
Oroville Secondary Teachers Association

TEACHER TALK

<http://www.ostahome.org>

All articles are submitted by OSTA unit members. Submit them to
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March 7, 2008

OSTA - CTA - NEA

Volume 19 Issue 8

Executive Board for 2007-2008

(Meetings are held the first Tuesday of each month at The Depot Restaurant at 3:30 PM)

President	Larry Cobbler (LP)	Vice-President	Steve King (O)	Secretary	Leanna Felardo (O)
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Board Rep.	Bret Lawson (LP)	Negotiator 07-09	Steve King (O)	Negotiator 06-08 (H) ..	Scott Martin (PHS)
Negotiator 07-09	Teisha Hase (O)	Negotiator 06-08	Erika Hughes (LP)	Negotiator 06-08	Nannette Walker (LP)

TEACHER OF THE MONTH FOR MARCH 2008 – BY CAROL ANDERSON

I would like to nominate Rich Hogan as teacher of the month. Rich has been putting extraordinary energy into his role as department chair. He has done much to see that department members and science students have the best possible experience, often at his own expense. In making the schedule, he took a more “difficult” class in order to give another member a more desirable class. When school started and classes were packed, he took on a 6/5 to reduce class size even though it meant adding another prep to his schedule. When a new teacher was hired he changed his schedule, again taking on a new prep in order to give the new teacher a single prep. In trying to furnish our new building with limited funds he shopped for alternatives, and with the help of Shane Johnston, did the installation of the active boards (for all teachers) himself in order to save the department money. He is always willing to help others with software and Internet problems. In addition to these duties, he has taken on the co-chair for WASC. Rich is the sort of teacher who makes our school function well.

GRIEVANCES – BY LARRY COBBLER

OSTA’s grievance with the district on the improper salary increase issued in February is now at Level 3 mediation. Within five days of notice, the district shall submit to the California State Mediation and Conciliation Service a written request for the services of a mediator.

1. The function of the mediator shall be to assist the parties to achieve a mutually satisfactory resolution of the grievance. At the outset of this process, the mediator shall schedule a meeting at a mutually agreeable time for the purpose of resolving the matter through mediation.
2. If a satisfactory resolution of the grievance is achieved by means of this mediation process, both parties to the grievance shall sign a written statement to that effect, and thus waive the right of either party to any further appeal for the grievance.
3. Both parties may mutually agree to waive Level 3 and go straight to Level 4 arbitration.

Even though OSTA requested to waive Level 3, the district denied the request and wants to proceed to Level 3 anyway.

UPDATE: Since this article started, the district lawyer has contacted the Public Employees Relations Board with a motion to move directly to arbitration on this issue. So now we are waiting on a letter from PERB verifying arbitration. PERB will provide a list of arbitrators that we will have to choose from and a date will be set by PERB. The ball is in PERB's court, and we are on their time clock.

Level 2 Grievances:

OHS – Administrator mishandling of a complaint from unit member against another unit member.

OHS – Administrator issuing a written directive for a unit member to meet with him whenever he wishes and stays until he dismisses the unit member.

EXECUTIVE BOARD UPDATES – BY LARRY COBBLER

Rodger Townsend, Policy Chair, and his committee of Michael Caratenuto, Susan Hoopes, Scott Martin, Nannette Walker, and Larry Cobbler, have complete the update the OSTA By-Laws to conform with the CTA/NEA recommendations. They have been presented to the executive board and will be voted on next month. Then they will come to the general membership for approval. Then they go to CTA for approval. Finally they come back to OSTA either approved by CTA or with recommendations for revisions and the process starts again.

Erika Huges, Grievance Chair, and her committee of Scott Martin, Michael Caratenuto, Marla Vaughn, Carol Anderson, Annie Bacior, Susan Hoopes, and Larry Cobbler have reviewed the grievance policy. Michael has put created a flow chart to help put the confusing grievance policy into a graphic form to help simplify it a little. The final draft has been approved and will be ready to distribute soon.

ELECTIONS ARE COMING UP QUICKLY – BY LARRY COBBLER

It is that time of year again to vote for next year's OSTA Executive Board positions. Start thinking about all the things that go on in the district. Do you want to be a leader in the organization that protects and defends the rights of teachers in the OUHSD? Are you concerned about your rights and privileges and the constant possibility of losing some of them? If so, then you may be the right person for the job. Executive board positions only require one meeting a month during the school year, with occasional work as needed depending on the actions of the district. Think about it! More info to follow

CELL PHONE IN THE CLASSROOM – BY LISA ROSS

Let's admit it. Students will continue to enter our classrooms with cell phones—whether we like it or not. The discipline plan allows students to have cell phones in the classroom; phones just have to be turned off. Reality check—students have no intention of turning off their cell phones. More importantly, we have no way of enforcing that they do.

And the discussion of cell phones in the classroom isn't complete without an honest look at how many teachers possess and use a cell phone during the school day. I do. In fact, my cell phone number is the first contact listed at the school office should one of my children have an emergency. And on the 9/28 lockdown, I was the first one to use my cell phone to text my family and friends that I was okay.

Cell phones in the classroom will continue to annoy us as long as we do not establish and enforce a consistent, school-wide policy for both students and staff. At most, we should expect students (and staff) to put their phones on silent while in the classroom. And enforcing this expectation? Easy. "If I hear or see your cell phone, it's mine till the end of the day," I imagine myself announcing to students.

Now...how administration would enforce this type of cell phone policy with staff...that's a different article.

NANNETTE WALKER: THE TEACHER'S TEACHER – BY LINDA DRAPER

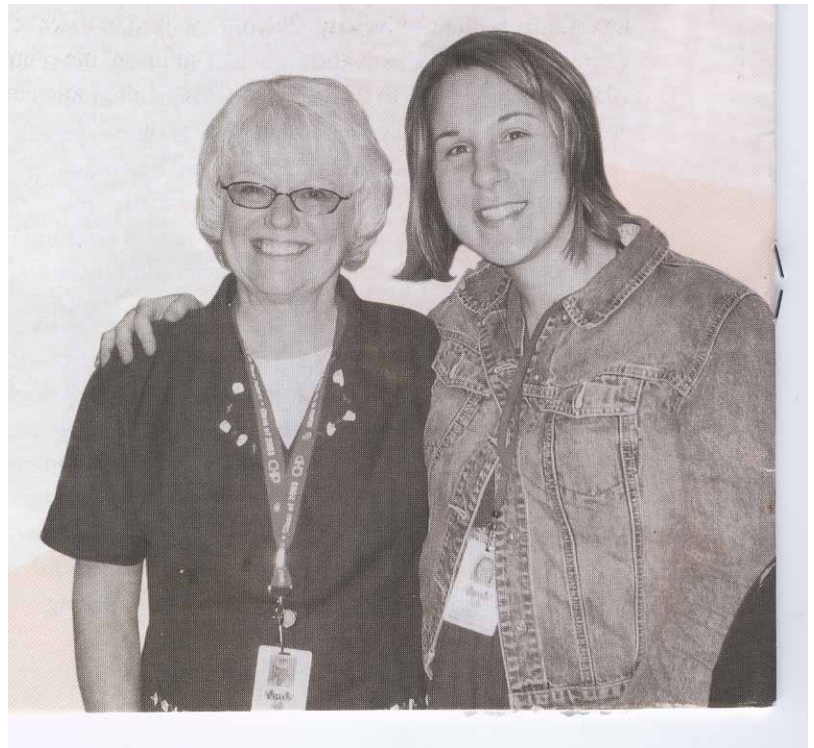
Nannette Walker has been a teacher for 20 years, and she has been teaching others how to teach for 18 of them. She says that being a cooperating teacher is her gift to new teachers, whom she credits with giving her a fresh look at her job.

Her current student teacher, Gwen Weber, says that Nannette "uses her sweet nature and great love of history to create an incredible classroom environment." Gwen says she will always be grateful for the experience of working with Nannette because she is so supportive and knowledgeable.

Before entering the teaching profession, Nannette worked for 20 years as a commercial beekeeper until she injured her back. Since she could no longer do physical labor, she decided to return to school. She had a double major in history and political science in college; after taking some education classes, she decided that she'd enjoy teaching.

In the last 20 years, Nannette has taught Geography, World History, U.S. History, Government, and AP U.S. History. She says she stays in teaching because it's fun, and she likes to make sure everything is "always changing." She says she loves it when students who have always hated history say it's their favorite class by the end of the year. Another perk is getting hugs from former students when she sees them in the grocery store.

Since taking a three-year course called Project Challenge, her teaching style has changed. When she began teaching she didn't like noise, but now she sees "a noisy class as a learning class." Nannette says she prefers the role of "teacher as coach, rather than sage on the stage."



Her advice to people considering teaching as a career is just as important for those who've been teaching for quite awhile: "Remember that on your worst day, you still know more than your students do. Have a sense of humor and take time off to rejuvenate yourself...Find conferences to attend to get new ideas and materials. You will come back to class totally refreshed!"

Although she juggles her family life, teaching responsibilities, being a cooperating teacher and department chair, Nannette still finds time to be a very committed member of OSTA. Currently on the negotiating team, her expertise has been invaluable, says Scott Martin, fellow negotiating team member. Over the years she has served in many capacities.

Since Nannette was an employer herself for 20 years, she expected the same relationship with her district that she had with her employees. She says, "It didn't take me very long to realize that the relationship would not be the same...with few exceptions, neither the district nor site administrators nor the board have sympathy or empathy toward teachers."

She says that new teachers often believe that the district and the board care about them, but eventually, everyone realizes that the reason teachers' unions exist is to protect members from administrations that are hostile to teachers.

Nannette has a suggestion for teachers: "You have a file in the District Office. Only you and the administration have access to that file. To make sure nothing is added without your knowledge, you can number and initial EVERY page in your file. This is also a great place to store things like *Teacher Talk* that has you as Teacher of the Month, any newspaper articles or honors you have won, etc. They should also be numbered and initialed."

(Nannette Walker's current student teacher, Gwen Weber, recently interviewed her for an article in the fall 2007 issue of "Education Matters," from which some of the information in this article was taken.)

FRIEND OF EDUCATION FOR MARCH 2008 – BY LISA AVILA

I would like to nominate Soroptimist International of Chico as a Friend of Education. Current president is Sharadin Castaldo. I recently asked for assistance in purchasing the book *Night* for use in my World History classes.

The club donated \$250.00 for the purchase of *Night* for use in my classroom.

Several years ago when I wanted to start recycling on the Las Plumas campus, I went and spoke to this club. At that time they provided me with \$200.00 to start campus recycling.

This year they asked Las Plumas Recycling Club (now called the Las Plumas Environmental Club) to be a part of their Home and Garden Show on March 15 & 16. They have provided us with free booth space and we will do the recycling for this two-day event and provide information to event attendees about energy conservation, recycling, etc.

CLASS SIZE DOES MATTER -- BY CTA

**CALIFORNIA
TEACHERS
ASSOCIATION**



Class Size DOES Matter – Research Fact Sheet

March 8, 2007

Facts & Figures on Class Size in California

- **California has the largest student population in the nation** (6.3 million in 2005-06), **and employs more teachers than any other state in the nation** (307,864 in 2005-06).
- California Department of Education, DataQuest (CBEDS data).
- **California ranks 49th nationally in teachers-per-pupil**, with 47.2 teachers for every 1,000 students.
-- NEA Rankings & Estimates, 2004-05.
- **Nearly all of California's public school districts (99%) participated in the K-3 Class Size Reduction Program in 2005-06, benefiting nearly 1.75 million students in over 90,000 classrooms, and reflecting the popular support of the program by families in local schools.**
-- California Department of Education website, "Fingertip Facts," URL:
<http://www.cde.ca.gov/ls/cs/k3/facts.asp>, 2-23-07.

Research Shows that Class Size Reduction Improves Student Achievement

- **There is clear evidence that smaller class size raise student achievement, and the positive effect is even more prominent in schools serving predominantly low-income students.**
-- Jepsen, Christopher, Rivkin, Steven, *ClassSize Reduction, Teacher Quality and Academic Achievement in California Public Elementary Schools*, PPIC, 2002.
- **California's K-3 Class Size Reduction Program has lead to significantly better scores by students on National Assessment of Education Progress (NAEP) exams.**
-- Unlu, Faith, *California Class Size Reduction Reform: New Findings from the NAEP*, Princeton University Department of Economics, November, 2005.
- The Class Size Reduction Research Consortium concluded that California may have better served at-risk students by **focusing full funding for the program on the districts with the most challenging schools, thus providing an incentive to draw the best-qualified teachers to those schools.** The Quality Education Investment Act of 2006 has targeted its class size reduction efforts at California's schools of greatest need for this very reason.
-- *What We Have Learned About Class Size Reduction in California*, CSR Research Consortium Capstone Report, September, 2002.
- **Smaller classes benefit all students, but also help close the achievement gap – improving scores for African-American students by nearly 40% in one study.**
-- Krueger, Alan B., *Would Smaller Classes Help Close the Black-White Achievement Gap?* Princeton University, Industrial Relations Section, Working Paper #451, March 2001
- **“Class size reduction is widely popular with parents and school staff, many of whom report marked improvements in classroom learning environments and working conditions for teachers.”**
-- *What We Have Learned About Class Size Reduction in California*, CSR Research Consortium Capstone Report, September, 2002.
 - Smaller class sizes have also **improved future job earnings** for millions of students.

- A study of the long-term effects of Tennessee's K-3 class size program, Project STAR, found that **smaller classes increased high school graduation rates, especially among students eligible for free lunch.**"

-- "Small Classes in the Early Grades, Academic Achievement, and Graduating from High School," *Journal of Educational Psychology*, 2005, Vol. 97, No. 2, 214-223.

- The official evaluation of Wisconsin's SAGE CSR program found that **smaller classes increased student achievement, upheld the gains through 3rd grade, and narrowed the achievement gap between African-American students and white students.**

-- Smith, Philip, Molinar, A., and Zahorik, John A., *Class Size Reduction in Wisconsin: A Fresh Look at the Data*, Education Policy Studies Laboratory (EPSL-0309-110-EPRU), September, 2003.

TELL IT TO TEACHER TALK

This is your chance to express yourself anonymously. Names will not be published unless requested. Comments can be positive or negative in nature. However, this will require your time to e-mail Larry Cobbler at lcobbler@ouhsd.org or Linda Draper at ldraper@ouhsd.org. Please take the time to send comments about any union topic you wish, or you can share thoughts on any topic of interest to other teachers.

- ✓ On Feb. 1, 2008, the principal of Oroville High, Chuck Tracy, sent out a parent's letter of complaint regarding several OSTA unit members (and the school psychologist) to all certificated and classified staff at OHS. The parent complained that teachers were not using Parent-Connect, which unit members are not required to do, and she felt this was hurting her ability to help her son succeed. The initial letter was sent to her son's counselor, and was subsequently forwarded to the principal. It turned out that the Parent-Connect database was for some reason not updating as it was supposed to each night, so teachers had actually been wrongly accused of not using this feature. The glitch itself was not important, though, but it was brought to Mr. Tracy's attention that he had violated OSTA's contract (Article XVI) by sending out a complaint publicly. At first, Mr. Tracy simply replied that the letter was not a complaint and did not issue any apology. Then OHS's site rep, Carol Anderson, filed a grievance on behalf of OSTA's members and on Feb. 7, Mr. Tracy wrote a public apology and sent it to all OHS certificated and classified staff. This is an excellent example of how the grievance process works to keep OSTA members' rights protected. It is not only unprofessional for an administrator to publicly chastise employees, it is also a contract violation. OSTA has a strong record of protecting our rights under our contract, something of which we can all be proud. Anonymous
- ✓ A grievance has been filed at OHS for a unit member being given a letter of insubordination for leaving a meeting that was held after 3:15. The principal directed the unit member to come to the meeting, and the member did so out of professional courtesy. The member asked the principal several times what the nature of the meeting was, and the principal refused to say, stating only, "This is an issue, not a directive." The member asked if the Weingarten Rule applied, and the principal said, "No."

Weingarten is federal labor law stating if an employee is called in by his employer, and the employee believes there may be some type of disciplinary action involved, the employee has the right to a representative, and the right to know the content of the meeting so that the employee and representative has time to confer on the "charges." Unit members should know the decision of the Ninth Circuit court:

The Ninth Circuit Court of Appeals in *Pacific Telephone v. NLRB*, 711 F.2d 134 (9th Cir. 1983), found that an employee's right to representation would be seriously diminished if the employee did not have the right to know the subject matter of the interview.

The Court in *Pacific Telephone* also found that it is an unfair labor practice for the employer to refuse the employee an opportunity for a pre-interview conference with a union representative.

When the unit member arrived at the meeting (luckily with representation), the member was handed a memo with the subject line "Behavior unbecoming a professional teacher." The unit member's representative ended the meeting after seeing the subject line because the principal misstated the purpose of the meeting. The representative and unit member stood to leave, and the unit member was told to sit back down. The principal told the representative, "You're not running this meeting. I am!" The principal indicated that if the unit member left, he was going to write the member up for insubordination for leaving the meeting.

The unit member is protected by contract and is not compelled to stay past the contractual hour. The unit member was asked to come to a meeting, and after being reassured by the principal that the meeting was merely to discuss an issue, attended out of professional courtesy. The unit member was given a memo to read and sign, and did so. The memo was time stamped and initialed by the principal's administrative assistant within 45 minutes of the "mandated" meeting. There was no insubordination.

The letter of insubordination further violates the contract ratified by OSTA and OUHSD because the letter states, "You are hereby directed to meet with me [the principal] when directed to do so and remain until the meeting is complete." According to this directive, the unit member could be required to meet on a Saturday, or at midnight, which of course is ridiculous. The contract clearly states the contractual hours OSTA members are required to be on campus. No OUHSD principal can require a meeting beyond the contractual day, and none can write a letter of insubordination for any member who wishes to leave at the end of the contractual day.

Furthermore, labor law states: "Public employees have the right to form, join and participate in the activities of labor organizations of their own choosing for the purpose of representation and collective bargaining with their public employer on matters concerning employment relations.' Therefore, it is clear from the law and precedent by the ERB [Employees Relations Board] that public employees not only have a right to use their association representative, but it would also be an unfair labor practice for the employer to interfere or retaliate if the employee uses that help." Thus, the letter of insubordination is an unfair labor practice since it is retaliatory in nature.

The principal's punitive and browbeating measures demonstrate the on-going need for vigilance in protecting our hard-won contractual rights..... Anonymous

- ✓ It is interesting that the D.O. has enough time to decorate their desks/offices and hold a competition. Sounds like a sound use of our COLA money! Maybe they could spend more time on analyzing and finding solutions to the failure of our intervention programs that Nancy Negri brought up and how to increase student achievement. Perhaps if they did the research that the teachers don't have time to do with all the IEPs and all, then perhaps our schools would greatly increase our API's and become a model for the North State!!

It is sad that our district leaders have no vision and operate with blinders on.
..... Anonymous

OSTA WEBSITE ADDRESS - BY LARRY COBBLER

You can now find all kinds of OSTA information at the OSTA web site: www.ostahome.org. Larry Cobbler, our OSTA president, is the webmaster.

UNIT MEMBER COMMUNICATION - BY LARRY COBBLER

All unit members need to communicate with each other and follow the contract. Grievances need to be pursued whether you as an individual agree or disagree with the issue. There are also timelines that need to be followed in the grievance process. If we all try to do a better job of communicating, we might resolve issues sooner.

OSTA NEWSLETTER DISTRIBUTION FOR 2007-2008 – BY LARRY COBBLER

This issue of the OSTA's TEACHER TALK newsletter was distributed by e-mail. If you did not receive it, send me an e-mail (lcobbler@ouhsd.org) with your name, school, and correct e-mail address you wish to use. Past issues of OSTA's TEACHER TALK newsletter may also be viewed at www.ostahome.org.