Committee to Study Staff Relations

I. Procedures Open to Staff Members with Complaints

Members of the teaching staff who feel that they have a complaint have the right to seek redress through duly organized channels.*

School Level

A. Procedure

1. The right of a complainant to conduct direct negotiations with the head of school on a face to face basis remains inviolate.

   In the conduct of such negotiations the complainant has a right to representation by:

   (a) A Staff Relations Committee or members thereof.

   or

   (b) Anyone of his choice in the school who consents to serve.

2. The head of school, the complainant, and the representatives of the complainant meeting together shall work for satisfactory solution through conference, negotiation and agreement.

3. The conference shall be held and the decision of the head of school shall be given to the complainant within five school days of the making of the complaint.

4. If the complaint is not resolved by the head of school, the complainant has the right to appeal in the manner described below.

B. Election of Staff Relations Committee

In each school, there shall be elected by secret ballot a Staff Relations Committee, representative of staff, from among its members. Administrators and supervisors shall not be eligible to vote for, or to serve on, such Committee.

*The procedures set forth in this plan do not apply to a supervisor who has a complaint against his immediate supervisor, except as otherwise provided. However, the existing right of a supervisor to appeal from a decision of his immediate supervisor to higher authority is unchanged, except from a decision made under these staff relations procedures.
B. Election of Staff Relations Committee (Continued)

The manner of representation on the Committee shall be determined by the staff of each school. Following are suggestions for representation:

(a) School-wide
(b) By grades
(c) By subject departments
(d) By any other method chosen by the teaching staff of the school

District Level - First Appeal

1. A complainant whose problem has not been resolved at the school level has the right to appeal to the local assistant superintendent (for elementary, junior high and vocational high schools) or to an assistant superintendent in the Academic High School Division, within twenty school days after the decision of the head of school shall have been given to the complainant.

At this level the complaint or issue is to be reduced to writing with a copy for the head of school.

2. The complainant may conduct the appeal negotiations personally or through representatives of his choice, namely:

(a) The staff Relations Committee, or members thereof, or

(b) Any voluntary organization composed of staff member, or

(c) Anyone of his choice in the school system who consents to serve.

3. The complainant, the head of his school, the representatives of the complainant and the assistant superintendent shall work for a satisfactory solution through conference, negotiation and agreement.

4. The decision and comments of the assistant superintendent shall be transmitted in writing to the complainant within ten school days after notice of the appeal has been received.

5. The complainant has the right to appeal the decision of the local assistant superintendent in the manner described below.

*This does not supersede that part the resolution adopted by the Board of Education on June 1, 1950 (Journal, p. 1554), which provides: "...The Board of Education and its supervisors and administrators shall not negotiate, confer or deal with the Teachers Union...in relation to any teachers grievances, or any personnel or professional problems...."
Staff Relations Officer - Second Appeal

1. A Staff Relations Officer, representing the Superintendent of Schools, shall be assigned by the Superintendent of Schools with the approval of the Board of Education. He shall be qualified in human and staff relations, and his office shall be adequately organized to facilitate efficient and expeditious investigation, and negotiation.

2. A complainant whose problem has not been resolved at the next lower level shall have the right to appeal to the Staff Relations Officer within twenty school days after the decision of the assistant superintendent shall have been given to the complainant.

3. The complainant may conduct the appeal negotiations personally or through representatives of his choice, namely:

   (a) the Staff Relations Committee, or members thereof
   or
   (b) any voluntary organization composed of staff members
   or
   (c) anyone of his choice in the school system who consents to serve.

4. The Staff Relations Officer, a representative of the interested Division, the representative of the complainant, the complainant and the head of his school shall work for satisfactory solution through conference, negotiation and agreement.

5. At this stage of appeal, the written record of the previous appeal, and the written comments of the first appeals officer, shall be made available to the participants in the above conference.

6. The decision shall be announced by the Superintendent of Schools or the Staff Relations Officer within twenty school days of receipt of the appeal.

Arbitration or Review by Impartial Committee

1. A complainant whose problem has not been resolved on the second appeal level may file a request, in writing, to the Superintendent of Schools that the matter be submitted to arbitration, within thirty school days after the decision of the Superintendent of Schools or the Staff Relations Officer shall have been given to the complainant.

*See note on previous page concerning resolution adopted by the Board of Education on June 1, 1950.
2. Claims of violation or misinterpretation of existing policy, rules and by laws, and claims of unjust and inequitable treatment may be submitted to arbitration.

3. The Superintendent of Schools shall submit such request to the Board of Education at its next regular meeting. The Board of Education within thirty school days after the submission of such request by the Superintendent of Schools, shall consent to arbitration or refuse to submit the matter to arbitration on the ground that a policy matter is involved, in the decision of which the Board cannot divest itself of its legal responsibility. Failure on the part of the Board to act within the period of thirty days shall be deemed to be consent to arbitration.

4. If the matter is submitted to arbitration, both parties shall be deemed to have agreed to accept the decision resulting from the arbitration. The decision of the arbitrator, or by a majority of the arbitrators, if arbitration is by committee, shall be binding. Arbitration shall be by a committee of three consisting of:

one official or employee designated by the Board of Education,

one member of the school system designated by the complainant, with the former's consent

one member designated by the other two members of the arbitration committee, but the Board of Education and the complainant may agree upon a single arbitrator. If agreement on the selection of the third member of the committee or the single arbitrator is not reached within three days on which the offices of the Board of Education are open, then the Chairman of the State Mediation Board shall be asked to select the third member from that Board's appropriate panel, and the expense of arbitration, if any, shall be shared equally by the complainant and the Board of Education.
Procedures for Special Groups of the Teaching Staff

Each unit or bureau listed below shall have a staff relations committee representing its personnel, selected in a manner similar to that described above. All the grievance procedures described above, including the appeal to the Staff Relations Officer and the right to arbitration, shall be applicable to members of these special groups, except that the steps of the procedure shall be as follows:

<table>
<thead>
<tr>
<th>Unit or Bureau</th>
<th>Local Level</th>
<th>1st Appeal</th>
<th>2nd Appeal</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Bureau of Attendance</td>
<td>Dist. Supervisor</td>
<td>Director</td>
<td>Staff Relations Officer</td>
</tr>
<tr>
<td>2. Bureau of Child Guidance</td>
<td>Center Administrator (B centers)</td>
<td>Director</td>
<td>Staff Relations Officer</td>
</tr>
<tr>
<td>3. Teachers who serve in schools, and get instructions from bureaus (e.g., C.R.M.D., Homemaking, Speech, Imp., Handicapped, other than Homebound, and Shop)</td>
<td>Principal</td>
<td>Assistant Superintendent or Director</td>
<td>Staff Relations Officer</td>
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<tr>
<td>4. Homebound</td>
<td>Boro Supervisor</td>
<td>Director</td>
<td>Staff Relations Officer</td>
</tr>
<tr>
<td>5. Community Ed. (Except evening academic, voc. and elementary schools)</td>
<td>Person in charge of Comm. Ed. at the school except that head of day school may assume this function.</td>
<td>Director</td>
<td>Staff Relations Officer</td>
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<tr>
<td>6. Bureau of Ed. &amp; Voc. Guidance</td>
<td>Asst. Director or Supervisor</td>
<td>Asst. Supt. in charge of Guidance Officer</td>
<td>Staff Relations Officer</td>
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<td>7. Bureaus of Administrative and Budgetary Research, Curr. Res., and Educ. Research, and Radio Station WNYC</td>
<td>Director</td>
<td>Staff Relations Officer</td>
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<td>8. Evening Schools (a) High Schools (b) Elementary Schools</td>
<td>Person in charge of the evening school except that the head of the day school may assume this function</td>
<td>Asst. Supt. in charge (for the high schools) and Assistant Director (for the elementary schools)</td>
<td>Staff Relations Officer</td>
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1. Salary Adjustments

When a member of the teaching and supervisory staff complains that he has been placed in the wrong salary schedule or step, or has been denied an increment improperly, or that there has been a mistake in the calculation of his salary, he may file a complaint directly with the Auditor (with notice to his principal), and confer with him, or someone deputized by the Auditor for this purpose, to reach a satisfactory solution. In the conduct of negotiations with the Auditor, the complainant shall have the right to representation by anyone in the school system who consents to serve. The decision by the Auditor shall be given to the complainant within ten days of the making of the complaint.

A complainant under this section whose complaint has not been resolved by the Auditor has the right to appeal to the Staff Relations Officer.

The decision shall be announced by the Superintendent of Schools or the Staff Relations Officer within 20 school days of receipt of the appeal.

2. Absence Refunds, Sabbatical Leaves and Leaves Without Pay

When a member of the teaching and supervisory staff has a complaint relating to an absence refund, a sabbatical leave, or a leave of absence without pay, a complaint may be filed and negotiations conducted with the Associate Superintendent In Charge of Personnel. The decision of the Associate Superintendent In Charge Of Personnel shall be given to the complainant within twenty school days of the making of the complaint.

A complainant under this section whose complaint has not been resolved by the Associate Superintendent In Charge Of Personnel has a right to appeal to the Staff Relations Officer.
The decision shall be announced by the Superintendent of Schools or the Staff Relations Officer within twenty school days of receipt of the appeal.

Adherence to Official Procedures

The above plan constitutes the agreed procedure for the solution of staff relations problems, and members of the staff, administrators and members of the Board of Education shall adhere to it.

A member of the teaching staff may use these procedures as a matter of right. No one may act to deter him from the use of these procedures, nor shall such use affect his professional status.

Excuse of Teacher Representatives

A member of the teaching and supervisory staff shall be excused with pay to serve as representative of a complainant not exceeding five times in any school year.
II. Procedures to Promote Staff Participation in Pedagogic 
and Administrative Policy Matters

In order to make possible better communication between 
the Board of Education, the Superintendent of Schools, 
the Board of Examiners and the teaching and supervisory 
staff, there are established procedures for consulta-
tion on the local and system-wide levels.

School Level

The Staff Relations Committee, or a sub-committee there-
of, shall meet once a month (and such other times as may 
be mutually agreed to) with the head of the school or 
bureau, and such other supervisors as he may designate, 
as a committee to confer together on matters of policy 
and administration.

City-Wide Level

1. A Policy Consultation Committee shall be established 
consisting of representatives of the teaching and 
supervisory staff, the Superintendent of Schools, 
the Board of Examiners and the Board of Education.

2. The teaching and supervisory staff shall be re-
presented on the Policy Consultation Committee 
by voluntary organizations *that meet the fol-
lowing criteria:

   (a) Such organizations shall be city-wide or 
   borough-wide organizations open to all 
teachers or supervisors on one or more 
levels of the school system (except organ-
izations limited to teachers of subjects) 
or they must be organizations represent-
ing the teaching staff of special bureaus.

*See note on page 2 concerning resolution adopted by the 
Board of Education on June 1, 1950
(b) Such organizations must have a paid up membership of at least 500 persons or of at least 40% of all staff members eligible to join the organization. With respect to organizations qualifying under the 40% requirement, the number of persons eligible to join an organization must be at least 100 for the teaching staff and 10 for the supervisory staff.

3. Organizations meeting the above qualifications shall file affidavits of eligibility with the Board of Education, sworn to by two officers of the organizations. In the event of a challenge, the facts of eligibility shall be determined by an auditor mutually agreed upon by the Board of Education and the applicant. Pending the audit, the organization challenged shall not be admitted to membership.

4. The Policy Consultation Committee shall set up procedures for the admission of organizations to membership, within the terms provided by this plan, and the periodic testing of eligibility to membership.

5. Each organization eligible for membership in the Policy Consultation Committee shall elect its representative on the Committee.

6. The Board of Education, the Superintendent of Schools, and the Board of Examiners shall designate their representatives.

7. In the discussion of matters which fall within their special fields of interest, the following organizations shall have the right to participate:

(a) Organizations limited to teachers of specific subject areas.

(b) Organizations meeting all the requirements for membership, except that of the total number of eligibles as provided in paragraph 2b above.

8. The Policy Consultation Committee shall assist through conference and agreement, in formulating policies and suggesting changes which are necessary in existing policies.
III. Approval of Plan

The Committee proposes that, if the Board of Education and the majority of staff members voting, approve the plan, the Superintendent of Schools shall declare it to be operative.

IV. Trial Period

This plan shall remain in effect for a period of two years from the date it has become operative, and shall terminate at the end of that period unless renewed. Eighteen months after this plan has been declared by the Superintendent of Schools to be operative, a committee shall be formed representing the Board of Education, the Superintendent of Schools, and the teaching and supervisory staff to restudy staff relations procedures and to evaluate experience under this plan and make such recommendations as it may deem advisable.

Prior to the end of the two-year period, the plan, with any revisions recommended by the committee, shall be submitted for approval to the Board of Education and the teaching and supervisory staff.

V. Amendments Within Trial Period

This plan may be amended within the two-year period by agreement of the Board of Education and two-thirds of the representatives of organizations of the teaching and supervisory staff who are members of the Policy Consultation Committee.