

mta CONTACT

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K-3 Class Size Increases and K-5 Elementary Schools Trigger Involuntary Transfers

The Board has eliminated K-3 class size reduction for the 2010-2011 school year. In addition, fifth grade students will be in the elementary schools beginning this August and September. These two major shifts along with fluctuations in enrollment are reasons for changes in staffing. The Retirement Incentive and Transfer Incentive eliminated the need for a Lay-Off or Reduction in Force (RIF) hearing. However, shifts in staffing are still required for the 2010-2011 school year. In addition, more "involuntary" transfers and reassignments may take place in October and November.

**Revenue & Expense
Open Hearing
Tuesday, June 8
LMI at 3:30 p.m.**

- The contract specifies what must happen if a Bargaining Unit member is involuntarily transferred. (Article XIII Section D2. pp 34-35). The definition of "Transfer" is the change of a Bargaining Unit member from one position to another.
- The District has the responsibility to determine program needs and to establish the necessary staffing to implement the educational program. It has the responsibility to honor contractual obligations to its Bargaining Unit members and to follow the laws governing certified employment practices. The District shall make every attempt to follow personnel practices that will maximize the potential of its Bargaining Unit members and enhance good personnel relations. Involuntary transfers of Bargaining Unit members shall only be implemented for just cause and when it is in the best interest of the programs and educational needs of the District.
- Should it become necessary to transfer a Bargaining Unit member, the primary consideration in making such an adjustment shall be the program and educational needs at the school concerned. The criteria for establishing the staffing needs for the school program shall also include:

State Law Guarantees Teachers Have the Final Word on Grades

The California Education Code protects teachers' rights to grade students. When grades are given for any course of instruction taught in a school district, the grade given to each pupil shall be the grade determined by the teacher of the course and the determination of the pupils grade by the teacher, in the absence of clerical or mechanical mistake, fraud, bad faith, or incompetence, shall be final.

§ 49066: if a parent, student, or administrator challenges a grade the teacher has the right to defend the grade. An Association representative should always be present at such a challenge.

Teachers are Responsible for Failure Notices

Classroom teachers are directly responsible for notifying parents of possible failing grades. Whenever it becomes evident to a teacher that a student is in danger of failing a course (D or F grade), the teacher must arrange a conference with the student's parent/guardian or send the parent/guardian a written report (failure notice.) In all cases the notification must come prior to the assignment of the grade.

The teacher's responsibility for failure notices is stated in California Education Code 49067 and Montebello Unified School District Administrative Regulation 5121 (a).

(1) Credentialing requirements (2) Experience in teaching specific subject areas (3) Teacher in-District seniority.

- After consideration of the above criteria, a conference shall be held with each Bargaining Unit member prior to any transfer. A written summary outlining the specific reasons for the decision covered in the conference will be provided the Bargaining Unit member upon request.
- The District shall make every effort to notify a Bargaining Unit member of a pending transfer by May 15. Bargaining Unit members shall be entitled to one (1) day release time, upon request, before the actual transfer occurs.
- In the event that a transfer may occur during summer or off track sessions, the Bargaining Unit member shall be entitled to one (1) day release time, upon request, within the first twenty (20) days of the next school session.

Helene Abbasi (MOI) was honored as Teacher of the Year by the Rotary Club of Montebello. Helene received a plaque, flowers, and a check for \$300.

