

The Slate



A publication of the Metropolitan Nashville Education Association

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MNEA celebrates black history

Americans have recognized black history annually since 1926, first as "Negro History Week" and later as "Black History Month." This recognition came as a result of concerns brought forth from Dr. Carter S. Woodson. You will be reading and hearing about all of the upcoming events being planned throughout the city of Nashville during the month of February. We encourage each of you to celebrate and arrange to attend events where possible or create your own.

As a part of this celebration the MNEA Minority Affairs Committee, chaired by Patricia Rowe Lane (Tom Joy Elementary School) will be sponsoring a BLACK HISTORY FORUM—Theme: **What a Day!**

Black
history
month

The forum will be held on **Saturday, February 21, 2009 at 10:00 AM at the Tennessee Education Association** headquarters located at 801 Second Avenue North, Nashville, Tennessee. Program events include our special guest speaker, Dr. Carolyn Tucker, our guest choir

from East Literature Magnet School "Rising Legacy" and dancers under the direction of Maxine Jones. Vendors will be on site. Directions to TEA headquarters are posted at www.mnea.com/teadirections.htm.

The panel discussions' moderator will be Ms. LaCheryl Tucker of Atlanta, Georgia. She is joined by the following distinguished community leaders: Dr. Kevin Churchwell (physician), Ms. Patricia Clark (housing advocate), Mr. Howard Gentry (community leader/parent), Dr. Sharon Gentry (school board member/parent), Attorney Jerry Maynard, II (councilman), Mr. Joe Spicer (business leader), Shemial Quarles (student, Metropolitan Nashville Public Schools), and Breanna Quarles (student, Middle Tennessee State University).

*This event is free to the public. Come join us as we celebrate Black History Month at the TEA building. **What a Day!***

MNEA establishes online community

As part of an National Education Association pilot effort to explore the benefits of online networking for its affiliates, MNEA has been granted a full-featured online community through CollectiveX. Highlights of this networking site include group discussion forums, a group calendar, file and photo sharing, link sharing, and the opportunity to connect with colleagues whom you may never otherwise meet even though we all work in the same district.

Members who have a valid email address listed with MNEA will begin receiving invitations to join the community within the next week so read subject lines carefully. Members for whom MNEA does not have a valid email address on file can join by going directly to <http://mnea.collectivex.com>. Hope to see you all there.

Correcting an oversight

In the last issue of *The Slate*, the vacancy announced for the District 10 Executive Board seat was not correctly identified. MNEA District 10 is actually the Stratford Cluster—not Cane Ridge. The vacancy in the Stratford Cluster on the MNEA Executive Board is a three-year term and the Cane Ridge vacancy on the Board is a two-year term. The article should have indicated one vacancy in each cluster. The editor regrets the error.



MNEF offers scholarships

The Metropolitan Nashville Education Foundation, the charitable arm of MNEA, awards scholarships each year to outstanding high school seniors interested in pursuing a career in public education. Scholarships are awarded to graduates of MNPS in amounts of up to \$3,000 (\$1,500 per semester).

MNEF invites students at your school to participate in our scholarship program. Students should fill out the application form online at <http://www.mnea.com/mnef/application.doc>, print, date and sign it before returning it to MNEF. Applicants retain a copy of all materials before sending them to MNEF. Completed applications including all requested information must be submitted to the MNEA Headquarters by 5:00 p.m. on Friday, March 13, 2009. Incomplete applications will not be considered. Handwritten applications will be returned. Students must use the application template to print their applications before submitting them.

Know your contract

Article VIII, Section D, Subsection 3: Early Notification Incentive

According to Article , Section D, Subdivision 3 of the *Educational Agreement*, "teachers who notify the Human Resources Department no later than **March 15** of their plans to retire upon the completion of their current fiscal year assignment shall receive a five-hundred-dollar (\$500) early notification incentive." [Emphasis added.]



MNPS loses a big one!

On January 26, 2009, the United States Supreme Court issued a unanimous decision denying the districts position in *Crawford v. Metropolitan Government of Nashville and Davidson County*. At issue was the question of whether an employee was protected under Title VII, Section 704(a) of the U.S. Code against retaliation when making statements about sexual harassment during the course of an investigation.

The case involved former MNPS payroll supervisor, Vicky Crawford, who maintained she was terminated for cooperating in a sexual harassment case involving former MNPS Director of Employee Relations Gene Hughes and another employee. Metro's argument, which had been sustained on appeal, is that Crawford is not entitled to protection against retaliation under Title VII, because she was not the complainant.

Richard L. Colbert, Esq., entered an *amicus curiae* (friend of the court) brief in the United States Supreme Court on behalf of the Metropolitan Nashville Education Association and the Tennessee Education Association. At the encouragement of Mr. Colbert, the United States Solicitor General also entered a brief in support of Crawford's position. Ultimately, the Supreme Court's ruling hinged on MNEA's legal argument that Ms. Crawford was protected under federal law because her statements during the investigation constituted "opposition" to "Hughes's sexually obnoxious behavior."



Civil Rights attorneys and advocates believed the earlier precedent set in the Sixth Circuit Court of Appeals denying Ms.

Crawford's petition was very troubling since it put individuals at risk of termination and other sanctions if they speak out on behalf of colleagues who have been harassed on the job. Since Crawford was a support employee of the Board of Education and not a member of MNEA, our involvement has been limited to submitting the *amicus* brief. However, the implications for all employees in MNPS and throughout the nation were enormous.

As a side note, Gene Hughes was ultimately forced to resign when Board members discovered he had lied on his employment application about being a Navy SEAL, an attorney-at-law, and a professional football player for the Pittsburgh Steelers. Hughes also used the title "Dr." before his name even though he held no degree entitling him to the honor. In a decidedly flamboyant display of support for Hughes, Dr. Pedro Garcia, former MNPS Director of Schools, indicated he would "die on the issue" when the Board instructed him to take action against Hughes for falsifying his employment application.

UPCOMING EVENTS



February

- 12** MNEA Executive Board Meeting
4:30 PM at MNEA Headquarters
- 13** MNEA Candidate Petitions Due
5:00 PM at MNEA Headquarters
- 19** MNEA Representative Assembly
4:30 PM at MNEA Headquarters
- 19** TEA/NEA Delegate Nomination forms Due
5:00 PM at MNEA Headquarters
- 21** MNEA Black History Forum
8:00 AM at TEA Headquarters
- 23** Professional Council
4:00 PM at MNEA Headquarters

March

- 2** NEA's Read Across America
- 6** TEA/NEA Delegate Ballots Due
5:00 PM at MNEA Headquarters
- 12** MNEA Executive Board Meeting
4:30 PM at MNEA Headquarters
- 17** MNEA Read Across America Coordinator Meeting
4:30 PM at MNEA Headquarters
- 26** MNEA Representative Assembly
4:00 PM at the Central Office
- 27** MNEA Officer Election Period Begins

April

- 6** MNEA Executive Board Meeting (*Date change*)
4:30 PM at MNEA Headquarters
- 13** MNEA Officer Ballots Due
5:00 PM at MNEA Headquarters
- 16** MNEA Representative Assembly
4:30 PM at MNEA Headquarters
- 27** Professional Council
4:00 PM at MNEA Headquarters

MAY

- 5** MNEA National Teacher Day Banquet
6:00 PM at Martin Center (tentative)
- 6** MNEA Executive Board Meeting (*Date change*)
4:30 PM at MNEA Headquarters
- 16** MNEA Representative Assembly
4:30 PM at MNEA Headquarters

The Slate is published during the school year by the Metropolitan Nashville Education Association, an affiliate of the Tennessee Education Association and the National Education Association.

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TEA/NEA DELEGATE NOMINATION FORM

MNEA will elect delegates to both the TEA and NEA Representative Assemblies during the February 23 to March 6 election period. DELEGATE NOMINATIONS must be submitted to the MNEA office by 5:00 p.m. on February 19, 2009. All members of MNEA are encouraged to submit a nomination form. It is through the Representative Assemblies that policies for both TEA and NEA are established. The TEA Representative Assembly will be held May 1 and 2, 2009, at the Nashville Convention Center. MNEA is eligible for approximately 130 delegates.

The NEA Representative Assembly will be held July 1 through July 6, 2009, in San Diego, CA. MNEA will send approximately 22 delegates. The president, vice-president, treasurer, and secretary were elected as delegates in the MNEA general election last spring.

PLEASE PRINT

Name of Nominee _____

Home Address _____ City _____ Zip _____

Social Security Number or TEA Access Card Number _____ (required for verification)

Home Phone _____ Cell Phone _____

Home Email Address (not MNPS) _____

Primary Work Location _____ Phone _____ Ext. _____

I wish to submit my name for election to: (Mark all that apply.)

- The TEA Representative Assembly, May 1 and 2, 2009, at the Nashville Convention Center
- The NEA Representative Assembly, July 1 through July 6, 2009, in San Diego, CA

I am a: (Mark one.)

- A teacher, guidance counselor, librarian, or other paid on the teacher salary schedule
- A supervisor or administrator paid on the administrative/supervisory salary schedule

My race is: (Mark all that apply.)

- American Indian/Alaska Native
- African American
- Hispanic
- Caucasian (not of Hispanic origin)
- Asian
- Native Hawaiian/Pacific Islander
- Other Racial or Ethnic Minority (Please specify: _____)

If elected, I agree to attend all the meetings of the Representative Assembly and abide by MNEA rules.

Signature of Nominee: _____

RETURN TO MNEA-ROUTE 3 BY 5:00 PM, FEBRUARY 19, 2009

Let's hear from Erick...

Effective January 1, 2009, federal guidelines governing the administration of 403(b) plans stipulate the employer must take fiduciary responsibility for said plans. In other words, the employer has a duty to make financial decisions in the interest of plan participants when handling employee contributions. The new guidelines were the primary motivation for the conversion to a sole vendor format in the MNPS 403(b) market place.



Unfortunately, a series of missteps by Metro Government have caused the Board to be in breach of the aforementioned fiduciary responsibility. First, the Purchasing Department failed to have the Metropolitan Department of Law conduct the mandatory review of the MNPS contract with MetLife Resources, Inc. Next, Legal delayed review of the contract while attorneys scrambled to find outside council competent to review the contract, which contained fairly intricate financial language with which the staff attorneys were not familiar.

Participants in the MNPS 403(b) plan had deductions taken from their first check in January, yet those contributions have been held in the Metropolitan Investment Pool rather than being transferred to MetLife while Metro Legal got its act together. The contract was reviewed and approved before the January 26 Board of Education Meeting, but Legal would not allow the contract to be placed on the agenda due to a lack of "sufficient public notice."

MNEA has expressed great displeasure to the Director of Schools, the School Board Chair, and a representative of the Mayor's Office. All to no avail, Metro Department of Law absolutely refused to allow the Board to make plan participants whole on January 26! The Director of Schools, Dr. Jesse Register, and Board Chair, David Fox, have tried to accommodate our request but could not get Legal to appreciate the issue facing teachers.

MNEA was initially assured the issue would be corrected on February 10, but Metro Department of Finance has to date refused to attribute any of the interest earned on participants' money to their deductions. MNEA believes the refusal on the part of Finance to make employees whole by paying them the interest Metro earned using employee funds is unreasonable. Metro government does not have a right to hold employee funds hostage and earn money off of those funds. Said act constitutes a violation of the Board's fiduciary responsibility to plan participants.

MNEA intervened to correct this egregious act sooner than February 10, 2009, and was ultimately successful at having the School Board Chair schedule a special School Board Meeting for January 30 to approve the contract.

MNEA announces annual awards

MNEA Friend of Public Education

MNEA Friend of Public Education Award is an annual recognition of a person and an organization whose leadership and actions have contributed significantly to the improvement of public education in Nashville. Nominees should reflect philosophies and principles supportive of a strong, high quality system of public education. Nominations shall be evaluated on the basis of award criteria, leadership and actions that establish the nominee as a true friend of public education.

Individuals and organizations will be judged separately. An award may be presented annually in both categories. The award may be conferred upon a person or an organization in the political, business, or civic community, or upon any other individual or organization of local stature. The MNEA Executive Committee will consider all of the nominations received and make its recommendation to MNEA Executive Board, which will have final approval.

All nominees recommended for the Award should meet the following criteria:

1. A nominee must be a person or an organization that has made outstanding contributions of impact on public education, students and/or teachers in Nashville;
2. An individual may not be a practicing educator;
3. An organization must be structured and recognized.

Ted Martin Human Relations Award

The MNEA Human Relations Award is named in honor of the late Theodore "Ted" R. Martin, the first and only African-American male to serve as President of MNEA. MNEA's annual human relations award shall honor the principles embodied in Ted Martin, who was recognized as an extraordinary collaborative leader in MNPS. The MNEA Human Relations Committee shall have the authority to identify the winner using whatever approach it deems advisable.

Kathy Woodall Award for Association Service

The Kathy Woodall award honors a member of the Metropolitan Nashville Education Association for outstanding service to MNEA who has shown outstanding service through committee work, political involvement and service on the local, state and/or national level(s). Kathy Woodall was the last member of MNEA to serve as president of the Tennessee Education Association. She was in the first year of her second term when she died of cancer. Kathy was a strong union leader who was universally respected by politicians, colleagues and community leaders. The MNEA Executive Committee shall have the authority to identify the winner using whatever approach it deems advisable.

Nominations forms are available for download at www.mnea.com/awards. **The deadline for nomination is 5:00PM April 15, 2009.** Completed nominations should be sent to:



MNEA, Route 3

More details and up-to-date information at www.mnea.com