

THE UNIFIER

A CCASAPE PUBLICATION FOR MEMBERS

JUNE/JULY 2009

www.ccasa.net

VOL. 19 NO. 6

CLARK COUNTY ASSOCIATION OF SCHOOL ADMINISTRATORS AND PROFESSIONAL-TECHNICAL EMPLOYEES

4055 SO. SPENCER ST., SUITE 230

PHONE: 796-9602

STEPHEN AUGSPURGER, EXECUTIVE DIRECTOR

****NEGOTIATIONS UPDATE****

Superintendent Rulffes Gives Teachers Pay Raise Superintendent Rulffes Unilaterally Reduces Administrators' Salaries

During the past several weeks, the CCASAPE Negotiations Team has been meeting with the District in an effort to reach agreement on the 2009-2011 Agreement between CCASAPE and the District.

Prior to negotiations commencing with the District, the CCASAPE Representative Council approved negotiation priorities. These priorities included accepting no salary reductions of any kind, no furlough days, no delay in step increases, and maintaining sufficient health benefit money to fund the various health benefit programs available through the School Administrators' and Professional-technical Employees' Welfare Trust. An additional priority was to negotiate language changes to Article 26 (Reduction in Force) that would enable professional-technical employees, who were formerly support staff employees in the District, to return to a support staff position in the event they lost their professional-technical position due to a District initiated reduction in force.

Additionally, as you know, in January 2009, the PERS Board announced that the PERS contribution rate will increase from 20.50% to 21.50% effective July 1, 2009. This rate increase was earlier reported to the CCASAPE membership through the *Unifier*. By Nevada Revised Statute, PERS rate increases are equally shared between the employer and the employee. NRS 286.421 identifies the two methods that can be used to cover the employee portion of the 1% PERS increase: (1) PERS participants who receive a salary increase may designate .5% to offset the increase in the PERS contribution rate; and (2) PERS participants who are not receiving a salary increase will have the current salary schedules reduced by .5%. In light of the PERS increase, an additional priority established by the elected leadership of CCASAPE, was to seek a .5% salary increase that will be designated to cover the PERS increase.

Unfortunately, it was clear before negotiations began with the District that pass through employee salary increases

would not be forthcoming from the 2009 Nevada Legislative Session. And as you know, with District budget reductions reported at \$120 million for next school year combined with the laying off of hundreds of employees, that it was not likely that salary increases for any of the four CCSD bargaining groups would be agreed upon during contract negotiations. While CCASAPE was seeking an additional .5% salary increase to cover PERS, given the current District budget situation, CCASAPE was not optimistic that the salary increase would be agreed to by the District. CCASAPE anticipated that the salary reduction method would be implemented, upon completion of the negotiations process, to cover the July 1 PERS rate increase for all employee groups.

HOWEVER, it became clear, early on in the negotiations process, that Superintendent Rulffes had already reached an agreement with CCEA that the District will cover the .5% PERS increase for teachers, in effect, providing a .5% salary increase for all teachers that will be designated to cover the July 1 PERS contribution rate increase. In the context of the District budget cuts and employee layoffs that had already occurred, this decision by Superintendent Rulffes to provide a .5% salary increase to cover PERS for teachers was surprising and troubling. **UNFORTUNATELY**, and equally surprising and troubling, has been the Superintendent's adamant refusal to treat administrators in the same manner as teachers by providing a .5% salary increase to cover the scheduled PERS rate increase.

To date, seven formal negotiations sessions have been held with the District Negotiations Team. At the first meeting on May 13, 2009, Stephen Augspurger, CCASAPE Executive Director, was provided a letter from Fran Juhasz, CCSD Chief Negotiator. This letter, reprinted in this edition of the *Unifier*, cites the appropriate sections of NRS 286.421 and informs CCASAPE that the July 1 PERS increase will be accomplished for administrators by reducing administrative salary schedules by .5% effective July 1 and start reducing paychecks on the July 10 pay date and every paycheck thereafter. CCASAPE has vigorously opposed this decision by Superintendent Rulffes through each of the negotiation sessions with the District. To date, the Superintendent's

position remains unchanged – PERS will not be covered for administrators, even though it is being covered for teachers. And as a result, unless the Superintendent changes his position, it is the District's intention to unilaterally reduce the administrative salary schedules outside of the negotiation process on July 1 by .5%.

CCASAPE believes this action by Superintendent Rulffes is a direct violation of the current Negotiated Agreement. CCASAPE notified the District Chief Legal Counsel, Bill Hoffman, in writing on June 17, 2009, that the proposed action by the Superintendent, if implemented on the July 10 paychecks, is a violation of the current Agreement and will be addressed through the grievance and arbitration procedure. **(See letter to Bill Hoffman included in this Unifier).** Additionally, in response to Superintendent Rulffes' position, the Representative Council has provided clear direction to the CCASAPE Negotiations Team to utilize all available means to ensure that administrators are **NOT** treated differently than teachers regarding the issue of the PERS rate increase.

CCASAPE remains very concerned by Superintendent Rulffes' decision to provide a .5% salary increase to teachers to cover PERS and his unwillingness to do the same thing for his administrative employees, support staff and school police. During negotiations with the District Team, CCASAPE has asked repeatedly for the reasons why this position has been taken by the Superintendent. A satisfactory response has not been provided. No doubt the arbitrator in this case will expect a more detailed rationale from District representatives.

In summary, the only outstanding item delaying a contract agreement from occurring is the issue of covering PERS for administrators. The cost to cover the PERS increase for nearly 19,000 teachers is well in excess of \$5 million dollars. To cover PERS for less than 1,300 administrators, the cost is less than \$600,000. Why would the Superintendent not be willing to spend \$600,000 to settle the administrators' contract, but be willing to invest over \$5 million to settle the teachers' agreement?

CCASAPE is concerned that treating administrators so differently than teachers, will in the end, cost much more than just the \$600,000 required to cover the PERS increase. Administrators will want to know why – and there is really no good reason. One can only assume that the Board and Superintendent Rulffes do not value and appreciate the work that is done by District administrators. Worse than not being compensated sufficiently, is being compensated unfairly. When administrators are compensated unfairly, the focus shifts to how administrators are treated by the Superintendent. When administrators receive their July 10th paychecks, the kind of disparate treatment evidenced by the .5% salary reduction will no doubt result in plummeting morale and a loss of trust in District leadership, especially that of the Superintendent. Administrators will not feel

appreciated and valued, even though work requirements are increasing as they never have before. Administrators will question why there is a lack of advocacy and support from the Superintendent. Administrators will feel that they are being treated unfairly and unreasonably in relation to teachers.

It is ironic with significant attention being placed on the phrase, "Keep Your Eye on the CAP," that Superintendent Rulffes refuses to invest less than \$600,000 to settle the administrative contract and treat the members of his management team the same as teachers. His action will have a detrimental impact on the climate in which administrators perform their critical work for the Clark County School District. It is ironic that administrators are asked by the Superintendent to spend time ensuring that an appropriate climate exists for their employees to complete their work. It is too bad that administrators cannot expect the same in return from Superintendent Rulffes.

In summary, CCASAPE has requested in writing that the District not reduce administrative salary schedules on July 1, 2009, and that the Superintendent make the necessary investment to cover the PERS increase for administrators, as he has done for teachers.

There is no question that CCASAPE will take these disputes to arbitration. If there is a unilateral salary reduction on July 1, CCASAPE will file a grievance and seek resolution through arbitration. If there is not a resolution during these negotiations for the payment of PERS through a salary increase, CCASAPE will declare impasse and pursue arbitration to ensure that its members are treated fairly.

Please feel free to contact Stephen Augspurger at the CCASAPE office if you have questions regarding the current status of negotiations.

CCASAPE NEGOTIATIONS TEAM

The CCASAPE Negotiations Team is composed of Cathy Conger, Jeff Hafen, Jamey Hood, Ron Montoya, Joe Murphy, Jessie Phee, Allin Chandler, Mark Coleman, and Stephen Augspurger.

COMPENSATORY TIME FOR ELEMENTARY ASSISTANT PRINCIPALS ASSIGNED TO TWO SCHOOLS

Elementary assistant principals assigned to two schools are reminded that Article 15-6-8 in the Agreement between the District and CCASAPE stipulates that 16 hours of compensatory time will be credited in June. Assignments of less than one year will be prorated. The 16 hours of compensatory time provided under this article should have been reported on the June 25 paycheck.

**THE ABILITY TO ACCEPT RESPONSIBILITY
IS THE MEASURE OF A MAN.
ROE L. SMITH**

PROBATIONARY EMPLOYMENT PERIOD FOR ADMINISTRATORS

NRS 391.3197 outlines the statutory provisions regarding probationary administrators. Probationary employees are encouraged to review this statute to become familiar with the provisions regarding their probationary employment period. Among other provisions, this statute stipulates that probationary employees are employed on a contract basis for two 1-year periods and have no right to employment after either of the two probationary contract years. However, if a probationary employee receives three satisfactory evaluations during the first probationary year, the second year of probation shall be waived. The statute requires that this waiver be provided in writing on the final evaluation of the employee for the first probationary year. Such an employee is entitled to be a post-probationary employee in the ensuing year of employment.

NRS 391.3125 stipulates that written evaluations for probationary administrative employees must be concluded not later than December 1, February 1, and April 1. Administrators employed prior to December 1 must be evaluated according to the schedule outlined in this statute. Those probationary administrators who receive three satisfactory evaluations should expect to see the waiver language included in the final evaluation. Administrators who are hired prior to December 1, but do not receive evaluations according to the statutory timeline outlined in NRS 391.3125, should contact the CCASAPE office.

Probationary administrators working in a year round school may be evaluated on a different schedule determined by the Board.

School based administrators are reminded that an administrator who completes his/her probationary period and is later appointed to the position of principal, must serve an additional probationary period of one year in the position of principal.

For any probationary administrator hired after December 1, the employment from the hire date through June 30th, will not count as one of the two one-year periods of probation.

UNSATISFACTORY EVALUATIONS

Any administrator who receives an unsatisfactory evaluation is encouraged to contact the CCASAPE office for assistance in reviewing the evaluation. In a recent situation, an administrator received an unsatisfactory evaluation, but did not contact CCASAPE. The administrator became aware after the timeline had elapsed for challenging the unsatisfactory evaluation that the evaluation contained significant procedural and contractual violations. Unsatisfactory evaluations and disciplinary documents must be legally sufficient, must be consistent with contractual requirements outlined in the Agreement between CCASAPE and the District, and must be consistent with the relevant provisions of the Nevada Revised Statutes.

CCASAPE ELECTION RESULTS

CCASAPE election results for 2009-2010 are as follows:

President Elect.....Jeff Geihs
 SecretaryBeverly Mathis
 Treasurer.....Christy Beard
 At Large Member Sue Daellenbach
 At Large MemberKevin McPartlin
 At Large MemberGreta Peay
 At Large MemberRobin Rankow

President Elect, Jeff Geihs; President, Cathy Conger; Past President, Ron Montoya; Secretary, Beverly Mathis; and Treasurer, Christy Beard will serve on the Executive Board for the 2009-2010 school year. Jeff Hafen, Beth Howe, Andre Long, and Karen Smallwood will begin their second year as At-Large Members of the Representative Council.

On behalf of the entire CCASAPE membership, we would like to thank Tom Barberini, David Bechtel, Debbie Brockett, Sandra Brody, Lee Esplin, Joe Murphy, Lisa Primas, Bonnie Townsend, and Letitia Worth for agreeing to their nomination for this year's election. Additionally, the efforts of the Nomination Committee composed of Dave Erbach, Mark Gums, and Jeff Hybarger are greatly appreciated.

The President of the Clark County Association of Elementary School Principals (CCAESP), Jon Herring, and the President of the Clark County Association of Secondary School Principals (CCASSP), Beth Howe, will represent their respective associations as members of the CCASAPE Representative Council.

A special thank you is extended to Charles Anderson, Joe Murphy, and Beverly Mathis for their service as Past President, Secretary, and Treasurer, respectively, for the 2008-2009 school year. In addition, Shawn Paquette completed his term on the Representative Council representing the Clark County Association of Elementary Principals, and Jeff Geihs has completed his term representing the Clark County Association of Secondary School Administrators. The contributions and service of these individuals to CCASAPE have benefited all members and their commitment is very much appreciated.

COMMITTEE VOLUNTEERS

Cathy Conger, CCASAPE President, is seeking volunteers to serve on various CCASAPE and CCSD committees. If you are interested in serving on a CCASAPE committee or as a CCASAPE appointment to a CCSD committee, please call the CCASAPE office at 796-9602 or Cathy Conger at 799-0620.

MEMBERSHIP		
CCSD	ADMINISTRATIVE EMPLOYEES	1079
CCSD	PROFESSIONAL-TECHNICAL EMPLOYEES	234
CCASAPE	MEMBERS	1291
CCASAPE	AFFILIATES (RETIREES)	331

CONGRATULATIONS TO RETIREES

Between January 1 and June 30, 2009, Mike Anderson, Robert Chesto, Tim DeBerardinis, Gonzalo Gaitan, Sharon Garhardt, Hillary Gaut, Marsha Irvin, Maria Klein, Debra Klosowski-King, Nathan Lencioni, Karlene McCormick-Lee, Ronnie Smith, and Vivian Springs-Jackson retired from the Clark County School District. CCASAPE appreciates the many years of service these individuals have given to the students of the Clark County School District. Congratulations and best wishes are extended to these latest retirees. It has been a pleasure working with each of them.

In a completely rational society, the best of us would aspire to be teachers and the rest of us would have to settle for something less, because passing civilization along from one generation to the next ought to be the highest honor and the highest responsibility anyone could have.

Lee Iacocca

CCASAPE REPRESENTATIVE COUNCIL 2008-2009

EXECUTIVE BOARD

President	Ron Montoya	Valley HS	5450
President Elect	Cathy Conger	Bruner ES	0620
Past President	Charles Anderson	Food Service	8123
Secretary	Joe Murphy	Mack MS	2005
Treasurer	Beverly Mathis	Booker ES	4720

REPRESENTATIVES

First Year	Jeff Hafen	Training & Dev	387-0634
First Year	Beth Howe	Instr Support	5413
First Year	Andre Long	LV Academy	7800
First Year	Karen Smallwood	Scherkenbach ES	3401
Second Year	Sue Daellenbach	Assessment	2808
Second Year	Kevin McPartlin	Chaparral HS	7580
Second Year	Greta Peay	Equity & Diversity	8484
Second Year	Robin Rankow	Partnership	6560

PROFESSIONAL ASSOCIATION REPRESENTATIVES

CCAESP	Shawn Paquette	Forbuss ES	6840
CCASSP	Jeff Geihs	Cheyenne HS	4830
Prof-technical	Jeff Hafen	Training & Dev	387-0634

CCASAPE STAFF

Stephen Augspurger	Executive Director	796-9602
Mark Coleman	Deputy Director	796-9602
Allin Chandler		796-9602
Debbie Cavin	Office Manager	796-9602
Sadie Tanaka	Special Projects	796-9602
FAX		796-9624