

LEADERSHIP FORUM

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

Vol. 5, No. 6
Back-to-School 2008

AEL Leadership Team: A huge change

By Larry Lorton, AEL Administrator

On June 26 AEL members approved a by-law change that will more than double the size of the Executive Board. Fourteen new members will be elected by and represent specific groups; two for non-building administrators and one each for the 12 high school clusters or feeder systems. In brief, the reasons for this change are:

- **Internal communications.** More effective means to inform each other regarding AEL business and interests must be practiced. Timeliness, thoroughness, accuracy, uniform message, even confidentiality, cannot be met with current options.

- **Decision-making.** AEL's structure requires an informed Executive Board. Broader, topical, and instant input, debate and discussion from universally committed member representatives. This change should assure more timely and better business management.

- **Growing leadership.** AEL has been lucky with the dedication of its leadership over the years. However, without initiative and planning any volunteer organization, even AEL, can fall prey to leadership by default. This change should help AEL get in front of that potential curve with a broader base of knowledgeable, experienced members willing to assume leadership.

- **Unity and aggressiveness.** To paraphrase Churchill, never have so many owed so much to so few. A handful of members do it all. When any organization takes care of its members—and both visually and tangibly AEL certainly has achieved that especially in the last two to three years—apathy or disinterest can set in. Satisfaction with progress and achievements threatens AEL's energy level and dynamism. There are numerous issues to address particularly with the protection of

members' rights and working conditions. AEL has to upgrade its presence in the minds of all members. There is work to do.

- **Contract management.** The basic principle, the *raison d'être* for AEL, is to secure for its members the necessary conditions and protections that allow members to do their jobs. Positive, non-adversarial interactions with the BOE and executive staff, resolving issues amiably and respectfully, in short, implementing both the provisions as well as the spirit and intent of the contract is essential. Every member knowing both the expectations and violations of the contract supports all members.

- **Membership.** With thanks to the BOE and Superintendent for their support AEL's negotiations team the last couple of years has acquired unprecedented achievements for its members. It does not come easy. It does come free. The right, ethical thing is 100% Unit II membership in AEL. We need to cut into the 20% of free rides.

- **AEL website and email.** Both were put in place more than a year ago with little member use. For all the reasons cited above, and others, these tools can maximize our resources if only we integrate them into AEL business. These and other tools should help make it happen.

The addition of the 14 new Executive Board members is exciting! The potential to unify and strengthen AEL is enormous! Every, EVERY, AEL member is eligible to hold a seat. Ideally, the 13 upcoming elections will bring representatives of every Unit II job classification into the fold. It is anticipated that the 12 high school clusters will hold elections after a designated cluster

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Dates to Remember

Sept. 17
AEL Meeting
4:30 pm
South River HS

Oct. 5
AEL Meeting
4:30 pm
South River HS

Nov. 12
AEL Meeting
4:30 pm
South River HS

Dec. 17
AEL Meeting
4:30 pm
South River HS

Jan. 14
AEL Meeting
4:30 pm
South River HS



Things to keep in mind for the new school year

With each passing year it seems there is too little time to plan and organize for a new school year and too little time for ourselves and families. But, I hope everyone had a chance to relax and enjoy the summer.



Bob Ferguson

AEL has been busy with little let-up in sight. In the last three years we have made great strides negotiating a wage package reflecting more appropriately the increasing demands and responsibilities of our jobs. It doesn't come easily. Negotiating is one thing -- getting funding is another. Collectively we need to thank the superintendent and Board for their support.

But, pay only takes up two to three pages in

by Bob Ferguson
AEL President

our Negotiated Agreement. The other 30 focus on matters generically called "working conditions." If I had to point out just one issue staring

us in the eyes... one issue that is likely to be our priority as an association, it would be "working conditions": workload; violent students; job consolidation;

reduced instructional specialists; compounded administrative regulations; wide gaps between articulated values and actual hiring and promotional practices; full equity and nondiscriminatory application of health care and other benefits for all Unit II employees; merit and performance pay procedures; and callous disregard for our Contract. We deal with these issues and many more in a climate where certain executive staff seem more interested in displaying their authority than in joining us as a team to solve problems and create working conditions that allow us to do our best. I believe this is AEL's immediate challenge. Read your Contract! AEL cannot administer it if members don't know and understand it.

On a personal note, let me explain my status. In 2003, my back was injured in a fall on a wet floor at Meade. In July 2007, I had surgery. My physician placed specific restrictions on my return to work in September. This summer, HR determined I was physically unable to perform full duties as an AP. The result was my reassignment to South River as Test Coordinator. ■

NOTICE: Pay Periods and Deductions

Lorraine Faris of HR Operations has announced that the 2008 calendar year has 27 rather than the usual 26 pay periods. Payroll deductions are organized on a 26-pay-period year. Therefore, the December 31, 2008, paycheck will show no deductions including those for association dues.

Executive Board Meeting Schedule

The Executive Board meets monthly to conduct AEL business. All AEL members are welcome. Meetings are on Wednesdays at 4:30 tentatively at South River High School pending Board discussion. Dates are:

September	17	February	18
October	15	March	18
November	12	April	22
December	17	May	20
January	14	June	tbd

Leadership change...

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meeting. The non-building administrator group will probably have to call a meeting specifically for his purpose. Any APs wanting to serve, if they are not in attendance at a cluster meeting, will need to make that desire known. Details about this and other specific details will come under separate cover. ■

Let the fun begin

For many of you, your recent payroll check brought an added surprise in the form of performance pay awards. For many others, there was great disappointment when the added stipend was not present.

During AEL's last negotiations, we were advised that the Board wanted to develop a new evaluation instrument for Unit II members. While not a proponent of this type of endeavor, the negotiating team was, at the very least, able to have the Board agree that there should be a compensation package associated with the rating instrument. Lo and behold, the Board agreed -- one would think that this would make everyone happy. This was not the case.

The development of the rating instrument was a collaborative process of

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

senior staff and Unit II members. It had distinct criteria and important timelines to be followed. People were to be inserviced on how this instrument was to be utilized, including how and when performance was to be scored. As a separate part of the bargaining process, AEL and the Board agreed on an appropriate appeal process in order to insure that Unit II employees could challenge their ratings fairly and quickly. After all, it now involved money. The stakes were higher!

In the past, rating appeals were covered in BOE Policy 801.09. This process allowed any Unit II employee to challenge his or her rating before a committee comprised of three AEL members and three BOE senior staff members. A rating was only subject to change if a majority of the panel concurred. Both a tie and the decision of a majority of panel members to allow the rating to stand, left the appellant with the original rating.

The new improved procedure provides for a panel of two AEL members and two senior staff members, plus a retired administrator to act as a tie breaker. Thus, the BOE no longer has the advantage of sustaining a rating in the case of a tie. This is a major improvement and will hopefully provide a fair and equitable appellate process. For your convenience, an outline of the new appeals procedure is on page 5. Please find time to review the same, as it can mean a significant pay increase if

your rating is questionable and is thereafter appropriately challenged.

While all this is very interesting (I hope), I find it quite upsetting that nobody was aware of the old procedure, let alone the new improved version. Even more upsetting is the fact that among the appeals that were taken, most dealt with the failure of the evaluator to have met the meeting dates embodied and required in the rating instrument. In a majority of the cases, no evaluation was done at all. While this would have caused concern in the past, now that the evaluations are tied to compensation, those who were not properly evaluated at all have not been identified for the performance pay that was

set aside for this purpose.

In short, Unit II members have shortchanged their colleagues in this

process by failing to timely and properly evaluate their subordinate employees. To further compound this problem, many of our members who have not received timely and appropriate evaluations have merely sat back and accepted their fate without question or challenge.

All this points to the fact that we can fight for and negotiate benefits, but they serve no useful purpose if these benefits, once denied or ignored, go unquestioned. While we have done very well at the bargaining table, we must, at the very least, show up at the grievance table to protect that which was negotiated. In short, it is the responsibility of the members to stay informed, contest their treatment, and appeal their evaluations where appropriate. If we don't let the fun begin, it is certain that the Board will! ■

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BOE Payroll Management overhaul

by Larry Lorton, Administrator

The BOE has undertaken the enormous task of converting to a new payroll database management system. A key piece of data is payroll deductions for professional memberships—an exclusive AEL member benefit.

AEL is assisting with this project. When completed AEL will have a payroll deduction database by vendor rather than just a total for each member. Better tracking will reduce or eliminate errors and make member questions easier to answer with certainty.

Ties severed with ASCD

By Larry Lorton, Administrator

One of the exclusive benefits of AEL membership is professional association payroll dues deduction. Regrettably, after two years of unsuccessful efforts to get the Association for Supervision & Curriculum Development (ASCD) to do right by us, it is being dropped as a payroll deduction option. There are many reasons.

First, ASCD costs AEL money. AEL collects ASCD dues over 12 months. In the past AEL paid ASCD its entire annual bill in one month. Doing so put a huge dent in our checking account, took months to recover, and cost AEL earnings on interest. AEL carries ASCD for 11 months. AEL proposed paying ASCD each month as the dues were collected. ASCD refused. Fiscally, this was good business for ASCD. It is not good business for AEL.

Second, over a couple of years we worked with ASCD to generate an electronic spreadsheet so both parties would know exactly who belonged and for how much. ASCD's was never accurate, never got accurate, and only revealed how bad it really was in recent weeks as we worked with the BOE on its payroll deduction database overhaul (see related article on page 3).

Third, ASCD's internal operations are little short of a disaster. Three years ago this No-

vember ASCD announced its dues had increased, effective the previous July, and that we were to adjust our billing accordingly. ASCD was told our payroll deductions start in July and that notification of any changes were needed by late May. In addition, we told ASCD that we could not make retroactive deductions and then implement a temporary fix to make it work. Members' payroll deductions could not go up and down like a yo-yo. ASCD never adjusted.

Also, ASCD inter-departmental breakdowns are constant—wrongful termination of membership notices, member mailings to wrong addresses, mailings to AEL for non-AEL members, mailings to AEL even for non-employees of the Anne Arundel schools, etc. To AEL members' frustration these mailings made AEL and the BOE look bad; like we weren't sending ASCD its money. Cleaning up after ASCD has been a never-ending and entirely unnecessary job.

Over two years of communications including threats of drastic action failed to move ASCD off its positions or improve its operations. In July the AEL Executive Board had had enough, too, and authorized one final effort to get ASCD to join AEL in a true professional partnership or terminate. Regrettably, ASCD refused a final time. ■

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2007-08 Performance Pay update

AEL has received member inquiries about the performance bonus that appeared in the 8/27 pay. First, as to why it was an August pay and not July, HR explained that August was a target date anticipating time needed for end-of-year assessment reviews and resolving potential appeals.

Second, the bigger 8/27 bonus pay deductions have multiple reasons. FICA withholding is a fixed percentage—about 7.5%. The 8/27 number is larger but only because the percent applied is to a larger gross salary.

Third, payroll or withholding taxes are a different matter. You may have noticed that

state tax increased by a percent or so -- not too out of line.

But, federal withholding is a kicker, around double the normal amount. The basic reason is that federal tax regulations governing "bonus" pay require withholding at a rate of 25%. Checking the numbers requires an earlier July or August regular check stub. Step one is subtracting the federal tax on the earlier regular pay stub from the federal tax on the 8/27 bonus stub. The difference is that portion of 8/27 federal tax applied to the bonus. Step two is to divide that answer by the amount of the bonus pay. The result will be very close to .25 or 25%.

Without a bonus, the first September check should look very similar to the July or early August checks. ■



Evaluation Appeal Procedure

Here is the step-by-step Evaluation Appeal Procedure -- keep it handy.

1. A Unit II employee who is dissatisfied with any item of the employee's evaluation, has not received a rating, or believes that the rating process has not been timely or properly complied with may appeal to the Appeal Committee as constituted herein. The Unit II employee shall initiate the appeal within ten (10) days from the receipt of the final rating and if no rating is provided, no later than July 15. The Unit II employee shall submit the basis of the appeal and a detailed description of the items being contested in writing to the rater and to the Director of Human Resources. Note that at any time during the evaluation appeal process, the rater and the ratee may mutually agree to settle the contested items of the evaluation. Should such a mutual agreement be reached, a statement signed by both the rater and the ratee must be submitted to the Director of Human Resources.

2. Upon receipt of an appeal, the Director of Human Resources shall within ten (10) duty days identify two individuals selected by the Superintendent, other than the rater, to serve on the Appeal Committee and notify the Association of Educational Leaders (AEL) of their selection. AEL shall have ten (10) duty days in which to appoint two individuals, other than the ratee to the Appeal Committee and notify the Director of Human Resources. The President of AEL and the Director of Human Resources shall select a neutral third party from the list of retired administrators or other mutually agreeable persons who have agreed to serve in this capacity. Upon determination of the neutral third party committee member, The Director of Human Resources shall within ten (10) duty days set the date of the initial meeting and shall notify the ratee and the rater of the same. All notifications and correspondence shall be accomplished by letter with copies to AEL and appropriate AACPS representatives.

3. At the meeting, the committee members shall elect a chairperson, set the agenda for the

meeting, procedure to be followed and proceed with the rating review. The attached Hearing Procedures Guidelines will be used as a resource in conducting the hearing.

4. Concurrence of a majority of the members of the Appeal Committee will be required to uphold or reverse the original rating. Within ten (10) duty days following the determination, the Appeal Committee shall submit a written report to the Director of Human Resources, AEL, the rater and the ratee. The attached Hearing Report format shall be used as a guide in preparing the report.

5. Within ten (10) duty days following the Appeal Committee's report or its failure to act, either the ratee or the rater may appeal the decision in writing to the Superintendent. The Superintendent shall render a written finding within ten (10) duty days after receipt of the appeal. Except in the case of an unsatisfactory rating, the decision of the Superintendent shall be final and non appealable. In the event of an unsatisfactory evaluation finding by the Superintendent, the ratee shall have such other and further appeal rights as provided by law.

6. The final decision of the Appeal Committee or the Superintendent, as the case may be, shall supersede those items in the original rating and shall become the new evaluation for the Unit II employee. The Division of Human Resources shall not provide any references that contain data based on items which are pending review pursuant to this appeal process or which have been superseded by the Appeal Committee or Superintendent.

7. AEL and the Anne Arundel County Public School System shall agree upon the payment for the services rendered by the neutral third party and each shall be responsible for the payment of one half of the agreed amount.

8. During the period of an employee's evaluation appeal, all performance pay determinations shall be held in abeyance pending the final disposition of the appeal.

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Story ideas and Letters to the Editor welcomed

We encourage members to use this newsletter to share their opinions and ideas.

If you would like to express your thoughts on an issue (i.e., "climate surveys") or a time saving tip or a creative solution to a common problem, send your submission to Denise Hofstedt at 410.421.5832 (fax) or dmhofstedt@verizon.net. ■