

MEMORANDUM

TO: OEA Board of Directors
FROM: Richard Sanders
DATE: January 27, 2012
SUBJECT: January Board Report

Following are the Center reports. Please contact the managers of the Centers or me if you have any questions.

EXECUTIVE DIRECTOR – January 2012 Update

Critical Activities and Plans

Strategic Planning: SAPTF has completed draft. Draft has been forwarded to the Board for review.

Governor/Governor's Investment Board: Three meetings with Governor to discuss OEIB. Presentation to OEIB on Chief Education Officer (CEO) qualifications. Participated in governor-initiated meetings of labor and business leaders to discuss revenue.

Other Politics: Meeting with Sen. Merkely

Personnel: Temporary UniServ field positions have been filled, in Eugene and Redmond. Portland hired Marty Pavlik. Three Valley with temporary, pending re-assignment.

Staff Bargaining: ASO and PSO bargaining continues, with both now in mediation.

Budget: Ongoing budget work with Hanna and Bob Sande.

NEA: Participating in NEA organizing meetings/discussions. Member of NCSEA Executive Directors Bargaining Committee.

Union Coalition/Coalition Work: I continue to have regular meetings with the Executive Directors of the other public employee unions. Joint union leader and staff training on December 3 covering popular economics presentation on the current economic crisis, messaging and community organizing/coalition-building. 10 OEA members and staff attended. Pilot programs under discussion for metro Portland, Bend and Southern Oregon. Separate meetings with COSA and PTA to explore common ground and collaboration possibilities. Another meeting with Sue Levin from Stand for Children.

Organizing/Action – Day of Action: Planning and organizing for the February 20 Day of Action continues. Hope is for other unions and allies to participate in significant numbers.

Sports report: Bobby V. as new Sox manager. We shall see....

November

- SAPTF Planning/Priority Teams
- PSO Labor-Management Committees
- Union Coalitions
- Staff Grievances
- NCSEA Bargaining Committee
- NEA Organizing Meeting - Chicago
- Governor – Unions/Business - Salem
- OEA Retired
- Eugene
- Community College Council
- LERC Advisory Board
- 401 (k) Committee
- Stand meeting – Sue Levin
- OSEA
- NEA Regional Director meeting
- COSA meeting
- Management Team Meetings
- Governance meetings
- Presidents Meeting
- Bargaining – ASO and PSO

December

- SAPTF Planning/Priority Teams
- SAPTF Draft Report Writing Team
- Presidents Meeting
- Mid-Valley UniServ Re-vitalization meeting
- Columbia River UniServ Council
- New members meeting - staff
- Staff Bargaining – PSO and ASO
- ASO Mediation
- Eugene leadership meeting
- Three Valley Board members meeting
- Park Rose demonstration.
- NCSEA Bargaining Committee
- Jobs with Justice – Single Payer
- Union Coalitions
- SEIU 503
- PTA meeting
- PSO Labor Management
- Staff Grievances
- OEIB presentation
- Governor – unions/business
- OEA OEIB meetings
- Budget preparation/meetings

- Management Team meetings
- Governance meetings

January

- SAPTF Final Draft meeting
- SAPTF writing team
- BOD – SAPTF conversations
- Jobs with Justice
- PIE Board/LAC
- Eugene-TREC: SAPTF discussion
- PSO Labor Management
- Budget preparation/meetings
- NWEA meeting
- COSA meeting
- Francesconi – Oregon Higher Ed.
- OEA OEIB Town Hall
- OEA OEIB meetings
- Governor meetings – OEIB
- Sen. Merkley
- Moving Forward
- AFSCME
- Management team meetings
- Governance meetings
- Staff grievances
- Staff Bargaining - mediation

CENTER FOR PUBLIC AFFAIRS – January 2012 Update

Oregon Education Investment Board

Regional Meetings

The Oregon Education Investment Board (OEIB), Governor Kitzhaber's initiative to "streamline early childhood programs and create a system of accountability for student success from pre-kindergarten through K-12 to college and career readiness," will be touring across Oregon to engage the community and get their feedback on the proposal.

OEA public affairs staff has been working closely with the Governor's office to inform how, what and where the regional meetings will occur. Public Affairs staff are working with UniServ Councils to develop outreach plans for each meeting and have been working with field staff and local leaders to identify and recruit members to attend and participate at the regional meetings.

OEIB 2012 Legislation

The OEIB intends to put forward two pieces of legislative during the February 2012 legislative session. The first, will create Achievement Compacts between the State and School Districts to make progress toward the 40-40-20

goal that has 100% of all students meeting high school equivalency standards by 2025. Of that 100% , 40% will have an associate’s degree and 40% will have a bachelors degree. The second, will authorize the hiring of a Chief Education Officer. Please visit www.oregoned.org/oeib for more information.

General Talking Points on OEA Priorities for OEIB:

- **Equity in access for all students.** Regardless of where they live, attend school, or their socio-economic conditions, an receive a level of investment in their education that they need and deserve.
- **Investment in evidence-based teaching and learning** that make a real difference in student achievement.
- **Protecting students, educators, parents, and school communities from an over-emphasis on standardized testing.**
- **Supporting the mission of Oregon’s community colleges** by recognizing the multiple functions and services they provide to students beyond degree completion.
- **Encouraging true collaboration** by providing a voice for educators working on the frontlines with students. The voice of educators, students and parents need to be at center of any reform.
- **Outcome expectations need to match the level of investment.** A meaningful discussion about the need for more revenue is essential as a part of education redesign. If we want an outcome that is different from previous efforts, we must ensure our level of investment in public education is adequate to close achievement gaps and help all children learn.

Specific points on the OEIB Achievement Compacts

- Our investment has to match our outcome expectation. There is no additional funding that will come with these compacts. It's important to recognize that school districts are still dealing with crisis budgets.
- There are still a lot of unknowns. We hope that OEIB will reach out to professional educators, school leaders, parents and the community about the kinds of outcomes that make the best sense for our for their schools.
- We also need to hear from the folks working on the frontlines with students what support they need to help all students succeed.
- We hope that the compacts do not put an overemphasis on standardized test scores.

OEA Tele-Townhall on OEIB

The tele-townhall was a great success! Over 3800 members participated in the call. OEA Vice-president Hanna Vaandering, Margaret Peoples from PAT, and Otto Schell from PTA served as the experts during the call with Lindsey Capps as the host. Hanna laid out a simple description of what the OEIB is and what it will mean for our members, as well as providing specific details to members questions. During the call the seven regional OEIB townhalls were promoted, and OEA’s website www.oregoned.org/OEIB was plugged for members to learn more and ask questions.

OEIB webpage

oregoned.org/oeib has been created to orient members about the Oregon Education Investment Board (OEIB) and its ambitious program, what OEA advocates for, and the upcoming OEIB community meetings around the

state.

Legislative Accountability Task Force

Tony Crawford and Margarete Peoples have been appointed to this legislative task force examining the best way to revise the statewide summative tests (replacing OAKS) to conform to the common core standards. Also on deck are other accountability measures and a revision of the state report card. The task force has had just a few meetings and needs more time to complete their work, so they are asking the February Legislature to extend their tenure to November 2012.

OEA's February 20th Day of Action!

The excitement for the Day of Action continues to build. With only few weeks left we are ramping up our recruitment efforts and expanding our coalition partners. The statewide planning coalition now includes SEIU, OSEA, AFT, AFLCIO, OLCV, PTA and Our Oregon. We are encouraging leaders and staff with relationships with our coalition partners at the local level to connect and coordinate efforts. We sent out a New Year mailing advertising the Day of Action last week to all OEA members reminding them about the Day of Action and provided information about registration and connecting with local associations for transportation needs.

As members continue to make transportation plans to get to and from Salem please make sure and share this information with our GR staff so they can track launching locations and available seats on the bus. We want full bus loads heading down to the Salem and will work to make sure members are pointed in the right direction.

Lastly, come ready to make a splash in Salem – we aren't just going down to rally, we are making sure educators voices are heard. We encourage members to contact their legislator as soon as possible to schedule a time to meet and share your experience on the ground – in the classroom, on our community college campuses and at your worksites. And don't forget your walking shoes, we'll be marching throughout the building make sure OEA's voice is heard!

Web Page

www.oregoned.org/DayOfAction: This site lets members and friends easily register for the upcoming February 20 Day of Action, find out more about what the day is about, and share the word with friends and family. Our Day of Action website www.oregoned.org/Dayofaction is continually updated and now includes the ability to download our posters (in English and Spanish) and commitment cards.

www.StrongSchoolsStrongOregon.org: This website dedicated to the Day of Action with videos, maps, files, posters, images, newsletter copy, transportation info, and links to the Strong Schools, Strong Oregon Facebook Page: facebook.com/StrongSchools. The February 20 Day of Action will need people power to succeed. Your help is needed. Encourage your friends, colleagues, and family to join us and find out more about this important day at the StrongSchoolsStrongOregon.org website.

We also have been sharing video member stories about why they will be there, and feel it's important for others to join us all. Let's make the contacts and build our ability to make the day a success! If you have a videocamera

or smartphone, make a video and share it along to spread the news! Contact bruce.scherer@oregoned.org about your video ideas.

OEA and Our Oregon Video Projects

In November, OEA communications began a project with our coalition partner Our Oregon to produce a series of videos about our public schools. Our Oregon is an organization “dedicated to fighting for economic and social fairness for all Oregonians.” Our Oregon’s coalition “represents organizations and individuals who care about a range of issues, from preserving funding for our schools and critical services to protecting the environment.”

The purpose of the video project is to provide in-depth focus on particular areas and challenges facing our public schools. Topics include: increasing class size, elimination of library/music/art programs, testing, free/reduced lunch and poverty, the future of educators in Oregon.

To date, we have supported the production of a video on the number of homeless students in Oregon. The video can be found: by visiting: <http://vimeo.com/33997499>. The intention is to produce, share and promote at least one video a month from now until the end of the school year.

We are committed to identifying educators to participate in these videos and to sharing them virally as far and wide as possible. We would appreciate any help Board Directors can provide in helping identify OEA members who should be asked to participate in the project. If you know a member who has a compelling story to tell, please contact Becca Uherbelau at becca.uherbelau@oregoned.org

2012 Legislative Session

Legislative Session: OEA is hoping to move several bills, which really begin with initial hearings in January (next week) for the February session.

True Class Size Data

This legislation requires that districts collect actual numbers of students in each class and record #s along with teachers of record for determination of sound ratios, not just averages.

Fiscal Impact to School Districts

This concept creates an early assessment of cost and revenue impacts of any education proposal that imposes a mandate or new service on School Districts and ESDs.

Tax Break Allotment Cut Equity

This concept requires that when the Governor must make across-the-board program cuts in any interim, s/he must also make the same percentage reduction in all Oregon tax expenditure programs. This will broaden the cut “base” and thereby lessen the amount of reductions that have to be taken.

Healthcare Transformation

Alongside Governor Kitzhaber's education reform, the Governor is also expected to transform the way may Oregonians purchase and receive their healthcare. OEA GR expects to spend much of the Legislative Session working to avoid Healthcare cost shifts towards OEA members as a result of this transformation.

PERS Coalition Bill

In November 2011, PERS released the names and monthly benefits of approximately 110,000 current retirees. This release of information is a condition of a legal settlement brought about by the multiple public records requests from two newspapers. PERS is set to release additional information in March 2012, including final salary, years of service, retirement date, method of calculation, and the PERS plan each beneficiary is a part of. The PERS Coalition strongly supports transparency of the PERS system. Reviewing information is critical to ensuring an efficient and solvent system. It's unnecessary, however, to attach explicit names to retirement information to obtain a full and fair look at PERS. The PERS Coalition legislation seeks to reverse this settlement so retirees' names remain private.

Employment Relations Board Funding

In the 2011 session, the Legislature voted to fund the ERB for one year of the biennium only. In a budget note, the Legislature charged a workgroup composed of labor representatives, management representatives and elected officials with finding an alternative funding source for ERB for the second year of the biennium. The workgroup was unable to reach consensus and disbanded without providing a recommendation. Many management representatives argue that ERB should be funded through an assessment fee system and employees should pay a portion of this fee. OEA supports an assessment-based model per-employee monthly assessment that would be adjusted annually to fund the portion of ERB's services that are devoted to local government cases. This assessment model should be paid by the employers *not* employees, just as the state assessment is paid by state agencies.

OEA-PIE Legislative Recommendation Interview Schedule

The OEA-PIE board met on January 7th and approved questionnaires for Legislative and Statewide candidates. Questionnaires have been sent out to all incumbents and candidates that have filed for office. The Public Affairs Office will send out questionnaires to additional candidates as they file for office. Because recommendation interviews cannot occur during the February legislative session, the OEA-PIE Board approved that primary election recommendation interviews would occur between March 10 – April 24 (April 24th is the last day to register as a voter for the primary election), and then resume after the primary election.

The OEA-PIE board and LAC met jointly to plan for these interviews by UniServ Council. They are ready to take the lead. Please support them by ensuring that your UniServ Council discusses when it will schedule legislative recommendation interviews, and then plans out-reach to engage as many OEA-PIE members in the process as possible.

OEA-PIE Convention

The OEA-PIE convention returns to Portland this year, but not to our normal spot. Due to scheduling conflicts, the OEA-PIE will be held at the Lloyd Center Double Tree on March 9th and 10th. We expect this year be exciting as always. While the special election in the 1st Congressional district will have just ended, we expect it to continue to be a highly contested seat for the regular election cycle. The OEA-PIE convention will also host four contested statewide races: Secretary of State, Commissioner of Labor and Industries, Attorney General and State Treasurer. The "Pre-Registration Delegate Information" handbook has already been sent out and covers all you need to know about the logistics. For registration and other info. go to www.oregoned.org/pie2012.

OEA Communications Awards

Your OEA Communications team won four awards at the 43rd annual NEA Public Relations Council of the States.

- Award of Excellence: Communications Plans "OEA Strategic Communications Plan"
- Award of Excellence: Training "Communications 101 Handbook"
- Award of Merit, Government & Political Affairs "Educator Voices"
- Award of Merit, Online Communications "OEA Funding Webpage" (www.oregoned.org/funding)

Legislative Advisory Council

The Council has had two of its three meetings this cycle to review the Legislative Objectives, bring issues to the field and back to GR, and to consider legislative initiatives to improve public education. In the past two months, they have surveyed members on several issues, including class size, proficiency-based learning, budget impacts, and the effects of the new open enrollment law. Among the reports: when class sizes are at or above 40 students, as they are around the state, it is virtually impossible to customize learning with individual learning plans and pace (too many students – 200 per day). Also, Open Enrollment is becoming one of the worst headaches out there, as some districts are taking advantage of the law to draw students to increase funding. This is especially hurting small districts.

Today's OEA

The January issue of Today's OEA is out, and features the partnership between OEA's Center for Teaching & Learning with a Woodburn-area SIG School, Washington Elementary. It also includes a "first-look" at proposals being made by the OEIB, with interviews from several of our members engaged in this work. The February issue of the magazine will include stories on the Oregon Virtual education delivery system (ORVED), on the growing rate of homelessness among Oregon students, and further exploration of the OEIB's December report to the Oregon legislature (and what messages we hope to instill in our membership).

CENTER FOR BUSINESS & FINANCE – January 2012 Update

To be submitted under separate cover.

CENTER FOR LEGAL SERVICES – January 2012 Update

LEGAL SERVICES CASE REPORT

Cases of Interest

Rogue CC Faculty Association v. Rogue CC - In this case, the Association filed a grievance in May 2010, when the College asserted that two faculty members in the Small Business Development Center were excluded from the bargaining unit. On January 9, 2012, the Association received an arbitration award holding that the two faculty members in question are in the bargaining unit.

Arbitrator William Greer concluded that the two faculty members met the definition of “faculty,” in part, based upon their actual job duties and assignment; and, because the provision of the contract that excluded some faculty did not apply to them. As a remedy, the arbitrator ordered the college to cease and desist from excluding the faculty members from the bargaining unit and to make them whole for any losses they suffered and contract benefits they were denied.

Amalgamated Transit Unit v. Tri-Met - The Oregon Employment Relations Board (ERB) decided this bad faith bargaining claim in September 2011. The issue in this case was whether Tri-Met, the employer, engaged in bad faith bargaining by submitting new issues in its final offer that were not reasonably comprehended in or logically evolving from its prior proposals.

This case presents a good analysis of how the ERB determines whether proposals presented in a final offer are “new issues,” that have not been subject to the bargaining process and hence a violation of the duty to bargain in good faith. The ERB analyzes these cases by asking whether a new bargaining proposal “logically evolves from” or is “reasonably comprehended from” an earlier proposal. A proposal made late in the bargaining process is new if a party “could not reasonably have anticipated the terms of the proposal.” In this respect, the ERB will review the substance of the proposal, not just the form. For example, in this case some proposals were made in the form of “what ifs” rather than formal written proposals.

Ultimately, the board went through a thorough examination of each prior proposal and compared those to the final proposals of the employer. The ERB concluded that numerous components of the final proposal could not have been reasonably anticipated from earlier proposals. Therefore, Tri-Met had committed an unfair labor practice by submissions of new issues in its final proposal. As a remedy, the ERB ordered Tri-Met to cease and desist and to issue a final proposal that did not include new issues.

Staff Bargaining

A complete report of the status of bargaining, including information about the latest proposals made by PSO and ASO will be presented at the Board meeting.

Staff Grievances and Complaints

Currently, there are three pending ASO grievances that will be included in the Executive Session report at the Board meeting. There is also an employment discrimination complaint that has been filed with the Oregon Bureau of Labor and Industries that will be part of the Executive Session report.

CENTER FOR ADVOCACY & AFFILIATE SERVICES – January 2012 Update

Bargaining Report

Bargaining Update as of **1/10/12**

2010

The number of unsettled contracts that expired in 2010: 1 out of 113

Unsettled Contract – Newberg EA

2011

The number of unsettled contracts that expired in 2011: **46 out of 149**

The number of 2011 contracts currently in mediation (or post-mediation): **11**

- Eagle Point EA (1/9/12)
- Phoenix-Talent EA (9/27/11)
- St. Helens EA (11/17/11)
- Glendale EA (9/11)
- Nyssa (1/11/12)
- ECBC Gresham-Barlow (1/10/12) Bob Dahlman –Crisis Coordinator
- ECBC Reynolds EA (1/5/12) Bob Dahlman –Crisis Coordinator
- Glendale EA
- ECBC Parkrose EA (1/10/12) Bob Dahlman –Crisis Coordinator
- *McKenzie EA (Post Mediation - Final Offers filed 1/3/12)*
- *Grants Pass EA (Post Mediation –Employer implemented 12/29/11)*
Ken Volante, Crisis Coordinator

2012

The number of contracts scheduled to expire in **2012**: **86**

2013

The number of contracts scheduled to expire in 2013: **76**

Andrés Becerra: Calendar

December 2011- January 2012

- Numerous SAPTF Meetings
- Numerous SAPTF Building Powerful Locals Work Team Meetings
- Scheduled Manager’s Meetings
- Meetings with Field Staff- Groups and Individually
- OEA Organizing Committee Meetings
- NEA UniServ Internship Program

- Meetings with Advocacy & Affiliate Services Staff
- Professional Staff Meeting (Portland)
- OEA Bargaining Task Force Meetings
- PSO Staff Meeting Planning Committee Meetings
- Meeting with 3 Valley Presidents – FT Temporary Staff
- Labor Management Meetings (PSO & ASO)
- Meeting with PAT Executive Committee
- Numerous Meetings with other Managers
- Meeting with Finance Director on Advocacy Center Budget
- Washington County UniServ Council Meeting
- Conference Calls for UMA Presentation
- Eugene – EEA Professional Staff Interviews
- Meeting with Staff and Governance in Salem
- Meeting with Bob Dahlman (ECBC Crisis Coordinator)
- Meeting with Nancy Lee (Staffing for 3 Valley UC)
- Adv. & Affiliate Svcs. Budget Meetings
- Weekly Meetings with the Executive Director
- LERC Meeting with PSO Staff
- Day of Action – Planning Committee Meetings
- DOA Staff Plans & Reports

Staffing

Temporary contracts have been provided to **Nancy Lee** who is working with the 3 Valley UniServ Council in order to assist them with bargaining since **Marty Pavlik** vacated his staff position to join the Staff at PAT (the position formerly held by Dee Simmons). **Bob Dahlman** was hired to assist in the Coordinated Bargaining for the East County Bargaining Council (ECBC). **Eric Schutz** joined the Professional Staff ranks and is currently working in Salem (SKEA). OEA just filled two, 9-month (FT) positions: The first position was filled by **Nancy Sheehan**, a UniServ Consultant with over 30 years of bargaining, organizing and advocacy experience, currently working for NEA New Mexico. She will be working with the Eugene Education Association as well as other locals and begins her OEA orientation on February 13th. The second position will be filled by **Rebecca Konefal**, who is currently teaching in Southern Oregon and has leadership, organizing and bargaining experience. She is a recent graduate of the NEA UniServ Professional Development Program (UPDP) and will be working alongside Henry Kim out of the Cascade office in Redmond (taking over the territory vacated by Ike Maness). Her OEA orientation date is set for February 6th.

Other...

February 20th OEA DAY OF ACTION!!

The Center for Advocacy and Affiliate Services is working hard to finalize statewide DOA plans and working with all of the other centers to insure that OEA's member turnout is the highest ever! Professional Staff have been asked to provide action plans, identify Council and Local DOA Coordinators, collect member commitment cards, turn in weekly report forms and energize and engage their regions for optimal success. Weekly staff conference calls are being held (every Friday) to gage the level of commitment up to the event date. If you have not seen the DOA plan for your area, UniServ Council or Local, please contact your UniServ Council/Local President, staff member or contact my office directly.

Professional Staff Meetings 2012

Professional Staff Meetings and Trainings are currently scheduled as follows:

- February 16th** Professional Staff Meeting
- March 8th-9th** Professional Staff Meeting and Training
- April 19th-20th** Professional Staff Meeting and Training
- May 17th-18th** *All Staff Meeting (Portland)*
- June 8th** Professional Staff Meeting

The NEA UniServ Academy was held on November 10th-17th and will be held on March 22nd-29th, 2011. Professional Staff that participated in November: Brett Nair and Ken Volante.

The NEA UniServ Skills Training will be held from January 23rd-27th, 2012

Professional Staff that will be participating in these trainings: Jane Bilodeau, Eric Schutz and Henry Kim

OFFICE & ADMINISTRATION – January 2012 Update

Office & Administration

Molly McGuire, membership specialist, announced her retirement effective February 1. Molly leaves OEA with over 27 years of service having worked as a secretary in OEA's former research department and two UniServ offices and as a membership specialist for over 13 years.

Karyl Gothe, Office & Administrative Manager, has also announced her retirement effective April 1. Karyl leaves with over 31 years of service having worked as a UniServ secretary, confidential secretary to the Associate Executive Secretary and as the Office & Administrative Manager for over 13 years.

The interview/hiring process will begin for the .5 FTE ASO tech position.

Pre-employment physicals and new employee orientations will take place in February for the two temporary UniServ Consultant positions for Central Oregon and Eugene.

An audit of OEA's insurance and retirees was completed.

A meeting was held with West Coast, paper supplier for our photocopier in all offices, to discuss pricing as prices have risen recently. Increases stem from declining demands and mill closures, which forces the prices to go up under the laws of supply and demand. In addition, the cost of making paper has gone up primarily due to the price of pulp (fewer manufacturers as mills close), nearly doubling the cost, and increases in electricity and labor. It was determined that in order for OEA to stay within its budget, a temporary moratorium on certain paper products, including bright-colored paper. Local associations may continue to purchase this paper at their own cost; however, OEA offices will be using what is already in stock and then purchasing only pastels until further notice.

For four staff in the Gresham office ergonomic assessments were conducted by a SAIF Ergonomic Specialist and Karyl Gothe. Upon request our workers' compensation insurance company, SAIF, will conduct free assessments in order to ensure that employees' work stations and working style are safe and healthy. Minor modifications and purchases were made as corrections.

Buildings

Touch-up painting at the OEA/PAT and Central Office was done over the winter break. The tile floors were steam-cleaned and sealed in Buildings I & II and the carpets cleaned. Many field offices had carpets cleaned during this time as well.

Sidewalks surrounding the OEA/Portland Association of Teachers office in northeast Portland were repaired for damage caused by tree roots lifting the sidewalks.

Oregon Medical Evaluations, one of our tenants in Building Two, has inquired about leasing more space. This requires moving Choice, the other tenant, downstairs. GBD Architects are in the process of drafting blueprints for the Tenant Improvements and getting preliminary pricing so that lease negotiations for both tenants can take place. This leaves part of the downstairs marketable, and some interest has been shown by a construction company in leasing this leftover space.

A lighting comparison is underway to do a cost comparison to insure we are getting the pricing on all lighting.

CENTER FOR TEACHING & LEARNING – January 2012 Update

The OEA Symposium for Transformation in Public Education will be held on Monday, March 26, 2012 in Wilsonville at the Wilsonville Holiday Inn. Dr. Linda Darling-Hammond, author of *The Flat World and Education: How America's Commitment to Equity Will Determine Our Future*, will be the keynote speaker. Registration and event details, including more information on Dr. Darling-Hammond, are available on the OEA website at www.oregoned.org/symposium

The Center for Teaching and Learning has consulted with local leaders interested in applying for grant funds from the Oregon Department of Education under Senate Bill 252, enacted by the 2011 Legislature. SB 252 established a permanent grant fund for school districts to develop new models for professional development, evaluation, compensation, and career pathways for teachers and administrators. The Legislature had allocated \$5 million for grant awards for the current biennium with funds being available on a competitive basis to multiple school districts. However, in the midst of concerns with existing funding for public school under the State School Fund, the Oregon Department of Education announced in early January that it has delayed indefinitely the awarding of grants under SB 252.

The Center for Teaching and Learning has continued monitor the work of the Teachers Standards and Practices Commission and the State Board of Education on the adoption of model core teaching standards for use in teacher evaluation systems. Under Senate Bill 290, the State Board of Education, in consultation with TSPC, was required to adopt statewide standards by January 1st. School Districts must subsequently adopt new evaluation systems based on these standards by July 1, 2013.

At its December 2011, the State Board of Education adopted the model core teaching standards developed by the Council of Chief State School Officers' Interstate Teacher Assessment and Support Consortium or InTASC. In addition to adopting the InTASC standards for use in evaluation systems, the State Board of Education also adopted rules for implementation of SB 290. These rules set forth the requirements for schools districts in designing evaluation systems in collaboration with teachers and their exclusive bargaining representative.

Several organizations had formally asked the State Board to include additional rules beyond the original scope and legislative intent of SB 290, primarily that the rules require all evaluation systems to include four performance levels to assess teacher proficiency, and that student growth be counted as a significant factor in evaluations. OEA, in collaboration with COSA and OSBA, succeeded in convincing the State Board not to adopt these additional requirements and instead allow these elements of an evaluation system to be left to the discretion of local school districts working in collaboration with local education associations.

As school districts begin looking at compliance with SB 290 and aligning their evaluation systems to statewide core teaching standards, the Center for Teaching and Learning is in the process of developing a Teacher Evaluation Toolkit to assist local associations. CTL provided a training on teacher evaluation to OEA professional staff in December. CTL is also providing trainings on teacher evaluation to interested UniServ Councils and local associations. CTL staff have held a series trainings with the Tigard-Tualatin Education Association, and with their teacher evaluation team and district administrators. CTL has additional trainings scheduled with the East Multnomah County UniServ and Mid-Valley UniServ in January and February.

CTL is continuing to offer support to members – and their local leaders and UniServ staff -- at schools that are participating in School Improvement Grant (SIG) and Teacher Incentive Fund (TIF) programs.

CTL staff have been working with educators at Washington Elementary in the Woodburn School District, offering coaching on Response-to-Intervention (RtI) and working with their Student Intervention Team to help plan and monitor interventions, including a 10-part series training on RtI for the whole staff.

CTL staff are working with local leaders, school district staff and tribal leadership to offer a diversity and cultural sensitivity training at Madras High School. In February, CTL staff, in collaboration with the NEA Priority Schools campaign, will be training on professional learning communities with educators at Jefferson County Middle School to assist in the development of a PLC at their school.

In addition to supporting members in Priority Schools, CTL continues to pursue the goal of being a resource for professional development for OEA members. In November CTL staff provided a training on “New Issues in Special Education” at the Santiam UniServ Council. CTL will be providing a training on Proficiency-Based Teaching and Learning at the Eugene Education Association’s Winter Seminar Series.

In November, CTL staff coordinated two Oregon Licensure Multiple Subject Assessment Workshops at OEA and Concordia University. Additional ORELA Workshops are planned at OEA Headquarters on March 3 and Western Oregon University in Monmouth on March 8.

PROS AND CONS OF KLINE ESEA REAUTHORIZATION BILLS

The future of our students will depend on investing in classroom priorities widely recognized as essential to sustained effectiveness, such as quality early childhood learning, smaller class sizes particularly in the early grades, additional learning time, and increased and sustainable funding for public schools.

We need to put students at the center of education reform and we need federal legislation that seeks to partner with and support state efforts in meaningful reform, not undermine it. ESEA created for the first time a partnership among federal, state, and local governments to address part of the larger national agenda of confronting poverty and its damaging effects by targeting federal aid to poor students and schools.

Our country cannot walk away from that commitment at a time when there are more students and families in poverty than ever. The federal government must balance its support of states and local school districts' efforts with its critical role in ensuring equitable access to a quality education so that students in need have what they deserve to thrive in today's society.

Positives include:

- **AYP.** The proposal eliminates the arbitrary deadline for 100 percent proficiency. Significantly, the proposal retains disaggregation of student subgroup data – a critical piece to monitor achievement gaps among disadvantaged student populations.
- **Scraps labeling of schools.** Eliminates NCLB's one-size-fits-all system of labeling and punishing schools based on standardized tests.
- **Flexibility to improve.** The proposal provides states and school districts with more flexibility to create standards, assessments, accountability systems, though it may tip the balance too far.
- **Parental notification.** Schools must continue to inform parents about school achievement.
- **Student assessments.** The proposal provides for alternative assessments for students with significant cognitive delays when appropriate as determined by the IEP team and not subject to arbitrary percentage caps.
- **English Language Learners.** The proposal provides English Language Learners with time to learn English prior to being required to take some tests in the English language, continues support for native language assessments for English Language Learners where appropriate, and supports programs and instruction based on evidence-based research and standards for English language proficiency.
- **School improvement.** The school improvement set aside is increased to 10 percent and the four prescriptive "turnaround models" are not included in the proposal.
- **Indian Education.** The proposal includes language in Title I regarding the Indian Education programs and maintains a separate funding stream.

- **Supplemental Education Services (SES).** SES and public school choice are not mandatory uses of funds under the draft, which means that precious Title I funds are not required to be diverted to interventions proven to be ineffective compared to other interventions.

Our major concerns include:

- **Equity.** The proposal, while allowing for needed state flexibility, does not push states enough to narrow achievement gaps; provide equal access to quality education; and ensure state standards, and assessment and accountability systems work for students. The proposal also lacks a comprehensive plan to address existing inequities in public education that harm students and communities, particularly students and communities of color.
- **Vouchers and privatization.** The proposal inappropriately and dramatically expands private school authority over the allocation and use of public funds. There is a push to privatize education by shifting control to private schools, private for-profit entities, and business. The language requires that services be provided to private school students on an equitable **and individual** basis, or in combination, as requested. This represents a significant departure from the current equitable participation system, and skirts close to voucherizing the program. **There also is an allowance for states to use one of the competitive grants for private school vouchers; thereby diverting scarce public funds to private schools.**
- **Early education.** The proposal lacks a focus on early education, a proven component of a quality education for children.
- **Comprehensive quality education.** The proposal continues the current curricular focus on English and mathematics, and does not address our concerns regarding the narrowing of the curriculum.
- **Annual tests.** The language continues NCLB's focus on measuring schools and students through annual standardized testing in grades 3-8, (which can narrow curriculum and lead to teaching to the test) rather than focusing on the broad supports schools and students need to improve the achievement of the disadvantaged. Grade span testing would provide more time for learning, more flexibility, and more useful data to help students achieve.
- **State-developed standards, assessment systems.** The language has the potential to undermine financial support for the continued state implementation of the common core standards and development and implementation of next-generation assessment systems. It does not encourage cooperative state development of high level standards and assessments.
- **Student assessments.** The proposal does not provide guidance regarding students with disabilities that have IEP eligibility in areas beyond cognitive delays to ensure that all assessment decisions are driven by the IEP Team.
- **English Language Learners.** We are concerned with merging Title III (English Language Learners) into Title I and the potential loss of national focus on English Language Learners.
- **Charter schools.** The proposal advocates adoption of provisions in H.R. 2218, the House-passed charter school bill that reflects a weak and inadequate approach to transparency and accountability in charter school operations. Charter schools must be held to the same accountability standards as other public schools, and should have to answer to parents and taxpayers for all of their funding sources.
- **Maintenance of effort.** Maintenance of Effort is eliminated. As a result, the lack of MOE requirements would trigger a race to the bottom in state and local support for public education, often under the guise of fiscal distress. The driving principle behind Title I would be upended, as federal dollars would be reduced to backfilling holes in state and local support

for economically disadvantaged children and those academically behind rather than augmenting those dollars to ameliorate the effects of poverty and other factors.

- **Funding flexibility.** The proposal provides significant new funding flexibility for districts and states that want to transfer money aimed at special populations—such as English Language Learners, American Indians/Alaska Natives, or neglected students—for other uses. This could undermine the historical federal role of ensuring equal opportunity for all children in these special populations.
- **Program flexibility.** The language offers states and local districts a trade-off—fewer programs and greater flexibility in exchange for less money due to the way initial and future authorization levels are calculated.
- **Higher Education Act.** The proposal would merge HEA Title II into Title II of ESEA, which could render teacher education as more of an auxiliary service to the K-12 system instead of the professional education it is.
- **Teacher quality.** The trial and error approach to teacher recruitment needs to end; we need to ensure that ESEA supports the professionalization of teaching. The bill eliminates all focus on quality of teachers coming into the profession. We need fixes to the existing highly qualified provisions, not elimination of all focus on the quality of entry-level teachers.
- **Federal involvement in teacher evaluation.** The proposal would mandate state or local level teacher evaluation systems, along with inappropriately prescribing certain features of those systems which are better determined collaboratively at the state and local level. The proposal acknowledges the importance of using multiple measures in evaluation, but continues to prioritize the use of one potential component (student achievement) as a “significant factor,” and appears to prioritize use of evaluation feedback and data for personnel decisions rather than helping teachers improve their teaching practice.
- **Teacher quality funding.** The proposal diminishes targeting of Title II (teacher quality) funds to students who are in poverty, despite the fact that teacher quality should be enhanced and supported even more vigorously in schools in low-income communities.
- **Support for entire school staff.** The proposal lacks sufficient recognition of and support for the key roles that qualified education support professionals and specialized instructional support personnel play in helping students reach their goals. A reauthorized ESEA should require that ESPs and SISPs are included in job growth, professional development, and decision-making opportunities.
- **Professional development.** There is a diminished focus on professional development and not enough support for professional development for all staff in the school building. Also, NEA recommends that funds **MUST** be used to train school leaders in evaluation (must include administrators as well as mentor teachers, etc.). Additionally, the language says funds to implement evaluation systems “may” be used for job-embedded professional development to help teachers improve, but unfortunately quality professional development is not required for teachers or the evaluators. No one just knows how to evaluate; they must be trained and this takes time and money.
- **Privacy of employee data.** The bill calls for parents to have access to individual teacher evaluations. Confidentiality is critical and we have concerns over data being shared with public. There is no privacy protection in the bill for any of the information determined through the teacher evaluation systems.
- **Collective bargaining.** The language lacks clear protection of collective bargaining agreements and the role of collective bargaining agreements in constructing teacher evaluation

systems and removes existing protections of collective bargaining agreements in developing and implementing school improvement plans, effectively overriding state laws.

- **Class size.** The proposal limits class size reduction efforts to 10 percent of Title II (current use is about 38 percent). The highest poverty districts paid more class size reduction teachers with Title II, Part A funds (41 percent of the total) than the lowest poverty districts (12 percent of the total). Of the total number of teachers paid in 2010-11 with Title II, Part A funds, 62 percent were paid to teach in grades kindergarten through 3. The latter two findings are consistent with the research that indicates that those students benefiting the most from class size reduction efforts are disadvantaged students in the early grades. If this funding is capped, there is a concern that local districts would not find funding to continue paying the salaries of educators who were previously funded through federal class size reduction funds, leading to a direct decrease in services provided to students who are most in need.
- **School improvement.** While the proposal wisely increases the school improvement set-aside at the state level to 10 percent and eliminates the four models; the proposal goes too far in re-balancing the federal role. The language includes no federal program specifically designed to support and help improve low-performing schools (Priority Schools), and lacks enforcement provisions to ensure that school improvement plans are strong, robust, and comprehensive, and to ensure that they are implemented with fidelity. Additionally, collective bargaining protections for school improvement plans are removed.