

UPDATE

Week of July 4, 2011

THE CARE AND TREATMENT OF ADMINISTRATORS

AALA wishes to thank LAUSD senior staff for their careful review of a personnel matter, which resulted in the preservation of a principal's job in Local District 5. Nevertheless, we remain deeply concerned about the handling of other personnel matters there.

We wish to remind Local District Superintendents that if they decide to transfer an AALA member, the AALA member has the contractual right to request a meeting with them to find out the reason for the transfer and to obtain this information in writing. Most superintendents have quickly responded to such requests, but the LD 5 Superintendent had to be reminded of this contractual right.

AALA has noted this year other evidence of the increasing depersonalization within some local districts. For example, many Assistant Principals received unexpected displacement letters from Human Resources just before the deadline of June 30, 2011. Their principals had not been informed, and no one from their respective Local Districts had the courtesy to communicate directly with them about their transfers or displacements. This is a dehumanizing way to treat hard-working and loyal employees. Personalized communication is an essential component of high-quality leadership.

The considerable loss of proper District protocol and sensitivity by District leadership during this assignment period has never before been so disappointing. Education is supposed to be a caring profession. Administrators know that students are not numbers but are individual human beings deserving of respect and understanding along with high expectations. Adults responsible for the education of students are not numbers either. Students and staff members alike flourish in a positive environment in which all members of the learning community are treated with sensitivity—especially now.

Local District Superintendents need to remember that for three years AALA members have agreed to accept substantial salary cuts to keep this District operating. Administrators have endured increased responsibilities with less support this year than ever before, and the heavy workload is likely to increase even more. It is obvious that when employees are treated with courtesy and consideration, they are willing to go above and beyond on behalf of students. When employees are treated poorly, they become disaffected and are unlikely to do more than what is minimally required.

AALA appreciates the Local District Superintendents and Principal Leaders who consistently recognize and support the outstanding work accomplished by administrators. While we are aware that some superintendents do not respond well to pressure, and we know that they are under immense pressure, negativity breeds negativity. Optimism promotes optimism. Education by its nature is an optimistic, forward-looking activity. These hard times require Local District Superintendents to be particularly sensitive to the needs of the administrators they supervise. Anything less is self-defeating.

STATE BUDGET NEWS

*AALA wishes to thank **Michael Bilbrey**, CSEA First Vice President, for providing most of the following information.*

On Tuesday, June 28, 2011, the California Legislature passed a balanced budget, and **Governor Brown** signed it on June 30, the last day of the fiscal year. This is only the second time in 10 years that California has had a budget on time. This budget retains parts of the package the Governor vetoed nearly two weeks ago, including \$2.8 billion in deferrals to K-12 schools and community colleges, \$150 million in cuts each to the University of California and California State University systems and \$1.7 billion in revenues from redevelopment agencies.

The new budget rejects some parts of the earlier package, such as \$500 million deferral to the University of California. It assumes \$4 billion in increased revenues in 2011-2012, with “triggered cuts” if these funds do not materialize and a 1.06% sales tax swap that redirects money to local governments for Brown’s realignment plan rather than to the State. The sales tax rate will still fall 1% on July 1, 2011.

The “triggered cuts” plan requires the California Department of Finance director to certify in January 2012 whether the \$4 billion in increased revenue is an accurate projection. The “triggered cuts” are structured in the following three tiers that are based upon how much of the additional \$4 billion comes in:

Tier 0: If the State gets \$3 billion to \$4 billion of the projected revenues, the State will not impose additional cuts and will roll over any negative balance into the 2012-2013 budget.

Tier 1: If the State gets \$2 billion to \$3 billion of the money, the State will impose about \$500 million in cuts and will roll over the remainder into the 2012-2013 budget. The \$500 million in cuts will include a \$100 million cut to UC, a \$100 million cut to CSU, a \$100 million cut to corrections and a \$200 million cut to Health and Human Services.

Tier 2: If the State gets \$0 to \$2 billion of the money, on top of the Tier 1 cuts the State will impose up to \$2 billion in additional cuts, including a \$1.5 billion reduction in K-12 education funding, equivalent to shortening the school year by seven instructional days. Tier 2 includes a \$250 million elimination of school bus transportation (except for that which is federally mandated). The cuts will be proportional to the amount of the first \$2 billion in revenues the State receives.

What’s next? The immediate impact on public education is the continuation of the uncertainty school districts and their employees have faced for a considerable period of time. Midyear cuts have taken place before but never in our lifetimes during such a period of austerity. Current revenues are above projections, and if they continue at this rate, the target will be hit. Several pending bills in Sacramento, if passed, will move the State further towards reaching the target. Work will begin shortly on crafting a ballot measure to increase taxes to fund schools and other programs. This measure will probably appear on the November 2012 ballot.

HEALTH BENEFITS FAQ

Topic: Will California Achieve a “Single Payer” Universal Health Insurance System?

What is single payer health insurance?

Single payer health insurance is a system where health care finances are administered by a single public or quasi-public agency. Under this system, all individuals are covered for medically needed services, including: doctors, hospitals, preventive, long-term care, mental health, reproductive health care, dental, vision, prescription drugs and medical supply costs. They would have free choice of doctors and hospitals, and doctors would have autonomy over patient care. A single-payer plan would replace all public and private insurance plans. The term “single payer” is synonymous with “universal health care” and is like a “Medicare-For-All” system.

How is a single payer system funded?

Funding for single payer systems is a combination of government funds—federal, state and county—and employer and employee contributions. Funding may include an annual health tax or premium based on a percentage of wages. The tax may be paid partly by employers and partly by employees. Analysts estimate lower costs than the system in place now.

What are the benefits of a single payer system?

According to Senator **Mark Leno**, author of SB 810, the California Universal Healthcare Act (CUHA), the proposed single payer universal system, would eliminate clinical and administrative waste, insurer overhead and profit and overpriced pharmaceuticals. Costs would be controlled through negotiated fees, global budgeting and bulk purchasing of pharmaceuticals and durable medical equipment. The open choice of private and public providers would promote healthy competition, based on quality of service, not price. There would be no monthly premiums, copays or deductibles. By all estimates, SB 810 would save California more than \$20 billion through reduced administrative costs in the first year alone.

What is happening legislatively on single payer health insurance?

In 2006, California’s SB 840, authored by Senator **Sheila Kuehl**, made history by becoming the first single payer universal health plan to be passed in a state legislature and brought to a governor’s desk. Governor Schwarzenegger vetoed the bill. Reintroduced in 2007, the bill again went to the Governor’s desk and was vetoed in 2008. SB 810 was crafted by Senator Mark Leno in 2009, and essentially retains the same language as SB 840. It was not acted on in 2009 due to the state budget crisis. Reintroduced in 2010, the California State Senate Health Committee passed the bill on May 4, 2011. However, needing a final vote, the Democratic leadership allowed the bill to die in the Assembly. According to **Bill Skeen**, Executive Director of Physicians for a National Health Program, Democrats’ fear of political repercussions caused the leadership to withdraw the bill. Senator Leno says he will reintroduce the bill in the next session.

Who are the supporters for and against single payer universal health care systems?

In the legislature, support for or against SB 810 falls along party lines, with Democrats in support and Republicans in opposition. Major support has come from Health Care for All–California, a nonprofit, nonpartisan activist group that has been working for a single payer health care system in California for more than 13 years. The Campaign has been joined by 20 other organizations that support single payer, including the Labor United for Universal Healthcare, League of Women Voters, the California Nurses Association, California Physicians Alliance, California School Employees Association, California Retired Teachers Association, California Teachers Association, and many others. Opponents include **Patrick Johnston**, CEO of the California Association for Health Plans, and legislators, such as Assembly member **Tim Donnelly** (R-San Bernardino Mountains) who maintains that SB 810 will destroy consumer choice in health care.

Legal Brief

RECOMMENDATIONS FOR PRINCIPALS PROVIDING LETTERS OF REFERENCE

Although Principals are often asked to provide a reference for former employees, agreeing to do so is not something that should be done without considering the potential legal risks. For instance, you might be accused of defamation if the employee feels slighted by your words, but at the same time you could face potential liability, in certain cases, if you don't reveal all the negative information about an employee to a potential employer. Therefore, writing a letter of reference can sometimes pose quite a dilemma for school administrators, who may fear the defamation accusation, but at the same time feel a professional responsibility to prevent incompetent or unfit educators from gaining future employment.

As for defamation, it is generally defined as any communication that tends to damage the reputation, character, or good name of someone by slander or libel. In the employment context, the communication must be to a third party, who finds it to shine an unfavorable light on the employee, thereby "injuring" the employee's reputation. However, a statement must be patently untrue to be considered defamatory. Generally, in order to promote candid communication, employers are protected by a form of qualified or conditional privilege. Therefore the employee must demonstrate actual malice, in that the person giving the reference knew that the statement was made with a reckless disregard for the truth.

On the flip side of that issue, any district employee who sends a recommendation to a potential employer for a former employee, while withholding the negative information, can be held liable if the new employer relies on the "misleading" recommendation and someone then suffers physical injury as a result. This is based on a landmark case wherein the California Supreme Court ruled that a student who was molested by a school employee could sue the former school districts that recommended the person for the job while failing to disclose the man's history of sexual wrongdoing with students in their districts. The case involved a school administrator who had asked his previous employers to make recommendations on his behalf, and in each case, the employees of those districts provided recommendations that contained positive comments about his performance, but omitted the fact that this administrator had been the subject of complaints of sexual misconduct at each district and had in several cases been forced to resign. None of the recommendations made any reference to this history. A new school district then hired the man, based on the recommendations, and he subsequently molested a 13-year old girl there.

Since the ruling in the above-mentioned case, the Legislature amended the California Civil Code to authorize a current or former employer to simply state whether the employer would rehire the employee. This type of response would be privileged and protected from a defamation lawsuit unless made maliciously. It is important to note that the California Code of Regulations provides that a certificated employee who makes a recommendation, knowing that it will be relied upon by another district for employment decisions, may lose his or her credential if it intentionally omits significant facts or states as facts matters the writer has no knowledge are true.

With all this in mind, it is recommended for the Principal to discuss the key elements of any reference with the former employee before providing it. Further, it is important to ensure that what is stated provides adequate information to verify its truth, regardless of positive or negative. It is also best to clearly label any statements of personal opinion. Naturally, if the Principal does not feel comfortable with providing a good reference, then it is best to decline. These simple suggestions should greatly reduce any chance for defamation or liability litigation.

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.

TEAM CLEANING AND SUMMER CLEANING

AALA leadership had a productive meeting this week with **Kelly Schmader**, Interim Chief Facilities Executive, and **Neil Gamble**, Director of Maintenance and Operations. The agenda included the evaluation of the effectiveness of team cleaning and plans for summer cleaning.

Mr. Schmader indicated that of 450 surveys sent to principals of schools with team cleaning, approximately 130 were returned. Respondents expressed concerns about three major issues: inconsistent staffing, the lack of available substitutes and inadequate communication with principals. We shared additional concerns school-site administrators have brought directly to AALA's attention.

Both Mr. Schmader and Mr. Gamble pledged to use this information to improve M & O services for all schools. Improvements will begin during Summer Cleaning, and principals will receive a communication this week from M & O describing how it will be handled.

AALA appreciates the responsiveness of Facilities Division leadership to principals' concerns. We promise to continue maintaining open lines of communication on behalf of AALA members who depend heavily on M & O for providing cleanliness, safety, security and a pleasant environment at LAUSD schools. We invite principals to give AALA feedback regarding M & O's improved service to schools so that we may share it with Facilities Division leadership and the Superintendent.

NRC'S RESEARCH ON HIGH-STAKES TESTING

The Washington, D.C.-based National Research Council (NRC) recently published a report titled *Incentives and Test-Based Accountability in Education*, which synthesizes research on the impact of standardized testing on teaching and learning. The report includes two conclusions and three recommendations that raise serious questions about the use of high-stakes testing programs to improve student achievement while resulting in such grave unintended consequences as students improving test scores while learning less. The report concludes that high-stakes standardized testing has pushed teachers to emphasize test-taking skills while limiting instruction to what they think will be tested. The conclusions and recommendations are summarized below from a synopsis published by UCLA IDEA:

Conclusion 1: Test-based incentive programs have not increased student achievement enough to bring the U.S. close to the levels of the highest-achieving countries.

Conclusion 2: High school exit exams decrease the rate of high school graduation without increasing achievement.

Recommendation 1: Policymakers and educators do not yet know how to use test-based incentives to consistently generate positive effects on achievement and to improve education. Their use needs to be studied in depth to determine which incentives may improve education without displacing investments in the development of other aspects of the education system.

Recommendation 2: Policymakers and researchers should design and evaluate new test-based incentive programs focusing on such issues as who is targeted for incentives, what performance measures are used, what consequences are attached, what supports are provided to schools, teachers and students to support improvements and how incentives are communicated.

Recommendation 3: Research on the effects of incentive programs should document the structure of each program and evaluate a broad range of outcomes.

**LAUSD MIDDLE SCHOOLS COMPETE IN ORANGE COUNTY
ACADEMIC PENTATHLON**

LAUSD's Beyond the Bell Branch sponsored and coordinated the participation of ten (10) LAUSD middle schools in the Orange County Department of Education's (OCDE) Academic Pentathlon. The Pentathlon is an exciting 5-event academic competition for 6th, 7th, and 8th grade students that is held each spring in Orange County. The OCDE has organized and hosted the Academic Pentathlon since 1984.

Participating middle school students compete as individuals and as team members in a series of tests—math, science, social science and essay writing. The highlight of the competition is the "Super Quiz," where school teams compete against each other in the high school gymnasium and each correct question response is met with enthusiastic applause from teammates, coaches, principals, parents, as well as other members of the audience.

After months of dedication, preparation and competition, the Pentathlon Award Ceremonies were held in May at the Heritage Forum in Anaheim. The ten participating LAUSD middle schools did extremely well, winning a total of 213 individual medals and 27 team medals! Carnegie Middle School earned two first place team awards—for the 6th grade "Super Quiz" (Division 2) and the 8th grade "Super Quiz" (Division 4). Mulholland Middle School's 6th grade team earned the 1st Place Overall Team Award (Division 2).

Congratulations to the following middle schools, principals and teacher/coaches:

School	Principal	Teacher/Coach
Adams MS	Evelyn Wesley	James Midge
Carnegie MS	Verna Stroud	Kristine Onawa-Ross
Clay MS	Keri Lew	Lisa Clark
Curtiss MS	Dr. Edna Burems	MaryLynn Daly
Marina Del Rey MS	Stephen Foster	Ellen Jackson
Mulholland MS	Dr. John White	Michele Wydra
Northridge MS	Dr. Deborah Wiltz	Melanie Badge
Porter MS	Robert Marks	David Kwon/Christine Lam
South Gate MS	Musetta Malone	Belva Serrano
Young Oak Kim Academy	Ed Colacion	Brian Mitchell

Even more success is expected in the 2012 Academic Pentathlon!!

Alvaro Cortes, Director, and **Kathy Smith** and **Pete Anderson**, Pentathlon coordinators, Beyond the Bell Branch, are to be commended for providing this outstanding academic program for middle school students. For more information about the program, contact Kathy Smith at 213.241.7900 or kathleen.smith@lausd.net.

IN MEMORIAM

DR. JUAN ARRIOLA – Former Administrative Coordinator, Office of Instruction; Deputy Area Administrator; Coordinator, Staff Relations, Child Development Division; and Principal of Danube Avenue School. He retired on June 30, 1984, and passed away on June 26, 2011. Service will be private. Donations may be made in his memory to The Living Desert Wildlife and Botanical Park, 47900 Portola Avenue, Palm Desert, CA 92260 (760.346.5694).

FOR YOUR INFORMATION –

JOB OPPORTUNITY

The Ameson Institute wants to offer you a job!

AALA alumni are needed to teach and/or provide administration for several high schools in China. Instruction is delivered in English. There is a one-year commitment. If interested, contact barbaraburnett@ameson.org or call 626.376.3610 and ask to speak with Barbara Burnett. Please visit the Ameson website at www.ameson.org.

TEACHER PREPARATION ADVISORY PANEL – INFORMATION

Information regarding the formation of an advisory panel to study and review the SB 2042 teacher preparation program was previously sent both as a highlighted CTC WATCH article and as an information item in the June report of the Commission's meeting. The following information and links are the application forms and the survey.

1) Applications for the Teacher Preparation Advisory Panel <<http://www.ctc.ca.gov/educator-prep/files/2011-Standards-Panel-Application.doc>>

The Commission is seeking applications from stakeholders and other interested parties for the Teacher Preparation Advisory Panel. Applicants should have a strong background in teacher preparation, teacher induction, and/or related areas within the Learning to Teach System. The panel's scope of work includes improvements to better meet the needs of California students and educators. Expectations of panel members include being available to attend panel meetings; reviewing preparatory materials; consulting with other stakeholders in the field and bringing those perspectives to panel discussions; and coming to consensus on policy recommendations to the Commission. **Deadline for applications is August 9, 2011.** Applications for the Teacher Preparation Advisory Panel are available at: <http://www.surveymonkey.com/s/TAPApplication>.

2) Teacher Preparation Advisory Panel Stakeholder Survey

In preparation for the upcoming Teacher Preparation Advisory Panel, the Commission is seeking input from stakeholders regarding the priorities for the work of the Panel. There are many potential issues that the Panel could address within the limited time frame for the Panel to do its work. The Commission seeks input from the field regarding the perceived importance of these issues to help guide the Panel's priorities. The Stakeholder Survey can be accessed via the following link: <http://www.surveymonkey.com/s/TAPStakeholderSurvey>. The deadline for completing the Stakeholder Survey is September 9, 2011.

REMINDER: *UPDATE* will not be published the week of July 11, 2011. The next *UPDATE* will be published the week of July 18, 2011.

HAPPY INDEPENDENCE DAY!

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. **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.**

PRINCIPAL, SECONDARY

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

Verdugo Hills is an E Basis school, on a Copernican Schedule and Early Start. For information and application procedures contact **Arturo Barcenas**, Asst. Principal, at 818.951.5411. **Filing deadline is Friday, July 8, 2011.**

L. A. Center for Enriched Studies (LACES) (3) MST 45, 5931 W. 18th Street, Los Angeles, CA 90035

LACES is an E Basis school. For information and application procedures contact **Margaret Kim**, Principal Leader, at 310.914.2100. **Filing deadline is Friday, July 15, 2011.**

INTERVENTION SPECIALIST

Wilmington MS (8) MST 39 (Temp. Adv.), 1700 Gulf Ave., Wilmington, CA 90744

Wilmington is a B Basis school. For information and application procedures contact **Sandra Winchell**, Administrator, Instructional Services, at 310.354.3400. **Filing deadline is Friday, July 15, 2011.**

POSITION	LOCATION	CONTACT	DEADLINE
Asst. Prin., Spec. Ed	Perez Spec. Ed. Center	323.224.3100	07/06/11
Principal, Secondary	Gompers MS	213.201.2000	Until filled
Principal, Small School	Mendez Learning Center, School of Math and Science	employment@partnershipla.org	Until filled
Principal, Elementary	99 th Street ES	employment@partnershipla.org	Until filled

POSITION	DEADLINE
• ADMINISTRATOR, INSTRUCTIONAL SERVICES, MST 45 (Temp. Adv.), A Basis, Local District 6. Contact MaryLou Hernandez at 323.568.8519	5:00 p.m. Fri., July 15, 2011
• SPECIALIST, INTEGRATED STUDENT INFORMATION SYSTEM (ISIS), MST 38 (Temp. Adv.), E Basis + Z Time, Integrated Student Information System. Contact Lupe Paramo , Director, at 213.241.1775.	5:00 p.m. Fri., July 15, 2011
• SPECIALIST, SPEC. ED. COMPLIANCE and SUPPORT, MST 38 (Temp. Adv.), B Basis, Division of Special Education. Contact Lisa Kendrick at 213.241.6718.	5:00 p.m. Fri., July 22, 2011
• COORDINATOR, INTEGRATION COMPLIANCE, MST 42, E Basis, Student Integration Services. Contact Estelle Lockett , Director, at 213.241.6532.	Fri., July 8, 2011
• ADMINISTRATOR, INSTRUCTIONAL SERVICES, MST 45 (Temp. Adv.), A Basis, Local District 7. Contact Dr. George McKenna , Superintendent, at 323.242.1300.	5:00 p.m. Fri., July 8, 2011
• DIRECTOR (PRINCIPAL LEADER), MST 45 (Temp. Adv.), E Basis + Z Time, Local District 7. Contact Dr. George McKenna , Superintendent, at 323.242.1300.	Fri., July 8, 2011