

## April 20, 2010 Sacramento Advocacy Trip – Full Report

8 schools were represented:

3 High Schools – Aliso Niguel, Dana Hills & Tesoro

3 Middle Schools – Arroyo Vista, Las Flores and Marco Forster

2 Elementary School – Arroyo Vista and John Malcom

### 6 Attendees:

**Kim Anderson** CUCPTSA Legislative Co-Chair and Dana Hills High School  
Legislation Co-Chair

**Lori Abbott** CUCPTSA Legislative Co-Chair and Las Flores Middle School

**Kathy Fischer** Legislative State Co-Chair and Aliso Niguel High  
High School Legislation Chair

**Alli Maier** Sacramento Advocacy Chair, Malcom Elem /Marco  
Forster Middle School Legislation Chair

**Fran Sdao** Tesoro Legislation Chair

**Kathy Spencer** Legislative State Co-Chair and Arroyo Vista K-8 Legislation  
Chair

### Held 8 meetings:

- **Reggie Fair – Legislative Director, Senator Curren Price**
- **Edmundo Cuevas – Education Consultant, Assembly member Mike Eng**
- **Paul Navarro – Deputy Legislative Secretary to Governor Schwarzenegger**
- **Paul Richman/Debbie Look – Exec. Director & VP Advocacy, CAPTA**
- **Rachel Ehlers – Fiscal & Policy Analyst, LAO**
- **Juan Salazar – Senate Fellow, Senator Carol Liu**
- **Stephen Rhoads – Principal, Strategic Education Services**
- **Rick Simpson – Deputy Chief of Staff to Speaker of the Assembly, John Perez**

### Reggie Fair, Leg. Dir. Sen. Curren Price – Education Comm.

By: Kathy Spencer

Mr. Fair believes that both parties support education. The current deficit is around \$20B. The tax revenue signs are encouraging, waiting for the end of this month to see what the picture looks like. The economy is showing some signs of turning around.

Federal government may put \$2B in for education only, additional stimulus money. There is active talk to continue help to stem layoffs in the state.

He is optimistic that the May revise will be better for education.

Still have not fixed the current year deficit.

School payments are being deferred to July or even Oct.

State may have to borrow money to get over cash crunch.

The Senator supports property tax legislation.

He backs fully funding Prop 98. He does not support the lowering of the base by the Gov.

Education is owed money because of the maintenance factor. Restore schools to where they should be.

Education vis-a-vis the Gov. budget all depends on revenues. The Gov. has expressed his commitment to education.

Suspend Prop 98? If revenue stays low and the swap does not work, the Gov. may suspend it.

Part of the problem is the 2/3 requirement to pass the budget. Creates barrier, gridlock  
Difficult to come up with solutions – forces decisions no one is happy with.

Initiatives to create revenues:

Oil severance tax

Taxing wealthy individuals

Senator serves on the committee looking at long-term reforms. He supports some of the package.

Getting Down to Facts Study

Question of how we are spending our resources. Look more closely at what we do with that money

Senator would like to be part of positive force to stabilize education funding.

Supported RTTT and took a lot of heat from colleagues

He is struggling, wants to do what is right for the kids

Very interested in working on closing the achievement gap.

**Edmundo Cuevas, Legislative Consultant for Assemblyman Mike Eng, 49<sup>th</sup> District**

By: Fran Sdao

Mr. Cuevas assured us that Assemblyman Eng is a strong advocate for education although he has not authored any education bills this year. Assemblyman Eng's focus this year is finding revenue sources. One of his bills targets tax delinquents:

**AB 2332 – Contractors: Licenses.** *This proposal would authorize the Board of Equalization (BOE) to request the Contractors State License Board (CSLB) for a denial or suspension of a contractor's license for failure to resolve any outstanding final tax or fee liabilities.*

If passed and taxes can be collected this could result in about \$68 million to the general fund.

Mr. Cuevas stated that he thinks Assemblyman Eng would support approving a majority vote on budgets. The bigger issue for him is the revenue problem, which results from the recent decreases in both sales and property taxes.

We asked Mr. Cuevas to pass our message to the Assemblyman.

## Paul Navarro, Deputy Legislative Secretary to Governor Schwarzenegger

By: Lori Abbott

### Huff Bill (SB 955):

- Working on getting votes for the April 21 Senate Ed Committee hearing
- The Democrats should know it's time to make these changes, but the unions will be resistant
- Rank and file teachers should generally agree with what's in the bill, even if the union doesn't
- There was consideration of using parent choice of teachers to retain or fire
- There is no parental or student evaluations of teachers included in this bill.
- National President of AFT coming to testify against during the Senate Ed Committee
- There is currently momentum on this issue which needs to be maintained

We discussed sticking to the July budget agreement, and decreasing the \$2.4B additional education deficit from the January proposal if there is any extra revenue.

School districts need to frame every decision based on what is best for the kids.

A question was asked about the potential of firing teachers based strictly on how much money they make if seniority is no longer a criterion in firing. He indicated that would never happen because parents would be in an uproar. In addition, a good superintendent would never suggest that.

There is a movement to push all decisions to the local level. Remember that parents are the consumer.

It has been since the 60s since California schools were great; that is about the time when seniority came into play and the focus shifted to adults rather than kids.

90-95% of teachers are great; do not make experience the only criteria that matters.

We are losing an entire generation of teachers because they are concerned that they can be pink-slipped 7 or 8 years down the road due to seniority.

It is ironic that Republicans are teaming with the ACLU to fight on behalf of young teachers in poor areas with high job turnover.

School Finance Reform: Governor still does not care for the Brownley bill AB 2335; he believes the changes can be made without a bill; put something substantial in the bill.

Race to the Top: doesn't know if CA will apply in the second round; CA probably doesn't have much of a chance

CALPADS: the system had crashed earlier this year and the California Department of Education is still trying to work out problems

Meg Whitman:

- Richard Costigan, the current policy director for Meg Whitman stopped by. He talked about local control and putting parents in control.
- Ms. Whitman is working hard to understand how Sacramento works.
- Her focus is on jobs, the economy, and education
- She is not a fan of vouchers, but is pro-charter

**Paul Richman, Executive Director & Debbie Look, VP of Leg  
CA State PTA**

By: Kathy Spencer

State PTA has no position on the Huff bill, currently studying it.

The initial analysis is done, some things are liked, some not. Tying it to budget is not right.

Virtually everyone in the Ed Coalition is opposing it. There is just so much in the bill. There is the policy side and the politics side, which is dividing groups up in the Ed community. It is a way to divert away from the budget. There are things in it to support.

May revise may be the June revise. No one wants to make a difficult decision in an election year.  
May be worse than usual

Support RTTT

Talking about competitive salary structures

Different side than CTA on this one.

This year working on long term state budget changes

Too much in California Forward proposals. State PTA does not have authority on some of the pieces. Support some of general concepts.

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Supporting

Support idea of reform

Heard this morning that the 2/3 budget requirement amendment may make the ballot as an initiative.

Parcel tax does not look good. Some PTAs did not like it because they wanted the dollar amount to be larger.

CTA looking to repeal some corporate tax loop holes. Waiting to see if it qualifies before PTA takes a position.

The lawsuit is still pending, but it is on track

Maintenance factor money – still 3-4 years away from restoring

**Rachel Ehlers, Principal Fiscal & Policy Analyst,**  
**Legislative Analyst's Office (LAO)**

By: Kathy Fischer

Rachel's areas of expertise at the LAO include Before and after school programs, Childcare and Development, Early education, English learner issues, Home-to-school transportation, Special education, and Categorical funding and flexibility.

Highlights from the meeting

- Income tax return reports from the Franchise Tax Board indicate that the state's revenue situation may not be worse, but it also not much better.
- The Governor's Budget included \$7 billion from the Federal government, which is unlikely. More probable would be \$3 billion in Federal funding.
- Therefore, any increases in state revenues would be needed to fix "holes" in the January budget proposal.

The Governor's Spending Plan for K-12 Education as proposed in January is as follows:\*

Reduces school district revenue limits by \$1.7 billion:

- \$1.2 billion linked to proposal to reduce school district noninstructional spending.
- \$300 million linked to proposal to ease restrictions on school districts' ability to contract for noninstructional services.
- \$201 million linked to proposal to apply a -0.38 percent cost-of-living adjustment to most K-12 programs.

Also reduces county office of education revenue limits:

- \$45 million reduction linked to proposal for more consolidation of services.

Reduces K-3 Class Size Reduction program by \$340 million in 2009-10 and an additional \$210 million in 2010-11 (for a total budget year reduction of \$550 million).

\* Source: "LAO Recommendations for 2010-11 K-12 Education Budget." 16 Mar. 2010.  
<<http://www.lao.ca.gov/laoapp/PubDetails.aspx?id=2225>>

For the May Revision, the Governor has three options:

- 1) **Ignore the July 2009 Budget deal** which created \$9.9 billion in new maintenance factor (MF) obligations for the 2008/09 year bringing the total MF to \$11.2 billion. The Governor's January plan provides less funding in 2009-10 and 2010-11 compared to current law. This is largely because the administration assumes the state has no outstanding constitutional maintenance factor obligation.
- 2) **Fund Prop 98 under current law.** This requires either \$3 billion in cuts to other areas of the budget or \$6 billion in new revenues exclusively for Proposition 98 (or some combination of cuts/revenue increases).
- 3) **Suspend Proposition 98.** Provides maximum flexibility for the Legislature, which can then fund at whatever level it chooses.

Suspension might be the best option for now and create a Maintenance Factor to be repaid later.

Other comments:

Class Size Reduction (CSR) is gone for now and LAO recommends cutting the 2007/08 funding level by 20% and eliminating penalties resulting in 100% flexibility.

This last year was filled with major reforms in Education Funding due to the large amounts of flexibility in Categorical Funding. The question is whether these Categoricals (with no flexibility) will come back. That will be the discussion for this next budget year. It is a political issue.

Home-to-School Transportation funding needs to be evaluated and revised as there is large inequity across districts. The immediate recommendation is to include it in K-12 flexibility.

LAO is receiving criticism over its recommendations to make 10% cuts to County Education funding.

LAO would like to see certain aspects of Proposition 49 (after-school programs) repealed and the money included in K-12 General Fund.

The revenue "pie" will need to be bigger in order for Education to receive more dollars.

LAO has no position on the reforms suggested by California Forward.

There may be reforms under a new governor, but current candidates lack concrete ideas.

LAO will publish a report soon regarding school districts' response to the flexibility of 2009/10. Early indications are that districts were happy overall with increased flexibility.

**Juan Salazar, Senate Fellow, Senator Carol Liu**

By: Lori Abbott

Our group began by giving Mr. Salazar background information on CUSD. We let him know that we still need money restored in order to maintain our high test scores and standards.

May Revise:

- Hoping for increased revenues and waiting to hear the numbers from April, particularly the April 15 revenues
- No sense of whether any extra revenue would go to education
- Understands the problems local school districts face
- Governor's funding of Prop 98 is a shell game

Senator Liu's Education Bills:

- SB 1143 – Community College Funding
- SB 1199 (there's a new number now because teaming with Flores) – fee increase to higher education
- SB 1186 – Shift policy making from State Board of Education to Superintendent of Public Instruction; reduce student to academic counselor ratio

- Unknown Bill number – early childhood education
- Unknown Bill number – juvenile detention issues for children in foster care

Mr. Salazar indicated it is important to retain quality teachers. We left him with the message to take to Senator Liu that we cannot sustain further cuts to education.

**Stephen Rhoads, Strategic Education Services**  
(a lobbying, consulting and advocacy firm)

By: Fran Sdao

Mr. Rhoads believes that the Huff bill, SB 955, will not pass because of resistance from CTA. He consults for CTA.

He believes that one of the important issues for education is the flexibility that helped school districts deal with the current budget constraints. CASBO (California Association of School Business Officials) will argue for the continuation of the flexibility structure beyond the current 2012 sunset. Others will argue against an extension.

Mr. Rhoads shared a presentation he recently did for CASBO on Transportation and the State Budget.

School districts do not receive enough to cover transportation costs even with contributions from parents. Districts receive funds based on an old formula and funds are unevenly distributed across the state.

There is a proposal to address transportation funding by the LAO and Senate Staff to put it in Tier III flexibility category. A long-range funding proposal includes going after a portion of the \$11 billion of the maintenance factor.

School districts also need funds to address environmental impact issues of old buses. He shared with us a resolution that would exempt school buses from compliance with certain rules until there is funding available through the Lower Emission School Bus Program.

**Rick Simpson, Deputy Chief of Staff, Assembly Speaker John Perez**

By: Kathy Fischer

**Charter Schools**

There is a lot going on with charter schools.... Just to name two bills....

**AB 572 (Brownley) – Charter School Conflict of Interest**

As the number of charter schools have grown, so too have reports of some charter school board members engaging in inappropriate financial mismanagement. This bill will require charter school governing boards, like public school districts, to comply with laws governing open meetings, public records, conflict of interest and political reform.

*Status: Awaiting hearing in Senate Judiciary Committee.*

CAPTA has taken a “support” position on this bill.

**AB 2320 (Swanson) – Charter schools: accountability.**

Increases the role of teachers in the design, operation and governance of charter schools, and makes the governance and operation of charters transparent and free of conflicts of interest.

CAPTA has taken a “watch” position on this bill.

Rick made these comments regarding charter schools...

- National statistics on charter schools show that 17% perform better than traditional public schools, 37% perform worse, and 50% have the same level of performance.
- EdSource reports that in California charter elementary schools fall behind, charter middle schools fare a little better and charter high schools are equal compared with traditional public schools.
- Charter schools are not controlled or supervised by the local school board.
- Charter schools tend to have few Special Education, English Language Learners and minority students.

Public School Enrollment may be declining now, but it will grow again with an additional 1,000,000 students in the next 10-12 years.

### **SB 955 (Huff)**

A bill that would, in part, end the practice of laying off teachers exclusively based on seniority and would allow districts to lay off and transfer teachers based on effectiveness and subject need. It has advanced out of the Senate Education Committee (5-4). Simpson sees good elements in the legislation but does not believe it will pass in the Assembly.

### **May Revise and the Budget**

The budget will be late this year.

The increase in revenues (\$2.7 billion over projections) will make up for the overly optimistic prediction of Federal dollars (\$7 billion).

K-12 Education might fare better.

Suspension of Prop 98 is a possibility. The concern, however, should not be over suspension but over the amount of money allocated to Education.

The legislature must strike a compromise for funding to Education, health and human services, etc.

### **Joint Select Committee on Reform**

California Forward proposals are still being considered.

Performance based budgets

Legislative oversight

Longer forecasts

Pay-as-you-go

There is still discussion on the majority vote on the budget but not on tax increases.

There are three bills in each house from CA Forward dealing with the budget process and local government finances.

## **Governor's Line Item Veto**

A state appellate court ruled that Gov. [Arnold Schwarzenegger's](#) line-item vetoes last year reducing funding for several programs were constitutional, rejecting a challenge from various social service advocates, unions and Democratic legislative leaders.

Democratic leaders will be reviewing that decision.

## **Education Bills**

**AB 2272** (Block & Fletcher) dealing with CSR penalties. Democrats want to encourage participation in CSR and believe that changing the penalty structure would help that..

**SB 1381** (Simitian) Change the minimum age for children entering kindergarten. This bill would require that students starting kindergarten must turn five by September 1st of the school year. The new age requirement would be phased in over three years.

Rick gave us a brief history of this issue going back to 1985. It was revisited in 1992, but was defeated. It is still be determined what will happen this time.

## **Curriculum Standards Commission**

This commission will examine the math and language arts curriculum standards in anticipation of the movement to National core standards. The governor can make 11 appointments and the Assembly and Senate each have 5 slots for 21 members. The nominations will be announced at the end of April.

State standards will need to agree at least 85% with national standards. It appears that the National Common Core Standards look very similar to standards originally discussed in California in the late 1990's. The attempt will be to keep standards away from being "a mile wide and an inch deep." We do not want to confuse quantity with quality. Math standards may actually be the most challenging to revise.

## **Race the Top – Second Round**

Based on the lack of success California had in the first round, it is doubtful that the state will apply for the second round of funding. However, there may be additional Federal dollars coming to California Schools through other programs. Advocating for increased IDEA funding would be a good focus for California.