

TAAAC ACTION REPORT



Your Professional Organization

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

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Schools Win - State Finds that Leopold Violated Law

TAAAC and the Board of Education have maintained for over a year that the County Executive violated State Law when he misused money appropriated to *debt service* in order to appear to meet the county's maintenance of effort (MOE) obligation. The State Board of Education has now affirmed the position shared by TAAAC and the Board with a simple, factual, and unambiguous decision (the entirety of which is posted at www.taaac-online.org).

MSBOE Conclusion

For all the reasons set forth herein, we deny the County's appeal and find that it did not fully fund MOE for FY 2012, underfunding the school system by \$11,963,288.

Game, set, match. Usually we don't begin a story at its end but this is an exception. Having been told now how the story ended, you will learn the rest below from excerpts directly from the State Board of Education's decision that put the dispute in perspective.

In purporting to follow the "apples to apples" comparison described in the Attorney General's Opinion, the County adjusted the FY 2011 MOE amount by adding \$41,481,100 to the MOE target. That amount represented debt service attributed to the school system in that year. (County Response to Board Question #3, Letter of February 15, 2012.) The County did not, however, appropriate those dollars retroactively or otherwise to the school system. We point out that the Attorney General's Opinion specifically calls for an actual appropriation. It precludes using an appropriation for debt service in calculating MOE in one fiscal year, unless "the same expense – and appropriation" were "part of the computation of the highest local appropriation for the school operating budget for the prior fiscal year." [94 Op. Att'y Gen. at 198.]

Once again the State Board of Education cut directly to the chase. In simple English they effectively made two statements: "You can't use an appropriation for debt service in one fiscal year if you hadn't done the same thing in the previous fiscal year." And: "Simply saying so, doesn't make it so." Once again – game, set, match.

Unfortunately this isn't a Fairy Tale in which everyone lives happily ever after. In the real world, there is still pain and suffering. This is how the Superintendent characterizes the situation:

The Board's decision reinforces what we have been saying for more than a year. The shell game employed by the County Executive has taken \$12 million from our children that they can never get back. But this is no time for celebration because the County Executive has violated the law again this year.

Why does hardship continue and where did the missing 12 million dollars come from? Once again the facts are fairly simple but need to be explained and understood. Here's more from the AACPS release: ***In his FY2013***

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From Contentia this month . . . *Procedure and Policy*

Excess Positions

Since principals have received their tentative student enrollment numbers for next year, most teachers have already been notified of positions being excessed from schools. It is important to understand that excessing is based on seniority in the county—not seniority within a school. Additionally, it is important to stay in contact with the Human Resources staffing specialists to find the best possible match for you within the system. Excessed teachers are encouraged, but cannot be required, to participate in the voluntary transfer process since this is a proactive approach to finding a suitable position. If excessed teachers have not received their new assignments by the last duty day for teachers, they will have priority over new applicants and teachers requesting voluntary transfers.

An opportunity for some. If your principal is required to excess a staff member or members, and you want to leave the building, you may volunteer to be excessed. Volunteering to be excessed places you in the involuntary transfer process and you will be assigned to a different position next year at another building. Note that you may still interview for a voluntary transfer; however, if you are unsuccessful in securing your own assignment for next year, you will be placed by Human Resources. If you are tenured, or non-tenured invited back for another year, you will be guaranteed a position within the county.

Counseling Letters

There is always some confusion when teachers receive counseling letters from their supervisors following a counseling session. Counseling letters are *non-disciplinary* and serve only as reminders of Board of Education or school policies. The letters should contain a specific topic (usually the Board or school policy) and a general reference to the alleged incident which precipitated the counseling session; e.g. “All employees are required to remain professional in their communications with parents.” The counseling letter should not state specific allegations; e.g. “(Teacher) hung up on parent and refused to return a phone call.” After all, the counseling letter clearly states the supervisor has found no reason to take action against the teacher, so there is no reason to elaborate on the details of a specific incident.

In accordance with the *AACPS Employee Performance and Conduct Management* manual, a request for removal of counseling letters from the school files and central office files may be made after two years from the date of issuance. The request is made of the current manager/principal regardless of who issued the counseling letter. Of course, this request is usually approved as long as the employee has not had allegations of a similar nature during the referenced two-year period. *Exception: If a counseling letter is issued as a result of an internal AACPS investigation, the letter remains in the files indefinitely.

Members who have questions in regards to excess positions and/or counseling letters should contact their assigned UniServ Director for additional guidance.

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Teachers Association of Anne Arundel County
2521 Riva Road, Suite L 7
Annapolis, Maryland 21401
(410) 224-3330 (410) 841-6022
(301) 261-8309 FAX (410) 841-5117
www.taaaconline.org

Officers
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SPARKS and RE-IGNITE

Are a Huge Success

SPARKS is a program for teachers in their first five years of experience. RE-IGNITE is a program for teachers in years eleven to fifteen. Both programs serve to help employees share experiences and enjoy some time learning a few new things. They also identify new/future leaders within our organization.

On April 13-14, twenty teachers (up from fourteen last year) from around the school system got together at TAAAC and the Double Tree Annapolis along with the Instructional Professional Development Committee for what ended up being a great and informative time for everyone involved.

The twenty teachers received instruction/information on many topics:

- Tim Mennuti, President of TAAAC, gave a brief session on the history of TAAAC and the importance of new blood to help run the organization moving forward.
- The IPD Committee gave some classroom tips and instruction. Teachers had time to share experiences and collaborate on best practices in an open/fun atmosphere.
- Kristy Anderson, MSEA Attorney, spoke about legal issues that face teachers and education in today's challenging education environment.
- Bill Bush, from Integrated Financial Solutions, gave information on how to plan out your financial future.
- George Hall, from the Maryland Real Estate Team, gave direction on how to rent or purchase a home in this buyer's market.

The Chairperson of the IPD Committee, Donzella Parker Bert, was an enthusiastic cheerleader for the event. Other committee members who helped out include Colleen Benda, Richard Benfer, Enid Collision-Lee, Grace Matthews, Ashli McClure, Lacey Quarantillo, Cherryll Wilkerson, and John Wojtila.

Special thanks go out to the IPD Committee for putting together this terrific event. Each of the twenty participants in the SPARKS/RE-IGNITE program signed up to assist with at least one of the following for 2012-2013:

1. Join a TAAAC Committee
2. Be nominated to become a delegate to the MSEA Convention for 2012-2013
3. Become a building representative

Please congratulate the following SPARKS/RE-IGNITE folks when you see them: **Chicquita Archer, Robin Beers, LeSean Carey, Mollie Dwyer, Kassie Haney, Amanda Holloway, Ashley Kotz, Kate Mason, Julie Meredith, Kate Miller, Karen Pedri, Jocelyn Potts, Dan Scott, Nicole Tello, Kathy Whittemore, Helen Wilkerson, Kimberly Johnson-Yancey, Milagros Cancel, Christy Jenkins and Gail Tucker.**

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budget proposal unveiled April 16, the County Executive did not count debt service but continued to use the artificially lowered per-pupil allocation (PPA) from FY2012, which falls below the MOE-mandated level. Emergency legislation passed by the General Assembly and signed into law by the Governor on April 10 requires a County to use the correct PPA from the last year in which a system met MOE, in this case FY2011. The difference in those two figures amounts to approximately \$12 million.

So, now we know that the BOE Budget is short \$12 million. While that is a big amount, it is hard to imagine its impact in a budget of nearly a billion dollars. With that said, let's break this down into numbers that we can all relate to. What does it mean to the average classroom teacher?

Once again here it is in simple terms: Two years ago, before Mr. Leopold brought debt service into the calculations, the county spent \$7,712.59 per pupil. But in this year's budget, in apples to apples comparison, he is proposing to spend \$7,550.17 per pupil, a difference of about \$162 apiece. Multiplied by the system's 74,300 students, that amounts to \$12 million. Yet again – game, set, match.

Each and every child in Anne Arundel County Public Schools was short changed by the County Executive by \$162 apiece. It doesn't get any clearer than this. Please stay tuned as we work through this situation. We may well be calling on you to be heard on this matter.

WELCOME NEW MEMBERS

Allison Lang
Robin Schoene

Website Notice

TAAAC has moved its web address a number of times over the past few years. Please be reminded that the current address is:

<http://www.taaaconline.org>

MSEA Run-off Ballots

Remember the run-off ballots for the MSEA Vice President contest must be **RECEIVED** at the Private Mail Box in Annapolis by 5:00 PM on May 11, 2012.

NOMINATIONS OPEN

The TAAAC Nominating Committee is accepting nominations for **MSEA Delegates**.

Nominations will be accepted until the June 6, 2012 ARC meeting.

Name _____

Address _____

School _____

Phone (H) _____ (W) _____

Email _____

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

MSEA Delegate

(1st time delegate? yes or no)