



# NEWS UPDATE

MAY 3, 2016

## Teacher Appreciation

May 3, 2016

HEA Members,

Today is Teacher Appreciation Day! Educators work tirelessly every day to ensure students are learning and succeeding. Thank you for your amazing work, energy and dedication. Our schools, our students and our families benefit because of you.

HEA \ WEA \ NEA represent so many kinds of "teachers". We appreciate all educators.

- Teachers
- Librarians and Media Specialists
- Counselors, Psychologists and Social Workers
- Occupational Therapists, Physical Therapists and Speech Therapists
- School nurses
- Higher education faculty
- And all school staff

Thank you for being an educator and a part of HEA. Take some time to appreciate your own efforts and those of your colleagues in your school.

In Solidarity,

Sue

## Know Your Contract Quiz

What date is your signed contract due to the district?

- A) May 30
- B) Last day of School
- C) June 1st
- D) May 16th

Please email your answers to Stephanie Steel - [highlineeasst@washingtonea.org](mailto:highlineeasst@washingtonea.org), and everyone with the correct answer will be entered into a drawing for a \$10 coffee card.

# In a win for unions, appeals court reverses ruling that threw out teacher tenure in California

Article from the Los Angeles Times

In a major victory for unions, a California appeals court on Thursday reversed a lower court ruling that had thrown out tenure and other job protections for the state's public school teachers.

The case was being closely watched across the country by those who argue that allowing administrators to more easily fire bad teachers would improve schools and student performance. Right now, there are a series of job protections that can be invoked before school districts can remove a tenured teacher.

"I think it's a win certainly for educators, but also a win for students," California Teachers Assn. President Eric C. Heins said of the ruling. "The trial never made the connection between the harms [the plaintiffs] were alleging and the statutes they were challenging. I think the laws have been working."

The teachers association was a defendant in the case, along with the California Federation of Teachers and top state officials.

Lawyers representing the plaintiffs, a diverse group of nine students, vowed Thursday to file an appeal with the state Supreme Court.

"We came to court to defend the rights of California's public school students and will continue to do so, despite today's temporary setback," lead Counsel Theodore J. Boutros Jr. said.

The appellate court decision overturned the 2014 ruling in Vergara vs. California, which held that several key job protections for teachers were so harmful that they deprived students of their constitutional right to an education.

In that case, L.A. County Superior Court Judge Rolf Treu had sided with the plaintiffs, saying the tenure system resulted in educational malpractice that "shocks the conscience."

The effect of the rules, he said, was to allow ineffective teachers to keep their jobs and subject students — especially poor and minority ones — to inferior schooling that could stunt their futures.

Treu stayed his ruling pending appeal; the three-judge appellate panel in Los Angeles saw the evidence and the law differently in a unanimous opinion.

"Plaintiffs failed to show that the statutes themselves make any certain group of students more likely to be taught by ineffective teachers than any other group of students," Division Two Presiding Justice Roger W. Boren wrote. "The court's job is merely to determine whether the statutes are constitutional, not if they are 'a good idea.'"

The appeals panel did not challenge evidence that many students are ill-served in California public schools. But, the judges said, the laws being questioned were not necessarily responsible.

"The evidence at trial firmly demonstrated that staffing decisions, including teacher assignments, are made by administrators, and that the process is guided by teacher preference, district policies, and collective bargaining agreements," Boren wrote.

Parties on both sides viewed the Vergara decision as a bellwether for the nation.

Similar litigation was filed soon after in New York; and on Thursday, just before the release of the appellate decision in California, another lawsuit was filed in Minnesota.

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They said that eliminating tenure and seniority would result in a lower-quality teaching corps, and that the profession would attract and retain fewer talented people who have other career options.

On one side are teachers unions and their allies, who say that well-protected teachers make for strong student advocates. On the other are philanthropists and others who criticize unions as defenders of a failed status quo.

In California, those union critics turned to the courts because teachers — ranking among the state’s most powerful interest groups — have been able to block substantial revisions to laws that protect them.

From the start, many Vergara supporters saw victory as a long shot but reasoned that the effort at least would keep teacher

unions and their allies on the defensive — and call attention to parts of the system they wanted to change.

Kevin Welner, an education professor at the University of Colorado, Boulder, said he found the initial filing so flawed that he assumed it was designed as “part of a larger public relations effort, not from a belief that they would win.”

But the plaintiffs did prevail at trial, in a ruling that made headlines across the country — and seemingly raised the stakes, with then-U.S. Secretary of Education Arne Duncan hailing the outcome.

Treu’s decision nullified the state’s system of awarding tenure at the end of an instructor’s second year on the job.

The judge also struck down the practice of “last in, first out,” which typically results in districts laying off less-experienced

teachers during budget cuts — regardless of how well they perform in their job.

In addition, Treu threw out rules that provide teachers a longer and more complex system to challenge dismissals of job security that’s rare, even in the public sector.

Had the Vergara ruling been upheld, teachers at unionized schools no longer would be entitled to a level of job security that’s rare, even in the public sector.

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### **NEW EXIT SURVEY**

District staff and HEA leadership have recently updated the exit survey. We will jointly review the information that you provide on the exit interview/survey. The information will be shared at the highest levels of both organizations. We hope to identify and improve policies, procedures or conditions that cause certified staff to look for positions elsewhere. We are interested in your comments and we will use information provided by you to identify policies, procedures or programs that should be continued, improved or eliminated or problem areas that should be analyzed or investigated so that corrective action can be developed.

If you are leaving the district, we are disappointed to see you go. However, we wish you the best in your future endeavors.

# Information and News you need to know

## ESSA FAQ's

When President Obama signed the Every Student Succeeds Act (ESSA) into law on Dec. 10, 2015, immediately it created a lot of questions on what the transition from No Child Left Behind (NCLB) to ESSA would look like. And since the new law isn't expected to go into full effect until the 2017-18 school year, after states and local districts have developed their implementation plans, how will ESSA impact the 2016-17 school year?

These [frequently asked questions \(FAQs\)](#) are designed to help you navigate the transition from NCLB to ESSA for the 2016-17 school year, and provide an update on Washington state endorsement and assignment policy.

### Know Your Contract Quiz Winners

December 10 E Focus

Which of these statements about personal days is CORRECT?

Correct answer is D

And the winner is Sandy Gady—Congratulations Sandy.

March 7, 2016 HEA Update

How many staff meetings per week are HEA members required to attend? Correct answer is C

And the winner is Mary Saffold—Congratulations Mary



## HEA OFFICERS AND EXECUTIVE BOARD MEMBERS

### President

Sue McCabe  
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### Vice-President

Sandy Hunt  
Madrona (206) 631-4100

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Sandra Aguila-Salinas  
Madrona (206) 631-4100

### Special Services Rep

Thara Cooper  
Parkside (206) 631-4700

## Legislative Budget Update

Here's a few things the Legislature did -- and didn't do -- with the supplemental budget.

### **Opportunity gap**

\$4 million across three programs to begin addressing the opportunity gap.

### **Educator shortage issue**

• \$3.5 million in additional funds for mentoring for new educators (BEST program).

- \$1.75 for professional development for Para educators.
- \$1.4 million to higher education to increase the number of students in education programs to become teachers.

### **Higher Education**

• \$8 million for tuition backfill to correct for errors made last year.

- \$18 million toward the State Need Grant.

## Calendar of Events

<b>May 4</b>	School Board Meeting—ERAC 6pm
<b>May 9</b>	Testing and your child's education—Burien Library 5 pm
<b>May 16</b>	Fair Share Event - Burien Azteca 5 pm
<b>May 18</b>	School Board Meeting—ERAC 6pm
<b>May 19</b>	HEA Executive Board Meeting
<b>June 3</b>	HEA Retirement Social—Cedarbrook Lodge 5 pm