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August 2014
Volume 7, Issue 1

TRUE GOES TO DENVER

This past summer Julieanne Neal and Chris Moran had the honor of representing TRUE as local representatives at the NEA-RA in Denver, Colorado. TRUE members Janet Schafer, Joyce Childs and Wendy Gallimore attended as state representatives. It is always exhilarating to spend time with educators from across the United States working on issues that impact education. The most notable action taken this year was the approval of a New Business Item that called for US Secretary of Education Arne Duncan’s resignation. I am proud to say that CTA took the lead on this and did an outstanding job to ensure it passed and the message was sent that we are extremely unhappy with the job he has done since he has been in office.

Another notable event was the election of Capital Service Center’s George Sheridan to the NEA Executive Committee. It is extremely important that California has a voice at the national level, as we are one of the last remaining states with Collective Bargaining rights. George will do an excellent job representing the interests of California educators.

As many of you may know by now, the NEA delegates also elected new leadership: President Lily Eskelsen Garcia, Vice President Becky Pringle, and Secretary/Treasurer, Princess Moss. Under their leadership, NEA will be more aggressive in speaking up for its members and countering the reform rhetoric that is the focus of most conversations regarding education. It is time for educators to take charge of our profession and with these three ladies at the helm, I am confident that NEA will lead the way!

Chris Moran
TRUE NEA Representative
PRESIDENT’S MESSAGE

The 2014-15 school year will be full of challenges. We will tackle newly adopted curriculums, integrate Common Core Standards into our lesson plans, and push for a respectable salary increase. There are many new faces in the District office which will bring the challenge of educating new leaders in understanding our District and the students and families we serve. I continue to be hopeful of TRUSD moving forward and not backwards but, I am not convinced yet if we will not fall backwards a bit this year. I will continue to work with TRUSD administration but feel there will be a need to push back a little more this year to have the District hear the concerns of all educators who serve our students. This continues to be my top priority as you are the ones who directly support our students; your concerns need to be heard and your needs met, so you can support your students in the best way possible.

In the Fall Election, Tom Torlakson will be up for reelection as State Superintendent of Public Instruction. He is a former teacher. Many of you felt a weight lifted off your shoulders last year not having to prepare for the CST’s and began to integrate Common Core Standards into your curriculum. Tom Torlakson was one of the main reasons why most students in California did not have to take the CST’s last Spring. As the election draws closer, CTA and TRUE will be asking for your support in getting Tom Torlakson reelected.

Kristin Finney
TRUE President

NEGOTIATIONS UPDATE

TRUE’s Negotiations Team met with the District twice this summer. We worked on refining some language, but did not accomplish as much as we hoped due to the District’s lack of response to some of our proposals. We have formed a sub-committee to do some in-depth work with both the District’s budget and comparable district criteria. Our next negotiations session is scheduled for October 9th.

Chris Moran
TRUE Vice-President & Lead Negotiator

ORGANIZING UPDATE

This year, the TRUE Organizing Committee will be working more towards showing more support for the TRUE Negotiations Team as they negotiate the 2014-2017 Contract on our behalf. Our first event involved making and distributing fans to our members for use at the District’s kick off rally. Our message was clear: Value Students, Value Staff. Invest in Both! TRUE worked together with CSEA to show unity of both bargaining units.

The Organizing Committee will also continue to conduct listening sessions at sites throughout the District. Those sessions are designed to learn the specific concerns and needs of TRUE members at different sites.

The Organizing Committee invites you to join our team! We will conduct planning meetings at least once a month throughout the school year. Please e-mail TRUE (true.office@yahoo.com) or Julieanne Neal (julieanneneal1@surewest.net) if you are interested in joining the team.

Julieanne Neal
TRUE Organizing Chair
California Legislature Revamps Laws Governing Dismissals and Suspensions of Public School Educators

By Attorneys Maggie Geddes and Dale Brodsky

July 14, 2014

So far this year, legal activity around public school teacher rights in California has been mixed with job rights advocates and lawyers seeing setbacks as well as increased protections. The close of the 2014 legislative session saw the enactment of AB 215, which revises the Education Code procedures for suspending and dismissing California certificated public school employees. Governor Jerry Brown signed the bill into law, after vetoing a similar bill last year. Its changes are expected to take effect January 1, 2015. The new law was authored by Assembly member Joan Buchanan (D-Alamo) and was supported by a coalition of organizations, including the California Teachers Association and EdVoice, a well-funded, generally conservative education advocacy group.

The new law has been trumpeted as a measure that will help public schools save money and “streamline” the dismissal process, while ensuring due process for public school educators where egregious misconduct is alleged. The review done by Beeson, Tayer and Bodine (BT&B) supports this law as balance of due process for teachers but we are still concerned that teachers’ rights laws and rulings may continue to erode these rights.

The new law applies to suspensions not covered by a collective bargaining agreement, as well as dismissals. Unless otherwise noted, the term dismissal is used here generically to cover both. As amended, primarily the law expedites the administrative process to determine the sufficiency of charges brought by school districts against teacher-employees, when an employee challenges his/her suspension or dismissal. For the newly added charge of “egregious misconduct,” the hearing process is further expedited.

Among the most significant changes from current law are the following:

• “Egregious misconduct” is added as a separate ground for dismissal. “Egregious misconduct” is defined as immoral conduct that is the basis of enumerated sex offenses and controlled substance offenses, as well as criminal child abuse.

• New deadlines govern the timelines for holding dismissal hearings, if demanded by the employee. If not, the employee is dismissed 30 days after notice. A hearing solely on an “egregious misconduct” charge must begin within 60 days of an employee’s request, and is to be given priority over other administrative proceedings involving school employees. A hearing on all other statutory grounds (e.g., unprofessional conduct or unsatisfactory performance) brought separately or in combination with an egregious misconduct charge, must begin within six months of an employee’s request and finish within seven months, absent extenuating circumstances.

• Districts are no longer prevented from issuing notice of charges between May 15 and September 15, as provided in the former law. Under the new law, districts may issue dismissal notices at any time of year, except for notices of “unsatisfactory performance,” which must be issued during the school year of the employee. If a dismissal notice is issued outside the instructional year, the employee must be personally served. During the instructional year, a dismissal notice may be served personally or by registered mail.

• An employee who faces charges, other than solely for “egregious misconduct,” and has been suspended without pay pending the outcome of a dismissal hearing may now challenge the suspension prior to the dismissal hearing by promptly filing a motion with the Office of Administrative Hearings for reversal of the suspension.

• Districts no longer are required to issue a second notice, called an “Accusation,” after an employee requests a hearing, and the employee who seeks a hearing is now required to submit a single notification constituting a request for hearing and Notice of Defense.

• Hearings on all charges, except those alleging only “egregious misconduct,” will continue to be conducted by

(Continues on Page 4)
a three-person panel called a “Commission on Professional Competence,” unless the parties agree to have the hearing conducted solely by an administrative law judge. A hearing solely on a charge of “egregious misconduct” must be conducted by an administrative law judge without a panel.

- Discovery rules have changed.
  - The various kinds of written discovery permitted under the Code of Civil Procedure and the Administrative Procedures Act no longer apply, except in cases alleging only “egregious misconduct.” Instead, the parties must promptly make initial disclosures and then supplemental disclosures, including the names of all individuals who have discoverable information, all documents and tangible items, and other evidence as it becomes available, unless it is only to be used to impeach the credibility of a witness. The parties are limited to five depositions, and each deposition can be no longer than seven hours, except on a showing of good cause.

  - In cases alleging “egregious misconduct,” the parties have all rights of discovery afforded by the APA and the Code of Civil Procedure for civil actions brought in superior court.

- The new law allows decisions related to dismissal solely on a charge of “egregious misconduct” to be based on charges or evidence of offenses that occurred more than four years before the current dismissal notice, while preserving the four-year limitations period for all other charges.

- Any school employer that has reported allegations of an employee’s “egregious misconduct” to the Commission on Teacher Credential must disclose that fact to a prospective employer who inquires. Districts and employees are prohibited from entering into agreements to expunge from personnel files “credible complaints of, substantiated investigations into, or discipline for egregious misconduct.”

- The new law provides that any school employee who makes a false allegation of egregious misconduct against another school employee, knowing it to be false, is subject to having their certificate revoked.

- Currently, if after a hearing it is determined that the employee should be dismissed, the district must pay all expenses of the hearing, with the state paying limited costs. Under the new law, if it is determined that the employee should be dismissed, the district and state will share equally the expenses and costs of the hearing. If the determination is that the employee should not be dismissed, the district must bear fully the expenses and costs of the hearing, including the employee’s attorney fees.

This material is provided by Beeson, Tayer & Bodine through the BTB Labor Law Bulletin, for informational purposes only and does not constitute legal advice. Readers should consult with their own legal counsel before acting on any of the information presented. Some of the articles are updated periodically, and are marked with the date of the last update. Again, readers should consult with their own legal counsel for the most current information and to obtain professional advice before acting on any of the information presented.

GRIEVANCE UPDATE

If you feel like the District or your site has committed a contractual violation against you, please get in touch with the Grievance Team immediately. Sharon Reichelt (cell 202-7208) handles ECE- 6th grade and Paul Le Francois (cell 521-8742) handles 7th grade - Adult Education. The Grievance Team will listen to your concern and advise you on the proper direction and timelines of the grievance process.

Please double check your Salary Determination document received before the beginning of the school year, even if you already sent back the original one. We have had a number of members complain about wrong placement on the salary schedule and not getting their anniversary increments when they should have. We would like to catch these errors early on, to give the District a chance to correct the information quickly.

Paul Le Francois
TRUE Grievance Chair
WHAT IS A K-8 TOSA?

You may have met a teacher at your school with a funny-sounding title: TOSA. What IS a TOSA?

A Teacher on Special Assignment (TOSA) is assigned to provide instructional or curriculum support. Instructional Support TOSAs work with teachers from grades levels TK to 8th grade and are assigned to two or three schools with another TOSA. Support to teachers may include developing units and lessons that integrate Common Core Standards, collaborating with professional learning communities, acting as a resource for instructional strategies, analyzing student achievement with teachers or teams of teachers to determine next instructional steps, and providing professional development at sites and at district offerings. TOSAs can teach alongside a teacher who may want to try a new strategy or collaborative technique. Teachers can ask TOSAs for support, knowing that they have the resource of 30 other TOSAs who can offer assistance or expertise as well. TOSAs are not evaluative, but rather are confidential support providers there to help teachers. When you see your TOSA around your site, be sure to say hello. We want to help any way we can!

Beverly Weber  
K-8 TOSA
TRUE ELECTRONIC VOTING

Good News! Starting this school year, all TRUE elections will now be conducted electronically. We will be working with CTA-approved Vote-Now.com for our elections. It is our hope that Vote-Now balloting services will reduce the time and expense of our election process, while increasing voter participation. They use proprietary software system specifically designed for use in professional organization elections, and according to their website they have 16+ years of experience conducting web-based elections.

Due to this switch to electronic voting, it is essential that we have at the TRUE office the home e-mail address of all TRUE members. Electronic voting access codes will be sent via e-mail to your home with a timeframe to cast your vote. The system will provide a screen for candidate statements or contract updates and the ballot. Each access code will be available for a single use, so there won’t be any duplicate votes. TRUE members that prefer to do so, will be able to vote using a paper ballot, but it will only be available at the TRUE office, not at each site. The TRUE Elections Team is excited about this change, and is hopeful that you will be as well.

Julieanne Neal
TRUE Elections Chair

CARS PLUS MEETING AND WORKSHOP

CARS Plus Region 7 is working on the regional meeting to be held on September 20, 2014 from 9:00 am until 12 noon at the North Highlands Recreation and Parks District, located at 6040 Watt Avenue in North Highlands. There will be an agenda to cover the business of the local area CARS Plus membership and a steering committee will be established for the 2014-2015 school year. The morning will not be all business; we have invited a guest speaker, Ginna Myers, who will be presenting the workshop: Teaching Boys, Reaching Boys.

After our meeting, those who are interested will be going to lunch together at a nearby location. Watch for more information regarding agenda, speakers and lunch location. If you are interested in helping on a planning committee, please let me know as soon as possible to joyandmic@sbcglobal.net or call me at 916-715-8244.

Joyce Childs
CARS Plus President Elect

PROFESSIONAL DEVELOPMENT UPDATE

The “Unconscious Bias” training was a success! Provided by the CTA Human Rights Department on July 29 and 30, this workshop was fully attended and well received by our colleagues. “Social psychologists have found that all of us, regardless of race, have cognitive biases that influence how we perceive and make decisions about other people. The behavior of human beings is often guided by racial and other stereotypes of which we are completely unaware.” (CTA, Human Rights Department) This training provided an opportunity for participants to explore in a collaborative and interactive setting the “shortcuts and subsequent perceptions we make about people and our surroundings.” We also left with an increased awareness of our own biases and how to navigate them. In our increasingly diverse schools, this is important for our work with students, families, and colleagues that can greatly enhance teaching and learning. TRUE participant evaluations commented about the workshop: “It was wonderfully reflective and interactive,” “Extremely valuable,” “I think all staff should do this training.” For those of you who were unable to join us in July, we are currently looking into how we might offer a repeat this year. More details to follow as they become available.

TRUE’s Professional Development Committee is focused on providing opportunities at the request of TRUE members and we need your input! We meet monthly – typically the first Thursday of the month – and our next meeting will be held on Thursday, October 2nd at 4:00 PM. These meetings are held at the TRUE Office and are open to all members; please join us!

Edna Shoemaker
TRUE P.D. Committee Chair
## 2014-2015 Membership Dues Structure

### Category 1:
For those faculty whose teaching assignment is **more than 60% of a normal assignment except** for faculty employed as pre-school, head start, child care, and adult education teachers, whose salaries are less than the minimum teacher salary for their district.

<table>
<thead>
<tr>
<th>Category</th>
<th>CTA (State) Dues</th>
<th>NEA Dues</th>
<th>TRUE (Local) Dues</th>
<th>Dues Amounts</th>
<th>Monthly Dues (10 Deductions)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$641.00</td>
<td>$183.00</td>
<td>$250.00</td>
<td>$82.40 CTA/NEA</td>
<td>$107.40 per month</td>
</tr>
</tbody>
</table>

### Category 2 A:
For those faculty whose teaching assignment is **greater than 1/3 but not more than 50%** of a normal assignment.

<table>
<thead>
<tr>
<th>Category</th>
<th>CTA (State) Dues</th>
<th>NEA Dues</th>
<th>TRUE (Local) Dues</th>
<th>Dues Amounts</th>
<th>Monthly Dues (10 Deductions)</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>$330.50</td>
<td>$103.00</td>
<td>$125.00</td>
<td>$43.35 CTA/NEA</td>
<td>$55.85 per month</td>
</tr>
</tbody>
</table>

### Category 2 B:
For those faculty whose teaching assignment is **greater than 50% but not more than 60%** of a normal assignment, or faculty employed as pre-school, head start, child care, whose salary is less than the minimum salary paid regular teachers in the district.

<table>
<thead>
<tr>
<th>Category</th>
<th>CTA (State) Dues</th>
<th>NEA Dues</th>
<th>TRUE (Local) Dues</th>
<th>Dues Amounts</th>
<th>Monthly Dues (10 Deductions)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$330.50</td>
<td>$103.00</td>
<td>$125.00</td>
<td>$51.35 CTA/NEA</td>
<td>$63.85 per month</td>
</tr>
</tbody>
</table>

### Category 3 A:
For those faculty whose teaching assignment is **25% or less** than a normal assignment, **including faculty on unpaid leave**. (Must pay dues during leave to remain as a TRUE/CTA/NEA member).

<table>
<thead>
<tr>
<th>Category</th>
<th>CTA (State) Dues</th>
<th>NEA Dues</th>
<th>TRUE (Local) Dues</th>
<th>Dues Amounts</th>
<th>Monthly Dues (10 Deductions)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$175.25</td>
<td>$63.25</td>
<td>$62.50</td>
<td>$23.85 CTA/NEA</td>
<td>$30.10 per month</td>
</tr>
</tbody>
</table>

### Category 3 B:
For those faculty whose teaching assignment is **greater than 25% but not more than 1/3** of a normal assignment.

<table>
<thead>
<tr>
<th>Category</th>
<th>CTA (State) Dues</th>
<th>NEA Dues</th>
<th>TRUE (Local) Dues</th>
<th>Dues Amounts</th>
<th>Monthly Dues (10 Deductions)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$175.25</td>
<td>$103.00</td>
<td>$62.50</td>
<td>$27.83 CTA/NEA</td>
<td>$34.08 per month</td>
</tr>
</tbody>
</table>

### Category 3 C:
For those faculty whose teaching assignment is **less than 25%** of a normal assignment.

<table>
<thead>
<tr>
<th>Category</th>
<th>CTA (State) Dues</th>
<th>NEA Dues</th>
<th>TRUE (Local) Dues</th>
<th>Dues Amounts</th>
<th>Monthly Dues (10 Deductions)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$62.50</td>
<td>$62.50</td>
<td>$62.50</td>
<td>$8.40 CTA/NEA</td>
<td>$10.40 per month</td>
</tr>
</tbody>
</table>

### Note:
Those eligible for membership in more than one school district shall be enrolled in their primary place of employment for CTA/NEA; but for local membership, will have to pay dues at each local chapter.

- **CTA dues** at each category include a $20 Voluntary Dues Contribution to support CTA Advocacy and CTA Foundation for Teaching and Learning. Members not wishing to contribute may request a refund from CTA. Existing CTA members: To reallocate your contribution or opt out, CTA's Voluntary Member Contribution Change Form must be received by November 1st. New CTA members: You have 30 days from the date of enrollment to reallocate your contribution or opt out. Note: Once a member contribution option is made, it will remain in effect until changed.

- **TRUE dues** include $0.50 per month, per member for the TRUE Scholarship Fund and $1.00 per month, per member for the TRUE Political Action Committee (PAC). TRUE members choosing to opt out from contributing to the TRUE PAC must fill out yearly an opting-out form to have said amount remain in the TRUE general fund instead of going to PAC. The opting-out form must be filled and signed in person at the TRUE office.

Voluntary Contribution for NEA-Fund: Suggested amount: $20.00 - (Fund for Children and Public Education)
DATES TO REMEMBER

September 09 ........... TRUSD School Board Meeting. Closed Session Starts at 6:00 pm
September 13 ........... TRUE Executive Board Meeting & Retreat
September 19 .......... Professional Development Day
September 20 .......... CARS Plus Regional Meeting & Workshop, from 9:00 am - Noon
September 23 .......... TRUE Site Rep Council Meeting at CTA, from 4:00 pm - 6:00 pm
September 23 .......... TRUSD School Board Meeting, Closed Session Starts at 6:00 pm
September 25 .......... TRUSD Benefits & Wellness Fair, 3:00 pm - 6:00 pm
September 26 .......... Professional Development Day
September 30 .......... CSCC Annual Kick-Off Reception at Lions Gate, 6:00 pm - 8:00 pm

TRUE EXECUTIVE BOARD

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Vice-President   Chris Moran - rlteacher@yahoo.com
Secretary        Michelle Dice-Hodgdon - dicehodgdon@aol.com
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  Rebecca LeDoux - rebecca_ledoux@yahoo.com
  Mary Durbrow - marydurbrow@hotmail.com
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  Ann Murray - annmurray456@gmail.com

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Paul Le Francois - Grades 7-12 & Adult Ed.
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Janet Schafer - Mysti Lingenfelter
Azeta Towfighi

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  Janet Schafer
  Rebecca Le Doux
  Alternates: Catherine Roller
  Wendy Gallimore

TRUE Reps on TRERC (Employee Relations Council)
Paul Le Francois
Shirley Chambers
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