

## President's Update 11-1 to 11-4

'Tis the season for conferences and site visits. Visitations begin this week and will continue through most of October. I am off to Buellton on Friday for the Fall Channel Islands Service Center (CISC) conference. Last weekend, I attended CTA's Region III Conference in downtown LA. CISC is a league of CTA associations from Ventura, Santa Barbara, and San Luis Obispo counties. Region III links most of Southern California's Associations. The following is a report from the sessions I attended in LA.

### **Channel Islands Service Center Breakout (Saturday 8:45am-10:15)**

The majority of the time, we received information concerning the upcoming Schools and Community First Initiative that CTA and its partners will attempt to place on the ballot for the November 2020 election. I will offer more about this Proposition later in this newsletter and at Thursday's Rep Council. The rest of the time we discussed productive ways to get more members involved in our associations.

### **Bargaining 101 (Saturday 10:30-12pm)**

The session I signed up for was cancelled, so I went to this one. It was the same presentation that Lisa McCarter and I attended at the Issues Conference in January. I came away from this session confident that our Bargaining Team interest-based bargaining strategy is sound and effective.

### **Grievance Processing (Saturday 1:30am-3pm)**

I chose this session because MUSD and MEA do not often get to the point where problems metastasize into grievances. Having a President on full-time release is one of the biggest reasons for this. Another significant reason is that we have terrific site reps who advocate for members on a daily basis. If and when there is an issue, we can react to it quickly. Another reason is that MUSD rarely violates our collective bargaining agreement, or if it does, they rectify the error before the two sides reach a formal impasse.

Let's begin with two definitions: a *problem* is a situation that is non-grievable, immediate, concrete, controversial and winnable. A *grievance* is a violation of specific contract language. MEA is an employee association that protects everything within the "four corners" of the contract. How do you tell the difference between a problem and a grievance? Often it may be as simple as asking "find it in the contract for me." You can probably find a way to file a grievance about anything; however, the grievance process is lengthy and not always the best avenue towards resolution. Most of the time, an informal meeting between the member, his/her rep, and administration can remedy the situation. MEA leadership will offer brief grievance training for its Reps at Thursday's meeting. Here are a few takeaways:

- MEA's Representatives must have a firm understanding of the contract to properly represent its members.
- A representative's job is to devise the best strategy for addressing a grievance and advocate for a member with an eye towards a mutually acceptable remedy.
- Best practice is to have a member bring representation for meetings with administration.

- Representatives should be trained in the grievance process

### **Schools and Communities First (Saturday 3:15-4:45)**

I will present a fuller explanation of this initiative later in the year. The school funding situation impacts all stakeholders on a daily basis. For now, suffice that CA's system for funding its schools is inadequate, inequitable, unstable, and unreliable. This proposed proposition will reclaim \$11 billion dollars for CA public schools and local communities by assessing commercial and industrial property tax at market value. I will spare you the lesson in history (how CA arrived at its present funding formula), and concisely tell you where we are:

*Inadequate:* CA has the 5<sup>th</sup> largest economy in the world. CA also is 39<sup>th</sup> in the nation in per pupil funding. Recall that the majority of funding for public schools comes from average daily attendance of its students. MUSD gets close to \$10,000 per student. CA's ADA is \$2,475 below the national average. We are 37<sup>th</sup> in percentage of income that goes to public education—the national average is 3.78%; CA's average is 3.29%. Even more damning: CA is 51<sup>st</sup> (this includes Guam and Puerto Rico) in student to teacher average at 22:1. The national average is 15:1. You are probably saying 22:1, I wish! The average takes into consideration all credentialed teachers working at a particular district. We know the reality is much different inside the classroom. The salient fact is that CA, on average, has 7 more students its classrooms than the rest of the country.

*Inequitable:* Districts such as Moorpark get less money from the state in the present (LCFF) funding formula's funding matrix based on its student population. Prior to Proposition 13 and the *Serrano v. Priest* decision, the funding was inequitable as well. The system is still broken. Funding our public schools should not create winners and losers.

*Unstable and Unreliable:* After Proposition 13 passed in 1978, CA went from the top 5 in per pupil funding to 47-49<sup>th</sup> in the country. Thanks to Propositions 30, 55, and 98, we are now in the top 40. Prop 55, which guarantees a certain percentage of funding for schools, is set to expire in 2030. The main reason, however, for the instability is our system's reliance on income tax for the majority of its funding. CA generates 50% of its entire budget from personal income taxes. Income taxes are subject to the whims and caprices of the state and national economy. A tariff war, for example, with China can disaffect school funding in Moorpark, CA. Prop 30 raised taxes on our wealthier residents. At some point, CA cannot rely on raising income taxes, even on our richest citizens. Property taxes and extraction taxes are more reliable ways of generating money for schools.

### **2019-20 State of the State Budget (Sunday 8:30-8:45)**

This update is long enough as is. Here are the highlights:

- Last year CA Schools received 2.7% for Cost of Living Allocation (COLA) plus .99%. The .99% was imbedded in the LCFF. Also, the governor fully funded "the gap" for its public schools. The gap was the amount the State underfunded school districts post-recession. This means is that MUSD did not receive more money than COLA.

- This year's COLA is 3.26% with the gap 100% funded. We always know what the COLA formula produces, but the State Legislature can add or subtract from it. Last year, for example, we thought we were going to receive a larger COLA from the State. We got less, and it translated into a lesser pay increase for our members.
- MUSD will receive more money than last year for its SPED students—about \$17.50 per pupil. It will also receive significantly more for early SPED intervention at the preschool level.
- MUSD will receive slightly more money from the State Lottery. By the way, the lottery comprises 1.5% of a district's funding from the State.
- MUSD will contribute 17.1% instead of 18.13% to our STRS accounts. Last year, the legislature approved a one-time "buy down" employer contribution to our retirement accounts. As you will recall, MUSD has to project its budget three years into the future. This buy down should quell any argument by MUSD that "STRS contributions are killing us," at least for the next few years.

Overall, MUSD will not get as much new money as it did last year (beyond 3.26% in COLA), but its expenses, particularly for STRS, may be down in 2019-20. If ADA stays stable, we should be in pretty good shape at the bargaining table. Right now, MEA cannot proceed beyond the data. Jake worked with MUSD's LCFF calculator this weekend of all of his UNISERV chapters. MEA should have a better idea of MUSD's financials soon. This will allow us to create an informed bargaining strategy.

#### **Staying Strong Post-Janus (Sunday 10:00-11:30am)**

The *Janus* Decision weaponized the First Amendment against public employment associations. Judge Alito's decision went beyond the scope of the facts of the case. This, in turn, has opened the door for lawsuits aimed directly at the heart and lifeblood of collective bargaining units such as MEA. So far, the courts have knocked down all post-Janus legal challenges. Unfortunately, appeals and more cases attacking public education and public employee associations are on their way.

Have a great weekend!

Brian