

# LEADERSHIP FORUM

The Newsletter of the Association of Educational Leaders, Anne Arundel County

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June 2009

## Contract: How we got here

Collective bargaining [contract negotiations] is governed by a myriad of federal and state laws. Under these legal umbrellas each employer and collective bargaining unit operates within a set of mutually recognized procedures and protocols. Negotiating is a rigorous, highly proscribed, formal procedure where very little is left to chance. In the best and usual circumstance the climate is one of friendly adversaries. Both sides enter with specific, often conflicting, objectives and what follows is give-and-take with concessions on both sides. Under normal conditions the two parties respectfully disagree. The outcome tends not to be what either side prefers but is something by which both sides can abide. Such was AEL's last round with the Board.

AEL's current contract runs through June 30, 2011. The fiscal foundation for our contract was a mutual interest in the long run. AEL wanted some uniformity in the year-to-year step increases, recognition for long-term service, and an end to the five-year "parking lots" where supervisors and administrators receive no step increases.



The Board, too, wanted the stability of a cost-predictive, long-term agreement and a fair and competitive salary scale so as to continue to attract talent into instructional leadership.

Once an employer "accepts" and the unit "ratifies" an agreement it becomes a quasi-legal document—a statement of procedures and conditions—for its duration. Both sides are required to honor it. One caveat to "re-opening" negotiations on an existing agreement [contract] is if the

by Bob Ferguson  
AEL President

Board declares its budget does not allow it to honor the agreed upon salary scale. Of course, saying so doesn't make it so. A bargaining unit (AEL) has recourse to various avenues of budget accountability and justification for such a declaration.

There is no doubt about the reality of the current economic trouble. The unknown is exactly what the impact will be. Unit II doesn't face the same challenges as Unit I and other Board bargaining units. We have a long-term contract. But, while our challenges may be different they are very real.

AEL members must, to a person, do two things. One, continue to learn about your contract. Your level of understanding of your rights and your responsibilities is the single, most important step for sustaining a strong, unified association.

Second, stay out of the swirl of the rumor mill. Don't acknowledge stuff. Don't contribute to it. Don't perpetuate it. These are emotionally charged times. Our children, our staffs, and our parents need us as a source of reason and calm. If you have a concern or a question call me or AEL Executive Director Rick Kovelant or AEL Administrator Larry Lorton. ■

## Dates to Remember

June 23

**AEL  
Membership  
Meeting and  
Social**

4:30 pm  
Hellas Restuarant  
8498 Veterans  
Hwy.  
Millersville 21108

**AEL  
Election  
Ballot  
Enclosed**



AEL website  
[www.aelaacps.org](http://www.aelaacps.org)

## News from the front: Budget realities

**A**s I am sure many of you are aware, the financial crisis has hit home for Anne Arundel County Public School employees. As we enter the third year of our current contract, the economic realities clearly indicate that full funding of employee salary increases are not likely. As I write this article, the County Council is scheduled to meet and will probably decline to fully fund the BOE budget request.

We have already met once with the BOE negotiating team to discuss upcoming financial openers and how the anticipated budget short fall will impact the contractual commitment to fully fund pay raises, step increases, performance pay, and the like. Proposed furlough days (which would reduce pay but provide you with days off without pay) were also the subject of discussion. Not only

are there no projected increases, the gains realized last year will, in part, be lost to furlough days in the next school year. The BOE team advised us that these concessions would recover approximately \$4.2 million of the \$35-\$40 million shortfall. By contrast, similar reductions in compensation to the teachers would result in \$8.2 million in recovery. If the BOE got its way, the total recovered savings from all employee groups Units I through Unit VI would be approximately \$18 million. A closer look shows that Unit II employees would be expected to bear most of the give back burden. Does anyone believe it is fair that Unit II employees consisting of approximately 275 individuals (about 3% of the school system employees) provide in excess of 23% of the potential give backs? Where is the equity in the proposed solution to this system-wide problem? The question initially posed by AEL was, "Will all employees, including Board members, the Superintendent, executive staff, area directors, directors, managers, etc. – people from the very top to the very bottom -- share the budgetary pain?" We await the answer. Preliminary indications seem to show that this isn't necessarily going to be the case. In fact, a close reading of the budget suggests that some individuals on the executive level may be expecting a pay raise.

The AEL team has asked what is the benefit of having a negotiated agreement when TAAAC

will be experiencing the same give backs without the benefit of a current negotiated agreement? We worked long and hard at the negotiating table to obtain a fair and equitable agreement which was in large part made up of significant pay enhancements. It now seems that was of little value since the teachers who did not arrive at an agreement on economic terms are being treated in the same manner as Unit II employees who have a negotiated contract.

While the current BOE proposal deals with employee compensation, it fails to take into account the impact on retirement income, especially with regard to furlough days. How many more years will someone have to work to regain lost retirement dollars when the retirement value is calculated on a three-year average of the highest paying years? In the

end, this proposal will encourage those who wish to make up the economic ground to work more years at a higher rate. How will this impact budget funding in the future?

Before getting into details of how the problem can be solved, it is imperative that AEL be assured that the pain will be shared in an equitable manner. A signed acknowledgement that no employee or board member will receive an increase in his/her compensation and all employees will proportionately share in the solution would be appropriate. Further, there needs to be an ability to recover the give backs. This recovery can be built into contract language. AEL would prefer to see these concessions as deferments as opposed to forgiven compensation. In addition, the BOE needs to distinguish between groups that have negotiated agreements and those that do not. The integrity of the bargaining process is compromised when you get treated in the same manner as those who did not reach an accord.

Up here on the front lines, the AEL negotiating team is taking this matter very seriously. We know the economic realities but insist they be dealt with proportionately. Payback for the funds that are deferred must be realized before the BOE goes forward with unrealistic projects at unrealistic costs. After all, what is fair is fair. Your thoughts and comments are always welcome and considered. ■

**by Richard Kovelant,  
Executive Director & General Counsel**

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# Proposed Bylaw Amendment

by Rick Kovelant and Larry Lorton

**A**rticle VII (see AEL website for details) state that, while the Executive Board can recommend Bylaw amendments, only the membership has the authority for approval. Below are three amendments approved by the Executive Board at its May 20 meeting being recommended to the membership for acceptance on June 23rd.

The incident giving rise to the recommended amendments occurred last spring when President Bob Ferguson moved his retirement up to a date before June 30th. While the Bylaws spell out the succession for vacated offices, the succession steps could not be executed. Faced with this dilemma, the Executive Board opted to temporarily suspend the rules in order to sustain leadership through June 30th to wrap up a number of issues the Executive Board was addressing.

Even more discussion challenged the logic of excluding retired AEL members from holding any officer role. The main arguments supporting both considerations boil down to three:

- Time demands, especially for the president, to conduct Association business sometimes burden a full-time employee;
- Not being an employee could enable an AEL officer to promote AEL interests and positions with comfort, confidence, and security that may oppose and/or conflict with those of the Board of Education; and
- AEL could benefit if the experience and insights of retirees could be captured and given outlets to guide and impact AEL affairs.

Finally, AEL Bylaws have always called for the exiting-from-office president to serve as 2nd Vice President. Also, by Bylaw, the 2nd Vice President is the only AEL office not subject to election.

At its May meeting, the Executive Board concluded that all officers should be capped at two-year terms subject to election. It also concluded that retaining the wisdom of the exiting-from-office president remains in the best interests of the Association.

Therefore, the AEL Executive Board submits to the membership its recommendations for three

amendments to current AEL Bylaws (proposed Bylaw language changes in bold):

1. ARTICLE IV.C: Executive Board Eligibility: “All **Officers and Directors-at-Large** can be **either** Active [employed] **or Life** [retired] Members of the Association in good standing ~~with the exception of the Executive Director, and the Administrator.”~~

2. ARTICLE IV.C: Terms of Office and Succession: “**Effective July 1, 2009, a retiring president succeeds to the Executive Board office of Director Emeritus.**”

3. ARTICLE IV. B: Terms of Office and Succession: “Effective ~~September 1994~~ **July 1, 2009**, (even-numbered years **thereafter**) the **2nd Vice President**, Secretary, Treasurer, one (1) Director-at-large, and **Director Emeritus** are elected and will serve two (2) year terms.” ■

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## Annual Meeting and Social

*JUNE 23, HELLAS*

Every member, mark your calendars for 4:30 on June 23!!! This year's Annual Meeting and year-end get-together has been especially set for member convenience. June 23 is the date of the Health Conference at Old Mill High School and Hellas is right on Veterans' Highway not more than five minutes from Old Mill.

Perhaps this year, more so than any in veteran AEL members' memory, this event has special importance to AEL. The status of our contract, Board of Education re-negotiations proposals, member salary and wage issues for 2009-10, status of Executive staff/Unit II staff relations, dramatic proposed amendments to the AEL Bylaws, and the election of AEL officers are business matters on the table.

Come! Take care of business essential for protecting all we work so hard for and enjoy each other's company in a relaxing, collegial atmosphere. This is for you. ■

## The Association of Educational Leaders

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### Association of Educational Leaders

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# AEL Email: Take advantage of this free member service

**W**e still have too many members who have not logged in to set up secure, password protected accounts. It cannot be emphasized enough the necessity for AEL to have access to its own internal, exclusive, secure, member-only email system.

This is a plea to those who have yet to log on. It is easy, simple, and takes all of 2-4 minutes including establishing a forwarding address. Follow the instructions below.

## SETTING UP YOUR ACCOUNT

1. Go to the AEL website: [[www.aelaacps.org](http://www.aelaacps.org)]
2. Click on “**email log-in**” at top right of the Home Page
3. Type in generic email address: 1<sup>st</sup> initial last name @aelaacps.org
  - (Example: jschmoo@aelaacps.org)
  - Exceptions are:  
[markbrown@aelaacps.org](mailto:markbrown@aelaacps.org),  
[andrewadams@aelaacps.org](mailto:andrewadams@aelaacps.org), and  
[kerribuckley@aelaacps.org](mailto:kerribuckley@aelaacps.org)  
[Contact: Keith Phebus ([keith@curbmedia.net](mailto:keith@curbmedia.net)) for any other option]
4. Type in this generic password: PASSword123
5. Follow the link and click on “Change Password” at the bottom left of the page
6. Customize your password [anything you can remember].
7. “Go back” and click on “Horde” graphical interface (the one on the left of the three options)

## CUSTOMIZING OPTIONS

We have two individualized options to receive AEL email:

### **A. USING ANOTHER MAIL PROGRAM SUCH AS Outlook, iPhone, or Blackberry:**

1. On the I-net type in the following link in Search: <http://tutorials.bluehost.com/tutorials/>
2. Scroll down the page to “Mail Programs”
3. Click on the program that you wish to configure your email account to
4. Follow the video tutorial explaining what you need to do.

### **B. FORWARD AEL EMAIL TO ANOTHER EMAIL ADDRESS (i.e., Home)**

1. Get your AEL email account set up as per the instructions above
2. After entering user name and password click on “forwarding options” on bottom left
3. Click on “add forwarder”
4. Enter the email address you want your AEL email forwarded to and press “add forwarder”

NOTE: Using Option B requires you empty your AEL inbox from time to time to keep it from filling up. If your AEL email box gets full incoming email will bounce back to the sender.

For problems or questions of any kind contact: Keith Phebus: [keith@curbmedia.net](mailto:keith@curbmedia.net)

# ELECTION OF OFFICERS FOR 2009-10

(Louise DeJesu, Chair, and Larry Lorton)

Article IV, § A-E of the AEL Bylaws detail the leadership election procedures—secret balloting by the membership. They can be reviewed on the AEL website. Balloting will take place at the Annual Meeting and Social on June 23. With this article all the required steps leading up to the Annual Meeting are on track.

At the meeting on June 23, an ad hoc “Ballot Committee” of 3-5 AEL member volunteers—non-officers and non-candidates—will be appointed from those in attendance to count and verify the voting. Preprinted ballots will be distributed with all the names of known candidates to date. Nominations will be taken from the floor for any office up for election. Members will mark their ballots and fold them closed. Ballot Committee members will collect the filled-in ballots, tally them, and the Elections Committee Chair, Louise DeJesu will announce the voting outcome.

AEL Bylaws require distribution of the slate of candidates to AEL members prior to the election meeting. Below is the list of current candidates to which will be added all floor nominations on June 23:

**PRESIDENT** (vote for one):

\_\_\_\_ SUSAN ERICHELLO (Principal, Belvedere ES)

\_\_\_\_ BOB FERGUSON (AP, South River HS, Retired)\*

**1<sup>st</sup> VICE PRESIDENT** (vote for one)

\_\_\_\_ Will Myers (P, South River HS)

**\*2<sup>nd</sup> VICE PRESIDENT** (vote for one)

\_\_\_\_ Charles Jansky (P, Bodkin ES)

**DIRECTOR-AT-LARGE** (vote for two)

\_\_\_\_ Linda Ferrara (P, South Shore E)

\_\_\_\_ Donna O’Shea (P, Crofton E)

\_\_\_\_ Edie Picken (AP, Northeast HS)

\*Pending outcome of the membership vote on proposed Bylaw amendments establishing new eligibility rules for holding office.