

GENERAL WAIVER COVER SHEET
CALIFORNIA STATE BOARD OF EDUCATION
SEPTEMBER 2003 AGENDA
Item No. W-2

<p>TITLE: Request by Los Angeles Unified School District for a waiver of <i>Education Code (EC)</i> Section 45134(c), to allow the employment of three State Teacher Retirement System (STRS) retirees as staff assistants to board members. (Donna Smith, Lannie Foster and Edward Burke)</p> <p>CDSIS: 22-7-2003</p>	<p><u> X </u> ACTION</p> <p><u> </u> INFORMATION</p> <p><u> </u> PUBLIC HEARING</p> <p><u> </u> CONSENT</p>
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RECOMMENDATION:

The Department recommends approval of this waiver with the condition that the waiver is only for the individuals named above and is good for four years only from October 1, 2003 through June 30, 2007.

Summary of Previous State Board of Education Discussion and Action:

The State Board of Education has approved one similar waiver in the past for a retired teacher returning as a bus driver.

Summary of Key Issue(s):

The Los Angeles Unified School District (LAUSD) is requesting a waiver of *E.C.* Section 45134(c) to allow them to hire three STRS retirees as staff assistants to two board members retired certificated district employees. LAUSD wants to waive *E.C.* Section 45134(c) that states “*No person shall be employed in school employment while he or she is receiving a retirement allowance under any retirement system by reason of prior school employment...*”

The LAUSD school board encompasses a large geographic area that is one of the most densely populated areas in the state. The areas under each board member are comparable to the size of two Congressional districts. Considering the immense responsibilities of each LAUSD board member and the size of their area, it is imperative for them to have experienced staff. These retirees from LAUSD, now in the STRS retirement system, are highly qualified to provide constituent services and to act as policy advisors to the board members. Donna Smith is a retired principal, and Lannie Foster and Edward Burke are retired teachers, all very capable individuals to handle the job. Usually, the district has hired recent college graduates as interns to provide these vital services to their board members but hiring these three individuals gives the board an added advantage of actual school/district experience.

Therefore, since the hiring of these three retirees will enhance the capacity of the two board members to provide a high level of service to their constituents, the department recommends approval with the condition that the waiver is only for the individuals named above and is good for four years only, October 1, 2003 through June 30, 2007.

Bargaining unit(s) consulted on: 07/17/03

Position of bargaining unit (choose only one):

Neutral Support Oppose

Name of bargaining unit representative: Linda Guthrie, VP,UTLA

Public hearing identified by (choose one or more):

posting in a newspaper posting at each school other

(specify) _____

Public hearing held on: 07/22/03

Local board approval date: 07/22/03

Advisory committee(s) consulted: District Advisory Council Legislative Committee

Objections raised (choose one): None Objections are attached on separate sheet

Date consulted: 07/18/03

Effective dates of request: 10/01/03 – 06/30/07

Fiscal Analysis (as appropriate): N/A

Background Information:

Documentation is attached to this summary.