

# The Morgan Hill Teacher

## Morgan Hill Federation of Teachers

CFT / AFT / AFL-CIO / Local 2022

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December 20, 2016

### December 13 School Board Meeting Report

At this Tuesday's meeting, new board members Mary Patterson and Teresa Murillo were sworn in by Morgan Hill City Council member Larry Carr. Tom Arnett was sworn in as re-elected board member.

In 4-3 split votes, Donna Foster Ruebusch was elected Board President, and Tom Arnett was elected Vice President.

#### Public Comment

Responding to the Federation's call for speakers in support of our negotiating team's efforts to secure a meaningful raise for our members, several teachers, along with a handful of students and parents, addressed the Board. Please continue to the next page for highlights and a negotiations update.

#### Nordstrom Portables

In October, Nordstrom teachers reported to the District that they suspected mold in their classrooms. The District used a contracted company to test for mold. The company recommended several measures to ensure no mold was present, and all of the cleanup measures were completed over the Thanksgiving break.

The presence of mold has resulted in teachers' being displaced from their classrooms, and increased allergy and asthma symptoms. If you suspect any environmental dangers in your classroom or at your site, report them to your administration immediately and ask them to follow-up with you regarding any maintenance or clean-up that was necessary.

#### El Toro Health Science Academy

Students from El Toro's new Health Science Academy, along with teacher Lisa Miceli, presented what they have learned and will learn at each grade level. They were joined by numerous parents who came to support the program and their children.

### Elementary & Secondary Curriculum Council Updates

The District is looking to create a service learning project for each grade level. If you are interested in being a part of the development committee, please contact Nancy Altman at [altmann@mhusd.org](mailto:altmann@mhusd.org). There may be small stipends associated with this work.

The District is also hoping to put together a technology committee to revise the current district technology plan by the end of the school year. Please contact Michael Stock at [stockm@mhusd.org](mailto:stockm@mhusd.org) if you would like to be a part of this committee.

At the last meeting, the Secondary Curriculum Council discussed potential changes for graduation requirements at Central.

The Federation is working with the District to refine the processes used in the operation of both Curriculum Councils, in order to maximize site level input and two-way communication.

### ELA - ELD Pilots

Although there is a significant amount of work involved in piloting materials, there is no pay for this work. We appreciate the professional efforts of our piloting teachers, as this is one way we receive a voice in curriculum adoption.

Elementary teachers are piloting Benchmark's *Advance* and McGraw-Hill's *Wonder*. Secondary teachers are piloting Pearson's *My Perspectives* and McGraw-Hill's *Study Sync*.

### January Pay Changes

While we anticipate that there will eventually be a retroactive pay raise for this year, in January any changes in health care premiums will take effect and may result in smaller paychecks for those who purchase health care through the district.

### Save the Date!! January 19 – Day of Action

The Presidential Inauguration is January 20. In anticipation of perceived threats to the wellbeing of many of our students and their families, and to public education in general with the nomination of a fiercely anti-public school Education Secretary, AFT is partnering with AROS (Alliance to Reclaim Our Schools) <http://www.reclaimourschools.org/> to coordinate actions that will defend our students and our schools:

- AFT has declared itself a sanctuary union. <http://www.aft.org/news/aft-pledges-protectundocumented-students-and-educators>
- AFT will participate in the National Day of Action on January 19. <http://www.aft.org/resolution/building-nationalmovement-aros-public-schools-all-our-studentsdeserve>

MHFT's Day of Action will be held at P.A. Walsh STEAM Academy, 3pm - 6pm. Our hope is to bring the community together to affirm that we will protect our students and families against any targeting by President-Elect Trump's policies, as we work to make our schools ever more inclusive and equitable. During our Day of Action, we plan to:

- provide resources and information to any group that may be targeted
- empower people to act against harmful policies by:
  - writing/speaking to legislators
  - asking the schools and city to adopt sanctuary status
  - asking parents and students to speak out against racism/injustice in our schools

# Negotiations Highlights

## Survey Results

Thank you to the 210 members who took the time to provide feedback through the online survey. You can view the responses/comments here:

[https://docs.google.com/forms/d/1Oj0zAvexIj\\_HyThBd4yRPpIbtF\\_wBf\\_2NKGNmTtox9c/edit#responses](https://docs.google.com/forms/d/1Oj0zAvexIj_HyThBd4yRPpIbtF_wBf_2NKGNmTtox9c/edit#responses)

This is a summary of the results:

- 65% rejected 9% over two years
- 58% rejected contingency language
- 75% rejected additional \$2500 for teachers at Title I schools

## Comments at December 13 Board Meeting

Thank you to all of the members who came to the board meeting and encouraged community members to join us.

Especially heartwarming was that several students spoke passionately about the need for qualified teachers and veteran teachers, and about the fact that they have known outstanding teachers who are now lost to the district, and have endured long periods of time with subs because no credentialed teacher would take the job. There was also one parent who spoke in support of our negotiations, and said that while she is working on a credential herself, she will not be seeking a job with MHUSD because of the salary.

The following MHFT members spoke during the public comment portion of the meeting, and did an outstanding job representing the professionalism of our district's teachers:

Sara McDonald (Walsh)  
Jen Klem-Myers (Barrett)  
Darcy Foster (Live Oak)  
Andrea Kusanovich (Sobrato)  
Debbie Stewart (Barrett)  
Jennifer Kingman (Paradise Valley)

In addition to these, MHFT Negs Team Members Nancy Altman and Lori Shoemaker, along with President Gemma Abels, spoke during MHFT's allotted time.

One theme was the difficulty the district has retaining highly qualified veterans who are able to mentor new teachers; another was the inability of teachers to live within the district and to meet fundamental living expenses on the salaries provided.

Jen Klem-Myers shared the story of a Barrett colleague, who has made the difficult choice to put off having a second child even though she and her husband want very much to have a sibling for their toddler, because after paying for child care and health insurance, there isn't enough money left to feed another child. This teacher is looking for a job in another district. "This is not okay," Jen told the Board.

Andrea Kusanovich told of the benefits she has reaped from being in a department with veteran teachers, and then went on to say, "I realize that many of my new colleagues, especially in departments like math, science, and special education, have very few peers who have been teaching for more than a couple of years. I could name 20 colleagues off the top of my head who left after a year or two for better pay and benefits. Programs have a difficult time getting off the ground when they need to be revamped and relearned every two years. In order to have truly great programs, we must have continuity. I hold my breath at the end of each academic year, hoping that our school and students have done enough to charm new teachers into staying despite the pay."

The full text of Gemma Abels' speech is reprinted at the end of this newsletter.

## Impasse and Mediation

The District filed a "*Request for Impasse Determination and Appointment of Mediator*" on November 14. A mediator is an independent third party, appointed by the Public Employee Relations Board (PERB). During mediation, each side summarizes its positions and explains why they are reasonable. Then the mediator speaks to each team separately, to try to find agreement.

Interestingly, none of the District's Executive Cabinet mentioned this during their board reports. (They also did not mention that SEIU decertified their union.)

In the filing, the District stated that we were unable to reach an agreement on the articles dealing with Compensation, Leaves, and Class Size.

The Federation's proposals, the District's proposals, and the District's comments (from the filing) on these articles are noted on the attached table.

## Next Steps

If the Federation and the District are unable to agree on a mediated settlement or the mediator determines that mediation will not solve the articles still in dispute, we will go into **fact finding**. After an initial session with one member of the Federation team and one member of the District team, the fact finder will take several weeks to write a report that establishes an agreement on the disputed issues.

The Board will then have the option of agreeing to the fact finder's report and settlement or imposing the District's *Last and Final Offer* (the settlement offered on November 10). If the Board decides to impose a contract (the *Last and Final Offer*), MHFT could choose to coordinate a contract action, such as a strike.

We certainly hope it will not come to this. We believe that a mediator will help us to produce a settlement that will provide enough compensation to attract and retain highly qualified teachers, and keep the District solvent.

## Summary of Federation and District Offers from November 10, 2016 Negotiations Meeting

Article	District Position	MHFT Position
Duration of Contract	Two-Year Settlement	One-Year Settlement
Article 4: Compensation	6% retroactive increase on the 2016-2017 salary schedule for all unit members (Basic Salary Schedule for Teachers, Counselors, Nurses & Librarians, as well as the separate salary schedules for Preschool Teachers and Interns), and an increase of 3% for 2017-2018. Contingency language: If 2017-2018 Base LCFF Revenue increases by more than 3% from the current projections as determined by the 2017-2018 Enacted State Budget, above salary schedules will be increased by an additional 1%. Beginning in 2017-2018, an additional \$2500 per FTE for TK-12 teachers assigned to a site which has a National School Lunch Program Free & Reduced Student population of higher than 40%.	9% retroactive raise on the 2016-2017 salary schedules for all unit members.
<p><i>District Statement on Compensation: “The District has determined that its continued fiscal solvency will be negatively impacted if the compensation increase is more than 9% over two years. This cuts the District’s reserves down by two-thirds, and results in only a 10% reserve, while Board policy requires a 17% reserve. In other words, the District has gone below its required reserve to offer the compensation package it has offered. The District cannot provide any more than what it <b>has</b> offered due to its current financial circumstances, including its projected revenue. Further, at the parties’ negotiation session on October 18, 2016, MHFT announced that, until the District bargaining team had authority from the Board to add to its compensation offer, set forth at 3.b., above, MHFT would no longer meet for bargaining sessions, and the parties ended the meeting earlier than scheduled.”</i></p>		
Article 12: Hours of Employment	Amend 12.1.6 to provide flexibility for Teachers on Special Assignment to work a positive calendar of 185 days without being tied to the instructional student calendar.	Accept amendment to 12.1.6. Add article that specifies that SPED teachers at secondary sites will receive an assessment period in order to manage their case load.
Article 13: Leaves	Amend language in 13.4.4 and 13.5.6 to comply with AB375 for maternity and paternity leave, which allows for 12 weeks of leave using accrued sick leave and sub-differential for the birth or adoption of a child. Amend language in 13.6.1 to reflect that the District shall be reimbursed for the full and actual cost of all MHFT officers on leave ( <i>Ed Code §44987</i> ).	Accept amendment to 13.4.4 and 13.5.6. Add two “No Tell” Personal Necessity Days. Amend language in 13.6.1 to reflect that MHFT shall reimburse the District for the cost of all MHFT officers on leave. If the officer has less than 14 years of experience, the cost will be the actual cost of the officer. If the officer has 14 or more years of experience, the cost will be at Step 14, Column 3 or the maximum allowable for a replacement.
<p><i>District Statement on Leaves: “MHFT has insisted on allowing ‘no tell’ days for personal necessity leave (which would allow an employee to take a day off charged to sick leave, without giving the reason for the day off. The District believes that this request is in conflict with the Education Code provision regarding personal necessity leave. The parties have also discussed 12 other options to resolve this article, but have not reached agreement. In addition, on October 18, 2016, MHFT has stated that it is unwilling to negotiate further on this Article unless the District would add to its compensation offer.</i></p>		
Article 15: Class Size	15.2.7 to state that Speech Language Pathologists shall have a soft cap of 55, with a hard cap of 65, with additional compensation per semester of 1 Extra Duty Unit Stipend for case loads of 56-60, and 2 stipends for case loads of 61-65.	Case loads for Preschool Speech Pathologists shall not exceed 40 per statutory law. Caseloads for all other full-time SLPs shall not exceed 55. SLP maximums may be exceeded by mutual consent and may not exceed 60. SLPs will receive 1 Extra Duty Stipend per quarter for a caseload of 56-60.
<p><i>MHFT has presented the option of a ‘hard cap’ on class sizes from transitional kindergarten to third grade. The District currently implements class size reduction at a ratio of 24:1 in these grades, which MHFT agrees is acceptable. However, the District seeks to retain flexibility to adjust staffing ratios up as a cost-saving measure to avoid teacher layoffs and to ensure that the District does not incur penalties for class sizes that go over caps due to late enrollment. The parties have exchanged and discussed 32 different options for this article, but have not reached agreement. Further, on October 18, 2016, MHFT has stated that it is unwilling to negotiate further on this Article unless the District would add to its compensation offer.</i></p>		
Article 24: Rules Governing this Agreement	For reopeners in 24.7, limit the number of articles to reopen to Article 4: Compensation; Article 9: Health & Welfare; and up to <b>one</b> additional article each from MHFT and the District.	For reopeners in 24.7, limit the number of articles to reopen to Article 4: Compensation; Article 9: Health & Welfare; and up to <b>three</b> additional articles each from MHFT and the District.

## Gemma's Speech to the Board

December 13, 2016

*The Morgan Hill Federation of Teachers would like to welcome our new board members, Mary Patterson and Teresa Murillo to the board. You are both already community leaders and we hope to work with you to make education in Morgan Hill stronger and more equitable for all. Mr. Arnett, we hope that we can build upon our past discussions. We hope that each of you will come and meet with our Executive Council in the New Year.*

*The election will bring about many changes for our nation and our community. We are proud that nationally, our AFT president, Randi Weingarten, has declared that the American Federation of Teachers is a sanctuary union. At the national and state level, and here in Morgan Hill, teachers will protect our students, families, and communities from any legislation or order based on hatred, discrimination, or divisiveness. Using our Community Organizing grant, MHFT is planning a Day of Action on January 19, the day before Mr. Trump takes office. We are partnering with the District, government agencies, and community organizations to ensure any student, family, or community member who fears what may come from the new administration knows that they are safe in our schools and in our community. This will be a day to offer information and resources, but also for the entire community to find ways to act together.*

*Our members will always support and protect their students, their families, and their colleagues. In our schools, in this district, and in this community we have proven that we are not only academic experts, but we are stalwart defenders for what is right. This year - we are defending ourselves, our colleagues, our students, our families, and public education in Morgan Hill when we asked this district for a fair compensation package that would enable us to sustain a highly qualified teaching staff.*

***The Declaration of Impasse Determination and Request for Mediation** is a public document and therefore is available to be scrutinized by the public. The offer outlined in this document was presented to the MHFT bargaining team at a November 10 meeting.*

*As part of this offer, the District presented a three part option for Compensation;*

- 1. In increase of 6% to the 2015-2015 Salary schedule for all MHFT members for 2016-2017*
- 2. An increase of 3% to all MHFT members for 2017-2018*
- 3. Contingency language 2017-2018 that if district revenue projections are surpassed by 3%, all MHFT members would receive an additional 1%*
- 4. Beginning in 2017-2018 MHFT members working at sites with a population of Free and reduced Lunch students would receive \$2500*

*We polled our membership on these options more than ½ of our members respond to our two-day survey:*

- 65% rejected your Two-Year offer for a 9% increase in compensation because, no matter how you split it, this increase barely covers the increase our members are seeing to their share of retirement and medical benefits.*
- 58% rejected the idea that if projected revenues for 17-18 were surpassed by 3% we would receive a 1% increase because this language limits the increase to 1% even if projections are surpassed by more than 3% and does not include contingency for this year even though our members are still waiting for any increase*
- 75% of members responding do not feel that only some of our teachers should receive \$2500 when all of our schools have students who live in poverty and have other specific needs.*

*While we countered for a 1- year settlement for 9%, our most recent options were for a 10% increase for all MHFT members over the two-years with a 2% off the salary pay out included.*

*The reality is that we are only 1% apart in on-going costs. For all of our members to receive the additional 1% would cost the District \$345,122 which is .4% of their more than \$87 million dollar budget. However, for each teacher, this does mean something to them in how much they can afford for rent, child care, and food. Yet the Declaration of Impasse Determination and Request for Mediation states that this 1% would negatively impact the District's solvency. I am sure that the teachers, students, and parents in this room could find a way for the District to absorb that .4% somewhere in the budget.*

*The district's offering a two-year settlement, where we could not negotiate at all for the 2017-2018 school year seemed foolhardy to our Negotiations Team. The District did not include a calendar for the 2018 - 2019 school year, so we would not finalize that calendar until June of 2018. There were also no provisions for extending the side letter which created a full-day Transitional Kindergarten and Kindergarten or for our 6th grade teachers to remain at the middle school.*

*I am proud to stand here as a member of the Morgan Hill Federation of Teachers and this Negotiations Team. Several members of this Negotiating Team will be speaking tonight and sharing their thoughts about the District's last offer. We acknowledge that these Negotiations have been difficult. We know more about the District and school budgets than ever before, and you all know more about the life of teachers in this district. Teachers did not want to tell these stories. Every day each of us puts our own troubles aside when we reach campus because our job is to be wholly concerned with our students. We know that Mediation can bring us to finding a balance between the financial constraints of this District and the financial survival of its teachers.*