

# MVEA Advocate



Volume 18 No. 10

MVEAinfo.com

June 2008



Moreno Valley Educators Association is an organization of professionals which serves as a powerful voice communicating the needs of Educators and students to the district, parents, and community in order to establish a positive school environment and build quality educational programs. The Association will continue to protect the rights of Educators, and thereby students, by promoting equity and human rights.

## End of Year Thanks!

By Janet MacMillan, MVEA President

**M**V E A could not accomplish its goals without the work of the Site Representatives. They attend monthly meetings, serve on District committees, run elections, and communicate members' concerns to Association leadership. MVEA recognized three Reps for their ongoing service at the San Geronio Service Center **We Honor Ours** (WHO) awards celebration this spring:

**Marge Dahl** supported MVEA as a community member through the strike of 1979. She became a member and a Site Rep in 1980 when she accepted a teaching position in MVUSD. Marge continued her Association work as a grievance committee member and has served on many District committees. Marge teaches Kindergarten at Edgemont and is known for mentoring other staff members on curricular issues and advising them on Contract language.

**Lucy McKechnie** called the MVEA office to ask a question and has been a Site Rep ever since. She has attended Fall Leadership and other conferences and is comfortable advising members on how the Contract fits with administrative policies and practices at her site. Lucy is a Social Studies teacher at Landmark Middle School.

**Felicia Heck** brought skills learned as a leader in the postal workers union to her work as a Site Rep at Vista del Lago High School. She is a member of the Elections Committee and is interested in human rights issues. Felicia teaches English and was instrumental in setting up the Read 180 program and mentoring new teachers involved in the implementation of the program.

Congratulations and thank you to these members who contributed to MVEA meeting its goals. Thank you also to San Geronio Service Center Chairperson, **Katherine Underwood**, and her committee for organizing the WHO Awards event.

Site Reps also brought members to join the Executive Board in the Rally on May 14, 2008. During the event, more letters were signed urging the governor and legislators to make education the highest budget priority. There were speeches from Jack O'Connell, Superintendent of Public Instruction, area superintendents, parent groups and students about the need for funding to continue programs. **Felicia Heck, Amy Hall, Sergio Noreiga, Carole Young, Martha Monteon, Sandra Hernandez, Juanita Quiroz, Katherine Underwood, Connie Pruett, Harold Acord, Pat Fulgenzi, Jim MacMillan, Mike Millsbaugh, Corey Moore, Danny Alvarez, Bill Kalogonis, Laura Brough, Jose Alcala, Andrea Chouinard, Peggy Murphy, Cathy Fulgenzi and Eligio Rangel** were among those who represented you at this event. Thanks also to **Jesus Holguin**, School Board member, **Lisa Wilson**, coordinator of Multilingual Programs, and **Dr. Barbara Davis**, Assistant Superintendent for joining us, as well as **Rowena Lagrosa**, Superintendent, for speaking at the event.

Although vacation is a time to renew, please check the MVEA and CTA websites (MVEAinfo.com and CTA.org) for current budget information, and continue writing letters to our legislators.

### Inside this issue:

End of Year Thanks!	1
Evaluation Timelines	2
Educators Rally	3
Governor's May Revise	4
Budget Q & A	5
New Cell Phone Rules	6
MVEA Educator of the Month	7
Election Wrap-Up	8
Did I Volunteer for That?	8
Important Dates	8

# Evaluation Timelines

By Harold Acord, MVEA Director of Contract Maintenance

**A**rticle XV in our Collective Bargaining Agreement, outlines the timelines and requirements for Evaluation Procedures. As the school year is drawing to a close, MVEA has received reports of the District not following the Contract in regards to Evaluation. Please consult the following checklist to make sure that the proper procedures are being followed at your site. Let your Site Rep know immediately if you suspect the Contract is not being adhered to. Remember, our rights only go as far as we protect them and demand them!



— In Solidarity, Harold Acord, MVEA Director of Contract Maintenance

## 2007-08 CHECKLIST OF EVALUATION PROCEDURES

*MVEA strongly urges all members to keep track of their Performance Evaluations to ensure that the contractual rights negotiated by MVEA and MVUSD (Article XV) are followed.*

### ALL EMPLOYEES REGARDLESS OF YEARS OF EXPERIENCE

<i>Timeline</i>	<i>Event</i>	<i>Article (Section)</i>
___ <i>Prior to start of school year</i>	<i>Staff meeting to discuss evaluation criteria &amp; procedures</i>	<i>2(e)</i>
___ <i>October 15</i>	<i>Deadline for assignment of evaluators (New hires within 30 days from beginning of assignment)</i>	<i>2(e)</i>
___ <i>By the end of first quarter</i>	<i>Deadline for first observation of non-permanent employees and permanent employees on a remediation plan</i>	<i>2(f)</i>
___ <i>By December 15 (NEW)</i>	<i>First observation <b>must</b> take place for permanent employees</i>	<i>2(f)</i>
___ <i>5 workdays after observation</i>	<i>Employee receives copy of observation report Either evaluator or employee may request conference (Conference must occur within 5 workdays of request)</i>	<i>2(f)</i>
___ <i>During the school year</i>	<i>Observations reasonable in number and duration Observations not to be used to harass an employee At least one 60-minute prescheduled observation (Scheduled 3 workdays in advance-temp. and prob. teachers) At least 3 observations (temp., prob., and less than satisfactory permanent teachers)</i>	<i>2(f)</i>
___ <i>30 cal. days before last student day (Contract &amp; Ed Code)</i>	<i>Last day to receive final evaluation</i>	<i>2(g)</i>
◆ <i>For those employees who receive a "Needs to Improve" or "Unsatisfactory" on Appendix D: Employee must have no more than a 6 week remediation plan (followed by another remediation plan as necessary)</i>		<i>3(a)</i>
◆ <i>For those employees who receive "Needs to Improve" in any area: Employee shall be re-evaluated in areas in which improvement is needed Observed no more than one time per week</i>		<i>3(a) 3(b)</i>
◆ <i>For those employees who receive an "Unsatisfactory" in any area/Final Unsatisfactory Evaluation: Employee shall be re-evaluated in all areas/Peer Assistance &amp; Review-permanent employees</i>		<i>3(a)&amp;(c)</i>
◆ <i>First year probationary teachers who receive "Needs to Improve" or "Unsatisfactory": Employee must have 2 observations prior to November 30 of the following year</i>		<i>3(e)</i>

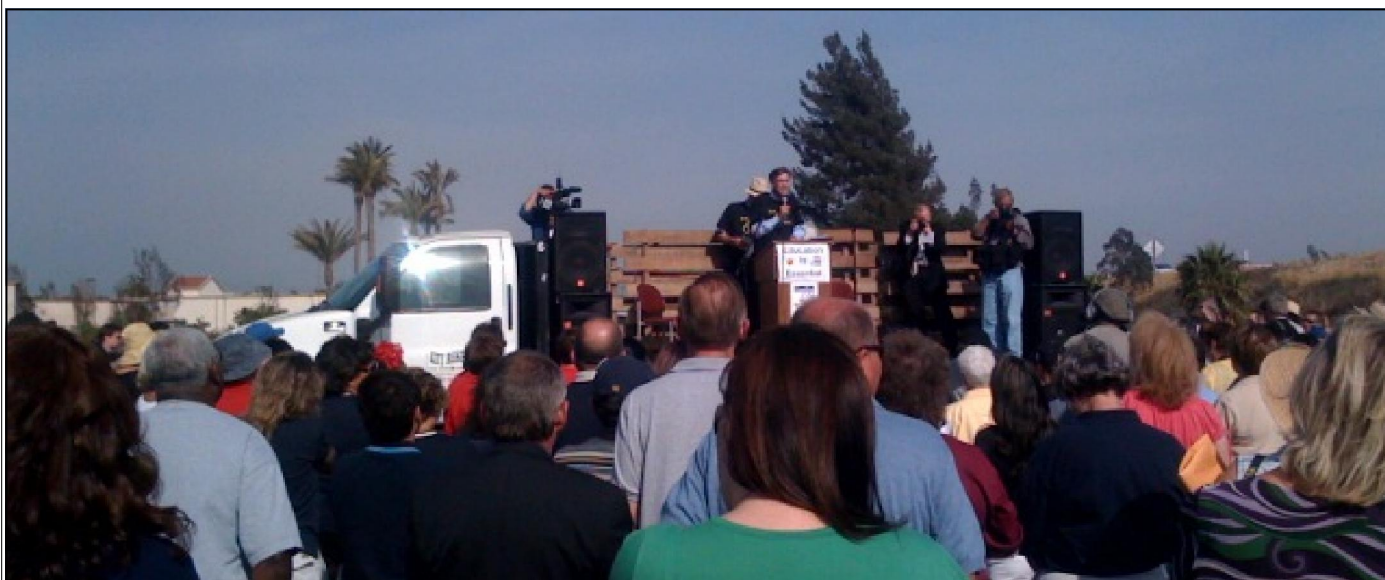
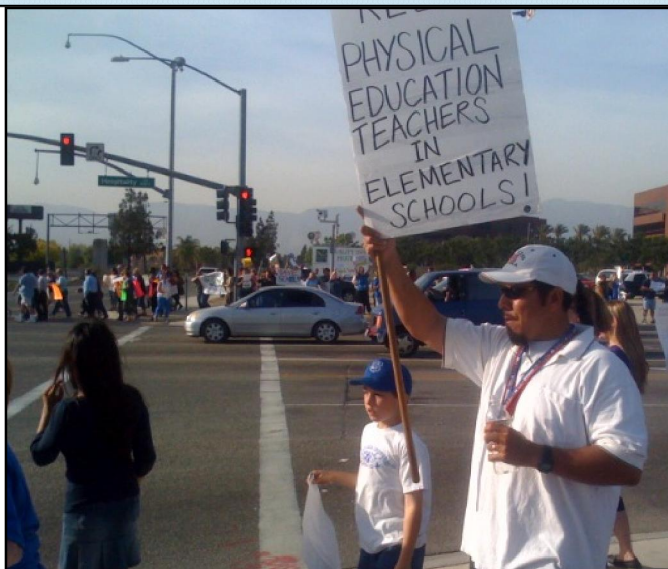
## Educators Rally Against Budget Cuts

**O**n May 14<sup>th</sup>, the California Day of the Teacher, State Superintendent of Public Instruction Jack O'Connell joined several hundred teachers, classified employees, and school administrators in protest against drastic education cutbacks. They gathered in San Bernardino to demand that California lawmakers refuse proposed budget cuts to schools.

The governor hopes to raise \$15 billion over the next three years by selling bonds based on anticipated lottery revenue. He will use about \$5.1 billion of that in the fiscal year beginning July 1 to help erase the state's deficit. The other \$10 billion that would be raised through the lottery plan would remain in a rainy day fund the governor wants to create to help the state get through rough financial times in the future. Schwarzenegger seeks to cap the amount of lottery proceeds that go to education programs at their current level, which is about \$1.2 billion a year.

If the lottery proposal fails, the governor will ask the Legislature to approve a temporary 1-cent increase in the state sales tax to pay for the reserve fund. Schwarzenegger's budget proposal backs away from a politically unpopular plan to suspend Proposition 98's minimum school-funding guarantee. However, schools still would lose about \$4 billion in anticipated revenue because Schwarzenegger's plan does not include program cost-of-living increases.

California Superintendent of Public Instruction Jack O'Connell spoke at the event along with others, including MVUSD's Superintendent Rowena Lagrosa. O'Connell said he was elated that proposed cuts to education were not as severe as those threatened in January, but he is still not satisfied with the governor's plan. "It's a beginning. The governor is retreating from his suspension of Prop. 98," he said. "We are still woefully underfunded."

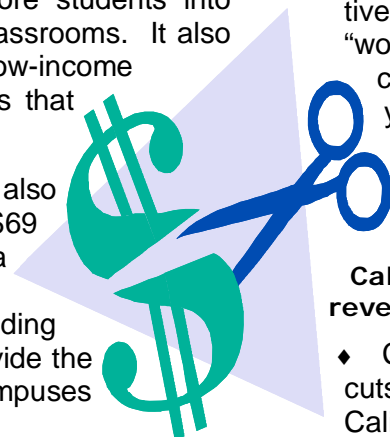


# Governor's May Revise Still Hurts Education - \$4.3 Billion in Cuts

**The Governor's Revised Budget Proposal Continues Devastating Cuts to Public Schools and Colleges, reducing education funding by \$4.3 billion. The California Teachers Association shares some "Talking Points" about the May Revise...**

Avoiding a suspension of Proposition 98, the state's minimum school funding law, is a step in the right direction, but the governor's revised budget still cuts \$4.3 billion from public education and increases fees for college students.

- ◆ Out of the \$4.3 billion cut, categorical programs are cut by \$1.7 billion. This includes the Class Size Reduction program, which means squeezing even more students into California's overcrowded classrooms. It also cuts programs that target low-income students and those schools that need help the most.
- ◆ Community Colleges are also hurt by this proposal. Only \$69 million is proposed to fill a property tax shortfall of \$92 million. This gap in funding means fewer dollars to provide the services our students, campuses and faculty need.



The revised budget proposal offers no cost-of-living adjustment to any education program. That means less money to help recruit and retain quality teachers. And as districts pay more for gas to fuel school buses and more for other operating costs, our schools will once again be expected to do more with less.

Cuts to categorical programs and deferred maintenance also put classified employees such as aides, school secretaries, cafeteria workers, grounds keepers, school safety personnel and others at risk. These education support professionals provide important services to our student and schools.

## **A Risky Lottery Proposal Doesn't Help Public Schools**

The governor's lottery scheme puts current school funding at risk and fails to provide real, long-term

revenue solutions.

- ◆ The lottery privatization plan gives "first call" of all revenues to Wall Street investors, which means education dollars could be diverted to repay bank loans and cover revenue shortfalls.
- ◆ The lottery proposal is another budget gimmick that relies on more state borrowing and caps education funding from the lottery at its current fixed amount. That means public schools would get no more than \$1.2 billion despite enrollment increases or increased lottery revenues. In fact, the state's Legislative Analyst warns public education funding "would fall well short of current levels" and could lose \$5 billion over the next 12 years.

**Cuts-only Approach to Solving the State's \$17 Billion Budget Deficit Hurts Students, Public Schools and all Californians. Lawmakers must consider revenue increases.**

- ◆ Continuing to balance the budget with a cuts-only approach hurts vital services that all Californians need and deserve. Lawmakers must consider revenue increases to fund education and other crucial programs that help children, the poor and working families. We look forward to working with the Legislature and the governor in passing a state budget that invests in the future of our children, our schools and our state.

CTA is also concerned about cuts to programs that serve our students and their families. Cutting health care for children makes it harder for students to come to school ready to learn.

- ◆ Studies show California seriously underfunds its public schools and would need to spend 40 percent more to ensure that all students meet the state's rigorous academic standards. CTA is committed to ensuring that schools have adequate, stable and ongoing funding so students and schools continue to improve.

# Budget Questions and Answers

## 1. The May Revision Budget doesn't suspend Proposition 98, but still cuts school funding. How does that work?

The poor economy, reduced state revenues, and the \$500 million in cuts to education in the current year substantially lowered the minimum funding requirements of Proposition 98. So while the governor's proposal does not suspend the minimum funding law, it still cuts \$4.3 billion from public schools and community colleges. This includes cuts to programs that help improve student achievement like Class Size Reduction and fails to provide cost of living adjustments to all education programs.



## 2. What does CTA think of the Governor's proposal to borrow against the lottery?

The governor's lottery scheme puts current school funding at risk and fails to provide real, long-term revenue solutions. The lottery proposal is another budget gimmick that relies on more state borrowing and caps education at \$1.2 billion regardless of enrollment increases or increased lottery revenues. In fact, the state's Legislative Analyst warns public education funding "would fall well short of current levels" and could lose \$5 billion over the next 12 years. Continuing to balance this budget with a cuts-only approach hurts vital services that all Californians need and deserve.

## 3. What about the Governor's Budget Stabilization Act?

It appears the governor is trying to protect education funding in his revised proposal, but the devil is always in the details. We will be looking over his new proposal very carefully. CTA remains strongly opposed to any plan that gives the governor unprecedented power to cut education and other programs without approval from state legislators. A similar plan was overwhelmingly rejected by voters in 2005.

## 4. You keep saying you are opposed to any budget cuts, but this is a state budget crisis with a \$17 billion hole, shouldn't education have to take some cuts?

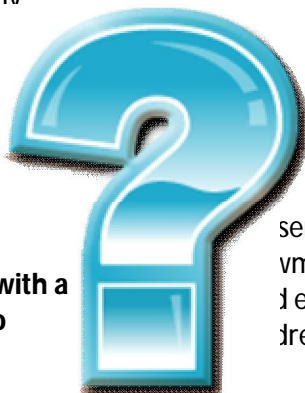
Lawmakers cut more than \$500 million from education already this year, and the proposal announced last week would cut another \$4.3 billion. More than 20,000 educators received layoff notices this year. Some of those teachers will never return to our classrooms. School districts are also increasing class sizes and cutting program like art, music and vocational education. Our per pupil expenditures ranked 46<sup>th</sup> in the nation before the midyear cuts. We cannot continue to shortchange the future of our students and our state. Our students and schools have been making progress. We cannot expect that progress to continue with such drastic cuts. The governor and the legislature must also increase revenues in order to close solve this budget crisis. We need a long-term funding plan not a short-term fix that gambles with the state's future.

## 5. Some lawmakers say per-pupil funding has increased and that according to NEA California ranks in the middle compared to other states. Why does CTA say California ranks 46<sup>th</sup> in per pupil funding?

According to Education Week's *Quality Counts* report, California ranks 46<sup>th</sup> in per student funding, dropping three places from last year. *Quality Counts* takes into consideration regional differences among states and the needs of students. Further highlighting our inadequate funding, studies commissioned by this Governor and Legislature determined California would need to spend 40 percent more in order to help all students reach the academic standards we have set for them.

## 6. If we don't cut education, does CTA support cutting health care and other services for the blind, disabled and elderly?

California teachers know that if children don't have health care they can't come to school ready to learn. Teachers can't teach to an empty desk. Continuing to balance this budget with a cuts-only approach hurts vital services that all Californians need and deserve. Lawmakers must consider revenue increases to education and other vital programs that help children, the poor, and working families.



## New Cell Phone Rules - Do You Know the Law?

**T**wo new laws dealing with the use of wireless telephones while driving go into effect July 1, 2008. Here is a list of Frequently Asked Questions concerning these laws. For more information, go to [dmv.ca.gov](http://dmv.ca.gov)

**Q: What is the difference between the two laws?**

A: The first prohibits all drivers from using a handheld wireless telephone while operating a motor vehicle, motorists 18 and over may use a "hands-free device." Drivers under the age of 18 may NOT use a wireless telephone or hands-free device while operating a motor vehicle.

**Q: What if I need to use my telephone during an emergency, and I do not have a "hands-free" device?**

A: The law allows a driver to use a wireless telephone to make emergency calls to a law enforcement agency, a medical provider, the fire department, or other emergency services agency.

**Q: What is the fine if I'm convicted?**

A: The base fine for the FIRST offense is \$20 and \$50 for subsequent convictions.

**Q: Will I receive a point on my driver's license if convicted for a violation of the wireless phone law?**

A: No. The violation is a reportable offense, however, DMV will not assign a violation point.

**Q: Will the conviction appear on my driving record?**

A: Yes, but the violation point will not be added.

**Q: Will there be a grace period when motorists will only get a warning?**

A: No. The law becomes effective July 1, 2008.

**Q: Are passengers affected by this law?**

A: No. This law only applies to the person driving a motor vehicle.

**Q: Do these laws apply to out-of-state drivers whose home states do not have such laws?**

A: Yes.

**Q: Can I be pulled over by a law enforcement officer for using my handheld wireless telephone?**

A: Yes. A law enforcement officer can pull you over just for this infraction.

**Q: What if my phone has a push-to-talk feature, can I use that?**

A: No. However, a push-to-talk feature attached to a hands-free ear piece or other hands-free device is okay.

**Q: Does the new "hands-free" law prohibit you from dialing a wireless telephone while driving?**

A: The new law does not prohibit dialing, but drivers are strongly urged not to dial while driving.

**Q: Will it be legal to use a Bluetooth or other earpiece?**

A: Yes, however you cannot have BOTH ears covered.

**Q: Does the new "hands-free" law allow you to use the speaker phone function of your wireless telephone while driving?**

A: Yes.

**Q: Does the new "hands-free" law allow drivers 18 and over to text message while driving?**

A: While not specifically prohibited, sending text messages while driving is unsafe and is strongly discouraged.



## MVEA Educator of the Month: Beverly Williams

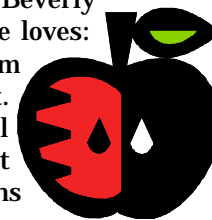
**B**everly Williams was MVEA's Educator of the Month for April. She moved from careers in banking, the airline industry, and modeling, to teaching by earning a Bachelor of Arts degree, two Masters degrees, single subject and community college credentials, and specialist certificates in GATE, ELD and reading. She prepared herself well for her twenty-one year assignment at Sunnymead Middle School where she is recognized by her peers and the administration as an expert teacher in all language areas, including ELD and reading, an opinion confirmed when a District team selected her as a mentor teacher.

Beverly's commitment to her students has extended beyond instructing them in the language arts areas. She has served as an advisor to student clubs and has organized and chaperoned student field trips to places as far away as New York City, experiences that her students would have missed without her initiative. Beverly has consistently

accepted leadership positions, serving as a grade level and department representative to the Professional Learning Community, as well as GATE coordinator, and Language Arts Field Day coordinator.

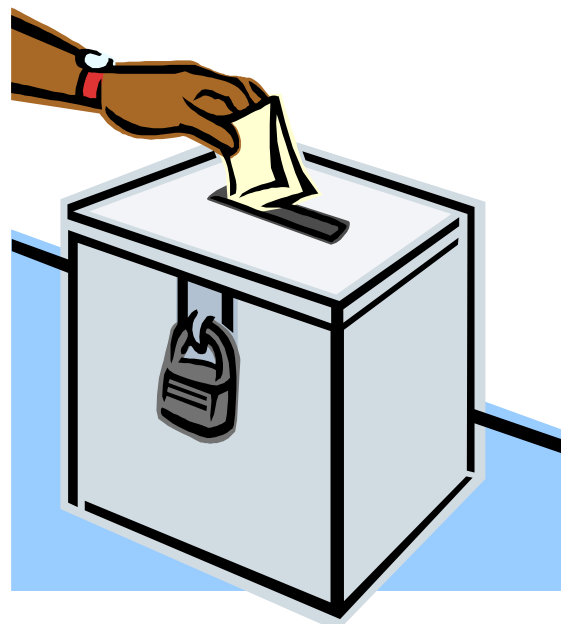
Teachers at Sunnymead Middle describe Beverly as a mentor to all. Her principal, Chris Schiemeyer, says she is the school's mom. Everyone is comfortable going to Beverly when they need help or encouragement.

Beverly and her husband have one son. She is involved in professional societies and church groups. She loves gardening and decorating, but mostly being with her family. Beverly will tell you she is doing what she loves: teaching children and helping them believe they are each the best. Sunnymead Middle School will miss Beverly next year, her first year in retirement. Congratulations and best wishes Beverly!



## Election Wrap-Up

- ◆ By now, your site should have had their election for next year's Site Reps. Make sure to inform MVEA who they are as soon as possible. MVEA's 2008-9 Fall Leadership Conference for Site Reps will be held at the Westin SouthCoast Plaza in Costa Mesa September 13-14, 2008. Rep Council will be included in this event on Sunday, September 14th. Site Reps—Mark your calendars now!
- ◆ The National Education Association (NEA) is now producing a newsletter for our Republican members. It can be accessed online at <http://em.mansellgroup.net/nea/gop/2008april.htm>
- ◆ MVEA's delegates to the National Education Association Representative Assembly (NEA/RA) to be held July 1-6 in Washington, D.C., have been elected. They are **Harold Acord, Jose Alcalá, Andrea Chouinard, Cathy Fulgenzi, Pat Fulgenzi, Tim Hampton, Janet MacMillan, Jim MacMillan, Timothy Mendoza, Linda Moore, Sharon Orme, Connie Pruett, Juanita Quiroz, and Katherine Underwood**. With over 9,000 delegates, the RA is the world's largest democratic deliberative body. Over the course of eight business sessions spanning four days, RA delegates debate the vital issues that impact American public education and set Association policy and activities for the year ahead.



The **MVEAdvocate** is published ten times a year by the **Moreno Valley Educators Association**. **MVEA** is associated with the California Teachers Association (CTA) and the National Educators Association (NEA). **MVEA** is a member of the National Council of Urban Educators. Locally, **MVEA** is a member of the Moreno Valley Chamber of Commerce and the Moreno Valley Hispanic Chamber of Commerce. All unsigned articles reflect the official position of **MVEA**.

Comments, suggestions, and inquiries should be sent to: Cathy Fulgenzi, Editor  
 (cfulgenzi@MVEAinfo.com)

### Moreno Valley Educators Association

23025 Atlantic Circle, Suite A  
 Moreno Valley, CA 92553  
 Phone: (951) 485-0545 Fax: (951) 485-0353  
 Website: MVEAinfo.com

### MVEA Executive Board

President	Janet MacMillan
Vice-President	Connie Pruett
Secretary	Katherine Underwood
Treasurer	Tom Weir
Director of Contract Maintenance	Harold Acord
Dir. of High School	Juanita Quiroz
Dir. of Middle School	Mike Sorter
Dir. of Elementary	Tim Hampton
Dir. of Elementary	Andrea Chouinard
Dir. of Inst. and Prof. Dev.	Sharon Orme
Dir. of Member Services	José Alcalá
Dir. of Human Rights	Danny W. Alvarez
Dir. of Political Action	Heather Gardner
Dir. of Communications	Cathy Fulgenzi
Executive Director	Ann Adler
Receptionist	Devina Molette
Secretary	Tricia Tutein-Hicks
CTA State Council Members	Harold Acord, Connie Pruett, Janet MacMillan, Katherine Underwood
CTA Board Rep. District O	Mikki Cichocki
NEA Board Rep. District 11	Patty Taylor

# Important Dates:



**June 3:** MVUSD Board Meeting @ 7 p.m. (Board Room)

**June 4:** MVEA Rep. Council Mtg. @ 4 p.m.  
 (Moreno Valley Conference & Recreation Center)

**June 13:** Last Day of School

**June 14:** Father's Day



**June 17:** MVUSD Board Meeting @ 7 p.m. (Board Room)

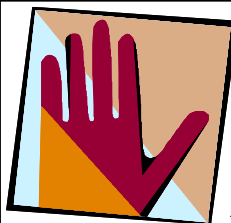
**July 15:** MVUSD Board Meeting @ 7 p.m. (Board Room)

**August 11 & 12:** Teacher Prep Days

**August 13:** Students return

## Did I Volunteer for That?

By Connie Pruett, MVEA Vice President



**V**oluntary or involuntary, that is the question! The Contract defines an involuntary transfer in Article XXI Section 2 (a) as “... *any transfer not sought or not requested by the employee transferred.*”

If your site has to make changes in grade level assignments OR numbers of site personnel, the first thing your administrator should do is ask for volunteers. IF you volunteer for that transfer, it is still considered an involuntary transfer in that YOU did NOT seek that change. The site is in need of the change and you decided to help out by being the one to make the move. You are then protected from another involuntary transfer for two years. The Contract states in Article XXI Section 5 (f), “...*the application of such seniority factor shall not operate so as to cause involuntary transfer of a unit member more than once in any two year period.*” It is important to understand these differences so that the protection of two years can be applied in those cases of an involuntary transfer.

Also, remember that if you are involuntarily transferred, you must fill out and return paperwork to MVEA and the District that will be kept on file to assure that you are protected from another involuntary transfer for two years. See your Site Rep for the correct form to fill out. Without this paperwork on file, it will be difficult to prove that you were transferred involuntarily.