



ACE Newsletter: Dec 1, 2022

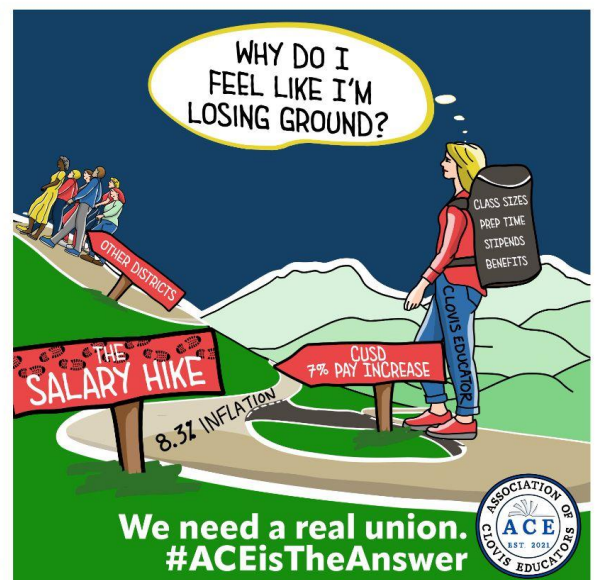
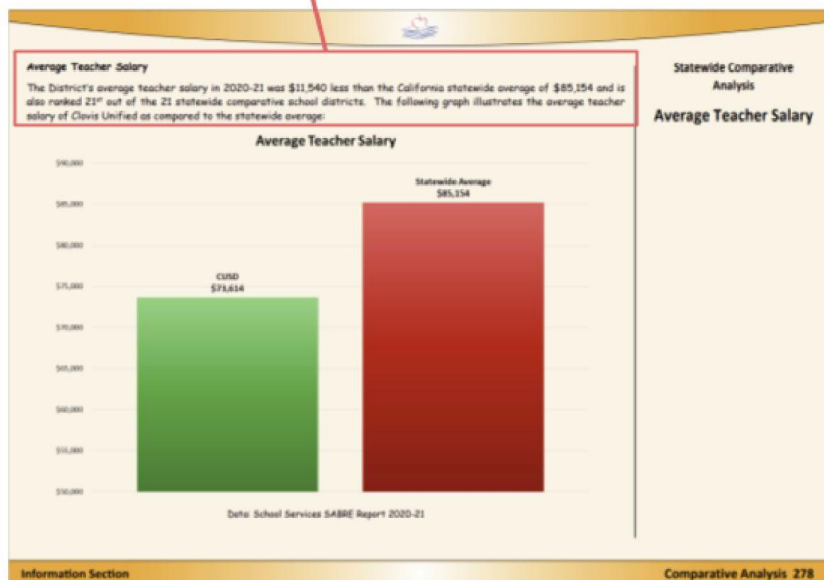
Salaries

Clovis Unified has the opportunity to make significant progress in addressing the historic wage gap that we have all experienced. However, it isn't going to be solved in one year or without a union. Educators need the ongoing ability to collectively bargain salaries, stipends, and benefits.

The district's own documentation (see the graph below from the [District's Adopted Budget Book](#) this year) shows that, even before the salary increases this year, **we were far behind – \$11,540 annually – the statewide average.** We don't believe this is a perfect comparison because Clovis educators are more likely to explore the possibilities of working in a neighboring district than in a completely different region. **Regardless, it clearly shows we're starting from behind in the race to attract educators.**

Average Teacher Salary

The District's average teacher salary in 2020-21 was \$11,540 less than the California statewide average of \$85,154 and is also ranked 21st out of the 21 statewide comparative school districts. The following graph illustrates the average teacher salary of Clovis Unified as compared to the statewide average:



The 7% salary increase provided by the CUSD board is a good start, but isn't enough to keep up with neighboring districts where many union chapters are currently negotiating higher increases. For example, Sanger agreed to a 9% increase. Madera – who bargained their 6% increase *before* the state budget was finalized – got

an additional \$5,000 on top of that, for a total that is closer to 10%+. Others are still bargaining or will bargain increases over the next several years.

This isn't to say that we need to be the highest paid district, but we do need to attract and retain the best educators. This requires competitive salaries – which, at the very least, needs to make up for this year's 8%+ inflation. Applying the full \$12.8 million that the Board already approved to wages – including Psychologists and MHSPs – is necessary, but the changes we need will take several years and a more serious investment.

The refrain that our healthcare and retirement benefits make up for the wage gap also no longer holds up to scrutiny. We know that most comparable districts contribute more toward their employees' benefits (this was reported in the Market Study). Additionally, as we've seen, [the lifetime earnings of Clovis educators results in a roughly \\$250,000 cumulative loss compared to their peers in neighboring districts.](#)

The resources are available. The state has provided Clovis with the largest-ever increase. While the district admin continues to emphasize that Clovis receives less funding per student than the "average" school district, **they leave out that other districts with the same or lower funding levels still have better pay for their employees** ([District's Adopted Budget, document pages 278-286](#)). They also obfuscate that those districts receive greater funding levels to balance out the commensurate costs of supporting student populations with greater disadvantages than Clovis. That is the basic premise of the LCFF: greater needs = greater levels of funding.

Bottom line: Clovis educators are paid, on average, \$11,540 annually less than the statewide average. We're also paid less than our neighboring districts, and continue to fall further behind. We've talked about this [here](#), [here](#), [here](#), and [here](#). This has a negative impact on the ability of our district to recruit and retain educators; as we see with [more than 50 open teaching positions in our district](#). Ultimately, it's our students who pay the price when class sizes get bigger and the best new teachers opt for better opportunities.

We know that only by having a seat at the table through a strong, competent, and independent union can we ensure that our wages are competitive in the long term.

LISTEN TO THIS: [Working in Fresno Unified: what it's like to be in a unionized district.](#)

If you have questions about salaries, benefits, stipends, and other things you believe are impacting Clovis's ability to retain and recruit educators, reach out to us at ace@cloviseducators.org

Personal Expression Policy

A new CUSD board policy aims to control the display of personal items in the workplace. The policy, as written, would likely be deemed an improper infringement on employee rights under the [Educational Employment Relations Act \(EERA\)](#) and the First Amendment. Additionally, the District's failure to give notice to the ACE bargaining unit with the opportunity to meet and confer [constitutes an improper unilateral change and bad faith bargaining.](#)

At the November 9th School Board meeting, the Board voted to approve amendments to Board Policies 4119.25, 4219.25, and 4319.25: Community Participation, Political Activities, and Personal Items of Employees. [The amended policy in part now reads as follows:](#)

Display of Personal Items in the Workplace

District staff shall not display personal items reflecting politics, religion, social movements, and/or personal ethics, except in a District staff's personal space that is not in plain view of other individuals. The display of any items in workspaces is considered District speech and may be regulated in accordance with this board policy.

Unfortunately, as this policy is written, ACE and CTA's Legal Department believes that it improperly infringes upon the First Amendment free speech rights of public employees. Those rights were expanded this summer with the Supreme Court ruling [Kennedy v. Bremerton School District, 597 U.S. \(2022\)](#). This was the case about the public school football coach who was praying on the field after the game. **The Court held that, despite the fact that the coach was on duty at the time of his speech activity (in this case, saying a prayer), "Treating everything teachers and coaches say in the workplace as government speech subject to government control" impermissibly restrains freedom of speech.**

Additionally, the District violated EERA by failing to notify ACE – the legally recognized representative of our School Psychologists and Mental Health Support Providers in CUSD – and, therefore, deprived ACE members of the opportunity to bargain over the policy's application on their positions. While the District is engaged in bargaining with ACE, it **cannot** unilaterally change a policy that impacts the terms and conditions of employment. **That's the law.**

[ACE notified CUSD of the concerns via a letter from CTA's Legal Department.](#) We are waiting for a response. **We understand that the rules and regulations around what can and can't be done when a union exists is new for all of us. So we're willing to give the benefit of the doubt that this was a well-intentioned idea, but wasn't enacted through the proper channels.** As such, we look forward to working collaboratively with District administration to write a policy that appropriately considers the needs of educators and students, while not violating our First Amendment rights or EERA.

Although board policies such as these are standard in most school districts, they do not tend to be as broad and overreaching as this policy adopted by CUSD. Our initial concern is that this policy could be used by any administrator to control any speech they deem not in compliance with their personal views. **ACE recognizes that there are reasonable limitations to what educators can express in the workplace, but this policy could be made legally viable and an effective guide for employees on acceptable expression if the educators were included in the conversation from the beginning.**

Special Topic: SPED

TRAINING OPPORTUNITY

[DID YOU KNOW](#) that students with 504s have similar rights to students with IEPs? Join us for a training on February 15th to learn more about this important topic. **RSVP here: [ACE IEP Rights & Responsibilities Training](#)**

DECEMBER 3 - INTERNATIONAL DAY OF PERSONS WITH DISABILITIES

The observance of this day aims to promote an understanding of disability issues and encourage support for the dignity, rights, and well-being of persons with disabilities. In Clovis Unified we have a very dedicated, talented team of SPED staff. We believe our students and colleagues would benefit if we:

- Reduce caseloads in order to support overextended service providers and better serve our students.
- Expand preparation time to do IEP paperwork and documentation.
- Improve access to stipends for SPED educators.
- Build better collaboration between administration and frontline providers.

Learn more about [The ACE Difference for SPED](#)

Class Sizes Conversation

The ACE Organizing Committee has expressed concern about the large class sizes in Clovis schools. Our Executive Cabinet Team will be meeting soon with the District to get more information and clarify our understanding of the requirements under the state's rules. We will report on the outcome of this conversation.

Listen, Watch, Click

Over the Thanksgiving break, we reposted all of our excellent ACE Podcasts on social media. Roughly 600 people clicked through. Our most popular episodes were [Leading A Union As A Conservative](#), [Working In Fresno Unified](#), and [Meet the CTA, Part 3](#)



What's On Your Mind About...

A core value of ACE is to empower the voices of educators, parents, students, and the community. Only by building consensus around the issues can we work towards solutions. If you have any questions or ideas, reach out to us at ace@cloviseducators.org. You can also take our surveys on specific topics:

[CLASS SIZE SURVEY](#)

[SPED SURVEY](#)

[FACILITIES SURVEY](#)

[COMMUNITY SUPPORT SURVEY](#)

Important Upcoming Dates

DEC 2022						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
				1	2	3
4	5 ACE Psychs MHSPs Bargaining	6	7	8	9 CUSD Board Meeting	10
11	12	13	14	15	16	17
18 Hanukkah begins	19 ACE Psychs MHSPs Bargaining	20	21	22	23 End of semester	24 Christmas Eve
25 Christmas	26 Kwanzaa	27	28	29	30	31 New Year's Eve

Contact & Social Media

ace@cloviseducators.org

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