

UPDATE

Week of March 9, 2009

A LETTER TO THE SUPERINTENDENT FROM HIS ASSISTANT PRINCIPALS

March 9, 2009

Dear Superintendent Cortines:

As Acting President of the Elementary Assistant Principals Organization (which includes over five hundred generic and EIS Assistant Principals), I am writing on behalf of our organization to vigorously protest the proposed action to eliminate the entire class of AP-EIS personnel and replace it with a smaller class of administrators. These new temporary advisors may not all be truly qualified to provide the same quality of service to our most needy students. This is a step backward from the gains AP-EIS personnel have made in quality of service in special education for the past eight years.

Please consider the following facts as you weigh this decision:

1. Your AP-EIS administrators have been largely responsible for the significant narrowing of the Achievement Gap among our Special Education population and general at-risk student population.
2. Your AP-EIS administrators are able to work closely with parents and staff at their school to develop essential rapport. This personalization would certainly be diluted if they were summarily turned into itinerant paper pushers doing just the bare minimum work of processing IEPs.
3. Assigning "Specialists" to multiple schools would cause countless scheduling issues with regard to IEPs, Student Success Teams and other important, but often misunderstood, elements of the work such as developing any real collaboration and rapport with the parents of these students because of the sporadic nature of dual or multiple assignments.
4. Other services that would be virtually eliminated include mainstreaming follow-up, full inclusion, response to behavior emergencies, ongoing monitoring of Positive Behavior Support Plans and Professional Development support, just to name a few.
5. This dilution of services would be a huge step backward in the District's decade-long effort to reach full compliance with the negotiated tenets of the Modified Consent Decree. The Monitor could easily find the District out of compliance, yet again, and that would be a disgrace to the students and their families.
6. From a purely technical perspective, the concept of assigning time to a school based on the "number" of IEPs indicates a startling lack of knowledge on behalf of those who developed this plan. A half dozen cases, replete with lawyers, advocates and the like can be far more difficult to manage than twenty or thirty routine IEPs. AP-EIS administrators as well as their principals know this, but it seems that the proponents of this plan are woefully unaware of the complexities of the job.
7. Your AP-EIS administrators have been instrumental in monitoring outcomes, with data demonstrating the decrease of both suspensions and expulsions at various school sites throughout the District. Without their constant support, the District could take another step backward in one of the most important indicators of success.

It is clear to our members that this plan to eliminate an entire classification of administrators is a blatant ploy to deprive them of their due process rights. If indeed there is a financial need to save money by cutting staff, why didn't the District simply seek to reduce the total number of AP-EIS personnel? Closing out the entire group means the "selection committee" can manipulate the subsequent assignments. This proposal is not only blatantly disrespectful to our members, but also morally repugnant.

Please do not allow this injustice to take place.

Sincerely,
Diane Sanchez
Fourth Street School

C: Board Members
D. Anton

**MR. SUPERINTENDENT,
IN CASE YOU HAVE FORGOTTEN!**

LOS ANGELES UNIFIED SCHOOL DISTRICT

MEMBERS OF THE BOARD

GENETHIA HUDLEY HAYES, PRESIDENT
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OFFICE OF THE SUPERINTENDENT

ADMINISTRATIVE OFFICES

450 NORTH GRAND AVENUE
LOS ANGELES, CALIFORNIA 90012

February 7, 2000

Dear Colleague,

On behalf of the more than 700,000 students of the Los Angeles Unified School District may I offer congratulations on your new assignment as an Elementary Instructional Specialist (EIS). You are among a distinguished group of educators selected to serve as trailblazers as we embark on a journey to dramatically improve achievement for every student in the District and to change the culture within our schools.

This EIS position has been established as part of the Chanda Smith Consent Decree in recognition of the critical role that elementary schools must play in the identification and early intervention of students with special needs. Among your greatest responsibilities will be providing instructional leadership that attests to the dignity and worth of every student in our District and to our obligation to assure equal access to a quality educational program in every classroom.

These positions have been funded to assure that special education students receive educational programs designed to address their unique needs, while also providing necessary interventions to reduce the number of new referrals to special programs.

Among your greatest challenges will be addressing the diverse needs of the students in the Los Angeles Unified School District. This is a daunting task that requires collaborative leadership, your belief in the ability of all children to succeed, and your demonstrated commitment to excellence, I wish you the best of luck as you embark on this most exciting initiative.

Sincerely,

Ramon Cortines
Interim Superintendent

**BOARD MEMBERS AND MR. SUPERINTENDENT,
PLEASE FOLLOW THE LAW!**

The Congress of the United States has enacted an economic stimulus package that was promoted and signed into law by President **Barack Obama**. Education funding is an integral part of the law and the effort to stimulate the economy and revitalize our nation. Some of the goals related to education are as follows:

The American Recovery and Reinvestment Act will help by investing \$105.9 billion in education and training to help build the world class education system our economy needs and our children deserve. This historic investment in education is the largest increase in federal education funds in history.

The legislation among other things nearly doubles the funding for the Individuals with Disabilities Education Act (IDEA). The Fact Sheet describing the provisions of the law states:

California will receive \$1.2 billion of the \$11.3 billion available nationally to help schools maintain services for students with disabilities under IDEA. Current IDEA funding is \$11.8 billion. This means the federal investment in IDEA will grow from 17 percent to 27 percent.

AALA understands that the LAUSD portion of the IDEA funds will amount to approximately \$168 million to be spent between 2009 and 2011. This is money that **ACCORDING TO THE LAW** must be spent during this time to prevent layoffs. The goal of the law is clearly stated to prevent layoffs. The law also provides that up to 50% of the money can be used to support general fund activities.

Therefore, AALA asks the fundamental question: Why is the Superintendent cutting any special education resources or activities, including the AP-EIS positions, when funds are available to maintain the positions? Why is an entire classification being eliminated at school sites and replaced by a less than adequate central office position at a time when the Superintendent himself is saying that we need resources closer to students? Why is the Special Education Division building a centralized “empire” at the expense of more personalized school-site relationships?

Board of Education members should not allow budget scare tactics at a time when funds are flowing into the District and use the budget as an excuse to create a self-serving empire at the expense of students enrolled in special education classes.

IDEA funds are just one part of the millions of dollars in the stimulus coming to LAUSD. Our goal should be the same as the President’s, **SAVE JOBS**. If our budget is still out of balance, we could institute temporary furlough days. By the way, LAUSD leadership has wasted the opportunity to put a parcel tax before the electorate in three election cycles. AALA keeps hearing the hue and cry about funding from Sacramento, but no acknowledgement of the federal funds that we have received and the ability of the Board and the Superintendent to pursue funds locally that we can control.

SAVE THE DATE

SATURDAY, MARCH 28, 2009 - The AEIOU (American Educators of Italian Origin United) Fortieth Annual Scholarship Dinner Dance will be held at Casa Italiana, 1051 North Broadway, Los Angeles, beginning at 6:00 p.m. For information and tickets contact **Dan Basalone** at 213.484.2226.

SATURDAY, MAY 16, 2009 – Franklin High School presents its Fourth Annual Golf Classic at the Upland Hills Country Club, 1231 East 16th Street, Upland, CA at 1:30 p.m. ("Shot Gun" Start). Male and female golfers may participate. All proceeds go to benefit the Franklin High School Athletics Fund. For more information call **Jorge Garcia** at 323.550.2075 or e-mail jgarcia@lausd.net.

**SCHOLARSHIP/COMMUNITY AWARD
APPLICATIONS DUE MARCH 20**

The due date for students in regular high schools, continuation high schools, and adult schools to submit their applications for the 2009 AALA Scholarships is rapidly approaching. All applications must be in the AALA office by Friday, March 20. Encourage eligible students to apply for these scholarship awards.

The due date for AALA members to submit nomination forms for the AALA Community Awards is also Friday, March 20. If you have not already nominated an individual or a group of individuals for one of these awards, please consider doing so now. You can mail or fax (213.484.0201) your nomination to the AALA office. The application for this nomination is also available on our website at www.aalausd.com under "**Communications.**"

Should you have questions or need additional information about either of these awards, contact the office at 213.484.2226.

REMINDER

ADULT/ELEMENTARY/SECONDARY/EEC/SUPERVISORY

RETIREES LUNCHEON

**The Center at Cathedral Plaza
Viewing Foyer**

**Wednesday, April 29, 2009
11:30 a.m. – 2:00 p.m.**

**SCHOLARSHIP AND COMMUNITY AWARD SELECTION
COMMITTEE MEMBERS NEEDED**

ALA members, active or retired, are needed to serve on the Scholarship Selection Committee and the Community Award Selection Committee. The dates for the selection meetings are as follows:

Scholarship - Tuesday, March 31, 2009 - 12:00 - 4:30 p.m. (lunch provided)

Community Awards - Thursday, April 2, 2009 - 12:30 - 3:30 p.m. (lunch provided)

If you are able to serve on either or both of these committees, please contact **Gema Pivaral** in the ALA office, 213.484.2226

AALA ELECTION

Self-nomination forms have been mailed to the home addresses of all active members. Return **DUE DATE** to the ALA Office is **Friday, March 20, 2009**. Nominations from the floor can be made at the Representative Assembly meeting on Thursday, March 26, 2009.

BREAKING NEWS!

**ON MARCH 10, 2009,
THE BOARD OF EDUCATION
VOTED TO OFFER THE EARLY RETIREMENT
INCENTIVE PROGRAM (ERIP)
TO ALL ELIGIBLE EMPLOYEES.**

**PACKETS WILL BE SENT TO ALL
ELIGIBLE PARTICIPANTS EARLY
NEXT WEEK.**

Reminders —

RETIRING, ANYONE?

Those of you who are still working, are you planning on retiring soon? AALA would appreciate it if you would call Gema Pivaral in the office (213.484.2226) or e-mail gpivaral@aala.us and let us know. We would like to provide you with a plaque and notify all your colleagues (via UPDATE) of your intentions. So, let us hear from you!

NEXT AALA REPRESENTATIVE ASSEMBLY MEETING

The next AAI.A Representative Assembly meeting is scheduled for March 26, 2009, at the AAI.A offices, 3rd floor Conference Room. The meeting begins with department caucuses from 4:30 p.m. - 5:30 p.m. followed by the general meeting at 5:30 p.m. Dinner is served prior to the start of the general meeting; therefore, we request that attendees contact the AALA office at 213.484.2226 or email to rsvp@aala.us so that an appropriate amount of food can be ordered.

The agenda will include department concerns, president's update, negotiations update, nominations from the floor for the Executive Board positions, and a review of the proposed AALA budget for 2009 - 2010.

**AALA SCHOLARSHIP AND COMMUNITY AWARDS
BANQUET**

**MILLENNIUM BILTMORE HOTEL
THURSDAY, MAY 21, 2009
5:30 - 8:30 P.M.**

PRERETIREMENT WORKSHOPS

The District and CalSTRS are co-sponsoring preretirement workshops for the 2008-2009 school year. Information will be provided regarding the calculation of retirement allowances, available options, required forms, and District requirements necessary to establish benefits upon retirement. Time will be provided at the end of the workshop presentation for questions and answers. The workshops are individual meetings (not a series). All CalSTRS members are encouraged to attend a preretirement workshop at least three (3) times during their career in order to plan for retirement security: early in their career; again just prior to age 50; and one (1) year prior to retirement. **All workshops will be held from 4:00-5:30 p.m.**

03/19/09 (Th)	Eagle Rock High School Auditorium, 1750 Yosemite Dr., Los Angeles
03/26/09 (Th)	Woodland Hills School, 22201 San Miguel St., Woodland Hills
04/01/09 (Wed)	Catskill Avenue School Auditorium, 23536 Catskill Avenue, Carson

For Your Information –

ATTENTION: Principals

Many of your teachers may be interested in becoming a School Counselor and/or a School Psychologist. Tell them about PHILLIPS GRADUATE INSTITUTE located in Encino. The program's primary goal is to train capable, self-reliant educators to become caring, effective, and highly skilled School Counselors/School Psychologists. School Counselors can be alerted that Phillips Graduate Institute offers these programs and credentials as well as the PSA (Child Welfare and Attendance) Credential.

Classes are flexible and designed to accommodate the busy lives of working adults with evening and weekend schedules available.

For more information about the School Counselor/PPS/CWA program, contact **Maria Elena Tostado** at 818.386.5648 or e-mail mtostado@pgi.edu. For information about the School Psychologist program, contact **Barbara Fuller** at 818.654.1706 or e-mail bfuller@pgi.edu. Visit the website at www.pgi.edu.

RETIREMENT CELEBRATIONS

Name	Date, Time	Location	Contact
Carmen Schroeder	Sunday, June 7, 2009 11:00 a.m. – 4:00 p.m.	Almanson Court 700 S. Almanson St. Alhambra	Irma Medina 323.244.3190
Antonio Delgado	Saturday, May 30, 2009 11:00 a.m. – 3:00 p.m.	Odyssey Restaurant Athena Room Granada Hills	Kandy Lundbergh 818.267.5955 Tom Cervantes 818.255.5162
Noma LeMoine	Wednesday, April 29, 2009 5:00 – 11:00 p.m.	Marriott Hotel 4100 Admiralty Way Marina Del Rey	Jacqueline Carlyle 213.598.3078 Aresa Allen 562.544.1616

IN MEMORIAM

ART BAYLESS – Former Field Coordinator, Physical Education and Youth Services. He retired on June 28, 1991, and passed away on December 15, 2008.

HAROLD GEORGE CLARK – Former Assistant Principal at Belmont, Washington Prep, and San Pedro high schools. He retired on January 29, 1983, and passed away on March 7, 2009.

403(b) EXCESS DEFERRAL SNAFU

As you know, there are annual limits on deferrals (contributions) to 403(b) retirement accounts. For 2007 and 2008, the limits were \$15,500 (under age 50) and \$20,500 (age 50 and above). The "15-Year Catch-up" contribution allows an additional deferral of up to \$3,000 per year for those who have been employed by LAUSD for at least 15 consecutive years and whose annual deferral has averaged less than \$5,000, including years when no contributions were made.

Prior to BTS, LAUSD was effective in preventing employees from exceeding their maximum permitted deferral. Unfortunately, data on 403(b) contributions prior to 2007 was lost in the conversion to BTS - data necessary to determine eligibility for the 15-Year Catch-up. The result is that some employees ineligible for the 15-Year Catch-up were allowed to make deferrals in excess of their age-appropriate annual maximums, and losses for these employees may be significant.

Consider an employee who was improperly permitted to contribute \$3,000 for the 15-Year Catch-up in 2007 and discovered this at the end of 2008, when the age-appropriate maximum for that year was reached and his 403(b) vendor did not accept the additional deferral. The vendor determined - perhaps correctly, perhaps incorrectly - that the excess deferral from 2007 should be refunded immediately to the employee. The result would be \$6,000 in unanticipated taxable income for 2008, likely costing more than \$2,000 in additional federal and state taxes.

Adding to the injury, with the stock market down about 40% at the end of 2008, mutual funds would have had to be sold at a loss to refund the excess deferral. The tax consequences and "locked in" loss for this hypothetical employee would be more than \$3,000.

IRS Publication 571 states that "corrective distributions" may be made until April 15 of the year following the year when the excess deferral was made (up to April 15, 2008, for 2007 excess deferrals). This may not be the whole story, however. One 403(b) vendor says that the rules are more complicated and that it handles excess deferrals as instructed by LAUSD.

If the vendor (and LAUSD) are wrong, then affected employees might have to file revised tax returns for 2007 and, if the excess deferral was refunded and then has to be returned, 2008.

If you contributed more than your age-appropriate maximum in 2007 or 2008, contact your 403(b) vendor and LAUSD Benefits Administration for guidance about how excess deferrals should be handled.

LAUSD has yet to define its policy on excess deferrals or commit to cover employee losses.

Contributed by Alan Warhaftig, Fairfax High School