

United Educators of San Francisco
Executive Board
Wednesday, May 5, 2010, 4:00 p.m.
Official Minutes

Agenda

1. Roll Call Roberto Michel, Sergeant at Arms
2. Approval of Minutes Susan Solomon, Secretary

MSC to approve the minutes of the April 7, 2010 Executive Board meeting with editorial corrections. There were questions about the process that was followed for COPE endorsements at the last Executive Board meeting (Items 4 and 6 in the minutes), so the process was reviewed.

Finance Report Elaine Merriweather, Treasurer
MSC to accept the April 30, 2010 Finance Report as presented.

COPE Finance Report..... Ken Tray, COPE Director
MSC to accept the April 30, 2010 COPE Finance Report as presented.

Special Orders of Business

1. Grievance Committee Report..... Stan De Bella

MSC to accept the recommendation NOT TO TAKE case 0910-50 to arbitration (SS) Denial at Step 1. No response step 2

Grievant received an unsatisfactory evaluation. Grievant was given contradictory instructions on what was required on day of observation. They were told to do a lesson plan that had been reviewed but changed to CASHEE testing. It was impossible to implement the instruction as per pre-observation conference.

Violates 16.12.7, 16.27.

Remedy: WCPR be rescinded and grievant made whole.

Field rep recommends against arbitration.

MSC to accept the recommendation to take case 0910-54 to arbitration.

(EH) No response to step 1 or 2

Grievant's classroom not being supplied with the level of para support indicated in students IEP's therefore making is an unsafe work place for the teacher and students.

Violates 4.1, 14.1, 14.1.1.4, 14.2.1.

Remedy: Provide the called for paraprofessional support and make grievant whole.

Field rep recommends for arbitration.

MSC to accept the recommendation to take case 0910-31 to arbitration.

(EH) No response to step 2

Grievant being improperly evaluated, not in conformation with Art. 16.2. Principal manifests discrimination for their concerted activities in violation of 5.7.

Violates 16.2 and 5.7.

Field rep recommends for arbitration.

MSC to accept the recommendation to take case 910-49 to arbitration

(SS) No response step 1 or 2

Grievant received a written reprimand but it is unclear which board policy was violated. The top of the memo cites different policies than the bottom of the memo. Memo alleges grievant did not have approval for field trip. It is unclear whether approval was missing. Written reprimand violates progressive discipline.

Violates articles 30.1.2, 30.1.3.1, 30.1.3.3, 30.1.3.5, 30.1.4, 30.1.4.1, 30.1.4.2

Remedy: Remove written reprimand and make grievant whole.

Field rep recommends for arbitration.

MSC to accept the recommendation NOT TO TAKE case 0910-46 to arbitration.

(LC) No response step 2

Substitute was denied two-week position at a school even though they were specifically requested by teacher. Name was removed from preferred substitute list at school as well as call-out system for position.

Violates Art. 6.2.1.

Remedy: Return substitute's name to preferred substitute list and that they no longer be blocked from accepting future assignments and be made whole

Field rep recommends not to take case to arbitration.

MSC *President's Recommendations for Expenditures*Dennis Kelly

- 1. WDL/AFT 74th Anniversary Dinner Honoring R. Weingarten ¼ page Ad\$250.00
- 2. Retro expense for Feb. 22 meeting w/ Weingarten in San Diego.....\$829.93
- 3. Retro expense April 20 Luncheon for Randi Weingarten\$306.22
- 4. ESP CTA Conference, May 14-16: 10 people up to \$1,500.00
- 5. "Rethinking Schools" Subscription renewal\$90.00

COPE Report

UESF has been working with the San Francisco Democratic County Central Committee. Doing the endorsements has enabled us to do that work. UESF helped to host a CTA Legislative Breakfast on May 1. Jackie Speier, Ira Ruskin, Jerry Miller, and Mark Leno were in attendance to answer questions from CTA members.

The process for screening for endorsements during the summer was reviewed. There is an Executive Board meeting in June, which is too early in the endorsement process for contested elections for the San Francisco Board of Supervisors, unless the Executive Board decides in June to do any early endorsements as it did for Kim-Shree Maufas when she ran for her second term for school board.

Resolutions

- 1. MSC as amended: Union Meetings for Union Workers ... Lisa Gutierrez Guzmán
Whereas the Executive Board and Delegate Assembly meetings are the venues in which our elected officers, Executive Board and UBC members and Building

Representatives formulate extremely important resolutions which guide the direction of our union within the S.F.U.S.D., and

Whereas our union meetings are for the purpose of informing members of UESF to guide the direction of the union;

Therefore be it resolved that any non-U.E.S.F. dues paying individual or organization which has business with our union continue to present their issue(s) to the appropriate officers of our union, and

Be it finally resolved that if the officers deem that the issue(s) need to be presented to a representative body of the union for consideration, that body should be the Executive Board, and/or the Delegate Assembly.

MSC amendment: Strike the second and third whereasas [*“Whereas non-UESF members have been in attendance at several union meetings this school year (Carlos Garcia, Myong Leigh, Richard Carranza, Harry Keiley from CALSTRS, representatives from the Democracy Now campaign, members of the press, etc.) and in the case of the individuals, have given lengthy (albeit, important) presentations, and*

Whereas the aforementioned people may have heard some of our union business prior to and after their presentations, including the critical internal debate which takes place prior to voting on resolutions, and”]; amend the fourth whereas (the original resolution said: *“Whereas our union meetings should only be for the participation of dues-paying members of United Educators of San Francisco”*); amend the second resolved by adding, after “Executive Board” “and/or the Delegate Assembly”; strike the third and fourth resolveds [*“Be it further resolved that we aim for any presentation from non-U.E.S.F. dues-paying members to be only five minutes in duration with a 5-10 minute question-and answer period to follow, and*

Be it finally resolved that under no circumstances should we allow the media to film any of our meetings as they take place. The time to film UESF should be before or after our meetings and at our public actions.”]

Sister Gutierrez Guzmán raised question of parliamentary inquiry about separating an amendments into parts.

Brother Kelly instructed the body that by invoking the “orders of the day” a speaker’s time to speak can be limited.

2. MSC: California Democracy Act EndorsementDennis Kelly, Ken Tray

Whereas, The California Democracy Act simply calls for majority rule when the legislature votes on revenue measures or votes on the state budget; and

Whereas, a minority of state legislators currently blocks full funding for public education, higher education and other public services; and

Whereas, this same minority and the current governor created a \$20 billion dollar deficit in education spending and a \$80 billion deficit in the state budget; and

Whereas, the refusal to support any new substantial revenue measures leaves California unable to deal with the current deep recession and the needs of California’s people; and

Whereas, as we Defend the Classroom and Rally to Save California’s Future UESF knows that the fundamental political solution to the current crisis is to allow for a simple majority vote to pass new revenue measures and a simple majority to pass the annual state budget in order to get needed funds to schools and essential public services of California.

Therefore Be it Resolved that UESF endorse the California Democracy Act.

3. MSC: Legal Defense ReimbursementSusan Solomon

Be it Resolved that UESF authorizes payment for legal representation for layoffs, and directs UESF to seek legal defense reimbursement from CFT/AFT.

4. MSC: National Commission on Fiscal Reform Hene Kelly, Pat Crawford
- Whereas, Social Security is the nation’s most successful domestic program, reducing poverty among older Americans from 50 percent when it was created in 1935 to 11 percent, currently; as well as providing crucial income to millions of surviving spouses, children and people with disabilities and
- Whereas, more than two-thirds of older Americans rely on Social Security for at least half their entire income, with nearly a third relying on it for 90 percent or more; and
- Whereas, Medicare since 1965 has provided affordable quality medical care to nearly all Americans over 65 years of age and along with Medicaid, its companion legislation, has provided medical care to the indigent, and
- Whereas, more than 50 million older Americans and people with disabilities rely on Medicare and Medicaid for their health coverage; and
- Whereas, more than three quarters of the nation’s federal budget deficit since 2001 has been the result of tax cuts skewed toward the wealthiest Americans, the cost of two wars, and an unprecedented economic crisis caused by Wall Street excesses; and
- Whereas, the accumulated surplus in the Social Security Trust Fund is approaching \$2.5 trillion and the savings and efficiencies in Medicare and Medicaid likely to result from the new healthcare reform law will not be determined for some time; and
- Whereas, President Obama by Executive Order 13531 on February 18, 2010 created the National Commission on Fiscal Responsibility and Reform (“Commission”); and
- Whereas, the mission of the Commission includes proposing recommendations designed to balance the federal budget, exclusive of interest payments, by 2015; entailing “changes to address the growth of entitlement spending and the gap between the projected revenues and expenditures of the Federal Government;” and
- Whereas, the Commission will report recommendations no later than December 1, 2010; and
- Whereas, issuance of a final report by the Commission will require the concurrence of not less than 14 of the 18 members of the Commission; and
- Whereas, the leaders of the U.S. House of Representatives and U.S. Senate have stated that their respective bodies will vote on Commission recommendations soon after the issuance of a final report, expected in December 2010; and
- Whereas, Commission co-chairs Erskine Bowles and Alan Simpson have both gone on record in favor of cuts in programs on which older Americans, children and those with disabilities depend; and
- Whereas, Republican congressional members of the Commission have an average lifetime score of 6.5 percentage on the Alliance for Retired Americans Voting Record; therefore, be it
- Resolved that the American Federation of Teachers calls upon the Commission to hold open, public hearings around the nation throughout 2010 where these facts can receive a full hearing in testimony from older Americans, their advocates and those who depend on the benefits of Social Security, Medicare and Medicaid; and

Resolved that the Commission's planning meetings, working meetings, drafting sessions, public meetings and all other sessions be open to the public and be telecast via C-Span or Internet streaming; and

Resolved that the Commission indicates the impact of its proposals on different subgroups of Americans (including, for example, such factors as income, race/ethnicity, gender, region, disability, age) and their impact on investments in such essential assets as jobs, education, energy, and infrastructure, and

Resolved that the American Federation of Teachers calls on the Commission , Congress and the President look to balancing the federal budget by closing corporate tax loopholes and supporting progressive forms of taxation that ask those who have benefited most from our prosperity to pay their fair share and opposes reducing Social Security, Medicare and Medicaid benefits.

5. MSC as amended: Condemnation of AB1070: Racial Profiling..... Dennis Kelly
Whereas the Arizona Legislature has passed a law which makes racial profiling a required activity of Arizona law enforcement, and

Whereas the governor, after careful consideration, has signed the bill into law, and

Whereas some of Arizona's activists and politicians have called for a boycott of the state;

Therefore be it resolved that UESF encourages its members to support that boycott, and

Finally be it resolved that UESF shall join AFT and NEA in condemnation of state-sanctioned racial profiling.

MS amendments: Add the whereas: "Whereas Arizona's activists and politicians have called for a boycott of the state" and "therefore be it resolved that UESF encourages its members to support that boycott."

MSC amendment: add 'some of' in front of 'Arizona activists'.

M amendment: drop 'Arizona's'. No second.

Reports

1. President's Report Dennis Kelly

The UESF Negotiations Committee was in mediation for 12 hours on May 4-5. UESF presented a proposal early on in the process. Around 5:00, the District informed UESF that there was a difference of opinion about the money being requested from UESF. The relevant numbers: 811/812 layoff notices went out on March 15; the school board authorized 482 layoffs of certificated UESF members and 27 administrative layoffs, resulting in bumps into the classroom, for a total of 502/503 authorized layoffs; 75 layoffs that would result if the district takes our money. UESF will file a charge of an unfair labor practice because the district changed its number. (The 75 would be for keeping class size reduction.) The district said the purpose of UESF giving it \$27 million is to keep the district solvent. There was further explanation of what has been going on in negotiations.

Brother Kelly reviewed the draft Organizing Action Calendar for 2010-2011. He asked Executive Board members to commit themselves to the organizing effort.

MSCU to cancel the May Assembly meeting so that UESF can have a general membership meeting on May 19 for the purposed of discussing the status of bargaining and to give the UESF officers the authorization to call for a strike vote meeting.

2. Executive Vice-President Linda Plack

The Mayor's Teacher of the Month ceremony, honoring the 2009-1010 teachers, will take place at City Hall on May 17. The jointly sponsored UESF/SFUSD retirement ceremony will take place on May 24 in the Green Room of the War Memorial Opera House. Approximately 150 UESF members are retiring.

3. High School Committee ReportKathy Melvin

The High School committee raised concerns with M Chiu regarding:

- Budget reporting discrepancies
- Layoff /consolidation confusion and time lines
- AP money
- small schools
- "newcomer pathways"

We requested a line item, consistent accounting to all sites of all funding sources and amounts to allow better decision making. It took some time for the concept to be understood, but the district did agree to look into the possibility for next years' budget. This should be easy for the accounting office to generate, and would make understanding of SCE and AP money more facile.

We spoke with Angie Sagastume about layoffs, consolidation and job fair/placement time lines. This year appears as bad or worse than the past with not all available jobs posted and a failure to reach out to/place all teachers in limbo. We are also seeing substantial confusion at many sites as multiple staffs are receiving multiple letters with confusing status. For example an individual received a non-reelection, a preliminary layoff and a consolidation, as well as a letter explaining that her temporary employment would not be renewed. This causes extra work for union members to help unravel the members' situation.

The district as much as admitted that they have again unilaterally changed the AP funding guidelines form the contractually stated one prep per 20 students to their artificially determined one prep per 35. They had no explanation for their thought process regarding this or the decrease of per pupil funding and increased cost per staff member.

Mary Richards spoke about the district Small Schools by Design; she will be sending further documentation. Essentially any school can apply for a small school; it is a facilitated application process that ultimately should result in separate funding and staffing structures. These schools should not violate the contract, although some administrators are coming dangerously close to same.

The consolidated staff of the closed Newcomer high school asked about the "newcomer pathways" and contractual promise for a best faith effort to place teachers in a manner that supports their students. They were informed that such pathways do not exist for teachers, only students. In all the schools affected, existing staff will pick up the additional ELL/Bilingual classes. Former newcomer teachers can take regular teaching positions in their credentials. - In frustration, K Melvin

4. Child Development Program Committee Report.....Betty Robinson-Harris

Davide Celoria, the CDP director, has resigned. The CDP Task Force has been working very hard to roll out an all-day preschool program, the pilot program, in an orderly and fair way.

5. Paraprofessional Issues Carolyn Samoa

The school board voted to lay off 101 paraprofessionals. Five layoffs have been rescinded, and two paras have decided to retire. The daily schedules of 96 T10s are still being reduced by one hour. There are 127 consolidations. On Saturday, May 22, there will be a 6-hour Prop A Professional Development. April 24's PD was very successful; 300 paras attended. Information will go out to UBCs about the May 22 PD. Regarding the ongoing issue with PARS: The district's lawyer did not put together a settlement agreement as she was supposed to, so UESF's lawyer did.

6. Retired Division..... Gerry Meister

HSS ballots are arriving in members' homes this week. Voters were reminded to vote for Willie Lim, the candidate UESF endorsed.

Adjournment: at 6:40 p.m. in memory on longtime teacher, member and activist Luisa Ezquerro. The rosary is on Thursday evening, May 6, and the funeral on Friday at 10:00 a.m., both at St. Anne of the Sunset Church.

Respectfully submitted,
Susan Solomon, Secretary