

MINNESOTA EDUCATOR

APRIL/MAY 2019

**UNITY
DAY BRINGS
BARGAINING,
LEGISLATIVE
ISSUES TOGETHER**

**LOCALS WORK ON
ENGAGING NEW
MEMBERS**



THE VOICE FOR PROFESSIONAL
EDUCATORS AND STUDENTS



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THE VOICE FOR PROFESSIONAL
EDUCATORS AND STUDENTS

April/May 2019 – Volume 21, No. 5

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The Minnesota Educator is published for
members to share news about education
issues and training opportunities for educators
as well as union and political news that
affects public education in Minnesota.

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*COVER PHOTO: Hundreds of educators from
all across Minnesota attended the Bargaining
Unity Day event in St. Paul, where educators
spoke about what our schools, the profession
and our students need from lawmakers.
Gov. Tim Walz and DFL legislative leaders
listened to their comments and responded.
See a full video of the St. Paul program at
www.youtube.com/EducationMinnesota.*

DON'T CALL IT BURNOUT. EDUCATORS ARE SUFFERING 'MORAL INJURY'

I have stopped saying that Minnesota educators are burning out.

I'm not claiming that the educators aren't leaving their careers behind at alarming rates. The Professional Educator Licensing and Standards Board published a report earlier this year that said there are 70,000 people with valid teaching licenses who have chosen not to teach. That's more than the 64,000 teachers working inside E-12 schools.

They entered our profession as most of us did – idealistic, eager and with a burning desire to help young people. While none of us went into education to get rich, none of us took an oath of poverty either.

Then we started working. There were the joys of connecting with students and seeing those precious "aha" moments. But there were other experiences, too.

The constant battle to do more with less. The insane and infuriating pursuit of essentially meaningless test scores. Paychecks we couldn't stretch far enough to cover rent, gas and student loans, much less daycare.

The pressure takes a toll on many of our colleagues and our friends. Exhaustion, cynicism and a sense of futility about the job set in. Many educators fight those symptoms every day; many others have found new careers.

I don't call that burnout anymore. I call it moral injury.

Psychologists first used the term to describe what soldiers experience in war. More recently, therapists use it to describe the trauma felt by health care providers stuck in an impersonal and profit-driven system.

Another definition, from the journalist Diane Silver, is, "a deep soul wound that pierces a person's identity, sense of morality and relationship to society."

The term should apply to educators, too.

How else would you describe what happens when the system forces educators to administer grueling standardized tests to students with profound special needs?

What about the language arts teacher who needs to work a second job but knows her students would learn so much more about the topic she loves if she could only assign and grade more compositions?

And how about the education support professional who has such a strong bond with his students that he's torn between staying with them and finding a better-paying job to sustain his own family?

Don't call that burnout. The term blames the victim. It suggests a lack of toughness or resilience and that's ridiculous. The emotional injuries educators are

suffering are not our fault. An underfunded system forces us into impossible choices.

There's an excellent video about moral injury in health care circulating on YouTube by Dr. Zubin Damania, who posts under ZDoggMD. There's some swearing, so don't watch at work.

"Stop putting Band-Aids on burnout and victim shaming," he says. "It is not us. It is this system and it's time we fixed it."

Physicians Simon Talbot and Wendy Dean recently wrote an essay on the same topic.

"These routine, incessant betrayals of patient care and trust are examples of 'death by a thousand cuts.' Any one of them, delivered alone, might heal. But repeated on a daily basis, they coalesce into...moral injury."

Substitute "education need" for "patient care" and that sentence could describe the stories I've heard a thousand times in the past few years.

Stop calling it burnout. Start calling it moral injury. And never quit fighting to change the system so it brings joy to students and educators, instead of tearing so many of us apart.

Together,



Twitter: @DeniseSpecht



Denise Specht

Minnesota science teachers invited to weigh in on new standards

The 2019 Minnesota K-12 Science Education Standards are currently being written and will be completed in May. The process of developing a statewide assessment aligned to the new science standards requires creation of new test specifications. The Minnesota Department of Education is looking for a diverse group of K-12 teacher leaders who will use their expertise to help develop these specifications.

The committee will meet for a total of seven days (Aug. 6-8, Oct. 29-30 and March 3-4, 2020) at MDE in Roseville. Committee members must commit to attending all meetings. Members will receive an honorarium and per diem for travel expenses as needed.

If you or anyone on your team is interested in being considered for this committee, you must complete an application by April 12. Contact Jim Wood at jim.wood@state.mn.us or 651-582-8541 or Judi Iverson at judi.iverson@state.mn.us or 651-582-8651 for more information.

Getting social!

Educators use social media as a way to connect with their communities, colleagues and the world. We will feature posts from Education Minnesota members and locals each issue! Make sure to follow Education Minnesota on Facebook, Twitter, Instagram, Snapchat, YouTube and Pinterest!



Kelly Gordier @kelly_gordier · Feb 7

What a day to live in MN! I am so grateful to the bus drivers for getting my daughter home safely from the middle school. Thank you to @jill_hydel @HAdamsonBaer and all the staff @HassanIlem for keeping our kids safe today and every day! #wewerebettertogether #hassanfun



Where are you reading your Minnesota Educator?

Congratulations, Deanne Trottier from Pequot Lakes for being this issue's winning submission!

We had a large amount of submissions for this round of the contest, most of whom were reading during the "cold/snow days" in January. See more of where people were reading on page 20.

The contest continues! Email a photo to educator@edmn.org or share it on social media using #mneducator of where you are reading your Minnesota Educator to be entered into a drawing to **win a \$50 gift card!** Submissions are due May 9. Happy reading!



Members in the news!

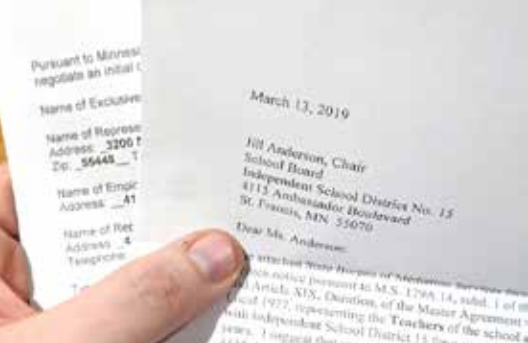
Education Minnesota members are often interviewed in their local newspapers or TV station. We will feature a quote each issue!



Some say the new licensure law will attract much-needed teachers of color to the profession by not requiring them to go through teacher preparation training. But using that as an excuse to lower standards ... indicates teachers of color are not capable of reaching the standard.



— Rosemount-Apple Valley-Eagan teacher Dennis Draughn, on the proposed legislation that would help restore the state's high standards for a teaching license, in a MinnPost article, March 7



#EDMNUNITYDAY



Local unions begin bargaining, showing the power of collective action across the state.

St. Paul. Lake Crystal. Maple Lake. Orono. Educators across the state raised their voices in union on March 13, Education Minnesota Bargaining Unity Day.

Educators created and handed out public proclamations and intent to bargain filings, starting the work to bargain their 2019-21 contracts.

These two actions were done together because educators know what happens at the state level directly impacts what we can do in our local school districts and at the bargaining table.

Educators also came to St. Paul from all over the state to meet with their local legislators and have a public meeting with Gov. Tim Walz and DFL legislative leaders. The lawmakers listened to member stories, pledged to fully fund education and protect collective bargaining. See a video of the full program with the governor and legislative leaders at www.youtube.com/EducationMinnesota.





The calls for legislative action included:

- \$4.3 billion to fully fund our schools
- A living wage, guaranteed training and safety for ESPs
- High licensure standards
- Student-centered bargaining
- Union freedoms
- An equitable tax system

\$4.3 billion

Education Minnesota did the math and calculated it would take at least an additional \$4.3 billion over the next two years to fully fund our public schools. This includes proven strategies like smaller class sizes, filling the state's huge special education funding gap, hiring more support staff and more. Learn more about what really fully funding our schools looks like, and how you can contact your lawmakers and ask for their support, at www.educationminnesota.org/policyactioncenter.

More than 200 members came to St. Paul to tell lawmakers what schools and educators really need.





DULUTH FOCUSES ON EARLY CAREER UNION ACTIVISM

Adam Metzer, a fifth grade teacher at Laura MacArthur Elementary in Duluth, sees his union as a strong community, and wants to help maintain that strength.

That's why Metzer said he joined the Duluth Federation of Teacher's early career educator group.

Duluth was part of Education Minnesota's first early career leadership fellowship cohort last year, and has continued on in their work this year.

The fellowship program was designed to:

- Engage early career educators to grow as leaders.
- Provide them skills and resources to engage other early career educators and identify and plan for a change.
- Activate them to become formal and informal leaders in their local, state and national unions.

Bernie Burnham, the DFT president, jumped on the opportunity for her local to be a part of the statewide program.

"When I became president, I looked at the exec board, and they are all at the same place in their teaching career as I am," she said. "We need to grow new leadership. We want to feel like we're in good hands with these people."

Burnham reached out to a few educators who were in their first few years of teaching and asked if they would be leaders of the group.

Emily Glonski, an elementary teacher, and Emily Lull, a high school teacher, were two of the people Burnham approached. They both had just started becoming active in the union, and saw the program as a way to bring new people into more active roles, too.

"It's important that people are aware and able to get involved," said Lull. "There was a drought of knowledge among my colleagues."

Working with Education Minnesota staff and Burnham, the group started having monthly meetings, met with other locals in the cohort and

started working on a leadership engagement and action plan.

"I got invited to participate last year," said Jenny Ahern, a high school teacher. "I always thought of myself as a union person, but I realized I didn't really know anything about it. We had great discussions, and it has paid off this year, with more people excited about joining."

The leaders of the group are also finding it is great way to be more involved.

"Five or six years ago, Bernie approached me to be a building steward," said Kellie Mulliner, an elementary teacher. "As I became more active as a steward, I realized there was a lot of information and things new teachers didn't know about. I wanted to be a part of this group, even though I'm past feeling like I'm new, new members still feel comfortable talking to me. I want to be a voice for our next generation."

The union group has been working closely with the district's mentorship program, which run as a partnership between the district and the union.

They are planning a "you survived the first semester, now what?" meeting to discuss anything and everything that might be going on in the district before the end of the school year.

Members of the group went to the new hire meeting during workshop week at the beginning of the year and welcomed everyone on behalf of the early career educator group.

"The people we have present are connecting with other people,

and it's working," said Glomski. "It feels good to have that outreach."

They are also looking at the schools where new hires haven't joined the union yet. Those new hires are at a majority of the schools that are not represented by someone in the early career group.

"We want to continue to grow the group and have representation at every school," said Mulliner. "Especially at the high schools that are big and have high turnover, we need to have that representation."

The group has worked really hard to get out and recruit more early career educators to be a part of the union, and their team, said Burnham. They are a self-sufficient group, funded through the local union.

"It's an entry-level way to be engaged with the union," said Glomski. "Before it was you were a steward, an exec board member or nothing, but the more people that are aware of the union, the better. This is for everyone. People can feel like they are a part of it. It feels like it's a great way to start the foundation that we all are a part of our union."

Education Minnesota's early career leadership fellowship program is in its second year.

Along with Duluth, the first cohort included Rosemount-Apple Valley-Eagan, Alexandria, Jordan and Osseo. The second cohort includes Alexandria, Forest Lake, Howard Lake-Waverly-Winsted, New London-Spicer, New Prague and Osseo.

Program coordinator Allison LaBree said that all of the first



Members of the Duluth Federation of Teachers early career educators group met with other locals working on organizing new members last year.

year cohort reported much stronger union affinity and significant growth in both their understanding of and interest in their local union.

Preliminary data from the national program of early career educators, which Minnesota is a part of through the National Education Association and the Consortium for Educational Change, demonstrates that fellows have shown growth in the areas of leadership skills, leadership readiness and feeling connected to their local union.

In the area of leadership, fellows were asked to rate their instructional, policy and union leadership, and the greatest growth was a 4 percent increase in confidence as a leader within the union. There was also a 4 percent growth in their confidence to speak on education issues. Finally, the greatest level of growth was in the area of understanding the mission and vision of the local and how it guides their work (20 percent) and they know their leaders and feel connected to the local (22 percent).

ESPS TAKE LEAD IN ORGANIZING FELLOWSHIP PROGRAM

A record number of education support professional members are taking part in Education Minnesota's 2019 Organizing Leadership Fellows Program.

"I know that the ESP voice isn't usually heard," said Sieara Washington, a Title I math ESP in Osseo, who is taking part in the program. "I decided to try and find ways, with the help of other union members, to change that."

The Organizing Leadership Fellows Program is designed to help locals unify and engage

has served in many leadership roles within her local union, but wanted to learn more about how to get others involved.

"As an Education Minnesota ESP local, we are facing uncertain times. Due to our low incomes, I am concerned about losing members due to the cost of dues," VanBergen said. "As president of our local, I feel I needed more training, assistance and education on how to better organize and engage members. I was also looking for assistance on how not to lose members and how to gain potential members. I am hoping to gain more tools in my toolbox to better understand what our members need and want from me and the union at large."

The new reality of unions in a post-*Janus* world is also why Lesly Pounder, a special education ESP in St. Francis, decided to participate in the Organizing Leadership Fellows Program.

"I kept thinking, who is going to step up and help? And then realized I needed to step up and help make changes," Pounder said.

Fellows will create an organizing plan for the spring that includes clear qualitative and quantitative goals and benchmarks related

to member interests and engagement, including plans for one-on-one conversations in the local, and organizing at least one local event. Fellows will also learn about and implement protocols for data collection and analysis, and work in concert with staff and local leadership on progress toward the local's organizing goals.

"The program has given me new energy and has strengthened my confidence by giving me the tools I need to be successful," said VanBergen.

Pounder has started sending out emails to her members and introducing herself and what the local will be doing this spring.

"I can hardly wait to see what we can build together and I am very excited to be part of it," she said.

Washington is also excited about the possibilities of what she can help do within her union as a part of the program.

"I believe ESPs know of the union, but we don't know about the union, like what it has to offer," said Washington. "I want to find ways our voice can be heard, decisions that we can make if we just get a little more involved. I have a few plans and I'm excited to talk to the union president."

ESPs involved in the 2019 Organizing Leadership Fellows Program:

Char VanBergen, Buffalo

Ma-Riah Roberson-Moody, Minneapolis

Malcolm Wells, Minneapolis

Sieara Washington, Osseo

Lesly Pounder, St. Francis

members by investing in the leadership development of selected member organizers. Fellows will strengthen their internal organizing skills through the latest training and support, create detailed internal organizing plans and engage other members more meaningfully in local legislative and bargaining efforts.

Char VanBergen, a special education paraprofessional from Buffalo-Hanover-Montrose,

EDUCATION MINNESOTA CANDIDATES' ELECTION STATEMENTS

At the 2019 Representative Convention, delegates will elect the leaders for Education Minnesota. Positions to be filled are: president, vice president, secretary-treasurer and NEA director (two positions).

All candidates had the opportunity to submit a statement and/or photograph. These statements and photos appear here in the Minnesota Educator and on the Education Minnesota website. Members may view the statements online by going to www.educationminnesota.org, signing in and then clicking on the Elections tab.

CANDIDATE FOR PRESIDENT



Denise Specht

Denise Specht

Centennial Education Association

Thank you for the opportunity to serve as president another three years. What an honor and privilege! I also want to thank Vice President Paul Mueller for being an inspiring partner in solidarity, justice and collective action the last twelve years. Paul, your leadership in our great union is inspiring and unforgettable. You have served with dignity.

CANDIDATES FOR VICE PRESIDENT



Ryan Fiereck

Ryan Fiereck

Education Minnesota St. Francis

I vow to listen to and act upon our collective voice. Our union stands as pillar of common sense in a chaotic world, and we must keep looking inward to move Education Minnesota forward. I will include you in all we do: whether you're an ESP or teacher; an educator of color or white; from Greater Minnesota, the suburban metro, or from urban settings like Minneapolis or St. Paul; you and your locals need to be heard and supported. With your vote, we can make that happen together.



Bernie Burnham

Bernie Burnham

Duluth Federation of Teachers

As DFT president, it has been my honor for the past five years to work with our members & learn what they need from our union. The goals we set five years ago included re-engaging members, growing capacity for the future & ensuring our voices are heard. Working with Education Minnesota, lobbying, supporting all members & keeping our union strong is vital to our continued success! I find union leadership invigorating & am confident I can lead bringing multiple experiences in that endeavor.

CANDIDATES FOR VICE PRESIDENT



Michelle Wiese

Michelle Wiese

*Minneapolis Federation of Teachers/Paraprofessionals
and School Related Personnel, Local 59*

I am a fierce advocate for public education and for social and racial justice. I am committed to advancing the agenda of educators from across the state, fighting for: -professional pay for professional work -paid parenting & family leave -increased school funding -improved working conditions -statewide limits on class size -hiring & retention of educators of color -mental health access for all students I will strengthen our union by listening to and advocating for all members.



Robin Courier

Robin Courier

Mankato Teachers' Association

My name is Robin Courier and I would like to be your next EDMN VP. I am currently in my 35th year of teaching. I am running for Vice President because I want to give members my time. Time to listen, time to learn about your needs, and time to focus on students. I am ready to work around the clock so that you can continue to build on the excitement of student learning. Consider me, Robin Courier, as someone who will give you her time.



Donald Sinner

Donald Sinner

Education Minnesota Lakeville

EdMN is blessed to have great candidates for VP, it speaks to strength is our union! My beliefs are simple: servant leadership, it is not about me, it's about the members & our students; we have to listen to learn & improve through asking the right questions; there is wisdom and strength in collective action. I believe educators are "saints" for the vow of service they follow in working for students and families from Early Childhood to Higher Ed. Don Sinner, the Right Choice at the Right Time



Kevin Dahle

Kevin Dahle

Northfield Education Association

For seven years, I had the privilege of serving in the Minnesota Senate. I was proud to count every teacher as my constituent. I knew then as I know now, pursuing progressive policies at the capitol is easier with the support of 76,000 educators. We must remain diligent in our fight for increased funding, pay equal to our skill and education, and benefits that recognize our worth. I ask for your vote. Let's be the teachers who lead the nation for the students who will lead the future.



Joe Cerar

Joe Cerar

Education Minnesota Plainview-Elgin-Millville

Delegates, I'm running to be our next Vice President. With 22 years of union service, spanning National, State, IO, Local, Labor, Negotiations, TDE, Organizing, Lobbying, and 26 years as an educator, I am ready! However, experience alone is not enough. Our VP needs an inspiring vision to sustain growth, work with our leadership team, and relentlessly advocate for our members, our students, and our profession. I encourage you to learn about our leadership plan. I'll work hard to earn your vote.

CANDIDATES FOR VICE PRESIDENT



Ken Shain

Ken Shain

*Minneapolis Federation of Teachers/Paraprofessionals
and School Related Personnel, Local 59*

Our destiny is clear, but our future is uncertain. Together we will rise up to meet the challenge of our times and reassert the value of education and the indispensability of educators. To do this, we must stand together as one, brothers and sisters, city and country, and everywhere in between, and resist the division and rancor that besieges our times. I am proud to be part of a union that values both service and social justice; let us sing it out louder than ever and add my voice to the choir.



Todd Andrix

Todd Andrix

Owatonna Education Association

"Don't be odd, vote for Todd." You've seen this before because previous Representative Conventions have elected me as a statewide delegate to the Governing Board. I believe I have honored your vote and represented the entire state. Now is the time for me to cross the bridge to leading as an officer. I am a bridge builder: from greater MN to the metro, from small locals to large, and from the present into the future. I will work with our great leaders and I humbly request your vote in April.

CANDIDATE FOR SECRETARY-TREASURER



Rodney Rowe

Rodney Rowe

Education Minnesota - Worthington

It has been an honor and a privilege to serve as Education Minnesota's Secretary-Treasurer. With your support, I will continue to advocate on the educational and financial concerns that continue to impact all of us professionally. I will ensure that we maintain a strong and transparent budget that reflects the priorities that our members value, allows us the ability to be responsive to member needs and make sure the organization maintains a financially strong position.

CANDIDATE FOR NEA DIRECTOR 1



Marty Fridgen

Marty Fridgen

United Teachers of South Washington County

It is an honor to be elected as a NEA Director for Education Minnesota. I look forward to meeting with members from across the state in bringing our collaborative voice and vision to the national level. Thank you for the opportunity to serve our union in this new capacity.

CANDIDATES FOR NEA DIRECTOR 2



Marty Scofield

Marty Scofield

State Residential Schools Education Association

ABE teacher-18 years with the Minnesota Department of Corrections; 7 years diversity & recruitment committee. Union leadership: Education Minnesota Governing Board, Human Rights/Racial Equity Chair, EMAC, ECCE/ABE Task Force, Crisis Fund, site president & part-time field staff.



Joey Mathews

Joey Mathews

Dakota County United Educators

Together, we can face the challenges in our profession and participate in national education policy. My classroom experiences and union involvement at the local, state and national level will help me advocate for, and accomplish member driven goals. I ask for your vote, in order to serve you.



Heather Bakke

Heather Bakke

Gibbon, Fairfax, Winthrop Education Association

In the wake of the Janus decision, I am committed to doing my all to keep Education Minnesota as the shining example of great unionism. As an NEA director I will relish the opportunity to bring the stories of greater Minnesota to both our political and union leaders in Washington.

AFT TEACH CONFERENCE TO BE HELD JULY 10-13

The AFT TEACH Conference, a biennial event devoted to professional development, will be held July 10-13 in Washington, D.C.

All local presidents should receive an information packet from the American Federation of Teachers that includes a tentative schedule, hotel and conference registration forms. The AFT plans to begin mailing packets in mid-April. Local presidents who have not received information by May 1 can contact Laura Brown at AFT at 202-393-6389

2019 AFT TEACH CONFERENCE July 10-13, 2019 - Washington, D.C.

To be considered for a state-funded position, please fill out the State-Funded Participant Interest Form at http://bit.ly/AFTTeach_EdMN2019.

Forms must be submitted by Friday, May 3. Selections will be made the week of May 6-10. If you have problems with the online form, please contact Jessica Schmidt at jessica.schmidt@edmn.org or 651-292-4867.

or lbrown@aft.org. For more information about the conference, go to www.aft.org/teach.

Education Minnesota will provide funding for one member from each election district, as well as one statewide/higher education member and one education support professional member, to attend the conference. Members who would like to apply for state funding should complete the form found at http://bit.ly/AFTTeach_EdMN2019 by Friday, May 3.

The selection of state-funded participants will be made the week of May 6-10, and those awarded funding will be notified and sent the necessary information. Priority will be given to first-time attendees. Funding includes conference registration, airfare, hotel accommodations and meals.

All members are welcome to attend at their own expense.

If you have questions, contact Jessica Schmidt at 800-652-9073 ext. 4867, 651-292-4867 or by email at jessica.schmidt@edmn.org.

COURT OF APPEALS DISMISSES ANTI-TENURE LAWSUIT—AGAIN

The Minnesota Court of Appeals delivered a significant victory for educator due process rights in January when it dismissed a legal challenge to Minnesota's tenure and continuing contract laws. A three-judge panel of the court unanimously affirmed a lower court decision dismissing the case, rejecting claims that these laws violated the Minnesota Constitution.

Background

This case began in April 2016, when a group of parents sued the state of Minnesota. They alleged that Minnesota's tenure and continuing contract laws violated their students' constitutional rights by denying them effective teachers. The lawsuit, *Forslund v. State of Minnesota*, was backed by the Partnership for Educational Justice, a nonprofit with anonymous donors that has funded similar cases in California, New Jersey and New York.

Education Minnesota was not a party in this lawsuit, but we filed two *amicus curiae* ("friend of the court") briefs along with the Minnesota Association of Secondary School Principals, defending the laws and urging the court to dismiss the case. The American Federation of Teachers and National Education Association filed a separate brief supporting Minnesota's due process laws.

Early victories

A district court dismissed the case in 2016, finding that the plaintiffs failed to state a valid claim under the Minnesota Constitution. In 2017, the Court of Appeals affirmed the dismissal, holding that it was the job of the Legislature, not the courts, to hear challenges to educational policies. This is known as the "political question" doctrine. The plaintiffs then appealed to the Minnesota Supreme Court.

The impact of Cruz-Guzman

In the summer of 2018, the Minnesota Supreme Court issued a decision in a school segregation case, *Cruz-Guzman v. State*, which had major implications for *Forslund*. In *Cruz-Guzman*, parents challenged laws and practices

that they claim have caused Minnesota's schools to be hyper-segregated by race.

The Supreme Court held that the claims in the *Cruz-Guzman* lawsuit were not merely political questions for the Legislature, since courts have been considering racial segregation cases since *Brown v. Board of Education*. As a result of the *Cruz-Guzman* decision, the Minnesota Supreme Court sent the *Forslund* case back to the Court of Appeals to address whether its "political question" rationale should be reversed.

The decision

In late January 2019, the Court of Appeals issued its second decision in *Forslund*. This time around, the court held that even though the "political question" doctrine did not apply, the plaintiffs could not win on the merits because they could not show that the laws themselves violated students' rights under either the education or equal protection clause of the Minnesota Constitution.

Education clause analysis

The education clause of the Minnesota Constitution requires the Legislature "to establish a general and uniform system of public schools." Relying on prior Supreme Court decisions in *Skeen* and *Cruz-Guzman*, the Court of Appeals held that "to establish a violation of the education clause, a plaintiff must demonstrate that the Legislature has failed or is failing to provide an adequate education."

The court held that the *Forslund* plaintiffs could not meet this burden because they alleged that

This Legal Briefs column, written by Education Minnesota attorneys, is one of an occasional series on legal developments that affect educators.

LEGAL BRIEFS, CONTINUED ON PAGE 17

NEW EPIC PAPER LOOKS AT HOW TO BUILD AN EQUITABLE SCHOOL SYSTEM FOR ALL STUDENTS, EDUCATORS

"The stability of a republican form of government depending mainly upon the intelligence of the people, it is the duty of the legislature to establish a general and uniform system of public schools. The legislature shall make such provisions by taxation or otherwise as will secure a thorough and efficient system of public schools throughout the state."

— Article XIII, Section 1, The Constitution of the State of Minnesota

The Constitution of the State of Minnesota established the creation of a fair and uniform public school system as a fundamental responsibility of the state government. The latest white paper from Education Minnesota's Educator Policy Innovation Center explores 10 education policy areas to show how the state has not met its constitutional obligation.

Educators from across the state worked with Education Minnesota staff to look at research and draft the paper, which will be available toward the end of April on www.educationminnesota.org. Educators will be able to use the research in all 10 sections of the paper to help frame the message of building an equitable school system when talking with policymakers, district leaders and the public.

The following is an edited version of the introduction section of the Educator Policy Innovation Center report:

Minnesota has some of the

hardest working educators in the nation. Minnesota has bright and talented students. However, state leaders have made policy decisions that have hampered the success of students and devalued the work of educators. It is time to reverse this trend. Education Minnesota offers this paper as a call for critical reform. Lawmakers can do better to build a truly equitable school system for all students, all educators, and all communities in the state.

Researchers have confirmed that Minnesota fails to provide adequate funding for public schools. In addition, Minnesota holds some of the worst racial-achievement and racial-discipline gaps in the nation. These two findings are directly related, and the achievement gaps are the direct consequence of misguided policy positions of the past. We know that financial shortfalls hit students of color, students in poverty and students with disabilities the hardest, and it is time to acknowledge that the underfunding of public education is part of a larger corporate



effort to undermine the public sector in favor of private gain.

Minnesota does not have an equitable funding mechanism. In addition, state leaders continually embrace poor policy ideas that exacerbate racial divides in education.

Each of the paper's 10 sections looks to show how Minnesota has failed to fund specific parts of public education. The paper also offers the costing numbers required to fix the financial burdens placed on local education agencies.

In addition to the deeply entrenched inequities built into our education system, Minnesota, like most states in the nation, is facing a crisis in the form of a mass exodus of teachers from the profession.

EPIC, CONTINUED ON PAGE 17

The latest paper from Education Minnesota's Educator Policy Innovation Center focuses on 10 areas in which Minnesota can take steps now to address our systemic inequity and reverse the trend of educator attrition:

1. EDUCATOR COMPENSATION AND WORK ENVIRONMENTS

Educator salaries have not kept up with inflation, and when we add in the costs of health insurance and average student loan payments, too many educators simply cannot stay in the profession. In addition, Minnesota's education support professionals do not earn a living wage. Many of them are paid less than workers who work in entry-level retail and food service positions, and in too many cases, they work simply for health insurance.

2. TEACHER MENTORING AND INDUCTION

It's not hard to find research that shows induction and mentoring programs lead to more equitable and better outcomes for students, and reduced teacher attrition rates. Such collaboration takes time. Minnesota's districts are so strapped for dollars that they simply cannot afford to develop programs for newer educators that allow for these best practices to be implemented.

3. SCHOOL INFRASTRUCTURE

The physical state of our public school buildings is inadequate and vastly inequitable. Given the state's model of under-funding districts such that they have to rely on local tax levies to survive, in too many cases, a student's ZIP code determines the quality of his or her learning environment.

4. PRESCHOOL

Our state's achievement gap is firmly entrenched before students even get to kindergarten. The

United States lags far behind other developed countries in its commitment to public education for our youngest learners, and Minnesota lags far behind most other states in the country.

5. TRAUMA-INFORMED, RESTORATIVE SCHOOLS

Trauma-informed, restorative schools have a wholly different approach to student behavior, and when developed with fidelity to best practices, they reduce inequitable disciplinary outcomes for students. They also have been shown to reduce the frequency of disruptive incidents, increase student academic achievement and lead to better satisfaction for students, parents, communities and teachers.

6. TEACHER PREPARATION

In 2017, Minnesota moved from being among the states with the highest levels of requirements for teacher licensure to being among the states with the lowest levels of requirements for teacher licensure. Unless the licensure law is changed, our most high-needs students will be even more likely than they already are to be taught by teachers who lack content training and pedagogical training to meet their students' needs.

7. SUPPORT PROFESSIONALS

School counselors, speech language pathologists, school psychologists, school-based physical therapists, school nurses, school-based occupational

therapists and school social workers play a critical role in the success of our schools, and yet our schools are so starved for operating dollars that they simply cannot employ sufficient numbers of people in these fields.

8. FULL-SERVICE COMMUNITY SCHOOLS

The full-service community school strategy is an educational equity-focused model that places the needs of students at the center of analysis and decision making in school improvement. Minnesota would make real progress in closing opportunity gaps by funding full-service community schools.

9. PUBLIC HIGHER EDUCATION

Over the past several decades, Minnesota has vastly disinvested in public higher education. In 1995, 12.2 percent of our state's budget went to higher education. Now, public higher education accounts for only 4 percent of the state's budget. As the state appropriation to higher education diminished, student debt skyrocketed.

10. SPECIAL EDUCATION

Funding our districts so they can meet the needs of their special education students, including better identifying who those students are, would allow them to adopt targeted policy interventions that address the specific needs of their students.

THE PAPER WILL BE AVAILABLE TOWARD THE END OF APRIL ON WWW.EDUCATIONMINNESOTA.ORG.

EDUCATION MINNESOTA MEMBER HONOR ROLL

2019 Harriet Sanford Award for Distinguished Global Learning

Luke Merchlewitz, an elementary teacher from Winona, was awarded the 2019 Harriet Sanford Award for Distinguished Global Learning from the National Education Association. The award recognizes an alumnus of the NEA Foundation Global Learning Fellowship who has demonstrated sustained commitment to global learning, both through his or her teaching practice and through ongoing engagement with the Foundation's community of Global Learning Fellows.



Luke Merchlewitz (left) was honored with the 2019 Harriet Sanford Award for Distinguished Global Learning at the NEA Foundation Gala in February.

Minnesota Lynx women's spotlight award

Kelly Holstine, an English teacher in Shakopee and the 2018 Minnesota Teacher of the Year, was honored by the Minnesota Lynx at their third-annual Women's Spotlight event. The event honors inspiring and impactful women in Minnesota.



Kelly Holstine (center) was celebrated at the Minnesota Lynx's recent Women's Spotlight event.

Central States Foreign Language Teacher of the Year

Maureen Peltier, a French teacher at St. Paul Central High School, was named the 2019 Central States Conference on the Teaching of Foreign Languages Teacher of the Year at the organization's annual conference in March.

Minnesota Council for the Social Studies Teachers of the Year

The Minnesota Council for the Social Studies announced their 2019 Teacher of the Year award winners at their conference in March. The winners include:

Elementary: **Angela Bianco**, Matoska International IB World School, White Bear Lake

Middle: **Michele Melius**, Waconia Middle School

High: **Jessica Felosi**, Grand Rapids High School

University of Minnesota Student Chapter honored

Education Minnesota's student program chapter at the University of Minnesota-Twin Cities has been nominated for the Tony Diggs Award for Outstanding Undergraduate Student Group award.

Family and Consumer Sciences Teacher of the Year

Amanda Herman, a Family and Consumer Sciences teacher at Northdale Middle School in the Anoka-Hennepin School District, was named the 2019 Minnesota Association of Family and Consumer Sciences Teacher of the Year.

EPIC, CONTINUED FROM PAGE 14

One out of every three teachers leaves the profession in the first five years and carries an average student debt load of \$32,000. This is an attrition rate unlike any other like field. And while Minnesota has a dramatic and devastating shortage of teachers of color, teachers of color leave at a rate 24 percent higher than their White counterparts.

Minnesota needs to get serious about increasing the numbers of teachers of color in our teaching workforce, which will mean looking honestly at the structural

racism inherent in our current school systems, and it needs to get serious about the teacher attrition problem overall, which is wreaking havoc on our districts and leaving too many students without teachers trained to meet their educational needs.

The costs of investing in high-quality induction and mentoring programs are dwarfed by the amount of money Minnesota districts are already spending on the constant process of recruiting and hiring new teachers.

Overall, high rates of teacher turnover are costly in terms of their impacts on instruction and academic achievement, in addition to the financial burden they impose on the system.

Lastly, the costs of failing to address both the low number of teachers of color in the workforce and the high rate at which they leave the profession costs our state dearly.

LEGAL BRIEFS, CONTINUED FROM PAGE 13

the due process laws only “burden” students’ rights to an adequate education. Because they did not allege that the state had failed to provide an adequate or “baseline level” of education, the court held that they could not prove a violation of the education clause.

Equal protection analysis

The equal protection clause in the Minnesota Constitution requires equal protection of the laws and prohibits the government from differential treatment of two similarly situated groups of people. The Court of Appeals held that the *Forslund* plaintiffs failed to state a valid equal protection claim because they failed to identify a “discrete and identifiable” group of students that suffers differential treatment as a direct result of the tenure and continuing contract laws.

The court relied upon *Vergara v. California*, where the California Court of Appeals rejected a constitutional challenge, also backed by the Partnership for Educational Justice, to that state’s teacher tenure laws. The Minnesota Court of Appeals agreed with the *Vergara* court that an equal protection claim requires plaintiffs to share a common characteristic, such as race or gender, other than being the “unlucky subset” of people allegedly harmed by a law. The court stated,

“[h]ere, as in *Vergara*, appellants have failed to identify any shared trait that make them an independently identifiable group suffering differential treatment.”

Takeaways from the decision

The plaintiffs recently announced that they would not appeal the Court of Appeals decision in *Forslund*, ending a three-year legal battle over educator tenure. Like many critics of due process protections for educators, the *Forslund* plaintiffs attempted to portray the due process rights of educators and the educational rights of students as being incompatible with one another. In dismissing the lawsuit, on the merits this time, the Court of Appeals wisely rejected this false choice.

Many students and parents are justified in demanding more funding and more equitable resources from our education system, but eliminating tenure and continuing contract laws would only weaken the ability of educators to advocate for their students. The court’s decision in *Forslund* is one of a growing list of legal victories for the due process rights of educators and a rejection of the misguided efforts to take them away.

– David Aron
Aron is the Education Minnesota General Counsel.

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Professional development

FREE CIVICS INSTITUTE FOR K-8 EDUCATORS

Looking for ways to help engage your students with each other to better their communities? The Super Civics Summer Institute offers materials and support for educators to embed civic skills and principles into schools. The three-day institute will take place in St. Paul from June 18-20, and allow educators to participate in conversations and activities that are relevant to your students. For more information and registration, go to <https://teachingcivics.org/programs/super-civics>.

TEACHING IN THE OUTDOOR CLASSROOM WORKSHOP

The U.S. Fish and Wildlife Service is hosting a workshop for educators on teaching in the outdoor classroom. The workshop takes place June 17-20 at the Prairie Wetlands Learning Center in Fergus Falls. Participants will learn how to use the outdoors as a classroom with integrated curriculum and in support of state academic standards. Participants receive 28 clock hours of continuing education credit. Cost is \$50. An option of free lodging is available on-site. For more information and to register, visit www.friendsofprairiewetlands.com.

SUMMER SCIENCE INSTITUTES

Hamline University is offering two free institutes for science educators this summer. The Rivers Institute will take place June 24-26 at the St. Croix River and July 22-24 at the Mississippi River. The WaterWorks! Institute will take place Aug. 5-7 in Oakdale. Applications will begin to be reviewed the second week of April. For more information or to register, go to www.hamline.edu/education/cgee/grad-progs.html.

AVS SCIENCE AND TECHNOLOGY WORKSHOP SPONSORED BY THE AVS MINNESOTA CHAPTER

Each year the Minnesota Chapter of the AVS Science and Technology Society sends a secondary school teacher to the Science Educators Workshop at the annual AVS International Symposium. This year's workshop will take place Oct. 20-21 in Columbus, Ohio. There is a possibility that the Minnesota chapter will send two teachers. The workshop includes training in vacuum technology, a tour of local industry and the opportunity to interact with other STEM teachers from throughout the nation. The school district where the selected teacher

works will receive a vacuum trainer system. The Minnesota chapter of AVS will cover the costs of transportation, hotel, meals and possibly a substitute. Application deadline is Aug. 29. For more information or to apply, please go to www.avs.org/Education-Outreach/Science-Educators-Workshop.

Classroom opportunities

HAVE A CPA SPEAK TO YOUR CLASS FOR FREE

Accounting is more than just taxes. Let a member of the Minnesota Society of CPAs showcase just how diverse the accounting profession can be by having a CPA speak to your class about accounting careers. Each speaker will provide free materials to students, such as career planners and salary guides. For more information or to request a speaker, please contact Alicia Pack at apack@mncpa.org or 952-885-5500.

Volunteer opportunities

DECATHLON NATIONAL COMPETITION JUDGES NEEDED

Minnesota is hosting the 2019 United States Academic Decathlon Nationals in Bloomington, Minnesota April 25-27 at the DoubleTree by Hilton Bloomington-Minneapolis. Approximately 250-300 volunteers are needed to serve as speech and interview judges, timers, proctors and student guides. Training is provided for all volunteer positions. Learn more about the competition and see how you can help at www.usad.org/competitions/nationals/2019-USAD-Nationals.aspx.

Grants and awards

ART EDUCATION GRANTS AVAILABLE THROUGH PERPICH CENTER

The Perpich Center for Arts Education is proud to announce the fiscal year 2020 applications for Minnesota's Comprehensive Arts Planning Program. CAPP provides assistance to selected public school districts as they design three-year, strategic plans for K-12 arts education programs. CAPP provides financial and technical assistance to support the strategic planning process through workshops, site visits, leadership training and resource materials. Applications are now available at <http://bit.ly/FY20CAPP>. Prospective applicants who have any questions regarding this application may email lon.lamprecht@pcae.k12.mn.us no later than 4 p.m., April 5.

Education Minnesota Summer Seminar – Aug. 5-7

Education Minnesota is excited to announce we have expanded our course offerings for this year's Summer Seminar.

That's means more professional development. More ideas to build a powerful local union. And more member-led courses.

The 2019 Summer Seminar will take place Aug. 5-7 at the College of St. Benedict in St. Joseph, Minnesota.

All Education Minnesota members are invited to choose from more than 90 different course options that will improve professional skills while connecting you with other educators from around Minnesota.

Hundreds of educators gather to increase their knowledge across a variety of topics— effective techniques in the classroom, how to navigate local unions, working with challenging students, relicensure issues and much more.

We offer a multitude of courses that fall into these main strands:

- Bargaining and benefits
- Building a strong local
- Policy, politics and the law
- Professional practice

We also offer a number of member-led courses. This is an excellent opportunity to gain professional development created by educators for educators.

Some of the most popular member-led workshop topics from previous years include:

- Creative strategies for the classroom
- Culturally responsive teaching
- Curriculum and assessments
- Organizing and engaging members
- School climate and learning communities
- Student engagement
- Technology integration
- Trauma-informed instruction

Online registration will open in May on www.educationminnesota.org.

Where were people reading their Minnesota Educator? Read more about our contest on page 3!



Gwendolyn Perry, Osseo



Jerid Knuttila, Retired



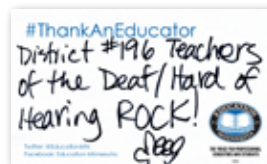
Laurie Wig, Brainerd



Melissa Williams, Richfield

Thank an educator!

Every year, thousands of kids and adults thank educators who were influential in their lives at Education Minnesota's State Fair booth. We will feature a selection in each issue of the Minnesota Educator. Keep an eye out for your name!



MEMBERS WANT TO KNOW

SUMMER TO-DO LIST

With the end of the school year in sight, it is time to plan your Education Minnesota ESI summer to-do list

- Register for your complimentary identity theft recovery plan for active members
www.educationminnesota.securusid.com
- Visit the credit union for great rates on banking needs, loans and more
United Educators Credit Union, www.uecu.coop 651-264-0669
- Explore Zebit! Shop for millions of items and pay interest free over time
<https://zebit.com/edmn>
- Create a PerksConnect account to save on gift cards, shopping and more
edmn.perksconnection.com
- Compare rates on auto and home insurance
Liberty Mutual, Darlene VonArx 952-229-5692
Travelers 888-695-4640
- Meet with a financial advisor to set-up or review your 403(b)
EFS Advisors, www.efsadvisors.com 763-689-9023

Visit www.esi.educationminnesota.org
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What do YOU want to know? Send questions to esi@edmn.org.*





Education Minnesota
41 Sherburne Ave.
St. Paul, MN 55103

THE VOICE FOR PROFESSIONAL
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Save the date!

SATURDAY, MAY 18: #EDMNVOTES IN ACTION RALLY

11:30 a.m.–2 p.m.

Minnesota State Capitol Rotunda

The last Saturday before session ends is when last-minute negotiations take place and final bills are discussed. When we join together, our voices cannot be ignored.