

Special Election Edition

For the November 2, 2010 Statewide Ballot

Their future, your vote

Empowering our members with skills in advocacy so that they may speak out effectively on behalf of children is one of the core purposes of PTA. This special election issue of PTA in California furthers that purpose with a wealth of information to assist PTA members in engaging in key races and issues for the upcoming statewide election on November 2. We hope you will disseminate this information as widely as possible between now and Election Day.

Although PTA does not support or oppose candidates, we do provide opportunities to educate our members about those seeking key offices that will impact the lives of children and family in California. Earlier this summer, we sent questionnaires to the Republican and Democratic candidates for Governor and the two candidates for the nonpartisan office of State Superintendent of Public Instruction. The gubernatorial candidates did not submit answers in time for this publication. You will find responses from the candidates for Superintendent of Public Instruction starting on page 3.

Further information on three ballot measures is included in this issue and

For the November 2010 statewide election, the California State PTA has adopted positions on three ballot measures:

- **Proposition 25 SUPPORT**
Simple Majority Vote for State Budget
- **Proposition 24 SUPPORT**
Tax Fairness Act
- **Proposition 19 NEUTRAL**
Legalize and Regulate Marijuana

on our website at www.capta.org. (Click on Advocacy in the left-hand column of the homepage.) According to our legislation policies, the Board of Managers of the California State PTA is responsible for taking action on propositions that have qualified for the statewide ballot. Units, councils and districts are encouraged to promote the adopted California State PTA positions and may be requested to actively support these positions. Unit, council and district PTAs are not required to work actively for any position; however, they may not officially oppose a stand taken by the Board of Managers. For further details, see *Toolkit* section 4.2.5g, Policy 7.

This issue also contains additional information to guide PTA involvement in



election activities. We encourage PTAs to hold voter-registration drives, host candidates' forums for local school board elections and share balanced, nonpartisan, information on key ballot measures and statewide candidates. For more information on sending advocacy materials home with students, refer to *Toolkit* section 4.2.5k, Policy 11. Informational material on PTA positions relating to legislative issues may be sent home with students, in compliance with local school district policies and procedures.

We hope that you and your PTA will be actively engaged in educating members and the community on key issues and races affecting children that voters will decide on the November 2 ballot.

REMEMBER:

PTA members vote, and with almost 1 million members statewide, OUR VOICES COUNT!

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Proposition analyses, p. 7-9

How to conduct a candidates' forum, p. 10

Consider an easy way to promote citizenship and political action:



Encourage voter registration!

1. Obtain voter registration forms from your county elections office, library, post office or DMV office and place in the school office.
2. Advertise to parents, staff and high school seniors that the forms are available.
3. Let people know that they need to register or re-register at least 15 days before an election if they:
 - a. Change their name
 - b. Change their residence or mailing address
 - c. Become a citizen
 - d. Will turn 18 by the next election
 - e. Have not voted in the past eight years
 - f. Change their political party choice.
4. Encourage people to register for permanent vote-by-mail status.
 - a. This provides protection if a voter is ill or called out of town during an election.
 - b. Ballots can be mailed to election office or dropped off at any polling place on Election Day.
5. Consider holding a voter registration drive.
 - a. View and follow a California guide to voter registration drives at <http://www.sos.ca.gov/elections/guides/guide-to-vr-drives-2010.pdf>
 - b. Have a table to pass out and collect forms at school events, such as PTA meetings, back-to-school nights, candidate forums, etc.
 - c. Work with high schools to register seniors as they become 18.

PTA and elections

Please find below the highlights of what PTAs may do regarding election-related activities, as well as some cautions to observe. For full details, go to the California State PTA *Toolkit*, Advocacy section, 4.3:

<http://www.capta.org/sections/resources/downloads/toolkit-2009/toolkit-en-04.pdf>

- **PTA is nonpartisan and never endorses or opposes any candidate for public office as doing so will endanger the organization's non-profit status with the IRS.**
- **PTA does take positions on issues that affect children and youth.**
- **A position adopted by the California State PTA on a statewide measure is the official PTA position for all PTA districts, councils and units.**
 - If California State PTA has taken a position on a ballot measure, local PTA units are strongly encouraged, but not required, to work actively for the PTA position. However, a PTA unit, council, or district **may not take action in opposition** to California State PTA's position.
- **Some things PTAs can do in election campaigns:**
 - Publicize campaign issues through use of PTA websites, e-mail, and mailings to members; hold meetings, provide speakers to present the PTA position; distribute campaign materials in public places or door-to-door; write letters to the editors of local newspapers.
 - Encourage community members to register to vote and then to vote as important contributions for improving conditions for our children and the future of California.
- Organize/Participate in a candidates' forum.
- Develop and publish a candidates' questionnaire.
- **Some cautions to observe:**
 - Only "fair and impartial" **informational** materials on issues may be sent home with students and only then with written authorization from the school site administrator and in compliance with the school district's adopted policy. Advocacy materials may never be sent home with students. (*Please see Toolkit 4.2.5k, Policy 11 for further information*).
 - PTA funds may be used to prepare, print, or mail campaign issue literature, but this expenditure must be authorized by a vote and recorded in the minutes.

Note: Nothing in the law, or PTA by-laws, prohibits members as individuals from exercising their civic responsibilities in personal and partisan ways, including running for office themselves. (*Toolkit 1.3.3 Nonpartisan policy*)

Stay informed with PTA

Sign up to receive free *Legislative Alerts* by e-mail at www.capta.org (click on Legislative Alerts on the right-hand side of the page).

Subscribe to our free online publication covering the Capitol: *Sacramento Update* (also on the home page)

VOTER EDUCATION PROJECT – NOVEMBER 2010

QUESTIONS FOR SUPERINTENDENT OF PUBLIC INSTRUCTION (SPI) CANDIDATES



Larry Aceves, a retired school superintendent, began teaching kindergarten in 1974, served as principal and then superintendent for 15 years. As superintendent, he expanded preschool and started gang-prevention programs, and was named “Superintendent of the Year.”

Campaign website: www.larryaceves2010.com



Tom Torlakson, former teacher and state Senator, current State Assembly member and chair of the Assembly’s Select Committee on Schools and Community, a member of the Education and Appropriations committees, and current adjunct faculty member at Los Medanos College.

Campaign website: www.tomtorlakson.com

Education reform

Recent education reform has been based on competition and sanctions, with interventions in low performing schools focused on closure, staff replacement, or reorganization into charter schools.

Is this the appropriate focus for education reform? Why or why not? Please be specific.

► Larry Aceves

I do not believe that this is appropriate reform, primarily because it doesn’t seem to be working. There are schools that have been in program improvement since its inception over a decade ago – this is unacceptable.

We need to focus on reforms that will help us close the achievement gap and provide teachers and administrators with the resources and training necessary to do this. It is critical that we break this cycle of undertrained educators to create high achieving, collaborative teams that believe that all children can learn, with no exceptions.

There are many examples of seemingly low socioeconomic, high second language schools that are achieving at phenomenal rates. We must see what their “best practices” are and work to replicate them throughout the state. Then we must hold teachers, principals and superintendents accountable for the outcome of students.

► Tom Torlakson

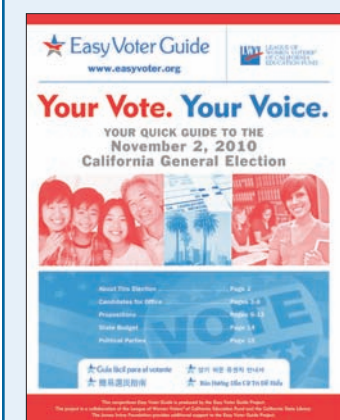
I disagree with this focus. Too many so-called reform efforts seek to measure failure. I want to measure our schools’ successes. As State Superintendent of Public Instruction, I will push to replicate successful programs in other struggling schools.

I believe it is important to ensure every neighborhood school has the resources required to provide every student with high-quality instruction in a safe and healthy environment. Parents should not have to shop around for a quality school.

I do not favor school takeover, reconstitution, or conversion as an arbitrary mandate based solely on test scores. Sanctions do not produce meaningful improvement. As education historian Diane Ravitch explains, “no school was ever improved by closing it.”

We should provide more diagnostic tools and resources for teachers. In 2006, for example, I authored the Quality Education Improvement Act. QEIA provides a framework for supporting teachers in efforts to achieve greater learning successes. QEIA stresses collaboration among administrators, teachers, and parents to achieve better student learning.

We need a system that focuses on giving our parents and guardians, students, teachers, and the local community information about how we are helping our kids – not more devices to impose federal and state sanctions.



Provide Nonpartisan Election Information to Your Members:

Order the *Easy Voter Guide* FREE!

Published by the League of Women Voters of California Education Fund, this guide provides nonpartisan information about statewide ballot measures, candidates running for office and basic voting information.

Order guides for your PTA unit at

http://lwvc.convio.net/site/PageServer?pagename=easyvoter_home

Also, publicize the League of Women Voters of California Education Fund’s **Smart Voter Guide**. This online resource provides comprehensive nonpartisan information on both local and statewide candidates and ballot measures along with a polling place look-up feature. Visit <http://www.smartvoter.org/> today.

Teacher evaluation

Having effective teachers in every classroom and an effective administrator at every school site is critical to improving school outcomes and closing the achievement gap.

What are the key components of an effective evaluation system for teachers and administrators? Should differentiated compensation and/or restructured tenure be a part of this?

► Larry Aceves

Certainly much has been said about accountability, and I believe it is critical for California to create an accountability system that links children's results back to teachers. It must be done in a way that allows for the student data to be used to improve instruction and support teacher/principal development.

The state's student tracking system, CALPADS, is still unable to accurately follow a student's movement. This is after millions of dollars spent on that system! Without its ability to link to teachers, it becomes difficult to determine the quality of instruction.

The issue of differentiated compensation is one that should be considered in this process. Tenure is a process implemented to protect teachers in a time before unions. Its importance now certainly needs to be evaluated and reconsidered.

► Tom Torlakson

While standardized tests have their place in California's public education system, they are a diagnostic tool, and we should not use them as a basis for determining compensation for teachers.

For example, a child brings more to school than just their backpack – they carry their lives, their health, and their history into the classroom every day. As the state with the lowest ratio of counselors to students, we leave our teachers with a multiplicity of responsibilities and challenges. Many of these factors are not in our teachers' control.

We should not penalize teachers who choose to teach the students who have the greatest educational needs. As a teacher who chose to teach in a Title I-eligible school, and who taught challenging students, I know these penalties can lead to students not getting the expert attention they crave.

I believe it is important for evaluations to include multiple measures of teacher practice, performance, and student outcomes. I want to focus on incentives and ensure our teachers are encouraged to improve what they do, rather than game a system that not focused on what our students may need or the challenges they face.

Early education and school readiness

Research shows that a child's readiness for school is an important factor in his/her success in school. Yet, there is a severe shortage of space in low-cost or free quality child care and preschool centers, most particularly in the urban areas of California. There appears to be broad support for a recommendation that the state provide voluntary access for all children to preschool programs during the two years prior to entry into kindergarten.

Do you agree with this recommendation? If yes, what steps will you take to implement it? If not, what school readiness initiatives would you support?

► Larry Aceves

Yes, I agree with this recommendation. As a kindergarten teacher I saw firsthand the importance of early childhood education and have always been a strong advocate of access to such programs. Additionally, the work done by First 5 has been stellar in creating a "tool kit" for parents to use at home to supplement preschool programs and help students build strong language and reading skills so that they enter kindergarten prepared. As a superintendent I developed preschool programs for families and students within my district and feel that more of these programs need to be provided throughout the state. Head Start programs already in place in the state, should be expanded, and the family threshold for eligibility needs to be raised so there can be more access, especially in urban areas. It is important to develop public/private partnerships to take some of the financial burden off of both the districts and the parents as well. We need to tap into the nonprofit providers such as United Way, Boys/Girls Clubs and others who are willing to work with subsidized programs. As Superintendent of Public Instruction, I will work to ensure that access to early childhood education remains a priority.

► Tom Torlakson

Improving the educational services we provide during a child's early years can have a huge impact on increasing student learning, lowering the dropout rate, and closing the achievement gap.

I will continue to advocate for universal preschool for "0-to-5," high-quality wraparound child care, as well as full-day kindergarten.

The research is clear on early childhood education: We know students who can access high-quality early childhood education are more likely to succeed in the future. However, access to such early childhood education is not available for all California children, creating serious inequity in the opportunities for all children to succeed. Let's make no mistake: The achievement gap begins with preschool access.

I believe a publicly funded, universal access, kindergarten readiness program would be a major step forward in providing all California students with an individualized pathway to success. Such an investment in early-childhood education is a key strategy to implement in order to help close the achievement gap and reduce the terrible dropout rate.

Children's health

Academic achievement is influenced by many factors, including the health and well-being of children and youth.

As Superintendent of Public Instruction, what actions would you undertake to ensure that health issues are appropriately addressed in the schools and in the curriculum? How would you collaborate with the Department of Health Services and others on these efforts?

▶ Larry Aceves

The health and well-being of a child is of the utmost importance. As a superintendent I worked to establish programs and facilities, including a free medical and dental clinic for low income children in an effort to provide them the services that they needed but couldn't afford. Having healthy, free and reduced lunch programs at our schools is also important, as many students do not have healthy options (or sometimes any options) at home, and through school they are able to obtain at least one, if not more, nutritious meal a day.

We must work with the providers to assure that our school meals are as nutritious as possible, and not merely a way to dump commodities on schools and force them to feed children high-fat, high-cholesterol meals. I will work with the Department of Health Services, as well as the districts to provide these services to students that need them. We also need to ensure that students are learning about health issues, both physical and mental (psychological), in the classroom as part of their overall health curriculum and will work with the department and others to develop and maintain such curriculum if needed.

▶ Tom Torlakson

In my efforts as a teacher, coach and policy maker, I have been committed to fostering an education system that serves the whole child. We must improve not just our students' minds, but also their mental and physical health.

My classroom strategies are backed by research that shows health problems significantly impact our students: obesity, depression, asthma, and cavities rob our kids of years of seat time and learning. We must address student health to fully fight the achievement gap and the dropout rate.

As the chair and founder of the California Task Force on Youth and Workplace Wellness, I have been a leader on banning junk food from our schools, providing healthier school meals, and promoting student health and fitness.

As State Superintendent of Public Instruction, I will sponsor legislation to ensure access to a school nurse on every school campus, expand school health centers, improve the quality of food and physical education in our schools, update and implement physical education regulations and standards, include California Healthy Kids Survey data in the CALPADS data system, and advocate for increased federal and state funding for healthier school meals.

School safety

All children deserve schools free from violence, bullying and disruptions.

What programs or resources are most effective in fostering safe schools? What steps would you take to ensure that these programs are in place?

▶ Larry Aceves

School safety is a huge concern. As a superintendent I instituted gang-prevention training in my districts in an effort to prevent violence in our schools and to keep students in the classroom rather than out on the streets. These programs are effective, but some school sites need more resources to provide security on campuses in hallways and at after-school activities.

Bullying, both on campuses and in cyberspace, has increased in these tough economic times. We must train our staffs, and teach our children about the effects of bullying and how to stop it. We must concentrate on all forms of prejudice and assure that children are protected regardless of race, gender, sexual preference, religious beliefs, political beliefs, physical attributes.

Our actions have to be nurturing, but steadfast. Any tolerance of these actions by staff must be dealt with quickly. These are things that we cannot afford to cut from our budgets, and I will work with every district to provide them with the necessary resources to provide a safe and healthy environment for our students.

▶ Tom Torlakson

Students cannot learn if they do not feel safe. Research has proven a link between students' perceived safety and connectedness to their schools. A lack of safety also has an impact on the achievement gap.

That's why I will advocate for a multifaceted approach to these problems. Programs to address gang violence, and provide kids with a safe place to be during and after school, help promote learning. So I will continue to be a leading advocate for expanding gang intervention and violence-prevention programs.

I believe we must also restore counselors and other support staff to our schools so we can address students' academic, emotional, social, and mental health needs.

I will also fight to expand and enhance career technical education, and build partnerships with business to make middle and high school education more relevant to the lives of our students.

I support expanding the state after-school program I started to all schools – particularly our middle and high schools. These programs can help serve a whole child's needs: mental, emotional, and physical. Most importantly, after-school programs keep kids safe and focused on positive activities like art, music, drama, athletics, hands-on science, and homework assistance.

Parent involvement

Parent involvement is a major factor in student success in school.

What role do you see for the Department of Education in strengthening the partnership between families and schools?

► Larry Aceves

The partnership between families and schools is crucial to student success. As a teacher, a principal and a superintendent, I worked to ensure that parents were always involved and part of a student's achievement. I also see the importance of involvement as a parent to four children who all attended public schools in California. As State Superintendent of Public Instruction I plan on visiting schools and meeting with administrators, teachers, parents and students to discuss issues, and find ways that we can all work together to build partnerships.

The Department of Education has a strong role in strengthening the relationships between schools and families, but I feel that much of it can be done at the local level as well. As a superintendent in San Jose I implemented parent-training centers in the community to help parents get more involved and to have the training needed to better help their students succeed. Each school and district is unique and needs to be looked at that way. Cookie-cutter answers are not going to solve problems for our students. We need to work together and build a system that works for parents and schools.

► Tom Torlakson

We need to do more to empower parents to get more involved with their kids schools. We need to support teaching – in home and at school – that character is important and promote trustworthiness, respect, responsibility, fairness, caring and good citizenship.

I believe that we should do more to promote increased parental involvement in local school campuses. We need a particular focus in our most challenged schools – where getting parents involved can be a challenge for many personal, economic and institutional reasons.

We have also seen the strength of increased parent involvement in our schools through efforts funded in the Quality Education Improvement Act (QEIA), which focuses its programming on our lowest-performing schools. QEIA-funded schools have seen great student gains thanks in part to an emphasis on collaboration among teachers, administrators, and parents to determine what is best for students.

I believe we also must give our parents more information about how their children are doing through the creation of better assessments – ones that will provide more information to parents and teachers in enough time to help a student succeed.

Where the gubernatorial candidates stand

California faces unique challenges in education. Despite passage of Proposition 98 in 1988, per-pupil spending lags behind most other states. In 1972, California was in the top 20 for per-pupil spending; by 2009, we had dropped to the bottom 10.



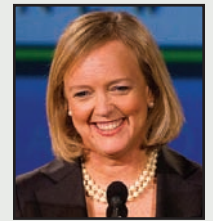
This is particularly challenging since one out of four K-12 students in California is not yet proficient in English, 17 percent live in poverty, and half qualify for free or reduced-price meals. Despite these challenges, California students have made significant gains on state tests. For example, in algebra just 106,000 students were proficient in 2003, but this doubled by 2009 to 212,000. Yet, we have a long way to go.

Higher education is also suffering in California, especially in the last decade. From a system that was essentially tuition-free, fees have skyrocketed at both the University of California and California State University systems. When I was Governor, the price students paid for a higher education was a fraction of what it is today. At that time, the state devoted three to four times more to higher education than to prisons; today that ratio is even. That's not right.

I have been studying education and working on related issues ever since I was elected to the Los Angeles Community College Board of Trustees in 1969. I approach this task with some humility, and a realization that there is no silver bullet that will fix everything. Education improvement takes time, persistence, and a systematic approach. California's education problems are not limited to just the lowest performing schools and teachers.

From the Jerry Brown campaign website: www.jerrybrown.org

California's long-term economic viability and competitiveness is directly connected to the quality of the education system in our state. The state that is home to Silicon Valley is 43rd in science. That's unacceptable. California has to do a better job of educating our kids. If our schools don't improve, our prisons will continue to be overcrowded, welfare costs will continue to spiral upward, and we will lose our ability to be a center of innovation. Our tax base will shrink further, putting more burdens on working families who will end up paying far more in taxes for inferior government services. It's a cycle that must be reversed, and it has to start with game-changing education reform.



Meg is setting a goal of moving the state's test scores from near worst in the nation to the front of the class.

As Governor, Meg will: Direct more money to the classroom.

Only 60 percent of education spending in California actually reaches the classroom. Meg will usher in reforms that will collapse the state's more than 50 categorical grants, many of which are duplicative and far too prescriptive, into simplified grants for special education, rewarding outstanding teachers and schools, and other programs that contribute to greater student achievement. The remaining state funding will flow directly to local school districts in the form of a unified block grant that can be used as local administrators, principals, teachers and parents deem best.

From the Meg Whitman campaign website: www.megwhitman.com

Gubernatorial candidates Jerry Brown and Meg Whitman were invited to answer questions from the PTA, but as of our publication deadline, they had not submitted answers.

PROPOSITION 25 - SUPPORT

The California State PTA has taken a **SUPPORT** position on Proposition 25, which will appear on the November 2, 2010 general election ballot. California's Attorney General provides the following Title and Summary for Proposition 25:

Changes Legislative Vote Requirement to Pass Budget and Budget-Related Legislation from Two-Thirds to a Simple Majority. Retains Two-Thirds Vote Requirement for Taxes. Initiative Constitutional Amendment.

- Changes the legislative vote requirement necessary to pass the state budget and spending bills related to the budget from two-thirds to a simple majority.
- Provides that if the Legislature fails to pass a budget bill by June 15, all members of the Legislature will permanently forfeit any reimbursement for salary and expenses for every day until the day the Legislature passes a budget bill.

The Legislative Analyst's Office provides the following Fiscal Analysis: *In some years, the contents of the state budget and related legislation could be changed due to the lower legislative vote requirement in this measure. The extent of these changes would depend on a number of factors, including the state's financial circumstances, the composition of the Legislature, and its future actions.*

In any year the Legislature has not sent a budget to the Governor on time, there would be a reduction in the state legislator compensation costs of about \$50,000 for each late day.

BACKGROUND INFORMATION

California's State Constitution requires a two-thirds vote of each house of the Legislature to pass the annual budget and any budget-related appropriations, except for appropriations for public school funding, which may be approved by a simple majority. A two-thirds vote is also needed to raise state taxes. It also requires the Legislature to pass the budget bill by June 15 each year so the budget will be in place by the start of the new Fiscal Year on July 1. When there is no adopted budget by July 1, members of the Legislature, and their appointed staff, receive no salaries after that date until a budget is passed. Any salary payments that are withheld from these officials are paid upon passage of the budget. There is no penalty imposed on the Legislature when it fails to adopt a budget on time. California, Rhode Island, and Arkansas are the only three states that require a two-thirds vote to pass a budget. Forty-seven states allow budgets to be passed with a simple majority. Five of those 47 states have a variety of supermajority vote requirements.

Only four of the last 20 budgets have met the constitutional deadline of passage by June 15. During those delays, the state is not authorized to make some payments, including funding for Medi-Cal providers, child development agencies, categorical funding for K-12 schools, and Cal-Grant scholarships. Individuals and institutions without deep financial reserves suffer during the unfunded period. School districts and other institutions dependent on state revenue are forced to make their own budgetary decisions and begin the fiscal year without knowing how much funding they will receive from the state.

ARGUMENTS FOR:

www.endbudgetgridlock.com

Proponents of Proposition 25 say the current process allows a small minority of legislators to leverage their budget vote for special closed-door deals that have resulted in additional tax loopholes for special interests, while funding for public education and other vital social services continues to decline. Proposition 25 would give the majority the ability to set priorities for spending. Majority approval of state budgets works well in 47 other states and in the federal government, and there is no reason why California should be any different. In a democracy, everyone should be heard. But when the minority controls the majority, the system is broken and no one can be held accountable. California State Treasurer Bill Lockyer reports that because of our chronic budget problems, California has the lowest credit rating of the 50 states. Our ratings literally will cost taxpayers hundreds of millions of dollars annually when we sell bonds to build roads, schools and other infrastructure vital to our future.

ARGUMENTS AGAINST:

www.nomorehiddentaxes.com

Opponents of Proposition 25 say that it will allow politicians to include new or "hidden taxes/fees" in a budget package and pass that budget with a 50 percent majority vote, which would eliminate the right of voters to use the referendum process to reject hidden taxes and repeal bad laws through the ballot. This initiative has the potential to give the majority party in the Legislature, with the approval of the Governor, exclusive domain over the state budget and will lower the vote requirement for the Legislature to raise sales, income and gas taxes, and increase its own extravagant tax-free expense accounts.

RATIONALE FOR PTA SUPPORT OF PROPOSITION 25

The timeliness of the adoption of the California state budget and the quantity and stability of state revenues have profound effects on the public education system, children's health agencies, and other state programs that impact children. The California State PTA recognizes that a stable and consistent finance system and re-

sponsible fiscal planning are necessary for a quality public education. California's two-thirds vote requirement to pass both the state budget and revenue measures has resulted in a dysfunctional process that promotes political stalemate and long delays in passage of the budget. The PTA has supported past efforts to lower the voting threshold for both the budget and new revenues, the most prominent being Proposition 56 in 2004. In 2009, PTA convention delegates approved a resolution specifically calling for the organization to "advocate for and actively support a constitutional amendment that reduces the voting margin for passage of both the California State Budget and revenue measures in the California Legislature to a 55 percent vote or a simple majority."

CONCLUSION

California's more than 9 million children are our future. California State PTA President Jo Loss reports that this year California has a state budget proposal that takes our breath away. With the reality that there is no money for the things that we value, what do we do now? Do we give up and walk away? Or do we roll up our sleeves and tackle the tasks our association has undertaken for more than a century? Proposition 25 moves in the direction of real reform and gives the majority the ability to set priorities for spending the revenue we do have. It also changes negotiations over the budget to give the minority less of a stranglehold on the process.

PROPOSITION 24 - SUPPORT

The California State PTA has taken a **SUPPORT** position on Proposition 24, an initiative statute, repealing recent legislation that would allow businesses to lower their tax liability, which will appear on the November 2010 general election ballot. The California Attorney General has provided the following Title and Summary for Proposition 24:

Repeals Recent Legislation That Would Allow Businesses to Lower Their Tax Liability. Initiative Statute.

- Repeals recent legislation that would allow businesses to shift operating losses to prior tax years and that would extend the period permitted to shift operating losses to future tax years.
- Repeals recent legislation that would allow corporations to share tax credits with affiliated corporations.
- Repeals recent legislation that would allow multi-state businesses to use a sales-based income calculation, rather than a combination property-, payroll-, and sales-based income.

The Legislative Analyst's Office (LAO) has provided the following Fiscal Analysis: *Increased state revenues of about \$1.3 billion each year by 2012-13 from higher taxes paid by some businesses. Smaller increases in 2010-11 and 2011-12.*

BACKGROUND INFORMATION

Two budget agreements, one in September 2008 and one in February 2009, made three changes to California's corporate income tax laws that are a significant departure from long-standing policy, including elective single sales factor apportionment, tax credit sharing and net operating loss carry backs.

In June 2009 the independent California Budget Project (CBP) examined the potential impact of these agreements in a budget brief *To Have and Have Not*. CBP concludes that: "The massive, permanent tax cuts enacted as part of recent budget agreements will exacerbate California's persistent budget troubles, requiring deeper cuts in public services or potentially larger tax increases for California's families to make up for lost revenue. CBP found that these changes will result in very large tax cuts for relatively few California businesses. A very small number of corporations will receive tens of millions of dollars per year in tax breaks as a result of changes made to California's corporate tax laws:

- Nine corporations will receive tax cuts averaging \$33.1 million each in 2013-14 due to the adoption of elective single sales factor apportionment.
- Eighty percent of the benefits of single sales factor apportionment will go to the 0.1 percent of California corporations with gross incomes over \$1 billion.
- Six corporations will receive tax cuts averaging \$23.5 million each in 2013-14 from the adoption of credit sharing.
- Eighty-seven percent of the benefits from credit sharing will go to the 0.03 percent of California corporations with gross incomes over \$1 billion."

The complete CBP June 2009 brief, outlining the issues addressed in Proposition 24, can be found at www.cbp.org.

ARGUMENTS FOR:

www.paytheirfairshare.com

Proponents argue that Proposition 24 will end tax loopholes that unfairly benefit less than 2 percent of California's businesses that are the wealthiest, multi-state corporations. Ninety-eight percent of California's businesses, especially small businesses, would get virtually no benefit from the tax breaks. Corporations funding the campaign to defeat Proposition 24 are paying their CEOs more than \$8.5 billion, and made more than \$65 billion in profits last year, while at the same time laying off 100,000 workers. Proposition 24 will allow the Legislature to avoid

even deeper cuts to public schools, health care and public safety. The signers of the ballot argument in favor of Proposition 24 are the California Teachers Association, the League of Women Voters and the California Tax Reform Association.

ARGUMENTS AGAINST:

www.paytheirfairshare.com

Opponents argue that Proposition 24 would repeal recent state tax updates that are desperately needed to grow our economy and put Californians back to work. Instead, Proposition 24 would continue to tax new job creation and penalize businesses when they try to expand in California. It would lead to fewer jobs and fewer tax revenues. It's a giant step backward on California's road to recovery. The signers of the ballot argument against Proposition 24 are California Taxpayers' Association, former California Secretary of Education Marian Bergeson and the California Small Business Alliance.

RATIONALE FOR PTA SUPPORT OF PROPOSITION 24

A support position on Proposition 24 is consistent with PTA's advocacy regarding the state budget crisis, calling for the revenue needed to provide for the well-being of California's children. PTA's **General Principle No. 4** for considering proposed legislation (part of the Legislation Platform adopted by convention delegates in May 2010) states, "Establishment of and adherence to fiscal responsibility in government, with concern for fair taxation but keeping the priorities for the needs of all children and youth foremost." In addition, the convention resolution **State Tax Reform (1991)** calls for "a broadly based, equitable system of taxation that generates adequate revenues to fund education and all other services needed by children, youth and families of California." Position Statement 4.5.66, **State Tax Reform (reaffirmed January 2009)** states that "the California State PTA believes that tax policies should include concepts that establish and maintain revenue sources carefully planned and developed to avoid undue burden on the people and that ensure fairness, including reduction of existing tax inequities and avoidance of new ones; and new or increased taxes when necessary to meet the needs of the people."

CONCLUSION

When California has cut billions from public schools, colleges and services for poor children, and when the state is facing more budget deficits, it is not the time to grant huge tax breaks to a small number of large corporations. In these tough economic times, everyone must pay his or her fair share.

PROPOSITION 19 - NEUTRAL

The California State PTA has taken a **NEUTRAL** position on Proposition 19, which will appear on the November 2, 2010 general election ballot. California's Attorney General provides the following Title and summary for Proposition 19:

Changes California Law to Legalize Marijuana and Allow It to Be Regulated and Taxed. Initiative Statute.

Allows people 21 years old or older to possess, cultivate, or transport marijuana for personal use. Permits local governments to regulate and tax commercial production and sale of marijuana to people 21 years old or older. Prohibits people from possessing marijuana on school grounds, using it in public, smoking it while minors are present, or providing it to anyone under 21 years old. Maintains current prohibitions against driving while impaired. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: Savings of up to several tens of millions of dollars annually to state and local governments on the costs of incarcerating and supervising certain marijuana offenders. Unknown but potentially major tax, fee, and benefit assessment revenues to state and local government related to the production and sale of marijuana products. To read the full text, go to <http://www.sos.ca.gov/elections/ballot-measures/qualified-ballot-measures.htm>

Current Law

The federal Controlled Substances Abuse Act (21 USC Sec. 801; et seq.) governs marijuana and classifies marijuana as a Schedule I controlled substance and specifies various punishments depending on the quantity of marijuana possessed and the purposes of possession.

Proposition 215 (1996) added Section 11362.5 to the California Health and Safety Code, which:

- Exempts patients and defined caregivers who possess or cultivate marijuana in which usage has been recommended by a physician from criminal laws which otherwise prohibit possession or cultivation of marijuana.
- Provides physicians who recommend use of marijuana for medical treatment shall not be punished or denied any right or privilege.
- Declares that the measure is not to be construed to supersede prohibitions of conduct endangering others or to condone diversion of marijuana.

The U.S. Supreme has ruled that federal agents can arrest medical marijuana users and growers even though Proposition 215 makes medical marijuana use legal in California. Furthermore, the Supreme Court declined to hear an appeal

by San Diego and San Bernardino counties of a lower court ruling that refused to overturn Proposition 215.

Health and Safety code §11357 governs the sale, possession and transportation of marijuana. Generally, possession of less than 1 ounce of marijuana is a misdemeanor punishable by a fine. Multiple convictions of possession can lead to diversion under Penal Code §1000.

Fiscal Impact

The Legislative Analyst's Office stated:

Given that the federal government continues to enforce federal marijuana laws that do not conflict with state medical marijuana laws, the revenues and expenditures resulting from this measure would be subject to significant uncertainty. We estimate that this measure would have the following major fiscal effects:

- Savings of up to several tens of millions of dollars annually to state and local governments on the costs of incarcerating and supervising certain marijuana offenders.
- Unknown but potentially major tax, fee, and benefit assessment revenues to state and local government related to the production and sale of marijuana products.

It should be noted that the initiative would not create a state "marijuana tax" similar to existing alcohol taxes imposed by the state. Proposed Section 11302: Imposition and Collection of Taxes and Fees (b) would state:

Any licensed premises shall be responsible for paying all federal, state and local taxes, fees, fines, penalties or other financial responsibility imposed on all or similarly situated businesses, facilities or premises, including without limitation income taxes, business taxes, license fees, and property taxes, without regard to or identification of the business or items or services sold.

ARGUMENTS FOR:

www.taxcannabis.org

The proponents make the following claims in regard to this measure:

- Proposition 19 will control cannabis like alcohol, allowing only adults 21 years and older to consume cannabis. In addition, by bringing cannabis out of the shadows, and implementing a legal regulatory framework to control it, we will be better able to police and prevent access to and consumption of cannabis by minors.
- Cannabis has much fewer harmful effects than either alcohol or cigarettes, which are both legal for adult consumption, and taxed to support vital services. Cannabis is not physically addictive, does not have long term toxic effects on the body, and does not cause its consumers to become violent.
- Right now, there is an estimated \$15 billion in cannabis transactions every year in California, but since cannabis remains illegal, our state

sees none of the revenue. Controlling and taxing cannabis could bring in billions of dollars in revenue to help fund what matters most in California: jobs, healthcare, public safety, parks, roads, transportation, and more. The California Board of Equalization estimates that controlling and taxing cannabis could generate \$1.4 billion in revenue each year.

- According to The National Research Council's recent study of the 11 U.S. states where cannabis is currently decriminalized, there is little apparent relationship between severity of sanctions and the rate of consumption.
- The illegality of cannabis enables the continuation of an out-of-control criminal market, which in turn spawns other illegal and often violent activities. Establishing legal, controlled sales outlets would put dangerous street dealers out of business, so their influence in our communities will fade. Also, when we stop arresting thousands of non-violent cannabis consumers, we will be freeing up police resources and saving millions of dollars each year, which could be used for apprehending truly dangerous criminals and keeping them locked up.

ARGUMENTS AGAINST:

www.publicsafetyfirst.net

The opponents make the following claims:

- Measure is misleading and a threat to public safety.
- We could find ourselves in a situation where we see the worst of all worlds: recreational marijuana consumption goes up; illegal marijuana sales to evade taxes begins; tax revenues go down; we get sued by the federal government and it withholds federal funds from the state.
- A California employer will no longer be able to screen job applicants for marijuana use. If an employer allows employees cigarette smoking breaks and/or certain areas in which cigarette smoking is allowed, they would have to allow marijuana smoking as well.
- The initiative expressly omits any definition of what constitutes being "under the influence" of marijuana. No driver over 21, including bus, taxi, light-rail train operators, or everyday commuters can be required to be drug-free while operating a vehicle. Although the initiative says you cannot use marijuana while driving, it is completely permissible to use marijuana just prior to getting behind the wheel.

PTA Authority to Support the Initiative

A review of National and California State PTA resolutions, position statements and guidelines reveals no authority to support the initiative.

PTA Authority to Oppose the Initiative

The 2008 National PTA Resolution, Enforcement of Laws Regarding Alcohol, Drugs, and Driving Under the Influence rescinded a position statement that included opposition to the legalization of marijuana. Consequently, there is no specific authority at the national PTA level to oppose this initiative. A review of California state PTA resolutions, position statements and guidelines reveals no specific authority or direction to oppose the initiative.

Proponents www.taxcannabis.org

The initiative was placed on the ballot by Richard Lee, founder of a pro-marijuana advocacy group called "Oaksterdam University" in Oakland, Calif. Website lists additional supporters including:

- ACLU of Northern California
- ACLU of San Diego
- California NAACP
- California Green Party

Opponents www.publicsafetyfirst.net

- California Bus Association
- California Chamber of Commerce
- California Narcotics Officers Association
- California Police Chiefs Association
- Mothers Against Drunk Driving
- California District Attorneys Association

CALIFORNIA STATE PTA RATIONALE FOR NEUTRAL POSITION ON PROPOSITION 19

As a true grassroots association, California State PTA's positions on state ballot measures are grounded in the resolutions that our delegates approve at annual conventions. The issue of legalizing marijuana for adults as proposed by Proposition 19 is one that has never previously been contemplated by our delegates. Our legislative action committee that reviewed the measure researched all existing California State PTA and National PTA resolutions and position statements but did not find relevant authority to take a position either way on the proposal for legal marijuana use by adults. Given that, the State Board of Managers approved a neutral position at its July 2010 meeting.

California State PTA remains strongly committed to preventing drug use and abuse among children and youth.

On Election Day

Remind people to vote!

1. Put a message on the school marquee leading up to Election Day.
2. Send a reminder in the PTA newsletter.
3. You **can** inform people of PTA positions on issues.
4. You **cannot** urge people to vote a certain way.

Conducting a candidates' forum

An effective way to engage your community and demonstrate the value of your PTA is to host a candidates' forum. Elected officials' decisions significantly affect the well-being of children and youth, and a forum allows concerned parents and other voters an opportunity to become better informed about their choices for elected representation.

While IRS regulations prevent tax-exempt organizations such as PTAs from supporting or opposing candidates, they do allow such organizations to host nonpartisan candidates' forums. According to the IRS, such forums are an acceptable form of voter education.

What is a candidates' forum?

A candidates' forum allows candidates for public office to express their views openly so audience members can understand their positions and make informed voting choices. Possible formats include the following:

- Candidate speeches
- Panel discussion
- Audience question-and-answer session

Whatever the format, the forum must allow each invited candidate an equal and fair opportunity to express his or her position on issues.

Who should be invited?

All candidates registered with the secretary of state (or with other appropriate elections certifying bodies) should be invited to attend. Candidates do not have to attend the forum to meet IRS rules, but all candidates must be offered the chance to attend. The IRS can penalize tax-exempt organizations that host a forum that favors or opposes any candidate.

Getting started

- Form a committee.
- Determine whether PTA will sponsor the forum alone or with another nonpartisan organization, such as the League of Women Voters.

- Set the date, and obtain a facility that is centrally located, if possible.
- Draft invitations to candidates. Be sure to include:
 - Complete information on date, time, and place;
 - Rules of the forum (e.g., there will be only written questions, limits on opening statements, amount of time allowed for candidates' responses);
 - Rules limiting campaign literature distribution at forum;
 - A request for any information needed from the candidate for promotion of the forum, such as a short biography and candidates' questionnaire;
 - Name, address, and telephone number of person to contact to confirm acceptance or to ask for further information; and
 - Due date for candidates to respond.
- Obtain home addresses and e-mail addresses of all official candidates from the County Registrar of Voters, and send invitations by certified mail with a return receipt requested. The signed, returned receipts should be kept on file.
- Any debate must have at least two opposing candidates. If only one candidate will be appearing, the forum should be canceled.

Setting up the forum

- Provide adequate seating and accessibility for attendees.
- Seating for candidates should be in the form of a table at the head of the room, preferably elevated so they are visible to the audience.
- Seating assignments should be done by lottery with each candidate drawing a seat number prior to the beginning of the forum.
- Provide an adequate sound system with microphones available to rotate between the candidates, with a separate microphone for the moderator.

- Provide a table for question screeners and a podium/lectern for the moderator.
- Provide tables for any refreshments and for any literature pertaining to the forum, such as agendas, programs, and packets of candidates' biographies and questionnaire responses.
- No campaign literature is to be distributed inside the forum room. No buttons or other campaign promotions are to be worn.

The forum

- Begin with the Pledge of Allegiance, a welcome and a reading of the nonpartisan policies of the sponsoring groups.
- The moderator should go over the rules regarding opening statements, time allowed for responses, how questions will be asked, the process for gathering questions from the audience (e.g., on index cards only) and how timers will signal speakers.
- The moderator should state that verbal interaction between the audience and the candidates during the forum will not be permitted. The forum is neutral territory for a sharing of ideas and information, not campaigning.
- While candidates are giving their opening statements, screeners can begin sorting questions to be asked of the candidates. After the opening statements, the moderator asks the candidates the audience's screened questions and any questions put together by the hosting committee.
- At the end of the forum, the moderator or other designee should close and thank everyone for attending. Be sure to remind everyone of the date of the election and the deadline for registering to vote.

Congratulations! You have just conducted a successful candidates' forum. For more information refer to the *California State PTA Toolkit* 4.3.2 Candidates' Forum.

Who is running for school board in your community?

Although bound by state legislative policy and finances, local school board members make decisions on local policies and budget priorities that impact the lives of children every day. All citizens, even those without children in public schools, should evaluate each candidate being considered for a position on the school board carefully and make informed decisions about who will be the best candidate to speak for every child and to support excellence in our schools.

All candidates, particularly non-incumbents, should participate in candidates' forums, interviews and other neighborhood and community events. This gives voters the opportunity to become familiar with the candidates' positions and to observe the candidates' reactions under the pressure of questioning.

Here are some key questions to consider:

Does the candidate have

- A commitment to public education and its importance as a foundation for democracy?
- An understanding of the constitutional principle of separation of church and state and its relevance to school district policy decisions?
- A position of respect and recognized involvement/leadership in the community?
- An unselfish interest in the public schools, in the community, and in every child?

Is the candidate

- A resident of the school district?
- Informed about school board functions, policies and responsibilities?
- Familiar with the schools in the district and with issues facing education?
- Knowledgeable about the role of the school board as it relates to the administration of the school district?

Does the candidate

- Know the boundaries and demography of the school district?

- Know that school board leadership involves working with and understanding the needs, expectations and concerns of the parent and business communities?
- Understand the commitment of time and energy required to be an effective school board member?

The best way for PTAs to evaluate a candidate's qualifications and to spread information about the candidate's positions on issues is to ask questions at a public meeting, candidates' forum or other public event so that the responses can be heard by all who are present.

Here are some examples of questions that could be asked at a candidates' forum:

1. What is the most important responsibility of a school board member?
2. What strategies would you suggest or support to reduce district spending? How would you include parents and teachers in these decisions?
3. In order to attract and retain quality teachers in our district, we need to remain competitive with pay and benefits. With mounting budget problems, how can we do this?
4. How do you envision teachers and administrators enforcing effective discipline in our secondary schools?
5. What unique strengths do you have that would contribute to the team of an effective, collaborative school board?
6. Why are you running for school board?
7. How do you plan to enhance parent involvement in the schools and in the district?
8. Do you have children, and if so, where did they or do they attend

school? What has been your involvement in their schools?

9. No Child Left Behind and Race to the Top are both federal education programs that have had a large impact on our schools. What do you see as the impact of these policies?
10. What district programs best assist our low-income children? How can these programs be improved, and are they at risk with the budget crisis?
11. What do you believe are the best ways to evaluate school and student performance?
12. What do you believe are the best ways to evaluate teacher quality?
13. Do you believe any changes to funding or programs for English language learners are needed, and if so, what changes would you recommend?
14. What changes are needed in programs or funding for "special needs" students? What do you propose to improve the district's special education program?
15. Do you support accepting students from outside the district on permits, and if so, under what circumstances?
16. Do you think that revenue enhancements to fund education are needed, and if so, what type would you support?
17. In order to prepare our children to learn, they need to be safe, healthy, well-fed, clothed, and supplied with books, computers, and more. How much of this responsibility should fall to the district, and how can these needs be met?

Save the date

California State PTA Legislation Conference 2011 in Sacramento

Monday, Feb. 7 – Tuesday, Feb. 8, 2011

Are you concerned about the well-being of the more than 9 million children who live in California?

Would you like to make California a better place for these students and their families?

Whether you are a seasoned advocate or a newcomer, the California State PTA's Legislation Conference is the place to learn what is really happening in the state that affects children and schools. Your children, your PTA and your state need your involvement. And the California State PTA Legislation Conference is the place to step up and make a difference.

Here are a few of the benefits of attending the conference.

- ▶ Hear directly from experts, including state legislators.
- ▶ Learn about issues and priorities of the California State PTA.
- ▶ Develop the skills to become an effective advocate for children in your community.
- ▶ Network with others who share your concerns and goals.
- ▶ Meet with your legislators to share your concerns.



Don't miss out on information about the upcoming Legislation Conference: Sign up to receive our free Legislative Alerts, and other e-publications you may choose. Go to www.capta.org, click on Legislative Alerts in the upper right-hand corner of the home page. This will take you to a page where you can click on the "receive e-mail updates" button.

If you are no longer a PTA president, please forward this and all mailings immediately to your successor.

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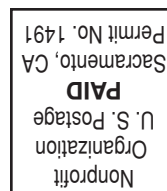
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The mission of the California State PTA is to positively impact the lives of all children and families by representing our members, and empowering and supporting them with skills in advocacy, leadership and communications.

Adopted October 2009



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California State PTA