

**United Educators of San Francisco  
Assembly Meeting  
Wednesday, January 21, 2004, 4:00 p.m.  
Minutes**

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**Minutes**

Approval of Minutes ..... Susan Solomon  
M/S/C to accept the December 17, 2003 Assembly minutes as presented.

**Financial**

Financial Report..... Elaine Merriweather  
M/S/C to accept report as presented. M/S/C to move into COPE. M/S/C to accept COPE report. M/S/C to move out of COPE.

**Special Order of Business**

1. Nomination of Delegations ..... Susan Solomon  
All members in good standing are hereby nominated for delegations to the NEA/RA, CFT, and AFT.
2. Proposition J
  - a. Pro: ..... Jaime Rossi
  - b. Con:..... Fernando Marti

The guest speakers each made a presentation about Proposition J, a housing initiative, and distributed written information. The SFLC will vote on January 26 on whether to endorse the proposition.

M/S/C to postpone consideration until the February Assembly meeting.

3. Calendar Consideration ..... Dennis Kelly

Delegates from many school sites reported on the preference votes taken at their schools. There were several questions asked and answered.

M/S/C to direct our UESF representatives to advocate for the "Draft B" calendar and to suggest a) that the first semester end before winter break; b) that the professional development day, which is on the last day of school, be moved to any other day; and c) that Wednesday, November 26, the day before Thanksgiving, be a day off due to high absenteeism on that day.

4. Spring Conference ..... Linda Plack

On the back page of January's *The Educator*, there is article about the Spring Conference and a schedule of workshops. An educational issues conference is being combined with the retirement planning conference, which has taken place for the last 7 years. The conference will be at Lincoln High School on Saturday, February 21. More flyers will be distributed at schools.

**Resolutions**

M/S/C By-Laws Amendment (Recommended Pass)..... Avery Allen

Full Dues – for those certificated members and Child Development Program permit teachers working full-time and earning a salary at or above that set in Schedule I, Rating 2A for the K-12 Fully Credentialed Teachers and in Schedule IV, Rating 02 for the Full-time Child Development Program Teachers.

Half-Dues – For certificated members in the K-12 Program working 0.5 FTE or less, for certificated and permit members in the Child Development Program

working 0.57 FTE or less, members on sabbatical leave or paid sick leave for more than thirty work days duration and Emergency credentialed or intern teachers.

There are CDP teachers and paraprofessional who work part time and in the CDP substitute pool, and they pay dues for both. There are also CDP members who work as teachers, paraprofessionals and substitutes and pay dues for all three. If this bylaw amendment passes, teachers and paras in CDP working as both teacher and para or substitute will pay the single highest dues of the position worked, but not all of them.

This was the first reading of the proposed amendment; it will be voted on at the next Assembly meeting.

1. Delegations to Conventions and Assembly (Recommended Pass)..... Elaine Merriweather  
..... Elaine Merriweather
  - a. CFT (19-21 March). 15 and 5 alternates @ up to \$600.00 each delegate
  - b. NEA/RA (1-6 July).... 10 and 5 alternates @ up to \$2000 each delegate
  - c. AFT (13-17 July).....10 @ up to \$2000 each delegate

Amendment: to increase CFT delegates to 15. M/S/C (The original recommendation called for 10 CFT delegates.)

M/S/C for expenditures for conventions and assembly.

The benchmark for the cost for attending the NEA convention is based on the amount CTA pays for its delegates to attend.

UESF members can run for NEA as state delegates, and thereby increase our delegation number. If members run for both state delegate and UESF delegate to NEA/RA, they have to choose one. It was recommended that members pick one convention for which they wish to run as a delegate, so that the participation of others who are running is not affected. There was discussion about increasing numbers of delegates and in contrast, about keeping reimbursement high so people can afford to go.

2. M/S/C Removing of non-attending SFLC delegates (Recommended Pass)..... Dennis Kelly  
..... Dennis Kelly
  - a. Kent Mitchell
  - b. Rudi Faltus
  - c. Peggy Gash

After the positions are vacated, there will be recommendations at the next Executive Board meeting to fill the vacancies. This is part of an attempt to make SFLC a more viable labor organization. The members in question were notified about the amendment to the UESF bylaws on three different occasions.

UESF is the third-largest local in SFLC. We have been underrepresented on the SFLC Executive Board. We are the only local with 2 vice-presidents on the Executive Board.

3. M/S/C on Affiliation with United States Labor Against the War (USLAW) (Recommended Pass) .....PJHR Committee

Whereas UESF has acted in concert with USLAW since its inception in the Spring of 2003; and

Whereas UESF encouraged the affiliation of CFT and CTA to USLAW (E Board 12/3/03; Assembly 12/17/03); and

Whereas UESF desires to be a part of and help in organizing anti-war voices and sentiment in the US labor movement, and

Whereas our sister local of both CTA and CFT, the United Teachers of Los Angeles, has moved to affiliate with USLAW [UTLA House of Reps 12/03/03];

Therefore be it resolved that UESF declare its intention to affiliate with USLAW; and

Be it further resolved that UESF will seek to strengthen USLAW among labor and educator organizations locally and nationally; and

Be it finally resolved that UESF will make an affiliation contribution of \$250 to USLAW.

Clarification: Union locals move to affiliate with USLAW, and USLAW then votes on approving the affiliation.

4. Vacation Pay Claim (Recommended Pass) ..... Personnel Committee

The Executive Board recommends to the Assembly that Rudi Faltus' claim for additional vacation pay compensation be rejected.

Sister Faltus spoke, urging the Assembly not to vote on this, as it is a personnel issue, and she feels it should not have come before the Assembly. She feels it was personal.

M/S/C to return this item to the Personnel Committee.

It will then go to the Executive Board again. The Executive Board can choose not to move it forward to the Assembly. Originally, the Personnel Committee made a recommendation to the Executive Board. President Kelly explained that the intent was to sunshine it and to bring it to the larger body in an attempt to minimize political and personal issues.

M/S/C to change the order of business so the Academic Freedom Committee report could be given.

5. Academic Freedom Committee Report .....Jeremiah Jeffries

The committee met on January 14, 2004, at Martin Luther King Jr. Middle School. Members present were: Denise Holian, Bill Thiele, Tim Hiler, Chris Miller, James Galgano, Claudia Haas, Kit Bell, Jeremiah Jeffries and Mark Murray.

Members are upset at the way that the new reading programs are being mandated. Former reading programs have been discarded. Effective and costly books sit idle in closets. Why aren't teachers allowed to use a curriculum that they spent so much time and energy to design and develop? We feel that the general public should be notified of this mismanagement and waste.

The committee feels that in order to meet the needs of all students, you

can't  
just use a scripted program.  
We feel our diverse population of students and their many different levels and learning styles requires diverse approaches to teaching. Educators' power to judge needs to be defended, championed and protected in our contract.

The committee developed a working definition of Academic Freedom:

Educators having the right to choose, create, adapt and use curricula, methods and materials to facilitate the diverse learning needs of students, to help students meet the State Standards.

The committee would like input and comments from the membership. Please let us know what is happening at your site. Have there been any infringements upon your academic freedom?

- 6. Substitute List (Recommended Pass) ..... Sandra Mack  
M/S/C to postpone to a future meeting of the Assembly due to uncertainty about the amendments made to the original motion when it was presented to the Executive Board. Sister Mack apologized for the confusion.
- 7. M/S/C Arbitration Policy (Recommended Pass) ..... Sandra Mack  
The purpose of arbitration is to appeal to a neutral authority a negative decision by the administration in a case of particular import to the bargaining unit. It must be recognized that an arbitrator is neutral and therefore, in addition to justice for the individual, the criteria to be considered must include, in descending order of importance, the effect on the bargaining unit, language of the contract, other relevant laws, regulations, and practices, and financial resources available to the union.

#### Role of the Field Representative

Immediately following the loss of a grievance at step 2 the Field Representative is to advise the Grievant of the loss and advise him/her that the grievance was denied and advise the Grievant that the case is being forwarded to the Grievance Committee which may make a decision to proceed or not proceed to arbitration. The Field Representative is not to express to the Grievant an opinion on the probable outcome of the Committee's deliberations, but is to advise the Grievant of his/her right to appeal that decision to the Executive Board.

The field representative is to prepare a summary and analysis of the issues involved for the chair of the grievance committee with a copy to the president. The summary need not include a recommendation by the field representative, but is to include a statement of the grievance, both the strengths and weaknesses of the case, and a description of any relevant witnesses and documents. If possible, the field representative should be available as an information source during the deliberations of the Grievance Committee.

#### Role of the Grievance Committee

As soon as practical following the denial of a grievance at Step 2 the chair of the Grievance Committee or the president may forward relevant information to legal counsel and request a recommendation regarding arbitration.

The chair of the Grievance Committee is to report to the Grievance Committee, which is to make a report to the Executive Board. The Committee will promptly report to the Executive Board, including a decision on whether to proceed to arbitration. In either case the chair of the Grievance Committee or the President is to notify the Grievant of the Committee's decision and advise the Grievant of his/her right to appeal the decision of the Committee.

When possible the Grievance Committee's report is to include an assessment by legal counsel. If such an assessment is not available at the time of the report to the Executive Board the committee's recommendation is to include language such as, "pending evaluation or recommendation by counsel."

#### Role of the Executive Board

As soon as practical following the Grievance Committee's deliberations the Executive Board is to receive and act on the Committee's report. The Executive Board will hear from the grievant if he/she desires to appeal the Committee's report. The decision of the Executive Board shall be final; the decision may include wording such as, "pending a recommendation by legal counsel."

This resolution sets up a policy to standardize how grievances are handled. In addition, the District will no longer allow for the time it takes for a case to go to the Executive Board twice, once to hear it and a second time to hear from the grievant.

M/S/C to extend meeting, with every report limited to 2 minutes.

#### **Reports**

1. Retired Division ..... Marjorie Stern

There are currently almost 400 members, and the division is still growing. Last year, 134 teachers retired, and 64 joined the Retired Division, which is the largest percentage ever to join. Sister Stern pointed out that we are all responsible for urging retirees to join the Retired Division. Retiree Claire Dunn, who sits on the Insurance and Medical Committee, represents all members, not just retirees. Retired teachers have a choice of joining UESF's Retired Division or CRTA, which includes administrators.

2. Middle School ..... Marilee Hearn

Meetings will be held at different sites this year.

3. Counselors..... Amy Loomis

The committee continues to work on the same ongoing issues. The next meeting is on February 12 at 4:00 at SOTA. The committee needs to know who has PPS credentials. There is a subcommittee to address contract issues. Other issues include Lowell applications and the burden on 8<sup>th</sup> grade counselors, the Truancy Abatement Program, and insufficient professional development. No PPS, counselors or middle school representatives were involved in the District's Safety Committee. (Note: No one has been appointed to the Safety Committee.)

4. Child Development ..... Betty Robinson-Harris  
Concerns: Recent consolidations of CDP paraprofessionals and the short notice and quick placement of these consolidated paras. There is the ongoing issue of budget enhancement. Correction to meeting schedule: the next meeting is on February 2, 6:00, at the UESF office.

5. High School ..... Ken Tray  
The next meeting is on February 28 at 4:15 at Marshall High School. The committee will continue to have a dialogue on east-west side schools and will be preparing for the Spring Conference workshop on the issue.

6. COPE: Next week, there will be a workshop for Proposition 56, the Budget Accountability Act, on Thursday, February 5 at Everett Middle School, 4-7, sponsored by CFT. Dinner will be provided.

Proposition H, the Great Schools, Great City charter amendment, needs phone bankers for the campaign. Phone banking starts next Tuesday, and will continue every Tuesday, 3-8 p.m. at Coleman advocates. Sign up!

7. Elementary School ..... Susan Solomon  
Sister Solomon urged members to turn in their elementary school surveys. The information from these surveys is needed for negotiations. The elementary school workday and the length of the kindergarten instructional day are issues that will be addressed in negotiations starting on February 3.

8. Substitutes ..... Sandra Mack  
The disqualifications which were sent out were rescinded. There appear to be issues concerning site support substitutes; the committee is investigating.

9. Paraprofessionals ..... Bradley Reeves  
The demonstration before and during last week's Board meeting, to protest the proposed paraprofessional layoffs, drew 150-200 participants. There was only a partial victory, as the layoffs were postponed for two weeks so Board members can receive more information. UESF members need to attend the next Board meeting as well to show support. Six CDP consolidations did go through—apparently, these consolidations do not need to go through the school board. Split shifts are being pushed for CDP paras. One consolidated para would not agree to a split shift, and that is why she was consolidated; she was not the least senior para. Members were encouraged to give their e-mail addresses to UESF so they can receive e-mail blasts. Everyone should help distribute copies of these blasts at sites.

10. Health and Safety ..... Hene Kelly
- a) In *The Educator*, there are health and safety notes monthly. Sister Kelly would like input about health and safety concerns.
  - b) The District's Safety Committee does not have teachers and paraprofessionals on it.
  - c) Indoor Air Quality: UESF is working with the District to assure that schools are clean, asthma-friendly and custodian-friendly.
  - d) The annual AIDS Walk is in July.

11. Negotiations..... Susan Solomon  
There have been two negotiating sessions this month. Negotiations are still moving slowly. Although we had hoped to get to reopeners on January 20, it did not quite happen. We expect to move to reopeners regarding the elementary school workday and ways for paraprofessionals to meet the requirements of the No Child Left Behind mandates at our next bargaining meeting.

We have spent a significant amount of time reviewing and analyzing data provided by both the District and CTA regarding the budget in general and on compensation in particular. Lee Lipps, Research and Finance Consultant for CTA, gave a thorough and illuminating budget report on January 20.

We continue to discuss issues concerning CDP and revenue enhancement. Dr. Mary Marin has been assigned the task of answering our questions about CDP. Her reports thus far have been something less than thorough and illuminating.

***Good of the Order***

Derrlyn Tom's excellent presentation, "Report Back from Federal Prison," on January 15, co-sponsored by the Peace, Justice and Human Rights Committee and Teachers for Social Justice, drew a large, broad based turnout.

Fred Glass' labor studies class began on January 15 with enough students enrolled.

Boycott Safeway! Safeway is the main target, according to UFCW.

UESF was urged to examine the governor's proposed bond measure.

Members were urged to press for participation in the Safety Committee.

Brother Kelly apologized to Sister Faltus, as she felt that the motion regarding her request was a personal attack.

***M/S/C to adjourn at 6:40.***

Respectfully submitted,  
Susan Solomon, Secretary