

AB 114: A Blatant Attack on California's Schools « Union Watch

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The California Teachers Association and Democrats in the legislature join forces to victimize school districts, children and taxpayers.

In Sacramento, on Tuesday night, June 28, school districts, children and taxpayers were essentially mugged by a gang of Democrat legislators at the behest of their bosses in the California Teachers Association. Governor Jerry Brown, also in the pockets of CTA, was a willing accomplice.

[AB 114](#), a one hundred page monstrosity, was rammed through both houses of the state legislature late on the 28th and was not published until the following morning. Governor Brown signed it into law the next day. As the [Sacramento Bee](#) reported, there were no committee hearings and no chance for the public to scrutinize the bill, which became public less than an hour before it was approved for passage.

AB 114 does several things, all of which imperil local school districts by imposing a mandate upon them that many will not be able to carry out. Educated Guess writer [John Fensterwald](#) says there are three ways that AB 114 steals power away from the local district.

First, it requires that each school district “assume the same level of funding as last year and maintain staffing and program levels consistent with that. Legislators are dictating this even though they admit there’s a good chance that revenues may not bear that out.”

Secondly, AB 114 eliminates the option that “districts would have over the next 45 days to make staff adjustments if they view this as necessary. Instead, the legislature is suspending that capability under the law for the next year. As School Services noted, ‘This provision is clearly designed to protect union positions, even if the district cannot afford to pay for the services.’”

Finally, the new law will “suspend key provisions for one year of AB 1200, under which school districts must self-certify that they can balance their budgets in the current year and one and two years into the future. Those that cannot must work with their county office of education to align revenues and spending. This year 13 districts were negatively certified in the latest filing, indicating they could not balance their budgets this year and next. An additional 130 districts – nearly one in seven – acknowledged trouble balancing their budgets two years out. AB 114 would require districts to assume the same revenue as this year and prevent county offices from seeking evidence of financial stability for the next two years.”

Where to begin? Since laying off teachers is not an option, it seems that the only device left in the local district’s toolbox to balance their budgets is to shorten the school year via furlough days. In this scenario, each furlough day would mean a day without learning for children and a day without teaching (or being paid) for teachers. And even this option is not something local officials can decide on their own. They must negotiate this with the same teachers union that put them in this horrible position to begin with. In other words, because of the new law, the *best* option would be to reduce instructional days for students, which is the last thing students need. But it should be apparent that the crafters of this legislation essentially look at teaching as a jobs program and let the children be damned.

The unfairness of this law has drawn fire from every possible quarter.

The [San Diego Union-Tribune](#) editorial board wrote that the result of AB 114 “could be downright catastrophic for San Diego schools. District leaders are imploring board members to try to save money to prepare for the big hit the district will take in 2012-13 when scheduled raises of 7.2 percent for all employees are phased in. Now a state law exists that discourages such prudence

and may give district employees a legal cudgel to block prudence.”

A [Los Angeles Times](#) editorial didn't mince words either. “Ham-fisted yet pandering, and fiscally irresponsible too, AB 114 perpetrates an abuse of state power that could wreak budgetary havoc in local school districts.” The Times also reported that more than “140 school districts are already in serious financial jeopardy, according to a state Department of Education estimate released in June. If Brown and legislative Democrats do not muster the courage to defy the California Teachers Assn. by repealing AB 114, they may push many more districts to the brink.”

Even harder hitting is [Katy Grimes](#), writing for Cal Watchdog. “Gov. Brown has, in essence, allowed teachers to avoid layoffs under any circumstances in the next fiscal year. And school agencies will not be scrutinized financially. That's a recipe for disaster — and a gift-wrapped treat to the CTA.” In her piece, she quotes Lance Izumi, Koret Senior Fellow in Education Studies at the Pacific Research Institute, “This is shocking. It's obvious that unions do not care for the kids at all if they are willing to shorten the school year. This is about protecting teachers' jobs, whether they deserve it or not.” Izumi also said, “Any need of further evidence that Brown is bought and paid for by the CTA is unnecessary. This is the real face of the governor.”

It's difficult to disagree with Dr. Izumi. When Brown became governor earlier this year, one of his first acts was to fire a reform minded school board and replace it with business-as-usual types including Patricia Rucker, a highly paid CTA lobbyist.

School superintendents are no less outraged by AB 114. Natomas Unified interim Superintendent [Walt Hanline](#) described the measure as “the most irresponsible piece of legislation I've seen in my 35 years in education.”

The [California School Boards Association](#) urged the governor to repeal two sections of the bill that “intrude on the ability of school boards to manage their own resources.”

Needless to say, the kick-the-can-down-the-road crowd has been very busy as they shamelessly try to defend the indefensible. Senate President Pro Tem, and former union lawyer, Darrell Steinberg said when he met with the Sac Bee Capitol Bureau, as reported by Cal Watchdog writer [John Seiler](#), “We were intentional. We do not want to create a situation where more teachers and classified employees lose their jobs. And we did not want to see class sizes increase.” (This isn't the first time that an outlandish law has been passed in the name of small class size. To learn more about the small class size myth, go [here](#).)

CTA President [Dean Vogel](#) told the Sac Bee that AB 114 “provides stability for students and teachers.”

Stability?!

No, this bill in fact destabilizes the entire state. I guess Mr. Vogel thinks that maybe seven furlough days is “stabilizing.” Are school boards going belly up all across the state “stabilizing?” Are the taxpayers in California going to feel “stabilized” when the inevitable tax hikes are proposed in order to pay for the legislators' flagrant irresponsibility? With AB 114 the only thing that will remain stable is the \$649 in CTA dues collected from each teacher whose job is saved by the union-coerced bill.

While the wanton disregard for individual school districts, children and taxpayers may technically not be a crime, it is highly immoral. As such, Governor Brown needs to be reminded that former Governor Gray Davis was recalled for gross mismanagement of California's finances. And the legislative miscreants behind AB 114 should be voted back into the private sector come November 2012.

About the author: Larry Sand is the president of the non-profit [California Teachers Empowerment Network](#) – a non-partisan, non-political group dedicated to providing teachers with reliable and balanced information about professional affiliations and positions on educational issues.