

UPDATE

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Week of November 7, 2011

STULL ACT LAWSUIT

On Tuesday, November 1, 2011, a Century City law firm, **Barnes & Thornberg**, filed a petition in Los Angeles Superior Court on behalf of alleged minor students, parents and taxpayers within LAUSD, contending that the District has failed to comply with the Stull Act in administrator and teacher evaluations. The petition claims that the recently approved AALA collective bargaining agreement, Phase II of the Educator Growth and Development Program, 2011-2012 (the pilot program on evaluation), and the pending UTLA collective bargaining agreement violate or will violate the Stull Act by preventing LAUSD and its superintendent from complying with the Stull Act.

The respondents in the case are AALA, LAUSD, **Superintendent John Deasy**, LAUSD Board of Education members, UTLA and the California Public Employment Relations Board (PERB). The case is assigned to **Judge James Chalfant**, who held a first hearing this past Tuesday and denied the petitioners' request for a temporary restraining order or injunctive relief. Thus, there is no immediate effect on AALA's collective bargaining agreement or the pilot program on evaluation. Both agreements remain in full force.

Representatives of all the respondents appeared in court to oppose the matter. The judge set a trial-setting conference for November 21, 2011. At that time a briefing schedule will be set, leading to a hearing in about four months on the merits. The judge did not express any opinion on Tuesday on the merits of the petition.

According to columnist **Howard Blume** in the *Los Angeles Times* (November 1, 2011, pp. AA1 and AA4), "The lawsuit was drafted in consultation with EdVoice, a Sacramento-based group. Its board includes arts and education philanthropist **Eli Broad**, former ambassador **Frank Baxter** and healthcare company executive **Richard Merkin**." In his concluding sentence in a related article on Wednesday, November 2, 2011 (Page AA3), Howard Blume states, "Deasy has said the district intends to comply with the Stull Act."

AALA wonders who is funding this lawsuit. We question its timing and are curious about the players involved. We would like the Superintendent to clarify the intent of his comment cited above. We will continue to keep AALA members advised of the developments in this litigation via *Update*.

PRESERVATION OF APEIS POSITIONS

*ALA has received phone calls and e-mail messages from concerned APEISs who have heard rumors that the District was going to eliminate the APEIS position. We contacted **Sharyn Howell**, Executive Director, Division of Special Education, to determine if there is any truth to the rumors. Following is her response:*

Dear Dr. Perez:

You brought to my attention a concern raised by some of your members that the position of Assistant Principal, Elementary Instructional Specialist, is being eliminated in the 2012-2013 school year. No such action has been undertaken with regard to this position. The Elementary School Instructional Specialist (EIS) position was created through the Consent Decree and cannot be eliminated without negotiations with the Plaintiffs and the approval of the court-appointed Independent Monitor.

The intent of the position was to assist the elementary school principal in meeting the principal's special education compliance obligations as outlined in the Consent Decree. The Consent Decree clearly stated that the position "shall not be assigned additional duties that do not involve special education services and supports." This intent remains in place. The nature of the assignment changed in 2008-2009 when through the required process it became an itinerant assignment and the number of positions was reduced from 400 to 200.

Please assure your members that no discussions have taken place regarding eliminating this position and that the District remains committed to supporting Principals and Assistant Principals, Elementary Instructional Specialists, in their important work of providing quality programs and services for students with disabilities.

Sincerely,

Sharyn Howell, Executive Director
Division of Special Education

ALA thanks Ms. Howell for her letter. We also appreciate those members who brought the rumors to our attention. Ms. Howell's comments should dispel them. If members continue to hear rumors, feel free to quote Ms. Howell and contact ALA.

HEALTH BENEFITS FAQ

Topic: Just in Time for Open Enrollment: Benefit Administration's New, User-Friendly Website

How do I access the new website?

The web address is exactly the same, <http://benefits.lausd.net>

What's different about the website?

First of all, it's simple and easy to navigate. You just identify information you need. In the middle of the web page, you can click on *Active Employee, Planning to Retire, Retiree, Plans and Providers, or Wellness*. Along the top right, you can access important information, such as *Home, Contact Information, Publications and Forms, FAQ's* and a *Glossary*. Each click directs you to information that is easy to understand.

Is it easy to find the Open Enrollment portal?

Yes! Because the web page is simple and uncluttered, you can readily find Open Enrollment on the home page and access it, by web or by phone. If you've explored the website and navigated away from the home page, simply click on *Home* at the top of the page and you'll get back to it. Remember that Open Enrollment takes place between November 1 and November 20, 2011.

Can I skip the internet and change my plan options by phone?

You don't have to use the website to make changes. You can use the District's automated telephone enrollment system (IVR) at 800.527.1482. During the Open Enrollment period, you can call and make as many changes as you wish. A record of your most recent change by phone will be available on the Open Enrollment website.

What if I don't want to make any changes in my medical, dental or vision plans for 2012?

If you plan to retain the same plans as 2011, then you don't have to do anything. Remember, though, to check your enrollment letter and all information to make sure everything is correct.

What are some important considerations during Open Enrollment?

- **Your home address** – Make sure the District has your current address.
- **Your disabled child** – S/he must be enrolled prior to age 19, or be enrolled as a full-time student prior to the disabling condition. Your medical plan must certify the disability. Disabled children who meet enrollment qualifications and certification will qualify for continued medical benefits beyond age 26.
- **Dependent to age 26** –
 - Covered to age 25 only, with student verification, for these plans—*Kaiser Senior Advantage, Health Net's Seniority Plus, UnitedHealthcare® Group Medicare Advantage HMO (formerly known as SecureHorizons)* and out-of-state Kaiser HMO plans.
 - Fully covered to age 26 under the Anthem EPO plans for both active employees and retirees.
- **No UCLA and Cedars coverage available** for retirees age 65 and over in Health Net's Seniority Plus plan.
- **FSA** – You need to apply each year. To cover yourself and your dependents for out-of-pocket medical and prescription expenses, enroll in the **Health Care FSA**. Please note that the *Dependent Care FSA* only qualifies to cover childcare expenses.

For other information related to your health benefits, visit the Benefits Administration website at <http://benefits.lausd.net>.

AALA FALL ALUMNI LUNCHEON

The AALA Fall Alumni Luncheon was held at The Center at Cathedral Plaza on Wednesday, October 26, with approximately 100 people in attendance. After enjoying a delicious buffet lunch while reconnecting with friends and colleagues and catching up on the latest news, the Alumni heard **Jackie Goldberg**, former member of the LAUSD Board of Education, Los Angeles City Council and California State Assembly, share her thoughts regarding the current education scene. Through her comments, one could feel her passion for public education and continued commitment to seeing that it is preserved. (See the article below.)

In addition to the featured speaker, AALA President **Dr. Judith Perez** provided an update on AALA activities and introduced and thanked the luncheon sponsors: Lakeshore Learning Materials, **Anita Ruiz**, and The Academic Advantage, **Mark** and **Michael Berookim**. She also introduced **Sid Thompson**, **Dr. Richard Cooper**, **Phil Jordan**, and **Dr. Angie Stockwell**, former superintendents, and **Vickie Castro**, **David Tokofsky**, along with **Jackie Goldberg**, former Board members, who were in attendance. The luncheon concluded with **Jack Moscowitz's** "In Memoriam" presentation honoring the past year's deceased members. From all comments heard, everyone had an enjoyable time and look forward to the Spring Luncheon in April 2012.

WHAT DO CALIFORNIA STATISTICS TELL US?

During her comments at the Alumni Luncheon, Jackie Goldberg spoke passionately about the impact of California's financial crisis on public education and on the lives of families and children in our state. Following are some of the statistics she cited.

- More than 23% of California residents are unemployed.
- California is ranked #2 nationally in foreclosed homes.
- Over 2 million children (34%) live in poverty.
- In 2009, over 5.6 million residents (15.3%) had incomes below the poverty line. That year the line was drawn at \$21,756 for a family of four.
- Over 42% of those under 65 had no health coverage in 2009.
- In 2011, about \$12.5 billion in cuts were made to medical, education and social services.

Despite the above facts, California is the eighth largest economy in the world, is home to 53 of the country's largest corporations and at least 88 billionaires with an estimated total wealth of \$318 billion. In 2011, the total profit for the top ten largest corporations in California was \$97 billion. California's oil companies pump 230 million barrels of oil every day and yet pay no tax on that oil—unlike Texas and Alaska. In fact, there is no other oil-producing state with no tax on it.

In California, K-12 education is in crisis, as the following figures attest:

- In 2011-2012, we are spending \$7,700 per student, which ranks us 47th nationally.
- California is 46th in students per administrator.
- California is 49th in class size.
- Our teachers have 85% more students than the national average.
- The State is 51st in all of the following:
 - Students per instructional aide
 - Students per librarian
 - Students per guidance counselor.

To get California to the national average would take \$16.8 billion.

AALA's Questions: What do these statistics tell us about the importance of public education in California? What do they tell us about the priorities of California's wealthiest 1% and our resident billionaires?

ADMINISTRATORS' WORKLOAD, Part 7

Tipping My Hat to the Budget Cuts

ALA wishes to thank Alfee Enciso for writing about his recent experiences as a secondary AP.

After using my “A” key to scrounge up an ice pack from our part-time school nurse’s office and then wrapping it with duct tape onto a 7th grade boys’ ankle, my epiphany hits me: I’m supposed to be an Assistant Principal, but on most days, my job description is nowhere near the canvas of my day’s work.

On the same day of playing nurse to the three injured boys, I also don several other hats. During first period, I do a demonstration lesson on writing a memoir for an 8th grade English class because the budget cuts eliminated our much-needed literacy coach to support our struggling teachers. So, I assume that much-needed position on campus.

Walking back from that successful coaching session, I put on my dean’s cap because, well, that position was cut as well. After hauling in four students for fighting on campus, calling their parents, writing up the reports, and issuing suspensions—all the work of a dean—I quickly hightail it out of my office to our school’s blacktop to handle security during Nutrition, something I must do four times a day (before and after school, lunch and nutrition) because our security guards, all two of them, are ill equipped to monitor 1550 students on a six acre middle school campus.

After Nutrition, I leap up two flights of steps to the school’s computer lab in our main building to assess the row of faulty computers holding back a dozen students from learning about the APEX math program. Since I’ve no technology background, and our school’s budget doesn’t include an IT coordinator, I have to think quickly. Okay. Go down and substitute teach for the displaced Tech coordinator who now teaches 6th grade English Learners. Because he’s struggling so much in his new position, he gladly accepts my offer and leaves me with his minions.

In the midst of guiding his students through a 20-minute reading lesson, my Good Samaritan teacher returns with uplifting news; he put in a call downtown and the computers will be fixed by the end of the week. I celebrate with a quick snack of cashews and a small Gala apple just before the bell rings both ending fourth period and beginning the longest juncture of student freedom.

During our school’s half hour of lunch, I’m called “The trash picker” by our students because the staff of 12 custodians last year was axed to six for both the day and night crew. Armed with a 20 dollar “Pistol Grip Style Pinching Pick Up Tool” I purchased at Home Depot, I fill up two bags of trash a day during my campus rounds; but even better, our students have gotten into the habit (they better!) of placing their discarded wrappers and cans into the trash bins because of my zealous vigilance and modeling of cleanliness on the blacktop. A testament to being an administrative custodian is the notable absence of nature’s trash scavengers, the dreaded horde of seagulls that mar the landscape of most LAUSD campuses; so far, so clean, and not one report of a bird dropping on a student yet.

When I finally make it back to my office, I notice the stack of requests by the English department to use the library, a room no longer filled with children or a librarian. Since our District’s priorities on literacy seemed to have shifted, I decide to move as well. I change the language and loop holes to get books into our students’ hands by deeming the formerly known as library building to “Media Center” so I can skirt union and district rules on

ADMINISTRATORS' WORKLOAD, Part 7 (Continued)

supplanting librarians with T.A.'s and parent volunteers. Hoping it will run itself like the computer lab, I teach several of our English instructors how to check out books on the outdated book-tracking system. I do this all the while aware that my principal may immediately nix my plan or that UTLA will get a call about the "new" building on our campus and stop the presses of reading; still the alternative, makes me go with my instincts and bold Sophie's Choice of literacy.

During 6th period, I put on my counseling hat for two separate sessions; one for a lonely girl whose mom left her to start a new family in another state, and another for an 8th grader who was abducted for a week during the summer. Normally, I wouldn't touch this job because of its emotional rigor, but the school psychologist who works for two schools is not on campus and the security guards puppy dog eyes pleading "please, take them" wins me over.

So I sit in my office, door ajar, and offer hot chocolate and muffins to my two ladies who are having a bad day. While the chocolate may soothe, and the muffins may fill, it doesn't give either what they need. I'm at a loss until the bell rings, and my two "patients" run off into the miasma of dysfunction that serves as their neighborhood.

After a week of these days, I sleep in on Saturday but my slumber is interrupted with another epiphany, this one by my wife who is up on the bed next to me, laptop open to a new site she's discovered.

"Honey, I think you have ADHD..."

I can't help but laugh at her discovery and wonder if she's seen me at work. On second thought, I realize she's probably right, but I don't have time to "go deep" as she insists I do. And besides, I've already put on my tennis cap, a hat I must wear for myself. I need the therapy of backhands and forehands and the baptism that comes with the exhaustion of competition; I also need to forget about the tennis ball I've become and the safety net we will all regret losing.

AALA BARGAINING BULLETIN

Classified Administrator Bargaining Committee Election Results

AALA congratulates the following four classified administrators who were elected by their colleagues to serve as members of the AALA Classified Bargaining Committee:

Ken Devine, Complex Project Manager
John Gilbert, Chief Construction Inspector
Steven Johnson, Complex Project Manager
Richard Laret, Deputy Chief Building Construction Inspector

The following three will be alternates:

Michael Hitchcock, Telecommunications Specialist
Don Kinkade, Resident Construction Engineer
Larry Turgeon, Truck Operations Manager

The election took place online from October 29 through November 2, 2011. AALA Classified Administrators are being surveyed to determine their priorities for collective bargaining.

JOIN PTA. IF NOT NOW, WHEN?

AALA thanks **Scott Folsom**, PTA leader in LAUSD and a member of the California State PTA Board of Managers, for sharing his views.

Last week a member of the British House of Commons stood up in the chamber and made one of the shortest speeches in the history of that institution.

"If not now, when?"

And then the right honorable gentleman sat down.

I am writing today as a guest in the AALA weekly *Update* on the subject of PTA – and I'm incapable of being that brief or succinct. I'm asking you as administrators to join PTA. To entreat you as school leaders to encourage teachers and parents to join and support PTA. And if your school doesn't have a PTA or a PTSA* to contact me and together we can begin to start one.

"If not at your school, where?" "And if not now, when?"

We in public education – *we few, we proud, we engaged*, – are fixed on Parent Involvement & Family and Community Engagement. Our shared purpose is not just to improve student achievement and drive up test scores—but to educate children to be the best they can be: Life-long learners; good, healthy, smart, productive, moral and ethical—but *not necessarily standardized*—citizens. We are not driven by data or PowerPoint bullets or goals or measurable outcomes or slogans. We are not looking for scapegoats; we neither expect miracles nor are we waiting for Superman.

PTA started over a century ago... and has accomplished much: Free Kindergarten, Child Labor Laws, the Juvenile Justice System and the School Lunch Program. Polio Vaccinations in Schools. Seat Belt Laws.

What have we done lately? In this past year: Anti-Bullying Education and Student LBGT Rights and nutritional improvements in the federal school meal program.

That was then; what's next? Adequate School Funding. The Arts & Music & Recess brought back. School Nurses and Librarians and Class Size Reduction reinstated. Support for administrators. Foster care reform. There is much to do.

Those are big picture things. PTA's true strength and effectiveness is at the school site; in the school, in the moment with educators and kids and parents. PTA is independent of the school district, part of a strong local/state/national association that is the largest child advocacy organization in the nation — but whose strength is in its deeply embedded and well-tended grass roots. At the school; working with the school—speaking for every child and all children with our one clear united voice. So please join us and support your school's PTA or PTSA. And if your school doesn't have a PTA or PTSA ask: *"Why not?" "Why not here?" "Why not now?"*

*A PTSA is a PTA at a secondary school with students as full members.

E-mail Scott Folsom at sfolsom@capta.org. Or if you're in Local Districts 1 or 2: E-mail PTA31Dist@aol.com; In Local Districts 3–8: E-mail PTA10thDistrict@aol.com.

SAVE THE DATES

VETERANS DAY, FRIDAY, NOVEMBER 11, 2011 – The **Beyond the Bell Branch (BTB)** announces its 4th Annual Liberty Mutual Invitational Golf Classic. You are welcome to participate as a sponsor, donor or golfer. The event will be held at the prestigious Angeles National Golf Course (the only **Jack Nicklaus**-designed course in Los Angeles), located in Sunland, California. For further information, visit the BTB website at www.btb.lausd.net or call 213.241.7900.

WEDNESDAY, NOVEMBER 16, 2011 – The **2011 Alliance of Asian Pacific Administrators "BRING YOUR BOSS" To Dinner** will be held at the Empress Pavilion (in the Bamboo Plaza), 988 North Hill Street, Los Angeles. Social Hour at 5:00 p.m.; dinner at 6:00 p.m. For more information contact **Carol Shimizu** at 213.739.2753 or cms6440@lausd.net.

WEDNESDAY, NOVEMBER 30, 2011 – **Region XVI – ACSA-R Winter Luncheon**, to be held at 11:30 a.m. at **Taix Restaurant**, 1911 W. Sunset Blvd., Los Angeles.

POSITIONS AVAILABLE

Minimum Qualifications: Candidates are responsible for making sure all the District requirements have been met. Do not contact AALA for information regarding positions. Use the listed contact phone number.

CERTIFICATED POSITIONS

PRINCIPAL, ELEMENTARY

Columbus Avenue ES (2) MST 41, 6700 Columbus Avenue, Van Nuys, CA 91405
Columbus is an E Basis school. For information and application procedures contact **Jack Bagwell**, Principal Leader, at 818.252.5404. **Filing deadline is Wednesday, November 16, 2011.**

ASSISTANT PRINCIPAL, SECONDARY COUNSELING SERVICES (SCS)

Narbonne HS (8) MST 40, 24300 South Western Avenue, Harbor City, CA 90710
Narbonne is a B Basis school. For information and application procedures contact **Terry Ball**, Principal Leader, at 310.354.3400. **Filing deadline is Wednesday, November 16, 2011.**

INSTRUCTIONAL SPECIALIST

Sherman Oaks CES (1) MST 39 (Temp. Adv.), 18605 Erwin Street, Tarzana, CA 91335
SOCES is a B Basis school. For information and application procedures contact **Juan Flecha**, Principal Leader, at 818.654.3600. **Filing deadline is Wednesday, November 16, 2011.**

The following positions are available to view in their entirety by going to http://certificated.lausd.k12.ca.us/admin_vacancies. Select School-Based and Non-School-Based positions and click on any position to view the specific flyer.

POSITION	LOCATION	CONTACT	DEADLINE
Principal, Elementary	Multnomah ES	323.224.3100	11/8/11
Instructional Specialist	Manual Arts HS	213.745.4928	Until Filled
Asst. Prin., SCS	Frost MS	818.654.3600	11/14/11
Instructional Specialist	West Adams Prep HS	213.745.4928	11/14/11
Instructional Specialist	Roybal Learning Centers	213.241.0112	11/10/11

POSITION	DEADLINE
<ul style="list-style-type: none"> • SITE OPERATIONS COORDINATOR, MST 40 (Temp. Adv.), D Basis, Local District 4, Sonia Sotomayor Learning Academies. Contact Dr. Annick Draghi, Principal Leader, at 213.241.0100. 	Tuesday, Nov. 8, 2011
<ul style="list-style-type: none"> • DIRECTOR, LAUSD CHARTER OPERATED PROGRAMS, MST 45 (Temp. Adv.), A Basis, Division of Special Education. Contact Sharyn Howell, Executive Director, at 213.241.6701. 	EXTENDED 5:00 p.m. Fri., Dec. 9, 2011