

The Dark Side of Lower Class-Size Provisions

Like  0

October 7, 2014

Bronwyn Clarke *Policy Intern*

// Originally published in the Sunday, October 5, 2014 issue of the News Tribune (see original) //

Class size is currently a hot topic in Washington state, pushed to the forefront of policy discussions by the upcoming vote on Initiative 1351 in November.

I-1351 reportedly seeks to enhance the quality of education in Washington by requiring the state to allocate funding for smaller class sizes and increase student support staffing. Should this initiative be approved, it would cost approximately \$6.6 billion more in state and local funds over the next four years and would secure the Washington Education Association about \$7.4 million a year in additional mandatory dues, according to the Washington Policy Center,

Regardless of whether the initiative would actually reduce class sizes, there's another side to the issue of class sizes that many people don't realize. In periodic collective bargaining sessions between school districts and local teachers' unions, remedies for overloaded classes are one of many practices negotiated that have a direct impact on student services.

While some contracts specify remedies such as increased paraeducator or release time for teachers, a surprising number of districts offer additional compensation for teachers with overload students. In some districts, compensation is actually the go-to solution. Other districts make teachers the sole decision-maker in choosing the class size remedy that works for them.

Overload class size compensation can range anywhere from \$6 a day for the first overload student to as much as \$18 a day. The most generous districts offer teachers \$1,800 or more per year for every overload student. Local taxpayers ultimately foot the bill for this class size "remedy."

Auburn School District gives teachers the choice of overload compensation at the rate of \$18 per student day, or \$3,240 per year per overload student. Similarly, teachers in Puyallup School District automatically receive \$1,500 a year if class-size goals are exceeded in their classroom. Additional

compensation for overload students is also offered by Federal Way, Sumner, Clover Park and Bethel school districts.

The most concerning implication of this practice is the disincentive it creates for smaller class sizes and productive classrooms. When teachers are given the choice of additional compensation in amounts up to \$3,240 a year, what motivation is there for them to seek other solutions that give students the best services for the class size they're in?

Moreover, districts that give teachers unilateral authority to choose overload remedies not only hand off accountability for their decisions, but they also relinquish their ability to address the overload problem through other means. Solutions such as the creation of new class sections or additional paraeducator time would maintain the quality of student education regardless of the number of overload students.

Parents and community members alike would be wise to investigate the overload "remedies" already in effect in their school district and evaluate how those policies are impacting student services. If the quality of kids' education is falling because of large class sizes, you might want to ask your local education association why they negotiated for overload compensation instead of other class-size solutions before you vote for Initiative 1351.

Teachers Union Bargaining To Steal Materials From Children

Like 151

August 21, 2015

Jami Lund *Senior Policy Analyst*

We've reached the time of year when families are asked to buy back-to-school items and bring them in for the students who cannot afford them.

Schools are reportedly underfunded, and the community is beseeched to provide materials and supplies. It's likely you have seen the solicitations to help already.

But didn't the state Legislature increase funding for schools this year? Yes, and one of the budget items that received a massive increase in state funding is "materials, supplies and operating costs."

Here is the history of the state provision for these non-employee costs:

State Funding for School Materials, Supplies, and Operating Costs (MSOC)			
Funding is provided in seven specific categories of Technology, Utilities and Insurance, Curriculum and Textbooks, Other Supplies and Library Materials, Instructional Professional Development (CLS and CIS), Facilities Maintenance and Security and Central Office.			
School Year	Per Student MSOC	Increase since <i>McCleary</i>	Source
2011-12	\$546.37		2011-13 Budget Pg. 121

2012-13	\$553.47	1%	same
2013-14	\$737.02	35%	2013-15 Budget Pg. 198
2014-15	\$848.04	55%	same
2015-16	\$1,210.05	121%	2015-17 Budget Pg. 145
2016-17	\$1,230.62	125%	same

These amounts are specified in the basic education law as "for allocation purposes only," and districts are not required to use funds for any particular service.

Washington Education Association wants to capture this for salaries.

In its summer newsletter, WEA urges those local unions in districts all across the state to demand more money for salary at the bargaining table.

*"...the WEA Board approved a statewide goal of **5 percent pay increases per year of contract in addition to what the state provides, through local bargains.**"*

"Education funding is up nearly \$2.9 billion, or about 20 percent over prior years."

*"What we do know is that the \$2.9 billion increase provides new funds to the districts, and that **most of that money can be bargained at the local level.**" Source: WE 2.0 Summer 2015*

Keep in mind that the legislature increased salaries in this budget:

School	Automatic	Legislative	Total
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Year	Inflation COLA	Awarded Increase	Pay Raise
2015-16	1.8%	1.2%	3%
2016-17	1.2%	0.6%	1.8%

School boards are compelled by the state to let the union establish the spending priorities in negotiations, and many districts are in these negotiations right now. Recognize that the union is trying to snag funds intended for students' materials and supplies and divert them to adults' wages.

If your school board gives away these funds as pay raises, be ready to help buy students materials and supplies as always. And, of course, the Legislature will again be accused of underfunding schools.

Teacher Strikes, Self-Interest And The Paramount Duty

Like { 49 }

September 2, 2015

Jami Lund *Senior Policy Analyst*

The Washington Education Association has planned on staging work stoppages this fall and set money aside to facilitate them. WEA wants all locals to demand a 5 percent per year increase for each year of the contract.

Where does the money for these perpetual increases in payroll come from? Cannibalizing current services, diverting new state money or draining reserves.

A taxpayer can't refuse to pay taxes. A student cannot refuse to attend school. Legislators are in hot water with the Supreme Court for inadequately funding education. Why are union agitators the only party for whom the "paramount duty" of the state can be shunted aside for mere personal gain?

Pasco union officials are now mobilizing employees and withholding services from children. Their goal is an 11 percent raise in addition to the 4.8 percent the state just provided. The board has prepared to hold the line. They are also allowing a glimpse at the items of disagreement and their cost.

Seattle union officials want to divert money from other priorities in order to give teachers a 21 percent raise over three years (current *average* wage will be nearly \$69,000). In addition, the union wants to set district policy related to the schedule and measures of student learning. A strike vote will be taken this week if demands are not met. The district is offering information about the issues.

Many districts are reporting aggressive demands by employees in return for agreeing to start school as required. Spokane, Wenatchee, Kelso, Prosser and South Whidbey are reported in the news, but more districts are facing unfeasible demands by their public employees.

Here is why the union is particularly aggressive even with state raises.

It is actually illegal for school boards to negotiate salary with teachers.

Revised Code of Washington 28A.400.200 and 44.59.935 requires that teacher salaries end up on balance the same as is specified in the state allocation system. This is because the last time the state was challenged about underfunding basic education, the final solution was for the state to guarantee all salary for all basic education teachers.

But unions and willing school boards have used a loophole in the law to once again begin using levy funds to pay salaries. This practice has grown rampant without legal challenge. Some districts give more than 30 percent salary increases in violation of the intent if not the letter of this law.

The state's own Basic Education Finance Task Force recommends returning to the ban on levy-funded salary enhancements unless employees are actually working additional time. Recently, lawmakers have been struggling with compensation reform for teachers, and they are very likely to end this practice that has drained so many services from children.

WEA sees the end of an era of bullying volunteer school boards (some of which union electioneering put into office).

As the door closes on this practice, the union officials will seek to have legislators make up in state resources whatever the local districts have promised at the bargaining table. This is why WEA is particularly aggressive this year seeking 5 percent each year more than the state increase of 4.8 percent.

As a private enterprise collecting \$1,000 each year from teachers, it makes sense for WEA to work hard on these issues. But we cannot pretend that it has anything to do with the best interests of families.

Who should control school policy?

In addition to seeking money, many of the news stories report that the union negotiators are demanding to control significant public policy issues like testing, curriculum, the schedule, supervisory duties and even big-class bonuses.

If the employees control these issues, will the best interests of students be served? The schedule that's most lucrative for employees likely is not the best for students. Testing to assure that learning is occurring is a kind of accountability that employee unions typically oppose.

Curriculum choices should be made thoughtfully with a comprehensive approach. Reducing supervisory responsibilities also reduces the attentiveness to students. Employees commonly favor financial bonuses for large classes over actually reducing class sizes.

Why would we elect lawmakers and school directors if the employees can overrule the community priorities in favor of an employee-interest agenda?

Even if a private, self-interest group is going to be a partner in making these decisions, at least they can hold the meetings in public view so that union marketing doesn't conceal the potential harm to families' interests.

It is time to evaluate whether the teachers' union policy control and fund siphoning has done more harm than good to our education system.

Related:

- Teachers union bargaining to steal materials from children
- Reconsider the failed experiment of public-sector labor organizations
- Legislature needs to fix education funding leak
- Teacher strikes and union harms to student services
- Recent strike history
- Early history of teacher strikes

See also

Senator Hewitt guest column, "Union, district impasse shows need for transparency"

Currently governing Pasco teachers' union contract promising "no strikes" on page 8

Unions Form Astroturf Group To Smear Freedom Foundation

Like 89

November 20, 2015

Maxford Nelsen *Director of Labor Policy*

There's an old saying that imitation is the sincerest form of flattery, and in most fields that may be true. But in the bare-knuckle world of union politics, the highest compliment an opponent can pay you is to devote its precious time and treasure to fighting back.

And by that standard, the Freedom Foundation this week received perhaps its most lavish tribute to date from its "admirers" in organized labor.

Last week, the Washington State Labor Council (WSLC) announced the creation of a new front group dedicated purely to smearing the Freedom Foundation.

The move comes several months after the WSLC passed a resolution condemning the Freedom Foundation and resolving to "develop educational tools and a road show on the deception of Freedom Foundation (Effers)."

With childcare providers leaving SEIU in droves due to a Freedom Foundation education campaign, the Democrat state attorney general suing major unions for campaign finance violations reported by the Freedom Foundation, and legislation empowering workers to take control of their union representation working its way through the state legislature, Washington unions are understandably a little edgy.

The website for the so-called "Northwest Accountability Project" (NAP) uses familiar union rhetoric and doublespeak to disparage the Freedom Foundation and its attempts to allow public employees to choose for themselves whether to join and support labor unions.

NAP claims such goals are "extreme" and "radical." In addition to the usual union talking points, NAP makes a series of downright bizarre claims about the Freedom Foundation.

For example, NAP attempts to tie the Freedom Foundation to what it calls "anti-immigrant"

legislation in Arizona, although the Freedom Foundation has never worked on immigration policy, much less Arizona immigration policy.

The group also claims the Freedom Foundation opposes "LGBT rights" and "women's reproductive rights." But again, neither of these are issues the Freedom Foundation even works on.

NAP launched its presence with a slick attack ad against the Freedom Foundation that repeats many of the written claims on its website.

Interestingly, whenever a business group uses stock images or video footage in its campaign videos, labor groups point it out and criticize the sponsors for their inability to recruit "real people" to support their position.

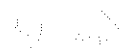
For instance, last year SEIU-front group Working Washington attacked a video put out by the International Franchise Association for using stock images instead of real franchise owners.

Just recently, Seattle Councilmember Kshama Sawant criticized a mailing sent out by her opponent Pamela Banks for its use of stock photos.

As it turns out, the Northwest Accountability Project video makes generous use of — wait for it — stock imagery.

At one point the video displays the faces of three individuals paired with the text, "Does this sound like an organization that represents our values?"

NW Accountability Project



But the people being shown are hardly ordinary Washingtonians or even ordinary Washington union workers. All three were simply drawn from banks of stock photos. A little digging revealed the true identities of these individuals:

Woman "daydreaming"

"Smile senior woman"

And last but not least:

"Manual worker in hard hat and safety glasses"


Of course, it's quite common for such ads to feature stock footage, and it really wouldn't be an issue if the labor groups hadn't decided to make it one. But, as usual, the unions get to play by different rules than the rest of us.

Ironically, the Freedom Foundation has released a series of videos over the past year using real people, telling real stories to explain why they don't want to be forced to support unions against their will. Every single video features real people, telling real stories.

If nothing else, NAP proves that government unions in Washington are worried. They realize their monopolistic, compulsory schemes have lost them both the moral high ground and the support of their members.

For our part, we're enormously proud that we're fighting to free thousands of workers from the tyranny and immorality of forced unionization. If that position seems extreme to the unions, it only proves how out of the mainstream their views are, not ours.

Washington Education Association's Damage To Education Services

Like  45

September 8, 2015

Jami Lund *Senior Policy Analyst*

The teachers' union crows, "It's been a busy week full of victories," and from its self-interested perspective, that's quite true.

Across the state, elected volunteer school boards were broken down to yield control of management rights, schedules, assessments, employee evaluations and curriculum. They were also compelled to divert scarce resources from services, materials and facilities to the union priority – compensation.

This is happening in the districts with a strike looming, but happened also in districts where union-bought school boards didn't resist.

Then the union-funded Washington State Supreme Court ruled that public schools are not allowed to be outside the reach of the union-dominated bargaining table and struck down funding for public charter schools.

The decision was tenuous. Since so little precedent exists, the majority opinion writer had to rely on a precedent from 80 years ago that applied to a funding system that has been extinct for decades. They clearly had the decision in mind and built a wobbly bridge to that conclusion.

How wobbly? The ruling would invalidate funding for Running Start, Skills Centers, Tribal Compact Schools, Education Centers and possibly Multi-district Online Programs. With only a small stretch, the ruling could absurdly invalidate funding for the Department of Social and Health Services and all other state functions other than common schools, since their funding is technically diverted from funds commingled with the extinct "current school fund" just like the funding for charter schools.

In one quirk of the decision, the court demands that the only acceptable "common school" is one in which "voters, through their chosen agents" have "complete control of the schools" to "select qualified teachers, with powers to discharge them if they are incompetent."

Since union contracts regularly deprive voters and their chosen school boards of the power to hire or discharge teachers, do those provisions violate the ruling? Are schools without this power ineligible for funding?

The ruling was split 6 to 3, but most of the justices received maximum campaign contributions from the Washington Education Association, the primary force behind the legal challenge of charter schools.

The prospects of customized education, education entrepreneurialism and options for families have been set back immensely. The financial might of a private self-seeking organization continues to lock us into a monopoly school system where employees' interests prevail.

Long live "one size fits all."

What can we do? Two things.

One: Speak out on behalf of options for families. Even if education is not your fight or you have no children in schools, our state's future is impacted if we stay with a soviet-style education system. Write those letters to the editor and add comments. If you are comfortable with the Washington State Charter Schools Association, lend your name to their petition to pressure the governor and the legislature to preserve charter schools.

Two: Scrutinize candidates for school board, Legislature or Supreme Court to see if their loyalties are to donors like the WEA or other unions. The conflict of interest is too great. Ultimately, the power the union enterprise has to dominate policy comes from the people we elect.

Related:

- Supreme Court Hears Attack on Charter School Law
- Freedom Foundation Fights Against OSPI Charter School Regulations
- Charter Schools Are Coming
- Why Charter Schools Are Important

Will WEA Sue to Block Young Teacher Pay Raises?

Like  0

December 22, 2015

Jami Lund *Senior Policy Analyst*

The Washington Education Association's (WEA) mission is to look after the well-being and self-interest of long-time dues payers, and its efforts typically do not favor younger teachers.

In the analysis of union contracts, "Grading the Teacher Union Contracts," the Freedom Foundation regularly found provisions with more generous percentage raises and bonuses for older teachers. In some cases, the union even lowers base wages of younger teachers to redistribute the funds to the base wage of older teachers.

Initiative 732, which WEA bankrolled, specifies that annual teacher raises will be on a percentage basis which gives the most money to the highest-paid teachers. Each year of implementation, this policy expands the gap between the WEA-favored teachers and the lowest-paid teachers.

As a result of a combination of these kinds of regressive policies, in the Everett School District today, one teacher could earn double the wage of another with the same work duties.

Unlike most unions which use a percentage of salary as the basis for dues, the WEA uses a flat rate for dues. This means that the \$1,000 union dues requires 2.8 percent of a starting teacher salary, but only 1.5 percent of a top paid teacher salary.


In 2008, when the compromise budget Sen. Dino Rossi (R-Sammamish) negotiated included a pay raise for new teachers only, the WEA sued the state to block this raise.

It might be argued that the marketing value of a low starting salary for teachers helps the union accomplish its mission for their higher-paid, long-time dues payers.

Gov. Jay Inslee has introduced a proposed budget that boosts the wages of new teachers significantly, but provides 1 percent to the rest in addition to the already-budgeted 4.8 percent pay raise.

If the Legislature adopts a salary schedule that narrows the disparity between the highest-paid and lowest-paid teachers, will WEA sue again?

Superintendent Dorn Acknowledges Union Abuse of Public Interest

Like  111

November 20, 2015

Jami Lund *Senior Policy Analyst*

It isn't often I agree with Washington State Superintendent of Public Instruction Randy Dorn – a former union executive. But on the Nov. 17, Dorn took a step I can't help but applaud when he called attention to the illegal actions of school districts all across the state.

The "elephant in the room" for education is that allowing unions to steal levy funds from student services to be used for employee raises is manifestly illegal.

The Washington Education Association is wealthy, powerful and aggressive. In a word, they are scary. The dues collection industry has one primary goal – improving the work arrangement of those paying more than \$1,000 a year in dues.

Everyone else in the system is "anti-public education" if they mention that plundering the resources for wage increases is an action that steals services, materials and safe facilities from children.

Historically, lawmakers knew this danger of union negotiations hijacking education funds. To assure adequate funding for basic education and to guard against unions diverting education dollars to wage increases, the state adopted a statutory salary schedule.

And they adopted a ban on local negotiations on wage matters.

In 1981, the ban on negotiations impacting salary was adopted.

In 1987, the union urged lawmakers to create a loophole for only some specific wage enhancements. Lawmakers relented, and wages in excess of the state salary schedule could only be allowed for a single year, and when necessary to compensate additional time, additional responsibilities, or for a particular incentive.

The law today is RCW 28A. 400.200.

The *practice* today, however, is blatant disregard for the ban on salary negotiations. In the last round of bargaining, WEA set goals that contract negotiators seek 5 percent per year in illegal local salary increases. Then they facilitated illegal strikes when those demands weren't met.

They get paid for improving wages, and they are obligated to work on the issue in spite of education-based increases, longevity increases and a state-provided COLA.

Their work is to make sure materials for children, maintenance for their buildings and local program priorities get funded only after large and escalating raises for dues-payers are assured. Freedom Foundation research documents that some districts use more than a third of their levies to fund union demands for higher wages for the same (or less) work.

And the Freedom Foundation has called "Foul!" over and over and over and over and over and over and over again. The union is damaging services to children and blaming underfunding on a Legislature that consistently increases education spending.

The Freedom Foundation has even undertaken to document the hundreds of millions of dollars used for pay raises without an additional service provided to students. "Grading the Teachers Union Contracts" displays these raises and other ways compensation is enhanced in spite of a law prohibiting such salary negotiations.

Now our concern for this unhealthy and illegal practice has a new ally.

Superintendent Randy Dorn.

This week he put a spotlight on the elephant in the room by asking the State Attorney General to specify that local negotiated wage enhancements are illegal.

He asked the Attorney General to issue an opinion about *"whether school district boards of directors are authorized to use local M&O excess levies for compensation pursuant to both Article IX of the Constitution and RCW 28A.400.200(4). I believe they are not."*

Already the stakeholders of the education system are closing ranks to object to such a rude insinuation. The Washington Association of School Administrators (WASA) issued a statement objecting to Dorn's question. It may be worth noting that administrator wages are also heavily enhanced by local levy funds, although no law prohibits this practice.

Rather than suggest the WEA has been too successful in getting members interest prioritized above

all others, the administrators association put the blame on the legislature. Evidently, the Legislature should have been funding everything a union could want plus everything else each and every year.

The law limiting salary negotiations, however, was an acknowledgement of the unending appetite of union negotiators who are merely doing their job. Even if the legislature doubled the wages of all school employees in the next legislative session, the unions would be duty-bound to ask for more the following year.

A law like RCW 28A.400.200, ending unions ability to negotiate for compensation, would be necessary in any event. In fact, the state's own Basic Education Finance Task Force already recommended such a prohibition.

Superintendent Dorn is cutting to the eventual chase, and asking for the imposition of these sideboards.

A Choice For Teachers

Like  4

December 18, 2015

Jami Lund *Senior Policy Analyst*

The Washington Education Association (WEA) relies on the same kind of coercion as other public-sector unions to fuel the engine of its power – power used to advance the causes of the Left.

As a condition of teaching children in the education monopoly, teachers are required to pay more than \$1,000 each year mostly to the union enterprise in Washington, D.C., and Federal Way.

Most teachers are not excited about funding political or left-wing ideological issues and candidates. Many of the efforts of the Washington Education Association limit professional opportunities for educators and stifle the creativity educators dreamed about when they started out.

Teachers often resent being pressured to go to war against local elected leaders because the union business model requires it. Young teachers are not well served by the union that historically caters to the highest-paid teachers, often at the expense of younger teachers.

Nonetheless, the money to fund the agenda and politics of the WEA and the NEA is siphoned directly from the wages of educators who may just wish to be left alone to teach.

What too few teachers realize is that the court has already granted their right to pay only for the core union services, like negotiations, and to demand a refund of the excessive charges for ideological agendas and politics.

Supreme Court decisions have established that unions are not allowed to charge teachers for "the support of an ideological cause (they) may oppose as a condition of holding a job as a public school teacher" (*Aboud v. Detroit Board of Education* 431 U.S. 209 (1977)).

To accommodate this right, any teacher may resign from full union membership and remain a nonunion member of the bargaining unit paying only the workplace representation fee, which is less than full union membership dues.

As the Freedom Foundation has learned through its dealings and communications with thousands of union workers, few are aware of these rights. Government employers and unions typically make little effort to inform workers of their options, and unions frequently enact arbitrary regulations that make it difficult for workers who do know their rights to exercise them.

The WEA, for example, specifies that teachers who'd like a rebate on the political portion of their dues can only ask for it each year during a small window of time – by Jan. 4 this coming year.

The result is that most teachers have no idea that roughly a third of their dues are actually optional.

Think that's an exaggeration? Consider the response from one of the first teachers we contacted:

"When I became a teacher 15 years ago, I did not want to become a member of the union. Of course I had to pay almost the full amount, but I have never gotten a refund. How do I get this?"

In other words, she's been paying full dues for 15 years only because no one told her she had a choice.

So we are telling teachers the rest of the story.

The Freedom Foundation has launched an educational campaign to inform Washington's 80,000 public school educators of their right to cease supporting the WEA's political and nonessential expenditures. On average, teachers will receive \$250 to \$350 in dues back from the WEA, **but they must ask for the rebate by Jan. 4, 2016.**

Those who wish to learn more should refer to ChoiceForTeachers.com, a Freedom Foundation website designed to give teachers all the information they need to exercise their constitutional rights including a "fill in the blanks" letter to collect the refund.