



California Teachers Empowerment Network

Standing out from the crowd, fully informed on the issues

Please note that in addition to the traditional emailing of the CTEN monthly newsletter, we will once again post it on the CTEN blog - <http://www.ctenteachers.blogspot.com/> As usual, there are several controversial issues covered in this letter and we urge you to share your opinions with other teachers.

February 21, 2018

Dear Colleague,

While the oral arguments in the *Janus v. AFSCME* case are just a few days away, the Supreme Court decision probably won't be known until June. Until then, pundits and non-pundits alike will weigh in on the outcome. A decision for the plaintiff means that teachers will have a choice whether or not they want to pay money to the teachers union. Not surprisingly the unions are gearing up for the worst, and some are doing very strange things. The United Teachers of Los Angeles has sent out a contract to teachers in LA that was emailed to me a CTEN member. Mike Antonucci then wrote about the contract which states:

This agreement to pay dues shall remain in effect and shall be irrevocable unless I revoke it by sending written notice via U.S. mail to UTLA during the period not less than thirty (30) days and not more than sixty (60) days before the annual anniversary date of this agreement or as otherwise required by law. This agreement shall be automatically renewed from year to year unless I revoke it in writing during the window period, irrespective of my membership in UTLA.

The question becomes, why would anyone sign this? Even if Mark Janus prevails, teachers will still be able to be full dues-paying members without signing a restrictive contract.

The UTLA contract can be seen here: <http://www.eiaonline.com/intercepts/2018/01/31/teacher-union-plans-to-take-dues-even-if-you-stop-being-a-teacher/>

If your school district has tried to hook you with this kind of form, please send a copy to cteninfo@ctenhome.org so that we can share it with all CTENers.

Also, with the *Janus* case in mind, the unions have been busy trying to get to all new teachers in an attempt to make sure they become union members. As per California's AB 119, they are entitled to face time with all new teachers, with each district deciding with their union how best to accomplish this. What follows is wording from the tentative contract with the Chino Valley Unified School District.

3.14 THE DISTRICT SHALL PROVIDE AT LEAST TEN (10) DAYS' ADVANCE NOTICE OF ANY NEW EMPLOYEE GROUP ORIENTATIONS. A ONE (1) HOUR BLOCK OF TIME WILL BE RESERVED FOR THE ASSOCIATION TO MEET DURING THE GROUP ORIENTATIONS WITH NEW EMPLOYEES WITHOUT THE PRESENCE OF THE DISTRICT. THE DISTRICT WILL SCHEDULE THE ASSOCIATION'S BLOCK OF TIME. IF THE SCHEDULING OF THE ASSOCIATION'S BLOCK OF TIME WILL OCCUR AFTER THE LUNCH HOUR, THE DISTRICT SHALL CONSULT WITH THE ASSOCIATION.

IN THE EVENT THE DISTRICT CONDUCTS ONE-ON-ONE ORIENTATIONS WITH NEW EMPLOYEES, IT WILL INFORM THE ASSOCIATION PRIOR TO THE ONBOARDING SESSION TO ALLOW THE ASSOCIATION TO SPEAK TO THE NEW HIRE.

THE ASSOCIATION LABOR RELATIONS REPRESENTATIVE MAY ALSO ATTEND THE ORIENTATION SESSION(S).

3.15 THE DISTRICT WILL PROVIDE THE ASSOCIATION WITH THE NAME; JOB TITLE; DEPARTMENT; WORK LOCATION; WORK, HOME, AND PERSONAL CELLULAR TELEPHONE NUMBERS; PERSONAL EMAIL ADDRESSES ON FILE WITH THE EMPLOYER; AND HOME ADDRESSES OF NEWLY HIRED EMPLOYEES WITHIN THIRTY (30) DAYS OF HIRE OR BY THE FIRST PAY PERIOD OF THE MONTH FOLLOWING HIRE. THE DISTRICT WILL PROVIDE THE ASSOCIATION WITH THE ABOVE INFORMATION FOR ALL BARGAINING UNIT MEMBERS AT LEAST ONCE EVERY 120 DAYS.

Your school district probably has a similar type agreement. If your district is significantly different, please send the wording along to cteninfo@ctenhome.org so that we can share that also.

As a concept, “bargaining for the common good” was cooked up in 2014 by leaders from public sector unions and community organizations at a national conference held at Georgetown University. The meeting’s priorities included “using the bargaining process as a way to challenge the relationships between government and the private-sector; working with community allies to create new, shared goals that help advance both worker and citizen power; and recognizing militancy and collective action will likely be necessary if workers and citizens are to reduce inequality and strengthen democracy.”

Which brings us to the *Friedrichs* case. The plaintiff’s lawyers in that SCOTUS lawsuit argued, “...bargaining with local governments is inherently political. Whether the union is negotiating for specific class sizes or pressing a local government to spend tax dollars on teacher pensions rather than on building parks, the union’s negotiating positions embody political choices that are often controversial.” As such, *Abood* should be overturned and teachers should not be forced to pay any money to a union at all. (The 1977 *Abood* decision, which the unions applauded, stipulated that the fair share system is a workable compromise. Accordingly, workers should have to pony up for collective bargaining but not union political spending.)

But with bargaining for the common good, Caputo-Pearl and many other public sector union leaders across the country are insisting that collective bargaining incorporate blatantly political issues. This would seem to doom the union’s case in *Janus v AFSCME*, the follow-up to *Friedrichs*.

For more on “bargaining for the common good,” go to <http://prospect.org/article/teacher-unions-are-%E2%80%98bargaining-common-good%E2%80%99>

And talking about unions and politicking, CTA has published a list of candidates it is supporting in November's election and there are no surprises. The roster includes Lt. Gov. Gavin Newsom for CA Governor and Bay Area Assembly Member Tony Thurmond for State Superintendent of Public Instruction. The union also is in favor of re-electing Secretary of State Alex Padilla and State Controller Betty Yee, "both of whom are strong advocates of public education." They also voted to back 38 state Assembly and 6 Senate candidates... everyone a Democrat.

To see the list, go here - <https://www.cta.org/en/About-CTA/News-Room/Press-Releases/2018/01/20180121.aspx>

According to Corey DeAngelis, Policy Analyst at the Cato Center for Educational Freedom, "The Evidence on School Choice Is Far from 'Mixed'"

Seventeen experimental studies of the effects of private school choice programs on student achievement exist in the U.S. today. As shown in this graphic (<http://www.uaedreform.org/private-school-choice-meta-analysis-of-experimental-test-score-effects/>) the majority of the 17 studies find statistically significant positive effects on student test scores, while only two detect negative effects. And it is important to note that the two studies finding negative impacts are first-year results.

As shown in this table, a peer-reviewed analysis of the evidence found that 11 rigorous studies link private school choice programs to students' levels of tolerance and civic engagement. The majority of them found large positive effects. In one study, researchers from Harvard University and the University of Arkansas surveyed students from the experimental evaluation of the D.C. voucher program. In one question, the researchers asked the students to identify the group (such as Nazis or the K.K.K.) that they agreed with the least. Interestingly, the next three questions gauged tolerance levels by asking the students if they would allow members from the disliked group to: (1) have the right to free-speech, (2) run for president, and (3) live in their neighborhood. Interestingly, the responses to all three of those questions indicated that the voucher program increased students' tolerance of others by over 50 percent.

To read more, go to <https://townhall.com/columnists/coreydeangelis/2018/01/30/untitled-n2441717>

Also, on the school choice front, the Koch Brothers have been busy. In addition to their Libre Initiative, they have been trying to advance the school choice ball, most recently in Arizona.

(Arizona Governor) Doug Ducey, the former chief executive of Cold Stone Creamery, became a member of the Koch network in 2011. Since 2015, he's attended the seminars as governor of Arizona. Last year, he signed legislation to dramatically expand the state's Empowerment Scholarship Accounts program so that students can use taxpayer dollars that would be spent on them in public schools to cover private-school tuition or other educational expenses.

Teacher unions, worried that this will undermine the public system, collected enough signatures to put the law on hold and create a ballot proposition to let voters decide in November whether to expand vouchers.

Addressing the seminar yesterday, Ducey touted the measure as further reaching than anything that's been tried in other states. He warned that, under Arizona law, if advocates lose at the ballot box, they will not be able to legislate on the topic in the future. "This is a very real fight in my state," Ducey said. "I didn't run for governor to play small ball. I think this is an important idea."

The Koch network is likely to spend heavily to support the voucher law, setting up a battle royal with the labor movement.

To read more, go to https://www.washingtonpost.com/news/powerpost/paloma/daily-202/2018/01/30/daily-202-koch-network-laying-groundwork-to-fundamentally-transform-america-s-education-system/5a6feb8530fb041c3c7d74db/?utm_term=.83cf9d4bfcfd

To learn more about the Libre Initiative, go here - <http://thelibreinitiative.com/about-us>

From CTEN member Rabbi Nachum Shifren:

I am opening a charter school based on traditional American values and principles. The school will be very familiar to those of prior generations. Please watch the video (<https://www.youtube.com/watch?v=Z66Kynj07bY&feature=youtu.be>) as I make my case for a new (yet old) approach to common sense education in our country.

Teachers, if you have had it with the corruption and dumbing down of standards, students, and America... WE NEED YOU! Be part of our team. We also need counselors, administrators, coaches... patriots who see the problem and know what we need to do to correct it.

If what I am saying here resonates, please contact us at WarningForAmerica@gmail.com

And finally, as you well know, information is frequently used to score political points and make cases for various causes. To that end, CTEN has a "cheat sheet," which has been updated on our website – all with original sources. To see it, go to <http://www.ctenhome.org/cheatsheet.html>

If you have information that counters what's there or would like to see something added, please let us know. As always, thanks for your continuing interest and support.

Sincerely,
Larry Sand
CTEN President