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Governor Signs Two-Year Budget Plan Calls Special Election for May 19

On February 20 Governor Schwarzenegger signed into law a complex set of bills that are intended to address the state's worsening budget crisis. It is important to note that the two-year spending plan signed by the Governor was negotiated behind closed doors by the Governor and the leaders of the legislature with no public hearings. The final budget agreement relies on a combination of tax cuts, new revenues and spending cuts, as well as funds from the Federal Stimulus Package. It also includes six initiatives to implement the budget deal that will go before the voters in a statewide special election on May 19, 2009:

Proposition 1A – State Finance. Amends the state constitution by making major changes to the way in which the state sets aside money in one of its “rainy day” reserve accounts and how this money is spent. (It replaces a measure approved in September as part of the 2008-09 budget agreement.)

Proposition 1B – Education Finance. Amends the state constitution as it relates to Proposition 98, providing “supplemental education” payments in place of recent “maintenance factor” payments.

Proposition 1C – California State Lottery. Makes major changes to the 1984 voter initiative that created the California Lottery. These changes could increase lottery ticket sales and allow the state to

borrow \$5 billion in the 2009-10 fiscal year from future lottery profits. Increases state payments to education from the state General Fund to make up for the loss of these lottery payments.

Proposition 1D – Budget Act of 2008. California Children and Families Act: Use of Funds: Services for Children. Temporarily redirects a significant portion of Proposition 10 (First 5 Program) funds to achieve budgetary savings and makes permanent changes to state and local First 5 commission operations.

Proposition 1E - The Mental Health Services Act: Proposition 63 Amendments. Allows for the temporary redirection of some Proposition 63 funds to offset state costs that would otherwise be borne by the General Fund, thereby achieving savings to help address the state's current budgetary problem.

Proposition 1F – State Officer Salary Increases. Amends the state constitution to prevent the California Citizens Compensation Commission from approving increases in the annual salary of elected state officials in certain cases when the state General Fund is expected to end the year with a deficit.

California State PTA is currently studying these propositions. Once the review and analysis is

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complete and the Board of Managers has acted on any recommended positions, members will be informed immediately.

Another legislative measure, which had already qualified for the next statewide ballot, will also appear on the May 19 Special Election ballot. (This election will be the ninth statewide election since Governor Schwarzenegger was elected in October 2003!) Whenever the Legislature places a measure on the ballot, it may bypass the Attorney General by specifying the ballot title in the legislation as with these six initiatives. Please note that there may be court ordered changes through March 18, 2009. For updates and the full voter information guide, which includes arguments for and against, see the Secretary of State's web site, www.sos.ca.gov. Additional information is also available on the Legislative Analyst's web site, www.lao.ca.gov.

Pat Dingsdale
Director of Legislation

School Finance under the Spotlight in 2009

The California State PTA has taken a SUPPORT position on **AB 8 (Brownley)**. It would require the Director of Finance and the Legislative Analyst to convene a working group to make findings and recommendations to the Legislature and the Governor on or before December 1, 2010, regarding restructuring California's school finance system.

In remarks at the recent Legislation Conference, Assemblymember Julia Brownley who is the new Chair of the Assembly Education Committee and the Education Finance Subcommittee, highlighted **AB 8**. She observed that the means of funding schools in California needs to be overhauled. Her comments are in line with conclusions contained in the 1700+ pages of the *Getting Down to Facts* (March 2007) studies, which summed up the current state of school financing in stark terms.

Brownley spoke too about the need to address adequacy of funding for our schools. That issue was also discussed by Dr. John Rogers of the UCLA Institute for Democracy, Education, and Access. In the latest California Educational Opportunity Report of the institute, Dr. Rogers painted a picture of California's schools that highlights the challenges we see every day. For example, California ranks 49th in

high school student/counselor ratios at 474.2/1, while the national average is 249/1. In middle and high school teacher ratios, California ranks 49th at 23.4/1, and the national average is 16/1 for middle school and high school ratios are 23.8/1 in California and 17.2 national average. The average high school class size is 30.5 in California and 24.7 nationwide. The report can be found at <http://www.EdOpp.org>. Notwithstanding the current budget cuts that affected schools and other children's services, there is a continuing need to reform school finance and to advocate for adequate resources.

Since 1976 the California State PTA has adopted resolutions that seek adequate funding for public schools in California. In 2007 convention delegates adopted a new resolution *Financing California's Public Schools* that calls for support of "... ongoing efforts to explore new models of public school funding to ensure a quality education for every student."

PTA units, councils and districts are urged to convey their support for AB 8 to Assemblymember Brownley and other members of the legislature.

Brian Bonner
Education Advocate

English Learners

The California State PTA has taken a SUPPORT position on **AB 70 (Duvall)**, similar to last year's AB 2822 (Duvall) that died in the first policy committee. Currently a school district is responsible for assessing the English Language development of each pupil to determine English proficiency. The State Department of Education is required to establish procedures for conducting both the assessment and the reclassification of a pupil from English learner to proficient in English. Reclassification procedures are required to use multiple criteria, including the English language development test, teacher evaluation, parental opinion and consultation, and comparison of the performance in basic skills of the pupil against a range of skills of English proficient pupils.

AB 70 would require the department, as part of its duties in administering the English language development test, to gather from each school district that has one or more English learners the criteria that the district uses for reclassification of a pupil from English learner to proficient in English and to summarize and report the criteria it receives from school districts on the Department web site in a manner that makes criteria easily accessible to the public.

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March is California Science Education Month

ACR 5 (Torlakson) proclaims the month of March 2009 as California Science Education Month, and would extend the Legislature's support to pupils of all ages who are interested in Science and celebrates the significance that science education has in public school education as well as its importance in the development of future generations of adults who will be scientists and environmentally responsible citizens.

Suzan Solomon
Education Advocate

Updating California's Academic Content Standards

California State PTA has taken a SUPPORT position on **AB 97 (Torlakson)** that would establish a mechanism by which the state can review and update its education content standards to ensure they remain rigorous and on the cutting edge.

Current law, AB 265 (Alpert) Chapter 975, Statutes of 1995, does not provide such a mechanism. It provided for the appointment of a Commission for the establishment of academic content and performance standards in the core areas of reading, writing, mathematics, history/social science and science. The standards in the core areas were adopted by the State Board of Education in 1997 and 1998. California currently has content standards in eight specific subject areas and now include career technical education, physical education, health and the visual and performing arts.

In the past few years, there have been several legislative proposals to revise the content standards. The bills that have reached the Governor's desk have been vetoed every time since 2002, including SB 1097 (Torlakson) in 2008, a bill that was also supported by the California State PTA.

Implementation of Education Data System

SB 19 (Simitian) will be the vehicle for going forward with next steps in the implementation of California's longitudinal student data system. Feder-

al dollars included in the Federal Stimulus Package will be available on a grant basis to assist states in making progress in the development of education data systems. California State PTA has a WATCH position on this SB 19.

Senator Simitian will draw from recommendations of the McKinsey group released on December 18 by Superintendent of Public Instruction Jack O'Connell. Jointly commissioned by the Office of Governor Schwarzenegger and the Department of Education, the recommendations reflect more than a year of research and analysis, including in-depth interviews with parents, teachers, administrators, policymakers and student/school advocates.

The report provides a framework for building a comprehensive data system for California public education. The robust data system called for by the report will provide data to allow California policy makers to make highly informed decisions about education; give educators the tools they need to better target limited resources and implement strategies to improve student achievement.

Cecelia Mansfield
Education Advocate

PTA Supports Legislation to Allow Lower Threshold for Passage of Local Parcel Taxes

California State PTA has taken a support position on **SCA 6 (Simitian)** a proposed constitutional amendment to reduce the threshold to 55% to pass a local parcel tax. At the 2008 PTA convention, delegates adopted a resolution, *Local School Parcel Tax Measure Threshold Reduction*, strongly supporting lowering the current two-thirds vote requirement.

Given the state budget situation, it is more important than ever that local communities have the ability to increase funding locally for schools. Based on the best available information, from 1983 to 2007, districts have held 428 parcel tax elections. Of these, 221 won the necessary two-thirds vote, and another 170 achieved a majority vote but did not pass.

Watch for more information on how you can help in this important effort.

Kin-GAP and Foster Youth

President Bush signed the Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351) into law on October 7, 2008. Among its many provisions impacting the child welfare system, the act creates an option for states to provide subsidized kinship guardianship payments with federal financial participation (FFP) through federal Title IV-E funds. (The Title IV-E program provides support to states for the costs of eligible children placed in foster homes or other types of out-of-home care under a court order or in other situations.) It also allows states the option of extending benefits to eligible youth beyond the age of 18 up to age 21.

AB 12 (Beall) seeks to take advantage of these new provisions in federal law. California State PTA has a position of SUPPORT on AB 12.

California's current Kin-GAP program was established to enhance family preservation and stability by placing foster children in long-term placements with relative caregivers. Under Kin-GAP a dependent child who has been living with a relative for at least 12 months in Foster Care may receive a monthly grant if the relative assumes guardianship and the dependency case is dismissed. The grant is identical to the one the child received while in Foster Care. California operates Kin-GAP with state and county funds only, with the state paying roughly 75 percent of the costs.

Some foster care children are with relatives in long term relationships that afford many of the advantages of a permanent parent—especially where given guardianship status. In addition to family reunification, adoption, and “aging” out, the kinship guardianship program provides another way for a youth to exit the child welfare system. The state finds that it is fiscally advantageous to have youth exit the system thereby no longer incurring the costs of court and social worker supervision of that youth.

In order to conform to federal law and to be eligible to draw down matching funds, AB 12 would create a new Kin-GAP program requiring that a child must have been eligible for federal Title IV-E foster care maintenance payments while residing for at least six months in the home of the prospective relative guardian. In addition, among other requirements, the state must (1) determine that returning home or adoption is not appropriate permanency options for the child, and (2) negotiate and enter into a written kinship guardianship agreement that, among other requirements, specifies the amount of the assistance payment and the manner in which the

payment may be adjusted periodically. Nearly all existing Kin-GAP cases either meet, or could meet, these requirements.

The Legislative Analyst's Office estimates that if California were to adopt legislation conforming the state Kin-GAP program to the new federal act, the state would be able to draw down federal funding for a net General Fund benefit of up to \$37 million in 2009/10 and \$70 million in full year savings in 2010/11.

Current state policy is to use relatives regardless of parental capacity because of their lower cost compared to other forms of foster care and the cost of court supervision. Current and prospective foster parents and adoptive parents have been able to receive training that is 75% reimbursed by the feds. The new public law 110-351 takes steps to extend training to relative caregivers. The act phases in federal reimbursement for training of current and prospective relative guardians beginning at 55 percent in FY2009 and increasing each year by 5 percentage points until reaching 75 percent in FY2013. We should encourage the state to take advantage of these federal dollars to improve the parental capacity of relative guardians.

Currently in California, AFDC-FC (foster care payments) and Kin-GAP end at age 18, or 19 if youth is in school or training and reasonably likely to complete education or training or obtain high school equivalency by age 19. Adoption assistance ends at age 18, or 21 if the youth has a mental or physical handicap that warrants continuation of assistance.

Another important feature of **AB 12** is that it would direct the Department of Social Services to amend the foster care state plan, in order to take advantage of new provisions provided by Public Law 110-351 that allows states the option of extending benefits to eligible youth beyond the age of 18 up to age 21. Included under federal law would be youth in foster care, and youth to whom an adoption assistance agreement or kinship guardianship agreement is in effect. Federally supported foster care payments to this group would become effective October 1, 2010.

Federal Law allows states to claim federal funds to continue foster care payments for older youth in care (and, in certain cases, guardianship or adoption assistance payments) up to age 21. Drawing down federal funding beyond age 18 is an incentive to keep some youth in foster care, guardianship, or

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older child adoption. By doing so, the expectation is that better outcomes can be realized in this at-risk group as they transition to adulthood.

*Michael Butler
Parent Involvement Advocate*

Improving Teen Driving Safety

Motor vehicle crashes are the leading cause of death for 15 to 20-year olds in the U.S. In 2006 3,490 15-20 year old drivers died, and an additional 272,000 were injured in motor vehicle crashes. Driver fatalities for this age group increased by 3% from 1996 to 2006. For young males, fatalities rose by 5% compared to a 3% drop for young females.

Many factors contribute to the high incidence of teen driver crashes including immaturity and inexperience, as well as a higher propensity for risk-taking behaviors. Specific contributing behaviors include speeding, driving late at night, driving while impaired and driving in the presence of teenage passengers.

This high incidence of injuries and fatalities among teen drivers is one of the reasons that teen driving safety has been identified as a key priority for the Community Concerns Commission. The Commission has submitted a resolution on this subject for consideration at the 2009 convention. Efforts are underway at the Federal and State levels to address the high incidence of teen driving fatalities through implementation of graduated licensing programs, improved drivers education programs and other initiatives.

A number of bills on teen driving safety have been introduced in Sacramento in the current legislative session. The California State PTA has taken a SUPPORT position on **SR 14 (Lowenthal)**, that designates the week of March 9, 2009 as "Teen Driving Safety Week." It urges Californians, with the help of law enforcement, teachers, parents, students and the IMPACT Teen Driver's Campaign, to observe this week with appropriate activities that promote safe driving practices among teenage drivers. **HR 7 (Eng)**, the Assembly version, has also been adopted. Other bills recently been introduced on this subject will be reviewed in the coming weeks. **AB 508 (Torlakson)** would require the DMV to collect an additional fee of \$10 for every provisional driver's license issued to create the "Young Driver Education and Safety Fund." These funds would be used to fund automobile driver's education and training in public schools. Although the Education Code mandates that all high schools provide driver's education,

fewer than 23% of California's high schools currently offer these classes. The funds would also establish an advisory group to recommend strategies for improving access to driver's education and training; evaluate the effectiveness of current driver education standards and curriculum' and make recommendations regarding the regulation of private, internet-based driver education schools. **AB 959 (Garrick)** would require that a young person be prohibited from beginning a course in driver's education prior to turning 15 years of age. **AB 1220 (Huffman)** would require that the driver supervising the driving of a minor with a provisional license must have had his/her own license for at least one year. It also would require an additional condition of a provisional license for those under 18 to include the completion of a supervised driving log and specify that a driver's log for at least 50 hours of supervised driving would be required for drivers receiving their license between the ages of 18 and 25.

Promoting Environmental Action in Schools

A 2007 California State PTA resolution, "Comprehensive Waste Reduction in Schools," urges the support of effective waste reduction programs in schools and school districts including paper, glass, aluminum and plastic recycling; composting of food waste use of recycled and recyclable products; and reduction or reuse of paper and packaging. Several bills on this and related topics have recently been introduced in the Legislature and will be under review by PTA. **AB 747 (Emmerson)** would provide incentives to school districts with recycling programs when applying for state funding for construction and modernization of school facilities. **SB 309 (Ducheny)** would reopen residential California Conservation Corps community facilities and promote litter abatement, recycling, energy conservation and related activities that educate, train and employ at-risk youth. **SB 497 (Correa)** would express the potential benefits of school recycling and require each school district to consult with the local Community Conservation Corps to help establish beverage container recycling programs in each school.

*Debbie Look
Community Concerns Advocate*

Healthy Lifestyles

California State PTA is continuing to work to protect and improve the health of families through prevention, treatment and control of disease and to promote healthy lifestyles. California State PTA has taken a SUPPORT position on **AB 95 (Torlakson)**, sponsored by the Superintendent of Public Instruction. It is an urgency measure and would appropriate an additional \$19.5 million for school meal reimbursement in California to prevent schools from running out of funds in April 2009. Failure to appropriate additional funds for this program will compromise access to school meals for California's children.

*Shayne Silva,
Health Advocate*

DC Corner

Federal Stimulus Package Adopted

The American Recovery and Reinvestment Act of 2009 ("the Act") was signed into law by President Obama on February 17, 2009. This historic legislation seeks to immediately stimulate job creation during these challenging economic times by cutting taxes and investing hundreds of billions of dollars over the next two years in critical sectors such as energy, health care, infrastructure and education.

Within the education sector, "the Act" will provide an immediate stimulus to the economy by saving or creating hundreds of thousands of early childhood, K-12 and higher education jobs in states across America that are at risk of state and local budget cuts. It will further create thousands of additional construction jobs related to school modernization projects. In the long-term, "the Act" will strengthen the economy by raising Pell grants and tuition tax credits to help more young people attend college.

Importantly, the Act will lay the foundation for a generation of education reform. It will encourage states to adopt college and career-ready standards and assessments, to build robust data systems that allow districts to better track the growth of individual students, to turn around failing schools and embrace innovative new learning models, and to invest heavily in teacher and principal quality initiatives that both elevate the teaching profession and help

recruit and retain great teachers and principals for underserved schools and communities.

The intent of this legislation is to invest the education dollars quickly, productively and transparently in ways that best meet the short-term and long-term educational interests of children and adults.

Because of ambiguity in the text of the legislation, the Department of Education will seek some clarification over the next two weeks and begin issuing funds to states within 40 days. Remaining funds will go out within six months. The DOE will post specific guidelines and a timetable for each funding stream included in the Act: early childhood and state stabilization funds, IDEA and Title I funds, college affordability funds, and school modernization funds. Post statutory language on the DOE website along with state-by-state estimates to help school districts, public colleges and universities plan budgets will be posted.

It is clear that accountability by governors, states and LEAs will be required. For more information see the following web sites: www.recovery.gov, www.ed.gov/policy/gen/leg/recovery/index.html www.whitehouse.gov/omb/recover_default/

*Linda Mayo
Federal Advocate*

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