

# The Member Ship



The Newsletter of The West Genesee Teachers' Association, <http://www.wgta.net>

## Big Issues at Heart of Fall NYSUT Conference

On the weekend of October 29<sup>th</sup> and 30<sup>th</sup>, I had the pleasure of attending the Central New York NYSUT Fall Leadership Conference in Saratoga Springs. Also attending were Vice-President Mary Weaver, Vice-President Mike Perkins, HS Building Leader Rob Manipole and WGM Building Representative Mary Beth Smith. These fine folks gave away a weekend from their families to help better serve your interests in the WGTA, in our district and as a teacher in New York State. This conference provides your representatives an opportunity to attend workshops and network with other union leaders from around the state, discussing issues related to APPR, Negotiations and Member Benefits, to name a few.



I attended two multi-session workshops, Presidents' Roundtable and Teacher Discipline. Below are some informational items from those two workshops.

### 1. Presidents' Roundtable-

- a. **APPR (Teacher Performance) 50%**- Currently, we are in a transitional period where districts are finalizing their APPR Plans under the new tenure law. We have had a plan in place since 2015 which carries over. A few reminders about our plan: Tenured teachers have **two** observations: One by their primary evaluator (Principal-80%) and one by an independent evaluator (Administrator other than your Primary Evaluator – 20%) Untenured teachers have **three** observations: two formal longer evaluations by their primary evaluator, one by an outside evaluator.
- b. **APPR (Student Performance) 50%** - Teachers of Regents Exam courses, Grade 3 ELA and Math and 8th grade Science and Social Studies must create a Student Learning Objective with an appropriate target. These targets should not be submitted until December 1st and are due December 22nd.
- c. **ESSA (Every Student Succeeds Act)** - This is a revamped version of the No Child Left Behind law which is supposed to provide the states with a greater level of autonomy. Interim Education Secretary, John King has been attempting to push the limits of the authority of the Federal Government under the new law. NYSED is now tasked with taking the new law and developing their own plan which will need to be approved by the Board of Regents and then submitted to the United States Department of Education. Currently, NYSED is accepting commentary from local stakeholders.
- d. **New York Learning Standards** - A review of the NYS Learning Standards has begun and the first stage of recommended amendments has been completed by a group of teachers, administrators and parents. Those changes have been made available for review at <http://www.nysed.gov/news/2016/state-education-department-releases-new-draft-nys-english-and-mathematics-learning>.
- e. **Testing**- Due to changes that have occurred in the 3-8 Mathematics and ELA exams issues are still present regarding comparing tests from year to year.

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Debate regarding the term "proficiency" is also still an issue. Hopefully, the future brings us a decrease

in exam length, number of days and frequency with which the exam are given.

Teachers have had a greater role in the development of test questions and by the spring of 2018 all test questions will be written by teachers. Currently there is a moratorium on state growth scores for 3-8 ELA and Mathematics exams being used in APPR ratings until the school year 2019-2020 when presumably, the scores will count again.

- f. **New Teacher Registration-** All Teachers can now access the state website and register, there is no need to wait until your birth month. NYSED established the birth month protocol to avoid overloading the system. For teachers without a TEACH account is: <http://www.highered.nysed.gov/tcert/teach/>. After you complete creating the account, you will be asked to register. Teachers that currently have a TEACH account should log in and complete the registration process. Please see the information flier included in this newsletter on Page 9. Professional Certified Teachers must register and complete 100 CTLE hours over the course of the next five years.
- g. **Tenure-** As of July 1, 2015 the following rules regarding tenure apply: The probationary tenure period is now **four** years instead of **three**. The probationary tenure period for a previously tenured teacher is now **three** years instead of **two**. To be granted tenure, a previously untenured teacher cannot receive an Ineffective in their final probationary year and must have an Effective or Highly Effective rating in three of the four probationary years. Tenure is not job security for life, it guarantees the teacher due process. Due process means a tenured teacher cannot be removed from a teaching position without a hearing
- h. **Teacher Discipline** - Below are a few reminders regarding teacher discipline and new tenure law.
  - Tenured teachers **may** have 3020-a charges, the process by which a tenured teacher can be removed from their job, brought against them by their district and a hearing conducted, after 2 consecutive Ineffective ratings. Tenured teachers **must** have 3020-a charges brought against them by their district and a hearing conducted, after 3 consecutive Ineffective ratings.
  - Teachers may be given counseling memos at the conclusion of a meeting with an Administrator. This memo is the district documenting the discussion that transpired within the meeting. Counseling memos are not a disciplinary action. Termination, suspension with or without pay or fining an employee are all considered disciplinary actions and would require a 3020-a hearing.
  - Some examples of offenses that can lead to discipline are: criminal conduct, corporal punishment, incompetence, bad judgement, sexual harassment, insubordination, ineffective teaching as stipulated in APPR law, a lack of certification, absenteeism, inappropriate off duty conduct and moral turpitude (conduct contrary to community standards).
- **What 1<sup>st</sup> amendment rights do I have as a teacher?**

A teacher that is speaking as a citizen, rather than an employee is protected by 1<sup>st</sup> Amendment rights, i.e. at a private party, “As a mother, I believe excessive testing is child abuse.” (PROTECTED)

A teacher speaking as an employee is NOT protected by 1<sup>st</sup> Amendment rights, i.e. at parent-teacher night a teacher says, “As a teacher I believe that excessive testing is child abuse.” (NOT PROTECTED)

- The number one cause of a school employee destroying their ability to serve as a role model.....SOCIAL MEDIA.

## **Current Grievance, By Vice President of Grievances, Mike Perkins**

Some of you might be asking: “What is a grievance and why should I care about it?”

Our current contract with the district defines a grievance as, “any claimed violation, misunderstanding, or inequitable application of the terms of the agreement.” You should care about the process because the grievance process is how we solve many of the issues where the district is not following the contract, and that can lead to you being treated unfairly.

On September 30, 2016 the West Genesee Teacher Association (WGTA) filed our 134th grievance with the district. This current grievance focuses on the district’s failure to follow the language of the contract related to a child rearing leave of absence.

### **What is the grievance?**

Put simply, we believe the district is violating Article XI.E.1.h of the 2012-2016 and 2016-2020 contract which states the following:

*“Upon return from such leave (child rearing leave), the teacher will be placed on the salary step (s) he would have achieved in the year immediately following the commencement of the leave.”*

Over the years the district has been inconsistent with giving mothers who take a child-rearing leave of absence the increased salary step that is due to them upon returning to work. Some are receiving their step, while others are being denied. In simple terms, the district is denying these mothers their contract time towards a step increase, which is theirs by right, when they are on leave.

The section of the contract which the district has been using to deny teachers their step increase is found in Article V.E. of our current contract with the district which explains the following:

*“Teachers on unpaid leave of absence shall return to the step on the salary schedule at which the teacher left unless the teacher has worked ninety (90) or more days in the school year in which the leave was taken. In such case, said teacher will advance one step on the salary schedule (Appendix A). The ninety days will be determined using the official calendar which identifies all teacher attendance days.”*

The WGTA is currently investigating how the district has carried out the practice of movement up a step following a child rearing leave. The district has at times allowed the use of sick days towards their required number of 90 days. It is unclear if this has always been the practice of the district. We are researching whether any employees fell below the 90 day limit without applying their sick days and exceeded it when those days were counted. (FYI - The state counts your paid sick days as working days. These days are added towards your retirement, your seniority and your tenure).

What we have found is that it has been the district’s practice to keep teachers on their current salary step when returning from child rearing leave, unless they have worked 90 days of the year in which they took said leave. So why doesn’t the district honor this aspect of the contract?

It is our opinion that the district is not following the language of the contract and should compensate any past and current employees who have had their step increase in salary unfairly withheld. Currently we are preparing to present our grievance to the Board of Education on Wednesday, November 16, 2016. We are hopeful that our appeal to the Board results in a change to how the district handles Child Rearing Leave and that impacted employees are compensated appropriately. If that appeal is denied, the grievance will be heard to binding arbitration. Labor Relations Specialists at NYSUT believe any ruling will fall in our favor.

# NYSUT MEMBER BENEFITS ANNOUNCES 4 NEW ENDORSED PROGRAMS!



## **Office Depot/OfficeMax**

This program offers NYSUT members & their families the opportunity to save up to 80% on almost 100,000 products in all Office Depot/OfficeMax locations or online through the company's website; the average savings on items is approximately 30%. NYSUT members can save on school supplies, office supplies, ink & toner, copying & printing, and much more.

## **Tunstall Medical Alert**

Tunstall offers a variety of medical alert products that ensure NYSUT members and/or their family members living alone can get quick assistance when they need it; the majority of Tunstall's products have a lightweight, waterproof activator that can be worn around the neck or wrist.

When pushed, the Tunstall activator signals a base unit that in turn communicates directly with the Tunstall 24/7/365 Emergency Response Center. Tunstall offers personal emergency response systems for both traditional landline and cell phone users that directly connect with the Tunstall Emergency Response Center when the activator button is pushed.

## **Premier World Discovery**

This program offers a variety of group tour vacations designed for active adult American travelers specializing in domestic and international worldwide tours. NYSUT members & their family members who use the Premier

World Discovery program can save \$100 per person on specific tours and cruises.

Since the company's inception in 1999, Premier World Discovery has developed a lineup of more than 70 travel programs around the globe, including fully-escorted tours, unique rail tours, private-chartered European river cruises, festive holiday and New Year's getaways, and more.

## **Abenity Discounts**

The Abenity discounts program gives NYSUT members access to approximately 290,000 exclusive member discounts across 10,000 U.S. cities, including discounted tickets for entertainment & sporting events; a variety of travel opportunities; and numerous local deals.

With the Abenity discounts program, you'll be able to enjoy substantial savings on tickets to the latest blockbuster movies or theater events, theme parks, museums & attractions, zoos, major appliances/televisions, restaurants, groceries, gym memberships, and much more!

NYSUT members can utilize their Abenity discounts program on any mobile device and gain access to exclusive local deals no matter where you are. Purchase tickets to more than 3,000 movie theaters and theme parks. There are no hidden fees and you'll receive electronic tickets immediately!

To learn more about Member Benefits-endorsed programs & services, visit [memberbenefits.nysut.org](http://memberbenefits.nysut.org) or call **800-626-8101**.

For information about contractual endorsement arrangements with providers of endorsed programs, please contact NYSUT Member Benefits. Agency fee payers to NYSUT are eligible to participate in NYSUT Member Benefits-endorsed programs.

## Contact Your WGTA Executive Officers

<http://www.wgta.net>

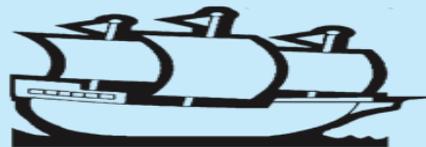
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### **Holiday Reminders**, *By Jeanine Stables, WGTA Secretary*

November is here, and before you know it we will be right in the middle of a busy holiday season. As educators, this is a good time to stop and remember that while many of our students enjoy this time of year, many of our students face more stresses in their lives as well. Those holiday stresses can include family and financial stress. When changes are made to daily routines this time of year, teachers will inevitably see a negative impact on students' behavior. So while this season is short and we have to enjoy it while we can, please remember that maintaining classroom routines and expectations will help students enjoy it as well.

#### ***Important dates:***

Board of Ed Meeting (Wednesdays at 7 p.m. at the West Genesee High School):

Wednesday, November 16<sup>th</sup>, 7pm, Wednesday, December 7<sup>th</sup>, 7pm, December 21<sup>st</sup>, 7pm

Thanksgiving Break: November 23-25-Enjoy!

Christmas Break: December 26-30-Enjoy!



HAPPY HOLIDAYS



## West Genesee Schools Recognize the Importance of Higher Learning From the contract (Article V Section J)

West Genesee Teacher's Association and West Genesee School District value college course work as an important vehicle for teachers to improve their instructional practices and address student challenges. This commitment is evident by the free courses offered through the Teacher Center and by the monetary incentives as stated in our contract.

Teachers are compensated for graduate credit in blocks of (6) hours up to and including MA +30 or BA+36 hours.

Prior approval from the Superintendent of Schools is required for credit beyond MA+30 or BA+36. Teachers are compensated in blocks of (6) hours up to MA+60, BA+60 and/or CAS+12. There are two options for compensation:

- 1.) tuition reimbursement in one-time payments up to \$1,250
- 2.) step and salary increase

*Note:* The steps and increments at each level are indicated on the salary schedule.

Prior approval from the Superintendent of Schools is required for credit beyond MA+60. Teachers are compensated for blocks of (6) hours in one-time payments of \$1,250 up to MA+84. Teachers who reach MA+90 will receive an annual stipend of \$2,000; which is not incorporated in the calculation of their salary.

*Note:* Incremental step and salary increases are capped at MA+60, as indicated on the salary schedule.

An annual stipend of \$2,000 above the CAS degree (or above current salary, whichever is greater) is provided for teachers holding a Doctoral degree related to their discipline.

Teachers holding a National Board Certification will receive an annual payment of \$2,000.

NYS requires teachers to complete 100 hours of professional development every five years in order to maintain their certification. According to NYS Ed, teachers can apply 15 hours towards professional development for every college credit hour earned.

"Graduate cap on book." *FBI law enforcement bulletin*. June 2010. U.S. Department of Justice. Web. 1 Nov. 2016.  
<https://leb.fbi.gov/2010/june/the-minnesota-police-education-requirement-a-recent-analysis>.

"Office of Teaching Initiatives." *Professional Development for Certification: Frequently Asked Questions: OTI: NYSED*. Web. 04 Nov. 2016.

WGTA Members are a great group!  
2016 Fall Fling



Halloween 2016





**Student Behavior Addressed**, by *Mary Weaver, WGTA Vice President Mary Weaver*

Recently, there have been some instances of teachers being negatively affected by students with behavioral needs. The topic of concern has been presented to the district administration. In the West Genesee schools in which there have been instances of staff having these issues with students with behavioral needs, administration have been made aware. If there are new and upcoming concerns, we urge you to contact your principal. They have on-going “de-escalation” training from a BOCES trainer and they can schedule a session with the teacher to learn this process.

When addressing these issues, please be benevolent to the students involved. The issues that these students face can be addressed with a consistent and thorough approach. Most often, communication is needed between everyone involved to help the situation, and working with your building’s speech therapist can also support students during these times. Please continue to make your principal aware of issues.

Superintendent’s Liaison meeting is Dec 7th.

The Liason Committee meets 6 times throughout the year. The group is now meeting regularly and I am excited about the opportunity to participate on the committee again. The topics are ones that are not reasonable for the scope of Principals Liason Committee (PLC) and are more district-wide in nature. Many of the topics discussed cannot be resolved by PLC. In the past, we have engaged in topics that include more technology, student needs, staff needs and community situations. I appreciate and thank the participants on the committee. I consider it a valuable committee and hope it will continue to function as a venue for discussion and change in our district.

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***WGTA Members know how to have fun together!***



For more photos of the WGTA Fall Fling, and Halloween Pictures from West Genesee schools please visit the WGTA website <http://www.wgta.net>

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For your convenience we have included an application on the reverse side. Complete and return it, along with proof of income(s) to the credit union via fax at (315) 672-9282, email at [westar@cnyemail.com](mailto:westar@cnyemail.com) or by mail.

\*APR: Annual Percentage Rate

# 10 things you need to know about NY's new registration and continuing education regs

**1.** Starting July 1, a new state law requires all permanently or professionally certified teachers and Level III teaching assistants working in public schools or BOCES to register online with the State Education Department. Re-registration will be required every five years.

**2.** According to SED, once the system is up and running, you can register early. However, SED is encouraging people to wait until their birth month so that the TEACH system is not overwhelmed. Registration must be completed by the end of your birth month. There is no charge to register.

**3.** If you do not have a TEACH account, yet are required to register, you will need to create a TEACH account at [www.highered.nysed.gov/tcert/teach/](http://www.highered.nysed.gov/tcert/teach/). There is NO cost to create a TEACH account or register. You cannot register on paper.

**4.** Retired or not working in a public school or BOCES? You do NOT need to register. If you want to substitute teach or work again in public schools, you should register. Note: The act of 'registering' has no bearing on your permanent certificate(s) — your certificate is still valid for life.

**5.** School guidance counselors, school psychologists and social workers are categorized as "Pupil Personnel" and are NOT impacted by this new requirement.

**6.** The law also includes new professional development requirements called Continuing Teacher and Leader Education (CTLE). Professionally certified teachers and Level III teaching assistants are required to complete 100 hours of state-approved CTLE professional development within each five-year registration cycle.

**7.** Teaching assistants with pre-2004 continuing certificates do NOT need to register with the State Education Department nor complete CTLE hours.

**8.** Professional development completed on or after July 1, 2016 but before your birth month will count as CTLE hours, SED says. However, CTLE hours cannot be carried over from one five-year registration period to another.

**9.** Certificate holders who must complete CTLE hours are now also required to maintain a record of their CTLE hours for three years after each five-year registration period.

**10.** NYSUT convinced SED to waive the assessment of late fees for the first five-year registration cycle as the new process is implemented. More information on the new regulations and a question form are posted at [www.nysut.org/certification](http://www.nysut.org/certification).

## NYS Certificate Registration and Continuing Teacher and Leader Education (CTLE) requirements

### Who Do These Changes Affect?\*

	Registration Requirement	CTLE Requirement	Hours required every 5 years
Permanent classroom teachers/educational leaders	✓	No	None
Professional classroom teachers/educational leaders	✓	✓	100
Teaching Assistant Level III	✓	✓	100
Teaching Assistant with a continuing certificate	No	No	None

\* Requirements take effect July, 1, 2016  
Source: NYSUT Research and Educational Services, 6/3/16

# The Back Page

Your guide to services, deals, and promotions for the WG education community

We want to advertise for you!

Are you an artist, a carpenter, a house painter looking to advertise your services?

Advertisements in *The Member Ship* are provided free to West Genesee Teachers' Association Members and their family. Please send your advertisement to Kelly Chambala (SR) at [kchambala@gmail.com](mailto:kchambala@gmail.com).

The only other advertisements that are run in *The Member Ship* are those provided by NYSUT, AFT, or the AFL-CIO.

## MJS Home Improvement L.L.C.

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## WGTA Email Directory



Join the FREE WGTA Email Directory. There are currently around 200 WGTA members, retirees, WG Staff and WG parents in the Directory. We share our Email addresses and send each other educational articles, WGTA and union information and personal notes.

If you would like to be a part of this FREE Directory, please send your name, Email address and WG status (school name / retired / WG staff, etc.) to Lynn Davis at: [DavisRetired@gmail.com](mailto:DavisRetired@gmail.com).

Email address are only shared with other members of the Directory.



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