



Action Line

Vancouver Education Association

September 2018

Strike up the band!! School is Back in Session



Welcome to the 2018-19 School Year!!

This was a year that we won't soon forget. The VEA membership joined together in **Unity** to show our **Strength** and the **Results** were well worth the struggles. With the celebration of the contract and the unusual rush to return to work following the strike, there has also been some

confusion and clarifications needed around some of the agreements. The tentative agreements in their rough form are posted on the VEA website (www.vancouverea.org) under the documents tab. The 18-19 salary schedule with TRI and optional 2 PD time is also delineated and posted on the website. Please refer to the Bargaining Newsletter for additional clarifications around the agreement.

I want you to remember that *VEA is here to help you* and you should never hesitate to call or contact us by email. Sometimes having a conversation can ease your mind or give you some ideas that you had not thought about before. New teachers often need help and support so give us a call. It is always better to be ahead of an issue rather than trying fix it after the fact! We have resources that can help in almost any situation and we are dedicated to ensuring your success. You have every right to call at any time.

There are going to be many opportunities this year for active participation in the union, and you don't have to commit a lot of time or energy to do so (voting, filling out a survey, join WEAPAC, like our Facebook page, attend a social event, etc). The VEA executive board has made a commitment to supporting the membership by providing professional development as well as opportunities for building a community as union members. Vancouver is a very large district, so we are again scheduling site visits this fall to better connect with the members in 1:1 or small group conversations. Finally, this will be a very busy year for members from politics to professional development. VEA is committed to supporting local candidates who work on educational issues with opportunities for members to participate.

Look for future opportunities to engage with your professional organization as the year progresses in this newsletter, through text alerts, on our website (www.vancouverea.org), and Facebook (Vancouver Education Association).

Have a GREAT school year and stay in touch!

Lynn Maiorca

VEA President

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It is that time of year where open enrollment for insurance comes upon us. With the craziness of starting school, many times we just keep the same coverage that we've always had in the past years without giving it a second thought. The coverage year will run November 1 to October 31. Aetna, United Health Care and Kaiser will be offered. The monthly allocation for a full-time member is \$855.97.

Learn more about your options at the insurance fair. The deadline for enrollment is September 28th

The Insurance Fair
 Location: **Bates Center**
September 20th
 from **11:00am to 1:00 pm** and
3:00 pm to 6:00 pm

VEA Connecting on the National Level at NEA RA



This summer eight VEA association leaders attended the NEA Rep Assembly in Minneapolis, MN. The focus of the current administration, including the education secretary, emphasizes the need for us to stand together for children, public education, and unions. This was evident as thousands of educators from across the country established priorities and resolutions on a variety of topics including safe schools, immigrant children's rights, restorative justice practices,

suicide safe talk, availability of CTE programs, advancement of role and responsibilities of school counselors, support for a moratorium on standardized testing, homelessness impacts, human civil rights, connecting with aspiring educators, and building connections with fellow unions. See www.nea.org for more details.

Some insights from VEA attendees:

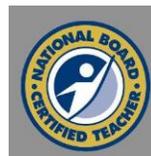


Leslie Morrison: The Conference on Racial and Social Justice, *From Presence to Power* was June 28-29 in Minneapolis. It was an outstanding conference with a number of breakout sessions over the two days. I attended;

Schoolhouse Rock: Your Power to Protect Student Civil Rights; Youth Power: Confronting Community Violence & the School to Prison Pipeline, and Gender Revolution.

This was an inspiring conference with a number of Keynotes. Rinku Sen is a Senior Strategist at Race Forward: The Center for Racial Justice Innovation. She spoke about immigration and social justice issues. Another keynote was Shaun King about how racism is not dead but has mutated and manifests in different forms on social media and across campuses. He advocated for justice and for families and victims of brutality and discrimination. The final Keynote was Rashad Robinson, Executive Director of Color for change. He talked about the successful strategies of holding local district attorneys accountable and targeting corporate enablers of the destructive right wing agenda.

VEA National Board Cohort – Sign up Now!



VEA is approved by OSPI to provide a cohort experience to Vancouver educators pursuing their National Board Certification in 2018-19.

Classes begin soon so don't delay in signing up! The registration form (under documents) and survey monkey (under newsflash) are available on the website www.vancouverea.org

STUDENT DISCIPLINE



School district boards of directors are required to adopt policies which restore discipline to the classroom per RCW 28A.600.460. Teachers must be allowed to discipline for the following:

- Correcting a student who disrupts normal classroom activities;
- Abuses, or insults a teacher while carrying on his or her official duties;
- Willfully disobeys a teacher;
- Uses abusive or foul language directed at a district employee, school volunteer, or another student;
- Violates school rules; or
- Interferes with an orderly education process.

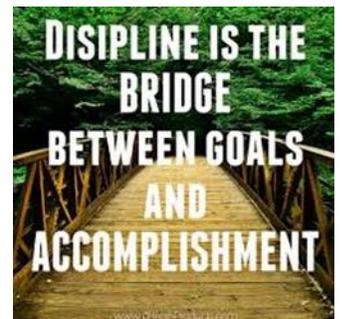
Disciplinary action may include, but is not limited to: oral or written reprimands, written notification to parents of disruptive behavior, a copy of which must be provided to the principal. RCW 28A.600.460.

Exclusion from Class: A teacher may exclude from the teacher's classroom or activity area any student who creates a disruption of the educational process or is in violation of the building disciplinary standards while under the teacher's immediate supervision. **The student may be excluded from the classroom for all or any portion of the balance of the school day and two following days or until the principal or designee and the teacher have conferred,** whichever occurs first. Except in emergency situations however, the **teacher must attempt one or more forms of corrective action before excluding the student. In no event may an excluded student be returned to the instructional area during the balance of the class or activity period without the consent of the teacher.** RCW 28A.600.020. Following the passage of HB1541 lessons during the exclusionary period are provided to the affected student. This change does not remove your rights

as an educator. See the example of the Vancouver Exclusion Slip on the following pages.

- **State law requires the school to inform teachers of any incoming transfer student's history** of disciplinary actions, criminal or violent behavior, or other behavior that indicates the student could be a threat to the safety of educational staff or other students. (RCW 28A.225.330). **New bargaining language guarantees notification within 2 days to staff who need to know this information.*
- **Principals must assure appropriate student discipline**. The principal shall determine that appropriate student discipline is established and enforced. The principal and the certificated employees shall confer at least annually to develop and/or review building disciplinary standards and uniform enforcement of those standards. (RCW 28A.400.110)
- **A student committing an offense such as an assault, malicious harassment, malicious mischief, or other crimes against a teacher shall not be assigned to that teacher's classroom** for the duration of the student's attendance at that school or any other school where the teacher is assigned. (RCW 28A.600.460)
- **You have the right to report a student to the police** if that student has threatened or assaulted you. Just because you are a teacher, *you do not give up your rights under the law as a citizen.*

You have the right to obtain an anti-harassment protection order against a student (or a student's parent) if those individuals engage in behaviors that are abusive; threatening; seriously alarm, annoy, or harass; or would cause a reasonable person to suffer substantial emotional distress. (RCW 10.14.020). Harassment of any kind, be it from a student, student's parent, administrator, or colleague is fully covered.





OSPI released notification of **NEW RULES** on August 13th that were formally adopted on July 30, to encourage schools to use best practices when addressing student behavior – which should decrease the use of suspensions and expulsions. Chris Reykdal stated in the news release, “While some students do occasionally need discipline our approach must be different. We should do what we can to make suspensions and expulsions the last option while ensuring our schools are safe. The numbers are clear: This is an equity issue and some groups of students are impacted much more than others.” In general, the rules:

- Encourage schools to use best practices while minimizing the use of suspensions and expulsions;
- Prohibit schools from excluding students from school for absences or tardiness;
- Further limit the use of exclusionary discipline for behaviors that do not present a threat to school safety;
- Prohibit the use of expulsion for students in Kindergarten through grade four; and
- Clarify expectations for how school districts must provide students the opportunity to receive educational services during a suspension or expulsion.

Classroom Exclusions

F1. What is a “classroom exclusion” under the new rules?

The new rules specifically define a category of discipline—“classroom exclusions”—starting in the 2018-19 school year. Under the rules, a classroom exclusion is the exclusion of a student from a classroom or instructional or activity area for behavioral violations.

See WAC 392-400-023(2); WAC 392-400-025(2).

A classroom exclusion does not include actions that result in missed instruction for a brief duration when (1) a teacher or other school personnel attempts other forms of discipline to support the student in meeting behavioral expectations, and (2) the student remains under

the supervision of the teacher or other school personnel during such brief duration.

F2. Do the new discipline rules include any new procedures related to classroom exclusions?

Yes. The new rules require parent notification following a classroom exclusion. See WAC 392-400-335(2).

For the 2018–19 school year, the current grievance procedure will remain in place. See WAC 392-400-240. By the 2019–20 school year, school districts will need to develop local grievance procedures for classroom exclusions. The new discipline rules provide that grievance procedures adopted by a school district must include an opportunity for the student to share their perspective and explanation regarding the behavioral violation. See WAC 392-400-110(1)(h).

F3. Do the new discipline rules limit a teacher’s statutory authority to exclude a student from the classroom? No.

The new rules are consistent with the statutory provision regarding a teacher’s authority to exclude a student from the teacher’s classroom—including the statutory provision regarding the principal and teacher conferring. See RCW 28A.600.020(2).

The new rules do not prescribe the means by which a principal and teacher confer regarding a classroom exclusion. The rules provide that when a classroom exclusion exceeds the balance of the school day, the school district must provide notice and due process for a suspension, expulsion, or emergency expulsion. However, the rules do not abridge the maximum duration of time that a teacher may exclude a student under statute.

Districts may adopt discipline policies and procedures regarding the means by which the principal (or designee) and the teacher should confer that, consistent with law, clarify district expectations in accordance with collective bargaining agreements entered into by the district.

F4. Does a classroom exclusion include any instance where a teacher might send a student from the classroom to another location in the school? No.

(continued)

The new discipline rules includes a formal definition for classroom exclusion, which specifies that classroom exclusions must be in response to behavioral violations. See WAC 392-400-023(2); WAC 392-400-025(2). For example, sending a student with a hallway pass to meet with a counselor for reasons unrelated to a behavioral violation would not constitute a classroom exclusion, whereas taking similar actions in response to a behavioral violation—such as issuing an office discipline referral (ODR) to send a student to the dean’s office—would constitute a classroom exclusion

F5. Teachers sometimes respond to a behavioral violation by directing the student to leave the classroom so they can have a conversation in the hallway. Would that action constitute a classroom exclusion under the new discipline rules? It depends. The new discipline rules clarify that a classroom exclusion does not include actions that result in missed instruction for a brief duration when (1) a teacher or other school personnel attempts other forms of discipline to support the student in meeting behavioral expectations, and (2) the student remains under the supervision of the teacher or other school personnel during such brief duration. See WAC 392-400-023(2); WAC 392-400-025(2). For example, if a student remains under the teacher’s supervision while in the hallway for a brief period of time and the purpose of the conversation is to support the student in meeting behavioral expectations, the teacher’s action would constitute “other forms of discipline” under the new rules. Similarly, if the teacher calls a building administrator to the classroom to have a brief conversation with the student for purposes of reinforcing classroom expectations, that action would not constitute a classroom exclusion. However, if a teacher directs the student to go into the hallway and leaves the student there unsupervised—or with a para-professional for longer than a brief duration of time—those actions would constitute a classroom exclusion.

Clarity from bargaining: In a building that does not have an associate principal, a staff member will be identified to support student and staff needs while the principal is out of the building.

Vancouver Exclusion Slip

Dear Principal:

I have excluded _____ from my classroom for the next two (2) days in accordance with RCW 28A.600.020. This student has created a disruption of the educational process in violation of the building disciplinary standards. I have attempted one or more alternative forms of corrective action.

In no event without my consent, may an excluded student return to my class during the class or activity period for up to the following two days until we have conferred.

Article 10.25 of our contract states that the term confer means that I have had the opportunity to provide input on a plan for disciplining the student, that my input has received full consideration, and your discipline decision was discussed with me before this student returns to my classroom.

Thank you,

Teacher’s name and Date

Building Representative Leadership Training

Thank you to the sites who have communicated your contingent of VEA representatives for 2018-19. Each site is allocated one rep for every 15 members. This team of reps keep you, the member informed on important information!

Training opportunities for new reps are slated for **October 11 or November 1**. VEA is offering an advanced rep training on **December 14th**. This is a great opportunity to unleash your leadership potential and receive first-hand information. Contact VEA to sign up!

Know your class size!

Comprehensive Agreement Article 10.17

Your VEA bargaining team resisted any increase in class size.

Elementary individual classroom maximum and secondary student-teacher maximum daily contacts:

Grades K-3 – Maximum of 24 students

Grades 4-5 – Maximum of 27 students

Middle School: The maximum number of student-teacher daily contacts is based on 28 times the number of classes a teacher is required to teach in his/her duty day, up to 168 students. This ratio is intended to result in maximum class sizes of 28:1 in a seven period day and 29:1 in a six period day. No teacher will be assigned more than one instructional period per trimester in excess of 30 students in a seven period day or 31 in a six period day. A teacher shall not be considered in overload if the total student-teacher count remains less than 169 in a seven period day or 146 students in a six period day.

All classes, other than music (band and choral groups) and PE that exceed these sizes will require review by the principals, VEA, and District administration.

High School: the maximum number of student-teacher daily contacts is based on 30 times the number of classes a teacher is required to teach in his/her duty day. No teacher will be assigned more than one instructional period per semester in excess of 32 students. However, the teacher shall not be considered in overload if the total student-teacher count remains less than 151 students.

HS PE/Career Choices: Maximum number of students per class is 38 with a total aggregate of 190. When the aggregate exceeds 190, overload language will be invoked. When regular PE classes exceed 38 students, overload relief will be invoked and a safety review will be conducted by the administrator with the teacher and a VEA

building rep. Class size and overload do not apply when a teacher requests a larger class for weight or circuit training.

HS Science Classes will receive an audit when reaching 30 students.

Overload provisions shall not be in effect during the first 15 student attendance days of the school year, and at the beginning of the semester. During the first 10 days and on the earliest day possible, the building administrator will initiate a meeting with the teacher in an overload situation and the building rep to resolve the overload.

2018-19 Executive Board

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WEA Board Director, Mona Rominger

**Appointed by the board - pending confirmation*