

**Rep Council Minutes**  
**January 11, 2007**

**Officers present:** President Marc Houle, 1<sup>st</sup> Vice President Bob Ruark, 2<sup>nd</sup> Vice President Terri Jo McNaul, Communications Secretary Naomi Lukaszewski, Treasurer Kelly Logan, 6-12 Director Candy Smiley, K-5 Director Karen Wusthoff

**Membership:**

	Members		Agency Fee		Reduced Fee	
	FT	PT	FT	PT	FT	PT
<b>Jun 2006</b>	1390	105	78	29	37	2
<b>Oct 2006</b>	1390	97	64	19	35	1
<b>Nov 2006</b>	1396	101	54	15	40	1

**School & Members Represented:**

High Schools New Direction	Middle Schools	Elementary Schools and PPAP			
MCHS	BHMS	AB	HR	PV	SR
PHS	BMMS	CHAP	LP	POM	TB
RBHS	MBMS	CRKS	MID	RH	TBCK
WVHS	MVMS	CV	MCRK	SCRK	VAL
	TPMS	DC	MR	SD	WW
		GR	PR	SH	PPAP

**Handouts:** Agenda with attachments  
Social Security Windfall Elimination Provision  
Social Security Online Calculator Chart  
PUSD Board Policy Volunteer Guidelines  
PFT Constitution and By-Laws regarding Elections  
CFT Convention Brochure

**Additional Agenda Items:**

High School Minutes  
Site Based Professional Growth  
San Diego Labor Council  
“Golden Handshake”  
MOU Transfers  
Professional Time

**Call to order:** 3:55 p.m.

**I. High School Minutes**

- A. 2 proposed schedules presented
  1. These schedules are proposed. No final decision has been made.
- B. Suggested hours: 7:30-2:30
  1. Additional minutes distributed throughout the day.
  2. Tutorials replaced with homeroom or study hall.
    - a. In order for minutes to qualify, there must be a classroom assignment with attendance taken.
  3. Professional Time alternated with Tutorial
    - a. Allows students and teachers one on one meeting time.
- C. Teacher generated suggestions more pragmatic than administrative.
  1. Skelly has given preliminary approval to suggested schedule but no final decision has been made.

D. Meeting scheduled on January 26 with committee members, PFT reps and District to finalize schedule changes.

1. Hope to have final decision by February.

Discussion:

- In the event someone asks about needing to renegotiate the contract in order to add minutes to the work day, please refer them to Section VII, line 41 of the contract. It states that the district only has to consult with us about adding 10 minutes or less to the workday. “Consult” does not mean “negotiate”. The committee work is what we call a “BATNA”: Best Alternative to Negotiation”. We wanted to fix this before it became a problem that could have caused us to be fined in excess of \$10 million dollars. That money would come out of the general fund. That means no raises for a long time.

**II. Site Based Professional Growth**

A. Professional Development Advisory Board (P-DAB)

1. Alex Fousek, Bonnie Corduan , Jean Cox members
2. Forming Site sub committee
3. Need information about site based professional growth
  - a. Will send out survey via e-mail to reps: what is working? What are you doing at your site for professional growth?
  - b. sub committee want as much input as possible.

**III. San Diego Labor Council**

A. Bob Ruark to attend meeting for more information about affiliation with group.

1. At one time it was decided that close affiliation did not meet needs of PFT.
2. Will re-evaluate to determine if that still holds true.

**IV. Golden Handshake**

A. PFT has not discussed and is not preparing any early retirement package (SERP) for this year or the near future.

1. Staff and officers have been focused on health insurance and upcoming state budget proposals.

B. Several circumstances must be considered before offering an early retirement.

1. Cost to remaining employees
  - a. The cost to pay teachers to retire early must be done without shortchanging those who remain.
2. Budget and enrollment projections
  - a. Previous SERP was done right after budget cuts and projections of decline in enrollment.
  - b. Early retirement enabled district to deal with drop in enrollment and reduced budget by not replacing some positions and replacing other with teachers who were at the lower end of the pay scale.
3. Number of people eligible to retire
  - a. The last SERP (2003-2004 school year) required 85 people. Two previous attempts had failed due to a lack of participants.
  - b. In the 2 years following the last SERP, less than 10 teachers have retired each year.

**V. Memorandum Of Understanding (MOU) on Transfers**

A. An MOU outlining procedures for involuntary and voluntary transfers is signed every year. Copies will be distributed to the reps on completion of this year’s renewal.

**VI. Professional Time Discussion**

- At Mesa Verde we have professional time every Tuesday with the 1<sup>st</sup> and 2<sup>nd</sup> Tuesday of the month directed by the principal and the 3<sup>rd</sup> and 4<sup>th</sup> Tuesday to be used at our discretion. We’re finding that we are losing out on discretionary time because of holidays and vacation weeks. My site wants to know are you happy with your professional time? How do you handle its use?

- The contractual, legal answer is you work 188 days, 7 hours a day. Can management direct that time? Yes, it can.
- At Poway High we have no say. We're told what we are going to do.
- At Black Mountain a committee sets up a schedule. They collaborate with the principal. Sometimes it's valuable, sometimes it's not.
- At Twin Peaks we thought Professional Time was added to our 7 hour work day so we could do with it what we liked but it turns out it's not so we can't. We have 2 days of Professional Time a month. One is chosen by administration, the other is to use at the teachers' discretion.
- At Bernardo Heights all our Professional Time days are teacher directed.
- At Mount Carmel we have a long Professional Time: 90 minutes every Friday. We use that time for Faculty and Department meetings, which is great because they have to have an ending time. The teachers also decide on what we call "focus groups" where we can meet to collaborate across the subjects. We have new administrators who are unaware of the historical use of professional time at our site and are starting to ask to use that time.
- Mount Carmel has chosen to have faculty meetings on "their" time. Other sites do not have to do the same.
- It looks like Professional Time at the Middle and High School level needs to be looked at and possibly negotiated and included in the contract like time banking for the elementary level. Time Banking at the elementary level is, by contract, for teacher use at the teachers' discretion for planning, prep or professional growth.

#### **VII. Social Security Windfall Elimination Provision (WEP)-see handouts**

A. Teachers do not receive full Social Security because they pay into STRS.

1. If you have ever worked at a job where you paid Social Security tax long enough to qualify for benefits, you will receive reduced benefits.

a. Benefits are reduced because lower paid workers receive higher benefits than highly paid workers.

b. Prior to 1983, teachers and other employees who worked at jobs not covered by social security had benefits figured at the lower paid rate. They had a higher percentage of benefits in addition to their STRS pension. This advantage was eliminated by Congress in 1983.

B. Social Security benefit formula is average earnings divided into 3 amounts. The first \$656 is multiplied by 90%, the next \$3299 by 32% and the remainder by 15%.

1. For teachers and other professions affected by the WEP, the 90% is reduced to 40%.

#### **VIII. Social Security Government Pension Offset-see handouts**

A. The same professions affect by the WEP are also affect by the Government Pension Offset.

B. You will receive one-third of your spouse's, widow's or widower's benefits.

C. You can request a statement or go online to calculate your benefits.

1. [www.socialsecurity.gov](http://www.socialsecurity.gov)

#### **Comment:**

- I went to Social Security when my husband passed away and they told me I get nothing because I get too much for my retirement.
- Reps should hang flyers in their staff lounges.

*Secretary's Note: If you are unable to contact your rep or locate the flyers mentioned, please contact me and I will send you a copy in the district mail.*

#### **IX. Board Policy regarding volunteers, Section 4.415.1—see handout**

A. Definitions of non-staff and non-district personnel on campus

1. Visitor

a. With school district authorization is attending a performance, special event, etc.

b. May or may not be accompanied by staff

c. Not required to sign registry

2. Guest

- a. With school district approval assist teachers, students, schools on a non-regular basis.
- b. Needs to report presence to school office and sign guest registry.
- 3. Volunteer
  - a. Assists teachers, students, school on a regular basis.
  - b. Must complete volunteer application
  - c. Must have a Megan's Law background check or a State/Federal Background check prior to service.
  - d. Teachers and administrators are directly responsible for supervising and directing volunteers whenever they are working with students at school or at a school sponsored event.

#### **X. AFT Occupational Liability and Legal Action Trust**

- A. Available only to members
  - 1. 3 levels of membership
    - a. Full dues paying member
    - b. "Agency Fee" pays full dues but has not enrolled as a member
    - c. "Reduced Fee" pays only amount pertaining to representation
  - 2. Provide protection for claims arising from educational employment
  - 3. Not available retroactively
    - a. must be a member before filing a claim
- B. Liability Insurance
  - 1. Provides monetary protection for damages arising from bodily injury and property damage or destruction of property of others.
  - 2. Provides protection for damages arising out of personal injury
    - a. libel
    - b. slander
    - c. violation of right to privacy
  - 3. Does not cover criminal liability
- C. Legal Action trust
  - 1. Provides monetary coverage for civil legal representation
    - a. Corporal punishment claims are covered regardless of whether act is criminal or non-criminal
  - 2. Provides up to \$35,000 defense reimbursement for criminal cases if member is completely exonerated or up to \$5000 if unable to gain complete exoneration.
    - a. "Complete Exoneration" does not include plea bargaining, reduced charges, or admission of guilt to affect dismissal.

#### **XI. PFT Presidential Election**

- A. Under direction and consensus of the Representative Council, the slate requirement was waived for the 2006 Officer Elections.
  - 1. Cannot simply ignore a constitutional requirement.
  - 2. By-laws and guidelines to the constitution cannot be amended by consensus.
- B. According to PFT Constitution, the Nominating Committee must present a candidate for president to the Representative Council by the March meeting.
  - 1. Candidates may also be nominated by petition.
  - 2. Candidates by petition must be presented by April Representative Council Meeting.
- C. Have a Nominating Committee in place.
  - 1. J. Heaton, Chair, J. Strachan, G. Strachan, C. Boone, T. Burchianti
  - 2. Committee appointment is for one year.
- D. No other exact guidelines or specifics in PFT Constitution or By-laws regarding candidate selection by nominating committee.

#### Discussion:

- [The PFT President] will send out an e-mail with about running for president. What would you like me to do as far as deadlines?
- I don't think we will have more than 1-2 candidates to interview. I see a week vacation in February to give time for people to think it over. I suggest February 27 as a deadline for giving notice of intent to run.

**Motion by Bob Ruark: All persons interested in running for the office of PFT President must have a statement of intent turned in to the PFT Office by 4:00 p.m. on February 27, 2007.**

**2<sup>nd</sup>: S. Thomas, TB**

**All in favor. None opposed.**

**Discussion: No dissention or approbation voiced. SIC (silence implies consent)**

#### **X. Administrator Effectiveness Survey-Agenda attachment 1**

- A. Prior to current District Administration, surveys were disregarded.
  - 1. Administrator scores are ranked and then reviewed by superintendent.
- B. Survey needs some fine tuning and updating.
  - 1. "PSU" no longer in use.
- C. D. Cantelli and M. Robertson are willing to work with PFT to make survey more effective.
  - 1. Should we form a committee or do you want to just provide individual input?

*Reps chose to discuss.*

#### Discussion:

- We need to re-communicate to members that this survey is used and not just thrown out. I think some people remember that it was basically ignored and so they don't fill it out.
- I know administrators use it to set goals.
- I think it is a good instrument as it is. What about a survey for all administration? Vice principals and even the Superintendent?
- Could we have one for Program Specialists? I see only three things on this that don't pertain to Special Ed.
- I have had administrators whose survey scores have just gotten worse and worse. How much does Cantelli do with them?
- [PFT President] can tell you that this is part of the data on principal evaluation and that it has been a deciding factor in terminating some administrators. Dr. Phillips has distributed the rankings among the principals.
- Has it been a positive instrument for more than not?
- It's a mixed bag.
- I know that the principal gets a copy and the Reps get a copy, what about sharing it with staff?
- I don't like that idea. I wouldn't like my goals, etc made public. I do like Administrators using [the survey results] to set goals.
- Should we stick to the 50% participation by staff?
- Yes, because then we get more valid results.
- Maybe consistent low marks should trigger mid-year checkpoint. That would give them incentive to improve.
- The criterion could be more than 50% of the staff have an issue with something then there is a mandatory meeting with PFT reps. That would have to come from the District Office.
- You won't get [an agreement on mandatory meeting with PFT] in writing.
- Our principal embraces this survey and uses it to guide her.

#### **XI. Workstreams-agenda attachment 2**

- A. Review workstreams
  - 1. Cross off any that have been completed.
  - 2. Add items that need addressing
- B. This is not a "mission statement" but a living document.
  - 1. It should be reviewed and kept up to date.

2. C. Smiley, PFT Director has workstreams on whiteboard in her office.
  - a. Directors and officers use it to focus work.
- C. Reps should be prepared to review and discuss top half of workstreams chart at February meeting.
  1. Economic Negotiations
  2. Learning Councils
  3. Professional Growth
  4. Site Leadership Negotiations
  5. SPED Issues
  6. Teacher Time

## **XII. Fiscal Negotiations**

- A. Dave Thompson, AB rep has joined fiscal negotiations group.
  1. Provides expertise on Special Ed (SPED) issues
  2. SPED expenditures account for approximately \_ of general fund.
    - a. \$8 million out of \$33 million
    - b. Expenditure is up \$1.2 million from previous year.
  3. Size and rate of encroachment of SPED expenditure is a concern.

## **XIII. CFT Convention-see *handout***

- A. Previously unable to attend due to lack of “good standing”
  1. Now that back per caps are paid and dues are current, we are eligible to attend.
  2. Hotel reservations and delegates list due to CFT by March 2.
- B. Cost for attendance March 15-18
  1. \$480 for hotel room
  2. \$175 for meals
  3. \$100 mileage
  4. \$105 Substitute for 1 day
- C. PFT can send 54 delegates
  1. Total number of delegates attending is about 48,000
  2. CFT is having its first contested presidential election in years.
    - a. Mary Bergin is current president and is being challenged for re-election.

Questions for discussion: Do we want to send 54 delegates? Do we want send any at all? How should we select them? The PFT President will be going regardless.

### Discussion:

- When was the last time we attended a convention?
- I don’t know. The previous PFT administration felt it was not in our best interests to attend and that it was a waste of time. [PFT President] would like to re-evaluate and make that decision for myself. A lot has changed over the years.
- I suggest we send a total of 4. 3 people plus Marc. That way we can have people share rooms or have their own room as needed.
- If you are going to go, I think you should have your own room so that your spouse can go along too. If we are going to ask people to give up an entire weekend, then they should be allowed to take their spouses.
- Is this going to be paid for out of COPE or the general fund?
- [PFT President] I don’t know. (*To the secretary*) Send me a note reminding me to find out.
- Sending 4 individuals with their spouses is an excessive cost. I don’t think spouses need to go.
- I want to clarify. We have 54 votes out of 48,000, not 4800?
- Yes.
- I think we have an obligation to investigate attendance. I don’t think we are really going to make an impact, voting but the networking, making contact with other district could be valuable. I don’t think spouses should go.

- What number makes it worthwhile? 54 out of 38,000? 20,000? How do you decide based on numbers?
- Look at the workstreams. I think we should use the workstreams to determine the number of people to go. How many delegates do we need to attend the workshops being offered? What workshops would be valuable to attend? I think we need to look at that and then decide how many people to send.
- This is basically a budget decision. How much do you want to spend to attend?
- No spouses. I don't think we should pay for that. I don't think they'd want to go anyway.
- I don't think we need to look at the votes either. I think we should send enough people to cover the workshops that pertain to us. If there is more than one person then I think spouses can go.
- What's a general session?
- General session is everybody. Workshops are breakouts.

Question from President: Would it be more helpful to table this to February 8 [next Rep Council meeting] and decide once I have more information on the workshops?

**Consensus: A decision on the number of delegates to send will be made at the February Rep Council Meeting. The PFT President will investigate whether or not the cost can come from COPE funds and will get more information on the workshops being offered.**

#### **XIV. Tax Credit-agenda attachment 3**

- A. Special one time tax credit on federal excise tax charged on phone bill.
  1. Federal excise tax assessed on toll calls based on distance of call and length of time on call.
  2. No longer applicable now that companies are offering flat fee service.
- B. Reps should post flyer in staff lounge.

*Secretary's Note: If you are unable to contact your rep or locate the flyer mentioned, please contact me and I will send you a copy in the district mail.*

#### **XV. AP Audit Info-agenda attachment 4**

- A. College Board Advanced Placement program to evaluate AP courses to ensure courses are meeting college requirements.
  1. AP courses were being offered that did not exist at the college level.
  2. One perspective: too many AP students were resulting in fewer lower division classes at the college level.
    - a. Less jobs available for professors of lower division college classes.
  3. AP course instructors must now submit syllabus for every AP subject taught.
    - a. Must outline curriculum and texts to be used.
- B. Audit meant to provide accountability.
  1. M. Carrillo has notified teachers.

#### **XVI. KGTV Boycott-agenda attachment 8**

- A. Fax from San Diego Labor Council
  1. Channel 10 at impasse with labor unit.
    - a. Broke off negotiations in March 2006 and refuses to return to negotiate.
  2. Labor unit NABET-CWA local 54 is asking for boycott of Channel 10
- B. FYI
  1. KGTV is connected to McGraw-Hill a major publisher of educational materials.
- C. Please share with staff.
  1. Could the Labor Council e-mail instead of fax these to us? It makes it easier to distribute.

#### **XVII. Governor's Budget-agenda attachment 5-7**

- A. California School Services Brief
  1. 4.04% COLA
  2. assumes 7% growth

3. 1<sup>st</sup> year of funding from settlement of CTA vs. Schwarzenegger
4. One time funding for facility emergency repairs, low performing schools, charter school reimbursement, Cal WORKs childcare, teacher induction.

B. Noted flaws

1. Assumes 7% growth although more people are leaving California than coming in.
2. Does not seem to account for reductions in state student population.
3. Relies heavily on spending cuts to reduce deficits.

C. PFT enters fiscal negotiations on February 6.

**Meeting adjourned:** 5:29 p.m.

**Next meeting:** February 8, 2007

Submitted by Naomi Lukaszewski, PFT Communications Secretary