

# TEA Advocate

Tumwater Education Association

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Dear Colleagues:

January 2012

## A Critical New Year!

Welcome back from a much needed winter break. I hope yours was as restful, relaxing and filled with family and friends as mine. I'm not much for New Year's resolutions but I do make plans for the coming year and this year I feel that the coming year will be a critical one for education.

January 9th begins a new legislative session, one that will find our elected leaders searching for additional ways to cut the budget. The recent special session did yield some cuts to the current budget; they were mostly found through money transfers, delayed payments and other "gimmicks." The upcoming session will put education policy issues, our health care options and school funding front and center.

On November 28th, the first day of the special session, we rallied at the capitol; we wore our red shirts and our buttons. We sent hundreds of emails, Facebook postings and text messages to legislators. Pictures of educators wearing red spoke louder than words: No more cuts. Listen to the professional voice. One legislator said it was the most impressive lobbying technique he had seen.

This week, we can do it again. We can wear our "RED for ED" and our buttons. We can send photos of ourselves and our colleagues with messages that voice our views: "Children are priceless," "Cuts hurt deeply," or "Education costs money" to our legislators.

This is ACTION. But perhaps you didn't believe your action mattered. Your actions always matter. What you must decide is to take action. What's at stake? Your health care, your bargaining rights, your paycheck, your classroom and students, your class size, your planning time, your work-load; there



is no end to this list. Your action DOES matter; only you can decide to take it.

The legislative session is just the beginning. We are just five weeks away from a critical levy vote. Twenty percent of the funding which pays for salaries, class sizes, para-educators, special education, the arts, instructional materials, staff development and many other things comes from the Maintenance and Operations Replacement Levy. We cannot take this for granted.



Actions you can take to assure the passage of the levy are many: talk to your friends and neighbors about its importance, donate to the Tumwater Citizens for Better Education (even \$5 or \$10 is important), call your principal (at home) and sign up to "phone-bank" or "sign-wave" (or both), encourage a colleague and take them with you to "phone-bank" or "sign-wave", wear your "I AM PUBLIC EDUCATION" button, put a "Yes SCHOOLS" sticker in your car window. Be sure to vote on February 14 regardless of which school district you live in.

There are many ways for you to take action and your actions matter. You must decide to take it.

As always, I welcome your comments and questions.

*Terry*

## New Contract Available On-Line

The new TEA/TSD Collective Bargaining Agreement for 2011 to 2013 is now available on-line at <http://www.tumwater.k12.wa.us/cms/lib/WA01001561/Centricity/ModuleInstance/848/CBA%202011-2013%20-%20Final%20Contract>.

TEA Representative Council

January 25 TEA Office 4:15 p.m.

pdf or by going to the Tumwater School District web site and under Departments, click Human Resources, Union Contracts, TEA Union Contract 2011-2013.

In an effort to save resources and become a little greener, "paper" contracts will not be distributed automatically to every member. Paper contracts will be distributed to Building Reps and if you wish to have a "paper" contract, please contact the TEA Office. You may also download and print the contract or any portion you need from the TSD website or the new TEA website. A "keyword" reference will also be available on the TEA website. Print what you need and leave the rest on the tree.

## See and Hear Diane Ravitch

In November, I had the opportunity to hear Diane Ravitch, author of The Death and Life of the Great American School System speak



at a WEA Board meeting in Federal Way. Ms. Ravitch is a Research Professor of Education at New York University and a historian of education. She was in Washington State to speak to the Seattle Education Association and then was a keynote speaker at the Washington School Directors Association.

I was extremely impressed with the truth that she spoke about the decline of public education in America, not because of poor teaching, inferior or lazy teachers, or unions. She told of public education's decline due to testing, vouchers and charters. She shared that the continued attacks on public education are meant to destroy it so that business could ultimately privatize it for profits with no guarantee of improved quality, only a greater division of class in America.

The Diane Ravitch Keynote address to the Washington School Directors Association can be found at [http://www.tvw.org/index.php?option=com\\_tvwplayer&eventID=2011110076](http://www.tvw.org/index.php?option=com_tvwplayer&eventID=2011110076)

Her 30 minute interview with the WSSDA President, is found at this link: [http://wssda.org/News/NewsArchive/2011122\\_RavitchPodcast.aspx](http://wssda.org/News/NewsArchive/2011122_RavitchPodcast.aspx)

## Should You Sell it Back?

The TEA / TSD contract provides the following provision for members:

"Pursuant to Article 26.A.5, employees shall be able to 'cash out' unused sick leave as provided in applicable state laws and regulations.

Such laws and regulations, as of September, 2001, state the following:

"Consistent with RCW 28A.400.210, RCW 28A. 400.220, and WAC 392-136, and to the extent authorized by said laws, employees may cash in unused sick leave days above an actual accumulation of sixty (60) days at a ratio of one (1) full day's monetary compensation for four (4) accumulated sick leave days payable in February. The employee's illness, injury, or emergency leave accumulation shall be reduced four (4) days for each day compensated. No employee may receive compensation for illness injury, or emergency leave accumulated in excess of one (1) day per month, a maximum of twelve (12) days per year, and/or one hundred eighty (180) days."

Although this right is given, employees should consider the following before electing to do so:

1. The money you receive from a buy-back is taxable.
2. If you contemplate retirement within the next few years and you have less than 180 days of sick leave, you may want to seriously think about keeping your days. When you retire, you have the option to cash out your sick leave on a four-for-one (4:1) basis and convert it into a VEBA account, which can be used to pay medical expenses during your retirement years. Your VEBA account is not taxable, providing you a substantial savings.
3. Should you become unable to work, due to an illness or injury, your sick leave days would provide you a full salary until they are exhausted. We do have a long-term disability program that will cover you until you are 65, although at a 66.6% rate.

You will be notified by January 31, 2012, if you have sick leave hours eligible for buy-back.

## January Retirement Change Opportunities

### TRS Plan 3 members may change their contribution rate.

TRS Plan 3 members may change their contribution rate selection this January by submitting the TRS Plan 3 Contribution Rate Change Form (<http://www.drs.wa.gov/Forms/Member/trs3rateChange.pdf>) to the TSD payroll office by January 31.

Plan 3 is made up of two parts -- a defined benefit portion and a defined contribution portion. In the defined benefit portion, the employer contributes an amount calculated by the Department of Retirement Systems (DRS) that will ensure you receive a set pension based on a formula at retirement (1% x years of service x average earnings from your five highest consecutive years).

In the defined contribution portion, the employee selects a percentage of his/her salary to go into an investment program of his/her choice.

How well these investments do will determine how much of a retirement benefit the employee will receive under this part of the retirement plan.

From now until **January 31, 2012**, you can change the percentage of your salary that you want to invest in the defined contribution portion of your retirement plan. Here are the six choices available to you:

- OPTION A: 5% of pay at all ages
- OPTION B: 5% of pay until age 35,  
6% of pay from age 35-45, and  
7.5% of pay at age 45 and above
- OPTION C: 6% of pay until age 35,  
7.5% of pay from age 35-45, and  
8.5% of pay at age 45 and above
- OPTION D: 7% of pay at all ages
- OPTION E: 10% of pay at all ages
- OPTION F: 15% of pay at all ages

This opportunity is only available to TRS Plan 3 members during the period of **January 1-31**. Contribution Rate Change forms signed or submitted outside of the January time period, and those submitted for retirement plans other than TRS Plan 3, cannot be accepted.

This option is being offered according to a provision granted only to TRS Plan 3 by the Internal Revenue Service (IRS). The contribution rate option members select should be considered binding and can only be changed when you change employers or during rate change windows as permitted by the IRS. All retirement questions should be directed to DRS at 1-800-547-6657.

### Eligible Plan 2 members can choose to switch to Plan 3.

January is the month eligible Plan 2 members may switch to Plan 3. To be eligible to switch, you must be a SERS or TRS Plan 2 member hired before July 1, 2007.

To transfer to Plan 3, complete a Member Information Form (<http://www.drs.wa.gov/forms/member/memberInformationForm.pdf>) and submit it to the payroll department by January 31. It's important to remember that once you transfer to Plan 3, you cannot change plans again at a later date.

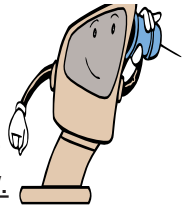
## Legislature Contacts

Below find the contact information for local legislators. Remember to use your own computer or smartphone to make these contacts!

A great way to stay informed is through WEA's Legislative Outlook, full of up to the minute reports on legislative action. To subscribe, contact [bmattox@washingtonea.org](mailto:bmattox@washingtonea.org).

### Legislators' Contact information

To contact your legislator see the list below or use WEA's simple email system found on WEA's home page at [www.washingtonea.org](http://www.washingtonea.org). Just click on politics and follow the links. You may also contact your legislators via the Legislative Hotline at 1-800-562-6000.



#### 2nd Legislative District

- ~ Senator Randi Becker 360-786-7602  
e-mail: [becker\\_ra@leg.wa.gov](mailto:becker_ra@leg.wa.gov)
- ~ Representatives Tom Campbell 360-786-7912  
e-mail: [campbell\\_to@leg.wa.gov](mailto:campbell_to@leg.wa.gov)
- ~ Representative Jim McCune 360-786-7824  
e-mail: [mccune\\_ji@leg.wa.gov](mailto:mccune_ji@leg.wa.gov)

#### 20th Legislative District

- ~ Senator Dan Swecker 360-786-7638  
e-mail: [swecker\\_da@leg.wa.gov](mailto:swecker_da@leg.wa.gov)

**TEA Executive Board 2011-2012**

President	Terry VanMeter, EOE	<b>Members At Large:</b> Renee Cruickshank, TMS George Rother, BHHS Page Brock, MTS
Vice Pres.	Tim Voie, Sec. Options	
Secretary	Lori Tibbetts, BMS	
Treasurer	Katie Gates, PGS	
Advocate	Melissa Swart, THS	



- ~ Rep. Gary Alexander 360-786-7990  
e-mail: alexande\_ga@leg.wa.gov
- ~ Rep. Richard DeBolt 360-786-7896  
e-mail: debolt\_ri@leg.wa.gov

**22nd Legislative District**

- ~ Senator Karen Fraser 360-786-7642  
e-mail: fraser\_ka@leg.wa.gov
- ~ Representative Sam Hunt 360-786-7992  
e-mail: hunt\_sa@leg.wa.gov
- ~ Rep. Chris Reykdal 360-786-7940  
e-mail: reykdal\_cr@leg.wa.gov

**35th Legislative District**

- ~ Senator Tim Sheldon 360-786-7668  
e-mail: sheldon\_ti@leg.wa.gov
- ~ Representatives Fred Finn 360-786-7902  
e-mail: finn\_fr@leg.wa.gov
- ~ Representative Kathy Haigh 360-786-7966  
e-mail: haigh\_ka@leg.wa.gov

**Nominations are Open**

Nominations for Washington Education Association Representative Assembly (WEA RA) and National Education Association Representative Assembly (NEA RA) were opened at the November 30th Representative Council Meeting and will close at the January 25th Representative Council Meeting. You are welcome to nominate yourself or anyone else; the process is as simple as calling the TEA Office and asking Donna to put your name on the list. You may also e-mail your nomination to Terry @ [terry.vanmeter@tumwater.k12.wa.us](mailto:terry.vanmeter@tumwater.k12.wa.us). You can also enter your nomination at the January Representative Council Meeting or by giving it to your building representative.

WEA RA will be held this year in Spokane from May 17 to May 19. TEA may send up to six delegates and expenses are paid by TEA.

NEA RA will be held in Washington D.C. from June 30 to July 6th. TEA may send up to three delegates and TEA pays all expenses.

**Calendar**

Article 2	DO	January 10
TEA Executive Bd.	TEA Office	January 11
School Board	DO	January 12
Martin Luther King, Jr. Day Holiday		January 16
T-PEP	ESD 113	January 17
Superintendent's Roundtable		January 18
TEA Rep. Council	TEA Office	January 25
School Board	LRE	January 26
WEA Chinook Cluster Meeting		January 26

**Victory for Washington Students!**

The Washington State Supreme Court on January 5th ruled unanimously that the State of Washington is violating its constitutional paramount duty to amply fund the education of all K-12 students.

NEWS, together with the McCleary and Venema families on whose behalf the lawsuit was filed, declared the ruling an historic and monumental victory for public school students and citizens of Washington.

As NEWS lead attorney Tom Ahearne summarized: "The highest Court in our State has clearly told our Legislature, once and for all, that the State is violating its Constitutional duty to the people of Washington - and has declared that the Court will retain jurisdiction to enforce its ruling rather than sit on the sidelines and 'hope' that the Legislature someday complies."

The Supreme Court upheld a 2010 decision by King County Superior Court Judge John Erlick, declaring that the State must amply fund education first before any other State programs or operations. In addition, the Supreme Court prohibited the Legislature from eliminating or cutting funding for reasons of unrelated to educational policy - in other words, financial expediency cannot be used as an excuse to further cut education. The ruling also rejected the State's contention that federal funds and local levies should be counted toward meeting the State's constitutional mandate.

"The Supreme Court has unequivocally told the Legislature that our State Constitution leaves it no choice but to fully and amply fund public education," Ahearne said. "The only question now is whether our legislators will voluntarily obey the oath they took to our Constitution now, or be forced to do so by the courts later."