

## UPDATE

Week of August 8, 2011

### **WHAT IS PERB?**

*AALA wishes to thank PERB for providing the following information, which we adapted for Update.*

The Public Employment Relations Board (PERB) is the State agency responsible for enforcing the collective bargaining laws covering public employees. First established 35 years ago, PERB's jurisdiction initially was comprised of the Educational Employment Relations Act (EERA), which established collective bargaining in California's public schools and community colleges. Since then, PERB's jurisdiction has been expanded to encompass seven collective bargaining statutes, approximately 7,000 public-sector employers and more than two million public employees. PERB does not enforce laws that affect employees of private enterprise or the federal government.

PERB is responsible for administering and enforcing these respective collective bargaining laws ([www.perb.ca.gov](http://www.perb.ca.gov)) in an expert, fair and consistent manner. Public employee unions have the right to file an unfair practice complaint if they believe their members' rights or collective bargaining agreements have been violated. Examples of unlawful employer conduct include threatening employees for participating in union activity or promising benefits to employees for refusing to participate in union activity.

Public employers may also file complaints against employee organizations. One example is threatening employees if they refuse to join the union.

The majority of PERB's unfair labor practice complaints are resolved through voluntary settlement efforts. In 2009-2010, 50% of such complaints were resolved through informal settlement conferences. In cases where such mediation is not successful, the parties are provided the opportunity to litigate their disputes efficiently. In fiscal year 2009-2010, PERB's Administrative Law Judges issued 57 proposed decisions; 29 of which were appealed to the full PERB Board and 28 of which became final. The PERB Board itself issued 79 decisions.

### **AALA'S PERB COMPLAINT**

AALA filed an unfair labor practice complaint with PERB in mid-May on the grounds that the District failed to bargain in good faith regarding the evaluation of AALA members (See *Update*, week of June 20, 2011, Page 1). Separately and apart from AALA, UTLA filed a similar complaint.

AALA did so because at the end of April 2011 the District began implementation of Phase II of the "Supporting All Employees Strategy," a major goal of which is to overhaul the evaluation of LAUSD

## AALA's PERB COMPLAINT (Continued)

certificated personnel. Phase II, also known as the pilot project, is being implemented this school year (2011-2012) and represents the second year of a three-year plan. Phase I consisted of Research & Development during 2010-2011; Phase II participation is "voluntary" in nature; Phase III is planned to be full implementation Districtwide in 2012-2013.

While AALA has long advocated the improvement of the evaluation process for teachers and administrators, we have made it clear to the District that evaluation is a mandatory subject of collective bargaining. Our view is that the District must negotiate in good faith and reach an agreement with AALA in order to change the evaluation process of our members, which is addressed in Article VII of AALA's collective bargaining agreement. The District claims, on the other hand, that AALA's current contract permits the pilot project to move forward in its stated form.

A PERB attorney held informal conferences with AALA, UTLA and the District on June 2 and July 6, 2011, to attempt to resolve the issue. No settlement was reached during either conference, so a formal hearing was scheduled.

On August 1 and 2, 2011, a PERB Administrative Law Judge formally joined the AALA and UTLA complaints into one and held a formal hearing to consider the case. The formal hearing is structured very much like a court case. At the end of the hearing, the Judge indicated that our case is high priority. While he is expediting the briefing process, his decision is not expected until sometime in October 2011.

Please note that AALA's disagreement with the District on this issue has not stopped us from pursuing negotiations with the District team on the pilot project. See this week's Bargaining Bulletin (below) for details.

### **BARGAINING BULLETIN** Negotiations on the Pilot Project Continue

During the last week of July, the AALA bargaining team spent three days negotiating with the District on the pilot project, focusing on the wages, hours and working conditions of participating AALA members. While agreement has not yet been reached, notable progress has been made. We will continue to keep you informed via *Update*.

### **CO-LOCATION BULLETIN DISTRIBUTED**

AALA wishes to extend our appreciation to **Michelle King**, Senior Deputy Superintendent, School Operations, for making sure that the District's Co-Location Bulletin (BUL-5532, July 7, 2011) was finally completed and distributed. AALA pushed for over a year to have such a policy bulletin developed to clarify the responsibilities of LAUSD principals who have charter schools co-located on their campuses. Ultimately, AALA leadership wrote a large portion of the bulletin. This month the District is holding information meetings for principals in their respective local districts to review all aspects of co-location.

## EXPERIENCE AND STABILITY, PART II

Last week's *Update* featured an article entitled "Experience and Stability, or Value Subtracted." The article referenced a recent study conducted by Policy Analysis of California Education (PACE) entitled *Teacher Stability and Turnover in Los Angeles: The Influence of Teacher and School Characteristics*. The PACE researchers pointed out the importance of teacher training, the need for experienced staff and school climate as key factors contributing to student success. AALA leadership strongly believes that successful schools provide continuity, consistency and stability for our students, many of whom live in chaotic, transient circumstances in poverty-stricken communities.

Schools should be safe havens for our students, while serving as centers of learning for the community. Beyond that, schools need to provide both academic challenge and caring support. In a time when curriculum is being narrowed because of an overemphasis on testing and an underemphasis on the content areas that are difficult to test, such as critical thinking, creative writing and the arts, we continue to promote the education of the whole student. Educators need to welcome the dreamers, encourage the questioners and celebrate those who dance to a different drumbeat. Many otherwise disaffected students stay in school because of the caring band instructor, athletic coach or Assistant Principal who has made a personal connection, helped them find their gift and build their confidence. Every student is gifted in some way. It is the educators' responsibility to nurture those gifts.

As important as excellent teachers are, excellent teachers are not enough. Despite the current rhetoric, we make the case that a positive school culture is essential to outstanding schools. We define *culture* as how the school community experiences school as a place and as an institution of learning. While all staff members, parents and students contribute, principals and other administrators—AALA members—are largely responsible for the culture of schools. Some of the key factors that contribute to a positive culture, a well-functioning school and, ultimately, student success, include:

- An environment that emphasizes mutual respect and support among students and staff members
- An atmosphere where staff members feel they are encouraged to share their ideas to improve student success
- A high level of trust, the willingness to collaborate and ask questions
- A well-balanced staff reflecting a variety of experience, length of service and diversity
- A strong supervision program to ensure the safety of all members of the school community
- Locally developed, differentiated professional development to support the needs of students, teachers and administrators
- A clearly defined two-way communication system with parents to insure their understanding of:
  - Student academic progress
  - Graduation requirements and postsecondary opportunities
  - The importance of good attendance
  - School events and ongoing school activities
  - Ways to become involved, engaged and have concerns addressed
- Clear lines of communication with the Local District administration and central District leadership to insure that timely assistance and support are provided to the school

## **EXPERIENCE AND STABILITY, PART II (Continued)**

- An active and mutually supportive articulation program reinforcing student learning and easing the transition for students and parents to the next education level
- A student behavior and discipline policy, which is published, shared with and understood by all
- An administrative team that regularly interacts with and listens to students and staff members
- A support system for newly hired staff members
- A process to recognize and celebrate student and staff achievement
- A connection with local businesses, service organizations and other supportive community institutions.

Undoubtedly, AALA members will identify additional factors that contribute to a positive school culture. It is clear that high staff turnover makes it virtually impossible for a positive culture to be established, for students to connect and flourish. We know that strong administrative leadership shapes school culture. In summary, continuity, consistency and stability are essential. Experience counts.

### **A NOTE...**

AALA wishes to acknowledge that the *Daily News* was the first newspaper to break the story about the PACE research on Los Angeles schools (*Update*, week of August 1, 2011).

## **HEALTH BENEFITS FAQ**

### ***Topic:* HEALTH BENEFITS GLOSSARY OF TERMS**

#### **Coinsurance**

Coinsurance is a shared payment between an insured's health plan and an insured individual, usually described in percentages. The split is commonly 80/20, with 20% the insured's responsibility. In the District, Anthem Blue Cross EPO and MetLife PPO dental plans require coinsurance payments. For Medicare retirees in Anthem EPO, coinsurance is shared between Medicare and Anthem for covered expenses. District HMO plans may require coinsurance for some services or goods.

#### **Copay**

Copay refers to the fixed amount an insured is required to pay at the time of service. The District's HMO plans have copays that vary from \$5 to \$30 for physician and routine office services. Copays for hospital services vary, depending on the type of services and may include a combination of copay and coinsurance.

#### **Allowed Expenses**

The allowed expenses indicate the maximum amount a plan pays for a covered service.

## **HEALTH BENEFITS FAQ (Continued)**

### **Deductible**

The deductible is an annual amount that an insured member must pay before benefits are paid by the insurance plan. Of the District's medical plans, only Anthem Blue Cross EPO has an annual deductible. For active employees in the Anthem EPO plan, the deductible is 0.5% of the employee's gross fiscal earnings (\$100 minimum and \$800 maximum). An active employee with a family has an annual deductible that is three (3) times the member's deductible. A retiree's deductible is \$300, and a retiree with dependents may have a maximum of three separate deductibles. For vision and dental, VSP and MetLife PPO have deductibles of \$25 and \$100, respectively.

### **EPO**

EPO stands for Exclusive Provider Organization. The District offers an EPO plan through Anthem Blue Cross which encompasses Blue Cross' national network of participating physicians and health care facilities. These participating providers have agreed to be part of Anthem's Preferred Provider Organization (PPO) program. Care for Anthem EPO plan members must be provided by, or coordinated by, a participating provider physician. The difference between an EPO and an HMO is network size; EPOs have a wider choice of physicians and medical facilities compared to the narrow network of physicians and facilities available within HMOs.

### **Formulary**

A formulary is a list of covered drugs consisting of generic and brand-name drugs. This formulary may also contain a third or fourth tier of medications that are designated as "nonformulary." Prescriptions for nonformulary drugs can be dispensed, but at a higher cost to members. To manage prescription costs, members should periodically check their plan's formulary to see whether their medications are listed.

### **HMO**

HMO stands for Health Maintenance Organization. HMOs provide managed health care through a network of doctors, hospitals, and other medical professionals, usually coordinated by a physician, assigned to or selected by the insured. HMO premiums are less costly than EPO premiums due to their narrower network (fewer physicians and facilities) as compared to the network offered by EPO plans. The District's HMO plans include Kaiser, Health Net, Anthem Blue Cross Select, and SecureHorizons.

### **Medicare Advantage Plan**

Medicare contracts with private insurance plans to offer full medical coverage for both Medicare Part A (hospital) and Part B (medical) services. The District's Medicare Advantage plans include Kaiser Senior Advantage, Health Net Seniority Plus, and SecureHorizons by UnitedHealthcare. All are Health Maintenance Organization (HMO) plans that provide members access to a network of doctors and hospitals that coordinate an insured's care. Members must use providers in the plan's network, unless it is a medical emergency.

### **Out-of-Pocket Limit**

All plans identify the maximum annual amount a member must pay for the costs of medical services. This amount includes deductibles, copayments and coinsurance, but not prescription drugs. Once the annual out-of-pocket limit is met, the insured's plan covers 100% of medical costs.

## THE DREAM ACT

Last week Governor **Jerry Brown** signed into law a crucial piece of legislation, AB 130, which was authored by Los Angeles Assemblyman **Gilbert Cedillo**. AB 130 allows undocumented students who qualify for reduced in-state tuition to apply for \$88 million in private scholarship funds administered by the University of California, California State University and the California Community Colleges.

Another piece of legislation, AB 131, which has not passed the legislature nor gone to the Governor, would allow for undocumented students to receive public scholarship money. Thus, AB 130 is just the first step for the Dream Act to be fully achieved in California for thousands of students who desperately need financial aid for higher education. The importance of this legislation is that it is now the law and establishes a State precedent while aiding many deserving students.

According to the *Los Angeles Times* online (Teresa Watanabe, July 27, 2011), in 2009-2010 the University of California awarded 14,000 scholarships, averaging about \$3,500 each, from a \$46 million fund supported by private donations and endowments. Last year Cal State gave \$2,200 on average to 11,689 students from its \$25.7-million private scholarship fund. The community colleges gave an average of \$1,000 to 18,634 students from its \$16.9 million fund.

While the Dream Act remains highly controversial, undocumented students and their supporters are lobbying hard for AB 131. Passage of this bill will enable undocumented students to qualify for Cal Grants, which are currently available only to U.S. citizens. No matter what one's views may be on U.S. immigration policy, the view of AALA leadership is that it is unjust to blame undocumented students for the actions of their parents. We believe passionately that an educated populace benefits everybody. We urge AALA members to support the dream for all of our students.

*That all citizens will be given an equal start through a sound education is one of the most basic, promised rights of our democracy. Our chronic refusal as a nation to guarantee that right for all children... is rooted in a kind of moral blindness, or at least a failure of moral imagination.... It is a failure which threatens our future as a nation of citizens called to a common purpose... tied to one another by a common bond.*

—Senator Paul Wellstone, March 31, 2000

## SAVE OUR SCHOOLS

On July 30, 2011, thousands of educators, parents and their supporters converged on Washington, D.C., to participate in the first of its kind Save Our Schools (SOS) march and conference. Many education leaders criticized the President's education reform policies and the trendy blame game, which bashes educators for public schools' woes while failing to support adequate funding for education. You may access some of the speeches by logging onto Valerie Strauss' blog, The Answer Sheet [www.washingtonpost.com/blogs/answer-sheet](http://www.washingtonpost.com/blogs/answer-sheet).

**RETIREMENT CELEBRATIONS**

<b>Name</b>	<b>Date, Time</b>	<b>Location</b>	<b>Contact</b>
Marilyn Gavin	Saturday, August 13, 2011 11:00 a.m. - 4:00 p.m.	The Grand, Long Beach Events Ctr. 4101 E. Willow St. Long Beach	Jackie Hill 323.751.3817 <a href="mailto:marchfish@aol.com">marchfish@aol.com</a>
Gloria Lopez	Sunday, August 21, 2011 11:30 a.m. - 2:30 p.m.	Luminarias Restaurant 3500 W. Ramona Blvd. Monterey Park	Jody Molodow 213.241.6701 <a href="mailto:jody.molodow@lausd.net">jody.molodow@lausd.net</a>
Gay Havard	Sunday, September 18, 2011 11:00 a.m.	Marriott Marina del Rey Hotel 4100 Admiralty Way Marina del Rey	Deron Fields 310.991.5476

**SAVE THE DATE**

**FRIDAY, AUGUST 26, 2011** – The **Beyond the Bell Branch** of LAUSD will host a benefit show to raise funds to help sustain many of the after-school programs. The event will be held at the Cortines School for Visual & Performing Arts, 450 N. Grand Avenue, Los Angeles. **Tommy Chong** (of Cheech and Chong) will host the evening of food, music and comedy. Preshow festivities begin at 5:00 p.m. and the show begins at 7:30 p.m. Premium tickets cost \$125 and include a meal and a backstage pass; Gold tickets cost \$75; and Silver tickets cost \$40. For more information and to purchase tickets, go to the Beyond the Bell webpage at <http://btb.lausd.net/>.

**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**

**Director of Budget Services and Financial Planning - LAUSD**

Contact **Deborah Jansen**, LAUSD Personnel Commission, at [deborah.jansen@lausd.net](mailto:deborah.jansen@lausd.net).

**School Business and Operations Manager - LAUSD**

Contact **Deborah Jansen**, LAUSD Personnel Commission, at [deborah.jansen@lausd.net](mailto:deborah.jansen@lausd.net).

**CERTIFICATED POSITIONS**

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.

**POSITIONS AVAILABLE (Continued)**

***PRINCIPAL, ELEMENTARY***

**Coldwater Canyon ES (2) MST 43**, 6850 Coldwater Canyon Avenue, North Hollywood, CA 91605  
Coldwater Canyon is an E Basis school. For information and application procedures contact **Jack Bagwell**, Principal Leader, at 818.252.5404. **Filing deadline is Monday, August 15, 2011.**

**Lanai Road ES (1) MST 40**, 4241 Lanai Road, Encino, CA 91436  
Lanai Road is a D Basis school. For information and application procedures contact **Lisa Gaboudian**, Principal Leader, at 818.654.3600. **Filing deadline is Thursday, August 18, 2011.**

***PRINCIPAL, SECONDARY***

**Dana MS (8) MST 44**, 1501 Cabrillo Avenue, San Pedro, CA 90731  
Dana is an E Basis school. For information and application procedures contact **Terry Ball**, Principal Leader, at 310.354.3400. **Filing deadline is 3:00 p.m., Thursday, August 18, 2011.**

**Dodson MS (8) MST 44**, 28014 Monterey Drive, Rancho Palos Verdes, CA 90275  
Dodson is an E Basis school. For information and application procedures contact **Terry Ball**, Principal Leader, at 310.354.3400. **Filing deadline is 3:00 p.m., Thursday, August 18, 2011.**

***INSTRUCTIONAL SPECIALIST (MST 40, Temp. Adv.)***

**Bethune MS (7)**, 155 West 69<sup>th</sup> Street, Los Angeles, CA 90003  
Bethune is a B Basis school. For information and application procedures contact **Daryl Narimatsu**, Principal Leader, at 323.242.1300. **Filing deadline is Monday, August 15, 2011.**

POSITION	LOCATION	CONTACT	DEADLINE
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 <sup>th</sup> Street ES	employment@partnershipla.org	Until filled
Instructional Specialist	Gompers MS	213.201.2000, Ext. 201	Until filled
Instructional Specialist	Markham MS	213.201.2000, Ext. 201	Until filled

POSITION	DEADLINE
<ul style="list-style-type: none"> <li><b>ADMINISTRATIVE COORDINATOR, SPECIAL EDUCATION COMPLIANCE MONITORING and SUPPORT, MST 43 (Temp. Adv.), A Basis, SELPA Division of Special Education.</b> Contact <b>Sharyn Howell</b>, Executive Director, at 213.241.6701.</li> </ul>	<b>Monday, Aug. 8, 2011</b>
<ul style="list-style-type: none"> <li><b>COORDINATOR, INTEGRATED STUDENT INFORMATION SYSTEM (ISIS), MST 40 (Temp. Adv.), E Basis, Information Technology Division.</b> Contact <b>Lupe Paramo</b>, Director, at 213.241.1775.</li> </ul>	<b>5:00 p.m. Fri., Aug. 12, 2011</b>
<ul style="list-style-type: none"> <li><b>DROPOUT PREVENTION COORDINATOR, MST 41 (Temp. Adv.), E Basis, Division of Student Health and Human Services.</b> Contact <b>Debra Duardo</b>, Director, Pupil Services, at 213.241.3853.</li> </ul>	<b>5:00 p.m. Fri., Aug. 12, 2011</b>
<ul style="list-style-type: none"> <li><b>SPECIALIST, PROFESSIONAL DEVELOPMENT/LEAST RESTRICTIVE ENVIRONMENT UNIT (2 Positions), MST 38 (Temp. Adv.), B Basis, LAUSD SELPA Division of Special Education.</b> Contact <b>Sharyn Howell</b>, Executive Director, at 213.241.6701.</li> </ul>	<b>5:00 p.m. Mon., Aug. 15, 2011</b>