TAAAC Wins Again!

Assistant Superintendent John Smeallie of the Maryland State Department of Education proposed two changes in MSDE regulations that would have caused direct harm to the professional and economic interests of Speech and Language Pathologists, Occupational Therapists, Physical Therapists, and Audiologists who are employed here in the Anne Arundel County Public Schools. It would have also lost this Association approximately 300 members.

The change was generated by new legislation that was adopted in the 2007 session of the General Assembly. The legislation required all of the referenced therapists who work in Maryland Schools to carry licenses issued by the relevant Board of Examiners. Until the effective date of the legislation, those licenses were simply an alternative to a teaching certificate. Since the law required licenses, the holding of a MSDE certificate would become irrelevant, and Dr. Smeallie thought he would get the MSDE out of the certification business where it regards the impacted.

It all sounded harmless enough, except that the way in which Dr. Smeallie was proceeding would have stripped the therapists of their professional standing under MSDE regulations and under collective bargaining law. Almost with certainty, the AACPS would have responded by pulling our colleagues out of Unit 1 and placing them into Unit 5, the unrepresented Unit 5 who continued to work at the will (or whim) of their employer. Every benefit and protection existing in the Negotiated Agreement, in addition to the tenure provided under law only to certificated professionals, were at stake. Moreover, if the county decided to move them back into the Health Department, their retirement benefits would have also been on the chopping block.

The proposed regulation changes were posted for public comment on the website of the Maryland Register and scheduled for a late summer public hearing. TAAAC and its affiliated department SLAACC (Speech and Language Association of Anne Arundel County) spearheaded a statewide initiative to beat back the bad regulation. It worked. Much due to the hard organizing by SLAACC President Gloria Petit-Clair, your TAAAC President and Executive Director, and at least two thousand of your colleagues throughout the state who contacted members of the State Board and PSTEB, the proposed changes were withdrawn.

Very recently, new regulation changes were proposed by Dr. Smeallie. While he did what he wanted to toward limiting the MSDE involvement in these special certifications, he did so in a way that protects the professional status of the personnel.

It was an example of organized collective action doing what it is intended to do.

To Gloria, you are priceless!
Commentary

Bill Jones

Good Deeds Gone Punished

Over the past several years TAAAC has done much good work for its members. We have protected healthcare benefits, raised entry level salary from a low of 19th in the state to 5th, and restructured a salary scale in a way that increases projected career earnings by nearly $1,000,000. For the most part, members that recognize these accomplishments have some appreciation for them and are supportive of TAAAC’s efforts. And judging from our scant cancellations, they certainly don’t punish us.

So, why are we being neglected by our own state affiliate. We have done awful good work by them also. The Maryland State Teachers Association has increased its certified membership by 4,287 educators over the past two years. The growth increased MSTA’s market share (number of members/population of bargaining units) by approximately 2.9%. Locally, TAAAC increased its dues-paying membership by a net of 878 and raised its market share by 10 percentage points. While it holds only 11% of the statewide potential, TAAAC was responsible for more than 20% of MSTA’s total gain. We should be in very good standing. Sadly, that doesn’t seem to be the case.

TAAAC’s professional staff (our UniServ Directors) are provided by MSTA. For the past three years MSTA has allocated two and one-half professional positions to TAAAC in recognition of the need to provide timely and competent service to a larger bargaining unit and a growing membership. As of this past September 1, that allocation has been increased to three in continued recognition of the increased needs of a larger bargaining unit and a swiftly growing membership. On paper, we appear almost appropriately staffed and our big sister seems to be providing for our service needs. But three sets of boots are not on the ground. We have been left short-handed since May. Moreover, since the departure of Jessica Sadusky on August 8, we have been left to service a bargaining unit of nearly 6,100 educators with 5,100 members, with a staff of only two UniServs. Twenty year ago, when we had a unit size of 4,000 and a membership approaching 3,600, we had two UniServs. Back then, our numbers were smaller and the environment was far less litigious. It is not reasonable for MSTA to expect two staff members to service an organization of TAAAC’s size, especially when it is extracting more dollars in dues from TAAAC than it ever has.

At the time of this writing, we are expecting the return of former staff member, Mike Carrington. Mike was missed when he left and his return will be very welcomed. In fact, I am hopeful that Mike’s return will have already occurred by the time this edition is distributed on October 1. If it is not, I may be asking for some organized assistance in motivating our state affiliate to provide TAAAC with the staff that its members are paying for. In the meantime, we have delayed the start-of-year committee meetings and some other ancillary activities in order to have staff available as calls for service arrive.

TAAAC Action Report

<table>
<thead>
<tr>
<th>Officers</th>
<th>Board of Directors</th>
<th>Editors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timothy Mummert, President</td>
<td>Tamara Johnson</td>
<td>Bill Jones, Executive Director</td>
</tr>
<tr>
<td>Richard Benner, Vice President</td>
<td>Anthony Rozendal</td>
<td>and Managing Editor</td>
</tr>
<tr>
<td>Ken Hightman, Secretary-Treasurer</td>
<td>Michael Barnett</td>
<td>Rosanne L. Beach, Editor</td>
</tr>
</tbody>
</table>

Page 2 TAAAC Action Report
From Contentia this month ... Don’t go in alone!!!!

One of the most frequently needed benefits of Association membership is the right to have representation during any conferences or interviews regarding any complaints or allegations of misconduct, neglect, abuse or even criminal behavior. Too often, however, members walk into rooms to be questioned by unfamiliar persons about allegations that may harbor career destroying potential. Our advice - Don’t go in alone!!

Our educators are summoned to one office or another on a frequent basis. Each year there are hundreds of complaints processed by the local Office of Employee Investigations and Records. Some included involvement of police investigators and/or staff from Child Protective Services. Except for police investigations, there exists no obligation on the part of the investigator to advise accused members of their right to representation. Nor is there any obligation to inform members of the severity of the accusation, its potential career impact, or even that it is the specific conduct of the interviewee that is the focus of the investigation. The investigators are there to uncover information, not to ensure that the educator being questioned takes advantage of all available rights, and they most often do not even inform the interviewee of what those rights are. Therefore, teachers who allow interviews to continue without competent advice often unwittingly harm themselves. Don’t go in alone.

It is much to the benefit of the accused educator to have some representation as early in the process as possible, including seeking representation prior to any real disciplinary action is taken - while the matter is still at the investigative stage. Often, when disciplinary action may be indicated it is easier to mitigate before it is implemented. So, don’t go in alone.

If you are suddenly called to meet with anyone seeking to ask questions about some ill-defined “incident,” you should follow the advice outlined below:

- Get the identity of the person asking the questions, and obtain a business card. Investigators, whether from the police department, Child Protective Services, or the school system, carry business cards. If one is not produced, then it is very likely that the person is not who he/she claims to be. Occasionally, the conference will be with someone very familiar to you, like your principal or area director. Even on those occasions the advice continued below should be followed.

- Ask if the conference concerns any complaint, allegation, or accusation about your performance or conduct. If the answer to this question is “yes,” then you should not continue with the conference. Rather, you inform those present that you would be happy to cooperate, but that you will not speak further until you had an opportunity to speak to your representative. Even if the answer is “no” and you agree to continue, be wary. If you find that suddenly the focus of the questioning is around your behavior or conduct STOP the conference and seek representation by calling the Association office.

- When you call the office, supply the Association with the names of those who wished to interview you and their telephone numbers. Your Association staff will reschedule to complete the conference without your having to go in alone. Where appropriate, it will be rescheduled when staff from MSTA Legal Services can be provided.

Educators have much more authority in these matters than most of them believe. Here’s why:

The police cannot require you to give testimony against yourself. That’s why suspects must be read their “Miranda” rights prior to giving a statement. Since you are are under no obligation to speak to them at all, you are obviously under no requirement to speak to them “on demand” without representation.
Social workers, who typically investigate complaints of abuse and neglect also cannot require you to give them a statement or interview. Although they need not “Mirandize” interviewees, they have no authority to compel you to give a statement, and any given to them is voluntary. It is generally in your best interest to speak to them. Often, it is the only way of bringing your version of relevant facts and circumstances to light. Otherwise the social worker may be left to dispose of the complaint after hearing from no one but the complainant - quite a one-sided situation. Though giving the interview is a good thing, giving it without thoughtful preparation, consultation, a representation where needed is not.

Your employer, the AACP, unlike the other agencies, can require you to cooperate in an internal investigation. In fact, refusal may constitute insubordination. So, a flat refusal to be interviewed is usually not an option. But you can delay any such interview until you have an opportunity to be represented. If you are asked to give information concerning any situation which may result in disciplinary action, you have the absolute right to representation from your Association. If you are directed to attend such a conference and your request for representation is refused; you will have to stay, but you are under no obligation to speak and you should not do so.

You have professional staff who are paid to help you through these matters. Use them. Other than yourself, your representative will likely be the only other person in the room whose first concern is your career. If you remember any portion of this article as the year moves along, remember its title, Don’t Go in Alone. The odds of your being called into an investigative interview are much greater than you might think.

**TAAAC Educator Incident Report**

Note: This Incident Report can be used any time you believe that a record of an incident needs to be created. Please make a copy for your files and forward the original to TAAAC. Feel free to tear off and use. Make additional copies as necessary.

Name __________________________ Work Location __________________________

Phone Number __________________________ Personal e-mail __________________________

Date and Time of Incident __________________________

Location of Incident (i.e. classroom, hallway, cafeteria, etc.) __________________________

Names of Individuals or witnesses involved (Important: Identify students or other minors on this Report by initials only)

---

**Description of Incident:** (mark all that apply)

- O Assault
- O Harassment
- O Personal property damage
- O Battery
- O Intimidation
- O Transfer of bodily fluid
- O Threat
- O Intervention in fight
- O OTHER

**Severity:**

- O Serious injury
- O Minor Injury
- O Potential for Immediate Injury
- O No Injury

**Checklist:**

- O Referral
- O First Aid
- O Medical Treatment
- O TAAAC Called
- O Police Report
- O Workers’ Comp Employer’s First Report
- O Workers’ Comp Employee Claim to TAAAC

**Brief Description of Event [if appropriate describe injury] - (Use additional pages if more space is required.)**

Page 4

TAAAC Action Report
WELCOME NEW MEMBERS

Jenny L. Abbott
Colleen Adair
Jamie L. Adkins
Nicole Aga
Tierra S. Allen
Elizabeth Alley
Gwen E. Alfred
Susan Altman Farrell
Jessica M. Angle
Erica R. Auker
Ferhat Ausar
Rebekah T. Badwal-Tobias
Brian W. Bailey
Amanda L. Banghart
Adrienne L. Barkhymer
Todd W. Barkhymer
Rachel A. Barnett
Kelly L. Barrett
Brittany K. Bateman
David M. Bayless
Amy N. Beale
Aurelie Bell
Susan J. Benefield
Bryce C. Bennie
Aaron M. Benoit
Stacy M. Berry
Melissa G. Biddlecomb
Kristin E. Bidinger
Hannah A. Bierlein
Catherine R. Bioni
Cristina Black
Elizabeth Black
Allison M. Blair
John D. Binte
Daniel T. Blocklin
Amy R. Blue
Shalini Bmalla
Erin L. Bogdan
Anne E. Bombard
Heidi N. Bose
Lisa M. Bosley
Rachael K. Boteler
Kimberly M. Boyce
Kara C. Boyd
Jacob K. Boylan
Jasmine C. Bradshaw
Jessica J. Brantley
Julia Bresson
John T. Broderick
Philip A. Broome

Leamonica L. Brown
Robert A. Brown
Stephanie A. Brown
Charlton T. Bruton
Christina M. Budde
John L. Bugenhagen
Jessica L. Burdette
Lesley E. Burr
Kala N. Burrell-Craft
Steve W. Burton
Alexander N. Byland
Melissa Caballero-Cruz
Kristen R. Cabido
Steve P. Cahoon
Quincy Caldwell
Michelle D. Callahan
Jennifer L. Campbell
Amanda S. Campion
Eileen P. Carassanesi
Dana M. Caribe
Meghan L. Carpenter
Erlin L. Casey
Vimarys Caya
Anna M. Ceschin
Susan M. Cevasco
Karyn M. Chandler
Scott L. Chandler
Monica Chaney
Margaret Cheetham
Megan E. Cherico
Lindsay A. Cherry
Sarah K. Chih
Laura G. Cimboio
Heidi A. Clyborne
Claire E. Collins
Rolinda S. Collinson
Kelly E. Conklin
Evan A. Conner
Melanie L. Conner
Mary K. Connolly
Carine M. Cooper
Christine D. Coppage
Kyena E. Cornelius
Peter R. Corriero
Denise M. Corson
Susannah F. Creech
Avelia D. Cullingham
Theresa M. Curner
Kristin L. Daly
Andrew Dangel

Alicia D. Davis
Charles L. Davis
Craig O. Davis
Mary M. Davis
Nicoe M. Deemer
Randy C. Decker
Jessica M. Demarco
Lisa M. Deneane
Ashley M. Devlin
Sara J. Devoogd
Sara K. Dexter
Kiersten L. Dickenson
Marianne L. Dimiao
Robert E. Dix
Teresa E. Dixon
Laurel R. Doerfer
Lisa G. Donadoni
Michele D. Doyle
Kathryn M. Drapalnski
Rachael M. Dudzic
Tara M. Ebersole
Jennifer L. Eckenrode
Franklyn Ecker
Lindsey Ecker
Karlin A. Eddy
Donna M. Edward
Caroline M. Edwards
Anne M. Einhorn
Elizabeth I. Eldreth
Rachael S. Elkin
Kristen N. Ernstes
Elyse Evans Kircher
Amy S. Evers
Jean-Marie Fahey
Robin B. Faill
Andrew Fearn
Virginia M. Fernandez
Kristen L. Fino
Brittni M. Fleck
Karen A. Fleckenstein
Cleotha Fluitt, Jr.
Ann M. Forno
Tiffany L. Foster
Martha N. Fox
Julie R. Foxton
Carmen R. Fuertes
Trevia L. Fuller
Jennifer J. Fuluwiler
Joseph J. Gaffney
Cathy R. Gallagher

TAACCCTA Action Report Page 5
<table>
<thead>
<tr>
<th>Cheryl J. Panek</th>
<th>Nicole J. Schar</th>
<th>Heather L. Szymanleli</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jessica L. Panitz</td>
<td>Krista L. Schmidt</td>
<td>Gail P. Tessieri</td>
</tr>
<tr>
<td>Samantha E. Parisi</td>
<td>Christopher R. Schoenbauer</td>
<td>Kathryn M. Tewes</td>
</tr>
<tr>
<td>Paula C. Perry</td>
<td>Herbert G. Schreiber</td>
<td>Charlene Thomas</td>
</tr>
<tr>
<td>Denise K. Petrusis</td>
<td>Damien P. Scott</td>
<td>Markesa R. Thomas-Oliver</td>
</tr>
<tr>
<td>Katrina M. Pici</td>
<td>Dan K. Scott</td>
<td>Kimberly J. Thomasson</td>
</tr>
<tr>
<td>Johanna E. Pionke</td>
<td>Margaret L. Scott</td>
<td>Catherine E. Thorson</td>
</tr>
<tr>
<td>Carrie A. Piper</td>
<td>Reginald D. Scott</td>
<td>Nathan A. Toth</td>
</tr>
<tr>
<td>Judith M. Preola</td>
<td>Donielle L. Sears</td>
<td>Becky L. Truly</td>
</tr>
<tr>
<td>Deborah L. Poole</td>
<td>Denise A. Shafer</td>
<td>Courtney A. Trumitch</td>
</tr>
<tr>
<td>Kerri E. Porter</td>
<td>Heather M. Shawley</td>
<td>Kate E. Vensel</td>
</tr>
<tr>
<td>Melinda D. Porter</td>
<td>Jamie L. Sheffer</td>
<td>Martha L. Vera</td>
</tr>
<tr>
<td>Andrea B. Portnoy</td>
<td>Diana C. Shepherd</td>
<td>Jordan D. Verbofsky</td>
</tr>
<tr>
<td>Stephanie L. Post</td>
<td>Anne A. Shoms</td>
<td>Alexandra L. Viera</td>
</tr>
<tr>
<td>Stefanie J. Powell</td>
<td>Janine N. Shortall</td>
<td>Ashley E. Waggoner</td>
</tr>
<tr>
<td>Kasey L. Poynton</td>
<td>Terri T. Showers</td>
<td>Matthew R. Waldron</td>
</tr>
<tr>
<td>Kristi L. Pozza</td>
<td>Graig E. Simmonnette</td>
<td>Lucey L. Wallace</td>
</tr>
<tr>
<td>Anna N. Pratt</td>
<td>Jennifer M. Simmons</td>
<td>Sarah Lynne Walsh</td>
</tr>
<tr>
<td>Amanda R. Pribebe</td>
<td>Kathleen G. Simms</td>
<td>Danielle L. Walton</td>
</tr>
<tr>
<td>Sara E. Pumphrey</td>
<td>Tabitha A. Sizemore</td>
<td>Lauren C. Ward-Allen</td>
</tr>
<tr>
<td>April S. Queen</td>
<td>Mark L. Skinner</td>
<td>Kara L. Waters</td>
</tr>
<tr>
<td>Alyssa M. Quigley</td>
<td>Katherine A. Slomer</td>
<td>Tracy M. Waters</td>
</tr>
<tr>
<td>Bridget M. Quinn</td>
<td>Corrie E. Smichnick</td>
<td>Nancy J. Watts</td>
</tr>
<tr>
<td>Matthew A. Raab</td>
<td>Stephanie M. Smit</td>
<td>Amy M. Wayne</td>
</tr>
<tr>
<td>Olive N. Randall</td>
<td>Danielle D. Smith</td>
<td>Francis S. Weiss</td>
</tr>
<tr>
<td>Kevin P. Rausch</td>
<td>Gayle B. Smith</td>
<td>Colleen M. Wells</td>
</tr>
<tr>
<td>Jean M. Raymond</td>
<td>Jennifer L. Smith</td>
<td>Tamara C. White</td>
</tr>
<tr>
<td>Jeremy M. Rea</td>
<td>Miriam J. Smith</td>
<td>Ulrike White</td>
</tr>
<tr>
<td>Jason K. Reed</td>
<td>Thomas O. Smith</td>
<td>Sara M. Whitt</td>
</tr>
<tr>
<td>Shira Reicher</td>
<td>Wilman E. Snell</td>
<td>Charles C. Whittaker</td>
</tr>
<tr>
<td>Penelope J. Renoll</td>
<td>Nikki M. Snyder</td>
<td>Lauren R. Wickline</td>
</tr>
<tr>
<td>Marcy M. Rhae</td>
<td>Cynthia L. Sommerville</td>
<td>Joseph A. Wiecezorek</td>
</tr>
<tr>
<td>Claudia M. Ribeyro</td>
<td>Chi U. Song</td>
<td>Amanda C. Williams</td>
</tr>
<tr>
<td>Allison M. Riesett</td>
<td>Susan M. Soroka</td>
<td>Kyra K. Williams</td>
</tr>
<tr>
<td>Stephanie L. Rodriguez</td>
<td>Brendan F. Spiller</td>
<td>Anthony E. Wilie</td>
</tr>
<tr>
<td>Sheri N. Rosenberg</td>
<td>Vicki L. Spinelli</td>
<td>Jennifer N. Willie</td>
</tr>
<tr>
<td>Rachel L. Ross</td>
<td>Farah Springer</td>
<td>David A. Wilson</td>
</tr>
<tr>
<td>Dyan Rostaill</td>
<td>Lauren K. Spinnenweber</td>
<td>Sheri A. Wilson</td>
</tr>
<tr>
<td>Lavaunda R. Roundtree</td>
<td>Matthew J. Sroka</td>
<td>Nancy L. Woelfel</td>
</tr>
<tr>
<td>Terry L. Rushkowski</td>
<td>Michelle C. Stafford</td>
<td>John J. Wojtala</td>
</tr>
<tr>
<td>Bryan J. Russell</td>
<td>Debra D. Stahl</td>
<td>Bradley Wray</td>
</tr>
<tr>
<td>Jacqueline C. Russell</td>
<td>Lindy H. Stansbury</td>
<td>Debra D. Wyatt</td>
</tr>
<tr>
<td>Stephanie N. Russell</td>
<td>Cynthia L. Steele</td>
<td>Michelle Yingling-Cimaglia</td>
</tr>
<tr>
<td>Jennifer L. Ryan</td>
<td>Evanna Stefanakis</td>
<td>Ellen L. Zedella</td>
</tr>
<tr>
<td>Vanessa Ryan</td>
<td>Jill N. Stewart</td>
<td>Amanda A. Zeller</td>
</tr>
<tr>
<td>Theresa A. Sacks</td>
<td>Michele L. Stites</td>
<td>Jaime L. Zernhelt</td>
</tr>
<tr>
<td>Pamela A. Sainsbury</td>
<td>Catherine M. Stout</td>
<td>Heather E. Ziembia</td>
</tr>
<tr>
<td>Leanne M. Salley</td>
<td>Nicole Stout</td>
<td>Katherine A. Ziemser</td>
</tr>
<tr>
<td>Lisa M. Sanchez</td>
<td>Jeanne M. Swain</td>
<td>Bethany L. Zimmerman</td>
</tr>
<tr>
<td>Johanna H. Santa Rita</td>
<td>Erin L. Swann</td>
<td>Sandra M. Zinn</td>
</tr>
<tr>
<td>Vittorio Santoro</td>
<td>Craig E. Swanson</td>
<td>Julie M. Zipfel</td>
</tr>
<tr>
<td>Kimberly D. Sass</td>
<td>Jennifer L. Swiech</td>
<td></td>
</tr>
<tr>
<td>Jonathan E. Schachter</td>
<td>Heather L. Swieczkowski</td>
<td></td>
</tr>
<tr>
<td>Melissa C. Schaffer-Slade</td>
<td>Stephanie Swonger</td>
<td></td>
</tr>
</tbody>
</table>