



ADVOCATE

Ontario-Montclair Teachers Association

August 2014

IMPORTANT DATES

LABOR DAY – NO SCHOOL
September 1st

**OMSD SCHOOL
BOARD MEETING**
September 4th

OMTA TGIF HAPPY HOUR
September 5th

**OMTA EXECUTIVE
BOARD MEETING**
September 8th

**CTA/OMTA TRAINING:
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September 23rd

**OMTA REP
COUNCIL MEETING**
September 25th

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A MESSAGE FROM YOUR PRESIDENT

Amy Johnson



Welcome back to the 2014-2015 school year. I hope your summer was long and enjoyable. As all school years are, this is going to be a very busy year filled with new state implementations and new state legislation that affects us all. We have Common Core in full implementation, new STRS contributions from all, a new way way of funding education (LCFF), new class size reduction requirements, and lawsuits against teacher “tenure”/due process, just to name a few. There is a lot going on in education and I would like to address a few of these issues so you are kept informed of our ever-changing profession.

As you know, we are now in “full implementation” of Common Core. What does that mean? Everyone, all over the state and throughout the whole country, is trying to figure that. It’s pretty basic; it means we now are using the adopted Common Core standards rather than the 1997 standards. Everyone knows this is a learning process and will take time, training, and patience. I know this is an even more difficult task when you don’t have materials to use to help you. I recognize it takes a great deal of time and collaboration with colleagues to find materials on your own that match the theme, skills and rigor you are teaching. Unfortunately the state is just not ready with materials yet. The first edition math materials are not up to par. They have a lot of old strategies with new labels that say “Common Core.” Because of this, the district has decided to postpone piloting math materials this year and will wait until next year when better materials come out. The district will again be providing funds to your site for supplemental materials in math and language arts. Please make sure you are part of the process of picking the materials that work for you.

Governor Brown signed into the 2014-2015 budget a trailer bill to provide a multi-year plan of shared responsibility among the state, school district, and educators to resolve the CalSTRS unfunded liability and provide 100% funding within 32 years. The first year’s increased contributions from all three entities are fairly modest, but escalate further over the next 3-7 years. If this unfunded liability had been ignored, the result would have been a cut to our retirement benefits. The law states that when the employee contributes more to CalSTRS we get a commensurate benefit. The guaranteed benefit is a vested 2% COLA when we retire. Educators who started after January 1, 2013 are on a new CalSTRS system and receive a different benefit, so their contribution differs a bit. Please see the chart below for the contribution rates over the next 7 years. OMTA will be offering a training on STRS this year given by CTA staff, please watch our announcements for the date.

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CalSTRS Contribution Rates AB1469/SB864

Fiscal Year	State	Employer	Employee (2% @ 60)	Employee (2% @ 62)
2014-15	3.45%	8.88%	8.15%	8.15%
2015-16	4.89%	10.73%	9.20%	8.56%
2016-17	6.33%	12.58%	10.25%	9.205%
2017-18	6.33%	14.43%	10.25%	9.205%
2018-19	6.33%	16.28%	10.25%	9.205%
2019-20	6.33%	18.13%	10.25%	9.205%
2020-21	6.33%	19.10%	10.25%	9.205%

I am sure you all have heard and were following the Vergara v. California lawsuit and its outcome. I know many of you have questions about our job safety as educators. Here is some background and information from CTA on the Vergara trial and the decision:

“*Vergara v. State of California* is a meritless lawsuit brought by Students Matter, an organization created by Silicon Valley multimillionaire David Welch and a private public relations firm for the sole purpose of filing this suit. Students Matter is supported by Michelle Rhee and Students First, Parent Revolution Executive Director Ben Austin, Billionaire and school privatizer Eli Broad, former lawmaker Gloria Romero, and other corporate education reformers with an interest in privatizing public education and attacking teachers’ unions. The suit challenges California statutes governing due process in teacher dismissals, using experience as a criteria during school layoffs, and the two-year probationary period for teachers. The suit wrongly alleges those laws are unconstitutional and hurt students. The defendant in the suit is the State of California. CTA and the California Federation of Teachers (CFT) intervened in the case to ensure all stakeholders have input in educational policy decisions and to protect the rights of educators.

Four of the nine student plaintiffs recruited by Students Matter didn’t even testify. Those who did named respected teachers with excellent evaluations, including the 2013-14 Pasadena Unified Teacher of the Year, as examples of so-called bad teachers and reasons to strike down these laws. The plaintiffs in this case failed to produce a single example of a student harmed or likely to be harmed by any of these laws. Some of the student plaintiffs didn’t even attend schools governed by the challenged statutes.

Teachers don’t have tenure—that’s a misnomer—and they certainly don’t have a job for life. Teachers with less than two years on the job can be dismissed immediately and for any reason. Teachers with more than two years of experience simply have the right to a hearing before being dismissed (due process). The ability to have

their case reviewed by an objective panel ensures that school boards or administrators don’t fire good teachers they may disagree with or who speak out on issues like student safety or appropriate use of district funds. This right to be heard makes the teaching and learning environment more stable.

The Judge in this case ruled in favor of Vergara but the State of California, CTA and California Federation of Teachers is appealing this decision. A stay has been granted which means there will be NO IMMEDIATE CHANGE to current laws that will impact your employment. CTA feels good about what the outcome of this appeal will be. Please stay tuned as new information will be coming out.”

We have a lot to watch out for as educators and lot of new things to learn. I will use my newsletters and my OMTA rep meetings to keep you informed. If you have any questions about something please feel free to ask your reps or email me. I would be happy to explain anything in more detail. I hope you have a fabulous 2014-2015 school year! 🍏



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KNOW YOUR CONTRACT

It is very important to keep an open line of communication with your administrators. If you feel like something in the contract is not being followed, you can go to your OMTA rep or to your administrator to talk it through. Here is a short version of some contract language that may help you start your school year.

ARTICLE XI - EVALUATION PROCEDURES

2. *Notification:* The site/department administrator will designate the evaluator and provide notice to the unit members by the 20th duty day of school. The designated evaluator will meet with unit members by the 30th duty day of school to discuss and collaboratively determine the form of evaluation. The evaluator shall have the sole responsibility for the final evaluation. (The actual dates for the 2014-2015 school year are: the 20th duty day is September 3rd and the 30th duty day is September 17th).

Frequency of Evaluation:

1. Probationary and temporary unit members shall be formally evaluated each school year, using the Formal Observation Method, until they attain permanent status.
2. Permanent (tenured) unit members shall be evaluated at least every other school year.
3. Permanent unit members who have had at least two (2) consecutive satisfactory evaluations may collaboratively select from the full array of evaluation methods. Upon agreement of the evaluator and the unit member, unit members shall be formally evaluated at least every five (5) years if they have permanent status, have been employed by the District at least ten (10) years, are — highly qualified — as defined by No Child Left Behind (NCLB) regulations, and whose previous evaluation rated the unit member as meeting or exceeding evaluation standards. Either the unit member or the evaluator may withdraw consent at any time within the contractual timelines of evaluation. Frequency of formal evaluation may be collaboratively determined, with consideration of the method selected. However, a final Evaluation Report is required at least every five (5) years.

ARTICLE VIII - HOURS OF WORK

Beginning in 2014/15 the minimum school-based assignment hours shall be six and three quarter hours (6 $\frac{3}{4}$) exclusive of the unit member's regular lunch period.

Beginning in 2014/2015 weekly instructional minutes will not exceed:

- Elementary: Kindergarten = 1125 weekly instructional minutes
- Grades 1,2,3 = 1565 weekly instructional minutes
- Grades 4,5,6 = 1625 weekly instructional minutes
- Grades 7,8 = 1625 weekly instructional minutes
- Middle school: Grades 6,7,8 = 1650 weekly instructional minutes

Within this limit, the site administrator shall determine class schedules, lunch schedules, and the arrival and departure times for each unit member. The site administrator shall consult with the staff or individual unit members regarding proposed schedules or changes in schedules, and the site administrator's determination shall not be arbitrary, capricious, or vindictive.

ARTICLE IX - CLASS SIZE

Pupil/Teacher Ratios: The District shall meet the following pupil-teacher class maximums, subject to possible constraints such as staff availability and classroom space:

1. Transitional/Kindergarten Goals: 29.5 pupils per class average per school, with the maximum 31.
2. Elementary Goals: (Grades 1-6): 29.5 pupils per class average per school, with primary grades (1-3) averaging 27.5, maximum 30; and with intermediate grades (4-6) averaging 31.5, maximum 32. Combined grades T/K/1 or 3/4 are covered by the primary ratio.
3. Middle School Goals: (Grades 6-7-8): 32 pupil contacts per class period average with a daily pupil contact maximum of 160. For physical education, 45 pupil contacts per class period average with a daily pupil contact maximum of 225.

The District has a grace period of twenty (20) student days at the beginning of the year to correct over-enrolled classes.

After the grace period, any middle school teacher whose daily student contacts exceed the maximum allowed for a period of ten (10) consecutive days shall be compensated \$7.00 for each additional student contact per day and shall be paid retroactively to the first day of over-enrollment beyond the grace period. 🍏

2014-2015 BARGAINING

Your bargaining team worked for a few days over the summer to bring you a Tentative Agreement for the 2014-2015 school year. After visiting your sites and listening to your concerns, we determined that prep time is one of your biggest priorities for effective implementation of Common Core. With Local Control Funding Formula money, we were able to negotiate an additional hour of PE prep/planning time for 1st through 8th elementary teachers. This PE time will look the same as your current one hour. This time is for you to plan and have time to collaborate with your colleagues. This time cannot be used for professional development, mandated meetings, or agendas from your administrators. You are professionals and know how best to use your time. We acknowledge that two hours a week of planning time is still not enough, but we think it is a good start. This PE prep time is on an MOU for this year with the full intention that this extra prep time will continue next year in some form. We need to show the district that this additional prep time is much needed and will be used in a productive way.

We were also able to negotiate for an increased allotment amount for materials from \$2.00 per student to \$5.00 per student. We also agreed that administrators will be responsible for providing to you basic class-appropriate consumable materials outside of your allotment amount for staples such as paper, pencils, crayons, tissue etc. Some administrators do an excellent job providing their staff more than this amount and give them supplies when needed; we are thankful for those who recognize the importance of this to teachers and students. We know,

however, that many of you are spending way too much of your own money on supplies that the district should be providing. The allotment you are given should be for those extra things you may need to teach with and not the basics to run your classroom. If you are not getting something you need to teach with, please talk to your administrator about it right away. If you do not get it resolved, please contact me.

As part of the state budget and new Local Control Funding Formula (LCFF), school districts have to reduce TK-3rd grade class size to 24-1 by the 2020-2021 school year. This is something that OMTA will be negotiating in December when we go back to the table to talk about how this will look next year and each subsequent year leading up to 2020-2021. Our district is unique in that we have so many QEIA schools that are already reduced in TK-6th grade. We will discuss in negotiations what those schools will look like next year when QEIA ends.

We will be voting to ratify this tentative agreement in the first few weeks of September. Please watch for your ballot and remember how important your vote is in each and every election. Remember, we will be going back to the table in December for the 2014-2015 school year to discuss salary and benefits and class size reduction for the 2015-2016 school year.

You can find our contract, new salary schedules and any other information you may need on the OMTA website at www.myomta.org. Also, don't forget to like our OMTA Facebook page for updates and fun information. 🍏

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