



AFT-WEST VIRGINIA

2013 LEGISLATIVE AGENDA

At the August, 2012 AFT-WV Legislative Retreat, AFT members from across the state gathered in Charleston to prioritize our legislative agenda. By the end of the retreat, seven issues had been identified as top priority for the union:

- ◆ HIGHER QUALITY OF EDUCATION FOR ALL STUDENTS
- ◆ HIGHER SALARIES FOR ALL EDUCATION PERSONNEL
- ◆ CONTAINMENT OF HEALTH CARE COSTS FOR ALL PUBLIC EMPLOYEES
- ◆ HIGHER EDUCATION OVERHAUL TO PROTECT EMPLOYEES AND STUDENTS
- ◆ PARITY FOR EARLY CHILDHOOD EDUCATORS
- ◆ PROVIDING A SAFE AND ORDERLY SCHOOL ENVIRONMENT FOR ALL CHILDREN AND EDUCATORS
- ◆ AUTOMATIC COST-OF-LIVING INCREASES FOR RETIREES

Details of the above priorities are highlighted in the appropriate categories

CHILDREN

There are two primary factors when it comes to educating children. First, children must come to school to receive a quality education. AFT-West Virginia applauds the efforts of the WV Supreme Court and the many circuit judges around the state that have taken truancy head on. Still, more resources are needed. Second, a child's mental health is imperative for a productive learning environment. The DHHR plays an important role in the lives of children coming from dysfunctional homes. Through efficient communication between the DHHR and the school system; teachers, school counselors, social workers and other school employees can help with the early intervention of troubled children. **AFT-West Virginia therefore proposes:**

- ◆ *that the Department of Health and Human Resources notify the chief administrator, who in turn notifies the education personnel, at site specific schools when a child has been removed from his/her home.*
- ◆ *that information regarding child abuse or neglect is released to public school counselors without a court order and investigations be conducted with extreme caution and care regarding the child.*
- ◆ *the creation of facilities with appropriate funding at each developmental level for children with severe emotional, psychological and behavioral problems.*
- ◆ *funding for additional social workers, primarily at the elementary level.*
- ◆ *continued funding for the Governor's Cabinet on Children and Families.*
- ◆ **extending mandatory immunizations when age appropriate to include pre-kindergarten children.**
- ◆ *including hepatitis B as a mandatory immunization for children entering school.*
- ◆ *mandatory testing for HIV/AIDS, hepatitis, West Nile virus and other communicable diseases of students who have bitten other students and/or school employees, with the county BOE responsible for the cost of testing.*
- ◆ *funding to meet the national standards for school counselors (1 per 250 students), certified school nurses (1 per 750 students), school psychologists (1 per 1000 students), or to provide one of each for each school, whichever is applicable.*
- ◆ *that county boards of education have access to Rainy Day funds during times of crisis to meet the needs of the students.*
- ◆ *clarification of the roles of school nurses and LPNs as it relates to the care of children.*

HIGH QUALITY EDUCATION

World class education can only be provided by high quality teachers and other education employees working in a high quality environment with adequate funding. **AFT-West Virginia therefore proposes:**

- ◆ **funds to provide a highly qualified teacher in all areas of critical need.**

- ◆ **employee driven professional development appropriate for professional growth.**
- ◆ **funding for additional alternative education settings at all levels (Elementary, Middle and High School).**
- ◆ **full start-up funding and access for pre-kindergarten programs, and extending the provision of teachers/aides/paraprofessionals for pre-kindergarten that applies to kindergarten.**
- ◆ **increased planning time for all educators, with elementary teachers granted a daily planning period commensurate with secondary teachers, but not less than 60 consecutive minutes.**
- ◆ **that the school calendar debate must include recognition of “seat time” which emphasizes minutes, not days, within a school calendar and also the quality of education, not quantity.**
- ◆ *the elimination of “contracting out” jobs within a county board of education or higher education institution.*
- ◆ *extending elementary class size limits to secondary classes, including electives, when appropriate.*
- ◆ *students receive adequate, necessary instruction as well as access to tools in regards to technology education for success in the 21st century.*
- ◆ *providing teachers and students with the latest technology and training to further enhance student achievement.*
- ◆ *non-certified substitute teachers are employed only if no certified substitutes are available.*
- ◆ *requiring WVEIS clerks, not professional educators, to input student data in each county and provide funding for such.*
- ◆ *addition of days before school and between semesters for classroom preparation.*
- ◆ *providing on-site embedded, teacher driven, and research-based professional development within counties providing opportunities for teachers to collaborate.*
- ◆ *providing additional funds for mentoring programs within the instructional day.*
- ◆ *mentor teachers assisting those on improvement plans should be granted reduced class loads, release time to assist new teachers and be reimbursed for expenses.*
- ◆ *equitable treatment for distance learning teachers.*
- ◆ *alternative graduation requirements are given to students successfully completing Trade and Industrial classes.*
- ◆ *eliminate all interferences within planning periods.*
- ◆ *a five year plan, which increases instructional personnel, to achieve the goal of eliminating all split-grade levels.*
- ◆ *funding in the state aid formula for content certified related/fine arts and PE instructors, Pre-K/adult.*
- ◆ *retain and create teaching positions which provide remedial math and language arts instruction, arts education and instruction of world languages.*
- ◆ *that all personnel have appropriate work facilities to meet employment responsibilities.*
- ◆ *that all children have appropriate space in their classrooms.*
- ◆ *an in-depth assessment on alternative placement, especially at the elementary level.*
- ◆ *require, at a minimum, five years of classroom experience before granting an administrative certificate.*
- ◆ *mandatory on-line job postings for all positions.*

After a ten year scientific study of education trends in West Virginia, AFT has found a significant growth in the amount of personnel, mostly administrative, that do not work directly with children. The growth is directly correlated to a surge in class size and the amount of individual attention educators spend with their students. Additionally, the results of the study support data that rank West Virginia in the top 15 of expenditures per student per state, yet our average salaries rank in the bottom five. It is past time to place these funds where education takes place, and that is the classroom. Therefore, AFT also proposes:

- ◆ *consolidation of county school systems by forming Metro-like forms of boards of education.*
- ◆ *a requirement that central office administrators be fully certified.*
- ◆ *a closing of the gap between administrative pay and teacher pay.*
- ◆ *a thorough evaluation or study of RESA, OEPA and other educational agencies that receive state and federal education dollars to determine their impact on the educational process.*

HIGHER EDUCATION

AFT-West Virginia stresses equal importance of adequate support, improvement and funding of preK-12 and Higher Education. Therefore, AFT-West Virginia will be pursuing a legislative agenda throughout the 2013 session that, if enacted, would provide for quality education, equitable funding, and employment conditions that honor the work of staff and faculty. The Legislative Agenda reflects the issues of our members and their concerns about improving services and instruction.

Higher Education in West Virginia is in jeopardy. Policies to protect staff and faculty have been eroded, and state-level financial support has withered over the past few years as other demands compete for funds. Providing quality services and instruction begins with the staff and faculty who provide them. **AFT-West Virginia therefore proposes:**

- ◆ **an exemption for higher education from the government’s proposed budget reduction.**
- ◆ **a bifurcated salary proposal: Staff and faculty will receive an annual cost-of-living increase. Merit increases will be given after the annual cost of living increase, as funds are available. Also, the Annual Experience Increment be increased to \$100.**
- ◆ **that raises be given to all personnel when HEPC approves raises for administrators.**
- ◆ *that tax dollars should NOT be appropriated to for-profit institutions if classes are not credited or transferable.*
- ◆ *that anyone hired as President of an institution must have at least 3 years of experience in Higher Education administration.*
- ◆ *a definition of the role and responsibilities of the Board of Governors.*
- ◆ *Board of Governors Meetings: Each Board of Governors meeting will include time for public input and comment as well as for “delegations.”*

- ◆ *Pensions and Retirement: The state will increase its contribution from 6% to 7.5%.*
- ◆ *Mileage Reimbursement: Each institution shall reimburse the IRS or State rate (whichever is higher) to employees when using their automobile to fulfill their professional responsibilities.*
- ◆ *Employee Representation: Employees will be afforded the right to have a representative of their choice when the employee is required to attend a non-disciplinary meeting on any work-related matter.*
- ◆ *Increase Tenure Track Faculty: In an attempt to reduce reliance on adjunct faculty, employees will be afforded more opportunities for long-term commitments by increasing tenure track faculty both in 4-year institutions and community and technical colleges.*
- ◆ *Fully-funded salary schedule: Classified staff will be paid statutory salaries.*

AFT-WV will continue to press the legislature to solve the fiscal uncertainties for our campuses by:

- ◆ **providing increases in state-level appropriations for higher education, which are distributed fairly.**
- ◆ *putting in place a permanent solution to institutions' annual budgetary uncertainties.*

Classified staff and faculty, at post secondary institutions, have kept their promise to past, present and future generations of students. It is now time for West Virginia to honor her commitment and join AFT-WV in renewing the promise of high-quality, affordable and accessible higher education in West Virginia. It is time to build a better future for higher education in West Virginia.

SPECIAL EDUCATION

As educators strive to meet the needs of students with special needs, great caution must be exercised to ensure that the rights of these students, regular students, educational personnel and parents are not violated. **AFT-West Virginia therefore proposes:**

- ◆ **that special education students included in a preK-12, regular-ed classroom (including elective classes) not exceed 30% of total students.**
- ◆ *limiting the administration of medication and performing specialized medical procedures exclusively to school nurses or qualified health care professionals.*
- ◆ *the implementation of regulations regarding Medicaid billing and payment of stipends for Board of Education employees who complete the paperwork.*
- ◆ *additional compensation for the additional work for special educators.*

COLLECTIVE BARGAINING

Education reform will not become a reality until educators become full partners in the process. **Therefore, AFT-West Virginia supports the right of education employees and other public employees to bargain collectively.** We believe that education employees have the right to choose the bargaining agent in their county/institution through free and open representation elections.

TEACHERS' SALARIES

Even in difficult times, education must remain a top priority for all West Virginians. Although educators are empathetic to the economic situation in West Virginia and the rest of the country, salaries need to be raised. WV Teachers' salaries are not competitive with contiguous states and remain well below the national mean. Additionally, there appears to be a growing gap between the salaries of teachers and the salaries of administrators. **AFT-West Virginia therefore proposes:**

- ◆ **adequate funding for a 4-year salary package for teachers with across-the-board implementation: Year 1-\$2,000; Year 2-\$2,000; Year 3-\$2,000; Year 4-\$4,000.**
- ◆ **binding legislation that SB 541 monies be used to increase salaries and/or benefits for education personnel.**
- ◆ *a requirement that a larger % of education dollars be used for the direct instruction of students.*
- ◆ *creation of BA+30 hours, MA+60 hours, multiple MAs, multiple certifications, and EDS/MFA salary increments.*
- ◆ *an extension of the current salary schedule from 35 years to 40 years.*
- ◆ **automatic cost of living increases.**
- ◆ *year 20 supplement of \$600 for all professional school employees.*
- ◆ *information and discussion of a statewide levy.*
- ◆ *parity for professional employees receiving national board certification or career enhancement supplements.*
- ◆ *that the early retirement notice incentive be extended to all professional employees.*
- ◆ *that substitute teacher pay be increased to higher daily rate.*
- ◆ **that retired teachers be paid their daily rate per employment as a substitute.**
- ◆ *a state tax exemption of up to \$500 on out-of-pocket classroom expenses paid for by educators.*
- ◆ *that educators be paid their daily rate for extra-curricular contracts and scheduled duties that occur beyond the school day.*

PUBLIC EMPLOYEES INSURANCE

Rising health care costs, inflated OPEB projections and changes to the PEIA program continue to gnaw away at public employees' paychecks. **AFT-West Virginia therefore proposes:**

- ◆ **reinstating the retiree subsidy for new hires as of July 1, 2010.**
- ◆ **a return to the coordination of benefits for Medicare eligible retirees.**
- ◆ *re-define the 80/20 law to include all out-of-pocket expenses of the employee in the calculation.*

- ◆ **stronger health care cost containment legislation.**
- ◆ *elimination of employee premiums and co-payments through adequate legislative appropriations.*
- ◆ **more legislative oversight of PEIA finance board by requiring LOCEA approval of major board actions.**
- ◆ *increased education/access for flexible spending accounts.*

TEACHERS RETIREMENT

Although the Teachers Retirement System continues to carry a large unfunded liability, recent strides by the Governor and the Legislature have provided enough breathing room to provide increases in retirement benefits for actives and retirees. **AFT-West Virginia therefore proposes:**

- ◆ **automatic cost-of-living increases for retirees.**
- ◆ **a state tax exemption for retired educators up to \$20,000.**
- ◆ *Rule of 80 and/or other early retirement incentives (i.e. voluntary drop plan, Social Security Bridge or income leveling).*
- ◆ *retirement credit granted to post 1972 veterans.*
- ◆ *retirement credit based on number of hours worked rather than on number of days worked in a week for employees who work less than full time.*
- ◆ *a loan option for TDC members.*

EDUCATIONAL FUNDING

With a declining student population and a shrinking tax base, measures must be taken to ensure that limited resources are spent wisely. **AFT-West Virginia therefore proposes:**

- ◆ *the creation of a needs-based funding formula which would allocate education dollars based on student need rather than the number of students.*

PROFESSIONALISM

Faculty Senate statute should be clarified and expanded to enhance teachers' empowerment.

AFT-West Virginia therefore proposes:

- ◆ **Faculty Senates be empowered with real decision-making abilities (scheduling, policy, lesson plan requirements, teacher duty rosters, money for supplies, etc.).**
- ◆ **school administrators shall be ex-officio members of faculty senates.**
- ◆ *Faculty Senates be returned to monthly meetings.*
- ◆ *county and school administrators be prohibited from assigning any duties to teachers during Faculty Senate meetings for continuing education or staff meetings.*
- ◆ *a provision providing for local boards of education to meet annually with faculty senates.*
- ◆ *bi-monthly countywide meeting of faculty senate chairs during the instructional day.*

EMPLOYEE RIGHTS

The effectiveness of employees is greatly enhanced to ensure high morale when they are afforded dignity, respect and security. **AFT-West Virginia therefore proposes:**

- ◆ *public disclosure of hiring criteria.*
- ◆ *that pro-rated employee benefits be made available to substitute professional employees.*
- ◆ *that laid-off employees be given priority in filling substitute positions.*
- ◆ *strengthening penalties for parents/guardians and students who exhibit violence against school employees.*
- ◆ *that employees be compensated at 1/7 of their regular daily rate of pay for each hour or portion thereof for assignments above and beyond the instructional day.*
- ◆ *that teachers be compensated for forfeiting their planning period when voluntarily providing coverage for another teacher's class.*
- ◆ *adequate and appropriate aides/monitors for mixed physical education classes.*
- ◆ *that affected educators be provided documentation of level IV safe school violations and criminal convictions of students.*
- ◆ *adequate training for employees to handle dangerous situations.*
- ◆ *that the assignment of "other" duties be fair and equitable to all employees.*
- ◆ *that the experience of school counselors be transferable between elementary, middle and high school levels.*
- ◆ *return the deadline for employee transfers to five days prior to the start of the instructional term.*
- ◆ *that the state adopt a civility policy to protect employees from cyber bullying/harassment/false accusations.*

ESEA and the NEXT GENERATION STANDARDS

The AFT has long been a leader in promoting high standards of learning and teaching. While folks in Washington continue bickering over the reauthorization of ESEA (known now as No Child Left Behind), we continue on with our goal of raising academic achievement. An example is the AFT's involvement in the national movement often referred to as "Common Core State Standards." These standards are research-based, encourage student achievement and are state specific (West Virginia's Next Generation Standards are the Common Core Standards). We believe this reform movement has value. **AFT-West Virginia therefore proposes:**

- ◆ *fully commit to Next Generation/Common Core Standards and their implementation through professional development and support for educators, and re-focus evaluative measures of students to reflect such implementation.*
- ◆ *a reauthorized ESEA that changes the calculation of AYP, implements high quality provisions that are fair to staff and good for students and adequate funding.*