

United Educators of San Francisco
Executive Board
Wednesday, December 3, 2008, 4:15 p.m.
Official Minutes

Order of Business

Agenda

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

M/S/C to accept the minutes of the November 5, 2008 Executive Board meeting as presented.

Finance and COPE Finance Reports..... Elaine Merriweather, Treasurer

M/S/C to accept the November 30, 2008 Finance Report as presented.

SFUSD finally paid its portion of the contract printing costs. Printing costs have increased. "Internal organizing" is for the cost of UESF tee shirts.

COPE spent a lot of money on the recent election campaigns.

M/S/C to accept the November 30, 2008 COPE Finance Report as presented.

Special Order of Business

1. Grievance Committee Report..... Stan De Bella
M/S/FAILED to accept the committee's recommendation to take grievance case 0809-17 to arbitration. (AB)

Teacher was denied proper placement on the salary schedule despite their transcripts and contacting the salary office multiple times since their hire in 2002-2003. Violates 11.1.1.2, district policies 4410, 4430, 4450 and 6000

Remedy: To adjust the grievant's pay rate to the appropriate BA+ 60 (already done)

To pay grievant retroactively to date of hire at BA+ 60 (Problem here is that the transcripts were sent by the school to the district and there is no record of them being sent or received by the district. We are putting this up for arbitration to get the mediator involved and hopefully get some recompense for this teacher, maybe 1 year retroactive, we do not intend to put this to arbitration but wish to settle.) All units were taken prior to or in 2002.

Field rep recommends for arbitration.

Committee recommends for arbitration.

M/S/C to accept the committee's recommendation to take grievance case 0809-15 to arbitration. (SS)

No response to step 2

Grievant has 14 students in their ED class. Violates 9.5.7.3

Remedy: Grievant's class size be reduced to the contractual 6-8 THIS school year and grievant be made whole in all respects

Union is working with the district on this matter. They are presently trying to hire another teacher to reduce this class size and should they do that we will withdraw this grievance. But if we do not file this we will lose on timelines and may not get this done.

Principal's response; "We are denying this grievance on the grounds that we have done everything at the site to address this area."

Field rep recommends for arbitration.

Committee recommends for arbitration.

2. Rules Committee Report Tom Edminster

See pages 11-15 of the meeting packet. Thanks to Gerry Meister for speedy turnaround of minutes. Brother Edminster stated that the process of going back and forth between the Rules Committee, constituents, and union leadership was a good and useful model. There was a discussion about the report, especially about dues, what they are used for, how much is enough, how to educate our members. Point of information: dues for California State Federation of Labor come from the AFT dues we pay.

3. M/S/C Constitution and By-Laws ResolutionDennis Kelly
Whereas the following changes in the Constitution and Bylaws are necessary to clarify the language and practices of the union, stabilize the union's finances, and allow for membership growth,

Therefore be it resolved that the Executive Board authorizes the passage of these changes to the UESF Constitution and Bylaws and shall direct that they be presented to the Assembly for first and second reading.

Clarifications:

BYLAWS

ARTICLE I. Assembly and Membership Meetings

Section 1. c. . . . In addition the UBC at each school, unit, or other site shall supply UESF with a complete list of Assembly members and alternates. Elected Building Representatives and UBC members shall be seated as Assembly members if a special election for Assembly is not held at the site. UESF shall compile from these lists a roster of Assembly members. . . .

Section 2. Unless otherwise ordered by the Assembly or the Executive Board, regular Assembly meetings shall be held at least once each month during the regular school year, ~~except that the September meeting shall be held on a date determined by the Executive Board.~~ There shall. . . .

ARTICLE II. Executive Board Meetings

Section 1. . . . The Executive Board shall convene ~~the school year~~ at an August meeting, on a date. . . .

Section 3. One more than half of the Board members shall constitute a quorum.

ARTICLE VII. Building Representatives and Building Committees (p. 14)

Section 4. Elections

a. Building Committees and Building Representatives shall be elected annually, normally in May or the beginning of the school year, by the members. .

ARTICLE VIII. Committees

Section 1. Standing Committees

f. (last sentence) . . . The COPE Director is ~~to be~~ responsible for the COPE financial reports to the Executive Board and Assembly.

ARTICLE XIV. Dues (p. 23-25)

Section 2. b. (beginning of third line from bottom) Delete "h" before "salary."

Section 4. Dues for all Substitute members of the certificated bargaining unit and of the USP bargaining unit ~~Substitute dues~~ are one and half. . . .

Adjunct Membership

CONSTITUTION

ARTICLE IV. Membership

Section 4. Membership in UESF shall be open to those who are employed to provide supplemental services. Membership under this section shall be known as "adjunct membership."

BYLAWS

ARTICLE XIV. Dues

Section 5. Adjunct member dues are one and one half percent of gross salary. Affiliate dues shall only be collected if required by the affiliate agreements.

Dues

BYLAWS

ARTICLE VIII. Committees

Section 1. Standing Committees

c. Budget Committee

ii. The Budget committee shall be responsible *to annually review and recommend any modification* in the certificated dues base (*local dues and affiliate dues*) to the Executive Board for ratification by the Assembly following full notification of the membership.

Section 8. Dues for any non-SFUSD unit shall be set at the time of affiliation with UESF. These dues may be phased in over a period of time to reach full UESF dues levels as soon as practicable.

Section 9. Dues Rates,

a. The UESF certificated dues base shall be Full Dues, Half Dues and Quarter Dues, reflecting the monthly dues categories in effect as of the date of ratification of these Bylaws, January 2, 1991.

b. To ~~establish~~ *change* UESF certificated dues, the Budget Committee shall recommend the certificated dues base, including affiliate dues and fees, to the Executive Board for ratification by the Assembly following full notification of the membership.

ARTICLE XIV. Dues

Section 7. Dues on all stipends and work beyond the school day (including summer school, professional development, etc.) are one and one half percent of gross pay.

Brother Kelly stated that amendments can be made at the Assembly meeting. The portion on dues creates a body that will decide annually what our dues should be and report to the Executive Board. The other part, on stipends, was originally written because there will be \$8-9 million coming to our members through Proposition A and is a reflection of the work UESF members and staff did to pass Proposition A.

M/S/F, 8-15, to separate Bylaws Article XIV, Section 7, Dues from the rest of the motion.

It is Brother Kelly's intention to send the entire package out for a vote. The resolution and the Rules Committee's recommendations will be discussed and amended or accepted by vote at the Assembly meeting.

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

1. Contribution for Civic Center Secondary Janitorial Services..... \$100.00
2. ACLU Bill of Rights Day Celebration, Dec. 7, 2008 10@\$10.00=\$100.00
3. OPEIU, Local 3, "End of the Year Celebration", Dec. 11, 2008 \$100.00
4. SF Housing Action Coalition Membership \$500.00
5. Friends of Harvey Milk Reception, December 13th..... 2@\$75.00=\$150.00
6. 2009 CTA ESP Conference Jan. 15-18, 20093 people, up to \$2,500.00
7. (Retro) Labor Tech Conference, Dec. 4-6, 2008 (registration) \$80.00
8. (Retro) Labor Tech Conference, Dec. 4-6, 2008 (Ad)..... \$100.00
9. (Retro) Fund for Union Democracy, Nov. 18 . 10 tickets@\$100.00=\$1,000.00
(Honoring Sal Roselli)

Resolutions

1. M/S/C Status of 2310 Mason Street..... Linda Plack
WHEREAS after five years we are still at a stalemate with NALC Local 214 over the building we own together; and

WHEREAS the original agreement provides for joint use of the second floor, UESF to occupy the third floor and NALC Local 214 to occupy the fourth floor. Payment for the renovations required to make that happen and bring the building up to ADA requirements will be over \$2 million. UESF pays 64.6% of all costs. For decision making, neither union has a 51% vote; and

WHEREAS UESF has determined that the location and available space does not satisfy UESF's needs; and

UESF has sought to amicably resolve the situation by candidly presenting UESF's concerns to the Letter Carriers by appearing before the NALC membership, and by bringing legal and real estate professionals into discussions with all parties; and

WHEREAS we have maintained that we want to sell our portion of the building. There are buyers who are interested in purchasing the building. NALC Local 214

does not want to sell. We have an offer for 2/3 of the building that would not provide for any joint use of space. For several weeks the NALC 214 leadership has refused to meet.

THEREFORE be it resolved that the Executive Board authorize the building committee to engage in a mediation process with a federal mediator to try to bring the parties together.

2. M/S/C with 4 abstentions to move this resolution to the Assembly with a positive recommendation: Local Implementation of Salaries for Substitutes....Tay McArthur

The resolution, with supporting documents, was distributed at the meeting.

Reports

1. President's ReportDennis Kelly
 - a. SFUSD 2009-2010 Instructional Calendar: UESF took the UESF survey results to the Calendar Committee, which influenced the decision not to make any changes for the upcoming year. The results of the survey were in the meeting packet.
 - b. Prop. A Implementation: There has been one meeting, and 4 more are scheduled. To be done: Develop criteria for what master teachers will do and what their terms will be. Tony Smith will come in to talk about whole-school rewards. UESF does not want it based solely on test scores, and it should not be the same schools year after year. The district has not finalized their hard-to-fill positions list, and is having some difficulty doing so. The list of hard-to-staff schools is completed. There will be some funds left floating this year, though less than anticipated because the city is charging the district for sending the money over. Professional development has become problematic because Francisca Sanchez is uncommunicative. UESF keeps stating that it should be site-based, go on throughout the year, and be about what the staff wants.
 - c. Special Education Class Size.....Eric Hall

Many special education teachers have mild to moderate credentials, but many special education classes are heterogeneous, with both mild-to-moderate and moderate-to-severe students. This raises issues about evaluation, misclassified paras (classified non-severe when they should be severe), and credentialing. It is important to talk with special education teachers and paras about this issue.

2. Vice-President's Report..... Linda Plack
 - a. Personnel Committee Report
(Written report attached)
 - b. Housing Survey: There were 483 responses. 82% respondents rent. 59% live in a flat. More live in San Francisco than in Oakland and Daly City. Price was the most important factor in determining what kind of housing was considered preferable. There was additional information as well. All of the data will be useful in continuing work with the district on educator housing.
3. PJHR Committee Report Lita Blanc
(Written report attached)
4. Middle School Committee Report Marilee Hearn

Issues raised in meeting with assistant superintendent Joan Hepperly: A) There are 60 students in some PE classes. She agreed that is too many, but said contractual class sizes

are goals. B) Professional Development and Balanced Scorecard: How will this be tied into evaluations? Some teachers thought PD should be to discuss this. She does not know what the PD will be. C) The district sends out information to principals via Hepperly. She denied it, but a teacher had a copy of "Notes from Joan." The Committee said that UESF members should see what it is that impacts teachers. She agreed. D) Master schedules should be completed before summer so teachers know what they will be teaching. E) Counselors at middle schools do not have time to schedule students after master schedule is completed and to make Changes after the 10-day count. F) Some schools don't have early release. Middle school staffs are supposed to ask after school programs to keep students if they want to meet. This is not an adequate remedy.

5. Elementary School Committee Report.....Darcie Chan Blackburn

The first meeting of the year with the assistant superintendents is on December 4. The calendar is set for meetings on the first Thursday of every month. Issues: A) some principals are requiring teachers to attend more than 2 meetings a month. B) Requirements for submitting report cards to principals before distribution vary from school to school. C) The pilot of the use of electronic report cards in its third year. There are different stories of how this use is being implemented.

6. Paraprofessional IssuesCarolyn Samoa

The State Nurses Association sued so that nurses are not required to train non-nurses to administer insulin. This extends to other medications. The district is asking if the Sacramento Supreme Court ruling applies to SFUSD.

7. Substitute Issues Liz Conley
(Written report attached)

8. Retired Division..... Gerry Meister

The Rates and Benefits Committee has started meeting. The three HMOs came in with their proposals. Kaiser has proposed a 5.5% increase; Blue Shield, 15%; and PacifiCare, 65%. The committee recommended that Kaiser be accepted and Pacificare be dropped.

Ramiro Cruz has been in intensive care for a month.

Good of the Order / Announcements: service for CAC woman at GJ Lau tomorrow at 4:00.

Adjournment: at 7:06 p.m. in memory of retired teacher Robert Martin, retired CDP substitute Janice Sandles, and member Ida Stanford's husband, Leon Stanford.