

## UPDATE

Week of February 25, 2008

### **AALA SUNSHINES 2007-2008 BARGAINING UNIT CONTRACT PROPOSALS**

*Note: President Mike O'Sullivan's remarks to the LAUSD Board of Education on February 26, 2008*

Good afternoon Madam President, members of the Board, Mr. Superintendent and staff, I appreciate the opportunity to spend a few minutes with you today as you receive our bargaining proposals for the purpose of required "sunshining" prior to the start of negotiations.

As President of the Associated Administrators of Los Angeles, I represent a constituency of approximately 2750 employees who are absolutely dedicated to the mission and goals of this District. Our membership includes adult school administrators, elementary administrators, secondary administrators, early education administrators, and various support personnel assigned to myriad positions within the local districts, divisions and departments of the District. We are, in fact, the second largest single district administrative association in the nation, behind only New York City.

I am here to suggest that it is not only our size and collective wealth of knowledge that makes AALA unique; even more important is the proven track record of our Association over the last several decades. No more loyal group of employees can be found, and I say that with all deference to our other brother and sister unions for whom we have consummate respect and admiration.

Our members have stood fast through earthquakes, riots, and boycotts. They have kept schools open during two major strikes, and they worked side by side with the District during budgetary crunch times that were every bit as draconian as that which we are currently facing. AALA members have never failed to fulfill their duties. I think you know this fact, and in particular the two Board Members among you who are former AALA colleagues (Ms. **LaMotte** and Dr. **Vladovic**) certainly know our history of dedicated service. We are also appreciative of two decades of support by Ms. **Korenstein**.

Our proposals are fair and measured, and we believe that you will do the right thing when it comes to responding to them. That has been the case in the past, and we anticipate it will continue in the future.

On behalf of all AALA members, I thank you for your outstanding efforts on behalf of our District even in these trying times. Rest assured, we will survive this budget situation and continue to thrive. We always have.

**Additional Comment:** Madam President, I want to take this opportunity to personally compliment you for adhering to the Brown Act rules regarding public speakers before the Board. Personal attacks on administrators or others have never been appropriate for public discourse.

## AALA - AN HISTORICAL PERSPECTIVE

The Associated Administrators of Los Angeles (AALA) proudly celebrated its 25th anniversary in 2006. AALA was formed in 1981 when AESA (elementary association), LAASSA (secondary association), CDS (supervisory association) and ACC-CCE (adult association) joined forces to form a single association to represent all Los Angeles Unified School District middle managers. During the first ten years, AALA members were represented in dealings with the Board of Education by the Superintendent, and membership in AALA was voluntary. In 1991, AALA requested and was granted supervisory status in order to become the exclusive bargaining unit representing all certificated middle managers except confidential and personal service contract senior staff. Supervisory status was accomplished by means of a Memorandum of Understanding (MOU) that codified the administrative regulations in the 4000 series of the Board Rules as the AALA/LAUSD "Contract." Starting in 1992, agency fee status was ratified making AALA membership or agency fee dues mandatory for all middle managers eligible for AALA membership. In 2004, AALA agreed to a formal union contract with the District. This contract replaced the MOU that had been in effect since 1991.

In 1993, AALA joined forces with UTLA and the classified bargaining units to form the Health Benefits Committee (HBC). The HBC oversees health and welfare benefits for all District employees (active and retired) and makes annual benefit recommendations to the Board of Education. This collaborative bargaining process culminated in formal coordinated bargaining for health benefits in 2006, a milestone in union/District negotiations.

AALA is proud of its history of meeting the ever-changing requirements of its members for enhanced due process rights, fair and equitable working conditions and deserved benefits. What the next 25 years brings will be determined in large part by the needs of the members and their willingness to demand their rights. AALA owes a debt of gratitude to the many former members who fought for the rights now protected in our AALA/LAUSD contract.

AALA will always be indebted to former Superintendent of Schools William **R. (Bill) Anton** for supporting collective bargaining rights for middle managers in the Los Angeles Unified School District. The supervisory status that AALA members now enjoy is due in large part to Bill Anton's visionary approach to the due process needs of administrators. Bill, thank you!

## POSITIONS AVAILABLE

**Minimum Qualifications:** Candidates are responsible for making sure all the District requirements for administrative positions have been met. AALA is not responsible for errors in publication.

**NOTE:** Please do not contact AALA for information regarding administrative positions. Use the listed contact phone number, or contact LAUSD Human Resources Division at 213.241.6886 or via e-mail at [http://certificated.lausd.k12.ca.us/admin\\_vacancies](http://certificated.lausd.k12.ca.us/admin_vacancies).

### PREVIOUSLY ANNOUNCED POSITIONS STILL AVAILABLE

Position	Location	Deadline	Contact
Principal, Elementary	Playa del Rey School	03/07/08	310.253.7123
Asst. Prin., EIS	Cowan Avenue School	03/07/08	310.253.7123

## SAVE THE DATES

**WEDNESDAY, APRIL 23, 2008** – The Adult/Elementary/Secondary/Supervisory Retirees Luncheon will be held at The Center at Cathedral Plaza, Viewing Foyer, 11:30 a.m. – 2:00 p.m. Announcement flyer will be out in mid-March.

**THURSDAY, MAY 22, 2008** – The AALA Scholarship/Community Awards Banquet will be held at the Millennium Biltmore Hotel, Gold Room, 5:30 p.m. – 8:30 p.m. Announcement flyers will be out mid-April.

## WEALTH CONCEPTS SEMINAR

Come and learn about the latest strategies that could significantly change your life from the Circle of Wealth Team: Estate Planner, Home Equity Manager, CPA, Financial Strategist, and Insurance Specialist. All AALA members are invited for dessert and discussion on **Wednesday, March 12, 2008, 5:00 – 7:30 p.m., at AALA 3<sup>rd</sup> Floor Conference Room**. Wealth Concepts, Inc., is the sponsor of the event. All guests will receive their nationally known Personal Wealth Index questionnaire, which looks at the four key areas of a rich life: Family and Friends, Health and Well-being, Money and Finances, and Meaning and Purpose. Included as a bonus – "20 Questions You Should Ask Your Advisor and Ten Key Retirement Mistakes and What You Can Do About Them."

**TOPIC:** New financial strategies to assure that you and your family will be OK.

What are the newest strategies of balancing risk and reward? Can you get inflation-adjusted income that you cannot outlive? Why should you be wary of bonus annuities? How to maximize your STRS pension. What are the latest home equity conversion strategies? Why the new Pension Protection ACT may have helped you escape the rising tax trap. How to strengthen your Long Term Care Policy. Is it possible to eliminate Required Minimum Distributions on IRAs? **RSVP to 800.425.5730.**

*This is not a solicitation and specific investment products will not be solicited or discussed in detail at this event.*

## RESEGREGATION OF U.S. SCHOOLS DEEPENING

School districts across the country are rapidly resegregating, and this is a trend that has become even more pronounced in the wake of court cases dismantling both mandated and voluntary integration programs, reports **Amanda Paulson** in the *Christian Science Monitor*. The country's most segregated schools are located in the big cities of the Northeast and Midwest, while the South and West offer minority students a bit more diversity. About one-sixth of black students and one-ninth of Latino students attend schools that are at least 99 percent minority. In big cities, the two groups are nearly twice as likely to attend such schools. While resegregation trends have been taking place for some time, **Gary Orfield**, the co-director of the Civil Rights Project, says the latest trends are worrisome because the U.S. Supreme Court recently struck down several voluntary integration programs. Not everyone echoes Orfield's sentiments, as some groups commend the court's decision as a step toward taking race out of school admissions practices and allowing parents to send their kids to the schools they find most convenient. This, perhaps, makes schools more reflective of neighborhood makeup. Still, some experts have found that segregated schools tend to be highly correlated with things like school performance and the ability to attract teachers.

One of the desegregation policies the Supreme Court threw out was the model used by Jefferson County (Ky.) Public Schools. According to a new plan released this week, race, income and education would be considered equally in assigning Jefferson County students and would keep schools integrated, reports **Antoinette Konz** in the *Louisville Courier-Journal* (second link). Under the proposal, all schools must enroll between 15 and 50 percent of their students from neighborhoods that have income and education levels below the district average and higher-than-average numbers of minorities. After several public forums, the plan will be voted on in May, and district officials said they have no intention of having courts review the plan. Meanwhile in Kansas, the Wichita school board voted unanimously to end 37 years of busing black and white students across town in an effort to aid in school integration, reports **Jillian Cohan** in the *Wichita Eagle* (third link).

[www.csmonitor.com/2008/0125/p01s01-ussc.htm](http://www.csmonitor.com/2008/0125/p01s01-ussc.htm)

[www.courierjournal.com/apps/pbcs.dll/article?AID=/20080129/NEWS0105/801290379/1008/NEWS01](http://www.courierjournal.com/apps/pbcs.dll/article?AID=/20080129/NEWS0105/801290379/1008/NEWS01)

[www.kansascity.com/news/breaking\\_news/story/465522.html](http://www.kansascity.com/news/breaking_news/story/465522.html)

## IN MEMORIAM

**JACK HOLLOWAY** – Former Principal at Nevada Avenue and Dyer Street schools. He retired on January 31, 1986, and passed away on February 15, 2008.

**DOUGLAS M. BEAMISH, JR.** – Former Principal at Palisades HS, Burroughs MS, Emerson MS, Fleming MS, King MS, Marina del Rey MS, and Webster MS, and Boys' V.P. at Holmes MS, and Dorsey HS. He retired on June 30, 1987, and passed away on February 21, 2008. A memorial service will be held at 3 p.m. on Saturday, March 8, at St. Matthew's Episcopal Church, 1031 Bienvenida Ave., Pacific Palisades (310.454.1358). In lieu of flowers donations may be made to the Church or UCLA Foundation, Dept. of Neurology, 10945 Le Conte Ave., Suite 3132, Los Angeles, CA 90095-1784 c/o Alan Han.

KNOW YOUR CONTRACT -

**GENERAL POLICY FOR LEAVES/ABSENCES**

**ARTICLE XI (Excerpts)**

A leave is an authorized absence from active service, for a specific period of time and for an approved purpose, with the right to return at the conclusion of the leave to the same classification and status but not necessarily to the same location. Leaves of absence with salary may be granted to an eligible employee pursuant to **Sections 2.0 – 10.0**, inclusive. Leaves of absence without salary may be granted to an eligible employee pursuant to **Sections 11.0 – 16.0**.

These Articles should be read carefully when contemplating a leave of absence.

The types of leaves/absences are as follows:

- Bereavement Absence
- Epidemic or Disaster Absence
- Illness Leave/Absence
- Personal Necessity Absence
- Industrial Injury or Illness Leave
- Pregnancy and Related Disability Leave/Absence
- Official Government Order Leave
- Sabbatical Leave (When budgeted by the District)
- Conference and Convention Attendance
- Disability Leave
- Position and Half-time Leaves
- Personal Leave
- Service Leave
- Family Care and Medical Leave/Absence

Leaves are either "**permissive**" or "**mandatory**." As to permissive leaves, the term "**may**" is used and the District retains discretion as to whether such leaves are to be granted and as to the starting and ending dates of such leaves. As to mandatory leaves, the term "**shall**" is used and the District has no discretion as to whether the leave is to be granted to a qualified employee.

The term "**formal leave**" refers to any leave of more than twenty (20) consecutive working days in duration. Such leave must be applied for in writing. The term "**informal absence**" refers to any absence of less than twenty-one (21) consecutive working days. The immediate administrator may grant informal absence when the absence is anticipated to be five (5) working days or less. Informal absence for more than five (5) working days but less than twenty-one (21) working days may be granted upon the approval of the appropriate superintendent or division head.

## MULTIPLE ASSIGNMENTS FOR CERTIFICATED EMPLOYEES

**REFERENCE: Board Rule 1910, Administrative Regulation 1910-1 (5-30-00)**

*Employees assigned full time may be employed in additional assignments. Certificated employees are limited to additional assignments, certificated or noncertificated, which total not more than 200 hours in any one four-week period. This 200-hour limit applies to all certificated assignments regardless of whether the employee is classified, etc.*

*Certificated management employees paid on the Master Salary (G) Table may only be assigned to multiple assignments (either during or outside their assignment basis) if approved by the appropriate associate superintendent. Local district superintendents or division heads must submit a letter of recommendation to the appropriate associate superintendent justifying the assignment of a certificated management employee to a multiple assignment.*

*Any service in a multiple assignment must be rendered at hours other than those for which pay is received for service in the regular full-time assignment. However, multiple assignments in the same or a different class may be served during or outside normal working hours or regular assignment on nonworking days.*

Professional Expert assignments for certificated employees are subject to the multiple assignment limitation of 200 hours per pay period during on or off basis periods.

## VIRTUAL SCHOOLING, THE HOVER CAR OF EDUCATION?

The Internet has made a lot of things possible, and parents who are looking for alternatives to traditional schooling have used the information superhighway to create a new market for virtual public schools (think charter schools in cyberspace). Virtual schools teach around 92,000 students, while one million students attend charter schools and two million more are home-schooled, reports **Paulette Minitier** for *Smart Money*. According to **Kelly Flynn**, an analyst at *Credit Suisse*, the virtual school industry could produce annual revenues of \$5.5 billion to \$11 billion if it reaches a market share somewhere between the charter schools and home schoolers. Yet, so far, only one company, K12, is really capitalizing on this trend. K12 charges per-student fees for its services and sells online curricula and management services to 32 virtual public schools in more than a dozen states. K12 also supplies each student with a computer, Internet connection and all the curriculum materials so that the virtual schools are free for eligible parents. As more parents look beyond traditional public schools and the Internet becomes more accepted as a learning tool, K12 appears to have good prospects. The company's success lies in enrollment, which has more than doubled during the course of the past four years, resulting in a 97 percent increase in revenue to \$140.6 million. Recently, three investment banks, which also helped underwrite K12's IPO, issued "Buy" or "Outperform" ratings on the stock, and, to date, shares are up 33 percent from the initial offering price. In another sign that K12 might be onto something, some of the bigger players in education are honing in on the market: Apollo Group (University of Phoenix) purchased Insight Schools (a network of virtual high schools) and DeVry acquired Advanced Academics (a provider of online secondary education). Does all of this make virtual schooling the education sector's version of the hover car?

[www.smartmoney.com/undertheradar/index.cfm?story=20080124-K12](http://www.smartmoney.com/undertheradar/index.cfm?story=20080124-K12)

## **FAMILY CARE AND MEDICAL LEAVE**

Family Care and Medical Leave can help protect you and your job. It is in our contract – **ARTICLE XI, 16.0**. Here are a few questions and answers to assist you:

### **What is a Family Care and Medical Leave?**

The Family Care and Medical Leave is a benefit that was made available under the federal Family and Medical Leave Act of 1993 and the California Family Rights Act of 1991.

### **Who is entitled to use this leave?**

Any employee who has been employed for at least 12 months immediately preceding the leave request and who has served for 130 workdays during those 12 months.

### **Under what circumstances can I be approved for a Family Care and Medical Leave?**

The Family Care and Medical Leave can be granted due to a serious health condition of your child (under the age of 18), a parent, spouse, for the birth, adoption or foster care of a child, or for your own serious health condition.

**What constitutes a serious health condition?** Serious health condition means an illness, injury, impairment or other condition that involves either inpatient care or continuing treatment.

### **Is this a paid leave?**

It depends. You may use your accrued illness leave benefits for yourself. You may use any accrued vacation leave to care for family members.

### **Who pays my health benefits if I take an unpaid Family Care and Medical Leave?**

The District will continue to pay the premiums for your health benefits package ( if you were previously eligible for benefits). However, if you do not return from the leave or you do not remain on the job for at least 30 days after the leave, you will be required to reimburse the District for the cost of your health benefits package.

### **How do I take this leave?**

As soon as you know that you will need to be off work to care for an ill family member, notify your supervisor, preferably in writing, that you will need to take a Family Care and Medical Leave. Follow this up as quickly as possible by filling out the official leave request form.

### **Do I have to provide a doctor's note?**

Yes. The law requires that you **must** provide supporting medical documentation from the doctor of the seriously ill family member, or yourself, whichever is applicable.

### **How far in advance of the leave do I need to apply?**

If at all possible, at least 30 days prior to the time that you must start using the leave. Otherwise, you must make a “good faith” effort to notify your supervisor within 48 hours after you first know that you must take the leave.

**FAMILY CARE AND MEDICAL LEAVE (Continued)**

**When do I need to submit the medical documentation?**

You must try to submit all the medical certification documents within 15 days after you have requested the leave. You may begin the leave, even if you have not submitted all the documents, pending receipt of the proper certification.

**Do I have to take the leave all at once?**

No. If you are using the leave for the birth, adoption or foster care of a child, then you can only split the leave two different times. But if you are using the leave to care for an ill family member, or yourself, you can take leave in increments as small as one hour at a time.

**Can I use this more than once?**

Yes. Once you have exhausted the leave provisions for the first year, you may reapply. The calendar year begins on the first day you have taken a qualifying Family Care and Medical Leave.

**My spouse works for the District. Can he/she also take this leave?**

Yes. But you both are restricted to a total of 12 weeks for the birth, adoption or foster placement of a child. This restriction does not apply if you are taking the leave to care for an ill family member.

For complete information, be sure to read the Family Care and Medical Leave section in the LAUSD/AALA contract. It is **ARTICLE XI, 16.0**.

**ADDENDUM**

As of March 20, 2000, language to implement legislation enabling employees to take time off for the specific reason of illness of a parent, child or spouse was added to our contract—**ARTICLE XI, 5.0, m.**

The language reads:

***“An employee shall be allowed up to six additional days of personal necessity leave in any calendar year to attend to the illness of a child, parent or spouse of the employee as provided by Section 233 of the Labor Code. All existing contractual conditions for use of illness leave shall apply to this leave as well.***

***Use of illness leave as provided above shall not extend the maximum period of leave to which an employee is entitled under 16.0, Family Care and Medical Leave.”***

**NOTE:** Employees must have accrued full-pay illness days to use this leave.