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# FMEA Observer

Winter Edition

[A letter from the president, Scott Shulimson...](#)

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Hello FMEA members,

Now that we are one third of the way through this year, we've had a chance to see the beginnings of what our district will be like without John Porter and Rudy Herrera. Some good things happening, but most of the familiar challenges of working in FMSD remain.

Like everyone in our district, I'm still trying to figure out what to expect from our new superintendent. It's too early to make any definitive statements, but I continue to be generally happy with Superintendent Cruz's leadership. It's clear that we won't agree all the time, but he seems to keep an open mind, be a good listener, and have high expectations for our district. I hope many of you are taking advantage of his site visits as a good opportunity to speak candidly about your ideas and concerns. I have found Mr. Cruz to be trustworthy and caring, and I hope this continues as the year progresses.



## Important Dates

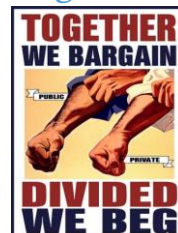
**Thanksgiving Break!**

11/25-11/29

Happy Thanksgiving!

**Bargaining**

12/18



**Winter Break!**

12/19-1/10

Enjoy the holidays and stay safe!

The arena where his leadership will perhaps be most important is in bargaining. FMEA has secured almost 10% in raises over the last two years, and we have rarely gone to mediation. However, the process has rarely been easy. It seems that every year we have to endure months of insulting compensation proposals from the district before they finally agree to a fair settlement. During this round of bargaining, we haven't yet received any compensation proposals from the district. We have, however, heard that they are very concerned about declining enrollment caused by charters as well as families moving inland to escape increasing rents. The Board will be receiving a full report on declining enrollment prior to our next day of bargaining on December 16<sup>th</sup>. This may pave the way for finally receiving a compensation proposal from the district. Though, I'm concerned that it won't contain what FMEA considers to be a reasonable offer.

With a new math curriculum and many teachers piloting new ELA curriculum there have been plenty of glitches and challenges this year, but the majority of problems once again are arising in special education. It seems that department continues to struggle in just about every area. I believe Juan Cruz genuinely wants to tackle the problems, but he is primarily focused on making system-wide changes. To that end we have a new Director of Special Ed, Miriam Galvarin, who begins December 1<sup>st</sup>. Please continue to send me your immediate special ed needs so I can work to get them resolved.

Many of you may not yet know that the U.S. Supreme Court is hearing a very important case this spring known as Friedrich VS CTA. The outcome could drastically weaken unions in this country. Union membership has been falling for decades, and this could be a devastating blow.

In the U.S. and other countries, there is a direct correlation between union membership and distribution of wealth: as union membership goes down, the numbers of people in the middle class go down. The Supreme Court's decision is expected in June, and I truly hope that what's left of the U.S. union movement isn't dismantled with that decision.

This is an era of big changes locally as well as nationally. Despite the challenges ahead, I'm still optimistic about this year and this district. As always, don't hesitate to contact me with any ideas, questions, or concerns you have.

Sincerely,  
Scott Shulimson



## Grievances

- There are multiple class-size grievances but fewer than in recent years.
- There is an arbitration filed at Kennedy regarding a “written verbal” letter.
- There is an arbitration filed at Los Arboles regarding a “written verbal” letter.
- There is an arbitration filed at Franklin regarding a letter of reprimand.
- There are three arbitrations filed at Los Arboles regarding a letter of reprimand, evaluation and other matters.
- There is a grievance at Stonegate regarding unsafe working conditions.
- There is a grievance at Meadows regarding unsafe working conditions.

Discussions are under way to resolve most of these arbitrations.

## Board Briefs - October 27

- An update on the district’s visual and performing arts program was presented. It was stated that in future years the district may be able to hire teachers to support a visual and performing arts program.
- The Board accepted a \$250,000 donation from Applied Materials to support the district’s work with Partners In School Innovation.



## Contract Issues

7.1 Unit employees shall not be required to perform tasks which endanger their health or safety. A unit member who notes such conditions must report, in writing, to the site administrator or designee the location of the hazard and the type of injury which is likely to occur.

7.3 A unit member shall immediately report threats or cases of assault or battery suffered in connection with his employment to the site administrator or designee who shall immediately take action to assure the safety of the unit member and report the incident to the police. Such notification shall be immediately forwarded to the Superintendent or designee, who shall take further action.



## Board Briefs - November 10

- The Board honored Global Learners and employee Spirit Award winners.
- A proposal was made to update many of the outdated HVAC and lighting systems in the district using Prop 39 money from the state that is specifically geared towards energy efficiency.
- An update to the extensive Franklin modernization was presented to the Board.

# Charter School Black Hole: CMD Investigation Reveals Huge Info Gap on Charter Spending

Madison, WI (CMD) – Today the Center for Media and Democracy (CMD) is releasing a special report on its year-long investigation into charter schools spending in the United States. You can access the full report "[Charter School Black Hole](#)" [here](#).

CMD, a national investigative group that conducts in-depth investigations into the influence of corporations, trade groups, and PR firms on media and democracy, found that the public does not have ready access to key information about how their federal and state taxes are being spent to fuel the charter school industry since charters began almost 25 years ago.

Indeed, no one even knew how much the federal government had spent on its program designed to boost the charter sector. So CMD reviewed more than two decades of federal authorizations and appropriations to calculate the sum, which is now more than \$3.7 billion—as noted in this new report. CMD also found that the federal government was not providing the public with a list of all the charter schools that received federal tax monies and how much.

CMD also found that many states have not provided the public with ready information about the amounts of federal funding each charter has received under the federal "Charter School Program" (CSP) for state education agencies (SEAs), and that most states have not provided the public with information about the amounts in state and federal tax dollars that have been diverted to charters rather than spent strengthening traditional public schools.

What is even more troubling is how difficult it is to find essential information on how some charters have spent federal and state tax dollars, even as governments continue to increase funding for charters while slashing funds for traditional public schools. Unlike truly public schools that have to account for prospective and past spending in public budgets provided to democratically elected school boards, charter spending of tax monies is too often a black hole.

This is the largely due to the way the charter industry has been built by proponents, favoring "flexibility" over rules. That flexibility has allowed an epidemic of fraud, waste, and mismanagement that would not be tolerated in public schools. Charters are often policed—if they are really policed at all—by charter proponents, both within government agencies and within private entities tasked with oversight as "authorizers" of charters.

In this investigation, CMD pursued numerous open records requests under federal or state law about how much federal CSP money had been given to charters and how that money was spent in 12 states. As a result, CMD found that public information about funds received and spent by charters is severely lacking. It also documented how little is known about spending by closed charters, and identified "ghost" schools, where federal grants were awarded to charters that never opened.

"The bottom-line is taxpayers know far too little about how much their federal tax dollars are being used to fund charters and there is far too little information provided by states about how tax monies are being spent by charters or by for-profit firms they are tied to," said Lisa Graves, Executive Director of CMD. "Neither the federal government nor the states require charters to publish that information on their websites and neither the federal or state governments we examined publish that information themselves."

Key findings from the report regarding California:

**California:** More than \$4.7 million in federal taxpayer money was handed out to create charter schools that subsequently closed within a few years. CMD's investigation found that California's record on charters is marked by continued failures, including squandering of taxpayer money, along with deference to unaccountable authorizers and resistance to federal efforts to mandate better state oversight.

## What Teachers Do? by Robert Borosage

Turns out the teachers got it right. The wheels are falling off the so-called “education reform” project which dismissed the voices of teachers – and particularly their unions – with no little vitriol.

Reformers offered clear, simple answers to the supposed failings of America’s schools. High-stakes testing, they claimed, would measure failed schools and teachers. Charters would provide motivated alternatives, after failed schools were closed. Cyber schools would move education into the dot-com age. Teach for America students would supplant tired, old teachers.

Now reality is starting to bite. The Obama administration – chief apostle of high stakes standardized testing – now warns against devoting [too much class time to testing](#) and test prep. Charters have been exposed for [wasting literally billions](#) on schools that never open or close after a few months. The growing number of scams and rip-offs is too big to ignore. Teach for America students tend to leave schools before they gain the experience vital for teaching. Assailing teachers not surprisingly prompts the best to leave early. Cyber schools, a recent study reported, are [so bad](#) it is as if the students never attended school.

The most hyped charter chain – the Success Academy schools in New York City – turn out to have lists of [“got to go”](#) students who don’t perform well. It is relatively easy to lift average test scores if you eliminate the laggards. Common sense now gets a new hearing, as parents and teachers revolt across the country. As National Education Association President Lily Eskelsen García calmly explained to critics on “Morning Joe,” none of the countries that have been rising in international comparison do any of the things that the reformers tout. They

make teaching an honored profession, train teachers well, mentor them constantly and pay them well. They put more resources into schools in poor neighborhoods and students in poor families. It isn’t rocket science.

And they have a better sense of what teachers do. The Campaign for America’s Future was honored to celebrate the leadership of Lily Eskelsen García at its annual Gala on October 27. And in receiving its Progressive Champion award, she treated the audience with one of the greatest riffs on teaching that I have ever witnessed. Listen to her summary of what teachers do [here](#). And understand, we might be well to listen to those who teach our children, not ignore them.

Robert Borosage  
Campaign For America's Future  
OurFuture.org

## Are Unions Necessary? by Michael Hiltzik

The question is posed by an exchange [launched by Evan Soltas](#) at Bloomberg View, and [answered by Michael Wasser](#) of the workers rights organization Jobs for Justice. Soltas has [defended himself](#) against Wasser's response.

The discussion was inspired by the recent defeat of a United Auto Workers drive at the Chattanooga, Tenn., plant of Volkswagen, which we discuss [here](#). The case has inspired lots of commentary about the long-term decline of industrial unions in the U.S. and the role of that trend in the increasing of income inequality. The two trends coincide, so there really is no question that the decline of workers' voice and worker rights resulting from the decline of unions has played an important role in the rising power of the shareholding and managerial class.

To think that federal labor law has had "little to do" with union decline, as Soltas puts it, is hopelessly naive. He's misled by the fact that union membership has fallen even though we have laws guaranteeing the right to collective bargaining, and by the failure to recognize how inadequately those laws are enforced.

"Without any real penalties to fear, employers have an economic incentive to violate federal labor law. Research [shows](#) that indeed they regularly do, using a variety of often unlawful tactics to coerce and intimidate workers during union organizing campaigns."

When the employers don't do so, political representatives of the capital-holding class will, as was seen in Chattanooga, where politicians used the threat of the withdrawal of government subsidies, and the impact that would have on the workforce, as a weapon against the union.

Over the years, employers have developed an exquisite arsenal against union organizing. For a succinct description of how the war is waged, Soltas needs to examine "[Confessions of a Union Buster](#)," the heartfelt memoir Martin Jay Levitt published in 1993.

"I come from a very dirty business," Levitt told a carpenters union audience (after his conversion). As

he described it, "The enemy was the collective spirit. I got hold of that spirit while it was still a seedling; I poisoned it, choked it, bludgeoned it if I had to, anything to be sure it would never blossom into a united work force, the dreaded foe of any corporate tyrant."

One simply can't explain the decline of union representation without acknowledging the role of employer opposition and its empowerment by government policy, as outlined in [this 2009 report](#) from the Economic Policy Institute. The government role includes not merely the behavior of the Tennessee GOP, but "right to work" laws, and the enfeeblement of the National Labor Relations Board and its intimidation by members of Congress.

It's also important to understand two additional factors that make union organizing difficult, and which can't be absorbed from college textbooks or academic papers: fear and complacency. Fear reigns during periods of slack employment and job growth, when workers perceive that the surfeit of replacement labor makes it costless for employers to sack them for any reason at all, including labor organizing. Lax enforcement of labor law plays into this in a big way.

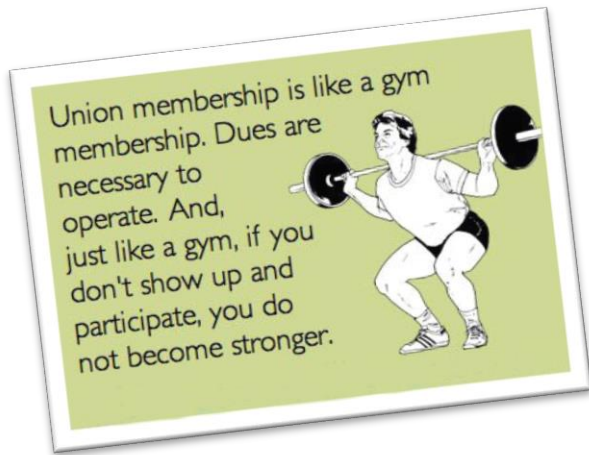
Complacency reigns during periods of tight labor supply and prosperity, when the workforce figures, why siphon off part of my paycheck in union dues, since I'm already well-paid and reasonably secure?

The only vantage point from which union power can be seen as inefficient and bad for the economy is that of rent-seeking management, which is far more inefficient and bad for the economy. As Brad DeLong of UC Berkeley wrote recently, "Tell me, if you can do so with a straight face, that any aspect of the large upward leap in inequality we have experienced has paid any benefits at all in terms of true ... human material welfare-enhancing economic growth. I don't think you can."

Michael Hiltzik  
LA Times



## Other Bits and Pieces



### Disability Insurance Info

Disability Insurance is available through CTA-endorsed vendor, The Standard, and in your first 120 days of employment in a new district pre-existing conditions are covered. More information is available at: [Disability Insurance](#)

### Para vs Behavior Interventionist

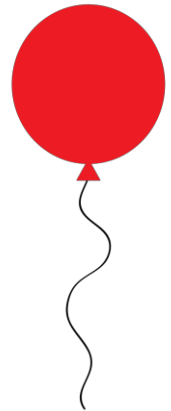
CSEA has asked that, in an effort to clarify and reduce friction, we remind teachers of the difference between a para and a behavior interventionist.

*Distinguishing Characteristics: An incumbent of this classification (Behavioral Interventionist) provides one-on-one and/or group intensive behavioral intervention services. The class of Behavioral Interventionist is distinguished from the class of Instructional Aide/Special Education in that duties and responsibilities of positions in the former classification are focused upon modification of inappropriate classroom and playground behavior, while those of the latter class are directed toward assisting in and reinforcing the instructional process.*

## Congratulations!!

Congratulations to Jeannie Martin, our new FMEA director!

And huge thanks go out to Aiko Hatakeyama and Kate Adams for being willing to step up and take on this important role!



## FMEA Charter Accountability Program (CAP)

FMEA along with CSEA was able to convince our local School Board to turn down Rocketship last year. Unfortunately the County Board overturned that decision in June. FMEA now has a committee that is strategizing on how to ensure that families in our area aren't just getting information from the well-funded independent charter school machine that is so prevalent in our area. If you are interested in working on this committee contact Scott Shulimson.

## FMEA Fall/Winter Calendar

**November 25-29 -Thanksgiving Break**

**December 8 - School Board Meeting @ 8 p.m.**

**December 14 - Rep Council Meeting**

**December 18 - Bargaining**

**December 19 - January 10 - Winter Break**

**January 18 - Martin Luther King Holiday**

**January 20 - Bargaining**



# Until next time!

Please email any articles, suggestions, and advertisements for the next issue of The Observer to [hondita@gmail.com](mailto:hondita@gmail.com)

The Observer is a publication of FMEA/CTA/NEA. Ideas presented by the editors are those of the editors and not of FMEA/CTA/NEA. Articles submitted by individuals solely represent the views of those individuals and not of FMEA/CTA/NEA.

## Important Contacts

New FMEA Site: [fmea.mobi](http://fmea.mobi)

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