

Report of NEA-Retired Directors
NEA Board of Directors Meeting
September 22-24, 2011
Washington, DC

Thursday, September 22

After attending a legislative briefing for all Board members, your NEA-Retired Directors headed for House and Senate offices with their active colleagues to lobby their Congressional Delegations on three major topics:

- **American Jobs Act** – investing in public education is an effective catalyst for economic growth; school buildings should be conducive to learning, so fixing and modernizing schools helps our children learn and puts Americans back to work; when we save jobs in our nation's public schools, students are the winners
- **Super Committee** – must include in their recommendations a plan to put Americans back to work; investing in human capital is the best way to jump start economic recovery; cuts to Medicaid would be especially harmful as one-third of all children in the U.S. are served by Medicaid; Social Security and Medicare did not cause the nation's deficit and should not be cut to address it; the plan should offer a balanced approach to deficit reduction and include revenues generated by making sure all pay their fair share
- **ESEA Reauthorization** – current NCLB testing and accountability system has been recognized as flawed by policymakers on both sides of the aisle; NCLB's undue emphasis on federally mandated, narrow student assessments as its primary accountability yardstick has led to mislabeling and sanctioning schools based on test scores and providing inadequate funding and support for those schools that are struggling; school performance determinations must be made using multiple measures, rather than relying on existing state tests, and could include factors such as graduation rates, student mobility or transfer rates, the number and percentage of students participating in rigorous coursework.

Friday, September 23

Executive Session

The meeting began with an Executive Session. President Van Roekel reported on several issues regarding the proposed NCLB waivers being offered by President Obama and the Department of Education.

President's Overview

After an Executive Session of the Board, **President Van Roekel** officially began the meeting by giving an overview of the agenda and the business that the Board would cover during the two-day meeting. He also discussed the results of several Board surveys that dealt with the roles and responsibilities of the Board of Directors.

Headline News

The leaders of NEA's constituency groups each gave a brief report.

_ National Council of Higher Education **President Jim Rice** reported that Higher Ed membership now surpasses 215,000 and is growing rapidly, thanks to new organizing strategies supported by NEA. More locals are now able to bargain with NEA's assistance, and professional issues are discussed through the NCHE publications.

_ National Council of Urban Education Associations **Vice President** reported on ways large urban locals are assisted in meeting the needs of members through the communications (Facebook, website, etc.) and training (two conferences yearly) provided by NCUEA.

_ National Council for Education Support Professionals **President Laura Montgomery** described the leadership and purpose of NCESP, and how it helps ESP locals nationwide to be stronger.

_ National Council of State Education Associations **Kevin Gill**, state president of Mississippi, described how NCSEA helps all state affiliates through training and support for state officers.

_ NEA-Retired Executive Council **President Tom Curran** reported that NEA Retired membership is nearly 300,000. Retired members are a huge resource that can assist all state affiliates. Through the Intergenerational Mentoring Program, retired members work with beginning teachers to help strengthen the profession. Retirees are strong advocates for protecting state pension programs, Social Security, and Medicare for all future retirees.

_ Advisory Committee of Student Members **Chairperson Tommie Leaders** described the Student Political Action Movement that encourages student members to be politically active at the state and national levels.

Actions of the Board

The Board took the following actions:

- Elected **Tom Brenner, Tim Graham, Kathy Vetter, and Pam Michelson** to serve on the NEA Program and Budget Committee
- Approved appointments to all NEA Standing and Advisory Committees, including the following NEA Retired members: **Barbara Clementi** (CO), SOGI; **Kathryn Romsos** (WI), Women's Issues; **Jon-Paul Roden** (CT), Employee Advocacy; **Susie Jablinske** (MD), Legislation; **David Sanchez** (CA), Membership & Affiliate Relationships; **Katherine Wright-Knight** (AR), Professional Standards & Practices; **Jim Sproul** (KY), Membership Advisory and Social Security Fairness; **Debbie Hogue-Downing** (OK), Co-Chair EMAC and Equity & Ethnic Harmony; **Barbara Cunningham** (IA) & **Linda Somo** (AZ), Read Across America; **Beverly Ausfahl** (CO), Elections; **Keith Geiger** (VA), Chair, **John Hieronmuys** (IA) and **Judy Wray** (OH), Review Board; **Eloy Gonzales** (NM) Chair, Credentials; and **Kathy Campbell** (AZ), ESEA
- Approved the 2012-2014 Strategic Framework for the Strategic Plan and Budget (see Secretary Treasurer Report for more specific info)
- Unanimously approved an allocation of up to \$5,000,000 from the Ballot Measure/Legislative Crises Fund to support the campaign to defeat Ohio State Senate Bill 5 (SB5) which enacted an all-out attack on public employees and the union movement in Ohio, and potentially nationally
- Unanimously approved an allocation of \$90,754 from the NEA Contingency Fund for implementation of the 2011 New business Items adopted by the NEA Representative Assembly
- Adopted a motion to direct that staff provide a written explanation for any difference between the amount a Board member submitted for reimbursement and the amount actually reimbursed.

NEA & the American Labor Movement

Michael Edwards, Director of NEA Labor Relations Department, described how NEA evolved into a labor organization dating back to its beginnings in 1857. As early as 1911, Margaret Haley was advocating for teachers to form a labor union. After the establishment of the National Labor Relations Act in 1935, private sector workers were given the right to organize and collectively bargain, but public sector workers still could not. Meanwhile, educators were becoming younger, better educated and more male. By the 1960's, teachers could be fired for a whole host of items, including being married, participating in electoral campaigns, incurring debts, or contacting parents without permission, and pay was still abysmal. By 1961, New York City teachers overwhelmingly voted to embrace collective bargaining, but selected AFT to be their bargaining representative, despite vastly greater numbers of NEA members. The NEA realized that it needed to change in order to meet the changing needs/desires of its members, or be in danger of losing members to the AFT. Working diligently to organize and win bargaining rights for its affiliates, the NEA entered the labor movement and began representing members in a new way. Although the NEA has never chosen to affiliate directly with the AFL-CIO (four attempts to do so failed at NEA RA's), we have forged a cooperative working relationship, and almost 1 in 4 NEA members belong to merged locals or states. The NEA works collaboratively with many other labor unions to conduct focused campaigns to respond to the assaults on workers' rights nationwide. Today, the NEA remains the largest, most powerful labor union in America.

Leading the Profession

Becky Pringle, NEA Secretary Treasurer, and **Bill Raabe**, Director of Center for Great Public Schools Department, described how NEA will begin to meet immediate needs and long term commitments to public education and its members. In partnership with state and local affiliates and members, NEA will be the leading voice and advocate for the quality of public education and of education professions. This initiative will focus NEA's existing work in this area, implement RA directives, look for organizing opportunities, use our message framework, and prioritize our work. Some of the immediate steps that have been taken resulted in: a charge for the Professional Standards and Practice Committee to examine and analyze research and practice on mentorship, peer assistance, and peer assistance and review programs; and charges to the Commission on Effective Teachers and Teaching that require development of a teacher-inspired, student-centered definition of effective teachers and effective teaching, crafting a new vision for the teaching profession, and develop a set of recommendations for the union, education leaders, and policymakers to strengthen the teaching profession and the role of teachers in leading and governing their own profession. The question will be how to use and implement the recommendations created by these committees. Additionally, the NEA will still be working on the Priority Schools Project and attempting to determine what are the indicators for Great Public Schools. The biggest challenge for NEA will be to focus and to have a clear, collaborative direction involving local and state affiliates.

GLBT Observance

Nicole Davore and Frank Burger, co-chairs of the GLBT Caucus, introduced guest speaker **Graeme Taylor**, who spoke on the challenges faced by GLBT students. Fourteen year-old Graeme, whose parents are teachers and NEA members, gained notoriety by speaking out in favor of an NEA member Michigan teacher who was suspended for removing a student from class for making anti-gay slurs. Graeme told of his own experiences as a young gay boy dealing with school and friends. While he has experienced great support from his parents, teachers and friends, he is concerned about all the GLBT students who are not as lucky. Many school districts still have policies that fail to support GLBT students and allow bullying to take place. Education employees are the first line of defense for all students. He asked all educators to go the www.nea.org/bullyfree and take the pledge to stop bullying. Another resource which can provide a comprehensive guide for elementary schools with tools, lessons and resources to embrace family diversity, avoid gender stereotyping, and end bullying & name calling can be accessed at www.welcomingschools.org.

Reframing the Education Debate

John Stocks, Executive Director, introduced **Jim Testaman**, who chaired the Work Group that surveyed and analyzed member and general public surveys. Results form the basis for NEA actions which need to ensure that the public is aware that teachers are deeply committed to the success of every child and NEA's agenda puts students at the center of reform. Teachers are the most trusted group when it comes to improving public schools. Testaman gave the Board recommendations for communicating NEA's positions on education reform. The NEA believes that: 1) *all* (including public officials) must be held accountable for our children's success; 2) we must invest in the classroom priorities that build the foundation for student learning; 3) we must ensure every student has a qualified, caring, committed teacher.

Report of the Vice President

Lily Eskelsen, NEA Vice President, reported on her activities, including: meeting with a coalition of classified employee groups; progress on federal legislation for a National ESP of the Year; Let's Move Campaign (child obesity/nutrition); Obama's Jobs Bill (and clarification that the funding for education jobs does include ESP); being appointed to, and the work of, the White House Commission on Education Excellence for Hispanics; the Task Force on For Profit Colleges & Universities; and attending the White House announcement of the waivers for NCLB (which NEA supports because it does not seem likely that the ESEA will be reauthorized this year). In order to avoid the draconian penalties that most districts and states will be facing by 2014, the waivers include elimination of AYP; maintains the focus on high poverty priority schools; protects the professional

voice of educators in collective bargaining and requires consent from the teachers organization to an agreed upon evaluation process; and requires teacher and principal evaluations to use multiple, valid measures.

Report of the Executive Director

John Stocks, Executive Director, reported on some of his activities with a few positive highlights including: completion of the NEA operational review; verification of Alternative Dues Collection systems; building a culture of organizing; using technology for recruiting and dues payment; surveying the value proposition of membership; focusing on state affiliates to assist them when their membership is under attack; selecting Barby Halstead-Worrell as Director of Field Operations; selecting Bill Raabe as Director for the Center for Great Public Schools; continuing with the minority outreach programs; and focusing on building strong affiliates and priority schools as NEA's primary goals for the 2012-2014 budget cycle.

Report of General Counsel

Alice O'Brien, General Counsel, reported on how bargaining laws are changing nationwide. There are three cases involving these changes. Three key changes: collective bargaining eliminated except base wages are being challenged as a violation of the Equal Protection Clause of the Fourteenth Amendment. Idaho Education case abolishes contract status (tenure) for new teachers, requires evaluations 50% based on "objective measures"; challenge to SB 736 as a violation of state constitutional right to bargain. Career Status/ Tenure – 12 states that previously had tenure as statutory protections no longer have that. Only 39 states now have due process protections for career teachers, down from 48. A few of the cases that NEA is pursuing include:

- ***AEA v. Bentley (11th Circuit)***: Completed briefing before the Eleventh Circuit defending the trial court's preliminary injunction against the enforcement of S.B. 2 (enacted as Act 2010-761). The case challenges the constitutionality of the Act, which prohibits public employees, on pain of criminal penalties, from "arrang[ing] by payroll deduction or otherwise" for payments of dues to any membership organization that engages in "political activity," which the law defines in broad and unclear terms.
- ***Buffalo Federation of Teachers v. Buffalo Control Board (N.D.N.Y.)***: Completed briefing on motions to reopen the federal case in this long running dispute between the Buffalo Federation of Teachers (BTF) and the Buffalo Control Board over the three year wage freeze the Board instituted in 2003.
- ***Thaxton v. OEA (S. D. Ohio)***: Defending OEA against this National Right to Work lawsuit challenging, on a variety of grounds, the agency fee that OEA and its affiliates charged during the 2009-10 and 2010-11 school years.
- ***UFCW v. Brewer (D. Arizona)***: Intervened and filed for a preliminary injunction against enforcement of SB 1365, which prohibits all unions in Arizona except a favored few from collecting dues by payroll deduction unless they disclose to the employer in advance how much they intend to expend on "political activities" defined to include both "political issue advocacy" and any support or opposition to any "PAC or similar organization." The penalty for an inaccurate disclosure is up to \$10,000 per violation. We have challenged the law as a violation of the First Amendment and Equal Protection Clause of the Fourteenth Amendment. Argument on the preliminary injunction was on September 21st and AEA won the injunction.
- ***East Providence School Committee v. East Providence Education Association (R.I. Supreme Court)***: Drafted merits brief on behalf of RI affiliate seeking to overturn trial court ruling that school districts may unilaterally implement changes to employment terms and conditions whenever necessary to comply with state statutory provision requiring school districts not to operate at a deficit.
- ***Idaho Education Association v. Luna (Fourth Judicial District, Ida County, Idaho)***: Completed briefing and argument in suit filed on behalf of IEA, and its members, against SB 1108, which abolishes renewable contract status for all teachers (except those who held renewable contract status as of Jan. 31, 2011), require evaluations 50% based on "objective measure[s]" of student growth, limits procedural challenges against discharge, limits all collective bargaining agreements to one year, provides that all existing agreements expired as of June 30, 2011, and repeals the early retirement program for teachers.

Saturday, September 24

Special Presentation,

Pat Dolan, noted consultant for school reform and author of Restructuring Our Schools, A Primer on Systemic Change, discussed the evolution of the decision-making structure of public education. He believes that the main purpose of unionism is to provide “voice” for members. With the implementation of No Child Left Behind, a very narrow interpretation of academic achievement (with emphasis on only a few academic areas), shifted the focus of public education away from the other traditional areas of development of the child, social justice, and citizen democracy. Now with the development of Common State Standards for all academic areas, the decision-making has again been shifted away from the local and site to the federal and state. With Race to the Top and School Improvement Grants, the power and decisions have been taken away from the local level and shifted to the top, yet teacher evaluations are tied to classroom performance at the site level. This has enormous implications for NEA and all of its affiliates. Dolan warned the Board that education systems are being forced to move entirely too fast to restructure education with little or no resources, and that NEA needs to slow the process down for the sake of the students. He also emphasized that members need to be able to understand and utilize research to aid in the process of school reform.

Report of the Secretary Treasurer

Becky Pringle, Secretary Treasurer, reported that membership continues to drop, with a total loss this year of over 51,000 certified full and part time members (a 2.2% decrease); and a loss of 3,394 of ESP (a .7% decrease). However, on a positive note student membership increased 2,792, Higher Education membership increased 3,933, and **retired membership is up 14,483** (a 5% increase). Appropriate budget adjustments have been made to accommodate the membership losses, and the NEA continues to have a balanced budget that will meet members’ needs. The Contingency Fund has a balance of \$2.89 million after deductions for a \$10,000 contribution to the Health Information Network Disaster Relief Fund and \$90,754 to pay for New Business Items passed at the 2011 Representative Assembly.

Pringle then presented the framework for the 2012-2014 Strategic Plan and Budget. The NEA shared priorities include: communications, organizing, Great Public Schools, advocacy, and fiscal health. These translate to two specific Strategic Goals: 1) Strong Affiliates for Great Public Schools – preserving the voice of education professionals is critical to the advancement of public education in America; and 2) Uniting the Nation for Great Public Schools – all of America’s students deserve to be educated in a great public school, and students at greatest risk must be a Priority. The primary function of goal one is to assist affiliates in fending off attacks to member rights and promoting strategies designed to enhance public education, by providing financial support, technical assistance, field support, member engagement support, communications support, and facilitating the sharing of best practices throughout the association. In partnership with state and local affiliates, goal area two will provide support and advocacy, build organizational capacity, foster Association and member led school transformation and pursue state and district level policies that support great public schools for all students. Struggling schools will be targeted for intensive support and lessons learned will be shared at the local and state levels.

American Indian/Alaska Native Observance

Kevin Gover, Director of the National Museum of The American Indian, is a Pawnee Nation citizen, attorney, law professor and Civil Rights and Indian Rights Activist. Known as the “briefcase warrior”, Gover discussed the fact that groups other than Native Americans have defined who they are, and those who know the most, Native Americans themselves, are not the ones who have defined their own history and culture. Stereotypes of American Indians are often negative and extremely destructive, especially to the youth. American Indian children and teenagers are committing suicide at more than three times the rate of the overall youth populations. Bullying has emerged as a contributing factor. NEA thinks it’s important that educators know about the link

between bullying and suicide. The National Museum seeks to correct the misconceptions and distortions of history and the present regarding American Indians.

Board Discussion Groups

Following lunch, the Board broke into groups of 10 to have in-depth discussions on five key questions pertaining to the future of education policy making and NEA's response to a rapidly changing education environment that were in response to the issues raised by Pat Dolan's presentation. Two questions also dealt with implementation of NEA's newly adopted Strategic Goals for 2012-2014.

Education International World Congress

The eight NEA Board members who were elected delegates reported on meetings and activities of the Education International World Congress held in Cape Town, South Africa in July. There were 129 NEA members who attended the Congress. President Van Roekel was elected as Vice President for North America.

Educators for Obama

President Van Roekel announced that members can go to www.educationvotes.org/le to access templates for writing letters to the editor to tell our own stories and why it is important for public education that we support President Obama for re-election.

Report compiled by Linda Somo

Respectfully submitted by your NEA Directors:

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Important Reminders

Sign up as an education advocate at www.EducationVotes.NEA.org

The NEA Toolkit for protecting pensions is now available through the NEA.org website. Use the search window at the top of the NEA.org website to locate "Retirement Protection".

Save the dates: March 21-29, 2012 are possible dates for the NEA Retired Conference

The NEA Retirement & Benefits Conference has been cancelled