



LEGAL DEPARTMENT REPORT

March 15, 2011

RECENT CTA CASES

1. **Decision in Support of Veteran Teacher Validates Role of Union Leader to Dissent without Retaliation from the District.** *Abrams v. Chula Vista Elementary School District*, Case No. LA-CE-5289E

This case involved a teacher who was a vocal board member with the Chula Vista Educators within the Chula Vista Elementary School District. Nearing retirement after teaching for almost 39 years, she applied for a renewed position as a Beginning Teacher Support and Assessment provider, a stipend position she held for eight years. All BTSA support providers were renewed to their positions, except for her. The initial reason provided for her non-renewal was that she did not log sufficient support provider hours. This was followed by shifting and disparaging reasons involving the quality of her service to the district and her relationships to BTSA participants. The teacher had stellar evaluation notations, strong parent support, and verifiably strong continued mentoring relationships with BTSA participants.

CTA filed a charge with the Public Employment Relations Board on her behalf. The charge alleged that the school district retaliated against her in violation of the Educational Employment Relations Act (EERA). The PERB administrative law judge, Thomas Allen, highlighted this representative excerpt from the teacher's excellent evaluations:

[Teacher] had earned the respect of students, parents, and colleagues. She is a staunch child advocate, constantly focused on what is in the best interest of her students. She helps students to recognize their strengths, and settles for nothing less [than] their best. Parents frequently request [Teacher] because of her high standards, rigorous curriculum, and the interest that she takes in the success of each student. [Teacher] communicates frequently and effectively with parents and encourages them to stay involved in their children's education. Colleagues respect [Teacher]'s intelligence, knowledge, and experience. [Teacher] works closely with her shared contract partner to ensure that students receive a challenging and enriching educational program."

Several former BTSA participants, who appeared on the teacher's behalf during the two-day hearing, testified that she was "very helpful, friendly, a strong advocate, direct, and positive." The teacher testified about her support of the Association and that teaching had been the joy of her life. She felt deflated by the District's treatment of her.

The decision in the teacher's favor noted that while the District had, "concerns regarding [her] 'support of the District,' and that she was 'critical about the District about management this, or principal this or teachers this.' It is not a union leader's job, however, to support the employer. It is sometimes a union leader's job to be critical of management." The teacher was awarded back pay, with interest until she is reinstated or refuses reinstatement. Judge Allen also ordered the District to cease and desist from retaliating against the teacher and other employees and to destroy the letters denying her re-application. The District is appealing the decision.

CTA Staff Attorney Brenda Sutton-Wills represents the teacher.

2. ULP Charge Regarding Union's Failure to Provide Financial Info is Untimely.
Lucas v. Rio Teachers Association, 35 PERC 27 (Cal. PERB 2011).

PERB affirmed the board agent's partial dismissal of an unfair practice charge. The individual charging party alleged that the union violated EERA Section 3546.5 by failing to provide her with financial reports covering a ten-year period. PERB explained that a charge alleging a violation of Section 3546.5 must be filed within six months of when the charging party knew or should have known that the employee organization failed to provide the requested financial reports for the immediately preceding fiscal year. Here, the allegations in the charge were untimely with respect to the failure to provide certain financial reports, PERB ruled.

PERB noted that alleged violations of EERA Section 3546.5 are now processed as unfair practice charges and, therefore, that the statute of limitations applicable to the filing of unfair practice charges applies. EERA Section 3541.5(a)(1) prohibits PERB from issuing a complaint with respect to "any charge based upon an alleged unfair practice occurring more than six months prior to the filing of the charge."

CTA Staff Attorney Michael Hersh represented the Association.

CASES OF INTEREST TO CTA

1. California Supreme Court Denies UTLA's Request for Emergency Stay: 2011 RIFs Will Proceed According to Reed Settlement. *Reed v. UTLA*, Case No. S191256, Cal. Supreme Court (3/14/11).

A trial judge in Los Angeles recently approved a settlement agreement between LAUSD and certain student plaintiffs represented by the ACLU. The settlement authorized the district to insulate 45 schools from layoffs, in violation of the UTLA CBA and the Education Code. UTLA filed an appeal to this ruling, which is pending before the second district court of appeal in Southern California. UTLA also sought an immediate stay from that court, which would have put the LA ruling on hold until its merits could be reviewed in full by the appellate court. The court of appeal rejected that request. UTLA next sought an emergency stay from the California Supreme Court. On Monday, that request was denied. UTLA has now exhausted its requests for a stay, but its challenge to the ruling on its merits will move forward.

2. **Court of Appeal Reaches Same Conclusion After Rehearing: Non-Union Members Can Assert Privacy Rights to Withhold Information from Public Sector Unions.** *County of Los Angeles v. Los Angeles County Employee Relations Commission*, No. B217668, 2011 WL 653649 (Cal. Ct. App. Feb. 24, 2011)

SEIU Local 721 sought the contact information for non-members, giving rise to this dispute. The employer, the County of L.A., asserted the privacy rights of its non-member employees to withhold such information. The County lost before the County employee relations commission on this issue, and had its trial court writ denied. The court of appeal issued its decision, then granted SEIU's request for a rehearing. The court then issued a second decision, not materially different from the first. It concluded that non-member County employees who do not wish to disclose information to the Union are entitled to notice and an opportunity to object before disclosure.

The court analogized the request by this exclusive bargaining representative to requests made by third parties in civil litigation. In that context, the Supreme Court recognizes that privacy notices and opt-out procedures strike a balance between the right to the information and the rights of third parties to control the dissemination of their personal information. In this novel holding, the court of appeal departed from traditional labor law principles in deciding that non-member County employees are entitled to these same procedural protections.

3. **PERB Joins in Request for Judicial Review of its Finding That Part-Time Playground Monitors Are not Covered by EERA.** *Castaic Union School District -and- California School Employees Association*, PERB Order No. Ad-384 (2010), request for judicial review granted in PERB Order No. JR-25 (2010).

In August 2010, PERB ruled that part-time playground monitors, also known as noon-duty aides, who do not otherwise hold a position in the classified service, are not covered by the Educational Employment Relations Act (EERA). PERB thus expressly overruled its thirty-four year old decision in *Pittsburg Unified School District*, EERB Decision No. 3 (1976). The California School Employees Association requested reconsideration and judicial review of the August 2010 decision. After reviewing the record, which included amicus curiae filings, PERB denied the request for reconsideration and granted the request for judicial review. Under EERA § 3542, judicial review of a unit determination decision is limited to where the Board agrees the case is "one of special importance and joins in the request for such review." PERB decided to join in the request because it determined this case has "special importance," and it is a novel issue (not previously address by the courts) and one that is likely to arise repeatedly.

4. **Union Not Required to Send Additional Notice to Non-members When Making Temporary Mid-year Dues and Fees Increase.** *Knox v. California State Employees Association, Local 1000 SEIU*, No. 08-16645, 2010 U.S. App. LEXIS 25226 (9th Cir. Dec. 10, 2010)

The California State Employees Association (CSEA) sends non-members an annual explanation of fees as required by *Hudson* and charges an amount roughly equivalent to the

amount of dues unless the non-member objects. In mid-2005, after its *Hudson* notice had gone out a few months earlier, the CSEA adopted an emergency temporary assessment to be used for a broad range of political expenses, some of which were clearly non-chargeable to the agency fee payer. The amount of the increased dues assessment was added to the amount agency fee payers were expected to pay. The CSEA did not send out an additional *Hudson* notice before adopting the emergency assessment.

The Ninth Circuit reversed the trial court's order that CSEA provide non-members with a second *Hudson* notice. The court agreed with the Supreme Court in *Hudson* when it recognized that "[a]bsolute precision in the calculation of the charge to non-members cannot be expected or required." Thus, the district court's order that a union must issue a second *Hudson* notice when it intends "to depart drastically from its typical spending regime and to focus on activities that are political or ideological in nature is practically unworkable," according to the court of appeals.

EL/la

Defining the Scope of a School's Duty to Supervise Students

WHILE CALIFORNIA statutory and case authority imposes a duty of supervision on school districts, courts have varied in their interpretations of the scope of this duty. However, as case law continues to develop, a broad view of a school's duty has emerged.

The California Constitution requires school supervision of students during compulsory attendance periods. This requirement is based upon the premise that students have an inalienable right to attend safe, secure, and peaceful campuses.¹ The California Code of Regulations further provides for supervision during noncompulsory hours: "Where playground supervision is not otherwise provided, the principal of each school shall provide for the supervision by certificated employees of the conduct and safety, and for the direction of play of the pupils of the school who are on school grounds during recess and other intermissions and before and after school."²

In *Dailey v. Los Angeles Unified School District*,³ a 16-year-old high school student died after falling and fracturing his skull during lunch period while engaging in slap-boxing with another student. The California Supreme Court reversed a directed verdict in favor of the school district and its teachers, citing evidence that the students were negligently supervised during the lunch period. In so doing, the court held that a school district owes its students a duty of care at all times while students are on school grounds. In reaffirming *Dailey*, *Hoyem v. Manhattan Beach City School District*⁴ extended the duty of supervision to off-campus injuries proximately caused by negligent on-campus supervision. In *Hoyem*, a 10-year-old left summer school prior to the end of classes and was seriously injured when struck by a motorcycle four blocks from the school.⁵

Conversely, the courts have held that there is no duty of supervision owed to nonstudents who frequent school premises for their own purposes. *Bartell v. Palos Verdes Peninsula School District*⁶ involved a nonstudent who trespassed on school grounds during the weekend and was killed while skateboarding. The court only considered whether a school district owes a general duty of supervision to all who frequent its premises for their "own purposes."⁷ In determining that the school district did not owe a duty to the plaintiff's deceased son, the court held that there was no evidence that the son was "a student at the school, or [was] on school grounds in connection with normal school attendance or in connection with a school function. Rather, he was apparently there after school hours on his own volition and for his own amusement."⁸ *Bartell* clarified that the duty of supervision, set forth in *Dailey*, included functions related to or encouraged by the school in addition to activities taking place during school hours.⁹

School Programs

The courts have also extended the duty to supervise to school activities that occur during noncompulsory hours. While it is the compulsory nature of education that makes children attend school, many children are present and participate in school activities at a time when attendance is not compulsory. In *Leger v. Stockton Unified School District*,¹⁰ for example, the plaintiff was attacked in an unsu-



pervised school bathroom by a nonstudent while changing for wrestling practice. The court explained that the school owed the injured student a special duty to protect him from harm that was reasonably foreseeable in the absence of supervision or a warning. The court held that the unsupervised bathroom made the harm reasonably foreseeable.¹¹

M. W. v. Panama Buena Vista Union School District,¹² like *Leger*, also concluded that the district owed students a duty of care during noncompulsory hours. In *M. W.*, a 15-year-old special education student with a third-grade mentality was sodomized in a bathroom by another student before school hours, when the campus was open to students but with no organized supervision. The district did assert that there was informal supervision by the teachers and staff present on campus before the start of classes. Nevertheless, the court in *M. W.* held that the defendant school district owed the injured student a duty of care.¹³ The court went on to weigh the burden of providing supervision to students before school hours as part of its determination of duty:

[T]he burden on school districts to provide adequate supervision for such student prior to the start of school is minimal.

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In fact, a school district could satisfy its responsibility merely by precluding students from coming on campus in the early morning hours. Moreover, there is no additional financial burden placed on school districts to prevent sexual assault as compared to any other assault.... We are not imposing an unusual or onerous duty upon the District to provide supervision prior to 7:45 A.M.¹⁴

In *J.H. v. Los Angeles Unified School District*,¹⁵ an elementary school student was sexually assaulted by fellow elementary students in an unlocked storage shed on campus while participating in a voluntary after-school playground program. The district argued that there was no legal duty owed to the minor victim because she was participating in a voluntary after-school program. The district also advanced the defense that the minor student had left the boundaries of the playground, where the program was taking place, so that even if there were a duty to supervise, it expired when the student left the program. The trial court granted the district's motion for summary judgment, and the court of appeal reversed, stating that the district had a duty to use ordinary care in supervising the after-school program and that what constituted ordinary care was a question for the trier of fact.¹⁶

Foreseeability

Some torts require evidence of prior specific threats in order to establish the element of foreseeability and, thus, duty.¹⁷ However, a school's negligence is established if a reasonably prudent person could foresee injuries of the same general type would likely occur in the absence of adequate supervision. Foreseeability is determined in light of all circumstances and does not require prior identical events or injuries.¹⁸

In discussing foreseeability, the *M.W.* court stated: "In short, we find it reasonably foreseeable that, given the lack of direct supervision in the early morning hours, a special education student, such as the minor, was at risk for sexual or other physical assault...."¹⁹

It was not necessary for the district to have foreseen that an act of sodomy could have occurred. The court found no distinction between a physical assault and a sexual assault for purposes of foreseeability. The fact that a particular act of sodomy in a school bathroom may have been unforeseeable does not automatically exonerate the district from the consequences of allowing students, particularly special education students, unrestricted access to the campus prior to the start of school with wholly inadequate supervision. The district's policy created a foreseeable risk of a particular

type of harm—an assault on a special education student. Not only was such an assault reasonably foreseeable, it was virtually inevitable under the circumstances.²⁰

In *Jennifer C. v. Los Angeles Unified School District*,²¹ a 14-year-old with a mental disability was led away by another student to an alcove where she was sexually assaulted. The court held that maintenance of a hiding place where a "special needs" child can be victimized satisfies the foreseeability factor of the duty analysis even in the absence of prior similar occurrences. The court explained that its "task in determining whether there should be a duty" is not to decide whether a particular plaintiff's injury was reasonably foreseeable in light of a particular defendant's conduct but rather to evaluate more generally whether the category of negligent conduct at issue is sufficiently likely to result in the kind of harm experienced that liability may appropriately be imposed on the negligent party.²²

The *J.H.* court further clarified the issue and held that the plaintiff was not required to demonstrate that the type of injury (sexual assault) she received was foreseeable. Rather, the question to the trial court should be "whether it is foreseeable that one child may be assaulted by another child during the [after school program] in the absence of adequate protective safeguards."²³

The *J.H.* court also clarified that the duty-to-supervise holding in *M.W.*, which involved a special needs child, was not limited to special needs students. The student in *M.W.* was a special education student, but the type of plaintiff is not necessarily the focus of a negligence analysis.²⁴ Rather, the goal is to have school grounds that are safe not only for special needs children but for all children.²⁵ In addition, the *J.H.* court made it clear that the hiding place issue is not limited to special needs students. *J.H.* was not a special needs student, but at her young age she had the emotional and mental maturity level of the plaintiffs in *M.W.* and *Jennifer C.*, which warranted a similar level of supervision.²⁶

Rejecting the Specific Threat Standard

It is established law that knowledge of a specific threat of harm is a precondition for establishing duty in a negligent supervision case in a private setting. The *M.W.* court held that applying this requirement to the school setting contradicts the settled law of California. Based on the special relationship that exists between a school and its students, the court distinguished the duty imposed on a school district in a school setting from the duty owed by an adult to a minor in a private setting.²⁷

In *Margaret W. v. Kelley R.*,²⁸ a 15-year-old left a sleepover at a private residence to

go to a party at another house, where she was raped. The guardian of the 15-year-old brought suit against the mother who owned the home where the sleepover was to have taken place.²⁹ The court held that the mother owed no duty to the teenager, once she left her house, as she had no knowledge of the sexual propensities of the boys at the party that the teenager went to.³⁰

In coming to its conclusion that there was no duty to protect a minor from a sexual assault unless the defendant had actual knowledge of the perpetrator's propensity to commit a sexual assault, the court applied the *Romero/Chaney* rule.³¹ Under the rule, an adult who invites a minor into the adult's home assumes a special relationship with the child based on the minor's dependency and vulnerability. The rule holds that liability for sexual attacks on the minor will not attach absent the homeowner's actual knowledge of the propensity of the assailant to attack. The *M.W.* court put this defense to rest in school settings, holding that the *Romero/Chaney* rule does not apply to school districts.

The District implores us to extend the *Romero/Chaney* rule to this case. We find no authority to support the District's position and decline to adopt it. The public policy reasons surrounding the *Romero/Chaney* rule do not exist in the context of a school district's supervisory responsibilities. Simply put, the school grounds provide a different setting than an adult's home. And there are differing public policy concerns related to the responsibilities of school districts that provide mandatory education as compared to adults who invite children into their home on a voluntary basis.³²

Another important distinction between incidents in a school setting and incidents in a private setting is that in the school setting, the perpetrator is often also a student, and the school also has a duty to supervise and control the perpetrator's conduct.³³

Public Policy

While different parties in school litigation push for different interpretations of the duty to supervise, policy reasons clearly support a broad duty of supervision. Quite simply, parents place trust in schools to keep their children safe.³⁴ Along the same lines, working parents frequently utilize summer school and after-school programs to supervise their children.

The facts of the *Hoyem*, *M.W.*, and *J.H.* decisions all clearly demonstrate this. The well-recognized reliance that parents place on school districts gives students a right to reasonable protection regardless of whether they

are in a required geometry class or attending a school dance.³⁵

The duty to supervise was once a murky area of the law but has slowly been clarified over the years. The general consensus of the case law is that schools owe a duty to supervise all students during compulsory and non-compulsory hours to prevent any reasonably foreseeable risk of harm. This can be viewed as a positive result wherein school districts are aware of the supervisory responsibilities required of them by law and can undertake to assure that adequate supervision is provided in compliance with the law. The long-term benefit of the court's recent rulings should ultimately be a safer learning environment for the state's students. ■

¹ CAL. CONST. art. I, §28, subd. c.

² CAL. CODE REGS. tit. 5, §5552.

³ *Dailey v. Los Angeles Unified Sch. Dist.*, 2 Cal. 3d 741 (1970).

⁴ *Hoyem v. Manhattan Beach City Sch. Dist.*, 22 Cal. 3d 508, 513 (1978).

⁵ *Id.*

⁶ *Bartell v. Palos Verdes Peninsula Sch. Dist.*, 83 Cal. App. 3d 492 (1978).

⁷ *Id.* at 499.

⁸ *Id.*

⁹ *Id.*

¹⁰ *Leger v. Stockton Unified Sch. Dist.*, 202 Cal. App. 3d 1448 (1978).

¹¹ *Id.* at 1459-60.

¹² *M.W. v. Panama Buena Vista Union Sch. Dist.*, 110 Cal. App. 4th 508 (2003).

¹³ *Id.* at 512.

¹⁴ *Id.* at 521.

¹⁵ *J.H. v. Los Angeles Unified Sch. Dist.*, 183 Cal. App. 4th 123 (2010).

¹⁶ *Id.*

¹⁷ *See Constance B. v. State of Cal.*, 178 Cal. App. 3d 200 (1986) (no duty to prevent rape at rest stop absent notice of prior specific threat).

¹⁸ *See Taylor v. Oakland Scavenger Co.*, 17 Cal. 2d 594, 600 (1941); *see also Charonnat v. San Francisco Unified Sch. Dist.*, 56 Cal. App. 2d 840, 844 (1943).

¹⁹ *M.W.*, 110 Cal. App. 4th at 520.

²⁰ *Id.*

²¹ *Jennifer C. v. Los Angeles Unified Sch. Dist.*, 168 Cal. App. 4th 1320, 1329 (2008).

²² *Id.* (quoting *Ballard v. Uribe*, 41 Cal. 3d 564, 573 n.6 (1986)).

²³ *J.H. v. Los Angeles Unified Sch. Dist.*, 183 Cal. App. 4th 123, 148 (2010).

²⁴ *Id.* at 123.

²⁵ *Jennifer C.*, 168 Cal. App. 4th at 1329-30.

²⁶ *J.H.*, 183 Cal. App. 4th at 148.

²⁷ *M.W. v. Panama Buena Vista Union Sch. Dist.*, 110 Cal. App. 4th 508, 524-25 (2003); *Leger v. Stockton Unified Sch. Dist.*, 202 Cal. App. 3d 1448, 1458-60.

²⁸ *Margaret W. v. Kelley R.*, 139 Cal. App. 4th 141 (2006).

²⁹ *Id.*

³⁰ *Id.* at 160.

³¹ *Id.* at 151-54 (citing *Romero v. Superior Court*, 89 Cal. App. 4th 1068 (2001); *Chaney v. Superior Court*, 39 Cal. App. 4th 152 (1995)).

³² *M.W.*, 110 Cal. App. 4th at 524.

³³ *Id.* at 517.

³⁴ *Hoyem v. Manhattan Beach City Sch. Dist.*, 22 Cal. 3d 508, 519 (1978).

³⁵ *J.H. v. Los Angeles Unified Sch. Dist.*, 183 Cal. App. 4th 123, 143 (2010).

NEW CTA CASES

ARBITRATIONS

- 1 Chico Unified Teachers Association (D)
Change in work hours and record keeping procedures grievance.
- 2 Mt. Pleasant Education Association (B)
District attempting to require work beyond instructional work day.
- 3 Teachers Association of Paradise (D)
District reduced work days.
- 4 San Ramon Valley Education Association (C)
Dispute over written reprimand.

CLASSIFICATION MATTERS

- 5 Folsom-Cordova Unified School District (E)
Advocate on classification issue.
- 6 San Juan Unified School District (E)
Resolve classification dispute.

COURT LITIGATION

- 7 Compton Education Association (L)
Litigation to stop district from establishing a charter school in violation of law.
- 8 San Diego Education Association (P)
Constitutional challenge to ballot initiative regarding governance of San Diego USD.

CREDENTIAL DEFENSE CASES

- 9 Alum Rock Union Elementary School District (B)
- 10 East Side Union High School District (B)
- 11 East Side Union High School District (B)
- 12 Franklin-McKinley Elementary School District (B)
- 13 Fresno Unified School District (F)
- 14 Lynwood Unified School District (L)
- 15 Madera Unified School District (F)

16 Palos Verdes-Peninsula Unified School District (I)

17 San Marino Unified School District (L)

18 Torrance Unified School District (I)

CRIMINAL DEFENSE CASES

19 Exeter Union High School District (H)

20 Green Dot Charter Schools (I)

21 Marysville Joint Unified School District (D)

22 Milpitas Unified School District (B)

23 Mt. View-Whisman Unified School District (B)

24 Torrance Unified School District (I)

DISCRIMINATION ALLEGATIONS

25 Brittan Elementary School District (D)
Negotiate disability discrimination accommodation.

26 Lowell Joint Elementary School District (L)
Negotiate disability discrimination accommodation.

27 Riverside Unified School District (O)
Obtain reasonable accommodation and return to work.

28 San Diego City Unified School District (P)
Negotiate disability discrimination accommodation.

29 Visalia Teacher Association (H)
Write demand letter to district to cease age, race and gender discrimination.

DISTRICT INVESTIGATIONS

30 Fresno Unified School District (F)
Child abuse investigation.

31 Los Banos Unified School District (F)
Alleged misconduct.

32 Marysville Joint Unified School District (D)
Alleged misconduct with students.

- 33 Midway Unified School District (H)
Alleged inappropriate conduct.
- 34 Sacramento City Unified School District (E)
Alleged inappropriate use of school computer.
- 35 Sacramento City Unified School District (E)
Alleged misconduct.

PAYMENT DISPUTES

- 36 Sacramento City Unified School District (E)
Challenge unlawful wage garnishment.
- 37 Sacramento City Unified School District (E)
Assert right to be paid while on medical leave.

STRS DISPUTES

- 38 Conejo Valley Unified School District (G)
Negotiate STRS repayment.
- 39 Centinela Valley Union High School District (I)
STRS disability application.

TEACHER DISMISSAL CASES

- 40 Bakersfield City Unified School District (H)
Threatened permanent teacher dismissal.
- 41 Caruthers Unified School District (F)
Threatened permanent teacher dismissal.
- 42 Central Unified School District (G)
Threatened permanent teacher dismissal.
- 43 Coachella Valley Unified School District (O)
Threatened permanent teacher dismissal.
- 44 Denair Unified School District (F)
Threatened permanent teacher dismissal.
- 45 El Monte Union High School District (L)
Permanent teacher dismissal.

- 46 Elk Grove Unified School District (E)
Threatened permanent teacher dismissal.
- 47 Kelseyville Unified School District (A)
Permanent teacher dismissal.
- 48 Fresno Unified School District (F)
Permanent teacher dismissal.
- 49 Fresno Unified School District (F)
Permanent teacher dismissal.
- 50 Fresno Unified School District (F)
Threatened permanent teacher dismissal.
- 51 Fresno Unified School District (F)
Threatened permanent teacher dismissal.
- 52 Fresno Unified School District (F)
Permanent teacher dismissal.
- 53 Ravenswood City Elementary School District (B)
Permanent teacher dismissal.
- 54 Fresno Unified School District (F)
Threatened permanent teacher dismissal.
- 55 Redland Unified School District (O)
Permanent teacher dismissal.
- 56 Riverside Unified School District (O)
Threatened permanent teacher dismissal.
- 57 San Bernardino City Unified School District (O)
Threatened permanent teacher dismissal.
- 58 San Benito High School District (G)
Threatened permanent teacher dismissal.
- 59 San Bernardino City Unified School District (O)
Threatened permanent teacher dismissal.
- 60 San Juan Unified School District (E)
Threatened permanent teacher dismissal.

- 61 San Juan Unified School District (E)
Threatened permanent teacher dismissal.
- 62 San Mateo County Office of Education (B)
Permanent teacher dismissal.
- 63 Stockton Unified School District (E)
Threatened permanent teacher dismissal.

UNFAIR LABOR PRACTICES AND DFR CHARGES

- 64 Delano Union Elementary School Teachers Association (H)
Unilateral change in workday and class size.
- 65 Fresno Teachers Association (F)
District attempting to bargain work outside of unit.
- 66 Nevada County of Special Ed. Group (D)
Change in salary and work hours of member.
- 67 Ravenswood Teachers Association (B)
Defend charge alleging illegal tactic prior to completion of EERA impasse procedures.
- 68 Sutter Education Association (D)
District refusal to provide information.
- 69 Williams Teachers Association (D)
Unilateral change and by-passing the union.

MISCELLANEOUS MATTERS

- 70 Antelope Valley Union High School District (H)
Return to work after medical leave issue.
- 71 Cupertino Elementary School District (B)
District demand for fitness for duty exam.
- 72 Greenfield Unifies School District (G)
Non-reelection issue.
- 73 Ontario-Montclair Unified School District (K)
District demand for fitness for duty exam.
- 74 San Diego City Unified School District (P)
District demand for fitness for duty exam.

- 75 San Lorenzo Unified School District (C)
Advocate for member subject to negative evaluations.

- 76 West Contra Costa Unified School District (C)
Principal's retaliation for discriminatory treatment of Latino students.