

CUCPTSA Legislation Briefs – September 2009

LOCAL

Meeting Change: Monthly CUSD board meetings will now be held Tuesdays at 7:00 p.m. instead of Monday evenings. Please visit capousd.org for a list of the 2009/2010 meeting dates.

Waiver: CUCPTSA was asked to take an official position on the Trustee's Request for a Waiver. A special committee met and determined that PTA had the authority to take a position and subsequently returned a **Support** position. The **Support** position refers to the waiver of the special election only.

Background Summary:

- Currently, trustees in our district are elected "From-Trustee Area" which means that candidates must reside in a geographic/trustee area within the district's boundaries, but *are elected by all the voters who reside in the district's boundaries.*
- A petition has been brought before the Orange County Committee on School District Organization seeking to change method of election to "By-Trustee Area". In this case, candidates must reside in a specific trustee area and *are elected only by the voters who reside in the same trustee area.*

Orange County Committee Hearing:

- The County Committee must hold a public hearing within the district's boundaries. It is scheduled for September 30 in the board room at CUSD.
- Following the public hearing, the County Committee must, by resolution, either approve or reject the petition. This leads to 3 possible scenarios:
 1. Reject the petition – the change in trustee election methodology will not be put before the voters at this time.
 2. Approve the petition and set an election date for November 2010 (the district's next regular election) at a cost of approximately \$8,500.
 3. Approve the petition and set an election date for June 2010 (an earlier special election in which there is no scheduled district election) and a cost estimated to range from \$400,000 - \$500,000.

Waiver (waive the election requirement):

- The CUSD Board of trustees decided to initiate the waiver process with the State Board of Education. The waiver would only come into play if scenario #3 exists. The waiver would allow the board to avoid the expense of a special election. If the waiver is approved, there would be no Special Election, and the change in trustee election methodology would occur.
- The board must hold a public hearing on the waiver request - scheduled for September 15. Following the hearing, the CUSD board will vote on whether to proceed with the waiver request.
- For those that are not able to attend the September 15th public hearing, but who wish to share their views with the CUSD Board of Trustees, comments may be submitted to Julie Hatchel, CUSD's Chief Communications Officer, at: jhatchel@capousd.org or (949) 234-9427.

CUSD Budget:

Additional state budget cuts since June 2009 total approximately \$7.81 million. This revenue reduction comes from revenue limit cuts, transportation cuts, and a grant offset. CUSD will account for the \$7.81 million by a spending freeze/sweep of categorical funds from 2008/2009, capturing money from Adult Education and deferred maintenance (both of which may be paid back from the 2nd round of ARRA funds), and further use of undesignated, unallocated reserve dollars.

- The 2009/2010 budgeted enrollment was 52,203 with the current enrollment at 52,414 (as of Sept. 10).
- The 2010/2011 budgeted expenditures are \$379 million. Approximately \$25 million in cuts for 2010/2011 are projected, which is 6.6% of the budget.

Negotiation Update:

- CUEA – There is an impasse in mediation. The next meeting is scheduled for Sept. 25. Although there is no new contract in place, CUEA members are working under last-year's contract, which is still valid.
- CSEA – Progress is being made. The next meeting is scheduled for Sept. 14.
- Teamsters – The next meeting will be in October.

STATE

California State Budget:

- The 2009-10 State Budget was signed by the Governor and enacted on July 28th. It projects \$89.5 billion of revenue and \$84.6 billion in spending. The new budget relies on \$1.2 billion in cuts to prisons, \$2 billion in borrowing from local government, and \$1 billion in deferral of payments to K-12 Education.
- Proposition 98 was funded at the minimum guarantee for both 2008-09 (49.1 billion) and 2009-10 (\$50.4 billion). Due to declining revenue, these figures were reduced from the amount included in the budget agreements of 9/2008 and 2/2009. On a positive note, the July Budget Agreement includes restoration of \$9.5 billion of cuts to K-14 Education when the economy rebounds.
- The state is currently projecting a deficit for 2010-11 of \$7-8 billion. The governor will announce his proposed budget for 2010-11 in mid January.

Finance Reform:

- Governor Schwarzenegger created the bipartisan "Commission on the 21st Century Economy" to re-examine and modernize California's out-of-date revenue laws. The Commission has 14 members and will suggest changes to revenues that will result in a more stable revenue stream. The Commission will report findings by September 20, 2009, and the Legislature is expected to be called into special session to consider the recommendations.
- California's school finance system is viewed as extremely complex, outdated, and an impediment to significant progress in K-12 education. AB 8 (Brownley) proposes a working group to create a simple, more transparent accountable system better aligned to the educational needs of students. The bill passed in the Assembly and is awaiting action on the Senate Floor.

State Legislature:

- The regular session ended September 11th. The Governor is dissatisfied with Legislature's progress on the issues of water legislation, prisons, and renewable energy, and has promised to veto any legislation submitted to him that does not focus on these three areas.
- Democrat Steve Bradford was elected to the State Assembly in a special election on September 8th to fill the vacant 51st Assembly District seat. Bradford replaces Curren Price (D-Inglewood) who resigned in June.
- Mike Duvall (R-Yorba Linda) resigned his seat in the State Assembly on September 9th. The Governor has 14 days to call a special election to fill the vacancy in the 72nd Assembly District.

State Government Reform Movement:

There is a growing push to reconstruct the way state government is run. Two groups (outside of state government) in particular are leading the charge – *California Forward* and The Bay Area Council.

On August 13th, 2009, *California Forward* submitted its list of proposals to Governor Schwarzenegger and the four legislative leaders. Their proposals include:

- Reducing budget vote requirement from 2/3 to simple majority
- Ensuring that funding sources are identified for any new programs
- Use one-time revenues for one-time programs
- Give local governments more control over their revenues
- Term limit reform – reduce total time newly-elected legislators are allowed to serve from 14 years to 12 years, regardless of whether the time is spent in the Assembly or the Senate.

The Bay Area Council, which includes Google and Yahoo, is calling for a California Constitutional Convention. In this scenario, 400 California residents would look at the state's problems and draft a new blueprint for statewide government to go on a statewide ballot.

Please note that on September 25th, Bay Area Council President & CEO, Jim Wunderman, is scheduled to speak at 4th District PTA's Advocacy Roundtable at Fountain Valley School District Board Room. All PTA members are welcome. For details, please go to: www.fourthdistrictpta.org or http://www.fourthdistrictpta.org/legislation/roundtable_flier_9-25-09.pdf

On September 3rd, California Senate President Pro Tem, Darrell Steinberg, and Assembly Speaker, Karen Bass, announced the creation of a legislative Select Committee on Reform, which is tasked with "making government more efficient and accountable" and "diminishing the influence of special interests."

Parcel taxes:

- In light of the economic conditions, many school districts are turning to parcel taxes to fill in money that is no longer coming from the state. In California, 15 of 23 education parcel taxes have passed so far in 2009. Last year, 17 of 21 education parcel taxes passed. The new taxes range in amount from \$78 to \$795.
- The Senate Constitutional Amendment authored by Senator Joseph Simitian (SCA 6), which would allow for school districts to approve a local parcel tax with a 55 percent majority rather than the two-thirds majority, is currently pending in the legislature.

Race to the top funds and California's special session:

Gov. Schwarzenegger has called a special session in order to consider legislation that could dramatically change California's education system. The goal of the Governor's proposed changes is to qualify the state for the federal "Race to the Top" money. The proposed reforms include:

- Adopting a merit pay system that would reward effective teachers and give them incentives to work at low-performing campuses;
- Abolishing the current cap on the number of charter schools that can open every year;
- Forcing school districts to shut down or reconstitute the lowest-performing schools or turn them over to charter schools' independent management;
- Allowing students at low-performing campuses to transfer to a school of their choosing;
- Requiring school districts to consider student test data when evaluating teachers, something the federal government believes is prohibited under current state law.

Sen. Gloria Romero, along with Senators Huff, Alquist and Wyland, has drafted Senate Bill 1 in the special session, which would allow use of student achievement data in teacher evaluations.

FEDERAL

FEDERAL STIMULUS PACKAGE (ARRA) FUNDS:

The U.S. Department of Education recently released an additional category of federal stimulus funds that will help pay for technology for schools (EETT funds). California received \$71.6 million dollars from the EETT federal stimulus funds, which will be in addition to the regular EETT grants.

On September 4, the U.S. Department of Education also announced that it is releasing the second installment of the ARRA funds for Title I, and IDEA (special education) early. These funds had been scheduled to be released by September 30. California has not yet announced the timeline for distribution of these funds to school districts, or the amounts that school districts can expect to receive. In addition, California filed a request with the U.S. Department of Education in August for immediate release of 90% of the state fiscal stabilization portion of the ARRA. Those funds are designated to be used for education and public safety.

NCLB Reauthorization and Senate Education Committee Chair:

- Experts expect that NCLB/ESEA will be reauthorized and amended sometime during the next year. President Obama supports changes in assessments under NCLB, and is expected to focus on reform and incentives for school improvement.
- On September 9, Senator Tom Harkin was appointed to be the new chair of the Senate Health, Education, Labor and Pensions Committee, and will be involved in any efforts to reauthorize NCLB. Harkin has a history of supporting spending for special education and school facilities.