



## **Westlake Board of Education**

### ***Board Notes from Monday, Sept. 12, 2011, Work Session***

#### **INTERNATIONAL BACCALAUREATE/BASSETT STAFF**

1. Bassett Principal Ben Hodge: Amy Schillinger's students sang "Everyday Heroes."
2. Bassett students did a project on everyday heroes. Several students read about their heroes.
3. Deb Wadden & Colleen Steidel, IB coordinators, presented a slideshow on Primary Years Program in the classroom.
4. IB is part of Westlake's Continuous Improvement Plan (CIP). Primary Years Program in the preK through 4 classrooms. Implementing foreign language next year at the 1<sup>st</sup> grade level.
5. IB allows standards to be implemented within the units of inquiry. Six themes in program: who are we, where we are in place and time, how we express ourselves, how we organize ourselves, sharing the planet and how the world works.
6. Been through staff development. Looking to train all elementary staff this year. Working on learner profiles and essential agreements in buildings. Timeline could take 3-4 years.
  - a. Fall 2011: professional development for new IB coordinators, teachers and administrators
  - b. 2011-2012: building visits and training
  - c. Application for candidacy Spring 2012
  - d. Looking at large group training in spring or summer 2012
  - e. Programme of Inquiry – start to write this school year
7. High school program similar to advanced placement program, impacting 30-50 students. Elected to pursue IB at elementary level where it touches every student. IB falls completely under our CIP and allows us to benchmark ourselves with schools internationally and to make our students globally competitive.

#### **BOARD ITEMS**

1. Resolution confirming provisions of Resolution No. 11-207, based on updated parcel boundaries and related matters (TIF resolution for American Greetings), was approved.

#### **DISCUSSION ITEMS**

1. Expiration of union contracts
  - a. Tom Mays: Agreement in place with WTA and OAPSE expire Jan. 1, 2013. Anticipate Board will look at components of that agreement.

- b. Tim Sullivan: Contracts constitute 85% of district expenses. They will swallow all of our revenue in the next couple of years. Proposed two alternative plans to deal with the situation: 1) Recommend when contracts come up we moderately reduce salaries, require employees to contribute more to health insurance and employee benefit plans, eliminate seniority based programs and institute merit pay; 2) establish community committee to establish costs to district. There should be no talk of a levy until you do one or both of those things. What I'm hearing from the community is we should establish a cost reduction plan. We should discuss union contracts at every meeting.
- c. Mays: when the contracts come up, there is nothing wrong with discussing those items. We want to have our taxes utilized properly in the education of our students. Ohio is a property tax state. As a result the majority of your funds are dedicated to staff. We have to look at ways to decrease expenses. Everything is above board. The people of Westlake can decide if they want to be taxed.
- d. Sullivan: Contracts are ¾ of the way done. I say they're up. The costs of our district are going up and our revenues are staying static. We have done nothing to control costs.
- e. Carol Winter: We've done specific things to control costs.
- f. Sullivan: we had to lay off teachers and staff and cut transportation. I warned this board about what we would do when state funding collapses. I was ignored. We were forced to make cuts. It was reactive. We failed to plan properly. We have deficit spending to the tune of \$34 million over the next few years. It's close enough to open contracts. We're in dire straits.
- g. Nate Cross: I asked for this item to hear what my colleagues were planning to control costs. Heard we are now in a position that we can hold off on a levy until 2013. No meeting where we sat as a board and said let's talk about that and whether it makes sense to do that, I'm not adverse to it just we need to talk about it. Difficult to talk about levy without talking about union contracts. Heard unions were willing to offer concessions. Nothing has come of it. OAPSE to their credit, they said they are willing to talk about it and I think they made a serious effort; unfortunately nothing came of it. The teachers union did nothing and didn't even talk with us. They keep milking the system. We continue to not address this. I don't think we make good financial decisions. We certainly didn't last contract, I didn't vote on that. It fair to hear plan for serious problem on the horizon. I want to hear from other board members, two of three who are up for re-election, what their plan is. When I ask for their plan. Dr. Keenan brought savings efforts, but all small ticket items. He said that contracts are something we need to deal with, it is not Dr. Keenan's role to provide that solution, he just makes recommendations. He does that at the direction of the Board. Three Board members have not provided a plan to control our personnel cost. Like to ask Carol, and Tom, and Andrea what your plan is, I've heard nothing from others. I read in the paper last week and heard in the meeting we are going for a levy in 2013 and there is no plan.
- h. Mays: this is not a place for politicking. To continually bring up people are up for election, what's your plan is not appropriate at a BOE meeting. Anyone in the community can ask that at the West Life candidate forum. You indicate the unions

offered concessions, the unions didn't offer concessions but to sit and discuss. They offered to discuss concessions. Three people who you are trying to put on the spot voted to seek concessions, you and Mr. Sullivan voted against it. When Dr. Keenan asked for Board approval to enter into those discussions, three voted to allow him to do that. Our attorney asked our opinion on a levy and what concessions to address. You were silent. CFO/Treasurer Mark Pepera presented ways to address expenses. That was not done reactively, but proactively.

- i. Cross: We did have a 3-2 vote on concessions; I am not going to say anything further. I read about going for a levy in 2013 to my amazement. Up to the last meeting the rationale is to go in 2012. We should have a dialogue about when the levy will occur. What's the strategy to contain our largest cost?
- j. Mays: That is on the agenda for discussion.
- k. Sullivan: Let me explain my position on concessions. Other Board members were pro union. There were risks in opening contracts that they were failing to consider. Any rational person would agree if fair concessions. Many were unions working to negotiate long term contracts. The Board majority was very eager to address. The Board majority was rushed lacking specific data and expecting them to act justifiably. Ohio School Boards supported that extending contracts is a big gamble for school boards. They warned unions are doing this to be self serving to avoid the new law for as long as possible. Board and district failed to provide a balanced analysis. Presented as a no brainer. My position is aligned with OSBAs. Mays, Winter and Rocco are not in sync with OSBA. WTA still has not sat to speak. Short term benefit would be countered with long term costs. OSBA says extending union contracts is extremely risky move, that's what I have been saying we didn't do our jobs. Extensions not the answer and I said that.
- l. Dr. Keenan: When made recommendation to the Board to seek concessions, made it very clear I did not make a recommendation to extend contracts. What you voted on did not include an extension. In fact all the Board members agreed what you just said and OSBAs position.
- m. Mays: Contracts cannot be extended or given if funds are not available.
- n. Sullivan: My basic point was from OSBA. Everyone except me failed to perform a balanced analysis of our finances.
- o. Mays: Incorrect. We didn't disagree with OSBA as Dr. Keenan noted
- p. Dr. Keenan: We discussed an analysis of finances; we did not seek an extension. Board asked to vote on specific concessions, and none included an extension of the contract. Specifically laid out what were seeking in respect to contracts. Inaccurate saying there wasn't an analysis. The important piece is to make sure move forward on is specific concessions mirrored what administrators gave, stated that publically and clearly stated we were not in favor of extensions.
- q. Sullivan: My point was accurate.
- r. Cross: We're going broke. We know how the game is played we are going to the voters with the threat of Armageddon. When I heard we were going to hold off on our operating levy until 2013, it's nothing more than an effort to negotiate union contracts.

Call it what it is. The attempt to hold off our next operating levy is nothing more than an effort to renegotiate fiscally disastrous union contracts prior to a public vote on an operating levy now being proposed in 2013. This will enable elected officials to avoid public discussion from our unions about salaries and benefits that are unaffordable during a levy campaign. After negotiated we will then say now let's go to the voters for more money. Let's say what we want to do to address this problem.

- s. Mays: Inaccurate, as I corrected Mr. Sullivan, you know that we can't authorize contracts without funds available. You can't negotiate then ask the people to go pay for it.

## 2. Board levy considerations

- a. Dr. Keenan: slow down and understand it's illegal to negotiate a contract without the funds to do it. Extending a levy to 2013 actually does the opposite of what you are concerned about, it puts the district in a position where there will not be money to provide for the contracts you are concerned about. By pushing it out the district has maximum leverage because there is no money beyond 2013. It puts the district in a better position to allow the district to get down to brass tacks. Was not stated that we'd go for a levy in 2013. Careful about how we speak about levies. Said board will have ability to extend to 2013 with changes we've made should BOE choose. Last October Mark and I presented to board and listed 20 things done to contain costs and a fiscal plan was there. Discussed publicly twice and put out in a Commentary newsletter to the community. Do we believe that is enough? No, we need to continue to keep working to improve and that's what Mark and I do to plan fiscally. Talked about cost per student and goals/plans to reduce those. Asked for confirmation from board on position statements perceived to be direction for the board, which was given for clarification. I indicated I needed to hear if guidance or overall direction from board if different. My job as superintendent is to make recommendations to you based on board guidance on the balance between excellence and value. For recommendations we combine information from a number of areas: Forecast. CIP, state and federal requirements, contracts, comparison data, operational expenses, facility plans.
- b. Dr. Keenan: last six months provided four forecasts. Requirement is two annually. Mr. Pepera provides more detail than many districts. When state changes were being made, we worked to make sure communication was clear and constant.
- c. Mark Pepera: forecasts are a snapshot of where we're at. Several months ago provided a presentation about how our forecast does change. Our forecast is a fluid document that changes depending on changes at the state, board and operational level. Based on past history, a lot of variables affect that forecast.
- d. Dr. Keenan: we use forecast to understand conservative estimates based on data. We use as tool to work on savings. The forecast has credibility because it's related to data. We haven't in the last four years made too many changes to the contract, but we've saved millions from the forecasted expenses. We made adjustments along the way. Asked for confirmation a year ago from the board on plan to achieve savings. I have to hear from the board as a whole. In response to contracts, indicated we wanted to be in

the bottom of the top 1/3 of our comparison districts. We along with the board came up with 38 districts we benchmark. The market is something we need to continue to look at. In terms of facilities, we still aren't sure whether we'll have Phase II. It will be a discussion around our levy. We need to find solutions. If they don't come through concessions, we'll have to be more aggressive with negotiations. We've asked the unions to consider addressing partially now, or address fully in negotiations. OAPSE visited that with us and voted to stick with the current agreement. WTA did not respond for some time. Today heard they agree to sit down.

- e. Dr. Keenan: You need to understand within the forecast some of the things that can sway. It doesn't mean we don't have levy conversations; we should through our forecast discussions which we do quarterly. However, believes it's premature to throw out millage and length at this time. There are things that fluctuate that can make a big difference for those types of discussions.
- f. Pepera: To that point external factors on the very near horizon such as SB 5 in November, considerations of state health care pool. That would actually cost us money. State of the economy is a big question mark. Master agreements are a variable. At this point talking about actual millage or potential exact timing is impacted by all of these variables. Tax abatements in the community impact us.
- g. Dr. Keenan: Again, we have provided 4 forecasts of the past 6 months to make sure the board and public were informed and aware we were working to stay on top of things the best we can.
- h. Mays: Does anyone have any questions?
- i. Sullivan: Thanked Dr. Keenan for presentation. I know you prepared a lot for that and spent 35 minutes presenting. It's good to know the processes the top hired managers go about things. Knowing 85% of our costs in union contracts would've liked to hear more about those expenses that are going up while revenues are stagnant. Probably our job as a board to say that. Process perspective good. I heard a couple times the board has confirmed. I would just say I only confirm what I state. Westlake spends far more than similar districts. Westlake spends more than \$1700 per pupil per year than these districts. We spend \$6.8 million more per year than similar districts.
- j. Mays: I asked if any have questions, do you have a question?
- k. Sullivan: Our board does not control costs. There are 613 districts in state. Had 17<sup>th</sup> highest teacher salary in the state, top 3%. Our forecast says we run out of money in 2014. I'll get to my questions. Explain the bottom of the top 1/3. I am not sure what you are talking about.
- l. Dr. Keenan: First I did note that individuals may not have agreed and that the confirmations came from the board as a unit. I have asked the Board to please let me know or have a discussion as a group to provide us direction. A vote can always be taken. I stated what I perceived the guidance to be so you and the entire board would have the opportunity to provide direction differently as a unit so I can administer. What I mean by bottom of top 1/3. Referred to handout provided last year of comparison group and to be in the 66<sup>th</sup> percentile.

- m. Sullivan: I reject that we want to be in the bottom third. We should just use the entire state, go statewide. I think it's the wrong way to do it, we choose to compare with the rest of the state. For us to pull out 38 districts, even if fair, is misleading. We have the 17<sup>th</sup> highest salary in the state. That is the top 3% and that is my position.
- n. Sullivan: Finally, just on timing of the levy. We received news we could, if we chose to do so, we could extend to 2013. At that meeting I had questions, it wasn't clear to me. I read in the paper that Dr. Keenan had said he had spoken with Mark that if the Board chose to do so, we could extend to 2013. I was discouraged reading that because when the superintendent recommends something Board members are slow to disagree, it was a little frustrating when I knew I wasn't on board.
- o. Dr. Keenan: I want to correct an inaccuracy. I never asked you to vote on anything. I didn't recommend anything, and I wasn't asking to see if any of you were on board with it. I said it should be discussed. I let the Board know where we were because there was budget presentation. It was appropriate to discuss. There was nothing in the paper that wasn't said at the Board meeting. There was not any question you asked I didn't answer, nor any question I won't answer tonight.
- p. Sullivan: Is it a good idea to push us that close to the brink of insolvency? That is the question. Secondly the extension of levy in 2012/2013, there is no evidence of being fiscally responsible. Other than the recent layoff, which were not proactive but reactive to state funding. This board has done nothing to contain costs. How can we say we have been containing costs? Costs are going up \$2.5 to \$3 million per year. We should not be patting ourselves on the back. We should be upfront with the public.
- q. Dr. Keenan: Are those questions because you said you have questions? Do you want me to answer your questions?
- r. Sullivan: No, I want the board to discuss. Let's let others discuss, we are at the Board level now.
- s. Rocco: Costs per pupil analysis is not new to this board. Pepera has included in all discussions how it impacts our bottom line. It's intertwined in everything we do every month in trying to get the district a value education. You have to look at a number of factors and understand them all if you really want to make a difference. Cost per pupil is something that everyone is concerned with and a good goal to reduce this amount. But we need to consider why it increases to do the right job to address.
- t. Cross: Not going to comment on the process Dr. Keenan stated, we have heard that a number of times. Save that for a more appropriate time. My voice should be heard through my vote. I've not had a vote on moving the levy to 2013. I've not heard about what's in the best financial interest of this district. You memo states the board is in a position to extend a levy to 2013 should it choose. I read from that we are not going to have a levy until 2013. I haven't heard from my colleagues. Supposedly a discussion is to happen. At what point will the board have a decision. I keep hearing just wait, we really have not had a public discussion. When you made your remarks you probably stated 20-30 times we talked about it. I go to those meetings, I certainly remember going to the retreat we were given data, and there was not Board dialogue. It was Dr.

Keenan providing 2-3 hours of information. He did a good job providing information, but the inference is that we talked about it. We are at a Board meeting for Board discussion and we have heard 35 minutes for the superintendent. A conversation hasn't taken place, there is no doubt in my mind a decision was made without public discussion, for that reason I am glad we had a discussion tonight. We really don't make tough decisions. I haven't heard comments about each board members plan.

- u. Dr. Keenan: I heard comments about my 2.5 hours 35 minutes to inform the board and these are complex issues. I don't think that is a lot of time when you consider school funding. Perhaps there is another issue we really need to discuss. I consider my role as superintendent to develop plans and present to you under the guidance provided to me. I don't look to the Board to provide me a plan, I look to the Board of Education to provide guidance and develop policy so I can develop a plan. Maybe that's a good discussion point for this board so I can have clarification. Do we want five individuals who have fulltime jobs and lives outside of the district who are on the board to develop these plans? or Do you want the administrators to develop plans under your guidance? I think this is the issue you are having and one we should clarify and come to consensus. My viewpoint is the board develops policy and guidance, but doesn't develop specific plans. If the board is not satisfied with a plan presented comments should be made to redirect and provide guidance until we go back to the drawing board and get a plan the board is willing to approve. Perhaps that's what's causing an issue with me presenting for 35 minutes with a topic like this.
- v. Mays: We asked Dr. Keenan to present because he was asked at last meeting to explain. We've already extended this levy out beyond what was promised. The fact that we can extend it out where the tax payers don't have to spend a cent more than needed, to extend to 2013 is fantastic. If we went in 2011 it would have been criticize that we are going to the taxpayers, now that we can extend we are asked, what are you thinking? No decision has been made we are here to start a discussion. The board hasn't acted. You can't have it both ways. Can't say we are going to the taxpayers and then when we have an option to extend now we are being irresponsible.
- w. Sullivan: I think you are trying to have it both ways with the bond issue. What happens to the argument if you extend to 2013 it gets too expensive. I hear contradictory things with the levy. Back to Dr. Keenan, when you were talking you brought up this was complex, I think the opposite I think it's pretty simple. I don't think it is complex at all.
- x. Dr. Keenan: I was referring to a levy decision being complex.
- y. Sullivan: If you think its complex ok, I never said it was complex.
- z. Winter: Communication has been an issue for this board. I listened to the IB presentation when they talked about agreements. We either listen or do we just try to define others with our statements? We as a board need to listen and understand so we can come to some common ground. We need to continue to evaluate communication. Mr. Cross you say we talk about it but we really don't talk about. We do talk about these things. I feel there is not enough listening and a lot of talking. It is part of being a politician, we like to talk. Part of getting things done, you also have to be a very good

listener. As a board, whoever is on the board, we have to listen. Your body language tells me you don't want to hear what I have to say. When I was working to agree with you, you didn't look at me once, you didn't want to hear from me. We have some people with some pretty good ideas. Mr. Sullivan I will never know about tax law as you, that's not why people elected me on this board. It's because I know a lot about curriculum, excellent instruction and what makes an excellent school district. I think we need to revisit communication. There's a lot of talking and not enough listening. I ask a consultant to come in and do phase II of how to communicate effectively as a board. After hearing the presentations from Dr. Keenan and Mr. Pepera I don't think it's within our best interest to put a levy on 2012. I would have said that, but you didn't want to hear from me. You never looked at me and you are not interested in what I have to say. Instead you just talk and look at the audience. If you want to ask me a question, engage with me and look at me and if you really want to listen I will answer you. I think right now given what Dr. Keenan has shared with us, particularly with contracts, why would we go on in 2012?

- aa. Cross: I am glad we are talking about this and I might agree with you. I haven't heard that and I might be in agreement.
- bb. Winter: If you haven't heard that, you haven't wanted to hear. We are more similar than you want to hear, but it's because I haven't agreed 100 percent with you. I have agreed with what was presented about addressing contracts aggressively. But you want to draw a line in the sand. I approach it differently. At the end of the day our teachers and classified staff work for the district. I don't think that is good negotiating strategy at this time. It doesn't do any good to brow beat people this far out from bargaining. I have seen districts that have done that and their kids suffer. There has been a lot of drawing a line in the sand and talking instead of listening. I answer the questions, you just need to listen.
- cc. Keenan: I just wanted to make sure that Mr. Cross, Mr. Sullivan who stated they had questions or any other wanted any other public explanation or answer to any question. If any of you have any questions that you wanted addressed publicly please let me know. (No questions)

#### **HEARING OF THE PUBLIC**

1. Russ Esalt: Daughter just got a master's degree to become a teacher. Committee formed about a building program. Committee should be formed about teacher salaries.
2. Harry Applegate: As a citizen and a taxpayer, I am ashamed of this board. I think you need to go on the ballot in 2012. On the ballot in 2013 means you don't get monies until 2015. The Westlake Schools should be run like a business and fiscally responsible to students and taxpayers.
3. Dave Albert: in the process of getting public records, a couple of issues. Hard to follow the minutes and apply to what's actually said in a meeting. Had to wait 7 to 11 days to get the public records. Sunshine Laws review showed a lawsuit over Worthington School Board waiting 6 days to provide a public record. Opens up liability issue if not able to get things in a prompt and



reasonable action. [Pepera: apologize about timeliness of public records. Sent a letter to board requesting items. You requested 9 recordings in multiple formats. Never our intent to delay requests. Working to see if there is a better mechanism. You always have the ability to come in and view those, best alternative.

4. Karen Herzberger, OAPSE Local 319 President: You talk about the unions in a negative tone. Union members do positive things on a daily basis. Besides being a union we are individuals who are thankful we work for the Westlake Schools. We have people that lost medical benefits, had hours cut. Some people financially could not afford concessions. We have employees in our classification who may only work 1.5 to 2 hours per day. You need to look at the overall picture. Speaking for our classification, our drivers get the kids safely back and forth to school, have the hot lunches, fix repairs in the schools, keep the schools clean and safe, work and serve kids with teachers, special ed assistants work with children with multiple handicaps. You need to think about the positive. We all care about the kids and that's what we're here for. Invited Sullivan to come in and shadow her.
5. Duane VanDyke: we moved here because of the good schools and low taxes. Small business owner in a challenging economy. Sometimes debate gets lost in the rhetoric. Fighting words to the union does not translate into a good working relationship. We have a continuing levy and could run at the same dollar level for years.

**NEXT REGULAR MEETING:** The next meeting of the Board is a regular session and will take place at 5:30pm in the Board Room at the Administration Building, Monday, Sept. 26.

For more detailed information on these items, visit

<http://beta.westlake.k12.oh.us/boe/meetingschedule/default.aspx>