

SACRAMENTO UPDATE

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May Arrives In Sacramento, Rumors Abound

The May revision of the Governor's proposed budget is just around the corner. The Budget Subcommittees of each house of the Legislature are completing initial hearings on the 2007-08 budget, and the Governor will release updated revenue and expenditure estimates, along with revised policy proposals on Monday, May 14.

Rumors have been rampant that there may be mid-year cuts across the board including, of course, in the education and health and human services budgets -- those that most affect children. Since January revenues have not materialized in the amounts anticipated by the budget, and those who watch the daily revenue intake numbers have been less and less optimistic that the budget will retain its originally proposed character. Some have predicted that there could be as much as a \$2 billion shortfall. What this means for children and those who advocate for them remains to be seen. Surprisingly robust collections of personal income taxes in the last week of April seemed to have brightened the state's budget picture somewhat.

Other rumors concern the newly released studies commissioned two years ago by Governor Schwarzenegger, Speaker Nunez, President Pro Tem Perata and Superintendent of Public Instruction O'Connell and sponsored by the William and Flora Hewlett Foundation, the Bill and Melinda Gates Foundation and the Stewart Foundation. The studies were released on March 14 and 15. Study groups around the

Capitol, including a PTA study group, are busy delving into the studies to see just what they show us about education in California. What does an adequate and efficient education system look like? How does our education system run now? Where will the studies lead us in improving the education product delivered to California's children? Some say we will not know the answers to these questions for a long, long time as scholars and legislators debate next steps.

Because legislators are facing the fullest agenda of major issues in at least a generation, many of them identified by the Governor as priorities most agree that even thinking about the massive, foundation-financed study of the state's schools and any proposed changes in how schools are financed and governed will be put off until next year.

Speculation continues that with declining enrollment affecting half of California's school districts, more and more budgets will be adversely impacted and steps will have to be taken to provide a "soft landing" for these districts. But other rumors tell us that the solution will be coming down the pike in a few short years when "Test 1" will kick in for Proposition 98 and provide plentiful revenues for our school children.

Stay tuned . . .

*Nancy Adalian
Director of Legislation*

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PTA Study Group Takes Look at "Getting Down to the Facts"

With the recent release of 22 studies focusing on education, President Brenda Davis has appointed a group to review the numerous studies. The group's task will involve reviewing, analyzing, coming to a consensus and proposing what State PTA should put forth as possible recommendations from the "Getting Down to the Facts" studies that we could support as an organization. Also, since the Education Coalition will be addressing the studies, PTA will need to be in position to suggest and to respond to possible reforms dealing with funding and policies issues that may be included in an Education Coalition position paper and/or in joint legislative efforts.

The study group will identify possible reform issues and concepts within the studies that have merit from the PTA perspective. Several of the issues put forth in "Getting Down to the Facts" studies were mentioned by our PTA members who participated in the first phase of the Hewlett Grant, "School Finance Exploratory Project."

To assist the study group in its efforts delegates will have an opportunity to respond to a series of questions by participating in survey while at convention. Beginning June 1 PTA members will also be able to be a part of an on-line survey by going to the California State PTA web site, www.capta.org.

The members of the committee include: Pat Dingsdale, chairman, Pam Brady, Kathy Steinberg, Barbara Ledterman, Cecelia Mansfield and Paul Richman.

*Pat Dingsdale
Education Advocate*

Sunset of Second Grade STAR Testing Debated

The California State PTA has an OPPOSE position on **AB 1353 (Huff)**, which would continue to require schools to administer a designated achievement test to pupils in second grade beyond July 1, 2007, as part of the Standardized Testing and Reporting (STAR) program. Current law requires that only grades 3-11 be included in the STAR program after July 1, 2007. AB 1353 breaks the compromise agreement with the Superintendent of Public Instruction in the reauthorization of California's assessment system in SB 1448 Alpert (Chapter 233,

Statutes of 2004) to exclude pupils in grade 2 from the standards-based achievement test requirement effective July 1, 2007. The California State PTA strongly supported that agreement.

AB 1353 was recently dropped by the author because of opposition by PTA and others, but the issue is far from dead. The Governor has included \$3.2 million for the testing of second graders in the proposed 2007-08 state budget, which is currently being debated by the legislature. Both the Assembly and Education Budget Education subcommittees have deleted the proposed funding. However, an aggressive campaign has been mounted by proponents to generate grassroots support for continuing the test beyond the slated sunset date.

PTA is strongly opposed to continuing to include second graders in the STAR program after this year. PTA believes that California students deserve a testing and assessment system that tests them fairly, uses the results appropriately, and supports – rather than disrupts – the educational process. Tests given to young children should be for diagnostic and placement purposes only. Most teachers of young children agree that second grade students should not be subject to high stakes testing. It is important to note that the provisions of the federal No Child Left Behind Act, do not require second grade students to be included in the state testing program, and currently forty-one states do not subject second graders to standardized testing. In addition, the planned elimination of testing for second graders after July 1, 2007 will save money and increase instructional time for these students.

PTA has a SUPPORT position on **AB 400 (Nunez)**, Public School Accountability, which proposes the inclusion of multiple measures in the Academic Performance Index (API) required by the 1999 Public School Accountability Act.

Bills that would make changes to the School Accountability Card, **AB 1061 (Mullin)** and **SB 835 (Scott)**, will be considered by the Legislation Action Committee in late May.

*Cecelia Mansfield
Education Advocate*

Policymakers Focus on Health Care Coverage for Children and Families

This is a banner year for health issues. A number of health bills are moving along in the Capitol. The

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big policy discussion is how best to provide broader health insurance coverage for California's children and families. PTA has not taken a position on any bill because our organizational policies, position statements, and resolutions, which give us strong authority to advocate for access to quality health care for all children, do not specify how that should be done. Several health care bills – among them **AB 1 (Laird)**, **AB 8 (Nunez)**, **SB 32 (Steinberg)**, **SB 48 (Perata)**, and **SB 840 (Kuehl)** - have passed policy committees and are going to Appropriations or to Rules committees. We are carefully listening to the debate as it evolves to see where lawmakers might be able to find common ground about how best to insure all Californians.

State PTA has long supported the concept of school based health centers as a means of making health care more accessible for children and families. We support **SB 564 (Ridley-Thomas)**, The School Health Center Support Program, to enable more communities - with input from parents, families and community members - to establish school based health centers. SB 564 has passed Senate Education and Health Committees, and is currently awaiting hearing in Appropriations.

Another arena of debate surrounds immunizations - what immunizations should be required for our children before they enter school, and who should make those decisions. PTA is watching **AB 16 (Hernandez)**, which began as a bill to require Human Papillomavirus (HPV) immunizations for girls before entering seventh grade. This bill has been significantly amended such that it now deals with the manner in which California should make decisions about immunizations. PTA is watching AB 16 to see how its content finalizes before taking a position on it. SB 676 (Ridley-Thomas) is a related bill, and PTA supports it. Currently, the state legislature determines what immunizations will be required for California's children. SB 676 proposes that our system of immunizations be maintained by the Department of Public Health considering the recommendations of the Advisory Committee on Immunization Practices (ACIP) of the U.S. Department of Health and Human Services, the American Academy of Pediatrics, and the American Academy of Family Practice. Other considerations critical to the decision are public health need, the safety and effectiveness of the vaccine, and the trust level of the general public. Many other states have this type of system, which allows for a more rapid response to outbreaks of disease and to advances in medicine and science.

The legislature would retain the ability, as it always does, to modify immunization requirements if it sees fit. This is a topic of important discussion in our legislature.

Childhood nutrition is a continuing priority with the State PTA and in the legislature. PTA is supporting **SB 20 (Torlakson)** to further refine the quality of foods allowed in school lunches, to prohibit the serving of foods containing trans fats, and to raise the state's reimbursement to schools and districts for free and reduced priced lunches. The higher reimbursement rate would address to a welcome degree the dual impacts of years of rising food and operations costs, as well as the cost of providing more nutritious and appealing meals for children.

PTA also supports **AB 90 (Lieu and Huffman)** that calls for the elimination of "competitive foods" containing trans fats sold at school during school hours. These are foods sold from food carts, snack bars or vending machines. Since students depend on school meals for important nutrition, and since schools have the obligation and the opportunity to teach students by example what to look for in a well balanced and healthy meal, PTA believes that schools should provide the best possible nutrition in the meals they serve.

Both AB 90 and SB 20 have passed policy committees and are moving through the legislature. We will keep you posted on State PTA's web site regarding the progress of these bills.

*Kathy Moffat
Health Advocate*

Preschool Bills Moving Forward

Two comprehensive preschool bills have passed through the Assembly Education Committee and are headed to appropriations.

AB 1236 introduced by Assembly Member Gene Mullin would do three things:

- Change the age of admission into kindergarten by moving it up by 3 months, from December 2 to September 1, requiring that a child must be five years old before September 1 to enroll in kindergarten and 6 years old to enroll in first grade;
- Require kindergarten to be compulsory beginning the 2011-12 school year; and
- Establish the Kindergarten Readiness Program (just another term for pre-k program) for all four year olds beginning 2011-12 school year.

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AB 517 introduced by Assembly Member Dave Jones is asking for state preschool programs for all three and four year old children from low-income families by 2011-12 school year and establish a system of professional development for pre-kindergarten teachers and staff.

The two bills are somewhat similar in that they are both requiring a pre-K program. **AB 1236** would establish a program for all four year olds while **AB 517** is asking for a program for three and four year olds from low income families. As you can see in the information above that the two bills also are asking for different requirements as well. Perhaps through the process some of these ideas will be consolidated. We will have to wait and see.

California State PTA believes that a quality early education is important to the success of a child's future. PTA believes that the curriculum must be age-appropriate, that teachers are well trained and that there be a strong parent involvement component. California State PTA will continue to follow these bills to assure that these ideals are implemented in the programs.

*Vicky Reinke
Parent Involvement Advocate*

Legislature Looks at Juvenile Justice Issues

This session of the legislature will include a number of bills aimed at juvenile justice reform. California State PTA has called for reforms in the juvenile justice system for many years, as evidenced by our 1983 resolution calling for reform that would best meet the needs of children and youth who come in contact with California's Juvenile Justice System.

There are currently over 2,700 young people in custody in California's Division of Juvenile Justice (DJJ) youth prisons. These facilities are located in remote areas of the state. Many families are forced to travel 400 miles or more to visit, only to be told that their family's visits have been suspended. Collect phone calls from DJJ are exorbitant, leading some families to lose their phone service due to their inability to pay their phone bills.

The California State PTA supports **AB 1300 (Price)** which adds the promotion of family ties to the Department of Juvenile Justice's purpose, providing that DJJ shall encourage communication between young people and their families. This bill

would require that DJJ provide a low-cost calling system to enable young people to make telephone calls without undue financial burden. It would also prohibit the removal of phone privileges as a disciplinary measure. It also facilitates family visitation by providing for timely notification of visitors when visitation rights are suspended and establishes a toll-free number for families to call regarding visiting times and updates. Finally, the bill would require that proximity to family be considered in juvenile placement decisions. Research clearly shows that consistent family contact is positively correlated with lower recidivism rates.

A number of additional bills on juvenile justice reform are being proposed for this session, but most are not expected before January 2008.

Alcohol Abuse by Minors

Alcohol consumption by minors is another serious issue being addressed by legislators in this session. Alcohol is the most commonly used drug among our Nation's young people, surpassing tobacco and illicit drugs. Underage drinking is a leading public health problem in this country. Each year, approximately 5,000 young people under the age of 21 die as a result of alcohol consumption: 1,900 deaths from automobile accidents, 1,600 from homicides, 300 from suicide as well as hundreds from other injuries such as falls, burns and drowning. Results of national surveys suggest that 75% of 12th graders, 66% of 10th graders and approximately 40% of 8th graders have consumed alcohol. In addition, 11% of 8th graders, 22% of 10th graders and 29% of 12th graders had engaged in heavy or binge drinking within the past two weeks.

PTA is supporting **AB 345 (Saldana)**, which declares the Legislature's intent that all additional taxes that would arise if the Board of Equalization reclassifies "Alcopops" from beer to distilled spirits, would be directed to the Department of Alcohol Beverage Control to enhance enforcement of laws prohibiting the furnishing of alcohol to minors. In addition these funds, estimated at \$54 million annually, would be used to conduct research on the impact of alcohol marketing on underage drinking, conduct a statewide media campaign about the risks of underage drinking and enhance youth alcohol recovery programs.

PTA also supports **AB 346 (Beall)**, which would require that any alcoholic beverage sold in California bear a label that clearly specifies that it contains alcohol and the alcohol content. This is in response

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to the growing availability of alcoholic beverages currently available in California that have similar packaging and labeling to non-alcoholic beverages and products including energy drinks, sodas, fruit drinks and gelatins.

Finally, we are supporting **AB 1657 (Runner)**, which creates an alternate misdemeanor-felony for any person furnishing alcohol to a minor who thereafter causes death or great bodily injury to him or herself or others. We believe that the use of alcohol by minors is a serious issue and that prevention efforts must involve the home, school and the community. We agree that there must be severe consequences for adults providing alcohol to minors.

*Debbie Look
Community Concerns Advocate*

California Arts Strategic Task Force

The California State PTA is participating in the California Arts Strategic Task Force to develop and suggest next steps in implementing a comprehensive and sequential arts education program in California K-12 public schools. The Hewlett Foundation funds the Task Force, through a grant to the California County Superintendents Educational Services Association (CCSESA).

The Task Force will review the latest research and develop priority recommendations to further arts education policy and implementation at the state level. The emphasis will be on policies and initiatives to support implementation at the school and district level so that every student is engaged in the visual and performing arts curriculum and the arts are systematically incorporated into the core curriculum. The Co-Chairs of the Task Force are **Jack O'Connell**, State Superintendent of Public Instruction, **Scott Himmelstein**, Acting Secretary of Education and **David Long**, newly appointed Secretary of Education. California State PTA President **Brenda Davis** serves as a member of the Task Force.

\$500 Million in Physical Education and Arts Funding to Districts

State Superintendent of Public Instruction Jack O'Connell announced last week the release of \$500 million in Arts, Music, and Physical Education grants for professional development, equipment, and supplies to improve instruction in physical education

and the visual and performing arts. The California State PTA has made funding for arts a priority in its legislative agenda. The Arts, Music, and Physical Education grants, approved in the 2006-07 California State Budget, will provide each school district, charter school, and county office of education an entitlement of \$83.04 per student in grades K-12. The figures are based on average daily attendance data from 2005-06. Each district will be required to expend not less than \$2,500 per school site. There is no deadline on the expenditure of these funds and, therefore, funds may be carried over to a future fiscal year. Districts may bring together teachers, school site administrators, district-level administrators, parents, and students to collaborate on assessing needs and developing a local plan that will support high-quality instruction in both physical education and visual and performing arts. This is the first time all schools will receive monies specially designated for physical education and the visual and performing arts. A list of grant recipients can be viewed at [Funding Results: Arts, Music, and Physical Education](#).

Special Education Funding Reform

The Special Education Fair Funding Act, **AB 850 (Torrico)** supported by the PTA, passed out of Assembly Education Committee in April. School districts and county offices of education are seeking a solution in meeting the extraordinary fiscal obligations related to providing education to children with disabilities by making changes to how the state funds cost-of-living increases and enrollment growth for special education programs and services.

According to proponents of the bill, with the exception of the 1997-98 through 2001-02 fiscal years, California used increased federal special education funding to backfill the state's cost of providing a cost-of-living adjustment (COLA) and enrollment growth for special education, instead of passing the federal increases on to local school agencies to pay the increasing local costs of special education. In response, the federal government passed a law prohibiting states from using new federal aid for special education to pay for statutorily required COLA and growth formulas. Since that time, California has chosen not to pay the full cost of COLA and enrollment growth by only providing funding on the state share, and no longer on the federal share.

The State Department of Education reports that approximately 681,969 individuals -- newborn through 22 years of age -- receive special education

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in California. While early intervention is beginning to reduce the number of pupils who require special education for milder disabilities, including learning disabilities and other health impairments, the bill reports that the incidence of pupils with intensive and costly needs, particularly children with autism, has increased exponentially.

*Carol Kocivar
Education Advocate*

DC Corner

In a continuing effort to get full funding for the Individuals with Disabilities Education Act (IDEA), National PTA has joined with 30 other national organizations to support **S.1159 (Harkin, Hagel)**, the IDEA Full Funding Act. The bill would make increases in funding for the IDEA mandatory and require that the funding reach 40% of the National Average per Pupil Expenditure for special education students by 2015.

National PTA has already taken a support position on a similar bill **H.R. 821 (Van Hollen, Ferguson and Hooley)**, Everyone Deserves Unconditional Access to Education (EDUCATE) Act.

When adopted by Congress in 1975, the federal government indicated it would fund the Act at the 40 percent level. At no time in the past 32 years has the federal government provided even half of that amount. In the reauthorization of IDEA in 2004, Congress put into law a "glide path" that would fully fund special education by 2011. This appropriation "glide path" peaked at 18.5 % in 2005 and has now fallen to 17.2%.

The failure of Congress to pay its fair share of special education costs has a direct impact on the ability of every school to meet all their program obligations to all children and has added to the challenges presented by the No Child Left Behind Act.

Though PTA is hesitant to support legislation that will extend the timeframe for Congress' meeting its commitment to fully fund IDEA, PTA believes that the IDEA Full Funding Act and the EDUCATE Act may be the only way to ensure that Congress' promises are actually met.

In another matter, California State PTA President Brenda Davis sent letters to key California congressional representatives urging them to renew their support for **H.R. 1275 (Berman, Diaz-Balart, Roybal-Allard, Ros-Lehtinen)**, The American Dream

Act (DREAM). The Development, Relief and Education for Alien Minors Act was first introduced in 2001 and garnered much bipartisan support. By the end of the 108th Congress more than one-third of all members were in support of the Act. However, congressional leadership did not allow the bill to come to a floor vote.

This bill would allow states to provide immigration relief for students brought to the US as children without proper documentation to remain in the US after graduating from high school if they graduate in good standing, have not been in trouble legally and have been accepted into a postsecondary education setting or the military. States could also choose to waive out of state tuition fees for these students. Upon successfully completing a two-year college program, or completion of 2 years towards a 4-year degree or 2 years of military service permanent residence status would be granted.

PTA believes it is in the interests of all Californian to ensure that all children, including the children of undocumented immigrants have the opportunity to reach their full potential and become productive members of society.

*Barbara Paxton
Federal Advocate*

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