

Governor takes aim at education

Strong opposition needed to counter Schwarzenegger's corporate-backed proposals

by Joaquin Rivera & Katharine Harer,
AFT 1493 Co-Presidents



As you may be aware, Governor Schwarzenegger has launched a deadly attack on public education — and on educators. Given that California's per pupil spending is 43rd out of 50 states, the last thing we need is to cut funding to schools, but that is, in effect, what he is proposing. Between 1998-99 and 2003-04, state revenues increased by 30% while the increase for expenditures to K-14 education was 24%. Other programs, including health and human services which Schwarzenegger has pitted against education for a slice of the state funding pie, increased by 44%. Clearly, K-14 education cannot be

blamed for causing the state's current funding crisis. In fact, if you look at the statistics for K-12 education funding from 2001-02-2004-05, public schools have been cut by \$9.8 billion. Education has suffered more reductions than any other state or local program in the golden state. The Governor's latest war cry

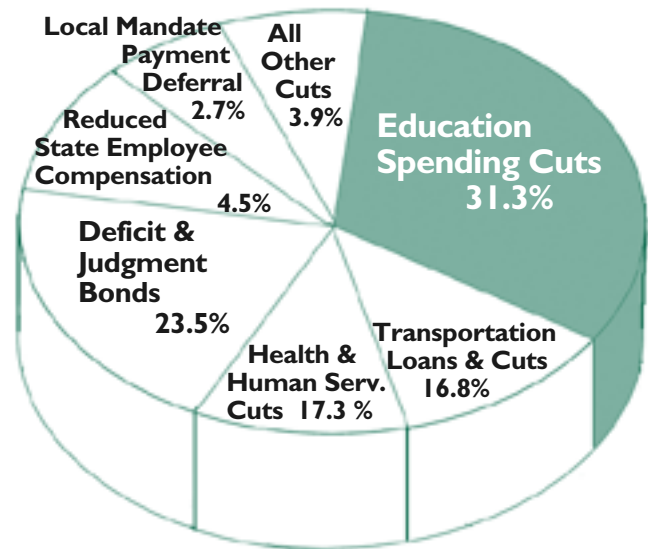
is: *Starve the Monster!* This so-called monster is the public sector. But is that really where the layers of fat in California reside? If this were true, we wouldn't be in 43rd place, just a couple of hundred dollars ahead of Mississippi and Tennessee.

Just so that you see how serious this is for all of us,

we're going to run down the list of actions the Governor has taken and proposals he has advanced, which he threatens to put on the ballot if the legislature can't balance the budget in the next month. He has already begun fundraising for these initiatives, appealing to the anti-

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How does the governor propose to balance the budget?



Percentage of total "solutions"

As we go to press: Talks progress

The union bargaining team spent nine hours in mediation on Friday, February 11, and while some areas are close to settlement, we were not able to reach an agreement with the District on a package that will benefit all faculty groups and that will speak to all of the issues addressed in this round. We've scheduled another mediation session for Friday, February 25th. Due to the strictures of the mediation process, we cannot discuss any details of our discussions. We sincerely hope that we will reach a settlement soon. Remember that any monetary increases that we are able to win will be retroactive to August 2004.

A Case Study

The Faculty's struggle with rising health costs

by Rick Hough,
Skyline Chapter Co-Chair

A few months ago, after reading the September *Advocate*, we all learned about the increases in our medical premiums for 2005. Before and since there have been many stories about how the health care crisis is affecting workers, but this was about *us!* This was *our* money, and we all took notice. By the time you read this article, you will have received your first paycheck in which

this increase has taken effect. To paraphrase what our former President was fond of saying, "I feel our pain."

Of course, the situation is different for everyone. Most employees who are either single or claim only themselves are still paying nothing out of pocket, but even for them paying out of pocket for their benefits may soon be a reality. For everyone else, it already is. To illustrate this in brutal terms, I have

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Presidents' Perspectives

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government, pro-private sector businessmen in the state. The CFT has just begun to work with other groups in the state through the Education Coalition to launch a counter-campaign.

Governor's proposals attacking education & public employees:

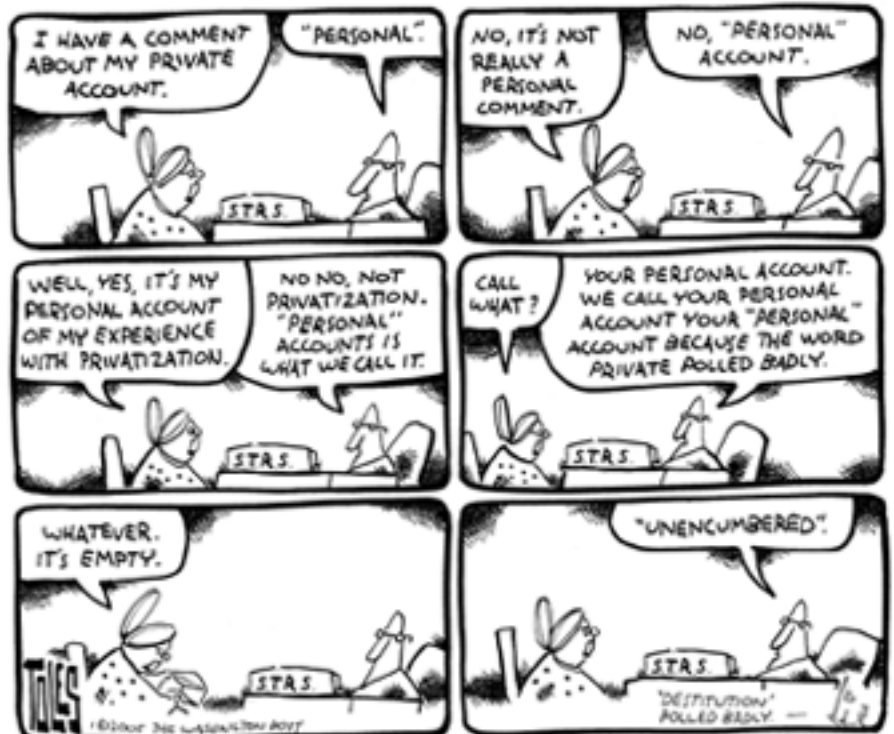
- The suspension of the Proposition 98 Guarantee which, since 1987, has given K-14 education a constitutionally protected portion of the state budget.
- The "broken promise" to education wherein the Governor promised to restore Prop. 98 funding after suspending it last year, and now claims that he isn't able to do so.
- The pulling of \$400 million of state contributions to STRS and proposing that districts pick up the cost.
- The proposal of a different kind of pension system by 2007, where PERS and STRS would change to a defined contribution plan, a 401 (k), which is much riskier than the defined benefit plan we have now.
- The proposal to reduce the spending caps set in 1988-89 with Prop. 98 which will hamstring the state's ability to fund and set up new pro-

grams and will give the Governor more authority to make cuts across the board.

- The repeal of limits on contracting out for non-instructional services which will affect classified staff immediately but is part of a move to de-professionalize services and could impact health, counseling and other certificated services.
- The institution of merit pay for K-12 teachers — referred to by union activists as "punishment pay." (The state university system, by the way, has already begun to apply merit pay.)
- Another proposition similar to Prop. 226 (which was defeated at the polls a few years ago) to stop public employees' organizations from contributing to political candidates.
- Proposals to re-district and reapportion the state — effective for the coming election!

Are we trying to scare you? Yes! This is scary stuff, threatening our monthly paychecks *and* our retirement funds. Salary increases don't come about through magic, rabbits pulled out of hats. As AFT

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cartoon adapted from original by Tom Toles, Washington Post



What is the “Triple Flip”?

District impacted by money juggled from license fee cuts to local governments

by John Kirk,
AFT 1493 Chief Grievance Officer

In all discussions of the district budget these days, the conversation invariably turns to the “Triple Flip” and its various and dire implications.

You ask: “What is the Triple Flip?” Here is the short version.

Flip #1: The governor kept the Vehicle License Fee (VLF) at reduced levels which cut the income of cities and counties. Those local governments were held harmless by the same legislation.

Flip #2: The revenue local governments lost was made up by taking back money that was paid (in our case) to the community college district. Our revenue was reduced by \$10 million—\$4 million in ERAF (Educational Revenue Augmentation Fund) money and \$6 million in property taxes. That \$10 million was used to replace the money local government lost from the reduced VLF.

Flip #3: Trailer legislation was passed to hold harmless school districts which were categorized as self-

supporting or basic aid. That would require the State to make up the \$10 million we had to give back to the county. Theoretically, for us that would be a wash. We give back \$10 million to the county and we get \$10 million from the State.

However, a major complication occurred when the San Mateo County Controller, Tom Heuning (a former member of the SMCCCD Board), interpreted the hold harmless legislation to cover the local governments but not the community college district. In December, he took back the \$10 million from SMCCCD which left the District with a small cash flow problem.

In addition, if we receive \$10 million from the State, then we are no longer a self-supporting district, and this would move us further away from becoming a basic aid district. Furthermore, since property tax revenue and student fees are down statewide, the State defers its obligations to school districts. Translation: instead of us getting the full \$10 million from the State, we would receive approximately \$9.3 million (\$700,000 less).

District awaits Counsel decision

The District has asked County Counsel, Tom Casey, to study all of the above mentioned legislation to determine whether our District should be held harmless. If he decides that we should be held harmless, then a number of possible outcomes emerge.

1. The county could end up paying us the \$700,000 the State deflected us.
2. The county could return the \$6 million in property taxes that they took away from us and the State would then have to make up only \$4 million
3. The county could return the full \$10 million to us from property taxes taken from other county school districts and then receive \$10 million from the State.

The third possibility is remote, but if it occurred, our district might immediately become a basic aid district.

As of this date, the County Counsel has not rendered his opinion.

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Presidents' Perspectives

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negotiators, we know that if even less money comes into the District, we will have a harder time negotiating pay and benefits, as well as other essential monetary issues, when we represent your interests at the bargaining table. But the real victims will be our students, already at the bottom of the heap in terms of the state's commitment to the quality of their education.

What can we do?

What can we do about the Governor's attack on education?

First of all, we must become

informed. Go to our website (AFT1493.org) and follow links to information on state budget matters. Learn about alternative proposals to deal with the state budget deficit, such as reforming commercial property tax laws, reinstating the top income tax brackets on the state's top earners and closing the loopholes in the corporate tax system. (For much more on budget issues, check out the California Budget Project and the California Tax Reform Association websites.)

Sign letters to legislators when they are circulated and/or write your own letters. Visit a local legislator or invite one to your campus and initiate a dialogue about these issues. Consider writing a letter to the editor of

your local newspaper describing how these proposals will affect your classroom and your students' lives. Talk to everyone you know about the issues. Join with other faculty, staff and students to stand up for the rights of education — in Sacramento and on your campus — participating in protests, teach-ins and other actions.

While these proposals are still just that — “proposals” — without a strong public response, many of them could be enacted. However, the Governor likes to be liked. If we are able to mount a strong, united and public opposition to his campaign to decapitate public education, he may back down. That's a big “if”. Get involved — for the good of all of us. □

Faculty's health costs soar

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created a typical faculty family, and will illustrate their situation.

Jo Faculty and her husband Joe have been working in the district for a few years now, she as a full-timer, he part time. She has an M.A. plus 45 units and is at step 7 of the full time schedule, and he too is at step 7 but on the part time scale. Because of the recent cutbacks in classes in his department, he teaches only 3 units per semester, and tries to pick up odd jobs to help make ends meet. After months of trying, three years ago they finally gave birth to little Joe Jr.

This past year, they enrolled in Kaiser because they were trying to keep their expenses at a minimum. The medical cap of \$567 paid most of their \$795 premium, so they paid \$228 out of pocket. Their gross salary was usually around \$6300 per month, and since they haven't started a retirement account yet, their monthly take home was usually around \$4700. Not a whole lot to work with as a family in the greater Bay Area, especially considering they only got paid 10 months out of the year, but they were getting by.

Then they received their January paycheck. Their medical benefit costs went up by \$127 per month (to \$355/mo.)!! They were now paying over one-third more for their medical benefits than in December! Ah, but not to worry. We are still in negotiations. When the settlement is reached, the medical cap will go up. The District proposes we get a raise of COLA + 0.6% which amounts to about 3.01%. This would increase their take home each month by about \$150. In addition, the cap would go up by about \$18, so they would only pay about \$109 per month more for their medical each month rather than \$127 more. So, in summary, after all is said and done and the proposed raise is put through, this family living in the greater Bay Area is going to take home an extra \$41 per month! But, since they can't

afford to live in San Mateo County, they live 50 miles away. 100 miles per day of driving, 5 days per week adds up to 500 miles per week. A 20 cent increase at the pump with a car getting 20 mpg equates to an increase of over \$20 per month in gas expenses alone! Their PG&E bill increases takes care of the another \$20, leaving \$1 for inflation in other areas.

Current District Offer (plus 3% increase in cap)

| The Faculty's | Med Cap | Kaiser Family | Out of Pocket | Take Home |
|--------------------|---------|---------------|---------------|-----------|
| Before 3.01% raise | \$567 | 2004: \$795 | \$228 | \$4,700 |
| After 3.01% raise | \$584 | 2005: \$922 | \$338 | \$4,740 |

The union is proposing an increase in the medical cap to \$925/month—the 2005 Kaiser family rate (on top of a 3.5% salary increase). This would mean the Faculty's would no longer have to lose any of their monthly paycheck to medical costs and a salary increase would actually mean that they would have a real increase in take-home pay! At this time, however, the District and the Union are in mediation and are very far apart on the health benefits issue.

Current Union Proposal

| The Faculty's | Med Cap | Kaiser Family | Out of Pocket | Take Home |
|-------------------|---------|---------------|---------------|-----------|
| Before 3.5% raise | \$567 | 2004: \$795 | \$228 | \$4,700 |
| After 3.5% raise | \$925 | 2005: \$922 | \$0 | \$4,875 |

Since I wasn't counting on the District to agree to pick up the full costs of Mrs. and Mr. Faculty's rapidly-rising medical rates, I joined the task force on health benefits to see if I could learn more and maybe help out. I went to my first meeting late last fall and was depressed to learn two main things. First, since we are as a group quite old, PERS is the best deal going. As bad as it is, without a state or national health care program, it is unlikely that we will find a group to insure us more cheaply. Second, the PERS board is working hard to keep costs down but still projects double digit increases for the next few years. The task force is continuing to pursue other options. What are we going to tell the Faculty's and little Joey if their medical cap increases at only 3% per year while their benefit costs increase by 12% per year?

All hope is not quite lost. As we are all aware, our fight as teachers is the fight of all workers in our country, and the worse things get, the harder we will fight. The Advocate has advocated for Health Care for All in the past, and here is another plug: the healthcareforall.org website has information about single payer health care and ways to get involved (see article, page 7). I will continue to go to task force meetings in the hope that we can come up with ways to ease the pain. □

What's the "Triple Flip"?

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District receives extra \$1.75 million from state

In other budget news, the District was successful in convincing the State Chancellor's Office that our district should be exempt from growth and base revenue deficit factors as long as we continue to be self-supporting (not relying on State funds). As a result, our district received in December a check for \$1,750,000 in one-time money for back revenue for 2001-02, 2002-03, and 2003-04. That money is available for collective bargaining purposes. □

In memoriam: Stuart Cooke

Stuart T. Cooke, emeritus professor of history and humanities, died on January 26, 2005 at the age of 77. He had been a full-time member of the College of San Mateo faculty since 1964 and retired in 1999, after which he did post-retirement teaching for a couple of years. He had been in a nursing care facility for almost two years.

Stuart can best be described as a “character,” with a mercurial personality, whose unpredictability added spice to the experience of teaching at CSM or being a student at CSM. To the retired chair of the English division, Jack Gill, Stuart was “unforgettable” and one of his “more colorful colleagues” in the teaching profession. All who knew him would agree that Stuart possessed and displayed more than occasionally a zany sense of humor. For some students, like E. Wayne Carp, he was a mentor. Carp, now Benson Pro-

holder at the San Francisco Opera, and back in the 1970s he gave lectures for CSM’s community education program on opera. The symphony, the opera and other musical and cultural events provided material for Stuart’s radio show.

Stuart was hired to teach history at CSM by Rudy Lapp, then the chair of the social science division. Stuart had been working on his doctorate in history at University of Denver and had spent years on the road as a representative for Oxford University Press. Before that he was on the staff at Valley Forge Military Academy, where he not only taught English but was an assistant football coach and among his players was the future general Norman Schwarzkopf. As an English instructor at University of Pennsylvania, where he received his master’s in English, Stuart was also a debate coach and among his debaters was the future senior senator from



Stuart Cooke, far left, in a photo from the 1960's, with members of the Opera Club

fessor of History at Pacific Lutheran University near Tacoma, WA, used to spend hours as a CSM student discussing history with Stuart: “He treated me as an equal though he knew so much more than me.” For Carp, Stuart was “a father, a friend, a teacher.”

Stuart will be remembered for his Friday afternoon operatic “concerts” in Building 15, where he kept an office for all the years he was at CSM. Opera was a deep interest for Stuart from adolescence on. He had a program for years on KCSM-FM, “Stuart Cooke on the Cultural Scene,” and, among the guests he interviewed were Ramon Vinay, the Chilean tenor turned baritone; the American baritone Sherill Milnes; dramatic soprano Arlene Saunders; conductors William Steinberg and Kent Nagano, as well as writer Gore Vidal, who provided material for several segments of Stuart’s 5-minute program. Stuart was a season-ticket

Pennsylvania, Arlen Specter. Stuart, whose undergraduate degree was from Lafayette College in Pennsylvania, was a Philadelphian, whose ancestry included a Mayflower passenger and a forebear from County Wicklow in Ireland.

It goes without saying that Stuart was widely read in history and literature. He was an inveterate book collector. His interests extended into art and he developed a keen appreciation for California artists as well as American art of the late 19th Century. These interests in California art informed the humanities course on San Francisco that he and retired CSM math, architecture and engineering professor Robert Smith taught in the 1970s and 1980s.

As it turned out, Stuart was the last president of DART, the group representing the retired faculty of the district.

Stuart leaves behind his wife Mary “Clete” Cooke and their son Tim. □

AFT, Senates oppose District's proposed "Mutual Respect Policy"

As reported in the last issue of the *Advocate*, the District has proposed a new "Mutual Respect Policy" for our District (proposed as District Rules and Regulations policy 2.24). Among other language, the policy included the following statement: "Expression of discourteous, threatening, offensive or abusive conduct or language toward other employees, students or the public visiting any sites within the District is discouraged. Such conduct by employees or students may result in disciplinary action."

After learning about the District's proposed "Mutual Respect Policy", AFT 1493's attorney, Robert Bezemek, sent the union his legal analysis of the proposed new rules. Based on Bezemek's analysis, AFT developed a position (see below), which was presented to the December 6, 2004

and February 7, 2005 meetings of the District Shared Governance Council.

At the end of the December 6 DSGC discussion, all of the constituencies present, including all of the Academic Senates in the District and the AFT, expressed serious concerns about adopting this proposal. All of the speakers from the various constituencies who spoke indicated that the proposed policy was problematic on First Amendment and other grounds.

Nonetheless, at the February 7 DSGC meeting it was agreed to form a small task force with the charge of attempting to create new Mutual Respect Policy language that would address all of the First Amendment and other concerns that had been expressed in the earlier discussions.

AFT 1493 Position:

The District's proposed "Mutual Respect Policy" is unconstitutional and negotiable

The District's proposed mutual respect policy is (1) subject to negotiations and (2) unconstitutional as written.

It has long been clearly established that overbroad and vague policies restricting speech on college campuses, and by faculty, are unconstitutional because they violate the First Amendment.

These policies fail to recognize that speech, which is protected, is often offensive and disruptive, threatening and challenging. Such speech is protected, and if it is protected anywhere, it is protected on a college campus, the "marketplace of ideas."

The District cannot proscribe speech merely because it is discourteous or offensive. In fact, the U.S. Supreme Court has ruled that: "... a function of free speech ... is to invite dispute. It may indeed best serve its high purpose when it induces a condition of unrest, creates dissatisfaction with conditions as they are, or even stirs people to anger. Speech is often provocative and challenging."

Further, the Supreme Court has ruled that because the First Amendment needs "breathing space to survive, gov-

ernment may regulate in the area only with narrow specificity." A law regulating speech is

overbroad if it sweeps within its ambit a substantial amount of protected speech. The Supreme Court has consistently ruled that governmental rules punishing speech or conduct solely on grounds they are unseemly or offensive are unconstitutionally overbroad.

The proposed District policy is a throw back to the speech-restricting policies which have been struck down over the last 50 years. Speech which is discourteous, or "offensive", even "threatening" is protected by the First Amendment. Speech which is disruptive, and thus interferes with work, is often protected. Even expressions of "hatred or contempt" are protected.

Accordingly, AFT protests the proposed "mutual respect" policy as a clear violation of the First Amendment rights of all faculty and staff employed in the District.

Further, AFT will demand negotiations over any proposed policy which may subject faculty to disciplinary action, or regulate speech, particularly this proposed policy.



Raising funds to oppose the war in Iraq

The U.S. Labor Against War (USLAW) organization works within labor movement to raise awareness of military budget issues and to oppose U.S. occupation of Iraq

AFT Local 1493 and its sister local at CCSF, AFT Local 2121, will be co-hosting a house party fundraiser for U.S. Labor Against the War (USLAW) on the evening of Saturday, March 12 in a member's home in San Francisco featuring a full dinner of international cuisine!

The U.S. Labor Against the War (USLAW) organization works within the labor movement to raise awareness of military budget issues and to oppose the U.S. occupation of Iraq. USLAW also works with veterans and military families who are opposed to the war and educates working people in the U.S. about the conditions of workers in Iraq. There are now 16 AFT locals around the country affiliated with USLAW, and there is an AFT caucus within USLAW.

All faculty members interested in attending the USLAW fundraiser should call the AFT office (x6491) for details and directions. We will have a flyer available that we can send you as well.

In an effort to raise money to oppose the war in Iraq, members of AFT Local 1493's Executive Committee have been writing individual checks in the amount of \$25 each. We would also like to extend an invitation to all faculty and staff members in the District who are opposed to the occupation of Iraq to make a contribution to this labor anti-war organization. You can do that on the night of the house party -- and spend some enjoyable time with like-minded colleagues -- or you can send your check in whatever amount to the AFT office at CSM (15-131). Make the check out to AFT Local 1493 with a notation that it is for USLAW. After the fundraiser is held, AFT Local 1493 will write a check to USLAW. For more information on the work of USLAW please visit their website at: uslaboragainstawar.org □



K-12, college, labor and social advocacy educators from the northeast and mid-Atlantic states who have been involved with the USLAW organization have come together to organize a major conference to develop anti-war strategy, analysis, curriculum and organization within the educational community. The **Educators to Stop the War** conference will take place March 6 in New York City.

While travelling across the country is a long trip for a one-day conference, the Educators to Stop the War website--

educatorstostopthewar.org-- has extensive information for teachers who may be interested in exploring pedagogy and intellectual and cultural materials to bring issues related to the war and the anti-war movement into the classroom. Of particular

interest is "Curriculum Resources for Higher Education", an annotated list of websites prepared by David Applebaum (Rowan University). These websites include online syllabi, analytical tools and resources, and online documents and sources for classroom use. □

New California single-payer health plan bill to be introduced

The California Health Insurance Reliability Act, to be introduced this month by Senator Sheila Kuehl, D-Santa Monica, would slash the administrative costs of healthcare and require California to use its purchasing power to negotiate lower prices for prescription drugs by buying them from manufacturers in bulk.

A Boston University Report, "Health Costs Absorb One-Quarter of Economic Growth," indicates about 50% of health care spending is wasted on unnecessary administrative costs and a January study by the Lewin Group, a well-regarded health care consulting firm, finds that a system along the lines of what Kuehl is proposing would reduce health care

spending in California by \$8 billion next year alone.

It will be Kuehl's third attempt at getting a universal-care bill through the Legislature. But this time things are a little different. Disenchantment with the existing health care system continues to grow among both ordinary people and businesses saddled with skyrocketing insurance premiums.

Kuehl acknowledged that almost as soon as she introduces her legislation this month, the insurance and drug industries will unleash all their political firepower to protect their interests. "When they do, I plan to raise questions about the obscene profits these companies are making," Kuehl said. "I love a good fight."

District enrollment slips Why not offer more sections?

Here is the latest Spring 2005 enrollment data as of February 4, 2005:

At Cañada:

Day enrollment is up +0.6%
Evening enrollment is up +8.6%
Total enrollment is up +3.8%

At CSM:

Day enrollment is down -2.0%
Evening enrollment is down -6.2%
Total enrollment is down -3.6%

At Skyline:

Day enrollment is down -2.3%
Evening enrollment is up +1.2%
Total enrollment is down -0.8%

District totals:

Day enrollment is down -1.5%
Evening enrollment is down -0.1%
Total enrollment is down -1.0%

It is important to note that the 2004 data reflects the fact that students were dropped for nonpayment

of fees, while the 2005 data reflects the new policy of not dropping students for nonpayment of fees. Thus, the current enrollment data could be interpreted as being inflated when compared with last year. Final census figures will be available in a few weeks.

So the important question remains: how many new class sections were offered this semester? If the classes that students need aren't offered here, then the students will obviously go elsewhere. Is that what is now happening in the District?

CFT Convention to be held March 18 - 20 in Southern Cal.

The 63rd Convention of the California Federation of Teachers will be held in the Manhattan Beach Marriott Hotel from Friday, March 18, 2005 through Sunday, March 20.

The annual CFT Convention is the highest policy-making body of the Federation. The Union's vitality and democracy depend upon participation in the Convention by delegates from all locals in good standing representing all the divisions—classified, community college, early childhood, K-12, adult education and university—of the CFT.

Delegates will decide important resolutions and constitutional amendments and elect CFT officers. Delegates from AFT Local 1493 have already been elected, but if you are interested in attending this CFT Convention as an observer please call the AFT office.

Come check out an AFT meeting at a college near you

The schedule for Executive Committee/General Membership meetings for the rest of the Spring semester is shown below. These meetings are open to all AFT 1493 members and we encourage all members to attend.

**At Skyline: Wednesday, February 23,
2:15 p.m. in Building 5, Room 5131**

**At CSM: Wednesday, March 30
2:15 p.m. in the Gallery Room, in Building 5**

**At Cañada College: Wednesday, April 27
2:15 p.m. in Building 22, Room 109**

**At Skyline College: Wednesday, May 18
2:15 p.m. in Building 5, Room 5131**

Attention Retirees: District Association Of Retired Teachers to meet in May Please contact us if you can attend

As the farewell article on Stuart Cooke (see page 5) mentions, Stuart Cooke was the last President of the District Association of Retired Teachers (DART). This group of retirees in the District has been inactive over the last few years. But clearly now is the appropriate time to resuscitate the organization, given all of the proposals now being advanced by the Governor and others that represent a serious attack on future retirees' STRS pensions and health care benefits. To that

end, a meeting of DART is now being planned for sometime in May, before the end of the Spring semester. Because all current DART members receive each issue of *The Advocate*, we would like to ask all DART members reading this to please contact the AFT office (650-574-6491 or Kaplan@smccd.net) to let us know of your interest and availability to attend the next meeting of the DART chapter. Come and reconnect with former colleagues and friends. Refreshments will be served.