

Subject: <Confidential/For Review> Preview of Austin Convo for Tomorrow
From: Cassy Horton <chorton@ccsa.org>
Date: 9/6/18, 9:39 PM
To: Emilio Pack <epack@stem-prep.org>, C DeJesus <cdejesus@greendot.org>

Hi Emilio and Cristina,

This email is a little long, but I hope it's all helpful.

Emilio let me know that Austin asked for time to meet with the two of you and Marcia tomorrow. I had previously scheduled a conversation with both Rebecca Kockler, and Elmer Roldan who was just hired on to work for Austin Beutner as his Director of Community engagement. During those two conversations, I got slightly different versions of what I believe to be a preview of the conversation you will have tomorrow with Austin.

The short version is that I think Austin plans to come out with a counter proposal that includes charters as a bargaining chip, which is completely unacceptable and would be unprecedented. If you read the attached PDF from 2014, you'll understand how off-base it would be for charter policy to be in the District counter proposal, and how strongly we would need to respond if it comes to that. I do believe that we have the opportunity to cut this off at the head: both Elmer and Rebecca made it clear that their team has a steep learning curve and want our feedback.

Below, I have provided four things:

1. What I heard from Rebecca
2. What I heard from Elmer
3. Things to ask/listen for
4. Recommended talking points for tomorrow
5. Additional resources
6. Who else Austin should talk to

What I heard from Rebecca and my response

* Rebecca:

* Next week Austin is coming out with new messaging regarding the union dynamics.

* Austin will talk about holding all schools accountable, including charters to take the wind out of the union's sails.

* All schools should be held to the same definition of success.

* This might sound like Austin wants to hold charters accountable in an aggressive way and she wants to make sure that feels right to us.

* Cassy:

* Accountability is a polarized word in LA.

* Ed reformers use it to mean academic accountability: closing schools where students aren't learning.

* Charters fully support that, certainly for our own schools. That's why we advocate for the closure of low-performing charters.

* The union generally doesn't touch conversations about academic accountability because they are completely opposed to their own schools being held accountable for academic outcomes.

* When UTLA and CTA talk about "charter accountability" they mean finance, governance and operations. They mean more bureaucracy to make it less possible to operate a school.

* Our members are sensitive to UTLA's allegations that they aren't accountable: under the law and rigorous oversight of LAUSD, our members spend hundreds of hours on oversight, reports, and compliance from forensic audits of their own audits, to binders at oversight. Our schools would argue that school by school, they are already far more transparent than the District on even finance, governance and operations.

* UTLA's "charter accountability" and "transparency" allegations are a dog whistle that shouldn't be taken seriously by an authorizer like LAUSD.

* Are you thinking about messaging on academic accountability or operational accountability of charters?

* Rebecca

* Academic, not more bureaucracy.

* Cassy

* Where our members will get nervous is if these conversations around charter accountability are tied to policy change. We support academic accountability, which is why we want update renewal criteria. But, additional oversight would be out of line.

* Further, charters cannot and should not be used as bargaining chips in negotiations. There are legal parameters in terms of what the district can negotiate within the scope of a labor negotiations: it is the things related to employment, not policy. Although, we have seen districts make charter concessions on policy to get the union to pull back at the bargaining table. That would be concerning to our members.

* Rebecca

* It's about messaging.

* We don't want to look like the privatizers.

* Nothing we are going to give that would diminish their access to great schools, we won't negotiate things differently.

* But this is why we want to stay super tight and work with you all on this. Austin and I don't have this context and it is really helpful.

What I heard from Elmer

* Elmer

* Similar to above plus:

* Austin has a 4 point counter bargaining proposal he plans to roll out next week. (My thought: This is very different than the impression Rebecca gave me. A counter proposal that includes us, not just messaging, is deeply problematic and would be way off base from what the District has done in the past. Elmer just shared with me without hearing my thinking first, so I think he was way more forthcoming whereas Rebecca likely realized that what they have in the works is an issue and didn't want to share or already wants to walk it back.)

* One of the points is around charter accountability.

* The union won't take the deal anyway, it includes things like teacher evaluations. (My thought: Not the point because we shouldn't be a bargaining chip no matter what!)

* Austin and his team, Elmer included, have a huge learning curve on what is legal and what policy would be problematic for us. We should communicate our concerns. He still may do it. They are trying to figure things out as they go.

Things to ask/listen for

* Are these talking points on charters or a counter proposal?

* What kind of "accountability" are they talking about: academic or operations/compliance?

* Has legal counsel reviewed this counter proposal?

* Has Austin reviewed the responses to UTLA's attempts to bargain charters in the past?

* How would this be messages to charter parents and families?

Recommended Talking Points

* The charter community has been closely monitoring and preparing for the threat of a strike for more than a year and a half.

* The Los Angeles Advocacy Council, staffed by CCSA, have developed an ad-hoc strike preparedness committee to ensure that:

* Adult issues do not distract from providing our students with the high quality education they need and deserve, in an environment that is safe.

* Charter schools are not inappropriately or illegally involved in bargaining.

* Charter students, educators and families should not be used as a bargaining chips.

* Negotiating charter policy goes outside the scope of legal bargaining, and the District itself has offered strong, sound legal rationale against UTLA's proposals on charter accountability in the past.

* Negotiating charter policy would set a dangerous statewide precedent that would be replicated by other labor organizations across the state.

* The charter community is aligned in voice and action: we will stay united in strong opposition to District or labor actions that bring us into the bargaining process.

Additional Resources Attached

- * The LAAC's approved charter declaration (crafted by a committee that included KIPP, Endeavor, Ednovate, Magnolia, Alliance, and Camino Nuevo, approved by LAAC in February)
- * The District's 2014 response to union "public school accountability" demands.
- * Our messaging for schools on negotiations.

Who else should Austin talk to before doing this?

- * Jed
- * Eli
- * Myrna
- * Gregory

Cassy Horton
Managing Director, Regional Advocacy, Greater Los Angeles
California Charter Schools Association
Cell: 213-926-7763
Email: chorton@ccsa.org <<mailto:chorton@ccsa.org>>
Website: www.ccsa.org <<http://www.ccsa.org/>>

—Attachments:—

Confidential Draft- Charter Declaration_Final.docx	22.7 kB
LAUSD_Response_UTLADistrict ProposalPublicSchoolAccout.pdf	162 kB
Fall 2018 - Context Setting & Proactive Messaging.docx	23.2 kB