

**United Educators of San Francisco
Assembly Meeting
Wednesday, February 17, 2010, 4:15 p.m.
Official Minutes**

Minutes 4:00 p.m. (Sign-In and take a voting card - please read the resolutions at this time.)

Approval of Minutes Susan Solomon

MSC to accept the January 20, 2010 Assembly meeting minutes as presented.

Financial Report Elaine Merriweather

MSC to accept the January 31, 2010 Financial Report as presented.

COPE Financial Report Ken Tray

MSC to accept the January 31, 2010 COPE Financial Report as presented.

Special Order of Business

1. MSC: Constitution & Bylaws Amendments Rules Committee

ARTICLE II Purposes

Section 1 After "(SFUSD)" insert "and other UESF members".

Section 2 Change last word: "goals" to "purposes".

Section 3 "...SFUSD" insert "new and other non-certificated UESF members".

ARTICLE VI

Section 1 Change Format so A, B, C are indented.

Section 3 Add "on base salary" at the end of sentence following "...dues".

ARTICLE VII

Section 2 Insert after "bilingual" "credentialed support services, and the Chairperson of the Retired Division".

Eliminate "~~one credentialed support services provider.~~"

Insert after "members-at-large" "at least one at-large seat shall be designated to represent UESF members who are not SFUSD employees."

Following "ten USP members..." Strike ~~first bullet~~

Retain second bullet

Strike ~~next 3 bullets~~

Retain final bullet up to the end of

the parenthesis.

Insert "seven members from the

A,N,S,P and R series".

Re-order the letters beginning with new "a." that starts with the following wording deleted from the previously last bullet: "UESF members who are elected officers..." to the end of that paragraph.

Section 3 Strike bracketed phrase at the end

BYLAWS AMENDMENTS

ARTICLE 1 Assembly and Membership Meetings

Section 5. lower case "M" for membership

ARTICLE 3 Divisions

Section 2. There shall be a substitutes' division of UESF (Substitutes division).

- b. (new) “Employed” for the purpose of this section shall mean working regularly and in good standing with the union. (Remaining subsections to be lettered sequentially).

ARTICLE IV Nominations and Elections

Section 3. Strike “~~and Retired Division members~~” (pending Retired Division’s change of their Bylaws to allow for the election of a Retired Delegate to the Labor Council).

ARTICLE IX COPE (Committee on Political Education)

Section 4. After “notified by” insert “either”.
After “publications” strike “~~and~~”; insert “or”.

ARTICLE X Rules Committee

Section 3a After “Committee”, strike “~~shall~~” and insert “may”.
Section 3b Strike “~~initial~~” in line 2 and the final words following “Assembly”. Insert period. Insert “The Rules Committee’s recommendations shall be presented to the Executive Board at its next meeting following referral by the Executive Board. Failure of the Rules Committee to Report or make a recommendation shall not prevent the matter moving to its first reading.”
Section 3e Strike “~~approval~~” (last line) and insert “consideration”.

Resolutions (*Recommended for Approval by the Executive Board – 30 minutes total)

1. Carried: *Transparency..... Dennis Kelly
Whereas, Superintendent Carlos Garcia presented the SFUSD administration’s response to the budget crisis for the next two years; and

Whereas, the Superintendent presented several ideas for closing the financial chasm that involve changes in the current contracts of certificated and classified workers; and

Whereas, any consideration of any contractual changes must be based on absolute transparency of the district’s budget and complete opening of the district books, and

Whereas, the Superintendent is the ultimate decision-maker for the administration and must be available for budgetary discussions if there is to be effective consideration of the situation; and

Whereas, the union must have time to peruse the books and explore the assumptions on which district financial presentations are made;

Therefore, be it resolved that UESF calls on the SFUSD to open its books and respond promptly to questions and concerns raised by the union to fully understand the situation and consider its response to the district.

MSC to take the President’s Report out of order.

1. President’s Report..... Dennis Kelly
 - Change of April Assembly & Divisional meeting Dates, Assembly to 4/28 and Divisional to 4/21

- Negotiations Report: SFUSD asked for small bargaining teams and then brought 10 people for their side, some of whom had never been present before. (SFUSD knew UESF would have its usual bargaining team of 14.) Deputy Superintendent for Policy and Operations Myong Leigh did the same presentation that he and Superintendent Carlos Garcia had done at the January Assembly meeting. The UESF Bargaining Team asked many questions about SFUSD's proposed cuts. Senior Executive Director of Labor Relations Tom Ruiz complained that UESF gave him 5 pages of questions. It took 5 hours to get through all that. The next negotiations meeting is February 23; SFUSD's plan is to talk about what we want to talk about. UESF is not going to do that, as we want answers to the questions we asked them on the 10th. Our consultants are working on a general sunshine proposal, which will say we are opening on terms and conditions of employment, such as elementary prep time; not allowing principals' expectations to be used in evaluations; using a hiring hall approach for consolidated teachers; paternity leave; binding arbitration for paraprofessionals; one seniority date, their date of hire, for paras . Garcia didn't attend negotiations, but Deputy Superintendent for Instruction, Innovation and Social Justice Richard Carranza did, which is a first. Garcia wants negotiations to move quickly. UESF is not going to let UESF set the timeline. Brother Kelly described the role of each UESF bargaining team member, and which constituency each represents. Lita Blanc, who had been appointed to the bargaining team, informed Brother Kelly that she had decided not to remain as a member of the team.

Return to Resolutions:

2. Moot: *Bargaining Team Linda Plack
Whereas, saving jobs and the maintenance of conditions in the midst of the ongoing fiscal crisis is the paramount concern of the union; and

Whereas, UESF will be called on to enter into discussions about those options which will best save jobs; and

Whereas, UESF must also maintain awareness of the need to maintain benefits, salaries, class size, and other items

Therefore, be it resolved that although the district and UESF have not entered formal negotiations, the president shall be directed to call together the bargaining team or a subset of it to deal with the school district and these issues, and

Be it further resolved that UESF submit status reports to the membership with as many details as possible.

The chair ruled that the resolution was moot because the action called for has already been taken. The ruling of the chair to declare the resolution moot was challenged. The vote to sustain of the ruling of the chair was 29-20.

1. Carried: *Endorsement of March 20th Anti-war ActionsPJHR
Whereas, March 20th, 2010 marks the seventh anniversary of the illegal invasion and occupation of Iraq by U.S. and allied forces; and
Whereas, the anniversary is an occasion for antiwar protests across the U.S. and around the world; and

Whereas, all the major antiwar coalitions and organizations, including U.S. Labor Against the War (USLAW), have called for and endorsed participation in antiwar events to mark the anniversary; and

Whereas, the current economic crisis makes it even more urgent that the U.S. end its illegal occupation of Iraq and Afghanistan, and radically reduce the size of its military budget to make available resources needed to fund social services, job creating infrastructure projects, health care, education and other unmet needs; and

Whereas, many other peace and social justice organizations will conduct antiwar activities to commemorate this 7th anniversary, including a mass march and rally in San Francisco on March 20 ---which will have a labor contingent; AND

Whereas the March 20th rally and march will also support and highlight the struggles of the workers of Local 2 UNITEHERE in their battle with local hotel employers;

Whereas the Bay Area chapter of US Labor Against the War is also planning a labor-focused educational forum for the morning of Saturday, March 20th [before the march and final rally] with a focus on the human and economic costs of the US intervention in Afghanistan; and

Therefore be it resolved, that United Educators of San Francisco endorses the March 20th Coalition march and rally, and that UESF also endorses the Bay Area USLAW pre-march labor educational forum, and

will help to publicize these events, and mobilize union members to participate in both the labor rally and the labor contingent; and

Be it finally resolved, that UESF shall donate \$100 to the Bay Area Chapter of USLAW -- via a contribution to Labor for Peace and Justice --- to help underwrite the expenses of the Bay Area USLAW forum.

2. Carried: *Local Control of Funding..... Linda Plack, et al

WHEREAS, Californians for Improved School Funding, an organization of concerned educators and citizens, is seeking signatures to qualify a statewide initiative, the Local Control of Local Classrooms Funding Act (the "Act"), for the November, 2010 ballot; and WHEREAS, the Act would amend the California Constitution so that parcel tax measures for local school districts can be approved by 55 percent of the qualified electors; and WHEREAS, such measures currently require a two-thirds supermajority margin for approval; and

WHEREAS, previous attempts to lower the threshold for voter approval via legislative means have not proven successful; and

WHEREAS, reductions in the state General Fund revenue have led to significantly reduced school funding; and

WHEREAS, the Governor's \$20 Billion cuts in education has led SFUSD to propose:

- Teacher and paraprofessional layoffs
- Furlough days
- Increased class size
- Freeze in salaries
- Suspension of sabbaticals
- Other cuts in compensation and essential programs and services; and

WHEREAS, state General Fund revenue is unstable and erratic, which results in unpredictable funding levels for school districts and county offices of education; and

WHEREAS, local parcel tax revenue can provide a stable, predictable source of school revenue; and

WHEREAS, approval of the Act will empower local voters to invest in their schools based on the needs of their communities by requiring a tough, but fair, 55 percent vote to pass local parcel taxes, while protecting taxpayers and homeowners with accountability provisions that will ensure that funds generated from parcel taxes are not wasted or mismanaged; and

WHEREAS, by allowing communities to directly support their schools with local resources, this proposal enables those communities to fund important educational programs and initiatives, including:

- Attracting and retaining qualified teachers;
- Retaining smaller class sizes;
- Supporting strong core academic programs; and,
- Maintaining art, music, physical education, athletics, and student support programs;

NOW, THEREFORE BE IT RESOLVED that UESF fully endorses the Act.

MSC to suspend Art. IX, section 7 of the UESF Bylaws for this meeting only so that endorsements could be voted done during this meeting.

MSC at 5:24 p.m. to extend debate by 10 minutes.

3. Carried as amended: *Contract Vote.....Magdalena deGuzman and Kathleen Cecil

Whereas SFUSD is faced with \$113 million shortfall for the next two school years; and

Whereas, Superintendent Garcia's proposal for budget cuts was presented as an emergency measure that must be agreed to quickly Whereas, Board of Education president, Ms. Jane Kim expressed that the proposal be put on the homepage of SFUSD, so that stakeholders have access to the information; and

Whereas, UESF's demand is to “open the books” and for complete transparency from the district,

Therefore, Be it Resolved that UESF reaffirm its assurance to members that they will be informed about the process of bargaining via the various means of communication.

MSF 29-26 amendment (as amended below): Therefore be it resolved that UESF distribute a survey to our members and consult the divisions in order to allow the Executive Board and Assembly to set priorities for the bargaining team.

M/S strike “distribute a survey” and substitute those words with “consult the divisions”.

MSC to amend the above amendment by adding “and consult the divisions” after “distribute a survey to our members.”

MSC to extend debate at 5:34 and 5:51.

MS: amend the resolution by amending Article XII of the bylaws, which is about the Living Contract Committee, in order to have a ratification process for contract changes.

Brother Kelly suggested to Tom Edminster, the maker of the above amendment, that there might be a simpler way of attempting to accomplish what he was attempting to do with the amendment, and that he would work with him to develop a resolution for a future meeting.

MS: to strike the words “and that the ratification process follow the Constitution and the Bylaws” after “communication” in the resolved, and put a period after “communication”.

4. Carried: *California Democracy Act.....Dennis Kelly, et al.

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.

5. Carried with 1 abstention: *Torlakson Endorsement.....Dennis Kelly, et al.

Whereas Tom Torlakson is a former classroom teacher, coach and member in good standing of the CFT; and

Whereas as member of the State Assembly he authored legislation that led to the largest after school program in the nation that now reaches 4000 schools, authored QEIA which dedicates \$3 billion to our lowest performing schools, championed numerous other bills in support of public school and public school educators; and

Whereas, Tom Torlakson is the only candidate for State Superintendent who is both an elected official working to improve schools and a former classroom teacher and coach; and

Whereas, According to CFT Political Director Ken Burt,
“Of all the candidates for this office, the CFT believes Tom Torlakson is the one who has the integrity, intelligence and experience to be an outstanding Superintendent...”

Therefore be it resolved that UESF endorse Tom Torlakson for State Superintendent of Public Instruction.

6. Carried w/ 3 abstentions: *Ammiano for Assembly Endorsement.....Linda Plack, et al.

Whereas Tom Ammiano is a former San Francisco classroom teacher; and

Whereas, as member of the San Francisco Board of Education, San Francisco Board of Supervisors and now as member of the State Assembly, Tom continues to be the great ally and champion of educators, students and organized labor; and

Whereas in the coming months on an educational landscape scourged and ravaged by the governor's \$20 billion in cuts Tom will carry our voice and take a stand by our side in the political chambers of Sacramento; and

Whereas in the tradition of great political servants and great humorists Tom's words and actions continue to afflict the comfortable and bring comfort to the afflicted.

Therefore be it resolved that UESF endorse Tom Ammiano for re-election to the California State Assembly.

- 7. Carried: *Kamala Harris Endorsement Linda Plack, et al.
Whereas, in 2007 San Francisco District Attorney Kamala Harris launched an innovative and effective truancy program that helped improve elementary school attendance by 20%; and

Whereas, District Attorney Harris has focused on prosecuting violent crimes increasing the felony conviction rate to a 15 year record while expanding services to victims of crime; and

Whereas, District Attorney Harris has created new prosecution divisions focused on child assault, public integrity and environmental crimes and launched initiatives to prevent re-offending; and

Whereas, District Attorney Harris maintains open communication with UESF members on how best we can work together to make our schools safe learning communities; and

Whereas, District Attorney Harris is endorsed by the California Federation of Teachers,

Therefore Be it Resolved that UESF endorse Kamala Harris for California Attorney General.

MSC to contribute \$1000 from the COPE Issues Fund: \$500 for the California Democracy Act and \$500 for Local Control for Local Funds (resolutions above).

Reports

- 1. President's Report, continued.....Dennis Kelly
• Reduction in Force (RIF: layoff) hearings will be from April 7-9. UESF senior field representative reminded the body that this is not a typical year, but typically the SFUSD overnotices when sending out RIF notices. It will be a Particular Kinds of Service (PKS) layoff. Probably teachers with BCLAD credentials will be skipped. Probably the lack of a CLAD credential will mean being laid off. Lack of a CLAD will affect return rights too, so teachers laid off are advised to get their CLAD/CTEL. Advice: For teachers who can get a supplemental credential in a hard-to-fill subject area should do so.
• The March 4 rally is building tremendously. Politicians will not be allowed on the speakers' platform.
2. Executive Vice-President.....Linda Plack
• Prop A election results: Election Committee members Pat Hollaran, Gerry Meister, Charlie Hibbard, Chuck Turner, and chair Michelle Irwin counted the votes. 953 yes-327 no. 57 votes could not be counted; of those, 23 came in late. 1337 people voted. This means that teachers who submit a statement by March 1 that they intend to retire will receive \$4300, and paras will receive \$1000. There will also be a \$23.72 monthly increase in dependent healthcare coverage. Thank you to the Election Committee.

- Members were asked to urge people to come out on March 4 to the rally AND on Feb. 25 to the PTA Town Hall meeting at Marina Middle School. Sherman parents have organized this. Politicians will be present.
- Members were urged to circulate the CA Democracy Act petitions.
- UESF is receiving reports of wonderful things happening on March 4 at schools and members were encouraged to let UESF know of activities at their sites so they can be publicized.
- “Read Across America” is taking place on March 2. CTA President David Sanchez will at Buena Vista Elementary School to participate, as will Sister Plack and Brother Kelly.

3. Divisional Reports:

a) Substitutes.....Liz Conley

Election Results:

Vice-Chairman Mike Chelsky

Secretary Ana Alvarado

Assembly Reps Elizabeth Cleo

Jami Fordyce

Gabrielle Lavelle

Sherry Linker

Tay McArthur

Peter Rapier

Pearl Song

- New call-in number for CORE and Prop A substitutes to ensure them assignments in a timely fashion.

- Update of the Substitute Priority List

b) Sergeant at Arms Report..... Roberto Michel

Total in attendance: 69, including representation from 18 Elementary Schools, 3 K-8 schools, 7 Middle Schools, 9 High Schools, 2 CDCs, 1 from SSSD, 1 from multi-sites, 7 from Substitutes Division, and staff.

Announcements

SF Community School has established a committee for March 4. The plans are for a whole-school field trip. About 12-15 schools will meet up at 24th and Mission Streets to march to the rally. Parents for Public Schools has the flyer on their website. [Parents will be signing out their children at 2:00. For those who don't want their kids to go, there will be a skeleton crew left at school.]

There were several reports about school activities on March 4, including teach-ins and lunchtime marches and community walks.

Parents around the school are really getting organized.

The school board passed a resolution supporting March 4 activities.

Adjournment: 6:57 p.m.

Respectfully submitted,
Susan Solomon, Secretary