



CONSENSUS

A Newsletter for BHEA Members
 December 15, 2009



'Firmly on a New Track'

- **New Board President Steven Fenton lays out sweeping vision for future based on loyalty and respect. Challenges school community to 'bleed Beverly.'**

As if to dispel any question that school board elections are meaningless, Steven Fenton, the new president of the Board of Education, laid out a vision for our district that radically changes course on several fronts. The new board wasted no time in solidifying the gains made as a result of the election victories of new school board members Lisa Korbatov and Jake Manaster on Nov. 3; in their first official act, the new Board selected Steven Fenton as president and Lisa Korbatov as vice-president.

Fenton electrified the audience by delivering a rousing speech intended to leave no doubt that the new Board majority will set our district "firmly on a new track." Fenton's speech was interrupted several times by applause from the audience as he enumerated five areas of change he hopes the new Board will achieve going forward:

1. **Promote from within.** Fenton lamented the fact that past Boards too often hired administrators from outside BHUSD and vowed to cultivate more administrators from within our own staff, saying that BHUSD staff members "believe Beverly," as demonstrated by their ongoing service to the district.
2. **Improve employee morale.** Fenton said that BHUSD employees must be treated right and deserve the same level of respect that the City of Beverly Hills police and fire department members receive. He linked the commitment that BH police officers and firefighters have toward the Beverly Hills community to the high degree of respect that the City gives them. He called for the same high level of

respect for all employees in BHUSD, adding that he expects a reciprocal commitment from the staff to "bleed Beverly" as we serve the district's students. He specifically mentioned Sylvester Harris, a BHUSD employee whose salary was cut a couple of years ago as a result of a technicality in Harris' job description that, in Fenton's opinion, did not take into account Harris' loyalty and decades of service to the BHHS athletic program. Fenton vowed to restore Harris to his original salary.

3. **Reach out to alumni.** Fenton called on BHUSD to make great alumni contacts, calling alumni the "gateway to our future," allowing our district to tap into a network of people who have built-in loyalty by virtue of their prior enrollment in our schools.
4. **Invest in a preschool.** Fenton called on BHUSD to build and run its own preschool program. He said our goal should be to start educating students at 3 years old and keep them to 18. He said he believes that private schools compete for Beverly Hills students at a young age and we're missing an opportunity to keep some of these students in our own district.
5. **Mutual respect among Board members.** Fenton said that Board of Education members must respect each other. He then led by example by latching onto different qualities from each of his four Board colleagues and assigning them "committees" to chair that he believes align with their individual strengths and passions. Korbatov: facilities. Manaster: Measure E bond and real estate. Lurie: "green" initiatives. Goldberg: negotiations with union employees. Fenton told Goldberg, "They have your trust," in reference to employees. Fenton said that he would head up business development.

Board of Education Member Taints Independent Investigation Into Grade Change

- **Board member who can influence employee discipline decisions that may arise out of the investigation exposes bias against BHEA and our members.**
- **High school administrator defends administration in meeting with BHEA members.**

At the Dec. 7 Board of Education installation meeting, Board member Myra Lurie accused BHEA and our members of violating Education Code 49076 on privacy of student records and engaged the district office administration in discussion of the accusation. In her remarks, Lurie implied that the student involved in the investigation was in special education, an assertion not made by BHEA, BHUSD, or the local press. In discussing the grade-change investigation publicly, Lurie cited state and federal laws governing the privacy of student records and then, out of the blue, mentioned that special education students are afforded even greater legal protections. Lurie's public discussion of special education status appeared to undermine her criticism of alleged privacy violations by others, as she may have revealed a part of the student's record that heretofore had not been reported. It begs the question: Where is Lurie getting her information? As a Board member, Lurie will have a say in what, if any, actions the district takes upon conclusion of the investigation. In response to Lurie's queries during the meeting, Supt. Jerry Gross advised her that it would be "premature" to make conclusions until the investigation is over. BHEA expects all Board members, including Lurie, to reserve judgment until the grade change investigation is complete.

On Dec. 10, a high school administrator spoke during a regularly scheduled high school department chair meeting and specifically talked about the ongoing grade change investigation. The administrator said that printed reports on the grade change story were not

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entirely true. The administrator said that the administration did nothing wrong and also asserted the administration's right to change a teacher's grade under certain conditions. The administrator asked our members to go "directly to the source" rather than rely on printed accounts of news stories.

Last month, BHEA ran a *Consensus* news article on the grade change incident. In the article, BHEA reported that the high school administration told the teacher involved that someone had gone into the computer system and changed the grade and that the administration had ordered the altered grade to be changed back to the grade originally submitted by the teacher.

BHEA vigorously defends our union against Lurie's claims of privacy violations. BHEA has never reported the name of the student or the Board member, nor have we asserted any relationship, familial or otherwise, between the student and the Board member. We remind our members that the investigation was born as a result of an administrative grade change, a change that did not have the knowledge or consent of the teacher who issued the grade as required by Ed Code 49066, and the fact that a Board of Education member pressured this same teacher on the grade. At the Board meeting, Lurie did not comment on the administrator or Board member aspects of the investigation; she only charged improprieties on the part of BHEA and its members.

BHEA will wait patiently for the conclusion of the investigation.

President's Message

Thank you for all of your hard work in educating our students. You are the backbone of the Beverly Hills Unified School District. I wish all of you a restful holiday season and renewed spirit in the New Year 2010.

I also wish to announce that I will not seek a third term as certificated president of BHEA. My five years of service as your president will end on June 30, 2010. On a personal level, I wish to spend more time with my wife and children. On a professional level, I believe that it is healthy for BHEA to experience new leadership at periodic intervals. I trust that our members will elect a strong Representative Council next month. BHEA will continue to grow as a potent, supportive, and distinguished organization of educators committed to professionalism and collegiality. — *Chris Bushee*

Contentious Board Study Session Results in Move to End Some Opportunity Permits

• Permits for children of BHUSD employees unaffected.

On Dec. 11, the Board of Education held a study session that dealt with the fate of current opportunity permit holders. Opportunity permits are issued to families who reside outside of Beverly Hills and do not fall into other permit categories of district/city employees, legacy, environmental, and diversity. Many parents of children with opportunity permits showed up to the study session, which lasted about an hour. Throughout the meeting, several audience members called out and interrupted the Board members with commentary and questions. The audience members were reacting to Board member comments and the direction the Board was taking on opportunity permits.

Board Pres. Steve Fenton, Board Vice-Pres. Lisa Korbatov, and Board member Brian Goldberg aligned to give direction to administration to draft letters to families of current opportunity permit holders with children in grades K-6 and grades 8-9 that their permits would not be renewed for the 2010-2011 school year. Permits for current 7th graders would be renewed so that they may finish 8th grade in BHUSD. Permits for current 10th and 11th graders would be renewed so that they may finish 12th grade in BHUSD. The district stopped issuing new opportunity permits this school year, but several hundred students remain in the district on opportunity permits issued in previous years. The plan presented at the study session would allow 146 of these current opportunity permit holders to graduate either 8th grade or 12th grade in the district, while 218 would not matriculate in BHUSD. The Board will take final action on the plan at their Jan. 12 meeting. None of the Board members indicated any change in their previously-stated favorable positions toward employee permits, and the meeting focused entirely on the category of opportunity permits.

Several parents of current opportunity permit holders and three BHEA members addressed the Board and urged them to continue to renew the permits. Two residents called on the Board to not renew opportunity permits.

At the study session, Board member Myra Lurie said she supported matriculation of all current students on opportunity permits. She said that non-renewal of opportunity permits would cause more

administrative work if families appealed to the Los Angeles County Office of Education. She argued that the "marginal" costs of keeping all opportunity permits would be minimal. She charged that the non-renewal of these permits is "elitist" and "racist."

When queried by Lurie on the educational impact to students who switch schools, Supt. Jerry Gross said that there are two sides to the argument of being "uprooted" when it comes to child growth and development.

Korbatov said that there had been six previous Board meetings on permit policy and that our district should be working harder to attract resident families who currently choose to enroll their children in private schools. She added that all opportunity permit families are welcome to move into BH and become residents.

Board member Jake Manaster said the district must get an answer out to permit families as soon as possible. He said that he sees an issue with taking away revenue from the Los Angeles Unified School District through issuance of opportunity permits. He said that the Board's first priority is to protect the financial health of BHUSD, and cited our dependence on the multi-million dollar Joint Powers Agreement with the City of BH.

Fenton said the reason for calling the study session was to put closure to the issue.

BHEA has no official position on the district's opportunity permit policy, although we have consistently said that declines in enrollment due to changes in any student permit policy must not come at the expense of our members via involuntary layoffs. If the district decides to reduce staff, it should be through natural attrition due to voluntary resignations and retirements. Our district expects to be certified soon as a basic aid district, so enrollment loss will no longer result in a significant loss of revenue because our funding will now be based on the Beverly Hills property tax base, not student enrollment. This would allow the district to maintain its current level of staffing but offer smaller class sizes as an alternative to position closures. BHEA has previously stated that our members teach all students equally in the classroom, regardless of permit status. Because of this, BHEA does not suggest to the district how it should populate the student body except in one regard: our strong belief that permits issued to our own members' children should continue and be considered as a benefit of employment.