

# SRVEA SIGNAL

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## A Word from the President... Darren Day

2011 - I had a hard time getting use to writing that number. I started in this position in 2008 and I cannot believe how quickly time has slipped by. The beginning of this school year was a good one. We were able to bring back an elementary prep period and reinstate 2 of the 4 budget cut days to all of our members. Elementary teachers, remember your last budget cut day for this school year is Monday, January 24. Secondary educators on this day will be involved in a teacher work day.

The state budget has just been presented by our new governor, and at first blush it appears to be better than past budgets because it does not contain the immediate slash and burn outcomes we have seen over the past few years. My biggest concern is the language of the budget that states, "K-12 education funding that is consistent with the levels provided in the current year are predicated upon about \$2 billion in additional revenues for Proposition 98 that are - wait for it - subject to approval by a vote of the people." This was one of governor Brown's campaign promises. The issue is that Californians have not approved new fees or taxes that have been on the ballot over the past two years. Therefore, I think we stand about a 50/50 chance of having these taxes and fees extended for the five years requested by our governor. This also means that we will need all members to work to see if we can get these ballot measures to pass. Our political action will have to kick into gear with phone banking, precinct walking, passing of leaflets, and general education of the voting population because without the renewal of these fees and taxes we will once again see a huge budget cut laid upon education. We will be successful in June if all of us play some role in the passing of these taxes and fees. Whether that role is large or small, you must play some role.

I would love to go through a year without having to work so hard to retain teachers and keep class sizes down. We have not yet heard from our district on how this budgetary uncertainty will play out for us here in the San Ramon Valley. The district is currently preparing staffing and seniority lists to go out to every site. Do not panic yet! This is a typical yearly activity that the district must complete since every year we have members who retire, and we also welcomed new members to permanent status.

I recommend that you make sure you review the staffing and seniority lists and contact the district Human Resources department if you see an error.

Now for some positive news, I am looking forward to our district-wide staff development day being held at Dougherty Valley High School on March 21, 2011. Shortly, you will all be receiving a request for presenters. I know the SRVUSD has phenomenal educators who will deliver fantastic sessions. Don't delay in signing up to present. We have also been able to secure a fantastic keynote speaker, someone who "gets what it's like to be a public school educator." I look forward to seeing you there at the staff development day, and get ready for an active spring.

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## VP Voice—

- **Ann Katzburg**
- **SRVEA Vice President**

There are two moments in an educator's life when we obtain the hope for renewal – Our first starts in the beginning of the school year, and once again, we experience renewal with the turning of the calendar pages as we welcome in 2011. School came back into session on January 3, 2011, and so did the inauguration of our public officials. California's new Governor, Jerry Brown, is a familiar face, returning to his position after a 36-year hiatus. We anxiously await his January Budget which will project our destiny for the remainder of the school year.

A new Superintendent of Public Education – Tom Torlakson- was also beginning the dawn of his tenure on our first day back to work. Tom is a local guy, a former teacher on leave from the Mt. Diablo School District. He also taught in Pittsburg, and coached track. Most recently he served as an assembly member from Antioch, and prior to that he was a state senator. Tom held the ceremony

for his inauguration at Mt. Diablo High School with an abundance of people that make up the core of who he is – students, teachers, classified workers, parents, and politicians, all there to witness his swearing in.

Tom's focus is teamwork. He acquired the true belief of working as a member of a team from his early days as a runner on the track team. His former coach spoke about Tom's drive to persevere and never give up. Tom's students spoke as well, mentioning his ability to focus in on the individual and his serving as a role model to them, instilling the hope that they could do anything they aspired to achieve. Words of inspiration were shared by Tom's friend Bubba Paris Jr., former 49ers linebacker who espoused his belief that everyone has a purpose, and given the right opportunities, with nurturing and care, can achieve their potential.

Tom Torlakson has reached a goal that he set his sights on years ago. He is a public servant with a teacher's heart. His platform includes pertinent policies that he hopes to bring to public education. He wants teachers to have time to

collaborate; quality pre-school for all children; an expansion of career education so that students have a sense of what they can achieve; mending of the technology divide with developing technology in our schools; and provision of health care for all of our students so that children can come to school prepared to learn.

Tom called for all of us to work together as a team to accomplish our goals, reaching the dream of once again establishing the "top education for the students in our state." In the words of Liane Comowski, a former California Teacher of the Year and Mt. Diablo High School teacher/administrator, Tom has achieved the status of "Teacher Rock Star!"



Torlakson with CTA President David Sanchez

At a recent SRVUSD School Board meeting, new Board Policy was adopted to address the issues of bullying on our campuses. Board Policy 5137 addresses Positive School Climate and states, "The Governing Board desires to enhance student learning by providing an orderly, caring, nurturing, and nondiscriminatory educational and social environment in which all students can feel safe and take pride in their school and their achievements. All staff are expected to serve as role models...by demonstrating positive, professional attitudes and respect toward each student and other staff members."

Furthermore, BP 5145.3 addresses nondiscrimination/harassment and now includes anti-bullying. Staff is expected to consistently enforce policy for appropriate student behavior, including prohibitions against bullying, cyber bullying, harassment of students, hazing, other violence or threats against students and staff, and drug, alcohol, and tobacco use.

## Organize 4 Action

If you have participated in an informal meeting at your school site, set up by your Organizing Rep, then you have experienced firsthand the progress made by the Organizing Committee.

This past summer, the Executive Board (SRVEA's leadership council) decided to embark on the task of internal organizing. We put together a plan called "Organize 4 Action," applied for and received a grant from CTA, and off we went to figure out our next move.

We started off with a core team of ten dedicated members who began setting goals and planning activities. Then, to make our plan work, we needed the time, energy, and commitment of at least one association member at each school site to take on the job of Organizing Rep. Recruiting went well, and we had a successful turnout for the Organizing Rep training that was held at the end of November. We are well on our way to having an Organizing Rep at each site.

At this point, you might be asking, "What is internal organizing?" Simply put, it is a network of relationships, based on mutual responsibility and accountability, between association members and leadership at a local (SRVEA), and state (CTA), level. This network allows information to flow from members to leaders and back, linking people together by common goals and shared core values. The purpose of the internal organizing network is to empower members and give direction to union leadership. This way, we can focus union energy and resources on the issues that are most important to the membership.

The Organizing Committee and the Reps will be meeting on the 25<sup>th</sup> to compile and discuss the information collected from the members who participated in the informal meetings held by the Organizing Reps. Then that information will be brought back to the sites for clarification. So begins the network of information flowing back and forth.

If you are interested in representing your school site as an Organizing Rep, let me know. We need to build the committee until all sites are represented. Thanks!

Linda Greguras, Organizing Chair  
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## Seven Tests of Just Cause—When Employee Discipline is the Issue

Many times the issues are not clear cut around who is at fault. It is not uncommon for administration to attempt to discipline an employee unfairly. The SRVUSD-SRVEA has language about how and when discipline happens, but there are times when issues arise. Over the years, through court cases, the Seven Tests of "Just Cause" for employee discipline has emerged. A "no" answer to any of the following questions normally signifies that just and proper cause did not exist. In other words, such a "no" means that the employer's disciplinary decision contained one or more elements of arbitrary, capricious, unreasonable and/or discriminatory action to such an extent that the decision constitutes an abuse of managerial discretion—which means the discipline should not have been imposed!

1. Did the employer give the employee forewarning or foreknowledge of the possible or probable disciplinary consequences of the employee's conduct?
2. Was the employer's rule or order reasonably related to the orderly, efficient, and safe operation of the business?
3. Did the employer, before administering discipline to an employee, make an effort to discover whether the employee did in fact violate or disobey a rule or order?
4. Was the employer's investigation conducted fairly and objectively?
5. At the investigation, did the employer obtain substantial evidence or proof the employee was guilty as charged?
6. Has the employer applied its rules, orders, and penalties even-handedly and without discrimination to all employees?
7. Was the degree of discipline administered by the employer in a particular case reasonably related to the a) seriousness of the employee's proven offense and b) the record of the employee of his service with the employer?

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## ANNOUNCING THE STANDARD

### CTA Disability Insurance

#### Open Enrollment

The Standard has announced a call for Open Enrollment without pre-existing conditions restrictions for SRVEA members. In order to take advantage of this opportunity, SRVEA needs a minimum of 160 members to sign up. Disability Insurance is a valuable investment in case of injury, illness, or condition that would prevent you from working, thus providing for salary protection whether it is short term or long term. Your site representative has more information.

## SCHOLARSHIP

### OPPORTUNITIES

Applications for SRVEA Scholarships for members and dependents will be coming out soon. The scholarships are \$500, and SRVEA will award eight member and five dependent scholarships. Electronic versions will be available.

CTA also offers member and dependent scholarships. These applications are due on February 4, 2011, and must be signed by SRVEA President Darren Day prior to submitting them. A maximum of 35-\$5,000 scholarships will be awarded to dependents and a maximum of 5-\$3000 scholarships will be awarded to members enrolled in college coursework. For more information go to [www.cta.org](http://www.cta.org) and search for scholarships.

## CTA Retired

### Pre-Retired Memberships Saves \$\$

It is never too early to think about retirement! Become a CTA Retired member before the one-time payment goes up from \$320 to \$400 next year. Continue to enjoy CTA/NEA benefits which includes legal consultation, liability insurance, entertainment discounts, and financial services.

You do not need to be on the verge of retirement to join. Pre-retired members save money. Contact the VTRC or your site representative for more information.

### *From CTA President David Sanchez—*

Governor Jerry Brown announced his 2011-12 budget plan, and while it proposes some painful cuts, it also contains much needed revenues. The Governor's plan attempts to limit cuts to K-12 education but does not restore any of the funding that has been previously cut. California cannot continue to compete in the 21st century if we don't provide a first-rate public education. The proposed Prop 98 funding level for 2011-12 is \$49.3 billion but is contingent on voters extending the current tax revenues. Without these revenues, schools will face another \$2.3 billion in cuts.

For more information visit, [www.cta.org](http://www.cta.org) and read the CTA News Release and initial summary of the proposed budget.

## *Call for Presenters!*

*March 21, 2011 is a District Wide Staff Development Day. If you are interested in presenting a workshop, please contact your site representative for more information. Delaine Eastin, former Superintendent of Public Instruction, is scheduled as the keynote speaker.*