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# Solidarity!

## Attorney General's Shotgun Approach in Attempt to Save Act 10

In September, 2012, MTI, represented by Lester Pines, and his partners Tamara Packard and Susan Crawford, prevailed in an action before Dane County Circuit Court Judge Juan Colas, wherein Colas found that most of Act 10 is unconstitutional. In ruling on MTI's petition, Colas agreed that Act 10, passed at the request of Governor Walker, among massive protests during the 2011 Legislative Session, **was unconstitutional as it violated MTI members' freedom of association and equal protection, both of which are guaranteed by the Wisconsin Constitution. This enabled MTI to bargain Contracts for its five (5) bargaining units for 2014-15.** They are among the few public sector contracts in Wisconsin for 2014-15.

Because Walker's appointees to the Wisconsin Employment Relations Commission claimed Colas' ruling only provided relief in Dane County from Act 10, other Wisconsin public employees have generally not been able to bargain new contracts.

In cooperation with the Kenosha Education Association and WEAC, MTI legal counsel returned to Colas' court on October 21, *claiming the WERC Commissioners were in contempt of court for not enabling bargaining for KEA and for continuing to process the Act 10-mandated annual elections among union members as to whether they wished the union's continued representation.* **On both accounts Colas agreed, finding the WERC Commissioners in contempt and ordering their compliance with his 2012 ruling.** He chastised them for implementing a law that no longer existed, given his 2012 ruling.

The Attorney General had appealed Colas' 2012 decision to the 4<sup>th</sup> Circuit Court of Appeals. After considering the parties' briefs, the Court of Appeals certified the case to the Supreme Court, which is scheduled to hear oral arguments November 11. The Attorney General's shotgun approach began after Colas' October 21 Order. They began by filing Petitions on October 25 in both the Supreme Court and the 4<sup>th</sup> Circuit Court of Appeals, asking that Colas' 2012 and 2013 Orders be stayed. The Court of Appeals then issued an Order directing Pines, on behalf of MTI, KEA and WEAC, to file a response to the Attorney General's motion by October 30; that the Court of Appeals would issue a decision on the Attorney General's motion by November 4.

The Supreme Court ruled that it would not act on the Attorney General's petition for a stay until after the Court of Appeals rules on the petition for a stay as filed with them. The Supreme Court ordered that, following a decision by the Court of Appeals, any additional filings in the Supreme Court on the stay must be made by November 7, and that all parties should be prepared to address during the November 11 Supreme Court's hearing the motions to stay Colas' Orders and Colas' 2012 ruling that Act 10, for the most part, is unconstitutional.

The November 11 Supreme Court hearing will convene at 9:45 a.m. and will be streamed on WisconsinEye. MTI's is the second case scheduled for 9:45 a.m. and will likely begin around 11:00 a.m.

## Diane Ravitch to Present November 14

As part of the Progressive Magazine's effort to preserve public education, "*Public School Shakedown*", New York Professor and former Assistant Secretary of Education, Diane Ravitch, will appear at the Orpheum Theater (216 State Street) on Thursday, November 14. The program will begin at 7:30 p.m., with Ravitch to speak at 8:00 p.m., to accommodate teachers holding parent-teacher conferences that evening. Free tickets are available from MTI.

The Progressive Magazine is running a series which illustrates the massive effort to privatize public education. Ravitch is among the leaders of those opposing the *corporate attempt to takeover public schools*, which they misleadingly call "*school choice*".

## Errata: Joint Committee on RSG Conferences

The October 21 *MTI Solidarity!* newsletter relative to the Joint Committee on Ready Set Goal Conferences reported that Andrew Waity was assigned to La Follette. The article should have stated that Waity is assigned to Crestwood.



Show **SOLIDARITY**  
with your **MTI**  
Sisters & Brothers.  
Wear **MTI RED** on  
**MONDAYS!**

**Parent-Teacher Conferences:  
MTI Brochures in Several Languages**

For parents of all elementary pupils, MTI will be distributing a brochure *“Talking with Your Child’s Teacher.”* This year, it has been sent to MTI Faculty Representatives in schools where there are at least 20 students who speak a given language. However, Faculty Representatives can receive the brochures in any of the languages in which the family primarily speaks the language. The brochures will be distributed to elementary staff for distribution to all students to take to their parents. Brochures for non-English speaking parents will be distributed via the District’s Bilingual Resource Specialists. The BRS are members of MTI’s teacher bargaining unit.



The terms and conditions of the MTI/MMSD Collective Bargaining Agreement relative to Parent-Teacher Conferences provides the following:

“All teachers are required to attend up to two (2) evenings for parent teacher conferences per contract year as directed by the teacher’s building administrator. The school day following such conferences shall be designated as a parent teacher conference day with no students present. On the designated parent teacher conference day, teachers will complete any parent teacher conferences that were not completed during evening parent teacher conferences. Teachers will not be required to be present during the parent teacher conference day once their parent teacher conferences are complete.”

Some principals appear to be confused about scheduling of parent-teacher conferences. **The following is the AGREEMENT between MTI and the District as regards scheduling of parent-teacher conferences, and whether or not teachers are obligated to report to school on Friday, November 15.**

“Section V-M of the MTI / MMSD Collective Bargaining Agreement **will be implemented** by evening conferences being scheduled on two evenings after the regular school day (November 12 and 14 for 2013). **No school will be scheduled for Friday of the week of evening conferences. Teachers can hold conferences for parents wishing conferences, but who could not make one of the two evenings, or teachers can agree to conference with the parent(s) at another mutually agreeable time/date.**

Teachers who complete all conferences during the two evenings or agree to hold conferences at times other than on Friday for those parents who could not make the evening conferences, **need not report to school on Friday.** Teachers will not be required to be present during the parent-teacher conference day once their parent teacher conferences are complete, or are scheduled to be completed.”

Teacher’s Own Child: Section VI-G of MTI’s Collective Bargaining Agreement provides that *teachers, upon request, will be granted time to participate in their child’s/children’s parent-teacher conference(s).* Any teacher with questions should contact Eve Degen ([degene@madisonteachers.org](mailto:degene@madisonteachers.org)) at MTI Headquarters.

**SSA-MTI Board Secretary  
Vacancy Filled**

The position of Secretary on MTI’s School Security Assistant bargaining unit has been filled. **Bennie Brown** (La Follette) has volunteered to take on the responsibility. *Thank you and welcome, Bennie!*



**Calendar of  
Events**

- **Monday, November 4, Doyle Room 103**  
BOE Special Meeting (5:00 p.m.)  
BOE Instruction Work Group (5:30 p.m.)
- **Tuesday, November 5, 4:30 p.m., SCFL**  
MTI Joint Committee Appointees
- **Wednesday, November 6, 4:30 p.m., MTI**  
SEE-MTI Board of Directors
- **Thursday, November 7, 4:15 p.m., MTI**  
Special Education Sub-Committee
- **Monday, November 11, 9:45 a.m., Supreme Court**  
Act 10, MTI Oral Arguments (Streamed by WisconsinEye)
- **Monday, November 11, 4:30 p.m., MTI**  
MTI Board of Directors
- **Monday, November 11, Doyle Room 103**  
BOE Operations Work Group (5:00 p.m.)
- **Wednesday, November 13, 4:15 p.m., MTI**  
EA-MTI Building Representatives
- **Thursday, November 14, Orpheum Theater**  
Diane Ravitch: Public School Shakedown  
Introductions - 7:30 p.m.  
Presentation - 8:00 p.m.
- **Tuesday, November 26, 4:00 p.m., MTI**  
MTI Handbook Committee

**Our Union Makes Us Strong!**

MTI’s web page - [www.madisonteachers.org](http://www.madisonteachers.org)  
MTI’s email - [MTI@madisonteachers.org](mailto:MTI@madisonteachers.org)