

United Educators of San Francisco
Executive Board
Wednesday, November 4, 2009, 4:15 p.m.
Minutes

Agenda

1. Roll CallRoberto Michel, Sergeant at Arms
2. Minutes.....Susan Solomon, Secretary

M/S/C to accept the minutes of the October 7, 2009 Executive Board meeting as presented.

Finance Report..... Elaine Merriweather, Treasurer

M/S/C to accept the October 31, 2009 Financial Report as presented. The Budget Committee met on November 3, 2009 and will have a report for the next meeting.

COPE Finance Report.....Ken Tray, COPE Director

M/S/C to accept the October 31, 2009 Financial Report as presented.

The Tom Ammiano fundraiser, hosted by UESF and Kim-Shree Maufas, is on November 12, 5:30-7:30, at 426 Urbano. Cost of postage for publicizing the event is listed under expenses.

Tonight's SFLC fundraiser is for protecting healthcare.

Special Orders of Business

1. Grievance Committee Arbitrations Report Stan De Bella

M/S/C to accept the committee's recommendation to take 0910-19 to arbitration.

(EH) No response to Step 1 or Step 2

Class size exceeded the class limit size specified in contract. Class should be capped at eight with no more than nine, grievant has ten students. This violates Articles 9.5.7, 14.2.1 (one para as per student IEP) and 6.2.2 (lack of support) Grievant was not paid for injury due to hazardous conditions caused by lack of support 14.4.4 or their work related injury 14.4.1.1

Remedy: Class size be reduced to contractual level:

Support be supplied as per IEP

Grievant be paid as per 14.4.1

Grievant be made whole

Field rep and committee recommend for arbitration.

M/S/C to accept the committee's recommendation to take case 0910 -14 to arbitration.

(EH) Class size limit exceeded, eleven students when contractually the limit is 10 or less as per Article 9.5.7.6, also violates 9.3.4.2.1.

Remedy: Class size to be reduced to contractual limit.

Grievant be made whole.

Field rep and committee recommend for arbitration.

M/S/C to accept the committee's recommendation to take case 0910-20 to arbitration.

(EH) No response to step1 or step 2

Grievant not properly credited with previous years of experience. Contract states that the maximum credit is twelve years from another teaching assignment and that the employee be placed just above this. SFUSD placed grievant at step twelve VS the contractual step thirteen. Violates Articles 11.8.7.1, 19.8.2

Remedy: Pay grievant back pay and correct rate from now on

Make grievant whole

Field rep and committee recommend for arbitration.

M/S/C to accept the committee's recommendation to take Grievance 0910-16 to arbitration.

(SS) Denial at step 1; no response at step 2

The grievants were informed at the beginning of this school year, 2009-2010, that effective immediately, they would not continue as department heads. The principal claims that there are not enough teaching periods to qualify for department heads, and that the school site is actually comprised of two separate schools. However, the faculty and the staff work in both programs, and students can take classes in both programs. The school for which the grievants are listed as faculty cannot stand alone as a school without the other. Even if this were not the case, article 34.4 still should hold: "Department Heads shall be notified not later than 120 days prior to the end of his or her individual contract that they may not be continued as Department Heads." They were not so notified.

Field rep recommends arbitration.

M/S/C **President's Recommendations for Expenditures**Dennis Kelly

- OPEIU Scholarships..... \$100.00
- Fund for Union Democracy \$1,000.00
- Renewal of USLAW Membership.....\$500.00

Brother Kelly explained the recent events within NUHW and UHW and that the Fund for Union Democracy is to support SEIU members in the San Francisco Labor Council.

Resolutions

1. M/S/C with a recommendation to the Assembly to pass: The Budget Crisis.Dennis Kelly

Whereas, UESF is joined in intense and critical meetings with state-wide leaders of CFT and CTA and with local leaders and rank and file members of both organizations concerning how organized educators can best create a winning and progressive way out of the current fiscal and economic crisis; and

Whereas, CFT's Strategic Planning Committee, with UESF participation, proposes consideration of a mass mobilization for education and public sector unions and their supporters this Spring; and

Whereas, CTA has moved to an organizing approach for dealing with the statewide structural budgetary issues which threaten all social services, and

Whereas, at the same time, CFT is moving toward a COPE organizing drive to build capacity at CFT locals throughout the state in preparation for the major initiative campaigns (for: closing corporate loop-holes, progressive

taxation, budget reform, against: pay-check protection, two-tier pension system, etc.) to come in the next few election cycles; and

Whereas, UESF knows that in unity there is strength; and

Whereas, a unified response by organized educators and the California Labor Federation is the best way to promote a winning and progressive response to the current economic and fiscal crisis.

Therefore Be it Resolved that UESF will participate in and honor the democratic decision making process of the CFT and CTA and also participate to the fullest extent possible in the democratic deliberation of the California Federation of Labor in seeking a unified labor response to California’s current crisis: and

Be it Finally Resolved that the actions and positions taken by UESF will be in accord with the actions and positions adopted and promoted by our statewide labor affiliates.

- 2. M/S/C with a recommendation to the Assembly to pass: Employee Free Choice Act..... Ken Tray, et al.

Whereas, America’s working people are bearing the brunt of the “Great Recession”; and

Whereas, wages are dropping, unemployment is rising, health care costs are rising and pensions are under attack; and

Whereas, union members make 28 percent more than those without a union; and

Whereas, union members are 52 percent more likely to have employer provided health care and 77 percent have defined–benefit pension plans; and

Whereas, 60,000,000 working people say they would join a union if they had the chance; and

Whereas, as educators we know that our democracy depends on a free, democratic and powerful labor movement; and

Whereas, EFCA levels the playing field for union organizing against corporate power and intimidation;

Therefore Be it Resolved that UESF support in every way possible the labor movement’s drive to pass EFCA in this session of Congress.

- 3. M/S/C as amended with a recommendation to the Assembly to pass: Representing UESF Linda Plack, et al.

Whereas, the Constitution of UESF in ARTICLE V Section 1. states,” ...The President shall be the official spokesperson for UESF... and shall be responsible for the representation of UESF whenever and wherever required ...;” and

Whereas, the Constitution of UESF in Article XI, Section 3, states, “Representatives to bodies, not affiliated with the UESF Councils, requiring UESF representation shall be designated by the President subject to the approval of the Executive Board;” and

Whereas, the Constitution of UESF in Article XI, Section 4b. states, “delegates/representatives...shall be guided ...by the UESF Constitution and By-laws, UESF adopted policies, and special instructions given by the membership, Assembly, and Executive Board;” and

Whereas, in this time of “educational crisis” UESF must make sure that the legitimate voice of San Francisco’s educators is heard loud and clear in the growing number of public forums and political formations claiming to speak for educators; and

Whereas, members must make the distinction between proudly asserting membership in UESF as a matter of identification and allowing themselves to be portrayed as spokespersons for UESF if not so designated,

Therefore Be it Resolved that all members of UESF, particularly members of the Executive Board and voting members of the Assembly, respect the integrity of UESF’s Constitution and democratic process but are encouraged to speak as individuals if they so choose; and

Be it Finally Resolved that, in keeping with the Constitution as cited above, only UESF members whose representation at non-affiliated bodies is designated by the president shall speak on behalf of the union.

M/S/C amendment: Add to the first Resolved, after “democratic process”: “but are encouraged to speak as individuals if they so choose”.

4. M/S/C as amended with 2 abstentions (See below): Exec. Board & Assembly Kathleen Cecil, Rose Currier, Cynthia Lasden

Whereas Executive Board members would like to be better prepared to participate in discussions and decision making at the Executive Board and Assembly meetings; and,

Whereas several Executive Board members have twice stated a need for more time to consider minutes, resolutions, and budgets closely and thoroughly before the actual deliberation and decision-making; and,

Whereas the chair has affirmed this need in the October 7, 2009 meeting; and,

Whereas thoughtful consideration of proposed agenda, budgets discussions and resolutions leads to better discussion, empowerment of members and effective representatives; and

Whereas both the Executive Board and Assembly meetings exist both to conduct business and to encourage broad participation in union activities;

Therefore be it resolved that all agendas and resolutions -- including any informational materials that the makers submit-- be e-mailed to the appropriate elected representatives 48 hours prior to each Executive Board and Assembly meeting.

Brother Kelly ruled this resolution out of order, but welcomed amendments to make this a recommendation for meeting procedures.

M/S with 2 abstentions amendment: Delete the words “minutes” and “proposed UESF and COPE budgets” from the resolved, leaving “agendas and resolutions.”

The understanding is that Executive Board agenda and resolutions will be sent to Executive Board members and the Assembly agenda and resolutions to the Executive Board members and Union Building Representatives.

Suggestion: that these be blind copied when they are emailed, so members' email addresses are not forwarded and shared without their permission.

This is not a policy but a procedure to be followed when possible in order to help Executive Board members prepare for meetings.

5. M/S/C with a recommendation to the Assembly to pass: For Public Health OptionSusan Kitchell, et al.

Whereas, United Educators of San Francisco supports the fight for high quality, accessible and affordable health care for all Americans; and

Whereas, the House of Representatives and the United States Senate are moving toward final versions of their respective health care bills; and

Whereas, the health care bill from each House calls for some version of a public health option; and

Whereas, versions of the Senate and House bill will soon go to their respective floors; and

Whereas, according to the polls upwards of 70% of the American people support a public option; and

Whereas. Big "pharma" and big insurance companies are salivating at the thought of sky high profits at the expense of their 30 million new customers if they escape competition from a viable public option; and

Whereas, every dollar in new profits for them is \$1 more that working people pay to the corporate health czars; and

Whereas, working people should not be taxed for receiving high quality health care; and

Whereas, the best health care plan is based on people's needs, not investors profit margin or the ability to make millions for corporate CEOs; and

Whereas, the best health care plan is also one that has low costs for working and poor people, that improves care and provides choice;

Therefore Be it Resolved that the United Educators of San Francisco support and join with our labor and progressive allies to promote health care reform that provides for a viable public option to compete with private for profit insurance companies; and

Be it Finally Resolved that UESF contact and urge Senators Feinstein and Boxer, Representative Speier and Speaker Pelosi to support and pass health

care reform that includes a viable public option that meets working people's needs.

6. M/S/C with a recommendation to the Assembly to pass: School Secretaries: Part of the Village Patty Mann, et al.

Whereas up to 50 schools may be disrupted by the removal (through seniority bumping) of their school secretaries, and

Whereas school secretaries, along with teachers, paraprofessionals and other school workers, are part of the fabric of each individual institution, and

Whereas school secretaries are called upon to respond to a variety of daily crises as well as to maintain a sense of order and decorum in the office which sets a tone for an entire school, and

Whereas the union that represents the school secretaries believes that the seniority bumping of the school secretaries is directly tied to flawed budgeting in another department of the city, and

Whereas the president of UESF has personally committed to support the SEIU effort to call attention to the root cause of the problem and achieve creative solutions that will not disrupt the schools,

Therefore be it resolved that the president of UESF and his designees be directed to continue supporting solutions to this problem by speaking out at press conferences and hearings on the situation, and

Be it finally resolved that UESF hereby endorses the efforts of SEIU 1021 to achieve a just and fair solution to the problem with as little disruption of schools and as little movement of school secretaries as is possible.

Brother Kelly described the rally/press conference at City Hall at which he spoke in support of SEIU 1021. It is not UESF's intention to take a position against SEIU Local 1021's members' seniority rights, but to support city workers' efforts to fight the city's attempt to cut the budget by laying off and "deskilling" city workers.

Reports

1. President's Report Dennis Kelly
See directly above, regarding the rally at City Hall.

2. Executive Vice-President Linda Plack
- CTA Activities: Shannon O'Hara received a promotion. Sister Plack participated in the interview process for the person who will take Brother O'Hara's position. (Note: There was a discussion about thanking/honoring him for all the work he has done on UESF's behalf.) She described the CTA State Council structure, including committee appointments, meetings and the representation sessions. This time was different because each committee discussed questions and issues that came from the Financing Public Education Work Group. There is a new CTA website, "Stand Up For Schools." Locals are encouraged to have an action or activity in November in response to the budget crisis. She described LULU (originally Large Union Locals United, and now Local Union Leaders United), a caucus of activists started by UESF, which meets during CTA State Council to discuss and move progressive issues forward. There has been a noticeable change in CTA since LULU was founded.

She reviewed the Quality Education Improvement Act (QEIA), its origins and requirements and why we need to showcase it.

- Upcoming CTA conferences: Good Teaching (Sister Samoa is on the planning committee); Urban Issues (Sister Plack is on the planning committee); and Human and Civil Rights (Sister Merriweather is on the planning committee).
- CFT: On January 23, there will be speakers at the EC/K-12 meeting to discuss ways to work to change the California budget structure. (Sisters Plack and Merriweather are officers of the EC/K-12 Council).
- UESF is involved in pushing for joint CFT/CTA action on the California budget and other education issues.

3. Elementary School Committee.....Kit Bell/Rose Currier

The committee has a wonderful first meeting with 13 schools represented. It has had its first meeting with the elementary division assistant superintendents (LEADs). Issues: a) unwieldy report cards; Data Director not customized enough, and there has not been enough training. Hoover Liddell said it is not ready yet. Brianne Meyer of the IT Department was helpful. b) Drinkable water: LEADs said they would look into what school water is tested for and how often. c) Class size: district needs to reprioritize the budget. Not enough 4/5 relief time. d) Race to the Top concerns. e) Big question: whether elementary schools have to use Data Director, be online, and use new report cards. LEAD Wendy Tukloff said these programs are absolutely not mandatory. If principals insist, committee was told to send them to LEADs.

4. Middle School Committee Report..... Patty Golumb

- a) Concern about students evaluating teachers
- b) Principals using “principal’s expectations” in valuations.

5. Paraprofessional Issues..... Carolyn Samoa

- a) Nov. 10: next para retirement meeting.
- b) Brother Kelly and Sister Plack attended the last para meeting to talk about retirement, and Sisters Plack and Samoa did a workshop at the conference about it. It is very important to encourage paras to attend the meetings and stay informed, as UESF works to improve the retirement system for paras.

6. Retired Division Gerry Meister

Flyers were available about actions that can be taken about Social Security Fairness (offset). This issue will be emphasized more after the major work taking place on health care reform.

7. PJHR Committee Report.....Tom Edminster

(Written report attached). UESF looked into why the “Rethinking Schools” subscription was not coming, and learned that the publisher had chosen, without asking or informing UESF, to let the single-issue subscription expire before starting the multiple-issue subscription.

8. Conference Reports

- a) AFT Civil, Human and Woman’s Rights Conference Gale Ow
(Written report attached)
- b) October 24th Conference to Save Public Education..... Aaron Neimark
(Written report attached)
- c) October 24th Conference Magdalena De Guzman
(Written report attached)

New Business M/S/C to appoint Kathy O’Byrne Shewchuk to COPE. Also, Cathy Sullivan’s name was accidentally omitted when names of COPE Committee members were listed at the Assembly meeting.

Old Business

Good of the Order / Announcements: There was a suggestion that members be notified that 4:00-4:15 is time that is set aside for reading minutes and other meeting materials before Executive Board and Assembly meetings start at 4:15.

Members of the Bilingual Community Council will be going into schools to make sure that needs of English Learner students are being met.

Adjournment: 6:36 p.m.

Respectfully submitted,
Susan Solomon, Secretary