

Kamehameha Schools Faculty Association

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

Negotiation update

Your negotiating team has been working on your behalf since early March. As has been reported in our Representative Assembly meetings, we were focused on two areas of the Collective Bargaining Agreement (CBA).

The first area was to try to get the Corrective Action Letter of Intent into the CBA and have it subject to Section 11. Grievance Procedure. KSFA's rationale was that inclusion of the process in the CBA would allow for accountability and consistency that would establish trust in the process. KS countered that it would eliminate flexibility and interfere with their management rights. Our attorney Dean Choy agreed with our position and offered suggestions that we included in our proposals and rationale. After numerous sessions and various proposals from both sides, the negotiating team decided that we were making little or no progress on this issue and we withdrew our original proposal taking us back to the current language in the CBA. We did agree to continue to have dialogue in this area.

The second area was Salary. KSFA consistently maintained that we needed to have our step as part of the agreement. Our third and final proposal to KS was to freeze the salary schedule but to have all eligible members receive their steps. KS countered with the same proposal as they had from the beginning: a freeze in salary at the current 2008-2009 levels, so that KSFA would be in line with all other KS employees. When this same proposal was offered to us virtually unchanged for the fourth time, KSFA brought in the Federal Mediator to try to move us forward in the process.

The mediator offered several suggestions as to how we might structure an agreement, but in each case KS was unwilling to commit to any increase now or in the near future. The outcome of our session was to agree to continue to negotiate indefinitely; this would keep the current CBA enforced beyond its June 30, 2009

expiration date. During the continuing negotiations KS has agreed to meet with us on a monthly basis to give us updates on the financial status of the endowment. In this way we will be able to see how KS is faring in the economic environment as it changes overtime.

The mediator told us that it was important to not only focus of what we did not get, but to also look at what we got to keep. There were no job cuts and our benefits, including the 401K matching, are being maintained. When you consider what is happening in other sectors of our state economy, this is a point worth considering.

As per our agreement we have had two meetings with Dr. Michael Chun, Mike Loo and the KS negotiating team. The discussions have been informative and productive; the areas of discussion include General Economic Environment, State and Value of KS Endowment, KS Spending, and Items/Prioritization of Spending. KS is measured in its response to the Economical Environment and has assumed a more defensive posture, trying to maintain spending at or near current levels while allowing the Endowment to recover. It is their goal to pull back on capital rather than operational expenses. If you would like more detail on these meetings please contact a member of the negotiating team or attend a Representative Assembly meeting.

— *Don Kroessig, President, and the Negotiation Team: Winona Farias, Tom Gardipee, Rick Heyd, Grace Omura, and Mele Pang.*

***Fall 2009 General Meeting
4 p.m., December 9
KMS library***

KSFA MEETINGS 4 P.M. KMS LIBRARY (KSFA MEMBERS ALWAYS WELCOME!)

NOV. 18

DEC. 9 (GENERAL MEETING)

JAN. 13

FEB. 10

MARCH 10

APRIL 14

MAY 12 (GENERAL MEETING)

Danielson on compensation

On September 14, 15, 16, and 21, 2009, the Ka Pi'ina project kicked off its Charlotte Danielson Teaching Framework Training at the Hawaii Prince Hotel in Waikiki. Everyone from teachers to administrators to literacy coaches and instructional specialists were there to engage in in the training of Charlotte Danielson's Teaching Framework as described in her book entitled, *Enhancing Professional Practice 2nd Edition*. Although it was clearly evident that Charlotte's Teaching Framework was well accepted by the majority of teachers and administrators as a tool to hone one's skills in

being a teacher, administrator, instructional specialist, and educational support staff, the issue of compensation being tied to her framework became a topic of much discussion throughout the training.

When asked how she felt about compensation being applied to her framework, she danced around the answer a bit until she finally admitted that she didn't design her framework to be tied to compensation. Thus, the saga continues with how compensation will be affected in the Ka Pi'ina Project

— *KSFA workshop participant.*

This might get interesting

A decade ago, a handful of dedicated teachers sacrificed a great deal of time and more than a little of their souls to establish a faculty association. Some are gone. Some are going. A decade will do that to folks.

Some of them asked me to write up a bit of a reminder.

The premise then, as now, was and is that while all involved in the school have the greater good in mind, not all share the same perspective. Not all bring the same experience. Not all the same insight. And among the "not all" is the faculty.

The faculty demanded a voice, and like all voices, it gains strength from occasional silences. KSFA has quietly worked with the administration (a decade still hasn't inured me to the word

management) to create a more effective learning environment for our students. KSFA has at times worked so quietly that it would be easy to take the association for granted.

Don't.

With wave after wave of initiatives rolling in, I can hear KSFA clearing its throat. I don't know what it's going to say; that's for all of us to determine. That has a nice ring to it: *For us to determine*. Get informed. Start conversations. Have an open mind. Some of us have a lot of past invested in Kamehameha. Others have a great deal of future to invest. All of us have a moment or two of present, and it's sounding like these next few moments might be interesting.

— *Jim Slagel, Unit 11/12*

Viewpoints

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Our step: it's not the financial crisis

As I write this article, the only thing on the bargaining table is our step, something that's been part of our pay structure long before we had a union and long before I came to work at Kamehameha 21 years ago. Why then is our employer so adamant about denying it to us this time? Their argument is, of course, the financial crisis, but is it really? How much does the step cost KS and why could they afford it when they were worth \$5 billion twenty years ago and can't afford it now when they are valued at \$7 billion? Something doesn't make sense. Let's analyze the cost to KS of teachers' salary and our step.

The total cost of teachers' salary to KS is given by a simple formula:

Total Cost = Number of Teachers times Average Salary

Since the number of teachers this year is a constant, KS' cost varies directly with the average (the mean) salary. How does our step effect the average salary? You may be surprised to know that in an average year, our step costs the Employer nothing. This is because the average salary including the step (but not any across-the-board raise) doesn't change much each year. Yes, our 2.5% step increase costs the employer more, but as older employees retire, younger ones who earn far less replace them.

Let's look at an unrealistic extreme example to demonstrate the cost effect of our step. Suppose management gets its way this year and we don't get our step. Assume also that 24 teachers retired this year and were replaced by 24 new teachers who entered the pay structure at Step 1. Further assume that for the next 9 years, the financial crisis continues and management continues the pay freeze and that each year another 24 teachers retire and are replaced as before. After a 10-year pay freeze and a complete turnover of all 240 KSFA members, what would the average

salary be? That's right, it would be the average of the starting salaries 10 years ago. The point here is that without the step, the average salary heads down toward the starting salary. With the step, the average salary is constant and cost KS nothing extra each year.

In order for the step to cause the average salary to increase, the older teachers would have to hang in there longer than they do now. Speaking from experience, and as your recently ordained oldest teacher who has watched all his older colleagues retire ahead of him, I can tell you that's not going to happen. So, since our step cost them nothing, eliminating our step would be a net gain for KS, a net loss for the teachers, and a set back for the basic purpose of the step. What is this purpose?

Without the expectation of the step, the starting salary for teachers doesn't make sense. Few would train for a teaching career with our current starting salary being the permanent salary. KS' low starting salary is acceptable to teachers only because it's the first step in a slow but steady progression to a middle class income. Our step is part of a historical career expectation on which teachers based their decision to accept a dead-end career. Teaching is not a stepping-stone to a higher-paying career in some kind of leadership position. Real teachers enter the career because they have a passion for teaching and helping kids that persuades them to sacrifice their financial well-being – but only up to a point. Had we been told that without additional education credits our starting salary would also be our ending salary, I believe most would have thought the sacrifice too great and found employment elsewhere.

To attract high quality teachers without the expectation of regular step increases, the starting or fixed salary would have to be much higher, but this would not provide the employer with a stable work force. The higher starting salary would

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now also attract people without that passion for teaching that promotes a long term viewpoint that fosters patience and willingness to work up to a decent salary. With the higher starting salary, less dedicated teachers could use a KS teaching position for a holding area to bounce in and out of until something better and more in line with their talents comes along. The step allows the employer to try out new teachers at bargain prices and then entice the good ones to stay with the expectation of regular small increases. In addition to fulfilling expectations, the step acts as a psychological reward for getting better results. We feel we have more than earned our step with our improvements. We get paid more because we are worth more.

In conclusion what will be the consequences for KS and for the teachers if there is no step increase this year? The big victory for KS will be political not financial. The amount of money saved by KS this year will be inconsequential, far less than the cost of KaPi'ina. (Which would you

rather have: your step or Ka Pi'ina?) KS will have defeated the union and there will be less pressure for non-union employees to organize. Also, there will be no need to explain to other employees why KSFA continued in their normal progression within their pay structure. The downside to KS is that a long term historical precedent, an expectation, an unspoken promise will be broken and never again will current or potential teachers look at the KS salary schedule with future certainty. Another trust will have been broken. The consequences for the teachers are also severe. Our step will no longer be automatic. Our ability to accurately predict future income is gone. And, even if the freeze lasts only 1 year, the effect on career earnings of repeating the same step could be enormous (over \$35,000). You can estimate your loss by subtracting the repeated salary (this year's salary) from the last salary you would have gotten at the end of your career.

— *Bill Follmer, Unit 9/10*

Beyond merit pay: an AFT perspective

How can excellent teaching be recognized and rewarded? We've been waiting a long time for a good answer to this question, and last week we finally got one. The National Board for Professional Teaching Standards awarded its first certificates of advanced competency. The recipients were 81 middle and junior high school teachers from across the country who had demonstrated that they knew their stuff in a grueling, year-long series of assessments.

Some heroic souls will do their best no matter how little recognition they get. Most people, though, respond to external incentives, and teachers are no different from the rest of us. But if you don't get the incentives right, you are likely to make things worse instead of better.

Merit pay has been the usual strategy for recognizing and rewarding excellence in teaching,

and there's nothing wrong, in principle, with giving people pay for performance. However, most teachers oppose merit pay because it often has nothing to do with merit and everything to do with how well you get along with the principal. Good teaching is not the same thing as being willing to take extra bus duty or prompt in getting paperwork back to the central office. And the one or two hasty classroom visits that most principals pay in the course of a year may not be enough to show who is doing good teaching.

Another problem with merit pay is that it encourages teachers to compete rather than collaborate. Research and common sense tell us that teaching improves when teachers work together to share ideas and problems. With merit pay schemes, where a limited pot of money is shared by a limited number of people, the incentive is to keep good

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ideas to yourself: Why reveal a successful strategy for teaching a math topic to a “competitor”? It’s easy to see who loses in this kind of arrangement--the kids.

The National Board for Professional Teaching Standards proposes a totally different model for assessing and promoting excellence in teaching. Over the past eight years, the board, a majority of whose members are K-12 teachers, has been developing standards for what teachers should know and be able to do. And it plans eventually to offer board certification in more than 30 teaching specialties at every level and in every field. As the assessments taken by the middle and junior high school generalists who were certified last week demonstrate, board certification will not be a rubber stamp.

The first stage involved submitting a portfolio of work that included videotapes of classroom lessons along with extensive written material describing and analyzing how these teachers help their students learn. Applicants reported spending an average of 100-plus hours getting their portfolios ready. Next, they traveled to an assessment center where they faced two days of oral and written assessments. They evaluated videos of other teachers and discussed their own practice, they created elaborate lesson plans and they demonstrated their knowledge of the subject matter they teach. The assessments were not the machine-scored, minimum-competency tests we often associate with evaluating teachers: They required the kind of mastery achieved by people at the top of their profession.

The National Board does not represent a reform imposed on teaching from outside. Rather, we have a profession defining its own high standards for excellence and creating a national credential to recognize practitioners who meet the standards--the way physicians and lawyers and architects have already done.

The existence of this new credential could have an enormous impact on classroom teaching. There are currently few ways of rewarding and

encouraging excellent teaching. As a result, the best teachers often accept promotions into administration, and an important resource is lost to the classroom and the profession. Board certification can provide an incentive for these teachers to stay in the classroom where they can go on giving kids the benefit of their knowledge and skill--and where they can help other teachers improve the way they teach.

But board certification is only half the story. The other half depends on what school districts do. Will they recognize the achievement of teachers who gain the certification by offering them higher salaries? Will they seek them out when they are looking for new teachers? Will they see certification as an important professional achievement and offer these teachers responsibilities commensurate with their expertise?

Hiring new teachers is, to a large extent, a question of supply and demand. It is dependent on things over which a district may have little control--the number of students who will be showing up next year and the availability of teachers. But retaining excellent teachers depends on recognizing who they are and giving them adequate financial and professional incentives. The National Board gives us a way of identifying outstanding teachers. This could be a turning point for the profession. But it depends on what happens next.

— *AFT President Albert Shanker,*
January 15, 1995

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True Merit Pay: an AFT perspective

National Board certification is a clear standard of teaching excellence.

The coming teacher shortage is bringing renewed attention to the importance of excellent teaching. Some good ideas for attracting and keeping high-quality teachers have been floated, including the commonsense notion of paying teachers competitive salaries. But this being a political season, the idea of merit pay has also come up again. Although merit pay sounds plausible, it has been tried in many school districts over the years, and it has always failed, largely because traditional merit pay plans lack objective criteria.

That doesn't mean, of course, that great teaching shouldn't be rewarded financially or that rewards can't be handed out in a fair and rational way. Some districts are working to establish merit pay that really recognizes merit--with the involvement and support of teachers--through programs that identify master teachers or lead teachers and pay them significant salary differentials to work with their colleagues in a variety of ways.

Board-Certified Teachers

But there is a way for individual teachers from any school in the country to gain recognition of their excellence: board certification from the National Board for Professional Teaching Standards. NBPTS is an independent, nonprofit group that enjoys bipartisan support from Congress. It sets standards for excellence in teaching and is comparable to the boards that certify doctors in their areas of specialization.

Board certification is not to be confused with the state requirements teachers must satisfy before they are licensed to teach. It is a voluntary process for experienced teachers, and success is based on meeting high and objective criteria for classroom performance. The certification process consists of creating a professional portfolio--which includes lesson plans, student work, and classroom videos--

performing a series of exercises designed to probe teaching skills, and passing a subject-matter exam. Any teacher who gets through all this with flying colors has met an extraordinarily high standard of professional excellence. Even those who do not pass the first time often say the certification process itself has made them better teachers.

The program gives schools and school districts an objective standard for identifying outstanding teachers who can serve as important resources in many different ways--including mentoring new teachers and helping other colleagues who need to sharpen their teaching skills. It also provides a sound basis for rewarding teachers for their merit.

Incentives for Excellence

Board certification is still relatively new--the first certificates were awarded in 1995. But the idea is beginning to catch on. NBPTS now offers certification in fields covering more than 80 percent of teachers. In November 1999, nearly 3,000 teachers received board certification, and 10,000 more have submitted their applications for the next round.

Many states and districts recognize that when teachers demonstrate this kind of merit, additional pay and other incentives are called for. Teacher unions agree, and a number of AFT locals have bargained contracts that include extra pay for board-certified teachers. In California, teachers who successfully complete the certification process get a \$10,000 bonus, and the governor has proposed that, if board-certified teachers agree to work in underperforming schools, they will get an additional \$20,000. North Carolina pays the entire \$2000 application fee for teachers who complete the National Board process, and it gives a 12 percent increase in the state's portion of salaries paid to teachers who win board certification. With incentives like these, it's no wonder that 25 percent of teachers who now hold board certification are from North Carolina. All states and school

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districts should provide this kind of support. Board certification is one of a number of paths we need to pursue in order to guarantee that every student has access to high-quality teaching. It is not a substitute for reforming teacher education--or for the across-the-board raises that would help make teaching more competitive with other professions. But it is a way to recognize a high level of competence and thus keep good teachers in the profession and in the classroom. It is a basis for merit pay that truly recognizes merit. And if the National Board meets the goal of 105,000 board-certified teachers in our schools by 2006, we will have a cadre of exemplary

educators that can help us transform teaching and learning in our schools.

— *AFT President Sandra Feldman*
March 2000

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Look again at corrective action

Take another look at Don Kroessig's Negotiation Update on the first page. We're all focused on the fact that our pay is frozen, that for the first time teachers are not advancing on the step scale. If you are a young teacher, this is catastrophic because the effects will follow you your entire career, costing you tens of thousands of dollars and ultimately affecting your retirement pension.

However, think for a moment of the only other issue put on the table by KSFA: corrective action. About five years ago, Larry McElheny and Bill Follmer wrote up and proposed a logical, fair series of steps the administration might follow if there were concerns about any teacher's performance. The sequence includes notifying the teacher in writing that a problem exists, allowing time for the teacher to self-correct, then moving the teacher onto a specified period of probation and mentoring, and finally, if no observable improvement occurs, terminating the teacher. Corrective action is based on a widely-used model common in many school districts across the nation. It is similar to a model spelled out in Ka Pi'ina documents.

KSFA proposed the corrective action model because of a series of terminations of KS teach-

ers. The intent of corrective action is not to make termination so difficult that it becomes impossible. Rather, it spells out a fair, clear and transparent method for KS administrators to follow when the possibility of termination arises.

In previous negotiations, KS agreed to accept the proposed model of corrective action, but insisted that it be included in the contract as a "letter of intent" rather than as a part of the contract. What's the difference? Contract language is binding and grievable; a letter of intent is neither.

The KSFA negotiation proposal this year was simply to move the letter of intent into the contract. The KS administration has refused to consider this, clearly not wishing to be held accountable to any objective standard in the serious matter of teacher discipline and termination.

KSFA, in the course of negotiations this year, offered to let KS rewrite the language of the corrective action steps. KSFA even offered to allow KS administrators decide if they wished to invoke corrective action or not. Only once they had invoked it would the steps be mandatory and grievable. In each case, KS refused.

— *Jan Becket, Unit 11-12*

SELF DETERMINATION FOR TEACHERS: SUPPORT KSFA / www.ksfaculty.org

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

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

Tom Gardipee, Rick Heyd, Bill Follmer, Larry McElheny, Warren Takata, Erin Wilson

UNIT 11/12

Jan Becket, Claire Ho, Ka'ala Kawai Melelani Pang, Michael Puleloa

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.