TRUE Newsletter Wins Award!

Our Newsletter “TRUE NEWS” was the recipient of the CTA Communications Award. Our chapter was selected for this honor in the category of Newsletters and Newspapers. There were more than 43 entries in the Communications Award program this year and our achievement was recognized as a very high distinction.

An awards plaque will be presented to our chapter for this honor in late January. Thank you to those of you who contribute articles and help to get our award winning newsletter out each month. Keep those articles coming!

To Teach is to touch the lives of many and to help us learn life’s lessons.
But to teach well is to make a difference in all the lives you touch...

ORGANIZING

The Organizing Team has been busy visiting sites this past month and meeting to plan future organizing activities. We will continue visiting sites to inform members about the Impasse Process, listen to member concerns, and answer their questions. We are trying to visit as many sites as we can. If you have not had a site visit by our team and would like one, please e-mail Jeanie Stockton (jeanie.stockton@gmail.com). We will begin reaching out to our community by holding Community Forums in January. Please look for information about these forums after our winter break.

We are now asking members to wear Red on every Wednesday until further notice. We want to show solidarity during the Impasse Process. Due to where we are in the Impasse Process, it is now time to start thinking about how you can support future Organizing activities. A “Support Survey” will be coming to your personal e-mail to find out how TRUE members can get involved to help out. Please look for this soon.

Remember to Wear Red on Wednesdays!

Jeanie Stockton and Kristin Finney
Organizing Team Co-Chairs
The District’s “Last, Best and Final” Offer

10.28.2010
DISTRICT PACKAGE

2. **18% STIPEND DECREASE** for stipends in Article 9, effective January 1, 2011

4. Parent conferences at K-8 and Professional Days in lieu of parent conference at 7-12 = 0 days for 2010-2011, 0 days for 2011-2012 and thereafter. The days that were on the calendar for non-student attendance/parent conference and/or Professional Development will be revised on the calendar to be non-duty furlough days.

5. **REDUCTION OF WORK YEAR (Article 4)**
   A. Two additional days of the instructional calendar will be removed from the instructional calendar for 2010-2011, and all years thereafter; the instructional year will be 175 days, while the work year will reduced **7.5 days for each Member**, as compared to the original work year set forth in the salary schedules.

8. Each Member will have **7.5 UNPAID FURLOUGH DAYS PER YEAR**, effective July 1, 2010, this will continue until restored under restoration language

9. **CHANGE IN DISTRICT BENEFIT CONTRIBUTION EFFECTIVE MARCH 1, 2011- ARTICLE 15.1.1.2**
   a. District contribution for Single: Current $5,505 changes to $5,005
   b. District contribution for Employee plus one: changes from current $10,395 to $9,395
   c. District contribution for Family: changes from current $13,065 to $11,065

Equals per payment change (with ten payment plan) of: $50 single, $100 employee plus one, $200 family. Effective January 1, 2011

10. **$1500 per cell, all cells, all salary schedules except ECE, effective June 30, 2011; across the board salary reduction**, ongoing until restored under restoration language. All hourly schedules except ECE will be decreased by $1.00 per hour in each cell.

---

**PUBLIC EMPLOYMENT RELATIONS BOARD**

December 6, 2010

Timothy M. Cary, Attorney
Timothy M. Cary & Associates
2330 Cameron Park Drive, Suite 2000
Cameron Park, CA 95682

John Ennis, President
Twin Rivers Unified Educators
3318 Howard Street, Suite 10
McClellan, CA 95662

Re: Case No. SA-IM-3163-E
   Twin Rivers Unified School District

Dear Interested Parties:

The Public Employment Relations Board has determined the existence of an impasse in the above case. The State Mediation and Conciliation Service (SMCS) will assign a mediator who will contact you shortly.

Please contact SMCS at if you have any further questions.

Sincerely,

Wendi L. Ross
Deputy General Counsel
What does Impasse mean?
Under collective bargaining law, when one or both parties in a round of bargaining cannot offer further concessions to get to an agreement, they are at an impasse. Bargaining laws establish a set of procedures to follow when at impasse. The "impasse procedures" have two distinct phases: mediation and fact-finding.

What is Mediation?
In mediation, the Public Employment Relations Board (PERB) appoints a mediator who meets with the parties to resolve the dispute. The mediator has two kinds of leverage:

1. He or she can use the power of one of the parties to make the other offer further concessions. **We provide such leverage when we mobilize to put pressure on the School Board. If we don’t mobilize, the leverage is against us.**

2. The mediator has the power to certify the dispute to fact-finding. Only the mediator can do this.

What is Fact-Finding?
If the mediator certifies the dispute to fact-finding, one party must initiate it by sending a request to PERB. Once this is done, each party names an advocate to serve on the Fact-Finding Panel, and they choose a neutral fact-finder from a list provided by PERB. The two advocates and the neutral form the Fact-Finding Panel.

The Fact-Finding Panel hears a presentation by each of the parties. After the presentation, the neutral issues his or her findings of fact and a recommended settlement. The two advocates can agree or not with the neutral’s recommendations; their statements are combined with the recommendation to form the Fact-Finding Report. The District must make the Fact-Finding Report public within 10 days of having received it.

Are the recommendations binding?
No. The recommendations are advisory and are not binding on either party.

Are the facts really “found”?
Sometimes. Fact-finding is really an extension of bargaining. The relative leverage of the parties still determines the outcome.

What happens then?
After fact-finding, the District and the Association must consider the report. Once that is done, the District is free to adopt its "last, best and final offer".

What happens to the Contract?
When only re-opener articles are being negotiated (which is the case right now for TRUE), and the parties have not reached an agreement, in general terms it can be said that those articles would cease to be in effect.

When the entire Contract is what’s being negotiated, and the parties have not reached an agreement, then there would be no Contract at all.

What can the Association do?
The Associations’ legal recourse is to ask its members to strike. Strikes are legal only after the impasse procedures have been exhausted.

Why not just let the District adopt its “last, best and final offer”? 
Not only is that “offer” not good enough or beneficial for the educators, but even worse, that would mean the end of collective bargaining in this District. The District would have learned that it could simply stonewall until the impasse procedures were exhausted and then get its way. Not one of our working conditions would be safe if this were to happen.

**We must ALL get actively involved in fighting to protect our rights!**
Negotiations Update

On Tuesday, November 30, the Twin Rivers Unified School District officially filed for Impasse in negotiations with TRUE. We will still meet with the District on language for school closures, reconfigurations and other categories of transfers. The mediation will begin around the end of January. If nothing is resolved with a mediator, we will move on to fact-finding. The process for mediation and fact-finding could take us through the rest of this school year.

Paul LeFrancois
TRUE Lead Negotiator

Teacher Funnies

A young boy ran up to his teacher with tears in his eyes. The teacher asked, "What's wrong, dear?"

The boy said, "I just found out I'll be in school until I'm eighteen."

The teacher said, "That's nothing. I have to stay here until I'm sixty-five."

-- Milton Berle

TRUE CARS+ CORNER

TRUE celebration of The Day of the Special Educator was attended by educators from Twin Rivers Unified School District, Sacramento City Unified, Elk Grove Unified and Sacramento County Office of Education. The event was sponsored by CARSplus Region 7 and Twin Rivers United Educators, and was held at Lion’s Gate Restaurant on December 3rd. Those who attended expressed their pleasure for the opportunity to meet with educators from surrounding districts. They are looking forward to future events in the region.

The local CARSplus chapter, TRUE CARS, has some new officers. Jane Pena is now the TRUE CARS President, Paula Ramsey continues as TRUE CARS Vice President, as does Barbara Oliver as TRUE CARS Secretary. The newest member to their Board is Susan Jennings who was elected to be the new TRUE CARS Treasurer. She is a special educator in the San Juan Unified School District. The TRUE CARS Chapter is open to educators within the area, and is working hard to reach out to special educators from surrounding districts. All are invited to attend and participate in their events and meetings.

Joyce Childs
CARS+ Region 7 Director
Grievance Update

The TRUE Grievance Committee held a meeting with the District to review procedures on November 19. At that meeting, a number of grievances were resolved. We are having many issues with members turning in units in order to move over on the salary schedule. Every time this takes place, the District is auditing your units from the past. A number of mistakes have been found, but we feel it is time to move on and honor whatever the past four districts claimed our members had. CTA is working on this from a legal point of view and our Union Officers are also aware of the issue.

If you feel that you have a grievance against the District, please email the TRUE Office (true.office@yahoo.com). They will put you in touch with the right member of the grievance team to help resolve the problem. Remember that a grievance is a violation of the contract, not a complaint.

Paul LeFrancois
TRUE Grievance Team
Open Enrollment - Standard Disability Insurance
The Standard, will be providing Disability Insurance for those who have previously been denied disability insurance. This is an employee paid benefit and is guaranteed enrollment for a two year period.

Open Enrollment is being held December 1, 2010 through January 15, 2011.

If you have any questions, contact the District office by sending an e-mail to evelyn.soliz@twinriverusd.org

NEA News

California's Teacher Force Shrinking, Report Says.
The AP (12/15) reports, “The number of public school teachers has reached a decade-low in California, and the job is getting less attractive amid state budget cuts,” according to a new study released Monday by the nonprofit Center for the Future of Teaching and Learning. The number of teachers in the state has dropped from 310,361 in 2008 to a 10-year low of “just under 300,000 this year,” the report says. The Sacramento Bee (12/14, Gutierrez) reported that the Center for the Future of Teaching and Learning attributes the drop to “massive cuts to education over the past three years” that "have made it difficult for teachers to meet rising expectations."

The Bakersfield Californian (12/15) editorializes that the reduction in California's teaching force is "an alarming trend, made worse by our longstanding tendency as Americans to undervalue the honorable profession of teaching." The Californian asserts, therefore, "We need to chip away at that perception before we're forced to put automatons in charge of packed classrooms."

California Teachers, Education Officials Suggest Alternatives To School Budget Cuts.
Bloomberg News (12/15, Palmeri) reports that during a two-hour forum held Tuesday, "California teachers and school administrators asked Governor-elect Jerry Brown (D) to increase taxes and refrain from cutting their budgets." Brown convened the meeting to discuss "closing projected [state] deficits of $28.1 billion" in the next year-and-a-half. Tom Torlakson, superintendent-elect of the Education Department says that "California voters have approved $82 billion of education-related bond issues since June 2003, illustrating 'a sign of support from the local community.'" At the meeting local school officials suggested that more available funds "be devoted to online education" and that Race to the Top funding "be shifted to a national program that aids poorer school districts."

The Los Angeles Times (12/14) "PolitCal" blog reported that state Treasurer Bill Lockyer, who was also at the meeting, "grew visibly frustrated by some of the comments about increasing funding on programs such as online education, given the gravity of the state's financial hole." Lockyer proposed 25 percent cuts "across the board." The PolitCal blog added that "Educators appeared shaken by Lockyer's remarks." David Sanchez, president of the California Teachers Association, is quoted as saying, "There is no more meat on this bone to carve, the only thing left is amputation."

The San Francisco Chronicle (12/14, Buchanan) also reported that "Education leaders at the event pleaded for flexibility from the state regulations and laws that force districts to spend money on certain programs. Several people also said that education spending had suffered enough from budget cuts over previous years and that Brown should look elsewhere for savings."
Occasionally school employees face charges of misconduct that could form the basis for dismissal, credential revocation or criminal prosecution. Too frequently, school officials who investigate these charges seem only to believe the students or parents. School employees facing serious charges need competent legal counsel before they talk to anyone. Although you know you are innocent, school officials will investigate on the assumption that you are guilty.

What you should DO:

1. Contact your Association immediately. You are entitled by law, and should demand, Association representation in any meeting with school officials to discuss any complaint against you. You forfeit this right, either by failing to request representation or by attending the meeting without Association Representation.

2. Seek referral to a CTA Legal Services Attorney. The CTA lawyer will provide advice and consultation, and representation in cases directly involving your employment. Initial consultations are paid by CTA. Depending on the problem, you may be entitled to representation at CTA expense.

3. Keep a diary of all communications from anyone about the situation. Keeping a diary not only helps you make sense of what’s happening during a time that is usually difficult and often very emotional, but it will also help you to remember details.

What you should NOT DO:

1. Do Not talk to the police. If the police wants to talk to you, simply tell them that you are unwilling to talk to them without your lawyer present.

2. Do Not talk to anyone about the details of the situation, except your spouse, until you have talked with your attorney. Discussions with your spouse are covered by a rule of “spousal privilege. There is no privilege for communication with a fellow employee, friend, school official, a representative of Child Protective Services, or even your union representative.

3. Do Not be misled by statements that “Nothing will happen if you will just tell us what happened.” School officials, even those you trust, have a duty to investigate student/parent complaints and to take appropriate actions. You must protect yourself and follow professional legal advice.

4. Do Not make any decision concerning your job. A promise to “keep the investigation quiet in exchange for your resignation” is without credibility. Making a deal does not immunize you from further action by the District, Child Protection Services, the Commission on Teacher Credentialing, or parents who want to “punish” you.

Chuck Denonn
TRUE Contract Enforcement Committee Chair

Stay Informed!

(Click the icon’s below to take you directly to our pages)

TRUE Website

‘LIKE’ the TRUE Facebook Page

Join the TRUE Discussion Forum.

A Students Prayer

Now I lay me down to rest
I pray I pass tomorrow’s test
If I should die before I wake
That’s one less test I’ll have to take
EXECUTIVE BOARD:

OFFICERS:
President            John Ennis - true.office@yahoo.com
Vice-President      Kristin Finney - pazgirlk@yahoo.com
Secretary           Joyce Childs - joyandmic@sbcglobal.com
Treasurer           Rick Mau - rickmau@trueassociation.org

DIRECTORS-AT-LARGE:
For Pre-K - Grade 6  Julieanne Neal - julieanneneal1@surewest.net
                      Sharon Reichelt - sreichelt23@gmail.com
                      Jeanie Stockton - davejau1@comcast.net
                      Lisa Gant - lisasring@sbcglobal.net
For Grades 7-12      Paul Le Francois - lefrancois1@earthlink.net
                      Chuck Denonn - cdenonn@peoplepc.com
K-12 Special Ed.    Chris Bach - bacher3@aol.com
Minority Rep.       Aaron Chan - achan19@yahoo.com
Specialty Groups.   Maria E. Gallegos - gallegos4@gmail.com

NEGOTIATIONS TEAM
Lead Negotiator: Paul Le Francois - lefrancois1@earthlink.net
Michelle Dice-Hodgdon - Chris Moran - Patty Reetz

CONTRACT ENFORCEMENT (Grievances)
Chuck Denonn - cdenonn@peoplepc.com
Paul Le Francois - lefrancois1@earthlink.net
Ann Murray - annblowmurray@earthlink.net
Sharon Reichelt - sreichelt23@gmail.com

ELECTIONS COMMITTEE
Committee Chair: Julieanne Neal - julieanneneal1@surewest.net

POLITICAL ACTION COMMITTEE (PAC)
Committee Chair: Lisa Gant - lisasring@sbcglobal.net

TRUE Reps on the Employee Relations Council (TRERC)
John Ennis    Paul Le Francois    Chuck Denonn    Mark Hales
             Chris Moran    Kathy King    Shirley Chambers

CTA STATE COUNCIL REPRESENTATIVES
Janet Schafer    Kerri Asbury    Chuck Denonn
Wendy Gallimore   Ann Murray    Alternate: Catherine Roller

TRUE NEWS
Editors..........................Ann Murray - annblowmurray@earthlink.net
                           Julieanne Neal - julieanneneal1@surewest.net
Editing Assistants......Jen Turner
                           Evelyn Alvarado

Twin Rivers
United Educators
3318 Howard Street, Suite 10
McClellan, CA 95652
________________________
Office: (916) 648-9791
Fax: (916) 648-9753
________________________
E-mail: true.office@yahoo.com
Website: www.trueassociation.org
________________________
TRUE Office Managers:
Evelyn Alvarado - true.evelyn@att.net
Jen Turner - jenturner@trueassociation.org

Calendar of Events
Jan. 3 - Furlough Day
Jan. 4 - TRUSD Board Meeting
Jan. 11- TRUE Exec. Board Mtg
Jan. 11 - Newsletter Articles Due
Jan. 13 - Elem. Teachers Mtg @ Strauch 4-5:30pm
Jan. 17 - Martin Luther King Holiday No School
Jan. 18 - TRUSD Board Meeting
Jan. 18 - Scholarship Mtg @ TRUE 4:15pm
Jan. 25 - Site Rep Mtg @ CTA 4:00pm

Happy New Year 2011