By Noelani Kahapea

Promoting New Standards of Professionalism & Educational Enrichment

## EDUCATIONMATTERS

A publication of the Association of American Educators Foundation

# School Choice NORKS









## School choice has always been very personal for me.

My mom was a public school teacher for more than thirty years. As her three young children approached school-age, she decided she wanted to homeschool us as we entered elementary school. As an elementary school teacher, she was better equipped than most to help guide the start of our education journey.

One of the things I fondly remember about being homeschooled is that every week my mom took us to the library. I had the freedom to borrow books on almost any topic. I read books about animals, geography, science, foreign countries and culture, history, and yes, American Girl and Harry Potter books, too. And I loved it. I fell in love with reading, and in turn, learning.

My parents knew that learning is not confined to the classroom, and because of it, I developed a thirst for knowledge both in and out of the school environment.

After elementary school, my parents decided to enroll me in a Catholic school, St. Ann's. There I learned how to thrive in a more structured learning environment. I learned habits and skills that weren't part of my homeschooling, such as public speaking, and how to collaborate during group projects.





I want every student to have the opportunity to learn in an environment suited to their needs, whether it be public, private, charter, or other education option.



As high school approached, my parents decided to send me to public school. But instead of attending my local high school, I received a geographic exception to attend Radford High School, the public school near where my mom taught. I thrived in that school, taking honors and advanced placement(AP) classes, belonging to several student groups, and graduating in the top 5 percent of my class.

My sister and brother, who were also home-schooled, followed soon after as a salutatorian and valedictorian of their respective graduating classes.

I was always proud of my diverse educational background, and recognized how important those years were. I knew that each learning environment served me in different ways, and set me on a path of success. As I transitioned away from classrooms and into my career, I became interested in education policy and learned there was a name for what I experienced: school choice.

As I started out in the halls of the Hawai'i state legislature, eventually finding myself in the halls of the U.S. Congress, I realized that not every student has the opportunities that I did, and that not every parent has the ability to make these important decisions about their child's education.

Educators know that every child learns a little differently, and not every learning environment is best suited for every student. To best serve students, we need to ensure that they have the ability to access an education that will help them reach their full potential.

This is why I am so passionate about school choice; because I lived it, and so I truly recognize its importance

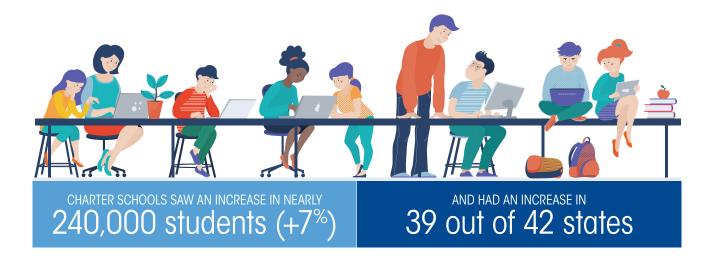
and value. I want every student to have the opportunity to learn in an environment suited to their needs, whether it be public, private, charter, or other education option.

While the last two years have included many challenges and struggles, one of the silver linings has been the realization of the importance and the broader acceptance of choice in education by parents, education providers, and policymakers.

In 2021, twenty-one states implemented new school choice programs, or improved or expanded current programs; representing a huge push forward for education choice nationwide.

In 2021, twenty-one states implemented new school choice programs, or improved or expanded current programs; representing a huge push forward for education choice nationwide.

As of today, there are sixty-five school choice programs operating in thirty-one states and Washington, D.C. While each of these programs is unique, generally, school choice programs fall into one of three categories: vouchers, tax-credit scholarships, or education savings accounts (ESAs). It is important to note that some of these programs are limited to students with disabilities or students from low-income families.



#### **Vouchers**

Vouchers have been available the longest, and enable parents to use all or part of their child's state education funding to offset the cost of attending a private school. Sixteen states and Washington, D.C. have a voucher program.

#### Tax-Credit Scholarships

Tax-credit scholarships enable students to receive scholarships, which are funded by taxpayer donations to a non-profit scholarship granting organization, to attend a private school. These donations are tax deductible. There are twenty-six tax-credit scholarship programs in twenty-one states.

#### **Education Savings Accounts (ESA)**

Education savings accounts are the most flexible school choice option. They allow parents to access a portion of their state's per-pupil funding through a savings account. The ESA can be used to fund different aspects of their child's education and may include textbooks, tutoring, tuition, online programs, and other learning options. Twenty-one states currently have an ESA program.

This year, two states passed a new type of school choice program that takes ESAs and tax-credit scholarships, and creates a hybrid: tax-credit ESAs. These programs are the first of their kind and allow taxpayers to receive a tax credit for donations made to a nonprofit organization that provides ESAs for students.

In addition to these programs, another nine states allow parents to receive a tax credit or deduction for personal funds used for their child's education.

Another very important aspect of school choice is the availability of charter and magnet schools. Currently, there are over 3.3 million students in 7,500 charter schools nationwide.

In 2021 we celebrated the thirtieth anniversary of the first charter law, and across the nation thirteen states improved or expanded charter school programs. Furthermore, according to a report from the National Alliance of Public Charter Schools, from the 2019-2020 school year to the 2020-2021 school year, charter schools saw an increase in nearly 240,000 students, a 7 percent increase. Of the forty-two states analyzed, thirty-nine states saw an increase.

Options like microschooling and learning pods have also seen a rise in popularity as a result of the pandemic.

As a supporter and advocate for school choice, these advancements fill me with hope that someday soon every child will have the opportunity to accomplish everything they set out to and more. And it all starts with a mom, a dad, or caregiver having a choice for their student.



Noelani Kahapea serves as the director of policy and strategic partnerships for the Association of American Educators. Prior to joining AAE, Noelani served as the Senior Policy Staff on education and labor policy for the Republican Study Committee in the House of Representatives.

### **AAE and Our Members Giving Back**

e are excited to announce that our popular and impactful end-of-year charitable event is in its fourth year. AAE staff and members have been deeply gratified to see their support affect the lives of so many through the work of respected national organizations including the National Center for Learning Disabilities, the Thurgood Marshall College Fund, the National Inclusion Project, and the Children's Literacy Initiative.

This year, AAE staff selected the four highly rated national charities listed here. We invite you to participate in this effort that reflects our commitment to our children's best educational opportunities every day of the year. Please review these organizations and make your selection today. Thank you!

Are you considering organizing a fundraiser to engage your students in serving others in their community?

AAE Foundation may be able to contribute to your project!

Submit a brief (100-word) summary about your project to christina@ aaeteachers.org for consideration.

#### Mr. Holland's Opus Foundation

Mr. Holland's Opus Foundation, headquartered in Studio City, California, donates musical instruments to underserved schools nationwide in an effort to give youngsters the many benefits of music education, help them to be better students, and inspire creativity and expression through playing music.



Learn more at mhopus.org

#### National Center for Learning Disabilities



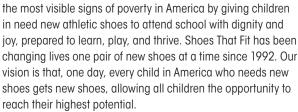
The National Center for Learning Disabilities, headquartered in

Washington, D.C., is dedicated to improving the lives of the one in five children and adults nationwide with learning and attention issues — by empowering parents and young adults, transforming schools, and advocating for equal rights and opportunities. Through research, advocacy, and action, they're working to create a society in which every individual possesses the academic, social, and emotional skills to succeed in school, at work, and in life.

Learn more at ncld.org

#### **Shoes That Fit**

Shoes That Fit, headquartered in Clairmont, California, tackles one of



Learn more at shoesthatfit.org

### Barbara Bush Foundation for Family Literacy



The Barbara Bush Foundation

for Family Literacy is headquartered in Tallahassee, Florida with a vision for a future where more people can navigate the world with dignity. Today one in five adults struggle to fill out a form. When we solve the literacy gap, we strengthen families, communities, and businesses across the United States.

Learn more at barbarabush.org

HELP US SELECT OUR 5TH CHARITY! Vote at surveymonkey.com/r/aaegb2022



## **Educators Change Lives**

he last two years your life and profession have been altered in ways you never imagined and yet we are here...in a third calendar year and academic year affected by the pandemic.

I was going to write an article about COVID-19, mandates, and all the challenges throughout the mandates debate for students and educators.

Instead, I wanted to focus on your contributions and accomplishments. Educators at every level change lives in so many ways, through teaching and so much more. Here are just a few ways change happens:

#### 1. Education

How many of you have taught or interacted with a student who would go on to be a first-generation high school graduate? Education is a game changer and receiving an education changes an individual's life forever. It also alters the destiny of generations to come. Studies show that first-generation graduates often raise children who will go on to graduate and seek higher education.

#### 2. Safety

You provide a safe space. As you know, many students are not safe in their own homes. School can be a haven, a safe space created by you. Many of you work countless hours beyond in-class time for the benefit of your students. Safety is an important component of student success.

#### 3. Mentorship

I once saw a teacher quote (author unknown) that said "Be the kind of person you needed when you were young." Nearly every valedictorian, academic award, or educational achievement is the result of a good mentor.

#### 4. Inspiration

Everyone has a talent. One of your hardest tasks could be identifying what inspires and motivates each individual student. You inspire in unimaginable ways. Your words matter and stay with a student for life. A simple remark

such as "you are such a gifted writer" or "great artwork" could change, and has literally changed, lives.

One of your hardest tasks could be identifying what inspires and motivates each individual student. You inspire in unimaginable ways.

#### 5. Being Your Best

Educators deserve a collaborative, safe, and professional work environment. Your personal success can be hampered if you do not feel protected, valued, or honored for your contributions. Make sure you belong to a professional association or other group that looks out for you. AAE and its legal services department can help provide support and guidance for most workplace issues, and we work with a number of attorneys across the country to ensure you have the support you need. Do not hesitate to contact us at any time.

Thank you very much for all that you do. Have a wonderful rest of the year; go out and do good; and continue to change lives.



Sharon Nelson is the senior director of legal services for the Association of American Educators. In this capacity, Ms. Nelson oversees AAE's legal services team and works daily with members and panel counsel to address members' legal concerns. A passionate advocate for educators, Ms. Nelson has been a lawyer focusing on employee rights issues for more than twenty years.



## State of Educator Mental Health: The Impacts of Stress & Trauma

#### **Educator Stress & Trauma**

Educators know that teaching is one of the most stressful careers, and in 2020, many parents recognized this as well when their children transitioned to remote learning overnight. COVID-19 has led to many changes and increased stress for educators, students, and parents.

- Classrooms and students have become more isolated
- Teachers and students have had to adapt to remote and/or hybrid instruction
- Students and teachers have experienced a very different type of access to each other (example: students can now view inside teachers' homes and vice versa)
- Personal health has become a top stressor for educators (Steiner & Woo, 2021)

**Dual trauma & secondary traumatic stress:** Teachers often tend to prioritize the health and well-being of others, and at times they may be so focused on helping students that they forget to take care of themselves. When traumatic events like school shootings, natural disasters, or pandemics occur, teachers are at risk of something called dual trauma. This means they are

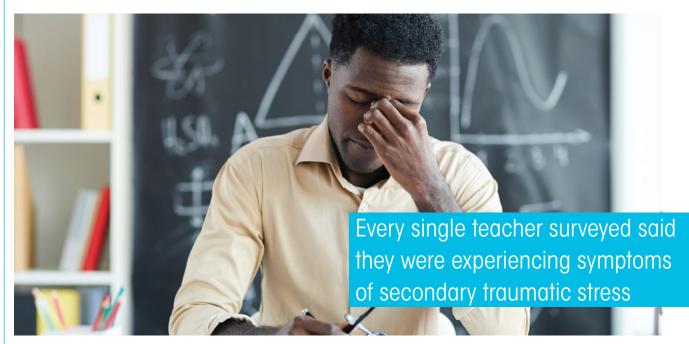
simultaneously coping with their own trauma response, called primary trauma, while supporting students through their trauma responses, which can lead to secondary traumatic stress. (Berger et al., 2016)

In research done by the Trauma Sensitive Pedagogy project four months into the COVID-19 pandemic, every single teacher surveyed said they were experiencing symptoms of secondary traumatic stress (Panlilio, 2021).

#### Impacts of Stress & Trauma

Difficulty working: For educators, trauma responses may involve difficulty concentrating, planning lessons, and being less patient and empathetic with students (The National Child Traumatic Stress Network, 2008). Tasks that once took a short amount of time through a normal routine may now take much longer. This could be due to a combination of factors, including:

- inconsistent routines
- changing classroom landscape
- student and teacher attendance changes
- increased pressure for standardized testing results
- less flexibility to exercise creativity in the classroom

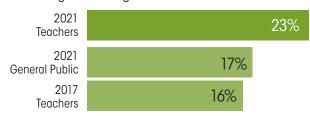


Mental illness: Stress is linked to increased risk for mental illness, and traumatic stress can specifically lead to trauma-related disorders like PTSD (Cattaneo & Riva, 2016). Burnout has also been linked to depression, anxiety, and insomnia (Martínez-Monteagudo et al., 2019). As of early 2021, teachers reported experiencing symptoms of depression at almost 3 times the rate of other adults (Steiner & Woo, 2021).

Burnout: Chronic stress can lead to educator burnout, which in turn impacts student outcomes (Herman et al., 2018; Madigan & Kim, 2021). About half of U.S. teachers say they are currently experiencing burnout (Steiner & Woo, 2021).

Turnover: More and more, teachers are seeking opportunities in less stressful settings, particularly in private sector companies that offer remote work options and better financial compensation. As of early 2021, about 1 in 4 teachers and nearly 1 in 2 Black teachers were planning on leaving their job by the end of the school year (Steiner & Woo, 2021).

#### % Planning on Leaving



Data: RAND Corporation, National Center for Education Statistics

#### Beyond Self-Care: How Schools Can Support Educators

Too often, the proposed solutions to educator stress and burnout revolve around self-care, defined as activities a person does on their own to promote health and coping abilities. While it's true that self-care is vital for people in high-stress careers like education, it is best to address the root of the issue by creating workplaces where educators can thrive. As much as possible, school leaders, policymakers, and colleagues should strive to make changes to reduce stressors and increase support for educators.

#### Workplace Factors that Impact Educator Stress

- Larger class sizes (Hindman, A. H., & Bustamante, A. S., 2019)
- Lower wages (Roberts et al., 2019)
- Insufficient time and resources (McCardle, 2017)
- Lack of support from administration (McCardle, 2017; Steiner & Woo, 2021)
- Lack of appropriate planning time

#### Workplace Factors that Support Educator Wellbeing

- Support from and connection with colleagues (could be facilitated by school leaders with something as simple as a catered meal for teachers) (Hindman, A. H., & Bustamante, A. S., 2019)
- Administrative support of a better work-life balance
- Support from school leaders for reasonable accommodation requests under the Americans with Disabilities Act (Job Accommodation Network, 2021)
- Decreased duties outside of the classroom
- Schoolwide safety measures (e.g., working windows and ventilation systems) (Steiner & Woo, 2021)
- More inclusive, equitable environments for staff of all backgrounds (Frank et al., 2021)

During this time of extreme stress, it is more important than ever that school districts and policymakers take meaningful action to support educator mental health and stop the growing teacher shortage. Additionally, as you move through the year, remember that you can't pour from an empty cup. Practicing self-care and setting healthy boundaries isn't selfish, it is *required* in order to be an effective educator and to live a healthy life.





Abigail Asper, LMSW is clinical research manager at Psych Hub. Zach Farkas is a former teacher and partner relations executive at Psych Hub. Psych Hub is the world's most comprehensive multimedia platform for mental health education. We deliver the engaging learning experiences people crave in the ideal format for each learning style. For weekly mental health insights and updates about Psych Hub's upcoming launch of an Educator Mental Health Hub, sign up for our newsletter at www.psychhub.com.

## ADVOCACY UPDATE Focus on Fellows

#### What is Advocacy?

The Association of American Educators is proud to be the vehicle through which professional educators gain the knowledge, skills, and practice necessary to make their voices heard. While advocacy is often interpreted as lobbying, or political action, here at AAE, we pride ourselves in developing your unique advocacy skills as an opportunity for you, our members, to help make critical decisions for the success of our students and our profession.



The AAEF fellowship program was one of the best experiences I have had. The fellowship program established a great foundation for me. It taught me all the skills I needed to speak to teachers, administrators, leaders in the community, and leaders in other organizations and government. The fellowship also opened my eyes to feeling confident in myself to speak on behalf of my students and colleagues.

Since participating in the first cohort, I have had many articles published, received recognition as Advocate of the Year by the New Jersey Public Charter Schools Association and participated in JerseyCan's New Jersey Teacher Leader Policy Fellowship and my training with AAE has helped me to be a much better speaker. The AAEF fellowship program opened all of these doors for me. I hope as many teachers can get involved and learn as much as I did.

Some of my recent activity was advocating (with JerseyCan) for more diversity in the education field by providing better opportunities for our future educators. The pilot program was signed into law in September 2021!

#### Roseangela Mendoza - AAEF Fellow 2019

Middle School Lead and Social Studies Teacher Community Outreach and Service Learning Coordinator 2019 NJ Charter Advocate of the Year



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My experience as an AAEF Advocacy Fellow, has been life changing, has positively impacted my teaching practice, and has helped me to amplify my voice as an educator. Throughout the school year, I have connected with other professionals across the United States; together becoming empowered as we collectively learn skills and gain understanding of the resources that can be used to advocate for policies and issues that have a direct impact on our students and community. As a fellow, I have been supported in successfully publishing op-eds on local and national levels, connecting with stakeholders and legislators, and joining a literacy advisory council that has a voice in impacting reading and families across our nation. Most importantly, I have confidence in an increased familiarity with policy and bill tracking and the impact they have on my students, my colleagues, and myself.

#### Jessica Saum - AAEF Fellow 2021

Special Education Teacher
ASTA Fellow 2020
Arkansas State Teacher of the Year 2022
United Through Reading Literacy Advisory Council Member



#### AAE's Approach to Advocacy

AAE's approach to advocacy is founded on the belief that educator voices, along with voices of parents and community stakeholders, are essential when decisions are made regarding our students and classrooms. While several methods are used to approach advocacy, our methods are simple: we identify educators who are interested in solving problems in education; we provide the training, skills, and practice to influence your communities; and we connect you with opportunities to make a lasting difference by using your authentic educator voice. Through member surveys, virtual and in-person training, focus groups, and more, our members receive the individualized and attentive support they need to become successful advocates.

Jason B. Allen, a 2020-2021 AAEF Advocacy Fellow, has been busy preparing to take his leadership and advocacy to the next level on his local school board in Atlanta, Georgia. When asked about his reflections on his participation in AAE's Advocacy Program, Jason shared that he was inspired to go out to train students, parents, and educators to speak up in their content areas and their communities. Jason believes his time with AAE's Advocacy Program has helped lead him to take his advocacy to the next level, saying,

"The AAEF Fellowship allowed me to connect with educators across the country, discover best practices for what can be done for teachers to uplift their voices, especially regarding the equity crisis we are currently experiencing. Children are being left behind due to a lack of support and resources that should be

poured into the programs that need them... these organizations have helped me to be a light to do just that."

"In my seventeen years in education I have been an ELA special education teacher, an assistant principal, a district administrator, a parent liaison working with families to continue education at home effectively, and I have run an afterschool program. All of these experiences as a black male teacher have helped prepare me to develop policies, and ask myself, "What does this process look like?" I now understand how the decision-making process works, and I can now uncover what needs to be done in classrooms to truly drive student success. My experience with advocacy, working with strong organizations that are centered on student success and teacher equity, and ensuring parents are engaged in the policy-making process have helped me realize that the educator's voice should be a voice that is valued and present in these discussions."

#### Jason B. Allen - AAEF Fellow 2020-2021

Special Education Teacher, Profound Gentlemen Community Team, Featured Writer for EdLanta & Education Post, 2021 Candidate for Atlanta Public Schools School Board



#### AAEF's Advocacy Fellowship Overview

Four years ago, the AAE Foundation launched its inaugural class of Educator Advocacy Fellows. The Educator Advocacy Fellowship is a year-long opportunity that invites educators from across the country to collaborate and speak up for excellence within the profession. Educators develop proficiency in advocacy, education policy, stakeholder engagement, government affairs, and effective communications and public relations. Educator Advocates participate in monthly editorial writing, regular media interviews, legislative testimony, surveys, collaboration spaces, panel discussions, and more. Intensive training is provided, along with individualized attention, support and guidance, access to AAE's state and national partners, prioritized access to media opportunities, and a stipend upon successful completion of the program.

#### AAEF's Advocacy Fellowship Growth

Since 2018, the Educator Advocacy Fellowship has expanded from its initial class of ten fellows to have twenty AAE members participating this year. The program has doubled the diversity of fellowship participants, and has adopted inclusive opportunities for all AAE members to participate in advocacy, even

if they cannot participate in our fellowship. Fellows' impact has spanned the country, from multiple media placements in national outlets like Fox News Media, the educational media outlet, The 74 Million, and many others. Advocacy fellows have impacted legislation through public testimony on various education topics and have developed direct relationships with decision makers in their state. Our fellows have hosted events on a myriad of topics, including closing the digital divide, advocating for teacher diversity, and the freedom of our educators to choose their association. Our fellows have gone on to become school leaders, district leaders, State Advocate of the Year, State Teacher of the Year, and even a local school board candidate. We are proud of their many accomplishments and invite you to find out more about this incredible opportunity to develop your educator voice, strengthen your leadership skills, and have an impact on our profession and our education communities through our Educator Advocacy Fellowship. Contact kira@aaeteachers.org for details.

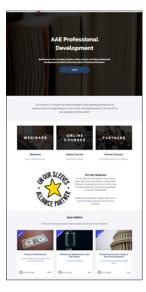


**Kira Tookes** is the director of advocacy for AAE Foundation. In this role, Kira is responsible for recruiting, training, developing, and empowering teachers to make strategic and impactful policy advancements for the benefit of all children.

## **Have You Visited the Professional Development Portal Lately?**

ne of our newest member services for professional development resources and training is our Professional Development (PD) Portal. This all-in-one platform allows busy educators to pursue professional development goals as well as watch AAE webinars that they missed or want to watch again.

In addition to AAE exclusive and AAE partner webinars, the Portal also offers courses and AAE printed publications and resource guides in



digital form. Content on the Portal is free to members with a member code. Much of the content is also available to all educators for a fee; however, some terrific content offered is free to all educators. New programs and materials are being added on an ongoing basis so we encourage you to visit often to see the latest offerings.

Originally offered as a live webinar, Media Literacy & Classroom Discourse: Tools that Help Bridge Divides is just one of the many resources available to our members for free on our PD Portal. This webinar is not only informative and practical, it



also aligns with AAE's ongoing dedication to its mission of being nonpartisan and its desire to help bridge divides in this highly fractious time. The 40-minute program delves into news and media literacy for middle and high school students, and promotes understanding across divides while building lifelong critical thinking and social emotional skills. AAE Senior Professional Programs Manager Melissa Pratt is joined by John

Gable, CEO and founder of AllSides for Schools and Julie Mastrine, AllSides for Schools' Director of Marketing.

Like many of AAE's webinar programs, Media Literacy & Classroom Discourse provides educators with practical tools and resources that they can immediately begin incorporating into their course content. Lessons and activities from AllSides are designed to prepare students for thoughtful participation in democracy and life. These tools are in use in schools in all fifty states, and provide transparently balanced news stories to avoid allegations of bias while helping students spot and acknowledge their own biases.



Resources include more than 100 conversation guides on topics pulled right from the day's headlines. Students can even rate their own biases and see where top news outlets rank in terms of a scale of bias. Classes can also engage with other classes from across the country to see how similar or different their views are on a range of topics through shared classroom activities allowing all participants to see their newly developed respectful dialogue skills in action. For more information, in-class modules, and lesson plans, visit AllSidesForSchools.org.



Christing Mazzanti is the director of communications for the Association of American Educators. She is responsible for advancing AAE's mission, growth, and member service delivery through internal and external communications strategies

## **Covid-19 Relief Grant Supports Job Olympics Program**

he AAE Foundation Scholarship and Grant Program realized the toll that school closures and budget shortfalls were taking on schools and educators across the country. The program expanded to offer additional support to educators throughout the first year of the COVID-19 pandemic. Those COVID-19 Relief grant funds have ongoing, broad impact as schools continue to adapt educational settings and methods as the pandemic continues.



Lyons, Kansas Transition Coordinator and D/HH Teacher Gaye Callich created a Job Olympics as an opportunity for high school students with intellectual and developmental disabilities (IDD) to compete in real-life job activities and receive feedback as to how well they complete job tasks. Her grant request was to replace equipment used in the annual Job Olympics event. The Mid-Kansas Transition Council, with support from





Unified School District #405, provides this event free of charge to more than twenty-five school districts in the surrounding area.

The sole purpose of Job Olympics is to show the local business community that students with an IDD can work when given the necessary steps in detail and the appropriate equipment to complete their job activities. Ms. Callich describes why the educational value of this event touches both students and the business community, "We try to use as many business partners as possible in our community to be our judges. Our other purpose is to build the students' self-esteem, by showing they can work, and businesses want to hire good workers. The feedback given on the evaluations helps to show where students are strong in their work preference and where they need to improve in following instructions. Educators can then use this detailed real-life feedback from the job evaluation forms in planning IEP goals and searching for appropriate jobs for their students."

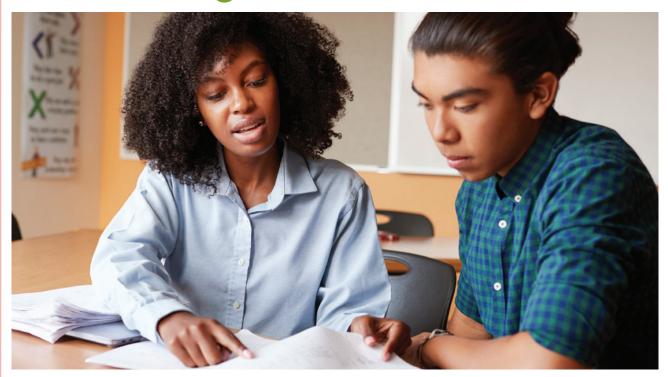
"Job Olympics strives to keep up with the ever-changing work force and the need for our students to be able to obtain competitive, integrated employment. Being able to show future employers evaluation results helps students feel confident that they know how to do the job to the best of their ability. The annual Job Olympics is a valuable competition that continues to provide critical life-experience learning to hundreds of students."

#### FIND OUT MORE:

Gaye Callich, Rice County Special Services 800 S. Workman, Lyons, KS 67554 620.257.5196 x133



## **Enhancing Student Motivation**



eaching can sometimes seem to be a Sisyphean task, only the boulder we're asked to roll up the hill resolutely wants to stay in place. Getting our students motivated to contribute to the learning process can make a huge difference in the school day, both for our experience and theirs.

The question remains about how we best motivate students. A quick search online pulls up a variety of strategies, most of which have been tried in the classroom. Some educators swear by using authentic learning experiences, some have classes filled with games, and then there's the time-old prize box. How do we actually increase students' motivation to learn? A recent meta-analysis of research into student motivation set out to answer this question.

#### What the Research Says

The good news for educators is that teachers can influence how motivated their students are. This ability to influence motivation can overcome a student's home environment or the influence of their parents.

Educators can do this by addressing three needs that all students have. These are competency, belonging, and autonomy. Students who feel competent feel that they are able to accomplish a task or learn a skill, even if they don't already know it. For those familiar with the concept of growth mindset, the overlap is unmistakable. Conversely, students who feel unwelcome in the classroom or unliked by their teacher will struggle with motivation. Autonomy can be developed by allowing students to have a choice and say in their classwork.

#### Autonomy can be developed by allowing students to have a choice and say in their classwork.

According to the research, these three needs act as a sort of kindling that work together to develop intrinsic motivation in students.

#### How to Use This Information

This research focused on intrinsic motivation, educators know that extrinsic motivation is sometimes necessary to get the ball rolling, therefore, educators with a working motivation system in their classroom shouldn't throw the baby out with the bathwater.

However, educators should spend time on developing relationships in their classroom, both between themselves and the students and among the students. The Danielson Institute recommends that educators spend the first weeks of the school year focusing on relationship building, and this research confirms that need.

Educators not familiar with Carol Dweck's work, or those for whom it has been several years since they last thought about growth mindset, should spend time refreshing their skills in that area, since growth mindset is tied so directly to building a sense of competence in students.

Finally, while it is impractical to let every student customize every aspect of every assignment, educators can start building some sense of student autonomy by allowing reasonable choices where it is practical.

**Read More:** Pathways to Student Motivation: A Meta-Analysis of Antecedents of Autonomous and Controlled Motivations, https://bit.ly/3mXHBWe



**Melissa Pratt** is AAE's senior professional programs manager. She is responsible for creating and managing programs that help AAE members increase their professional capacity. Prior to AAE, Melissa taught science and social studies to middle school students in both public and private schools.

### NSCW 2022 - A Success!

National School Choice Week was an event to remember! We couldn't have done it without you, your enthusiasm, your creativity, and your incredible school communities.

Here are some of the week's highlights:

- ✓ We created a handy **School Choice Primer** (https://bit.ly/364uaOq)
- We held a Facebook Live NSCW Advocacy event (https://bit.ly/34xthNR)
- ✓ You requested 645 NSCW activity packets
- We hosted and participated in more than 40 school events
- You shared more than 500 event photos, door decorating contests, dance videos, and some really cute dogs in yellow scarves
- ✓ 25 lucky educators won activity gift cards in our NSCW raffle
- 12 op-eds spreading the message and the impact of school choice, written by educators were published around the nation





## **Know Your Educator Association Rights**



he end of the school year is months away but many educators are assessing their current work setting and considering their next career move. Knowing your association rights and workplace rights are valuable professional tools whether you decide to remain in your current role or explore new opportunities.

In 2018, the Supreme Court ruled in Janus v. American Federation of State, County, and Municipal Employees (AFSCME) that public employees cannot be required to join a union or pay union dues as a condition of employment. This important ruling reaffirmed every educator's First Amendment right to decide whether to join a union. Janus, various other Supreme Court cases, federal law, and the National Labor Relations Board have secured this and other association rights for educators and all public employees. We provide this Declaration of Educator Association Rights here as an important reminder, and encourage you to share them with your colleagues.

#### Your employer cannot discriminate against you based on your union membership status

Public employers cannot discriminate against employees for choosing to join or not to join a union.

#### The terms of the negotiated agreement apply to you regardless of your union membership status

Unions have exclusive representation, which means that all terms of the negotiated agreement will apply to all employees in the bargaining unit, regardless of their union membership status. Thus, contract terms such as workplace conditions, salary, health insurance, pension contributions, pay raises, bonuses, paid time off or sick leave, seniority, tenure, promotions, and any other compensation or benefits from your employer will still apply to you if you decide to refrain from union membership.

It is important to note, though, that unions typically do not allow nonmembers to participate in contract negotiations, or to vote on a proposed contract.

#### III. You have the right to join a union

Nothing about Janus or right-to-work laws prohibit you from voluntarily joining a union.

#### IV. You cannot be required to join a union

Union membership is voluntary, and you cannot be required to join a union as a condition of employment. As a membership organization, a union is allowed to limit membership benefits, such as liability insurance and discount programs, to members only. Many of these benefits and services are also provided by nonunion professional associations such as AAE.

#### Nonmembers cannot be forced to pay dues or fees

Prior to the Janus Supreme Court decision, some states allowed unions to collect a portion of dues, known as "agency fees", from employees that refrained from union membership. Now if a union member decides to leave the union, they cannot be required to pay dues or fees after their membership has ended.

#### VI. You have the right to join a professional association

No union or public employer can forbid a public educator from joining a nonunion professional association such as AAE. Professional association attorneys can provide assistance to members in all states regardless of the state in which the association attorney is located. Some professional associations provide funds for panel attorneys who are local for consultation, hearings, legal defense, and filing lawsuits.

#### VII. You have employment rights regardless of your union membership status

Public educators do not forfeit their right to private counsel to address workplace issues. This includes, but is not limited to, legal support to individually pursue a grievance (without union support), legal action to address wrongful termination, EEOC, FMLA, class action lawsuits, wage and hour claims,

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hostile work environment, harassment in the workplace, bullying claims, assault, battery, emotional distress claims, and more. Some professional associations, such as AAE, provide legal services or funds for private counsel.

The grievance process outlined in a negotiated agreement is limited to issues involving the enforcement and interpretation of the items in the negotiated agreement. The local union has a vested interest and may have an obligation to ensure the terms of the contract are upheld for members and nonmembers. Local unions may attempt to charge nonmembers to use grievance services.

Resolutions cannot circumvent the terms of the negotiated agreement unless those terms are determined to be illegal.

#### VIII. You have the right to a representative at a disciplinary meeting

Weingarten Rights protect an individual employee's right to bring a representative to a disciplinary meeting. This could include a union representative, nonunion association representative, pastor, attorney, colleague, family member, etc. Case law has defended the right of individual employees to bring a representative to a disciplinary meeting and to suspend the disciplinary meeting temporarily to arrange for a representative.

A union asserting that this right is exclusive to union representatives and union members gravely threatens the existence of that right for all. This also limits the right to only those times the employee wants the union representative present and the union agrees to be present, rather than at all disciplinary meetings.

The National Labor Relations Board has ruled both for and against asserting this privilege to workplaces without a union, leaving it inconclusive whether the right would be upheld in a nonunionized setting.

#### IX. The Janus ruling applies to all public employees in unionized workplaces, not just agency-fee

The Janus decision established that public unions can only collect dues from those who affirmatively and clearly consent to membership. All public employees in unionized workplaces can now make a decision about union membership without financial penalty. The Janus decision expanded nonmembership as an option to all public employees. Efforts to characterize Janus as only applying to agency-fee payers are an attempt to discourage awareness and exercising of Janus rights.

#### The Janus ruling does not prohibit unions from offering local-only or contract-only membership categories

The Janus decision does not prohibit any union from offering a local-only membership category to those who would like to belong to a local union but are not interested in membership in the state or national affiliates. Unfortunately, most teacher unions require members to join the local, state, and national affiliates, and pay the subsequent dues, even though there is no obligation to do so and no law or court decision prevents local-only membership. It is up to unions to decide how to structure membership dues and how to limit membership benefits.

Every educator has the right to make an active, informed, and voluntary decision on association membership, and to do so without fear of reprisal. For that reason it is important to familiarize yourself with this Declaration of Education Association Rights (DEAR), and to periodically review them. We also hope that you will share this information with other educators who may be unaware of these rights.

For additional information about your association rights, visit aaeteachers.org and search 'DEAR rights'. If you feel your association rights are being violated, please contact AAE's Legal Services team by calling 800-704-7704.

This article is intended to provide general information and is not intended to offer legal advice about specific situations. If you believe you need legal advice, please contact AAE's Legal Services team by calling 800-704-7704.





The Association of American Educators Foundation 25909 Pala, Suite 330, Mission Viejo, CA 92691-7963

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