

# VIEW FROM THE PEAK



December 2009

THE NEWSLETTER FOR MEMBERS OF THE PIKES PEAK EDUCATION ASSOCIATION

## Happy Holidays!

Happy Holidays to all of you, our members.

Who doesn't love this season of cozy evenings, ornamentation, festivities and family?

This month is rather big for my own family as my mom celebrates a special birthday and my parents recognize 35 remarkable and treasured years of married life!

A couple weeks ago, the three of us sat in the living room watching the Broncos-Chargers game and counted up the total number of years we had accumulated working in Colorado's public education system as teachers and ESP. We summed up our individual careers, and we totaled over 60 years! If my brother had been there, we would have reached 70 years. That's an impressive amount of service from one family, though I'm sure some of your own families could surpass us.

As retirement approaches for my parents, I myself am concerned with how they will fare. They have certainly put in their time, and I want what they deserve: the best quality of life possible upon leaving the work force, time to spend with their grand-daughter, and peace of mind in regards to finances.

As members of the CEA family, we all want the same thing for each other: a defined benefit retirement plan that will maintain our financial security.

To that end, we at PPEA are having a PERA presentation at our board meeting on January 21 at 5:30 p.m. A representative from CEA will be here to speak to our efforts in securing our members' financial

futures. If you are at all interested in your own retirement investment or your families', please join us. RSVP with Maryann by calling 635-5694.

Additionally, **Pete Lee** will be here to speaking about House Bill 08-1117, "Restorative Justice in the Children's Code," which passed into law last year. We all interact with children who have experience within the judicial system as victims and criminals. Come learn about this new state law crafted with the help of all stakeholders!

What a lucky daughter I am to have been raised by such caring parents who encouraged my education and advocacy. I am proud to have been raised union! **Please join us in January for an informative evening!**

*Liz Koop, PPEA President*



**Don't forget to use your MEMBER ACCESS CARD this holiday season!** Cards have been sent to all locals and should have been distributed to every member by now. If you have not received your card, contact your local president. For existing members, your current ACCESS card is valid until 12/31/09, and new cards are good from 01/01/10 to 12/31/10.

**NOTE:** If you joined the Association AFTER October 1, your ACCESS card is being mailed to your home address and you should receive it before Christmas.

Please join us for a special PERA presentation on  
**Thursday, January 21, 2010 at 5:30 p.m. at PPEA.**

**Dinner will be provided!**

**RSVP to [mbarrett@nea.org](mailto:mbarrett@nea.org).**

## How to Stay Out of Hot Water Concerning the Observance of Religious Holidays *by Mike Stahl, UniServ Director*

At this time of year, the hot button topic of religious holidays becomes particularly relevant to educators. It can sometimes be treacherous terrain to navigate. In our diverse nation, religious plurality is the reality of our public school landscape, and it is growing. As a result, it becomes more and more important to be aware, respectful and sensitive to all of the various systems of belief or non-belief. Religion and corresponding observances of religious holidays are very important aspects of our culture; however, public schools may neither promote nor inhibit a specific religious belief or non-belief. Here are some points to help navigate the sometimes tricky environment of religious pluralism that undoubtedly exists in all our schools:

- Stick to the standards and curriculum of your instructional duty. Teaching about religion and observances is entirely appropriate given that it is tied to objectives that are driven by the instructional standards and curriculum of your discipline. Celebrating a specific religious holiday in the classroom likely crosses the line and would no longer be considered simply teaching about a religious holiday.
- Try to be inclusive in discussions of various religious holidays. Discussions that focus on how and when celebrations occur, their origins, history and generally agreed-upon meanings can be valuable, fostering understanding and mutual respect for various beliefs. Avoid asking students to explain their beliefs and customs. This may put certain students on the spot and make them

uncomfortable. If an explanation is offered, consider it thoughtfully. If it fits with the relevancy of standards and curriculum and can be presented objectively, it could enhance the discussion.

- Don't use discussions about religious holidays to proselytize or inject your personal religious beliefs. One can avoid this by using attribution, i.e., "some Buddhists believe..." In any context, the study of religion must not be coercive and must neither promote nor be hostile towards religion.
- Religious symbols may be used in classrooms if they are used only as examples of cultural or religious heritage. Students may utilize religious symbols in artwork or literature, but teachers should steer clear of encouraging or discouraging specific use of symbols.

What about music programs? Sacred music and hymns may be used in music programs and often are. It is appropriate to include a variety of selections that avoids proselytizing messages. Being inclusive and sensitive to differing beliefs while achieving educational objectives is the best plan. The same rule applies to art, drama or literature programs. Students may perform at various churches, temples or synagogues, but should be careful of being exclusive in doing so. The objective here is to devise seasonal programs that serve an educational purpose for all students and make no student feel excluded or identified with a religion that is not their own.

Parents have the right to excuse their children from school for religious observances and many districts have policies that specifically address this. Likewise, some parents or students may ask

to be excused from certain activities that focus on religion even if they are academically focused. Some of these requests may be granted to strike a balance between the student's religious freedom and the school's interest in providing a full and well-rounded education. Be sure to get direction from your building administrator on how to proceed in these matters.

Teachers, administrators and parents should try to promote greater understanding and tolerance among students of different traditions by taking care to adhere to the First Amendment's prohibition against school-sponsored endorsement or promotion of religious beliefs of any kind. By following this great American tradition, our public schools can best celebrate the religious freedom upon which our nation was founded.

Without question, there are many who disagree with the manner in which we should respect the plurality of religious belief. I'm certain there will be those who disagree with my suggestions. Nevertheless, I hope everyone can steer clear of this type of trouble and enjoy whatever, if any, holiday celebrations are on the horizon this month.

*\*Information for this article was gathered from The December Dilemma by the Anti-Defamation League and from Religious Holidays in the Public Schools: Questions and Answers distributed by the National Education Association.*



## ATTENTION former Harrison District 2 Employees

If you earned a performance bonus from Harrison School District, but left the district and never received payment, you may still be eligible to receive your earned bonus. The U. S. Department of Education has stated, and the district is aware, that unless you agree to "mandatory retention" in order to receive bonus pay, the district must pay you what you have earned if you provide them with a forwarding address. If this situation applies to you or someone you know, please contact the PPEA office at 719-635-5694.

A formal letter should be sent to the district to request the bonus pay, along with your current address for them to send payment. Teachers work hard and your hard work, as everyone else's, should be compensated. We want to be sure that everyone affected by this situation receives their due compensation.

## Woodland Park Education Association Achieves Bargaining Goals

*By Laura-Lee Barron, PPEA VP*

In such a tight fiscal year, WPEA feared that they might not see any success at the fall bargaining table. Bargaining members hoped to guarantee staff both steps and classifications on the salary schedule; however, rumors implied that meeting both those expectations might exceed budget constraints, especially when considering the increase to insurance coverage which RE-2 fully funded for individual employees in previous years.

Moreover, the representatives hoped to offer positive financial outcomes for those staff that were bottomed out on the salary schedule. Most union members and non-members understood that any type of percentage increase was unlikely in this smaller district with declining student enrollment.

WPEA President Thad Gemski began bargaining with a goal and a

plan. Since insurance increases were an unknown amount until November 2009 or later, he suggested that the additional cost of insurance coverage not be part of the budget discussions. He and others believed that insurance was an individual decision, a national crisis, and not necessarily a benefit that all employees used. With that consideration erased, enough monies existed to almost fully fund steps and classifications for all employees. The school board would need to approve the use of some reserved funds, less than \$50,000.

In addition, Gemski and school board President Rick Wetzel created a retirement package which would allow some members of the faculty to retire either in 2010 or 2011. The incentive allowed individuals to buy cells on the salary schedule with previously saved sick days. The district benefits by the savings seen with retirement of large salaried em-

ployees, while the retired employee would benefit for the rest of his/her life. School board representatives and administration hoped that since sick days represented a financial benefit, employees would not abuse the use of the saved days.

Furthermore, the district would pay the PERA dues usually covered by the employee. Finally, depending on the plan chosen, individuals might increase their Highest Average Salary and thus increase their monthly retirement payments for life: a benefit to all involved. At least 10 individuals took advantage of the retirement incentive package.

On a last note, the new insurance package cost individuals as little as \$5 a month or \$60 a year; nowhere near the approximately \$1,000 increase for a step or classification change received by faculty.

**Why do some of our dues go toward political activities?** Our Association is in the business of public education. Because public education is public dollars, every aspect of your daily work life is affected by decisions made by elected officials. EMO (Every Member Option) and our political action program give our members a voice in the decisions made about public education and their jobs. EMO supports local mill and bond elections and was critical in the defeat of the 2008 ballot issue which would have taken away members right to have their dues payroll deducted. EMO supports candidates that support a defined benefit program through PERA.

Full time Active Teacher Members pay \$39 CEA EMO and \$6 PPEA EMO. Part-time Active Teacher Members pay \$19.50 CEA EMO and \$3 PPEA EMO. Full time Active ESP Members pay \$19.50 CEA EMO and \$3 PPEA EMO. Part-time Active ESP Members pay \$9.75 CEA EMO and \$1.50 PPEA EMO. An Active member can be refunded the EMO sum by notifying CEA and PPEA in writing before December 15. CEA sends a letter about the EMO refund process to all Active members who join after December 15. CEA includes EMO refund information in the CEA Journal twice annually.

# Your due process rights are under fire

By Mike Stahl

Recently, the letter from the Denver Area School Superintendents Council you find below was submitted to the CDE and Lt. Governor Barbara O'Brien. As you will see, the letter seeks to diminish your rights of due process under Colorado law. Several superintendents from the Front Range and El Paso County support changes to due process and extending probationary periods for new teachers. Current law allows districts to remove poorly performing teachers through evaluation. Principals who properly attempt to assist teachers and document poor performance can begin efforts to remove these poorly performing teachers. Several superintendents wish to be able to remove teachers without providing them the chance to improve or without having to permit due process. The CEA believes that this is a misguided effort to place further blame for any and all failings of schools upon those who are trying the hardest to improve student achievement, teachers, while skirting their own duties to handle improving student achievement professionally. Does your superintendent support these changes? You should ask them and ask your school board members about the letter to find out if they have seen it and how they feel about it.

## Following are the letters in their entirety.

October 23, 2009

Dear Lieutenant Governor O'Brien and Commissioner Jones,

The Denver Area School Superintendents' Council (DASSC) applauds the efforts in Colorado to develop a proposal for "Race to the Top" funding. We know that many individuals have devoted long hours to determine the most effective strategies for accelerating the achievement of Colorado students. The members of DASSC, the superintendents of the 23 Front Range school districts, are taking this opportunity to clearly state our opinion that the critical element in school reform and in accelerating student achievement is Teacher Effectiveness. This opinion is based on research, literature, and experience. Consequently, we are advocating for the following changes in statute and in practice as part of the application for "Race to the Top" and as part of Colorado's future policy efforts in school reform.

### **Changes in the Probationary and Continuing Contract Status of Teachers**

- Currently Colorado statute requires that teachers are granted continuing contract status on the first day of their fourth year of teaching. Once a teacher has continuing contract status, they are protected by the Teacher Dismissal Act. We would advocate a change in this statute so that teachers are not automatically granted continuing contract status after three years. The superintendents in DASSC have discussed two options for changing the automatic granting of a continuing contract. We would look forward to wider discussion of these options with other superintendents and with policy makers in Colorado.
  - The first option is that districts would have discretion to grant continuing status at any time after the end of a teacher's third year and before the end of a teacher's seventh year. We would advocate that the current statutory provision for non-renewal be maintained. That provision provides for the standard that a probationary teacher may be non-renewed for "any reason deemed sufficient by the superintendent."
  - The second option is to lengthen the period of time before continuing contracts are granted to five years for all teachers in all school districts. Again, we would advocate that the current statutory provision for non-renewal be maintained. That provision provides for the standard that a probationary teacher may be non-renewed for "any reason deemed sufficient by the superintendent."
- Another provision we would suggest changing is that once teachers have non-probationary status, their status is subject to renewal every five years. That renewal would clearly symbolize the need for continuous learning and continued high quality performance for educators.

### **Changes in the Teacher Dismissal Act**

- All superintendents in DASSC want teachers protected from arbitrary decisions and capricious behavior on the part of any school administrator. However, the Teacher Dismissal Act has created an unworkable, complex, drawn out process for dismissal of any licensed teacher whose performance is not satisfactory. We would advocate that the Teacher Dismissal Act be reviewed and revised so that the following could be accomplished.
  - While maintaining protection, the protracted process should be simplified and shortened. Teachers should not have 100 days of pay while the case is moving forward from the grievance process through a hearing in front of an administrative law judge unless the teacher wins the hearing in question and is reinstated. Otherwise, we would advocate that paying teachers ends when the district moves for dismissal.
  - Remediation and dismissal statutes should align with districts' teacher evaluation systems. To be successful and drive student achievement, districts must be able to reward talented educators and replace those who are ineffective. With the goal of a fair and efficient dismissal process, the statute should streamline provisions on remediation. Rather than a lengthy remediation process the statute should require that before teachers are recommended for dismissal, they have received a notice of deficiencies and a reasonable time within which to improve to the point of consistent satisfactory performance. The required due process should

- center on the notification and the fairness of the treatment received prior to dismissal, rather than around the “remediation process” currently required before the recommendation for dismissal. Streamlining the process would eliminate a separate “remediation process” while protecting the rights of teachers to notice of deficiencies and an adequate opportunity to improve. Through notification and focus on improvement, the process can become a more meaningful performance improvement process rather than a procedural step towards dismissal.
- The burden of proof at a contested dismissal hearing for performance based issues should be shifted from the school district to the individual teacher. The teacher should have to prove arbitrary or capricious behavior on behalf of the school district. The use of the arbitrary and capricious standard should recognize that school administrators should have considerable discretion and judgment about whether a teacher is performing his or her job in a satisfactory manner. We also believe that the losing party should pay hearing related expenses.

- Another aspect of the Teacher Dismissal Act that we would advocate be changed is that when teachers lose their position at a particular school, they are not guaranteed another teaching position in the district. Districts should have no obligation to force place those teachers in other schools. Rather, teachers should be given some fair time period, perhaps up to a full year including one full hiring season, to find a position in another school. If that period expires without the teacher finding a job through the voluntary staffing process, the district should have no further obligation to continue employing that teacher even if the teacher has a continuing contract. The provision for allowing time for a teacher to find another position should not apply when a district is involved in a reduction in force because of declining enrollment or budget reductions.

- If a teacher is not recommended for dismissal following a hearing process and the Board of Education places that teacher on a year of probation, the law should be clarified that the teacher can be non-renewed at the discretion of the superintendent at the end of that year if the teacher does not meet performance standards as defined in the evaluation process.

#### **Implement the Professional Work Year**

- Superintendents applaud the success of our teachers over the last five years. Their worlds have changed and the majority of teachers have met the challenges with distinction. However, despite the dramatic changes in the expectations and in the requirements, the time teachers have for teaching and for learning has not expanded significantly over the past 30 years. If we know that the well trained, well paid teacher is the key

- variable in changing student achievement, then we must find more time for meaningful teacher professional development and more time for intense work with students.

- If we are truly committed to reform in education, the teaching profession must be expanded to a full time profession. We would advocate that by having teachers work a longer year, they would have more time for instructing students and more time for adult learning. The science and art of teaching have changed. The time for developing skills in teaching has not.

- We understand that expanding the teacher work year would require significant new funds. We believe that school districts would willingly pilot the concept if any of the “Race to the Top” funds are dedicated to a professional work year for teachers and principals. We are willing to be held accountable for determining if more time for teachers results in meaningful changes in student learning.

#### **Implement an Effective Evaluation System**

- The sciences of assessment and measurement offer an opportunity to revise and, even, revolutionize how we evaluate districts, schools, and individuals. The evaluation processes for all three of those entities must be aligned and must be based on tangible results with students.

- We would advocate that Colorado develop a consistent evaluation system that is results based and fair and that aligns the systems used to evaluate districts, schools, and individuals.

Finally, we would encourage the distribution of Race to the Top funding to all school districts in Colorado. Our state has an opportunity to truly advance student achievement. All students in all districts should have access to the reforms that could be advanced with Race to the Top funds.

The superintendents represented by DASSC understand fully that our suggestions are not going to be welcomed by all stakeholders in public education. However, we believe it is time to professionalize education and take meaningful, bold steps related to Teacher Effectiveness. The vast majority of educators are capable, competent, and highly committed to their students. The steps we suggest above would strengthen an honorable profession.

Members of DASSC are willing to meet with anyone at any time to discuss our recommendations. Thank you for your work for the students of Colorado.

Sincerely,

The Denver Area School Superintendents, Council

cc: Matt Gianneschi  
John Hefty

November 11, 2009

TO: Denver Area School Superintendents Council  
FROM: Tony Salazar, CEA Executive Director  
RE: October 23 DASSC Letter

We were disheartened to read DASSC's letter to Lt. Governor O'Brien and Commissioner Jones. It is unfortunate that DASSC is using the banner of "teacher effectiveness" to advance a political agenda that underscores a decades-old dispute. Your letter is an unnecessary diversion in the Race to the Top process that adds no value to Colorado's application.

CEA members have been involved from the outset of the process as serious participants. As such, we have consistently said that improving "teacher effectiveness" requires a systemic approach that recognizes, supports and measures a teacher's ability and growth along a continuum of preparation, licensure, recruitment, induction and professional development.

DASSC places teacher evaluation at the end of the list of points in the letter. Is this really how superintendents view the importance of an effective teacher evaluation system? We believe teacher evaluation should be a priority, not an afterthought. We should be working together to revamp teacher evaluations so they measure educators' performance and truly serve as the foundation for quality instruction.

Your letter does not mention principals. Teachers must have instructional leaders who know how to recognize effective teaching practice, provide useful feedback and encourage professional growth. Teachers are willing to be held accountable for their classroom practice and performance when evaluations are based on effective teaching methods and not on brief observations that often include no direct feedback to improve instruction.

CEA makes every effort to partner with administrators and school board members, through their professional associations, on issues that impact public education. For example, we are working collaboratively on fiscal/tax reform and the school finance adequacy lawsuit. CEA has committed time and money to this work. Your letter is a passive technique that not only weakens these partnerships, but threatens potential new federal funding for our schools.

CEA views your recommendations as a means of stripping our members of their statutory protections. Teachers are placed in difficult, vulnerable situations every day of their professional lives. Superintendents should be identifying ways to support teachers through better teaching and learning conditions, improved induction programs, meaningful professional development, increased mentoring opportunities, and of course, quality evaluation systems. We view your attempt to scapegoat teachers for public education system failures as irresponsible when so many aspects of supporting healthy instruction can and should be addressed by superintendents.

Now is not the time to create divisiveness. Now is the time to develop a shared vision on teacher effectiveness and other critical topics by having an open, honest dialogue with all public education stakeholders.

cc: Lt. Governor Barbara O'Brien  
Education Commissioner Dwight Jones  
Matt Gianneschi, Governor's Office  
John Hefty, CASE

## Tomatoes, Aluminum Storm Windows and Children

*By Alllyn Kratz, UniServ Director*

When was the last time you had a GREAT tasting tomato? You know the ones. The color is a bright deep red, the skin is thin, the flesh juicy and sweet. The kind you find in your own garden when the garden is in the Midwest.

Some of you probably are wondering what I am talking about. The tomatoes you know are a whitish, yellowish, pink. The skin on them is tough, even a sharp knife has a problem with it. The flesh is hard and you are probably saying, "what juice?" This second example of a tomato is that produced by business. It has been selectively bred for the purpose thought important to the business person. This second tomato has a tough skin to protect it from insect bites, it has a very firm flesh so that it ships well and a long shelf life; it can sit on the shelf for ages. What it is missing is what the consumer thinks is important, flavor. Apparently, flavor was not as important in the selective breeding process to the business person. Uniformity in size, in shelf life, and in surface appearance seem to be what is important to the business person.

How many of you have storm windows on your home? The purpose of the storm window is to save energy lost out of the house window. The concept is to create dead air space between the house window and the storm window to form a barrier from heat transfer out of the house. A storm window works just like a Thermos bottle. The hot liquid in a Thermos bottle is contained within the inside container. There is dead air space between that inner bottle and the outside container; that air space is sealed and no air movement takes place to allow the heated air close to the inside container to carry that heat to the outside container.

The storm window is the same. The dead air space between the two windows prevents the heated air close to the inside window from moving to the outside window and transfer that heat away from the house. Business, however, saw an opportunity to take advantage of the lack of understanding by the average person of how a storm window works and developed a "storm window" out of glass and aluminum. This window was made to be convenient to open and close, to change screens, and did not rot or corrode. What could be better? The only problem with this is that, due to aluminum's nature of transferring heat so very efficiently, when a storm window was made of the stuff, the dead air space that was created was not dead. The aluminum took on the temperature of the outside air and the differential temperature of the two sides of the "dead air space" resulted in a convection current. As a result, heat continued to be transferred out of the house just as if no storm window existed. Ease of use, appearance and convenience were what was important to the business person.

Now the business people and the retired military generals seem to set their eye on education. The forces they are bringing to bear are to make education appear good, be uniform, be easy and inexpensive. They are pushing to have uniform standards for all children, not standards by state but national standards. These standards will be used to develop standardized tests. These tests can then be used to measure how closely each student meets these uniform traits. There are forces to implement merit pay for teachers so that they will be held to account to insure that their students are molded into this same uniform size and shape.

You might ask, so what's wrong with this concept? The answer to this question depends on what you think is important in education. If you believe fundamental knowledge of a subject is the purpose of education then there is nothing wrong with this concept. But, I believe our children need to learn so much more than basic facts. I believe each student is unique and they should not be molded into a uniform shape and size. I believe imagination is important; the ability to think, the ability to take unrelated information and form it into a new concept is important. I believe each and every student has the basic right to be different, and protecting that right is important. I believe the reason the United States has more Nobel Prize winners than any other nation is due to this belief having been an integral part of our public education system for many years. I believe our democracy works because of this basic standard having been maintained in our public school system. Unfortunately, it appears this standard of diversity has been attacked for the past twenty years and is now under additional attacks.

I do not want public education to go the way of the manufactured tomato or the aluminum storm window. Let us have a true debate and discussion about what education is and what is important. I do not believe uniformity is one of them.

View from the Peak is provided as a service to members of the Pikes Peak Education Association and is not intended for public distribution. To contact PPEA, call 719-635-5694 or write to 2520 N. Tejon St., Colorado Springs, CO 80907

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