

UPDATE

Lake Washington Education Association

October 26, 2011

Here's an update on education lawsuits still in play

State Funding for K-12 Education: The Network for Excellence in Washington Schools (NEWS), to which LWEA belongs, sued the State of Washington for failure to meet its constitutional mandate to fully fund basic education. The seven-week trial, heard by Judge John Erlick in King County Superior Court, ended in October 2009.

In February 2010, Judge Erlick ruled that the State of Washington was in violation of its constitutionally-mandated "paramount duty" to amply provide for the education of its children. The court ordered the state to determine the actual costs of educating students and to fully fund that cost with stable and dependable state resources.

The State of Washington appealed Judge Erlick's decision to the Washington State Supreme Court. Documents were filed and the Supreme Court heard the appeal on June 28, 2011. Right now, we're waiting for a decision from the State Supreme Court, which could be at any time.

If the State Supreme Court upholds our victory from King County Superior Court, it's uncertain when funding would be restored to K-12 education. Presumably, the Court would establish deadlines that would have to be met by the Legislature to bring the State into compliance with the Constitution.

Gainsharing for TRS Plans 1 and 3: Several years ago, the Legislature repealed a benefit that was included in Teachers Retirement System (TRS) Plans 1 and 3. The provision, called "gainsharing," allowed plan members to share gains from investment earnings that exceeded a certain amount over a period of time. The legislation also lowered the retirement age for Plans 2 and 3 to age 62 without penalty, and reduced the penalties for retiring after age 55 with at least 30 years of experience.

The Legislature, however, attached a "poison pill" to the bill, which stated that if they lost a lawsuit challenging the gainsharing repeal, the early retirement provisions would immediately be revoked.

The lawsuit was filed and was heard by Judge Richard Eadie in King County Superior Court. Judge Eadie ruled that the Legislature's repeal of the gainsharing benefit was unlawful. The lawsuit was split into two phases---one dealing with the gainsharing repeal, and the other dealing with the Legislature's "poison pill."

Judge Eadie ruled that the second phase (poison pill) must first be litigated before the entire case could be moved forward. There is a summary judgment motion on Phase 2 scheduled for December 16. Once Judge Eadie rules on Phase 2, it's anticipated the entire case will be appealed. As a result, we're at least another year away from a final decision.

Plan 1 COLA Repeal: During the last legislative session, the Legislature repealed the COLA provision in Retirement Plan 1. The COLA had been added to Plan 1 a number of years ago to address the significant loss in buying power Plan 1 retirees experienced during their retirement years. An automatic COLA kicked in after a retiree reached 66 years of age.

The removal of the COLA means that current retirees in Plan 1 had their benefits permanently frozen at last year's level. Future retirees will have their benefits permanently frozen at the amount they receive during their first year of retirement. This means if someone retires at age 55 and lives for 30 more years, that person will receive the same dollar amount in retirement income at age 85 as he/she received at age 55.

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Information & News for Members

Bad weather can affect schools



When the wind, rain, flooding, and snow arrive, it's important to fully understand the intent of contract language that we have related to inclement weather and reporting to work.

You are expected to report to work on time; however, the District and the Association are concerned that individuals get to work safely. If the cars driving in front of your house are sliding into ditches or trees are falling across your road, common sense says to wait until conditions improve. However, you must arrive at work no later than 30 minutes before students are due to arrive.

If you don't get to work because of inclement weather conditions, you may use annual leave (after calling in).

Staff who report to work on a day when school closures are announced late (after 5:30 AM for secondary staff and 6:30 AM for elementary staff) shall be paid 2 hours at their hourly per diem rate. This is intended to compensate those individuals who have already left for work before the school closure announcement was made. "Announced" means the time at which the District notifies the media, not the time the media makes the announcement, nor the time you are actually notified.

In addition to staff phone trees and TV or radio announcements, you can always check the LWSD website for up-to-date announcements relating to weather-caused delays or cancellations.

Pool amounts set

Each year upon the closure of the open enrollment period for health benefits, the Business Office calculates the amount of the insurance pool. This year the Legislature has allocated \$768 per FTE employee to be used for benefits. State law requires that after everyone has made their basic benefits selections, any leftover money must go into an insurance pool. This pool is used to help full-time employees who have to pay part of the medical premiums out-of-pocket due to insuring their dependents. (The pool is not available to part-time employees.)

The amount available from the pool been calculated. Teachers will be able to spend up to \$690 per month (\$727 if you are on Willamette Dental instead of WDS) for their medical insurance after all their other benefits have been paid. Selection of medical coverage in excess of this amount will result in a deduction from the employee's paycheck. These changes will be effective with the October payroll.

Priority Transfer List

If you wish to move from one level (elementary, junior or senior high) to another level (elementary, middle, high school) for the 2012-13 school year, you must notify the district by Friday, October 28.

If you do not wish to change levels, do not place your name on this transfer list.

LWEA Executive Committee

President - Kevin Teeley
LWEA / 425 822-3388
kteeley@lwsd.org

Vice President - Mike Blodgett
Kirkland / 425 936-2420

Primary Rep – Ken Egawa
Blackwell / 425 936-2520

Intermediate Rep - Peggy Solum
Frost / 425 936-2560

Junior High Rep – Matt Breyse
Kamiakin / 425 936-2400

Senior High Rep – David McGibney
EHS / 425 936-1500

Special Services Rep – Gerry Pappas
Muir / 425 936-2640

Specialist Rep – Marilyn Hargraves
LWHS / 425 936-1700

Ethnic Minority Rep – Ernest Young
Kamiakin / 425 936-2400

lakewashingtonea.org

LWEA Office
10604 NE 38th PI, Suite 212
Kirkland, 98033
425 822-3388

UniServ Rep: Caroline McDowell
cmcdowell@washingtonea.org

Admin Assistant: Sheila Hagerman
shhagerman@lwsd.org

Admin Assistant: Ila Rhea Morrow
imorrow@lwsd.org

National Board bonus

There is some good news and some less than good news for National Board certificate holders. The good news is that you will still receive the \$5,090 annual bonus. The less than good news is that you won't receive it until July (in previous years the bonus was distributed in October). This change is a result of budget cutting actions taken by the State legislature.

In addition, if you are a newly-certified candidate, your first year's bonus will be prorated to 60%; and again, this is thanks to the State's budget cuts.



Education lawsuits still in play, continued from page 1

WEA, along with the Washington Federation of State Employees, filed a lawsuit challenging the repeal in Thurston County Superior Court. Since the lawsuit is still in the preliminary stages, a hearing has not yet been set.

I-1053: Initiative 1053, sponsored by Tim Eyman, was approved by voters in November 2010. The initiative requires a 2/3 majority vote of the Legislature in order to pass any revenue increases. WEA, the League of Education Voters, several Democrats in the State House of Representatives, several teachers, school board members and parents, filed a lawsuit in King County Superior Court this past summer challenging the constitutionality of I-1053.

The case is currently in the discovery phase and the hope is that it will be heard in time to have a court decision prior to the 2012 legislative session.

Should you take clock hours or credits?

Many times when you take a class, you're given a choice between clock hours or credits. Which one should you choose? Here are some points to consider when deciding:

Choose clock hours if:

- You're not planning on using the class towards an advanced degree.
- You only need the clock hours for certification renewal.
- You don't plan on teaching in another state that might not accept clock hours.
- You want to advance on the salary schedule while spending as little money as possible.

Choose credits if:

- You might be able to use the class towards an advanced degree.
- You might teach out-of-state in the future and want to make sure your classes are recognized.
- You want to advance on the salary schedule and the cost of doing so isn't a concern.

5-minute retirement checkup

NEA Member Benefits is offering a great way to determine if you are taking the right steps to be ready for retirement. Answer a series of questions, and your retirement forecast is quickly calculated for you. The [5-Minute Retirement Check Up](#) can also help with concrete steps you can take to improve your retirement future.

Calendar

Nov. 7 School Board Meeting

Nov. 11 Veterans' Day

Next Rep Assembly – Nov. 15



Marketplace

OPPORTUNITY

Parent Effectiveness Training (PET): PET is for parents, grandparents, nannies, teachers, & others who care for children of any age. This program is offered by Redmond Parks & Recreations Dept. Fee - \$100 (Redmond residents) / \$120 (Non-residents) / \$150 (Couples). Includes PET book & workbook. Classes are 7-9 PM on Thursdays from 1/12/12 – 3/8/12 (no class on 2/16). To register – call 425-556-2314. (John Love, RC).

SERVICES

Decks & fences: Design & construction of decks, fences, trellis, arbors, & other cedar projects around your home. Fully licensed, bonded, & insured #PACIFDF942DL. Call Pacific Deck & Fence at 425-829-8102. (Barb Middaugh, Frost).

Pretty tile – ugly grout? **Let the Grout Doctor take care of all your grout & tile needs.** For a free estimate, call John Start at 425-947-0060. (Ila Morrow, LWEA).

Eastside Gym Redmond: Now offering a corporate rate for LWSD employees - 1 year membership for \$150. Provides environment that promotes positive attitudes & personal development. Call Lonny at 425-882-7764 or stop in 15040 NE 95th St, Redmond. (Andy Sandbo, Sandburg).

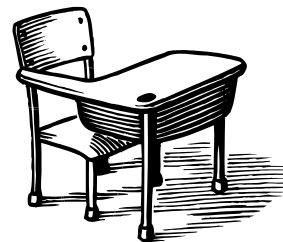
Real estate broker: Looking to buy or sell your home? Know someone who is? Give me a call. "The best compliment I could receive is your referrals." Nyk Minke (LWHS) at Skyline Properties, Inc, 206-914-1633.

FOR SALE

Girl's **4-post twin bed**, white, wood, cute design, excellent condition, new was \$440, sell for \$125. Twin **mattress set**, great condition, \$70. **Curtains**, Pottery Barn, bright pink, 2 panels, plain twill, \$10. **Bean bag chair**, Pottery Barn, bright pink, \$35. White **bedskirt**, \$5. Mary Lou Nakao (McAuliffe) 425-830-1366 or mlnakao@comcast.net.

Rules for Teachers from 1872

1. Teachers each day will fill lamps, clean chimneys.
2. Each teacher will bring a bucket of water and a scuttle of coal for the day's session.
3. Make your pens carefully. You may whittle nibs to the individual taste of the pupils.
4. Men teachers may take one evening each week for courting purposes, or two evenings a week if they go to church regularly.
5. After ten hours in school, the teachers may spend the remaining time reading the Bible or other good books.
6. Women teachers who marry or engage in unseemly conduct will be dismissed.
7. Every teacher should lay aside from each pay a goodly sum of his earnings for his benefit during his declining years so that he will not become a burden on society.
8. Any teacher who smokes, uses liquor in any form, frequents pool or public halls, or gets shaved in a barber shop will give good reason to suspect his worth, intention, integrity and honesty.
9. The teacher who performs his labor faithfully and without fault for five years will be given an increase of twenty-five cents per week in his pay, providing the Board of Education approves.



**Pending available space, ads are run in the Update on a first come, first served basis.
Ads are accepted only in written form – send directly to Sheila Hagerman – shhagerman@lwsd.org.
Ads are subject to approval by the Executive Committee and may be edited for length.**