



# TODAY

Website:  
www.vtnea.org

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Nominate by January 15

## Vermont-NEA will present fourth annual Award for Teaching Excellence

MONTPELIER – Vermont-NEA will select and honor one of its active members this year in order to celebrate teaching excellence, public education, and our dedicated school workforce. The Vermont-NEA Award for Teaching Excellence has been presented annually since 2001.

Vermont-NEA President Angelo Dorta explains the basis for this Association Award: “Vermont-NEA believes that all students deserve the highest quality education and that the single most essential ingredient is a caring, competent, and qualified teacher who is supported by skilled and committed school support staff. Expert teachers who understand both the subjects they teach and the children they teach make the most important difference in student achievement.”

The Award, which carries with it a \$1,000 cash prize, recognizes, rewards, and promotes excellence in public school teaching and underscores high standards of service to students and to the teaching profession. The winner will represent Vermont in the national competition for the NEA Foundation Award for Teaching Excellence, which features a gala and

presents a \$25,000 cash prize to the winner.

### Eligibility

All active teacher and Education Support Professional (ESP) members of Vermont-NEA are eligible for this award, except Vermont-NEA statewide officers and board directors during their years of service.

### Nominations

Any active Vermont-NEA teacher or ESP member, or any NEA-Retired /NEA-Student member from Vermont may submit a nomination.

All nomination materials must be submitted in hard copy by or before January 15, and must be received at the Vermont-NEA office in Montpelier by 5:00 p.m.

### Selection Process

Selection of the award recipient will be made at the state level by the Vermont-NEA Teaching Excellence Award Selection Panel. The Panel will be comprised of two statewide officers, three at-large Board Directors, and two local affiliate teacher leaders/members. The Panel will read and evaluate all nomination materials and interview the finalists.

They may arrange for classroom visitations.

The Panel will inform the Vermont-NEA Board of Directors of its recommendation, and the Board will take official action on the Panel’s recommendation.

These are the past winners of the Vermont-NEA Teaching Excellence Award:

**2003 - Debra Gurwicz**

Grade 4-5 loop elementary school teacher, Orchard School, South Burlington

**2002 - Kathryn E.S. Grace**

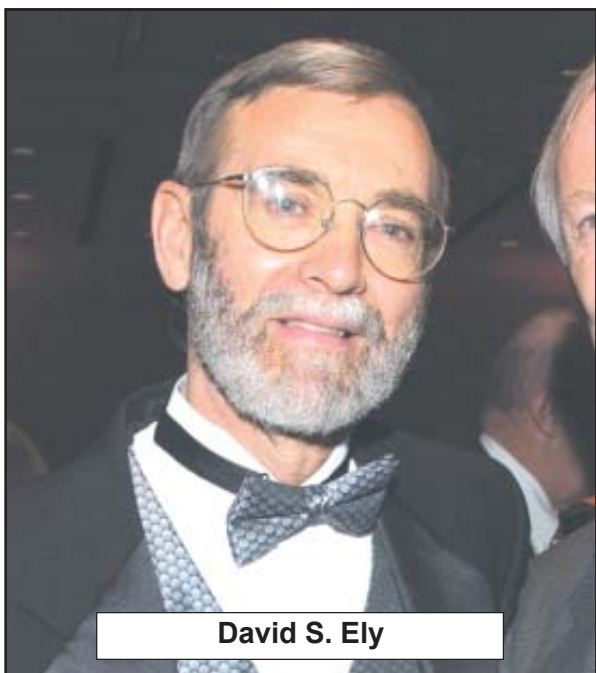
Special Educator, Founders Memorial School, Essex Town

**2001 - David S. Ely**

Science Teacher, Champlain Valley Union High School

David Ely won further honors at the national level as one of five finalists for the NEA Foundation Award for Teaching Excellence.

The Vermont-NEA website provides detailed instructions for Teaching Excellence Award nominations, including the necessary “data sheet.” Go to [www.vtnea.org/award.htm](http://www.vtnea.org/award.htm)



David S. Ely



Kathryn E.S. Grace



Debra Gurwicz

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# Student test scores: Significant positive changes are underway



By Angelo J. Dorta, President

Annual student test scores often are grist for interpretation and debate among incessant public school critics and the education professionals who actually dedicate themselves to the daily hard work of teaching and learning in our Vermont schools. Habitual misrepresentation of student testing data is the recurrent hallmark of the naysayers, however. While relentlessly bemoaning scores as too low, they steadfastly ignore their full meaning vis-a-vis education standards.

Overall student achievement in post-World War II U.S. public education was measured mostly by student-by-student comparisons of standardized test scores within the same classroom, same school district, and same grade across our country. Results were "norm-based" according to the "bell curve" theory of academic/intellectual ability. Some few individuals were designated as high achievers, some few were labeled as low achievers, and the majority were categorized as average learners.

Thus, Garrison Keillor's Lake Wobegone effect was born. All the children were "above average" because ability was defined by comparisons with other students.

Student comparisons were derived through percentile rankings. Hence, a score in the 70<sup>th</sup> percentile was better than 70% of others in the comparison group. A school's entire student population potentially could score "above average" on norm-based standardized tests, thereby implying a questionable sense of student mastery of specific skills and knowledge to educators, parents, and the community.

The late 1990s brought real U.S. education reform via standards-based instruction. For the first time, educators and students in Vermont and in other states now have definitive academic standards to guide classroom "activities" and "experiences."

The standards are state-specific. Although favored by some people and disliked by others, they are either highly precise or more general, grade-by-grade or in grade blocs, as determined through each state's unique standards-setting process. Regardless, all public schools and their educators

in a state finally have the same statewide academic goals.

It has been only five years since this complex transition to education standards began in Vermont. Understandably, genuine implementation of standards-based instruction is uneven around the state, but continues.

Vermont's *Framework of Standards and Learning Opportunities* was disseminated, and educators, students, and parents understand it. Districts continue to use the standards to align existing curriculum, student academic assessments, and report cards. Additional professional training continues to help teachers incorporate the state's academic standards into lesson plans and student studies. School local action planning teams use student testing data and curriculum evaluations to target improvement on particular education standards. And, it all takes time.

Meanwhile, our perpetual critics such as Libby Sternberg, John McClaughry, and the Burlington Free Press, treat Vermont test results based on new standards as if they're old, familiar norm-based comparisons. They publicly lament seemingly low school and state scores and never reveal an important truth about standards-based test scores: Standards-based tests set a higher bar for students. For example, "above average" students who previously tested at the 61<sup>st</sup> percentile on norm-based assessments may not even obtain "proficient" scores on standards-era exams.

The standards are absolute markers of student and school achievement. Standards-based test scores aren't relative to how other students and schools perform. Self-congratulatory "above average" descriptions no longer are meaningful. The scores now directly correspond to test items that embody the state's actual academic standards.

In fact, there is no "average" anymore. All students need to achieve specific and appropriate academic standards to succeed in today's global economy and modern democracy. Schools and communities must help them fulfill their maximum potential for acquiring high level skills and knowledge.

Yet, the constant faultfinders never acknowledge the huge shift from norm-based to standards-based testing and the newer, tougher challenge of helping all students achieve the standards. They ignore substantial annual gains. They exclusively focus on the gap between current scores and 100% proficiency. They neglect to observe that this shift is only five years old. They place blame on Vermont educators and their representative organizations and characterize all of us as hidebound allies in a status

quo "education establishment."

Vermont public education is on the right track, as again proven by the October release of the spring '03 assessment results and other recent data. Test scores of second-graders on the Developmental Reading Assessment (DRA) were up for the fifth consecutive year, with 82% now achieving or surpassing the early literacy state standard. More 4<sup>th</sup>, 8<sup>th</sup>, and 10<sup>th</sup> grade students than last year achieved the standards in 14 out of the 21 English/language arts and mathematics sub-tests for New Standards Reference Exams (NSREs). Six showed some decline, while one was unchanged from 2002.

Interestingly, some portions of the NSREs also include embedded test items from the Stanford 9 Achievement Test (SAT-9) to permit valid and reliable national comparisons. According to the Vermont Department of Education, Vermont students — on average — scored better than 77% to 85% of their peers nationally.

And still more positive data: Second-year student scores are up on standards-based science assessments (VT-PASS) administered in 5<sup>th</sup> and 11<sup>th</sup> grades, with 5th-graders registering an impressive 14% gain. The number of Advanced Placement (AP) courses and exams taken by highschoolers rose 16% over last year, with nearly two out of three students earning college course credit (both figures exceed national averages). National Assessment of Education Progress (NAEP) results in 2000 and 2002 showed Vermont 4th- and 8th-graders consistently in the top five states for reading, writing, and math proficiency. And, 70% of Vermont's college hopefuls took SATs while attending a public high school (compared to the 48% national participation rate), yet their average combined verbal and math score was 14 points higher than in 1997.

Of course, several important areas require attention and additional improvement efforts. Many middle and high school NSRE scores still lag behind the performance of younger students. Results for children living in poverty are 14%-25% lower across all assessment areas and measures. The gaps are even wider between special education students and their classmates. Gender differences still crop up unnecessarily.

However, Vermont test scores don't present a glass half-full or half-empty enigma, as the Burlington Free Press asserted in a September editorial. The snapshots of student performance and trends are much more definite than that. It is just unfortunate that so many detractors are trapped in the past, unable or unwilling to recognize significant positive changes underway. ■

**AMERICAN PROMISE**

**Great Public Schools for Every Child**

**AMERICAN EDUCATION WEEK**  
November 16-22, 2003

Education Support Professionals Day • November 19, 2003  
Substitute Educators Day • November 21, 2003

## Celebrate American Education Week

MONTPELIER – Since 1921, schools and communities across the nation have celebrated American Education Week as a time to inform the public of the accomplishments and needs of the public schools and to secure the cooperation and support of the public in meeting those needs.

Our National Education Association was one of the creators and original sponsors of American Education Week (AEW). NEA and the American Legion were distressed that 25 percent of the country's World War I draftees were illiterate and 29 percent were physically unfit. Both groups in met 1919 to generate public support for education. The conventions of both organizations subsequently adopted resolutions of support for a national effort to raise public awareness of the importance of education. In 1921, the NEA Representative Assembly in Des Moines, Iowa, called for designation of one week each year to spotlight education.

American Education Week was first observed December 4-10, 1921. NEA and the American Legion were

co-sponsors. A year later, the U.S. Office of Education joined as an additional cosponsor. The National PTA followed in 1938. Today the week's cosponsors include:

- US Department of Education
- NEA
- National PTA
- American Legion
- American Association of School Administrators
- National School Boards Association
- American Federation of Teachers
- American School Counselors Association
- Council of Chief State School Officers
- National School Public Relations Association
- National Association of State Boards of Education
- National Association of Elementary School Principals
- National Association of Secondary School Principals

The earliest observances featured a different theme for each day of AEW. This changed in 1929 as the co-

sponsors decided to select a single theme that reflected the current national concern. The theme this year is "America's Promise: Great Public Schools for Every Child."

### How to Celebrate

The NEA website is a rich resource for ideas to celebrate AEW. Go to [www.nea.org/aew](http://www.nea.org/aew) for sample news releases, advice for getting the community involved, ways to include administrators and school board members, tried and true activities for every size local Association, and even inspirational quotations. Here are a few activities for local Associations:

- Invite retired teachers to a tea in their honor – and listen to them reminisce about their careers.
- Have upper-grade students read stories about their anticipated careers to primary grade students.
- Suggest that your church host a reception for educators following services.
- Place children's books in pediatricians' offices with stickers that identify the Association and urge parents to read to their kids every day. ■

## Ways To Say 'Thank You' on ESP Day

MONTPELIER – Education Support Professionals Day was first celebrated in 1987 after NEA's Representative Assembly called for the creation of a way to honor contributions of school support staff. National ESP Day is a time to strengthen support and respect for these colleagues.

In 2003, Karen Mahurin, then president of NEA's National Council of Education Support Professional (NCESP) members, led a successful campaign at the NEA Representative Assembly to change ESP's formal name from "Education Support Personnel" to "Education Support Professionals."

"The name change to 'professional' acknowledges the major contribution ESPs make to children and public education everyday," says Mahurin, a secretary with 22 years of experience. "We impact the lives of children every day in our own special and professional ways."

National ESP Day is the perfect opportunity to recognize and celebrate Education Support Professionals. These are just a few of the ways on the NEA website to thank ESPs for their important contributions to public schools.

- Providing a breakfast and/or lunch for the ESPs in your building is a great way to show your appreciation. You can also say 'thank you,' by bringing an ESP some home-baked cookies or bread. 'Breaking bread' with your colleagues is a great way to get to know ESPs.
- Be an ESP for a Day. Show your support and admiration for ESPs by experiencing the school day as an ESP. Even if it is only for a small amount of time, your participation will be greatly appreciated.
- A gift certificate to a favorite clothing, record or bookstore shows you have thought about an ESP's interests and allows him/her to pick an ideal gift. If you are not certain which store an ESP favors, give a certificate to a local mall or shopping center.
- Everyone loves to relax, and there is nothing better than a massage, facial or manicure/pedicure to do the job. Ask your coworkers to chip in and surprise an ESP with a little lunchtime or after-work pampering.
- Surprise an ESP with tickets to a concert, movie or show. A nice gesture would be to provide enough tickets for their significant other and/or family. ■

## Retiring with Security in an Insecure World

MONTPELIER — Retiring with security and dignity is something all of us want. But putting together the pieces of a sound retirement plan isn't easy. Vermont-NEA wants to help you.

Vermont-NEA is sponsoring seven retirement seminars between October 29 and December 16. The seminars are open to all teacher and ESP members (only!), and are highly recommended for ages 35 and up.

Each seminar provides a comprehensive overview of the major components of a smart retirement "roadmap." Here, in brief, are the topics the seminars will cover:

- ✓ **Understanding and Benefiting from the Teacher Retirement System**
- ✓ **Health Insurance and Medical Supplement Plans for Retirees**
- ✓ **Social Security**
- ✓ **Retirement Income through 403 (b) Plans and Other Investment Options**
- ✓ **Caregiving Needs and Long-Term Care Protection**
- ✓ **NEA-Member Benefits for Retirees, Final Directives, Power of Attorney, etc.**

The seminars will run from 4:30 until 6 p.m., and light refreshments will be provided at no cost. Select a date/location:

- ✓ **October 29 at the Holiday Inn in Rutland**
- ✓ **November 5 at the Capitol Plaza in Montpelier**
- ✓ **November 12 at the Comfort Inn in St. Johnsbury**
- ✓ **November 19 at the West Mountain Inn in Arlington**
- ✓ **December 2 at the Hotel Coolidge in White River**
- ✓ **December 16<sup>th</sup> at the Hampton Inn in Colchester.**  
(The Dec. 10 seminar in Belows Falls is cancelled and will be rescheduled in January.)

*These seminars are free, but they are limited to 30 members each.* To sign up, contact Ellie McAndrew at 1-800-649-6375 or email [emcandrew@vtnea.org](mailto:emcandrew@vtnea.org). Please give her your name, the school where you work, and your home and school telephone numbers. Your email address would also be helpful in case we have to cancel a seminar because of inclement weather.

**Door Prize:** If you sign up at least one week before the seminar, your name will be placed in a drawing for a DVD player. Call or email soon! ■

## Such is the economy of employing female teachers

MONTPELIER - In 1865, the Vermont Board of Education issued its ninth annual report to the Vermont Legislature. Vermont-NEA UniServ Director Suzanne Dirmaier, who enjoys flea markets, came across a copy of the 1865 report and, for \$10, added it to her collection of old education documents. She says that what fascinates her most is how little things change. Her 138-year-old Ed Department report contains some interesting information about female teacher pay. Here's an excerpt:

A most important and interesting fact in the recent history of our common schools is the steady and systematic transference of the business of education from male to female teachers... the number of weeks taught by male teachers has decreased 5,466, and the number taught by female teachers has increased 6,323. The change has gone on so steadily from year to year that it can not but be the result of a force which is powerful and constant in its operations. The school districts in this State are corporate bodies, as independent of each other, as the United States are of Canada. But in these independent bodies, uninfluenced by each other, and exempt, in this particular, from legislative control, a movement has been going on, which in its uniformity and steadiness, re-

sembles the operation of a law of nature... The movement has not been a spontaneous one, but the result of efforts made directly for that purpose. While it has been occasioned in part by the demands of the war upon young men, it has also been occasioned -- and, it is believed, in greater measure -- by a growing conviction of the public mind that female teachers are preferable to male. The Board desire to strengthen this conviction by calling attention to some considerations which show it to be well grounded.

Let the change be considered from an economical point of view. Had the relative proportion of male and female teachers been the same in 1863-64 as in 1859-60 there would have been taught by male teachers 15,879 weeks of school. The number of weeks actually taught was 10,413, being less by 5,466 weeks, the equivalent of 1,366 1/2 months. Now the average wages per month of male teachers in 1863-64 was \$20.48. Had the 1,366 1/2 months been taught by male teachers, the cost of tuition would have been \$27,985.92. But the average wages of female teachers during the same period was \$8.16, and the actual cost of those 1,366 1/2 months of instruction was \$11,150.64. The difference in the expense, therefore, is \$16,835.22;

a sum not unworthy of consideration, when all public expenses are, and must need be, for a generation to come, exceedingly burdensome. Such is the economy of employing female teachers. But aside from this, and more than this, there can be no doubt that the actual educational gain, the gain in social, moral and intellectual culture, is much greater and more important than the pecuniary gain.

In expressing these views the Board do not wish to be understood as approving the low rate of wages paid to female teachers. There is no class of persons in the community, (unless ministers of the gospel may be excepted,) so faithful, so self-sacrificing, so devoted to duty, and yet so inadequately compensated...

But great as is the injustice done to teachers by this inadequate compensation, a still greater injustice is done to the children and youth by a policy which tends to deprive them of female teachers. Contemporaneous with the gradual change from male to female teachers which has been mentioned, there has taken place a gradual improvement in the schools of the State...

*Email [vtnea@together.net](mailto:vtnea@together.net) to get a complete 4-page copy of this section of the 1865 report.*

## School Board member: Convention is "clearly a learning opportunity"

MONTPELIER – Vermont-NEA's website is public and receives a lot of inquiries from people throughout Vermont and across the nation. We answer every message carefully and courteously. Here's a good question we received from a school board member just before the Educators' Convention, along with our answer:

**Question:** I was asked by a parent, as a school board member, why we shut the schools for a union convention. I explained that it is a negotiated issue. The question then was why is it not held when school is not in session, perhaps just before school begins, so we do not shut the system down for two days, add two days to the school year and cause working parents the additional turmoil of having kids home for those two days. I have to admit I have wondered the same thing. I cannot imagine any other union shutting it's associated industry down for anything but a strike, whether it be carpenters, airplane pilots or nurses, Can you please let me know what the official rationale is for holding this meeting at this time? Thanks and regards...

**Vermont-NEA Reply:** The annual Educators' Convention has been a tradition in Vermont for 152 years, since the days when the Vermont Education Association was run by super-

intendents and female teachers could neither join nor vote. We are very proud of the fact that the Convention has become the largest gathering of classroom teachers and school personnel in Vermont, and that it is planned, put on and paid for by educators - who know best what training they need.

The Convention is not a "union meeting." We have those on weekends and during the summer. The Convention is Vermont's largest annual exhibit of educational materials, a time for professional educators to get together and share their expertise, a chance for teachers and paraeducators to keep current by attending workshops, and a start-of-the-year opportunity for colleagues from every corner of the state to reconnect and recharge. You might like to visit [www.vtnea.org/conv03.htm](http://www.vtnea.org/conv03.htm) to check out some of this year's offerings.

The Convention provides professional support that is not available elsewhere, plus a meeting time for all of Vermont-NEA subject-area affiliates, including the Vermont Council of Teachers of English Language Arts, the Vermont Science Teachers Association, the Vermont Foreign Language Association, the Vermont Council on the Social Studies, the Vermont Council of Teachers of Math, and many more.

By the way, the Educators' Convention is open to the public. We help train and refresh teachers from private and religious schools, homeschoolers, and even student teachers. Last year, we began a very successful mentoring program at Convention for new teachers called "I Can Do It." Convention days are at least as important and valuable as the several other in-service training days that occur during the school year, and they have the added benefit of being planned and paid for by the educators themselves, and their own professional Association: Vermont-NEA.

I hope that helps answer your questions...

**Response:** Thanks very much for the details on the convention. I have printed it off for future reference. I have heard many many times over the years the complaint over an NEA "union" function occurring during what could be regular school days. I checked out the website and this is clearly a learning opportunity as you describe it. I will be sure to share this with the parent who made the comment.

The photo of Mr. Mali looks like a parent hearing the details of how his teenager totaled the car.

Thanks for the speedy and informative reply...

## Beating ESEA at the “Highly Qualified” Game!

*Vermont-NEA is sponsoring free PRAXIS II test preparation workshops*

MONTPELIER – Don’t let ESEA’s “highly qualified” standards get you down or scare you. There are different ways to meet the standards. One of them is to pass the PRAXIS II Test in your core content area. This approach to becoming “highly qualified” – sorry, this is your federal government’s idea, not ours or the state’s – won’t be everyone’s cup of tea, but it may be one of the most direct and practical for some teachers.

If you’re worried because you haven’t taken a standardized test for years, we can help. Vermont-NEA is sponsoring seven workshops across the state in 2004 to familiarize teachers with the content and structure of PRAXIS II tests, to share vital test-taking skills, and to boost the confidence of those who elect to take these tests. PRAXIS II tests will not prove daunting, we believe, if you know what to expect and how to prepare for them.

The workshops will be offered by

veteran Vermont educators trained by the National Education Association in test-taking preparation methods. **THEY ARE OPEN TO MEMBERS ONLY, AND ARE FREE.** (Non-members who join the Association are eligible to sign up. See your local Association president about how to join.)

Each workshop will run from 9 a.m. to 3 p.m. Lunch will be provided by the Association. Here are the dates and locations of the trainings:

- Jan 17**  
Hampton Inn, Winooski
- Jan 31**  
Capitol Plaza, Montpelier
- Feb 14**  
Holiday Inn, Rutland
- Mar 20**  
Hotel Coolidge, White River Jct.
- Mar 27**  
Comfort Inn, St. Johnsbury
- May 1**  
West Mt. Inn, Arlington
- May 1**  
Putney Inn, Putney



Enrollment will be limited, so don’t delay. Reserve your spot by contacting Ellie McAndrew at emcandrew@vtnea.org or 1-800-649-6375.

Vermont-NEA stands behind its members and their commitment to academic excellence. It does not question the ability or skill of any practicing teacher. But the Association will do everything it can to help its members survive ESEA, even as we work to repeal it. It’s a bad law. These workshops are part of our ongoing efforts to give Association members the support they need to meet this federally imposed challenge.

## Vermont-NEA radio spot urges NCLB reform

*Vermont-NEA is planning a public response to the so-called “No Child Left Behind” law. President Angelo Dorta will record this radio spot...*

It’s that time of year again.

Filled with the promise and potential of every new school year.

This is Angelo Dorta, president of Vermont-NEA.

This school year, teachers and schools face a new challenge—the so-called “No Child Left Behind” law.

Great name, bad law.

It demands that all children **make** the same achievement **gains** in the same amount of time—regardless of individual differences—

— instead of encouraging teachers to consider each student’s individual learning needs.

The law forces schools to increase unnecessary student testing, to limit flexible use of teachers, and to withhold important funds—

— instead of focusing on what’s really important—quality teaching, up-to-date books and classroom technology, and more parent involvement.

Vermont’s Congressional delegation, I am proud to say, is unanimous in opposition to this bad law. Senator Leahy, Senator Jeffords and Representative Sanders deserve our thanks.

Unfortunately, Governor Jim Douglas says that the “No Child Left Behind” law is good.

Please call him at 1-800-649-6825 and tell him to support Vermont’s Congressional delegation and work to fix and fund the law so that every child can learn as he or she learns best, and schools can direct resources where children need them most.

## Focus on ESEA: National Roundup

### Every School & State Budget Left Behind: Underfunding Public Education

Only 20% of the more than 130,000 Chicago students attending so-called “failing” schools will get the tutoring help promised by ESEA. Chicago education officials say they can only afford to provide reading and math tutoring to approximately 25,000 to 30,000 students. Chicago isn’t alone in finding there is not enough money to do what ESEA requires.

The states cumulatively are facing budget shortfalls totaling \$100 billion dollars. ESEA’s testing mandates will force them to spend an additional \$3.9 to \$5.3 billion, and President Bush’s \$22.6 billion FY 04 ESEA budget falls \$9.4 billion short of the amounts promised in ESEA.

### ESEA Hit List

Data is rolling in from ESEA’s high-stakes testing program nationally, and the initial failure numbers are astounding for many states. Here is a partial summary of the failure rates to date:

Florida	(87%)
Idaho	(78%)
Hawaii	(71%)
Arkansas	(58%)
Delaware	(57%)
Tennessee	(50%)

To give you an idea of how absurd life gets under ESEA, take the case of the Oak Park Unified School District in Ventura, California, which was rated as one of the top 100 schools in the country by *Newsweek* magazine. The school has been labeled as “in need of improvement” according to ESEA guidelines. Why? Because

it did not meet the test’s 95% student participation rate: 17 sophomores were absent on the third day of the state’s exit exam.

### NJEA Fights Back

The 180,000-member New Jersey Education Association (NJEA) lost no time responding to the notice that 67% of its public high schools did not achieve “adequate yearly progress.” In less than 24 hours after the test results were announced, NJEA convened superintendents and local presidents from districts across the state for a press conference emphasizing their Education Department’s unfair implementation approach.

NJEA President Edithe Fulton told the press, “Today’s announcement provides clear and conclusive evidence—as if we needed more—that there is something terribly wrong with this law...that focuses on punishment rather than progress.” Reporters were given extensive data showing the state’s overall high level of achievement, as well as specific achievement data for the “in need of improvement” districts.

### Montana Stands Tough

Montana is ignoring federal guidelines and standing tough on its own definition of what constitutes a “highly qualified” teacher. Teachers in Montana will be “highly qualified,” according to Montana Superintendent of Education Linda McCullough, “...if they are licensed and endorsed in the same area in which they teach.”

What this means is that in Montana one educator could teach history, government, and geography without holding a separate degree in each or passing a test for each subject, some-

thing that is not allowed now under ESEA. There has been no response as yet from the U.S. Education Department.

### Testing Firm Fails to Make Adequate Yearly Progress

Harcourt Educational Measurement of Texas will pay \$483,000 to the state of Nevada for errors it committed in grading tests at 220 elementary schools.

The testing firm is a slow learner, apparently. It was fined \$425,000 last year by Nevada for mistakes made grading the tests of high school students.

### Say That Again!

“The time is NOW for us to prove that we are not a coalition of whiners, as Secretary of Education Rod Paige claims, but a coalition of knowledgeable, hard-working people who are tired of watching public education be vilified by those who wouldn’t last one day in our classrooms. I’m no whiner, but I was taught that when you are being held captive by bad men, you kick, scream, bite and fight to make sure everyone knows that something is wrong.”

### — Utah Education Association President Pat Rusk

“There’s a battle going on right now for the very future of public education in America...and the forces of privatization are on the march. They want to use government money to support private high schools...New Jersey has some of the finest public schools in the nation...we will not sit silently and allow our schools to be falsely painted as failures.”

### — New Jersey Education Association President Edithe Fulton

## Answers to the Contract Challenge

*Here are answers to just a few of the more interesting "Contract Challenge" questions. Remember that the answers apply to the Danville contract.*

**16.** You take a personal day. Once done with your business, you decide to go shopping in Burlington. However, the Superintendent sees you and docks your pay. He states that your absence was "unnecessary" as per Article 9.3.2. You file a grievance. What are the reasons for your grievance?

**Personal leave does not require a reason for taking a day. Also, you might have completed your "business" and were simply shopping. In any event, the reason for your absence is not subject to approval by the Board or administration.**

**30.** What should you do if you are told that you must transport a student in your car?

**Inform the Administration that your insurance policy does not cover the transportation of students. If they insist, ask for a complete policy as provided by the school's insurance carrier to show that they hold first level of coverage. However, this does not prevent a parent from suing for negligence, etc., and you are in jeopardy. The Association should grieve the action.**

**35.** You are called to the Principal's office and he tells you that a police officer and a SRS investigator are in the office waiting to speak with you about a complaint made by a parent of one of your students. The Principal doesn't know the specifics of the complaint but doesn't think that it is serious. What should you do?

**If you are an Association member, you should call Vermont-NEA and speak to the UniServ Director and possibly an attorney prior to meeting with the police or SRS. These meetings can be taped and can be used against you. You should have representation at these meetings. You have the right NOT to meet until you have the attorney present. Tell the police and SRS of that refusal. Then call Vermont-NEA.**

**A non-member should contact a lawyer. That lawyer will require a retainer which is usually about \$3,000 to cover costs.**

## Danville EA issues "Contract Challenge"

DANVILLE -- Teachers and Education Support Professionals in Danville belong to the merged Danville Education Association, and both units have made excellent progress in negotiations.

The ESP unit has just settled a first contract covering 2002-04. Under the leadership of chief negotiator Phyllis Sweeney, ESP achieved job security and binding arbitration. Before the contract was established, ESP in Danville were "at will" employees, subject to dismissal at any time, for any reason.

Danville teachers have just begun bargaining for 2004-05. They are off to a great start, thanks to a "Contract Challenge" that has energized the local and raised member awareness about contract issues.

The Challenge is a series of questions about the contract that teachers were challenged to answer. There were prizes and winners, and a lot of interest in the answers.

The Danville Contract Challenge questions were developed by Vermont-NEA UniServ Director Joyce Foster. Local Associations are free to borrow and adapt these questions for their own Challenge:

1. The Board wants to hire a third grade teacher who holds exemplary qualifications. However, that teacher won't take the position at the offered salary. Can the Board pay that teacher more money to persuade him/her to take the job?
2. What is the length of the probationary period?
3. Does the contract require that the high school teachers have a duty free lunch?
4. Will the work year in 2003-2004 be 182 days?
5. You signed a contract to teach sixth grade. In July, you were notified that you were going to be assigned to teach eighth grade. You hold a license to teach eighth grade. Are you required to come back to school and teach eighth grade?
6. The School Board wants you to work an additional 5 days per year. They put that number of days on your individual employment contract. Must you work those extra days?
7. The Board hires a renowned author to teach advanced level creative writing and publishing skills as a credited high school course. This author is not paid according to the contract. Of course, the Association files a grievance. What contract article applies?
8. What is the procedure for seeking approval for course reimbursement?
9. What is the credit limit for course reimbursement?
10. The Board will pre-pay course reimbursement?
11. Your contract provides for a life insurance plan in the amount of \$\_\_\_\_\_.
12. If the sick leave bank needs to be

replenished, must you contribute days to it?

13. If you have a certified illness, must the sick leave bank committee grant sick leave?
14. How many days must they give you?
15. You need to apply to the sick leave bank. However, you don't want the committee to know the details or the reason for your illness. What is the least information you need to give to the committee?
16. You take a personal day. Once done with your business, you decide to go shopping in Burlington. However, the Superintendent sees you and docks your pay. He states that your absence was "unnecessary" as per Article 9.3.2. You file a grievance. What are the reasons for your grievance?
17. What is the amount of leave time you can take, according to your contract, for the illness of a family member?
18. What can you expect from the state and federal family and medical leave acts?
19. You experience the death of your child and you are out of school on bereavement leave for the contracted five days. However, you are so distraught that you just can't come back to school. Is there any way to receive extra days besides simply asking for additional time? Describe the contractual way to gain extra days.
20. Does a teacher's health insurance continue during a maternity leave?
21. Must the Board grant a sabbatical leave if it has previously approved the course of study?
22. What percent of salary does the teacher receive?
23. Might you lose money if you are required to serve on a jury?
24. The Board decides to lay off (RIF) the art and physical education teachers. The reason: they have volunteers to do those classes. We file a grievance immediately. What article governs this action?
25. You hear that a parent has sent several letters to the Board about you. You check your personnel file and find that they have been placed in the file. Can you require that the letters be removed?
26. A teacher holding a master's degree and 10 years of experience makes a salary of \$\_\_\_\_\_.
27. You signed a "letter of intent" in April, but contract negotiations were not completed at that time. Negotiations were done in June. You are very unhappy with the salary figures. Are you required to return and honor the "letter of intent" that was previously signed?
28. You use your car for school related travel. What is the rate of reimbursement?
29. If you have a student in your car, any claim goes first to YOUR insurance carrier. Does your personal auto insurance totally cover you because you often transport students as a part of your duties?

**30.** What should you do if you are told that you must transport a student in your car?

31. It is October of your second year of employment with the School District. You are in a terrible car accident that will require that you be absent from school for 8 weeks. Unfortunately, you don't have enough sick leave to cover that time. What do you do?
32. You suffer a serious illness and you will not be able to return to work – ever! What do you do?
33. You have a delayed school opening. It is announced that school will start at 10:15 AM. What time must you be at school?
34. You are notified that you must be at a meeting of the School Board to discuss parent complaints. You receive notice on Monday that the meeting is to be held on Thursday evening at 7:00 PM. What rights do you have?
35. You are called to the Principal's office and he tells you that a police officer and a SRS investigator are in the office waiting to speak with you about a complaint made by a parent of one of your students. The Principal doesn't know the specifics of the complaint but doesn't think that it is serious. What should you do?
36. A part-time teacher of 40% wishes to enroll in the health insurance plan. What is the total percentage of cost that the Board must pay towards insurance?
37. You can only be fired for "just and sufficient cause." What does "just and sufficient cause" mean?
38. You find out that the district has made an error in your step placement. Actually, this has been a mistake that has been made each year for three years. You have lost a lot of money! What do you do?
39. You call for a substitute at 6:00 AM. You get a call back stating that you must come to work as there are no substitutes. What should you do?
40. A parent complains to the Superintendent. Apparently, you were wrong. The parent wants to know just "what happens" to the teacher! What article of the contract protects you in this situation?
41. You are asked to meet with the administration. You think that it's to talk about a student. However, once the meeting starts, you find that the reason is your performance. What should you do?
42. You think that you have received a very unjust evaluation. The evaluation is filled with mistakes – including the date and time of the evaluation, and the students in your class. You ask for it to be removed from your file and the administration refuses. What should you do?
43. Is an Association Rep allowed to attend all meetings regarding the filing of a grievance?
44. What is the amount of the liability insurance policy that Vermont-NEA holds for you if you are a member?
45. Does a non-member get all of the benefits and protections that a member receives? ■

**Congratulations!**



**Something  
Good Happened  
in School Today.**

## Share the good news with Vermont-NEA Success Cards

MONTPELIER – Parents are our most important partners when it comes to educating their children, and it's so important that they hear the good news about their child when he or she aces a test, accomplishes an important goal or performs a kind act. Vermont-NEA Success Cards are a great tool to help educators communicate with parents.

The 2003-04 cards have an attractive, colorful design in a high quality greeting card format. The inside is blank, for the educator's message to parents and guardians, and the back displays our Vermont-NEA union logo and slogan: "Great Public Schools."

Vermont-NEA members may order a supply of FREE Success Cards by calling Vermont-NEA at 1-800-649-6375, ext. 109. To save postage, it would be good to order for your entire school or department; the maximum is 50 cards per Association member. ■

## Upcoming Association events...

### November 1

Vermont-NEA Board meets in Montpelier.

Vermont-NEA Partnership/Sponsorship Committee meets in Montpelier.

### November 3

Deadline for December issue of *Vermont-NEA Today*.

### November 6

Vermont-NEA Website Education Resource Committee (WERC) meets in Montpelier.

### November 16-22

American Education Week

### November 19

Education Support Professional (ESP) Day

## NEA Director's Report

# A hotbed of legislative activity

By Joyce Sullivan

The October Board of Directors' meeting was a hotbed of legislative activity.

October 1 was National Lobby Day for GOP/WEP. Bonnie Tuscany, a member of the NEA cadre on social security offsets, and myself went to Capitol Hill to meet with Senator Jeffords and Senator Leahy's staff member to discuss this issue. Through the efforts of NEA participants, more co-sponsors signed on to this bill which, if passed, would repeal legislation that takes away a public employee's ability to collect social security. Association members in Massachusetts, Maine, Connecticut, and Rhode Island are among fifteen affected states. Members of the military who get trained as teachers and move into one of these states or teachers who reside in Vermont and teach in Massachusetts also lose their ability to collect earned social security.

On October 2, Angelo Dorta and I met with a member of Senator Jeffords' staff to discuss ESEA/NCLB. We are fortunate to have a senator whose staff is well aware of the impact of No Child Left Behind on Vermont teachers, children, and ESP.

NEA General Counsel Bob Chanin spoke to the Board about the underfunding of ESEA, which will cost states billions of dollars to implement. Hawaii, Louisiana, Nebraska and Utah are considering not accepting federal funding for Title I schools. He noted that several school districts

in Connecticut and Vermont have already opted out.

Chanin informed the Board that the court couldn't legally order Congress to appropriate money for mandates. NEA believes that it was not the intent of Congress to underfund the law. NEA, however, will seek a declaratory judgement to show that state, locals, and/or the Association are being hurt by the law. See the NEA web site for additional information on ESEA/NCLB, as well as our campaign on Great Public Schools.

President Weaver reported that he interviewed the ten democratic candidates for president and recommended nine of the ten to the PAC Council based on their responses. Senator Lieberman (CT) was not recommended due to his stand on vouchers and ESEA. The Connecticut Education Association noted that they had not endorsed him as a candidate in prior elections.

President Weaver expressed his frustration with President Bush's lack of response to the endorsement questionnaire sent by NEA. Repeated efforts were made to involve him in our process but were ignored by the administration.

Secretary/Treasurer Lily Eskelsen outlined progress made by the Work Team that includes our Secretary/Treasurer Jeff Isham in its composition. The Work Team developed a draft of Financial and Operational Standards for state affiliates. The document includes a code of ethics, internal controls, and an audit com-



Joyce Sullivan of Brattleboro

mittee. It's hoped that this model can also be used at the local level.

Rosemary Riley, ESP Director-At-Large from Massachusetts, announced her candidacy for election to the NEA Executive Committee. Michael Marks, Becky Pringle, and Mark Cebulski are running for re-election. There are three seats available on the Executive Committee. Voting will occur at the Representative Assembly in Washington, D.C. next summer.

Contact Joyce Sullivan is Vermont's representative on the NEA Board of Directors. Reach her at: [jas3@sover.net](mailto:jas3@sover.net)

## Website Education Resource Committee seeks members

MONTPELIER – Vermont-NEA is looking for member volunteers to serve on a committee charged with helping to guide and advance the Association's work providing up-to-date education resources on the Vermont-NEA website. Please consider joining the committee if you are interested in technology and how the Association might support educators in their subject areas. We need advice from practicing professionals, along with their fresh insight.

This new Website Education Resource Committee (WERC) will meet three times each year in Montpelier with Vermont-NEA Communications Director Laurie Huse, who manages the Association's award-winning website. Travel expenses will be reimbursed, and meals will be provided.

A first meeting to get organized is scheduled for Thursday, November 6 at Vermont-NEA Headquarters in Montpelier, as soon after 4:00 p.m. as everyone can get there. .

Email Laurie at [vtnea@together.net](mailto:vtnea@together.net) if you'd like to join the WERC Committee on Nov. 6 for a planning session (over Chinese takeout!). ■

## Announcing... the 2004 Vermont-NEA Education Support Professional Award

MONTPELIER – Vermont-NEA presents the Education Support Professional (ESP) Award each year in recognition of the important role of Education Support Professionals within the Association, and to honor their outstanding contributions. The Association's 1992 Representative Assembly established the award.

### How to Nominate

All Vermont-NEA local Associations are encouraged to nominate one of their ESP members who has made outstanding contributions in their school and their Association. The nomination must: 1) Describe the worksite responsibilities and personal achievements the nominee has made in his or her classification or field. 2) Tell what innovations the nominee has made to support the day-to-day educational process. 3) Explain how the nominee's activities have enhanced the image of Education Support Professionals. 4) Describe the nominee's involvement and activities in the As-

sociation and how s/he has enhanced the image of Education Support Professionals. 5) Specify in detail how the nominee has been involved in promoting public education in the community.

A nomination form, which can be obtained by calling 1-800-649-6375, ext. 111 or by going to the Vermont-NEA website at: [www.vtnea.org/espform.htm](http://www.vtnea.org/espform.htm). The nominator must be a Vermont-NEA member.

### Who Can Be Nominated

The person being nominated must have been a Vermont-NEA member for at least three years (including this year). Exceptions will be made if the local Association is less than three years old.

### Deadline for Nominations

Nominations must be postmarked or FAXed to Vermont-NEA Headquarters in Montpelier by 5:00 p.m. on Monday, December 1, 2003: Vermont-NEA, 10 Wheelock Street, Montpelier, Vermont 05602.

### Selection of the Winner

Nominations will be reviewed by the Vermont-NEA ESP Award Nominating Committee, which will make a recommendation to the Vermont-NEA Board of Directors, which will select the winner.

The winner will receive a cash prize of \$1,000, and automatically will be nominated by Vermont-NEA to receive the National Education Association ESP Award. The national winner receives a significant cash prize, half of which is designated for a community project of the recipient's choice.

### Award Presentation

The Vermont-NEA ESP Award will be presented at the Vermont-NEA Representative Assembly on Friday, April 2, 2004 at the Radisson Hotel in Burlington. The national award will be presented at the National Education Association's ESP Conference on March 13, 2004 in Charlotte, North Carolina. ■

### Past Winners of the ESP Award

**1993**

Janice Sicard, Paraeducator  
Orleans Central EA

**1994**

Christine Allard, Paraeducator  
Chittenden South EA

**1995**

Mary Smokoski, Cook  
Orange Southwest EA

**1996**

Ron Watts, Custodian  
Woodstock Elementary EA

**1997**

Mary Hobbs, Library Assistant  
Blue Mountain Union EA

**1998**

Alfa Gautreau, Secretary  
Orange East EA

**1999**

Lynnca Perkins, Paraeducator  
Fairfield EA

**2000**

Karen Greene, Paraeducator  
Winooski EA

**2001**

Cheryl Currier, AV Coordinator  
North Country Union EA

**2002**

Carolyn Godbout, Paraeducator  
Rutland School Staff Assn.

**2003**

Beverly Klandl, Assistant  
Chittenden South EA - Williston