

United Educators of San Francisco Assembly Meeting

Wednesday, February 20, 2002, 4:00 p.m.

Minutes

The meeting was called to order at 4:20 by President Mitchell.

Minutes

Approval of Minutes**Dennis Kelly**

MSC to accept without changes.

Reports

1. Vice President's Report.....**Rudi Faltus**

- The California Labor History class is underway and there is also a series of UBC trainings. Work will be done on School Site Councils in the future.

- The TB test letter that has gone out from the district has upset many people. The date is clearly wrong. The district needs to be in compliance with state law. The members of the Assembly registered anger at the way that the whole matter was handled and the expense while sharing understanding of the need for the district to be in compliance. The union could respond in the same fashion that at least one high school did. The district has a data file of personal information on teachers and other employees that is different from the personnel files on each individual.

2. President's Report.....**Kent Mitchell**

- **Weighted Student Formula:** This program has the potential to have a great impact on the way business is done in the district. It will put major decision-making power in the hands of the School Site Councils. Its history goes back to the early 90s. Robert Golton supported it at that time. It takes money that would have gone to a school and puts it into the hands of the School Site Council. The site has the power to spend the money within the confines of law and contractual agreements.

Some schools could get more money because "weights" could be added for poverty, language development, specific grade configurations, or other factors which are determined. High schools and fourth and fifth grade classes look to be the first beneficiaries of the program. The entire thing needs to go through the whole Board of Education process and emerge in March.

The discussion on the floor raised many concerns about possible dangers that can arise from the Weighted Student Formula and the time and involvement that it demands. The district seems to be the arbiter of decisions on its side if there is a dispute. The potential impact of School Site Council decisions on paraprofessionals is something to watch. The need for time for teachers to work on additional responsibilities was raised. The role of parents in making decisions that are based on professional concerns was questioned.

At this point the matter is a proposal by the district. It is in their purview to present it as educational policy. The union that may have some influence on it through bargaining.

The union has had participation on this committee for a year and a half. (Other task forces have not had participation by union members. The president reported that there have been three follow-ups to the notification of the need to place union members on the task forces.) The meeting segued into a discussion of the role of the union in district task forces and decision-making. The absence of a defined union position was noted. The need to make a direct presentation to the Superintendent and to hold her responsible for the failure to involve union members was also noted.

MSC that the union strongly protest the lack of involvement of union members on district task forces, committees, and other district bodies, and demand that the district place UESF-appointed representatives on these task forces, committees, and working groups and provide adequate notification of all such meetings (5.11 SFUSD-UESF Teachers' Contract).

MSC to amend by including: to demand a moratorium on all findings of the task forces, committees, and other district bodies which have been meeting during this year without UESF-appointed representation.

MSC to amend by including: The union will grieve this matter if the district fails to respond appropriately

(The motion was passed unanimously.)

• **McAteer Closure** There will be a meeting of a task force on the closure of McAteer and the move of SOTA into the McAteer building. President Mitchell has been involved in two meetings regarding the placement of teachers and students. The Human Resources department will consider the teachers as consolidated, thereby giving them the highest priority for placement. The history of the students who were at Wilson when it was consolidated has been introduced into the discussions with the district. At present the district is planning to offer three schools to the students at McAteer. Places at other high schools will be held for McAteer students. This is to be accomplished by the 18th of March. All personnel movement is to be finalized by the middle of May. Teacher placement is to precede implementation of the Weighted Student Formula. Discussion from the floor raised the SOTA concern about movement to McAteer and the overall concern of the district making a decision to move ahead with this activity without involvement of the union and other stakeholders.

• **PARS** The initial language came in the August 2000 contract and sought to create a PARS plan which reflected the previous successful one. There was also mention of the changes in the STRS retirement program. In April 2001, management came forward with a plan for a June retirement date for the August 2000 agreement. The generous offer was not questioned. Nor was the authority of the negotiator checked. Between August 2001 and September, new Chief Financial Officer, Sarah Hart developed concerns about the program. Fiscal questions were not forwarded to the union. They now acknowledge that they did not know how to talk to the union about their concerns. Instead there were suggestions that there were questions about replacing all the potential retirees.

Last Friday, after the UESF demonstration at the Board of Education, the Superintendent sent the matter back to the bargaining arena for more discussion. There are questions about the numbers that the district used to calculate the PARS offering and there will be discussions about the possibility of other plans or programs that will meet the needs. The fundamental issue of not costing the district additional money is still a guiding principle.

Information sharing remains a difficult issue for the administrators of the district. Bad news can be understood, but surprises are not appreciated.

The Assembly members engaged in a discussion of Social Security issues, the costs to the district, the costs to the individual, and the potential for savings.

• **Bargaining update**

There has been a fairly intense concentration on the salary issue. California School Services has provided tables on comparability so far. In the Bay Area and the state, SFUSD beginning teacher salaries are doing all right, but SFUSD middle and senior salaries do not. It is expected that on 12 March there will be an interim report on where the district's money is so that we can identify what is available. We are seeking a competitive position with regard to other teachers and districts rather than a specific percentage. It is hoped that the issues of salary will be decided and that a contract will be available for a vote before the end of the school year.

Discussion from the floor touched on the anger that is felt in the schools over the lack of specific information.

Action

New Business

1. Resolution on PARS.....Ken Tray and Sandra Mack

WHEREAS the teachers of the SFUSD were assured that the PARS supplementary retirement plan would be offered barring only a failure to enroll enough teachers in the program, and

WHEREAS hundreds of teachers have made life plans based on that assurance, and

WHEREAS it is the understanding of the UESF that the SFUSD is contractually mandated to offer the PARS supplementary retirement plan if two specific triggers regarding enrollment are met, and

WHEREAS it is the understanding of the UESF that one of the triggers has been met and the other would be met if a good faith attempt were made to do so, and

WHEREAS the reasons for not offering the PARS supplementary retirement plan which were

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given by Superintendent Arlene Ackerman in her January 30, 2002 letter to plan enrollees does not relate to the two contractual triggers, and

WHEREAS the reasons given by superintendent Ackerman for not offering the PARS supplementary retirement plan depend on the financial analysis contracted by her consultants and contradicts the analysis produced by the PARS consultants,

THEREFORE BE IT RESOLVED that the UESF coordinate a campaign for the purpose of informing the superintendent and school board members that regardless of the legal issues involved, the failure to offer the PARS supplementary retirement plan is viewed as a betrayal of the teachers of San Francisco of such monumental proportions as to make it difficult to maintain positive relations between teachers and the district.

MSC to amend

Be it further resolved that UESF obtain from either CFT or CTA a statement of confidence or no confidence in California School Services and its dealings.

(The amendment and the resolution passed unanimously.)

2. Interest Based Bargaining Resolution.....

WHEREAS interest-based bargaining is a collaborative and trusting relationship between SFUSD and UESF, and

WHEREAS UESF has made every effort to participate fully in good faith, and

WHEREAS the Superintendent has made decisions which have undermined the very spirit of collaborative relationships, and

WHEREAS, the last minute betrayal of the long standing promise to implement a third PARS early retirement incentive, a promise which was reiterated by the Superintendent at the September UESF leadership conference, and

WHEREAS the District again undermined the collaborative working relationship when teachers and paraprofessionals of McAteer were notified of the District's plan to close McAteer, without notification to the Union leadership entrusted by the members to speak and negotiate for them in dealings with the District, and

WHEREAS Interest Based Bargaining is a process wherein the participants are equal partners in sharing information that results in informed decisions that affect the teachers and paraprofessionals represented by UESF, and

WHEREAS there was a meeting with the CFO wherein the participants are equal partners in sharing information that results in informed decisions that affect the teachers and paraprofessionals represented by UESF, and

THEREFORE BE IT RESOLVED that the Union and the District must immediately work jointly to review and recalculate the cost of the third PARS, and look at alternatives for compensations;

THEREFORE BE IT RESOLVED that the President report the results of these deliberations to the Executive Board in a timely manner so as to assess the progress and effectiveness of this joint effort, and

BE IT FINALLY RESOLVED that unless the Superintendent works with the union leadership to find a good faith compromise to remedy the injustice visited upon the prospective retirees by the District's abandonment of their promise, we must critically examine our commitment to interest-based bargaining.

MSC to amend the final resolved by replacing "critically examine" with "terminate".

MSC to replace "to find" with "and finds".

Insert as the sixth Whereas:

Whereas Task Forces have been created by the District without the union's knowledge or participation in violation of the contract, and

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MSC to replace “compromise” with “solution”

Old Business

Good of the Order

The OHMY conference will be held at Horace Mann on 2 March.

The Counselors Committee meets March 13.

Publications on testing and the current state of war were available for the members.

Adjournment

The meeting was adjourned with a moment of silence in memory of Wendy Cheung, a student at Lincoln High School.

The meeting adjourned at 6:55.

Respectfully submitted,

Dennis Kelly,

Secretary