

CUCPTSA ADVOCACY NEWSLETTER MAY 2016

FEDERAL

California Goes to the Voting Booth on June 7

Courtesy of the League of Women Voters of California Education Fund, let members know that they can get the facts before voting by visiting VotersEdge.org/ca:

- Use your address to get a personalized ballot
- Get in-depth info on candidates, measures, and who supports them
- Check where, when, and how to vote
- Keep track of your choices and use them to vote

Remember that as a non-profit organization, PTA falls under IRS election guidelines. Here are some important guidelines to keep in mind this election season:

PTA Can:

- Host a candidate's forum: all candidates appearing on the ballot for a given position must be invited to participate and given equal time to respond.
- Publish a candidate's questionnaire: all candidates must be given the opportunity to answer the questionnaire and responses must be printed exactly as written.
- Register voters: volunteers must register all eligible voters regardless of party affiliation or political views.
- Remind members to vote.
- Educate candidates on issues important to PTA.

PTA Can Not:

- Invite only one candidate in an election to come speak to the PTA.
- Tell PTA members to only vote for a candidate who supports X position.
- Distribute any campaign materials on behalf of a candidate.
- Wear campaign buttons or t-shirts during a PTA meeting.

STATE

California State PTA Supports Prop 30 Income Tax Extension on November Ballot

State PTA has taken a **support** position on The Tax Extension to Fund Education and Healthcare Initiative, an initiated constitutional amendment proposed for the California ballot on November 8, 2016. The measure would extend the temporary personal income tax increases approved in 2012 on incomes over \$250,000 for 12 years to be used for education and healthcare funding. About 89 percent would go toward K-12 schools and 11 percent to state community colleges. This income tax was approved in 2012 under Proposition 30. Proposition 30 also had a sales tax component that this initiative would not extend.

Proposition 30 raised about \$6 billion per year since it was approved in 2012. Without extension through approval of this measure or another like it, the income tax approved under Proposition 30 was designed to be phased out starting in 2018. The sales tax part of Proposition 30 was designed to expire at the end of 2016. Elimination of these taxes would likely result in flat revenues for schools, and cuts in the event of a recession.

According to the official ballot summary, the initiative bars use of education revenues for administrative costs, but provides local school governing boards discretion to decide, in open meetings and subject to annual audit, how revenues are to be spent.

State Courts of Appeal Rule on Two Education Cases

Robles-Wong v California is a lawsuit that attempts to clarify the state's constitutional obligation to provide education to all students and has been making its way through the California courts for more than five years. The plaintiffs, of which PTA is one, claim that inadequate state funding denies children their right to an education that prepares them to compete and succeed in our global economy. In April the three appellate justices of the First District Court of Appeals split 2-1 in favor of the State of California. Two justices ruled that the state Constitution does not mandate a minimum level of funding for education and that it is not appropriate for the courts to decide how much money schools should get. The dissenting judge wrote that the Constitution's mandate to provide education "implies the need to maintain public schools at some minimum level of competence" and that the courts are capable of making this happen. The plaintiffs said they are appealing the case to the California Supreme Court.

Vergara v California is a lawsuit filed on behalf of nine students by Students Matters, a nonprofit organization, which charges five state laws that provide job protections for teachers are to blame for the state's achievement gap and violate the rights of low-income students. In April, the three justices of the Second District Court of Appeal unanimously ruled that there was no constitutional violation because plaintiffs failed to show "that the statutes inevitably cause a certain group of students to receive an education inferior to the education received by other students." The judges said that school district administrators, not the statutes, decide where low-performing teachers are placed. "The court's job is merely to determine whether the statutes are constitutional, not if they are 'a good idea,'" the decision states. In 2011, a Superior Court judge ruled that California children do have a fundamental right to an education, but the state Constitution does not require the Legislature to fund public education at a specific level. The plaintiffs plan to appeal the case to the California Supreme Court.

LOCAL

District May Consider Facilities Bond Measure on November Ballot

CUSD may ask voters to approve a bond election in November to upgrade schools. The district, spanning 200 square miles, has 62 schools, nearly 70 percent of them more than 20 years old and 30 percent are at least 40 years old, the district reported. In early May, Capistrano Unified planned to do a telephone survey to test possible dollar figures and evaluate the viability of a bond election; the survey results will help the district determine whether to try a bond election and, if so, how much funding to pursue. It could be in the \$500 million range.

A 2009 CUSD Facilities Master Plan, updated in 2013, identified more than \$800 million in needs. A community committee formed by the district in 2015 developed 24 recommendations and presented them to the school board in December. The main proposal of the committee according to CUSD's Clark Hampton, was to pursue a general-obligation bond and seek matching funds from the state. No matching funds are available now, but a \$9 billion statewide bond election in November could provide matching funds.

Irvine Unified School District is doing a \$319 million bond election in June, and Orange Unified is considering a bond. The CUSD Board of Trustees could vote in June on whether to place a bond on the Nov. 8 ballot.

“Regardless of whether a bond measure passes or not, we have a recovery plan which is putting more money each year until 2021 into deferred maintenance,” Hampton said. “That’s to get us back to where we can at least keep up with the major things that need to be done – the health and safety issues that have to be done. Some things won’t be done. There will come a time when there has to be a major investment in schools.”

(Quotes from *OC Register*, 5/2/16)

CUSD Considers Secondary School Charter

The Capistrano Unified School District Board of Trustees on April 13 postponed denying the charter application for Global Business Academy and instead opted to give information to the county Department of Education for its final decision on the application.

The board had offered conditional approval of the charter application on March 23 so long as the school agreed to work with district staff to modify the application to meet 42 specific conditions. Michelle Lopez, legal counsel for the academy, notified the district March 24 that the academy declined the district’s conditional offer and that the school would appeal the approval process with the Orange County Department of Education. Instead of formally denying the application at its April 13 meeting, the Capistrano Unified board scheduled a special meeting.

Global Business Academy sought to establish a business and entrepreneurship school for sixth-through 12th-graders in the district for the 2016-17 school year. According to its application, the school aims to “integrate entrepreneurial curriculum with high technology and nontraditional learning methods.” However, the district board’s first review of the academy’s application found several areas of concern, including a lack of sustained funding sources and partnerships with UC Irvine that proved to be overstated.

(Source: *OC Register*, 4/21/16)