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## *Special Legislative Session Focuses On Education Reform*

On August 20 Governor Schwarzenegger called for a Special Session of the Legislature to ensure California is eligible to compete for new federal funds for education reform. A month earlier President Obama and U.S. Secretary of Education Arne Duncan announced the availability of a pool of \$4.35 billion in *Race to the Top* (RTTT) funds as part of the American Recovery and Reinvestment Act (ARRA). This is the largest pool of discretionary funding for educational reform in United States history. In his call for a Special Session, the Governor stated that California was ineligible to apply for these funds, given current law, and declared his intent to do whatever is necessary to make certain that California is not only eligible for this funding, but also positioned to be highly competitive.

Two areas have been identified as requiring attention in order to make California eligible to apply for RTTT funding. The first is a provision in current statute that specifically prohibits student achievement data being linked to teacher performance data. The Governor, education officials and key education organizations recognize that current law prohibits linkage of student and teacher data only at the state level. They note that student achievement data is currently used as one measure of teacher performance at the local level by many school districts throughout the state. However, given that the federal government perceives this as a barrier, many have recognized that it needs to be addressed.

**SB 19 (Simitian)** was amended, during the regular legislative session, to remove the relevant language from current statute. PTA has a **SUPPORT** position on SB 19, which is currently awaiting the Governor's signature. The issue of linking student achievement data with teacher evaluations has also been addressed in the two special session bills **SB 1 X5 (Simitian)** and **SB 2 X5 (Romero, Huff, Alquist, Wyland)**. PTA has yet to take a position of either of these two bills.

A second area of concern, according to federal officials, is the cap on charter schools in California. Current law states that no more than 100 new charters can be granted each year. In order to be eligible to apply for the RTTT funds, California will need to remove this cap from current statutes. This issue is also addressed **SB 2 X5 (Romero, Huff, Alquist, Wyland)**.

California State PTA has been an active participant in discussions in Sacramento involving the RTTT funds and California's eligibility. Members of the Legislation Team and the Education Commission worked together to craft testimony for a Joint Informational Hearing of the Senate Education Committee and the Assembly Subcommittee on the Budget and Fiscal Review on August 26. PTA also submitted comments on the proposed RTTT regulations to the U.S. Department of Education. PTA has

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been involved in ongoing discussions with the Assembly Education Committee as well as with our partners in the Education Coalition on these issues. We will be presenting PTA's positions on a number of issues related to the RTTT eligibility and competitiveness at a series of hearings scheduled by the Special Session Assembly Education Committee between September 29 and December 16. Recently we also assisted representatives of Ninth District PTA as they prepared to testify at an RTTT hearing in San Diego.

In written and oral testimony, PTA has highlighted five areas that are of interest to PTA within the framework of the discussions around education reform and RTTT:

- While PTA strongly supports the current focus on education reform, we believe **reform must be based on student needs** rather than be compliance driven.
- Because states must agree to participate in the process of developing national common core academic standards as a requirement of the RTTT application, PTA would caution that any **adoption of national standards and assessments must not lower our state standards** or negatively impact progress made toward aligning content standards, curriculum, assessment and professional development for teachers and administrators. California has some of the highest and most comprehensive content standards in the nation.
- PTA believes that **effective use of data is essential to reform**. PTA supports the development of a robust, longitudinal data system that makes key data available to help inform instructional practices in the classroom, to guide more effective school resource allocations and make student performance information available and understandable to parents and the community. We agree that student achievement data is one important measure of teacher performance, but that it should only be one component of a multifaceted evaluation model. PTA also supports the linkages of student data from preschool through post-secondary levels to provide data on the value of early learning opportunities and the effectiveness of transitions between K-12 and both early learning and post-secondary options.
- Expansion of **school choice and the role of charter schools** are at the forefront of the RTTT discussions. PTA supports parental choice within the public school system, and we believe that

charter schools have a valid place in that system. However, charter schools are most successful when proposed, developed and evaluated within the communities they serve. Charter schools must be held both fiscally and academically accountable to the parents and communities they serve. Charter schools must also be willing to accept all students, including students with special needs or English language learners. The issue of student and parental choice is further addressed in **SB 1 X5**, which includes provision for a very far-reaching open enrollment option. PTA has yet to take a position on this bill and we are studying the implications of this particular provision.

- **Governance and, in particular, local control, are of concern to PTA**. PTA believes that decision-making authority must be moved closer to the district and/or school site whenever it is in the best interests of children and families.

To read the text of PTA's testimony before the Senate Education Committee and/or comments submitted to the federal Department of Education on the proposed regulations for the Race to the Top funds, go to <http://www.capta.org/sections/advocacy/federal-legislation.cfm>. For more information, see the article by Federal Advocate Kayla Plourde in the DC Corner of this issue.

Stay tuned for further update as PTA continues to speak out on behalf of all of California's children on these important issues.

*Debbie Look*  
*Director of Legislation*

## Assessment, Accountability Bills Enrolled

Although the current session has ended and several PTA supported bills have been enrolled, we are still waiting to see which bills the Governor will sign by the October 11 deadline for action on bills passed by the Legislature in the Regular Session.

One enrolled bill of particular importance to PTA is **AB 476 (Torlakson), SUPPORT**, that calls for an independent study of The Standardized Testing and Reporting (STAR) Program, which is scheduled to sunset in July 2011. California has spent millions on the statewide testing system and administered thousands of tests to students in grades 2-11, yet there

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has never been an independent evaluation of the effectiveness of the STAR Program. One of the principles agreed to by California to receive the American Recovery and Reinvestment Act (ARRA) education stabilization funds is that we would work towards improving our assessment system. AB 476 would move California closer to meeting that requirement.

**AB 429 (Brownley)** is another enrolled bill that on which PTA has taken a **SUPPORT** position. PTA believes it is timely and needed given the implementation of CALPADS and CALTIDES and the ongoing work to move forward with the collection and use of education data in California. PTA's strong support is based on the 2008 Convention Resolution, Longitudinal Integrated Statewide Data System. Unlike other bills introduced in this session, AB 429 does not suggest a specific approach. Instead it asks the existing Public Schools Accountability Act (PSAA) advisory committee, established in 1999 to advise the Superintendent of Public Instruction on the accountability system, to consider many possible approaches where individual test scores that can validly be compared over time are developed and used to build up to an Accountability Performance Index (API) that is also longitudinally valid.

The California State PTA has also taken a **SUPPORT** position on **AB 836 (Torlakson)**, another priority bill awaiting the Governor's signature. This bill would require the Superintendent of Public Instruction to establish a task force for education technology to make preliminary recommendations on technology literacy model standards and develop a comprehensive statewide plan to increase and enhance the level of technology used to deliver instruction in California public schools. PTA has long supported a comprehensive, statewide, long-range technology education plan that provides an equal opportunity to such education for all students. The task force created by AB 836 would provide an opportunity for a public discussion of the many important issues that must be addressed, especially with respect to electronic learning resources and instructional materials and hardware and infrastructure. It will also ensure that California students will be able to demonstrate technology literacy beginning in 2010-11 as required by the U.S. Department of Education.

Two other important bills supported by PTA, **AB 97 (Torlakson)** and **AB 572 (Brownley)**, were moved to the inactive file on the last day of the ses-

sion. AB 97 would have established a process for the revision and review of the K-12 state content standards in the English language arts and mathematics subject areas. Since their initial development, there has been no vehicle to review and update California's standards. Given the nature of the standards, which guide classroom instruction, the state's assessment and accountability systems, and professional development programs, PTA supported the review required by this bill. **AB 572 (Brownley)**, which would have established uniform standards for open meetings and conflicts-of-interest for charter school governing boards, was also supported by PTA. With the current focus from the federal government on the expansion of the number of charter schools, PTA will continue to advocate for greater accountability and oversight consistent with our general principle that calls for adherence to strict ethical practices at all levels of government.

*Patty Scripser  
Education Advocate*

## **Brownley School Finance Bills Move to Governor's Desk**

Assemblymember Brownley, chair of the Assembly Education Committee, has led efforts to reform the way California finances its public schools, consistent with recommendations of the *Getting Down to Facts* studies completed in 2007. She has authored two bills now on the Governor's desk.

**AB 8 (Brownley)** requires the Director of Finance and the Legislative Analyst to convene a working group that will make findings and recommendations to the Legislature and the Governor by December 1, 2010 regarding restructuring California's school finance system. **AB 851 (Brownley)** requires the base revenue limit for each school district for the 2011-12 fiscal year to include an adjustment computed as specified in an effort to begin simplifying school funding.

PTA also supported another Brownley bill, **ACR 54**, Resolution Chapter 99, Statutes of 2009. It was chaptered on September 16. ACR 54 states the intent of the Legislature that the State of California generate sufficient funds for, and allocate sufficient funds to, education, so as to bring per-pupil spending up to or beyond the national average, and to a level that recognizes the actual cost of educating California's diverse student population.

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Late in the regular session PTA signed on to an Education Coalition letter in support of **SB 84 (Steinberg)**, a bill that was gutted and amended on September 10 to restore funding for the Quality Education Investment Act (QEIA) Program. A shortfall for the QEIA program was inadvertently created in the final budget. SB 84 is now on the Governor's desk.

The QEIA program authorizes school districts to apply for funding to allocate to elementary, secondary and charter schools that are ranked in either decile one or two of the Academic Performance Index (as determined in 2005). A total of \$402 million is allocated to implement this program, which involves reducing class size, implementing staff development, and reducing the student to school counselor ratio at school sites. According to the DOE, 487 schools receive QEIA funding.

**AB 1025 (Conway)** has also been enrolled and sent to the Governor for his signature. It would require volunteer coaches or coaches paid by non-school organizations to obtain from the Commission on Teacher Credentialing an Activity Supervisor Clearance Certificate issued by the commission upon verification of the candidate's personal identification and completion of a fingerprint-based background check.

*Cecelia Mansfield*  
Education Advocate

## Educational Counseling Bill Sent to Governor

The Legislature has sent **SB 272 (Wiggins)** to Governor Schwarzenegger for his signature. California State PTA has taken a SUPPORT position on this bill, which would "state legislative intent relating to the role of school counselors and counseling programs." Among other things, the bill would align the two types of counseling programs – school-district provided *educational counseling* and the state-funded *Middle and High School Supplemental Counseling Program* – so that an individualized review of a student's academic and department records, his or her career goals, and an explanation by a counselor of the requirements necessary for high school graduation and admission to college or career-technical education.

SB 272 would also allow counselors providing educational counseling to document a student's personal interests, skills and abilities, as well as career planning and course selection, and to assist pupils to

understand the effect of academic achievement on lifestyle and career success, the value of career-technical education and the importance of maximizing career options. The bill also sets requirements for what is included in ongoing professional development for counselors related to career and vocational counseling.

A number of other Education bills supported by California State PTA are entering the second year of the two-year bill process. We are looking forward to a new emphasis on educational reform, but it is unclear how these bills will fare in the current budget environment.

*Nancy Vandell*  
Education Advocate

## Foster Youth and Teen Pregnancy

California has the largest number of children and youth placed in foster care of any state in the nation, approximately 80,000 youth in 2007. While 10% of the nation's youth live in California, 20 % of the nation's foster youth reside in California. Outcomes for these youth as they "age out" of the child welfare system at 18 years of age are not very good. Only 40% complete high school and 1% go on to graduate from college. More than half of emancipated foster youth will be homeless, institutionalized, or dead within 5 years of leaving the system.

Most youth have their parents to rely on to ease the transition to adulthood, but foster kids have had that biological connection interrupted. The state must act as their parents while in the foster care system, and by extension, all of us as citizens of the state, need to adopt a parental outlook for foster youth.

Just as some teenagers and their families in the general population face the challenges of an unintended pregnancy, the situation is no different for teenage youth in the foster care system. Although teenage pregnancy has decreased significantly in the last 10 years, it remains common for girls in foster care. It has been estimated that by age 19, nearly half of all girls in foster care have been pregnant, and 31 percent have had a child. (Nationwide, 12.2 percent of girls have had a child by age 19.)

According to the Assembly Education Committee, there is no data on the number of children in California that are the offspring of youth in the foster care system; but there have attempts to get a fix on the numbers in other states. These numbers are

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somewhat in flux, but here is a sampler of what they have come up with:

- A 2005 study published by the Chapin Hall Center for Children at the University of Chicago, which followed 732 foster youth from Iowa, Wisconsin and Illinois, found that one-third of the 17-year-old and 18-year-old girls had been pregnant, compared to 13.5 percent of a comparable group of girls who had not been in foster care. Among 19-year-olds, nearly half of the foster youth had been pregnant at least once, compared to 20 percent of the girls outside foster care.

- A 2005 study by the New York City Public Advocate's Office showed that 16 percent of girls aged 13 to 21 who were in the city's foster care system in January 2005 either were pregnant or already had at least one child.

- A 2003 study by the Annie E. Casey Foundation of young adults who graduated from foster care found that 17.2 percent of girls had given birth to at least one child while in state care.

- A 2002 study reported that, among older foster kids in Illinois, pregnancy and giving birth doubled the risk of youth dropping out of school. The Child Welfare League of America also reported that 40 percent of young teen mothers graduate from high school, compared to about three-quarters of women who delayed their first birth until age 20-21.

Foster youth with children are likely to need a whole lot of services ranging from housing, parenting education, medical services for themselves and their baby and adequate reimbursements for the foster family still caring for the youth prior to emancipation. These youth are likely in crisis and now there are at least two lives to save.

The California State PTA supports government assistance programs intended to help families survive a temporary crisis and protect children from the extreme effects of poverty. The California State PTA believes that government has the responsibility to plan and coordinate these programs for families in need, establishing a clear definition of responsibility at each level of government and adhering to governmental fiscal responsibility, but keeping foremost the priorities of children and youth, including foster youth.

*Michael Butler*  
*Parent Involvement Advocate*

## Good News for a Change Healthy Families Funding Reinstated

One of the few pieces of good news to come out of this legislative session is the passage of **AB 1422 (Bass)**. This bill reinstates health care for the 600,000 children who were to be dropped from the Healthy Families program due to the budget crisis. Through a bipartisan effort, money was appropriated by imposing a tax on health insurance companies that provide coverage to the children. The companies will recoup the tax by the increased fees they will receive through the Healthy Families program. The passage of this bill allows the state to qualify for more federal money, which will cover the cost of the program. Admittedly this is a very convoluted process, but it gives a good example of how things are done in Sacramento. In the end, 600,000 children will benefit.

Unfortunately, one of the bills PTA supported **AB 95 (Torlakson)**, was gutted and amended. This bill originally would have appropriated more money for the free and reduced lunch program in the schools. California gives an additional twenty-one cents per child over the federal allotment for the free and reduced lunch program. In the month of November 2008 alone, the number of children who qualified for the program increased from the prior month by 12 percent. The original appropriation for the year did not anticipate such a large number of children in need of the program. The intent of the bill was to provide enough money to last through the end of the 2008-09 school year. Once it became clear that the bill would not pass, Assemblymember Torlakson gutted and amended the bill to address the issue of student athlete recruitment. We have since dropped our position on the bill.

**AB 627 (Brownley), SUPPORT**, is on the Governor's desk. This bill would begin a pilot program to improve nutrition and physical activity standards in a selected group of licensed day care facilities. In exchange, these day care facilities would receive a higher rate of reimbursement from the state. We supported this bill, although it has been amended several times from its original form, because more and more studies show that obesity in young children leads to a lifetime of health problems.

Most of the bills PTA has taken positions on for this session are now 2-year bills. Watch for updates when the Legislature reconvenes in January.

*Shayne Silva*  
*Health Advocate*

## Community Concerns Bills Awaiting Governor's Signature

California State PTA took positions on 18 bills in the areas of juvenile justice, teen driving and licensing, school grounds and facilities, and other community concerns. Of these, only five made it to the Governor's desk and are awaiting his signature.

**AB 870 (Huber) Crime: school grounds: prohibited weapons, SUPPORT**, was sent to the Governor for signature in September. This bill would prohibit bringing or possessing a razor blade or box cutter on school grounds. If the bill is signed by the Governor, it would become a misdemeanor to carry these items on campus. Also sent to the Governor for signature is **SB 315 (Liu) Pupil safety: walking schoolbus, APPROVE**. This bill would authorize school districts to establish and maintain a "walking schoolbus." A "walking schoolbus" is a group of pupils walking together to and from school with supervising adults; the goal of this bill is to ensure a more safe passage of students to their school sites.

Supporting media safety, California State PTA took a **SUPPORT** position on **AB 632 (Davis) Internet-based social networking: privacy**. This bill would require that social networking Internet sites (such as Facebook and MySpace) to provide social network site users with a disclosure regarding images that they post on their 'home page' or 'wall'. This disclosure would remind users that their personal photos and images could be uploaded and copied by others.

Two other safety bills supported by the California State PTA have been sent to the Governor. **AB 1015 (Torlakson) Nitrous oxide: prohibit sale to minors** would make it a misdemeanor to sell or give items containing nitrous oxide to a person under 18 years of age for the purpose of intoxication. This bill would not apply to the purchase of food products which use nitrous oxide as a propellant (such as whipped cream) or the use of nitrous oxide during dental procedures (commonly called 'laughing gas'.) **AB 1020 (Emmerson) Public swimming pools: anti-entrapment devices and systems** would require existing public swimming pools to be equipped with anti-entrapment devices or systems. Both of these bills would enhance the safety of our youth.

*Patty Christiansen  
Community Concerns Advocate*

## DC Corner

### Senator Harkin to Chair Senate Health, Education, Labor and Pensions Committee

Senator Tom Harkin of Iowa has stepped into the chairmanship of the Senate Health, Education, Labor, and Pensions Committee left vacant by the death of Senator Edward M. Kennedy. Harkin will play a central role in education-reform and health-care-overhaul legislation, top domestic priorities of the Obama administration. Harkin also sits as the chairman of the Senate appropriations subcommittee that oversees spending. The dual chairmanship means that there will likely be less of a disconnection between education policy and financing, said Jack Jennings, president of the Center on Education Policy. Even before this appointment, he had a lead role in passing the economic-stimulus bill, ARRA, which passed in February. He has been a champion for students in special education, working closely on IDEA and has been a supporter of physical exercise and child health as a component of education. Senators Harkin and Pat Roberts reintroduced legislation to fully fund special education during the week of September 7. This puts Harkin in a powerful position as Congress prepares to reauthorize the ESEA (or NCLB) and the IDEA acts.

### National PTA Calls For Reauthorization of the Juvenile Justice and Delinquency Prevention Act This Year

The 35-year-old Juvenile Justice and Delinquency Prevention Act (JJDP) is up for reauthorization. JJDP provides the major source of federal funding to improve states' juvenile justice systems and sets federal standards for the protection and rehabilitation of youth involved in the juvenile justice system. In California incarcerated youth are housed separately from adults in conditions suitable to youth. That is not true in some of the other states

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in our country. National PTA asks that PTA members in California add our voices in support of reauthorization. To take action please visit [capwiz.com/npta2/issues/alert/?alertid=14068986&PROCESS=Take+Action](http://capwiz.com/npta2/issues/alert/?alertid=14068986&PROCESS=Take+Action).

## Federal Economic Recovery Funds

California and other states have received an infusion of federal stimulus funds to help offset the effects of the downturn in the economy called the American Recovery and Reinvestment Act of 2009 (ARRA). There are additional federal funds coming aimed at changes in state and local programs, including education reform.

The first stimulus money is the \$48.6 billion State Fiscal Stabilization Fund (SFSF). This is one-time money to help stabilize state and local budgets in order to minimize reductions in essential public services.

Second is a \$4.35 billion competitive grant program called "Race to the Top." These are funds available to states to reform certain education practices to improve student outcomes. Draft regulations were published in July, and garnered comments from over 1,100 organizations and individuals, including California State PTA.

Initially Sixty-seven percent of the State Fiscal Stabilization Fund (SFSF) money was distributed, with the remaining thirty-three percent to follow when the state's strategies for recovery are approved. California was able to successfully apply for twenty-three percent of the additional money right now because our financial situation is so dire – this leaves only ten percent to be collected upon strategy approval. States were required to use almost eighty-two percent of these funds for education, so education will receive ninety percent of its share of the SFSF funding this year. Updated information is available at the U.S. Department of Education, <http://www.ed.gov/policy/gen/leg/recovery/state-fact-sheets/index.html>.

Finally is The Investing in Innovation (i3) Fund, a grant program with \$650 million expected to be available directly to Local Education Agencies, nonprofit organizations, or consortiums of schools in fiscal year 2010. The program will support the development, implementation, replication, and further

evaluation of promising innovative practices with significant evidence of improving student achievement. You can review more information at the U.S. Department of Education web site <http://www.ed.gov/programs/innovation/factsheet.html>.

## Race to the Top

States will be required to partner with school districts, which are in turn required to have buy-in from unions, parents, and the community. More information on the program can be found at the U.S. Department of Education, <http://www.ed.gov/programs/racetothetop/index.html>. There are some issues amongst the California education organizations (CSBA, CTA, CFT. ACSA, and others.) PTA's response follows:

- **Common Core (national) Standard and Assessments** - California has some of the highest and most comprehensive academic content standards in the nation as a result of long-term investment. The RTTT requirements are likely to include not just "participation" in development, but also "adoption" of the national standards and assessments. The concern is that these standards may have significant differences, or worse, be less rigorous.
- **Full Implementation, Access, and Use of Student Performance Data** - California State PTA continues to support the development of a robust, longitudinal data system that does more than just meet compliance requirements, but also makes key data available *i)* to inform instructional practices in the classroom, *ii)* to guide more effective school resource allocations, and *iii)* to make student achievement information available and understandable to parents and the community. In order for the data to be useful in these ways, the information must be available within days rather than months as it is now. RTTT funds could be used to continue the implementation of the CALPADS student data system and to link it to preschool and higher education.

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- Differentiating teacher/principal effectiveness and the effectiveness of teacher/principal preparation programs** - The final RTTT regulations are expected to require a link between student data and teacher/principal data for the purpose of using student growth as part of the evaluation of instruction delivery and curriculum support. California currently has law prohibiting this link referred to as a “firewall.” The concern among teacher unions and administrator organizations is that student performance data will become the primary measure of teacher/principal performance at the state level. This data will to be used in teacher/principal evaluations, compensation (merit pay), promotions, tenure, and dismissal decisions. This data will also be used at the state level to evaluate teacher/administrator preparation programs so that improvements can be identified. California State PTA believes that decision-making authority on personnel matters must be at the school district level. As it stands, local school boards can include student growth data as part of the evaluation process outlined in teachers’ contracts. Some of the education organizations argue that this covers the RTTT requirement.
- High-quality charter schools** - U.S. Secretary of Education, Arne Duncan clearly states that it is the goal of the Department to increase the number “high quality” Charter schools. They are to be held both fiscally and academically. California State PTA believes charter schools have a valid place in our public school system as laboratories for programs that, when successful, can be replicated. Public charter schools are most successful when proposed, developed and evaluated in the communities they serve. Additionally, charter schools must be willing to accept all students; they must 1) admit students based on a fair, equitable and timely process at all schools, 2) maintain the racial, ethnic, socioeconomic, and learning differences diversity of the receiving or sending schools/school districts, and 3) provide opportunities for meaningful involvement of parents.

The total potential funding California might receive from this fund is approximately \$500 million – this is only about 1 percent of the cuts to education over the last two years. However, the implications of the final RTTT regulations will go far beyond these funds alone. ESEA (or NCLB) will most likely be coming before congress this year for reauthorization. Requirements for the RTTT fund are thought to be indicators of what the new requirements of ESEA will be like, including Title I funding. Altogether this accounted for \$1.696 million in California in 2008, and is budgeted at \$1.727 million for 2009.

*Kayla Plourde  
Federal Advocate*

***Plan now to attend  
the California State PTA  
Legislation Conference  
Sacramento  
February 21-22***

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