

**Rep Council Minutes**  
**November 13, 2008**

**Officers present:** President Marc Houle, High School Vice President Bob Walker, Middle School Vice President Bob Ruark, Elementary Vice President Stephanie Martin, SPED Vice President Jan Van Horne, Secretary Naomi Lukaszewski, 6-12 Director Candy Smiley, K-5 Director Karen Wusthoff  
*Treasurer Kelly Logan was absent due to illness.*

**School & Members Represented:**

High Schools New Direction	Middle Schools	Elementary Schools and PPAP			
PHS	BHMS	AB	HR	PV	SR
RBHS	BMMS	CHAP	LP	RH	TB
N. DIR	MBMS	CRKS	MID	SCRK	TBCK
PPAP	MVMS	CV	MCRK	SD	VAL
NURSES	OVMS	DS	MR	SH	WG
	TPMS	GR	PR		WW

**Handouts:** Agenda with attachments

“Positive Descriptions of Student Behavior”

**Call to order:** 4:00 p.m.

**I. SPED Update—J. Van Horne. SPED Vice President—see *handout***

*The Power Point accompanying this presentation can be found on the PFT website, [www.powayteachers.org](http://www.powayteachers.org) or contact Jan Van Horne, SPED Vice President via District e-mail.*

*Secretary’s Note: The correct term for non-SPED classes is “General Education”, not “Regular”.*

A. 2004 IDEIA-Individuals with Disabilities Education Improvement Act

1. Requires General Education teacher to present for relevant portions of IEP.
2. Meeting must touch on specific points.
3. “Least Restrictive Environment” mandated.
4. State mandates must also be adhered to.

B. Rowley vs. Board of Education

1. US Supreme Court ruled that IDEIA does not require states to maximize student potential, simply provide accommodations to maintain a “level playing field”.
  - a. Cannot give SPED students additional opportunities not available to other students.
    - i)Ex: Allowing a SPED student to retake a test in order to pass.
    - b. Reading a test to a student is providing an accommodation.
  2. States also not required to provide “Cadillac” level of service.
    - a. Basic level of accommodations is acceptable.

C. Suggested input of General Ed Teacher

1. Rate of homework completion
2. Participation in class
3. Input must be in measurable descriptions
  - a. Handout on Positive Descriptions of Student Behavior provided to reps.
4. By law, teacher/school cannot refuse accommodation or service that has been deemed necessary.
  - a. Teacher cannot say, “I can’t do that.”
5. Section 1983
  - a. Intentional failure to follow IEP can leave teacher open to civil lawsuit

Question: When asked directly if I think something is going to benefit a student, how do I avoid lying if I think something is genuinely going to benefit that student? For instance, if I am asked if a student would benefit from having a laptop and I think he would, I am not going to compromise my integrity by saying, “No,” just to save some money.

Response: You don’t have to lie. You can answer “All my students would benefit from having a laptop.” Remember, we do not have to provide a “Cadillac” education. You want to be careful that you don’t make a commitment that is something that gives them additional opportunities for success and is not an accommodation.

Question: If we have a difficulty with a student who is mainstreamed, is that site issue or a SPED issue?

Response: It’s really both. This is something the District does not manage well. For IEPs, it helps to have a staff only, pre-meeting to ensure everyone is on the same page.

Question: Can we access your Power Point?

Response: I will post it on the PFT Website. This information is not solely a PFT perspective. It was reviewed by the head of Special Education, Wendy Smith-Rogers. I’m sorry the SPED section of the PFT website is still under construction.

#### D. Federal Funding

1. Initially promised to cover 40% of SPED costs but has not ever fulfilled promise.
  - a. Currently SPED is federally subsidized at about 17%.
2. California also supplants state funding with federal funding.
  - a. Takes away about \$1 in state funding for every \$1 received in federal funds.

## II. PFT Community

### A. Palomar Council made up of PUSD PTA Presidents

1. PFT Director, C. Smiley attending Palomar Council meetings.
  - a. PFT has worked with legislative chairs: Lorene Joosten and Linda Cialeo
2. PTA has welcomed PFT presence
  - a. Council has felt distanced from teachers.
  - b. Welcomes PFT participation
3. Palomar Council sponsors several community support projects.

### B. PFT proposes to participate in Adopt-A-Family as an organization. *See Agenda Attachment 2*

1. Know site are already doing Adopt-A-Family
  - a. Do not want to place additional obligations on teachers.
2. Have asked Palomar Council for basic amount needed to support family.
  - a. There is not really a basic amount. Council fills in any funding gaps.
  - b. Have families that are difficult to serve due to adolescent children, large number of requests, etc.
  - c. Any donation would go toward supporting families that are difficult to serve.

### Discussion:

- I think we shouldn’t [take money from the general fund] and should ask the reps for donations.
- I am okay with a general donation but I am not comfortable with supporting a specific family.
- I agree, I think we should donate to the service organization, not to a specific family.
- Sites are already doing Adopt-A-Family. I agree with a sum of money to a service organization.
- Do you know how many families benefit? I know our school does about 10 families. I am curious about other schools.
- Not all sites participate.
- Our donation would go toward filling in the gaps in funding for those families that are difficult to support.
- I would rather see some families chosen. If we are looking at strengthening ties then I think we need to be more personal. We need to go one more [than a donation from the organization].

- I think it is just as much to donate to the organization, whether it is PFT funds or your own money.
- I got the sense that teachers are already donating on their own, that is why I propose we contribute as an organization.
- I have mixed feelings about the whole things. All the points have been excellent. But since they approached us...
- No, we approached them. We didn't make a commitment but we did make an inquiry about participating.
- Well, having [inquired about participation] we cannot gracefully pull out now. I think the question isn't whether or not to participate but to what extent. How much do we want to spend?
- There are a lot of schools who participate. One class might raise \$100 and another one might raise \$10. What they do is pool the money and then make a donation.

**J. Van Horne calls the question. Motion made to contribute \$250 from COPE funds to the Palomar Council Adopt-A-Family program.**

**2<sup>nd</sup>: S. Nelson**

Discussion:

- Can we use COPE funds?
- Participation in Adopt-A-Family is not part of representing.
- I am more comfortable with contributing money from COPE.
- How is COPE? Didn't it just borrow from the General Fund?
- COPE cannot earn interest. As money comes from donations, the loan from the General Fund is being paid off. We get roughly \$1700 a month from COPE (\$17,000 yearly). COPE borrowed about \$1600 to pay for the ads endorsing Linda Vanderveen and Andy Patapow.
- I think we should go ahead and do it. We are engendering goodwill which will help us politically later on. It makes a statement to participate as an organization.

**Friendly amendment to motion by S. Martin to contribute \$1000 from COPE to the Palomar Council Adopt-A-Family program.**

**2<sup>nd</sup>. R. Ruark**

**Amendment passed unanimously.**

**All in favor. None opposed. Motion carried.**

C. Donations

1. Dr. Phillips asked Palomar Council and Foundation to help by donating funds to school sites for classroom supplies.
  2. C. Smiley asked Palomar Council for feedback regarding donations.
    - a. PFT would like to develop a process for soliciting donations that is the least burdensome on the PTA and Foundations.
    - b. Asked Council what worked well and what needs to be improved.
      - i) Would like more accountability, info about how donations are spent.
- I think when we are soliciting for donations we should stipulate that these donations are for "your child's classroom" and not for the teacher. It's got nothing to do with the teachers.

**III. Leadership**

A. IBPS and PPAP Governance Board Job descriptions *See Agenda Attachments 3 & 4*

1. Developed to establish clear process for appointment to IBPS and PPAP Boards
  - a. Previously staffed by soliciting volunteers, appointment by PFT President

B. PPAP Governance Board

1. 3 year term with opportunity to reapply.
2. Highly Confidential position
3. Teacher must be Highly Qualified

C. IBPS

1. Financial expertise desired but not required.

D. Application and descriptions will be posted in January.

Question: What is the process?

Response: You apply, get references, interview.

Question: Who will be interviewing from the District Office?

Response: No one. It's our position. The District doesn't have a say.

Question: Can you still be a rep if you apply for one of these positions?

Response: Yes, I don't see a conflict of interest.

#### **IV. PFT Elections *See Agenda Attachment 4***

A. K. Wusthoff will be sending out an e-mail correcting an error in the Election Timeline posted on the PFT Website.

1. Members must be in good standing but March 1, not March 5 in order to sign petitions for office.

B. Changes to process

1. Last year, the by-laws surrounding the election process were amended through a vote of the membership.

2. Nominating committee no longer selects a slate.

a. Committee charged to draft a candidate in the event an office lacks a qualified candidate.

C. Timeline

1. January

a. Reps receive timeline for running for PFT office

b. All Teacher e-mail sent listing PFT job openings, job descriptions, instructions, and submission deadlines.

2. March

a. All candidates for PFT Office or Site Rep must declare by March 5<sup>th</sup>.

3. April

a. Two candidate forums will be held at PFT

b. In the event the offices are uncontested, only one forum will be held.

c. All candidates who wish to be included in an election flyer will need to turn in a 300 word or less statement.

4. May

a. Elections held May 12 & 13.

#### **V. State Budget Update and PUSD Impact**

A. Timeline

1. November 2007: No signs of impending trouble

2. January 2008: 1<sup>st</sup> indication of financial difficulty

a. Governor's proposed budget includes severe cuts to education

3. May 2008

a. May Revision has improved outlook for education, however, economy has not improved.

B. November 6, 2008 special legislative session

1. Possible mid-year cuts

a. Could result in \$10-\$11 million in cuts to PUSD

b. District budget is \$252 million. Cut would be 5% of budget

c. Attempting to reduce deficit with cuts and tax increases

2. Mid-year cut would lower our base which would roll into next year.

a. Effectively cuts into next year's budget

3. Governor proposes to reduce ADA by \$300 per student.

a. ADA reduction would come with increased flexibility in categorical funding.

- b. Would loosen restrictions on categoricals.
- C. Cuts not actually happening yet
  - 1. Proposal needs two-thirds approval from state legislature.
- D. New budget proposal on January 9, 2009
- E. Political Action
  - 1. Working with PTA collectively
    - a. PTA support and teamwork was highly effective
  - 2. Simply asking for more money will is not the solution.
    - a. CA is in dire financial straits
  - 3. Need to focus on education, reform financing
  - 4. Too much is unknown, i.e. how much flexibility there will be in using categorical funds.

Discussion:

- Last spring, we were asked about handling the budget and had a vote on a method. Anything like that needs to be discussed fully at a rep meeting before rolling it out to the members so that we can explain it.
- If we need to, we will call a single issue meeting to discuss any budget strategies. Be aware though that we are at the point where we cannot say, “We can’t cut that.”
- Be conscious also of how you are sharing info at your sites. You don’t need to flaunt the fact that you may have information before the administrators.
- I know PERS is lost. What about STRS?
- STRS is fine. It has the ability to increase your contributions.
- What about CSR?
- In order to make it financially sound, we would need to go over 30 students. On the other hand, if maintaining 1:20 means increasing 6-12 past 40, we are not going to go there either. It’s too early to tell. CSR funding is one of those categoricals that we may or may not have flexibility with.

**VI. Labor**

- A. Movement from Temporary to Probationary Status
  - 1. District debated whether or not to move currently eligible temporary teachers
    - a. Temporary teachers could be released without having to go through layoff process.
  - 2. Currently decision is to move eligible temps to probationary status in December.

Discussion:

- One reason we have so many temps is that the district has a liberal leave policy. Teachers are granted leaves of absence for 2-3 years. They are guaranteed their position when they choose to return so the teacher replacing them is temporary.
- PFT makes every effort to keep temps informed. Meetings have been held and the PFT Secretary has made e-mail distribution lists in order to send info specifically to the temps.
- [The PFT Secretary] was asked, “Why aren’t the temps kept informed? My friend never heard anything.” When she replied that numerous e-mails had been sent out, she was told, “Oh, my friend doesn’t check e-mail.” Please tell the temps at your site to at least open the e-mails from the PFT Secretary! They may miss out on some vital information.
- I understand the temps are “ranked”. So if there is a High Performing, 3 year temp, could someone with less time but a higher ranking get probationary status before her?
- If you are a High Performing Temp, you would not still be a temp after 3 years. If a teacher isn’t making the cut after two years, they are released. The exception is positions that are grant funded.
- I heard that the District isn’t accepting anymore sub applications because they are full.
- I don’t know about that. I will check into it.

B. Uncompensated Responsibilities

1. A PERB (Public Employee Relations Board) hearing in 1995 ruled that teacher could be required to attend the Fall Back to School Night because they had tacitly consented to it being a condition of employment by never protesting the practice. As a result, it had become an established practice.
2. PFT working on establishing standards to avoid inequities in additional duties from site to site.

Question: I am assigned morning duty before school and after school.

Response: Those fall under the description of “professional duties” as outlined in the contract. Unfortunately the wording of the contract is ambiguous. It needs clarification.

- PFT has worked to established standards. We need to make sure the standards are maintained.

**Meeting adjourned:** 5:35 p.m.

**Next meeting:** December 11

Submitted by Naomi Lukaszewski, PFT Secretary