

## Historic \$25.3 Billion School Facilities Bond Package Headed for the Ballot

Last week Governor Davis signed AB 16 (Hertzberg), PTA SUPPORT, paving the way for an historic \$25.3 billion school facilities bond package that was more than a year in the making. The measure will go before voters in November 2002 and March 2004. The first \$13 billion of the total will go on the ballot in November. The remaining \$12.3 billion is to be on the March 2004 ballot.

In addition to \$3.95 billion for higher education facilities, the breakdown on the \$21.4 billion for K-12 in the two General Obligation bonds include:

- ✓ \$4.14 billion for critically overcrowded areas
- ✓ \$11.16 billion for new construction
- ✓ \$5.5 billion for modernization
- ✓ \$400 million for charter schools

### November 2002 Ballot

The first bond measure would include \$1.65 billion for higher education and \$11.4 billion for K-12 schools. The K-12 bond funds would provide:

- ✓ \$4.8 billion for new construction and modernization projects on file with the state as of February 2002
- ✓ \$3.45 billion for new school construction related to growth, including \$100 million for charter schools and \$25 million for relief of developer fees if a housing bond is not approved by voters in November
- ✓ \$1.4 billion for modernization of older schools

- ✓ \$1.7 billion for critically overcrowded schools
- ✓ \$50 million for joint-use facilities

### March 2004

The second bond measure would contain \$2.3 billion for higher education and \$10 billion for K-12 schools. The K-12 bond funds would provide:

- ✓ \$5.16 billion for new school construction, including \$300 million for charter schools
- ✓ \$2.25 billion for modernization
- ✓ \$2.44 billion for critically overcrowded schools
- ✓ \$50 million for joint-use facilities

### Program Reform

The bond package also provides for a number of program reforms, including a provision that would bring existing commercial buildings into compliance with existing school seismic safety requirements in the Field Act. If that would be possible, then the state architect is directed to develop those regulations by April 1, 2003.

On the day the Assembly approved AB 16, Assembly Republican Leader Dave Cox of Fair Oaks hailed the vote as “a victory for California’s children.” He added “these bonds, if approved by voters, put money where it’s most needed. They will provide vital funding to help build much-needed new classrooms, fix leaky roofs and modernize aging facilities. And we’ve earmarked funds for critically overcrowded schools in every corner of California.”

*Cecelia Mansfield, Director of Legislation*

## SB 1520 Addresses Childhood Obesity

The Surgeon General says that type 2 diabetes, previously considered an adult disease, has increased dramatically in children and adolescents. Overweight adolescents have a 70% chance of becoming overweight or obese adults. Overweight and obesity are associated with heart disease, certain types of cancer, type 2 diabetes, stroke, arthritis, breathing problems (including asthma) and depression. A recent economic analysis estimated that the annual cost of physical inactivity, obesity, and overweight in California adults to be \$24.6 billion, including medical care, lost employee productivity, and worker's compensation.

On March 12, 2002, a RAND report stated that obesity is linked to very high rates of chronic illness, higher than living in poverty, and higher than smoking or drinking.

According to the California Department of Education, 30% of California children are overweight, including 40-50% in some school districts. Only 23% of students in grades 5, 7, and 9 are physically fit according to the 2001 California Physical Fitness Test.

The focus and priority of **SB 1520** (Ortiz), the **California Childhood Obesity Act**, is to raise the revenue necessary for schools to provide healthy foods, physical education and other activity programs, athletics, and after-school programs, and to enable schools to offer these programs without having to sell soda and junk foods to pay for them.

The California State PTA and its members sitting in convention passed a resolution in 1991 titled "Nutrition Education." We recognize that it has become increasingly evident that various types of disease and health problems are linked to diets too high in fat and calories. Our members seek increased and updated nutrition information and teacher training in the schools. Our members also recognize that a quality physical education program in the schools is essential to the well being of youth and provides an effective strategy for reducing the public health burden of chronic disease. For those reasons, members passed in 1999 a resolution titled "Developmentally Appropriate Physical Education."

For school districts that volunteer to cease selling soda and junk food, SB 1520 would provide replacement funding for existing middle and high schools programs, which are currently being paid for out of the sale of those junk foods. This bill would also provide revenue for new programs in elemen-

tary schools and communities to promote physical activity and nutrition education.

The proposed tax is two cents on a can of soda, which would raise about \$300 million annually. The California State PTA believes that two cents makes sense and supports SB 1520.

*Michael Butler, Health Advocate*

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## PTA Takes Positions on Community Concerns Bills

PTA has a SUPPORT position on **AB 1886** (Jackson), which would require double fines in school zones if a local ordinance is passed. The bill was heard in the Assembly Transportation Committee on April 15, 2002. It passed out of the committee on a fourteen to one vote, and was heard in the Assembly Appropriations Committee on April 24.

SB 363 (Chapter 183, Statutes of 1999), which was supported by PTA, requires that automobile liability, collision, physical damage, and uninsured motorist property damage insurance provide coverage for the replacement of a child passenger restraint system that was being used by a child when an accident occurred. This year **AB 1902** (Reyes), also supported by PTA, would require that the insurer is obligated to replace the child restraint system, that the damaged system must be turned into the insurer or to the nearest office of the California Highway Patrol, and that the damaged system cannot be sold, rented or loaned to any other person. Violation of this provision would result in a misdemeanor.

**SB 1924** (O'Connell) addresses a resolution adopted by PTA convention delegates in 2001, "Safety Helmets for Scooter, Skateboard and Skate Uses Under the Age of 18." SB 1924, as introduced, did not include skate users and PTA's Legislation Action Committee voted for a position of support if amended. A meeting in Senator O'Connell's office resulted in the bill being amended to include skate users. The third resolve of PTA 2001 resolution states "that the California State PTA support the adoption of state legislation mandating the use of Consumer Product Safety Commission and/or American Society for Testing and Materials approved safety helmets for all youth under the age of eighteen using scooters, skate boards and skates in the state of California." The California State PTA now has a SUPPORT position on SB 1924.

*Peggy Dial, Community Concerns Advocate*

## Author Introduces Amendments to AB 2160

Assemblywoman Jackie Goldberg introduced major amendments to her CTA-sponsored bill **AB 2160** during the Assembly Education Committee hearing on Wednesday, April 24. These amendments were in addition to those she made to the bill on April 11. AB 2160, as it was introduced in February, proposed to expand the scope of collective bargaining for certificated K-12 public school employees. The California State PTA has an **OPPOSE UNLESS AMENDED** position on AB 2160. This position reflects PTA's concern that giving teachers the right to negotiate procedures for development and implementation of certain items, such as textbook and curriculum selection and parent involvement programs, could exclude parents from participation in local school and school district policy decisions. PTA is also seeking assurances that services to children and youth would not be delayed while procedures for selecting external evaluators and school assistance and intervention teams are determined.

The April 11 version of AB 2160 amends the parents' rights section of the Education Code to ensure parents would have the right to participate on any committee established pursuant to negotiations. The amendments of April 24 were considerably more substantial. These amendments would establish two options for determining the processes for making decisions regarding items listed in AB 2160, including development and implementation of programs to enhance student academic performance, selection of instructional materials and curriculum, staff development and parent involvement.

### Option 1

Option 1 would create an Academic Partnership for purposes of establishing decision-making processes for the expanded list of items in AB 2160. The Partnership would be composed of equal members of governing board appointees and certificated exclusive representation appointees, with each side selecting its own representation. Each side would also select an equal number of parents to serve. The Academic Partnership could consider only items listed in AB 2160, and all decisions would be made by consensus. Funds from the professional training and development block grant could be used to train Partnership members in consensus-building. If the Partnership failed to come to consensus on any item, that item would then be subject to collective bargaining in an open, public meeting.

### Option 2

If the governing board of any district declined Option 1, the district would expand the scope of collective bargaining to include all of the items in AB 2160. **HOWEVER**, all the items from the AB 2160 list would have to be bargained at meetings open to the public. If a contract is closed at the time agreement is reached in the public meeting, the agreement would be added to the existing contract. If a contract is open at the time agreement is reached, the contract could not be altered in any closed contract session.

While there are still questions to be asked, and details to be worked out, PTA is very encouraged by these proposed amendments. PTA advocates will continue to meet and work with Assemblywoman Goldberg and the sponsors of AB 2160 to emphasize the importance of parents' involvement in the education of their children. PTA further believes, and stated in its letter to the Assembly Education Committee **“that the time has come to stop the hysteria that has surrounded AB 2160 since it was introduced. PTA calls on all education stakeholders to sit down together in an effort to resolve issues of accountability and school governance raised by this bill. As long as discussion of AB 2160, and the issues it has raised, is limited to rhetorical exchanges in the media, the children of California are not well served.”**

*Ann Desmond, Education Advocate*

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## PTA Support for the Arts, Pupil Services, and Special Education

### SMARTS: Bring Back the Arts

Legislation to support arts education continues to be a top priority for PTA. PTA is currently sponsoring two bills, **AB 2952** (Shelly), relating to instructional materials, and **SB 1548** (Alarcon), relating to arts assessment. PTA is also supporting **AB 2807** (Firebaugh), which would extend the local Arts Education Partnership program that uses community resources to strengthen arts skills in public schools. SB 1548 would require the State Department of Education, through the California Arts Assessment Network, to develop a pool of diagnostic items that may be used by classroom teachers, administrators, or school districts to assist them in determining the extent to which pupils are mastering those content standards. SB 1548 was passed out of the Senate Education Committee on April 24. A hearing date for AB 2952 has not been scheduled.

For more information about PTA's arts bills, visit the SMARTS: Bring Back the Arts page on the California State PTA Web site at [www.capta.org](http://www.capta.org).

### Pupil Services

The California State PTA is supporting two bills to improve pupil services, including counseling and career education. These include a proposal for a master plan for pupil services, and the creation of model curriculum frameworks for career technical education.

**AB 2025** (Corbett) would require the State Department of Education to convene a voluntary working group to develop a master plan for pupil services. PTA supports quality counseling and guidance services, school health services, and library services at all educational levels. PTA believes school counselors are needed to assist students with academic planning and vocational, career and college choices, and to provide assistance and referrals to students who are troubled by social or other problems. PTA strongly supports efforts to increase the ratio of counselors and school nurses in public schools and to provide for adequate school library services. AB 2025 was passed out of the Assembly Education Committee on April 24.

**SB 1934** (McPherson) would require the Superintendent of Public Instruction, upon adoption of model curriculum standards by the State Board of Education, to develop a model curriculum framework for career technical education for various career pathways that would prepare pupils for both

career entry and matriculation into postsecondary education. This bill would encourage school districts to provide all pupils with a rigorous academic curriculum that integrates academic and career skills, incorporates applied learning in all disciplines, and prepares all students for high school graduation and career entry.

### Special Education

PTA is supporting **AB 2093** (Dickerson), which would require the State to pass through to SELPAs any increase in federal funding earmarked for special education. The bill passed out of the Assembly Education Committee on April 3, and was heard in the Assembly Appropriations Committee on April 24. The fiscal impact of the bill, according to the author, is "approximately \$135 million in Proposition 98 costs in Budget Year 2002-03."

PTA has lobbied the federal government for years for an increase in special education funding, and believes that any additional funding should be used as intended: to provide services to students in special education. According to the author of AB 2093, in prior years:

"Federal increases were considered a deduct—so whatever the state got in federal funds, the state would then use the dollars to pay for part of the cost of funding COLA and enrollment growth in special education. The passage of AB 602 (Chapter 854, Statutes of 1997) modified the deduct in order to allow for the funds to go to equity. Since AB 602 said the federal increase could go only for paying equalization, legislation is needed (now that equalization has been reached) to be sure those federal dollars cannot be used to offset the state's obligation to fund COLA and enrollment growth as was the state's previous practice. Specifically, this bill will freeze the deduct at the 2001-2002 level allowing any increase in federal aid for special education to pass through to SELPAs starting in 2002-2003 fiscal year. It will ensure the state's commitment to treat future federal special education funding increases as an augmentation. The commitment of these federal funds is crucial and necessary as LEAs continue to struggle and fall behind in paying for costly and continually underfunded special education programs."

*Carol Kocivar, Education Advocate*



## Four Bills Address After School Programs

PTA has a SUPPORT position on four new bills that deal with after-school programs:

**AB 2730** (Washington) is a rerun of last year's AB 49, which was vetoed in September. This bill establishes a small grant program through which local libraries could develop after school programs with tutoring and mentoring for youth from ages 13 to 18. AB 2730 was heard in the Assembly Local Government Committee on April 24.

**AB 2024** (Nakano) is a very simple, but important bill that would add nutrition education to the educational component of existing before-and after-school programs. This bill is scheduled for hearing in Assembly Education Committee on May 1.

**SB 1478** (McPherson) and **AB 1984** (Steinberg) are two identical bills sponsored by members of a coalition of organizations seeking to expand after-school programs to serve high school students. PTA participated with the coalition on the development of these two bills, which address an area of great need because the current programs do not serve these older youth. SB 1478 was scheduled for hearing in Senate Education Committee on April 17, but that hearing was cancelled. Now both bills will probably be heard on May 1.

*Betty DeFea, Parenting Education Advocate*



## Charitable Choice, Tax Credits, Opportunity Scholarships and Vouchers

Call it what you will, any of the above are the titles opponents of public education use in a variety of attempts to promote the use public funds for private agencies. "Charitable Choice" is the latest appellation and is the theme of HR 7, a bill to give federal funds to religious organizations to provide social services. Under the current law, they must establish separate nonprofit organizations to receive the funds, abide by anti-discrimination laws that do not apply to religious organizations, and keep their religious mission strictly separate from their social services. HR 7 would expand the programs for which

religious organizations are eligible to apply, allow them to apply directly, and allow them to include their religious mission in their social services. The bill encourages charitable giving by allowing tax deductions to be taken by taxpayers. This bill is presently in the United States Senate and no hearing has been scheduled. However, a bill, **SB 1280** (Haynes), with almost identical provisions was introduced in the California Legislature this session. PTA opposed the bill and it failed passage in the Health and Human Services Committee. SB 1280 can always reappear and we are ready to take action if that should occur.

PTA continues to keep close watch on all education proposals involving choice. President Bush and congressional Republicans are considering federal tuition tax credits and funds for inclusion in the 2002-03 federal budget. The Education Policy Studies Laboratory at Arizona State University has just issued a report on Arizona's four-year-old tuition-tax-credit program. This model is the new approach since vouchers have been defeated in elections and questioned in the courts. The program offers up to \$625 in dollar-for-dollar state credits to individual taxpayers for their donations to nonprofit organizations that give private school scholarships to K-12 students. But the law, which aims to help low-income families expand their options to include private schools, has mainly benefited middle-class families whose children already attend private schools because the median private elementary school tuition is \$3,175 and more for middle school and high school. The program has drained \$33 million dollars from Arizona's public education funds and may have helped fewer than 3,900 needy students overall, or 2 percent of the state's estimated population of public school students from needy families. To save the plan, proponents are discussing possible changes. One is to require scholarship organizations to provide a specific percentage of the scholarships to low-income families.

The Goldwater Institute, a think tank in Phoenix, unveiled a plan to expand the tax credits to businesses. Businesses would receive credits for giving money to charitable organizations that provide scholarships specifically for students who qualify for free or reduced-price school lunches. The Arizona plan is a novel twist that gives credits for donations to scholarship-providing organizations. The Arizona Supreme Court upheld this law and the U.S. Supreme Court declined to take up an appeal of that decision.

*Harriet Borson, Consultant*

DC Corner

## DC Priorities Include Early Childhood Education and Reauthorization of IDEA

### Early Childhood Education

On April 2, the Bush Administration unveiled three major initiatives to improve early childhood education: a new focus on Head Start; incentives for schools to collaborate with programs serving pre-school age children; and information to families, caregivers, and educators of young children.

Head Start programs will be asked to assess children for the purpose of developing information to improve early child care and education programs and for targeting staff training. This initiative also calls for additional training for Head Start Teachers and childcare providers. To encourage collaboration between schools and early childhood education programs, the plan will provide incentives for alignment between preschool programs and elementary schools. This includes coordination of early childhood services and programs, and transition planning for children moving from pre-kindergarten to elementary school.

The plan calls on states to promote the most effective early pre-reading and language curricula and teaching strategies for early childhood educators and caregivers, and to disseminate information on ways to assure the health, safety, nutrition, and cognitive development of newborns to parents and families. The initiative also would encourage that caregivers and families have ready access to information and guidance on how to promote cognitive development in children, while supporting strong social and emotional growth.

National PTA recognizes that high quality child-care and early childhood education are essential to improving the school-readiness of young children, and supports the collaboration and coordination addressed by the President's proposal. National PTA hopes to expand the initiative to include other goals, such as improving access to voluntary, high-quality, public pre-kindergarten to all three, four, and five-year olds not yet enrolled in school. PTA will continue to advocate for elementary school transition programs that include clearly-defined and communicated readiness indicators, and for ensuring that this federally funded program promotes preschool and school readiness activities that incorporate strong parent involvement opportunities, including services and training for parents and families.

### Reauthorization of IDEA

The House Committee on Education and the Workforce has begun hearings on reauthorization of the Individuals with Disabilities Education Act (IDEA). The committee is expected to complete its hearings and develop the IDEA reauthorization bill after the President's Commission on Excellence in Special Education prepares its final report in July. The first hearing on April 18 focused on IDEA funding; others will study reform issues, including accountability, reduced paperwork, decreased misidentification, improved parental involvement, and recruitment of special education teachers.

IDEA reauthorization is a National PTA priority this year and the organization plans to work with the committee on the key issues, with particular attention to three specific concerns:

- building mandatory full funding of IDEA into the reauthorization process;
- strengthening parental involvement policies and practices; and
- ensuring educational equity for children with disabilities, including assurance that any student who is suspended or expelled has access to appropriate education and other needed services.

*Betty DeFea, Federal Advocate*

### State Budget Update

The latest news on the state budget is an overall growing revenue shortfall (\$20 billion) and at the same time a higher Proposition 98 guarantee of approximately \$830 million. The Legislative Analyst provided details at the Assembly Budget Subcommittee on Education hearing on April 23, and outlined options available to the Legislature, including the suspension of Proposition 98, in order to address this unique situation. One thing is seems clear, Prop. 98 will probably not see the entire increase.

PTA's priorities in the ongoing budget discussions are focused on programs that directly affect student learning, including the class size reduction program. PTA has worked successfully with other children's advocates to oppose the Governor's proposed shift of the Child Health and Disability Prevention program. PTA is also advocating for new revenue sources, believing that both budget cuts and new taxes will be necessary to balance the budget.

More will be known about the extent of California state budget crisis following release of the Governor's "May Revise" around the middle of May.

*Cecelia Mansfield, Director of Legislation*