



Published by the **TENNESSEE EDUCATION ASSOCIATION**
March 2011 • Vol. 42, No. 7 • www.teateachers.org



**Tennessee's Teachers
Will Not Be Silenced**

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Their Goal is to Divide and Conquer

Many members of the 107th General Assembly seem to have a distorted view of the relationship between Tennessee educators and the Tennessee Education Association. They want to drive a wedge between teachers and their professional organization. They don't appear to understand that TEA exists because a large majority of Tennessee teachers have chosen membership to make their voices heard at the



local, state and national levels. Some politicians are of the mind that TEA members stand in the way of education reform. I ask, "How can they talk of true reform while demoralizing teachers and degrading our professional rights?"

For more than 140 years, the TEA has been the largest organization of professional educators in this state. We have grown stronger over the years because teachers, administrators and education support professionals have made the choice to unite and participate in a collective effort to improve public schools and the teaching profession.

In the current legislature, there is a concerted effort to silence the voice of educators. Let's imagine for a moment what would happen if they had their way.

Imagine your professional life in a state that prohibits professional negotiations. Your local school board could refuse to meet with you or your representatives to discuss your compensation and your working conditions. They could immediately cut your health insurance benefit so that you'd be paying 55 percent of your annual premium, an average increase of some \$3,000 per year. They could require you to work a longer day, take on extra duties, or give up your planning time. And they could apply such requirements to some teachers, while sparing others! Most legislators don't recognize that your fellow teachers are the ones at the table representing you, seeking fair and equitable treatment for all. Nor do they realize that we also have to bargain for basic supplies, teaching materials and textbooks for our students.

Imagine your professional life if you had to work up to 10 years without tenure. At any point during that time you could be dismissed for no reason. Even an exemplary teacher could be let go without cause. How easy would it be for the school board to create a vacancy and fill it with someone to whom they had promised a job? As one TEA member said to me, "Tenure doesn't mean I can't be fired. It just means if they want to fire me, they have to tell me why." The current tenure law is simply a requirement of due process. Any board with the will to do so can gather evidence and dismiss a teacher if there is sufficient cause, so why the need to extend the probationary period?

Imagine what schools would look like without the requirement of licensure for teaching. I was trained to be a teacher and just because I have a master's degree in math, I don't assume I could do any job requiring mathematics. Why would we assume that anyone with a degree can do the job of teaching children?

When I consider these scenarios, I wonder what the motivation is for such changes. None of these proposals would improve teaching and learning in our classrooms. None of them create an environment where educators feel respected and valued for their contributions and service. So why have legislators proposed that we can't elect our representatives to the retirement board? Why do they want to end our ability to choose payroll deduction for our dues?

I can imagine only one reason—to divide and conquer. This effort by legislators is not about school improvement. It is about weakening the ability of teachers to have a collective voice.

Now, more than ever, Tennessee's teachers will not be silenced.

TEA Teachers Must Correct What Misinformation, Ill Will Hath Wrought

On February 16, 2011, the Senate Education Committee passed the first of at least 20 anti-teacher bills that have been filed this year. More than 400 TEA teachers and supporters came to Nashville to express their opposition to SB 113, which would make it illegal for school systems to negotiate with employee organizations.

The bill passed out of the committee on a six-to-three party-line vote. Sens. Gresham, Woodson, Tracy, Crowe, Kelsey and Summerville voted for the measure and Sens. Tate, Berke and Burks voted no.

The bill was presented to the committee by Sen. Jack Johnson (R-Franklin). Johnson's presentation included broad statements filled with mistakes in describing the law.

Johnson constantly referred to "mandatory negotiations," neglecting to mention that teachers must vote to negotiate and boards of education must ratify all contracts before they become effective.

He said that a negotiating local only had to maintain a 30 percent share of eligible members to avoid losing negotiating rights. In fact, the representative organization must maintain a membership of at least 50 percent of eligible employees. If membership drops below that number, the local board of education may challenge recognition of the local and it could lose its ability to negotiate.

Those wanting to repeal the Education Professional Negotiations Act (EPNA) seek to split the voice of teachers so it is effectively silenced. If successful, teachers will have no say in establishing their working conditions, education policy and practices and no orderly process for addressing education-related problems. When the anti-teacher bills are considered together, it becomes clear that they have nothing to do with students and education reform.

The attackers suggest that if the law is repealed, each teacher can negotiate his/her own contract with the director of schools. They suggest that teachers can negotiate higher salaries individually. Further, they claim, this will attract better teachers to the school system and relationships between teachers and school administrators would be much smoother.

How will a system of 300 teachers negotiate separate contracts with individual teachers? What about a system with 8,000 teachers? Imagine trying to manage the chaos that would result. Imagine teacher morale under these conditions.

Sen. Kelsey (R-Germantown) said that students in Shelby County perform better than students in Memphis because Shelby County teachers do not have a negotiated contract and Memphis teachers do. He should have been ashamed to make such a statement when he hadn't done his homework. If he had, he would have known that Shelby County teachers have essentially the same conditions in board policy that Memphis City Schools teachers have in a contract. That parity exists primarily because the Memphis Education Association negotiates. He also chose not to mention the differences in the size and demographics of the two school systems.

While these legislators may continue the assault against teachers, you need to see them doing it and they need to see you watching. We need two to three hundred teachers to attend education committee meetings every Tuesday and Wednesday for the duration of the legislative session.

We also need you, your family, friends and every supporter of public education that you know to join us in a rally beginning at the Bicentennial Park and Legislative Plaza in Nashville on Saturday, March 5, 2011, at 12:00 p.m. We will send a clear message that Teachers Will Not Be Silenced. You count.

A Call to Action to attend a TEA Teacher Rally

"Tennessee's Teachers Will Not Be Silenced"

Saturday, March 5, 2011 Nashville, Tennessee

Why: Several bills have been introduced to the 107th Tennessee General Assembly that attack public school educators and the Tennessee Education Association. It's obvious these bills have nothing to do with "education reform" in Tennessee. To assist in the effort to defeat these punitive bills, it is essential that we let our legislators know we strongly oppose these bills. Your help is needed. **Please attend the TEA Teacher Rally and wear RED!**

When: Saturday, March 5, 2011
12 Noon – 3:00 p.m.

Where: Park and assemble at the Bicentennial Capitol Mall State Park
600 James Robertson Parkway, Nashville, Tennessee, 37243-3081

March to Legislative Plaza Downtown Nashville

Join Us!

The careers of Tennessee's Teachers are at stake!

(Transportation available for physically challenged persons)

Call TEA Communications for more information

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Prohibits Payroll
Deduction

HB 130 / SB 113
Negotiations
Law

HB 367
Changes to
Tenure

SB 102 / HB 565
Elected TCERS
Representatives

HB 160 / SB 139
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HB 179 / SB 294
Prof. Organization
Access

teach (USPS 742-450) is published monthly (except for June, July and December) by the Tennessee Education Association, 801 Second Avenue North, Nashville, TN 37201-1099. Periodical postage paid at Nashville, TN. The subscription price of \$3.65 is allocated from annual membership dues of \$254.00 for active members; \$127.00 for associate, education support and staff members; \$16.00 for retired members; and \$10.00 for student members. Member of State Education Editors Conference (SEE).

Postmaster: Send address changes to teach, 801 Second Avenue North, Nashville, TN 37201-1099.
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UniServ Staff Contact Information can be found on page 12.

E countless talented and highly motivated teachers in Tennessee can recall being targeted unfairly for dismissal—and finding refuge in due process that allowed them to keep their jobs. Here's a look at teacher tenure in Tennessee, how TEA helped strengthen it, and why we must fight to keep it.

It's All About Due Process: Teacher Tenure Explained

By Bryan McCarty

Initial Evaluation Period Facts:

A teacher does not receive tenure immediately upon employment with a local school system. Tenure applies to a teacher who:

- (1) has a degree from an approved four-year college or to any vocational teacher who has the equivalent amount of training established and licensed by the State Board of Education (Section 49-5-503 (2)(A));
- (2) holds a valid professional license based on training covering the subjects or grades being taught (Section 49-5-503 (2)(B));
- (3) has completed a probationary period of three (3) school years or not less than twenty-seven (27) months within the last five-year period, the last year to be employed as a regular teacher (Section 49-5-503 (2)(C)); and,
- (4) has been reemployed by the board of education for service after the probationary period (Section 49-5-503 (2) (D)) after recommendation by the director of schools (Sections 49-2-301 (f)(1)(J) and 49-2-203 (a)(1)).

During the probationary period a classroom teacher will be evaluated and observed by a building administrator and others. The teacher gains no entitlement to permanent tenure status until the teacher is recommended to the board of education and elected by that board to tenure. By law the principal and director of schools make recommendations to the local board concerning the attainment of tenure and continued employment after the probationary period (Sections 49-2-303, 49-2-301 (f)(1)(J) and 49-2-203 (a) (1)). It is the specific duty of a local board of education to elect individuals to tenure status.

The Importance and Process:

Tenure is an obstacle to the elimination of an employee based on the employee's age or eligibility for retirement; based on the board of education's beliefs about the employee's voting record or support of candidates; based on concerted activities such as bargaining or joining organizations; based on support of other teachers with handicaps/ disabilities; based on expressions of disagreement over educational decisions; or, of teachers practicing academic freedom in a context that might be viewed as controversial by a local board of education, a director of schools, or an influential parent or group of parents.

Tenure protects the teacher who will not conduct prayer in the classroom simply because the local community believes that prayer should be part of the daily school environment. Tenure protects teachers from the arbitrariness of anger-based decisions, an administrator or board member's need to hire a relative, the creation of standards unrelated to classroom teaching or performance, and political tampering that would otherwise affect how a teacher votes, where the teacher lives, or how the teacher contributes to charities, organizations, or political parties. The fair treatment procedures that are the cornerstone of tenure give a teacher "limited job security". That "limited job security" is the teacher's expectation of continued employment unless the teacher has done something that would make the teacher dismissible.

The grounds (causes) for dismissal are contained in the tenure law. A teacher may be dismissed for incompetence, inefficiency, neglect of duty, unprofessional conduct, and insubordination, as those terms are defined in Section 49-5-501, Tennessee Code Annotated. As an example, "inefficiency" is defined as meaning that the teacher's performance is below the standard of efficiency maintained by others currently employed by the board of education for similar work, or habitually tardy, inaccurate, or wanting in effective performance of duties. "Incompetence" can include a lack of training or experience, evident unfitness for service, physical, mental or emotional conditions making the teacher unfit, the inability to command respect from subordinates or to secure cooperation of those with whom the teacher must work, or being incapable, lacking adequate power, capacity or ability to carry out the duties and responsibilities of the position. All that the tenure act requires is that someone charges the teacher, in writing, with one or more of the grounds for dismissal.

The written charge is taken to the local board of education, which reviews the written charge, without hearing any evidence, and determines whether that charge, if true, would warrant the dismissal of a tenured teacher. This is usually accomplished as a simple agenda item and the board accepts and certifies the charges on the basis that there is no other information available. Once the charge is certified by the board, it is the director of schools' responsibility to give the teacher notification of the charge or charges. Following receipt of the notice, the teacher has thirty (30) days in which to demand a hearing before an impartial hearing officer selected by the board of education. Pending the outcome of the hearing, the teacher may be suspended with or without pay by the director of schools.

If the teacher elects to have a hearing, the hearing is held pursuant to the new TFTA provisions of Section 49-5-512, Tennessee Code Annotated. The director of schools names the hearing officer and the hearing officer manages and schedules the hearing through a prehearing conference. The attorneys for the parties participate and are heard on proof and evidentiary concerns. The hearing officer is empowered to issue appropriate orders and to regulate the conduct of the proceedings. All parties have the right to be represented by counsel, the opportunity to call and subpoena witnesses, the opportunity to examine all witnesses, the right to require testimony under oath and the right to have evidence deemed relevant by the submitting party included in the record of the hearing. A complete record is maintained. The hearing officer may give the parties the opportunity to file briefs, proposed findings of fact and conclusions of law, and proposed initial or final orders. Within ten (10) days of closing the hearing officer shall issue written findings of fact, conclusions of law and a concise and explicit statement of the outcome of the decision. The final step of the process, after a board of education review, is a review in Chancery Court which is de novo on the record of the hearing held by the hearing officer and reviewed by the board.

The Reasons for Tenure

There is absolutely nothing about tenure that precludes the dismissal of a teacher. It is not difficult to fire a "bad" teacher in Tennessee. It is a myth that there is such a thing as "lifetime employment" for a teacher or administrator in Tennessee's public schools. What tenure provides is a minimal due process procedure in which allegations of wrongdoing can be tested for their accuracy and truthfulness. It would be grossly unfair to strip teachers of the minimal protections in the law. Teaching is a very public profession. It is easy to anger an individual parent. It is easy to offend a community when the local star athlete becomes ineligible due to poor performance in the classroom. Without tenure and the opportunity to test the basis for an employer's decision to terminate a teacher's employment, teachers could be fired for constitutionally protected speech, their race, their religious beliefs, eligibility for retirement, their support or non-support of a particular political candidate, and the list goes on.

Bryan McCarty is TEA General Counsel.

An Urgent Message to all Tennessee Educators!



Several bills have been filed in the 107th Tennessee General Assembly that attack all educators and the Tennessee Education Association. To assist in the effort to defeat these punitive bills, it is essential that our legislators receive a **Vote "NO" message** from every educator across the state. These bills have nothing to do with "education reform" in Tennessee.

HB 130/SB 113 — sponsored by Rep. Debra Maggart (R-Hendersonville) and Sen. Jack Johnson (R-College Grove). **Simply put, this bill would completely repeal the Tennessee Professional Negotiations Act.** Your message to legislators might include:

- Student learning conditions are, in fact, teachers working conditions.
- This bill would "turn back the clock" and is an attempt to silence the voice of teachers regarding all aspects of employment, including working conditions, salaries and benefits.

Your Help is Needed!

TEA leaders want to impress on members that these bills are very real threats and could pass in the near future. **Our strength in fighting these attacks lies solely in massive opposition from our members across the state.** This is the time to speak out — if you wait it may be too late!

Contact your legislators now by going to

TEA's Legislative Action Center:
<http://capwiz.com/nea/tn/home/>

SB 102 — sponsored by Sen. Dolores Gresham (R-Somerville). **This bill would remove from TEA the right to elect teacher representatives on the Board of Trustees of the Tennessee Consolidated Retirement System (TCRS).** Your message to legislators might include:

- Teachers have every right to be involved in decision-making regarding their hard-earned retirement benefits.
- This change in law would weaken the teacher voice by making retirement board members political appointments.

HB 159/SB 136 — sponsored by Rep. Glen Casada (R-College Grove) and Sen. Bill Kentron (R-Murfreesboro). **This bill would prohibit payroll dues deduction for public employees.** Your message to legislators might include:

- This bill has nothing to do with education reform.
- It is obviously an attempt to weaken the rights of employees and their association.

HB 160/SB 139 — sponsored by Rep. Glen Casada (R-College Grove) and Sen. Bill Ketron (R-Murfreesboro). **This bill would make it illegal for TEA's political action committee to make contributions to any candidate.** Your message to legislators might include:

- This bill is an overt attempt to silence the collective voice of our Association.

The careers of Tennessee's Teachers are at stake!

Even more "bad bills" are being introduced to the Legislature.

Legislative Contact Team Members Lead the Way

The Legislative Contact Team was created in 2008 to better foster communication and relationships between Tennessee's teachers and state legislators. Comprised of 132 TEA members who are matched to Tennessee legislators (99 Representatives and 33 Senators), LCT members regularly communicate by e-mail, phone and in personal meetings with their legislators and share pertinent information with teachers in the home district. The primary focus of the LCT is to communicate the needs of teachers on issues that impact schools and teachers and to develop positive relationships with legislators to benefit public education. In these pages, LCT members share their views on staying in touch with our elected officials.

Use the postcards attached here to contact your legislators.

See next page for your colleagues' responses to anti-teacher bills currently before the 107th General Assembly.

"If every member of the legislature really cared about education and if the children of Tennessee were at the heart of every decision they made, people like me would not be needed. We have to constantly remind our elected officials that education is about kids, not political issues."

— Nita Scott, Hardeman Co. EA

"I believe that being involved in something you are passionate about is important both professionally and personally. We are trying to help teachers and students. I want my students and children to know that I stood up for what I thought was right."

— John Fugate, Union Co. EA

"I enjoy being a Legislative Contact Team member because it increases communication among our members concerning legislative issues and public education. It is easier to reach out to our members statewide."

— Larry Proffitt, Robertson Co. EA

"We need to keep them honest! I am tired of hearing politicians say education is a top priority but voting against it. It helps me support our democratic values."

— Allen Nichols, Rutherford Co. EA

"The Legislative Contact Team is extremely important because it is one of the most effective techniques for instant two-way communication and feedback with legislators."

— Yvonne B. Acey, Memphis EA

"The Legislative Contact Team is vital to Tennessee's teachers. It allows teachers to be in contact with legislators about laws that effect education."

— Amissa Green, Metro Nashville EA

"The Legislative Contact Team is not a radical concept, nor is it a novelty. We, the LCT, strive to solemnly promote the education needs of society as a whole and the future well-being of our students."

— Randy L. Payne, Wilson Co. EA

"LCT equals knowing that you're a voice that can be heard and being able to let your legislators know how teachers feel within your area. LCT equals knowing you can contact your legislators on issues that concern teachers while staying abreast of issues happening on the Hill (at the state level)."

— Billie Akers, Overton Co. EA

"Knowing that you are the direct link between teachers and their elected representatives in Nashville is both humbling and immeasurably rewarding because you are providing a valuable service to both."

— Grady Caskey, Blount Co. EA

"The Legislative Contact Team is a very important aspect of TEA. It is one of the ways we can provide a voice to help promote what we do each and every day in our classrooms. Although we have this team in place to open communication with state legislators, I encourage all members to take action and open your own lines of communication with your elected representatives."

— Jon Stephenson, Williamson Co. EA

"The first rule of LCT is nobody talks about LCT... just kidding. In fact, that's our job: to talk. There aren't any underground meetings, secret handshakes, or top secret files. We simply talk about the issues that concern all teachers. We talk to our legislators and our members and our neighbors. Telling people how you feel about issues that directly affect your livelihood is something every single member can and should do every single day. I think sometimes officials elected by us to serve us think our silence is support. They think teachers only call or e-mail if we're really, really, really mad about something. I guess an LCT member "stays mad"."

— Christy Daniels, Coffee Co. EA

"We build a personal relationship with our legislators, and our teachers get more input through our communications."

— Michele Bowman, Sevier Co. EA

"Being an LCT member is important because legislators hear concerns and get feedback on issues from teachers in the classroom that impact students and teachers."

— Sherry J. Morgan Knox Co. EA

"I have enjoyed my experience serving as a Legislative Contact Team member. My involvement offers an opportunity to make a difference for teachers all across the state. I have learned a lot about the way key decisions are made at the state level through my participation in TEA's Legislative Contact Team. Knowledge and action equal power. It is so important that educators get informed and get involved; the LCT provides a liaison between Capitol Hill and the classroom. Teachers simply cannot sit quietly and passively and allow people so far away to make decisions that will change our lives without hearing our voices. If we all stand and speak together, our voices will be too loud to be ignored."

— Jennifer Eilender, Overton Co. EA

"The Legislative Contact Team is important because it gives Tennessee's teachers another representative voice on issues that are going to impact public education across the state. For too long, we have asked, "What is TEA doing for me?" We are the TEA. The Legislative Contact Team gives us a chance to be involved on the front-end and impact changes that benefit educators."

— Sarah Kennedy-Harper, Memphis EA

"I like being a member of the Legislative Contact Team because I can have up-to-date information from TEA about legislative issues that affect me and my local members. Because of e-mail, these updates can be sent out immediately and members can get in contact with their legislators as soon as possible. Since I live so far from Nashville, this empowers me to be able to make a difference for my profession and my students in an effective way sooner than if I had to wait on 'snail mail'!"

— Shelly Arnett, Lake Co. EA



Photos

1. Laurie Drummond, school counselor at W.A. Wright Elementary, spoke about bargaining and planning time during a recent TEA legislative meeting in Mt. Juliet: "We use planning time to meet and talk with parents also. We have teachers who are stressed to the max. We have teachers who don't have to work anymore but they do because they still love teaching. I am afraid these measures are going to drive some of our best teachers out of the profession." 2. Tucker's Crossroads Elementary teachers Cathy Roberts and Randy Payne of Wilson Co. EA attended a legislative meeting at West Elementary School with Rep. Linda Elam and Rep. Mark Pody in early February. Roberts, who teaches second grade, invited Rep. Elam to visit her classroom and Elam accepted. Payne teaches third grade and serves as a member of the TEA Legislative Contact Team. 3. Rep. Mike McDonald speaks with Sumner Co. EA members as they share their concerns at the legislative meeting at Station Camp High School on January 31. 4. LCT members Darrell Moore of Sullivan Co. EA and Crissy Cade of Hawkins Co. EA share ideas on communicating with legislators at the legislative meeting in Blountville. 5. Teachers focus as Rep. Mike McDonald fields questions from more than 200 TEA members at Station Camp High School in Sumner Co. 6. TEA members Pam Stonecipher (left) and Becky Seiver (right) attended a legislative forum at West Elementary School in Mt. Juliet, where they met and shared their views on education with newly elected Rep. Mark Pody. Stonecipher teaches kindergarten at West Elementary and Becky serves as the school's assistant principal.

"Being a member of the Legislative Contact Team has allowed me the opportunity to act, both proactively and reactively, on the political issues which deal directly with education while working closely with Rep. Bass. This opportunity gives me a feeling of satisfaction. I have done everything possible on each issue by working directly with the policy makers."

— Shelly Goolsby, Giles Co. EA

"It is important to take advantage of every avenue we have as teachers to communicate with those who represent us. I enjoy sharing our concerns as teachers with our legislators. They need to hear from us the concerns we have about the direction education is going at this time. It is up to us to voice our concerns. If we don't speak up they will assume we have no issues, concerns or suggestions. Who better than a classroom teacher to voice the problems we face and give information that might lead to successful improvements for our children?"

— Denise Hackett, Smith Co. EA

It Makes Me Physically Sick

To the Editor: It's no surprise to read that the Tennessee School Boards Association has given "guidance" in the writing of the bill to prevent professional negotiations for teachers. This right, won through extremely hard work by teachers, has stuck in the craw of the TSBA since the day it was implemented.

While Al Mance, Tennessee Education Association's Executive Director, is eloquent in explaining the great value of these negotiations, I can add support from personal experience. When I began teaching here in 1963, teachers were told to get in their classrooms and teach, and if their viewpoints were needed or wanted, they would be summoned.

They weren't summoned! At that time,

Cover photo. Laura Beaver, a math teacher at Rose Hill Middle School in Jackson and former president of the Jackson-Madison Co. EA, reacts to Sen. Jack Johnson's bill during Senate Education Committee meeting on February 16. Johnson's bill aims to take away the right of teachers to collectively negotiate their contracts. **1.** TEA-Retired members attend the meeting. **2.** Sarah Kennedy-Harper of Memphis EA listens to Sen. Brian Kelsey's comments. **3.** TEA members listen as senators discuss Johnson's bill.



A Sampling of Letters From Tennessee's Teachers: Shock and Disbelief Prevail as Legislators Hurt Teachers' Feelings, Attack Rights



we were not long from the days of teachers being summarily dismissed if the school board member's daughters or cousins or friends wanted their jobs. And it had not been many years since it was understood in some areas that the teacher's first check, paid to the school board member, was the cost she paid for her job. Teachers were very carefully monitored in their communities, forbidden from political action, expected to have regular Christian church attendance, and barred from being pregnant in the classroom. Similarly, there were no provisions for health insurance, sick days, maternity leave, responses to verbal and physical attacks on the campus, etc.

I would hate to think what my life in the classroom would have been like today without the stalwarts in my teacher union who helped secure professional negotiations and who make it work.

To even think of losing it makes me physically

sick. I beg all thinking citizens to join me in lobbying fiercely against all these types of changes in the provision of rights for our state's public school teachers!

Sincerely,
Steve Cates
Murfreesboro

Six Days Of Creation and SB 113

Senator Tracy,

I am a teacher. I'm not a "union guy." In fact, I've never been a member of TEA. I care about my students, and all my time and money and energy goes into teaching. I'm also politically moderate and pretty passive. I've always voted for issues I believe in, somewhere in the middle, frequently Republican. I've always felt politics were a private thing, and I've never told anyone who I voted for, even when pressed. I put in my vote and let the experts do their thing. I didn't

always like what I saw coming down from on high in education, but I dealt with it as best I could and figured I'd done what I could by putting in my vote.

Pretty incredible what can happen in six days, Senator Tracy. Six days ago you came to speak at my school to assuage our fears of these bills, and I figured it wouldn't hurt me to hear what you had to say. Yesterday, I listened to you again in the halls of our capitol. In these six days, I've become political. I've become angry. I've become disgusted with what's happening. I've changed. I'm now willing to stand up and open my mouth. I'm now willing to tell everyone what I think and show people who haven't had the courage or the motivation to stand up why their voices need to be heard. I didn't need to listen to the "union propaganda" Senator Johnson disparaged yesterday to come to this conclusion. I made my own judgments.

I heard you say and say again that you love teachers and you care for us. Yet, when we asked you for help, you voted to take away our voices. You told us that we just didn't understand the bills very well, that everything would be ok. So I figured, I better listen and understand the bills. We aren't ignorant—we know how to think and reason and weigh arguments. Everything you said six days ago gave me no comfort. In fact, it woke me up to the fact that my control, my voice, my defense was being stripped from me.

Continued on page 10.

Address for all members of legislature: **301 6th Avenue North, Nashville, TN 37243.** All legislators may be reached at **1-800-449-8366**, then dial the last five digits of their office phone number.

When contacting them by e-mail, please include your name, postal address, and phone number in your message.

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House Education Committee

The legislators pictured here are the first to vote on most measures affecting public schools and teachers in the 107th General Assembly. They deserve to hear from you.

How to Access & Use Legislative Action Center

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- Select your closing
- Enter your name
- Enter your contact information
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- Select whether or not you'd like to send a copy to NEA
- Click *Preview Message* if you wish to review and edit your message prior to sending it
- Click *Send Message* and it will go to both your Senator and Representative.



Continued from page 8.

Yesterday, I listened from the hall because the room was too crowded. I heard all that was said and saw all that was done. You told us you loved us again--you and Senator Crowe and Senator Johnson. But as the discussion continued, it was all too clear what the pro-bill argument boiled down to:

You hate unions. You love teachers. You believe that school board members are inherently good. You believe Senator Johnson has a good heart and good intentions. Therefore, teachers need no voice. Long live the GOP!

... I'm sorry I voted Republican. I'm sorry I haven't stood up before now and really paid attention to what you were doing up there. Well, now I am. Now I have something to say, and I want everyone to hear me.

Senator Tracy, you didn't represent us yesterday. You failed us, and you made up excuses. I hope that you'll change your mind in the future and do more to help us, those you represent, instead of being swayed purely by party vendettas. Show us you care. I want to see it. And trust me, now that I'm political, I'll be watching for it.

*Timothy Nance
Murfreesboro*

Have You Asked Teachers What They Need?

I have asked this question for years to legislators and never received an answer. I think it's because politicians would hear what they don't want to hear: the programs, resources, and support we need for improved classroom instruction are not being provided. Standardized testing is the push, not student improvement.

Instead, politicians introduce bills that are anti-teacher, job-killing, and collective bargaining-hating.

If you truly want to be the difference in education, then stop thinking like politicians with a right-wing agenda to curry votes! Blaming teachers and going after them is not going to improve the profession. In fact, you will see bright young minds flee it because they know that your bills will kill job conditions, salary

as well as school board management believe that when we collaborate together and solve problems, we bring about the best outcomes for children in our schools. We have enjoyed a collegial and positive professional working relationship throughout this process. The end result has been improved teacher working conditions and improved student learning conditions.

I also strongly urge you to oppose HB 159, which would prohibit dues deductions for public employees, thereby making it more difficult for teachers to maintain membership in their chosen professional organization. This bill would

growth and job benefits.

Be true revolutionaries! Buck the trend to bash teachers!

Ask us what WE need, not what you need to get re-elected. Show courage.

And drop these foolish and poorly-crafted anti-education bills.

*David Huebner
Spring Hill*

We Deserve a Seat at the Table

Dear Representative Tindell,

As you proceed into the 2011 Legislative Session, the members of the Knox County Education Association (KCEA) and the Tennessee Education Association (TEA) would like to take this opportunity to thank you for the work you have done and will continue to do to make Tennessee's public schools a priority. Without working together, we are unable to meet our shared goals of providing a high quality education to all of our students. Responsible, elected leadership and committed professional educators must collaborate with each other in reaching out to the greater community to achieve success.

We understand that you have an important role in determining the direction of Tennessee's public schools. It is because of this that I am writing this letter today. My members are highly concerned about anti-teacher-union bills that were filed recently. I urge you to oppose HB 130, which would repeal the Education Professional Negotiations Act, making bargaining by teachers illegal in the state. In Knox County, teachers



severely limit a teacher's access to membership in their professional organization, thus weakening their voice.

Educators are a major stakeholder in the education of our kids. We deserve a seat at the table, a voice in the room, and the right to belong to an organization that works to improve the lives of students and school personnel.

This time a year ago, the TEA was commended by the Tennessee General Assembly for working closely with the legislators to make changes that allowed our state to win millions in federal Race to the Top dollars. Simply put, this could not have been accomplished without Tennessee's teachers at the table. Please oppose any attempts to weaken, dilute, or erase the voice of Tennessee's teachers during this critical era of school reform. The TEA is not a barrier to reform, but a necessary partner in school reform efforts and initiatives.

Sincerely,
*Jessica Holman
Knox Co. EA president & TEA board member*



4. TEA members, dressed in red, fill the room during the February 16 Senate Education Committee meeting. 5. Jerry Winters of TEA Government Relations appeals to legislator's common sense. 6. Sumner Co. teacher Mary Pappas tells Sen. Jim Summerville that he does not represent the interests of teachers when voting for bills like SB 113.

Photos by Jim DeMain.

Daily News Journal Editorial: Tenure Bill Not Fit For Passage

The General Assembly should defeat, or at least amend, legislation that would dramatically alter Tennessee's teacher tenure law.

A bill sponsored by state Sen. Bill Ketron, R-Murfreesboro, would allow the board of education to grant tenure to teachers at any time between their third and 10th year of service. It would also eliminate judicial review of the decision to suspend or dismiss a teacher for incompetence, inefficiency, neglect of duty, unprofessional conduct or insubordination.

Ketron's legislation is an apparent attempt at the state level to get rid of bad teachers, who seem to have become the scapegoats for all of society's problems in the last few years.

What it would do, however, is discourage people from entering the teaching profession and take away the protection that teachers need to do their job.

Under current law, teachers can be granted tenure after their third year. Until then, they can be dismissed without the principal or the school system showing cause.

Three years is plenty of time for principals to determine whether a person is effective in the classroom and can continue building a career as a teacher. Giving the board of education the authority to grant tenure any time between three and 10 years will only leave teachers in limbo and give administrators too much control over their careers.

This would allow a teacher who has been effective in the classroom for eight to nine years to be replaced suddenly by a principal who needs to hire a history teacher who just happens to be an assistant football coach.

Teachers' careers should not be placed at such whims of administrators, but that's what could happen if the Legislature derails the tenure law.

Part of the problem is that many people don't understand the law, believing that once a teacher makes it through the probationary period and receives tenure, he or she can't be fired. That's simply not true.

A teacher's certificate in Tennessee

can be revoked if they are found guilty of immoral conduct. They can also be dismissed or suspended on grounds of incompetence, inefficiency, neglect of duty, unprofessional conduct or insubordination.

School systems also must give teachers due process if they take action to fire them. Teachers should be able to defend themselves, and the Legislature shouldn't eliminate a teacher's opportunity to seek redress in the courts if they feel they've been fired for no reason.

Tenure laws are designed to give teachers freedom from the personal fancy of principals, directors and school board members who years ago could place unfair demands on them and fire them for no reason.

If the Republican-controlled Legislature feels it must change the law, it could go with a three- to five-year time frame for granting tenure, but 10 years is too long for an administrator to allow a teacher to dangle in the wind.

This bill should either be defeated or amended.

Teachers' careers should not be placed at the whims of administrators, but that's what could happen if the Legislature derails the tenure law.

TEA Members Called to Redouble Efforts

According to *PostPolitics*, Rep. Debra Maggart praised the Senate Education Committee's move on February 16 to take away professional negotiations from teachers.

"Today's vote by the Senate Education Committee is a strong move towards real reform in Tennessee," Maggart was quoted as saying. "This is a step in the right direction as we wrestle away control from the selfish interests of the unions and give it to parents and teachers."

According to *PostPolitics*, Maggart pledged to "work tirelessly to make sure we follow suit here in the House."

As many members of the 107th Legislature attempt to drive a wedge between Tennessee's teachers and TEA, hundreds of active and retired teachers visited Capitol Hill in recent weeks to tell their elected officials that they are TEA and TEA is their voice.

"It's time for Tennessee's teachers to redouble our efforts to defeat anti-teacher and anti-TEA legislation," said TEA President Gera Summerford. "We need to demonstrate to Representative Maggart and her legislative colleagues that their constituents do not support measures to silence Tennessee's teachers and TEA."

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Show of Support—Tennessee’s teachers are joined on Capitol Hill on February 23 by several labor unions, which expressed solidarity with TEA as it fights hostile legislative measures. TSBA is behind the bill aiming to take away teachers’ collective bargaining rights.



Need information, services?

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Ronny Clemmons & Donna Cotner
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TSBA Targets Tennessee’s Teachers

By Mike Lee

A union is a group of individuals who join together for collective action. The Tennessee School Boards Association (TSBA), which is opposing professional negotiations by teachers, is a union. On the TSBA Web site, Executive Director Tammy Grissom states: “TSBA provides school board members a collective voice in matters of legislation and public education concerns.” At the same time, the TSBA is working to take away the collective voice for teachers.

A lot has been said recently about the rights of an individual to make individual contracts with boards of education. While that may sound good to a few, this premise simply doesn’t work.

Grissom also states, “Individually, school boards may find it financially impossible to employ their own specialists in such areas as legislation, school law, policies and community relations.” The same is true for teachers. Few teachers would have the resources necessary to individually bargain or to plead personal causes.

Sometime in the 1970s as a local association president, I went before the Hamblen County Board of Education to ask that teachers be allowed to have deductions for association dues. United Way and other groups were provided this convenience, but not the association. A board member, Mr. Rouse, pulled a \$100 bill from his billfold and said, “If you don’t have enough money to pay your dues, I will lend you this.” He then moved to the next item on the agenda.

TSBA wants to eliminate teacher dues deductions for professional association dues. The dues received from school board members are paid by the citizens of

Tennessee through taxation. The dues paid by teachers come voluntarily from their own pockets.

The TSBA wants to collectively stifle teachers so school boards can return to the days when teachers were seen, but not heard. They want obedient teachers, as well as obedient children, in the classrooms. Much of the education policy that is in place today simply doesn’t work because it was designed by those outside the classroom.

Everyone is an expert on education because they once attended school.

Collective bargaining has assured teachers a voice that would easily be ignored without the power of unity. A single sheet of paper in the hands of a very small child can be shredded to bits in seconds. However, if that same sheet is bound together in a thick stack or book, most adults would find it difficult if not impossible to rip it in two as a whole unit. To effectively advocate for our students and for ourselves as teachers, we must retain that collective voice.

The world is watching as we tackle overt attempts to silence the voices of unions which represent workers in our country. We are feeling some of the pain of previous union members who were jailed, beaten, and murdered because they wanted a decent wage and better working conditions.

The initial bills in the legislature were filed to silence TEA; a bill filed later will remove the requirement that supervisors, principals, and teachers be licensed. And they say they are doing all this to reform education. With the new legislature assisted by TSBA, we’ll soon go from public schools to reformatory schools.

Mike Lee is a TEA UniServ Coordinator in East Tennessee.



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12 March 2011