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## ***Governor Finally Signs 2008-09 State Budget Vetoes Record Number of Bills***

After initially threatening to veto the budget bill sent to him by the Legislature, Governor Schwarzenegger negotiated some modifications with lawmakers and signed the 2008-09 budget into law on September 23 – more than 80 days late. The final budget provides deep spending cuts, budget process changes which must be approved by the voters, revenue solutions that include tax cuts in the future and seeking voter approval to change the lottery so that its proceeds could be used to issue bonds. The Governor's vetoes and summary description of the final budget can be found on the web at: [www.ebudget.ca.gov](http://www.ebudget.ca.gov). Also, a new publication by the nonpartisan California Budget Project summarizing the spending plan signed by the Governor is available at [www.cbp.org](http://www.cbp.org).

In the week after the budget was signed, the Governor vetoed 415 of the 1,187 bills that the legislature passed before adjournment, a rate of 35 percent. Many of the vetoed bills carried the same message, "The historic delay in passing the 2008-2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time."

### ***Now What?***

On January 9, in less than 100 days, the Governor will propose the 2009-2010 state budget. Sometime in early spring or June there will be a special election to deal with a major budget process change and a ballot measure that would make changes to the lottery and approve a new bond sale to be repaid by lottery proceeds. California still needs what was needed last January – a real budget solution with permanent new revenues to provide our children with the education and services they need to be successful. If revenue assumptions do not materialize and voters reject the changes to the lottery, the outlook for the 2009-2010 state budget is very bleak. Every effort has to be made to insure that the next state budget is not one that relies on additional borrowing, gimmicks, or that cuts even more deeply into education, children's programs and the future of California. It is not too early to begin to start raising our voices on behalf of children. Now that the Legislature has adjourned and members are back home in their districts, it is important to communicate to them the simple fact that California schools need additional revenues. Stanford University's, "Getting Down to Facts" studies validated the fact that California public schools are seriously under funded.

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With 20 state senate seats and 80 assembly seats open in the upcoming November election, now more than ever it is important for PTA members to educate themselves about candidates running for office. Here are some questions to ask candidates in order to be informed on their views of the issues that impact the lives of children:

- What are your budget priorities?
- How would you solve the structural budget problem?
- What do you see as the most important legislative issue for children?
- How do we protect the needs of children in a time of fiscal constraint?
- What are your views on education reform and the achievement gap in California?

Your advocacy efforts since last January on behalf of California's children have helped build a foundation for longer term reform that will enable us to advance PTA's mission. We know it will require persistence. Thank you for all of your hard work and all that you continue to do for children!

*Pat Dingsdale, Director of Legislation*

### Secretary of Education Resigns

Dr. David Long, Governor Arnold Schwarzenegger's fourth education secretary in five years, resigned on September 10. Dr. Long was the former Superintendent of Schools in Riverside County. The California State PTA presented Dr. Long with PTA's Golden Oak Award in May.

### Menu Labeling Bill Passes!

There is one bright spot in this legislative session for those of you who follow health issues. The governor signed into law **SB 1420 (Padilla)** which will require restaurants with more than nineteen outlets to provide nutritional information on menu items. Effective in 2009 menus will have to provide calorie information. Beginning in January 2011 they will also have to provide information on saturated fats, carbohydrates and sodium. The governor vetoed a

similar bill last year. This makes California the first state in the nation to require this information and allows us to make informed choices about the food we eat in restaurants.

Unfortunately, the news regarding other health issues isn't as happy. While the governor signed three other bills PTA supported -- **AB 2726 Leno, SB 564 Ridley-Thomas, SB 1147 Calderon** -- the final budget makes cuts to health programs that impact children. The Healthy Families Program will face decreases in services and increases in costs to families. Perhaps more importantly, the budget makes cuts to Medi-Cal which will impact each county's ability to provide services. While cutting money for administration of the Medi-Cal program, the budget increases the number of times families must reapply for Medi-Cal each year. Additionally, it includes the 10% cut to providers that has already been ruled illegal by the courts.

In a small bit of irony, the governor vetoed only one bill that California State PTA took a support position on, **SB 775 (Ridley-Thomas) Childhood Lead Poisoning**. In his veto message, the governor stated that the bill was duplicative and much of it was already included in administrative regulations. What he didn't say was that the budget has a \$1 million cut to the Childhood Lead Poisoning Prevention branch of the Department of Public Health. If you have questions, please feel free to contact me at [ssilva@capta.org](mailto:ssilva@capta.org).

*Shayne Silva  
Health Advocate*

### Wrap-Up of PTA Supported Preschool Bills

On September 26 the Governor signed two preschool bills supported by the California State PTA:

- **SB 1629 (Steinberg)** establishes the Early Learning Quality Improvement System Advisory Committee to make recommendations on how to evaluate and improve the quality of child development programs providing services from birth to age five, including preschool, and establishes a framework for future resources necessary to achieve and maintain higher quality programs.
- **AB 2759 (Jones)** establishes the California State Preschool Program (CSP), which consolidates all the early childhood education programs in the

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state. Specifically, CSP streamlines funding which will expand preschool options, increase program availability and reduce administrative costs.

### Proposition 49

Proposition 49 approved by voters in 2002 created the After School Education and Safety Program (ASES) which provides grants to providers of before and after school programs for students in kindergarten through ninth grade. Each program must provide an educational component and an educational enrichment element. The educational component generally consists of tutoring and/or homework assistance in core academic subjects. The enrichment component generally involves physical activities, art, or other general recreation activities.

The initiative requires a certain amount to be spent on after school programs, essentially without regard to the state's fiscal situation or other budget priorities. The state is required to fully fund ASES at \$550 million on a continuous annual basis without any further legislative action. The only exception is if the state is facing a "Test 3" year for purposes of calculating Proposition 98 and year-to-year spending on Proposition 98 is decreasing. Proposition 49 prohibits legislative amendments to key portions of the measure, so voter approval would be needed to change the amount of funds provided or change the provisions regarding how the initiative interacts with the requirements of Proposition 98.

At the beginning of 2008, the Governor, who is considered the chief architect of Proposition 49, proposed in his annual budget to suspend Proposition 98 as part of his plan to deal with the budget deficit. The Governor also called for reducing Proposition 98 General Fund support for ASES below the amount required by Proposition 49 by \$60 million. According to the Governor, the impact of this reduction would be minimal because current appropriated Proposition 49 funding was going unused. The Governor also proposed to sponsor a ballot measure that would allow after school funding to be reduced in years when the state suspends the Proposition 98 minimum guarantee.

The Legislature took up the issue of unused funds during the special session called to deal with the Governor's fiscal emergency declaration, and it took up the issue of Proposition 49 funding as part of a trailer budget bill during the waning days of the summer budget negotiations.

Because Proposition 49 was unclear as to what happens to appropriated but unused ASES funds, the Legislature clarified this issue in **ABX3 4**, introduced by the Budget Committee and passed in February. It provides that appropriations made to the ASES program are available for encumbrance for one year and are available for other purposes after that. Unused funds would therefore, revert to the Proposition 98 Reversion Account. Under current law, one-half of Reversion Account funds would be set aside for emergency facilities repairs under the *William's* court settlement. The remainder could be used for one-time activities for any K-14 program.

Instead of accepting the Governor's ballot measure proposal, the Legislature expanded the idea by offering **AB 1526**, a budget trailer bill. It sought to place a measure on the statewide ballot to allow budgetary flexibility related to the expenditure of Proposition 98 funding as it pertains to After School programs. Although **AB 1526** received widespread bipartisan support in the Legislature, the Governor vetoed the bill on September 30 citing the will of the people in 2002 to make after school programs a priority. The Governor also vetoed two other bills dealing with policy issues for Proposition 49 programs:

- **AB 2843 (Karnette)** This bill sought to include world languages as one of the educational enrichment component of after school programs. PTA had an **Approve** position on this bill.
- **SB1674 (Torlakson)** This bill sought to expand (within existing funding) the existing After School Education and Safety Program to allow programs to operate on weekends. PTA had a **Watch** position on this bill.

The Governor said that legislation was not needed in order for after school programs to offer language programs if they choose and that expanding after school programs into the weekends was contrary to the educational and safety intent of Proposition 49.

*Michael Butler*  
Parent Involvement Advocate

## Governor Vetoes High Priority Community Concerns Bills

Of the many Community Concerns bills supported by PTA this year, only ten made it out of the legislature. The budget crisis meant that many bills ended up being held in the Appropriations Committee, due to a lack of funding. We were disappointed

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to learn of the Governor's veto of four bills that PTA considered high priority issues for Community Concerns:

The Governor vetoed **AB 360 (Carter)**, which would have allowed counties to adopt restorative justice models for juveniles, if they chose to do so. The bill also provided parameters for implementing such a program. PTA has long called for reform of the state's juvenile justice system and believes in the general principles of the restorative justice model. In his veto message, the Governor noted "...While I am open to prevention and treatment programs which are proven effective, the principles stated in this bill appear to emphasize alternatives to incarceration, without ensuring public safety. It is also unclear whether the restorative justice program, as proposed in this bill, is limited to first or second-time, nonviolent offenders. I urge the Legislature to give further attention to these important issues that help shape the juvenile justice system." We expect that this issue will come back again in a future session.

The Governor also vetoed **AB 2262 (Torrico)**, which would have extended the safe surrender provisions, where a parent is able to relinquish custody of an infant without prosecution, from 72 hours to seven days. PTA strongly supported this legislation, both during this session, as well as in previous years, as we believe it has the potential to save the lives of infants who might otherwise be abandoned. Since the Safe Surrender legislation was originally implemented in 2001, a total of 218 infants have been safely surrendered in California. In his veto message, the Governor noted that he has vetoed similar measures twice before and that he has not seen any new data or information to support a change in his position. In fact, the California State Auditor recently released a report on the Safe Surrender Legislation and noted that stronger guidance from the state and better information for the public could enhance its impact.

Also subject to a veto, was **AB 2994 (Lieber)**, which would have required schools to clearly notify parents and students of their right to opt out of having the student's personal information provided to military recruiters, post secondary institutions and employers. PTA has supported this legislation a number of times as we believe that privacy of student data is critically important. Schwarzenegger vetoed a similar bill in 2006 and stated in this year's veto message that he believes that schools should maintain the flexibility to develop their own proce-

dures to ensure compliance with existing state and federal laws.

The final Community Concerns bill that was vetoed was **SB 29 (Simitian)**, which would have required that parents be notified if a school was considering installing radio frequency identification tags (RFID) in student cards. Some schools have implemented or considered implementing this technology to ease attendance taking, etc. PTA believes that there are dangers inherent in this technology that could put students safety in jeopardy. Schwarzenegger's veto message noted that, although he believes schools should ensure student privacy, the decision to use RFID devices and notification requirements should remain at the local level.

The remaining six bills, identified for Support by Community Concerns, have been signed into law. These include **AB 86 (Lieu)** which would add cyberbullying to the forms of bullying that schools and law enforcement officials are addressing. **AB 346 (Beall)** requires that certain alcoholic beverages contain a label clearly identifying them as alcoholic products and specifying the alcohol content. This bill grew out of the issue related to flavored malt beverages or "Alcopops" and concerns about alcohol consumption by minors. **AB 352 (Solario)** was substantially amended and ended up merely specifying that public schools be added to the list of places where it is an offense to display an imitation firearm. **SB 1250 (Yee)** attempts to reduce the rate of juvenile recidivism by encouraging communications between incarcerated juveniles and their family. The bill specifies a minimum number of allowed calls per month and allows communications to take place in the family's native language. **SB 1638 (Alquist)** attempts to improve the educational outcomes of students receiving their education in juvenile court schools by encouraging County Chief Probation Officers to enter into MOU's with local school districts or County Offices of Education. Finally, **SCR 81 (Battin)** designated April 2008 as Child Abuse Prevention month.

So despite some disappointments, we did see some forward progress in the issues of concern during this session.

*Debbie Look  
Community Concerns Advocate*

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## Career Technical Education Bills Signed, Vetoed

Governor Schwarzenegger signed some of the Career Technical Education bills supported by PTA and vetoed others. He signed:

- **AB 2855 (Hancock)** establishes two new categories of partnership academies, the Green Technology Partnership and the Goods Movement Partnership Academies.
- **AB 876 (Davis)** Career Technical education is a big step that enables both the California State University and the University of California college systems to take specific actions with respect to the recognition of career technical education coursework in connection with the admissions criteria of the respective universities.
- **AB 2648 (Bass)** Career Technical Education allows the State Superintendent of Public Instruction to develop a report in conjunction with the Office of the Secretary of Education, the community colleges, the University of California, the California State University, the Legislature, the Employment Development Department, teachers, chamber organizations, industry representatives, parents, school administrators and other organizations deemed appropriate that explores the feasibility of establishing and expanding career multiple pathway programs.

The Governor vetoed **AB 2078 (Fuentes)**, a career technical education bill also supported by PTA. It would have authorized school districts to establish work-based learning programs and provide liability insurance off school grounds work-based learning programs.

**SB 1442 (Wiggins)** was also vetoed. It would have authorized school districts and charter schools that offer specified supplemental programs to offer instruction with real-world applications delivered through project-based learning and problem-based teaching strategies. PTA helped to craft language this bill.

### Special Education Bills Signed and Vetoed

**SB 1446 (Romero)** would have would have exempted, until December 31, 2010, eligible students with disabilities from the requirement to pass the High School Exit Exam (CAHSEE) as a condition of receiving a high school diploma. In his veto message, the indicated, "Instead, I am signing Assembly

Bill 2040 (Nunez) to allow the state to consider whether there are other means for special education students to demonstrate that they have achieved the same academic competencies as would be measured by the CAHSEE. By doing so, I am asking the State Board of Education to examine the possibility that a valid testing instrument can be developed for students with disabilities on a graduation-track, that has the same rigor and as the current CAHSEE." PTA had a SUPPORT position on **AB 2040**.

**AB 1872 (Coto)** would have created a clearing-house within the State Department of Education that would have provided evidence-based resources, research materials, information, and practices regarding the education of pupils with autism disorders.

*Suzan Solomon  
Education Advocate*

## College Opportunity, School Finance Bills Signed by Governor

Eight bills covering subjects such as charter schools, school finance, school facilities and college opportunity were supported by PTA and passed by the Legislature and sent to the governor. Three of these bills became law and five were vetoed. These bills were signed by the Governor:

- **SB 890 (Scott)** establishes the voluntary Early Commitment to College program to increase the number of low-income K-12 pupils preparing to enter college after high school. The early Commitment to College program will encourage low-income students to prepare for college by taking courses required for entrance into the UC or CSU systems and require middle and high schools to use existing resources to support these students in their quest for a college education. The program will involve parents, students and schools through the use of a "Save Me a Spot in College" pledge developed by the Superintendent of Public Instruction. The superintendent will also track these students to determine how many gained college admission.
- **SB 1197 (Alquist)** will allow regional occupational centers that are part of a joint powers agreement to receive funding directly from the county office of education where they are located and will bring funding mechanisms for regional occupational centers/programs into alignment with funding for non-JPA programs. This

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funding streamlining will reduce administrative costs and allow more funding to be directed to the important career technical education programs provided by the joint powers agreement agencies. SB 1197 passed through the legislature with no "No" votes,

- **SB 1637 (Torlakson)** will extend the sunset date on the California Technology Assistance Project to January 1, 2014. The California Technology Assistance Project (CTAP) is a regionalized network of services that provides technical assistance and professional development to local education agencies to help them implement locally-defined educational technology solutions.

Bills vetoed by the Governor are:

- **AB 2115 (Mullin)** would have required charter schools to follow the same conflict of interest laws as all other public schools in response to several instances of fraud, embezzlement and self-dealing. In vetoing AB 2115, the governor noted, "Not only would this bill create state mandated costs for charter schools to comply with its provisions, the measure runs counter to the intent of charter schools, which were created to be free from many of the laws governing school districts."
- **SB 146 (Scott)** would have required the Superintendent of Public Instruction to collect two years of average monthly enrollment data to compare to average daily attendance. The results of these calculations would have provided sufficient data for future legislation to use average monthly enrollment as the basis for allocating revenue limit funding to school districts. The governor's veto message stated that "... the accounting change in this bill could result in reduced incentives for schools to maximize student attendance. Because I believe students are best served through rigorous daily classroom instruction."
- **SB 325 (Scott)** would have established an accountability framework to measure gains made by the state's post secondary education system in meeting identified educational and economic goals. The governor wrote in his veto message that while he supported the concept of the framework, "this bill falls short in providing any framework for incentives or consequences that would modify behavior to meet any policy objectives."

- **SB 1301 (Cedillo)** would have required the California State University and the California Community Colleges and request the University of California to provide institutional financial aid to undocumented students who are exempt from nonresident tuition under Chapter 814, Statutes of 2001. The governor wrote that "... given the precarious fiscal condition the state faces at this time, it would not be prudent to place additional demands on our limited financial aid resources as specified in this bill."
- **SB 1354 (Torlakson)** would have required the Superintendent of Public Instruction to conduct a study to determine if local school districts are able to build "complete schools" with funds provided by the state. The governor stated, "This bill is unnecessary because nothing in current law prohibits the Superintendent of Public Instruction from performing the evaluation proposed in this bill. Moreover, a recent study completed this year already evaluated the adequacy of school construction grants."

One additional bill signed by the Governor is **SB 1112 (Scott)**. It extends the sunset date for provisions of current law relating to class size reduction apportionment penalties to July 1, 2014. The California State PTA took a **Seek Amendments** position on **SB 1112 (Scott)** PTA and asked for amendments to reflect policy changes called for in the Class Size Reduction Flexibility resolution adopted at the 2005 PTA convention. It was not amended as requested, but will continue the graduated sanctions in current law for exceeding class-size reduction limits.

*Brian Bonner  
Education Advocate*

## **Governor Vetoes AB 531, Signs Bills Streamlining Teacher Credentialing**

Thirteen PTA supported bills relating to teacher credentialing, curriculum, accountability, assessment and education data went to the Governor for his signature. Six were vetoed and seven were signed.

A big disappointment was the Governor's veto of **AB 531 (Salas)** that would have required the history-social science framework and instructional materials for grade 4 and either grade 11 or 12 to include the case of *Mendez v. Westminster School District* and the role it played in the civil rights movement and desegregation of public schools in Califor-

nia and the nation.

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Other vetoes include bills changing instructional materials adoption policies and processes (**AB 2468 Brownley and AB 2315 Mullin**), establishing a review process for academic content standards (**SB 1097 Torlakson**), minimizing student testing time (**SB 1110 Scott**) and protecting student privacy in the collection and use of student data (**SB 1425 Steinberg**).

The Governor signed a bill by Senator Steinberg, **SB 1251**, that adds five-year graduation rates and six-year graduation rates to the four-year graduation rates that are to be included within the Academic Performance Index (API) of schools, specifying how to calculate the five and six year graduation rates.

Six more bills were signed, all of them having to do with teacher credentialing. Two of these bills make changes that further streamline the credentialing process. **AB 1871 (Coto)** provides options for teacher candidates to meet the requirements for English Language development and bilingual-cross-cultural authorizations and **SB 1104 (Scott)** makes a number of changes in the credentialing of Career Technical Education teachers.

**SB 1105 (Margett) and SB 1110 (Scott)** make changes in educator discipline procedures the Commission on Teacher Credentialing (CTC) must follow in matters related to a criminal conviction.

Another bill, **AB 2226 (Ruskin)**, requires the Commission to convene a workgroup to provide guidance to special education credential preparation programs in determining the comparability of coursework or field experience for other programs.

Finally, **AB 2391 (Solorio)** authorizes teachers to fulfill 50% of the 80 hours of follow-up Math and Reading Professional Development training in data analysis.

**AJR 64 (Mullin)** a resolution urging Congress to recognize the importance of curriculum and instruction that covers all subjects, including history/social science, science, art, music, and physical education, when considering the reauthorization of the Elementary and Secondary Education Act, the federal No Child Left Behind Act was passed by the Legislature and chaptered by the Secretary of State.

*Cecelia Mansfield  
Education Advocate*

## DC Corner

### Senate Approves Five-Month Federal Funds Extension With Continuing Resolution

On September 27 the Senate passed H.R. 2638, funding most government agencies for fiscal year 2009 at fiscal year 2008 levels through March 6, 2009. Previously, the House had passed the bill, 370-58, on September 24. Whereas most agencies receive no new funding under the measure, it does include higher FY09 funding levels for military construction and for programs under the Departments of Defense, Homeland Security and Veterans Affairs.

Senate passage cleared the measure for transmittal to the White House. President Bush signed the bill on Tuesday, September 30 -- the last day of FY 2008. It is now Public Law 110-329.

The result of the presidential election will likely help determine how much money education programs receive in the 2009 federal fiscal year which began October 1. But a multi-billion-dollar federal plan to assist the financial markets may leave the next president with very little room for major increases for K-12 schools, perhaps for the foreseeable future. The new president will have been in office for a month when the extension expires.

Even as federal officials and members of Congress struggled over a rescue plan for troubled portions of the nation's financial sector, states and school districts braced for ripple effects that could further threaten their stressed budgets. The situation could have its biggest long-term impact on districts' capital projects, as the upheaval in the credit and stock markets threatens to drive up the cost of borrowing money. That would be bad news for districts nationwide already feeling the effects of a decline in state tax revenues of various kinds because of the sagging economy.

### SCHIP: A Look at Potential Effects of Proposed Rule Changes

A report by the California Health Care Foundation (CHCF) examines the potential effects of stricter eligibility rules on the State Children's Health Insurance Program (SCHIP), a major source of funding

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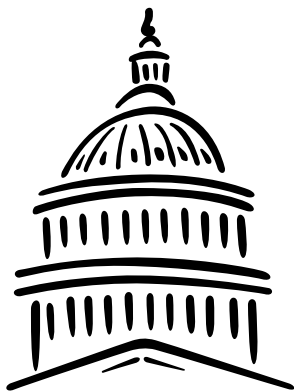
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for low-income children's health coverage in California. In 2007, after unsuccessfully attempting to reauthorize and expand the program, Congress and the President agreed to extend SCHIP at its previous funding level until March 2009.

In "*SCHIP at the Crossroads: California's Options in Responding to New Federal Funding Conditions*" (August 2008), CHCF analyzes the new requirements for federal SCHIP funding that were originally scheduled to take effect on August 18, 2008. With the federal government now holding off on enforcing its directive and California declaring that it will not comply, the issue of whether states will be allowed to preserve their existing programs remains unresolved. "Should the directive take effect," the report states, "California faces challenges in attempting to claim federal dollars and will need to resolve important legal questions."

The state receives approximately 16 percent of federal SCHIP funding and uses it to cover one million children through Healthy Families and other SCHIP-funded programs.

Linda Mayo  
Federal Advocate



## National PTA Announces Criteria for Advocacy Awards

The National PTA has announced the criteria for the 2009 Outstanding Advocacy Awards, to be presented this March at the 2009 National Legislative Conference, as well as a new annual award this year, the Shirley Igo Advocate of the Year Award. In Feb-

ruary the first unit award was presented to California's San Ramon Valley Council of PTAs.

The Outstanding Advocacy Award will be presented to a PTA that, through their dedication, leadership and efforts affected child related policy, regulation or legislation compatible with PTA's mission and goals. Two awards will be presented, one to a state PTA and one to a unit, council, district or region PTA. The state PTA chosen to be recognized will receive \$1,000 and the unit, council, district or region chosen will receive \$500. The monetary award may be used only to cover direct expenses for PTA work. In addition, awardees will each receive two all-expense paid trips to the 2009 National Legislative Conference and be recognized at an awards ceremony on Capitol Hill on March 12.

2008 marked the passing of one of PTA's greatest child advocate leaders, PTA national president Shirley Igo (2001-2003). Shirley was a model of public service and volunteerism throughout her life. She was an impassioned and compassionate leader, dedicated to moving PTA forward and committed to ensuring that others would follow. To honor her PTA will present an annual award to one individual who most exemplifies the qualities that made Shirley a true advocate for all children. The person chosen to receive this award will receive an all-expense paid trip to the 2009 National Legislative Conference and be recognized at an award ceremony on Capitol Hill. Criteria and application materials are available at [www.pta.org/AdvocacyAward](http://www.pta.org/AdvocacyAward).

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