

# Professional Educator

A Publication of Northwest Professional Educators

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## From the Director's Desk—*Opening Doors for All Students*



Cindy Omlin  
Executive Director

Much to educators' consternation, education policy makers at times forget that students are marvelously unique. This uniqueness often challenges educators. It demands that we have the flexibility and skills to help students learn in ways that best accommodate their needs. The "system's" mandates and regulations, however, often tie teachers' hands. They frequently remove effective tools from our teaching toolkits, forcing us to treat every child the same. The effect is to close doors for some students.

Despite its own tendency to perpetuate a one-size-fits-all model, the "No Child Left Behind" law recognizes that some students may need additional assistance or alternatives to help them achieve. One of these options is for free tutoring for students who are falling behind. Money is available for this tutoring. The law requires that "chronically failing schools must set aside at least 20% of their Title I funding for tutoring and choice programs to help boost scores." Unfortunately, it has been reported that few low-income students in failing public schools are taking advantage of the free tutoring provided by private vendors. *Investors Business Daily* reports that, "Across the country more than 5 million students are eligible for tutoring services, known in the law as supplemental educational services, or SES. Only about 750,000 are being tutored."

Parents who don't know about the service, however, can't fully partner with the classroom teacher to increase student achievement. Teachers have a professional obligation to know about this provision of the law, inform the parents, and open doors for students who need additional resources. Some may view these referrals as admissions of failure or inadequacy. Far from it. Referring a student for tutoring is not an indictment of your worth as an educator or that of the school. Rather, it is an acknowledgment of

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### Teacher Scholarship & Classroom Mini-Grant Program

**APPLICATION DEADLINE: MARCH 31, 2005**

Applications for Teacher Scholarships and Classroom Mini-Grants worth up to \$200-\$500 are now being accepted. The spring review deadline is March 31.

Teacher Scholarships may be used to help cover a wide variety of expenses for professional development activities taking place between September 1 and August 31. Classroom Mini-Grants can help pay for that class project that you've always wanted to try or purchase materials not covered by the school budget.

**All educators are eligible to apply. NWPE members receive first preference.** To request an application, please e mail [info@nwpe.org](mailto:info@nwpe.org) or call 800-380-6973.

## Let's Be Reasonable about 504s and IEPs

By Sharan Mann, M.Ed.

In 1973, Congress passed Section 504 of the Rehabilitation Act. It ensures that individuals with a documented disability will receive "reasonable" accommodations in the school/work setting. These accommodations allow the individual the opportunity to perform any required tasks at the same level as their peers.

How does I.D.E.A. 94-142 (special education) differ from 504? To qualify under I.D.E.A. 94-142, the student must have a documented disability and be in need of "special designed instruction." To qualify for a 504, an individual must have a disability which impacts a "major life activity," but does *not* need "special designed instruction."

To qualify for a 504 accommodation, there must be a documented disability or history of a documented disability. The disability can be physical or mental, but it must limit a major life activity in the educational or work setting.

AIDS, cancer, recovery from a drug and alcohol addiction, attention deficit disorder, diabetes, asthma, physical disabilities, and behavior disorder are some examples of qualifying disabilities. It must be noted that you can have a disability and not qualify for a 504 plan if the disability does not impact a major life activity.

Reasonable accommodations are unique to each individual in each situation. They are designed to simply "remove the barriers" to learning or other major life activity. For example, a student who breaks an arm or leg can be given an optional assignment for PE, be allowed to leave class a minute early and arrive a minute late. (Notice that "reasonable" has clear limits!) A student who comes down with mono may be allowed to temporarily reduce their school schedule, reduce the amount of work required for a class, or may be given a grade such as a "P" or "S". Extended deadlines (with a deadline for the extension) can be a reasonable accommodation for a student who is diagnosed with dyslexia or other learning disabilities.

Teachers are required to comply with accommodations stated on a 504 plan. The penalties for non-compliance are the same as for noncompliance of an IEP.

Classroom teachers are also required to be a member of the assessment/504 team. It is a wonderful opportunity to be a part of creating reasonable accommodations for a student. Teachers' input is critical as they are the ones who work with the student on an ongoing, daily basis. A teacher can refer a student for evaluation or request a 504 review at any time. As classes

change so might the accommodations, and what was reasonable and appropriate at one point, might change with time and curriculum.

**Section 504 of the Rehabilitation Act not only refers to students, but applies to employees of the school district as well.** Accommodations could take the form of a special screen on your computer to accommodate your vision or a special chair to accommodate a bad back or injury. All requests for reasonable accommodations must be accompanied by medical documentation from the appropriate doctor. The request should be submitted to your principal and then to your personnel director. Principals are usually more than happy to provide accommodations for your "handicapping condition."

Reasonable accommodations and documented disabilities are at the heart of a 504 plan. It is designed to create a fair and equitable situation in which a student can compete with their peers, and workers are able to perform assigned tasks with reasonable outcomes. NWPE

*—Sharan Mann is a special education teacher at Olympia High School where she set up and coordinates its 504 program. She also teaches photography and art.*



## New Website Promotes High School Media Literacy

StudentNewsDaily.com is a new website promoting media literacy for high school students. Teacher Kathy Privrat designed the site to assist teachers by providing questions on news articles and commentaries from various news sites. The day's top news story is posted by 11 a.m. along with comprehension and critical thinking questions. The site also provides a student poll, the oppor-

tunity for students to interpret editorial cartoons, lessons on identifying bias in the media, human interest items, and links.

StudentNewsDaily.com provides news stories necessary for students to become well-rounded in their knowledge of current events. Students are encouraged to engage in the democratic process by identifying their own position on the is-

sues of the day, making their voices heard by participating in polls, contacting their congressmen, and writing letters to the editor. Linked news sites include *The Washington Times*, *World Net Daily*, *Fox News*, *CNS News* and *News Max*. Opinion sites include *Opinion Journal* and *Townhall*. Magazine sites include *Human Events*, *National Review*, *Weekly Standard*, and *World Magazine*. NWPE

## Fall 2004 Teacher Scholarship/ Classroom Mini-Grant Award Winners



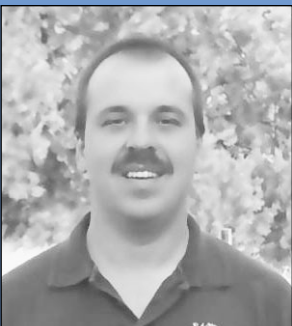
**Deborah Wilbur, Central Primary Center, Snohomish School District,** was awarded a scholarship to attend "Handwriting Without Tears," a two-day workshop where she will learn activities to teach body awareness, fine motor skills and posture for writing. She will learn the developmental stages of writing readiness and handwriting as well as how to use multisensory techniques for preprinting, printing, and cursive writing. Deborah seeks to provide her district with hard data revealing the program to be beneficial for all students, grades preschool through four. As a member of NWPE, Deborah states that she feels "a sense of empowerment" from sharing the same beliefs as NWPE.



**Carlotta Szabo, Rogers High School, Spokane School District,** was awarded a mini-grant to purchase *Sadlier Vocabulary Workshop* test generators which will help individualize vocabulary instruction with junior English students having a broad range of vocabulary development. She plans to document that students achieve more consistently if they are working at a level that is neither too difficult nor too easy for them. If this is accomplished, Carlotta hopes to persuade her colleagues to implement the same program throughout the district. Carlotta appreciates NWPE's collegial communications, member polling on education issues, and responsiveness to members. "I feel like I have a voice again!"



**Deena Mauerman, RE Bennett Elementary, Chehalis School District,** was awarded a mini-grant to purchase Bound-to-Stay-Bound literature books and magnetic lapboards for phonemic awareness activities to help her students advance through their developmental reading stages. She plans to share the books with two other remediation classrooms in her building. They will also be used by volunteers who read with her students five days a week. Deena believes the books and materials to be essential for helping reluctant readers. In her application, Deena stated that teachers' professionalism will be enhanced by focusing on educational goals, avoiding non-education politics, and increasing teacher management of the education system.



**Brad Patzer, Mountain View Alternative High School, Lakeland School District,** was awarded a mini-grant to help fund his students' attendance at the *We the People: The Citizen & the Constitution* mock congressional hearings. Student teams create responses to questions drawing on current and historical events, as well as Constitutional theory and landmark Supreme Court decisions. The hearings are a motivating culminating activity that stretches his students academically. Brad believes that educators will improve their professional standing one student and parent at a time through respectful interactions, dressing professionally, and giving due care to one's work.

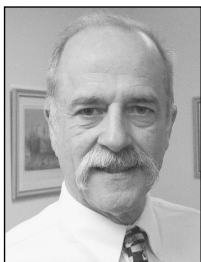


**Sr. Maria Inviolata, St. Michael's Academy, Spokane,** was awarded a scholarship to attend the Summer Geometry Institute sponsored by the Northwest Mathematics Interaction at the University of Washington. At the Institute, Sr. Maria will learn hands-on, mathematically meaningful geometry activities and classroom-ready ideas that will stimulate student interest and thought. One interesting idea Sr. Maria has for raising public awareness of the complexity of teaching is through a TV series similar to "The Apprentice." The program would focus on the task of teaching in inner city schools and highlight the great things teachers can accomplish on a shoestring budget.



# The Impact of Monopoly Unionism on Education, Part II

By David Denholm



David Denholm  
President, PSRF

**Editor's Note:** David Denholm, President of the Public Service Research Foundation, gave a compelling presentation on unionism in public education at NWPE's 2004 summer

conference. This article is part two in a series of three articles on unionism in public education. Part three will appear in our next newsletter.

Several scholars have observed that the unionization of the teaching profession was one of the biggest, if not the biggest, changes that took place in public education between 1960 and 1980. It is inevitable that this would have an impact on education. Yet little, if anything, was said about it.

The best example of this is "A Nation At Risk," the 1983 report of the National Commission on Excellence in Education. This report, which was occasioned by a twenty year long decline in academic achievement, contained not a single word about the fact that during this same period of time there had been a revolutionary transformation in the employment relationship between teachers and their employers.

This is unfortunate, because the advent of teacher unionism did have an impact on the quality of public education.

Composite SAT scores had been increasing steadily until the early 1960's. In 1963 they began to decline and continued to decline until the late 1970's at which point they leveled off. After that, scores were harder to track for a variety of reasons.

Teacher union membership also started its rapid increase in the early 1960's and grew steadily through the 1970's. After that, teacher membership became harder to track because the unions began to recruit members outside of teaching. In the last couple decades, most of the growth in "teacher" union membership hasn't come from teachers but from school service personnel.

Whether the decline in SAT scores was caused by the increase in teacher unionism is subject to speculation; but, there is no doubt that there is a direct correlation between the rise of teacher unionism and the decline in SAT scores.

**Why, or perhaps how, does monopoly unionism and collective bargaining harm education? There are a variety of possible reasons that deserve consideration.**

■ **Teacher union contracts are not limited to wages, hours and terms of employment. They have an impact on many other issues such as curriculum, textbooks, discipline, etc.** This severely limits the ability of school officials to deal with these issues in an orderly way. Ideally, a school board would be able to deal separately with these issues to give each the attention it deserves. Unfortunately, when they are subject to union contract negotiations, they get lumped in with many other unrelated issues. It is also unfortunately true that when money is short, public school management has been too willing to trade-off its control of policy issues in its negotiations with unions.

The nature of the negotiation process compounds this problem. It is the nature of negotiations to make concessions at the end of the process. All too often negotiations

reach a crisis in the face of a deadline. When agreements are reached, they are approved hastily without adequate time for public review and comment. As a result, contracts governing almost every aspect of school policy are decided in a crisis environment with little or no opportunity for public comment. These contracts lock in policies for the length of contract—sometimes 2, 3, 4 or even more years. This practice denies elected officials the ability to respond to changing situations and gives teacher unions the power to block needed reforms.

■ **Whether deliberate or not, one of the consequences of the unionization of teachers has been to drive a wedge between the community and schools.** This is an extremely important consideration. Time and time again when scholars have studied why some schools with very little money have produced consistently high scores while others with quite a bit of money have consistently produced low scores, it has come down to parent and community involvement. Recent evidence from some inner city schools in poverty areas with high crime rates indicates that the impact of parent and community involvement holds true there as well.

Union collective bargaining agreements restrict parental and community involvement in a variety of ways. The most obvious is contract provisions saying that a teacher may not be required to meet with a parent unless a union official is present. That is not to say that a union official attends every parent-teacher conference, only that when a parent feels a strong need to become more involved in their child's education, the contract can be used to thwart this.

See **Unionism's Impact**  
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# NWPE SUMMER CONFERENCE

**Saturday, July 23, 2005**

**Coeur d'Alene, Idaho**

*Washington Clock Hour Offering  
University of Idaho College of Education CEU Offering*

**Plan on attending the NWPE Summer Conference on Education Issues, Saturday, July 23, 2005, in beautiful Coeur d'Alene, ID—just 30 miles from Spokane, WA. NWPE members attend at no fee.**

## Speakers will include:



**504s & IEPs: Greg Stevens, JD**, Partner, Stevens Clay & Manix PS. Greg is an attorney specializing solely in education law and has practiced law for 20 years. Prior to law school, Greg received an MS in counseling/psychology and worked as a school psychologist/counselor for 3 years. Greg will discuss what a 504 is; how it differs from an IEP and the impact on the teacher, discipline and related issues. He will discuss what 504 accommodations should look like in the classroom setting and how you can best support a 504 student. Additionally, Greg will inform attendees how 504 can assist employees needing reasonable accommodations.



**Academic Freedom: David DeWolf, JD**, Professor, Gonzaga Law School and Senior Fellow, Discovery Institute; published in the areas of torts and the First Amendment. Dr. DeWolf will discuss academic freedom and outline teachers' rights regarding issues related to religion, holidays, curricular issues such as science education, and more.



**Teacher Skills that Impact Student Learning: Randy Thompson, PhD**, Vice-President Marketing & Business Development, American Board for Certification of Teacher Excellence; Former Chief Academic Officer, Idaho State Board of Education. Dr. Thompson will speak on the Teacher Skills that Research Tells Us Impact Student Learning.



**Federal Update for Independent Educators: Tracey Bailey, 1993 National Teacher of the Year**, National Projects Director for the Association of American Educators. Tracey will update attendees on federal education issues and solicit educators' input on changes that would improve the No Child Left Behind Act.



**Misconduct Accusations: Stephen R. Matthews, JD**, Former chief criminal deputy prosecutor, Steve is currently a principal with Phillabaum, Ledlin, Matthews & Sheldon, PLLC. His practice focuses on general litigation and employment-related matters. Steve will discuss how teachers can protect themselves from false accusations of misconduct and how to respond when accused.



**Bonus Session - What Teachers Should Know About Money - Redefining Money, Risk and Safety: Bill Proser, PhD**, Founder/English Teacher, Coeur d'Alene Charter Academy; NWPE Board Member; Bill holds a 6 and 63, a life insurance license, and is authorized to sell mutual funds. He specializes in retirement and college education funding and is an associate agent for Northwest Mutual Financial Network.

## Unionism's Impact

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Another union contract provision that frequently drives a wedge between community and schools deals with the hours of work. Many union contracts contain provisions limiting the hours that a teacher might be expected to stay after the end of the school day for any reason. The most common reason for staying after classes is to assist students who need a little extra help. Many, perhaps most, teachers accept this as a normal part of their professional commitment to teaching. Unfortunately, there is ample anecdotal evidence that teachers who voluntarily stay after class to work with students are urged *not* to do so by their union shop stewards (usually referred to as "building representatives"). The shop steward will explain to the wayward teacher that the right to not stay after class was a hard won victory for the union and that by doing so voluntarily the teacher sets a bad example and hurts colleagues who do not choose to stay after school.

Aside from the immediate provisions of the contract, teacher unions have been justifiably criticized for protecting incompetent teachers. This is not really a fault of the union. In fact, the union has a legal responsibility to advocate the interests of its members—competent or not. Some more candid teacher union officials will admit that when confronted with incontrovertible evidence of a teacher's incompetence they will attempt to "counsel them out of the profession." But, if this counseling fails to have the desired effect, the union will use every means at its disposal to defend the teacher's employment. This can involve a lengthy and costly process. Unfortunately, many

school administrators are just not willing or able to make the effort. As a result, there are a few incompetent teachers who are harming the education of students year after year and who are spoiling the reputations of the vast majority of competent teachers.

■ **It should be noted as well that a common teacher union contract clause prohibits the use of any measure of student achievement in teacher evaluation.**

**There are some teachers who find forced union fees so objectionable that they have left the teaching profession rather than comply. This, too, is harmful to the quality of education because it deprives the teaching profession of teachers who hold so strongly to their beliefs that they refuse to be**

■ **Another teacher union role that is secured by the collective bargaining agreement is the representation of teachers in grievances.** These grievances may involve issues such as evaluation, transfer and assignments or disciplinary action. The vast majority of teachers are never in need of this sort of representation; but, there are a few who have a chronic need for it. It often reaches the point where administrators become so reluctant to deal with these teachers that they tend to deliberately avoid contending with them. In addition to being harmful to education, it is harmful to the morale of the vast majority of teachers who have a more cooperative work attitude.

Even though I complained above about the lack of academic interest in the influence of unionism on the teaching profession, there was one study that briefly touched on the subject. The report of the 20<sup>th</sup> Century Fund's "Task Force on Federal Elementary and Secondary Education Policy" noted that:

"The organizations—the unions and professional associations—to which teachers belong have protected their weakest members rather than winning rewards for their strongest.

"The collective bargaining process, moreover, has not only made it difficult to encourage promising teachers or to dismiss poor ones, it has forced many of the best to leave teaching for more financially rewarding work. The result is that the quality of teaching suffers."

■ **A very common union contract provision in the states that do**

**not protect teachers from compulsory unionism is one that requires teachers to either join a union or pay a representation fee, sometimes called an "agency fee" or "fair share," as a condition of continued employment.** The essential injustice of this would be the topic for an entirely different article. Suffice it to say that there are some teachers who find forced union fees so objectionable that they have left the teaching profession rather than comply. This, too, is harmful to the quality of education because it deprives the teaching profession of teachers who hold so strongly to their beliefs that they refuse to be coerced.

The Public Service Research Foundation's founder, the late Carol Applegate, was dismissed from her position as a teacher in the public schools of Grand Blanc, Michigan, for refusal to pay dues or fees to a union in order to keep her job.

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## Opening Doors, Continued from page 1

children's uniqueness. If the "system" is to truly open doors for all students, we must be humbly willing to *share* the responsibility for educating students.

Don M. Randel, President of the University of Chicago, comments in the *University of Chicago Magazine* that educators must do all we can to "lift the lives of children out of the slavery of ignorance to which they might otherwise be condemned." Having the power to improve the lives of others imposes a certain responsibility, he says. For the University of Chicago that has included operating charter schools with good ideas "born of faculty research that can improve the ability of children in some of the nation's worst schools to read and learn." For educators in public schools, it means that, in addition to our individual efforts, we ensure that all doors are open for students, including knowledge of and access to private tutoring.



President Randel muses, "Perhaps it is as simple as this: knowing on the basis of hard thinking how one might improve the lives of children, how could one not want to?" NWPE

*Cindy Omlin* Executive Director

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Her words should ring true to many teachers: "How can I ask my students to think, when I am being denied to think myself." Happily, she was restored to her teaching position after a lengthy court battle in which it was determined that her dismissal was unjustified. But the Michigan legislature quickly amended the law to allow such dismissals. So, now, most teachers of such character are not so fortunate. It is either pay the union or leave the profession, and many leave.

This is not the whole story on the impact of monopoly unionism on the quality of public education. In the next installment we will take a look at strikes, money, and union opposition to education reforms. NWPE

*-David Denholm is president of the Public Service Research Foundation, an independent nonprofit organization that studies the impact of unions in government and union influence on public policy.*



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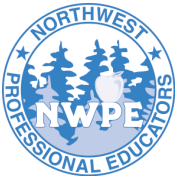
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Northwest Professional Educators

## **NWPE Integrity Appreciated**



I had been receiving email copies of the NWPE newsletters. They contained many great teaching resources; so, I decided to view NWPE's website. This sparked conversation with veteran teachers about issues and teaching ideas (obviously promoting professionalism as a key point to its members). I also saw that NWPE believes in what it promotes by putting money behind people who are pursuing professionalism within their own career. This showed me that NWPE not only talks the talk but also walks the walk. I decided that this is the kind of professional organization that I want to be part of! Therefore, I come on board with enthusiasm and excitement to be part of a professional organization that shares my goals and hopes!

*Kezia Pockrill*, Seattle, WA

*Is this newsletter useful?  
Share it!*

## **Northwest Professional Educators**

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