



ASTA Action

Volume 56, Issue 5

January 2016

Dean Elder, President



President's Report

Inside this issue:

The CTA Strategy	2
Tomorrow's Teachers	2
Learning Legal	2
Know Your Contract	3
Bullies Grown Up	3
Love Your Library!	3
How To Tech	4

I was speaking with a CTA official recently about the problems charter school teachers face when they unionize. While charter school teachers are legally allowed to form unions, teachers who join those unions face serious exposure. Charter school teachers do not have due process rights and so the charter operator has the right to fire them at will. In the case of one recently unionized charter school in CA, the newly-elected union president was immediately fired. The union elected another president and that teacher was immediately fired as well. No reason needed – no reason given.

As the court case *Vergara v CA* is making its way through the appeal process, public school teachers may find themselves in the same position as charter school

teachers. *Vergara* was filed by an organization created by a Silicon Valley multimillionaire for the sole purpose of making all teachers at-will employees who could be fired with no reason given. The lower court judge found in favor of *Vergara* and public school teachers are fortunate to have CTA to initiate the appeal.

I have often heard teachers and members of the public complain that unions and contracts make it too difficult and too expensive to fire “bad” teachers. Our union and our contract do not protect “bad” teachers. All that is required to fire a teacher is for the administration to have a legitimate reason for the dismissal and to make a case for it. The expense for firing a teacher is created by school districts hiring outside counsel to prepare their

cases. There is little incentive for the outside counsel to let the district know that it has no case and should not go forward. If a dismissal process is unsuccessful, outside counsel still gets paid – often more than \$200,000 in legal fees for a single case. It is true that if *Vergara* is successful, it will be easier and cheaper to fire public school teachers. But not for any reasons that will benefit public education.

We are lucky to be members of CTA, where our collective voices can speak up against the cacophony of the anti-public education movement. We are lucky that we have a union to ensure good teachers can stand up for students and publically express legitimate concerns about what goes on in our classrooms without the fear of losing our jobs and our careers.

by Dan Hankin,
SEC Chair (Sycamore)

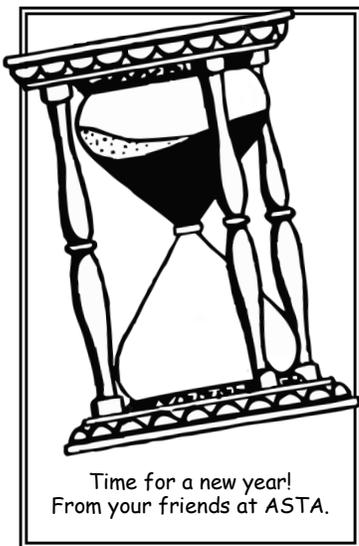
Special Education Committee

The ASTA Special Education Committee has two meetings on the calendar: February 3rd and March 2, at 3:30 at the ASTA offices. The committee was formed to assist Special Education teachers in voicing their concerns and is open to all Special Education teachers. The goals going forward are to improve communications with SYS leadership and to gather information from our unit

members to help guide future contract negotiations.

Committee Co-Chair Cindy Brazda (Anaheim) and I have been meeting with the SYS director once every two months and have our next meeting set for mid-February. These meetings give us a direct line of communication with SYS leadership to voice what our site-based unit members are feeling and working through in

Special Ed across the district. For example, one of the topics discussed in previous committee meetings was the caseload overage at several sites. Because of the meeting, and feedback from all of you, caseload issues at two of the sites have been rectified, with more to come. To be effective, the committee needs your input. We look forward to seeing you at the next meeting.



The CTA Strategic Plan

by Juan Alvarez,
Director-at-Large (Gilbert)

On November 7, 2015 I attended the Orange Service Center Council Fall Leadership Conference. The Fall Leadership Conference provides us with an opportunity to attend informational workshops that help build our capacity as union members. One of the sessions that I attended was a session on CTA's strategic plan.

The CTA strategic plan outlines 8 focus areas or goals to help guide us in our work as a local union. The 8 focus areas are: 1) Advocacy on Education Reform 2) Transforming our Profession 3) Building an Organizing Culture 4) Leadership Development 5)

Community Engagement and Coalition Building 6) Social Justice, Equity and Diversity 7) Organizing Underrepresented Education Workers 8) Structure and Governance. From the session I learned about the importance of making the strategic plan real and relevant at the local level specifically when it comes to being advocates for education reform, organizing and how we engage with our school communities. We discussed teacher engagement and how much power we have when we band together over a common purpose. Teachers are always welcome to listen in on the representative assemblies that are

held monthly at the ASTA office. This is one of the ways in which you can become part of the conversations that center on organizing and current issues affecting teachers.

As we continue on with the 2015/2016 school year, please think about how you can better get plugged into ASTA. We can use your expertise and involvement to help organize against threats to our careers and to our students. Your involvement in the union, your opinion and your teaching expertise can truly make an impact within the AUHSD community.

Support Your Profession Scholarship Pays Off!

by Dean Elder,
President

Dear Anaheim Secondary Teachers Association,

I would like to express my gratitude for choosing me as a recipient of the ASTA Scholarship. The money has helped me make key purchases vital to my first semester of college. I am currently finishing up my first semester at Cal State Fullerton, and look forward to the day that I can join your community as a teacher of history and Spanish.

Thank you,
Andrew Adsen

Thank you to all who contribute to the ASTA Support Your Profession Scholarship. You can make a monthly contribution to the scholarship fund by calling Pam Weiland at 714-999-5660. Currently, less than 10% of our bargaining unit donates an average of \$4.40 per month to the fund. If every teacher donated just \$1 per month to the fund, we could give twelve \$1,000 scholarships a year to graduating seniors who need and appreciate the money. Call today!



Summer Institute: The Legal Scene

by James Goran,
Vice President (Dale)

This summer I was selected to attend the CTA Summer Institute at UCLA. I attended the Legal Track I and II and learned a great deal about issues that affect teachers. The courses were led by CTA lawyers. One important tidbit was the role of our union to help protect teachers in termination cases. We often hear about the small number of teachers that do outrageous acts in the classroom and the backlash that the union gets for protecting their due process rights. How-

ever, we don't often hear the stories of school district personnel behaving badly. Thankfully we don't have those issues in the AUHSD, but if we did, the knowledge of the CTA attorneys is incredible and well worth the price of our union dues. We were updated on several court cases involving CTA, including the Vergara case (Vergara v CA), on which the CA Court of Appeals will begin hearings this spring. This lawsuit is an attempt to allow districts to dismiss

teachers without due process, putting all teachers at risk for termination without cause (<http://www.cta.org/vergara>). There are many teachers who view themselves as good teachers who don't need a union, but I caution ASTA members on this line of reasoning. The level of protection that CTA offers allows us to have a say in the education process and curriculum and to respectfully disagree with administration without the fear of capricious reprisals.

Know Your Contract: Representation

by Dean Elder,
President

Representation rights as described in our contract are a summary of what are more broadly referred to as Weingarten Rights. These rights were established by the US Supreme Court in the case of *National Labor Relations Board (NLRB) v J Weingarten* in 1975 and guarantee an employee the right to Union representation during an investigatory interview. These rights must be asserted by the employee before or during the interview. The employer is under no obligation to inform a union member of their right to union representation. The AUHSD administration does make ASTA members aware of their right to representation as a matter of practice and philosophy.

The right to representation is limited to

investigatory interviews, in which an administrator may question a teacher to obtain information that could be used as a basis for some type of disciplinary action, or asks a teacher to defend his or her conduct in a certain situation, or to elicit a statement from a teacher to support a disciplinary decision which has already been made. A teacher is not guaranteed ASTA representation in meetings that are merely for the purpose of conveying work instructions, a standard evaluation conference, or the confirmation for the teacher of a disciplinary action that has already been determined.

After the teacher makes the request for ASTA representation the supervisor has these options: grant the request and delay

the interview until a representative arrives; deny the request and end the interview immediately; give the employee the choice of having the interview without representation or end the interview. It is considered an unfair labor practice if the administrator denies the request and continues to ask questions. In such a case, the teacher has the right to refuse to answer questions without fear of discipline, but is required to remain there until the administrator ends the interview. Leaving before the administrator ends the interview would be considered insubordination and would subject the teacher to possible disciplinary action.

Only employees who are members of a Union have Weingarten rights!

Adult Bullying: Could You Be Next?

by Christie Bettendorf,
Contributor (Kennedy)

One of the many informative sessions I attended at the Orange Service Center Council Leadership Forum covered the differences between bullying and harassment. First are the definitions and behaviors of each:

Harassment is any physical, verbal, or visual abuse of a person because of their race, religion, age, gender, disability, or any other legally protected status (often called "protected classes"). It is any conduct that creates significant anguish to another person, with the intent to bother, scare, or emotionally abuse. Federal and state laws define what constitutes harassment.

Bullying is repeated, health-harming abusive conduct committed by supervisors and co-workers. Repeated mistreatment includes:

- Work sabotage or tampering with someone's property
- Verbal abuse, threats, insults
- Coercion, intimidation, or excessive criticism
- Gossip or humiliation.

In determining if an act is bullying, consider the following:

- Bullying is the root of all forms of harassment, discrimination, prejudice, abuse, persecution, conflict, and violence

- When bullying has a focus (race, gender, sexual preference, etc.) it may be identified as harassment
- Without a focus, it is bullying
- There are laws against harassment
- There are no laws in California, at this time, against bullying of employees in the workplace.

If you feel that you are being bullied or harassed, the first step that you must take is to name it and report it in writing. If a co-worker is targeting you, report it to your administrator. If an administrator or supervisor is targeting you, contact your site representative immediately.

AUHSD Library Services

by Regina Powers,
District Librarian

The Elementary and Secondary Act (ESEA) will soon be replacing the No Child Left Behind Act that was last authorized in 2001. The updated ESEA will include new provisions for school libraries. It will, for example, authorize local plans to describe how the LEA will "assist schools in developing effective school library programs to provide students an opportunity to develop digital literacy skills and improve academic achievement."

So, what is an "effective school library program?"

Basically, school libraries serve three main purposes on campus.

First, a school library is a student-centered space. All students should feel comfortable coming to the library to study, to read, to research, and to collaborate. In many cases, the library serves as a classroom and meeting space, not only for students, but for teachers and parents as well. Therefore, school libraries need to be welcoming and transformative - able to adapt to a campus's ever-evolving needs.

Secondly, the library is a provider of resources. Its physical and online resources support curriculum, standards, as well as self-directed student inquiry... beyond Google.

Finally, the library is a provider of services. Library tours, live demonstrations, or online tutorials on how to access and use information independently and ethically help to build students' 21st century digital citizenship skills. Author visits or makerspaces offer students extended learning opportunities.

These three combined purposes create an effective library program. Fully functional library programs have been proven to improve academic achievement. It's exciting to know that, after 50 years, federal legislation is authorizing the use of funds to support school libraries.

ASTA/Anaheim Educators

50 South Anaheim Boulevard
Suite 300
Anaheim, California 92805

Phone: 714-399-1882

Fax: 714-635-2603

Email: astapres@gmail.com

Executive Board

President: Dean Elder

Vice President: James Goran, Dale

Secretary: Judy Yeaton, Katella

Treasurer: Geoff Morganstern,
Brookhurst

Director-at-Large: Juan Alvarez,
Gilbert

Director-at-Large: Nate Taylor,
Oxford

CTA State Council Representatives:

Julie Nielsen, Savanna

Ryan Ruelas, Anaheim

Kenneth Shimogawa, Cypress

CTA Staff Person:

Lisa Eck

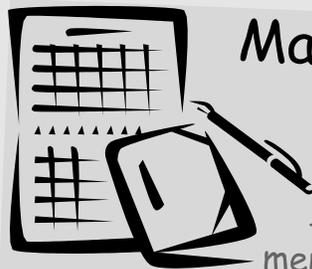
Administrative Services Manager:

Debbie Knapp

Newsletter Layout Editor:

Ann Rice, Brookhurst

ASTA is an affiliate of CTA/NEA



Mark Your Calendar!

- District Budget Committee, January 22, at 9:00 AM
- District Professional Development Day, Friday, January 29
- CTA State Council, January 29 - 31, in Los Angeles
- District Insurance Committee, February 2, 2:00 PM
- ASTA Representative Assembly, February 18, at 3:30 PM
- Board of Trustees, February 18, at 6:00 PM
- CTA Good Teaching Conference, February 26 - 28, in Garden Grove
- CTA Equity Issues Conference, March 4 - 6, Torrance

Educational Technology and SAMR

The field of education seldom stays the same and the area of educational technology is a perfect example. Teachers in AUHSD have various electronic tools and internet based programs available to them. The biggest problem is figuring out when and how to use them. Fortunately, the teachers of AUHSD have individuals on their campus that can assist them with this problem. Each site has an Educational Technology Coach that is available to assist teachers in integrating technology into a teacher's pedagogy. The hope is that through training technology will be used strategically and capably by teachers to help their students accelerate and deepen their mastering of the college and career ready skills known as the Habits of Mind and the 4C's: critical thinking, communication, collaboration, and creativity.

When teachers are integrating technology into their classes it is important for them to consider the SAMR (substitution, augmentation, modification, and redefinition) model developed by Dr. Ruben Puentedura. With Substitution, technology acts a direct substitute with no functional change. Augmentation is when technology acts as a direct tool substitute with some functional improvements. Modification allows for significant task redesign and Redefinition allows creation of a new task which was previously inconceivable. Substitution and Augmentation are enhancements of traditional teaching methods. Modification and Redefinition are transformational and the planned activity would be very difficult or impossible without technology integration.

by Ruben Patino,
Technology Curriculum Specialist



Dr. Puentedura on the impact and application of SAMR:

<http://bit.ly/1R9PL8P>

and

<http://bit.ly/1R9PWAM>