



# THE ADVOCATE

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A Communication for Members of the Aurora Education Association

November, 2008

## EDUCATION AND THE NEXT PRESIDENT

In less than 48 hours a new President of the United States will be elected, and regardless of who that is their position on public education will have a profound impact on our profession. On October 21st, a debate between Lisa Graham Keegan, education advisor to Republican Presidential nominee John McCain, and Linda Darling-Hammond, education advisor to Democratic Presidential nominee Barack Obama, was sponsored by Teachers College, Columbia University. The debate was hosted by Ed-Week and made available through videocast, and is still available for viewing. I can't urge you strongly enough to take the time to view the videocast of this debate. While the topic of education seemed to receive little notice during the presidential campaign, it was informative to hear the positions of the candidates through their primary education advisors. There are real differences..

Linda Darling-Hammond and Lisa Keegan touched on a variety of topics during this debate, articulating the positions of their candidate on each and espousing the differences between them. They fielded questions on the need for quality early education programs, the need for child healthcare, quality teacher preparation, curriculum and assessments focused at 21st century learning, accountability and the issues related to excessive testing, the expansion of charter schools and vouchers, alternative routes to teaching, national standards, the resources necessary to deliver high quality educational programs to every child, merit pay plans, the kind of educational research needed to really further the work of developing best practices, and of course the perennial fingerpointing at collective bargaining agreements that supposedly block innovation, and keep teachers from being better com-

pensated. The alliance between McCain, and the proponents of the Education Equality Project, Joel Klein, Al Sharpton, Newt Gingrich, and Roy Romer was highlighted as the direction toward which we need to move in public education, by comparison to Obama's position to create a profession of teaching, by investing in recruiting, preparation, mentoring, professional development and career advancement for educators.

A post-panel analysis was even more revealing and informative. A panel of University professors (no, no practicing educators were involved) dissected the debate between Darling-Hammond and Keegan, and highlighted what did and did not come up in the discussion. Of particular note in the view of the post debate panel was the fact that there was little discussion about NCLB which was due for reauthorization a year ago and has yet to be rewritten. Another area that received little mention was that the next President will appoint no less than three perhaps four Supreme Court justices, and the influence the court can bring to bear on public education policy.

If you don't do anything in the next 48 hours, please go to [http://www.edweek.org/ew/section/video-galleries/tc\\_debate.html](http://www.edweek.org/ew/section/video-galleries/tc_debate.html) (registration is required) and view the debate, and then the post-debate panel discussion for the debate analysis. Educators on the ground, those in the classroom and most directly responsible for the educational improvement of students need to know what the next President proposes for the future of our profession, even if we are hearing it through education advisors, and at the eleventh hour. I hope you can find time to listen to vision each candidate holds for public education .

*Brenna*

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## AEA to Consider Teacher Led Pilot School

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AEA will soon establish a committee of association members to begin discussions to develop a teacher led Pilot school. The idea received overwhelming support from the AEA Board of Directors, and at the November AR Council AR's will have the opportunity to share feedback from their members. AEA will also conduct an all member survey to gather input from members on both the idea and what they would be interested in seeing in a teacher led Pilot school. "This is not an en-

deavor to be taken lightly, says AEA President Brenna Isaacs, but if we never begin the conversation, we'll won't know if there is serious interest in doing the work necessary to develop a proposal." AEA is in good company in entertaining such an idea. DCTA recently presented their proposal for a teacher led school to the DPS Board of Education as part of the district plan to promote Innovation schools and more charter schools in DPS. Aurora is the only district in the metro area, with

negotiated language that allows the option of Pilot schools however, and AEA was integral in this option becoming a reality on APS. So far three Pilot school proposals have been approved by the Pilot Schools Joint Steering Committee. This will give teachers and association members a unique opportunity to be the driving force behind the kind of school they think can meet the needs of students. AEA will be looking for committee members soon.

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## AEA SPED Caucus Offers Third PD Opportunity

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The AEA SPED Caucus will offer it's third Special Education professional development session on November 10, which focuses on **Truth in "Labeling" Disproportionality in Special Education**. The presenter for this session will be Carole Walsh, NEA SPED Caucus member. Interested staff members can get additional information on this professional learning opportunity by visiting the AEA website at [www.auroraea.org](http://www.auroraea.org) and clicking on the SPED Caucus link. The session will be held at the Admin Building, ESC 4 in Conference room C from 4:30-6:30. Register by emailing Vicki Reinhard at [vlreinhard@aps.k12.co.us](mailto:vlreinhard@aps.k12.co.us) by November 7th.

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## Document, Document, Document

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Teachers understand the importance of documenting the work of their students and keeping records of their performance from A-Z. Unfortunately, we often forget to consider the importance of maintaining good records when it comes to our own employment. Communication from the Human Resources Department, written communication from your building administrator, general documents distributed to all staff members at your worksite, notes from parents, individual contracts, leave records, observation and evaluation documents, notices of appointment, copies of pay stubs and your teaching license should be considered important documents (among others) worth maintaining and kept easily accessible. Teachers should also request and maintain copies of documents used during coaching debriefings. The possibility of needing this information

Your Notice of Appointment and Teaching License should be considered important documents to maintain in a personal file.

at some point during your teaching career may not seem likely, but in the event you do need these documents for any reason, it is certainly easier to have them readily accessible, than not to have the documents available at all.

Beyond maintaining documents pertinent to employment, we recommend that teachers document interactions with students, colleagues, or administrators that may become personnel matters, or where the specific time, place, occurrence and communication might be questioned later. Documenting these kinds of interactions as soon as possible and including what was said by all parties involved, and well as the date and time of the interaction can be useful documentation later on during an investigation, or if a period of time has passed. Ultimately, it is better to document situations as soon as they occur than to rely on your memory of a situation later on.

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## What Every Member Should Know About *Every Member Option*

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Elected officials make decisions about Colorado public education and our jobs. These elected officials -- on school boards, in the Legislature, on the State Board of Education -- make decisions that directly affect each one of us who works in public education. The politicians pay attention to public education and that's why we pay attention to elected officials.

CEA's political action committee, The Colorado Fund for Children & Public Education, uses members' contributions called Every Member Option (EMO) so our Association members can be involved in ballot issue campaigns and make contributions to candidates we interview and recommend to our members.

Every member should know how Every Member Option works. CEA members contribute \$39 (teachers) or \$18 Education Support Professionals (ESP), collected with your dues payment. This money is set aside in a separate account when it is received, and used by The Colorado Fund for Children & Public Education to

help defeat anti-public education ballot issues; support pro-public education ballot issues; help local association's pass bond and mill levies and elect school board members; and make contributions to candidates for state elective office (State Board of Education, the Legislature, and statewide offices). It does not help elect any federal candidate to office such as Congressional leaders or the President.

The only candidates we recommend are candidates who demonstrate to us that they measure up on the education issues we care most about – strengthening public education, maximizing student learning, ensuring children's health and safety, respecting education employees. We recommend candidates only if they complete our entire recommendation process which includes: (1) submitting a comprehensive, written questionnaire on public education issues and is-

sues that directly affect public education employees and (2) interviewing face-to-face with local Association members. We recommend Democrats, Republicans and Unaffiliated candidates. Our recommendation process is bipartisan and based on support for public education and educators.

We hope you agree that your EMO contribution is important and you want to add your contribution to those of your fellow members. But if you do not wish to do so, you can get a refund of your EMO by notifying us in writing no later than December 15 .

To request a refund, send a written, dated request with your full name, home address, and local association name to CEA:

**Every Member Option Refund  
Colorado Education Association  
1500 Grant Street  
Denver, Colorado 80203-1800**

When CEA receives your request, they will verify your membership status and send a refund check. Questions about this process should be directed to Linda Lutz at 303-837-1500.

Every decision made about public education, or educators by an elected official is a political one.

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## Recommendations on Instructional Videotaping

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AEA is aware that the Division of Instruction is encouraging videotaping of teachers in instructional settings for professional learning purposes. Teachers should be aware that they have the right to decline being videotaped. If, however teachers choose to allow themselves to be videotaped, they should review and sign the Permission to Allow Electronic Recording form which has been developed by the Division of Instruction. This form can be found on the AEA website at [www.aurora.org](http://www.aurora.org), under the FYI

Videotaping may not be used for the purpose of evaluating teachers

link. Teacher's must be made aware of the purpose of any videotaping, and have the right to preview and the right of refusal for a videotape to be used. This document also establishes that videotapes may not be used for purposes other than professional learning. Based on contract language, neither audio nor videotaping may be used as part of a teacher's evaluation. Nonetheless, teachers should be aware of their rights when allowing videotaping to occur.

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## NEA on the Issues: Practical Advice for Avoiding False Allegations

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It's the worst thing that can happen to a school employee....being falsely accused of inappropriate behavior with students. Even if you're ultimately exonerated, the damage has already been done, and the stigma can linger for years. Students these days know all too well the consequences of an abuse complaint, and they know how to game the system," by making false allegations, and unfortunately, some of them try to do just that."

Because the stakes are so high, several years ago the NEA Representative Assembly directed the NEA to produce a publication providing suggestions for school employees to avoid compromising situations that might lead to false accusations of abuse. We hope these suggestions will offer useful advisories to AEA members as they work with their students.

### Whenever possible, never be alone with a student

That's because a student's allegations made when there are no other witnesses hinge on credibility, and the authorities often tend to favor the alleged victim in these circumstances. So don't be alone with a student in a house or a car, and never give a student a ride home. To the extent possible, avoid being alone with a student in a classroom.

Risky situations include: one-on-one tutoring, counseling, after-school or recess detention, and make-up tests sessions. If you can't avoid being alone with a student at school, keep the door open and stay in plain sight of other adults.

### Always maintain a professional demeanor

That means" no flirting, teasing, or joking about sex. Don't socialize with students or treat them as "pals" or "friends." Never give gifts, unless you give one to every student, and don't single out any one student for constant special attention or flattery.

Never send e-mails, text messages, or cards to students unrelated to schoolwork. Don't ask students about their social lives or comment on their personal appearance and avoid discussing intimate details of your own private life. Don't hire students to babysit or allow them to visit your home. Be the adult and maintain boundaries.

### Avoid physical contact with students

This is a particularly difficult area. Younger children often seek and need physical comfort from their teachers who, sadly, may be the only source of compassion and love that some students have. In the early elementary grades, an occasional hug is probably OK. But as a general rule, it's best to avoid most forms of physical contact, especially kissing, hair stroking, tickling, and frontal hugging. And use common sense: a "high five" to acknowledge a job well done is fine; a slap on the bottom is not. Male teachers have to be especially careful when it comes to physical contact of any sort. While a female teacher's touch may be perceived as comforting, a male teacher's touch may be

viewed as sexually suggestive. And male employees are far more likely to be accused of inappropriate contact with students than female employees. According to one expert, accusations involving female teachers and male students make up less than 5 percent of the cases.

### Avoid using physical force to enforce discipline

When students are misbehaving or out of control, avoid touching or grabbing them to get their attention. Instead, use verbal commands and other disciplinary methods.

There may be a rare occasion when you will have to use physical force in self-defense or to prevent injury to others. If that happens, use the minimum force necessary to prevent harm and immediately call for help. Also if this is a persistent problem you may want to ask your district for special training.

### Never allow a student to obsess over you

While a crush can be flattering, it also can be fatal, so always discourage this kind of attention. An unfulfilled fantasy can result in a student acting out to gain attention or retaliating for being ignored. If a student expresses a love interest, respond with an unambiguous "no." Don't equivocate and certainly don't encourage the student by acting pleased by the attention. It's also advisable to share this information with another adult and your Association representative. In some circumstances, it may be appropriate to tell your supervisor and ask that the student be transferred.

### Be particularly wary of "troubled" students

This is a tough one. Some students come to school with a lot of emotional needs and chronic problems, and they may confide in their classroom teacher and ask for support and guidance. Particularly for a student with emotional problems, a teacher's efforts to help unfortunately can be misconstrued as something more and may lead to an infatuation or dependence.

While you can and should express concern and compassion, don't take on the role of confidante or counselor. Instead, refer the student to the school counselor, a trained professional who has both the expertise to assess what services the student may need and the experience to know how to arrange for the delivery of those services to the student.

### Be especially vigilant if you hold certain teaching positions

Anecdotal evidence suggests that employees who perform certain jobs are at increased risk of false allegations. These include athletic coaches and performing arts teachers—drama, band, chorus, and debate, as well as publications advisers. This trend may be the product of the intense nature of such activities, which may weaken teacher/student boundaries, coupled with a substantial amount of after-school weekend, and off-campus contact.

See **What to do if the Unthinkable Happens.....on page 5**



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## NEA on the Issues: What to Do if the Unthinkable Happens...

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Even if you follow the advice offered on the previous page, there's no guarantee that you won't be the victim of false allegations. And if that happens, here are some suggestions about what to do and what not to do:

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### First, call your Association representative

Depending on the local, that person may be a building representative, the Association president, or a UniServ director. AEA members have the option of all three. Your Association representative can put you in touch with either the AEA president, or the AEA UniServ Director, who can connect you with CEA legal services right away if necessary.

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### Don't talk to school administrators or law enforcement officers

Even innocent statements can be misconstrued and misused. The decision whether to meet with these officials and what, if anything, to say to them should be made only after consulting with your legal and/or Association representative. In most circumstances, your representative should accompany you to any meeting.

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### Don't write a statement or sign anything

It goes without saying that this will be an enormously stressful time and you should not make any decision about writing a statement, or signing a statement, or any other document without first discussing it with your Association representative.

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### Don't talk to the media

Unless and until you and your Association representative, or legal counsel decide that it is in your best interest to do so, don't respond to questions or requests for statements from the media.

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### Don't resign from your job

No matter how bad things look, resigning will not help, and it may be interpreted as an admission of guilt. You should not consider this option until you have consulted with your Association representative.

This information was prepared by Michael D. Simpson, NEA Office of General Counsel with input and assistance from attorneys for numerous NEA state affiliates—September 2006.

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## NEA on the Issues: Retirement Security

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**NEA** members count on a pension when they retire from service, and the pension is generally in the form of a defined benefit (DB) plan. Such a plan provides a lifetime retirement income based on a formula; generally years of service multiplied by the final average compensation multiplied by a percentage.

**Like** salary and health benefits, a pension is an earned benefit that encourages people to enter and remain in education over the long term, providing stability and experience in the classroom.

**Unfortunately**, DB plans are under attack. During the past decade, various groups with financial or political interests have worked to eliminate the DB plans public employees have earned and replace them with defined contribution (DC) plans, which are not guaranteed. These groups include, among others, financial institutions that stand to gain by



charging higher fees to individual investors than they can to pension plans, political ideologues who recognize and fear DB plans as the cornerstone of a strong and organized public sector workforce, and groups who erroneously think DB plans are too costly.

State and local public retirement systems are designed and funded to provide benefits so that retirees will have an assured income for life.

**Unlike** a DC plan, which does not guarantee an income for life, defined benefits are paid monthly throughout retirement and often have cost of living adjustments and benefits for survivors. Defined benefit plans are funded through investment returns, employer and employee contributions, and state and/or local government funding. These sources must generate sufficient funding to pay benefits not only to

current retirees, but also to future retirees.

**The** funding of retirement systems can be subject to political pressures. For example, in times of fiscal stress, some legislatures have made decisions that undermine the stability of the retirement system.

**NEA** is at the forefront of protecting retirement security of educators and support professionals through its own research, advocacy and members education, as well as participation in coalitions such as the National Public Pension Coalition and organizations such as the National Council of Teacher Retirement.

**NEA** believes that the retirement security of all preK-12 members can be assured only by participation in a state or local retirement system with a guaranteed and adequate defined benefit retirement plan such as the one we have in PERA, and that such plans must be funded in a manner that assures the long-term stability of the plan.

## From the Master Agreement: Articles 23, 26 & 33 - Leaves of Absence

Paid leave of absence is a benefit provided teachers under the Master Agreement between AEA and APS.

\*Full-time teachers accrue 12 days per contract year which may be used for paid health leave, bereavement leave or personal leave.

\*The 12 days are earned in equal amounts over nine months in the amount of 10 hours per month. Accrued leave is documented on the monthly Advice of Deposit.

\*Teachers may use paid leave for their own injury or illness, or for the injury or illness of a member of their immediate family. Immediate family members are defined in Article 22, Section 1.

\*Bereavement leave with full pay may be requested and granted for five days for each death in the teacher's immediate family. Bereavement leave comes from the individual teachers' accrued paid leave.

\*First year teachers have access to all accrued leave before it is actually accrued.

\*Teachers can use two of the 12 days each year for special (personal) leave, which must be requested in advance. This leave may be used for purposes such as legal, business, household, family or religious matters.

\*Special leave will not be granted on the day before or the day after a holiday or vacation period unless the teacher has actually been at work between the holiday or vacation period and the day requested for special leave.

\*Teachers may accrue accumulated unused leave without any maximum. Teachers with 10 years of service are eligible for pay for unused accumulated leave minus the first 30 days of leave. Each day in excess of the first 30 days shall be paid for at the current rate of .0015 times the teacher's annual salary at the point of termination.

\*Teachers may be required by the chief personnel officer or designee, to verify the illness or injury by furnishing a medical doctor's statement or certificates.

\*Teachers should be aware that the district and building administrators are monitoring leave usage and keep records of use patterns by employees. Teachers who exhibit a regular pattern of leave usage may find their paid leave usage questioned, and can be requested to produce a doctor's excuse when taking sick leave.



### AEA Officers & Board Directors

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*The Aurora Education Association is the exclusive representative for all teachers full and part-time hired on contract in APS in matters involving collective negotiations with respect to wages, hours and other conditions of employment.*

*The mission of the Aurora Education Association is to empower licensed educators to advocate for students and themselves in order to provide quality education, professional excellence and economic security.*

*Our vision is to be an exemplary organization working together as powerful professionals. Through solidarity we are a collaborative and proactive Association. We are unified by our strengths and commitment to advocacy for children and to empower our members.*

*AEA is an affiliate of the Colorado Education Association and the National Education Association.*

