

Kamehameha Schools Faculty Association

P.O. Box 894163, Mililani HI 96789 hotline number: 539-2450

Representative Assembly's statement on trustee selection

10/21/98

Dear Judge Hirai and Attorney General Bronster:

As the representatives of 233 teachers at Kamehameha Schools, we believe we can offer useful insight into the necessary talents that the interim replacement(s) for the trustees should possess. We realize that fiduciary and trust responsibilities are primary considerations in measuring potential candidates' suitability. However, it is our experience that business executives do not always make effective educational leaders and we ask you to look for qualified candidates who also possess:

- An appreciation for Hawaiian history, values, and community needs.
- The character necessary to serve as a role model for thousands of students.
- True leadership qualities which inspire the best in others, and
- An inclusive management style which will develop partnerships among the administration, faculty and staff.

The current situation and the sitting trustees hamper the ability of the teachers to effectively educate the students of Kamehameha Schools. Replacements who do not possess the qualities listed above will not improve the situation at our school and our educational mission will continue to suffer. A change that brings proper management to the Bishop Estate will provide opportunities to operate a vibrant, progressive educational institution, to perpetuate the Hawaiian culture, and to offer Hawaiian children the educational opportunities they need, desire and deserve.

(signed by 23 members of the Representative Assembly)

On the Inside

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Contract!

90%

80%

70%

60%

50%

40%

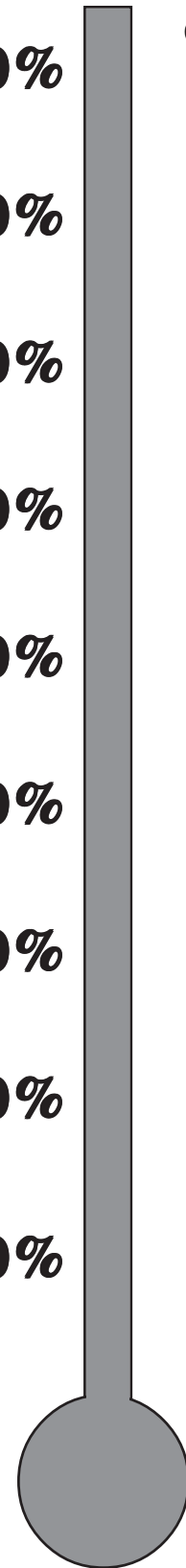
30%

20%

10%

(results: 183 to 2)

The KSFA Negotiation Thermometer



Teacher survey expresses priorities for next year's contract

Teachers responded to a survey handed out at the spring general membership meeting and identified the areas they would like the union to stress in the next contract. Only fifteen teachers responded, unfortunately. An overwhelming majority of them ranked retirement benefits as their highest priority.

Ranked first

Retirement benefits (*six teachers*)

Salary (*three teachers*)

Teaching load equity (*three teachers*)

Length of contract / job security (*two teachers*)

Length of school year or school day / supervision (*one teacher*)

Ranked second

Retirement benefits

Length of contract / job security (*two teachers*)

Length of school year or school day / supervision (*two teachers*)

Day care for children of faculty (*two teachers*)

Salary (*one teacher*)

Ranked third

Length of contract / job security (*one teacher*)

Use of credited sick days (*one teacher*)

Evaluation procedures (*one teacher*)

Some comments

— *medical and dental for retirees; matching or at least some contribution to 403b plans (portable retirement plan); KSBE contribution to nursing care insurance.*

— *a union-sponsored retirement plan.*

— *incentive retirement package*

— *a salary scale like Punahou's, with 19 vertical steps, instead of 30-something.*

— *pay raise.*

— *equity in teaching loads. Some have four classes/80students total while others have 5/125 and yet others have 5/360. Either pay per head taught or make it equal across the board!*

— *job security, with a two or three-year contract.*

— *tenure? What about job security or vesting?*

— *seniority in hiring and firing.*

— *pay for "required" extracurricular activities and supervision (dances, graduation, etc.).*

— *use of "sick" days for child care, family care or important family events.*

— *employee daycare on site available for faculty/non-Hawaiian children.*

— *teacher input into the evaluation process.*

— *serious investigation of the possibility/benefits of joining a national union such as the American Federation of Teachers.*

— *extending union membership to PPA's and other assistants.*

— *clear job descriptions.*

— *acknowledgment of the doctoral degree in the pay scale.*

— *input into hiring of trustees, principals, and president.*

The survey does not represent more than a small fraction of the faculty, of course, and may not even be representative. However, it probably does identify the most significant issues.

If you were too busy to send in the survey, or didn't receive it in the first place, don't worry. Next year there will be many, many opportunities to express opinions to the negotiation team. In fact, please fill out the survey on the next page and give it to your representative before the end of school. Results will appear in the next newsletter.

Even if you have *already* signed and sent in an Employee Handbook acknowledgment, consider cutting this out and sending it to Personnel

To: KSBE Personnel Division
 Attn: Pat Kerber

Your memorandum of March 17, 1999 does not clarify my confusion over the terms “confidential” and “proprietary.” It is in everyone’s interest to have a clear understanding of these terms, especially when misuse can be the basis for discipline. My concern is about inadvertent or unknowing discussion of “confidential” or “proprietary” information when these terms are so broadly and vaguely defined. The number of students in my class or the particular subjects I teach would be “confidential” under your definition of the term. Am I misusing confidential information if I disclose the subjects I teach to my barber or hair stylist?

Because I am still confused and still need your help to achieve “complete” understanding, I cannot honestly sign the Employee Acknowledgment because it states that I “understand the Employee Handbook completely.” If I have previously signed such an acknowledgment, this statement rescinds and replaces that statement.

(signature and date)

<p>KSFA REPRESENTATIVE ASSEMBLY</p> <p>UNIT KES: Marilyn Broadbent, Judy Cramer, Moana Leong, Diane Tanner-Cazinha and Maryalice Woody</p> <p>UNIT 7/8: Marcy Clark, Deane Decastro, Rick Heyd, Clare Ho and Don Kroessig</p> <p>UNIT 9/10: Ruth Canham, Mark Ewald, Bill Follmer, Larry McElheny, Larry Mordan and Joyce Nielsen</p> <p>UNIT 11/12: Roy Alameida, Jan Becket, Tom Chun, Robert Hamilton, Guy Ontai, Becky Tesch and Elizabeth Truesdell</p> <p>EXECUTIVE BOARD MEMBERS — OUR NEGOTIATING TEAM—</p> <p>President: Larry McElheny (638-8484) Vice President: Roy Alameida (599-4434) Treasurer: Moana Leong (627-0270) KES Rep: Diane Tanner-Cazinha (235-8903) Unit 7/8 Rep: Rick Heyd (254-3579) Unit 9/10 Rep: Bill Follmer (488-0767) Unit 11/12 Rep: Bob Hamilton (988-5121)</p>		<p>Your Weingarten rights</p> <p><i>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.</i></p>
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Kamehameha Schools Faculty Association

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To make life easier for our treasurer, please sign and send this form to Personnel. Please mention it to your colleagues.

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

I, _____, an employee of Kamehameha Schools Bernice Pauahi Bishop Estate (“KSBE”) voluntarily agree to have KSBE 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 KSBE 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 KSBE and KSFA, whichever shall be shorter unless:

(a) I cancel this authorization by written notice to KSBE 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 KSBE and KSFA during any such one year period, I cancel this authorization by written notice to KSBE 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 KSBE and KSFA. This authorization shall end if my employment with KSBE ends. This authorization is made pursuant to the provisions of Section 302(c) of the Labor Management Relations Act of 1947.

Date: _____ Employee Signature: _____

Mailing Address: _____

SS# _____

Receipt of the foregoing authorization is acknowledged:

Employer _____

Two letters to Margery Bronster

April 30, 1999

Dear Attorney General Bronster:

The entire Kamehameha Schools Faculty is both outraged and saddened by the vote in the State Senate. At the same time we are profoundly grateful for the events you have set in motion; without you we would not be at this point, and Kamehameha Schools would face a bleak future. You have given us hope.

We understand that you are working to put in place a new trustee selection process before you leave office. In addition to the points we raised in our previous letter, we would like to contribute the following suggestions:

- Several respected educators should be on the new board of trustees. One of these, on a rotating basis, should be a Kamehameha Schools teacher.
- Kamehameha Schools faculty should play a significant role, along with alumni, in the selection of new trustees.
- The entire selection process must be made transparent and insulated from the political influences that have caused the current crisis.

Thank you again for your tremendous contribution to the education of this and succeeding generations of Hawaiian children.

Respectfully,
Larry McElheny
President

April 30, 1999

Dear Attorney General Bronster,

On behalf of the teachers of Kamehameha Schools, I would like to thank you for helping make the leadership of our school accountable for their actions. We are very disappointed that the senate failed to represent the people of Hawaii'i regarding your reappointment.

As a new union with no political action committee, we have only recently felt secure taking a position on who should serve in public office. In your case it was obvious so we did take a stand (see attached press release) and we also did what we could to ensure that our members knew how to contact their senators and relay their positions. Many of us did so. We are sorry it wasn't enough.

Respectfully,
Larry McElheny
President

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Representative Assembly Meeting, Monday April 12, 1999

In the interests of a transparent organization, your newsletter will publish the approved minutes of representative Assembly members

Present: Larry McElheny, Marilyn Broadbent, Marcy Clark, Ruth Canham, Jan Becket, Roy Alameida, Judy Cramer, Deane DeCastro, Mark Ewald, Tom Chun, Moana Leong, Diane Tanner-Cazinha, Clare Ho, Bill Follmer, Guy Ontai, Maryalice Woody, Rick Heyd, Larry Mordan, Becky Tesch, Don Kroessig, Joyce Nielsen, Elizabeth Truesdell,

Excused: Bob Hamilton

Guest: Dean Choy

I. CALL TO ORDER

Meeting called to order by Pres. McElheny at 4:06 p.m.

II. MINUTES

Corrections to minutes of Special Meeting April 8, 1999: Peter Or should read Peter Ohr. Line 5: cross out the word "the." Line 16, item should read item. Line 25, explanation should read "explanation." Larry moved to accept the minutes with corrections. Maryalice: second. Motion carried unanimously.

III. TREASURER'S REPORT

Balance as of 3/22/99	\$11771.62
Deposits	<u>1060.00</u>
Sub-total	\$12831.62
Expenses	<u>304.06</u>
Balance as of 2/16/99	\$12527.56

(1) Bonding insurance of \$5,000 is coverage for 1 year. (2) Need someone to reconcile monthly bank statement as recommended by Western Surety Company. Marilyn volunteered to reconcile monthly bank statements. Diane: what is the status of the account with KSFA lawyer Dean Choy? Moana will follow up. Larry moved to accept the Treasurer's report. Judy: second. Motion carried. Treasurer's Report on file.

IV. OLD BUSINESS

a.Pres. McElheny: provided 3 page synopsis of contract to Assembly. Dean Choy has reviewed the document to ensure legality. Larry: will the members receive copy of the contract. KSFA Constitution determines the ratification process. A copy of contract and synopsis need to get to the members.

b.Ratification. The process for ratification needs to be done 2 weeks after the members receive the packet information with a copy of the contract, synopsis information, letter from President McElheny, and letter of recommendation for ratification by Attorney Dean Choy. Education of the membership is top priority. KSFA given a one time only permission to use the mailboxes in the Unit Offices to deliver the packets to the members. Pres. McElheny will get the packets to Sandy Wicklein who will do the distribution. A quorum of 58 members is needed at the ratification meeting to begin the voting process. Article IV, section 4 and Article VIII of the Constitution will be followed. Diane moved that a General Membership meeting be called on April 29, 1999 for the purpose of contract ratification with the time and place to be determined. Elizabeth: second. Motion carried unanimously.

Larry: Time is needed for members to ask questions. Joyce moved that when a quorum is reached at the meeting, the polls be open from 3:45p.m. to 6:00p.m. for voting and members can leave after voting. Mark: second. Motion carried unanimously.

Rick moved that ballots read FOR or AGAINST ratification of contract. Mark second. Motion carried unanimously.

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Minutes of 4/19 meeting, continued

Bill moved that Dr. Puette be contacted and be the neutral party to count the ballots. Attorney Dean Choy would be the substitute. Judy second. Motion carried unanimously.

Larry moved that a question and answer session with Peter Ohr and Dean Choy in attendance be held at Kalama Dining Hall, April 21 at 3:45p.m. or in the Bandroom, upper campus, on April 22 at 3:45p.m. Bill: second. Motion was amended to read that an information meeting be held on April 21 at 3:45p.m. in the Bandroom, upper campus. Motion as amended carried unanimously.

Rick will complete and submit facilities use request for the meetings.

Dean Choy will not be able to attend ratification meeting on April 29. Larry: moved to amend the motion previously passed that the contract ratification meeting be moved from April 29 to April 28. Elizabeth: second. Motion carried unanimously.

Ruth: who will pay for the printing of the contract? Pres. McElheny: it was understood that the Employer will print the final contract for members of the collective bargaining unit. Question on status of Bailey Matsuda (follow up needed). George Lumpkin is no longer an employee of KSBE.

Diane: will an Assembly meeting be necessary before April 28?

Larry: Assembly need to meet to finalize details for the voting process.

Jan: newsletter is ready for printing. Discussion: there was concern about having survey results in the newsletter before the contract ratification. Larry: survey results need to be made known to members. Ruth: members will have enough material to read from the packet. Mark moved that the survey results be included in the newsletter and the newsletter be made available to the members before the ratification meeting. Larry: second. For: 3 Against: 21. Motion failed.

Elizabeth moved that the newsletter be redone and distributed after the ratification meeting and that the ratification and survey results be included. Mark seconded. Motion carried unanimously.

Jan: there will be no newsletter printed before April 28.

Maryalice moved to prepare flyer to be hand delivered to members on April 19 as a reminder of the meetings on April 20 and April 28. Tom second. Motion carried unanimously.

Diane: moved to have a hospitality note and basket be purchased and presented to Peter Ohr and staff at the NLRB in appreciation for their assistance during negotiations. Larry second. Motion carried unanimously.

Guy: Need Bylaws and copy of end of fiscal year report to complete paperwork for 501(C)5 nonprofit status for KSFA. Documents were made available to Guy.

Guy moved that the proposed KSFA logo be in next newsletter and comments solicited from the members for approval. Maryalice seconded. Motion carried unanimously.

V. NEW BUSINESS

None

VI. OTHER CONCERNS

None

VII. ANNOUNCEMENTS

Next Assembly meeting: April 26, 1999 at 4:00 p.m.

Maryalice moved that meeting be adjourned. Tom second. Meeting adjourned at 5:55 p.m.

Corrections to the minutes, approved at the representative Assembly meeting, April 26, 1999

Corrections to minutes of April 12, 1999: Jan: minutes did not reflect the discussions regarding survey results in the newsletter. Larry: didn't want results of the survey to raise issues not in the current contract. Tom: why bring up issues that won't be addressed until the next contract. Jan: concern was expressed in discussions that members would use the survey to ask questions related to issues not negotiated in the proposed contract. Bill: the contract was explained as clearly as possible. Larry: in reality, the release of information need to be timely. Jan moved that the minutes reflect that the discussions expressed that members would use the survey to ask questions not relevant to the proposed contract. Rick : second. Motion carried unanimously. Tom: would like to go on record that KSFA is not an organization that will filter or manipulate information. Apology if that was assumed during discussions at last Assembly meeting. Jan: interpretation of information can erode support by the members. Rick: moved that the corrected and approved minutes be posted on the KSFA Unit bulletin boards. Judy: second. Motion carried. Joyce: because there was a small return on the surveys, it is not that significant. Don: although it was a small number, the results are still valid. Larry: moved to approve the minutes as amended. Judy: second. Motion carried unanimously.