



California Teachers Empowerment Network

Standing out from the crowd, fully informed on the issues

Please note that in addition to the traditional emailing of the CTEN monthly newsletter, we will once again post it on the CTEN blog - <http://www.ctenteachers.blogspot.com/> As usual, there are several controversial issues covered in this letter and we urge you to share your opinions with other teachers.

May 17, 2017

Dear Colleague,

Pensions, an issue that affects every public school teacher in the state, have been getting a lot of attention of late. In a nutshell, the situation is not good. As Dan Walters writes in the *Sacramento Bee*,

California's unfortunate status is confirmed in a new report from Pew Charitable Trusts, which found that in 2015 the state's two big pension funds had the nation's sixth-worst record of reducing unfunded liabilities, gathering just 79 percent of the \$18.9 billion they needed to keep their pension debts from rising.

California's status may have worsened since then. In 2015, Pew reported, the California Public Employees' Retirement System and the California State Teachers' Retirement System had 74 percent of what they needed to meet pension obligations, but that ratio has since dropped to about 64 percent due to reductions in their projected investment earnings.

In Los Angeles, the situation is truly dire. The LA school district is facing a budget deficit that will rise to nearly 500 million dollars by 2020, primarily due to increased pension and healthcare costs. As Sara Favot writes in *LA School Report*,

In 2013-14, the district paid \$2,621 from its state funding of \$9,788 for average daily attendance per student (or 27 percent) for all employee benefits, including health and welfare, other post-employment benefits and pension benefits (19.4 percent higher than the statewide average).

A game changer revolves around the so-called California Rule, which is seen as a major stumbling block to any kind of meaningful pension reform. The "rule" as described by *Calpensions'* Ed Mendel:

The pension offered at hire becomes a "vested right," protected by contract law, that cannot be cut, unless offset by a new benefit of comparable value. The pension can be increased, however,

even retroactively for past work as happened for state workers under landmark legislation, SB 400 in 1999.

But the California Rule was struck down by an appeals court in August and awaits an appeal to the California Supreme Court. In the meantime, former San Jose Mayor Chuck Reed wants to put a pension reform initiative on the 2018 ballot.

To read the Walters, Favot and Mendel pieces, go to

<http://www.sacbee.com/news/politics-government/politics-columns-blogs/dan-walters/article148181774.html>,
<http://laschoolreport.com/4-things-to-know-about-lausds-pension-obligations-for-its-teachers-and-other-staff/>
<https://calpensions.com/2016/08/22/court-pension-decision-weakens-california-rule/>

Merit pay or “pay for performance” is back in the news, courtesy of a study from Vanderbilt University. The research shows that teacher participation in a merit-pay program led to the equivalent of four extra weeks of student learning, according to an analysis of 44 studies of incentive-pay initiatives in the United States and abroad. In the U.S., the study showed increased student learning equivalent to three additional weeks of schooling. Lead researcher Matthew G. Springer, an assistant professor of public policy and education at Vanderbilt University, said,

The findings suggest that merit pay is having a pretty significant impact on student learning. Now we need more research to figure out what an optimal merit-pay program looks like and how it is designed.

To learn more about the study, go here - <https://my.vanderbilt.edu/matthewspringer/working-papers/>

Just last week, Los Angeles Unified became the latest “sanctuary” school district when the school board passed a resolution declaring all schools sanctuaries for any students and their families who are in the country illegally. LA is not the first city in California to do so. According to EdSource,

The California Department of Education does not track school board resolutions, but according to an EdSource survey of the state’s 25 largest districts, nine have passed resolutions declaring they would protect immigrant children.

To read more, go to - <https://edsources.org/2017/school-districts-step-up-protections-for-immigrants/576574>
and <http://www.breitbart.com/california/2017/05/10/los-angeles-school-district-declares-all-campuses-sanctuary-schools-after-criminal-alien-arrested-at-school/>

On the school choice front, there is a very important case which will soon be decided by the U.S. Supreme Court. The Trinity Lutheran Church in Columbia, Mo. owns and operates a preschool learning center and its application for a state grant to rubberize its playground was denied. The state refused to pay for it, claiming that the state constitution bars state funds from going directly or indirectly to any religious sect or denomination. But the school disagrees. Writing in the SCOTUS blog, Amy Howe gives the church’s side,

The church argues that its exclusion from a state program that provides grants to help nonprofits buy rubber playground surfaces violates the Constitution, because it discriminates against religious institutions.

With originalist Neil Gorsuch now on the court, the Church is optimistic that it will prevail. As Rick Hess and Grant Addison point out, the decision could have profound implications for school choice. They write that the opponents of choice,

...have long used Blaine-amendment language as a cudgel with which to attack voucher programs, tax-credit scholarships, and education-savings accounts. In the past two years alone, Blaine amendments have been used to challenge the constitutionality of school-choice programs in Alabama, Georgia, Oklahoma, and Colorado. A victory for Trinity Lutheran would fundamentally alter the landscape of school choice — at precisely the moment when choice has moved to the forefront of the education debate due to Secretary of Education Betsy DeVos and the choice-friendly Trump administration.

To read the SCOTUS blog entry go here - <http://www.scotusblog.com/2017/04/argument-preview-just-playground-dispute/> To read the Hess/Addison piece, go here - <http://www.nationalreview.com/article/446826/supreme-court-church-state-case-trinity-lutheran-could-be-big-win>

Also on choice, the California Teachers Association is going after charter schools, sponsoring three bills in the state legislature. AB 1478 would require charter schools to follow the state's Brown Act, which requires open public meetings. (Gov. Jerry Brown vetoed a similar bill just last year, saying it went "too far in prescribing how these boards must operate.") AB 1360 would require all charter schools to follow the state's admission, suspension, and expulsion procedures. But the most radical bill is SB 808, which would limit charter authorization to the local school district. As things stand now, if a local district turns down a charter, the school's organizers can then appeal the decision to the county, and then, if necessary, to the state. The obvious problem if SB 808 passes, is that local school boards would have even more power than they do now. And that could destroy many of the 1,250 charter schools that prosper in California today.

But interestingly, after meeting with a group of parents, the bill's author state Sen. Tony Mendoza (D-Artesia), decided to table it. A day later, however, the Los Angeles Unified school board revived it by voting 4-3 in favor of it.

To learn more about the three bills, go here - <https://edsources.org/2017/california-bill-that-critics-say-could-cripple-charter-schools-back-in-the-spotlight/580529>

Also, regarding charters, University of Arkansas professor and researcher Patrick Wolf has just completed a study in which he found that,

Students in public charter schools receive \$5,721 or 29% less in average per-pupil revenue than students in traditional public schools (TPS) in 14 major metropolitan areas across the U. S in Fiscal Year 2014. That is the main conclusion of a study that my research team released today. Of the cities we examined, some have large and well-established charter sectors, like Houston, Los Angeles, New York, and Washington, while others have more emerging charter school sectors like Little Rock, San Antonio, and Tulsa.

To read more about Wolf's eye-opening study, go to <https://jaypgreene.com/2017/05/10/thats-not-fair/>

Stanford professor and Senior Fellow at the Hoover institution Terry Moe has made a brief and very informative video about the unions and their opposition to education reform for Concerned Educators Against Forced Unionism. To access the video, go here - <https://www.youtube.com/watch?v=XckXCIFVL-Y&feature=youtu.be>

Mike Antonucci has penned a very interesting piece on "What Unions Really Fear." He claims it is not the fact that the U.S. could do away with the unions' forced dues scheme in the near future, but rather the loss of exclusive bargaining rights. "While even the loss of exclusivity would not be the end of public sector unions, it would devastate their current mode of operations and force revolutionary change upon them."

To read this provocative piece, go here - <http://www.eiaonline.com/intercepts/2017/04/05/what-unions-really-fear/>

If you are interested in giving CTEN brochures to colleagues, you can print them right from our home page - <http://www.ctenhome.org/PDFdocs/CTEN - Brochure.pdf> Or, if you prefer, we will be happy to send you as many preprinted ones as you need.

Also, anyone wishing to donate to CTEN can do so very simply through check, money order or PayPal - <http://www.ctenhome.org/donate.html> As a non-profit, we exist only through the generosity of others. Thanks, as always.

Sincerely,
Larry Sand
CTEN President