

# JEFFERSON TEACHER/PSRP



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## Floyd and Delesdernier Offer 1st Readings for Pay Raises

At the January 15<sup>th</sup> JPSB Meeting, Cedric Floyd offered the following First Reading: “The Board shall restore step raises for teachers to the extent funds are available to do so, based on the “Never Filled Positions” and “Vacancy” Reports that are attached. When teachers were recruited and hired to work in the Jefferson Parish Public School System—5, 10, and 15 years ago, a salary schedule was handed out. The School Board cannot and should not renege on its commitment.” Mr. Floyd’s reference to the “Never Filled Positions” and “Vacancy” Reports takes into consideration the “savings” that should have occurred as a result of the Superintendent’s Reorganization Plan.

Michael Delesdernier’s First Reading states: “In order to close a significant budget shortfall caused by the recession, no increase in MFP, and rising benefit costs, and to reduce the size of the a reduction in force, the District froze all salaries beginning in FY 2010. Since then, revenues have failed to keep pace with rapid increases in benefits costs; as a result, employees who were hired in FY 2010 and before have not seen an increase in base pay for 4 consecutive years. Now that the economy has begun to stabilize and MFP increases of 2.75% per annum are promised pending legislative approval in April 2014, the Superintendent is

instructed to work with an advisory committee made up of teachers, principals and staff to develop a recommendation to the board to provide some type of equity-focused salary increase. However, given the fact the district’s benefit costs continue to rapidly increase, and revenue growth remains slow, it is critical this recommendation be fiscally responsible. To ensure the employees that have shown loyalty to the parish over the past four years are provided with maximum relief, this means exploring all options to increase salaries including some reallocation of stipends currently paid to teachers regardless of tenure in the parish. The superintendent, in cooperation with the advisory committee, shall prepare a recommendation to the Board to be presented at the April 2, 2014 meeting.”

It appears that Mr. Floyd’s first reading would be funded through resources that should be available in the budget. However, Mr. Delesdernier’s first reading could possibly be funded off the backs of teachers. Both proposals should include fair step raises for teachers and school employees without reducing their current level of benefits and stipends.

The Board will vote on these First Readings at the February 5<sup>th</sup> meeting being held at the Bonnabel Board Room, 5:00 p.m.

## Judge Declares Act 1 Unconstitutional--Again



For the second time in less than a year, a Baton Rouge district court judge has ruled Act 1 of 2012, the so-called “talent act,” unconstitutional.

Judge Michael Caldwell first ruled the act unconstitutional last March, agreeing with a lawsuit brought by the Louisiana Federation of Teachers. The judge said Act 1 violated a ban on bundling multiple objects into one piece of legislation. But the State Supreme Court remanded the case to the 19<sup>th</sup> Judicial District, asking Judge Caldwell to reconsider his ruling in light of another decision.

In a carefully worded ruling that acknowledged the Supreme Court’s reservations, Judge Caldwell said that while the high court’s decision had broadened the definition of a bill’s objects, “The object (of the bill) is not apparent to me in several provisions of the act.”

Therefore, Judge Caldwell said, he remains of the opinion that Act 1 violates the multiple object clause and is “unconstitutional in its entirety.”

“The judge basically affirmed what we said from the very beginning,” LFT President Steve Monaghan said after the verdict. “Facts are facts. This was a sprawling piece of legislation that was duck taped together. It was hastily done and we took it to court as we promised to do. As we said from day one, we came to court out of respect for the constitution.”

The act was one of the bills that Gov. Bobby Jindal touted as his education reform agenda in 2012. It amended and reenacted nine statutes and enacted two entirely new statutes. It tied teacher salaries, tenure, promotions and

termination to a new evaluation system. It changed the way school boards contract with superintendents, altered the general powers of school boards, delegated new authority to principals and superintendents and mandated different reduction-in-force policies.

An attorney for the state told reporters that Judge Caldwell’s decision will be appealed directly to the Supreme Court.

The law will remain in effect until the high court makes a final decision. Sections of the act dealing with teacher evaluations, tenure, promotions and salaries are unfair and unworkable, the LFT president said.

“No matter how this case is ultimately decided, the legislature will have to revisit the whole concept of education reform,” Monaghan said. “We hope they will not try to pass the repugnant sections of this act as individual pieces of legislation.”

At a press conference following the verdict, Jindal said that he is willing to work with anyone to provide excellent teachers for Louisiana’s classrooms.

“That is our goal as well,” Monaghan said. “We are ready to talk to the governor at any time about reforms that will truly improve education and create a better future for the children of Louisiana.”

Another of the governor’s education bills, Act 2 of 2012, has been declared unconstitutional by the Supreme Court because it unlawfully diverted public education funds to private, religious and corporate education providers.

# JPSB January Meeting Update

## Superintendent Meza's Contract Extended

The JPSB approved an extension of Dr. James Meza's contract as Superintendent through January 31, 2015. Larry Dale proposed the Second Reading to authorize the extension of the Superintendent's contract. This action will guarantee Dr. Meza's position as Superintendent until at least the end of January of 2015. Originally, Mr. Dale proposed the extension through December 31, 2014 but the Board decided that it was difficult to find a highly qualified candidate for superintendent during a school year, thus the additional extension.

## Bereavement Leave Adopted

The JPSB also adopted a "Bereavement Leave" policy. During the past few years teachers and school employees have been granted personal trauma leave even in absence of an existing policy. The new "Bereavement Leave" policy states:

*Upon written notice submitted by an employee to the Chief of Human Capital or his/her designee, the Jefferson Parish School Board shall grant a leave of absence without loss of pay of up to three (3) school days in the event of a death in the immediate family of such employee or his/her spouse. If the funeral shall be in a location more than two hundred (200) miles from New Orleans, and such shall be verified, the employee shall be granted one (1) additional school day of leave. Bereavement leave shall be taken within ten (10) calendar days of the death (except under extraordinary circumstances which shall be fully detailed).*

*The Chief Human Capital Officer, or designee, shall approve such leave to an employee in the event the employee was absent prior to the death of an immediate family member of such employee or his/her spouse. The request for such leave shall be in writing and shall contain such documentation to substantiate the leave.*

*Immediate family shall include the employee's spouse as well as the following other family members of the employee or the employee's spouse:*

- Children (including step-children)

- Any individuals over which the employee or the employee's spouse has legal guardianship
- Grandchildren (including step-grandchildren)
- Parents
- Fathers-in-law and mothers-in-law
- Step-parents
- Grandparents (including step-grandparents)  
Great grandparents
- Brothers and sisters (including half-sisters and half-brothers)
- Brothers-in-law and sisters-in-law
- Daughters-in-law and sons-in-law

*The leave of absence authorized herein shall be in addition to any leave provided by the School Board or otherwise, and shall not be subtracted from them. The leave authorized by this policy shall be non-cumulative.*

*Verification of death and relationship shall be provided.*

## Floyd Offers First Readings

In addition to Floyd's First Reading concerning pay raises, he offered these First Readings:

The Board shall approve funding for the Higgins High School Athletic Center as recommended by the Superintendent on the January 17, 2013 Board Report. Please review the bid process of the Athletic Center at East Jefferson High School. The Board approved construction cost for East Jefferson High Athletic Center that was 17.90 percent over the budgeted amount. This school board should stop discriminating by Board Districts, by sides of the river, East bank over West bank, and by Race.

The Board shall restore its membership to the Louisiana School Board Association.

The Board shall provide to certified employees the same pay raise given to classroom teachers.

The Board shall receive a Monthly Financial Report based on line items in the budget containing, year to date expenditures, budgets revenues, and previous budget year information.

# BESE Report - January 2014

## No mandatory salaries in the new MFP

Last week the Board of Elementary and Secondary Education approved an MFP Task Force report that recommends a 2.75 percent increase in the \$3.5 billion formula, but does not specify that half of the increase should go to teacher salaries.

That prompted LFT President Steve Monaghan to point out that after five years of frozen salary steps, teacher pay is an issue that needs to be addressed.

Prior to the Jindal administration's freeze on the MFP, half of an annual 2.75 percent increase was dedicated to salaries. Although school boards can choose to spend some of the MFP increase on salaries, Monaghan said, teachers and school employees have no voice in the decision.

"There is no real negotiation over the use of funds," Monaghan said. "Those who have the authority will make the choice."

The lack of step increases "is having an effect on teachers and educators," Monaghan told the board. "We are going to lose some good people, and we already have."

The LFT president suggested that collective bargaining agreements between school boards and employees would help ensure that scarce funds are spent wisely in school districts.

The 2.75 percent increase would amount to about \$70 million. An MFP formula will be developed by BESE in March and sent to the legislature for approval. Lawmakers may either approve or reject the formula, but may not change it. If it is rejected, BESE can rewrite the formula, or let the previous year's formula become effective by default.

## Course Choice will be problematic in MFP

The controversial Course Choice program will be included in the Minimum Foundation Program if BESE takes the advice of the MFP task force, a step that LFT President Steve Monaghan said

could provoke yet another constitutional confrontation.

Course Choice, one of Gov. Jindal's pet education initiatives, allows non-public providers to create credit courses for public school students. Funding the program through the MFP was declared unconstitutional by the State Supreme Court.

Since that decision, the \$3 million Course Choice program has been financed by the Department of Education outside of the MFP.

Supporters believe it will be legal to launder MFP funds for Course Choice offerings if the money is sent to local school systems to subsidize the courses.

At Tuesday's meeting of BESE's finance committee, Monaghan said he believes that would still violate the constitutional ban on using MFP funds for non-public schools.

The LFT president pointed out that the state Virtual School, which was abolished in favor of Course Choice, would have provided online courses without violating the constitution.

## VAM study to move forward, sort of

BESE will move forward on a study of the effects the Value Added Model of evaluation has on teachers, but that is not quite what the author of the proposal intended.

Across the nation, questions have been raised about the validity of Value Added Methods. Last October BESE Member Lottie Beebe asked for a study of the reliability of the VAM. She suggested that a panel of statisticians and mathematicians look at the formula, and report on its reliability.

Instead, the board authorized Superintendent John White and BESE Executive Director Heather Cope to get a third party to study VAM with a focus on how it impacts teachers.

Their waffling prompted Dr. James Finney, a theoretical mathematician, to ask, "What are you afraid of Superintendent White? Are you afraid that people will finally learn what you already know, this model does not work?"