



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 17, 2019

Dear Colleague,

Released in late June, an important poll commissioned by the [Teacher Freedom Project](#) revealed that 77 percent of teachers have never even heard of the *Janus* decision, now a year old, and 52 percent don't know that they are no longer required to pay a union to keep their teaching job. The survey also shows that a sizable number of teachers are uninformed about the source of many of their professional benefits. Almost a third think that they would not be covered by their union's collective bargaining unit contract should they quit. Almost a quarter think they'd lose their tenure protections, and 18 percent think they'd lose their health insurance – all untrue.

All in all, the teachers unions are in pretty good shape one year out. While the fee payers – those teachers who had quit the union but were still forced to pay dues – are gone, few others have left the union fold. According to Mike Antonucci, the National Education Association has actually had a [one percent increase in membership in calendar 2018](#). Part of the reason for this is that, suspecting the Supreme Court would decide for worker freedom, the unions made a concerted effort to hang on to members by trying to get them to “[recommit](#)” prior to the *Janus* decision.

But the unions shouldn't get too cocky, as *Janus* is just a year old. While Michigan became a right-to-work state in 2012, the law didn't go into effect until the end of 2013; there was no rush to the exits there either, but rather a steady membership loss over time. In fact, in the ensuing years, the Michigan Education Association has experienced a [28 percent decline in membership](#).

In California, to make sure that all teachers are aware of their options, the [California Policy Center](#), the [Mackinac Center for Public Policy](#), the [Freedom Foundation](#), [TeacherFreedom.org](#), [For Kids and Country](#), [MyJanusRights.org](#), the [California Teachers Empowerment Network](#), et al. are working diligently to get the facts to teachers about union membership.

As [Colin Sharkey](#), executive director of the [Association of American Educators](#), notes, “Until every educator in the country knows their rights and options, we cannot know the full impact of *Janus v. AFSCME*. For now, we must keep working to provide as many educators as possible with clear and straightforward information about their newly restored rights.”

To see all the results of the Teacher Freedom Project poll, go [here](#).

The yearly NEA Representative Assembly gathering wrapped up a week and a half ago, and it was the typical rah-rah affair, with all the usual suspects lined up for union vitriol. NEA president Lily Eskelsen García went off on Trump, DeVos, the Kochs, the Waltons, billionaires, privatization, etc.

The Koch Brothers will never take their case to the public because the public's not stupid. They have to hide their agenda. Because their agenda is profoundly un-democratic; and un-American.

They want a permanent and institutionalized system where mega-wealth and mega-corporations rule. Donald Trump was not their favorite candidate four years ago, but he is now. He's delivered their tax cuts; he's accepted their preferred list of corporate-friendly judges; and he's placed their cronies in key government positions expressly to sabotage agencies that were set up to protect consumers, the environment, health care, workers, and, of course, education.

(In reality, Trump is anything but the libertarian Kochs' "favorite candidate." They have said that they will give the president no support in 2020. More [here](#).)

To read all of the NEA president's comments, go [here](#).

Additionally, many of the Democratic presidential candidates were on hand, competing to get the union's endorsement. The Q&A, all available online, went on for over two hours.

To watch the candidates' forum, go [here](#). To read a synopsis by *Chalkbeat's* Matt Barnum, go [here](#).

And speaking of the NEA RA, it has been just 10 years since Bob Chanin, 41-year general counsel for the National Education Association, gave a legendary talk announcing his retirement. For the first part of his 25-minute speech, Chanin was pleasant enough, recalling with fondness his time as NEA's top lawyer. But at 15:30 "Uncle Bob" switched gears and started lobbing grenades at perceived NEA enemies, referring to them as "conservative and right-wing bastards."

To watch the video, go [here](#).

On the school choice front, there has been some positive movement. After a bloody battle with the state's teachers unions, the West Virginia legislature finally agreed to allow charter schools in the Mountain State, albeit slowly and carefully. The law, signed by Governor Jim Justice in late June, allows for three charter schools initially, then three more in 2023, then three more every three years.

Not surprisingly, even the very moderate nature of the bill was too much for both the American Federation of Teachers-West Virginia and the West Virginia Education Association. Both unions sent letters to Justice, asking him to veto the bill. AFT-WV President Fred Albert claims,

While this legislation contains some provisions that educators and parents would support, those positive elements were needlessly lumped together with a measure to create charter schools in a politically-motivated and cynical attempt to force lawmakers to vote against the will of their constituents.

To learn more about the West Virginia legislation, go [here](#).

Also concerning school choice, the Supreme Court has announced it will take up the *Espinoza vs. Montana Department of Revenue* case which centers on educational choice tax credits in Montana. The case could establish that religious schools cannot be excluded from school choice programs per anti-Catholic “Blaine Amendments,” which were established in 37 states beginning in the 19th century.

The case is being litigated by the Institute for Justice which states,

*Blaine Amendments are controversial state constitutional provisions rooted in 19th century anti-Catholic bigotry. Their purpose was to prevent the government from funding Catholic schools. Today, opponents of educational choice employ Blaine Amendments—found in 37 state constitutions—as blunt weapons with which they attempt to block modern educational choice programs. However, IJ is pursuing a legal strategy to eliminate these obstacles to educational freedom. This opportunity arises from the U.S. Supreme Court’s decision last summer in *Trinity Lutheran Church of Columbia, Inc. v. Comer*. In that case, the Court stated that excluding qualified institutions—like schools—from public benefit programs solely because of their religious affiliation is “odious to our Constitution . . . and cannot stand.” IJ believes this opinion is a death sentence to Blaine Amendments, which have been invoked by teachers’ unions and their allies for decades to try and prevent choice programs from spreading and generating widespread reform. IJ’s cases in Montana, Maine, and Washington State are designed to drive our arguments up to the U.S. Supreme Court and to vindicate the right of all parents to access meaningful educational options.*

To learn more about the case, go [here](#).

A new study shows that school choice programs reduce crime. In the *Washington Examiner*, the Reason Foundation’s Corey DeAngelis writes, “Researchers found that entering a charter school in North Carolina in 9th grade reduced the rate at which students were convicted of felonies by 36% and the rate at which they were convicted of misdemeanors as adults by 38%, compared to their peers in traditional public schools.”

As DeAngelis notes, the results of the study are similar to five other studies on the subject and reasons,

Traditional public schools hold significant monopoly power because of residential assignment and funding through property taxes. Families upset with the quality of their public school only have three limited options: They can purchase an expensive new house that is assigned to a better public school, pay for a private school out of pocket while still paying for the public school through property taxes, or complain to the school leaders and hope things change.

Because these options are expensive and inefficient, there is not a lot of pressure for residentially-assigned public schools to provide the best character education possible. In contrast, private and charter schools must cater to the needs of families if they wish to remain open.

School choice puts power into the hands of families. And families usually know what's best for their own kids.

To read more, go [here](#).

To be fully informed about the new Sex Education Framework in California, a great one-stop-shop is a set of five very brief videos made by southern California school teacher and school board member Brenda Lebsack. Among other things, one video includes curricular samples and another explains what parents and community members must do to fight back if they are not happy with how their local schools are dealing with the subject.

To view these very informative videos, go [here](#).

And finally, as you well know, data and solid information are very useful in scoring political points and making cases for various causes. To that end, CTEN has a fact sheet on our website which has been updated – all with original sources. To see it, go [here](#).

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