

Dec 10, 2009 Sacramento Trip Report

Attendees:

Lori Abbott – CUCPTSA Legislative Co-Chair & Legislative Co-Chair Las Flores MS
Kim Anderson – CUCPTSA Legislative Co-Chair & Legislative Co-Chair Dana Hills HS
Kathy Fischer – State Legislative Co-Chair & Legislative Chair Aliso Niguel HS
Erin Kutnick - Legislative Chair San Juan Hills HS
Alli Maier – Sacramento Advocacy Chair, Legislative Chair Marco Forster MS & Malcom Elementary School

Roger Mackensen – Senate Republican Education Consultant

Report by: Alli Maier

- RTTT hearings – US Secretary of Education has a lot of discretion with this funding & it will be a competitive process. The money will go to states that are willing to make changes.
- The Romero bill is a lot about school choice.
- Many of the education organizations are in opposition to the Romero bill as they prefer the status quo, although he senses that the tide is turning and people are tired of the way things are being done today.
- Key issues that still need to be resolved are: charter schools, open enrollment & the parent trigger component.
- He sees good success with the additional flexibility schools were allowed this year and thinks this is a good time to push for that flexibility to be extended through 2013/14.
- Now is the time to implement reforms and do them well. Then the argument could be made to Republicans that reform has been done well so now please give us the additional dollars that we need.
- Prop 98 will have a really tough couple of years but after that will begin to increase again.
- Details of the Governor's January budget proposal are not known yet but what is known is that there are no more tricks left. Possibility that California is betting on more federal assistance.
- California has very high prison costs compared to other states.
- On the Senate Ed Committee's radar:
 - Ø There will likely be fewer bills and therefore fewer mandates
 - Ø Advocate for greater & extended flexibility
 - Ø If State PTA wants to align with someone, better for it to be with EdVoice than the CTA.
 - Ø CTA only cares about the teachers, tenure, job protections, they want more dollars and to increase their membership.

Terry Anderson – Associate Vice President, School Services of California

Report by: Erin Kutnick

School Services of California has been retained by CUSD to represent management in the current negotiations with CUEA.

- Some of the best talent at school services is working with the district
- SSC makes recommendations but it's up to the school board as to whether or not to implement them

Budget Update

- LAO released their report last month
- \$2 billion Prop. 98 deficit projected for 11/12
- Prop. 98 was lowered by over a billion dollars in the current fiscal year
- Projected \$334 million deficit in Prop 98 for 10/11
- Flexibility is going to go away
 - CSR ends in 10/11
 - Other flexibility ends in 11/12
- Projected \$21 billion budget gap over the next 2 years
- Things are getting worse
 - One-time savings are going away
 - Many of the assumptions for savings never materialized
 - Recent shortfalls were caused by lack of revenue
 - Now the revenues are more stable but we have shortfalls in other areas

UCLA Anderson School of Business forecast

- The national recovery began last summer
- The economy is highly medicated because of stimulus money
- The recovery may be temporary due to all the intervention
- California
 - Unemployment will peak at 12.7%
 - We are dragging the nation down due to our major budget issues that continue

New speaker of the house announced today

- John Perez
- Most of the "big 5" are termed out. Only Darryl Steinberg remains after 2010
- 2011/2012 is going to be a very bad year

Midyear cuts

- Most likely no mid-year budget cuts
- Big cuts will be coming in 10/11 and even bigger for 11/12
- School districts need to look at making very large budget cuts
- The cuts will have to be in Personnel
- This will be a state-wide problem

CTA Position

- CTA statewide is not negotiating because they like their current contracts
- Say they didn't create the problem
- CTA will have some ballot initiatives
- Local unions more willing to bargain since they don't want to lose teachers

School Services

- Doing a survey now of districts state-wide to find out the average class size and the length of the school year
- Will use this data to help districts make budget and lay-off decisions

Budget and State Reform

- This is the “issue” of the year
- Everyone agrees the current state governance doesn’t work
- Need to reform education finance (more local control)
- New more districts to be like basic aid districts
- Need to have the revenues coming from property tax (more stable)
- California Forward
 - Pushing for more local control
 - Local money stays within the district
 - 2-year budget cycle
- Bay Area Council
 - Has 2 initiatives going to the ballot
- Some ideas that have been suggested for reform
 - Part-time legislature
 - Term limit changes
 - No district or state can adopt curriculum
 - No state taxes can be used for schools
 - Worried about doing reform just to say it’s reform
- Constitutional Convention
 - Cannot discuss any changes to Prop. 13 including split roll tax
 - Has a lot of restrictions on it already
- Open primary ballot initiative coming in November
 - Won’t be a cure-all
 - Voters have tied the hands of legislators with all the different props that tie up money
- Cal-grant (entitlement) program is in jeopardy
- CSBA and ACSA are considering litigation for adequate funding
- ARRA monies
 - Don’t know exactly when the payment is coming
 - Special Education and Title 1 money
 - § 50% has gone to the state
 - § 20% of that has gone to districts
- State Fiscal Stabilization Funds
 - State has received about 90% of the funds
 - Districts got some of that to back-fill their budgets for last year
- Race to the Top
 - There is a requirement that we have to be approved for the 2nd installment
 - Not everyone is on-board with the urgency
 - The assembly bill has a 5-year sunset
 - The senate is permanent
- Prop. 98
 - We need adequate funding and more equal funding
 - Ed coalition has “hung their hat” on Prop. 98
 - Prop. 98 is too easily manipulated
 - Need more local funding
 - Prop. 98 is a slippery slope
 - Need to look at the adequacy studies
 - Still need oversight

Jim Wilson – Senate Education Chief Consultant
Report by: Kim Anderson

After 37 years in the Capitol, Jim Wilson will be retiring at the end of this year.

Race To The Top (RTTT):

- In all likelihood, nothing will ultimately happen on the RTTT legislation but they are preparing to apply for RTTT funding anyway.
- The bills would have enhanced our chances of receiving grant money but California is already eligible & competitive.
- 52% of application is about what we have already accomplished and 48% is the outline of what we plan to accomplish.
- Already have high standards, aligned assessment and CALPADS is in place.
- SBx5 2 (Simitian) is a trailer bill to SB19 (Simitian) and therefore very similar but with some technical details. It would be possible to amend SBx5 2 to include some provisions of both SBx5 1 (Romero) and ABx5 8 (Brownley) and then send back to the Senate.

2010/11 Budget:

- There is not much more categorical flexibility to give although we are likely to see what categorical flexibility we have now extended.
- Unlikely that the Governor will propose new revenues although the VLF should be considered, as should a gas tax and a split roll tax.
- Possible that Prop 98 will have to be suspended although he anticipates that we'll look to the feds to bail us out.
- 98 school districts currently have a "negative" qualification.
- Maintenance of Effort (MOE) waiver has not been applied for. The Feds will usually provide one though if they believe that the crisis is genuine.

Charter School Movement:

- California has good Charter School laws, although we are likely to see more stringent controls as Obama is calling for strong Charter School accountability.
- Deal was, "If we suspend the rules, we need to see results."
- We shouldn't be unfriendly to Charter Schools.
- Interesting to see if Locke School succeeds.
- Predicted that within about 20 years, Charters will be fully merged with public schools.

Reform:

- Really need to re-write school finance. Would include ADA reform, a weighted pupil funding system and categorical reform.
- Desperate for governance reform – need some constitutional reforms, maybe some on initiative process.
- Term limits are a problem – they've created a lack of knowledge and long term thinking.

Gerry Shelton – Assembly Education Chief Consultant

Report by: Lori Abbott

Despite an extremely hectic day of Race to the Top hearings and floor sessions, Gerry Shelton took a few minutes to talk to us on his way to the Race to the Top appropriations hearing. He had been advising Assembly Member Julia Brownley on her ABx5 8 bill.

He shared with us that he truly had no idea how the internal struggle between 2 competing bills (one from Assembly Democrats sponsored by Julia Brownley and one from Senate Democrats sponsored by Gloria Romero) was going to play out.

As we spoke with Gerry, the Governor was holding a mini press conference indicating he would veto the bill from the Assembly Democrats if it comes across his desk.

Gerry stressed that the different approaches between the Senate and Assembly bills to secure the changes needed to seek Race to the Top money was not a struggle between Assembly Member Brownley and Senator Romero.

The bill coming from the Assembly Democrats looked closely at what changes were really needed to apply for RTTT money. Gerry stated that school choice was not a RTTT requirement and the Assembly Democrats would not tolerate that in their bill. Also, if the cap on charter schools was eliminated, then there would need to be accountability for charter schools.

Gerry indicated there was a philosophical difference in the approach to reforming the lowest performing schools. The Senate Democrats were punitive in their approach, whereas the Assembly Democrats were looking at ways to go in and help them change.

Paul Navarro – Deputy Legislative Secretary to Governor Schwarzenegger

Report by: Kim Anderson

The meeting with Paul was very brief as he was embroiled in the Race To The Top bills.

- The budget situation is extremely dire with an almost \$21 billion deficit projected over the next 18 months.
- It is too soon to say what the Governor's January proposal will look like, but it won't be pretty.
- Lots of discussion about the various components of the two RTTT bills (Romero's & Brownley's).
- Paul confirmed that the state had NOT applied for a MOE waiver

Rick Simpson – Deputy Chief of Staff to Speaker, Karen Bass

Report by: by Kathy Fischer

The consuming topic in the Capitol on Thursday was *Race to the Top* and, specifically, AB x5 8 (Brownley). The bill had passed through the Assembly Education Committee on Wednesday (December 9th) with a 10-6 vote (nine votes are needed to pass a bill out of committee). The Senate version of *Race to the Top*, SB x5 1 (Romero), was defeated that same day in the Assembly Education Committee by a vote of 6-5-6. Democrats Buchanan and Perez abstained from voting while Democrats Eng, Fuentes, Hall, and Republican Jeff Miller were absent. Nine votes are needed to pass a bill out of a committee. Therefore, with only 6 affirmative votes, SB x5 1 failed.

We watched the end of an hour-long discussion on AB x5 8 in the Assembly Appropriations Committee. Chair Kevin DeLeon (D) was reminding all committee members and speakers to limit comments to the fiscal aspects of the bill rather than policy points. There were several comments criticizing the parent involvement portion of the bill. In particular, Assembly Democrat Charles Calderon said getting 50 percent of parents to sign a petition would be daunting. "This language makes your entire proposal look disingenuous," Calderon told Brownley. He said he would vote for the bill to go to the Assembly floor, but wouldn't vote for it there. Mr. DeLeon cut off discussion just short of 4:00 p.m. so that the Assembly could go into floor session to vote on AB x5 8. The bill passed out of the Appropriations committee along party lines – Democrats "for" and Republicans "against".

While waiting for assembly members to enter the chamber, we were able to meet with Rick Simpson. We discussed the *Race to the Top* bills and he made the following points:

- AB x5 8 follows recently released *Race to the Top* (RTTT) guidelines whereas SB x5 1 includes items which are not needed to qualify for RTTT funding.
- AB x5 8 includes a provision that triggers a school board hearing on how to change a school if 50 % of parents sign a petition. However, the bill does not require specific action on the part of the school board.
- SB x5 1 has the same 50% parent threshold to bring an item to the school board but goes beyond AB x5 8 in that parents can force the school board to enact one of four reform options.
- Simpson feels that SB x5 1 takes too much power away from school board trustees and does not allow for the voice of the minority (versus majority) to be heard. He feels that trustees should maintain their power to make decisions and not be trumped by a group of parents. He said, "Parents do not own schools;" they belong to the entire community. He also asks, "Who speaks for the minority?" under the Romero bill.
- SB x5 1 does not make California competitive for RTTT. The provisions for open enrollment, lifting of the charter schools cap, and parent involvement are not needed to qualify for RTTT. Simpson feels that these elements are not good ideas.

Comments by legislators and groups favoring the Senate Bill – SB x5 1

- SB x5 1 makes the state competitive for RTTT funds and goes beyond in enacting needed long range and lasting reforms for Education. It is also a bi-partisan bill co-authored by Senators Gloria Romero (D-Los Angeles) Bob Huff (R-Glendora), Elaine Alquist (D-Santa Clara), and Mark Wyland (R- Escondido).
- AB x5 8 is supported by the California Teachers Association (CTA) an organization reluctant to make far reaching reform.

- Proponents of SB x5 1 see civil rights as the major issue. Low performing schools are damaging to students from lower socio-economic backgrounds and delays in fixing these schools hurt children.

What happens now? There are several possibilities....

- The governor has promised to veto AB x5 8 if passed by the Senate.
- The Senate Education Committee could "kill" AB x5 8.
- AB x5 8 could be amended by the Senate Ed Committee.
- SB x5 1 and AB x5 8 could be "merged together" using the best of both bills.

Both sides are very pessimistic and think both the Senate and Assembly bills may fail. Whatever happens to the bills, California will still apply for the RTTT funding of \$700 million.

Switching to other topics, Rick Simpson is very pleased with John Perez being the new Assembly Speaker and looks forward to working with him. Simpson is not as optimistic about the budget which he describes as a "train wreck". The 2010/11 budget will be a challenge.

We finished off our visit with Rick Simpson by going into the Assembly session and listening to debate from the members. Comments against AB x5 8 centered around the bill not being strong enough in Education reform because it restricts charter schools, restrains reform, and does not provide parents enough power to make change. Bruce Nestande (R) said that the AB x5 8 maintained the status quo and did not provide reform. Ted Gaines (R) called the Romero bill more "revolutionary than evolutionary" compared to the Brownley bill. Audra Strickland (R) described AB x5 8 as "meandering through mediocrity." Jim Nielsen (R) called the bill a "march to maintain mediocrity." Tom Torlakson (D) countered that AB x5 8 "embodies the reforms the Feds want" such as revising 10 year old standards and the STAR testing. At the end of discussion, AB x5 8 was passed by the Assembly with a vote of 47-25. It now moves over to the Senate.

Gov. Schwarzenegger calls the Assembly bill a "watered-down" reform and vows to veto it. "I'm interested in what the Senate has done," he told news media. "It was a great package and we want that to be voted on and I think that the watered-down education reform is terrible."

Highlights of the two bills are as follows:

AB 8 X5 follows recently released Race to the Top guidelines and will improve education for all California students by:

- Identifying the persistently lowest-achieving schools, requiring them to implement one of four models for transforming to higher-achieving levels.

- By August 2, 2010, requiring the State superintendent to develop a set of state content standards in language arts and mathematics that are internationally benchmarked, that build toward college and career readiness, and that reflect the national common core standards being developed by a national consortium of education leaders.
- Removing the cap on the number of charter schools that can operate in the state, while requiring modest new fiscal and academic accountability standards for charter schools that are consistent with those for traditional public schools.
- Targeting a portion of the federal RTTT funds to low-achieving schools for high-quality, targeted professional development to leverage a positive environment in schools.
- Continuing to expand California's data system and to use that data to improve classroom instruction and to better inform parents and the public about student progress.
- Maximizing the amount of the new federal funding that is allocated to local education agencies.
- Including a provision that triggers a hearing on how to change a school if 50 percent of parents sign a petition. The school board retains flexibility over how to change a school.

Source: "Race to the Top Education Grant Process Nears Finish Line" at <http://democrats.assembly.ca.gov/templates/ademmain.aspx?articleid=877&zoneid=2>

SB X5 1 does the following to make California eligible and competitive for a *Race to the Top* grant:

- Establishes a plan for turning around the bottom 5 percent of California's persistently lowest-achieving schools, including charter schools, and allows parents to petition for a school to be turned around.
- Removes the cap on the number of charter schools authorized to operate in California and establishes two working groups to ensure that California has high-quality charter schools.
- Provides open enrollment options for students stuck in schools that are identified as low-achieving, defined to be those in program improvement, corrective action, or restructuring, *and* also ranked in deciles 1 to 3, consistent with existing federal law.
- Requires the Governor, Superintendent of Public Instruction, and the State Board of Education to jointly develop a plan with Local Educational Agencies that *choose to participate* for submission in *Phase 1* of the Race to the Top grant competition and authorizes the State Board of Education to provide each participating LEA relief from compliance with Education Code provisions in order to implement activities in the state plan.
- Requires the state's Race to the Top plan to address the need for improvement in Science, Technology, Engineering, and Mathematics (STEM) education.

- Establishes the Science, Technology, Engineering, and Mathematics (STEM) and Career Technical Education Educator Credentialing Program to provide alternative routes to credentialing and get more STEM teachers into the classroom.
- Requires the State Board of Education to adopt reading, writing, and mathematics academic content standards that include new standards from the Common Core State Standards Initiative but also maintain or exceed the rigor of California's existing standards.
- Authorizes greater *use of data to improve instruction and student learning* and as one of *multiple measures* of teacher and administrator performance and employment decisions (not standardized test results alone) – as decided at the local level subject to *collective bargaining*.
- Positions California to maximize its chances for a Race to the Top grant AND ensures that California begins to make real progress on the reforms that will be the cornerstone of reauthorization of the Elementary and Secondary Education Act and that will impact allocation of potentially billions in future federal funds for public education.

Source: Senator Gloria Romero at <http://dist24.casen.govoffice.com/>

Between leaving the Assembly Appropriations Committee meeting and meeting with Rick Simpson, we were given passes to the Assembly floor.

Speaker Karen Bass came through the room where we were meeting with Rick Simpson and greeted us all. Rick shared that were members of the Capo Unified PTA Legislative Team and she commented that she remembers us well due to our advocacy efforts making news in the Capitol!

