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## *Governor Signs More Than 900 Bills*

### *For California's Kids: Some Winners, Some Losers*

Governor Schwarzenegger had signed 910 new legislative bills into law by the Constitutional deadline of midnight on September 30. These bills will become law on January 1, 2007. The Governor vetoed 262 bills, nearly 30% of those presented to him by the Legislature. The children of California will be affected by many of those bills, and articles by PTA's legislative advocates in this issue highlight some of the bills PTA supported or opposed on behalf of California's kids.

One of the most controversial bills to receive the Governor's approval was **AB 1381 Chapter 299**, a bill hijacked late in the session by Assembly Speaker Fabian Nunez in support of Los Angeles Mayor Antonio Villaraigosa's effort to take a major role in the oversight of California's largest school district. Opposed by the California State PTA and some but not all members of the Education Coalition, the bill passed the Legislature after extended hearings and was signed into law by the Governor. PTA objected to the takeover attempt in four areas: equity and accountability; meaningful parent involvement, governance structure and constitutionality. Rumors abound that litigation will be filed to challenge the constitutionality of AB 1381.

With the November general election pending, changes in the make up of the Legislature when it reconvenes on December 4 are inevitable. Many members will not be returning due to terms limits and others face contested elections in their districts. A gubernatorial election will determine who will lead the state for the next four years. So as one session ends with some wins and some losses, the prospects for the new session present excitement and challenge as PTA continues to work and to advocate for the well being of all the children of California

### **Election Day is November 7**

In July the California State PTA Board of Managers voted to take positions on three of the thirteen measures that will appear on the November 7 General Election ballot:

- **SUPPORT - Proposition 1D, Kindergarten-University Public Education Facilities Bond Act of 2006.**

*(continued on page 2)*

(continued from page 1)

- **SUPPORT - Proposition 86, Tax on Cigarettes.**
- **Proposition 88 - Education Funding. Real Property Parcel Tax.**

An election mailing with details about the PTA positions was mailed to all PTA units, councils and districts in September. More information may be found on the California State PTA web site at [www.capta.org](http://www.capta.org). Please join with us in the weeks leading up to the election to educate your community about PTA's position on Proposition 1D, Proposition 86 and Proposition 88 on the November 7 ballot. All PTA members are urged to register to vote by the **October 23** deadline and to become informed about all of the issues and candidates.

*Nancy Adalian  
Director of Legislation*

## **Governor Signs Strong Measures to Protect Against Sexual Predators**

The issue of sexual offenders received considerable attention in Sacramento during this legislative season. After careful consideration of the multitude of bills introduced on this topic, California State PTA chose to SUPPORT two bills that provide a comprehensive and reasonable approach to protecting children and youth from victimization by sexual offenders: **SB 1128 (Alquist): Sex Offender Punishment, Control and Containment Act of 2006** and **SB 1178 (Speier) Sex Offenders: Continuous Electronic Monitoring.**

On September 20 Governor Schwarzenegger signed SB 1128 Chapter 337 and SB 1178 Chapter 336 into law. These bills call for increased penalties for serious offenses including the sexual abuse of children and youth; the production and distribution or sharing of child pornography; and the use of the Internet to prey on children and youth.

SB 1128 would keep sex offenders away from schools, parks and other places where children and youth congregate through restrictions on loitering in these locations. PTA believes this is more likely to be successful, rather than enacting residency restrictions as proposed in Proposition 83, known as Jessica's Law on the November ballot. Residency re-

strictions may have severe unintended consequences such as the concentration of sexual offenders in rural communities.

SB 1178 provides for increased electronic monitoring of sexual offenders through an emphasis on assessing the levels of risk of recidivism or likelihood of re-offending, rather than monitoring all sexual offenders which may be impractical and/or prohibitively expensive. PTA was particularly supportive of the funding of school-based programs to promote child safety and prevent child abductions within these bills.

Four other Community Concerns bills supported by PTA made it to the Governor's desk. Only one was signed, **AB 2977 Chapter 768 (Mullin) Swimming Pool & Spa Safety Act of 2006.** It requires that when a swimming pool is built or remodeled, that at least one of five specified safety features be installed to reduce the chance of accidental drowning, particularly among young children. The following bills were vetoed:

- **AB 1778 (Lieber) Pupil Records: release of information to military recruiters** would have required schools to inform students and parents of their rights to opt out of having their personal information provided to military recruiters and post-secondary institutions;
- **AB 2108 (Evans) Vehicles: child passengers,** would have required that children under 8 years of age be secured in a rear seat in an appropriate child passenger restraint system;
- **SB 768 (Simitian) Identity Information Protection Act of 2006,** would have prohibited the use of radio frequency identification (RF ID) tags in identification documents including K-12 student cards. PTA and others are concerned that, until such time as adequate protections are in place, persons may be able to access personal information from these cards with the use of rogue readers.

*Debbie Look  
Community Concerns Advocate*

**Plan now to join the Legislation Team  
and other State PTA leaders in Sacra-  
mento  
January 28, 29 & 30 for the  
2007 Legislation Conference!**

(continued on page 3)

(continued from page 2)

## Preschool Expansion, Proposition 49 Implementation Bills

On September 7 the Governor signed **AB 172 (Chan)**, extend the State Preschool Program to an additional 12,000 children statewide. **AB 172 Chapter 211** will implement the Governor's \$50 million preschool proposal appropriated in the Budget Act of 2006. This new money will be used to expand preschool in the attendance areas surrounding California's lowest performing elementary schools. The content of this bill was added only in the last days of the legislative session:

\$45 million is to be used to reimburse new programs at the same rate currently used for state preschool, provided those programs

- Serve children who would attend kindergarten in the subsequent academic year and serve each child for no more than one year.
- Fill no more than 20% of contracted slots with children in families above the current income eligibility threshold, and only if the number of slots exceed the number of eligible children.

The remaining \$5 million is to be used at a rate of \$2,500 to each classroom per school year for any of the following purposes:

- Compensations and support costs for program coordinators
- Staff development
- Family literacy services
- Instructional materials, including consumables

**SB 638 (Torlakson) Chapter 380** makes needed changes to the implementation of the current After School Education and Safety program created with the passage of Proposition 49. The \$50 million provided through Proposition 49 will be available this year to school districts. It will be distributed to local school districts through a grant application process for the purpose of providing high quality after school programs for students. To find out more this opportunity go to the California Department of Education website: [www.cde.ca.gov](http://www.cde.ca.gov) or to [www.act4afterschool.com](http://www.act4afterschool.com).

Vicky Reinke  
Parent Involvement Advocate

## SB 660 Fails Passage

In February of 2005, the California State PTA sponsored SB 660 (Kuehl) to address statewide parent concern about incidents where students were interrogated on school campuses without the knowledge or consent of their parents. This bill succeeded AB 1012 (Steinberg) during the 2003-2004 legislative session. You may remember that AB 1012 passed the legislature by a large bipartisan margin only to be vetoed by Governor Schwarzenegger in 2004.

SB 660, co-authored by Senators Alquist and Romero, as well as by Assembly Members DeVore and Leno, enjoyed widespread bipartisan support from policy committees in the Senate as well as the full Senate, where it passed all votes by a 2-1 margin. SB 660 passed Assembly Education and Appropriations Committees by similar 2-1 margins. But when it came to the Assembly Floor, support fell short. The powerful and well-financed law enforcement lobby, having identified the defeat of this bill as its number priority, had unleashed its full force upon Assembly Members and the effects showed up when the Assembly voted. SB 660 did not pass this vote, and that is where the bill's progress stopped.

State PTA worked hard throughout the 2005-2006 session to gather active support from our members, and many of you came forward in many ways to help. For all of your efforts State PTA is extremely grateful. Some of you wrote letters to lawmakers. Some of you came to Sacramento to testify before Assembly and Senate committees. Many of you talked to local school administrators and school boards as well as local law enforcement about your concern. All of your efforts served to keep this issue on the legislative radar screen.

As a result of these efforts, everywhere California State PTA members gather there is awareness that children do not have rights, and neither do parents, when law enforcement wants to interrogate children while they are at school. It has also been made increasingly clear to legislators, as well as to law enforcement and school leaders, that parents want and need to be with their children in situations as significant and scary as these.

This concern has still not been corrected, and PTA's efforts will not end here. To borrow a phrase from a well-known matinee super hero, "We'll be back!"

(continued on page 4)

*(continued from page 3)*

Please continue to advocate for all children with your local PTAs, your communities, your local school boards, school administrators, and local law enforcement agencies. Let them know that unless there is an emergency at school, parents must have the opportunity to be at the side of their children if police wish to question a student at school. Do not be discouraged. Parents will succeed in this effort sooner or later. That is why we all do what we do, to advocate for all children through our wonderful PTA network. Thank you for all your extraordinary efforts. Keep up the great work!!

## Important Health Bills Signed

As the deadline neared for Governor Schwarzenegger to sign bills, several health bills were chaptered and will become law.

Among the chaptered bills are **AB 2560 (Ridley-Thomas) Chapter 334** that requires the State Department of Health Services in cooperation with the State Department of Education, to establish a Public School Health Center Support Program. This program would provide coordination of functions of such centers, and would provide them support and technical assistance. The purpose of this bill is to help school based health centers to be more successful, and to encourage more schools to establish, retain and expand them. State PTA supported this bill, and has long been in support of school based health centers.

Another bill, **AB 1433 (Emmerson) Chapter 413** requires that kindergarten students present proof of an oral health examination by a dentist or registered dental health professional by May 31 of the kindergarten year. With tooth decay an epidemic problem among California youngsters, this bill will serve to ensure that parents know about their child's oral health and have sought the attention of a dentist at least by the time kindergarten is over.

**AB 1667 (Saldana) Chapter 414** permits pupils who require specialized physical health care during the school day to be assisted by appropriately credentialed personnel, or a holder of a valid certificate of public health nursing issued by the Department of Health Services. Students may also be assisted by qualified designated school personnel trained to give the specialized care if under the supervision of a school nurse, public health nurse, or licensed physician.

**AB 2684 (Montanez) Chapter 108** requires school districts that have sports programs to notify students that the necessary health care insurance, a prerequisite for participation in sports, may be available to them in no-cost or low-cost federally sponsored health insurance programs. This bill will make school sports programs more accessible to California youth.

**SB 1469 (Cedillo) Chapter 657** will become law in January of 2008 and will require county juvenile detention officers to assist youth who are scheduled for release and their families to apply for eligibility for Medi-Cal, so that if the youngster requires medical care, there would be no gap in coverage for the youth to receive the care they need. This issue is important because frequently youth in detention facilities are undergoing medical treatment necessary for their rehabilitation. When they leave the facility, the ability to get continuing care is interrupted, and the youth isn't able to receive the medical care required. This bill will assist these youngsters and their families to access the care necessary for the continued rehabilitation of the child.

Two other bills supported by PTA have fallen victim to the Governor's veto pen. **SB 1223 (Scott)** would have required insurance companies to cover, at least partially, the cost of hearing aids for children. His veto message cited concerns over the rising costs of insurance premiums as his rationale.

The Governor also vetoed **SB 1674 (Murray)** that would have increased the reimbursement rate for free and reduced school lunches from 14 cents to 21 cents, stating that the bill did not include his suggestions that the lunches become more nutritious before the reimbursement rate goes up.

*Kathy Moffat  
Health Advocate*

## Autism Bill Chaptered

Recognizing the need to better serve students with autism, **AB 2513 (Pavley)** was chaptered September 29, 2006. **AB 2513 Chapter 783** creates an advisory committee to develop recommendations to identify how public and nonpublic schools, including charter schools, may better serve children with autism. The committee would gather input from University of California, the California State University, relevant fiscal and policy committees of the Legislature, the Legislative Blue Ribbon Commission on Autism, and the State Department of

*(continued on page 5)*

(continued from page 4)

Developmental Services, among others. The recommendations to be developed by the advisory committee include:

- Developing a policy on the most effective manner of informing schools about the status of educationally related research and outreach services available to children with autism and their families. It is the intent of the Legislature that schools use that information to develop educationally related programs and services for children with autism.
- Creating a statewide clearinghouse for information on the findings of educationally related research-based, recommended practices to support children with autism that can be disseminated to schools, parents, and other interested parties, including the early detection of, and development of, coordinated services to children with autism and the professional development of pertinent individuals.
- The feasibility and need for establishing a program that would provide technical assistance to schools on all of the following subjects:
  - ✓ The identification and diagnosis of autism spectrum disorders.
  - ✓ The development of research-based programs that best serve children with autism in order for them to succeed academically.
  - ✓ The development of a research-based professional development program to train teachers and administrators on the best practices for providing instruction to children with autism.

### **English Language Learners Pilot Project**

A bill supported by the PTA and the Governor to help English Language learners was chaptered on September 28, 2006. **AB 2117 (Coto) Chapter 561** requires the State Department of Education to establish and administer a competitive grant pilot project to identify existing best practices for teaching English language learners and promoting English language acquisition and development.

AB 2117 prohibits the use of more than 5% of the total funding for the program for administrative, data collection, evaluation, or reporting activities. It authorizes a local educational agency to apply on behalf of the eligible school or schools to the department for a grant of \$200 per English language learner for each year of the pilot project and also requires each local educational agency that is selected to receive a grant to match the funds provided

in the grant.

### **Financial Literacy and Student Precinct Board Membership Bills Vetoed**

Stating that school districts already have the authority to teach budgeting, savings, and credit under current law, Governor Schwarzenegger vetoed **AB 1950 (Lieu)**, instruction in economics. The Governor vetoed a similar bill last year, AB 2435 (Wiggins).

The PTA has maintained support positions on financial literacy bills based on the PTA resolution "Financial Literacy for Youth" passed in 1999. The California State PTA supports the development of integrated curricula in personal finance for grades K-12 as well as the development of statewide academic standards in personal financial literacy.

AB 1950 would have authorized a school district to include instruction related to personal finance, budgeting, savings, credit, and identity theft in economics instruction. It would also have encouraged the State Department of Education to develop a model personal finance curriculum and encourage the department to consult with financial institutions and organizations in formulating a model curriculum.

**SB 1193 (Bowen)** would have allowed schools to receive funding for time when students are volunteering as an elections precinct board member. It was vetoed by the Governor who vetoed a substantively similar bill in 2004. PTA has supported a series of bills that would allow schools to receive funding for students who participate as precinct board members as part of their civics education.

In vetoing the bill, the Governor stated, "While civic and other volunteer activities can offer many educational opportunities to students, these activities should be in addition to, and not in place of, valuable classroom learning time with a teacher

Students who attended Acalanes High School in Lafayette originally conceived of the idea for this bill. As part of a government class requirement for outside political activity, students worked at the polls during the October 2003 election. The students were surprised to learn that their school district was penalized by the loss of ADA funds due to their absence from school.

PTA supports legislation that gives students the skills they need to become effective citizens. SB 1193 would have helped to provide poll workers

(continued on page 6)  
(continued from page 5)

while giving students a real experience in civic involvement.

Existing law requires that the attendance of pupils participating in independent study for five or more consecutive schooldays be included in computing the average daily attendance of a school district. This bill would have included within those provisions the attendance of a pupil serving as a member of a precinct board and would have exempted that pupil from the requirement that they participate in that activity for 5 or more consecutive schooldays if, among other things, the pupil is required to complete a report or written assignment on the subject of the activities engaged in by the pupil while serving as a member of a precinct board. The bill would have required the teacher of any class from which a pupil is absent to ensure that the report or written assignment is submitted within a reasonable time after the activities are completed.

*Carol Kocivar*  
*Education Advocate*

## **Governor Signs Bill to Assist School-Age Military Dependents**

PTA supported **AB 2102 (Saldana) Chapter 608** which was signed into law by the Governor, establishes procedures to facilitate and smooth the transfer of school-age military dependents and their school records. This newly enacted legislation will require the State Department of Education to develop a formal liaison with the United States Department Defense and school districts and county offices of education. This liaison will address issues relating to: course credit transfer, integration of military dependents into new schools and local graduation requirements.

The authority of a school district to make specified accommodations for military dependents is limited to situations in which the parent or legal guardian of the military dependent is serving on active duty or has been discharged from military service within the last year and is the result of a military transfer or discharge.

### **Charter School Bill Vetoed**

**AB 2954 (Liu)**, a bill supported by PTA, was recently vetoed by the governor. AB 2954 would have added negative fiscal impact to the list of findings that a governing board of a school district may rely on to deny a petition. This bill would have also

as a condition of approving a petition require the charter school to describe the method by which the charter school will provide free and reduced price meals to eligible pupils.

The Governor stated in his veto message that “while I understand the plight of school districts faced with fiscal challenges of declining enrollment and other management issues, I cannot condone allowing them to deny parents and students their right to petition for the establishment of a charter school. In essence, this bill would grant school districts the authority to punish charter petitioners because of problems caused by their own fiscal management issues or their unwillingness to make tough decisions or both. In addition, allowing school districts to require, as a condition of approval, that the petition describe how the charter school will provide free and reduced-price meals to eligible pupils would simply provide districts with another pretext on which to deny a charter.”

*Pat Dingsdale*  
*Education Advocate*

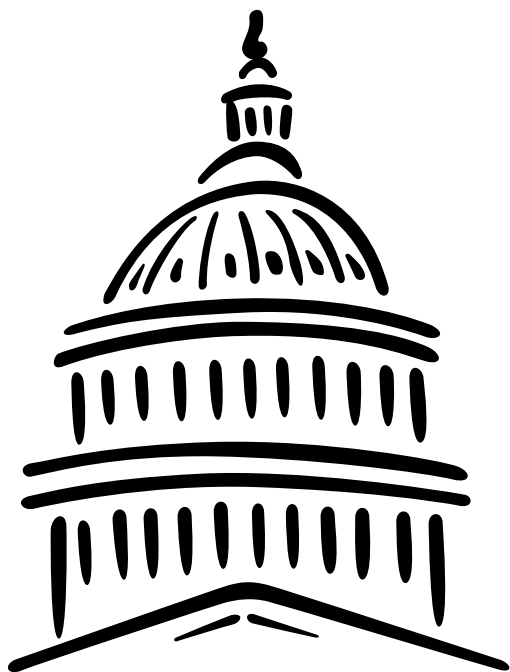
## **Settlement of Proposition 98 Suit**

**SB 1133 (Torlakson)** which was signed by the governor should bring \$2.9 billion to approximately 500 of California’s lowest performing schools. The bill is part of the settlement reached when California Teachers Association, with the Association California School Administrators and the California School Boards Association sued Governor Schwarzenegger for not keeping the agreement on funding Proposition 98 as part of the 2004-05 education budget.

The funds will be available through a grant for schools whose students averaged in the lowest 20% statewide on the 2005 Academic Performance Index. The money must be used to reduce class size over the next seven years. Class sizes in grades 4-8 would be limited to 25 students per teacher. Also classes in social studies, English, mathematics and science at grades 9-12 would be limited to 25 students per teacher. Additionally high schools receiving this funding would have to maintain a ratio of students to counselors of 300:1 or less.

*(continued on page 7)*

*(continued from page 6)*



## Student Mock Election October 24

On October 24 a Student Mock Election will be conducted for all middle and high school students. A supply of ballots and other materials will be provided free of charge any to enrolled schools. The Student Mock Election is part of the Student Voting Project launched jointly last month by the California State PTA, the Secretary of State and the Superintendent of Public Instruction to help young people become familiar with the voting process. The results of the mock election will be available online at [www.ss.ca.gov](http://www.ss.ca.gov).

## Bills to Address Shortage of Highly Qualified Teachers Signed

On September 28 the Governor signed two bills by Senator Jack Scott, SB 1209 Chapter 517 and SB 1655 Chapter 518. These bills will streamline the credentialing process, improve support and incentives for new and experienced teachers and help low-performing schools hire the best teachers. SB 1209 addresses the challenges California is facing due to the loss of 100,000 teachers over the next decade because of retirement. \$22.7 million in funding to implement this legislation was included in the budget. SB 1655 will help low-performing schools

hire more quality teachers by giving principals flexibility to reject a voluntary transfer of a teacher and changing hiring deadlines, allowing principals to hire promising teachers early on. Currently, school principals must give existing teachers first priority for open positions. Principals also are often forced to accept voluntary transfers of teachers, who may not be performing well at another school.

Two other bills signed by the Governor are **SB 1383 (Ortiz) Chapter 652** and **SB 472 (Alquist) Chapter 524**. SB 1383 was sponsored by Supt. Jack O'Connell to allow students who pass the summer and/or fall administrations of the California High School Exit Exam to continue to be eligible for a Cal Grant. SB 472 establishes the Mathematics and Reading Professional Development Program, which is administered by the Superintendent of Public Instruction with the approval of the State Board of Education. Under this program, a local education agency, as defined, receives incentive funding to provide training in mathematics and reading to teachers and to provide training to instructional aides and paraprofessionals, as defined, who directly assist with classroom instruction in mathematics and reading.

Another bill sponsored by the Superintendent of Public Instruction, **SB 1510 (Alquist)**, was vetoed. It would have made changes to simplify the Proposition 98 School Accountability Report Card. The Governor prefers a more comprehensive approach to the needed overhaul of the SARC.

*Cecelia Mansfield  
Education Advocate*

## DC Corner

In January 2002 President Bush signed the No Child Left Behind Act, the most recent version of the Elementary and Secondary Education Act. The focus of the act is to bring all students in the nation to a state-defined level of "proficiency" by 2014. The target of most of the acts programs are low-performing schools and disadvantaged subgroups of students including English language learners, students with disabilities, children living in poverty. The law is scheduled for reauthorization in September 2007; however, it is anticipated that Congress will not make substantive changes in the law until 2009. National PTA supports the intent of the Act, but has concerns about the continuing lack of full funding of the Act as well as concerns about specific

*(continued on page 8)*

(continued from page 7)

provisions of the law. However, every state accountability plan and implementation of NCLB is unique. Therefore National PTA's position statement is purposely broad in scope and will be modified and refined as Congress moves toward reauthorization. National PTA has developed the following priorities:

Assessments and Accountability - NPTA supports:

- Multiple assessments to evaluate student growth and performance and opposes federal sanctions determined by performance on a single assessment.
- Systems that give credit for schools and subgroups that make significant progress.
- Recognition of academic achievement in a broader array of subject areas to include art, music and history.
- Assurance that states are counting as many students as possible in assessments.

School Improvement and Sanctions - NPTA supports

- Reversing the sanctions for schools that are designated In Need of Improvement; year 1 students would be eligible for supplemental educational services; year 2 students would be eligible to transfer to a school not in improvement.
- Establishing a tiered improvement system that provides rewards or sanctions for schools and districts based on the consistency and number of targets that are missed.
- Supplemental educational service providers should comply with the federal requirements of accountability and highly qualified instructors.
- Evaluation, selection guidance, and complaint procedure must be implemented to ensure federal funds are supporting quality programs.
- Provide more information to parents including clarification of their rights, roles and responsibilities.
- Provide training and tools so parents can effectively use the information they receive.

Highly Qualified Teachers - NPTA supports:

- Extension of the phase-in period for highly qualified teachers and differentiate between teachers, paraprofessional instructors and teaching assistants.
- Specific strategies for meeting the current teacher shortage, especially in math and science.
- Specific strategies to improve the environment at low-performing schools and provide the addi-

tional resources to attract highly qualified teachers.

Parent Involvement - NPTA supports:

- Establish a parent involvement support and services program within the U.S. Department of Education.
- Designate a staff team within the U.S. Department of Education dedicated to providing technical assistance, leadership and best practices in the area of parental involvement.
- Require training for teachers, principals, and district personnel to better engage parents.
- State education departments should review LEA's parent involvement policies and practices, and make them public and widely disseminated.
- State education departments should include in the report the extent to which parents were involved in the development of the parent involvement plans.
- Parent involvement plans must be revised and assessed annually and submitted to the state education department for annual review, approval and reporting.
- Complaint procedures are necessary when schools, LEAs or SEAs fail to implement any portion of the law, primarily the notice requirements and parental involvement provisions.

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Director of Legislation.....Nancy Adalian

*Sacramento Update* Editor.....Cecelia Mansfield

Education Advocate.....Pat Dingsdale

Education Advocate.....Carol Kocivar

Education Advocate.....Cecelia Mansfield

Community Concerns Advocate.....Debbie Look

Health Advocate.....Kathy Moffat

Parent Involvement Advocate.....Vicky Reinke

Federal Advocate.....Barbara Paxton

Consultant.....Michael Butler

Consultant..... Betty DeFea

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