

THE DES MOINES
EDUCATION ASSOCIATION

Tempo

VOLUME 17, NUMBER 8

APRIL 1993

APRIL CALENDAR

April 1-2

ISEA Delegate Assembly
Hilton Coliseum, Ames

Monday, April 5

GA/LA Committee
DMEA Office, 4:00 p.m.

Tuesday, April 6

Dept. of Associates
DMEA Office, 4:00 p.m.

Wednesday, April 7

Executive Board
DMEA Office, 4:00 p.m.

Saturday, April 10

Legislative Breakfast, Embassy
Suites, 9:00-11:00 a.m.

Monday, April 12

IPD/Human Relations Committee
Member Services Committee
DMEA Office, 4:00 p.m.

Tuesday, April 13

Scholarship Committee
DMEA Office, 4:00 p.m.

Thursday, April 15

Faculty Representatives
North Cafeteria, 4:00 p.m.

Tuesday, April 20

Scholarship Committee
DMEA Office, 3:45 p.m.

Thursday, April 22

Executive Board
DMEA Office, 4:00 p.m.

POSTER WINNERS

Janis Bowden, Chair of the DMEA Human Relations Committee submitted the following report:

Our women's history poster drawing at the March 1 In-Service was a huge success with hundreds of slips submitted! Winners, in the order they were drawn, were the following:

- Nancy Mullin, Purchasing Department
- LaVon Cooper, Windsor Elementary
- Toni Austin, Park Ave. Elementary
- Claudia Mussell, Greenwood Elementary
- Barbara Fors, Hoover High School
- Jan Weiberg, King Elementary
- Mary Lee Lane, Willard Elementary
- Jean G. Ellerhoff, Central Campus
- Berniece Wright, Rice Elementary
- Karen Brocksmith, Stowe Elementary

*Congratulations to all
the winners!*

Anyone interested in more information on The Women's History Project, may write to them at 7738 Bell Road, Windsor, California, 95492-8518; their phone number is 707-838-6000. This organization is open year-round. The goal is for teachers to incorporate women's history into their lessons always instead of waiting to teach it in March, the designated month celebrating women's history.

Expanding the Focus of What We Teach, a teacher training workshop on integrating multicultural women's history in the curriculum is being held April 7 and April 8. Co-sponsors are the Iowa Department of Education, Early Childhood, Educational Equity Project, Iowa Commission on the Status of Women and Iowa Women in Educational Leadership. The **April 7** session will target the **Elementary and Middle Focus** and the **April 8** will target the **Middle and Secondary Focus**. All sessions will be at the Westmark Convention Center at I-80 and Ashworth Road. Registration is \$30.00 for one day or \$50.00 for both days, deadline is March 31. The hours are: Registration 8:30-9:00 a.m., Meeting 9:00 a.m. to 4:00 p.m. For more information, call **Helen Clay at 281-3904**.



CORRECTION

We inadvertently neglected to include **Hiatt Middle School** in our list of outstanding membership buildings. They were presented a Gold Certificate at the March 11 Faculty Representative meeting for attaining **97.9%**!



From the Director...

MARY D. LANGE

Staff Reduction...

The Des Moines Public Schools proposed budget as presented to the school board on March 16 has created many serious concerns

for our members. At the Faculty Representative meeting on March 11, I gave the FR's a memo in which I outlined the rights of the district under Chapter 20 and the rights of employees in the Comprehensive Agreement.

The District, as a public employer under Chapter 20.7 of the Iowa Code, has the right to "Relieve public employees from duties because of lack of work or for other legitimate reasons" and "Initiate, prepare, certify and administer its budget."

The Teachers' Comprehensive Agreement (Article XI, Section A,#2) defines the process by which the employer determines which employees are to be excess or laid off due to budget decisions. The order in which reductions will be accomplished is:

1. Through **attrition** [retirements, resignations, leaves of absence, etc.]
2. From among employees with **temporary or emergency certification**, unless otherwise needed to maintain an existing program.
3. From among **part-time** employees [those working less than .8 time or less than 30 hours per week] **with less than 3 full years** full time equivalent employment in the District [a half-time employee would have to work for 6 years to earn 3 years full time equivalent], unless otherwise needed to maintain an existing program.
4. From among **probationary** employees, unless otherwise needed to maintain an existing program.
5. From among regular **part-time** employees **with three or more years** full time equivalent employment in the District, unless otherwise needed to maintain an existing program.

Should further reductions be necessary and when the remaining employees have equal qualifications, the employees with the **least District seniority** shall be laid off first.

If it happens...

There will be no notices given of any staff reductions until April 28. Iowa law dictates that such notices be

given by April 30. The District has decided that there will be less disruption of people's lives if they wait almost to the deadline. This will allow time for resignations, retirements and other means of accomplishing the reductions through attrition.

If you should be one of the individuals who receives a "pink slip", there are some things you need to know and remember. [Iowa law determines the process.]

1. Pink slips must be handed to you **in person**. You will not receive such a document in your school mailbox.

2. The pink slip will be a "**Notice of Intent to Terminate**". This is the notice from the superintendent that he intends to recommend that your continuing contract be terminated. Final action on this recommendation is taken by the Board of Directors of the District.

3. In the current circumstances, the pink slip would list something like "program cuts" or "budgetary restraints" as the reason given for the notice.

4. On the notice, you will be told that you have 5 days in which to respond to the notice if you wish to have a hearing before the school board.

It is unlikely that you will benefit from such a hearing; however, you do have a right to a hearing.

Decisions related to termination hearings must be made on an individual basis and very quickly!

If you receive a pink slip, call me immediately!!

Your rights..

If you should be laid-off, you have the following rights:

1. You have the right to **recall**, in reverse order of lay-off for one year into a *vacant* position for which you are qualified.
2. You will receive District **benefits** through August.
3. You are eligible for **unemployment compensation** from the date that your 195 days are completed (June 9).
4. If you are recalled, you will maintain your current credit for District experience, *i.e.*, your current **seniority and step** on the salary schedule.

This is a difficult and frightening time. We are here to help you to continue to be effective in your job while you are distracted by this lay-off situation. Please call with your questions or concerns.

**It's just as warm
and comforting as a hug
to SMILE and say, "Hello".**



From the President...

KRIS MESICEK

Last August, the Legislature slashed Phase III funding by 34%, resulting in additional program cuts in the Des Moines Phase III program. Already in this Legislative session,

\$800,000 has been taken from the state allocation for Phase III and there is a very real possibility that Phase III will continue to be raided as Legislators work through the budget process. In 1989-90, the District received \$2.65 million for Phase III. In 1993-94, if no additional cuts are made, the District will receive \$1.59.

Based on this funding level, it became apparent that as many as 800 staff members would be shut out of the Phase III program if it continued under the original design. Added to this, was the change in legislation that included Comprehensive School Transformation as an option for the use of Phase III funds. A Task Force made up of DMEA members, administrators, parents, and business leaders was formed to examine Comprehensive School Transformation. We had to ask, "What is the best use of Phase III funds?"

The proposed changes in the Phase III program were shared with the DMEA Executive Board, Faculty Representatives, and members. The center of the proposal is the collaborative development of a school improvement/transformation plan that shifts the focus from Performance Based and Supplemental Pay to Comprehensive School Transformation. In response to the questions, concerns, and suggestions, the DMEA members of the Task Force developed the following recommendations for modification of the initial proposal:

Develop a Two Year Plan to facilitate the transition to Comprehensive School Transformation (CST)

• 1993-94 would focus on training and planning activities at the building level.

• 1994-Year 2 would focus on implementation and on-going planning.

The Phase III CST Proposal should be amended to reflect:

• Equal opportunity for all eligible staff to participate in Phase III activities. The Career Ladder would be eliminated.

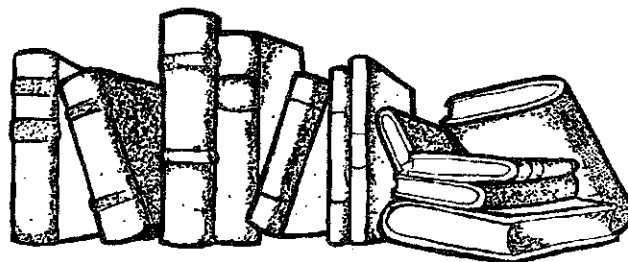
- Fairness.
- Teacher empowerment in determining the use of Phase III funds. Provisions for administrative veto power should be eliminated.
- Voluntary participation.
- Payment of \$250 for 15 hour classes. If staff members do not participate in the entire 15 hours, deductions should be made for the time missed. Completion of a class will no longer be a requirement for receiving a performance stipend.

• The performance stipend amount should be based upon available funds and the actual amount subject to negotiations. The parameters for receiving the performance stipend should be developed at the district level with flexibility for buildings to modify as necessary to accommodate school needs.

• Eliminate Building Specialist positions in 1993-94. A staff member could not be expected to perform the all of the same duties of a specialist for less pay. Some duties currently being carried out by Building Specialists could be incorporated in the performance stipend.

• The entire building staff would be informed and involved in the collaborative decision making process. Staff members would select a team (or work as a "Committee of the Whole") to make recommendations to the staff on the allocation of Phase III funds at the building level. (This would be similar to the process instituted in August, 1992 to determine the allocation of Phase III funds and specialist positions.)

At this time, the proposal is being passed on to the District and Association Negotiation Cadres for inclusion in the bargaining process. The DMEA members of the Task Force appreciate all of the comments and suggestions that we have received in response to this proposal, but we still need your help! **Please contact your legislator and ask that NO MORE PHASE III FUNDS BE CUT!**



Books are windows to the world.

FACULTY REPRESENTATIVES

ELECTION TIME

The DMEA By-laws state:

- a. The chairperson of the Faculty Representatives in a building shall, prior to **April 29, 1993**, request from the building members a statement of interest from those willing to serve as faculty representatives.
- b. Representatives shall be elected from each building and each affiliated group ...for every fifteen members or major fraction thereof.
- c. Faculty Representatives and Alternates shall be elected by **secret ballot** conducted by the chairperson of the Faculty Representatives.
- d. The candidates for Faculty Representative receiving the most votes for the number of positions for which the building is entitled shall be considered elected.
- e. In case of a tie vote, a run-off election shall be held when necessary.
- f. Elections shall be completed prior to **May 13, 1993**.
- g. FR's shall elect a Chairperson.
- i. Any member of the DMEA may become a candidate for FR and shall remain a member during his/her term.
- j. Term for FR shall be **two years**.

DUTIES OF REPRESENTATIVES

Members who are interested in completing the statement of interest but hesitate because of lack of information about the specific duties, please refer for the specifics to ARTICLE VII of the By-Laws. The following is a brief outline of those duties:

1. Chairperson shall (a) hold monthly meetings in building, (b) conduct annual election (see above) and (c) send names of those elected to DMEA by **June 1**.
2. Attend all FR meetings or contact alternate
3. Enroll members in their building
4. Inform members of all association activities
5. Represent members' interest, needs and wishes at FR
6. Stimulate active participation in association work
7. Distribute forms and ballots and return same to DMEA
8. Conduct secret election on the proposed ratification of the Comprehensive Agreement
9. Other business as needed

Although the list of duties is long, none of these is onerous and ALL are important. Faculty Reps are the first line of defence of the Association.

The DMEA **TEMPO** is published monthly during the school year by the Des Moines Education Association, an affiliate of the Iowa State Education Association and the National Education Association.

National Teacher Day

May 4, 1993

Plan your building activities NOW.
Ideas and clip-art available from the
DMEA Office.

Call today to receive this valuable
information and material.

SEXUAL HARASSMENT

In 1980, the Equal Employment Opportunity Commission issued guidelines interpreting the 1964 Civil Rights Act (Title VII) to forbid sexual harassment as a form of sex discrimination. During the following decade, the courts moved gradually in rulings which have now altered the work environment dramatically. The Thomas confirmation hearings of 1991 brought the issue of sexual harassment out in the open and began an on-going debate between men and women over just what harassment is and what should be done about it.

Definition

Sexual harassment at work occurs whenever unwelcome conduct on the basis of gender affects a person's job. The EEOC defines it as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature". Further definitions identify the two basic types as *quid pro quo*, or the threat of "pocketbook" injury if an employee is not willing to submit to the sexual requests of someone in the corporate structure who has the power to control the victim's job destiny.

The second kind is called "hostile environment" and can be created by the discussing of sexual activities; unnecessary touching; commenting on physical attributes; displaying sexually suggestive pictures; using demeaning or inappropriate terms; using unseemly gestures; ostracizing workers of one gender by those of the other; granting job favors to those who participate in consensual sexual activity; or using crude and offensive language.

Information available

We have in the DMEA office a Fact Sheet from the Bureau of National Affairs which explains the law, its implications, and the way in which you can be certain that your behavior will not be suspect. Because the legal boundaries are so poorly marked, the best course of action is to avoid all sexually offensive conduct in the work place. You should be aware that your conduct might be offensive to a coworker and govern your behavior accordingly.