

PERB CHANGES RULES ON PAYMENT FOR FACTFINDING

At the June 2008 Meeting of the PERB Advisory Committee, Chair Karen Neuwald announced that because of a significant cut in the PERB Budget, beginning July 1, 2008 PERB will no longer pay for the expenses of the Chair for Factfinding. In the past the parties (district and union) normally paid the expenses of their own representatives on the panel, but not the Chair unless the parties agreed to employ their own Chair outside of PERB. As a result, the parties (district and union) will have to share the expense of the chair as well.

PERB tried to avoid this by closing the Oakland Office which would have freed up the money to keep the Factfinding Service the way it has been in the past. The legislature voted to keep the Oakland Office open; thereby, causing PERB to go elsewhere to cover their shortfall.

SEAC Executive Director Ruben Ingram, a member of the PERB Advisory Committee, asked the legal staff at the meeting what would happen if one or the other party refused to pay the expenses of the Chair. Would that mean that the impasse process had concluded allowing the district to implement its last, best and final offer, and the union to strike? The response was it might take a test case to determine the answer. In the meantime, the statute still requires the parties to complete the impasse process before either of them can take unilateral action.

Other news from the meeting was that the Los Angeles PERB Office is being moved to Burbank, another cost savings. 40% of the cases come to the LA Office (soon to be Burbank); 40% go to the Sacramento Office; and 20% to the Oakland Office.

PERB has added a 7th Administrative Law Judge (ALJ) and is now able to produce proposed decisions within 60-90 days after the submission of briefs.

Finally, because of budget constraints, PERB is not planning a statewide conference this coming year, but instead board members and staff are available to speak at other conferences and workshops. SEAC always has the PERB Chair or a representative on the program at our Annual Conference.

Anytime a SEAC Member has an issue that you would like taken to the PERB Advisory Committee, please contact the SEAC Executive Director at 949.387.1869 or by email at ringram@seacal.org. The Advisory Committee meets about twice a year in Sacramento.



SEAC GOVERNMENTAL AFFAIRS REPORT

SEAC continues to be active on behalf of our members before the legislature, the governor, the courts, and state agencies.

In May of 2008 the SEAC Board of Directors came to Sacramento and conducted a "Lobby Day" with the leaders of the legislature and the governor's office. Our Legislative Advocate, Barrett Snider of School Innovations & Advocacy organized meetings with key legislative and governor staff people. Your board was adamant about stabilizing funding, and providing more flexibility in spending.

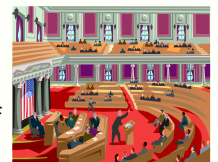
SEAC is party to an Amici Curiae Brief on behalf of the San Leandro Unified School District before the California Supreme Court. The issue is whether or not a school district must permit a bargaining unit to use the school mailboxes to disseminate political campaign materials despite Education Code Section 7054 which prohibits the use of public resources for such purposes. Our arguments are many, but are based on the fact that said mailboxes are district property and are an essential part of a school's communications system, not just an individual person's property.

On the legislative front, SEAC supported AB 2967 (Lieber) which would have required hospital and health care providers to provide consumers (school districts are large consumers of health care services) with greater transparency in terms of cost and quality. Unfortunately, at this writing the bill was changed by the administration to exclude most of the health care providers; thus gutting the bill. The SEAC position is now "non-support", unless amended. This is something we will work on in the next session if it does not happen this year.

We also are in support of AB 2115 (Mullin) which would require Charter School Officers to comply with the Brown Act since they are funded with public monies, and are by statute defined as public officers. This bill may not make it through the administration either.

Finally, SEAC continues to attend and represent your interests at the Public Employment Relations Board (PERB) Advisory Committee, the California Education Coalition for Health Care Reform (CECHCR), the California Health Care Coalition (CHCC), the State Teachers Retirement System (STRS) Health Benefits Task Force, the Center for Collaborative Solutions (CCS), and other important statewide groups.

Please give us your ideas and input for any of these groups.



Ruben Ingram
Executive Director



THE MORE THINGS CHANGE, THE MORE THEY STAY THE SAME! Here we are starting another school year without a state budget in place. Recently at an economic conference I was asked to suggest a solution to this and several other daunting issues in education. My suggestion to this annual financial debacle was, of course, some kind of forward, guaranteed funding (more certain than Prop. 98). One approach could be in January of each year that we would receive prior year funding plus the prior year cost of living increase. This would enable us to fundamentally maintain our programs going into the next year. The legislature could then add to that base amount between January and July which would enable us to improve our programs and compensations.

Such forward funding could help prevent the annual disassembling of programs (layoff notices, projected program cuts, etc.), and then when a budget is passed reassembling those same programs (rescinding the notices, putting the programs back in place, etc.). In terms of negotiations with our bargaining units, and the most expensive part of planning a budget; that is, compensation levels, this approach could lead to less adversarial bargaining by delaying said negotiations until the legislature decides whether or not to sweeten the pot. If the legislature does indeed commit more money than the ongoing base amount, then that is what we would bargain over. If the legislature does not commit more money, then there is nothing to bargain regarding funds.

SEAC is ready for another year of service to our members. You can look forward to continued legislative activity, involvement with all the major state agencies (PERB, STRS, etc.), and a continuing menu of professional development through workshops, conferences, publications, and on-site trainings. The SEAC/ACSA Collective Bargaining Alliance is moving in new directions. This past summer we provided a district with complete services in Factfinding (the district achieved all their goals as a result). SEAC is exploring additional partnerships and continues to work collaboratively with both management and union partners in two health benefit coalitions; California Education Coalition for Health Care Reform (CECHCR), and California Health Care Coalition (CHCC). Please let us know how we can be of service. Have a great 2008-09 Year.

Job Description & Announcement

Assistant Executive Director

School Employers Association of California (SEAC) represents 150 districts serving nearly 2,000,000 students and is committed to serving the governing boards, superintendents and management teams of the public school and community college districts and county offices of education, providing current information and research, conferences, workshops, consultation and proactive advocacy in support of management's rights in collective bargaining and human resources management. SEAC is seeking an experienced school administrator to serve the association and its members as Assistant Executive Director.

Responsibilities

- Assist the Executive Director in the planning and implementation of the programs and services of the Association.
- Staff SEAC Committees and advise the Executive Director of their work.
- Represent the Executive Director on advisory groups and committees for whom the association has common interests and commitments.
- Provide support to the membership through research, training, and advocacy as well as support to the office staff.

Requirements

- Experience as a district level school administrator, preferably as a District Superintendent.
- Thorough knowledge of federal, state, and local laws, policies, and operations as related to public education in California.
- Masters or Doctoral Degree in education, organizational leadership, or public policy.
- High level of interpersonal, communication, and networking skills.
- Office worksite at 2172 Dupont Drive, Suite 13, Irvine, CA (near John Wayne Airport)

Salary: Part-Time Position, Negotiable, Flexible Time

Apply: Send letter of interest and resume to Dr. Ruben Ingram, Executive Director
SEAC, 2172 Dupont Drive, Irvine, CA 92612-1317, or email to ringram@seacal.org. For more information, call 949.387.1869





Collective Bargaining Summits

Negotiating During Fiscal Crisis: Recommended Strategies for LEA Management

Outlook and Predictions: Fiscal and Policy Issues Impacting Negotiations in 2008-09

The final 2008-09 state budget will have significant implications to LEA negotiations. LEA fiscal challenges will most likely be a multi-year problem. This session will highlight the fiscal and policy aspects likely to impact 2008-09 negotiations. The session will also cover recent policy, legal, and regulatory issues and decisions that will influence upcoming negotiations.

*Brett McFadden, Mgt. Services Executive, ACSA
Rick Pratt, Assistant Executive Director for
Governmental Relations, CSBA*

Negotiating Contracts when you don't have Money: Perspectives and Strategies

The absence of money doesn't automatically equate to easier negotiating. In many cases, a lack of money creates a different set of challenges for management teams – especially if they are seeking changes to their contracts. At the same time, labor unions will likely seek contract language in lieu of salary enhancements. This presentation will provide perspectives and strategies on how to negotiate contract changes when you don't possess the ability to provide salary and benefit enhancements.

*Sharon Dezutti, ACSA Professional Standards
Advocate, former Asst. Supt. for HR, LACOE*

Health Care: Outlooks, Projections and Policy Recommendations

The cost and provision of adequate health care to Local Education Agency (LEA) employees will continue to be one of the most challenging issues facing LEA management. This session will provide short and long term strategies LEAs should consider in 2008-09 and beyond. The presenters will provide updates and projections on current rates and trends in the health care arena. Finally, recommendations will be offered on the perspectives between changing your plan versus managing your plan.

*Mike Crass, retired Superintendent and SEAC
Regional Consultant
Ruben Ingram, Executive Director, SEAC*

Strategies and Recommendations for K-adult Management in 2008-09

The final presentation will focus on what to prepare for in your upcoming negotiations. This will include developing board adopted principles, developing your data, laying out your game plan, communicating, and what to do when things go wrong. The presentation will focus on these matters within the context of 2008-09 and 2009-10.

*Ruben Ingram, SEAC
Brett McFadden, ACSA*

Sacramento - September 29

Visalia – October 1

Ontario – October 7

**Register today
www.seacal.org**

8:00 - 9:00 a.m.

Registration

9:00 - 9:15 a.m.

Welcome and Overview

9:15 - 10:30 a.m.

**Outlook and Prediction: Fiscal and Policy Issues
Impacting Negotiations in 2008-09**

10:30 a.m. - 12:00 p.m.

**Negotiating Contracts when you don't have Money:
Perspectives and Strategies**

12:00 p.m.

Lunch

1:00 - 2:15 p.m.

**Health Care: Outlooks, Projections and Policy Recommendations
2:15 - 3:15 p.m.**

**Strategies and Recommendations for
K-adult Management in 2008-09**

Sponsored by:

Association of California School Administrators (ACSA)
School Employers Association of California (SEAC)
California School Boards Association (CSBA)

And supported by:

California Association of School Business Officials (CASBO)
California County Superintendents Educational Services Association (CCSESA)

Call for more Information 949.387.1869



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STAFF

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