

Kamehameha Schools Faculty Association

P.O. Box 894163, Mililani HI 96789 / www.ksfaculty.org

Ka Pi'ina and KSFA

KSFA has taken no formal position on Ka Pi'ina at this time. Our involvement in the process is described below. I hope it will provide a context as we move forward to evaluate Ka Pi'ina's impact on our membership and the Collective Bargaining Agreement.

I was invited to the first meeting of what was then called the "Teacher Growth and Capacity Building Core Team" on Nov 8, 2007. At that time the scope and sequence of the Team's work was described and it was hoped the work would be completed by June 2008. In consultation with our attorney it was determined that it could be construed as a conflict of interest for the KSFA President to be involved in planning a project that had implications for the CBA. Dean did advise that it was good that KS wanted KSFA involvement and recommended that another teacher participate.

Since all Kapālama teachers are members of KSFA that meant KSFA would be included in the process. I asked Rick Heyd and Mark Ewald if they would be interested in being the Kapālama teacher representatives. They agreed to share the responsibility thinking it would be a short-term commitment. As it turned out the Team grew and the project became known as Ka Pi'ina. Its work extended into November 2008 when the draft of the Project was presented to the CMT and other campus leaders. KSFA Leadership was given the entire 171-page text and a similar 2-hour presentation of Ka Pi'ina at our December Representative Assembly Meeting. I attended both of these presentations. The Kapālama faculty was briefed on the Project in January 2009 meetings.

Mark and Rick attended many hours (perhaps 100's) of meetings and Rick traveled to a conference in Tennessee. They did so while still maintaining their teaching load, arguably at some expense to their students and families. I think they served KSFA well and they provided feedback that was shared at the Rep Assembly. They were lim-

ited in what they could share by agreements made by all members of the Core Planning Team. These agreements were designed to maintain the integrity of the project while it was being developed, and are not uncommon in projects of this scope. Mark and Rick are now valuable resources to KSFA as elected members of the Representative Assembly.

As we start the process of evaluating Ka Pi'ina it is important to know that it is not a done deal. KS readily acknowledges that it will need to negotiate those aspects that are mandatory subjects of bargaining. KSFA membership needs to carefully evaluate Ka Pi'ina and not judge it on a 35-minute introduction. That would be like judging a book on its jacket cover. I urge all interested members to get involved in evaluating all or part of the project document and providing input. Members may also learn more by volunteering to be part of the pilot group. The more voices that are heard, the more representative our final assessment will be.

— Don Kroessig, KSFA President

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Ka Pi'ina and the Rep. Assembly

At the January KSFA meeting, Reps discussed the role of two KSFA members on the Ka Pi'ina planning team. To add clarity and respond to the concerns expressed by some KSFA members, here are some additional details.

KS approached Don Kroessig some time ago asking for his participation in the Ka Pi'ina planning process. He declined, citing the appearance of a conflict of interest, but did offer to ask two teachers to attend meetings. (See his article on page 1.) This is in line with past practice at KSFA, and attempts to work with KS on important issues in a proactive way that defuses potential conflict. Bill Follmer, for example, attended Benefits Committee meetings a few years ago and was able to suggest some improvements, such as our current 401K matching benefit.

Over the past six months, three changes have taken place. First, the two teachers, Mark Ewald and Rick Heyd, came to support Ka Pi'ina (at least to the extent of advocating a pilot project) and became members of a small core planning

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team. Second, the two also became members of the KSFA Representative Assembly. And third, the Ka Pi'ina planning team issued a gag order on its members, effectively making it impossible for the Rep Assembly to receive progress reports or to offer input. In this one aspect, participation in the Ka Pi'ina core planning team differed from previous KSFA participation in KS Administration committees.

Don Kroessig did receive copies of agendas and calendars from the Ka Pi'ina Core Planning Team, but reports that these contained no substantial or useful information about the direction the initiative was taking: nothing worth bringing to the Rep Assembly. In short, KSFA Rep. Assembly members had no more information about or input into Ka Pi'ina than did any teacher at Kapālama.

The November Rep. Assembly meeting, recognizing these altered circumstances, agreed that the two Ka Pi'ina planning team members were there *solely* as individual teachers, not as KSFA representatives. Furthermore, the two teachers, now members of the KSFA Representative Assembly, report that the Ka Pi'ina core planning team has dissolved, ending their official involvement in the planning process.

— JB, Unit 11/12

They're not raises — they're steps

In the last round of salary negotiations, KS referred again and again to teacher step increases as “pay raises” and to our “14%” pay raise. Teachers receive 2.5 and 3% step increases each year, as the NEA points out (page 3), in acknowledgement of increased experience and increased value to their institutions. On top of that, KSFA members received a negotiated 9% raise over the past two years (6.5% in 2007-8 and 2.5% in 2008-9).

KS has implicitly recognized the value of senior faculty, according to members of past KSFA negotiation teams, by refusing to consider

“golden parachutes” for older, more expensive and more experienced teachers, citing their value to the institution.

Because of pay raises for all KS administrators last spring, DeeJay now receives over a half million a year based on her many years of experience in corporate management. Other KS CEOs and administrators undoubtedly point to their experience as justification for their salaries. Precisely the same argument applies to teachers. Step increases don't reward; they acknowledge increased value.

— JB, unit 11/12

NEA gives merit pay a thumbs down

This article is reproduced - with permission - from the National Education Association website (<http://www.nea.org/home/ns/12661.htm>.) It's worth reading the rest of the article at the website.

MYTH: If schools were allowed to grant merit pay, good teachers would be well compensated.

FACT: The fundamental problem is low teacher pay, period. Merit pay schemes are a weak answer to the national teacher compensation crisis.

Merit pay systems force teachers to compete, rather than cooperate. They create a disincentive for teachers to share information and teaching techniques. This is especially true because there is always a limited pool of money for merit pay. Thus, the number-one way teachers learn their craft -- learning from their colleagues -- is effectively shut down. If you think we have turnover problems in teaching now, wait until new teachers have no one to turn to.

The single salary schedule is the fairest, best understood, and most widely used approach to teacher compensation -- in large part because it rewards the things that make a difference in teacher quality: knowledge and experience.

Plus, a salary schedule is a reliable predictor of future pay increases. Pay for performance plans are costly to taxpayers and difficult to administer. In contrast, single salary schedules have known costs and are easy to administer. School boards can more easily budget costs and need less time and money to evaluate employees and respond to

grievances and arbitrations resulting from the evaluation system. Worse yet, there is often a lack of dedicated, ongoing funding for merit pay systems.

Merit pay begs the question of fairness and objectivity in teacher assessments and the kind of teacher performance that gets "captured" -- is it a full picture, or just a snapshot in time? Is teacher performance based on multiple measures of student achievement or simply standardized test scores? Are there teachers who are ineligible to participate in a merit plan because their field of expertise (art, music, etc.) is not subject to standardized tests?

By November 2006, 50 Texas schools rejected state grants to establish merit pay programs for teachers, tied to higher student test scores. Many schools reported that teachers opposed the idea or that administrators were reluctant to decide who should get a bonus and who shouldn't. Teachers at schools opposed to merit pay said it was not worth the extra money to break up the team spirit among teachers and spend time filling out paperwork for the program. In Bellaire, Texas, fifth grade science teacher Tammy Woods voiced her paperwork concern to the Dallas Morning News. "Most of us felt our time would be better spent working with the kids than working on the incentive-pay plan," she said. "We also felt there would be hard feelings no matter what happened because not everyone who worked to accomplish our goals would be rewarded."

— *National Education Association*

It's not a done deal at Kapālama

Some faculty have expressed dismay and resignation at the Ka Pi'ina initiative, commenting that it appears to be a done deal. It does have that appearance; our friendly, valued SR staff have worked for the past four years under a merit pay system, with raises directly tied to evaluations. In a sense, a pilot program is already running. If you want to gain insight into how it feels to work under such conditions, ask an SR staff member.

It may be a done deal for them, and even for faculty at the other two campuses, but it's not a done deal at Kapālama for KSFA members.

The reason is that NLRB law defines certain issues as mandatory subjects of bargaining. Because it affects compensation, Ka Pi'ina falls squarely into that category.

Ka Pi'ina cannot be imposed on KSFA members unless they vote to accept a vastly altered contract. Until then, KS is required by law to bargain in good faith, with the existing contract as the basis. If it happens here, it will be because a majority of KSFA members want it to happen.

— *JB, unit 11/12*

KSFA

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**AUTHORIZATION FORM FOR DEDUCTION OF
UNION DUES/SERVICE FEE OUT OF WAGES**

I, _____, an employee of Kamehameha Schools (“KS”) voluntarily agree to have KS take out of my wages regular monthly dues as established by the Kamehameha Schools Faculty Association (“KSFA”) in accordance with its Constitution and Bylaws, or a regular monthly Service Fee not to exceed KSFA’s regular monthly dues for its members as certified to you in writing by KSFA, and to turn over to KSFA any and all such monies on the following conditions:

1. This authorization shall become effective upon the date set forth below and cannot be cancelled for a period of one year from this date or until the termination of the existing collective bargaining agreement between KS and KSFA, whichever occurs sooner, unless cancelled sooner as provided in Section 2 below.
2. I agree and direct that this authorization shall be irrevocable for successive periods of one year each, or for the period of each succeeding applicable collective bargaining agreement between KS and KSFA, whichever shall be shorter unless:
 - (a) I cancel this authorization by written notice to KS at any time or within ten days after the expiration of any such one year period; or
 - (b) In the case of the expiration of any applicable collective bargaining agreement between KS and KSFA during any such one year period, I cancel this authorization by written notice to KS at any time during the period following the expiration of the applicable collective bargaining agreement and ten days after the effective date of any new agreement.
3. This authorization is subject to sufficient wages being available to comply with all other required deductions and existing federal and state laws. This authorization shall be suspended during any period in which there is no collective bargaining agreement in effect between KS and KSFA. This authorization shall end if my employment with KS ends. This authorization is made pursuant to the provisions of Section 302(c) of the Labor Management Relations Act of 1947.

Employee Signature

Receipt of the foregoing authorization is acknowledged:

Date

Employer

Mailing Address:

SS#

Your KSFA Representative Assembly	
UNIT KES	
Winona Farias Anna Lee Lum, Bette Savini, Lynn Tagami, (1 vacancy)	
UNIT KMS	
Deane DeCastro, Eric Kane, Don Kroessig, Koy Omo, Grace Omura	
UNIT 9/10	
Mark Ewald, Tom Gardipee, Rick Heyd, Bill Follmer, Larry McElheny, Warren Takata, Erin Wilson	
UNIT 11/12	
Jan Becket, Claire Ho, Melelani Pang, Michael Puleloa (1 vacancy)	
EXECUTIVE BOARD MEMBERS	
— OUR NEGOTIATING TEAM—	
President	Don Kroessig
Vice President	Tom Gardipee
Treasurer	Don Kroessig
Secretary	Grace Omura

Your Weingarten Rights

I believe this discussion could lead to my being disciplined. I therefore request that a union representative be present to assist me at this meeting. I further request reasonable time to consult with my union representative regarding the subject and purpose of the meeting. Please consider this a continuing request. Without proper representation, any discussion you require me to participate in from this point on and any statements you may derive therefrom I shall regard as coerced in willful disregard of my rights as set forth by the Supreme Court of the United States. Nor do I consent to any searches or tests affecting my person, property, or effects without first consulting with my union representative.

C'mon HR, do the right thing

The one area that has never been opened for negotiations is benefits. The reason for this is that KS makes veiled threats every so often to do away with “defined benefit” pensions, in favor of matching 401k contributions. This mirrors the trend nationwide, where defined benefit plans (traditional pensions) have been phased out by the corporate world.

That argument, like the one to privatize Social Security, just got a lot harder to make, with the economic downturn draining hard-earned retirement savings. I have no problem sharing that my own 401k, funded at full level for most of my 20+ years at KS, invested in balanced, conservative stock/bond funds, has lost a full 40% of its value. (But, hey - I've always wanted to live in a classic window '65 VW bus ...)

KSFA has negotiated salaries in each round, but never benefits — and yet there is a close connection between the two. Generally, younger faculty are focused on maximizing their take-home income, with good reason. Money pays for pressing and immediate needs like home purchases, and children. Older faculty focus more on benefits, especially the dual retirement benefits of pensions and health coverage. It makes more sense for KS to offer pay raises to younger faculty and improved retirement benefit packages to older faculty, rather than to fund across-the-board pay raises for everyone.

KS makes the argument that it wishes to offer just one benefit package to all employees at all levels. In tough economic times, additional benefit costs are a hard sell, but remember that tough economic times affect everyone — especially those in their retirement years. In addition, the sour economy is costing KS additional money by causing older, more expensive teachers — who might

otherwise have retired — to remain. However, there may be some win-win benefit configurations out there. How about some creative thinking?

Golden handshakes. This is the obvious one: entice older, more expensive faculty to retire by paying them to retire. If the school is leery of losing too many experienced faculty at once, set quotas. By retiring older faculty member, the school can fund more generous pay raises for younger faculty, even after replacing retirees with new hires. Doesn't this begin to sound like “recruit, retain, reward?” [note to HR: two years' salary is about right.]

Part-time status. As a halfway step, encourage older faculty members who wish to drop to half-time status by offering them, say, 60% salary for half-time teaching for up to five years. This option might be especially attractive to faculty who had counted on their 401k savings to fund retirement, and who are now finding that the piggy bank is half empty. Partial retirement may be an attractive option for those folks, and one that actually saves KS money and allows KS to do the right thing by its kūpuna.

The hybrid plan. Right now, retirees are paid by a multiplier of 1.4 percent. This means that they take the average of their three highest years, multiply that figure by their years of service and then multiply by .014, to arrive at their yearly pension (Don't hold me to this, please). Believe me, it's a sobering process to do that math: one's income tends to drop by two-thirds. However, Hawai'i state employees have had the option for the past few years to increase that multiplier to 2% by putting extra money into the state retirement plan. They can either choose to increase contributions each month or can transfer money from an existing 401k or 403b. It makes perfect sense. Why not here at KS?

There have got to be one or two more win-win ideas out there. HR?

— JB, unit 11/12

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Viewpoints

KSFA makes these pages available to encourage free, open sharing of ideas and viewpoints among its members. Items on these pages do not represent official positions taken by KSFA

Ka Pi'ina: just some of its problems

At first glance, Ka Pi'ina looks harmless. Wouldn't it be nice if we lived in a world where management rewarded outstanding teachers for their performance? What's wrong with giving teachers more money and some recognition for their achievements? Wouldn't that motivate them and others to do even better? So what's the problem?

Well, the problem is not that the current system (or the union) is preventing management from paying anybody more or recognizing their achievements. Not that it is going to happen, but suppose that management liked this article so much that it wanted to reward me with either money or recognition for writing it. What would stop them? No, management doesn't need Ka Pi'ina in order to reward achievement. Why then, does it propose to revolutionize our pay scale so that both the steps and the columns of our pay schedule are determined by performance evaluations? And why was that dramatic fact buried in an obscure end-of-the-day Power Point briefing? Having your pay scale determined by evaluation is not the only issue that matters when considering whether we implement or abandon the Ka Pi'ina project. But, it is an important one, and it is not something that will be "tweaked" in our pilot program. With our history of "first year voluntary – second year mandatory" and the commitment to implementation implied by spending a year in isolation developing this "proposal" plus spending over \$1.5 million next year to "tweak" it, the "pilot" becomes Phase I of a done deal. So, now is the time to examine this proposal carefully and decide whether we want to exchange it for our current system or tell management that the pilot is a waste of time and money. To do that, we need to compare Ka Pi'ina with the current system.

Under our current pay schedule, we are guaranteed a step increase (2.5% or 3%) every year until we reach the maximum pay for our education column. KS has a long history of annual step increases and giving that up now would set a precedent that would come back to haunt us. Under the Ka Pi'ina proposal, the yearly step increase would be at management's discretion and dependent upon a performance evaluation.

Currently, our placement in a pay column is determined by education level and credits. Ka Pi'ina proposes to replace our "education level" columns with four "performance level" columns (Entry, Professional, Career Professional, and Advanced Professional). While one could argue that "education level" doesn't always translate to improved performance, it does have several important virtues such as: clarity, fairness, and control. Currently, everyone has the

same opportunity and knows exactly what they have to do to move to a higher-paying column. There is no guarantee that under Ka Pi'ina movement to the higher "performance level" columns will be as clear and without favoritism as in our current system. Certainly under Ka Pi'ina, teachers will have less control of their financial future, and, for this reason, it's hard to believe that anyone believes that Ka Pi'ina will improve recruitment or retention. Teachers are already in one of the lower paying professions with frequent changes in supervision. Why should we stake our financial future on an evaluation system that is dependent upon consistently accurate and expert supervision? We have no guarantee that we will even be evaluated by someone in our field of expertise or that one poorly-managed student or parent complaint will not unfairly destroy our reputation and careers.

There are many other flaws with Ka Pi'ina besides its effect on our pay scale. Virtually everywhere you look there are other serious problems. It would change the relationship between you and your boss. Employees would be much less likely to tell their boss and get help with their problems for fear it might affect their promotion and pay. Your boss would have to change too. More frequent and intrusive evaluations would be necessary to justify promotions or the lack of them. The time and energy spent on evaluations would

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increase enormously with little or no benefit in the classroom. Department Heads would teach fewer classes. It would change the relationship between you and your colleagues. Things would be more competitive and less collaborative. It would encourage spying and "sucking up". I can't imagine that teacher A will accept without animosity or suspicion that teacher B was more deserving of that promotion or "Expert" label that B got and that A wanted but

didn't get. Teacher-student and teacher-parent relationships would also change for the worse. Some students already try to take advantage of the "substitute" label, now they could work their mischief on "Entry" level teachers or those who need a good evaluation for promotion. Will parents accept an "Entry" level teacher for their child? Will even a "Professional" level be good enough? The idea that we are even considering this approach is depressing.

Tell me again the benefits of Ka Pi'ina. I don't see any for the faculty or the students. Management will have more control. But, will that translate into improved performance, recruitment or retention?

— Bill Follmer, Unit 9/10