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CUCPTSA LEGISLATION/ADVOCACY TEAM

December 2017 Report

In Local News:

Trustee Martha McNicholas will be joining us at our January 12, 2018, meeting so we can get to know her better.

Dress Code Policy: The Board of Trustees is continuing to discuss potential changes to the Dress Code Policy for the district. At the November 8, 2017, meeting, Trustees could not agree on which direction they wanted the policy to move. They requested the staff create 2 different policies, one very specific to clothing types, lengths, etc. and the second policy more of a philosophical statement on dress with a supporting administrative regulation on how to support and enforce the policy. There was some public comment on this policy, both for the proposed changes and against any changes from the current policy. This will be back at the December 6, 2017, Board Meeting for further public input and Trustee discussion. The goal of revising the policy is to be gender neutral, supportive of a distraction free learning environment, and uniformly implemented across the district. It is the implementation and enforcement of any policy in a uniform fashion that will be the challenge for whatever policy is ultimately adopted.

Study of Language Immersion K-12 Program: Susan Holliday presented on how students attending CUSD Language Immersion programs are doing, specifically looking at differences in populations between the ELL (English Language Learners) in the programs and the native English speaker. The entire report is found in the November 8, 2017, Board Agenda and exhibits on pages 667-710 - link provided below. As a result of this analysis, the District is looking at how to better support our ELL students both in our Immersion programs and across the district. On a related note, in general it has been found that students in Immersion programs gain skills in English at a higher level than students in a single English only program. There was discussion of this on November 22 in Education Week - to read that article, please see http://blogs.edweek.org/edweek/learning-the-language/2017/11/dual_language_immersion_programs_boost_student_achievement_in_english.html

UPDATE on contract with CUEA (teachers) - At the moment the District and CUEA are heading towards fact finding. Per timelines, there is a chance that a final report from the fact finding team will be issued prior to winter break. Ryan Burris will provide an update on this at our meeting. Additional information from the District can be found at:

<https://capousd-ca.schoolloop.com/cuea> and from CUEA here is a link to their positions http://www.cuea.org/negotiations/1617_negotiations.php

Agendas from the most recent Board of Trustee meetings can be found here:

October 25, 2017 -

Agenda and Exhibits - <http://capousd-ca.schoolloop.com/file/1218998819331/1455438848279/6104486292345733875.pdf>

November 8, 2017 -

Agenda and Exhibits - <http://capousd-ca.schoolloop.com/file/1218998819331/1455438848279/1791218767939517423.pdf>

Audio Recordings of the Meetings in July 2017-June 2018 can be found at

<http://cusd.capousd.org/cusdweb/audio2017-18.html>

From the California PTA:

Volunteerism - "Volunteers are at the heart of PTA advocacy. We speak up for all children and families to make a difference at the local, regional, state and national level."

— Lea Darrah, 2017-2019 Director of Legislation

PTA volunteer legislative advocates representing the broad scope of the organization closely monitor pending legislation and testify at public hearings to ensure our voice is heard. The advocates include the director of legislation, state advocates, a federal advocate and consultants with specialized skills. They meet with elected officials and policy-makers, speak at meetings of the California Legislature and carefully monitor both state and federal legislation. Advocacy focus areas include education funding and policy, community and school safety, juvenile justice, child care and early education, children's health and other issues affecting kids and youth.

Volunteer advocates also analyze statewide ballot measures and determine California State PTA's position, based upon convention resolutions and other PTA authority. For questions or more information about our legislative advocacy program, please contact the Director of Legislation at legislation@capta.org.

Funding Forecast for California: Legislative Analyst predicts healthy revenues for California schools and community colleges for 2018. In the November the LAO published

its 4 year budget predictions and it shows there should be an increase in funds available to school districts for 2018, however, most of these increased funds will be consumed by the rising costs of teacher and other employee pensions that were previously covered by the state and are now being pushed down to individual districts for funding. See the complete article at https://edsources.org/2017/legislative-analyst-predicts-healthy-state-revenues-next-year-for-schools-community-colleges/590382?utm_source=newsletter

From Fourth District PTA:

Kathy Brevoort kindly attended the 4th District November 3 speaker series with Ron Bennet : Ron Bennet is the CEO of School Support Services - a well-recognized and respected employee owned company with expertise in education legislation, advocacy, policy, and local issues. Ron shared his insights gained over the past 30 years of working in education on the value of California teachers, the state of school district funding, issues with LCFF, and pending lawsuits challenging unions. For Kathy's entire report, please see the last 4 pages of this newsletter.

Kathy will be attending the 4th District December 1, 2017, meeting on behalf of CUCPTSA and her report on that meeting will be in the January 2018 Newsletter.

Talking Points for Legislative Chairs, November 2017

Details are in the November issue of the *Advocacy Communicator*.

- A number of bills that California State PTA supported have become law. They involve homelessness, lead in school drinking water, charter schools, and ingredients in cleaning products, among other things. The High School Exit Exam is now permanently gone, a principal can't give someone permission to carry a gun in a school zone, and schools may not shame students whose parents don't pay for school lunches on time.
- Sacramento Safari is coming in February! Are we going?
- We're only halfway through the two-year state legislative session and some of the bills that didn't pass this year can be brought up again when the lawmakers get back to business in January. CAPTA is opposed to a bill that would allow the state to open a STEM charter school in Los Angeles with no local participation or oversight. PTA supports two other bills, one that would allow middle and high schools to begin the school day later and one that would extend the probation period for new teachers from two years to three.

- Poverty is too big of an obstacle for some students to overcome and that is a big reason why we still have about 50,000 students dropping out of high school every year in California. The lives of these children and their families have to improve for the students to be successful.
- The Fourth District PTA Legislative Agenda, with advocacy priorities at the local, state and national levels, is now available at the Fourth District office or at www.fourthdistrictpta.org.
The California State PTA also has a Legislation Conference, which is held in January. If we can't go to the Fourth District Sacramento Safari, perhaps we can attend this one.

Back issues of the Communicator can be found at:

<http://www.fourthdistrictpta.org/advocacy-communicator/>

At the National level - Confirmation hearings for the second in command of the Department of Education have just happened.

US senate held confirmation hearings for the number 2 spot in the Dept of Education along with 2 nominees for the Dept. of Labor.

Mitchell Zais is up for the number 2 spot under Besty DeVos. He stumbled throughout the hearing. He said he believed in DeVos' agenda and supported school vouchers. He stated he believed when parents had the choice of schools for their kids their education improved. He was challenged with studies that have shown the opposite that test scores have gone down and negatively affected academic success. Zais then admitted his views were based on 'anecdotal evidence"

Zais also admitted being unclear what the law was regarding transgender students and their rights to use the bathroom. He agreed that no child should be bullied but was unaware of the US Supreme court ruling allowing transgender children to use the bathroom of their identity. He would not commit to whether or not LGBTQ students are a protected class.

In addition he was unable to answer basic questions about what their job would involve. Democratic senators were frustrated by the lack of transparency and ability to answer questions.

For further information please see: https://www.washingtonpost.com/news/answer-sheet/wp/2017/11/15/trump-nominee-for-no-2-spot-at-education-department-stumbles-on-key-questions-at-confirmation-hearing/?utm_term=.f1d3f49d36ea

From the National PTA:

Stop Budget Cuts: Federal funding for public education programs has remained at 2% of the federal budget for decades, despite the increase in public school enrollment and the rising cost of education resources and services. This disparity between funding levels and actual costs means that the federal government has essentially enacted cuts to classrooms. #STOPCutsToClassrooms

National PTA statement by President Jim Accomando on Tehama School Shooting - (Nov. 14, 2017) "National PTA is deeply saddened to hear of the shooting today near Rancho Tehama Elementary School in Corning, Calif. Our thoughts and prayers go out to the students, families, educators and administrators impacted.

"Any act of violence at a school or involving children and youth is intolerable. Every student deserves to learn and grow in an environment that is safe. And no parent should fear for the safety of their child every time they leave home. Sadly, the threat of gun violence for children has increased and our country has experienced far too many gun-related tragedies. It is urgent that families, educators, school administrators, community leaders and elected officials work together to prevent violence in schools and ensure that all students have a safe environment in which to thrive and learn.

"It remains a top priority of National PTA to promote safety for children and youth and improve education. National PTA has a strong history of supporting and advocating for policies in the areas of gun safety, violence prevention, juvenile justice, mental health and students' overall well-being.

"National PTA is committed to supporting students, families, schools and communities in coping with and preventing violence. The association offers a variety of resources that can be downloaded at [PTA.org/SchoolSafety](https://www.pta.org/SchoolSafety)."

Advocacy letters for National PTA: On PTA.org website under Advocacy tab, there are several letters that can be downloaded and sent to your Representative and/or Senator. Issues such as protecting transgender children, concern over Betsy DeVos and school vouchers, encouraging parent engagement (ESSA), protecting Federal nutrition programs, and many more

The 115th Congress is considering the following legislation items. The National PTA is supporting (green checkmarks) or opposing (red x) the following items:

Child Health and Safety

H.R. 695: Child Protection Improvements Act of 2017 (115th Congress) 

H.R. 2160: Best to Use Safety Belts Act of 2017 (115th Congress) 

H.R. 2401: To amend the Richard B. Russell National School Lunch Act to prohibit the stigmatization of children who are unable to pay for meals. (115th Congress) 

H.R. 2926: REACH Act (115th Congress) 

H.R. 3006: To amend the Richard B. Russell National School Lunch Act to require the Secretary of Agriculture to make loan guarantees and grants to finance certain improvements to school lunch facilities, to train school food service personnel, and for other purposes. (115th Congress) 

H.R. 3580: To promote State requirements for local educational agencies and public elementary and secondary schools relating to the prevention and treatment of concussions suffered by students. (115th Congress) 

S. 705: Child Protection Improvements Act of 2017 (115th Congress) 

S. 786: Student and Student Athlete Opioid Misuse Prevention Act (115th Congress) 

S. 1064: Anti-Lunch Shaming Act of 2017 (115th Congress) 

S. 1402: A bill to amend the Richard B. Russell National School Lunch Act to require the Secretary of Agriculture to make loan guarantees and grants to finance certain improvements to school lunch facilities, to train school food service personnel, and for other purposes. (115th Congress) 

Early Learning and Childhood Education

H.R. 3773: Child Care for Working Families Act (115th Congress) 

S. 1806: Child Care for Working Families Act (115th Congress) 

Elementary and Secondary Education

H.R. 627: Streamlining Energy Efficiency for Schools Act of 2017 (115th Congress) 

H.R. 1864: To amend the Elementary and Secondary Education Act of 1965 to allow local educational agencies to use Federal funds for programs and activities that address chronic absenteeism. (115th Congress) 

H.R. 2475: Rebuild America's Schools Act of 2017 (115th Congress) 

H.R. 3246: To amend the Elementary and Secondary Education Act of 1965 to establish a Teacher Advisory Committee and a Parents and Families Advisory Committee. (115th Congress) 

S. 383: Streamlining Energy Efficiency for Schools Act (115th Congress) 

Gun Safety and Violence Prevention

H.R. 1478: Gun Violence Research Act (115th Congress) 

Juvenile Justice and Delinquency Prevention

H.R. 1809: Juvenile Justice Reform Act of 2017 (115th Congress) 

Post-Secondary Access and Opportunity

S. 1615: Dream Act of 2017 (115th Congress) 

Private School Choice and Vouchers

H.R. 610: To distribute Federal funds for elementary and secondary education in the form of vouchers for eligible students and to repeal a certain rule relating to nutrition standards in schools. (115th Congress) 

H.R. 895: Educational Opportunities Act (115th Congress) 

H.R. 1387: To reauthorize the Scholarships for Opportunity and Results Act, and for other purposes. (115th Congress) 

H.R. 4269: Public Funds for Public Schools Act (115th Congress) 



Links to all of these bills for further information can be found at:

<https://www.pta.org/home/advocacy/federal-legislation/Key-legislation>

Entire Report on Ron Bennet's Presentation to 4th District by Kathy Brevoort:

Ron Bennett is the CEO of School Services of California. School Services of California, Inc., (SSC) was founded in 1975 by Ken Hall, former Deputy Director of the Department of Finance during the Reagan administration. It has since evolved into the premier business, financial, management, and advocacy resource for educational agencies in California. Since 1999, the company has been led by its current CEO, Ron Bennett. More than three decades of leadership by only two long-serving CEOs has given the company and its employees the continuity necessary to provide a finely focused array of services to public education in California.

During its evolution from a small sole proprietorship to a full-service diversified company of more than 30 dedicated professionals, SSC has also become employee owned and is an award winning Employee Stock Ownership Plan (ESOP) Company. Much of the strength of the company is found in the active participation of every staff member in providing the highest quality, value, and service to each and every client.

The leadership team and staff members come from the ranks of school business officials and California state government. They are seasoned executives with the skills, talents, and abilities to solve problems effectively because they have walked in the shoes of the client.

Whether the engagement is for information services, legislative or governmental relations, financial and business consulting, executive search, or innovative workshops and training that are designed to help in solving problems and improving student performance, SSC is the recognized expert. SSC has 7 registered lobbyists in Sacramento.

Ron Bennett sits on the board of "fact finders" to assist negotiations between school districts and teachers to reach a contract agreement. He is part of a negotiations team.

Good leaders always look for solutions and listen to all sides. Ron Bennett doesn't always agree with Gov. Brown's politics, but says Gov. Brown does listen to all voices. Mr. Bennett

teaches "How to Negotiate" classes. A good negotiator knows his own side- a great negotiator knows and understands both sides.

The idea of the Local Control Funding Formula was first thought of when Gov. Brown was mayor of Oakland. He talked about eliminating the categorical in school funding, which he found challenging. When he became Gov., his goal was to create the Local Control Funding Formula and the Local Control Accountability Plan.

The Orange County Department of Education is one of the best in the state. The OCDE looks at budget vs. LCAP Plan for each district- if the district has a plan that does not align with the budget, OCDE kicks it out and sends it back to the district to re-evaluate.

California teachers are the biggest bargain in the nation. They serve 50% more students than nationwide, teach in the highest class size, lowest number of classified / support systems in nation.

Public education bashing is a problem in California. Teachers' salaries are in the top 3 states in the nation, one reason due to the cost of living in California. The idea is that a teacher contributes more to their community and needs to live in the community where they teach. It is important to have a respect for public education. A teacher shortage exists in areas of California, districts are paying incentives such as moving. During a strike, it costs a teacher with an average salary at least \$500 a day including losing service credits each day.

If teacher salaries are high, classes tend to be large- ex. Garden Grove School District- one of the largest class sizes, with high teacher salaries. San Francisco has the lowest class size in state which includes lower teacher salaries. San Francisco is pricey to live, but class size is valued.

Gov. Brown says that this is the last year of good increase in school funding. There is a 2% increase in school funding, so teachers believe they need to grab what they can now- teachers are bargaining hard.

Up until 3 years ago, the state budget was passed by a 2/3 vote. This meant that Republicans and Democrats had to somewhat agree. Now the budget is passed with a majority vote. California is typically a 2/3 Democratic house, so the majority party typically gets what they want. This does not cover all sides.

One of the biggest issues in California right now is the Friedrichs v California Teachers Association et. al..Ron Bennet believes this issue is still alive and will resurface again next year.

History:

The Center for Individual Rights is representing nine California teachers and the Christian Educators Association International in a landmark effort to re-establish the right of individual teachers and other public employees to decide for themselves whether to join and support a union. The suit claims state "agency shop" laws, which require public employees to pay union dues as a condition of employment, violate well-settled principles of freedom of speech and association. While many teachers support the union, others do not and the state cannot constitutionally compel an individual to join and financially support an organization with which he or she disagrees.

Typically, California teacher union dues cost upwards of a \$1,000 per year. Although California law allows teachers to opt-out of the thirty percent or so of their dues devoted to overt political lobbying, they may not opt out of the sixty to seventy percent of their dues the union determines is devoted to collective bargaining. Requiring teachers to pay these "agency fees" assumes that collective bargaining is non-political. But bargaining with local governments is inherently political. Whether the union is negotiating for specific class sizes or pressing a local government to spend tax dollars on teacher pensions rather than on building parks, the union's negotiating positions embody political choices that are often controversial.

Political Opt-Out is Burdensome

To opt out of the thirty percent of their dues that even the union concedes is used for overtly political activities, teachers must file for a refund each year according to a precise procedure that effectively discourages its use. As a result, many teachers contribute hundreds of dollars in dues each year to support political positions in a variety of areas having nothing to do with education and with which many of them disagree.

Because of the death of Justice Scalia, the Supreme Court voted 4/4. Now that there is a new Supreme Court Justice, this may change.

California is known as a "pro-union" state. The goal is to create legislation regarding "orientation". This is time set aside for unions to come in and talk about the benefits of joining a union.

Another issue is SB 328- (Portantino). He is a "Hollywood guy"- independent. It is proven that kids do not do well early in the morning- this bill supports middle and high school students to begin the school day no earlier than 8:30 a.m. Although California State PTA supports and is working with Portantino, the general feeling is of no support in Sacramento. As a financial consideration, this messes up the bus schedules, and creates havoc with having multiple children in different schools with same start times. Mr. Bennett thinks this will re-surface in January.

This is the last budget for Gov. Brown. He has allowed no changes in the LCFF & LCAP. The legislature does not like this and wants to be able to have control to support a bill on a categorical fund and put their name on it. Special Interest groups also support this. Technically Gov. Brown eliminated rules and created flexibility with the LCFF, but the categorical programs were still there. Mr. Bennett is worried about the legislature dismantling the LCFF.

Concerning Calsters & Calpers- Every employee hired in one of these plans- the plans are defined and managed by the state. In 2001, both plans had no deficits and were operating in the positive. So, the state increased the benefits for the already retired. Then California hit a bust-this became a deficit. The state answered by not funding the plans adequately for years.

The state answer is to increase funding, but not enough. Pushes it on to the local school districts. It will take about 4 $\frac{1}{2}$ billion dollars for restoration. Not a priority for the state legislature.

Ron Bennett says CalPERS is a political machine. It is social investing- did not invest in the right things. 80% of CalPERS comes from earnings, not contributions.

Ron Bennett is not sure why the stock market loves President Trump, but it is good news for the state's investments. Gov. Brown is very conservative and planned for about 8% capital gains, which in reality should come in around 20%. California should have lots of extra money to spend. Ideally, he could decide to fully fund Calpers and Calsters. This will be a political choice.

Federal money for education usually goes down with a Republican majority, but it usually gives more flexibility. In 2009, the "Great Recession" was technically over. 2013-2014 is

more of the year for California- took a bit longer. California is doing well with unemployment rate down.

Next advocacy forum- January 12, 2018 Mental & Emotional Health of Kids

Fourth District Advocacy Meeting- Dec. 1- Location change- OCDE Room

Orientation of Sac Safari - Feb. 2, 2018

End of forum- Notes by Kathy Brevoort

Sources-California School Services <http://www.sscal.com>

Friedrichs-v-California Teachers Association <http://www.cir-usa.org/cases/friedrichs-v-Calif-teachers-associations-et-al>