

ACTION BY THE STATE COUNCIL OF EDUCATION
The Representative Assembly of the California Teachers Association

Westin Bonaventure Hotel, Los Angeles
May 15-17, 2009

Sanchez says CTA funding lawsuit, two-thirds vote challenge likely

CTA will continue to lead the fight to make sure public schools receive all funding owed to them, to secure health care for our students, and to fix the broken budget system in Sacramento, President David A. Sanchez told State Council.

He said CTA will likely file a lawsuit to recover \$9.3 billion in education funding diverted during the state budget battles, and that CTA is working with a coalition of unions and others to change the state's two-thirds vote requirement to pass a state budget.

"We will continue to lead the fight to guarantee that our schools and colleges get the resources they need, they deserve, and are owed under law," Sanchez declared.

In his speech only four days before the May 19 special election, what Sanchez warned would happen if the budget-related Propositions 1A-1E failed, as they did, has come to pass – public schools and colleges are facing more cuts of unprecedented proportions. He praised Council for endorsing all the ballot propositions, and said CTA members reached more than 135,000 voters in phone-banking around the state.

But looking ahead, Sanchez said a lawsuit and a challenge to the disruptive two-thirds rule may be next.

He criticized the Legislature's "illegal manipu-

lation" of Proposition 98, the state's minimum education funding law, to divert \$9.3 billion owed to schools. CTA has prevailed in court twice in the past 15 years when similar diversions occurred, and its attorneys have been working since January to prepare a possible lawsuit, he said.

'A small minority can hold state budget and schools hostage'

He said the lawsuit filed during the campaign by two other unions was premature. "Our attorneys are working with other members of the Education Coalition to ensure we have the best legal case possible when we file in court," Sanchez said.

Meanwhile, he said it's time to change the two-thirds budget vote rule that only perpetuates the state's broken system. "It's one of the things that has brought us to the brink of disaster in the first place," Sanchez said. "As long as a small minority can hold our state budget and our schools hostage, we're not going to be able to fix the problem."

A new CTA fact sheet distributed at State Council noted that tax breaks only require a simple majority.

Council elects 4 new members to CTA Board

Council elected four new members to the CTA Board of Directors, with all terms of office beginning on June 26.

All of the three-year terms end on June 25, 2012. Elected were:

District F: Elana Davidson, an educator for 23 years who is a resource specialist at Las Palmas Elementary in the Patterson Joint Unified School District in Stanislaus County.

District J-Los Angeles: David Goldberg, an educator for 13 years, is the current treasurer for United Teachers Los Angeles. He teaches at Murchison Elementary in Los Angeles Unified School District.

District M: Jim Rogers, a teacher for nearly 20 years at Imperial Middle School in La Habra City School District in Orange County, won the seat vacated by Lloyd Porter, who was termed out. Rogers was already on the board once as the CTA-NEA Coordinating Director, a position filled earlier this year by Marc Sternberger, an educator in the Pittsburg Unified School District.

Sternberger represents on the CTA Board all 17 California members of the National Education Association Board of Directors.

At-Large: Curtis L. Washington, an educator for 20 years, has taught the last 18 at Mills High School in Millbrae in the San Mateo Unified School District. He is a former member of the State Board of Education and was recently appointed by the SBE to the state Advisory Commission on Charter Schools.

Doggett: United we stand, divided we fall

The ability of CTA members to rise to the occasion again and again, to push back against adversity and during dark economic times like the present, is the key to the survival of our union, Executive Director Carolyn Doggett said in her speech to Council touching on themes of hope and solidarity.

“Adaptability is our key to survival,” she said. “We strive to be proactive. We continue to fight for reforms that we know will work. And we do it together. Because in the end, as the saying goes: United we stand. Divided we fall.”

She pointed to the phone-banking mobilization that went on for Prop. 1B at Council – how in one afternoon, Council delegates made 5,100 calls to voters.

In a short CTA history lesson, she went back to 1978 when an anti-tax revolt resulted in the passage of Proposition 13, costing school districts, on average, half their property tax revenue, and thousands of teachers their jobs.

She cited some of the many ways that CTA mobilizations since Prop. 13 have helped the teaching profession and our schools. CTA soon passed a set of “bailout” bills to provide funding for cash-starved districts. In 1988, CTA led the fight to pass Proposition 98 to guarantee minimum funding to schools.

When Gov. Pete Wilson withheld funds due

schools under Prop. 98, CTA successfully sued in the legal case known as *CTA v. Gould*, which established that the state must honor what is known as the maintenance factor formula in Prop. 98 and fund schools at levels required by the law.

Since Prop. 13, CTA defeated two voucher initiatives and passed four statewide school construction bonds that brought more than \$35 billion to local schools and colleges.

CTA sued again in 2005 when Gov. Schwarzenegger broke his promise to repay schools under Prop. 98. The settlement of that suit provided nearly \$3 billion over seven years to lower-performing schools in the CTA-sponsored Quality Education Investment Act program, Doggett noted.

Doggett cited the messages in a children’s book read by First Lady Michelle Obama recently at an after-school program in Washington, D.C. The book was “Alexander and the Terrible, Horrible, No Good, Very Bad Day.”

Children in the audience offered responses when Obama asked what they do during bad days. One optimistic boy yelled out, “Don’t quit!”

Doggett concluded, “Because yes, there are going to be terrible, horrible, no good, very bad days – but we must never quit!”

Council OKs new budget, policy on affordable housing

Council delegates approved a new CTA budget for the 2009-2010 fiscal year and adopted new CTA policy about affordable housing for educators — along with backing pending legislation that would promote this kind of housing stock.

The new policy reads:

“CTA believes that appealing and affordable housing for the bargaining unit members in or near the school districts in which they work strengthens their connections with the community and the families of the children in the local schools. CTA also believes that affordable housing will support professional compensation, benefits and working conditions in the recruitment and retention of bargaining unit members. CTA supports legislation that increases opportunities for bargaining unit members to acquire affordable housing.”

In voting to take an approve position on Assembly Bill 1246 by Assemblyman Dave Jones, D-Sacramento, Council said the intent of the bill is to modernize the law regarding “workforce housing cooperative trusts,” which could increase affordable housing

opportunities around the state for CTA members in high-cost areas.

The new policy was proposed by the State Council Negotiations Committee, which also proposed new policy on temporary teachers. This policy, also approved by Council, states that hiring temporary teachers for what “should be deemed permanent positions erodes the rights and privileges of the profession, such as seniority, due process, retirement, and more.”

All temporary teachers “should be given every possible opportunity to achieve probationary and permanent status. CTA opposes usage of temporary contracts for continual and perpetual rehire.”

In other action, State Council also:

- Referred to the Board of Directors for consideration that CTA sponsor legislation to expand health benefits to part-time community college faculty, and sponsor a bill to make charter schools accountable for retirement disclosures and payments.