



# BEVERLY HILLS EDUCATION ASSOCIATION

*Educational Employees Working Together*

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## CONSENSUS

A Newsletter for BHEA Members  
May 7, 2010



### Board Will Make Final Decision on Layoffs on May 11; BHEA Calls on Members for Support

Over three months of debate on the subject of layoffs will come to a close on May 11 when the Board of Education will decide on whether to approve or reject the layoff notices given to 10 teachers. By law, the Board must act by May 15.

It has been an unsettling time for the 10 unit members who received layoff notices in early March. Since the district first embarked on the pursuit of layoffs in February, BHEA has consistently and frequently spoken out against this painful budgetary maneuver. The points that our organization has made are summarized as follows:

- Too many negative accounting errors have sapped confidence in the veracity of the budget numbers. BHEA has not received sufficient clarity on the budget to be convinced that the district needs \$700,000 to balance its budget, the amount of anticipated savings from 10 layoffs.
- Our district will receive \$30 million of additional revenue that similarly sized districts will not receive due to our basic aid funding status and our joint powers agreement with the City. Without further budget clarity, it is a hard pill to swallow that so much additional revenue could be spent such that layoffs are the only budgetary option left.
- BHUSD is largely shielded from the huge amount of budget cutting gripping education statewide because we get to keep all of our local property taxes due to our basic aid status. So, comparisons to other non basic-aid districts around us break down.
- BHEA has pointed to multiple areas of the budget and behavioral changes that should be looked at first, before engaging in layoffs. Such areas include: the reserve account, services and operating expenses, contracted services with private companies, administrative personnel costs, administrator training, improving labor relations, and targeted community-based fundraising.

Since February, the district has responded to a certain degree by reducing its initial layoff proposal from about 22 teacher positions to 10. It has moved \$312,000 of reserve money into the general fund and closed one district office administrative position. Also, the Board committed to another \$300,000 of expenditure reductions for next year, but the administration refuses to update the budget to reflect these anticipated savings, saying that such savings cannot be guaranteed. BHEA has countered by saying that the district can demand behavioral and structural changes in its administration of the district to realize these savings.

BHEA hopes that the Board will reject these layoffs and compel the administration to dig deeper into the budget. BHEA has called for a line-by-line, dollar-for-dollar accounting of the district's money to bring clarity to a budget that has, unfortunately, been pockmarked by mistakes caught in audits. A clear accounting has still not materialized. BHEA does not believe that fear and uncertainty should be the benchmarks by which our employer makes financial decisions, especially when the impacts of such decisions will leave painful scars in the form of involuntary loss of employment for our members. Join your union at the May 11 Board meeting and stand up for your colleagues!

### Summary of April 15 BHEA Representative Council Meeting

Every month, the BHEA Representative Council meets so that school site representatives can relay input from our members to the RC and so that important information on timely issues can be relayed back to our members at their sites. It is a two-way communication process. All members are invited to attend and RC meetings and provide feedback for discussion. The next RC meeting is May 13, 3:45pm, Room 118 at the high school.

Below is a summary of the Apr. 15 RC meeting:

- Appointed Mary White as a HM representative to fill a vacancy. A special election will be held within the next six months to fill this position for the remainder of the term ending on Jan. 31, 2012.
- Received as guests: PTA Council co-president Franny Rennie; a sales representative from California Casualty.
- Held a wide-ranging discussion on the district budget and the prospect of employee take-backs in the form of layoffs and mandatory, unpaid furlough days. Received feedback from some members on the need to improve the quality of professional development days and that perceived lack of quality opens the door to targeting these days for furloughs. Received a suggestion that BHEA advocate for more meaningful professional development programs. Feedback that elimination of professional development days may require our unit members to pay out-of-pocket outside of the work year for their own professional development in order to satisfy the state's continuing education requirement for maintenance of teaching credentials. Feedback that district is attempting to deal with budget concerns on backs of employees. Feedback that

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**SUPPORT YOUR COLLEAGUES WHO FACE LAYOFFS!  
ATTEND THE BOARD OF EDUCATION MEETING  
ON TUESDAY, MAY 11 AT 7:00PM IN THE  
SALTER THEATER AT THE HIGH SCHOOL!**

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BHEA should reframe attempts to cast the debate as: furloughs versus layoffs and reject assertions that these are the only budgetary options left to discuss. Suggestion to look at efficiency of work performed at the district office during the summer months. Mentioned appreciation for comments supporting our unit members made by some Board of Education members in recent meetings on the subjects of layoffs and furloughs.

- Treasurer reported that the 2010-2011 BHEA budget will be drafted soon; that BHEA will attempt to clarify for the district the contract language regarding reimbursement of release time costs for the certificated president; and that BHEA will engage other certified public accountants to make sure that we are receiving the most competitive price for the annual audits and filings of our finances. RC authorized purchase of two lockable filing cabinets at a cost not to exceed \$300.
- OTBS unit reported that it is engaged in impacts and effects bargaining with the district on its decision to eliminate the receptionist position at the district office. IA unit reported it has reached agreement with the district on training/professional development protocols.
- Heard concern about how to deal with parents who go straight to Board of Education to complain about a unit member's job performance. Advice given that Article XIII of the contract must be followed when it comes to complaints, otherwise the district cannot discipline our members.
- Held discussion on how teachers can integrate more into our local PTA. One suggestion was to encourage the PTA to change their meeting times so as to not conflict with teaching schedules.
- Discussed district-created interview panels. Suggestion to include BHEA unit members in the paper screening process of applicants, and not just on the face-to-face interview panel as is current practice. Advised our members to maintain confidentiality when participating on an interview panel.
- Reported that the BHEA-BHUSD joint insurance committee will meet soon.

## Summary of Recent Board of Education Meetings

April 6: Approved a 2-year contract for a new chief facilities official. Eliminated the high school ethics course as a graduation requirement, although retained it as an elective course. Approved new legal counsel by the name of Best, Best, and Krieger. Discussed the possibility of hiring a public relations firm for the district, although did not firmly move in that direction, with Board member Jake Manaster saying the timing is wrong considering the potential for layoffs and Board member Brian Goldberg saying that perhaps the district could look into getting public relations services from the City to reduce costs.

April 14: Hired HM teacher Steve Kessler and former HS assistant principal Dave Hoffman as principals of HM and ER, respectively, effective July 1. Kessler said he promised to "give all I can" and Hoffman said he is "ready to take on this challenge." Received six presentations on school program highlights, one from each of the five school sites plus one from the special education department. On the subject of mandatory, unpaid furloughs, Supt. Jerry Gross said that the district is sensitive to employee issues, but must plan appropriately. Tabled until a future Board meeting a resolution on furloughs. On 3-2 vote, did not approve allowing the district-contracted law firm of Fagen, Friedman, and Fulfroost to continue its work on three legal cases in progress. The Board's action effectively handed off these cases to the district's newly hired law firm. Board Vice-Pres. Lisa Korbatov and Goldberg said they stood on principle that the Fagen firm should not benefit any longer from the district since the Board decided to switch law firms. Board member Lurie and Manaster said that it would be more cost effective to allow Fagen to complete work on these three cases. At previous Board meetings, there was discussion of conflicts of interest related to the Fagen firm that contributed to the Board's decision to release Fagen and hire a different firm. Formed a committee to research the creation of a new district mission statement. Korbatov renewed her call to make clean/safe schools a priority.

April 27: Several speakers spoke in support of the Maple Counseling Center's mentoring program. Goldberg called for a study session on bullying and asked to look into any negative impacts of open enrollment policies at the high school, as well as the breadth of Advanced Placement course offerings. Lurie called for more publicity about HS students' ability to satisfy up to two courses of graduation credit through online/community college courses. She also suggested that future interview panels for school site administrators include staff members not from that school site to avoid what she referred to as "picking your own boss." Manaster said that the Board cannot be "transparent" with its reasons for making personnel decisions due to confidentiality of such matters.

## Recent Board Member Comments on Layoffs, Furloughs

Comments made at the Apr. 14 and Apr. 27 Board of Education meetings:

Korbatov: Said she does not view staff's professional development days as expendable; said the community should support teachers just as much as other civic leaders; said she does not support cutting the budget on the backs of teachers.

Goldberg: Said furloughs would set a terrible precedent and result in a blow to employee morale; said the Board and administration must take responsibility for the budget; said cutting days off the calendar would decrease our competitiveness internationally.

Manaster: Called for more budget analysis and a budget study session; said furloughs should only be used in emergency situations; called for flexibility; cautioned against putting problems on the chin of teachers; called for the district to put just as much effort into resolving budget issues as it puts into other similarly studied endeavors; said we should shine light on the budget and commit to finding waste; said district is caught between rock and hard place economically; said Board needs time to dwell on options before being asked to vote on layoffs.

Lurie: Reiterated information supplied by Supt. Jerry Gross that Irvine, also a basic aid district, recently negotiated furlough days. (It was pointed out at the meeting that the Irvine school district does not have a joint powers agreement with their city, something that our school district does have with the City of Beverly Hills, which supplies us with additional revenue.) Lurie has consistently spoken in favor of furlough days.

Fenton: Made the motion on Apr. 14 to table consideration of a furlough resolution until a later Board meeting.

### IMPORTANT DATES:

May 11: Board of Ed mtg. **Attend** to support colleagues with layoff notices!

May 13: BHEA Rep. Council mtg. 3:45pm. Room 118. BHHS.