# Teacher group head endorses educational bill of rights

ANNAPOLIS, MD. — State and local officials were cautioned recently about recent court decisions concerning educational financing.

William E. Adams, president of the Public School Teachers Association, told a legislative dinner that lawmakers should keep a watchful eye on judicial rulings banning property taxes as a source of school funds.

The head of the National Educational Association affiliate also called for more state and federal money for schools, saying that Baltimore taxpayers would not be overburdened if the upper government levels shared costs with local units.

Adams also strongly endorsed NEA's Teachers' Bill of Rights.

That proposal would guarantee teachers the civil and political rights of other citizens and spell out their privileges as professionals, employes and organization members.

In the professional category, the teacher shall "be free from coercion, tion or repression except when his conduct violates accepted standards or professional ethics and competence."

Advise the public of his judgement on educational matters; teach in a system financially able to provide quality education for all.

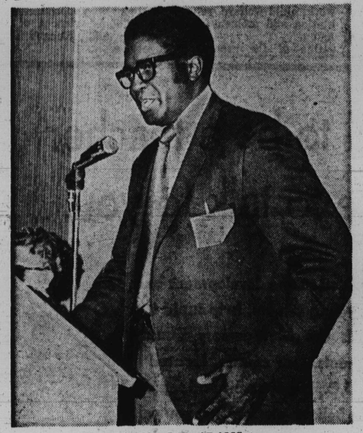
Make an effective contribution to the solution of professional problems, including participation in the research, development and adoption of new courses, textbooks, teaching aids and methods of instruction.

Use any reasonable means to maintain discipline; Exclude a student when his behavior seriously disrupts the learning process; use any reasonable force to protect his health and safety or that of others;

Refuse his services under terms or conditions which impair the full and free exercise of his judgment or harm the learning process, the health or Welfare of his students.

As an employee, the teacher should have the right to fair and equitable procedures to seek redress for adverse treatment including the right to:

An open hearing before an impartial tribunal; written charges and specifications before the hearing; sworn testimony by witnesses, the right of cross-examination and presentation of defense witnesses and evidence.



WILLIAM E. ADAMS


**ABILITY AND TALENT COUNT**

**in the**

**FAIRFAX COUNTY PUBLIC SCHOOLS**

Suburban Washington, D.C.
10700 Page Avenue
Fairfax, Virginia 22030

S. John Davis, Division Superintendent

**AN EXCITING PLACE TO TEACH**

- comprehensive program for all students of all abilities
- non-graded primary
- pilot programs and experimentation encouraged
- pupil motivation high
- advancement possibilities related to a yearly need for 1,000 new teachers and administrators.
- new schools open annually for 3,000 additional enrollment
- salary range $7,350 - $13,143 BA $7,750-$16,400 MA (1971-72)
- excellent fringe benefits
- unlimited cultural and recreational opportunities


## Funds sought for jailed teachers

NEWARK, N.J. — A number of the Newark teachers who have been sentenced to jail have families and children at home. Frank Fiorito, for example, who has a three-month sentence, is the father of a 22-month-old baby. Many of those jailed have been the sole support of their families.

To help the families survive, a special funds has been set up. Contributions are needed, and may be sent to the Jailed Teachers' Families Relief Fund, 804 Clinton Ave., Newark, N.J. 07108.

BALTIMORE

# P S T A

**The Public School Teachers Association (PSTA) is the only independent, locally autonomous, professional teacher association in the City of Baltimore. It serves the City, through the leadership of teachers themselves, to improve educational opportunities for pupils and conditions and benefits for teachers.**

**The adjectives we use to describe and distinguish PSTA from any other group puporting to represent the teachers of the City of Baltimore are important. They spell the difference between leadership and subserviene: between locally originated and maintained direction and outside control; between teaching as a profession and just anotner job.**

**WILLIAM E. ADAMS, President of the Public School Teachers Association of Baltimore, greets new teachers to the Baltimore Public School System.**

PUBLIC SCHOOL TEACHERS ASSOCIATION

- **SALARY** Works for the best salary scale in the state through pressures on local, state and national government representatives.
- **HEALTH BENEFITS** Works for complete 365 day coverage by the city under Blue Cross - Blue Shield. Obtained most nominal Horace Mann Major Medical.
- **LEAVE POLICIES** Secured two additional days of personal leave in 1967-68.
- **LEGISLATION** Works directly with government representatives on local, state and national levels to secure passage of favorable educational legislation.
- **CITIZENSHIP** Works for the election to public office of teachers and of others favorable to education.
- **RETIREMENT** Keeps teachers posted on issues effecting both the city and state retirement systems. Has twice been responsible for actual monetary increases in retirement benefits to teachers at no additional cost to teachers, by seeing to it that a higher interest yield was allowed on investment funds.
- **INSURANCE** Offers income protection at reduced rates to its members through one of the most respected of insurance companies, Continental Casualty —PSTA - MSTA members now covered by $200,000 liability insurance.
- **BUYING PRIVILEGES** Provides special purchasing privileges to members.
- **COUNSEL** Retain legal counsel, and provides counsel to individual members regarding professional problems.
- **PARKING** Has secured parking for teachers at ten schools . . . and is constantly on the job to make further improvements.
- **SOCIAL** Offers a variety of social activities including New York Trip, Hawaiian Carnival, trips abroad, dances, theatre parties, golf tournament, ski trips, dinners and parties.
- **HEADQUARTERS** Houses offices, committees, social gatherings— 106 E. Chase Street.
- **PUBLIC RELATIONS** Presents an active professional image before the public through public news media. Represents its members in the interest of better education before the city Council, Board of estimates, and other public agencies. Works to improve human relation in Baltimore.
- **LEADERSHIP** Provides leadership training and opportunities through over 22 committees, 88 General Assembly, workshops, legislation, leadership training institute and social activities.
- **PUBLICATIONS** Publishes the Newsletter monthly. Issues special bulletins as needed. Invites teachers and others interested in the current problems of education to speak out in our new professional quarterly, AQUARIUS.
- **CURRICULUM AND INSTRUCTIONS** Works through committees, publications and individual members for the improvement of curriculum and instructions.

**OFFICERS**

| | |
|---|---|
| William E Adams | President |
| Mrs. Dorothy M. Carter | First Vice-President |
| James E. Wall | Second Vice-President |
| Mr. Frank Mantal | Secretary |
| Miss Joan Hashagen | Treasurer |

**TRUSTEES**

| | |
|---|---|
| Karl Boone | Elementry |
| Sandra Sales | Elementary |
| Oscar Jones | Elementary |
| Ann Kirby | Secondary |
| Robert Sellars | Secondary |
| Russell Stewart | Secondary |
| Nathaniel H. Heff | Field Staff |

106 East Chase Street
Public School Teachers Association
Baltimore, Maryland 21202
539-2505

**PSTA Is Professional • PSTA Is Dependent • PSTA Is Autonomous**

**OUR CONCERN IS EDUCATION**



# 5 Teachers Challenge Maternity Bias

Five tenured educators brought suit against the Alabama school system recently charging that they were denied the right to teach because they exercised their right to bear children.

The precedential case, filed this month in the U.S. District Court for the Middle District of Alabama in Montgomery, is financially supported by the National Education Association's DuShane Emergency Fund, which was established to protect the civil, human and professional rights of educators.

Discrimination against women — who comprise nearly 70 per cent of the teaching profession — is not new, and the insidious discrimination against pregnant educators is particularly rampant in the nation's school systems which generally require that women remove themselves from the classroom before their fifth month of pregnancy.

Court cases have been won, appealed, and are currently being heatedly debated on this issue.

The uniqueness of this particular Alabama case is that all five educators are tenured . . . that is to say that all five have taught in the Alabama school system long enough to prove their teaching proficiency to the satisfaction of their school administrators and boards of education . . . yet all five have been refused reinstatement following the birth of their children.

Filing the class action against the state superintendent of schools, five superintendents of Boards of Education, and 24 members of those boards, are: Mrs. Julia C. Ford; Mrs. Mary Ellen Calhoun; Mrs. Mattie S. Coleman; Mrs. Uella B. Gooden; and Mrs. Sallie A. Swain.

Their suit is filed "on their own behalf, and for all other women similarly situated." In the case of Alabama this means 30,000 women out of a total 40,000 public school teachers.

The five women, certified to teach in Alabama, and having earned tenure, all notified their school superintendents of their pregnancy, requested leaves of absence, and indicated intention of returning to their profession after the birth of their babies.

None was given a hearing before their school boards, none was given a written reason for their termination, and all were fired following their disclosure of pregnancy.

One teacher, Mrs. Coleman, was re-employed during the school terms 1968-1970, then fired, Mrs. Gooden was allowed to teach for two months before being dismissed, and Mrs. Calhoun's contract was abruptly cancelled following a brief illness.

The Alabama five are charging that their First, Third, Fourth, Fifth, Ninth and Fourteenth constitutional amendment rights have been violated, including their right of privacy.

They accuse the Alabama school system of violating its own Teacher Tenure Law for dismissing a tenured teacher, and charged that they have violated the rights of equal protection, due process, academic freedom and privacy. The latter is based on the premise that their dismissal due to pregnancy "interfere with the right of husband and wife to have children and has a chilling effect on the exercise of rights inherent in the marital status," according to the brief.

In addition, "the First Amendment right to religious freedom is infringed by said policy on those cases where a woman's religion forbids her to use contraceptives or to have an abortion."

The suit has been filed against the superintendents and boards of education of Phenix City, Gadsden City, Chilton County, Hale County, and Talladega County.

Generally speaking, most school systems require termination of employment at about the fifth month of pregnancy. Some boards require resignations, others require leaves of absense.

"There is no uniform policy as to whether a tenured teacher whose employment is terminated by reason of maternity will retain her tenure status upon resumption of her teaching duties," the brief notes.

Three sections of the Code of Alabama dealing with cancellation of a teacher's contract state that the teacher must be guilty of "incompetency, insubordination, neglect of duty, immorality, justifiable decease in the number of teaching positions, or other good and just cause."

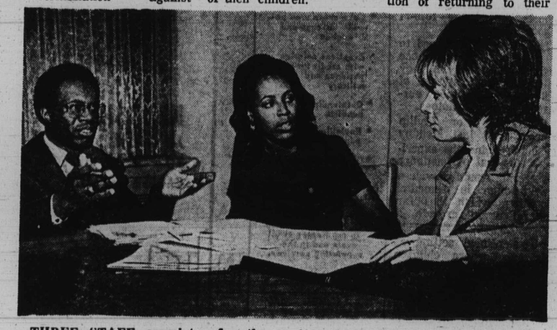
No mention is made of maternity, nor could maternity be considered a "good and just cause."

The code further states that written notice must be given and the hearing before the Board must be afforded, which procedure was not followed in the case of the Alabama five. The Alabama Code further provides for granting a teacher a leave of absence for a period of one year for good cause . . . such leave having been granted for purposes of study or military service.

Since none of the teachers has been charged with incompetency, insubordination, neglect of duty or immorality, only "justifiable decrease in the number of teaching positions" remains as a possible justification, for cancelling of their contracts.

At least two of the Alabama five charge that other teachers have been employed at their school systems since their dismissal.

"Failing and refusing to grant a leave of absense upon request for reasons of maternity is a discrimination based on sex in violation of the constitutionally protected rights of the teacher," the brief contends.



**THREE STAFF associates for the NEA's DuShane Emergency Fund Division study some of the thousands of petitions for legal assistance that pour into the NEA headquarters each month. From left to right, Warren Cruise, Carolya O'Neal, and Charlotte B. Hallam.**

# Supreme Court to hear 2 NEA-supported cases

The U.S. Supreme Court will hear two landmark cases supported by the NEA DuShane Fund concerning the rights of nontenured teachers. In both cases defendant college trustees have appealed rulings wich are favorable to the educator.

In October, the high court agreed to review the Roth case; in June, it had agreed to review the Sindermann case. NEA will file briefs supporting the teachers.

In **Roth**, the Seventh Circuit's order prohibits state university boards of regents from nonrenewing a faculty member without basis in fact. The Court required the trustees to supply Roth with a written statement of reasons for heir decision not to renew his contract and a hearing.

David E. Roth, a former political science instructor at Wisconsin State University (Oshkosh), was not renewed after his one year on the faculty

Roth, who had made critical remarks about the administration following a campus disturbance, alleged that the trustees' decision not to retain him was in reprisal for his exercise of constitutionally protected freedom of expression and that he was entitled to a hearing.

In **Sindermann**, the Fifth Circuit ruled that when a nonteured teacher has "an expectancy of reemployment," the school board must provide a fair and important hearing.

If a teacher believes that he can show that his nonrenewal is punishment for his exercise of constitutional rights, he is also entitled to a hearing, including the right to cross-examine witnesses produced by the opposition.

Robert Sindermann, a social science instructor at Odessa Junior College (Texas), alleged that his teaching contract was not renewed solely because he exercised First Amendment rights of association, expression, and petition.

As president of the Texas Junior College Teachers Association, he had testified before a state legislative committee on matters relating to tenure and academic freedom. He had also advocated elevation of the college to four-year status.

The Supreme Court has not yet decided whether to review the case of Thomas Orr, a nontenured Columbus, Ohio, high school teacher.

Orr appealed a decision by the Sixth Circuit Court of Appeals reversing a favorable lower court ruling ordering the school board to provide a written statement of reasons, adequate notice of a hearing, and a hearing at which a teacher may submit evidence to refute the charges against him.

The Court's decisions sometime during its current term in the **Roth** and **Sindermann** cases can have significant effects on teacher rights.

# 'School without walls' coming to Bethlehem

BETHLEHEM, Pa. — The newest look in education will make its appearance in Bethlehem next autumn when four new "open concept" elementary schools will go into operation.

Utilizing the latest developments in facilities and technology, these "schools without walls" permit the utmost flexibility in operation. Large open spaces house several classes, enabling teachers to develop inter-class grouping and team teaching without the limitations imposed by conventional "egg-crating."

A central core of common facilities, such as library and stage, serve all groups.

The Bethlehem Area District's willingness to innovate is evident in its decision to build four of these "open concept" schools at one clip. Two are brand new buildings, while two are being erected around totally-remodeled older structures. The four will serve a pupil population of about 2,300, about one-quarter of the total elementary population.

• • •

Very much aware of the need for a trained staff to make the best use of the new facilities, the district embarked upon preparations for the new schools last spring. The "open concept" idea was explained to interested staff members, after which applicants for the new schools were accepted on a voluntary basis.

Things got moving during the summer, when a week-long seminar was held for the nearly 80 volunteers. Dr. Robert L. Canady of the University of Virgini served as consultant.

The "open concept" teachers were grouped into four schools this year so that they could begin to phase their new ideas and techniques into their classrooms to as great an extent as is possible in conventional building.

In addition, their monthly faculty meetings — Bethlehem schools are dismissed early on the first Monday of each month to permit in-service sessions — are devoted to "open concept" discussions and workshop.

Work begun during the summer seminar is continuing throughout the year in a series of six Saturday morning workshops under Dr. Canady. He also visits in the schools to observe, consult and advise for two days prior to each workshop.

• • •

The in-service program, totalling 48 contact hours, has been approved by the Pennsylvania Department of Education for those participants requiring credit toward certification.

In addition, Lehigh University has announced that participants who are or who become Lehigh graduate students may be given three graduate credits for taking the course. According to Dr. John Stoops, dean of Lehigh's School of Education, the course "is equivalent and in some respects similar to workshops offered for graduate credit by professional schools of education."

The course will conclude with a five hour evaluation and planning workshop in June. Plans are already under consideration for another workshop during the summer in which both old and new staff members would be given additional training in "open concept" techniques.

## S. U. professor named to panel

BATON ROUGE, La. — Dr. Edward S. Jenkins, professor of Education at Southern University, has been appointed a member of the Student Programs Committee, National Science Teachers Association (NSTA), for 1971-72.

Dr. Jenkins is currently on leave participating in an internship program of the Administration of Higher Education at Miami University in Oxford, Ohio.

This committee serves in an advisory capacity to all NSTA student programs.

The NSTA is the world's largest organization dedicated to science education at elementary, secondary, and collegiate levels. In 1971 the Association celebrated its 27th anniversary as a professional organization.

Members and subscribers of NSTA include over 45,000 science teachers, professors, supervisors and consultants in business, government and education.