

October, 2006

*"It's only free  
speech when  
you use it."*

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## The President's View by Don McKell

By the time I have a chance to write next month's installment of this View, the November election will be history. Those Californians who decide to vote – always the minority of those who *could* vote – will have settled the issues of all the multi-billion dollar state bond proposals and all the assorted ballot proposals that are going to be decided.

Personally, I think I'm going to vote "yes" on all five bond measures and "no" on all the other propositions. I imagine you'll make your own decisions about that, as is your right.

Californians who can vote, but decide not to, don't rate very high on my list. As far as I'm concerned the best thing that could be said about such people is that they are intellectually lazy, and just about the last thing I am interested in is hearing their opinions on things politic. I hope you're not one of them. Vote, or shut up and live with the consequences.

I keep hearing that all the polls show Angelides is losing to Schwarzenegger in the race for governor. Luckily, we don't elect politicians with polls – we use ballots. I remember a month or so before Arnold's special election last November the polls showed almost all of the propositions he was backing to be ahead. Fortunately, the polls were wrong, the people voted, and kicked his A.S. on the entire slate of propositions.

California teachers, nurses, firefighters, police officers, and host of other public service employees are going to be facing some really tough times if Schwarzenegger gets reelected next month. Do not be fooled; Arnold spent over \$75m of our money less than a year ago on a special election designed to cut the legs out from under teachers and other public sector unions. What on Earth could convince anyone that he has changed his opinions or goals?

Republican? Democrat? Is there really that much difference? Maybe, maybe not. But make no mistake on the choice for governor facing us in November.

This is not a “red or blue” choice. For us teachers, the choice is *green*. It is all about money. And not money for schools – the voters’ support for the Prop 98 school funding guarantees is as strong as ever. The money this election is all about is the money you’ll get after you retire.

This election will *absolutely* decide the future of CalSTRS, the State Teachers Retirement System. And there’s not a thing on the ballot that even gives a hint of that danger, except Arnold’s name.

In the months leading up to last November’s special election, a variety of ballot initiatives were being circulated all over the place. In fact, at least 40 initiatives actually received enough signatures to qualify for the ballot, even though many of them dealt with pretty much the same issues. Sort of like: BadNews1a, BadNews1b, and BadNews1c. The backers of all those related BadNews propositions typically get together and agree to move only one of them forward to the ballot; most of us never see the ones that are dropped.

One that was not dropped until almost the last minute had to do with converting STRS and other Public Employee Pension plans from Defined Benefit plans into Defined Contribution plans. When CTA and the firefighters and the nurses and the police saw that proposed initiative, it became a *huge* rallying point that united all of us into a single bloc that could not be ignored. The resultant outcry so shook the conservative backers of the other seemingly less troublesome

initiatives that they agreed to not to put the pension overhaul initiative on the ballot in any form, lest its presence there galvanize millions of complacent voters into turning out in large numbers.

Large voter turnout is always bad for the conservative agenda.

One really nasty part of that dropped pension initiative would have denied the survivors of fallen firefighters and police officers the ability to receive payouts from their respective pension plans, as is currently the case. That particular component is what so strongly united all of us and was what the backers of the initiative belatedly must have recognized as the death knell of their chances of getting the thing passed by voters. So they pulled it, and we never saw it on the ballot.

One of the most vocal supporters of the notion to convert to a Defined Contribution pension plan is George W. Bush. He calls it: privatization of Social Security. Another equal supporter of the same idea is Arnold Schwarzenegger. He calls it something else, but the name really isn’t so important as the concept.

In a Defined *Contribution* pension plan, employees make payments into one or more private investments, generally of their own choosing, while they work. When they retire, their pension plan has a specific net value, not unlike a bank account. During retirement, the retiree begins drawing money out of his or her account at whatever rate they feel they need or can afford. If the person lives too long and exhausts the retirement account, too bad. It’s the poorhouse or your children’s spare bedroom for you, granny.

In a Defined *Benefit* pension plan, employees and

their employers make payments to the Plan. Teachers contribute to CalSTRS; nurses, firefighters and cops contribute to CalPERS. To each his own. But when any of us retires, we know in advance to the penny how much we can expect to earn each month from our pension plans no matter how long – or short – we live after retirement.

Both types of plans have certain merits. Generally, private sector employees have a potential of earning quite a bit more than we public service workers earn, and can theoretically afford to take higher risks with their retirement capital than we. Perhaps, if there had never been any such thing as CalSTRS for teachers, we'd all be spending more time with our brokers than our students and we might have no need to worry about this present issue.

But the problem is that we all pay into CalSTRS and the *transition* will kill us. Under Arnold's Defined Contribution plan, new teachers hired after a certain date would no longer pay into CalSTRS. Presumably, they'd pay into some 401(k) kind of investment to prepare for their Golden Years. Those who were lucky or smart would have a pile of money waiting for them when they retire. Those who are neither lucky nor smart? Well, there's always that spare bedroom at your daughter's house.

But what of the poor schmucks like all of us who would still depend upon STRS to pay our pensions? What do you suppose will happen to STRS when the point is reached that new teachers no longer contribute? Think about it; you know the answer: STRS goes broke. Not in a year; not in five years. But eventually, like a melting glacier with no snow to replenish it. And

those of us who spent our entire careers trusting that our sacrifices would buy us a modest degree of certainty in retirement? Well, screw us.

If Arnold gets re-elected, this is exactly the issue that will be facing us within a year; two at most. How do we know? He's told us so. Oh, they'll clean it up in the next version so as not to blatantly deprive the widows and orphans, but the main idea will survive. This is a big deal to him and his corporate backers. Starve the beast; eliminate the expenses of government by reducing the services it is expected to deliver. Make everybody totally self sufficient, even if it kills them. The rich get richer, and the poor get poorer.

Voting for Phil Angelides may be the single smartest move you ever have a chance to make. Don't miss your chance.

**PANORAMA**  
MARTIN BRANDT, IHS  
EDITOR

*Panorama* is a monthly publication of the East Side Teachers' Association, 888 S. Capitol Ave. San Jose, CA.

*Panorama* is a forum for ESTA members, and welcomes all member contributions. Submissions must include author's name, position, and school site. Those with fewer than 250 words will be printed in the "Letters" section. All submissions may be edited for length or clarity.

Letters, articles, columns, queries, or classified ads (for ESTA members only) should be emailed as Microsoft Word Attachments to [brandtm@esuhsd.org](mailto:brandtm@esuhsd.org). Deadline for November submissions is Friday, November 10, 2006.

**Disclaimer:** The views expressed in *Panorama* are those of individual members and may not represent the official views of the East Side Teachers Association. *Panorama* will not print ad hominem attacks, personal insults, or racially provocative imagery.

## Hope from the ashes

*Foothill High School*

Pulling together when disaster strikes is one of the most selfless things humans can do, I believe. It requires putting aside differences and comes with the realization that it could just as well have happened to me.

When arson destroyed our library, computer labs, and counseling office barely over a week before school started, our staff struggled to cope with the devastating loss of resources.

The motion for a donation brought forward and passed by the ESTA Assembly was not only a leap toward keeping our kids reading; it was also a wonderful morale booster. It illustrated pulling together and the motto of our organization: “an injury to one is an injury to all.”

On behalf of the Foothill family to the Assembly and all of you, thank you for offering a helping hand.

*--Janice Mallard  
Site President*

*Foothill High School*

I think I speak for many of us at Foothill when I say we are deeply touched by ESTA’s generous donation of \$5000 to our library.

As you probably know, our former library was burned and is now nothing but a concrete slab with a chain link fence around it. Our librarian has made a make-shift library out of an old classroom, and has procured a few bookshelves and books. She is re-stocking our shelves with donated books as we speak. But the process of really having our library back to full-function would be a slow one if we had to wait for funds to be made available from the district’s insurance money.

It is my understanding that we will never obtain the true value of the books due to depreciation, and coupled with rising book costs the amount we are to re-

ceive would not enable us to return our library to what it once was. With the \$5000 that ESTA has allotted us, we can certainly buy enough books to ensure that our reading and regular English classes will actually have books to use, and that other teachers can utilize the library for research and other purposes.

So many times here at Foothill, I hear people say they feel that we are not appreciated or understood. But when I saw that ESTA voted to give us this money, I felt like everyone was behind us, and I felt like our work here was validated. Our kids need a functioning library, and this is a big step toward making that happen. So I want to personally thank everyone who voted for this motion, and especially those who suggested raising the amount to the very generous \$5000.

*--Jenny Ludwig  
English Teacher*

## **An open letter to George Riggs, editor and publisher of the *San Jose Mercury News***

*Wendy Stegeman disputes various claims and conclusions of a recent Merc editorial on the East Side School Board’s investigation into whether Board Member Patricia Martinez-Roach deserved censure for her behavior in a confrontation with fellow member Lan Nguyen.*  
*--Ed.*

*Andrew Hill High School*

Dear Mr. Riggs,

As usual, Mr. Fensterwald has written about East Side Union High School District’s Board of Trustees with only part of the information presented and all of the article from the viewpoint of Craig Mann. Mr. Fensterwald has a long standing reputation for biased reporting going back to the Esperanza Zendejas days. He tends to favor those who do the legwork on his opinion hit pieces for him. The fact is that not one of our board

members has been above reproach.

For example, Mr. Fensterwald failed to note Craig Mann's vicious e-mails to staff, near fisticuffs during board meetings (see the *Metro*--they do research prior to publishing), and credit card malfeasance. The FCMAT report confirmed his credit card misuse (which has not been repaid to the students of the district), and ESTA had to go to court to get Zendejas and Mann to release the report before the election. Although it was public information, they had decided to suppress it until after the election, according to then CFO Doug Emerson. The report had been received in the spring but was not released until November under court order. Mr. Mann was never censured for his behavior on the board.

Mr. Shirakawa has had issues but not been censured. Juanita Ramirez, previous board member who *screamed at the audience* from her board seat for telling on her to the community, was never censured.

Of course, Patricia Martinez-Roach should not have wagged her finger at Lan Nguyen, but she spoke from passion and concern for students who had been up and down all spring as the case about CAHSEE was upheld and denied over and over in the courts. In fact, as a second language learner, Lan Nguyen should have shown more compassion for these students. In a conversation I had with him, he admitted he had been misinformed during his vote - he thought it was 8th grade level English, not 10th on the CAHSEE exam.

The board ignored administration's recommendations. Martinez-Roach voted and spoke as a teacher and parent. She voted and spoke her conscience. The men who censured her after she was cleared of wrongdoing by the \$6,000 report that they authorized in her absence, spoke out of their own political agendas.

All five should be censured or none should be. At least Patricia Martinez-Roach shows some concern for the students and staff of this district, unlike some others who admit during meetings that they do not read the board materials before they vote on important issues at meetings.

Mr. Fensterwald needs to do a bit more thorough job. He should have learned this during the imaginary budget crisis in ESUHSD, when everything he wrote was from the same tainted source.

--Wendy Stegeman

## Organizing Committee Chair Report

*Evergreen Valley High School*

The Ethnic Minority Membership Reception is on Oct 25 at 4:00-6:00 pm at CTA Mt Hamilton. It is hosted by Santa Clara County Service Center Council, CTA, and NEA. If you are among the 180 ESTA members, identified yourself as an Ethnic Minority when you joined CTA, you received an invitation. Those members also received a letter from me encouraging you to attend.

If you would like to be identified as an Ethnic Minority with CTA and NEA, please contact me, so I can get you a form. It seems that several of you did not mark the "optional" box with CTA to be identified when you joined, and I encourage you to update your CTA information so that you will be invited to more CTA events in the future.

I am enjoying getting out to the sites, and will continue to do so all year long. I would like five members per site to join the Organizing Committee. Email me, [veram@esuhd.org](mailto:veram@esuhd.org) or [ESTAVP@aol.com](mailto:ESTAVP@aol.com) if you are interested in join my team. We will meet to discuss how to unite ESTA. It is time to bring ESTA together and I am open to suggestions on future events and ideas you have for ESTA. My direction line/voicemail is (408)347-7198 at EVHS.

--Marisa Vera  
ESTA Vice-President

# Á L A B O A R D

The September 28<sup>th</sup> ESUHSD Board of Trustees meeting began with recognition of CSEA outstanding Newsletter winner from our local CSEA chapter, and the Teacher of the Year in Santa Clara County award to Mark Okuda (science guy who brought CSI-styled forensic science and other outstanding programs to SC). This was good.

There were four major topics of interest to ESTA members, but a presentation of the Unaudited Actuals will be brought back next month. Note: Unaudited Actuals are the figures from the previous year after the bills are paid, money rolled over accounts payable and receivable looked at, etc. These are the ending numbers for last year and the beginning numbers for this year.

That leaves three:

Manuel suggested that since money is flowing again from the state (thank goodness for election years!), that maybe a return to the per teacher reimbursement money for classroom supplies, previously referred to as Herrera money, should be again available. It is still approved on the books, but was suspended during the Dark Days. I heard no teacher stand up and say that was a bad plan!!! This could be done as soon as the October meeting.

Craig Mann is leaving the board. He will not go until December, rather than the eagerly anticipated November farewell. This means his replacement cannot be selected until after he is gone, and that person will not start on the same day as the newly elected challenger or incumbent board members. It occurred to me that he has been on the same election cycle as Bush. Coincidence?

The Hanson Bridgett Law Firm presented the report on Patricia Martinez-Roach's finger wagging behavior. Craig Mann and George Shirakawa pushed for this ridiculous expenditure (the Mercury reports it cost \$6,000, but that seems conservative based on what they were asked to accomplish and the time they say they spent) and were royally ticked when it came back indicating no code or law violations. Then the two started raking THEIR choice of outside law firms over the coals for not finding what they wanted them to find. Manuel apologized to the community. Craig thanked Garofalo and Jakel for testifying against Pat. They did not look grateful for the recognition. Pat watched the train wreck. Lan looked embarrassed.

How these people actually felt is your guess – this is how it looked to this observer. Fensterwald of the Merc lurked around and interviewed people in the halls. The guys from Hanson Bridgett looked very unhappy and, I suspect, will never take an ESUHSD commission again. Guess a few of our board members were confused by dealing with people who seemed to have integrity and no political agenda?

Craig, not having gotten his way, introduced a motion to censure Pat. Manuel said please no, but Craig did Craig in his Mr. Accountability disguise and did what he does in spite of the best interests of the district or the community. (Note: The censure motion was voted on in a special meeting on 10/3: After asking for one word to be changed, Manuel caved and joined George and Craig in a yea vote. The other surprise was that Lan joined them in this vote divided down testosterone lines.) Someone was tacky enough to post this on the district web page in a separate headline, not just under board info. Political Agenda. What Political Agenda? Do You See A Political Agenda?

Manuel wants two board reps for adult ed.

Lan wants to appoint reps to charter schools.

Bob is exploring bringing CCOC programs--and funds--back home. He had better start renting portables to house the shops our kids so dearly need.

Pat wants some compensation for Paraprofessionals (CSEA) folk who are now required to have 2 years of college under NCLB. The change in requirements should be reflected in a change of status and pay – or at least this should be explored! Maybe tuition reimbursement since the rules changed after they were hired for the folks who have been around a while?

Impact from Evergreen overcrowding is causing boundary changes and program development on the valley floor schools. Demographer still says no new school needed.

Another special board meeting on 10/19 for Nunez' review.

*Next regular board meeting 10/26 at 6pm in the District Office Board Room. Don't let me have all this fun alone!!!*

**Wendy Stegeman**  
**Andrew Hill**

# ESTA Classifieds

**MindsInSight Online Classroom Tools** - MindsInSite is a hosted Moodle solution for teachers and trainers of any kind. Allowing us to host your remote learning solution allows you to spend your time developing content rather than managing software and hardware. Cut your time spent on paperwork in half. 10% discount for all ESUHSD teachers. Take a look at our services at: <http://www.mindsinsight.com> and/or contact Bruce Selzler @ 347-4936

**VACATION RENTAL:** Cozumel houses available by the week. One and a half blocks from ocean. Easy walking distance to shopping & ferry to mainland. Three rental units: 3 bedroom, 2 bath \$950; 2 bedroom, 1 bath \$650; & 2 bedroom, 2 bath \$680. All 3 units combined for \$2,052. Ten percent discount for teachers. Summer rates are lower. All have kitchen, A/C, DSL internet, cable, safes, and phone and access to pool, rinse tank for scuba, courtyard, and sundeck on roof. Contact Mike at 251-1584 or [cloughmf@msn.com](mailto:cloughmf@msn.com).

**CGT Travel**, Contact Marian Dotson, at 831-338-1959 [cgtravelpals@yahoo.com](mailto:cgtravelpals@yahoo.com) CGC Travel cst 2027232-40

**Wedding/Event DJ.** \$120.00 per hour. We are a husband/wife team that will work very hard to make your special day perfect. Contact Anthony Kudsi (IHS) at (408) 858-4555 for more info or to make an appointment.

**Materials** for Spanish For Spanish Speakers classes : Books, posters, etc. Sistilio Testa (WCO, OG, ret.) 295-6327.

**For Sale: Wurlitzer Organ.** Full pedals, 2 keyboards, beautiful walnut finish. Sounds great. \$250.00 or best offer. Contact Nick Shehadi (408) 265-0351.

**Joe Sousa, handy service:** Remodeling, repair, plumbing, electrical, flooring and tile, drywall. Free estimates. Excellent references. License number 316835. Tel. (408) 234-7428. (Marie Anderson, AH).

**LOS GATOS LATTICE:** fences, decks, gates, pergolas, arbors, patio covers, retaining walls, automated gates, outdoor projects. Also, general construction/remodelling as well: crown molding, baseboards, doors, windows, drywall, finish work, etc. Call DAVE FREDERICKS @ 347-3966 or contact at [big57wave@yahoo.com](mailto:big57wave@yahoo.com). References from colleagues at all ESUHSD schools.

**Mission Style. CUSTOM MADE CHERRY** Entertainment center/cabinet & chest of drawers/cabinet. ENTERTAINMENT CENTER is 7 ft. tall, 64 inches long, 22 inches deep. It has 5 doors, 2 drawers, & an opening with shelves 28 inches wide by 43 inches tall. CHEST OF DRAWERS is 9 ft. long, 67 inches tall, 24 inches deep, has 16 drawers and 2 doors. They are a matching set and were made for a large bedroom. Contact Dave Fredericks: email [big57wave@yahoo.com](mailto:big57wave@yahoo.com) or PHHS woodshop#73966.

**Wedding Officiant:** Special offer for ESTA members. Local weddings performed for \$200. Contact [griffinje@esuhd.org](mailto:griffinje@esuhd.org) for info and details.

**Intero Real Estate Services** Selling or buying a house is very personal....but you can get three great realtors by calling Sam Alvarado (772-7661), Sheryl Ruth (348-5449) or Ron Smith. They are Intero people (a great firm) and through their WREATHS Program are donating \$1000 to your school program, department or team for ANY name that results in a sale. It is a no-brainer and seamless!

*Deadline for Submissions to the  
November issue of Panorama is  
Friday, November 10, 2006*

# The Backside

*More lies than Limbaugh!*

## Lunchtime confrontation prompts investigation

Administrators at nearby Ken Lay High school have launched an extensive investigation to determine whether Sophomore Velveeta Loquatia committed a misdeed when she wagged her finger at onetime best friend Lotta Noyes during a lunchtime confrontation last week.

"It's a very serious matter," said principal Spencer Cash. "We intend to spare no expense to get to the bottom of it. Students must understand that wagging a finger in the face of a peer is a very, very serious infraction."

Cash announced that the school district had retained the services of the prestigious Washington law firm of Dewey, Cheatham, and Howe. "This firm is

very expensive, but we understand that a paltry \$6,000 to find the truth is money well-spent. Finger-wagging cannot be tolerated in a civil society. And anyway, everybody knows that the schools are made of money."

The incident occurred when Loquatia, 16, accused Noyes of trying to steal her boyfriend. "I was busy throwing away the fruit from my school lunch," said one witness, "When Velveeta came up to Lotta and wagged her finger in Lotta's face. I was like, 'Dude, that's *hella* messed up.'"

Loquatia has been advised by her attorneys not to speak to the press, but Noyes was more than willing to share her perspective.

"I felt like I had all my

dignity taken away," she said in a news conference on Monday afternoon. "People say that you can recover from finger-wagging, but I think it'll be a long time before I can look at myself the same way again." She then proceeded to "raise the roof" in front of the assembled reporters, while repeating "That's what I'm talking about!"

When asked whether the two interested parties might be better served working out their differences on their own, Cash clucked his tongue and declared, "That would be so stupid!"

## Bawdy paragraphs excite teachers

Teachers expecting another soul-stripping morning of grading the district's annual Writing Assessments this year have been greeted with a welcome surprise: district-wide, students have shown marked improvement in the quality of their bawdy paragraphs.

"The introductions and conclusions still need a little work," said English teacher Shirley Wright. "But I tell you, some of those bawdy paragraphs took me back to my lusty youth, and the wanton hours I spent with D.H. Lawrence, Henry Miller, and Geoffrey Chaucer; let me tell you, I actually had to clear the steam off my glasses!"

"It was almost enough to make me let down my hair, put on Roxy Music's *Avalon*, and call up my husband for a quick lunch."

"Then I saw a fifth run-on in one paragraph. That pretty much killed the mood."

## Zero Tolerance: Color guard expelled

Members of the color guard of John Phillip Sousa High School were expelled yesterday when the school board determined that the wooden rifles they twirl during performances violate the district's zero-tolerance policy against weapons and items made to resemble them.

"The district bylaws very clearly and explicitly state that weapons or any item designed to look like a weapon are forbidden in all school-related activities," said board member I. Shelby Indaslama. "These students repeatedly violated that policy, brazenly shouldering their wooden rifles during half-time competitions at football games."

Indaslama concluded, "We want to send a message to the people of this community: violence and football don't mix."

Community reaction to the news was mixed. One student was relieved that the specter of gun violence will no longer afflict halftime shows. "It's a lot better, now. Instead of all the guns, now they just play 50 Cent over the PA system."

However, the students who were expelled were predictably unhappy. "What can I do, now that I've been expelled from school?" said one. "The only thing I'm good at is carrying a gun. What possible future awaits me now?"

One administrator admitted that "it's a bad situation. But what can we do? After all, we don't want to end up with a violent society like Iraq, do we?"