public-school system. One of these responsibilities often includes the negotiation of teachers' contracts on behalf of the school district and, respectively, the school boards. There is little previous research on factors that allow the superintendents to be successful in these negotiating endeavors. This research seeks to describe the lived experiences of superintendents who have successfully negotiated teachers' contracts.

A review of the literature in this chapter includes important key areas regarding these topics of negotiations and superintendents. First, the theoretical framework is discussed. This framework will include descriptions regarding potential theories in addition to how these theories relate to the research topic. Then, related literature will be reviewed under the perspectives of (a) the history of the teachers' union in New York State, (b) the process of negotiating teachers' contracts in New York State, (c) the role of the superintendent in public, suburban school districts in New York State, (d) successful strategies of negotiating, (e) understudied areas relating to this topic, and (f) filling the gap in the literature that currently exists. Lastly, the chapter will be concluded with a summary of the literature review.

### **Theoretical Framework**

The theoretical framework for this study includes two widely accepted theories: self-determination theory (SDT; Deci & Ryan, 1985, 2000a, 2000b) and negotiation theory (Zartman, 1978). While the motivation of individuals is discussed in SDT, the negotiation theory focuses specifically on the processes of negotiation between two parties.

## **Self-Determination Theory**

Superintendents must meet challenges that require management skills and maintain a clear vision for a school district. Therefore, leadership is built upon the core values and motivations of superintendents (Davis & Leon, 2014). In SDT, Deci and Ryan (1985) originally set out to construct and validate a measurable scale that accounted for the motivations of individuals. This scale was then used to evolve a validated theory regarding the determination and motivators of individuals. The goal of this scale is to not only measure the level of motivation, but the orientation of motivation as well (Deci & Ryan, 2000a). Generally, motivation can be seen as being intrinsic or extrinsic. Intrinsic motivation is defined as “doing something because it is inherently interesting or enjoyable” (Deci & Ryan, 2000a, p.55). Individuals who exhibit intrinsic motivation do not perform based upon any external forces or rewards. Extrinsic motivation is defined as “doing something because it leads to a separable outcome” (Deci & Ryan, 2000a), p.55. Individuals who exhibit extrinsic motivation do so in order to be rewarded or prevent consequences presented by the external environment.

Orientation of motivation focuses on the attitudes and goals that lead to an action. The scale developed by researchers Deci and Ryan (1985) became known as The General Causality Orientations Scale (GCOS). The study was based upon the premise that the behavior of individuals was dependent upon motivations called causality orientations. The causality orientations associated with this scale specifically include autonomy orientation, control orientation, and impersonal orientation.

Autonomy orientation focuses on one’s own behavior, and individuals who demonstrate autonomous orientation look for opportunities based upon personal choice (Deci & Ryan, 1985). Individuals who are intrinsically motivated most often demonstrate this orientation. According

to Self-Determination Theory (2016), an autonomous individual looks to the environment to provide informational feedback, and “a person high in the autonomy orientation tends to display greater self-initiation seek activities that are interesting and challenging and take greater responsibility for his or her own behavior” (p. 2).

Control orientation focuses on behavior in terms of being regulated by the surrounding environment (Deci & Ryan, 1985). Therefore, individuals who are extrinsically motivated most often demonstrate this orientation. According to Self-Determination Theory (2016), a controlling individual is oriented toward being controlled by awards, rules, and deadlines, and “a person high in the controlled orientation is likely to place extreme importance on wealth, fame, and other extrinsic factors” (p. 2).

Impersonal orientation focuses on behavior that is outside of the control of the individual (Deci & Ryan, 1985). This orientation is most often demonstrated by individuals who see themselves as incompetent and unable to handle particular situations. According to SDT set forth by Deci and Ryan, an impersonal individual believes that achievement is a matter of luck, and “people high on this orientation are likely to be anxious and to feel very ineffective” (Self-Determination Theory, 2016, p. 2).

The understanding of personal motivations is essential when examining the behaviors and describing the lived experiences of others (Deci & Ryan, 2000b). The orientations of individuals are relevant when discussing how to increase motivation in work, school, and personal life. The factors associated with these orientations ultimately influence the well-being and productivity of the individual.

The underpinnings of this theory may be applicable to the lived experiences of superintendents in successful negotiation of teachers’ contracts. Previous research has noted that

causality orientations, as described in the SDT, readily influence the relationship that exists between personality variables such as goal and life-stories (Oleson, Thomsen, Schnieber, & Tonnesvang, 2010). It is possible that the thick, rich descriptions provided by superintendents regarding their lived experience of successful negotiations in this qualitative study will demonstrate a connectedness to the personalities of each superintendent.

SDT has been useful as theoretical framework in previous studies both within the field of education as well as within the business world. Research was completed by Davis (2015) demonstrating the connection between motivations of and the success of startup entrepreneurs in business world. In this study, the major factors of internal motivations included spirituality, perseverance, and personal experience. Many entrepreneurs cited external motivation to include a strong sense of social awareness and responsibility to the community in which they started their business but revealed difficulty in the legal and financing aspects of starting a business. While this use of SDT can vary greatly from use within the field of education, it is important to note in relation to this study because positive individual engagement is important when presented with challenges that are faced in the external environment. The presence of challenges exists for school superintendents as well.

Within the field of education, numerous examples of research are found which focus on relationships among teachers and administrators. Palmerston (2016) explored the influence of motivation within the public-school setting in order to determine how the leadership styles of principals influence the motivations of teachers. The findings of the research confirm the connection among school principals and teachers' motivations as presented by SDT. It was found that the leadership styles presented by principals had an impact as an external factor on the motivations of teachers. According to Palmerston (2016), by focusing on individual

consideration of teachers, principals can increase levels of extrinsic motivation for teachers. Teachers in the study revealed that when they receive this type of motivation, they are more likely to feel autonomous, competent within the classroom, and connected to the school environment which is then evidenced when their intrinsic motivations are revealed.

Other research can be found with a similar focus on the intrinsic motivation of teachers based upon their perceptions of relationships with school district administrators. Scudella (2015) stated that teachers report higher intrinsic motivation when seeking growth toward expertise. Such motivation allows administrators to become more effective as leaders (Scudella, 2015). Scudella (2015) studied how relationships among teachers and administrators are strengthened or weakened through the teacher evaluation process, and it was found that as pressure placed upon teachers by administrators during the evaluation process increased, the levels of intrinsic motivation as reported by teachers decreased. These findings were supported by Deci and Ryan (2000a) in that relationships that are fraught with pressure and tension are often more likely to lead to reports of lower levels of self-reported intrinsic motivation. In comparison, relationships that provide higher levels of autonomy among individuals are often more likely to lead to reports of higher intrinsic motivation. This theoretical information was supported by Palmerston (2016) by providing confirmation that there is a connection among administrative actions and teachers' motivations according to SDT.

According to Deci and Ryan (1985), intrinsic motivation is ultimately derived from the need for competency and self-determination. This is evident in previous research. Polubiec (2016) further studied how leaders, or administrators, within the school setting can impact school effectiveness based upon the extrinsic approaches to motivation that seem to guide the culture of the American school system. Polubiec (2016) found that, while teachers reported an intrinsic

drive to become motivated as educators, few teachers actually discussed motivation in relation to leadership. Most teachers believe that motivation comes solely from within themselves rather than being encouraged, supported, and strengthened by administration. However, while few teachers in Polubiec's (2016) study discussed administrative actions as positively motivating, they did report that negative experiences with administrators did reduce intrinsic motivation to remain within the field of education. In addition, feelings of belonging and connectedness to other teachers was reported as a strong motivator among teachers (Polubiec, 2016), and this is often increased or decreased by administrative actions and behaviors. Teachers in all of these previous studies (Palmerston, 2016; Polubiec, 2016; Scudella, 2015) reported that intrinsic motivation was widely recognized when teachers were provided autonomy and support and when they felt like they were supported by administrators. A belief that the leaders were invested in the teachers led to higher levels of intrinsic motivation (Polubiec, 2016).

Previous research presents practical, real-world application of this theory. This study serves to incorporate this information related to the relationships among teachers and administrators while focusing specifically on the successful negotiation of teacher contracts.

### **Negotiation Theory**

Superintendents must often lean upon the power of persuasion to not only promote ongoing school improvement (Davis & Leon, 2014), but navigate their role in negotiation procedures successfully. There are many, diverse theories in existence surrounding the idea of negotiation. According to Zartman (1978), negotiation is a process in which at least two conflicting positions exist within a phenomenon by which the outcome is determined by the process. Simply stated, the ends justify the means.

According to Zartman (1978), who developed the negotiation theory, there are major analyses that help to explain the process of negotiation. These analyses include structural analysis, strategic analysis, process analysis, integrative analysis, and behavioral analysis. Each analysis contributes essential goals and strategies related to the negotiation theory. However, based upon the negotiation theory, all negotiations build upon goals that are determined, trade-offs to be made, and behavioral characteristics of each individual responsible for partaking in negotiations.

Structural analysis is based upon the strengths that each negotiating party brings to the table (Zartman, 1978). In this analysis, it is predicted that the strongest party will achieve success in negotiation. It is noted that the sole use of power in negotiations serves as a poor strategy in the finalization of the negotiated contract.

Strategic analysis is based upon cooperation of negotiating parties (Zartman, 1978). This analysis stems from a base associated with mathematics, decision-making processes, and conflict analysis. In this analysis, cooperation of both parties leads to the best outcomes in the negotiation process. Negotiators within this analysis are seen as rational decision-makers, and contracts negotiated in this analysis maximize the best benefits for both parties.

Process analysis is based upon the idea that negotiation is a learning process in which both parties have the opportunity to communicate and react with one another (Zartman, 1978). This analysis demonstrates the ability of two parties to begin the negotiation process on two fixed, separate sides and ultimately come together in agreement of concessions. In this analysis, concessions are often met with counteroffers and progress is made through discussion.

Integrative analysis is based upon the idea that the process of negotiations is divided into a step-by-step process of stages (Zartman, 1978). Such stages could include pre-negotiations,

negotiations, reconvening, discussion, and settlement. This analysis is considered a win-win approach allowing both parties to construct options for settlement and practice decision-making skills in order to solve problems (Fisher & Ury, 2011).

Lastly, behavioral analysis is based upon the idea that the process of success in negotiations focuses on personality traits of the individuals comprising both parties (Zartman, 1978). Within this analysis, there is a great emphasis placed upon the positions of each negotiator. Negotiations are seen as interactions among individuals based upon the personality type of each individual. The personalities and characteristics of each individual influences the outcome of the negotiation process.

It is important to understand all of the analyses associated with negotiations. However, in this research, special attention needs to be paid to the behavioral analysis. According to Alfredson and Cungu (2008), the influence of personalities and individual characteristics is influenced by the motivational orientations of the negotiators. Personal motivation impacts the degree of interest in relationships among negotiators and the degree of interest in the outcomes of the negotiation process.

It is essential to understand the training, or lack thereof, that superintendents receive within the area of negotiation. Johnson (2013) addressed the impact of the level of negotiation training among superintendents in relation to contract negotiations. According to Zartman (1978), negotiation is a step-by-step process that involves interaction among two groups in order to determine an outcome that is acceptable to both parties. Superintendents who did not receive formal training in negotiating felt less prepared in collective bargaining situations, but as they gained more experience, they reported that bargaining procedures allowed them to negotiate well (Johnson, 2013). In addition, most superintendents reported that their experiences were essential



to the negotiation process and formal training alone was not sufficient to lead to success. In the research by Johnson (2013), every superintendent reported that trust among parties during collective bargaining processes was the most important characteristic leading to successful negotiations.

The purpose of negotiations within schools often reflects on the needs of the school district in comparison with the needs of the teachers' union. However, by allowing superintendents to perform collective bargaining tasks, a focus remains on what is ultimately best for students within the learning environment. There is little research available that serves to show the best characteristics of motivators of superintendents within the school system. The thick, rich description that will be obtained in this study is a reflection of the lived experience of superintendents who have successfully negotiated teachers' contracts. This description will have an impact on behavioral analysis and help to raise awareness of how the negotiation theory and the SDT are related to one another within this qualitative study.

### **Related Literature**

As stated in the introduction of this chapter, there are a number of important topics that lead to understanding of the lived experience of superintendents' successful negotiations of teachers' contracts. These topics include gaining an understanding of the history of teachers' unions, the process of negotiating contracts for teachers, the role of the superintendent within school districts, and successful strategies of negotiation. In addition, it is essential to also focus on areas within this topic which are considered to be understudied aspects and the gap in the literature on this topic that has remained unaddressed.

## **History of Teachers' Unions In New York State**

There is some debate in the literature whether teachers' unions serve negative or positive purposes when considering what is best for students. It is important to first understand how teachers' unions came into existence within New York State.

The teachers' union in suburban New York State has changed significantly over the years. It is important to note that unions did not begin initially with educators. Unions originally formed within business and manufacturing trades. However, the formation of unions did eventually extend into the education world and, thus, into New York State. In 1916, the American Federation of Teachers (AFT) was founded in Chicago with only eight members (American Federation of Teachers [AFT], n.d.). The Depression years put quite a strain on the union in terms of membership, but strong leadership led to a membership of over 32,000 by 1939 (AFT, n.d.). This period of time, however, was not very beneficial for members of teachers' unions. Teachers did not gain a real influence until the 1960s. During the early days of teachers' unions, many teachers opted to not join unions because many viewed unions as organizations for blue collar workers, not those with a college education; in addition, many teachers were fearful that joining a union would result in their dismissal from any teaching position they may hold (Kahlenberg & Greene, 2012). During the 1960s, teachers were often the targets of anger and threats by the public because of racial tensions (Tucker, 2012). It was during this time when unions became appealing to teachers in order to protect them and provide safer working conditions.

Following this period of time, many smaller union groups formed in New York State. In 1960, there were more than 106 teachers' unions in New York State (New York State United Teachers Union [NYSUT], 1998). During this year, many of these groups went on strike

because they were concerned about issues related to wages, grievance processes, and funding for public education (NYSUT, 1998). Due to the fact that the groups were so disjointed from one another, there was a major need and push to form together to join one union within the state. However, this was easier said than done. This led to the formation of the New York State Teachers Association (NYSTA), which was previously led by the United Federation of Teachers (UFT). The UFT was originally formed in the 1950s as the Teachers Guild (Murphy, 2010). Some union groups were associated with the UFT while others were affiliated with the American Federation of Teachers (AFT). Yet others were associated with the United Teachers of New York (UTNY; NYSUT, 1998). Many of the groups were affiliated with the larger bargaining unit known as the National Educational Association (NEA). During the 1960s, the NEA changed its original identity as a professional organization to a trade union specifically for classroom teachers (Tucker, 2012). Ultimately, while surviving merger after merger, suburban districts of New York State formed together as members of New York State United Teachers (NYSUT; NYSUT, 1998).

State mandates vary in terms of collective bargaining and rights of unions. In discussing unions within New York State, it is essential to present laws that may be unique to New York State regarding unions. In 1947, a state law known as the Condon-Wadlin Act forbade strikes by employees who were employed by government entities (United Federation of Teachers [UFT], 2005). In January of 1966, a group of transit workers in New York City, unhappy with working conditions, decided to strike (UFT, 2005). The penalty for these workers under the Condon-Wadlin Act should have included possible dismissal and a three-year pay freeze. However, the city was affected so negatively that this law was never enforced. Instead, New York City

governmental officials agreed to a settlement and a waiver of the law in this instance (UFT, 2005).

Although the laws prohibiting strikes were not enforced, this would be the last time a strike was allowed without penalty. This strike served as the impetus of what became known as the Taylor Law. This law made it a crime for any public employees to participate in or encourage a strike (UFT, 2005). The penalties for violating this law include a loss of unions' rights to collect dues and the potential for dismissal or demotion for any public employee who participates in strike activity (UFT, 2005). However, the law did have benefits for union members. It gave public employees the right to collective bargaining. In the event of an impasse, the Taylor Law provides for mediation and arbitration. An impasse is a period of non-progress within the collective bargaining, or negotiation, process.

Over the years, the teachers' unions have made lasting gains. American Federation of Teachers (AFT) members played a pivotal role in the civil rights movement. In 1956, this organization passed a resolution that demanded that unions serving segregated schools take all such language out of their contracts or face losing their union charters (Feldman, 2004). Teachers' unions have fought to improve health conditions within schools, to keep class sizes small and testing related to curriculum, and for universal preschool and full-day kindergarten. While these changes affected the nation as a whole, New York suburban schools have felt the benefits as well. In New York in 1982, the Taylor Law was altered with the Triborough Amendment. This amendment provided increased stability to teachers' unions by ensuring that school districts maintain all contractual obligations of an expired contract while negotiating a new contract (NYSUT, 2016).

However, despite all of the positive changes pushed by unions, many political figures continue to push for restrictions that would limit collective bargaining practices (Sawchuk, 2011b). Currently, many other states are governed by “right-to-work” laws, which significantly limits the influence of unions within public education (D’Andrea, 2013). However, this is not the case in New York State. Superintendents play an important role in negotiating with unions. Usually in suburban New York, the superintendent is the main negotiating force on behalf of the school board within each school district. Superintendents face the obstacle of having knowledge of what items can be negotiated with teachers’ unions and what items are mandated by state law prior to negotiations within individual districts. Because of this, it is also important to understand the history of the unions within New York State in order to move forward in understanding how superintendents experience negotiations within suburban New York public school districts.

### **The Process of Negotiating Teachers’ Contracts in New York State**

Unions continue to exist for many reasons. Unions are often strengthened by political affiliations, courts have made previous decisions that unions are protected under the Constitution, and teachers continue to seek the benefits that come with union membership (Kaboolian, 2006). Collective bargaining, or negotiation of contracts, exists hand-in-hand with teachers’ unions. Negotiation can simply be defined as a process of getting what you want from others. According to Fisher and Ury (2011), negotiation is a “back-and-forth communication designed to reach an arrangement when you and the other side have some interests that are shared and others that are opposed” (p. xxvii). According to Kaboolian (2006), within public schools, negotiation procedures affect not only the working conditions of teachers, but the learning environment of students as well. This idea of mutual benefits encourages all negotiating

parties (including the superintendent) to plan accordingly in order to approve contracts that benefit all stakeholders. During contract negotiations, superintendents want to maintain their management rights while unions seek to protect their teacher members; however, both strive to preserve public education (O'Donovan, 2010).

Today, in some states including Wisconsin, laws have been passed that limit the bargaining rights of teachers' unions. Laws often regulate negotiation processes in order to alleviate costs to districts that are often funded by tax dollars (Cavanaugh, 2011a). These laws are often viewed by school officials and teachers as harmful to the successful collaboration between superintendents and teachers within the negotiation setting as well as in everyday relationships (Finkel, 2011). Legislature has acted in many areas to place limits on collective bargaining, and while regulations can require school districts to adhere, these laws do not mean superintendents and unions must cooperate with one another (Hess & Downs, 2013). As pressure upon school districts from state and federal mandates mounts, it becomes increasingly difficult for superintendents and unions to work together (Sawchuk, 2013).

While there are many concerns over government-mandated rules of collective bargaining, literature also shows that successful negotiations and collaboration between superintendents and unions is essential. According to Sawchuk (2011b), positive change in schools stems from cooperation among these parties. Both parties must be willing to have open discussions that lead to mutual respect, a willingness to work together, and the recognition of common values (Sawchuk, 2011a).

In order to understand the effect of teachers' contracts, it is important to first fully understand how contracts are negotiated within New York State. Public school teachers are considered public employees within the state of New York. Under New York State regulations,

the Public Employee Relations Board (PERB) governs all public employment labor-management relations. Employers of public employees, including teachers, are required to negotiate in good faith (Contract Negotiations, 2013). Mandates set forth by PERB describe bargaining issues that are mandatory for negotiations including, but not limited to, length of work day, length of work year, leave for sick and personal issues, salaries, health insurance benefits, retirement procedures, and teacher evaluation procedures. Many of these issues are considered *scope* provisions. Scope refers to negotiations on issues that may fall under one of the headings as required, permitted, or impermissible, and usually are made up of topics for negotiation that are managerial issues for school districts while not being factors of school reform (Hess & West, 2006).

Being that negotiations are a process of getting what one wants from others, it is essential to emphasize that, at times, negotiating parties want different things and focus their efforts on what suits them with little regard to the other party while negotiating. Within the suburban area of New York, teachers' contracts are ultimately approved by school boards. However, it is common that superintendents do the actual negotiation of these contracts on behalf of the school boards. In the beginning stages of negotiation, a chosen negotiation committee from a teachers' union meets with the school district's superintendent. Discussions take place about the changes that both would like to see made to the existing teachers' contract. These discussions can occur over an undetermined period of time; however, according to Prosis and Himes (2002), this beginning stage usually takes three to 18 months. Many times, these two parties can come to equally satisfying conclusions and develop a contract that works for both parties.

Throughout the negotiation process, both sides may call upon legal counsel for guidance. According to Handzel (2014), legal counsel can assist both parties in making decisions about

priorities within collective bargaining. Handzel further explained, “it is easier to negotiate a successful contract with an attorney right from the beginning as opposed to contacting the attorney after the damage has been done” (2014, p. 9). Sneed (2012) expanded further by noting that legal counsel increases the possibility that state and federal regulations will be followed and that the factual information that is provided by lawyers may serve to diminish adversarial reactions in negotiating. After negotiations are complete, a prospective contract would then be approved by the president of the local teachers’ union and the president of the school board. For the purposes of this study, this type of negotiation is considered successful.

However, not all negotiations are successful. State law mandates a three-step process for unsuccessful collective bargaining scenarios: mediation, impasse, and fact-finding. (Contract Negotiations, 2013). The first stage in unresolved negotiations is mediation. In this event, PERB assigns a mediator who assists the parties to achieve a settlement (Contract Negotiations, 2013) that will benefit both parties with a focus on what is allowable under law. Mediation is a non-binding decision. This means that if either party objects to the recommendations of the mediator, the decision cannot be finalized. If this process does not bring a resolution, the negotiation, or collective bargaining, process is considered to be at an impasse. An impasse is defined as a period of contract negotiation, which neither party can resolve on their own without assistance from an outside source. At this point, the negotiation process moves into the fact-finding stage.

In the fact-finding stage, PERB appoints a panel of arbitrators that will conduct an arbitration process to legally decide what decision should be made. These decisions are made based upon previously approved contractual decisions in conjunction with information from



court decisions (PERB, 2015). The findings during this stage, for public school teachers in New York, are binding and cannot be changed if either negotiating party is not in agreement.

It is important to note that not all facets of teachers' contracts can be negotiated by the superintendent. In New York State, many guidelines of contracts are mandated by state law. Because unions are so powerful in the political ring, some items and practices are negotiated directly by the head of union at the state level. These practices include guidelines related to rules of seniority, teacher tenure, and the process of teacher dismissal (Cohen & Walsh, 2010). However, there are many areas that can be negotiated directly by superintendents on behalf of school boards with local chapters of teacher unions. Each school district has its own local chapter within New York. Areas that are negotiable by the superintendent include individual pay and compensation, work schedule, benefits (such as health insurance), steps a district must take to help struggling teachers, specific teacher evaluation procedures and assessments, requirements for professional development for teachers, and specific steps to handling teacher dismissal (Cohen & Walsh, 2010). The variability of the items that can be negotiated by the superintendent leads to a large responsibility placed upon the superintendent to successfully serve within a school district.

### **The Role of the Superintendent**

The role of the superintendent can be very difficult. Superintendents are held to high standards within the complex system of schools, and their progress within the position is under constant scrutiny by school district staff, board members, and surrounding community (Woestman & Wasonga, 2015). Ultimately, superintendents are responsible to promote the vision of a school district while evaluating staff, hiring staff, and serving as a liaison between the school board and the school district community (Munoz, Mills, Pankake, & Whaley, 2014). The

pressures felt by superintendents are demanding and can be quite discouraging (Davis & Leon, 2014). According to Harris, Lowery, Hopson, and Marshall (2004), the difficulty of the role of the superintendent “is reflective of the general feeling that the job of the school superintendent is filled with external pressure often played out in the arena of public criticism” (p. 108). In order to significantly focus on the lived experience of superintendents’ successful negotiations of teachers’ contracts, it is pertinent to understand that negotiations are part of the role of the superintendent. In order to understand this portion of their responsibilities, it is equally essential to acknowledge the full scope of the role of the superintendent within suburban public-school districts in New York State. It is also equally important to understand the role that motivations play within the superintendency (Harris et al., 2004).

School superintendents are leaders first and foremost. Superintendents must be able to work with a range of individuals and groups to keep districts running effectively and successfully. Also, superintendents should be individuals who have the capacity to make decisions that are morally and ethically sound (Hilliard & Newsome, 2013). Meador (2016) summarized the role of the superintendent into the following responsibilities and characteristics by stating that superintendents:

- (1) Must be able to form relationships both within the school and community,
- (2) Must maintain responsibility to keep the school board informed,
- (3) Must make recommendations to the school board regarding the daily operations of the district,
- (4) Must evaluate and conduct hiring and termination policies,
- (5) Must successfully manage school district finances,

- (6) Must manage daily operations such as curriculum, reporting, transportation, building improvements, and student issues, and
- (7) Must lobby for district in terms of working with media, building relationships with other districts, and building relationships with politicians.

While this may seem like a comprehensive list of responsibilities that one has when he or she obtains the role of superintendent, Hilliard and Newsome (2013) expanded upon these responsibilities by also including that superintendents must be adept in communication. They must understand accountability procedures as mandated by the state and federal level. Superintendents must encourage the practices of successful learning communities (Hilliard & Newsome, 2013). They must model the use of technology. In an advancing technological world, superintendents often strive to utilize social media and technological advancements to communicate with the community within a school district (Cox & McLeod, 2014). And finally, superintendents must understand collective bargaining (negotiating) policies and procedures (Hilliard & Newsome, 2013).

In New York State, all school administrators, including superintendents, must have state certification for school administration. Many of the larger public-school districts in the suburban area of Long Island in New York hire assistant superintendents who are specifically challenged with tasks relating to staff and personnel, curriculum, business practices, or other school services. In these districts, the role of the superintendent is to oversee the work of the assistant superintendents and manage the district as a whole. In smaller public-school districts, only a superintendent is hired to manage all of these responsibilities. However, regardless of the size of the district, the individual in the role of the superintendent is ultimately responsible for the collective bargaining or negotiating of the teachers' contracts.

In negotiation procedures, the teachers' union and the school board are, effectively, the two parties that are approving a collectively bargained, or negotiated, agreement. However, in most public-school districts in suburban New York State, the superintendent is the individual who is actually negotiating with representatives of the teachers' unions. For superintendents, this can often be a period of increasing conflict. According to Sternberg (2011), contract negotiations can be a tumultuous and adversarial experience for the parties involved. In other instances, successful negotiations can readily occur (Fisher & Ury, 2011). Successful negotiations that lead to the approval of contracts helps to establish school settings where all parties can work cooperatively together (Finkel, 2011). Anything that can be done by superintendents to negate adversarial relationships can help to lead to successful negotiation (Sawchuk, 2013). Superintendents must continue to be reasonable in negotiation procedure in order to achieve and continue to maintain success (Cavanaugh, 2011a). There are numerous conflicts that can be encountered by a school superintendent. Superintendents have the great responsibility of communicating with others, specifically school board members and staff (Hoyle & Skrla, 1999). Superintendents not only need to communicate during negotiations with teachers' unions but need to communicate all products and factors of negotiations with school board members in order for negotiations to come to successful fruition. In order to negotiations to be successful, the superintendent holds most of the responsibility for clear and consistent communication among parties in order to reduce and eliminate conflict among parties (Hoyle & Skrla, 1999). According to Hoyle and Skrla (1999), it is essential for superintendents to communicate successfully in order to maintain positive relationships with stakeholders within a school district. The ways in which a superintendent preserves beneficial communication most

likely will stem from the motivators that sustain them in completing the requirements for their position.

The main responsibilities of superintendents during these periods of negotiations include maintaining balance during conflicts and maintaining the perspective of doing what is right for students while protecting the needs of the district and understanding the needs of the teachers (Prosis & Himes, 2002). This can be challenging, but for many superintendents it is very achievable. As described previously, superintendents can obtain support through legal counsel. The goal in the bargaining, or negotiating process, is to gain approval of a completed contract without the process moving on to stages of mediation, impasse, or fact-finding. The superintendent may feel pressure in this challenge when conflicts arise (Prosis & Himes, 2002). A superintendent must be willing to accept these responsibilities in order to be effective. In addition, a superintendent must be willing to work collaboratively with others while upholding increasing requirements that are bound by professional, legal, and ethical codes of conduct (Woestman & Wasonga, 2015).

Times are growing increasingly more difficult for superintendents in schools across the nation. School superintendents need to be able to use their abilities to motivate others and lead courageously (Davis & Leon, 2014). There are numerous reasons why superintendents are willing to accept these positions and choose to pursue a higher-level career in education. Superintendents need to develop and keep a clear focus on their responsibilities and have to have the conviction to persevere through difficult times (McKenzie, 2014). Previous research has found six main reasons for pursuing a position as school superintendent including career advancement, student impact, salary increase, self-development and growth, leadership opportunity, and opportunity for service to others (Munoz et al., 2014). According to Munoz et

al. (2014), more males become superintendents than females, but both genders have similar reasons for choosing this career path. Negotiations were not discussed as part of Munoz et al.'s study. In addition, the ideas of specifically bringing teachers together, serving school boards, or balancing and maintaining contractual demands were not reasons given for seeking a position of superintendent.

In previous research, superintendents revealed both intrinsic and extrinsic motivations for remaining within the position. In Harris et al.'s (2004) study, superintendents reported extrinsic motivations including increased salary and fringe benefits as a main reason why they continued within the superintendent's position. However, intrinsic motivations for remaining were reported more frequently. In particular, intrinsic motivations included the desire to make a difference, positively impact people, the professional and personal challenges of the position, and the ability to initiate change within the school system (Harris et al., 2004). These findings suggested that superintendents choose to seek employment and remain in this position in order to serve and help others. However, this research did not specifically discuss the motivations of superintendents regarding negotiation processes. In order for superintendents to demonstrate and maintain success, they must be willing to engage in self-reflection to identify motivations that lead to the cultivation of successful practices (Davis & Leon, 2014). It is important to examine the motivators reported by superintendents with the negotiation process in order to understand how motivators play a role in successful negotiation between teachers' unions and school districts.

## Successful Strategies of Negotiation

As the literature on negotiations and superintendents is reviewed, it is essential to gain an understanding of what successful negotiations look like. Some recommended steps to be taken before negotiations begin were outlined by Smith (2013):

- Collect, analyze, and share data- Superintendents should understand which factors of the teachers' contract need to be examined closely.
- Discuss contract perceptions- Superintendents should gain an understanding of the expectations the school board may have.
- Determine goals to be achieved- Superintendents should focus on the main goal of successful contract negotiation without the need for mediation, impasse, and fact-finding.
- Agree upon ground rules for the negotiation process- Superintendents must inform all negotiators what rules will be maintained during the negotiation period; these rules should include frequency and duration of negotiating sessions and provision of an outline for the negotiating session to keep a relevant focus on what will be discussed in each session.

The beginning stages of negotiation procedures are important. The quality of the relationships that exist between superintendents and teachers' unions prior to negotiation procedures plays a role in how negotiation procedures play out. Klein (2008) also stated that it is important for negotiators to assign priority to the most important sections of a contract and resist the temptation to make the first offer in negotiations the one that is felt to be most fair. In addition, Klein (2008) also provided some tips for successful negotiations by stating that negotiators must: (a) be prepared, (b) not rush to approve a contract unless it is agreeable, (c) be

sure new contractual language is legally sound, (d) conduct private discussions so all members of the negotiating team are prepared and informed, and (e) communicate clearly. It is also important that superintendents do not deliberately stall negotiation procedures and act efficiently in bringing negotiations to fruition resulting in a contract mutually approved by both the school district and teachers' union (O'Donovan, 2010).

Negotiation procedures can be a time that is rampant with conflict and ill feelings of one party to another. In *Getting to Yes: Negotiating Agreement Without Giving In*, Fisher and Ury (2011) described the method of negotiating by focusing on four main aspects: people, interests, options, and criteria.

In terms of people, it is essential to realize that negotiations take place with people first, not problems. Fisher and Ury (2011) stressed the importance that communication between negotiators is a key aspect of negotiating successfully. Essential to understanding in this aspect is that emotions will come into play during negotiations. Successful negotiators need to be mindful of this and strive to look for opportunities to see the process from the perspective of all stakeholders. These strategies lead to win-win bargaining. As presented by Herman & Herman (1998), win-win bargaining incorporates a climate of respect and collaborative action which leads to successful problem solving.

According to Fisher and Ury (2011), it is important to understand the interests of the negotiators rather than the problems they bring to the negotiating table. Realizing that on each side of negotiations multiple interests exist and are often be the same or similar can allow negotiators to be mindful about how decisions can be formulated. By being mindful of similar and varying interests, negotiators establish what terms are negotiable and non-negotiable, and, in turn, ensure that collaborative goals are set within the process of negotiations (Marzano &



Waters, 2009). The existence of positive relationships between superintendents and unions is necessary for successful negotiations (Sawchuk, 2011a).

In contract negotiation procedures, arriving at conclusions is not always easy and options for success should exist. Fisher and Ury (2011) emphasized the practice of creating solutions when problems arise. It is beneficial to the negotiating process to analyze and consider all options that can lead to mutual gain in developing contracts. Herman and Herman (1998) referred to this process as *good faith* negotiations. Good faith negotiation implies that each party readily listens to the proposals and needs of the other party and gives serious consideration as to how these proposals can be utilized successfully within the negotiation process.

The development and acceptance of objective criteria is essential for successful negotiations. By remaining objective in the negotiation process, the efficiency of making wise decisions increases. Fisher and Ury (2011) explained that objective criteria are developed when negotiating parties use fair standards and procedures when negotiating in conjunction with practices of reasoning to make decisions. Marzano and Waters (2009) presented that remaining objective can lead to the creation of a dynamic in negotiations that benefits both parties by enhancing the success of the negotiation process. As technology advances, superintendents should incorporate technology in their negotiation endeavors. The use of technology allows superintendents to have more immediate and frequent interactions with union officials, board members, and legal counsel (Cox & McLeod, 2014). Using technology allows all parties to receive answers and feedback on a rapid basis and allows negotiation procedures to occur at a more rapid rate. According to Cox and McLeod (2014), the use of technology also allows superintendents to have more frequent informal communication with stakeholders. Informal

communication provides opportunity to strengthen relationships and increases the likelihood that conversation and communication among parties will positively impact a school district.

These components of successful negotiation procedures are representative of win-win bargaining. However, some literature stresses the benefits of adversarial bargaining. Adversarial bargaining often occurs due to “a lack of trust in the other part, or due to a previous history of adversarial negotiations” (Herman & Herman, 1998, p. 97). In instances of adversarial bargaining, the negotiating team is often composed of experts who are prepared for a challenging collective bargaining process. The only benefit to adversarial bargaining is that one party gains more than they give because the winning party overpowers the losing party (Herman & Herman, 1998). However, moving away from practices of adversarial bargaining can be difficult. Negative impacts often lead to stronger reactions than positive feedback, and once the intensity of reaction to negative information is established, it is very difficult to refocus on positive information (Woestman & Wasonga, 2015). According to Woestman and Wasonga (2015), a supervisor such as a superintendent is in a leadership position and, in turn, has power over others. It is essential for superintendents to use this power carefully and constructively in order to lead to successful endeavors within areas such as negotiation. In previous research, it was found that the qualities displayed by school leaders define the leadership style and, ultimately, actions that lead to success; therefore, there are implications of positive and negative behaviors that lead to the success or detriment of not only individuals but the school organization as a whole (Woestman & Wasonga, 2015).

In conclusion, successful negotiation processes depend greatly on who is sitting at the negotiating table and the characteristics of negotiation that these players bring to the process. In

order for negotiations to be successful, win-win bargaining tactics are usually more productive in creating trust among negotiating parties when compared to adversarial bargaining.

### **Understudied Areas**

Some recommendations for superintendents in the midst of collective bargaining, or negotiating, are evident within the literature. Forner (2014) claimed that of all the responsibilities that face superintendents, “perhaps the most thankless is leading the district’s union negotiation team at contract time” (p. 20). Forner further stated that holding direct conversations and driving a hard bargain in negotiations leads to success. The level of cooperation and the sincerity of relationships among superintendents and teachers’ unions are varied among districts, and it is often found that when these levels are high, negotiations are more likely to be beneficial for all parties (Cavanaugh, 2011b).

Factors that facilitate and inhibit collaboration between labor and management in the public-school system have also been studied. Noggle (2009) found that collaboration between teachers and administrators is essential for productive, successful negotiations. However, Noggle (2009) also discovered that there is a need to share practices occurring in negotiations in public schools that result in collaboration among parties. Kirschinger (2012) also studied the components of successful negotiation practices between administrators and teachers with the school system. Kirschinger (2012) found that the formation of relationships outside of the negotiation environment helped to strengthen the process and solve problems. Often, relationships that exist prior to negotiation periods play a role in the progress of negotiations. Kirschinger (2012) also found that among the most relevant factors that helped in successful negotiations included trustworthiness and transparency within the negotiation process. However, this study did not solely focus on the views of superintendents and called for further

investigation of the personality typologies of individuals, such as superintendents, who regularly participate in the process of negotiation. Lastly, another study focused on the perceptions of superintendents in New York State in relation to negotiations. Fox (2012) focused this study on the perceptions of superintendents when involved with impasse procedures during the negotiation process. Fox (2012) found that superintendents attributed negative relationships with negotiating parties as a consequence of the impasse period. According to Fox (2012), “the relationship between union leaders and administration can be challenging under normal circumstances. Impasse in teacher contract negotiations has a negative effect on the relationship between union and district leaders” (pp. 97-98).

Over several decades, teachers’ unions have secured the ability to have a say in determining many factors of contracts, including but not limited to having a say in compensation of teachers, discipline of teachers, and training and professional development for teachers (Tucker, 2012). However, this say is also contingent upon working successfully with school superintendents to negotiate a contract that is acceptable on both sides of the negotiating table. Superintendents have the opportunity and responsibility as school district leaders to build relationships with unions in order to achieve success in all areas of their positions (Tucker, 2012). When faced with tough situations, such as negotiations of contracts, superintendents must utilize decision-making procedures based upon their goals and motivators in order for districts to move forward in the mission to provide beneficial and positive educational experiences (Davis & Leon, 2014). A fine balance needs to be kept when superintendents negotiate in order to keep relationships with teachers’ unions positive while fulfilling the expectations of school board members and developing policies that are beneficial for the students’ learning environment.

While literature shows that the role of the superintendent is vast and provides successful strategies for individuals who participate in the negotiation process, there is a deficiency in the literature that provides a main focus on superintendents in particular. While literature shows some motivating factors of superintendents, there is no research focusing on the lived experiences of these superintendents who are responsible for the negotiations of teachers' contracts.

### **Filling the Gap**

Research studies that describe the lived experience of superintendents in successful negotiations of teachers' contracts are virtually absent within the literature. Superintendents have many particularly challenging roles even before contract negotiations are discussed. This is well documented in the literature. However, there is a gap in terms of focusing on the experience of superintendents and what factors motivate them to move forward with successful negotiations practices. Furthermore, to fill this gap, Fox (2012) called for future studies that examine the practices and motivations of superintendents who have not experienced a period of impasse in contract negotiations and potentially provide insight into the successful practices that are employed to prevent mediation, impasse, and fact-finding practices.

This study is aimed at describing the lived experiences of school superintendents who successfully negotiated teachers' contracts within suburban areas of New York State. An exploration of these lived experiences can add to current literature and, further, may be of benefit to the larger fields of education and negotiation.

### **Summary**

This chapter analyzed the four areas of theoretical framework, current literature, understudied areas, and identification of how to fill the gap in the literature. The theoretical

framework used to guide this study includes the self-determination theory (Deci & Ryan, 1985, 2000a, 2000b) and the negotiation theory (Zartman, 1978). The current literature provided information the history of teachers' unions in New York State, the process of negotiating contracts for teachers, the role of the superintendent within school districts in New York, and successful strategies presented for negotiation procedures.

This literature review also presented understudied areas and reasonable ideas for filling the gap in the literature regarding negotiations and superintendents. This study will inform the literature by expanding the understanding of the lived experiences of superintendents in successful negotiation of teachers' contracts.

## **CHAPTER THREE: METHODS**

### **Overview**

The purpose of this transcendental phenomenological design was to describe the lived experiences of superintendents who have successfully negotiated teachers' contracts in public school districts in suburban New York. Chapter Three outlines the design that is incorporated into the study. In addition, the research questions are included in this chapter. Sites, participants, procedures and the role of the researcher are described. The instruments for data collection are discussed, and the plan for data analysis is detailed. Finally, the chapter concludes with the steps necessary to explain trustworthiness and give attention to ethical considerations.

### **Design**

Qualitative research was utilized in this study. Schwandt (2015) stated that “to call a research activity qualitative inquiry may broadly mean that it aims at understanding the meaning of human action” (p. 256). Qualitative research allows the researcher to explore the experiences of the participants based upon real-life situations in order to make meaning of those experiences that can then be transferable to other similar situations (Patton, 2015). In this study, it was essential for the researcher to explore the experiences of superintendents with the process of successful negotiation processes so that positive and practical practices can be shared with others in hopes of guiding successful negotiation processes in the future.

A phenomenological design was utilized in this qualitative research study. This design was chosen because this type of phenomena is best described when “it is important to understand several individuals' common or shared experiences of a phenomenon” (Creswell, 2013, p. 81). According to Moustakas (1994), data collected from participants who have experienced a phenomenon, in this case, successful negotiation, allows the researcher to develop a description

of the essence of the experience for all of the participants. This description allows the researcher to present “what” the phenomenon is and “how” the phenomenon was experienced.

There are many reasons I used this qualitative research design based on transcendental phenomenology for the current study. The main purpose of this study was to gain a better understanding of the lived experiences of a group of superintendents who have all shared the phenomenon of successfully negotiating teachers’ contracts. Transcendental phenomenology precisely allows for this understanding. Transcendental phenomenology also allows for the process of bracketing in order for the researcher to set aside any preconceived notions related to the phenomenon. Moustakas (1994) described this process by using the term *epoche*. This allows the researcher “to be completely open, receptive, and naïve in listening to and hearing research participants describe their experience of the phenomenon being investigated” (p. 22). In order to set aside biases, a reflexive journal was utilized by the researcher (see Appendix H). Based upon this qualitative research study, transcendental phenomenology was more fitting in comparison to hermeneutical phenomenology. Moustakas (1994) explained that transcendental phenomenology focuses on the efforts of the researcher to set aside preconceived ideas in order to complete a study that is free from previous beliefs. The superintendents who served as participants of this study had the opportunity to describe their experiences of the negotiation of teachers’ contracts, and transcendental phenomenology serves as the best outlet to fully describe these experiences.



## **Research Questions**

Transcendental phenomenology focuses on the description of lived experiences (Creswell, 2013). It is essential to understand the lived experiences of school superintendents in order to gain an understanding of how negotiation procedures can be successful. The central research question was:

What are the lived experiences of school superintendents who have successfully negotiated teachers' contracts in public school districts in suburban New York?

The sub-questions were as follows:

- (1) What are the sources of motivation for superintendents who persist in successful contract negotiations?
- (2) What external supports do superintendents attribute to their successful contract negotiations?
- (3) What internal or personal characteristics do superintendents attribute to their successful contract negotiations?

## **Setting**

All superintendents working in districts within a specified suburban county in New York State were considered as possible participants. The districts in this area vary in terms of land size and population size. This area is comprised of 69 districts that were examined for possible participants.

I used purposeful sampling to select only sites that employed a superintendent who had successfully completed the negotiation process related to teachers' contracts. However, it should be recognized that because superintendents' tenure in districts often changes, it was not necessary that the superintendent who cited successful negotiations did so within the district

where he or she was currently employed as long as the district of successful negotiation was within the study area. Successful negotiation could have occurred in a district of previous employment within the same suburban area. In this research study, the employing district was not important as long as it was within the same suburban area of New York. I looked to solely seek out superintendents who have experienced success in negotiations.

### **Participants**

A purposive sample of the participants for this research was drawn from the population of superintendents employed within New York. Purposive sampling allows the researcher to choose participants who have lived experiences with the purpose of the research (Patton, 2015), in this case, superintendents who have successfully negotiated teachers' contracts. The list of all superintendents currently employed in public school districts in this area of suburban New York served as the source for prospective participants. I aimed to find 10-15 participants who met the criteria for this qualitative research. Due to increased amount of data, phenomenological studies do not need a larger participant group; however, I continued to sample until thematic saturation was reached with a minimum of 10 participants. Specific demographic data such as race, gender, and age was not a factor in selecting participants. Disregarding these specific demographic characteristics allowed for random, purposeful selection among participants in order that the findings would be transferable (Creswell, 2013) within the selected area of suburban New York State. Random, purposeful sampling in this case allowed the researcher to find participants randomly from a larger sample group while focusing on what is being studied. By choosing a small, purposeful group of participants, the researcher was able to reduce suspicion about why certain cases were selected and increase credibility and manageability (Patton, 2015).

## Procedures

Prior to submitting an application to the Institutional Review Board (IRB), I completed an expert review of the interview questions. The purpose of expert review in qualitative research is to provide an external check of the interview questions (Creswell, 2013). Expert review allows the researcher to gain a clear understanding of whether or not the interview questions will achieve the desired goals and lead to the acquisition of information that will answer the research questions. The use of the expert review increases the validity of the content within the interview questions (Rubin & Rubin, 2012). This expert review was completed by two professionals within the education field. The first, Expert A, was currently a retired superintendent who had negotiated contracts on behalf of more than one school district in the suburban area of New York State. The second, Expert B, was a school district business official who had been responsible to sit on negotiation committees on behalf of school districts within the suburban area of New York State. Both experts held doctorate degrees and were knowledgeable within this field of study. These experts recommended some changes within the interview questions. Expert A recommended that the broad focus of the interview questions be condensed to become more specific overall. Expert A also expressed that questions one through three should be included to open up the interview but recognized that brief answers to these questions would be acceptable as the content of the study really comes from the later questions. Lastly, Expert A recommended the inclusion of questions more closely related to specific strategies of negotiation procedures and encouraged the researcher to ask about specific training or background within the field of negotiation. Expert A specifically addressed question eight and stated that there is nothing inherently simple about negotiations. He believed this question should be replaced entirely. Expert B agreed with all of the recommendations of Expert A and

added that the participants should be asked what outcomes are expected when negotiating (ex. improving morale, increasing student performance). Expert B also stated that questions nine and 10 should be rewritten to focus more specifically on what external and internal factors actually lead negotiation. Based upon the recommendations of these experts, the interview questions were modified to focus upon the process of negotiation. Prior to conducting interviews with participants, the researcher piloted the interview questions with two participants of a pilot study group in order to modify questions as necessary. The pilot study participants were not included in the pool of actual participants for this study; however, they had experience with negotiation procedures of teachers' contracts. I was previously acquainted with these participants in professional relationships. Because of these previous relationships, these participants were exempt from participating in the actual research study as active participants. Based upon this pilot study, the interview questions were found to be useful and appropriate, and no changes to the questions were necessary.

Once approval from the IRB was obtained (Appendix A), I secured a list of superintendents. These superintendents were viewed as prospective participants and were sent a recruitment email (see Appendix B) asking for participation in the research if they met the criteria of having successfully negotiated teachers' contracts whether in their current district of employment or within a district (within the suburban area of New York) of former employment. The email included a survey (see Appendix C) created by the researcher to be completed by prospective participants to determine if they meet the criteria. This survey was completed online and returned to the researcher electronically. This large group of superintendents initially served as a convenience sample. A convenience sample is one in which participants are chosen from a

group based upon the ease of availability of the entire group (Patton, 2015). This larger group was narrowed down to determine which superintendents had negotiated successfully.

Based on the findings of this survey, I used random, purposeful sampling to select the actual participants who met the criteria for this study. These selected participants received an informed consent (see Appendix D) via email to participate further. The participants were asked to return the consent form electronically via email within 10 days. Once informed consent was received by the researcher, the participants received a questionnaire, the General Causality Orientations Scale (GCOS) (Appendix E), that focuses on motivations and then were scheduled for face-to-face interviews and asked to complete a task consisting of writing a letter to less experienced colleagues who do not have lived experience with the phenomenon of successful negotiations. The participants were asked to complete their written letter prior to the interview and provide the letter to the researcher during the interview period.

Interviewing participants allowed the researcher to bring to light the personal experiences of the participants (Patton, 2015). Interview questions were designed so that I could elicit information that served in answering the research questions.

The writing task allowed me to complete an analysis of documents provided by the superintendents. Narrative analysis such as this focuses on the individual, lived experiences of the participants and is often seen as a more natural method of communication in comparison to face-to-face interviews (Grbich, 2013). Detailed information on each component of data collection is provided below.

### **The Researcher's Role**

Creswell (2013) explained that the qualitative researcher interacts with participants (usually through interviews) and collects data through observations and documents. My role in

this qualitative research was to act as the “human instrument” (Lincoln & Guba, 1985). Lincoln and Guba (1985) described the human instrument as an essential component within qualitative research. The human instrument is responsive to environmental cues, adaptable in various situations, knowledgeable about the topic being studied, and is capable of processing situations immediately, asking for clarification, and exploring the numerous responses of participants (Lincoln & Guba, 1985). As an educator within the public-school system in suburban New York, I have had the opportunity to serve on the executive board of the teachers’ union of the district in which I am employed. I have had the opportunity to negotiate with the superintendent within my district of employment. The experience, for me, was eye-opening as to the effort that is put into such negotiations by all parties involved including the superintendent. In this study, I interviewed superintendents who I have neither never met, nor have had experiences with negotiations. I strived to hear about the lived experiences of each superintendent in a new way. I made a conscious effort to put aside any preconceived notions I may have. According to Moustakas (1994), the term *epoche* focuses on the ability of the researcher to be free of preconceptions in order to be able to be open and receptive when interacting with participants. Before and during the process of obtaining information, I took time to reflect and record through the process of reflexive journaling (see Appendix G) any expectations I may have moving forward. I utilized the processes of member checking and the use of an external auditor (by peer review) to point out any preconceptions that may be present of which I am unaware.

### **Data Collection**

Prior to the collection of any data, I obtained IRB approval (see Appendix A). Common in qualitative research, interviews were conducted by the researcher with participants. Within phenomenology, interviews are the main component of qualitative research. This is because

interviews allow the researcher to obtain descriptions about the experience being studied (Moustakas, 1994).

Triangulation of data is essential in phenomenological research. According to Schwandt (2015), triangulation is “a procedure used to establish the fact that the criterion of validity has been met” (p. 307). This qualitative research was triangulated for validity by incorporating data from interviews, questionnaires, and documents. In addition, member checking was utilized. Member checking, or respondent validation, increases the validity of the research by allowing the participants to have the opportunity to review information in order to confirm that data is accurate (Silverman, 2014).

### **Surveys/Questionnaires**

Once the IRB granted permission for the study, I accessed the superintendents who became potential participants. Each superintendent received an email (see Appendix B) from me. This email included a link to a survey by SurveyMonkey. The SurveyMonkey survey allowed me to confirm which participants met the criteria for the study based upon their experience of successful negotiations of teachers’ contracts. The survey was returned through the SurveyMonkey website. According to SurveyMonkey (2016), data collected under the survey site is protected by a security system that enables data encryption so that data is secure and only received by allowable recipients. However, because no website can be absolutely secure, I only used this tool to locate participants who have successfully negotiated teachers’ contracts. No specific data regarding the lived experience of superintendents was collected using this method. The contents of this survey are included in the Appendix C. Superintendents were encouraged to fill out more than one survey if necessary based upon the amount of times they

have participated in negotiation procedures. Upon completion of this survey, the survey was sent back to me electronically through email or by regular mail.

### **General Causality Orientations Scale (GCOS)**

Once I found potential participants, each participant was provided informed consent for the remainder of the study (see Appendix D) and asked to return this informed consent to me within 10 days. Then, each superintendent was asked to take the General Causality Orientations Scale (GCOS). The GCOS can be found in Appendix E. Permission for the researcher to use the GCOS can be found in Appendix F. This scale can be completed in approximately 15 minutes and provided information to me regarding the motivation orientations of the participants. This instrument is grounded in SDT theory and was developed by Deci and Ryan (1985) to identify the orientations of motivations in humans. According to Deci and Ryan (2000a), “orientation of motivation concerns the underlying attitudes and goals that give rise to action” (p. 54). While this information is evident of quantitative data, it was not be used for statistical analysis. This instrument was utilized in this qualitative research in order for me to observe any relation between what motivates each superintendent in comparison with the lived experiences reported during the interview and writing processes.

### **Interviews**

I also scheduled semi-structured individual interviews with each participant. During this scheduling period, a pseudonym was assigned for each participant in order to maintain confidentiality within the qualitative research. Once scheduled, I completed face-to-face, semi-structured interviews with each participant at a time and location of their selection. I ensured that confidentiality and privacy of interviews were maintained by only allowing the interviewee to be present during meetings in an environment where barriers, such as walls and doors, can



prevent others from observing interviews. All interviews were audio-recorded using a recording device. I transcribed each interview completely before another interview was conducted whenever possible. Data analysis began when all interviews were completed. The semi-structured interview allowed the researcher to ask questions that are pre-determined before the interview process began as well as ask follow-up, probing questions as necessary to gain greater depth and detail about the phenomenon (Patton, 2015). The phenomenological, semi-structured interviews are meant to capture deep personal descriptions of the lived experiences being studied in this qualitative research (Patton, 2015). The interview was designed to be in-depth, open-ended, and non-fixed so I could use the questions as a guide but could also modify questions as needed during the interview process (Rubin & Rubin, 2012).

#### Standardized Open-Ended Interview Questions

1. Please introduce yourself (where you grew up, family information, background).
2. Tell me about your education (elementary school through college).
3. What motivated you to enter the teaching profession? How did you come to be a superintendent?
4. What specific training or background do you have in negotiating teachers' contracts?
5. What specific strategies do you employ when you participate in negotiations? Why do you choose these strategies?
6. Can you tell me about your successful negotiations with teachers' unions?
7. How would you describe what is most challenging about successful negotiation of teachers' contracts in the public school in suburban New York?
8. Aside from specific details of the contract in regard to salary and benefits, what outcomes are you looking for when you negotiate a contract? (Global outcomes)

9. What external factors do you rely on to lead successful negotiations? (external motivators)
10. What characteristics do you think you possess and display that make it possible to successfully negotiate teachers' contracts in suburban New York public schools? (intrinsic motivators)

The questions in an interview usually follow a series of procedures that allow the researcher to provide a sequence within interviews (Creswell, 2013). Interview questions should be designed to be open-ended and focused on gaining an understanding of the lived experience of the phenomenon being studied (Patton, 2015). Questions one through three were general knowledge questions. The purpose of these questions was to identify the background of the participants and allow the participants to become comfortable in providing information descriptively (Patton, 2015).

Questions four through six were designed to allow for exploration of the participant's experience as a superintendent in all areas of roles and responsibilities related to the job title. Questions such as these that explore the participant's experiences are considered knowledge questions in that they probe the participant's knowledge regarding the expectations of the position of superintendent (Patton, 2015). Question six in particular demonstrated a transition point in the interview from focusing on general information of the job of superintendent to specific information related to the task of negotiating. Negotiations procedures are an important responsibility in the role of the superintendent (Hilliard & Newsome, 2013; Meador, 2016)

The basis of the negotiation theory (Zartman, 1978) was essential in this research study. Questions seven and eight focused on the area of negotiation in terms of allowing the participant to describe how he or she viewed the phenomenon of negotiation of teachers' contracts.

According to the negotiation theory (Zartman, 1978), a practical understanding of the negotiation process including both problems and successes is essential to increase understanding of negotiation outcomes. Negotiations can be a combination of a successful experience as well as a tumultuous one (Fisher & Ury, 2011). It is the responsibility of the superintendents to complete negotiations in a manner that is beneficial to all parties (Cavanaugh, 2011a; Sawchuk, 2013).

Lastly, questions nine and 10 encouraged the participant to reflect upon what motivation he or she viewed as most likely to lead to successful negotiation of teachers' contracts. The research of Deci and Ryan (1985) supported the utilization of these questions because they focused on the opinions, characteristics, and beliefs of the participant in relation to a specific event, in this case, the successful negotiation of teachers' contracts. Maintenance of a balance of conflicts and doing what is right for the community is a responsibility of superintendents, and many superintendents have various ways of maintaining this balance (Prosise & Himes, 2002). Parenthetical notes accompanying some questions served as cues for the interviewer during the interview process to provide for follow up as necessary. These notes allowed me to encourage the participant to expand upon his or her answer.

### **Document Analysis**

The superintendents were asked to construct a written letter focusing on the process of successfully negotiating teachers' contracts (see Appendix G). The participants were instructed that the letter should be presented as if they were writing to a less experienced, new superintendent who has not yet experienced the phenomenon of negotiations. The purpose of these letters was to provide advice to future superintendents. These letters were analyzed as narratives relating to the lived experience of the participants. According to Patton (2015), narratives allow the researcher to view the stories of participants as well as their

recommendations to others regarding their lived experience. Connections can be made among what participants write and what they reveal during the interview process. It was hoped that these letters served “as a narrative documentary of experience” (Patton, 2015, p. 128), which is the main component of phenomenology. These letters served as a primary source written directly by participants that allowed the participant to tell about their experiences in a written format.

### **Data Analysis**

The process of analyzing data began as soon as I conducted all interviews. By reflecting and journaling preconceived notions and thoughts, I strived to bracket out any notions that existed prior to beginning research. During the data collection stage, I transcribed the interviews immediately after each one was completed and searched for recurrent themes. Doing so allowed me to construct thematic portrayals of the lived experiences of the participants and provide the essence of the phenomenon (Moustakas, 1994).

### **General Causality Orientations Scale**

Permission to use the GCOS can be found in Appendix E. The responses of the GCOS were analyzed to reveal data regarding the motivations of the participants. The GCOS provides information regarding three types of motivational data: autonomous, controlling, and impersonal orientations (Deci & Ryan, 2000b). The GCOS allowed participants to indicate which responses are most appropriate for them using a seven-point Likert scale (self-determination theory, 2016). This information was then utilized to identify the subscale (based on orientations) in which the participant is most clearly identified. This information was later compared with experiences presented by each participant. The GCOS has been shown to be reliable and valid with a Cronbach’s alpha of approximately 0.75 and a test-retest coefficient of 0.74 (Self-Determination

Theory, 2016). The use of this questionnaire contributed to the process of triangulation described above.

### **Interviews and Documents**

Data analysis of the interviews and written documents allowed me to determine the lived experiences as reported by the participant superintendents. According to Moustakas (1994), the understanding of experience of a situation such as successful negotiations of teachers' contracts is the target of the phenomenological research. The data was transcribed verbatim by myself immediately following each interview session with each participant. Once the transcriptions were completed, the participants were asked to review the transcript as a member check. Based upon the transcripts, I reviewed the transcript as a whole to seek recurrent themes. Then, I reviewed each transcript in smaller sections to seek recurrent themes and increase focus on description. I utilized horizontalization by recognizing that every statement recorded has equal value in seeking recurrent themes. Horizontalization enables the researcher to find significant statements in the data collected to help understand how the participants experienced the phenomenon (Creswell, 2013). In this research, the phenomenon was the negotiation period. I listed units of information and began coding. Codes were utilized to classify and label patterns by finding significant statements found in the data. Coding allowed me to organize and describe the content of the material collected during the research (Patton, 2015). I consistently reflected on descriptions that were found. I utilized all steps above for the transcripts of interviews with each participant. I constructed textural-structural descriptions to develop both the meaning and essence of the experiences of the superintendents by including verbatim examples from interviews.

The steps allowed me to analyze, code and compile the rich descriptions that were provided by the superintendent participants. The information derived from the GCOS was analyzed in relation to the evident themes found based upon coding and comparisons of each participant.

### **Trustworthiness**

The trustworthiness of a qualitative research study is defined as the “quality of an investigation that made it noteworthy to audiences” (Schwandt, 2015, p. 308). According to Lincoln and Guba (1985), trustworthiness includes how the researcher persuades the audience that the content of the research is worthy of attention. Trustworthiness in qualitative research studies includes credibility, transferability, dependability, and confirmability.

### **Credibility**

This research study addressed credibility (the extent to which the findings accurately addresses reality) through the triangulation of multiple sources including questionnaires, interviews, and document analysis. Triangulation increases credibility by documenting themes from different sources of data (Creswell, 2013). In addition, I used member checks to increase credibility of the qualitative research. Member checks allow the researcher to be sure that content reported is reflective of what the participants actually reported (Schwandt, 2015). Lincoln and Guba (1985) explained that credibility of qualitative research is fostered and strengthened by prolonged engagement with participants and persistent observation during interactions with participants in addition to member checks both during and after research procedures.

### **Dependability and Confirmability**

The research study addressed dependability (consistency) and confirmability (the exclusion of researcher bias) by overlapping, or triangulation, of methods of data collection. In addition, the use of an external auditor in the research process served to increase both components. The use of the external auditor as peer review allowed for the research to justify that the findings are corroborated by the data (Loh, 2013). Reflexive journaling was utilized using the sample in Appendix H. Lincoln and Guba (1985) explained that it is important for the researcher to utilize overlapping, triangulation, and reflexive journaling within the data collection and analysis process simultaneously.

### **Transferability**

The research study addressed transferability (the possibility that what is found in one context is applicable to another context) by including thick, rich description of the lived experiences of the phenomenon being studied. Thick description allows for the understanding of the phenomenon being studied (Patton, 2015). This understanding allows the reader to make informed decisions regarding transferability. Thick description can provide an observer with the opportunity to transfer information (Lincoln & Guba, 1985). The potential to use any superintendents meeting the criteria from within the demographic area of the study based upon their success with negotiations allowed for transferability as well.

In addition, all components of trustworthiness were addressed through the consistent reflexive journaling on the part of the researcher. This journaling allowed for the successful bracketing of any biases I may exhibit.

### **Ethical Considerations**

Ethical considerations must be taken when conducting research including human participants. According to Creswell (2013), there are six areas where ethical issues may occur in qualitative research. These areas include prior the study, at the beginning of the study, during the collection of data, during the analysis of data, while reporting data, and when publishing data. Prior to the study, I received IRB approval before the study began and any data were collected. The participants were notified of the purpose and time-frame of this qualitative research. The participants did not receive compensation for participating in the study. In addition, all participants were informed that they may choose not to participate in the research at any time. Once a participant gave informed consent to participate and the data collection process began, each participant and district was assigned a pseudonym to protect them from being easily identified. Data received during the research period was secured on a password-protected computer, and all hard-copy data was locked in a filing cabinet. In accordance with federal requirements, all data will be secured in these locations for a period of three years. Upon the culmination of this period of time, all data will be destroyed. When destroyed, all information on the password-protected computer will be erased using a commercial software application designed to remove data, and hard-copy data will be shredded and recycled.

### **Summary**

This chapter outlined the methods that will be utilized for this transcendental phenomenological qualitative research study. The research design was presented in relation to the research questions, setting, participants and procedures of the study. The researcher's role was explained through the context of data collection and analysis. Finally, the trustworthiness of this study was described, and ethical considerations were examined.



## CHAPTER FOUR: FINDINGS

### Overview

The purpose of this transcendental phenomenological study was to describe the lived experiences of superintendents who have successfully negotiated teachers' contracts in public school districts in suburban New York. The problem guiding this study was that there is limited information regarding the understanding of superintendents relating to their personalities, motivations, and lived experiences in negotiating teachers' contracts. Data were collected via one-on-one interviews, motivational surveys, and document analysis of letters written by superintendent participants. All interview questions were peer-reviewed. The 11 participants utilized for this study were purposefully chosen to select superintendents who have successfully completed the negotiation process related to teachers' contracts.

The theories guiding this study included the negotiation theory (Zartman, 1978) and the self-determination theory (Deci & Ryan, 2000b). The participants revealed many characteristics of the negotiation theory and were able to share some of the meaning of the negotiation theory related to their experiences. In addition, the participants were able to demonstrate motivations through the completion of the GCOS. This is further discussed later in this chapter. This study was driven by one central research question and three sub-questions. This central research question was: "What are the lived experiences of school superintendents who have successfully negotiated teachers' contracts in public school districts in suburban New York?" Furthermore, three sub-questions were as follows:

- (1) What are the sources of motivation for superintendents who persist in successful contract negotiations?

- (2) What external supports do superintendents attribute to their successful contract negotiations?
- (3) What internal or personal characteristics do superintendents attribute to their successful contract negotiations?

By sharing their experiences through interviews and written documents, the superintendent participants illustrated their experiences in successfully negotiating teachers' contracts. This chapter provides a detailed analysis of these experiences as reported by the participants. Throughout the course of the research, four themes emerged, each of them connected to the central research question and at least one of the sub-questions. The themes discussed include negotiation processes, opportunities of negotiations, obstacles of negotiations, and effectuation of success. Chapter Four includes an analysis of data that led to the development of themes and provided rich, descriptive answers to the central research question and sub-questions, and a summary of the findings.

### **Participants**

Eleven participants were included in this study. All participants were purposefully selected based on their experience in having successfully completed the negotiation process related to teachers' contracts within a public-school district in suburban New York. Eight participants were male and three were female. The participants had a wide range of personal backgrounds in education and represent districts ranging in size from less than 50 students to over 1,000 students. Quotes were typed verbatim in this document, ignoring grammatical errors to maintain the integrity of the actual statements made by the superintendent participants.

**Mr. Anderson**

Mr. Anderson grew up in the same suburban area where he served as superintendent at the time of the study. He originally planned on attending college to study criminal justice, but after speaking with a college counselor, he realized that was not the right path for him. He received a bachelor's degree in health and physical education and proceeded to get a teaching position in this area. As he was teaching, he received a master's degree, and with the encouragement of an older colleague, received a degree in school district administration. He moved on to work as a chairperson for health and physical education. Then, he became a dean of discipline followed by an assistant principal and, ultimately, a principal. After serving in the principalship, he moved to his current district and has served as superintendent there for eight years.

**Dr. Clark**

Dr. Clark realized his calling to become a teacher at a young age. As a teenager, his parents had two more children, and he realized how much patience he had for young children. While he loved history and thought he may become a high school teacher, his younger siblings made him realize he would like to teach younger children. He spent the beginning of his career in education as a fourth and fifth grade teacher in the same school district where he grew up and graduated. His principal at the time encouraged him to pursue an administrative degree. After receiving his administrative certification, he continued his education to obtain his doctorate degree. He eventually became superintendent in the same district and spent his entire educational career of more than 40 years there. He retired from the district two years ago and was contacted shortly after by another local school district asking him to serve as interim superintendent there. Originally it was planned that he would hold the position for only a year

while the district searched for and hired a permanent superintendent, but he has held this position for two years and enjoys it.

### **Mr. Davis**

Mr. Davis expressed that while growing up, his family was extremely poor. He did not realize that college was even an opportunity for him with the help of financial aid. After graduating from high school, Mr. Davis joined the military with the intent to serve his country while receiving assistance to further his education. Mr. Davis said that he wishes someone would have taken the time to tell him that he had other opportunities to attend college. He chose to go into the teaching profession in order to be able to help students and explain all of the things that he felt he missed out on in high school. He expressed during the interview that in his opinion no one should have to rely on luck to be able to attend college. Mr. Davis felt it is important to ensure in the educational system that no child is left out and no one falls through the cracks. Upon graduation from college, Mr. Davis became a high school social studies teacher. He went on to receive an administrative degree and served as an assistant principal for five years, and then as a principal for five years. He has been a superintendent for four years serving in two different districts in the suburban area of New York.

### **Mr. Evans**

Mr. Evans grew up in a family of teachers. Both of his parents were teachers and both he and his wife have careers in the educational field as well. Mr. Evans was an elementary school teacher (which he compared to winning a gold medal in the Olympics). He finished his administrative degree locally and was encouraged by a mentor to interview for an assistant principal position and was hired for that position in the same district where he is currently employed. Mr. Evans originally decided to take administrative courses so that he would be able

to build up his salary while, at the same time, attaining a degree that would actually be useful in the future. He said that he always considered himself a leader and he would rather be the one making decisions rather than questioning the decisions of others, so moving into administration just felt right. From the assistant principalship, he climbed the ladder to principal, assistant superintendent, and now holds the position of superintendent in the same district.

### **Dr. Fox**

Dr. Fox has been in the educational field for over 35 years and was an administrator for 22 of those years. He held a bachelor's degree in education, a master's degree in special education, a professional certificate in school district administration, and a doctorate degree. Dr. Fox knew he wanted to be a teacher for a long time and it seemed like a natural thing for him to do after being a swimming coach and providing lessons. He enjoyed working with his own coaches and thought his high school teachers were "cool" and they inspired him to go into the field. Over time, he thought he would be able to make a bigger impact on students by moving into administration. Dr. Fox worked in seven school districts over the tenure of his career serving in the capacities of teacher, middle school principal, and high school principal. At the time of the study, he was serving as superintendent and was very happy to stay at his current district until he is ready to retire.

### **Mr. Graham**

Mr. Graham has lived in this current district of employment since he was in fourth grade when he moved there from a nearby city. He originally planned to become a priest but was encouraged by a family friend to become a teacher instead. After receiving his bachelor's degree, he was working at restaurants and at a local college when he received a phone call asking him to accept a fourth-grade position at the school. When he started teaching at the district, he

was soon exceeded due to dropping enrollment. He was encouraged at that time to get his administration degree and was granted the position of administrative assistant. Ultimately, that led to a position as assistant principal. Mr. Graham remained in that position and served under three different superintendents. When the superintendency opened a fourth time, he was asked to take the position and declined the offer. After more prodding, he reluctantly agreed to do it for a year. One year led to 23 years as superintendent in the district. He reported that he enjoys his job very much and he is living his dream.

### **Mrs. Hunter**

Mrs. Hunter did not originally seek to be a teacher. She received her bachelor's degree from a state college in sociology and social work. She continued with her education to receive a master's degree in social work. Mrs. Hunter entered the educational field as a grant writer for the district where she was currently employed and later moved on to a position as assistant superintendent. She had not worked at the building level in the district and started and remained at the district level. Mrs. Hunter was motivated to enter the field of education in order to put her skills as social worker to good use. She reported she has the ability to work well with others and is able to help others see varying sides of a situation by bringing a different perspective into the educational world.

### **Dr. Isaacs**

Dr. Isaacs came from a family of educators as well. His mother was a music teacher, and his father was a physical education teacher. He thought about teaching from a young age. He received a bachelor's degree and began his educational career as a social studies teacher, coach, and class advisor. As the economy took a turn in the 1980s, he found himself looking for a new job. Dr. Isaacs taught in his first teaching position for five years and then moved on to another

district for another five years before becoming a department chairperson. From that position he moved on to three different districts, serving as an assistant principal, a principal, and at the time of the study, a superintendent. During that time, he received his master's degree and doctorate degree in educational leadership. Dr. Isaacs reported that he knew moving into administration was the right thing to do in order to be able to make positive changes for students.

### **Mrs. Johnson**

Mrs. Johnson grew up in a rural part of New York. She is the oldest of six children and the only one in her family to attend college. She graduated with a bachelor's degree in English and secondary education. After she met her husband, she moved to this suburban area of New York and obtained a teaching job, but it proved to be very difficult. She worked for a period of time in a local town office and then in an office position at a school district. From that position, Mrs. Johnson went back to school and received a degree that allowed her to work as an assistant to the business administrator in a local school district. This position led her to another local school district where she became an Assistant Superintendent for Finance. She has since held two superintendent positions and retired from her last full-time position after nine years. Mrs. Johnson revealed that her first superintendency was fraught with difficult times, and she learned a lot from the experience. She was able to bring this experience with her in to her second position as superintendent. At the time of the study, she was working as a part-time interim superintendent at a suburban school district in New York.

### **Dr. King**

Dr. King grew up in this suburban area of New York. He went upstate to a college in a rural area and received a bachelor's degree in engineering. He received his master's degree in science and secondary education. After receiving teaching certification, he became a high school

science teacher. During this time, he went back to school and completed both his administrative certification and doctorate degree in educational leadership. Dr. King originally became a teacher so that he would be able to teach science to students in a way that was both understandable and enjoyable. He moved on to administration because he liked leadership in general and wanted to have more of an impact on learning outside of the classroom setting. Before becoming a superintendent, he served as an Assistant Superintendent for Curriculum at another district. Dr. King is currently serving as a superintendent in his district for the past four years.

### **Dr. Lane**

Dr. Lane began her educational career as a teacher of biology, earth science, and chemistry. She originally planned to become a doctor but realized that she could make a difference for children while she was a teaching assistant in a pre-school during college. The planning and discussion among her colleagues led her to seek an administrative degree. She put her career plans as a teacher on hiatus as she continued to grow her own family and sought out a new path that allowed her to be a field experience coordinator for student teachers at a local university. This position also required Dr. Lane to provide professional development opportunities in many local school districts. The relationships she formed during this time allowed her to take a new position of Assistant Director of Science on a part time basis at a local school district. When the school district faced budget cuts, her position was cut, and she moved on as Director of Science at another school district. At this district, she later became principal at an alternative high school. Dr. Lane reported that this position was very rewarding, and she remained there for over three years. As budgetary concerns crept up once again, she accepted a position as Director of Curriculum within another district. She remained within the position for



one year and was promoted to Deputy Superintendent. Dr. Lane reported this as a great period of learning for her and said the position required her to work harder than she ever had before. Once the district secured a permanent superintendent in that position, she sought a permanent position for herself. Dr. Lane found her permanent position in the district where she has now been employed for the past four years as superintendent. During her time as superintendent, she completed her doctorate degree in educational leadership.

### **Results**

While all the participants have different backgrounds, they exhibited some similarities as well. When given the GCOS motivational survey, all superintendents scored within the autonomy range of motivational orientation. The autonomy orientation focuses on how the individual uses environmental stimuli to increase intrinsic motivation. Individuals exhibiting the autonomy orientation often show greater self-initiation and greater ability to take responsibility for one's self and actions. Individuals that show autonomy orientations are more likely to seek and accept positions and activities that are challenging in comparison to individuals who demonstrate controlled or impersonal orientations. Table 1 displays the scores of each superintendent in relation to each orientation.

Table 1

*Orientations of Superintendent Participants*

Pseudonym	District	Autonomy Orientation Score	Control Orientation Score	Impersonal Orientation Score	Orientation of Superintendent
Mr. Anderson	District A	69	38	30	Autonomy
Dr. Clark	District C	78	51	42	Autonomy
Mr. Davis	District D	81	39.5	28.5	Autonomy
Mr. Evans	District E	81	40	21	Autonomy
Dr. Fox	District F	75	54	30	Autonomy
Mr. Graham	District G	67	39	25	Autonomy
Mrs. Hunter	District H	80	20	18	Autonomy
Dr. Isaacs	District I	56	6	13	Autonomy
Mrs. Johnson	District J	76	46	35	Autonomy
Dr. King	District K	69	48	41	Autonomy
Dr. Lane	District L	67	38	38	Autonomy

After the data were analyzed, four themes emerged (see Appendix I). Those themes included (1) negotiation processes, (2) opportunities of negotiations, (3) obstacles of negotiations, and (4) effectuation of success. These four themes correspond with one or more of the research question and sub-questions that guided the study and were identified using both interview responses and writing samples. The four themes are discussed at length in the next section and demonstrate the lived experiences of the superintendent participants in successfully negotiating teachers' contracts. Each of the 11 participants were able, in some way, to demonstrate each of the four themes in descriptions of their experiences. Quotes are typed verbatim into this chapter, ignoring any grammatical errors that may exist in order to maintain the integrity of the comments made by each participant.

## Themes

### Theme One: Negotiation Processes

Personal views of negotiations and styles of negotiations were areas where commonalities were found among interviews and written documents. Each of the superintendents readily displayed their personal views on negotiations regarding why negotiating is so important within the suburban public-school setting. The superintendents revealed the importance of identifying important negotiation points, first and foremost. Doing so allows the superintendent to steer negotiations in a successful direction. Mr. Evans stated some important strategies that must be in place prior to beginning negotiations, “Gather feedback from stakeholders regarding contractual provisions (things that are working, things that need to be changed and new items).”

The opinions of Mr. Evans were very similar to those of Mrs. Hunter regarding strategies that must be in place, “have a clear set of goals and “must have” items. Be realistic and sensitive to external forces.”

In his interview, Mr. Anderson gave specific details about important negotiation points:

When you’re looking at a contract, it’s very simple. It’s the percentage on a salary. It’s health insurance and how much each party is paying. So, now, I have two or three major things. Most of the other things are secondary.

Above, Mr. Anderson, along with some other superintendents, believed that the negotiation process is most useful when the content of negotiations are kept simple. Mr. Graham reported that he really doesn’t like to negotiate, but offered simple advice, “If this is what you are going to offer, offer what you are going to offer. If it’s what you want, ask for what you want. I try to be realistic. I don’t like negotiations.”

Again, Mr. Anderson was more succinct in stating the importance of simplicity in negotiations:

Some of the things... are very black and white. Simplistic in a way, but not so much.

Keep things simple. For me, it's what you are looking for, four or five major points that you are looking for as the other side. And what are the four or five major points that I want.

Mr. Anderson took this simplicity one step further by tying it in to the importance of the relationships that are built before, during, and after negotiations. He stated, "So, there was a great relationship built up, and when we met, I tell you, I was so blessed. It was simple. It was back and forth." He believed that relationships begin long before negotiations begin. He demonstrated how he strives to meet with union officials on a regular basis to build a lasting relationship. When it is time for negotiations to begin, he gave some advice to new superintendents:

I believe it is important to first have a casual meeting with the union president, usually over breakfast or lunch (breaking bread) and convey that the District would like to informally discuss the extension of the contract and to obtain an understanding of the other side.

The importance of forming relationships was reported by many of the participants. Dr. Fox stated:

Specifically, I have a philosophy that agreements are reached long before you sit down and negotiate. Agreements really come about through...right from the day after you make a settled agreement. Your best strategy is to talk about what's going to happen the next time you sit down to negotiate a contract.

Mrs. Johnson also expressed her views on building relationships with the teachers, “I feel it is important to establish a relationship with the parties and to demonstrate that I respect them, and that I treat everyone fairly and consistently.” References to respect and building relationships go hand in hand for many superintendents when telling of their experience with negotiations. Mr. Evans reported:

I think a lot of it is respect and respect in the confidentiality [of the negotiations process] in between the walls, number one. Number two, respecting the other people at the table. But it’s a give and take. They must respect you and you must respect them.

The ability to form relationships with members of teachers’ unions stems from the ability to understand the needs and wants of the other party. In the case of superintendents, the other party is the teachers’ unions. Dr. Fox specified the importance of understanding the other party by quoting Nelson Mandela within his written advice to new superintendents. He showed that Mandela understood that you can win the hearts of others when you understand what they need.

Dr. Fox wrote:

To me, negotiations can be a discussion or a dialogue. There is a very important difference between those two types of conversations. When negotiations represent a discussion, they are non-productive and lead people to talking at each other and going no further than the other persons mind. They will not produce the desired outcome whenever you are seeking a concession. To achieve concessions or givebacks you must be able to speak to someone’s heart. The other person must feel they are doing the right thing not only for their members that they represent, but also on a higher level of the good of the organization, the students, and the community. When negotiation sessions become a dialogue, you are conversing with a true understanding of the other person’s point of

view, an understanding of what they need and why, and the fully comprehend what you need and want.

In the interview, Dr. Fox reiterated this by stating:

So, I like to develop an ongoing, collaborative conversation for a couple of years before we sit down and enter into formal negotiations so that the side than I'm sitting with understands our positions before we sit down at the table.

Other participants also stated that it is not only important to understand the point of view of the other party in negotiations but understanding the needs and wants of those on the same side of the table is important as well. Mrs. Hunter reported:

I am also very sensitive to what the other side brings to the table. And I have that skill set is just my training and I think it really helps in negotiations. It makes it easier to not only to deal with who is across the table but who is on the same side as you to help different people try to look at things differently.

Through the interview process and written documents, the superintendent participants revealed that an essential part of forming positive relationships and understand the other party could be found in realizing the value of teachers within the school system and building a school environment that is beneficial for students. Teachers were described as the most important people in the culture of the school by some superintendents. Dr. Clark stated:

My advice starts with remembering that teachers are our most important employees. Our mission in schools is all about teaching and learning. Teachers are the ones who deliver the goods and work directly with our students. That doesn't mean we give them whatever they want but it does mean that you should always be respectful and remember that we depend on them every day.

Dr. Isaacs reinforced this view by giving specific examples of the importance of teachers and how that importance plays out in the negotiation process:

Our last negotiation here was incredibly successful in that we were able to use some reserve money to move our teachers to a place that we thought was worthy of their work. We thought they were underpaid. We moved them. They helped us with some future things that would reduce our spending down would bring our spending down. It was successful because we got the teachers to where they deserved to be but gave us sustainability for the future.

He continued with this idea by providing written advice stating:

The teachers must believe that the Superintendent view the instructional staff as the district's most precious resource and understand that the faculty feeds their families through the collective bargaining agreements.

Just as the teachers are an essential element in the school system, a part of the responsibility of the superintendent is to build a positive and beneficial school environment for students. Dr. Clark demonstrated this idea, "Have a vision for what you'd like your schools to be like in the future for your students and staff."

Negotiating contracts with teachers plays a role in the school culture. When asked what achievement she hopes to achieve in negotiating, Dr. Lane responded:

Better working conditions for the children. So, I know that sounds crazy, but if I can change working conditions for the teachers' contract slightly so the children get more impact over the course of the day...that's definitely one of them.

This comment made by Mrs. Johnson supported the same idea, "Most important is a contract that provides students with the best educational opportunities that we can provide collaboratively."

In addition to analyzing the personal views of negotiations that superintendents hold, it is essential to understand the styles of negotiation that superintendents consider most useful in bring success in the process of negotiating. According to Mr. Davis, “each negotiation takes on a life of its own. There really is no cookie cutter process to it. Some may take a short time, others may go on for years.” According the varying styles of different superintendents, Mr. Davis was accurate in stating that there “is no cookie cutter process to it.” Some superintendents like to develop clear ground rules of negotiations so that the process remains as they see it should. Mrs. Hunter provided reasoning for this:

We sort of wrote some of the things about setting clear ground rules. These things are basic. We have a very specific approach that we don’t go to the table ready to fight. We go into it ready to solve problems and we are very clear about that.

One superintendent reported that he likes to get the first offer from the other party before beginning negotiations. According to Mr. Anderson, “My style has always been to attempt to get the first offer from the other side as a starting point and work from there.” Another superintendent reported that he likes to work on easy topics first, and then deal with other, more difficult issues. Mr. Davis stated:

There are certain things that you can look and go yes, yes, yes, yes together...okay, you can say yes to these. Yes, to this one, yes to this one on the list... those are the easy things. Then we can look at the things that we just know we aren’t going to agree on right now and take a look at what this person is requesting and why they might be requesting and then we can come back and talk.

Mr. Davis also believed the opening proposals during contract negotiations need to be appropriate and reasonable:



I think that your opening needs to be reasonable. Like I said, some people want to start with this high thing... like they can start throwing things away. Um, I don't like to do that. I like to tell you this is what I can do. And then we look at somewhere in between.

This point was reiterated by Mrs. Johnson, "knowing what your parameters are, going in with, um, reasonable starting points." More often, superintendents express similar styles of negotiation related to starting by identifying desirable outcomes for both sides, using a combination of give and take, and facilitating ongoing, collaborative conversations to keep negotiations flowing smoothly. Many participants revealed the importance of identifying desirable outcomes. Dr. Clark said, "the conversations in the beginning, in my opinion, need to be what do you need, what do we need, in a general sense not in a specific sense."

Mrs. Johnson said that the superintendent should be prepared to exchange proposals but cautioned that a superintendent should not share a proposal until the teachers' union negotiators are ready to the same. Mr. Davis focused on the next step, "Hopefully, there is at least one item you and the bargaining unit can each agree on. After that, you begin with counter offers to original proposals and discuss the reasoning behind the counter offers."

These types of discussions lead to a give and take among negotiating parties. Mr. Evans and Mrs. Hunter agreed that negotiations require the component of give and take. Along with this, both parties must consistently demonstrate respect for the other party. According to Dr. King, give and take allows for increased understanding among parties:

Both sides can clearly see and understand the impact of various items. I have also found it very important to clearly understand what the union is looking to accomplish through negotiations. If both sides can carefully listen and understand goals, the process will go much smoother.

Careful listening and being able to clearly portray what a superintendent needs from a standpoint of the school district helps to foster ongoing, collaborative conversation among both negotiating parties. For some superintendents, promoting a collaborative atmosphere is essential for success.

Dr. Fox explained:

My primary strategy, if there's a technical term for it, I don't know it, but my primary strategy is a collaborative atmosphere where you are discussing contract and items in the contract, also with possible solutions to settle those items before you come to negotiations so there's no big surprises. The collaborative norms approach to contract negotiations that I described above has allowed me to achieve several significant accomplishments... To bring opposing groups together during a contentious time take patience and continued commitment to listen and converse in the hopes that eventually those forces will align and produce agreements.

Ultimately, the essence of the process of negotiations, according to the experiences of the superintendents, focuses on personal views of negotiations and varying styles of negotiating. While some among these components differ, there is a main focus on forming relationships and encouraging collaborative conversations.

### **Theme Two: Opportunities of Negotiations**

There are many benefits of negotiations. These benefits can be viewed as opportunities that the processes of negotiating provides to an individual. According to the interviews and written documentation from the superintendent participants in this study, the opportunities presented by negotiations include a focus on personal characteristics that make negotiations successful as well as sources of motivation that form before and during the negotiations process. In discussing their experiences with successfully negotiating teachers' contracts, the participants

had the opportunity to discuss what personal characteristics they believed they possessed that led to successful negotiations with teachers' unions.

Some superintendents reported fairness and their ability to communicate well as criteria for success. For Dr. Clark, fairness leads to treating every situation he encountered in negotiations objectively:

I tend to be fair to a fault. That's what my previous Board President said about me at my retirement party. Which is true because human nature, even when you had someone do you wrong, or not performing the way they should, you want to be able to just unload and I won't do that. Regardless of our past, I try to treat every new situation as objectively as I can. And, what is fair for a person I love, is fair for a person I wouldn't get a friendship with. That sense of fairness allows me to be willing to hear the argument from the other side.

Mrs. Johnson believed fairness is key to successful negotiations as well:

I think that being honest and, um, demonstrating on a daily basis that you are fair, that you believe in and you don't try to finagle the contract language, not setting up an adversarial relationship.

Equally, the ability to communicate well with other leads to success in negotiation. Previous training and experience can enhance one's ability to communicate according to Mrs. Hunter, "I think my skills as a social worker is hands down a critical piece. I know how to communicate." Similar sentiments about the importance of communication were displayed by Dr. Fox, but he explained what happens when communication is poor during negotiations:

My inability to read the situation or the unit's position can create frustration and distracts from the efforts necessary to move the organization forward with a shared vision and

mission towards improved student learning and achievement. Poor communication and a lack of productive dialogue can cause these situations to occur. When that happens, I am quick to encourage an increase in conversation and dialogue.

More often, superintendents reported that the ability to prepare and have empathy for the other side leads to higher levels of success in negotiations. Mr. Evans reported that the ability to prepare is a key characteristic that he exhibits:

I would say the preparation, the behind the scenes work, really thinking about things from all angles is what our negotiations teams do. Thinking of the intended and unintended consequences of the proposals. And, again, the devil is in the details... so, you must be prepared, and you really must know the district and the community. And you must know the team you are negotiating against.

The ability to prepare allows the negotiator to be able to have a general sense of how negotiations should go by focusing on specific details. According to Dr. Lane:

I like to see the big picture. So, that's why I pull the comps [comparisons to other districts]. Because I know where we are paid. I know where the teachers are paid, I know the benefits they have, and I actually... not this teachers' union president maybe... but I think the teachers realize I'm on their side. We are all trying to make a living and, um, being able to think outside the box, to hear both sides, to know what's really going on around us, not going in blind... I think that's any good negotiator, not just me.

Dr. Lane continues focusing on the need for empathy when trying to make negotiations successful for all parties:

That you really have to understand... there's an empathy piece to it. You know both sides need to be empathetic or you can't really ever carve out a contract.

Dr. Fox strengthened this point further, “If you are going to have a collaborative bargaining, you have to have some empathy for the other side and seek to find win-win solutions.”

Empathy allows the superintendent to finish up negotiations in a manner where both sides feel they have gained something without losing too much in the process. Mrs. Hunter understood that empathy is not always easy:

You know for some of our bargaining units the things that are important to them from our lens... you have to put yourself in their position. And you have to be willing to hear what’s important. That can be a little challenging, but we usually get there. We have never not gotten to where we need to be in negotiations.

Most often superintendents, when discussing personal characteristics, identified honesty and truthfulness and the ability to compromise as some of the main opportunities for success during negotiations. Dr. Clark explained how his honesty allows teachers’ unions to know that what he is saying is valid:

My honesty... at some point, people realize that I’m not making stuff up. If I am telling you something, it’s because every indication that I have it’s the truth and I won’t make up stories to try to trick you into thinking something that’s really not true.

Most superintendents who identified honesty as a personal characteristic that leads to success also explained how this characteristic can lead to completed negotiations easily. According to Mr. Davis:

Anybody who knows me just knows I’m going to be straightforward. I’m not going to play games. This is what I would love to give you... I’d love to give you everything you are asking me for... I can’t. This is what I can give you, and then, we figure out somewhere in between.

Similar to Mr. Davis, other superintendents, like Mr. Graham, discussed how honesty prevents game playing during negotiations:

If you are going to say let's just not play the game and just be honest and present what you really want, and we will present what we really want and see how it goes from there. If we could do that, if everybody could agree to that, that would be great...my final suggestion is to stay honest at all times with both parties. If you feel the Board needs to offer more, tell them. If you feel that the teachers are asking for too much, tell them, too, but be honest.

In addition, the ability to compromise with others is a personal characteristic that is paramount to successful negotiations according to the superintendents who were interviewed. According to Dr. King, the ability to compromise is what brings successful negotiations to fruition:

I think you have to listen, and you have to be willing to compromise. The best... the best negotiations end with neither side feeling that they got what they wanted. You get a little bit of what you wanted, but you are never going to get everything. If you are a careful listener and wrap yourself around what they are trying to accomplish, very often you can come to a collaborative ending.

Part of being able to compromise is the ability to grow relationships with others knowing that negotiations will end in terms that are fair and beneficial to students overall. Mrs. Johnson explained how she goes about this, "It is my goal to communicate that we do not need to be adversaries, that we have an important common interest, the education of our children. I focus on that at all times, especially during negotiations."

Mr. Graham also explained how the relationship among parties can increase success, “Success at negotiations really is two-sided. Remember that the teachers are your employees and as such, deserve to be rewarded accordingly.”

Compromise and the building of relationships allows for an increased level of respect in negotiations. When people feel respected, positive outcomes are more likely to follow. Mr. Davis focused on how important respect is in compromising:

This is where the respect issue becomes the most crucial. It’s important to understand where the requests are coming from and validate concerns. Never simply dismiss a request. It is perfectly alright to continue to disagree about items; but be sure everyone feels respected in the process.

While discussing compromise, the ability to grow relationships surfaces as well as a source of motivation. Many superintendent participants discussed how important the development of positive relationships is to successful negotiations. First, positive relationships with unions are imperative. Mr. Anderson revealed that positive relationships must start before negotiations, “And I have a great relationship and formed a great relationship with the leadership of that union prior to sitting down.”

Dr. Isaacs revealed how positive relationships influence success, “Win/win approach that takes trust, and deep-rooted relationships can be incredibly successful in a collective bargaining situation.” He continued to provide important information specifically related to the relationship that a superintendent should have with union members:

Let me say from the outset that I hold the fundamental belief that quality negotiations are built upon trust and mutual respect. These important connections are borne out of

genuine relationships and the Superintendent must make it a top priority to connect with... staff.

Again, participants stated that positive relationships between unions and the superintendent require long term commitment and cannot be achieved solely at the negotiating table. Dr. Lane explained some ways in which she likes to keep these relationships strong throughout the school year:

Relationships with the union when not bargaining can also set the tone. Having the Board and the community see teachers regularly – bringing successful students and their teachers to BOE [Board of Education] meetings for recognition, highlighting the accomplishments...celebrating BOE appreciation week with student work and thanks, all go a long way to having the community see the teachers favorably.

Other sources of motivation include doing the right thing for students and the elated feelings that come with successfully settling negotiations and ratification of a new contract. Because schools are in the business of educating children, it was important for superintendents to reveal that beneficial outcomes for students are a major source of motivation for them to successfully negotiate teachers' contracts. According to Dr. Clark, "Contract settlements should be fair to teachers and to the district. Most importantly, everything agreed upon should benefit students in some way and never hurt them."

Mrs. Johnson also used this motivation as a reminder at the negotiating table:

Keeping emotions out of it, sticking to the facts, for me, it's always the bottom line of what is best for kids. Negotiations are all part of that package. And, trying to make sure that people understand that these things are not disconnected.



For some superintendents, the greatest source of motivation is the feeling of achieving success when negotiations are complete. The idea of resolving the contract was particularly exciting for Mrs. Hunter:

I love negotiations. I mean, it's fun but when you can resolve the contract and really walk away from the table feeling good about it... I love doing that. It's a fun part of the job.

Mr. Evans also reported how he thinks the teachers view the situation when negotiations are completed, "Our workforce is more content when contracts are settled."

While specific ideas about personal characteristics and sources of motivation varied somewhat from one superintendent to another, it was clear in analyzing the data that completion of negotiations is both a celebratory and reflective time. The superintendents use this opportunity for reflection to strengthen their personal traits and continue the work of negotiating in the future.

### **Theme Three: Obstacles of Negotiations**

The superintendent participants were willing to share the obstacles they face during periods of negotiations with teachers' unions. The obstacles came from both limitations and challenges they faced. Limitations are based on constraints that are placed on superintendents outside of the school district community. One area of limitations discussed by superintendents was what they considered to be unfair state mandates. One such mandate is related to regulations for teacher evaluation. In New York, the Annual Professional Performance Review (APPR) has guidelines in place that must be negotiated between school districts and teachers' unions. One superintendent, Mr. Davis, who would rather form his own opinions about teacher evaluations reported:

Well, APPR is always in there now. Um, as far as I'm concerned, I'll give you anything you want in their APPR, but...same thing... things are give and take because you all know exactly how I feel about APPR. I'm going to tell you how I feel about you as a teacher, I don't care what the score is.

Other unfunded state mandates put pressure on superintendents to consolidate costs as well. This pressure often results in obstacles during negotiations. Mrs. Hunter revealed:

Here we are thinking that we may be able to have a certain amount of revenue and perhaps use in a certain way and suddenly we have to hire seven teachers that we had no idea we were going to hire. So, that impacts our ability and our sustainability. There are external things that become mandates that we can't control for and therefore the pool of money gets chopped up differently.

Mandates such as the one Mrs. Hunter referred to lead superintendents to be very cautious, at times, at the negotiating table. While they may like to give something to the teachers' unions in terms of contractual agreements, they have to hold back in case situations like these arise unknowingly later during the term of the contract. The economy often presents obstacles to superintendents during negotiations, particularly in the past few years. Tax caps were implemented in New York State a few years ago, and the inability to pierce the cap without receiving substantially more approvals in terms of votes in the community puts a lot of pressure on superintendents to keep budgets tight each year. Constraints on spending are reported in every department throughout school districts because of the tax cap, and superintendents must be aware of limited funding, both by the state and taxpayers, when negotiating teachers' contracts with unions. During the interviews, almost every superintendent questioned commented about the difficulties they face in terms of the economy. Dr. Clark stated:

You know I've dealt with the recession. That made it very challenging, but we came up with one of the more innovative things... Because of the tax cap, you don't have a lot of flexibility with salary and benefits.

Mr. Evans specified how the economy is an obstacle in negotiating:

The further you go out, in other words, if you are going to settle a four or five-year contract, because of the tax levy economy, you always worry if the revenue is going to be there to support those raises. Because if the revenue is not there, you have to do one of two things...you have to go into your reserves and if you deplete your bank account...it's like living on a credit card. Eventually your credit is going to dry up. Um, or you have to lay people off. We are in the business of adding program, not taking program away... with a tax levy economy, it does make it very tricky... because you don't know your revenue from year to year.

Mrs. Hunter further explained how the tax cap has changed negotiations:

Your negotiations are sometimes directly impacted by what is going on around you. Things become important because of circumstances. Like the tax cap, there was a point where you could negotiate whatever they [the unions] wanted because all you did was raise taxes to get additional money, but we don't have that luxury anymore.

This was also similar to the sentiment exhibited by Dr. Lane, "...that tax cap. Calculation is definitely, unfortunately, one of those things that... the money doesn't exist anymore. There's no free money out there."

Superintendents deal with budgeting for districts on a regular basis, so they are likely to understand the implications of the tax cap economy. However, they reported that, often,

teachers' union members do not understand the effects. This causes frustration as well according to Dr. King:

They don't understand it. They...they...their memory of salary increases is really pre-tax cap to where you were guaranteed this step increase every year... we just can't afford that anymore with the tax cap and that piece we still struggle with because if there's not a percentage with the increase above the step increase, they see that as a freeze.

Challenges that were reportedly faced by superintendents are based on constraints that are placed on school districts from within the surrounding community or within the district itself. Lawyers and the media are the first items that come up as challenges. Dr. Clark described his feelings about lawyers during the negotiations process when asked what is most challenging, "Lawyers. Including our own. Um, they know the business, they know other districts, but sometimes, their so generic in their approach that they lose the nuances of the district."

Mr. Graham also exhibited his displeasure when dealing with lawyers:

We've done it with the attorneys. You bring the attorney in, they bring their team in, they bring their NYSUT rep [representative] in. NYSUT plays the game, the attorney plays the game. You can't say this, you can't say that. You got to ask for this, so we can get there... it was absolutely ridiculous.

The press and media also cause frustration for superintendents, especially when negotiations are not going well or new procedures are being discussed. Often the media will become involved at the insistence of community members. Mr. Evans cited this as one of the challenges he has faced, "You can have external pressure put on you from the press."

In addition, Dr. Clark shared his experience when the teachers' union asked him specifically not to report information to the media while negotiating, "The president of the union asked that I not

share it with the newspaper, for fear that other locals or the state would criticize them for having this agreement.”

Many of the other challenges that superintendents reported to have faced during negotiating included difficulties from the process itself and the people they were negotiating with. When asked what was most challenging about negotiations, Mrs. Hunter responded, “I guess coming to that compromise... you know sometimes you start a little further apart and we get where need to be but sometimes that can be challenging.” When it comes to compromising, Mr. Fox stated, “Most challenging...um, sometimes with some issue it’s difficult to, it becomes difficult to get the other side to see your side.”

At times, personality conflicts get in the way of successful negotiations. When members of the negotiating team for the teachers’ unions do not like the superintendent or are unwilling to compromise on certain aspects of the contract, difficulties arise. According to Mrs. Johnson, the teacher members who negotiate can become difficult to deal with:

Usually you are negotiating with the most senior staff. And, they are not always concerned about lower staff members. Um, and some of them are entrenched in an old school, in my opinion, old school approach to negotiations like the gentleman I mentioned who said he would never agree to retirees making a contribution to their health insurance. There’s always a history in the district of some kind. And that will often resurface at the table.

Mr. Graham reported that the most difficult aspect of negotiating, from his point of view, is the different personalities as well. He specifically cited how he thinks some of the members view him:

I think the most difficult thing is, depending on the team of negotiators, is, um, we've gone through this with the teachers' union, the last executive board, seemed to be people who just, can I say this? Seemed to be people who just don't like me personally... yeah, they just didn't like me personally. And, you could see it at the table.

The last and largest challenge faced by superintendents when negotiating was the feeling of urgency to settle the contract quickly. They reported that teachers' unions did not like to work without a contract even though New York State Triborough Law enables the same benefits for teachers under a previous contract even if it has already expired until a new contract is settled.

Mrs. Hunter revealed that she has felt this pressure:

I think... there's an urgency to get it settled too. The perspective that my business official needs a budget that is responsible, and he needs to sell that budget to the taxpayers. So, there is always this "I need to get this done."

Dr. King experienced this pressure as well:

Be aware that a "tension" will be generated if the contract is not settled prior to expiration.

There will be tension on both sides, because, truth be told, both sides want a current deal in place. Some tension is good, because it brings both sides back to the table.

Understanding and managing this tension is important.

Challenges and limitations exist in negotiations, and, often, they pose obstacles for superintendents to be aware of in order to achieve success. Throughout the study, the participants were willing to share the obstacles that they need to overcome each time they sit down to negotiate with teachers' unions.

#### **Theme Four: Effectuation of Success**

To help in determining the level of success achieved by superintendents during procedures of negotiations, the superintendents were asked to describe what success looked like to them. Some superintendents were very specific in their answers, citing examples of items that were added to contracts that made sense from a district perspective. Others gave more general answers as to how they expressed what success looked like after negotiations. The superintendents also gave information regarding what they thought was helpful to determine success.

Specifically, superintendents gave examples on items added to contracts that allowed the district to, ultimately, save money. Dr. Fox cited a contractual pay freeze as a success from his perspective:

I've achieved success where we got true freezes. Freezes without any retroactive pay, without any retroactive steps, a true zero. And I've achieved that prior to it really being popular.

Dr. Fox also alluded to give backs on health insurance as constituting a successful negotiation:

One of the main ways we have had, especially from a financial side of the district... I've also achieved greater give-backs on health insurance.

Saving money from the district standpoint is important to superintendents in negotiations. Doing so helps to sustain the budget, prevents reckless spending, and is expected by the community.

Mrs. Johnson also discussed the importance of health insurance give backs by teachers:

We were also able to get an increased health insurance and one thing that I think, long term, was probably the biggest step for the district was to get the teachers' union president to agree that retirees, newly hired people, you know ours were grandfathered in,

but that newly hired teachers would be making a contribution to their health insurance during retirement.

In addition, increased requirements for teachers in terms of professional development time is a success for superintendents. Often districts cover the cost of professional development for teachers, but many are contractually bound to do so during the school day. Contractually requiring teachers to attend professional development after the school day or coming up with creative strategies to keep teachers in the classroom are viewed as successes by superintendents.

Mrs. Hunter explained:

Depending on the circumstances within your district and what you are trying to achieve, sometimes you are looking for more flexible scheduling, additional coverages, you are looking for steps and columns, some modifications to those things... and professional development.

Dr. Clark explained how, as a negotiator, he thought out of the box to increase professional development hours:

We developed professional development into the end of the work day and teachers would get paid for district-sponsored PD [professional development]. The teacher would want to go based on an initiative going on. It would be voluntary, but they would get paid for it. It was still less expensive than paying for a substitute. And, more importantly, the teacher was in the classroom as opposed to a substitute.

Dr. Clark specifically included the importance of professional development as he was discussing the broader topic of the importance of increasing services for students. Securing contractual language during negotiations is an important component of success because it enables the school district to provide better education, overall. Dr. Clark explained, "The



services for student, um, and that comes in a lot of different forms... increases in salary, stipends, stuff like that if you are increasing services for students.”

Dr. Lane demonstrated a similar belief, “...of course, everything costs money, but if we could get this from the teachers, it would make life better for kids, better for everything going on.”

In her letter of suggestion to new superintendents, Mrs. Johnson wrote, “It is important work and the children of this state need excellence at all levels, but especially in the leadership of their school districts.”

Some superintendents were more general in their expression of what constituted success as a negotiator. Dr. King stated that predictability in budgeting was essential for success, “Predictability has been something that has been really important for us. Being able to predict certain costs. And that is factored into negotiations...”

When asked what is most important in determining success in negotiations, Dr. Lane replied:

The most important thing in any negotiation is that both sides feel they have gotten something they need. The longer negotiations drag out, the more negative they become and the more they community suffers.

Additionally, superintendents expressed that training, preparation, and other people helped in making negotiations with teachers’ unions successful. Training for the superintendents varied.

Every superintendent participant referenced experience as an essential part of negotiations.

Some even said that experience was the only “training” they had. Dr. Clark said that all of his background with negotiations came from on the job training. Mr. Graham stated, “There was no real training in negotiations for me.” Mrs. Hunter said that years of experience taught her a lot, “Then sitting through it for the past 15 years, you sort of get the hang of it.” Mrs. Johnson shared

a similar experience, “Obviously, we had a labor relations specialist and a board president hat had been through some contract negotiations. I learned a lot just be being at the table.”

Some superintendents learned about negotiations while completing their administrative degrees.

Dr. Fox remembered the requirement during that period, “I did think that I would be a school district business official and there were additional requirements at that time for negotiations in regards to the business area.” Dr. Isaacs also remembered taking a class, “A class or two...for my doctorate work...it was a very good negotiations class.”

Other superintendent participants revealed that they received some training from their district’s legal team. Mr. Evans recalled:

Our legal team trained me. I learned at first what my role was at the table. You know, offering a few points from the instructional side because I was an instructional person.

And then from there, they taught me how, you know, to negotiate the provisions into a contract, the approach...

Additionally, some participants received training through workshops after they were already in the superintendent position. Dr. Lane shared information about training programs in New York State:

They have superintendent training programs...I took all their training courses. I did a three-hour training course on negotiations and what you should be looking for. I think that negotiating through life and just dealing with different populations and the people, you have to learn to see all sides, and, so, I’m not sure that any formal training is ever really a help.

While her thoughts were not definite about the helpfulness of the training programs, Mrs.

Johnson recommended receiving formal training:

During my time as a School Business Administrator, as well as a Superintendent, I attended as many negotiations related trainings as I possibly could. These are offered through the New York State Council of School Superintendents, as well as the New York State School Boards Association and other organizations. These trainings are usually conducted by firms that specialize in representing school districts and I highly recommend them.

Preparation and the ability to plan also led to the successful negotiations completed by the participants. Being prepared, understanding the community and the needs of the district, having a clear vision for the school district, and seeking expert advice were all viewed as very important. Mrs. Johnson recommended:

Always make sure you understand contract concessions that your Board is seeking to...know what your priorities are for a settlement...become more than familiar with the contract you are negotiating – know it.

Mr. Anderson had similar advice for new superintendents, “Read the contract and familiarize yourself with the current contract...I would prepare a prioritized list of the wants of the District and importance of each and every one.”

Having a vision for your district and knowing how your district compares to other districts allows for enhanced success as well. Dr. Lane explained:

Comparison shop. Get the contracts from your local cluster to see how their contracts compare to yours. Some of the simple operational changes may have no cost impact to the district. Be careful when comparing district to district for salaries and benefits.

Lastly, the superintendents recognized some specific people in the process of negotiations.

These people encourage, inform, and enable to the superintendents to achieve success. Those

who were recognized included Boards of Education, legal counsel, and the community. Superintendents effectively serve as the voice of the Board of Education within the school district during negotiations. The superintendents are often the ones doing the negotiating with the teachers' unions, but the Board has the final say in approving contracts as they are the voice of the community of the school district. Mr. Evans recommended the following, "Make sure to speak with the Board prior to drafting your proposals."

Dr. Lane also recommended, "Meet with the Board. Once you have solidified the priorities, discuss with the Board what their/the communities' priorities are..." Because the Board is selected by and represents the community of the school district, it is important for the superintendents to stress the importance the community plays on successful negotiations. The community can help or hinder the efforts of the superintendent and it is wise for the superintendent to be respectful of the needs of the community. Mr. Graham described the community, "We are pretty lucky in [district name] ... they are very supportive actually." Dr. King demonstrated knowledge on both the support and the unwillingness to give hard earned money by the community in the district where he is employed, "Then there is the community piece of that... some of your community is going to be very supportive of raises and some will not because they are on fixed incomes."

Lastly, the superintendents stressed the importance of legal counsel on effecting the success of negotiation outcomes. Mrs. Johnson described this importance in her comment:

The district's legal counsel usually has someone on staff that specializes in contract negotiations. They are well versed in the district's existing contract language, as well as very familiar with contract settlements in other districts in the area.

Mr. Graham also demonstrated the important role that legal counsel plays:

...make sure that your school attorney is actively involved, whether at the negotiating table or behind the scenes. He or she will know the law and will also help you to say the right things at the table, and, more importantly, will keep you from saying the wrong things. You will be held to account for everything you say at the table so keep it business-like and professional at all times.

For the reasons of this study, success was defined as the successful negotiation of teachers' contracts within the suburban area of New York State. Theme Four allows the reader to understand how superintendents show that success using detailed descriptions of their experiences.

### **Research Question Responses**

This study had one central research question with three sub-questions. The central research question was "What are the lived experiences of school superintendents who have successfully negotiated teachers' contracts in public school districts in suburban New York?" The interviews and written document responses allowed for the participants to answer this question. Responses to this research question can be evidenced in Themes One, Three, and Four. The question was designed to increase understanding of the experiences of the superintendents in successful negotiations of teachers' contracts. The superintendents described experiences relative to their views of negotiations, their style of negotiations, limitations and challenges in negotiations, and explanations of what success in negotiations looks like.

The superintendents revealed that the most important points of negotiating included understanding the other party and forming relationships that are beneficial not only during negotiations but before and after periods of negotiations as well. Mrs. Johnson stated:

I've never believed that being heavy-handed or threatening employees during negotiations is, um, effective. So, trying to, um... trying to put myself in their shoes and trying to anticipate what their needs and wants might be...

This description of experience helps the reader understand the importance of seeing the other party in negotiations. Furthermore, the formation of relationships is essential in successful negotiations. Dr. Isaacs described the importance of positive relationships:

My first several years, I didn't participate in negotiations at all here until I built up that relationship with the staff. Once they know that I don't lie to them and I care for them, then my style fits. And my style is to be up front and honest and loving like you are negotiating with a family member. If there are no relationships that doesn't work.

In this quote, Dr. Isaacs briefly referred to his style of negotiations as well. Overall, the superintendents reported that negotiation styles that included give and take and ongoing, collaborative collaborations were found to be most effective. Mr. Davis explained:

It then becomes a give and take. If you are asking for something, you must be willing to give up something as well. Negotiations can never be one sided. The most successful negotiations are when each side feel respected and no one feels like they are being taken advantage of. It's a very difficult balance to achieve.

Keeping the peace during negotiations is essential for success. When both sides are willing to talk openly and regularly, success is imminent. Mrs. Johnson explained how she likes to approach this type of discussion, "I try to approach it making it more a collaborative effort versus a combative atmosphere."

However, negotiations are not always described as easy even with the best efforts of the participant superintendents. Limitations and challenges take their course and make things tricky.

Limitations, such as economy, put pressure on superintendents. This limitation on negotiating is very stressful for superintendents when they truly understand the value of the teachers. Dr.

Isaacs said:

Probably what's most challenging is that you are negotiating in a tax cap era. What we have to give is very, very limited and not always commensurate with what you people deserve. That's a reality, a hard reality, that they, they, they deserve a certain pay for their work, they deserve to be recognized, they have families to feed, and we sometimes don't have it to give. And that's a very frustrating challenge.

Challenges can come from within the community of the school district as well. The most pressing challenge that superintendents experience was the pressure surrounding feelings of urgency to settle a contract in a timely manner. Dr. King explained how this urgency may play out:

There will be this tension where they want to have a current contract. They don't want to have an expired contract. There will be some tension on their end. They want to get to the finish line. There is tension on the district's end because folks just act differently when they have not a current contract.

Lastly, superintendents explained what success looks like for them. While there are many specific examples that can be viewed as success such as pay freezes, give backs in benefits, and increased time with students, overall, superintendents reported that success can, ultimately, be viewed as an ending in which both sides are happy. Dr. King described this as well:

It is important to understand that the best “end game” for negotiations is where both sides are still on good speaking terms, but also feel that they did not get everything they wanted through the process.

The first sub-question asked, “What are the sources of motivation for superintendents who persist in successful contract negotiations?” Superintendents reported the greatest sources for motivation during negotiation procedures included positive relationships with union members, doing what’s best for students, and the good feeling that arises when a contract is settled successfully. Dr. Isaacs provided his thoughts on settling a contract, “Everybody walks away from the table with things that can feed them, both literally and figuratively, and at the same time things that they would have liked to have but couldn’t happen so there are win-wins in negotiations.”

The second sub-question was “What external supports do superintendents attribute to their successful contract negotiations?” The participants answered this question by explaining the support systems within the district that allowed them to move forward successfully. Among these support systems, superintendents stated that training, preparation, and people within the district played important roles in successfully negotiating teachers’ contracts. According to Mr. Anderson, while training was said to be important, the most important aspect to learning about negotiating came solely from experience and a will to be a good listener:

I believe that contract negotiations is more of an art. Something that you, if you’re good with people, if that’s one of your strong points, with negotiating with anything, whether you are negotiating with adolescents, at home with your children, at your school, if you are someone that can negotiate and are comfortable listening to others. You know the



Lord gave you two ears and one mouth, and if you can listen to others, a person who is willing to come to a consensus with somebody else. It's an art, something you have.

Preparation for negotiations was also found to be impertinent for success. Mr. Evans describes some ways to increase preparation, "Assemble a comprehensive negotiating team...seek advice of experts/supervisors before making a proposal so you can measure the impact."

Lastly, the superintendent participants referred to important people that play a role in the success of negotiating a teachers' contract. Superintendents specifically noted how it is necessary to consult with both legal counsel and the community in order to bring contracts to successful fruition. Mrs. Hunter commented on legal counsel:

The only thing I would say, too, is you really have to have a great legal counsel. They answer to the Board and they give updates and you really have to be on the same page. You have to make sure you have the right attorneys with you to get where you need to go.

In addition, the community plays an important role in the success that superintendents achieve.

Dr. Lane described the importance of the community:

Know your community's ability to pay. Your tax levy calculation includes a community cost factor... ensure that you continually keep the community in mind. You represent the community's interests – this is a covenant between the community and the employees that serve them.

Lastly, the third sub-question was "What internal or personal characteristics do superintendents attribute to their successful contract negotiations?" The superintendents discussed many personal characteristics that they believe they possess that make them successful negotiators. These characteristics included fairness, ability to prepare, good communication

skills, and empathy for the other side. Overall, characteristics that were mostly discussed included honesty and the ability to build relationships and compromise. Mr. Davis explained the importance of honesty in his letter to new superintendents, “There are two major pieces of advice I would give you to start: 1. Be honest and transparent the entire process. 2. Be respectful of the requests of the negotiating unit and remain open to each request.”

The ability to build positive relationships and compromise was also discussed as a major personal characteristic that leads to success. Dr. Isaacs explained the importance of relationships:

Interestingly, the trust, which is critical to success, is not accomplished through words but instead, by the daily actions and communications of a superintendent with his/her staff and Board of Education...once trust is created, a Superintendent can sit down with both his/her Board of Education and union leadership to devise a fair and equitable settlement that rewards teachers, while simultaneously keeping the district cutting edge and sustainable.

Each of the participants that were interviewed and completed a written letter of suggestions to new superintendents were willing to share their experiences throughout the study. Their experiences were useful in understanding the essence of successful negotiations of teachers’ contracts within the suburban public-school setting.

### **Summary**

This chapter described the superintendent participants individually and summarized their experiences based upon themes that emerged and answers to the research question and sub-question. The themes included negotiation processes, opportunities of negotiations, obstacles of negotiations, and effectuation of success. These themes were intertwined with the responses to

the research questions based upon one-on-one interviews and written document responses from superintendents. The motivational orientations of the superintendents were also presented.

Overall, the superintendents were able to illustrate their experiences in successfully negotiating teachers' contracts. The picture of these illustrations was presented in this chapter through thick, rich description of the reported experiences of the superintendents.

## **CHAPTER FIVE: CONCLUSION**

### **Overview**

The purpose of this phenomenological study was to explore the lived experiences of superintendents in negotiating teachers' contracts in a suburban public-school setting in New York State. The problem guiding this study was a limited understanding of school superintendents regarding their personalities, motivations and lived experiences related to successful negotiations. For the purposes of this study, successful negotiation was defined as a period of negotiation in which mediation, impasse, fact-finding, or arbitration were not used. This qualitative study was conducted using a transcendental phenomenological qualitative approach (Moustakas, 1994). In relation to this study, this chapter consists of a summary of findings, discussion of the themes in relation to theory and literature, implications of the study, delimitations and limitations of the study, and recommendations for future research.

### **Summary of Findings**

The study was designed to answer the following central research question: What are the lived experiences of school superintendents who have successfully negotiated teachers' contracts in public school districts in suburban New York?

The study was also designed to answer the following sub-questions:

- (1) What are the sources of motivation for superintendents who persist in successful contract negotiations?
- (2) What external supports do superintendents attribute to their successful contract negotiations?
- (3) What personal characteristics do superintendents attribute to their successful contract negotiations?

To answer these questions, superintendents who have experienced successful negotiation processes were sought. A total of 11 participants were identified and interviewed in their offices at a date and time convenient for them to gain an understanding of their experience. In addition, each superintendent participant completed the GCOS survey to determine his or her motivational orientation, and each completed a written piece advising new superintendents of appropriate practices during negotiation procedures.

The data was then analyzed by the researcher using Moustakas' (1994) method of horizontalization, and through this analysis, four themes emerged that addressed the research questions. Those themes included: negotiation processes, opportunities of negotiations, obstacles of negotiations, and effectuation of success.

### **Discussion**

This qualitative study has direct connections to both the theories and the literature review presented in Chapter Two. While both the theories and literature are relevant to school district negotiations, neither have focused on the lived experience of the superintendent as an individual.

### **Theory**

The first theory guiding this study was the self-determination theory (Deci & Ryan, 2000a) as the motivations of the superintendents were questioned throughout the study. It was found that all the participants exhibited autonomy orientations. Autonomy orientation focuses on one's own behavior, and participants who exhibit this orientation are most likely to be intrinsically motivated. During the study, the participants, while noting external sources as motivations and pressures, all reported that their strong personal characteristics are what made them good at negotiating successfully. The thick, rich descriptions of the experiences of the

superintendents demonstrated a connectedness of their personalities and their motivational orientation.

The second theory that guided this study was the negotiation theory (Zartman, 1978). Based on the negotiation theory, all negotiations build upon goals, make trade-offs when necessary, and involve behavioral characteristics for the individual partaking in negotiations. All of these factors were evidenced in the data collected by the researcher. Through analyzing the themes, each one of these facets was exhibited to be important by the participants.

### **Literature**

There is a substantial body of literature available on the roles of superintendents in school districts and successful strategies of negotiations. However, the literature focuses on the problems that arise during negotiations with much emphasis on how to fix those problems. A review of literature leading up to this study did not focus solely on the experiences of superintendents when negotiations went well and proved to be successful. This study was able to focus on those experiences and bring the perspective of superintendents to light. Through analysis of the lived experiences of the superintendent participants, views and styles of negotiations were revealed, in addition to limitations and challenges that pose difficulties of which superintendents need to overcome. The examination of the lived experiences of superintendents allows the reader to understand what success looks like and how it is achieved through the lens of the superintendent. Additionally, the sources of motivations that go hand in hand with external supports and personal characteristics of the successful individual were revealed.

The findings of this qualitative study serve to corroborate and amplify the ideas found within the literature. The lived experience as reported by the participants is not surprising; it

serves to further both redefine and reinforce the literature but does so from the specific perspective of the superintendent. The process of negotiating teachers' contracts in New York State is an essential focus within the literature. Negotiation is referred to as a back-and-forth communication among parties, and this study reveals the importance of making this back-and-forth a positive situation for all parties in order to enhance success not only in negotiating but in the work environment both before and after negotiation periods as well. In the literature, it has been emphasized that negotiating parties often place little regard for the other party during negotiations with a primary focus solely on what they want to achieve and what suits them. This study has demonstrated that this is not necessarily true in successful negotiation processes, and the majority of the superintendents interviewed in this study actually revealed that the opposite is quite true for them. In their opinions, a focus on and understanding of what the other party needs and wants is essential to the process of negotiating successfully.

The literature further states that the role of superintendents during negotiations includes the tasks of maintaining balance during conflicts, doing what is right for students, and protecting the needs of the district. The participants in this study reinforced that these components do encompass their role while focusing on understanding the needs of the other party. Lastly, the literature also discusses the successful strategies of negotiation. The participants in this study reaffirmed the importance found in the literature related to setting ground rules for negotiating, determining appropriate and acceptable goals, collecting and analyzing data, and making sure contracts are legally sound. Both in the literature and evidenced in this study, the importance of forming positive relationships was demonstrated. The superintendents revealed that trusting, positive relationships helped lead to successful negotiation periods overall.

## **Implications**

Implications for some of the best practices in successful negotiations became evident during this study. While there are clear implications for superintendents specifically, there is also evidence of implications of this study on teachers' unions and the community.

### **Implications for Superintendents**

This study examined the lived experiences of superintendents specifically in the area of successfully negotiating teachers' contracts. As a result, the themes that emerged related specifically to superintendents as well. In each case, the superintendents revealed, by discussing their personal experiences, the best practices for negotiating successfully. They gave tips and advice to new superintendents. The results of this study can provide information for superintendents to use in fostering successful negotiation procedures in the future. Foster and Ury (2011), stressed the importance of successful strategies that lead to win-win bargaining. The superintendents provided specific examples evident in the themes to show these successful strategies. Generally, these strategies included training, preparation, and an understanding of all parties involved. Mr. Anderson stated that sharing information with the Board of Education, reaching out to all constituent groups, and preparing a list of priorities was essential to successful negotiations. Dr. Clark focused on how negotiations impact the school community by revealing that success comes from having a vision of what you would like a district to be like in the future for students and staff. Furthermore, Mr. Davis evidenced the importance of acceptance and understanding of the other party's point of view but revealed that this is not often easy. He expressed that the most successful negotiations happen when each side feels respected. The focus on experience in negotiations and the ability to compromise and get along with others was paramount throughout the experiences of the superintendents. The implications of these findings



provided a wealth of knowledge for other superintendents who may be beginning their careers, who may have never negotiated a contract before, or for those who have never had the experience of negotiating successfully without the use of mediation, impasse, fact-finding, or arbitration procedures.

### **Implications for Teachers**

This study, while examining the experiences of superintendents, holds implications for teachers as well. For each superintendent who has negotiated a contract, there is often a team of teachers working together to negotiate from the other side of the table. While there is a major focus on building good relationships in this study, sometimes relationships between superintendents and the members of teachers' unions are deficient. And, it is rare that, even when positive relationships exist, teachers and superintendents are able to talk as candidly as the interviewer was with the superintendent participants in this study. The superintendents revealed information that could be useful to teachers' unions that are faced with negotiations. According to NYSUT (2016), the stability of teachers' unions is based upon maintaining contractual obligations. Overall, the superintendents expressed the desire and necessity to have good working relationships with teachers' unions. Dr. Fox expressed how difficult it is to bring parties together when good relationships do not exist prior to periods of negotiation. Bringing opposing parties together during times of turmoil is difficult and requires patience and commitment on the side of the both parties. Mr. Graham also noted that true success is two-sided. It is important for superintendents to remember that teachers are valued employees of the district and they should be treated fairly. In addition, this implies that teachers' unions need to view the superintendent as a person as well rather than just an authoritative figure. It is important for teachers to follow the advice and experiences of superintendents and strive to be

understanding of the other party' point of view. On the part of teachers' unions, developing an understanding of the experiences of superintendents can help to build success at the negotiating table and lead to strong contracts for teachers. The superintendents revealed that there should always be a valid reason for their negotiation points. Ms. Hunter explained that there are always a different set of priorities every time she negotiates. This implies the importance of teachers to understand what is happening within a district in relation to community needs and finances. When this understanding exists, teachers have an increased ability to see the point of view of the superintendent. Understanding the point of view, the roles and responsibilities, and the reasoning behind the motives that superintendents bring to the table can help to positively alter the course of negotiations for the members of negotiating teams representing the teachers' unions.

### **Implications for the Community**

In most cases the superintendent is the lead negotiator on behalf of the Board of Education and, essentially, the community in each school district in suburban New York. In other cases, the Board of Education negotiates directly with the teachers' unions. In either scenario, this study has implications for the community. This study provided evidence to how the Board can provide more support to superintendents during periods of negotiations. It is important for the Board of Education and the Superintendent to meet on a regular basis, especially during contract negotiation periods. Dr. Lane revealed that these discussions with the Board allows the Superintendent to understand their priorities especially if they may differ from that of the Superintendent. The Board has the community's best interests at heart and it is essential for this group to communicate with the negotiating Superintendent so that he or she knows the value that the community places on education, the school system, and its teachers.

This qualitative inquiry also revealed some of the best practices of negotiating as presented through the experiences of superintendents. When a district employs a knowledgeable superintendent, the community ultimately benefits. It is important to remember that, while some community members attend meetings at times, the community is most often represented by elected members of the Board of Education. Dr. Isaacs shows the importance of forming a positive relationship with Board members. In his letter, he shows the importance of the Board of Education knowing that the Superintendent is committed to financial sustainability and a quest for academic excellence. When the community understands that the Superintendent is working for their benefit, trust is increased. The ability for the community to have trust in the Superintendent is critical to success. When a superintendent can express and utilize the best practices of negotiation to minimize cost and concern to the district community, the community members can rest easy that the superintendent is leading negotiations that are transparent and responsible. This research allows the community to see the important role that superintendents play in developing positive learning environments for students through the process of negotiations with teachers' unions.

### **Delimitations and Limitations**

This qualitative study had both delimitations and limitations, as most studies do.

Delimitations are purposeful decisions the researcher makes to limit the boundaries of the study.

Limitations are potential weaknesses of the study that cannot be avoided.

#### **Delimitations**

The researcher chose only to include participants who successfully negotiated teachers' contracts without the use of mediation, impasse, fact-finding, or arbitration. Any superintendents who used these procedures to complete a negotiation period were not able to participate. During

this study, there were two superintendent participants who experienced both situations and were able to participate but asked to discuss only their successful negotiations. Because these superintendents had many years of experience within the superintendency and negotiated numerous times with teachers' unions, they were able to draw from a wealth of experience within successful negotiations and decrease any focus on the use of the above-described procedures. The reason the researcher made this choice was to focus solely on the experience of the superintendent without an outside source that could have led to strife in the negotiation process.

### **Limitations**

This study was limited to the experiences of the 11 participants. While all the information gathered from the participants was pertinent to the study, it is impossible for the number of participants to have experienced every possible situation in the process of negotiation. While it is believed that many experiences would be similar, a larger pool of participants could have added more information based on experiences.

In addition, another study limitation is that the results may not be generalizable to all areas of the country. This study was specifically completed in one suburban area of New York State. Because of this, the study would be generalizable in that area, and, perhaps other suburban areas similar in population and culture. However, it is important to consider that other areas may not have the same options or procedures for negotiating and superintendents may not serve individual districts as they do here.

### **Recommendations for Future Research**

The use of the phenomenological qualitative study design allowed the researcher to obtain thick, rich descriptions of the experiences of participants in relation to negotiations. The

limitations of this study produced ideas for future research. The experiences of superintendents in other areas, such as urban and rural districts, and in other states should be investigated further.

In addition, it is recommended that qualitative studies be done using the same design as this one to gain understanding about the experiences of teachers who serve on negotiating teams for teachers' unions as well as Board of Education members who serve as negotiators within their school districts. This information would be helpful in presenting a big picture of the experiences of negotiations for all parties.

### **Summary**

The purpose of this phenomenological qualitative study was to capture the experiences of superintendents as they successfully negotiated teachers' contracts in suburban New York State. This study accomplished that goal. This research yielded a greater understanding of the importance of the role of the superintendent in contract negotiations and examined particular areas of negotiations from the lens of the superintendency but only touched on the gap in the literature regarding experiences of negotiating. This chapter included a summary and discussion of the findings of this study, implications for various groups, delimitations and limitations, and recommendations for further research. The experiences of the superintendents can not only be used as a learning tool for new administrators but can shed some light on the opportunities and obstacles of negotiations for the teachers' unions and the community in general. The perspectives of the superintendent participants are an invaluable source of information regarding negotiations.

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## APPENDIX A: IRB CONSENT LETTER

**LIBERTY UNIVERSITY.**  
INSTITUTIONAL REVIEW BOARD

January 31, 2018

Kelly A. Theurer

IRB Approval 3095.013118: Successful Negotiations: A Phenomenological Study of the Lived Experiences of Superintendents Who Successfully Negotiate Teacher Contracts

Dear Kelly A. Theurer,

We are pleased to inform you that your study has been approved by the Liberty University IRB. This approval is extended to you for one year from the date provided above with your protocol number. If data collection proceeds past one year, or if you make changes in the methodology as it pertains to human subjects, you must submit an appropriate update form to the IRB. The forms for these cases were attached to your approval email.

Thank you for your cooperation with the IRB, and we wish you well with your research project.

Sincerely,



**G. Michele Baker, MA, CIP**  
*Administrative Chair of Institutional Research*  
**The Graduate School**

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UNIVERSITY.

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**APPENDIX B: EMAIL INTRODUCTION**

Dear Superintendent,

I am currently a doctoral candidate at Liberty University, School of Education, in Lynchburg, Virginia. In addition, I am a special education teacher on Long Island.

You are invited to be part of a research study that is exploring the experiences of superintendents in successfully negotiation teachers' contracts. You were selected as a possible participant in this study because of your employment as a superintendent in Suffolk County.

It is my hope that upon culmination, this study will provide valuable insight on how superintendents can continue to move forward in their positions, specifically when faced with periods of contract negotiations. I am hopeful that you will read the following attachments and be willing participate in this study.

Thank you for your time and consideration.

Sincerely,

Kelly A. Theurer-McClinchy

**APPENDIX C: QUESTIONNAIRE FOR LOCATING PARTICIPANTS**

1. Are you currently employed as a school superintendent? YES NO
  
2. If yes, in which district are you currently employed?
  
3. Have you ever successfully negotiated a teachers' contract with a local collective bargaining unit? YES NO
  
4. If yes, in which district did the successful negotiation occur?
  
5. Did the negotiation process include any of the following? (check all that apply)
  - a. Mediation
  - b. Impasse
  - c. Fact-finding
  - d. Arbitration
  - e. None of these

## APPENDIX D: INFORMED CONSENT

### Participant Informed Consent for Interview and Writing Sample

The Liberty University Institutional  
Review Board has approved this  
document for use from  
1/31/2018 to 1/30/2019 Protocol #  
3095.013118

### CONSENT FORM

#### SUCCESSFUL NEGOTIATIONS: A PHENOMENOLOGICAL STUDY OF THE LIVED EXPERIENCES OF SUPERINTENDENTS WHO SUCCESSFULLY NEGOTIATED TEACHER CONTRACTS

Kelly A. Theurer  
Liberty University  
School of Education

You are invited to be in a research study of the experiences of superintendents in successfully negotiating teachers' contracts. You were selected as a possible participant because of your employment as a superintendent in this setting within a suburban school district in New York State and successful negotiation of teachers' contracts. Please read this form and ask any questions you may have before agreeing to be in the study.

Kelly A. Theurer, a student in the School of Education at Liberty University, is conducting this study.

**Background Information:** The purpose of this study is to describe the experiences of superintendents who have successfully negotiated teachers' contracts in a suburban area of New York State in order to better understand the motivations and experiences of these professionals.

**Procedures:** If you agree to be in this study, I would ask you to do the following things:

1. Once contacted by the researcher, please complete the General Causality Orientations Scale survey. The completed survey can be returned to the researcher by email or during your scheduled interview. The General Causality Orientations Scale should take approximately 10 minutes to complete.
2. Next, please complete the writing prompt. This can also be returned to the researcher by email or during your scheduled interview. This writing prompt should take about 30-45 minutes to complete.
3. Complete an interview with the researcher based upon your negotiating experiences. The interview should take approximately 45-60 minutes. The researcher will plan a time and place for the interview that is convenient for you.

4. Once the interview has concluded, the researcher will transcribe the entire interview and send you the transcription. At that time, please take time to review the transcription to be sure it is accurate and notify the researcher of the accuracy. This review will take approximately 30-45 minutes.

**Risks and Benefits of Participation:** The risks involved in this study are minimal, which means they are equal to the risks you would encounter in everyday life. Participants should not expect to receive a direct benefit from taking part in this study. The information gained from this study will help to inform superintendents about positive negotiation procedures and motivations in the future.

**Compensation:** Participants will not be compensated for participating in this study.

**Confidentiality:** The records of this study will be kept private. In any sort of report I might publish, I will not include any information that will make it possible to identify a subject. Research records will be stored securely, and only the researcher will have access to the records. All records will be kept confidential. I may share the data I collect from you for use in future research studies or with other researchers; if I share the data that I collect about you, I will remove any information that could identify you, if applicable, before I share the data.

- All participants will be assigned a pseudonym. School districts in which the superintendents are employed will receive a pseudonym. The researcher will conduct the interviews in a location where others will not easily overhear the conversation.
- Data will be stored on a password locked computer and may be used in future presentations. After three years, all electronic records will be deleted.
- Interviews will be audio-recorded and transcribed. Recordings will be stored on a password locked computer for three years and then erased. Only the researcher will have access to these recordings.
- Paper copies will be shredded and recycled by the researcher after three years.

**Voluntary Nature of the Study:** Participation in this study is voluntary. Your decision whether or not to participate will not affect your current or future relations with Liberty University. If you decide to participate, you are free to not answer any question or withdraw at any time without affecting those relationships.

**How to Withdraw from the Study:** If you choose to withdraw from the study, please contact the researcher at the email address included in the next paragraph. Should you choose to withdraw, data collected from you will be destroyed immediately and will not be included in this study.

**Contacts and Questions:** The researcher conducting this study is Kelly A. Theurer. You may ask any questions you have now. If you have questions later, **you are encouraged** to contact her



at [katheurer@liberty.edu](mailto:katheurer@liberty.edu). You may also contact the researcher's faculty advisor, Dr. Andrea Beam, at [abeam@liberty.edu](mailto:abeam@liberty.edu).

If you have any questions or concerns regarding this study and would like to talk to someone other than the researcher, **you are encouraged** to contact the Institutional Review Board, 1971 University Blvd., Green Hall Ste. 1887, Lynchburg, VA 24515 or email at [irb@liberty.edu](mailto:irb@liberty.edu).

*Please notify the researcher if you would like a copy of this information for your records.*

**Statement of Consent:** I have read and understood the above information. I have asked questions and have received answers. I consent to participate in the study.

The researcher has my permission to audio-record me as part of my participation in this study.

---

Signature of Participant

Date

---

Signature of Investigator

Date

## APPENDIX E: GCOS

**\*This is a sample of questions from The General Causality Orientations Scale (GCOS)**

### **The Scale (12-vignette version)**

These items pertain to a series of hypothetical sketches. Each sketch describes an incident and lists three ways of responding to it. Please read each sketch, imagine yourself in that situation, and then consider each of the possible responses. Think of each response option in terms of how likely it is that you would respond that way. (We all respond in a variety of ways to situations, and probably most or all responses are at least slightly likely for you.) If it is very unlikely that you would respond the way described in a given response, you should circle 1 or 2. If it is moderately likely, you should select a number in the mid range, and if it is very likely that you would respond as described, you would circle answer 6 or 7.

**1. You have been offered a new position in a company where you have worked for some time. The first question that is likely to come to mind is:**

a) What if I can't live up to the new responsibility?

1	2	3	4	5	6	7
very unlikely			moderately likely			very likely

b) Will I make more at this position?

1	2	3	4	5	6	7
very unlikely			moderately likely			very likely

c) I wonder if the new work will be interesting.

1	2	3	4	5	6	7
very unlikely			moderately likely			very likely

**2. You have a school-age daughter. On parents' night the teacher tells you that your daughter is doing poorly and doesn't seem involved in the work. You are likely to:**

a) Talk it over with you daughter to understand further what the problem is.

1	2	3	4	5	6	7
very unlikely			moderately likely			very likely

b) Scold her and hope she does better.

1	2	3	4	5	6	7
very unlikely			moderately likely			very likely

c) Make sure she does the assignments, because she should be working harder.

1	2	3	4	5	6	7
very unlikely			moderately likely			very likely

## APPENDIX F: GCOS PERMISSION

Research on Self-Determination Theory has included laboratory experiments and field studies in several different settings. In order to do this research, we have developed many questionnaires to assess different constructs contained within the theory. Each questionnaire page will typically include not only the scale itself, but also a description of the scale, a key for the scale, and references for articles describing studies that used the scale.

**In order to access these questionnaires you must first register and log into the website. On the registration page you will be asked to agree terms and conditions stating that you will only use the scales for academic research. Once this is complete you will have access to the scales while logged in to the website.**

\*\*\* Please note that all questionnaires on this web site, developed for research on self-determination theory, are copyrighted. **You are welcome to use the instruments for academic (non-commercial) research projects.** However, you may not use any of them for any commercial purposes without written permission to do so from Edward L. Deci and Richard M. Ryan. (To inquire about a commercial request, please email [info@selfdeterminationtheory.org](mailto:info@selfdeterminationtheory.org))

Click on any questionnaire name below to access the scale or set of questionnaires and other information.

### Aspirations Index (AI)

The AI assesses people's intrinsic and extrinsic life goals or aspirations. That is, it measures the degree to which people value seven broad goal contents—wealth, fame, image, personal growth, relationships, community contribution, and health. The instrument is used in research relating the content of people's goals to constructs such as mental health and risk behaviors.

### Basic Psychological Needs Scales (BPNS)

Self-determination theory posits three universal psychological needs and suggests that these must be ongoingly satisfied for people to maintain optimal performance and well-being. The BPNS is a set of questionnaires that assess the degree to which people feel satisfaction of these three needs. There is a general form, as well as domain specific forms for work and relationships. More recently, questionnaires assessing not only need satisfaction, but also need frustration have been developed. There is a general form, as well as an adaptation for work domain and an adaptation for daily measurement (diary-studies).

### Christian Religious Internalization Scale (CRIS)

This scale is also referred to as the Religion Self-Regulation Questionnaire (SRQ-R). It appears within the Self-Regulation Questionnaires section of this web site. You can visit the CRIS link at the beginning of this paragraph and that will take you to the actual scale. Alternatively, you can go to the Self-Regulation Questionnaires(SRQ) section, which will take you to an overview of the Self-Regulation family of questionnaires, along with scoring information. From there, you can go to the Religion Self-Regulation Questionnaire subsection.

### General Causality Orientations Scale

This is an individual difference measure of people relatively enduring motivational orientations. It was developed for use with individuals who are at least 17 years of age. It assesses autonomous, controlled, and impersonal causality (motivational) orientations.

### Health Care SDT Packet (HC-SDT)

The HC-SDT is a set of questionnaires related to assessing three SDT constructs as they relate four health-relevant behaviors. The behaviors are smoking cessation, diet improvement, exercising regularly, and drinking responsibly. The SDT constructs for each behavior are self-regulation (SRQ), perceived competence (PCS), and the perceived autonomy supportiveness of the health care climate (HCCQ).

### Index of Autonomous Functioning (IAF)

The IAF was developed to assess dispositional/trait autonomy based on three theoretically derived subscales assessing authorship/self-congruence, interest-taking, and low susceptibility to control. Authorship/congruence reflects how much one views oneself as the author of behavior and experiences high consistency among behaviors, attitudes, and traits. Interest-taking concerns an ongoing insight into oneself and one's experience in an open and non-judgmental manner. Lastly, low susceptibility to control refers to the absence of internal and external pressures as motivators for behaviors.

### Intrinsic Motivation Inventory (IMI)

The IMI was developed to assess participants' subjective experience related to experimental tasks. Specifically, it is used in intrinsic motivation laboratory experiments in which participants have worked on an interesting activity within some experimental condition, and the IMI assesses their levels of interest/enjoyment; perceived competence; effort; value/usefulness; felt pressure and tension; and perceived choice while they were performing the activity.

### Mindful Attention Awareness Scale (MAAS)

The MAAS is a measure of receptive awareness of and attention to present-moment events and experience. The scale has been used in research pertaining to emotional, cognitive, behavioral, physical health, and interpersonal processes.

### Motivators' Orientation

This set of questionnaires concerns the degree to which individuals in supervisory capacities tend to be autonomy supportive versus controlling. One questionnaire, called the Problems in Schools Questionnaire, assesses the degree to which teachers tend to be autonomy supportive versus controlling; the other, called the Problems at Work Questionnaire, assesses the degree to which managers in the workplace tend to be autonomy supportive versus controlling. Whereas, the Perceived Autonomy-Supportive Climate Questionnaires measure the perceptions of, say, students and subordinates about the autonomy supportiveness of their teachers and managers, the Motivators' Orientation questionnaires are completed by the teachers or managers themselves about their own style of motivating others (the students or subordinates).

### Motives for Physical Activity Measure (MPAM-R)

The MPAM-R is concerned with the people's motives for participating in physical activities such as exercise, aerobics, etc. Five motives are assessed; fitness, appearance, competence, enjoyment, and social. The scale is a revision of an earlier measure by the same name.

### Perceived Autonomy Support

This is a family of questionnaires that assesses individuals' perceptions of the degree to which a particular social context is autonomy supportive versus controlling. Included are the health care climate (HCCQ); the learning climate (LCQ); the work climate (WCQ); and the sports climate (SCQ).

### Perceived Choice and Awareness of Self Scale (formerly Self-Determination Scale – SDS)

This scale assesses individual differences (trait level) in *perceived choice* and *awareness of self*. Perceived choice reflects feeling a sense of choice with respect to one's behavior and awareness of self reflects being aware of one's feelings and one's sense of self. This scale was formerly labeled as Self-Determination Scale (SDS) and has been renamed to better capture the constructs it assesses.

### Perceived Competence Scale (PCS)

This is a family of very short questionnaires that assess how competent people perceive

themselves to be with respect to a particular behavior or behavioral domain. SDT emphasizes that it is important for individuals to feel both autonomous and competent with respect to a behavior or behavioral domain in order to display optimal motivation, performance and well-being. PCS is often used in conjunction with the SRQ. Because the PCS pertains to particular behaviors or behavioral domains, it can be easily adapted to study additional behaviors or behavioral domains.

### Perceptions of Parents

These questionnaires assess children's perceptions of the degree to which their parents are autonomy supportive versus controlling in their approach to parenting. There are two versions of this questionnaire: one for late elementary and middle school children, and the other for college-aged children.

### Self-Regulation Questionnaires (SRQ)

This is a family of questionnaires that assesses the degree to which an individual's motivation for a particular behavior or behavioral domain tends to be relatively autonomous versus relatively controlled. It includes academic (for children), prosocial, health care, learning (for adults), gymnastics/exercise, religion, and friendship.

### Subjective Vitality Scale (VS)

This measures the extent to which people feel vital, energized, and alive. There is both a state version and a trait version. The original scale had 7 items, but a shorter version with just 4 items has recently been validated.

### Treatment Motivation Questionnaire (TMQ)

This scale is a variant of the Treatment Self-Regulation Question (TSRQ) which preceded the TSRQ. The TMQ was developed for research in an alcohol treatment program (Ryan, Plant, & O'Malley, 1995) and has also been used in a study of methadone treatment. The scale appears within the Treatment Self-Regulation Questionnaire page of this web site, which is within the Self-Regulation Questionnaires (SRQ) section. You can visit the TMQ link at the beginning of this paragraph and it will put you in the TSRQ section; then you just scroll down until you come to the TMQ. Alternatively, you can go to the Self-Regulation Questionnaires (SRQ) section, which will take you to an overview of the Self-Regulation family of questionnaires. From there, you can go to the Treatment Self-Regulation Questionnaire subsection and scroll down to reach the TMQ.

**APPENDIX G: WRITING SAMPLE PROMPT AND EXAMPLES**

Dear Superintendent,

Thank you for participating in this research. As part of this study, you are requested to complete a written letter according to the prompt below:

Please write a letter to a future, prospective superintendent who does not have any experience with contract negotiations. Please provide as much information as you can regarding what you know and have experienced within the process of negotiation. In your letter, please provide advice on how to move forward with negotiations, what specific strategies you have utilized during negotiations, what motivates you to achieve a successful conclusion to negotiations with teachers' unions (both internal and external motivations), what training and/or preparation you may have received in regard to negotiating, and what challenges you are most likely to face during negotiations. Lastly, please provide information on what outcomes you most often hope to achieve after successfully negotiating a contract.

This letter can be emailed to the researcher prior to your scheduled interview or given to the researcher during your interview. Thank you for your time.

Sincerely,

Kelly A. Theurer



March 5, 2018

Dear Prospective Superintendent,

Let me congratulate you and wish you well on your new position. I was asked to give you some notes regarding my experience with contract negotiations. So as to make it simple, I have added some bullet points below that I hop can assist you. Good luck.

- First and foremost, it is imperative that you contact the Board of Education President and the School District's legal counsel to determine past practices and expectations for the role of the superintendent for the negotiation process.
- Discover the protocol of the District. If I am not the sole negotiator I would take a back seat and consult/inform the Board as needed.
- I would immediately attend a workshop/conference in the area of negotiations with I am sure your local BOCES or a New York State organization will have extensive training available.
- Read the contract and familiarize yourself with the current contract.
- I believe to be important to first have a casual meeting with the union president, usually over breakfast or lunch ("breaking bread") and convey that the District would like to informally discuss the extension of the contract and to obtain an understanding of the "other side".
- Reaching out to all constituent groups, i.e. Board of Education, District office staff, building administration, etc., who will be affected by this contract is also important in order to understand and prioritize the needs and wants of those groups.
- Ultimately, I would prepare a prioritized list of the wants of the District and importance of each and every one.
- I would share with the Board of Education what I have gathered, receive their input, and with their assistance prepare a final list of wants.
- My style has always been to attempt to get the first offer from the other side as a starting point and work from there.

Lastly, if you have any questions call me directly at 555-555-5555.

Respectfully,

Superintendent of Schools

Dear prospective superintendent,

I am writing to you as an educational leader who has successfully negotiated teacher contracts in two districts without the use of attorneys. There are two major pieces of advice I would give you to start: 1. Be honest and transparent the entire process. 2. Be respectful of the requests of the negotiating unit and remain open to each request.

The first thing you need to do is meet with the president and decide who will be a part of the negotiation process. Once that is decided, you should set a date to trade proposals. In that opening presentation, requests should be read aloud and discussed fully, so that each side understands exactly what is being requested. This first meeting should be just an exchange, not an actual negotiation. A date should then be chosen to begin the negotiations.

At the first negotiation meeting, you should begin with what you agree to, to set a positive tone for the negotiation. Hopefully, there is at least one item you, and the bargaining unit can each agree on. After that, you begin with counter offers to original proposals and discuss the reasoning behind the counter offers. This is where the respect issue becomes the most crucial. It's important to understand where the requests are coming from and validate concerns. Never simply dismiss a request. It is perfectly alright to continue to disagree about items; but be sure everyone feels respected in the process.

It then becomes a give and take. If you are asking for something, you must be willing to give up something as well. Negotiations can never be one sided. The most successful negotiations are when each side feel respected and no one feels like they are being taken advantage of. It's a very difficult balance to achieve.

Finally, each negotiation takes on a life of its own. There really is no cookie cutter process to it. Some may take a short time, others may go on for years. Either way, if you remember to follow the first two rules, it will eventually be resolved in a manner both sides can accept.

Sincerely,

[name deleted to ensure confidentiality]

**APPENDIX H: REFLEXIVE JOURNAL SAMPLE**

DATE	ENTRY
3/6/18	<p>I arrived for interview shortly before 3:30pm. I was surprised that the administrative offices didn't have locks on doors to be buzzed in. The receptionist was very welcoming, but did not know that superintendent had a meeting scheduled.</p> <p>The superintendent was very welcoming to me as well. In his office were other school district administrators, and they were interested in meeting me and asking questions about Liberty University. After initial meeting, they left the room.</p> <p>The office was spacious and comfortable and superintendent, and I sat at a round table in his office. He was very willing to answer questions. The superintendent spoke in a loud voice and I get the feeling that he can easily command a room.</p> <p>It was very clear to me that he thoroughly enjoyed his job and telling me about his past and his experiences as a superintendent. His comments and answers were very clear, and he spoke to me as though he knew I had background on the topic of negotiations and the way school districts operate.</p> <p>He easily spoke of challenges within his district and was very mindful to bring attention to all parties of whom a teachers' contract would affect.</p> <p>He was clearly able to articulate what he feels are his good qualities and was also able to discuss where his weaknesses are. I thought this was pretty impressive. I would have expected a superintendent (in such a position of authority) to not be so willing to reveal areas where they may need help.</p> <p>I am blessed that this interview with the first participant went so well. He provided information to all of the questions I asked and was able to provide insight into his experiences with negotiations.</p>

### APPENDIX I: EMERGENT THEMES

Discussion Items	Categories of Discussion Items	Emergent Themes
Keep it simple	Views of Negotiations	Negotiation Processes
Important negotiation points		
Understanding the other party		
Forming relationships		
Looking at value of teachers		
Building an environment for students		
First offer from the other party	Styles of Negotiation	
Identify desirable outcomes for both sides		
Opening needs to be reasonable		
Easy topics first, then deal with other issues		
Give and take		
Ongoing, collaborative conversation		
Set clear ground rules		
Fair	Personal Characteristics	Opportunities for Negotiations
Honest, truthful, straightforward		
Good communication		
Ability to prepare		
Empathy		
Ability to build relationships and compromise		
Positive relationships with unions	Sources of Motivation	
Doing what is best for students		
Good feelings about settling		
Economy	Limitations	Obstacles of Negotiations
State mandates		
Lawyers	Challenges	
Compromise		
Different personalities		
Urgency to settle		
Press/media		

Pay freezes	What does success look like?	Effectuation of Success
Health insurance		
Increased services for students		
Professional development		
Predictability in budgeting		
Both sides happy		
Experience	Training	
Workshops/conferences		
Legal team		
Courses during administrative degree		
Know the contract	Preparation	
Know what the district needs		
Have a vision		
Know comparisons		
Seek expert advice		
Board of Education	People	
Legal counsel		
District office staff		
Community		