

LVEA TODAY



Brittany Stone Honored as 2016-17 LVEA WHO Award Recipient

Each year, LVEA selects a We Honor Ours (WHO) recipient and this year's honoree is Brittany Stone of Willow Elementary. Brittany is our association's Vice-President and Organizing Committee Chair; she is truly an outstanding advocate for all members. She has been a rising star in our association for several years. She is bright, articulate and eager to support and serve her colleagues throughout our district. She is passionate about standing up for the rights of certificated employees and ensuring that administration is held in check. In addition to being a great 4th grade teacher, she dedicates her focus to heighten the awareness of our association and enhance our supportive and representative reputation at all sites.

Brittany was identified early in her career as a future LVEA leader. She quickly moved up from site rep to the Executive Board position of Elementary Director/Liaison – an intermediary between elementary site reps and LVEA leadership. Two years ago, she was elevated to the position of Vice President which she has served with enthusiasm and vision. She attended the summer Emerging Leaders Conference in 2016 and recently took on the added responsibility of Organizing Chair where she coordinated our association's plan to address low employee morale in our district. Brittany adds an elementary site perspective that is invaluable to our association's leadership.

Student Information on Referral Forms and Aeries

Recently, a teacher was disciplined for writing information about another student on a referral form. While there is notation on the bottom of the form that indicates that the student's parent will receive a copy of the referral, LVEA challenged that no one had ever been disciplined for this in LVUSD. LVEA has requested that a two part referral system be created. We suggest that teachers use a new internal form (to be developed) to communicate details of the discipline issue to site administration. Site administrators would then create a formal discipline/referral document that can be shared with parents.

Until LVEA's suggestion is implemented, please do not include the name and/or information about another student on a referral form. If in doubt, simply write "see me for details."

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Who Determines a Student's Final Grade?

There has been a great deal of discussion this school year about who can give, influence or change a grade. California Ed Code is very clear: Teachers determine grades:

49066. (a) *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 pupil's grade by the teacher, in the absence of clerical or mechanical mistake, fraud, bad faith, or incompetency, shall be final.*

This also means that teachers should not be pressured/suggested/nudged into giving a particular grade; i.e. the spirit of 49066 strictly forbids this.

Ed Code also has something to say about notifying parents if a pupil is in danger of failing a course:

49067. (a) *The governing board of each school district shall prescribe regulations requiring the evaluation of each pupil's achievement for each marking period and requiring a conference with, or a written report to, the parent of each pupil whenever it becomes evident to the teacher that the pupil is in danger of failing a course. The refusal of the parent to attend the conference, or to respond to the written report, shall not preclude failing the pupil at the end of the grading period.*

49067 does not say that teachers must provide this notification to parents, it states that districts must prescribe regulations for this type of situation. So, let's look at LVUSD Administrative Regulation 5121 2d which correctly references Ed Code 49067:

As soon as it becomes evident to a teacher that a student is getting a "D" or "F" at any time during a course, the teacher shall arrange a conference with the student's parent/guardian or send the parent/guardian a written report. (Education Code [49067](#))

Is this splitting hairs? Where does this leave us?

Ed Code trumps district Board Policy and Administrative Regulations. LVEA and LVUSD agree that it's best practice to inform parents/guardians whenever a student is in danger of failing a course. Furthermore we both encourage teachers to collaborate with colleagues to calibrate grades. This enhances course grade credibility and decreases the disruptive practice of "teacher shopping." That said, LVEA contends that while AR 5121 2d is a district regulation and a best practice example, it is not legally required and 49066 legally ensures that teachers determine a student's course grade, even if AR 5121 2d is not followed.

If a teacher gives a student a failing course grade without prior notification, can she/he be subject to disciplinary action? We have never seen it but it's possible; however, LVEA would probably file a complaint in support of the teacher. While this is an interesting legal discussion, LVEA suggests that all teachers maintain appropriate communication with parents/guardians of all their students to avoid this type of difficult situation.

LVEA Executive Board Election

At our last LVEA Rep Council meeting on April 17, your LVEA Rep Council reelected Craig Hochhaus as President and Linda Kaplan as Recording Secretary. Catherine Foley (our current CTA State Delegate) was also elected as Corresponding Secretary after Carrie McClellan chose not to run again – thanks Carrie for your service! These are two year terms that will run through the 2018-19 school year. All three candidates ran unopposed, so our By-laws allowed your Rep Council to conduct the election at this meeting by acclamation. Congratulations to all three leaders!

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