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## **Propositions 57 and 58 Added to March Ballot**

### *School Facilities Bond, Proposition 55, Will Appear on March Ballot*

In mid-December Governor Schwarzenegger negotiated an agreement with the Legislature to place two state budget measures, Proposition 57 and Proposition 58, before voters on the March 2 ballot. Proposition 57 is a \$15 billion bond that would allow the state to refinance its deficit. Proposition 58 would require that in the future 3% of the state budget's general fund be set aside as a reserve. The California State PTA does not have a position on either of these measures.

In spite of some concerns about whether the public would support both the Governor's deficit bond and the previously approved school facilities bond on the same ballot, it was confirmed that the \$12 billion school facilities bond will appear on the March ballot. Superintendent of Public Instruction Jack O'Connell said, "I am particularly pleased that the school bond measure, Proposition 55, will remain on the March 2004 ballot. Classroom construction and modernization are critically needed at schools throughout our state. The March ballot will give California voters an opportunity to give our students a safer, more enriching and less crowded learning environment." The Governor has pledged his support as well. The California State PTA has taken a SUPPORT position on Proposition 55 and on a second measure Proposition 56, The Budget Accountability Act.

There is much anticipation in Sacramento as the January 10 deadline for the Governor to release his

proposed budget for 2004-05 approaches. There is still a possibility the administration will propose to suspend Proposition 98. California State PTA President Carla Niño and officers of other member organizations of the Education Coalition recently met with the Governor to communicate concerns and priorities.

Fabian Nunez of Los Angeles will be installed as the new Speaker of the Assembly when the legislature reconvenes this week. He will become the seventh Speaker since the long-serving Willie Brown was termed out in 1995. Nunez is expected to bring some welcome stability to the Assembly, along with the new Republican leader Kevin McCarthy of Bakersfield. Neither is termed-out until 2008. Changes in leadership always bring changes in committee assignments and other key positions. We will keep you posted as information becomes available. The current leadership in the Senate will continue for another year, with John Burton of San Francisco serving as Senate President Pro Tem and Jim Brulte of Rancho Cucamonga serving as the Senate Minority Leader. Both Burton and Brulte will be termed-out in 2004.

We hope to see many of you in Sacramento for the California State PTA's annual Legislation Conference in February as we examine the *State of the State*.

*Cecelia Mansfield, Director of Legislation*

## The California Childhood Obesity Prevention Act of 2003 Becomes Law

On September 16, 2003, the Governor signed **SB 677** (Ortiz), Chapter 415, Statutes of 2003, into law. The law sets nutrition standards for *all beverages* sold to students in elementary, middle and junior high schools, **effective July 1, 2004**. The implementation of these standards is NOT tied to the appropriation of funds. The new law mandates the following:

### A. In Elementary Schools

- Bans the sale of unhealthy beverages all day.
- Permits the sale of healthy beverages which include only water, milk, 100 percent fruit juices or fruit based drinks with no less than 50% fruit juice and no added sweeteners. Vending machines may be used to sell only healthy beverages.
- Allows the sale of unhealthy beverages for fundraising under two circumstances:
  - Sale by pupils off school grounds.
  - Sale by pupils on school grounds at least 30 minutes after the end of the school day.

### B. In Middle and Junior High Schools

- Bans the sale of unhealthy beverages from one-half hour before school to one-half hour after the end of the school-day.
- Permits the sale of healthy beverages which include only water, milk, 100 percent fruit juices or fruit based drinks with no less than 50% fruit juice and no added sweeteners, and electrolyte replacement beverages with no more than 42 grams of added sweetener per 20-ounce serving from one-half hour before school to one-half hour after the end of the school day.
- Vending Machine Policy:
  - Allows the sale of healthy beverages at any time of day.
  - Allows the sale of unhealthy beverages only during the hours that the ban does not apply.
- Allows the sale of unhealthy beverages for fundraising under two circumstances:
  - The sale occurs during and at the location of the event after the end of the school day.
  - The sale occurs via vending machines, school stores and cafeterias and takes place at least one-half hour after the end of the school day.

*Michael Butler, Health Advocate*

## Master Plan Bill Proposes Preschool For All Young Children

Providing preschool for all young children has become a very significant and visible movement in the state of California. Studies have shown that children who have had a preschool experience prior to entering kindergarten have been more successful throughout their years of schooling. **AB 56** (Steinberg, Daucher, Liu and Chan) is a two-year bill, currently in revision, addressing this issue.

The intent of AB 56 is to gradually implement a voluntary preschool opportunity for every three and four year old child in California. The recommendation is for a 10-year phase in beginning in high priority schools with an API (Academic Performance Index) of 1-3. The intent is to provide a seamless integration of early childhood education programs to K-12 education and provide children with a smooth transition into kindergarten. The legislation would also address health and developmental screenings and assessments for children.

A committee, led by the legislators and staff, met during the past year to explore the possibilities of providing preschool to all three and four year olds and to make recommendations on how to best accomplish this. Many of the stakeholders, including the California State PTA, have participated in this committee. Each group brought its own unique perspective on the subject, making this a very valuable discussion.

Subgroups were established to study and make recommendations in four categories: Program Standards; Early Care and Education Workforce Development; Administration, Access, and Facilities; Financing and Phase In. The subcommittee work has been compiled and the rewrite of the bill is expected to be completed for submission to the Legislature by the end of January.

The California State PTA believes that all children age three to six should have the opportunity to experience learning that is appropriate to the developmental readiness of the child. This is an important piece of legislation for PTA. Each PTA member should become informed on this subject and participate in any local discussions taking place.

*Vicky Reinke, Parent Involvement Advocate*



## Legislature Will Consider "Two-Year" Bills

Since 2004 is the second year of a two-year Legislative Session, several bills that did not make it through the legislative process during the 2003 session will be considered again by the Legislature. These "two-year" bills must be voted out of their house of origin by the end of January 2004.

One bill that almost made it through the Legislature last year is **AB 356** (Hancock), which would eliminate the high stakes, standardized testing of second grade pupils. The bill would not prohibit diagnostic testing or testing of second graders for placement purposes. PTA strongly supported AB 356, which then-Governor Gray Davis had threatened to veto. The bill will be taken up again in 2004.

Other bills that were designated two-year bills included proposed legislation to implement the Master Plan for Education. PTA will be carefully watching several of these bills including **AB 242** (Lui), which would ensure that students receive instruction and guidance from fully qualified personnel, and **SB 6** (Alpert), which would seek to clarify the responsibilities of various state, regional, and local education governance bodies. PTA had a watch position on each of these bills, both of which were held last year in their respective house of origin. PTA strongly supported the development of the Master Plan for Education.

Other issues that are likely to be widely discussed by the Legislature and others in Sacramento this coming year include school finance and categorical programs. The new Secretary for Education, Richard Riordon, has promised to review California's complex school finance system. He appears to be interested in ideas contained in the Master Plan for Education that propose to base school funding on what it costs to provide every student with a high-quality education. PTA will be closely following the work of the Quality Education Commission, which has been charged with determining what should be included in a high-quality education and the cost of providing such an education.

Meanwhile, PTA is working with the Education Coalition to develop principles regarding categorical programs and proposals to "block grant" funding for these programs. **SB 525** (Karnette) is a two-year bill that addresses categorical programs, and may be the vehicle for proposed legislation in the 2004 session. PTA currently has a watch position on SB 525.

*Ann Desmond, Education Advocate*

## Legislation Conference To Present State-of-the-State

The California State PTA's annual Legislation Conference will be held February 17-19, 2004, at the Embassy Suites Hotel in Sacramento. The conference agenda will focus on the "state-of-the-state" and will provide participants with information on California's fiscal crisis and on legislative proposals to maintain and improve programs affecting the health, education and well-being of children and families.

Invited guest speakers include:

Governor Arnold Schwarzenegger  
Superintendent of Public Instruction Jack O'Connell  
State Treasurer Phil Angelides  
Secretary for Health & Human Services Kim Belshe  
Secretary for Education Richard Riordon

Panel discussions will highlight the state of the State Budget, the state of the arts in California schools, and the state of children's health and nutrition.

The deadline to register for the conference is January 23, 2004. Registration and housing forms can be found at [www.capta.org](http://www.capta.org).

REGISTER NOW to join members of the California State PTA Legislation Team and learn more about PTA's positions on these issues, and to participate in PTA advocacy efforts on behalf of children and youth.

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DC Corner

## FY 04 Federal Budget Still Being Debated

The federal budget continues to be the major issue in Washington as we enter 2004. The federal government continues to fund programs, pending approval of the FY04 budget, under a continuing budget resolution, which expires January 31, 2004.

Congress will be continuing debate on the FY04 Consolidated Appropriations bill when it return in January. The FY04 Consolidated Appropriations bill is included in H.R. 2673, the Agriculture appropriations bill, which passed the House before it adjourned in December 2003. All Labor, Health and Human Services, Education, and the District of Columbia appropriations bills are included in H.R. 2673. The Senate has scheduled debate on H.R. 2673 for January 20, 2004.

H.R. 2673, as passed by the House, provides a funding level for education programs that represents 4% growth over FY03. It also includes \$13 million for a voucher demonstration program in the District of Columbia. PTA OPPOSES the FY04 Consolidated Appropriations bill because it includes the voucher program and because, despite proposed increased spending on programs, the funding levels are still inadequate to meet the needs of our students. The requirements of the No Child Left Behind Act cannot be fully met and IDEA continues to be underfunded in that the legislative commitment to provide 40% of the national average of per pupil expenditure for every child in special education is not met.

The following are bills in committee that PTA supports:

**H.R. 930, H.R. 717, S.856**—would provide billions of dollars in tax credits and zero interest bonds to support school construction and modernization.

**S.956**—Student Testing Flexibility—allows districts flexibility regarding testing of students.

**H.R. 236**—Student Bill of Rights—addresses disparity in quality of education between high and low-income districts.

**H.R. 121**—School Environment Protection Act—would minimize the use of pesticides at school sites that adversely impact health of school community.

**S.1020, H.R. 3416**—reauthorization of school breakfast and lunch programs—these programs are mandatory so they will be reauthorized. The issue is the funding level of the reauthorization.

*Kathy Steinberg, Federal Advocate*

## Student Interrogation Bill Continues to 2004

A top priority of PTA during 2003 was **AB 1012** (Steinberg). In fact, PTA became its co-sponsor with the ACLU. This bill seeks to make mandatory that parents be notified before law enforcement questions a child at school, and that parents or, if unavailable, a trusted adult be allowed to be present during the questioning. Most parents believe they already have these rights, and are alarmed when they learn otherwise. Although the bill passed the legislature with bipartisan support, it is opposed by law enforcement, the Association of California School Administrators and the California School Boards Association.

Governor Davis was reluctant to sign the bill without law enforcement support, and so AB 1012 was made a two-year bill. In the coming year PTA will be partnering with the ACLU to work with members of the law enforcement community to find common ground.

This bill represents a long-standing concern of PTA, and deals with a basic parental right. Your letters, especially those relating personal experience with this situation, are very important and persuasive in support of the bill. As we continue to work for its passage, please remain willing to respond with letters when the time comes.

Other bills granted reconsideration are **SB 685** (Hollingsworth) and **SB 848** (Karnette). SB 685 would exempt from the current legal requirement to wear a motorcycle helmet those persons with substantiated disabilities that render them unable to wear a helmet. PTA opposes this bill. PTA supports SB 848, which would extend a program that increases fines for certain traffic violations under certain circumstances.

*Kathy Moffat, Community Concerns Advocate*

### Late-Breaking News

## Voucher Law Is Voided

A judge in Colorado has struck down that state's new school voucher law, stating that it would violate the Colorado State Constitution by taking away the rights of local school boards to determine the instruction to be provided in the voucher program. The law, which was enacted in April 2003 and would have taken effect with the current school year, was opposed by the Colorado State PTA.