



# BEVERLY HILLS EDUCATION ASSOCIATION

*Educational Employees Working Together*

Web: [BHEA.org](http://BHEA.org)

241 Moreno Drive, Beverly Hills CA 90212

Phone: (310) 277-9364



## CONSENSUS

A Newsletter for BHEA Members  
September 25, 2007



### BHEA and BHUSD Talking on Sign-In/Sign-Out Hiccup

The following things happened earlier this month:

- At HM, the traditional sign-in sheet was replaced with a new sheet that required staff members to not only sign out, but also indicate the time they both signed in and signed out of their jobs. (BHEA has confirmed that, as of last week, this new sign-in/sign-out sheet has been removed and replaced with the old one.)
- At BV, the site administration photocopied the sign-in sheets at 7:45am.
- At ER, the site administration removed the sign-in sheets from the main office at 8:15am.
- At HAW and BHHS, no changes to sign-in procedures have occurred.

BHEA has been following these developments closely. BHEA Pres. Chris Bushée has relayed concerns expressed at recent BHEA meetings on these developments to Asst. Supt. of HR Sal Gumina. Concerns include possible contract violations of Article IV (which only requires staff to sign in without indicating a time—contract does not require staff to sign out at all) and the negative effect on morale and collegiality associated with the manner by which the administration is scrutinizing these sheets. BHEA also desires to know what has prompted a change to the district's past practice regarding sign-in procedures and why such changes occurred at only 3 of our 5 school sites.

Bushée and Gumina are in active discussion to address BHEA members' concerns. BHEA will report more information as it becomes available.

***IN LOVING MEMORY of  
high school receptionist and  
BHEA Representative  
Cynthia Lipscomb, whom we  
will miss very much.***

### CTA and NEA Go All Out to Scuttle NCLB Reauthorization

- **Congressman Miller and House Speaker Pelosi disappoint educators by proposing merit pay based on student test scores, "branding" of teachers based on these scores, privatization of public schools, and erosion of collective bargaining rights.**

The National Education Assn. and its largest affiliate, the California Teachers Assn., have launched massive campaigns aimed at stopping the current No Child Left Behind reauthorization process in Congress. NEA's analysis of the changes proposed by the House Education Committee Chair George Miller and House Speaker Nancy Pelosi is dire. The analysis concludes that these changes would make NCLB even worse than many educators already believe it is. Among the changes that would take place if the proposal becomes law:

- Teachers' compensation would be tied to student performance on standardized tests.
- Certain public schools would be privatized.
- States would report different classes, or "brands" of teachers based on student performance on standardized tests.
- Collective bargaining rights would be curtailed in the areas of salaries and transfer rights.

Please visit [NEA.org](http://NEA.org) and [CTA.org](http://CTA.org) online to find out how you can help fight against this proposal. CTA is asking all of its members to make three phone calls to: 1. Your local congressperson (dial 888-268-4334 and follow prompts), 2. George Miller (dial 925-602-1880 or 202-225-2095), and 3. Nancy Pelosi (dial 415-556-4862 or 202-225-4965). A sample phone script that you can follow when making your calls is available at [CTA.org](http://CTA.org).

This is an important campaign. CTA needs your help to stand up for public education.

### BHEA Officially Endorses Goldberg and Fenton for School Board

By a unanimous vote of BHEA's Representative Council on Sep. 6, our union endorsed school board candidates Brian David Goldberg and Steven Fenton in the Nov. 6 election. The endorsements were made at the recommendation of a BHEA committee that interviewed Goldberg, Fenton, and the two incumbents running for reelection, Myra Lurie and Alissa Roston. Three seats on the Board are up for grabs in this election. All candidates were asked the same questions on the following topics: independent study; administrative and teacher turnover; open access; management style; BHEA-BHUSD relations; and student permits. Immediately following the endorsement vote, BHEA issued the following statement to the press: "*The Beverly Hills Education Association proudly endorses the candidacies of Brian David Goldberg and Steven Fenton in this November's school board election. BHEA represents approximately 450 teachers, office staff, and classroom assistants throughout our school district. BHEA looks forward to actively supporting the campaigns of Mr. Goldberg and Mr. Fenton as we believe that these two candidates bring both fresh ideas and open minds to solving the problems facing our district. BHEA encourages the voters of Beverly Hills to support Mr. Goldberg and Mr. Fenton in this crucial election.*"

BHEA will play an active role in the coming weeks as our political action committee will coordinate involvement by our members to support Goldberg and Fenton's campaigns. Planned activities include precinct walking, mailers, and phone banking. If you are interested in helping out with campaign activities this fall, please contact BHEA.

## BHEA Members Use Grievances to Ensure Contract Rights Are Upheld

- A dozen grievances have been initiated over the last year, most of which began since March 2007.
- Outcomes vary. So far, costly arbitration has been avoided each time.

Checks and balances are a staple of American government. Employer-employee relations in California public schools have their own form of checks and balances. One of the ways that BHEA and its members can check our district against perceived contract violations is through the use of the grievance procedure. The procedure is found in Article X of the certificated contract. The grievance procedure provides two very important protections for our members: 1) it establishes timelines to ensure that the resolution process keeps moving forward and 2) gives BHEA the right to have the grievance decided by a neutral arbitrator if no resolution is achieved at the local level. The decision to move to arbitration lies with BHEA's Executive Board, where consideration is given to a particular grievance's strengths and weaknesses based in part on CTA's legal analysis of the case.

See the table below for a summary of some recent grievances.

## How Can I Get Involved in the School Board Race?

BHEA's political action committee is working very hard to help elect Brian David Goldberg and Steven Fenton to the BH School Board this Nov. 6. Goldberg and Fenton are BHEA's endorsed candidates for this race.

The collective effort of BHEA members can make all the difference in this crucial election. BHEA asks that you actively participate in the fall campaign in one or more of these areas:

- Precinct walking, going door-to-door in Beverly Hills with door hangers.
- Affixing address labels and stamps on mailers to BH voters.
- Making calls in a phone bank to BH voters.

Please contact BHEA Pres. Chris Bushée at 310-277-9364 or via e-mail at [chrisbushee@aol.com](mailto:chrisbushee@aol.com) to sign up. BHEA needs your activism.

### IMPORTANT DATES:

- Oct. 1: Rest of 1st paycheck.\*
- Oct. 4: BHEA Exec. Board mtg.
- Oct. 11: BHEA Rep. Council mtg.
- Oct. 19: Prof. development day
- Oct. 28: BHEF Apple Harvest Faire
- Nov. 1: Full paycheck.\*
- Nov. 6: Election day.
- Nov. 12: Veterans' Day \* certificated staff

### SUMMARY OF GRIEVANCES INITIATED FROM SEP. 2006 TO MAY 2007

Summary of Alleged Violations	Step 1: Site Administration	Step 2: Site Administration	Step 3: Asst. Supt. of Human Resources	Step 4: Superintendent
Large class sizes, unsafe conditions of teaching environment, short transition times, placement of prep periods.	9-11-06 to 10-19-06 Partial resolution achieved.	10-19-06 to 11-2-06 Partial resolution achieved.	11-2-06 to 2-26-07 No further resolution achieved.	2-26-07 to 3-15-07 Denied grievance in full, alleging it was improperly managed in Steps 1 and 2. Partial resolutions allowed to stand. Arbitration not pursued.
Non-compensation for work performed. (2 members)	3-29-07 to 4-16-07 Administrator did not respond to meeting request.	4-16-07 to 4-19-07 Administrator did not respond to meeting request.	4-19-07 Resolution achieved.	
Denial of a second year of leave.	3-29-07 to 4-13-07 Administrator did not respond to meeting request.	4-13-07 to 4-20-07 Administrator did not respond to meeting request.	4-20-07 to 5-15-07 Denied grievance in full, alleging it was not physically signed by grievant and lacked merit.	5-15-07 to 5-24-07 Step 3 decision upheld. Arbitration not pursued.
Non-compensation due to incorrect salary schedule placement.	4-25-07 to 5-2-07 Administrator did not respond to meeting request.	5-2-07 to 5-9-07 Administrator did not respond to meeting request.	5-9-07 to 5-30-07 Administrator never issued written decision.	5-30-07 to 9-12-07 Resolution tentatively achieved.
Inequitable distribution of class assignments.	5-4-07 to 5-14-07 Administrator did not respond to meeting request.	5-14-07 to 6-1-07 Denied grievance in full, alleging lack of merit.	6-1-07 to 6-15-07 Denied grievance in full, alleging improper jurisdiction and lack of merit.	6-15-07 to 6-29-07 Step 3 decision upheld and expanded to allege additional procedural violations. Arbitration not pursued.
Non-compensation due to incorrect salary schedule placement.	5-4-07 to 5-14-07 Administrator did not respond to meeting request.	5-14-07 to 5-23-07 Administrator did not respond to meeting request.	5-23-07 to 6-1-07 Administrator did not respond to meeting request.	6-1-07 to present Talks still ongoing.

A summary of additional BHEA grievances initiated from May 2007 to present will continue in the next edition of the *Consensus*.