

UPDATE

Week of May 23, 2011

BARGAINING BULLETIN **Members Ratify Jobs Restoration Agreement**

AAALA members resoundingly ratified our tentative 2011-2012 Jobs Restoration Agreement with the District. Of the 1,993 people eligible to vote, 1,092 voted in favor of ratification (78.6%), 298 voted against (21.4%), and 11 members sent in ballots without voting. A total of 1,402 ballots were cast, for the highest ever return rate of 70.3%.

Ratification voting took place online from May 10 through May 16, 2011, using Survey Monkey, a highly secure and reliable system. Online voting proved convenient for AALA members, as indicated by the high response rate, while saving over \$3,000 for the Association in material, printing, postage and labor costs.

FLASH!! AALA members will receive 6 furlough days—not 12—next year. Further, the District will no longer pursue a loan from the District’s Health Benefits surplus account to save jobs.

The provisions of AALA’s Jobs Restoration Agreement have dramatically improved because our negotiating team inserted language into the agreement, which gives our members a better deal if LAUSD’s budget improves and/or another bargaining unit gains fewer furlough days. Both have taken place (see page 3). More details in next week’s *Update*.

The Ratified Agreement (revised): The jobs restoration is to be funded by six (6) furlough days, additional funds from Sacramento, and temporary underfunding of Workers Compensation and other central District budgets. The Health Benefits Committee (HBC) will not be asked to loan surplus funds to the District.

Furlough Days, 2011-2012: *Once AALA and the District negotiate how the 6 furlough days will be taken, the language of this section will be revised. The language below is from the ratified agreement:*

LAUSD will shorten the 2011-2012 school year by five (5) instructional days and two (2) pupil-free days. For school-based administrators, five (5) paid non-workdays will be unpaid next year on a one-time, non-precedent-setting basis; yielding a total of twelve (12) furlough days.

For non-school-based administrators, the twelve (12) days will be scheduled to meet instructional and operational needs, with consideration given to spreading out the financial impact over the year.

BARGAINING BULLETIN RATIFICATION (Continued)

Jobs Restoration: The District will restore for 2011-2012 all position and Basis reductions adopted as part of the February 15, 2011, Budget Balancing Plan to address the deficit. To do so, the District will restore the administrative norm tables that governed staffing for fiscal 2010-2011.

The agreement will prevent the closure of options schools and the assignment of one elementary principal for two schools. All 200 APEIS positions will be retained. The following 139 administrative positions will be restored:

Elementary:

- 38 elementary principals
- 7 elementary assistant principals

Secondary:

- 43 secondary assistant principals

Options:

- 34 options principals
- 7 options APSCSs

Adult Education:

- 1 adult education coordinator
- 6 adult education assistant principals, operations
- 2 ROC/P assistant principals, operations
- 1 ROC/P coordinator

Basis Restoration: All 526 Title I principals will have E-Basis restored.

Z-Time for Supervisory Members:

Six (6) additional days of Z-time will be provided for supervisory members assigned to central, Local District and Support Unit offices whose Basis will be changed due to the Superintendent's reorganization of central functions.

As AALA President, I wish to thank all of our members for your support during these most difficult of times. Your bargaining team, which represents all AALA members, worked hard to negotiate this one-year agreement with the District. The team includes **Tom Beatty**, Lead Negotiator; **Dr. Angel Barrett**, Elementary Vice President; **Margaret Prietto**, Secondary Vice President; **Marsha Oh-Bilodeau**, Supervisory Vice President; **Dan Isaacs**, Administrator; and me, **Dr. Judith Perez**. We thank Tom and the entire team for dedicating their skill, hearts and creative thinking to this effort.

Remember, AALA and the District are still in negotiations on our three-year contract. We will continue to provide details in *Update* as negotiations proceed.

MAY REVISE

In his May Revise of the California State budget, Governor **Jerry Brown** showed why experience matters in government and public education. His announcement last Monday changed the tone of nuclear meltdown across the school districts in the State, positing a much better scenario for California.

Here is what we know: The Governor proposed \$3 billion more for public schools than the Legislature approved in March. As the administration notes, "This is also the highest the Guarantee (under Proposition 98) has been since 2007-08, and will begin to restore the disproportionate budget reductions K-12 schools and community colleges have borne since that time." The awareness of the "disproportionate budget reductions" is crucial. The "May Revision," according to the Governor, "proposes to eliminate the \$2.1 billion deferral to K-12 and begin repaying the \$8.2 billion in debts to schools (Governor's May Revise)." For further details, visit the Governor's website (<http://gov.ca.gov/>).

Importantly, the Governor did not deliver the "all cuts budget" that many expected. The Friday before the Governor announced his "Roadmap to Success," the Assembly Republicans proposed a so-called "pro-public education budget." While there is debate about whether the Republicans' Friday night budget proposal has any integrity at all, their offer to not suspend Proposition 98 and support public education bodes well for the next steps in Sacramento.

What happens next? Governor Brown's May Revise becomes the driving force now. Key to his vision, however, remains his wish to hold an election in November, resulting in the voters agreeing to maintain the various revenue sources that are due to expire. Republicans continue to block his goal to help schools avoid making severe cuts on July 1, 2011. Also in trouble is the Governor's effort to end the State's redevelopment law, which diverts 12% of California's property tax revenue to redevelopment agencies. The Los Angeles CRA helps finance billionaires' construction projects, such as **Eli Broad's** downtown art museum and **Phil Anschutz's** football stadium, with funds originally intended for schools, libraries, police and fire departments. Democrats, including some in Los Angeles County, are blocking the Governor's proposal, which would provide \$110 million each and every year to LAUSD.

Hope is alive again, thanks to the May Revise. Time is ticking to get a budget deal, an election deal, and a CRA deal, all before local school districts implement budget cuts for next year. Please take the time to write and support the Governor. Also, let school board members know that they need to support the Governor, not City Hall, when it comes to public education. And of course, let your assemblyperson and senator know your views.

BOARD ELECTION RESULTS

Last Tuesday's election for School Board Seat 5 ended at 1:00 a.m. Wednesday morning when all the precincts tallied showed **Bennett Kayser** leading his opponent 8,854 to 8,582 votes. As of Thursday morning, the margin of victory stood at 272, but several thousand absentee and provisional ballots had yet to be counted. Nevertheless, Bennett led the race at every moment during election night.

ALA remains hopefully optimistic that Bennett will win because he received nearly 2/3 of the absentee votes counted so far. The City of Los Angeles is beginning to tabulate the final absentee and provisional ballots. Look for news in next week's *Update*.

HEALTH BENEFITS FAQ

Topic: Retired and turning 65? You may be in for a surprise.

What’s the “surprise” for a retiree turning 65?

Having to enroll in and paying premiums for Medicare Part B has surprised many AALA retirees. After a career of employer-paid medical insurance, paying a premium for many is, indeed, a surprise.

What is the cost of Medicare Part B premiums?

Premiums for 2011 are calculated on your modified adjusted gross income (MAGI) for 2009. The table below shows the income-related monthly premium for **new Medicare Part B enrollees**.

Part B Monthly Premium	MAGI on individual returns	MAGI on joint returns
\$115.40	\$85,000 or less	\$170,000 or less
\$161.50	\$85,001-\$107,000	\$170,001 - \$214,000
\$230.70	\$107,001 - \$160,000	\$214,001 - \$320,000
\$299.90	\$160,001 - \$214,000	\$320,001 - \$428,000
\$369.10	Above \$214,000	Above \$428,000

Are there any other Medicare-related costs I will have to incur?

Yes. At 65, if you are enrolled in Kaiser or HealthNet, you are required to enroll in a Medicare Advantage plan. Medicare assesses a Part D premium adjustment for plan members with incomes greater than \$85,000. **This premium is assessed because Part D is part of the Medical Advantage plans—Kaiser’s Senior Advantage and HealthNet’s Seniority Plus. District retirees must not apply for Medicare’s Part D.** Premium adjustment amounts range from \$12/month up to \$69.10/month, based on the income thresholds for Medicare Part B. Anthem Blue Cross EPO subscribers are not assessed the Part D premium adjustment.

I’m retired and approaching 65. What are recommended steps to follow?

1. Enroll in Medicare Parts A and B **within three (3) months before your 65th birthday. This is important because you will lose your District health coverage if you don’t have your Medicare card by your 65th birthday**, even if Medicare allows you up to three (3) months after your birthday to enroll.
2. **Enroll at Social Security Administration offices.** You must also apply for Medicare Part A. Social Security Administration will determine if you are eligible for both Parts A and B. Part B is voluntary, but required by LAUSD for continuing the District-paid health benefits. If coverage lapses because of nonenrollment, coverage will resume when evidence of Medicare coverage is provided to the District.
3. **If you don’t qualify for Medicare Part A** because you lack 40 quarters of Social Security income through other employment or through your spouse, or have never had Medicare taxes withheld from your pay, contact CalSTRS for information regarding your eligibility for CalSTRS’ premium payment plan. Retirees and or their dependent spouse/domestic partners who are not eligible for Medicare Part A premium-free and not eligible for CalSTRS premium payment must provide ineligibility letters from CMS and CalSTRS to continue their District coverage.

Is my dependent spouse/domestic partner subject to these rules? Yes.

REPRESENTATIVE ASSEMBLY DECISIONS

The Representative Assembly meets four times each school year to make policy decisions on behalf of AALA members. All meetings are open to our members. Starting with this issue, following each meeting, *Update* will publish summaries of decisions made by the Representative Assembly. Below are notable motions passed during the past two Representative Assembly meetings:

March 24, 2011:

The AALA Political Action Council (PAC) voted to donate \$1,000 to **Bennett Kayser's** campaign for LAUSD Board of Education District 5 seat in the May 17 run-off election.

The Representative Assembly passed the following motions:

- Increase AALA's annual dues by \$25 for active members in 2011-2012.
- In response to all of the classified reductions and additional responsibilities placed upon the site administrator. . . the administrative norm tables revert back to the administrative norm tables from the 2009-2010 (or prior) year.
- AALA vigorously advocate for pupil-free days for 2011-2012.

May 12, 2011:

The Representative Assembly passed three motions requesting the Superintendent prioritize site administrators' responsibilities and eliminate what is no longer needed, given the current administrative norms, the increased workload and concerns about school safety.

BASIS SCHEDULES 2011-2012

The District has confirmed the following Basis schedules for the 2011-2012 school year. Please be aware that furlough days are not reflected in these schedules. Once the specific furlough days are agreed upon by AALA and the District, we will inform you via *Update*.

<u>BASIS</u>	<u>START DATE</u>	<u>END DATE</u>
E	7/29/2011	6/28/2012
D	8/10/2011	6/28/2012
B	8/17/2011	6/28/2012
C	9/06/2011	6/25/2012

Note: There will be no K Basis during 2011-2012.

LEGAL BRIEF:

Reasonable accommodations for employees with disabilities*

State and federal law prohibit employers from discriminating against employees on the basis of physical disability, mental disability and medical condition. Like race, color, gender and other protected categories, a disability cannot be used, for example, to deny an applicant a position, or deny an employee a promotion. It is also unlawful to harass an employee because of his/her disability.

The law further requires employers to provide reasonable accommodations to employees with disabilities in order to allow the employee to perform the essential functions of the job or to address a medical need. In determining what constitutes a reasonable accommodation, the law requires employers to be flexible. Examples of reasonable accommodation include restructuring of job duties, a modified work schedule, a transfer to another work site with a vacancy, acquisition of equipment (*e.g.*, ergonomic keyboard, chair), accessibility (*e.g.*, a key to elevator for those mobility restrictions), and auxiliary aids (*e.g.*, materials in alternative format).

When a supervisor receives a request for a reasonable accommodation, the supervisor must engage in the interactive process with the requesting employee to determine what, if any, reasonable accommodation is necessary. The supervisor should hold the meeting with the employee as soon as reasonably possible and must do so in good faith. At the interactive process meeting, the supervisor should discuss the employee's job duties and the employee's restrictions to determine what types of accommodation may be appropriate. The interactive process meeting is required under the law and District policy.

If the supervisor is not able to provide the accommodation requested, the supervisor should refer the employee to the Reasonable Accommodation Committee. See Bulletin 4569.0. The supervisor should fill out Attachment A to Bulletin 4569.0, which documents the interactive process meeting. Attachment B is the Application for Reasonable Accommodation for the employee to fill out. The coordinator for the Reasonable Accommodation process is **Demetrius Patrick**, 213.241.7630.

If the supervisor is able to provide the accommodation requested and the employee is satisfied with the accommodation provided, there is no need to refer the employee to the Reasonable Accommodation Committee. However, the supervisor should still fill out Attachment A to Bulletin 4569.0 to document the interactive process meeting that took place and the accommodation being provided.

If you have any questions about the reasonable accommodation process, you should contact Demetrius Patrick at 213.241.7630. Recently, the District also launched an online training program on Reasonable Accommodations. If you have not already received an e-mail notification, you will be receiving one in the near future about being enrolled in the 15-minute training module.

* This **LAUSD Legal Brief** is for information only and does not constitute legal advice. Please contact the Office of the General Counsel to determine how this information may apply to your school's specific facts and circumstances.

**CONGRATULATIONS – MARSHALL HIGH SCHOOL –
USAD Online National Academic Decathlon Champions**

Marshall High School’s Academic Decathlon team emerged victorious in the Large School Online National Decathlon Championship recently held. This is the second year for the competition and the second win for Marshall. The competition included eight (8) of the ten (10) decathlon events—essay and the seven (7) objective tests. The team earned 38,062 points out of a possible 48,000 to win. Congratulations to the team members, **Kudzo Ahegbebu, Marcos Chinchilla, Michael Fukuyama, Yeah-Moon Hong, Bill Huynh, Min-Sun Jun, Sergio Leon, Marina Popkow, and Kathleen Yi**, and their coach, **Larry Welch**, for this outstanding accomplishment. **Daniel Harrison**, Principal, **Robin-Lee Ramirez**, Assistant Principal, and the entire Marshall staff can take great pride in this achievement.

SAVE THE DATES

THURSDAY, JUNE 2, 2011 – the **Council of Mexican American Administrators (CMAA)** will hold its **Scholarship Awards Night** 5:30-7:00 p.m. at Tamayo Restaurant, 5300 East Olympic Boulevard, Los Angeles. For more information e-mail **Renee Fuentes-Campa** rcampa@lausd.net.

FRIDAY, JUNE 3, 2011 – **CCAE (LA Metro Section)** and **CAROC (Angeleno Chapter)** will hold its **Spring Awards Dinner** at 5:30 p.m. (dinner/program at 6:30 p.m.) at Luminarias Restaurant, 3500 Ramona Boulevard, Monterey Park. For questions e-mail **Sonya Ramirez** at sramir1@lausd.net or **Vladimir Tigno** at vtigno@lausd.net.

SATURDAY, JUNE 4, 2011 – the **Council of Black Administrators (COBA)** will hold its **36th Annual Black Child Conference/Scholarship Luncheon** 8:00 a.m. – 3:00 p.m. at the Airport Hilton Hotel, 5711 West Century Boulevard, Los Angeles. For additional information contact the COBA office at 323.296.2040 or COBA website at www.lausd.k12.ca.us/orgs/coba.

RETIREMENT CELEBRATION

Name	Date, Time	Location	Contact
Raj Schindl	Sunday, June 5, 2011 11:00 a.m. – 3:00 p.m.	Porter Valley Country Club 19216 Singing Hills Drive Northridge	Jennifer Lee 818.349.4801

IN MEMORIAM

PATRICK ESTES – Former Principal of Perez Special Education Center; Coordinator, District Mathematics Program. Patrick retired on June 29, 1984, and passed away on March 22, 2011.

DAVID CARTER – Former Principal of San Pedro and Gardena high schools and Dodson Middle School. David retired on May 11, 1984, and passed away on May 11, 2011.

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 AVAILABLE

PRINCIPAL, ELEMENTARY

122nd Street ES (7) MST 41, 405 East 122nd Street, Los Angeles, CA 90061

122nd Street is a D Basis school. For information and application procedures contact **Francisco Gonzalez**, Principal Leader, at 323.242.1300. **Filing deadline is Friday, May 27, 2011.**

PRINCIPAL, SECONDARY

Verdugo Hills HS (2) MST 45, 10625 Plainview Avenue, Tujunga, CA 91042

Verdugo Hills is a D Basis school. For information and application procedures contact **José Rodriguez**, Principal Leader, at 818.252.5400. **Filing deadline is Friday, May 27, 2011.**

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 Non-School-Based positions and click on any position to view the specific flyer.

POSITION	DEADLINE
• DIRECTOR, SCHOOL OPERATIONS, MST 45 (Temp. Adv.), A Basis, Office of the Superintendent – School Operations. Contact Jasmin Malinao at 213.241.4184.	Fri., May 27, 2011
• COORDINATOR, RELATED SERVICES, LOW INCIDENCE PROGRAMS, MST 39 (Temp. Adv.), B Basis, Division of Special Education, Related Services Department For information and application procedures contact Deborah Rubenacker , Director, at 213.241.6200.	12:00 p.m. Tue., May 31, 2011
• COORDINATOR, K-12 ENGLISH LANGUAGE LEARNERS PROGRAM, MST 41 (Temp. Adv.), B Basis +Z time, Local District 8. Contact Sandra Winchell at 310.354.3400.	Tue., May 31, 2011
• SECONDARY PRINCIPAL LEADER, MST 45 (Temp. Adv.), E Basis, Local District 8. Contact Sandra Winchell at 310.354.3400.	Tue., May 31, 2011
• DIRECTOR, DISTRICT NURSING SERVICES, MST 45, E Basis + Z time, Nursing Services Branch. Contact Rene Gonzalez , Asst. Supt., at 213.241.3840.	Wed., June 1, 2011
• SPECIALIST, GIFTED/TALENTED PROGRAMS, MST 37 (Temp. Adv.), B Basis, Office of Curriculum, Instruction and School Support. Contact LaRoyce Bell at 213.241.6500.	Thur., June 2, 2011
• SPECIALIST, ADAPTED PHYSICAL EDUCATION, MST 37 (Temp. Adv.), B Basis, Division of Special Education, Related Services Department For information and application procedures contact Cyndi Martinich at 213.241.6200.	12:00 p.m. Thur., June 2, 2011
• SPECIALIST, SPEECH AND LANGUAGE PROGRAM (3 Positions), MST 38 (Temp. Adv.), B Basis, Division of Special Education, Related Services Department For information and application procedures contact Elaine Shackelford at 213.241.6200.	12:00 p.m. Fri., June 3, 2011
• SPECIALIST, BTSA INDUCTION (8 Positions), MST 38 (Temp. Adv.), E Basis, Teacher and Administrator Development Branch. Contact Gina Smith-DeVill , at 213.241.6608.	5:00 p.m. Fri., June 3, 2011
• SPECIALIST, EARLY CHILDHOOD EDUCATION, HUMAN RESOURCES, MST 38 (Temp. Adv.), Early Childhood Education, Human Resources For information and application procedures contact Steven Brandick , Director, at 213.241.2404.	5:00 p.m. Fri., June 3, 2011
• DIRECTOR, SPECIAL EDUCATION COMPLIANCE, MONITORING AND SUPPORT, MST 45 (Temp. Adv.), E Basis, Los Angeles Unified School District SELPA For information and application procedures contact Sharyn Howell , Executive Director, at 213.241.6701 or Sharon Jarrett at sharon.jarrett@lausd.net .	5:00 p.m. Mon., June 6, 2011