

TAAAC ACTION REPORT



Your Professional Organization

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Teachers Association of Anne Arundel County, An MSEA/NEA Affiliate

May 2010

Who Decided That It Was The Teachers' Fault?

Almost three decades ago, it was recognized by the former president of the Maryland State Board of Education that the three most critical problems in public education were, in order, *student motivation*, *parental involvement*, and *adequate funding*. In light of that, prudent people must look at the fallacies of logic perpetrated within the drive to tie teachers' evaluations and compensation to student test scores.

Teachers have very little control over whether or not a particular student is motivated, or even present, in the classroom. I will acknowledge that there are some teachers who are preferred by some students and who may reach them somewhat better. But not all students are ambitious, curious, and attentive. Even if the assertion that all students can perform to a high level is credible, it's clear that there are students who do not want to. There are some who choose to make no effort to learn, who may hate the subject matter, who may only occupy the seat because it's a required subject for graduation, attend school only reluctantly or infrequently, and even some ankle-braceleted unfortunates who may be in class because the other choice given was incarceration. Teachers in public schools do not have control over who they teach. They deliver instruction to motivated and unmotivated students, along with students who find entertainment in deliberately obstructing teaching by repeated disruptions.

Similarly, teachers do not get to select the parents of their students, or even whether there are two, one, or zero parents in their lives. Teachers see students for a little over 6 ½ hours daily. Much of what happens beyond that is in the hands of parents, family, community and peer groups. While there are exceptional situations from which movies and books have resulted describing heroic efforts made by individual educators to overcome obstacles students face in the homes and communities, it remains unreasonable to expect that all or at least most teachers have the opportunity, capability and authority to get parents involved who do not want to be.

The topic of funding adequacy is nearly laughable. There is a billion-and-a-half dollar backlog in maintenance and replacement, classrooms crowded with increasing student populations, sixty-degree classrooms in the fall and ninety-degree classrooms in the spring in which keeping hot drowsy students awake takes as much effort as trying to deliver a lesson. To worsen the matter, revenue shortfalls are resolved by lost instructional days and taking money out of the pockets of those who continue to deliver instruction in the face of these obstacles.

With so much that is crucial to student learning acknowledged to be laying outside of the teachers' control, it is incredulous that there are so many elected and appointed politicians that buy into the lie that students will perform better if teachers' evaluations and pay are tied to student achievement. That relationship is obviously a specious one if the top three problems have been accurately identified.

Besides, shouldn't common sense warn us against leaving a teacher's future to be decided by children?

COMMENTARY



Timothy M. Mennuti

The End – Ok where did it start? The Legislative Session begins each year on the second Wednesday of January and ends 90 calendar days later. This year it ended Monday, April 12th. Many people who work the session will tell you that it is “The Best of Times and the Worst of Times.”

Nothing is ever guaranteed until the final gavel. Even then there is always a mad scramble to see if the various amendments which are added during the process will undermine or support the main thrust of the legislation you supported.

For several reasons this was an extremely productive session. Part of the strategy of each session is to determine not only what needs to be passed but to determine what legislation is harmful and needs to be revised or defeated. In some years the measure of a successful session is the amount of harmful legislation that was successfully obstructed. While there was some of that this year, this session saw the positive outcomes outweigh all else.

For current retirees, we fought hard to protect their retiree benefits. Unfortunately, a glitch in the original legislation could have resulted in a real reduction in their benefits

in 2011. The temporary “fix” with Senate Bill (SB) 317 and House Bill (HB) 775 should correct the problem.

Next on the agenda were three bills that affect educators at all levels –

SB 590/HB 243: The **Fairness in Negotiations Bill** passed, creating an independent labor board to resolve bargaining impasses. Various editions of this bill have been introduced for well over 20 years. This year everything aligned and we now have a playing field

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that is a bit more level. Moreover – and this alone deserves applause – we have binding arbitration in negotiations.

SB 385/HB 946: The **BOAST Tuition Tax Credit** proposal would have allowed individuals or businesses to take tax credits for contributions to private or parochial schools. While this sounds like a good idea, the reality is that for every dollar given to the private/parochial schools, there would have been a dollar less paid into the state treasury in the form of tax revenue. In addition, there are issues with the constitutionality of the process as it relates to separation of church and state.

SB 899/HB 1263: The Governor’s **Education Reform Act** is the state’s response to Race to the Top. This bill increases the tenure qualification period for teachers from two to three years. Additional supports are added for teachers not on track to receive tenure. Teacher evaluations will include a measurement of student growth as a significant component with no single criterion being weighted more than 35 percent. The evaluation instrument *must be mutually agreed* to at the local level with the State Board making the final determination if parties can’t reach agreement within six months.

On the local level, there were several pieces of legislation with a direct impact on Anne Arundel County.

For several years teachers have complained about missing or non processed referral forms. In addition, some schools use a variety of “phony” referrals including MIR (Minor Incident Reports). Also, we have seen copies of referrals on which an administrator has written something to the effect that the teacher must “call home” before processing a referral. The most conspicuous problem, however, has been the complete lack of accountability of the referral forms themselves. The current form contains neither a serialized tracking number nor a teacher copy.

HB178 and SB 161 were introduced to address the accountability issue.

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From Contentia this month . . . *End of the Year Checklist*

Some Unit I members will soon be receiving their final ratings and there are several contractual provisions to keep in mind. All ratings must be based on a minimum of two observations; of which at least one must be formal or scheduled. The observations must be conducted this school year and must be conducted at least one month apart. A verbal conference shall follow each formal observation within two (2) days of the observation and a written evaluation of the formal observation must be received within five (5) duty days (based on both parties availability). The rating must be received prior to the last day for students (June 15, 2010). Any violation of these procedures may be addressed through the grievance process. If you believe any of these violations have occurred, Unit I members are strongly encouraged to contact their UniServ Director to discuss filing the appropriate grievance(s).

Teachers will receive their tentative assignments for the 2010-2011 school year soon and the Negotiated Agreement requires assignment notification by June 1 annually. The Superintendent, or his designees (principals), has the legal authority to assign teachers to meet the instructional needs of the students and the schools, therefore, no teacher is guaranteed the same assignment from year to year. Under NCLB, teachers may be required to work in an assignment outside their certification for up to one year; however, if you receive such an assignment, you should contact your UniServ Director to discuss the circumstances.

Any tenured Unit I member considering resignation from AACPS must submit a resignation notice to the Director of Human Resources no later than July 15. This deadline is a requirement under the provisions of the Negotiated Agreement and COMAR and failure to meet the deadline may result in penalties levied against an employee; a withholding of a recommendation for employment and/or suspension of the Maryland teaching certificate for up to one year.

Unit I members considering a voluntary transfer must have interviewed for vacant assignments prior to July 1 to be considered for those positions. We recommend those seeking voluntary transfers update their resume and their information on Brass Ring, and check for new vacancy postings at least weekly.

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The original legislation called for AACPS to add a serial number to all Discipline Referrals.

What we got was something stronger. The synopsis states: *These bills require the Anne Arundel County Board of Education to establish a committee to develop a policy and guidelines for administering office discipline referrals in the county; providing for the membership and chair of the committee; requiring the committee, on or before January 1, 2011, to develop and recommend a policy and specified guidelines regarding the administration of the office discipline referrals in the county to the Anne Arundel County Board of Education for the county board's approval; etc.*

A second bill is a direct result of the death of Christopher Jones in

2008. The new Gang Bill (HB 1160 Safe Schools Act of 2010) provides specific requirements for police and schools. Its synopsis: *Clarifying the authority of the juvenile court to notify specified school officials that a child has been found to be delinquent, in need of assistance, or in need of supervision and committed to a specified agency under specified circumstances; authorizing a court to notify specified school officials if a child found to be delinquent, in need of assistance, or in need of supervision is no longer committed to the custody of specified agencies; adding specified offenses to a specified list of offenses; etc.*

While these are the highlights of the bills that passed, there are a number of other bills (including many good ideas) which did not see the light of day. Some will be back next year.

The next step for educators is to work hard to elect pro-education

individuals to the various County Executive, County Council, Federal House of Representatives and Senate, and State House of Delegates and Senate seats. We can't complain about poor representation if we don't participate in the process.

A significant part of any campaign is resources. We need you to do something this fall. There are numerous ways in which you can help a campaign. If every member were able to do one of the following, we would be able to elect pro-education candidates: volunteer to deliver pamphlets door-to-door, be part of a phone bank, register new voters, volunteer to work in a campaign office, or something else (you decide). In addition, any money you can donate to the Political Action Committee will work wonders.

Remember – TAAAC is an issues-oriented organization. We are Pro-Public Education.

WIN \$50

EARLY ENROLLMENT MEMBERSHIP PROMOTION

Sign-up a non-member by May 28, 2010 for early enrollment. The new enrollee will be immediately eligible for select Member Benefits programs including insurance programs, car rentals, and credit card programs.

The new enrollee will not begin paying dues until the new school year starts and will not be considered a member until then.

Enrollees will receive complimentary life insurance and accidental death and dismemberment benefits as long as they continue membership. They will also receive a \$15,000 term-life insurance policy at no cost for 12 months.

See your TAAAC Representative for the application form. Be sure to print your name under "Referred By."

WELCOME NEW MEMBERS

Alison Bowers
Nicholas Good-Malley
Theresa Gorman
Kelly Hinrichs
Jade R. Mitchell
Melva Sunday
Kristie Tapper

NOMINATIONS OPEN

The TAAAC Nominating Committee is accepting nominations for **MSEA Delegates**. Nomination forms will be accepted until the Wednesday, June 2, 2010 Association Representative Council meeting.

Name _____

Address _____

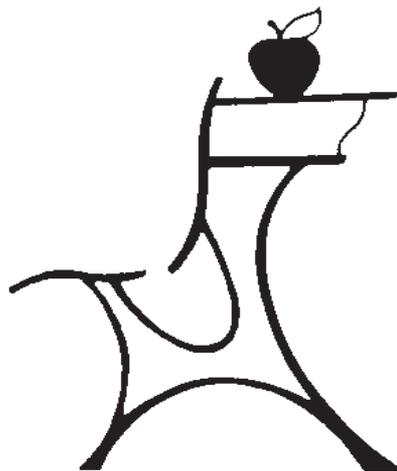
Email _____

School _____

Phone (H) _____ (S) _____

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

MSEA Delegate
(Have you been a delegate before? Yes or No)



“The finest gift you can give anyone is encouragement. Yet, almost no one gets the encouragement they need to grow to their full potential. If everyone received the encouragement they need to grow, the genius in most everyone would blossom and the world would produce abundance beyond our wildest dreams.”

-Sidney Madwed