Kindergarten teachers should be lining up to protest an illegal extension of the workweek that has just been knowingly imposed on them. **Knowingly**, because the illegal extension of the workweek generated by the manner in which this administration gathered the Maryland Model for School Readiness, has already been determined in the disposition of a grievance on the matter that was subjected to binding arbitration in October of 2002.

The Maryland Model for School Readiness (MMSR) has been around for about a decade now and it has consistently generated an extra workload for kindergarten teachers. The task was one of providing data to the Maryland State Department of Education regarding the “readiness” for school of new kindergarten students. The data was provided by kindergarten teachers completing an informational form for each of their students. There is a limited window of time allowed in which to complete the forms and unless some release from duties or meetings is arranged between teacher and principal, the task cannot be met within that window without the sacrifice of planning time, lunches, or an extension of the negotiated workweek. The task does not constitute individual planning for the delivery of instruction. Nor does it even involve individual planning. It simply provides the MSDE with data it requires. It cannot be required of a teacher beyond the 37 ½ hour workweek. Moving the mode from paper to computer does not change that fact. Offering an hour of pay at the extra-instructional rate does not change that.

The details of the prospective grievance that impacted kindergarten teachers should be initiating are substantively unchanged since the one arbitrated in 2002. It would be fair to expect a similar award if a similar grievance were to be processed. The 2002 decision is a 13-page document that discussed the matter in detail including testimony and written evidence. That Award is excerpted below:

> Based on the evidence, the parties’ positions, and the discussion set forth above, the undersigned makes the following Award.
> 1. By requiring the Grievants, XXX XXXXXXXX and XXXX XXX, to complete MMSR forms within a limited time period, when the Employer should have been aware of their inability to do so during the normal workweek, the Employer mandated that they complete the forms for the MMSR outside the workweek and, thereby, unilaterally extended that workweek.
> 2. The completion of the MMSR did not constitute individual planning activities within the meaning of Article 11, Section A, and constituted extra compensable work.
> 3. Grievants shall each be paid their hourly rate for all hours worked on the MMSR forms outside their normal workweek. Less any stipend previously paid to said Grievants.

November 4, 2002

Louis Aronin
Arbitrator
Question: Why Are Impasse Activities Necessary?

Answer: To Stop the Bleeding

The 2008-09 school year (Fiscal Year 2009) was the third year of a three-year agreement. It is the result of a three-year effort to reduce the number of years required to reach top salary and to improve each step and column sufficient to better compete with surrounding jurisdictions for highly qualified teachers. The salary scale in place currently in the 2010-11 school year (Fiscal Year 2011) is identical in structure. The salary amounts on each column and row are 1% higher than they were in FY09.

The scale, however, does not tell the whole story. Until the past two years, there were a few things that local educators could take for granted. Negotiated across-the-board increases (COLAs) and intentional restructuring aimed at getting educators to higher salaries faster did happen, but could never be presumed. But experience credit for each year of service has been typically presumed. Another presumed condition of employment was being allowed to work a full year and not be locked out for a few unpaid days. Obviously, these basic conditions of employment can no longer be taken for granted. And it’s costing our members lots of income.

Forget for a moment about negotiated COLAs that were not funded and the compensatory salary scale restructuring that is one of the impasse issues. Without consideration for unfunded increases but with the inclusion of our temporary 1% increase, AACPS educators have lost significant sums of income just by a two-year freeze of experience steps and two forced days off without pay in FY10 in the form of furloughs.

Consider a few examples: A new teacher with a BA and a Standard Professional Certificate on Step 3 has a cumulative loss of $5,787 in salary since FY09 ended. A more seasoned educator with a Master’s Equivalent on Step 10 lost $8,107. A Step 10 teacher with a Master’s plus 60 credits lost almost $9,000, with a Step 10 Doctorate holder losing slightly over $9,000.

You will find in this issue a spreadsheet showing the accrued losses of all educators who reside on the 191-day teacher scale. It is evident that those who were due for step increases suffered greater losses than those who have been topped out or stuck between longevity steps. Note that the Negotiated Agreement also contains salary scales for pupil services persons, specialists, and teachers with work years of varied lengths, all of whom would be impacted similarly. Not all results can be shown here.

As TAAAC members are learning quickly, simply asking for the money is not sufficient. As members are also aware, there is more at stake than dollars and cents. There is the related matter of respect. We are continually asked, cajoled, coerced, and sometimes threatened in efforts to persuade us to participate in activities which cannot be required. Some of us do what is asked because we believe it’s the professional thing to do. Others are intimidated into compliance. Perhaps, if we look at what has been taken from us in dollar amounts, if we remind ourselves of the level of sacrifice that our employer is sharing (or lack thereof); then we might be a bit more reluctant to continue previous volunteerism.”

(continued on page 4)
Virtually all of our AACPS school improvement plans contain a goal related to community engagement. The statement in the plans read: *Goal: By the end of the 2010-2011 school year, each school will host a minimum of two activities, meetings, parent-teacher conferences, etc. in the community.*

While community engagement might be a positive activity, those community activities that extend the workweek beyond 37 ½ hours, that occur in the evening or on a weekend, or that reduce available planning to below the negotiated 410 weekly minutes, cannot be required.

It is a regular event at TAAAC’s monthly Association Representative Council that AR’s stand to assert that their colleagues are being ordered to participate in a Saturday or evening community event. It is also a frequently heard assertion that when it is pointed out that such a directive is contrary to the workweek/work hours provisions on the Negotiated Agreement that the pertinent portion of the Agreement is secondary to the School Improvement Plan. Consequently, extensions of the negotiated workweek can be required if they are part of the school improvement plan. It is a fallacious assertion.

The Negotiated Agreement Between the Teachers Association of Anne Arundel County and the Board of Education of Anne Arundel County is a legally binding document. Provisions in it override conflicting provisions of school improvement plans, Faculty Advisory Council decisions, adopted Board policy, and regulations promulgated by the Superintendent. But it is up to us to enforce. If we do not, this administration has shown quite a willingness to ignore the portions it doesn’t like.

Volunteer if you like (preferably not during a job action), but please do not be bashful about enforcing the protections to your time that have been negotiated.

“Getting things done is not always what is most important. There is value in allowing others to learn, even if the task is not accomplished as quickly, efficiently or effectively.”

R.D. Clyde
(continued from page 2)

(or lack thereof); then we might be a bit more reluctant to continue previous volunteerism. Be reminded that professionals get paid for what they do. Any members who are being intimidated into working for free should notify the TAAAC office.

We are paid professional educators. We are not indentured servants to be owned or told children to be ordered about. Until we have a settlement, it is time to reconsider giving so much to someone who is so willing to take.

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"Education comes from living life, following passions, accessing information, observing, reflecting, and being inspired by wise and courageous elders in the community."

- Claire Aumonier
What should I do when a student spits on me?

It is a sad part of modern education that professional employees sometimes are spat upon.

From a discipline point of view, if the spitting is deliberate, the student should immediately be removed from the classroom and disciplined by administration. State Law says that spitting is equivalent to assault and can be reported to the police. If the circumstances warrant it, inform your administrator and file an assault charge against the student. Administration must confer with you before the student would be allowed back in the classroom. If the source is a special education student or some other unique situation, the discipline piece might be different but the medical part is the same.

There are two degrees of spitting as far as the employee should be concerned:

- If the spit only strikes clothing or closed skin, the spit should be immediately washed off and cleaned from all exposed parts of the body. Make sure you clean thoroughly and make sure no blood is detected within the spit. If you do detect blood, go to the second part that follows—

- If the spit enters your mouth, eyeball, or open wound or cut, it should be treated as a Bloodborne Pathogen and immediate medical steps should be taken:
  * Immediately attempt to flush out the surface or opening that was contaminated.
  * Immediately contact administration and inform them that prompt medical consultation with your doctor is necessary.
  * Have administration determine if lab testing has been done on the source for HIV antibody, Hepatitis B or Hepatitis C.
  * Obtain the “Report of Exposure and Authorization for Initial Treatment” and “Workers’ Compensation Incident Report Form” from administration and immediately go to your doctor’s office for examination. This examination should take place within two hours of the initial exposure.
  * Complete the necessary forms from the administration and contact TAAAC for additional support and information.

ATTENTION!

Are You Paying Too Much

If your employment status has changed and you have an annual salary under $39,541 and/or are working .6 or less, please contact the TAAAC office so that your membership dues can be adjusted accordingly.
WELCOME NEW MEMBERS

Willie Bennett  
Mary B. Foley  
Kristen Gaul  
Yihui Lee  
Lindsey Marchand  
Angela Martin  
Rhonda Peacock  
Taileia Ramsey  
Jennifer Reese  
Helen Rogers  
Hillary Sages  
Maura Shaul  
Casey Wayson  
David Wilbert

JOB OPPORTUNITY

DIRECTOR OF SUMMER CAMP: Private club located in Anne Arundel County is looking for an organized leader to oversee a Summer Camp Program of 200 attendees.

Camp runs from June 27 through July 2th. For more detailed information including complete job description please call 444.637.3775 or email sriley@gibsonisland.com.

TAX PREPARATION

R. J. Pellicoro & Associates is now accepting appointments for tax preparation at the TAAAC Office on the following dates:

- Monday, February 21 10 AM – 7 PM
- Thursday, February 24 1-7 PM
- Tuesday, March 1 1-7 PM
- Monday, March 7 1-7 PM

NOMINATIONS OPEN

The TAAAC Nominating Committee is accepting nominations for Secretary-Treasurer, Board of Directors, and NEA Delegates.

Nomination forms must be received at the TAAAC office by 5:30 PM on Monday, January 11, 2011.

Name ________________________________
Address ________________________________
_________________________________________________
School ________________________________
Phone (H) ____________________ (W) ____________________

I would like to place my name in nomination for the following position(s):

☐ Secretary-Treasurer
☐ Board of Director
☐ NEA Delegate

[Have you been a delegate before? YES or NO]