



# HCTA REPORTER

Electronic Version  
October 2014

A Union of Education Professionals

An official Publication of the Hillsborough Classroom Teachers Association

Affiliated with FEA, AFT, NEA, AFL-CIO

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## HCTA'S "ROCK THE VOTE" PARTY!

With food trucks, music, Hillsborough's Supervisor of Elections, perfect weather, and lots of HCTA members and friends, it was impossible not to have a GREAT time! And, we signed up new voters, as well! -- President Jean Clements



Representatives from the Hillsborough County Supervisor of Elections Office were happy to be on hand to sign up new voters.



Mary Proud (FEA), with HCTA Members, Kali Rabaut and Amy Gabriel.



We had great food from the "Tampa Bay Food Truck Rally"!

Your  
Vote  
Counts!

**Volunteer for One Hour  
& Get a FREE T-Shirt!**  
**See page 8 for details!**

Find weekly activities at [facebook.com/hillsboroughhcta](https://facebook.com/hillsboroughhcta), or call the office at 813-238-7902 or send an email to [mary.proud@floridaea.org](mailto:mary.proud@floridaea.org)

## PRESIDENT'S MESSAGE: DO WE REALLY CARE?

by Jean Clements



I know a lot of you hate politics. Me too. Really, I do.

It's just bad form -- so much meanness, cheating, corruption, along with manipulative and monumentally misguided people.

Have you watched any episodes of House of Cards, with Kevin Spacey and Robin Wright? The highly acclaimed TV show elevates all my bad feelings about politics.

But here's the thing - we work in public education. Decisions about how and what we teach, and how we run our schools and districts, are made by elected politicians. They make decisions about our pay, our pension, and our profession.

Their decisions result in the over-testing of all students and outright test torture for some of our kids. Their actions underfund and undermine our schools and the futures of many of Florida's children.

We complain. So do parents and students. But we elected those politicians, or allowed them to be elected by a handful of voters, because we were too busy, too lazy, or too apathetic to bother to vote.

We're special people. We're educated, we're educators, and we truly care about kids and their future. But they can't vote. We can. As educators, we have chosen to be responsible for them. But that commitment falls short and is imperiled when we fail to vote.

Ponder this: sixteen percent. That's the percent of voters who bothered to vote in Hillsborough in the last election.

Twenty-nine percent. That's the estimate for the percent of HCTA members who voted.

Much has been written about the many lessons learned from the Eric Cantor race in Virginia earlier this year. House Majority Leader, popular and powerful, Cantor had won his 2-year congressional term in the 2012 general election with over 220,000 votes.

Then in June, less than 2 years later, with only 65,000 bothering to vote in the primary election, his relatively unknown Tea Party opponent beat him with a total of approximately 36,000 votes. He didn't beat him by a 36,000 vote margin; *he only had 36,000 votes*, and that was enough to beat Cantor because only 13% of the district's registered voters bothered to vote in the primary, and a little over half of them voted for the upstart tea party candidate.

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Maybe the folks in that district near DC had a radical shift in philosophy. There were certainly reasons why the appeal of one candidate would have decreased, and the appeal of the other would increase. Personally, I don't believe the outcome of a vote by

so few can be characterized as a seismic shift in political ideology of the Virginians in Cantor's district. I agree with those who believe the outcome was primarily the result of 87% of registered voters being too busy, too apathetic, or too lazy to vote, leaving the outcome in the hands of the 13% who voted.

In real numbers, about 36,000 voters picked the winner, when about 65,000 voted, out of about 500,000 registered voters in a population of almost 768,000. The representation of 768,000 citizens was determined by 0.0476 percent of the population.

Is that what democracy is supposed to look like?

Hillsborough County has an estimated 1,229,226 residents, including children. Only 16.72% of our 756,328 registered voters, representing 10% of the total population in Hillsborough, voted in our recent August primary.

When the turnout is so low, your vote counts even more. Both of our endorsed school board candidates needed less than a thousand votes more to have won outright, and not have to be in a run-off in the November general election.

I know we're busy. I know many of us hate politics. But I also know we know what a difference one governor makes over another, and how the people who are legislators and school board members change the climate and conditions in a state or district. For those who voted, and who vote every time, clearly that is not enough. We must make sure each of us gets a few more of our friends, colleagues and neighbors to vote. For those who do not always vote, **WE NEED YOU**. Our students and your colleagues need you.

The right to vote is one of the most fundamental liberties we enjoy as Americans and it is also one of our greatest civic responsibilities. Be sure to VOTE in November so that our voices as public educators are heard.

Our children cannot vote. They need us to vote for them.

We concluded bargaining the first week of October. The full ratification documents are available on our web site at [www.hillsboroughcta.org](http://www.hillsboroughcta.org).

New salary rates will become effective in the pay cycle following school board ratification and will be retroactive to July 1. Below are highlights of the key bargaining issues and related questions.

## 1. Monetary Changes

Please note that the document entitled "MOU Salary and Benefits (Teacher and ESP)" contains the monetary agreements. This is a short document (2 pages) and should address most questions. While there are a limited number of items we wish were different, on the whole we believe we achieved a great deal of positive change!

### ESP

Last year, we made great changes for teachers and, as promised, this year we followed suit on behalf of all of our ESPs! All ESPs, regardless of hire date, will move up four steps.

For example, an ESP on Grade 14, Step 5 will move to Grade 14, Step 9 (on the current scale). Once the salary schedule is ratified that step will be called Grade 14, Step 5, but the pay rate will have increased. If you locate where you currently are on the scale and move 4 steps to the right, that will be your new hourly rate.

To calculate your annual salary, multiply that hourly rate times the number of hours you work per day, and then multiply that by the number of days you work per year.

Here's how it will work for ESPs at or near the top of the scale:

- If they're on 29, they'll move to 32 and get a 2% salary adjustment (bonus).
- If they're on 30, they'll move to 32 and get a 4% salary adjustment (bonus).
- If they're on 31, they'll move to

32 and get a 6% salary adjustment (bonus).

- If they're on 32, they'll stay on 32 and get an 8% salary adjustment (bonus).

The salary adjustment (bonus) will be paid in two installments; one in November and one in March.

### Teacher

All teachers on the A/B scales will move one level step and teachers at the top will receive an equivalent salary adjustment to be paid in two installments. Additionally, all eligible teachers on the new E/G scale will receive their service credit, resulting in about 1/3 of those teachers moving to the next pay band and receiving a \$4,000 jump in pay!

On another positive note, those opting in to the E/G scale between October 6 and October 24, 2014, will receive any increase retroactive to July 1, 2014.

We are also pleased to report that, with the support of a joint labor-management High Needs School work group, we've preserved solid salary differentials for our Renaissance Schools.

- Paraprofessionals will receive \$750

### 2014 - 2015 Bargaining Team

Chief Negotiator & Executive Director: Stephanie Baxter-Jenkins

Jean Clements, President

Marilyn Dupree, Vice President & LaVoy Exceptional Center

Janet Alwood, Orange Grove Middle School

Crystal Blanco, Twin Lakes Elementary School

Sabrina Gates-McCarthy, Peer & Spoto High School

Maridea Groves, Ippolitto Elementary School

Paula Haggerty, Pierce Middle School

Richard Lucas, School Social Worker

Analene McColloch, Tampa Palms Elementary School

Cherie Miller, Mann Middle School

Michelle L. Miller, Brandon High School

James Traun, Lopez Elementary School

Harrietta Willis, Just Elementary School

- Teachers with 0-1 year of experience will receive \$1,000

- Teachers with 2-10 years of experience will receive \$2,300

- Teachers with 11 or more years of experience will receive \$3,600

These amounts are flat dollar amounts, which helps the district to budget, but they are based on the approximate number a teacher at the top of the relevant category would have earned under Tier One in the old program. As such, we are pleased to have preserved this important benefit for teachers in our neediest schools.

We were also able to accomplish a number of other positive changes, such as increasing the mileage rate, increasing a number of reimbursement supplements and expanding a variety of supplements.

There are two areas where, although we fought hard, there were monetary changes that are less positive:

### A. Extended Learning Program & Extended School Year Salary

This MOU changes the hourly rate of payment for ESY and ELP to a flat rate of \$27 for the 2014-2015 school



## BARGAINING UPDATE (CONT.)

year and summer 2015. It will go into effect as soon as the contract is ratified. Many of you will recall we fought to retain the hourly rate for summer 2014 and we were able to increase the rate to \$27 (as the district offered \$25). We realize this is very disappointing for many of you. We also understand that many of you feel the district is wrong on this and we agree.

However, this was a monetary issue for the district because they went to a flat fee for administration several years ago and wanted to maintain the same system for teachers.

Please note, we agreed to this for 2015. If schools cannot staff these programs because of the flat rate, we will certainly revisit this subject.

### **B. Decrease in Performance Pay**

Instructional performance pay earned during the 2014-2015 school year, will be: Level 4-\$1900; Level 5-\$2900. It will be paid out in installments over the 2015-2016 school year. Performance pay earned in the 2013-2014 school year remains at \$2,000 and \$3,000.

Opening the bonus to all level 4 and 5 teachers has increased the number of people receiving performance pay by approximately 2,000 people. We agree that changing the number is a bad move and we argued as such. The district originally wanted to decrease each level by much more and we fought against that to end up with \$100 decreases.

It is important to remember that the union fought for most of the money on the new scale to be in the base salary for this very reason – performance dollars are subject to change.

The union and the district have committed that there is no cap on excellence. We think this is right because all highly effective teachers deserve to be recognized. But the financial reality is that paying more people does cost more.

### **2. Changes Required by Senate Bill 736**

There are two MOUs in the teacher contract materials, which were required by SB 736. As we are sure many of you will recall, this law was passed by the legislature and signed into law by Governor Rick Scott in 2011 and among other things, abolished tenure, required new evaluations including value added measures (VAM) and stated that seniority could no longer be a determining factor in transfers and lay-offs.

For the last several years, our district sided with the union in trying to insulate members from this ill-conceived law. However, the law does require districts to implement a number of the changes this year and our district came to negotiations with some proposals based on 736.

The two key MOUs required by law are the ones related to seniority and to hiring in 2015 and later. In both instances, please note that the union sought language to ensure that if the law changes, we will revert to previously bargained language.

#### **A. Seniority**

As you will see in the MOU, the parties tried to preserve the spirit of our long time language as much as possible, while still abiding by the legal requirement that seniority not be the determining factor.

To this end, in the event of a unit loss, affected teachers will have the option first to volunteer for the pool. Second, if no volunteers are secured, the individual with no score will go to the pool. Last, if neither option 1 or 2 resolve the issue, evaluation scores will be used, with the lowest scoring individual being the person placed in the pool.

Please note, because of the size of our district (8th largest in the country), there have historically been a high number of open positions. As such, going to the pool means you will accept another position – it

doesn't mean you no longer have a job.

It is also important to note that veteran educators who, for instance, take a leave have an evaluation score. If you left with a 60.2, that is your score of record until it is replaced with another score. Similarly, a teacher who is out of the classroom as a resource person, coach, peer or mentor still has an evaluation score because all employees have an evaluation.

#### **B. New P/Q Pay Scale**

As you know, last year we gained a ground breaking teacher pay scale (E/G Scale). In bargaining that scale, we expressly preserved tenure rights for all our veteran teachers, so that they could gain the monetary benefits of the new scale without sacrificing their rights.

SB 736 requires that to move to a covered performance scale, a teacher must give up tenure or continuing contract status.

Therefore, to meet the law, we created the P/Q scale, applicable to employees hired next year, which has no "tenure status" attached. As you will see, that scale has one (1) additional dollar per band, making it "different" than the E/G scales.

Current teachers will continue to opt in to the E/G scale which is now, along with our prior scale, a "grandfathered" salary schedule for legal purposes.

Although we've covered many of the ratification items here, there are additional MOUs and questions that we have addressed in the "2014-2015 Ratification Q&A" document that is available on our web site ([www.hillsboroughcta.org](http://www.hillsboroughcta.org)).

If you have additional questions, please review the Q&A document and keep an eye out for additional updates on the web site.

# I'VE BEEN CALLED IN FOR WHAT?!

by Ty Tison

It's a common scenario. The phone rings or someone just stops by. Maybe it comes via a whisper, a note, an email, phone or text, even though everything is going great in the job.

*"All of a sudden my Principal or someone else wants to talk to me in the office for some non-disclosed reason. I arrive expecting something good to happen or, worst case scenario, it's a parent complaining about Johnny's grade.*

*But I quickly come to the realization that it's much more than that. I am being asked about my conduct towards a particular student. Did I grab, shove, push, scratch or touch the student in any way? I try to explain, but it seems like my denial or otherwise innocent explanation is falling on deaf ears. It quickly turns much more serious when I am further questioned and advised that I am being sent home on administrative leave until further notice!*

*All of a sudden, my life is in shambles; not to mention I might soon be changed to non-paid status and possibly even terminated depending on how the 'investigation' turns out."*

This is the nightmare scenario that more teachers than you might think possible are confronted with every school year. I know this because I have been representing them in these situations for almost 15 years and it just seems to be getting worse.

They always tell me something along the lines of "I've been teaching for years. It is a profession I love and one to which I have committed so much. I love the kids, and that thrill I get when I see them really respond and get excited about truly learning! It's one of many reasons I went into teaching... so when can I get back to teaching my kids?" The answer, unfortunately, is complicated.

The purpose of this article is to help you understand, not only how an allegation of misconduct might be raised, but also the process of what happens after an allegation is made. Even if it is a FALSE allegation that you have, in

some way, shape or form, placed your hands on a student against his or her will, with no harm done at all. Or even if you inadvertently caused a child an injury or just a red mark or scratch.

The hope is that by understanding this process you will better protect yourself from any such allegations being brought against you, and if they are, you will know to not answer any questions of anyone without contacting your union rep and getting representation.

There are extensive laws, rules and policies in place which may differ by District throughout the State of Florida. But it all comes down to knowing that, if your physical actions are being called into question by anyone, you **MUST** seek clarification of the purpose of any questioning and seek representation and counsel **BEFORE** answering **ANY** questions!

Your entire career may literally be at stake, both on the local school district level and via your teaching certificate with the DOE. Also, an allegation can be as simple as an inappropriate touching as opposed to anything sexual or particularly forceful or resulting in injury.

The purpose of this article is to help you understand, not only how an allegation of misconduct might be raised, but also the process of what happens after an allegation is made.

Typically, when an allegation of any form, such as inappropriate touching is made by a student or parent, the Principal or another school Administrator is notified. Once the Administrator is notified, he or she



*Ty Tison is owner and managing partner of the Tison Law Group in Tampa, Florida. He has been representing union members for almost fifteen years. His firm practices in the areas of Criminal Defense, Personal Injury, Administrative and Employment Issues, and Traffic Tickets.*

will contact Professional Standards and they, in turn, will get a School District Investigator (SDI) involved.

There may be a School Resource Officer (SRO) or another officer not assigned to the school who may get involved. There will also likely be a Child Protection Investigator (CPI), either from DCF or the Sheriff's office. Lastly, there may actually be someone who identifies themselves as a Criminal Investigator, Detective, Deputy or other Law Enforcement Officer.

What's important to know when you are confronted with allegations about your physical conduct towards a child is that, whether you meet them or not, **ALL** of these people may potentially be involved behind the scenes and communicating with each other about the things you tell them.

You may be approached by a friendly Principal who really wants to help you, but has no control over what the other entities and people that are involved are doing. You may be asked to explain yourself by someone you have always considered a good friend or seems very likable and trustworthy.

**Continued on Page 6**

## I'VE BEEN CALLED IN FOR WHAT?! (CONT.)

**MAKE NO MISTAKE** about it - it is a crime in the State of Florida for a teacher or administrator to fail to report child abuse, and what constitutes that as opposed to a simple non-consensual touching is a very fine line. Regardless, they are **BOTH** crimes and will possibly be investigated as such. They will also likely be investigated for purposes of employee discipline or licensing.

Each entity has a representative that approaches the investigation from their own angle and it is very difficult to be able to tell the difference between them. Just know that sometimes the wolf comes in sheep's clothing! Some come in the interests of the child, some in the interest of criminal prosecution, some in the interest of employee discipline; but **NONE** should be assumed to be acting in **YOUR INTEREST** other than your union rep! **KNOW** that they **ALL** will probably be working together in some capacity and that you are the **TARGET** of their investigation!

Recognize that there are no "off the record" conversations and, regard-

less of what they tell you or disclose as their purpose, whatever you tell them is admissible in a court of law and a disciplinary hearing to be used against you!

The bottom line is,  
when confronted  
with any allegation  
regarding your  
conduct towards a  
child, call your union  
rep and seek help  
**BEFORE ANSWERING  
ANY QUESTIONS,  
REGARDLESS OF WHO  
IS ASKING THEM!**

Anyone knows that, when a Detective wearing a badge reads you your Miranda warnings, it's probably a good time to stop talking and get a lawyer. The problem is that any statements you make to that friendly and

helpful child investigator, principal, AP or other administrator is possibly **JUST** as admissible in a court of law or disciplinary hearing as is the statement to a law enforcement officer with badge and a gun interrogating you post Miranda under a bright light smoking a cigarette!

There is no difference as it relates to the end result and many teachers have lost or damaged their career based on a statement they made to administrators long before they ever refused to speak to an officer!

The bottom line is, when confronted with any allegation regarding your conduct towards a child, call your union rep and seek help **BEFORE ANSWERING ANY QUESTIONS REGARDLESS OF WHO IS ASKING THEM!**

It may save your job, your teaching certificate and your freedom from criminal prosecution or administrative discipline. You will also sleep a lot better and increase your chances of getting back to, and keeping, the job and kids you love so much!

# Sign Up for email updates

Signing up for email updates is the one of the best ways to stay up to date with HCTA news. You'll receive updates on bargaining activities, legislative & election information, and be the first to hear about professional development opportunities and HCTA social events.

Go to  
[www.hillsboroughcta.org](http://www.hillsboroughcta.org)



## YOUNG EDUCATORS CAUCUS

HCTA's Young Educator's Caucus is a group of young union members (under 40) who work in public education, looking to make a difference in their profession and effect positive change. The Young Educators host and participate in a variety of union, social and civic activities over the course of the year, such as Rock The Vote.

HCTA YEC hosted an Open House for new HCTA members and Young Educators on August 28, 2014. State Representative, Mark Danish, also a Hillsborough CTA member, came to speak with members about important education related topics. AFT National Representative, LaFrances Trotter, shared information about AFT programs, "First Book" and "Share My Lesson" and members were able to sign up for both programs during the event.

One lucky member also won an iPad! HCTA YEC recently became a part of the Florida Education Association's FYRE group. Florida's Young Remarkable Educators groups are being established in local unions across the state, with the goal of promoting a forum for discussion for their generation and developing leaders within the local and state unions.



State Representative, Mark Danish, speaking with members at the YEC Open House.



HCTA Member, Carlee Soto, signing up for Share My Lesson.

## YOUR VOTE COUNTS!

**For our students, for our profession...  
get involved and ensure our voices are heard!**



### **Phone Bank**

Every Tuesday & Thursday  
4:00 pm - 7:00 pm at the HCTA Office

### **Sign Wave**

Every Wednesdays 4:30-6pm

### **Return Your Mail Ballot**

Send us a picture of your signed ballot!

### **Participate in the Statewide Day of Action!**

Saturday, October 25

### **Organize a Faculty "Early Vote" on Early Release Day**

Monday, October 27, 2014

Find weekly activities at [facebook.com/hillsboroughcta](https://facebook.com/hillsboroughcta), or call the office at 813-238-7902 or send an email to [mary.proud@floridaea.org](mailto:mary.proud@floridaea.org)

## DATES TO REMEMBER

**HCTA Representative Council**  
Thursday, October 9, 2014

**Support Saturday**  
Saturday, October 11, 2014

**HCTA Day of Action**  
Saturday, October 25, 2014

**HCTA Board Meeting**  
Thursday, November 6, 2014

**HCTA Representative Council**  
Thursday, November 13, 2014

**Support Saturday**  
Saturday, November 15, 2014

**Schools Closed / Thanksgiving Holiday**  
November 24-28, 2014



## HILLSBOROUGH CTA REPORTER

The official publication of the

HILLSBOROUGH CLASSROOM  
TEACHERS ASSOCIATION, INC.

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This Publication is paid for by membership dues.  
AN AFFILIATE OF FEA, NEA, AFT, AFL-CIO

# JOIN HCTA TODAY OR INVITE YOUR COLLEAGUES TO JOIN

Last Name

First Name

Middle Initial

## HILLSBOROUGH CLASSROOM TEACHERS ASSOCIATION, INC. PAYROLL DEDUCTION ENROLLMENT CARD

I authorize and request the School Board of Hillsborough County to deduct Hillsborough Classroom Teachers Association dues and assessments from my bi-weekly pay, and to transmit the deducted amounts to the Association office. I understand the School Board will discontinue dues deduction upon 30 days' written notification to the Association and Board. I understand that dues, assessments, contributions or gifts to the Hillsborough Classroom Teachers Association are not tax deductible as charitable contributions for federal income tax purposes although a portion of the dues may be tax deductible under other provisions of the Internal Revenue Code.

Lawson ID \_\_\_\_\_ Phone # \_\_\_\_\_

Name \_\_\_\_\_

Home Address \_\_\_\_\_

City \_\_\_\_\_ Zip \_\_\_\_\_

E-Mail Address \_\_\_\_\_

☐ Teacher ☐ Paraprofessional ☐ Clerical

Work Location \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Association Representative \_\_\_\_\_

☐ Opt-in to receive text messages

DROP IN SCHOOL MAIL, HCTA ROUTE 1

FEA, NEA, AFT, AFL-CIO AFFILIATE