



UTP VOICE

United Teachers of Pasadena

September 2009

Volume 14, Issue 1

President's Message by Bethel Lira

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Welcome back! I hope you had an enjoyable and restful summer break. I would like to congratulate you for helping our students make significant gains in their test scores. Your tireless efforts and hard work have really moved the District forward, and where we only had a couple of schools with API scores of 800 and above, we now have several.

This year, however, sustaining the momentum will be challenging. We will be expected to do more with less (larger class sizes but with fewer resources), in order to meet the demand of bringing up test scores and closing the achievement gap. In addition to our on-going classroom challenges, we will be faced with State and local politics that will detract from our number one focus—instructing students.

During the summer, we were able to stave off additional layoffs in August by showing our presence at the School Board meeting and by taking the position that the District use the stimulus money to save jobs. I am pleased to inform you that all of the counselors who received layoff notices last May have returned to their assignments and at least half of the elementary teachers have also been rehired. The remaining teachers have been placed in long-term substitute positions and stand a good chance of being rehired by norm day if there is sufficient student enrollment. Unfortunately, though, like many districts in California, we may face more layoffs in the Spring as PUSD prepares for \$18 million in budget cuts.

In order to balance the budget, Superintendent Diaz wants voters to approve a parcel tax. The District will need the support of the UTP to do so; however, gaining our support will require positive changes in the Diaz administration/UTP relationship. I was initially enthusiastic about Mr. Diaz, but the honeymoon period has ended and there are clear signs that the Diaz administration resembles that of the Dr. Percy Clark administration.

When Dr. Clark was here, if you recall, we had to fight for minimal salary schedule increases, we had stalled negotiations, and the administration was top-down and un-collaborative. We had numerous grievances against the District and getting any organizational respect was quite a struggle. Although Mr. Diaz has stated that he believes in collaboration and that he is concerned with improving employee morale, working conditions, and providing a competitive pay increase, recent actions prove otherwise. Just as with the Dr. Clark administration, UTP is filing an extraordinary amount of grievances against the District due to administration continuously violating our Contract, the District consults and defers to attorneys instead of collaboratively problem-solving personnel matters, and unilateral top-down decision-making is prevalent. These instances indicate the Diaz administration does not respect UTP and its members.

As we progress into the school year, your UTP leadership will continue to keep you informed, so please make time to read the UTP Voice and bargaining updates, and to meet with your Site Reps. As we stand, the District's bargaining proposals aim to gain more control over your work day and work year, and we will need to make a concerted effort to maintain our salaries, our health benefits, and to keep student test scores off of the teacher evaluation instrument.

Your involvement and your voice will be needed as we insist on changing the paradigm that has been the norm for way too long in PUSD. UTP members, we are the instructional program of PUSD! It is time for us to demand the working conditions and respect that we deserve!

Schedule of Events

- September 14th—UTP Executive Board Meeting, UTP office, 4:00 p.m.
- September 15th—State of the Schools Address, Pasadena High School, 6:00 p.m.
- September 21st—UTP Rep Council Meeting, CTA office, 4:00 p.m.
- September 22rd—PUSD School Board meeting, Ed Center, 6:30 p.m.
- October 5th—UTP Executive Board Meeting, UTP office, 4:00 p.m.
- October 12th—UTP Rep. Council Meeting, CTA office, 4:00 p.m.

September 2009

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

General Information

UTP Website:

www.utofp.org

UTP Office:

United Teachers of Pasadena
2303 E. Washington Blvd.
Pasadena, CA 91104
(626) 798 - 0928
Fax: (626) 798 - 5452

UTP Officers:

Bethel Lira, President
Jeff Leming, Vice President
Monica Villegas, Secretary
J. Manuel Carcido, Treasurer

Area Directors:

Tia Acosta, Area 1 Child Dev.
David Berk, Area 2 Elem. I
John Lira, Area 3 Elem. II
Darius Hines, Area 5 Middle Schools
Carol Locke, Area 6 High Schools

P.U.S.D. Board Members:

Renata Cooper: rcooper@pusd.us
Bob Harrison: bharrison@pusd.us
Ed Honowitz: ed@edhonowitz.com
Ramon Miramontes:
ramonm@maciso.org
Scott Phelps:
sphelps@alumni.caltech.edu
Elizabeth Pomeroy:
ewpomeroy@sbcglobal.net
Tom Selinske: tselinske@pusd.us

Frequently Requested

P.U.S.D. Numbers:

P.U.S.D. Ed Center (626) 396-3600

- Cert. Personnel ext. 88380
- Health & Benefits ext. 88383
- Substitute Line ext. 88382
- Payroll ext. 88360

Frequently Requested Numbers:

CAL STRS (800) 228 - 5453

CTA Group Life and Disability Insurance (800) 522 - 0406

CTA Auto and Home Insurance Program (800) 800 - 9410

Union Code of Conduct:

- I will not criticize any union member except to the individual directly.
- If any member is being criticized in my presence, I will confront the criticism and ask that it stop.
- I will not participate in any conversations with management that criticizes or negatively speculates about any union member.
- I will settle my differences with members within my union.
- I will engage in debate, offer others every opportunity for debate, and respect minority viewpoints. I will, however, observe and support the majority mandate of my union.

UTP is on Twitter

In order to have a strong membership, UTP members need to be informed and educated of UTP business and issues that affect them. UTP is committed to communicating with its members so that the membership receives the most current information in a timely manner. To accomplish this, we are now using Twitter to communicate association information to our members. Twitter is used by many companies, celebrities, politicians, artists, and news corporations to send out information to their customers, viewers, and followers. UTP plans to post updates whenever possible to keep membership informed about association business, both local and state.

To sign up for a Twitter account you must do so via the web at www.twitter.com. Follow the online instructions for signing up and be sure to add a device (cell phone) under settings. Using the cell phone is the preferred method because it will allow you to get instant text message updates (using SMS – short message service) whenever and wherever possible. Make sure you enable device updates under UTP on the list of those you are following.

While all of us do not have access to the internet at all times, almost all of us have cell phones. We know that busy UTP members have such little time, which is why we recommend using the SMS text messaging service with Twitter. Set it up once, and you'll never have to go on to the web to retrieve UTP updates – they'll all be sent directly to your cell phone. You can turn on or off the updates or remove yourself at any time. Please note that if you do not use a device (cell phone) you will have to log in to your Twitter account periodically to check for UTP updates.

In order for us to add you, please sign up with your name so that way we can verify UTP membership. You can also send an email to utpmarcela@yahoo.com and we will send you an invitation to sign up. Our Official Twitter Website can be found at <http://twitter.com/utofp>

Happy Tweeting!

Know Your Contract

Sick Leave

- 9.2.1.1: Each school year a unit member may use up to five (5) days of sick leave allowance for immediate family illness.
- 9.2.2: Unit members who are employed full time for five (5) days per week for a school year of service (September to June) shall be entitled to ten (10) days leave of absence annually for illness or injury. Unit members whose regular assignment is from 190 to 210 days shall be entitled to eleven (11) days annual leave.
- 9.4.1: A unit member shall be entitled to use, during each school year, a maximum of seven (7) days of the sick leave for personal necessity leave. (Article 9.4 lists specific reasons for use of personal necessity leave.)

Jury Leave

- 9.7.2.1.1 Effective July 1, 2004, up to five (5) days per year of paid jury duty leave shall be granted to unit members; required jury duty absence beyond the five (5) days shall be deducted from Personal Necessity Leave (See Section 9.4).

Are You a UTP/CTA/NEA Member?

REMEMBER – An automatic deduction on your paycheck **DOES NOT** mean you are a UTP/CTA/NEA member; **you must sign the membership form**. Call the UTP office at 626-798-0928 to verify your membership or to obtain an enrollment form.

NOTE – In the event of any adverse action affecting your employment status with the District (e.g., dismissal, child abuse, non-renewal, civil or criminal charges) you will not have access to a CTA attorney or be represented by the Association in legal matters other than contract violations if you are not a member.

“Race to the Top” Data Talking Points by CTA

Background: Recently, the Department of Education, President Obama and Secretary Arne Duncan announced the criteria for the “Race to the Top” competition for \$4.35 billion in grants. The goals are for states to use funds to drive reform in four main areas: teacher effectiveness/distribution, standards and assessments, data systems, and struggling schools. One specific tenet of the plan says states must have no “legal, statutory or regulatory barriers to linking data about student achievement or student growth to teachers for the purpose of teacher and principal evaluation.” Secretary Duncan has wrongfully attacked California’s law.

Key Points:

- CTA shares the Obama Administration’s commitment to providing quality data systems to help improve student learning, instructional strategies and professional development. Unfortunately, it appears Secretary Duncan is confused about how data systems work in California.
- California law does not prohibit linking student and teacher data. In fact, the data is already linked at the local school level. This data is available to teachers and school officials to analyze, evaluate and report progress to parents. Local schools and school districts are held accountable for using these data reports to revise and improve school plans for program improvement.
- There is no need to create another level of state bureaucracy to link student and teacher data. All the data functions that are being requested already exist at the local school level, where they belong. NCLB taught us that one-size does not fit all. The federal government should let states and local school districts determine how best to meet the needs of their students.
- California law also does not prohibit the use of student assessment results in the evaluation of teachers. Many districts include it as one component of the evaluation. Current California law states that each school district “shall” evaluate and assess teacher performance as it relates to the progress of pupils toward the state standards and, if applicable, the state adopted academic content standards as measured by state adopted criterion referenced assessments.” Decisions about teacher evaluations are bargained at the local level.
- CTA, the State Superintendent of Public Instruction and the California Secretary of Education all agree that the evaluation of teachers should and must remain at the local level. That is a function of the local school district – not the state legislature.
- CTA strongly objects to the use of a single test score to pay or evaluate teachers. Students are more than one test score and so are educators. There must be multiple measures in determining student achievement, as well as evaluating educators. President Obama said the same thing in his speech on July 24.
- There is no research or evidence that paying teachers based on student test scores improves education. In fact, all research shows that the practice leads to narrowing the curriculum and teaching to the test. Basing educator pay on how well students fill in multiple-choice test bubbles will undermine school reform – not advance it.
- California lawmakers should not rush to change laws that are working in California just to appease Secretary Duncan, who does not understand how our policies work.

Get involved and contact your lawmaker today! CTA has made it easy for you to do. Simply, visit the CTA website, www.cta.org, and click on “Contact Your Lawmaker.” Follow the prompts to complete the message to be sent via the internet.

International Day of Peace in Education

September 21, 2009 is the International Day of Peace in Education. In 1985 CTA's Peace and International Relations Subcommittee recommended that CTA recognize the United Nations International Day of Peace, which originated in 1981.

For more information and suggested activities, please contact the UTP office or email utplira@yahoo.com.

Your Ed. Code Rights

Can I suspend a student from my class?

1. A teacher may suspend any pupil from the teacher's class, for any of the acts enumerated in Section 48900 of the Ed code, for the day of the suspension and the day following. The teacher shall immediately report the suspension to the principal of the school and send the pupil to the principal or principal's designee for appropriate action. If that action requires the continued presence of the pupil at the school site, the pupil shall be under appropriate supervision, as defined in policies and related regulations adopted by the governing board of the school district. As soon as possible, the teacher shall ask the parent or guardian of the pupil to attend a parent- teacher conference regarding the suspension. Whenever practicable, a school counselor or a school psychologist shall attend the conference. A school administrator shall attend the conference if the teacher or the parent or guardian so requests. The pupil shall not be returned to the class from which he or she was suspended, during the period of the suspension, without the concurrence of the teacher of the class and the principal.
2. A pupil suspended from a class shall not be placed in another regular class during the period of suspension. However, if the pupil is assigned to more than one class per day this subdivision shall apply only to other regular classes scheduled at the same time as the class from which the pupil was suspended.
3. A teacher may also refer a pupil, for any of the acts enumerated in Ed. Code Section 48900, to the principal or the principal's designee for the consideration of a suspension from the school.

The CTA 2009 - 2010 Conferences and Minority Incentive Grants

The CTA 2009-2010 Winter/Spring Conferences and Minority Incentive Grants are now available online. Applications for the Minority Incentive Grants are due by **October 23, 2009**.

Urban Issues Conference

February 26 – 28, 2010
Fairmont Hotel
San Jose, CA

Equity and Human Rights Conference

March 5 – 7, 2010
Marriott Hotel
Irvine, CA

Good Teaching Conference – South

March 12 – 14, 2010
Westin Bonaventure
Los Angeles, CA

Go to www.cta.org/conferences now for additional details and to register!

Contract Management Report by Alvin Nash, Chairperson

Contract management is an essential element in collective bargaining, because it affords the means through which the Contract is clarified, protected, and enforced. UTP has established an effective grievance-processing program and has trained its Team to fully discharge its contract management responsibilities.

What is a grievance?

A "grievance" is a statement by a unit member or UTP that the District has violated, misinterpreted, or misapplied an express term or provision of the Contract and by reasons of such violation his/her/its rights have been adversely affected.

Who is the grievant?

The "grievant" is an individual unit member or UTP who alleges that a grievance has occurred. If two or more unit members have the same or similar grievance, then the District shall process the first grievance filed and shall apply the remedy thereto to all other grievances filed on the same or similar subjects.

Who is the immediate supervisor?

The "immediate supervisor" is the manager having immediate jurisdiction over the grievant who has been designated by the District to adjust grievances. Normally the "immediate supervisor" will be the grievant's principal. In the case of a traveling unit member, the "immediate supervisor" shall be the Principal at the site where the alleged violation took place, or the departmental supervisor if the allegation is not site-based.

Informal Level

Before filing a formal grievance, the grievant shall attempt to resolve the grievance by having an informal conference with his/her immediate supervisor and the UTP Site Representative. Such a conference shall be held within twenty (20) days of the occurrence of the act or omission giving rise to the grievance, or within twenty (20) days from the date the grievant has, with reasonable diligence, knowledge of the act or omission.

Formal Level One

If the grievant is not satisfied with the disposition of the grievance at the Informal Level and wishes to pursue the matter, then, within ten (10) days after presentation of the grievance at the Informal Level, the grievant shall file the grievance in writing with his/her immediate supervisor. Following receipt of the written grievance, the immediate supervisor shall arrange a meeting with the grievant to review and discuss the grievance and provide a written response to the grievant within ten (10) days of the receipt of the written grievance.

The grievant should contact the UTP Contract Management Team prior to filing the grievance in writing with his/her immediate supervisor.

CA, WI Lawmakers Seek To Lift Ban On Linking Test Scores, Teacher Evaluations

The AP (9/10, Bauer) reports that California, Wisconsin and Nevada "may find themselves left at the starting line in the competition for more than \$4 billion in education stimulus funding if they don't amend laws that prevent student test results from being tied to teacher evaluations." The states "each have laws that ban tying test scores to teacher reviews." But while "California and Wisconsin lawmakers are scrambling to lift the ban, Nevada may not be able to remove its restriction in time for the money because its Legislature won't be back in session until 2011." The AP notes that teachers unions, including the NEA, "have long opposed linking test scores with evaluations and teacher pay because they believe it's unfair to judge a teacher's performance on a single test." Moreover, "they...note the tests can be flawed, don't test every subject, and that many students learn from more than one teacher."

Work Hours by Alvin Nash, Contract Management Chairperson

For classroom teachers, department chairpersons and resource teachers, the on-site workday shall involve not less than 20 minutes before (18 minutes before for teachers at grades 9-12) the site's regular student instructional day and shall not end sooner than 20 minutes following the end of the site's regular student instructional day.

The distribution of instructional minutes shall conform to the Banking Time Framework as follows:

	Mondays	Tuesdays – Fridays
• ECP	100 minutes	200 minutes
• Kindergarten	180	205
• Full-Day K-5	225	325
• Grades 6-8	265	365
• Grades 9-12	290	390

Instructional minutes include passing periods and exclude nutrition and lunch. If you have a 10-minute nutrition and a 30-minute lunch, the length of the on-site workday is:

• ECP	4 hr 40 min
• Kindergarten	4 hr 45 min
• Full Day K-5	6 hr 45 min
• Grades 6-8	7 hr 25 min
• Grades 9-12	7 hr 50 min

If nutrition is longer than 10 minutes and/or lunch is longer than 30 minutes, then the on-site workday will be that much longer.

If your site's bell schedule does not conform to the Contract, please contact your Site Representative to initiate the grievance procedure at the Informal Level with the site's immediate supervisor.

CTA Voluntary Member Contribution

Choosing to make a difference -- Working to promote policies to improve public education such as more funding for our public schools and smaller class sizes, as well as fighting back attacks on education, teachers and other education professionals is always a top priority for CTA.

This year alone, we are fighting to fix the broken political system in Sacramento so our students can get the resources they need, and we are working to erase the punitive provisions of the No Child Left Behind Act.

In an effort to continue successfully fighting such attacks, CTA is asking members for a voluntary contribution of \$20 a year to help fund CTA advocacy efforts and to support the CTA Foundation for Teaching and Learning. This foundation will promote teacher-driven solutions to improve public schools through the CTA Institute for Teaching. It will also support CTA's scholarship and grant program for members, their dependents and students.

The reverse-checkoff contribution is voluntary and flexible. Members are automatically enrolled in the default allocation of \$10 to support CTA advocacy efforts and \$10 to the CTA Foundation for Teaching and Learning. But no one is required to contribute and members have many contribution options. Please visit the CTA website at www.cta.org to download the Voluntary Member Contribution form if you would like to make a change. **There is NO NEED to complete and return the form if you want to keep the same contribution as last year. The choice is yours.**

“The limits of tyrants are prescribed by the endurance of those whom they oppress.”

— Frederick Douglas

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United Teachers of Pasadena is Online!

Visit our website at www.utofp.org for information on the following:

- UTP/PUSD Contract
- Salary Schedules
- School Year Calendar
- Grievance Resolutions
- UTP Meetings and Leadership
- Member Benefits
- Frequently Asked Questions
- And more . . .

NAME/ ADDRESS CHANGE?

Please notify the UTP office of any name/address/email change(s) so that we may update our records. You may send in the form below to the UTP office via school mail, or email the office at utpmarcela@yahoo.com. Please include the following information:

Name: _____

New
Name: _____

Address: _____

City, State: _____

Zip Code: _____

Telephone: _____

The UTP VOICE

The UTP VOICE is published monthly by United Teachers of Pasadena, an affiliate of the California Teachers Association and the National Education Association. Our newsletter is distributed to over 1,000 members consisting of teachers, nurses, librarians, and counselors in PUSD schools.

To submit information or articles to the UTP VOICE, contact the UTP office. Contributions are welcome. Copy deadline is the 7th of every month.