

## HCEA Supports Centennial Staff

*Parents and community posted bright pink balloons around Centennial High last year to show support for CHS staff.*



When the Centennial High School staff found themselves embroiled in a controversy last spring that called their professional integrity into question, HCEA was there to support them. “We turned to HCEA to understand our legal rights, for help in developing strategy and to get our message out to the community,” said Nan Collins, HCEA rep at CHS. HCEA helped publish an open letter from CHS staff to the Board of Education and informed HCEA members at other schools how they could help. “HCEA respected how our CHS members wanted to handle things,” said Collins. “The support we felt from HCEA members across the county helped us through a very difficult time. It made me proud of our Association.” You can read more about the Centennial High School controversy and some of the positive things that have resulted from it on the HCEA web site.

## Is your back covered?

MSTA’s Legal Services Program provides HCEA members coverage above and beyond NEA’s One Million Dollar Educator’s Liability Insurance. Staff are as close as a phone call for members’ on-the-job issues. Professional advocates have decades of experience helping school employees. MST A attorneys are the state’s most experienced in education and employment law. The MST A/NEA attorney referral program provides assistance for many non-job-related legal issues. To find out more, call HCEA or visit the HCEA web site.



## ESPs Enjoy HCEA Picnic

*This June HCEA held its Fourth Annual ESP Picnic. HCEA arranges a long lunch hour for instructional assistants, secretarial/clerical staff and other Education Support Professionals and hosts the event to thank them for the vital job they do in our schools. More pictures are on the HCEA web site.*

## Ken Hovet Victory

Last fall, Oakland Mills HS history teacher, athletic director and coach Ken Hovet was suspended after an OMHS football player was found to be academically ineligible because of improperly changed grades. In August the School Board found that the penalty imposed on Ken was unjustified by the evidence. Represented by MST A attorney Jim Whattam, Ken got his job back with back pay. “The legal defense to get my job back would have cost me over a hundred thousand dollars without my Association membership,” Ken told HCEA Works. (Ken is seeking to recover private attorney fees from HCPSS for a related court action.) Get the background on the case on the HCEA web site.

## Observations, Evaluations

### Procedures Protect You

Your HCEA contract spells out what procedures must be followed when you are observed and evaluated. HCEA negotiated these procedures so that the process would be as open and fair as possible and would support employees in improving their job performance. HCEA will hold two workshops, one for teachers (October 19) and one for ESPs (October 20), to help HCEA members understand how the procedures affect them. HCEA also helps individual HCEA members address issues raised by supervisors during the observation/evaluation process.

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# Your Voice

by Joe Staub,  
HCEA  
President

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*“We forged partnerships to hold the governor responsible for school funding. We worked with the Board of Education to secure a 6% salary increase for the employees we represent.”*

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## Looking Back and Looking Ahead

It wouldn't be an exaggeration to say that last year was a tough one. Tough when we saw a colleague suspended without pay on an unfounded allegation. Tough when a high school staff had its integrity questioned. Tough for the Board of Education, which had to fire a superintendent who'd lost the confidence of staff. Tough for them, too, when staff, community and HCEA disagreed with them on some important questions. Our new superintendent returned to the county in the midst of controversy and it was tough as the drama played out in the press.

But we, who teach the children and keep the schools running, are tough, too. We kept on teaching, counseling, tutoring and supporting our students. We found allies in parents and our school communities. We forged partnerships to hold the governor responsible for school funding. We worked with the Board of Education to secure a 6% salary increase for the employees we represent. We took the successes of the Howard County Public Schools to the airwaves.

We learned lessons from our successes and from adversity. Our 2004 HCEA Job Satisfaction Survey still shows too high a percentage of employees who feel they cannot “speak openly about important issues without fear of repercussions” or that there is not “an atmosphere of open communications and trust” in their school. Press coverage of the incidents at Oakland Mills and Centennial High Schools — the latter happened after the survey — might even have made situations worse.

HCEA worked with those concerned to right the wrongs they encountered. We look forward to positive things coming from what we went through. The Board of Education is discussing how to address issues of plagiarism and academic integrity, student withdrawal from courses and the changing of student grades, student academic eligibility, and guidelines for parent-teacher conferences. HCEA representatives will be participating on committees that help the superintendent prepare policy recommendations. (Call me at HCEA to volunteer.)



President Joe Staub talks with Greg Smith. (See “Rep Vindicated” article, page 5.)

HCEA welcomes an open dialogue with the superintendent. We look forward to making progress together. We'd like to see more professional development support for teachers and ESPs. We'd like to address the issues of threats or retribution by supervisory personnel and the disparity of treatment between our members and administrators when problems arise. We'll have the opportunity to raise workplace issues through contract negotiations this year. And, as always, we want to work with the Board of Education to keep Howard County's salaries and benefits at the level that will continue to attract the best of the best. If these issues are important to you, I invite you to join us and get involved in HCEA!

### Corrections

- Nurses and health assistants are an important part of our Association, but were left off the list of job categories HCEA represents on page two of the last issue of *WORKS*.
- The first sentence in the last paragraph on page two should read “Thanks to HCEA and MSTTA advocacy last year, salaries are 6% higher than they were last.” HCEA negotiates salaries for step two and above; step one (starting) salary is set by the Board.

### Have you married or moved?

If you married and changed your name this past year or changed your address, phone number job or school assignment, please call Denise Palmisano at HCEA at 410-997-3440.

## Team Leaders

### HCEA Wins Arbitration

HCEA negotiated a stipend for Instructional or Team Leaders (I/T Leaders) for additional duties *during* the regular teacher workday. Those who attended meetings beyond the workday did so with the understanding that their attendance was voluntary. As the number and length of these meetings increased (some even beginning after the end of the contractual workday), pressure to attend increased. When the Board told I/T Leaders they were expected to attend or send a replacement, I/T Leaders came to HCEA for help.

HCEA filed a grievance on their behalf, arguing that attendance at after-school meetings was voluntary. HCPSS took the position that the stipend implicitly gave them the right to require attendance after the workday. The Association responded in arbitration that, if the meetings had effectively been made mandatory, I/T Leaders should be compensated for attending.

The arbitrator found that “[I/T] Leaders are entitled to limit their activities to the contractual workday, and *cannot be disciplined for failing to attend voluntary meetings occurring after the contractual workday.*” The Arbitrator called the Leaders’ commitment to their educational mission “*laudable,*” but denied additional pay for meetings that had been attended prior to the grievance.

This victory means that the Board can address a growing number of post-workday meetings only by bargaining with HCEA. The final outcome will be determined by addressing the issue as a unified group through HCEA.

## What’s Up with Grievances and Binding Arbitration

If an administrator’s action or decision violates employee rights in either of HCEA’s negotiated agreements and discussion doesn’t resolve the situation, a grievance can be filed to force the school system to follow the contract. A grievance is simply a complaint that some part of the contract has been misinterpreted or violated. The grievance procedure has three steps: 1) with the immediate supervisor (or his/her representative), 2) with the superintendent (or his representative) and 3) binding arbitration.

In binding arbitration HCEA and HCPSS mutually select a qualified impartial arbitrator to decide the issue. Both sides present evidence. The arbitrator decides on the merits of the case. The contract specifies that the arbitrator’s decision will be final.

The Association may not always be completely pleased with an arbitrator’s decision, but the process is an important tool for securing employees rights. It can avoid prolonged conflict and costly legal action. It also helps HCEA to have issues decided on merit, rather than on the whim of administrators.

## Ruling Disappoints Psychologists

The teachers’ contract requires that new employees in the teachers’ unit be “placed on the proper step of the salary schedule according to their certification, experience and education. . . .” At a meeting of school psychologists, psychologists asked HCEA why they weren’t given credit for previous experience. HCEA was shocked to learn that HCPSS was placing psychologists on the teachers’ scale and then moving them onto the psychologists’ scale as if they had been promoted. This interpretation of contract language effectively denied psychologists credit for previous experience. HCEA psychologists grieved and the grievance went to arbitration.

HCEA staff and MSTA’s attorney argued forcibly that this injustice had cost HCEA members tens of thousands of dollars. The Board ignored the definition of the word “teacher” and the words “due to promotion” in the contract – and based their argument on the fact that they had been doing it for 15 years! The arbitrator ruled against the employees, saying the Board’s practice had been consistent and hadn’t been challenged in a timely manner.

HCEA fought the good fight on this one, after belatedly learning about the situation. Bringing the Board’s practice to light is a warning to all employees to read their contract carefully, check their salary scale placement and paychecks carefully and contact HCEA as soon as they find any discrepancy.

### HCEA ArtSpace presents Recent Works of Judith Fulmer



(Teacher, Hollifield Station ES)  
October 1<sup>st</sup> – December 17<sup>th</sup>  
Monday – Friday, 9 AM – 4 PM  
or by appointment

**Opening Reception –  
Friday, October 1, 4 – 9 PM**  
HCEA Office

*(HCEA member artists interested in working with the HCEA ArtSpace Committee to show their work, please contact Marilyn Hunter at HCEA.)*



## Join us!



HCEA building rep Debra Rambo (LA, PVMS) talked about her HCEA/MSTA membership on the front page of the September MSTa ActionLine. Good job, Debra!

HCEA is growing in numbers, strength, programs and services. Member support allows HCEA to address the issues our members care about. If you aren't already an HCEA member, now is the time to join. Non-members will only receive selective communication from HCEA in the future. They will not receive *HCEA WORKS* or *HCEA Marketplace*.

## ParaPro Workshops a Success

*"Thanks to you guys for getting me through it. I couldn't have done it without you."*

*"Going over it with you all at HCEA gives you that little extra bit of confidence!"*

— Candace Hill and MaryAnn Flannery, special ed assistants at Lime Kiln MS, who passed this summer with flying colors.

HCEA will hold a general information session on the ParaPro Assessment Test on Tuesday, September 28<sup>th</sup> from 4:15 to 5:30 at the HCEA Office. Workshops on preparing for the math and reading/writing test sections will be held prior to the November 20<sup>th</sup> test date. The ParaPro Assessment test will be given at Oakland Mills High School on January 8, March 5 and April 16, 2005. For more information, visit the HCEA web site.



## New Teacher Orientation

*Judy Snyder and Estelle King were among the HCEA members who greeted their new colleagues and talked to them about HCEA. The majority enrolled on the spot. If you are a new employee and your HCEA building rep hasn't been in touch yet, you'll find your rep on the HCEA web site.*

## Teacher Negotiations Begin

As soon as the ink was dry on this year's salary schedules, a group of teachers began the task of fashioning a new HCEA contract. While most HCEA members were enjoying the last days of summer vacation, members of the Teacher Contract Committee were busy analyzing contracts from neighboring school systems and HCEA Contract Input forms in preparation for 2004-2005 teacher contract negotiations.

HCEA thanks Karyn Bitzel (BWES), Ann DeLacy (MHHS), Doug DuVall (WLHS), Leirdre Galloway (RHHS), Nellie Hill (LKMS), Colleen Morris (GES), Ron Reis (WavES) and Susan Shipp (LRHS) for their hard work and dedication in laying the groundwork for the Teacher Negotiations Team. Members of the team this year will be Ann DeLacy, Lauri Hornicek (MWES), Nellie Hill (LKMS), Colleen Morris, Ron Reis and Dean Sheridan (GHS).

The teacher team and volunteers for the ESP Negotiations Team will be attending the MSTa Collective Bargaining Seminar on Saturday, September 18<sup>th</sup>. (HCEA does not begin ESP negotiations until December. Watch the next *HCEA WORKS* for updates on ESP negotiations.)

## Association Rep Vindicated

### State Board Rules against Retaliation

Greg Smith was HCEA building rep at Howard High School when he was administratively transferred. Greg felt he was transferred because he had stood up for his and other HCEA members' rights. He had previously grieved an assignment to a coaching position and meetings scheduled during planning time. HCEA has a memorandum of agreement with the school system that building reps will not be transferred except for cause.

With the support of MSTa attorney Jim Whattam, Greg appealed the transfer to the Howard County Board of Education, saying it was done in retaliation for this Association advocacy. When the HCPSS Board ruled against him, he appealed to the Maryland State Board of Education. It's rare for the State Board to reverse a county board of education, but in this case, the State Board did just that. Greg has chosen to stay at Centennial High School, but says, "Hopefully, with my win, other administrators will hesitate to recommend moving someone for standing up for their rights." Read an interview with Greg on the HCEA web site.

## Dates to Remember:

Please RSVP to HCEA for the events below.

### New Teacher Support "Chit-Chat and Chew"

Hearty snacks, good advice and answers to your questions.

Three dates in three locations

4 – 5:30 PM

Tuesday, September 21<sup>st</sup>

Longfellow Elementary School

Wednesday, September 22<sup>nd</sup>

Folly Quarter Middle School

Tuesday, September 28<sup>th</sup>

Long Reach High School

### ParaPro Assessment Workshop Overview

Tuesday, September 28<sup>th</sup>

4:15 – 5:30 PM, HCEA Office

(See article page 5)

### HCEA ArtSpace Opening Reception

Works of Judith Fulmer

Friday, October 1<sup>st</sup>

4 – 9 PM, HCEA Office

(See box on page 3)

### MSTA Representative Assembly & Convention Workshops

Friday, October 15<sup>th</sup> and

Saturday, October 16<sup>th</sup>

### "I Can Do It!" Workshop on Classroom Management Techniques

Wednesday, October 13<sup>th</sup> (first part) and  
Monday, October 25<sup>th</sup> (conclusion)

4 – 7 PM (light dinner provided)

Faulkner Ridge Center, *RSVP required*

### Observations & Evaluations

Tuesday, October 19<sup>th</sup> (teachers)

Wednesday, October 20<sup>th</sup> (ESPs)

4 – 5:30 PM, HCEA Office

### Preparing for Parent Conferences

Tuesday, November 16<sup>th</sup>

4 – 5:30 PM, HCEA Office

### November 17, National ESP Day

### National Board Certification Reception

Thursday, November 18<sup>th</sup>

4 – 5:30 PM, HCEA Office

## Board of Education Elections

### Make a Difference this November

In November, Howard County voters will elect two new members of the Howard County Board of Education. The HCEA Government Relations Committee interviewed candidates about their positions on public education and educator rights before the spring primary election. The candidates HCEA recommended finished first, second, and third. The two who are elected in November will make decisions that affect educators' worklife, salary and future. HCEA will be actively working to elect **Mary Kay Sigaty** and **Diane Mikulis**. You can help by volunteering to work on behalf of either or both candidates and/or at the polls before or after school on November 2<sup>nd</sup>. Contact Dan Collins at HCEA.



## Job Satisfaction Survey Results Posted

HCEA conducts a Job Satisfaction Survey each spring. Teachers and ESPs express their opinions anonymously about issues that affect their schools, their jobs and student learning. Results are reported to the Board of Education and the Superintendent. They also help HCEA set priorities.

Combined reports from all schools are available on the HCEA web site.

Individual school reports are sent to HCEA reps in schools. Teacher reports have been distributed. ESP reports will be sent soon to those schools with 10 or more ESP responses needed for survey validity. Instructional assistants and secretarial/clerical reports will be posted on the HCEA web site.

## "I Can Do It!" Training

*HCEA teacher and instructional assistant members had a good time and learned something, too at the August 11<sup>th</sup> MSTA/NEA "I Can Do It" training in classroom management skills and techniques. HCEA educators were part of a "model class" for the program, which HCEA will present in October. See Dates to Remember for details and the HCEA web site for more pictures.*

  
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