



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.

July 15, 2015

Dear Colleague,

The big news for teachers and other public employees is the Supreme Court's agreement to hear the *Friedrichs v CTA* case. This lawsuit, which could make all public employee union dues-paying voluntary, will be decided by June 2016. Needless to say, the unions were not happy with the turn of events, and five of them issued a joint announcement:

We are disappointed that at a time when big corporations and the wealthy few are rewriting the rules in their favor, knocking American families and our entire economy off-balance, the Supreme Court has chosen to take a case that threatens the fundamental promise of America-- that if you work hard and play by the rules you should be able to provide for your family and live a decent life.

To read the rest their statement, go here - <http://www.seiu.org/2015/06/public-service-workers-on-grant-of-writ-of-certior.php> Beyond that commentary, the unions' most appealing *sounding* contention is their free rider argument. They claim that since they are forced to represent all workers, that those who don't pay their "fair share" are "freeloaders" or "free riders." The unions would have a point if they were being forced to represent *all* workers. But the forced representation claim is not true. As teacher union watchdog Mike Antonucci explains,

The very first thing any new union wants is exclusivity. No other unions are allowed to negotiate on behalf of people in the bargaining unit. Unit members cannot hire their own agent, nor can they represent themselves. Making people pay for services they neither asked for nor want is a 'privilege' we reserve for government, not for private organizations. Unions are freeloading on those additional dues.

To read more on the subject, go to <http://www.eiaonline.com/intercepts/2012/12/12/who-are-the-freeloaders/>

The 2015 National Education Association convention wrapped up earlier this month but the yearly shindig didn't provide many scintillating moments. NEA Executive Director John Stocks did give a rather interesting 25 minute address in which partisan politics was up front and center. He railed against "white skin privilege," "institutional racism" and "income inequality." The

class warfare jab was particularly perplexing since Mr. Stocks is clearly a one-percenter himself, making over \$500,000 grand in total compensation according to the latest NEA tax filing. To see Stock's speech or to read the text version, go here - <http://ra.nea.org/speech/nea-executive-director-address-delegates-nea-representative-assembly/> Additionally, Jose Lara's brief speech after receiving NEA's "Social Justice" award is eye-opening. To watch it, go to <http://ra.nea.org/speech/2015-social-justice-activist-award-winner-jose-lara-at-the-2015-representative-assembly/>

The subject of teacher pensions has been a staple for some time now. Our friends at the National Council for Teacher Quality have provided us with "Teacher Pensions Mythbusters" in which some of the most common myths around teacher pensions are dispelled. For example, Myth #7 reads, "All teachers prefer a traditional, defined benefit retirement plan." But as NCTQ points out,

- *A recent nationally representative survey found the vast majority of teachers want a retirement plan that is fair, flexible, and offers stability regardless of its structure.*
- *Over 40% of new teachers are career changers who need flexibility in their pensions, so it makes sense that nearly a third would opt out of traditional, defined benefit retirement plans for more flexible options.*
- *In fact, a recent case study in Florida found that 30% of teachers entering the system between 2003-04 and 2008-09 selected a defined contribution option over the traditional defined benefit retirement plan.*

To read the rest of the document, go here - http://www.nctq.org/dmsStage/PensionMvF_488774

At the end of June, the Friedman Foundation released the results of a poll concerning the progress of K–12 education in the United States. Some of their key findings:

- *One out of six people rank education as the No. 1 issue facing America.*
- *Americans give low ratings to the federal government's performance in K–12 education*
- *Very few Americans know how much we spend per pupil on K–12 education.*
- *A significant number of public school parents give low grades to their public schools.*
- *Actual enrollment numbers do not reflect American's school type preferences.*
- *About twice as many Americans support school vouchers than oppose them.*

To view a brief slide show and learn more about the poll, go to <http://www.edchoice.org/Blog/June-2015/Breaking-Down-the--2015-Schooling-in-America-Surve>

The school choice bus has hit a bump in the road in Colorado's Douglas County, where its voucher program was knocked out by the Colorado Supreme Court citing the state's Blaine Amendment. The court wrote: "... this stark constitutional provision makes one thing clear: A school district may not aid religious schools."

That, the court held, is precisely what the voucher program does. Chief Justice Nancy Rice wrote in the court's opinion that it 'essentially functions as a recruitment program, teaming with various religious schools' to seek scholarship candidates.

This would seem to fly in the face of *Zelman v. Simmons-Harris*, a case decided by SCOTUS in 2002, which maintains that because voucher money goes to the parents, not the religious institution, it in no way breaches the Establishment Clause of the First Amendment. To read more about the Colorado decision, go here - http://www.denverpost.com/news/ci_28401042/colorado-supreme-court-rejects-douglas-county-voucher-program To learn more about *Zelman*, go to https://en.wikipedia.org/wiki/Zelman_v._Simmons-Harris

Release time, a practice that allows public employees to conduct union business during working hours without loss of pay, has been getting a lot of press attention of late. These activities include negotiating contracts, lobbying, processing grievances, and attending union meetings and conferences. According to Trey Kovacs, a policy analyst at the Competitive Enterprise Institute, this racket has cost the federal government about \$1 billion since 1998. Between 2008 and 2011, the fraud has increased from 2.9 million hours at a cost of \$121 million to 3.4 million hours at a cost of \$155 million. To learn more, go to http://www.ncpa.org/sub/dpd/index.php?Article_ID=22873 If any of you have release time abuses at your school and are disturbed by it, ask your local school board president how the district deals with this policy. Go to school board meetings and ask questions about the contract wording and ask for verification that that district actually lives up to the contract. Write letters and talk to the media about it, if necessary.

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” on our website – 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.

Anyone wishing to make a donation to CTEN can do so very simply through a personal check or PayPal - <http://www.ctenhome.org/donate.html> As a non-profit, we exist and operate only through the generosity and support of others. Many thanks to CTENers who have already donated and a special shout-out to those of you who do so on a regular basis.

In any event, I hope your summer has been going well!

Sincerely,
Larry Sand
CTEN President