

December 2003

By Ben Visnick – First Vice President

**Meeting: Representative Council
November 3, 2003, and December 1, 2003
Bret Harte Middle School**



Reimbursement for Substitute Teacher Shortages

Doug Provencio – Substitute Teacher

Question: As a Rep for Substitutes, I'm concerned about how often regular teachers have to take in extra students or give up prep and conference periods because of the District's failure to attract, provide, and retain enough substitute teachers. What are the current rates of reimbursement for these situations (remembering that these rates were created as a disincentive for the District when it fails to adequately staff school sites).

Answer: When students are split up at the elementary level, \$150 is divided up proportionately for all teachers who take any of these students. Every student is to be so compensated for – there's **NO** minimum number of students in your room to qualify for this mandatory compensation. If your administrator is saying that you need to have more than, say, 31 actual heads in your room at any one time before you qualify, please contact your OEA Rep immediately about this egregious circumvention of the contract.

If you lose your Elementary Specialty Prep or Unstaffed Prep Period, you should file the form to get your hourly per diem. If you're only being paid \$31.77, contact your Rep immediately to file a written grievance. Compensation can be paid retroactively. If you lose your Secondary Conference Period, you are eligible for \$31.77.

Healthy Schools

Carolyn Jones – Longfellow

Re: Unsanitary Conditions at Longfellow Elementary School

Statement: Longfellow Elementary has not had a night custodian since Thursday, October 16, 2003. Our principal says a night custodian will not be in place until the end of the month. Our classrooms are not being swept or spot mopped and waste-baskets are not emptied. Some classrooms have ants.



Healthy Schools – (Continued)

Ron Parodi – Jefferson

Question: Health and Safety Concern – Same as other sites – no custodial help at site; trash sitting for days: bathrooms not being cleaned.

The following answer refers to Longfellow and Jefferson Elementary

Answer: The OEA will file a class action grievance under Article 17. We encourage all sites to contact the Alameda County Environmental Health Department (510-567-6700) and to DOCUMENT on a continuous basis in writing these deplorable learning conditions. Your Faculty Council minutes are the perfect vehicle for this type of documentation.

Teachers should not be asked to replace laid-off custodians just as we would not ask them to teach our students. Have you noticed how clean the administration building is on Second Avenue? Send copies of all memos and minutes to the OEA Center for our CTA Executive Directors to support the grievance. Also don't forget to send the December **OEA Teacher Family Connection** to the parents/guardians of your students.

Schools have responsibility to provide working restrooms!

A new measure formalizing schools districts' responsibilities for keeping bathrooms clean and in good working order has been signed into law.

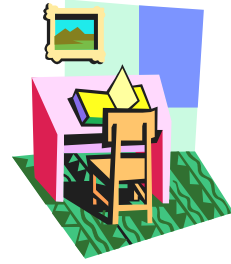
CTA-backed AB1123 by Assembly Member Fabian Nunez (D-Los Angeles) does not provide new funding for schools, but it does make it clear that districts must use existing maintenance appropriations to keep restrooms clean and workable.

In attendance at the news conference, where the bill's signing was announced, were Sacramento City Teachers Association President Marcie Launey and representatives of the California Parent-Teacher Association, the California School Employees Association and the California Federation of Teachers.

CTA backed the measure because its members believe public officials must take all necessary corrective actions to ensure that every public school in California has restrooms that do not pose a serious threat to the health of students and teachers alike.

Preparation Periods

Denys Adida - Cleveland



Question: Cleveland Elementary is still (after 3 discussions in September and October) not allowed to have its Wednesday prep time during the school day. Today's (November 3, 2003) bulletin again stated uniform prep at 3:25 p.m. Please help communicate to our principal that she is still out of compliance.

Chris Steigerwald - Thornhill

Question: Thornhill teachers are frustrated. Since the week of September 15, 2003 the guaranteed prep periods have been chaotic. We have no permanent prep teachers assigned to cover all 15 periods nor do we have permanently scheduled prep days or our hours – they fluctuate weekly. Teacher planning and student learning are adversely affected. Our parents are very upset as well – especially because of split classes and unprepared or non-existent substitutes. Many times only half the class receives prep while the teachers are left with half a class. Are these grounds for a grievance?

The following answer refers to Cleveland and Thornhill's questions

Answer: We are very concerned that our two (2) fifty minute elementary prep periods are being diminished district-wide. This is obviously a pattern and we are filing a class action grievance for all teachers so impacted. Send your name, site, and documentation to the OEA Center immediately.

In the meantime, please show your principal the new contract language for 2003-04 which maintains these periods during the school day (one half of which are staffed).

The bottom line in this District is now MONEY. If your staff applies for your hourly full per diem for missed prep (\$60 per hour for many members) the administration will get the message quickly that we are serious about our rights and student programs.

If we do not document continuously and retroactively each and every missed prep period, nothing will change. Keep personal copies of all requests for payment! Send copies also to our CTA Executive Directors at the OEA Center.





Many Reps

Question: Can you explain again how the monthly five (5) Hour Extra Duty section of the Contract works?

Answer: “There is a five (5) hour limit per month on extra duty assignments without pay” (Article X). However, two (2) of these hours are already designated for monthly parent-student teacher contact (Article X, Section 10.2.8). Therefore, for all intents and purposes, teachers can only be assigned extra duty without pay by principals for three (3) hours per month.

Furthermore, there is a total three (3) hour limit on faculty, department, and circuit/grade level meetings. Since our monthly faculty meeting is limited to 75 minutes in length (Article X, Section 4.4), the remaining meetings per month cannot exceed a total of 105 minutes.

Any time mandated by administrators beyond these limits must be compensated at the extra duty rate of \$21.77 per hour.

A new OEA Extra Duty Hourly Compensation form will be distributed to Reps at the January 5, 2004, Rep Council.



Happy Holidays from the OEA Executive Board and Staff!

OEA Toy Drive and Reception – Friday, 12/12/03, 4p.m.- 7p.m.