



# BEVERLY HILLS EDUCATION ASSOCIATION

*Educational Employees Working Together*

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## CONSENSUS

A Newsletter for BHEA Members

April 9, 2008



### Bargaining Moving at Glacial Pace

Representatives of our district's bargaining team came to the bargaining table on Apr. 1 and told BHEA bargainers that there would be no increase to salary and benefits this year unless new revenue is found or beneficial changes to the state budget occur in Sacramento. District bargainers did not have the authority to discuss allocation of even a partial amount of the \$1.8 million of unallocated reserves shown on the latest Board-approved BHUSD budget document. Unallocated reserves typically represent the money that's "on the table" for total compensation talks.

Although cuts from Sacramento to this year's 2007-2008 budget are negligible, our district says it is concerned about its ability to remain solvent in the out-years. Our district cut \$3.6 million out of next year's budget, or \$1.2 million more than needed to cover even the worse-case scenario out of Sacramento for 2008-2009. Despite this, our district refuses to move forward at the table on total compensation. BHUSD's budget document shows the district losing about 600 students, or about 12% of our current student enrollment, between now and Fall 2010...despite the fact that earlier this year our Board of Education voted to allow the percentage of students on permit to rise from the current 18% up to 20% to combat projected declining resident enrollment.

BHEA believes that the district is unfairly targeting our unit members. We are being asked to give up increases to our own personal income to solve the district's budget problems. This year, the district received a 4% increase to its state revenue and a 3% increase to its local revenue but seems unable to pass along any of this increase to unit member salary and benefits. The district is closing 32 certificated and 5 classified positions next year and has issued around three dozen layoff notices. This is a tremendous amount of sacrifice on our part. How about on the district end? Only one part-time administrator will be out of a job next year out of approximately 30 administrator jobs district-wide. Our own superintendent has not personally sacrificed. Supt. Kari McVeigh has already collected over half of her \$12,000 compensation increase. What could you do with \$6,000?

On other fronts, bargainers made progress on developing committee structures and timelines to gather input on the procedure used for the professional assessment of certificated staff (evaluations). Input will be gathered on the pros and cons of the current evaluation system and also ideas for improvement. The gathering of this input will occur during the 2008-2009 school year.

BHEA and BHUSD will soon issue a Joint Communication with more detail on events that transpired at the Feb. 19 and Apr. 1 certificated bargaining sessions.

### April 15 Layoff Hearing Approaches

Our district's decision to close 32 certificated unit member positions has resulted in the issuance of approximately three dozen layoff notices. The legality of each and every notice will be scrutinized by a judge on Apr. 15 starting at 9:00 a.m. in the Board Room at the district office. Every member receiving a layoff notice has the right to be present at the hearing and to speak in his or her own defense.

BHEA has been working closely with our affected members to keep them apprised of timelines and forms that need to be filed. A CTA attorney will represent our members at the hearing.

Once the hearing is over, the judge has until May 7 to make a recommendation to our Board of Education as to exactly which members may legally be laid off. The Board has until May 15 to take formal action on the judge's recommendations, which may be accepted in whole or in part.

### Interest-Based Bargaining Up for Vote in May

BHEA Pres. Chris Bushée announced at the Mar. 6 Representative Council meeting that he will schedule a vote on the future of BHEA's participation in interest-based bargaining for the May 8 RC meeting in response to RC members' requests for discussion of the issue. The issue of bargaining philosophy will appear on the RC agenda as a discussion item for the Apr. 10 RC meeting and as an action item on May 8. BHEA members are encouraged to attend the RC meeting to offer opinions not only on this issue, but on any issue that interests you.

BHEA has participated in interest-based bargaining for about a decade. In interest-based bargaining, both parties identify their interests and then work toward agreements that satisfy as many interests as possible. BHEA's support of interest-based bargaining was last reaffirmed in April 2006 when the RC voted 12-9 to keep it. The alternative is traditional bargaining whereby each party formally draws up their proposals for contract changes. Parties exchange proposals and work toward narrowing their differences until agreement can be reached.

Other highlights from the Mar. 6 RC meeting:

- Talked about the importance of including parents in conversations about budget cuts, layoffs, and allocation of financial resources. Encouraged our members to attend PTA meetings and stress the importance of speaking up for quality public education.
- Approved the creation of a \$500/semester stipend for the position of BHEA Secretary.
- Reported that BHUSD canceled the Mar. 11 certificated bargaining session, telling BHEA that the district was too busy processing layoffs.

**OVER —>**

## BRIEFS AND UPDATES

- After months of talks between BHEA and BHUSD, our district has finally decided to correct an error in the bell schedule for Grades 1 through 5 that resulted from the change to the K-8 flexible schedule in Sep. 2007. Fifteen instructional minutes per week were inadvertently added. BHEA contended that our unit members agreed to contract changes to Article IV (Hours) last June believing that the number of instructional minutes would not change compared to last year. So, our district decided to shave three minutes off of the end of the school day for Grades 1 through 5, effective the week of Apr. 14. The new ending time for Grades 1-3 will be 2:39 and for Grades 4-5 it will be 2:59.
- In response to staff questions about the state of salary and benefits negotiations, Supt. Kari McVeigh told our members at the Mar. 12 "Conversations with Kari" that she is not suggesting that looming out-year budget deficits should be paid for by sacrificing this year's compensation talks, but rather that projected deficits "weigh heavily" on the Board of Education's mind.
- BHEA Pres. Chris Bushée attended the Mar. 25 PTA Council meeting where he addressed about 20 assembled parents and community members. He shared BHEA's perspective on the budget cuts made by the Board of Education on Feb. 26. He talked about the layoff process. He talked about BHEA's role in our district. He fielded two or three questions from the audience.
- In response to the Feb. 25 member poll asking whether or not McVeigh should return her \$12,000 raise, 268 of our members said "yes" while 10 said "no."
- Bushée and BHUSD Asst. Supt. of HR Sal Gumina made progress in their talks on the district providing restitution for RSP caseload violations in 2006-2007. However, Gumina was unprepared to move forward on talks on converting the compensation model for the unit member position of independent study instructor from hourly to salaried. Both of these issues have now consumed more than a year of discussion without resolutions being achieved yet.
- BHEA learned that BHUSD has agreed to pay our members who provide after-school IEP services at their regular daily rate of compensation, not the lower certificated hourly rate.
- On Apr. 2, BHEA filed four demand-to-bargain/cease-and-desist notices with BHUSD on the following topics: intervention matrix, partial layoffs, mentoring programs, and transfer of bargaining unit work.
- Creation and/or expansion of K-8 athletic coaching positions may be on the horizon with funding by the Beverly Hills Athletic Alumni Association.

## Bushée, McVeigh Discuss Issues

BHEA Pres. Chris Bushée and BHUSD Supt. Kari McVeigh met on Mar. 4 to discuss several items. McVeigh said that the Board of Education cut \$600,000 more in unit member jobs than what she had recommended. McVeigh said that a positive relationship with the Board would be best for everyone. She said that she does not believe that an increase in the number of student permits issued by BHUSD will be enough to offset declining resident enrollment over the next few years. McVeigh said that general education teachers must meet their requirements under federal law (IDEA) with regard to providing interventions. She said that the program called "Response to Intervention" is not being implemented here in our district.

McVeigh said that she has consistently told the Board of the need to increase employees' compensation but that 1) this has not generated a "direction" from the Board on compensation increases and 2) the district must present balanced budgets. Bushée replied that it appears that the district wants to use money on the table this year to meet other financial obligations in the out-years. McVeigh said that unallocated reserves do not have to be used for salary and benefits increases, but could be used for other things, too. Bushée countered that progress at the bargaining table earlier this school year resulted in a consensus by all bargainers that at least \$1.6 million is available this year for allocation toward salaries and benefits.

McVeigh defended the need for virtually all administrator positions. She also said that nearly all administrators in the Ed. Services Dept. are categorically funded. She said that if student enrollment declines significantly in the future, some assistant superintendent positions may need to be downgraded to director-level positions.

McVeigh asked BHEA to be a partner in envisioning what a "smaller district" would look like for BHUSD.

McVeigh criticized Bushée for behaving in a "theatrical" manner after he delivered his speech to the Board of Education on Feb. 26 on the topic of inequities of the now-approved budget cuts.

Bushée and McVeigh are scheduled to meet again on Apr. 22.

## BHEA Responds to Criticism of Las Virgenes Study

On Apr. 4, BHUSD e-mailed all staff members a copy of the newsletter called "The Connection." An unsigned article in this newsletter attacked the validity of a study that BHEA cited as budget cuts were being debated. Below is BHEA Pres. Chris Bushée's response:

"BHEA appreciates our district's commentary on published statistics showing a high level of administrative costs, a high number of administrators, and a low level of money spent on instruction. I would point out that, although our district may have relatively high insurance costs, I would be surprised if this fully accounted for the fact that BHUSD administrative costs of \$900/student are twice as much as the \$450/student average of comparative dis-

tricts. Also, I would be surprised to discover that instruction-related costs of ROP, libraries, and technology were excluded from the study only in Beverly Hills, while being included in all other comparative districts. Finally, I don't know what "teacher salaries based on student/teacher ratio" means exactly, but it sounds as if our district is suggesting that teacher salaries should be based on the student-to-teacher ratio. Our district is cutting about 10% of all teaching positions. This will result in an increase of about 10% to the student-to-teacher ratio. So, I guess if we follow the district's logic, teachers should expect a 10% salary increase in the near future."

### IMPORTANT DATES

- Apr. 10: Rep. Council mtg., BHHS, Room 118.
- Apr. 15: Layoff hearing.
- Apr. 22: Board of Ed. meeting.
- Apr. 29: Certificated bargaining.

### \*\*\* THE TICKER \*\*\*

#### ADDITIONAL EARNINGS ALREADY RECEIVED AS A RESULT OF SALARY & BENEFITS NEGOTIATIONS FOR 2007-2008

	Superintendent Kari McVeigh	The Other 500 Employees
As of Today, Apr. 9	\$6,295.08	\$0.00