



ASTA Action

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Dean Elder, President



President's Report

There is a plaque on the wall of the ASTA office that starts with the handwritten words, "The staff of Cypress HS thank and congratulate Larry Murray and Ellen Lafler for all your efforts in returning Hope and Sanity to our District...November 15, 1979." This summer, as I was researching past practices for an issue that came up in the spring, I spoke to a number of past ASTA Presidents who shared the story of the plaque and the negotiations that led to the first ASTA contract.

In 1975, Gov Jerry Brown (the same Gov Brown) signed the Education Employees Relations Act (EERA), which is the rule book for collective bargaining between teachers and management. After long rounds of contentious negotiations, the first ASTA contract took effect on April 12, 1977. Much of the original contract was carried over from a Certificated Employees Handbook

that had been put together over the previous two or three years by a collaborative group called the Certificated Employees Council. Several articles from that first contract survive today with their original wording. When contract negotiations began, however, ASTA and the AUHSD disagreed on which subjects were allowed to be bargained and in response, ASTA filed a complaint with the newly-formed Public Employees Relations Board (PERB). The PERB ruling went in ASTA's favor and the resulting decision became known as the Anaheim test. It says that a subject not specifically listed as negotiable will be held to be so if it (1) clearly relates to an enumerated subject; (2) is likely to cause conflict of the sort that collective bargaining is designed to overcome; and (3) negotiations over it will not unduly abridge managerial prerogatives.

The District did not comply with the PERB ruling and the frustrated ASTA leadership called for a strike vote. ASTA by-laws call for 2/3 majority vote to authorize a strike, but the effort came up short. As the strike vote failed, one of the leaders came up with a better idea – recall board members. And so ASTA organized a recall movement that ended the tenure of two AUHSD trustees and greatly improved the negotiations process over the following years. The plaque is a tribute to two of the leaders of the recall movement.

Our association was forged through activism. Today, the focus for ASTA has changed somewhat, but the fight to preserve public education and to ensure the collective rights of our members is ongoing. Look for opportunities to join us and become part of this great tradition.

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Bargaining Update

The hardworking ASTA bargaining team met on August 29th to finalize the initial proposal that will be sunshined at the October 15 School Board Meeting. Sunshining a proposal means that it will be submitted as a public document and the public will be able to comment on it before bargaining commences. The District will sunshine their proposal at the same meeting.

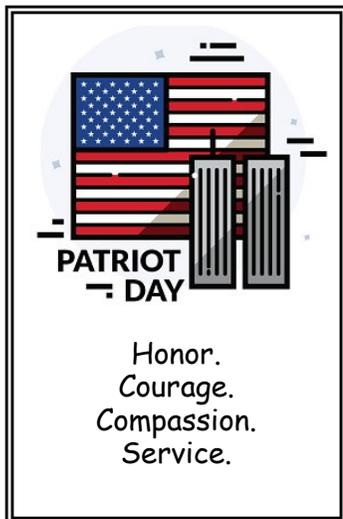
Two bargaining dates have

been set: September 28th and October 25th. The primary focus of those meetings will be healthcare. We will be adding some more bargaining dates this fall to begin working on articles that are not dependent on finances. We will begin working on financial issues closer to the November election when we know the final disposition of Proposition 55. Whether or not Proposition 55 passes will have a significant impact on the District's financ-

es and our position on financial issues at the bargaining table.

Keep an eye out for bargaining updates and make sure to give your personal email to your site reps so that you may receive regular bargaining updates directly to your inbox!

by James Goran,
Vice President (Dale)



NEA Representative Assembly

by Karen Ridley,
Contributor (Loara)

The National Education Association—the largest union in the United States—held its annual Representative Assembly in Washington D.C. this past summer. This is the event that highlights the true democracy of our teachers' association, as over 12,000 elected delegates from all fifty states, convene to discuss, debate, and vote on important issues facing public education today. Sometimes, the items voted on move into the realm of potential legislation on behalf of NEA, whereas others are stances the body has chosen to take on issues facing educators today. Many of the New Business Items presented focused on

civil rights and equity issues facing our students and educators. Others focused on curriculum and school programs.

On Tuesday, July 5th, Hillary Clinton, the Democratic presidential nominee, addressed the NEA-RA. She spoke about educational issues such as higher wages for teachers, better access and funding for special education programs, and the inequities of education whereas a student's success should not depend upon his or her zip code. She received the endorsement of the NEA Representative Assembly later than afternoon, as voted on by the body.

Additionally, Senator Lamar Alexander (R) and Senator Patty Murray (D) both received the NEA Friends of Education award for their bipartisan efforts on the Every Student Succeeds Act which replaced the No Child Left Behind legislation. Overall, as a second-time delegate, it proved to be a life-changing experience, as I had the opportunity to participate in the democratic process that creates an awareness of the challenges and the successes of teachers across the nation.

Propositions to Look For!

by Grant Schuster,
CTA State Rep. (Dale)

This year, CTA is asking you to support and promote 3 Propositions to your friends, families and colleagues.

Prop 55 is first on our list. This proposition will maintain the current income tax rate on the wealthiest Californians; those who are single and making over \$250,000 per year and married couples making over \$500,000 per year. We all know how devastating the cuts to education have been

over the last ten years. Maintaining the current tax rates for the wealthiest among us will allow the state of California to completely close the funding gap in education we have lived with for the past decade.

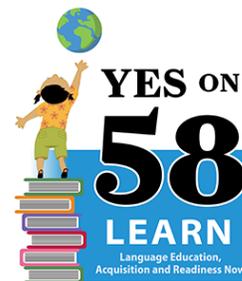
Prop 58, the LEARN initiative, is also endorsed by CTA. This proposition was written to restore the tools that were taken away from teachers and districts with the passage of Prop 227 in 1998. This initiative will allow parents, teachers and districts to choose the best methods available to promote English acquisition for ELs and for English speakers to master a second language.

CTA is also advocating Prop 52, the Medical Funding and Accountability Act. Medical has played a vital role in keeping our students healthy for 50 years and this Proposition aims to guarantee that funding for another generation.

ASTA and CTA greatly appreciate your support on these Propositions that directly affect your students and our classrooms.



Help our children
THRIVE!



CTA Summer Institute Report

by Ian Sabala,
Contributor (Kennedy)

This past summer I was able to walk in the shadows of Pauley Pavilion and Royce Hall while I attended the CTA Summer Institute at UCLA. I participated in the "Legal Strand", and it was definitely eye opening!

The presenters of the strand were part of the CTA Legal team. As members of CTA, we have access to the benefits that this team provides, hoping that we never really need to use them.

"As a CTA member you have the right to be fairly represented by your local association in matters arising under the collective bargaining contract with your employer. CTA members are eligible to participate in

the CTA Group Legal Services Program (GLSP). The GLSP provides high quality employment related legal services to CTA members and chapters to assure that their contractual, statutory, and constitutional rights are protected.

"Every CTA member receives coverage for legal defense costs in lawsuits arising out of his or her educational employment activities. The Educators Employment Liability (EEL) Insurance policy provides the following benefits: Up to \$1,000,000 coverage for legal defense costs in civil suits (except civil rights cases) arising out of educational employment activities and up to \$35,000 reimbursement of attorney fees and costs to defend employment-related

criminal proceedings."

—Taken from <http://www.cta.org/Member-Services/Legal-Services.aspx>

I would like to leave you with some unsolicited advice, if you're ever accused of a crime:

- Get a referral to a criminal attorney through the GLS program ASAP.
- Exception to the usual rule-DO NOT discuss facts with your ASTA rep-your conversation IS NOT privileged!
- If you are questioned/arrested: DO NOT answer any questions without an attorney present...NO EXCEPTIONS!

Know Your Contract: Catastrophic Leave

by Dean Elder,
President

Recently, the AUHSD sent out notices to members of the Catastrophic Leave Program that they would need to donate another sick day to remain in the program. The CLP is a program that allows participating employees who have a serious illness or non-work related injury to use up to 25 donated sick leave credits once their own sick leave days are exhausted and a maximum of 50 sick leave credits over the course of their career. The Sick Leave Bank Committee, made up of District personnel and representatives of the various employee associations, determines if an employee qualifies for catastrophic leave credits. To



establish enrollment in the program, each participant must donate one (1) sick day *per* year to the Sick Leave Bank during the Open Enrollment period in September (8.23.8). This requirement is repeated in 8.23.25, saying that to remain eligible an employee must donate a day each year. Article 8.23.29 provides that once the total number of donated days, also referred to as sick leave credits, exceeds 2,000 days, the committee may suspend donations for all current members for one (1) year, while continuing to accept the one day donations of employ-

ees who want to join the program. The Sick Leave Bank has been in excess of 2,000 days for a long time and so many of us have been members for a number of years based on our first one-day donation and without having to make donations in the following years. This year, however, the Committee is requiring the donation of an additional day to remain in the program. Depending on how many applications for catastrophic leave come in over the next few years, this donation may create enough days to again allow the committee to suspend donations for the next few years.

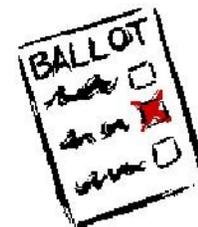
Anaheim Educators PAC Update

by Juan Álvarez,
Director-at-Large (Gilbert)

As Election Day draws near it is critical to stay cognizant of the ballot initiatives that affect education and that we remember to encourage voters in your social circles to vote. This election ASTA is making Proposition 55 a priority. Proposition 55 is an extension to proposition 30 that passed in 2012. It is important to note that Proposition 55 will not raise any taxes it will just maintain the taxes as they already exist. If Proposition 55 fails, the financial impact of a loss of \$4 billion in funding to education will take us back to the days of furloughs and teacher layoffs. This campaign season we endorsed Brian O'Neal and Katherine

Smith or AUHSD school board. To our good fortune, each of them ran unopposed and therefore will remain trustees. However, that does not mean that we will not be involved in campaign activities. We will be lending a hand to our elementary brothers and sisters by supporting the campaign of Anaheim Elementary School Board trustee Jackie Filbeck. Any support you can provide either via phone banking and or walking precincts to speak with the community about Proposition 55 and Jackie Filbeck will be appreciated greatly. We need to do everything in our power to ensure that our schools stay financially solvent and that

we support school solid board candidates. If we can all find a way to schedule an hour or two of our time to support these causes we will make great strides towards victory.



Insurance Committee Report

by Dale Miller,
Director-at-Large (Loara)

Serving on the insurance committee as a representative of our bargaining unit has opened my eyes to the tremendous benefits we have covered in our agreement. The insurance committee is a collaborative committee with representatives from the other classified, counseling, and administrative bargaining units and employees from the human resources and business offices. We meet monthly and our main focus is to preserve the best insurance benefits possible while reducing costs. We review utilization patterns and look at what impact the current usage may have on the subsequent year as our insurance calendar aligns with the calendar year, not

the school or fiscal year. In the spring, each of our insurance products (HMO & PPO Medical, Mental Health, and Prescription this past year) make presentations regarding how effective and efficient



our plans operated in the previous year and cost saving measures we can consider to aid in reducing costs.

As we return to school in the fall, we are presented a variety of poten-

tial plan changes based on consideration requests by the committee and we begin to discuss how to control and share costs appropriately. Eventually, our Representative Assembly gives approval for one or more of the variations to be selected by the committee. Ideally, as our open enrollment is currently set for November, all plan changes need to be made prior to open enrollment so all employees, new and existing, are able to consider changing plans if they choose. If you ever have any questions regarding our insurance plans, please contact your site representatives, Dean Elder at astapres@gmail.com or myself and we will be glad to help.

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ASTA is an affiliate of CTA/NEA

Mark Your Calendar!



-Celebrate Our Schools Rally at Anaheim HS on September 24, 2016

-AE Neighborhood Walks for Prop 55, October 1 and October 22

-CTA Good Teaching Conference (Garden Grove) March 3 to 5, 2017

-NEA Representative Assembly (Boston, MA) June 30 to July 5, 2017

-CTA Summer Institute (UCLA) July 30 to August 3, 2017

Any ASTA members can receive weekly updates to keep you informed of current issues and events.

If you are interested in receiving the ASTA Weekly Update, please inform your site reps.

How Charter Schools are Hurting Students

by Dean Elder,
President

On September 1, AUHSD Superintendent Mike Matsuda participated in a media teleconference call to encourage Governor Jerry Brown to sign legislation, AB 709, that would require accountability and transparency at CA charter schools. Superintendent Matsuda was joined in this call by CA State Treasurer John Chiang, Assembly Member Mike Gipson (D-Carson), LAUSD School Board VP George McKenna, as well as parents and civil rights and community supporters. AB 709 would require all charter schools, just as other public schools, to be transparent and accountable to parents and to disclose how they spend taxpayer money, including budgets and contracts. Charter schools would also be required to have open board meetings, open records and follow conflict of interest laws. Currently, charter school board members can direct school contracts to companies that they own and from which they can directly profit. The CA Charter Schools Association is

opposed to this legislation.

There has been a flurry of recent studies and headlines documenting fraud, mismanagement, and negligent practices at a number of privately run charter schools



around the country. During the conference call, Superintendent Matsuda stated, "There is a lack of oversight and transparency in large, networked charter schools,

especially in the case of the nation's second-largest charter chain, called Magnolia Science Academy, where taxpayer dollars may have been used to fund a coup attempt overseas. Americans need to be asking questions about transparency and accountability." The AUHSD has been informing parents, students, and community members of the Magnolia Science Academy's murky management practices through public viewings of the documentary, "Killing Ed". Your principal will have a schedule of upcoming showings.

CTA has launched a new public campaign to expose the problems created by a lack of accountability for privately run charter schools and how that lack of accountability is harmful to students and taxpayers. You can follow this campaign, and read about the anti-public education billionaires who fund the charter school movement, at their website:

www.kidsnotprofits.com