

UPDATE

Week of December 6, 2010

DUE PROCESS, A BASIC RIGHT

The definition of due process is “fundamental fairness” and it is the right of any person subject to suffering a property loss (for example, their job). Due process is guaranteed by the United States Constitution, the State of California’s Constitution and AALA’s collective bargaining agreement with LAUSD. AALA members’ due process rights, as described in our contract, include appropriate notification, a sharing of evidence and an opportunity to respond.

While the vast majority of AALA members will not be confronted with allegations that may lead to discipline by District senior staff and/or supervisors, it is essential that all AALA members be aware of their rights under the law and our contract. Some reminders regarding due process follow:

- If you are called to a conference by a supervisor, ask whether or not the conference may lead to discipline. If the answer is anything but “no,” you are entitled to have an AALA staff member represent you.
- If a disciplinary conference is scheduled, an AALA staff member will be assigned to assist and will insure the scheduling of such a meeting is mutually convenient for the proposed attendees.
- Should a member receive a conference memo, the member has a reasonable time, usually a week to ten days, to respond. If requested, AALA staff members will review the response prior to it being sent.
- Should a supervisor drop in unannounced to confer with you and then follow-up with a memo reflecting potential discipline, contact AALA immediately. This kind of action is grievable because the AALA member’s due process rights were violated.
- Should a supervisor receive written correspondence from a third party, which reflects negatively on an AALA member, the supervisor must share a copy of the letter with the AALA member within ten days of receipt.

The aforementioned are some of the more common items that AALA members should be aware of. Article VII of the AALA contract clearly enumerates members’ *Evaluation and Due Process rights*. To review this section, go to the AALA website, www.aalausd.com, and on the left side click on AALA/LAUSD Contract. In particular, note in *Article VII - Section 9.0, Demotions and Dismissals*:

9.1 Procedures Governing Demotions and Dismissals: Employees who are in regular status in their classification and who are the subject of a proposed District action to demote or dismiss shall be subject to the following procedural due process rights:

DUE PROCESS, A BASIC RIGHT (Continued)

- a. The District shall first advise the employee in writing of the specific reasons and/or actions which underlie the recommended demotion/dismissal.
- b. Upon written request, submitted within five (5) working days of the date of the writing referenced in 9.1a, the employee shall be granted the opportunity to prepare a written and/or oral response to such reasons and/or actions, and also the opportunity to meet with the head of the organizational unit or his/her designee to which the employee is assigned. The purpose of this meeting is to discuss the recommended demotion/dismissal and to permit the employee an opportunity to present any relevant statements or documents. The meeting will be scheduled to take place within three (3) working days of receipt of the written request. The employee may bring a representative to the meeting for advice and counsel. Non-availability of the employee or representative for more than a reasonable time shall not delay the recommendation from going forward. Following the meeting, a conference summary shall be prepared and a copy furnished to the employee within three (3) working days from the conclusion of the meeting. The conference summary will include a statement as to whether it is the District's intent to pursue the recommendation to demote/dismiss the employee.
- c. Within five (5) working days from the date the employee receives the conference summary referenced in 9.1b, the employee may file a written appeal to the Superintendent of Schools who shall schedule an informal hearing to be conducted by the Superintendent or his/her designee. The purpose of the informal hearing is to discuss the recommended demotion/dismissal and to permit the employee an opportunity to present any relevant statements or documents. The meeting will be scheduled to take place within three (3) working days of receipt of the written request. The employee may bring a representative to the meeting for advice and counsel. Non-availability of the employee or representative for more than a reasonable time (defined as no more than five (5) working days) shall not delay the recommendation from going forward. The superintendent or his/her designee shall issue a written statement within three (3) working days from the date of the hearing stating whether the recommendation for demotion/dismissal will be submitted to the Board of Education.

Recently, some senior staff members and supervisors violated the rights of several AALA members in attempts to circumvent due process. These high-level District staff, therefore, would appear to be in need of professional development training to insure that the due process rights of our members are respected. AALA is ready and willing to provide them such PD to help them improve in the performance of their professional responsibilities and to learn that the end does not justify the means.

PARENT ENGAGEMENT RESOLUTION

LAUSD Board of Education members, **Yolie Flores** and **Steve Zimmer**, introduced a resolution to the Board on November 30, 2010, entitled *Resolution in Support of Parents as Equal Partners in the Education of their Children*. [To read the full text of the resolution, click on the following link: <http://www.laschoolboard.org/node/900>. Scroll down to "Attachment" and click on "11-30-10 Stamped Order of Business." Scroll down to item 8, pages 3-6.]

The Board will discuss and vote upon this resolution in mid-December. While the resolution includes positive aspects such as the recognition that parents are equally accountable for students' educational outcomes, a number of sections are troubling. AALA President Dr. Judith Perez sent the following letter to Superintendent Cortines and Board members expressing AALA's views about the resolution.

November 30, 2010

TO: Superintendent Ramon C. Cortines and Members of the Board of Education

FROM: Dr. Judith Perez, President, AALA

SUBJECT: PARENT ENGAGEMENT RESOLUTION

Earlier this month, Board Member Yolie Flores reached out to AALA to discuss the parent engagement resolution, which we greatly appreciate. As AALA President, I expressed support for parent engagement and agreed that improvements are needed in parent and family centers at many schools. I further agreed that principals are the driving force in creating a positive culture and leading school improvements. AALA is committed to work with you, the Parent Engagement Taskforce and District staff to improve parent engagement throughout the District. Nevertheless, we still have concerns about the resolution as it now stands.

We are particularly concerned about the accountability component of the resolution, specifically, the requirement that principals submit an annual plan to be approved by the Parent Community Service Branch. Principals do not have time to develop another plan, especially with fewer administrators (APs) at school sites, the elimination of plant managers at many elementary schools and cuts in the number of office technicians. These personnel reductions are significant because the principal is responsible for the work these individuals formerly handled, including answering telephones, maintaining and submitting drinking fountain flushing logs and putting Band-Aids on kids.

Second, the Parent Community Service Branch is not equipped to assess the work of principals. The Local District Superintendent should be responsible through the director—the line person. Third, community organizations are not available in every community to assist with such efforts; sometimes they are less than helpful. We believe that schools should be encouraged to involve such organizations, but not be required to do so.

PARENT ENGAGEMENT RESOLUTION (Continued)

We believe that accountability must be two-way. The District must be accountable for supporting principals and providing adequate resources to schools. Such resources should include, at minimum:

1. Time for principals to plan with school teams, organize support for and engage parents
2. Adequate funding to do the work
3. A list of supportive community organizations willing to help with parent engagement
4. Information about health and human services agencies available to provide services to families
5. Community adult school classes that could be provided at parent centers
6. Arrangements with the city of Los Angeles to provide support to all schools

We support the idea of an Administrator Leadership Best Practices program. However, finding the time to participate is a major stumbling block. It is a real challenge now for administrators to leave their schools for meetings and professional development. A summer program could be effective if participants are compensated for their time.

We are concerned that clarity is lacking in the part of the resolution that calls for a “parent-teacher-student compact outlining the annual expected academic goals and expectations of individual students.” Many factors affect student achievement, and this section needs much more detail.

Finally, the last resolved promotes the inclusion of “successful implementation and execution of parent engagement strategies” in the evaluation of administrators. We believe that such inclusion is inappropriate at this time because too many unanswered questions remain, such as:

1. What does “a culture of parent engagement” look like in practice?
2. How can principals be accountable for parent engagement when it is undefined, and parents have the choice to remain uninvolved?
3. How may schools address the differentiated needs of early education, elementary, middle school, high school and adult school families?

To summarize, AALA is willing to work collaboratively to refine the provisions of the resolution and implement what is best for students and their families. However, we have grave concerns about specific provisions of the resolution as currently written.

Censorship reflects society's lack of confidence in itself.

It is a hallmark of an authoritarian regime.

~Potter Stewart

AALA THANKS LAUSD FOR SUPPORTING THE DREAM ACT

AALA commends the LAUSD Board of Education for voting unanimously in support of a resolution on November 30, 2010, urging the U.S. Congress to pass the DREAM Act before the end of the 111th Congress. Superintendent **Ramon Cortines** sent letters in support of The DREAM Act to Senator **Dianne Feinstein** (D-CA), Senator **Barbara Boxer** (D-CA), members of the California Delegation to the House of Representatives and others. Following is the letter Mr. Cortines sent to Senator Feinstein:

December 1, 2010

*The Honorable Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington, DC 205 10*

Dear Senator Feinstein:

On behalf of the Los Angeles Unified School District (LAUSD), I am writing to urge you to vote "Yes" on the Development, Relief and Education for Alien Minors (DREAM) Act, which may come to the Senate floor this week. LAUSD, the second largest school district in the nation, employs more than 33,000 teachers, educates more than 700,000 students, and maintains more than 1,000 educational centers.

Currently, there are more than 900,000 undocumented students who live in the United States and are under 18 years of age. Each year, these students are denied access to and prevented from pursuing their dreams of going to college because they do not have legal residency status. Despite the fact that many of these children have grown up in the U.S., attended local schools, and have demonstrated a sustained commitment to succeed in the educational system, current immigration laws provide no avenue for these students to become legal residents.

The DREAM Act will provide an important pathway to legal immigration status for individuals brought to the U.S. as undocumented children years ago. The Act is narrowly tailored as it would only apply to individuals brought to the U.S. at least five years ago as children, who have grown up here, and who have remained in school and out of trouble. Such students could adjust their status to that of a conditional permanent resident and could then have the conditional status lifted if they complete at least two years of college or serve in the military.

Undocumented students have waited many years for this legislation to become law, and unfettered access to higher education will allow these students to make even greater contributions to our society, increase the educated workforce, improve our economy and decrease the numbers of those forced to live in poverty. The DREAM Act is a measured solution that makes the American dream accessible to those students who embody the American values we hold so dear.

We urge you to vote "Yes" on the DREAM Act when it comes before you this week.

Sincerely,

*Ramon C. Cortines
Superintendent*

c: Members, Board of Education

SAVE THE DATE

THURSDAY, DECEMBER 9, 2010 – The **ACSA-R Winter Luncheon** will be held at 11:30 a.m. at Taix Restaurant, 1911 Sunset Blvd., Los Angeles. The cost is \$20. For information contact **Mike Perez** at 213.484.2226 or mperez@aala.us. For more information go to the following link:
<http://www.aalasd.com/Documents/ACSA-R%20Region%20XVI%20Winter%20Luncheon%20Flyer.pdf>

PUBLIC SCHOOL CHOICE 3.0 KICKOFF

Public School Choice 3.0 school teams are invited to a workshop sponsored by the Los Angeles School Development Institute (LASDI) to learn how to design and write a successful plan. The primary mission of LASDI, which is cosponsored by AALA, UTLA and LAUSD, is to support the development of high-performing schools, with the assumption that the staff members at each school are the strongest, most authentic and sustainable agents of change for their respective site. LASDI provides tailored support based on each team's self-identified needs, e.g., proposal writers, editors, design consultants and project managers. The PSC 3.0 Kickoff is scheduled as follows:

- When:** Tuesday, December 7, 2010
- Where:** L.A. Chamber of Commerce, 350 S. Bixel St., Los Angeles 90017
- Time:** 4:00 – 6:00 p.m. (snacks provided)
- RSVP:** Liz Conroy, liz.conroy@lasdi.net, 213.580.7591

IN MEMORIAM

FRANK MANGIONE – Former Supervisor, Youth Services Section. He retired on April 15, 1986, and passed away on November 22, 2010. A memorial service will be held in early 2011 at the Los Angeles Athletic Club. AALA will keep you informed.

DR. JOHN TURCO – Former Assistant Principal of Crenshaw, Cleveland, Hamilton, and Huntington Park high schools, Olive Vista and Frost middle schools. Former Assistant Principal, SSS, of Marshall and San Fernando high schools, Drew Middle School and Eagle Rock Span School. He retired on June 30, 1993, and passed away on November 7, 2010.

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.

CLASSIFIED POSITIONS AVAILABLE

SENIOR POLICY ANALYST, MAYOR'S OFFICE OF EDUCATION

The Senior Policy Analyst will work with the Deputy Mayor of Education to carry out the Mayor's education policy agenda. Compensation will be negotiated within established annual salary range commensurate with demonstrated skills and work experience. Interested individuals should send a letter of interest and résumé to Alysha-Stein Manes at alysha.stein-manes@lacity.org.

PROGRAM AND POLICY DEVELOPMENT ADVISOR

The Los Angeles Unified School District (LAUSD) is seeking a highly qualified and motivated individual with extensive knowledge and considerable experience managing the entire life cycle of large-scale school reform initiatives. The individual chosen to fill this position will be part of the innovative team that will be setting strategic vision for the District's future. For information about this opportunity go to:

<http://lausdjobs.lausd.k12.ca.us/appv1/main> or <http://lausdjobs.lausd.k12.ca.us/appv1/main/pdf/ppdemonique.pdf>.

CERTIFICATED POSITIONS AVAILABLE

PRINCIPAL, EARLY EDUCATION CENTER (MST 38, A Basis)

Crescent Heights EEC and Marvin Avenue EEC – For information and application procedures contact **Patricia Yeldell**, Director, Local District 3, at 310.914.2100. **Filing deadline is Thursday, December 16, 2010.**

PRINCIPAL, ELEMENTARY

Purche Avenue Science/Technology School (8) MST 41, 13210 Purche Ave., Gardena, CA 90249
Purche is an E Basis school. For information and application procedures contact **Walter Flores**, Principal Leader, at 310.354.3400. **Filing deadline is Friday, December 10, 2010.**

INSTRUCTIONAL SPECIALIST (MST 40, Temp. Adv.)

Gardena HS (8) 1301 West 182nd Street, Gardena, CA 90248
Gardena is a B Basis school. For information and application procedures contact **Walter Flores**, Principal Leader, at 310.354.3400. **Filing deadline is Friday, December 10, 2010.**

West Adams Prep HS (MLA), 1500 W. Washington Blvd., Los Angeles, CA 90007
West Adams is a B Basis school. For information and application procedures contact **Liliana Vasquez**, MLA Partnership Schools, at ivasquez@mlapartnerschools.org or 213.745.4928, Ext. 5123. **Filing deadline is Open Until Filled.**

POSITIONS AVAILABLE (Continued)

The following positions are available to view in their entirety by going to the AALA Website, <http://www.aalausd.com>. By clicking on “positions available” to the left of the screen, you can select School-Based and Nonschool-Based positions and click on any position to view the specific flyer.

Position	Location	Deadline	Contact
Instructional Specialist	Markham MS	Until filled	employment@partnershipla.org

<ul style="list-style-type: none"> ▪ LOCAL DISTRICT SUPERINTENDENT (Local Districts 3, 4, 6 and 8), Salary: \$155,239 - \$171,239/year. For information and application procedures contact Vivian Ekchian, Chief Human Resources Officer, at 213.241.6131 or 333 S. Beaudry Ave., 14th Floor, Los Angeles, CA 90017. 	Apply by Friday, Dec. 17, 2010
<ul style="list-style-type: none"> ▪ SPECIALIST, INTERVENTION SUPPORT, MST 38 (Temp. Adv.), E Basis, Student Integration Services For information and application procedures contact Estelle Lockett, Director, at 213.241.6532. 	Friday, Dec. 10, 2010
<ul style="list-style-type: none"> ▪ SPECIALIST, MAGNET RECRUITMENT, MST 38 (Temp. Adv.), B Basis, Student Integration Services For information and application procedures contact Estelle Lockett, Director, at 213.241.6532. 	5:00 p.m. Friday, Dec. 10, 2010
<ul style="list-style-type: none"> ▪ INSTRUCTIONAL COORDINATOR, MAGNET SCHOOLS ASSISTANCE PROGRAM (MSAP), MST 40 (Temp. Adv.), E Basis (plus Z Basis), Student Integration Services For information and application procedures contact Estelle Lockett, Director, at 213.241.6933. 	Friday, Dec. 10, 2010
<ul style="list-style-type: none"> ▪ PROJECT COORDINATOR, MAGNET SCHOOLS ASSISTANCE PROGRAM (MSAP), MST 42 (Temp. Adv.), E Basis (plus Z Basis), Student Integration Services For information and application procedures contact Estelle Lockett, Director, at 213.241.6532. 	5:00 p.m. Friday, Dec. 10, 2010
<ul style="list-style-type: none"> ▪ PARENT OMBUDSPERSON, MST 41 (Temp. Adv.), B Basis, Local District 6 For information and application procedures contact Rowena Lagrosa, Interim Superintendent, at 323.278.3919. 	5:00 p.m. Thur., Dec. 9, 2010
<ul style="list-style-type: none"> ▪ SPECIALIST, TRANSITION SERVICES, MST 38 (Temp. Adv.), B Basis, Division of Special Education For information and application procedures contact Dr. Luther Waters, Coordinator, at 213.241.8050. 	5:00 p.m. Wed., Dec. 15, 2010