



# ASTA Action

Volume 57, Issue 5

December 2016



Dean Elder, President

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## President's Report

At the end of a year, I suppose it is only natural to reflect on the ups and downs of the previous 12 months. 2016 had some incredible highs and lows.

We lost an important member. Kenneth Shimogawa dedicated many, many hours each year to advocating for teachers through his work on the Anaheim Educators PAC. In campaigns, he was tireless and his work paid off for us as teachers, and for us as an organization, time and time again. And Kenneth left us an important gift – an understanding of the importance of reaching

out to our community and going door to door, if necessary, to win elections to support quality public education.

In the spring, we witnessed the end of two billionaire-generated court cases that had the potential to change our profession. Friedrichs v CTA was a direct challenge to our rights as a union and Vergara v CA was a direct challenge to our rights as teachers. Both cases settled in our favor and, for the moment, on those fronts we can move forward.

We won several important elections. In June, Rebecca Gomez, the Teachers for Local Control endorsed candidate for the Orange Co Board of Education, upset the incumbent to form a new 3-2 rational majority on a board that desperately needed to refocus on issues that really matter to students and classrooms. This election marked the first time that the local associations in a county banded together to take on a county-wide election. In the fall, a number of

important local elections turned in our favor and Teresa Shimogawa details some of them on the next page. However, public education took a major hit in the presidential election. As the Trump administration is formed, it is clear that those of us who understand the importance of quality public education will have to stand together to protect our students and our profession from what is shaping up to be an all-out effort to privatize education in America. The public education community has been organizing itself in ways that it never has before, and I truly believe that together we will work through this.

I respect and admire all of the great work that you do, both in and out of the classroom. I hope that you have had a great start to the holiday season and that you are able to relax and enjoy the upcoming vacation. I am looking forward to working with you as we take on the challenges of the new year.

by James Goran,  
Vice President (Dale)



## Bargaining Update

The ASTA team and the District team have met several times already this year and we have two more meetings scheduled before Winter Break. The process this year has been much smoother and it appears that the processes and procedures of bargaining are being fine-tuned. Progress is happening at a faster rate than last year's sessions.

ASTA has asked for many budget documents from the District, which will be very useful to use to help guide monetary discus-

sions. We are analyzing these documents and the LCAP to study district trends.

Aside from money discussions, there is a lot of language that has been proposed to change the contract. There are three workgroups that are still meeting to discuss major issues. These are SPED workload, student discipline, and the Peer Assistance and Review (Par) workgroups. Teachers, administrators, and counselors are tasked with discussing and trying to find common ground to

be a jumping off point for the bargaining table. The groups have met several times and there have been some good discussions. It is unclear whether these groups will be completed before a settlement is reached.

There have been many questions and comments regarding negotiations this year. I am glad to answer any questions you may have, so keep those emails coming. You can reach me at [jamesgoran@rocketmail.com](mailto:jamesgoran@rocketmail.com).

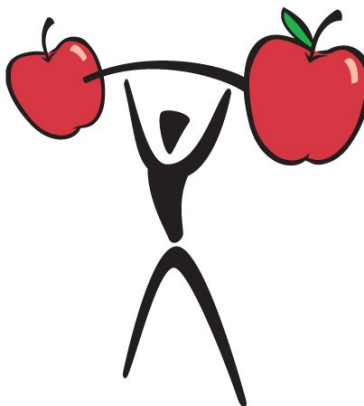


## Well Done! Wellness Program Update

by Kimberly Vallée,  
District Human Resources

The District has taken a number of steps over the last several months to support the Well Done! Wellness Program for employees and families and grow the program's services. The goal is to support teachers and all staff who want to improve their physical, social and emotional health and work/life balance. Participation is 100 percent voluntary. After more than 1,100 responses to employee surveys in 2014 and 2016, it was determined the top three health risks for AUHSD employees are 1) Stress, 2) Depression and 3) Overweight/Obesity. To assist employees who want to address these specific issues (or their own health concerns), the Well Done! program has partnered with Healthy Adventures Foundation to implement a variety of fitness classes, workshops, a Healthy Through the Holidays challenge, and telephonic health coaching. All programs and services are

currently FREE for District employees and some services are extended to family members for no charge (ex. fitness classes and workshops). Be sure to check out the complete list of programs and fitness classes at [well-done.auhsd.us](http://well-done.auhsd.us). Additionally, to access health coaching, go to [www.HealthStepOne.com](http://www.HealthStepOne.com) to be con-



ected to a personal health coach. Funding is currently provided by the District's insurance carrier, Anthem Blue Cross, so all monies used for employee wellness do not impact critical resources for students. From an organizational view, the many benefits of the employee wellness program include improved morale and resiliency (ability to respond to stress) as well as improved interactions with students, coworkers and the public. Another potential benefit of the program is a decrease in the growth rate of insurance premiums if the overall health of the District improves. While this is not the driving factor, nor is it guaranteed, studies show that engaging wellness programs improve the health of employees and the organization itself. For more information, go to [well-done.auhsd.us](http://well-done.auhsd.us) or contact the Well Done! Coordinator, Kimberly Vallée (714-999-1512 / [vallee\\_k@auhsd.us](mailto:vallee_k@auhsd.us)).

## Election Results Here, There, and Everywhere

by Teresa Shimogawa,  
Contributor (Cypress)

The hard work of our teacher volunteers paid off in local elections this year. We now have several newly elected officials who will be strong advocates for public education, which is essential in this era of constant attacks.

The power of connection cannot be overlooked. Making the phone calls, having conversations with people at their homes, member-to-member contact--the ability for us, as teachers, to spread the word about the issues we care deeply about because they affect us and our students--this is what an election is all about. We sincerely thank the teachers who took time out of their busy schedules to be a part of it. We can only do this together.

A quick re-cap of the results:

- **Prop 55:** Passed, generating an estimated \$4-9 billion dollars for schools.
- **Prop 58:** Passed, and will reauthorize bilingual education. Research shows that this will increase student academic achievement.
- **Anaheim City Council Area 3:** Former Anaheim Elementary School Board member Dr. Jose F. Moreno won against the Disney-backed, well-funded incumbent by 44 votes.
- **Anaheim Elementary School Board Area 1:** Teacher-endorsed candidate Jackie Filbeck won.
- **Santa Ana Unified School Board:** A district that currently has 12 charter schools, it has been hit hard by anti-public school interests. Two of their association's endorsed candidates, Rigoberto Rodriguez and Alfonso Alvarez, won. The district is now in a much better position to fight against charter school interests.
- **Fullerton JUHSD School Board:** former ASTA president Joanne Fawley beat the 28-year incumbent.
- **State Legislature:** Sharon Quirk-Silva won in Assembly District 65 and Josh Newman was recently declared the winner in the 29th Senate District. Newman will take over the seat previously occupied by Bob Huff, who co-authored the Parent Trigger law. Sharon took her seat back from Republican Young Kim, who was also pro-charter and a proponent of the Parent Trigger. Sharon and Josh are both strong advocates for public education and were both were CTA endorsed.
- **National Elections:** President-Elect Trump and his Education Secretary nominee, billionaire Betsy DeVos, are both supporters of charter schools and vouchers.

## Know Your Contract: Physical Safety

by Dean Elder,  
President

Article 13.3, Physical Safety, begins with the statement: “The District shall give all reasonable support and assistance to unit members as they attempt to maintain an atmosphere conducive to appropriate discipline on school grounds and in the classroom.” The first paragraph, 13.3.1, states that, once aware, the site administration shall arrange for a conference with the teacher to discuss the problem and to decide how to resolve the problem. If necessary, a specialist may be called on to attend the meeting.

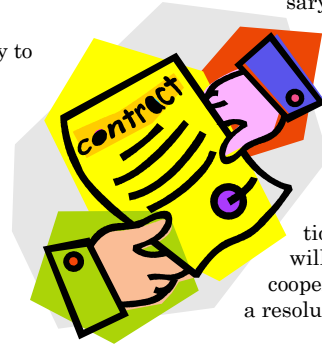
The next section of this article, 13.3.2 Class Suspension by Unit Members, describes the process by which a teacher can suspend a student from their class for the day of the incident and the following day for certain

infractions, a right that is also given by CA Education Code 48910. Infractions that may lead to a one-day suspension include:

- Causing or threatening physical injury to another *person*
- Damaging or attempting to damage school or private property
- Disrupting school activities or defying authority
- Another infraction as describe in CA Education Code 48900

The teacher must immediately report the suspension to the site administration. A suspended student cannot be placed in another teacher’s classroom. As soon as possible, the teacher must arrange a

parent/teacher conference with the student’s parents and, if the teacher feels it is necessary, an administrator will attend this conference. Finally, if the one-day suspension and conference does not solve the problem, paragraph 13.3.2.3 states that the site administration and the teacher will continue to work in a cooperative fashion to find a resolution to the problem.



## City Council Candidates Visit Katella

by Judy Yeaton,  
Secretary (Katella)

With the re-districting of the City of Anaheim, and the opening of two additional council seats comes a diverse collection of candidates ready to fill those spots. Seats for districts 1,3,4, and 5 will be on the ballot in November, so Katella High School decided to bring the candidates from districts 4 & 5 to campus to share their platforms and perspectives with the senior class. Katella’s student population is drawn from those two districts. In two sessions, candidates joined the senior class for a most informative sharing of their statements and positions on the state of the city, followed by several rounds of pointed questions posed to the candidates. Questions

were based upon candidate statements, as well as issues and concerns of the students. Students minced no words in asking for clarifications and elaborations from the candidates. The statements were reviewed beforehand in government class, generating some very important and valid questions. Those questions were reviewed in English class and then presented to the prospective council members at the forum in the Katella theatre. The entire event was run by students with our student ambassador, Gabby Henry as Master of Ceremonies.

Students came away with definite opinions of

those wanting to represent them as city leaders. The forums are a follow-up to last year’s Town Hall Meeting with Mayor Tom Tait. Tait came to campus and discussed what was happening in Anaheim, and students posed questions about their concerns to him last spring. Many of the “rapid fire” questions for the candidates were predicated on those initial concerns. These opportunities give students the confidence to raise their voices, and as an outcome, approximately 65 students spoke at city council meetings last year on topics from parks to parking, roads to bike lanes, and much more.

## T.A.P.E.— Charter School Myths Busted

“California’s parent-trigger law...allows 51 percent of parents at a school that has failed to meet “adequate yearly progress” requirements for three consecutive years to sign a petition that prompts one of four actions: converting to a charter school, replacing the principal and staff, changing the budget, or closing the school entirely”

<http://www.edweek.org/ew/articles/2010/12/21/15parents.h30.html>

Examples of schools where the law was enacted: Palm Lane in Anaheim, CA and Desert Trails in Adelanto, CA

“A charter school is a public school...usually created or organized by a group of teachers, parents and community leaders or a community-based organization, and it is usually sponsored by an existing local public school board or county board of education.”

<http://www.cde.ca.gov/sp/cs/re/csabout.asp>

Examples of Local Charter Schools: Goals Charter, Epic Charter, OC Workforce Innovation High in Anaheim, CA



**Myth:** Parent Trigger and Charter Schools are the same thing

**Conclusion:** Charter schools exist as physical entities while Parent Trigger exists as legislation.

**Parent Trigger ≠ Charter Schools**



## ASTA/Anaheim Educators

50 South Anaheim Boulevard  
Suite 300  
Anaheim, California 92805

Phone: 714-399-1882

Fax: 714-635-2603

Email: astapres@gmail.com

### Executive Board

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Vice President: James Goran, Dale

Secretary: Judy Yeaton, Katella

Treasurer: Geoff Morganstern,  
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Director-at-Large: Juan Álvarez,  
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Director-at-Large: Dale Miller, Loara

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Ryan Ruelas, Anaheim

Grant Schuster, Dale

Christie Bettendorf (alternate),  
Kennedy

### CTA Staff Person:

Lisa Eck

### Administrative Services Manager:

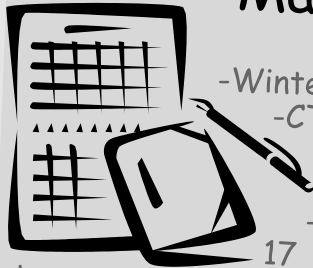
Debbie Knapp

### Newsletter Layout Editor:

Ann Rice, Brookhurst

ASTA is an affiliate of CTA/NEA

## Mark Your Calendar!



-Winter Break December 24 to January 8

-CTA Good Teaching Conference  
(Garden Grove) March 17 to 19,  
2017

-Spring Break March 13 to March  
17

-Last Day of School May 26

-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.

## AUHSD Files Suit Against OC Board of Ed

by Dean Elder,  
President

On Friday, December 9, the Anaheim Union High School District (AUHSD) and the Anaheim Elementary School District (AESD) joined forces to file a lawsuit in Orange County Superior Court against the Orange County Board of Education (OCBE). The suit is an effort to shut down EPIC Charter School, which opened up for business in a storefront in downtown Anaheim last spring. The two districts are seeking an injunction against the Oklahoma-based on-line charter that would prevent the school from operating within their district boundaries. The suit claims that the OCBE did not act responsibly when it ignored the recommendations of its staff and overrode the AESD's denial of EPIC's original charter application.

In a press release, AUHSD Superintendent Mike Matsuda said, "EPIC was illegally authorized by the OCBE in violation of the Charter School Act. The county school board failed to exercise its oversight duty when the flawed petition first came before them. Instead, they approved it with conditions that were never met. The OCBE's actions have left us with no recourse other than to seek this injunction."

The AESD rejected EPIC's initial application to open a charter in central Anaheim, noting that EPIC had:

- Failed to specify how it would provide special education services.
- Failed to outline the types of supports or interventions for at-risk students.
- Failed to include an adequate plan for English learners.
- Failed to fully identify its financial and operational plans.

At the time of its application was denied by AESD and subsequently approved by the OCBE, EPIC was under investigation for fraud by the Oklahoma Department of Education. According to AESD Superintendent Linda Wagner, "Since the individuals managing EPIC's Oklahoma program are the same

individuals managing the program here in our county, you can see why we have serious concerns regarding EPIC and their operational plan." In its recommendation to the OCBE to deny EPIC's appeal, the OCBE staff cited possible civil liability resulting from the fraud investigation, governance issues, and a lack of valid parent signatures. The OCBE granted EPIC's charter with a 5-0 vote.

Consulting attorney Erwin Chemerinsky, noted constitutional expert and founder of the UCI Law School added, "In approving EPIC's petition, the OCBE acted in a manner that was contrary to law. In light of the many ways that EPIC is not complying with the law, the approval of the petition violates state education requirements and amounts to an improper use of public funds."

EPIC currently has about 100 students in Orange County and is planning to expand to 850 students by summer.