

Voter

*The League of Women Voters
Of Fremont, Newark and
Union City*



The League of Women Voters of Fremont, Newark and Union City

Presents:

ONECARENOW Health Care for All!! Featuring State Assemblyman Alberto Torrico

Senate Bill 840—Single Payer Universal
Healthcare—A Viable Remedy for California's
Sick Health Care System

Wednesday, July 18, 2007

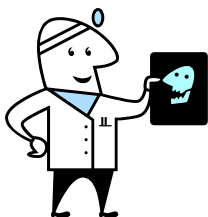
Fremont Main Library

2400 Stevenson Blvd.

Fremont, CA 94538

7:00—8:45 PM

Visit www.lwvfnuc.org
for more information



PRESIDENT'S ANNUAL REPORT

We have just finished an exciting, exhausting League year. Just in time to start with another one.

Everyone was involved one way or another with our League Kickoff meeting— a pro/con on our local Measure K, the Coyote Hills Initiative. We did not take a position on it but we did on Measure L, the Fremont Utility Users Tax. We supported L.

In October we registered voters, distributed 5000 LWVC pros & cons, held 11 candidate forums on 6 different evenings, produced a Voting Matters Cable program with the Pros & Cons of Prop. 86, 88, & 89, and our Speakers Bureau had 7 engagements on the Initiatives. We also produced our own Pro/Cons on Measure K and L. A separate committee produced two Candidate Information Booklets, one for Fremont and one for Union City.

We held a rummage sale and a Weekenders fundraiser in between all the election work. And many of our members worked at the polls on Election Day as a fundraiser.

In November we heard about the “Population Fix: Breaking American Addiction to Population Growth” and the same evening we had a consensus meeting on the Alameda County Study on “appointing or electing a County Superintendent of Education.”

In December we partied as we brainstormed issues that we would like LWVC to study.

“An Orientation on Islam and the Muslim World” was the subject in January. We also took part in the LWVBA League Day hearing about “Successful Smart Growth Design for the Bay Area, with a focus on housing. In February we heard Don Weden tell us about “Winds of Change: Adapting our Communities to the Changing Realities of the 21st Century.” The next month we answered the consensus questions of our local study on Washington Hospital Governance. We also gave testimony before the 3 City Councils, 3 school boards and 4 agencies (ACWD, USD, Ohlone College & Washington Hospital) about Sunshine Week or transparency in government affairs.

In April we took part in Fremont's Earth Day and produced our own forum on “Solving Global Warming One City at a Time.” We finished the year with “The New Juvenile Hall: Focusing on Health Care at Juvenile Hall.” Our Annual Meeting in June featured Senator Ellen Corbett recounting the legislative year.

In between all the above, our members produced a lot of Action (see Action Committee report) and followed environmental issues throughout the Bay Area (see Environment Report.) We had members putting on a monthly cable TV program, producing an award winning newsletter, processing new members, publicizing all our programs and activities, training new leaders, answering our phone, distributing the mail from our postal box, balancing our budget and recording the business at our Board meetings.

We get so much done because we have a great tem. Won't you join us?

—Miriam Keller

ACTION COMMITTEE ANNUAL REPORT FOR 2006—2007

Action Committee does what its name says. We take ACTION in your name. Under the Board's direction, we study issues, educate ourselves and the membership, and take action in the public arena. We often request your help by way of the E-Tree when we need your assistance to inform officials of our opinions and requests.

The members of the Action Committee are: Miriam Keller, Syeda Yunus, Alex Starr, Kay Emanuele, Sam Neeman, Susan Gearhart, Ken Ballard, Seham E-Ansary, Jean Holmes and Marilyn Singer. Our new member, Martha Crowe, has observed our meetings and may consider joining us. All members of the League are welcome at our meetings, and we invite you to join us. We work hard and love what we do.

The Observer Corp is a part of Action, and it is an area where we could really use your help. An Observer attends or watches public meetings and keeps the Committee informed of actions taken by their board members. If there are issues that the Observer thinks the League needs to pay special attention to, he/she write this on an electronic form and alerts the Action Committee. Observers are literally our eyes and ears. Currently we have the following workers: Pat Lewis at Washington Hospital; Ellen Culver at USD; Julice Winter at EBRPD; Helen Boyer and Vesta Wilson at FUSD, Miriam Keller at Fremont Council; Joanne Landers and Ken Ballard at Ohlone. There are many other boards to watch, so if you would like to help in this area, let us know. Sam Neeman has all the documentation materials on the computer and will train you to use them to make your reporting easy and paperless.

Action Members are "specialists". This means that each member has chosen an area of work and focused on it. The specialist enlists the entire Committee to assist when action needs to happen in his/her area. The following are the specialty areas:

Health Care- Syeda Yunus
Housing- Miriam Keller

Alameda County- Miriam Keller
Transportation- Alex Starr
Environment- Susan Gearhart
Community Colleges- Ken Ballard
Voting Matters- Kay Emanuele
Documentation- Sam Neeman
Finance- Jean Holmes
Open Government- Alex Starr
County Measure A- Ken Ballard

Off Action Committee are Ken Ballard on the FUSD Bond Oversight Committee and Bob Monkman on the Library Commission and the FUSD Bond Oversight Committee.

Our monthly cable program, Voting Matters, is a collaborative effort with Action and the Cable Committee. Kay Emanuele is the cable producer, and John Smith is the director. Others on the sub-committee are Miriam Keller, Alex Starr, Vesta Wilson, and Ann Halligan. Kay will be arranging for cable training so if this appeals to you, please sign up for the training when it is announced, and join the cable crew. This year's program schedule follows:

July- Green Construction
August- Initiatives
September- FUSD
October- Patterson Ranch Proposal
November- Hetch Hetchy
December- The A's
Jan.- Alameda Creek Alliance
Feb.- Health Care
March- Fremont Police Academy
April- Cool Cities
May- Health Care tape
June- City of Fremont Senior Services
July- Juvenile Health Services

During this year, we educated the public on measure K, Patterson Ranch and Measure L, the Fremont Tax Measure. We wrote two Pros and Cons on these issues, a first for us. We have a sub-committee working on the issues of Safe Schools with FUSD. The major focus of this sub-committee has been the implementation of AB 537 which adds gender issues to the

list of harassments. We continue to work on the issues of open government as we encourage public bodies to inform the public of meeting times, post minutes and agendas and to provide background information on their websites. Health Care has been a major thrust as we carry out State League policy to work for universal health insurance by supporting SB 840, and we continue to advocate for improvement of the Hetch Hetchy System at the Bay Area Level. Our Documentation has been converted to an electronic system which we are all still learning to use. Cool Cities was a major issue as we participated in Earth Day and held a forum. All three cities were asked to support and sign a Climate Policy to decrease global warming, and Fremont and Newark did so.

Transportation agencies are being closely monitored along with affordable housing. Finance is a part of every issue and proposal so it is considered carefully when we make decisions to support or oppose issues.

Currently, we are beginning to study the issue of numbered seats at Ohlone, we are educating ourselves on the A's proposal and we will be watching the development of the Patterson Ranch.

At the Board Retreat, it was decided that Environment will be a sub-committee of the Action Committee with Susan Gearhart heading the committee. We now have sub-committees on Safe Schools, Voting Matters and the Environment that report to Action through their chairpersons. All actions taken by these committees will be cleared through Action Committee and approved by the President and the Board. No actions are ever taken without the President's approval, and no testimony is given unless the text is written and approved.

Action is a great committee to be on if you want to learn about issues and work to solve them. Come join us.

—Marilyn Singer, Action Chair

WEBMASTER'S REPORT

In April we launched the new Members Only web site. This is where we can share "League Only" information. You can follow what is going on with the Action and other LWVFNUC Committees, see Observer Reports, make use of various tools to make your job easier (Leadership Tools), and other information. The Google Search Engine has been added to the web site to make it easier to find things. The

Members Only web site is a secure web site and you will need to know the User ID and Password to log on. You should have received this information with an email and your copy of the Guide to Government. You can contact the Webmaster if you have any questions about how to log on to this web site. I would like to thank Sam Neeman for all her help and suggestions to make this web site a reality.

On the public web site

(www.lwvfnc.org), we have added the Google Search Engine as well. You can also now watch the "Voting Matters" cable programs on your computer if you have broad band access to the Internet.

LWVFNUC.ORG has received approximately 32,000 hits since June 30th of last year.

—Peter Starr, Webmaster

PUBLIC RELATIONS REPORT

Monthly Press Releases announcing monthly meetings/events sent to local Media.

Additional Media articles/Press Releases:

July 2006; League of Women Voters-FNUC rolls out Voter Information Booklet

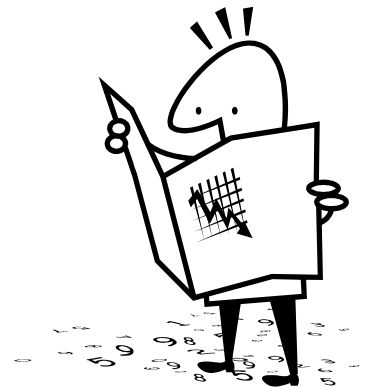
October 2006: Ran Ad in support of Measure L

October 2006: Article about Forums that will be broadcast on Comcast Cable

February 2007: Sunshine Week Posters distributed to Councils, Boards and Senior High Schools

April 2007-Cool Cities My Word. Ran Ad in Argus re: Cool Cities meeting April 28

—John R. Smith, Public Relations

**TREASURER'S REPORT**

Pam Garcia, who took over as Treasurer in July, 2006 has decided to move to Oakland. For that reason, she felt that she had to resign effective the end of March, 2007. I think we all can express our appreciation to Pam for serving as treasurer and give her best wishes in her new home. Thank you Pam.



Over the past several years, we have built up sizable cash reserves due to our efforts in the Sikh elections, the Democracy Dinner held a year ago, and profits from the Candidate Information Booklet. With the approval of the Board, we have consolidated our savings with this excess cash and invested it in a \$20,000 Certificate of Deposit with the Fremont Bank. The interest on this investment should yield \$900 to \$1000 a year in comparison to the \$100 to \$200 a year that we have received in the past. This cash reserve gives us a lot of flexibility to do things in the future that we would not be able to do otherwise.

—Peter Starr, Treasurer

VOTER REPORT

The Voter was published 10 times. All issues contained a President's Message, Board Briefs, news and events of our League, news of other Leagues or events of interest to our League, a mission statement, a non-partisan statement, committee reports, an invitation to join the League and a calendar. Some issues contained a thank you to our sponsors, notebook pages on current issues, welcome to new members, upcoming local, regional, state national League events and corrections TO our roster. One issue contained the "Call to the Annual Meeting. The Voter is on our website.

—Vesta Wilson, Voter Editor



ENVIRONMENT DIRECTOR REPORT

The Environment Director of LWVFNUC has the job of educating our League members and the public of the present condition of our environment and the changes that are being suggested by Federal, State and Regional agencies to halt the pollution and stem the effects of global warming.

We gave the Mayors of Fremont and Newark certificates of recognition for signing the U.S. Mayors' Climate Protection Agreement. We produced a cable program on the role of transportation and carbon emission in global climate change. We participated in Fremont's Earth Day, handing out and discussing information to the public concerning what they could do to help our environment. We presented a Forum at the library on the problems of Global Warming. Our speakers included Kirstin Mill from Eco-city builders, Jeffery Greenblatt with Environmental Defense, Jennifer Love with Build It Green and Justine Burt from NASA Ames.

We followed multiple agencies creating program and policies on global climate change; the S.F. Bay Area Conservation and Development Commission (BCDC), the Joint Policy Committee, the Cal. Dept. of Transportation, and the Cal. Air Resources Board. Also the Governor's bill AB 32. We followed the South Bay Salt Pond Restoration project and the Alameda Creek removal of dams.

Ongoing projects that we are following are: the Patterson Ranch area, the Newark Areas 3 and 4 (1200 housing units plus an 18 hole golf course), and the San Francisco Public Utilities Commission (SFPUC) Water System Improvement Program (WSIP). The latter comes right through Fremont and Newark and contains many projects to increase the sustainability of Hetch Hetchy water in the event of an earthquake. We should also study the environmental impacts of the Oakland A's building in Fremont.

You are invited to download the many items that we are in the process of putting on our League web site and to join our Environment Committee

—Susan Gearhart



THANK YOU

Ellen Culver, Syeda's friend Roohini, Kay Emanuele, Barbara Friedrich and Jane Mueller helped me pass out flyers in Union City for the 365 Health Care Initiative. The remaining flyers went to the Union City Library. People are interested in the information on the flyers, so "passing out" is sometimes a great thing to do.

Marilyn Singer, Action Committee

WELCOME NEW MEMBERS

Jeffry Spencer
Jamie Biggs
Seham el Ansary

VOTER AWARDS

The winner of this convention's VOTER award was the LWV Humboldt County. They produce an excellent and lively VOTER and have used an especially interesting format for their President's Message. As they have co-presidents, they write the column as a conversation between the two, which makes for engaging reading. Their VOTER is available for your enjoyment at: <http://www.lwvhc.org/vote/newsletters.htm> Also receiving an Honorable Mention Award was LWV Fremont/Newark/Union City for the production of consistently excellent VOTERs. Their newsletter can also be viewed as a PDF at: <http://www.lwvfnc.org/voter.html>

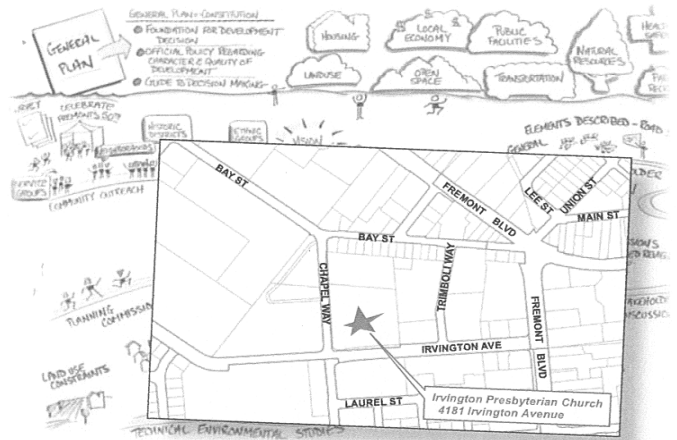




Neighborhood Forum Updating the City's General Plan

Are you interested in what Fremont might look like ten or twenty years from now? The City of Fremont is beginning a major update of its General Plan, which is sometimes described as the City's Constitution because it is the foundation for all land use and development decisions.

This is a great opportunity to influence how the City develops between now and the year 2030. The City will be holding General Plan forums around Fremont over the next few months.



The next meeting is scheduled for:

Monday evening, July 23rd at 6:00 p.m. at the
Irvington Presbyterian Church located at
4181 Irvington Avenue.

Please join us! We'll provide light refreshments—we ask that if you will attend, you let us know so we can plan accordingly.

Please **RSVP** to mpinto@ci.fremont.ca.us or by calling Monica Pinto at 494-4744.

FREMONT'S GENERAL PLAN

How and where are we going to house our future population? Parks. Land for city parks is scarce. Should the city change its standards? Should we have smaller urban parks? What kind of balance do we want between industrial and commercial? Housing. Should we go up? Where and how much mixed use housing/commercial do we want? Where will we put services for families with small children? Is "green" a core value? How do we create jobs in Fremont? Is there any way to have increased population and not have traffic congestion? Where, when, what is the center of Fremont?

If you want to give your reply to any or all of the above questions, you need to attend a General Plan Meeting. See flyer in this Voter. Or you can go on the Fremont web site, www.fremont.gov, Under

FOR THOSE WHO COULD NOT ATTEND THE CONVENTION

On May, 2007, delegates to the LWVC Convention passed five resolutions or motions expressing the will of the convention. The texts of the resolutions are posted on the LWVC website at www.lwvc.org/lwvc/action/resolutions/

Cloudy Days on the Budget Watch

Budget watchers in Sacramento breathed a sigh of relief when the Governor's May Revise was released, but only because the numbers were merely bad rather than dreadful. Tax receipts in the third quarter had been much lower than expected, but a surge in corporate and personal income taxes in April had narrowed the gap between revenues and expenditures to about \$2.3 billion.

Some of the Governor's solutions met stiff opposition, and others are one-time fixes that will not solve the deficit on an ongoing basis. The Legislative Analyst (LAO) estimates that under his proposals the deficit would grow to more than \$5 billion in 2008–2009.

Among the proposals drawing fire are cutting about 200,000 children from the CalWORKs Program and withholding cost of living adjustments in this program and for other assistance programs for the elderly and disabled. Both some child care costs and school transportation costs would be shifted to be covered under the Proposition 98 education guarantee.

Public transit advocates are fighting that and other proposals that they say would, in total, reduce support for transit operations by \$1.3 billion while emphasizing highway building projects. Both they and the LAO question the legality of some of the proposed shifts.

Among the one-time solutions advocated by the Governor are selling EdFund, a state agency that guarantees student loans and has been making money doing it. The Governor says this might be sold to a private operator for about \$1 billion. He also suggests selling or leasing the state lottery to a private operator, but that would probably require

going to the ballot and is not included in this year's budget. More money would be realized by speeding up the sale of bonds backed by the state's settlement with the tobacco industry, which would help balance the budget this year and worsen deficits for the following two years.

The Governor also proposes to use \$1.6 billion to make an early repayment on the state's deficit-financing bonds. The LAO says this would help the budget in 2009–2010, but says we would be better served by "addressing near-term budget problems." The LAO also believes some "overly optimistic assumptions" in the budget may leave a reserve fund of only about \$529 million, rather than the \$1.7 billion projected in the May Revise.

The reduction in the Vehicle License Fee four years ago cut state revenue by about \$4 billion a year with no accompanying reduction in programs. Ever since then, budget makers have been trying to cover the loss with various one-time fixes and robbing Peter to pay Paul while hoping the shifting fortunes of the California economy will somehow fill the gap.

That exercise may only get more difficult now that the state, prodded by various court decisions, is being forced to expand its prison system and make an effort to improve services intended to eventually reduce recidivism. Since nobody expects any agreement to raise new revenues, given the two-thirds vote that would be required in the Legislature, the budget horizon will probably continue to be gloomy, and Peter and Paul may end up picking each others' bones.



A HULL OF A PROBLEM: “MOTHBALL” FLEET IN SUISUN BAY POSE A RISK

By Gail Schickele, Bay Area Monitor

Aliens have invaded and are harboring in Suisun Bay right under the nose—make that hulls—of the National Defense Reserve Fleet. The NDRF vessels are in the custody of the Maritime Administration (MARAD) and have been stored in the San Francisco Bay since WWII in case of war or emergency. The “aliens” are toxic substances such as paint and oil that leach from the ships and pollute the Bay, as well as fouling communities of aquatic species such as barnacles, mussels, and crabs that attach directly to underwater vessel surfaces



Known as “alien,” “invasive,” “exotic,” or “aquatic nuisance species,” nonindigenous species (NIS) are transported into the Bay from other regions. Once established, NIS can have severe ecological, economic, and human health impacts on the receiving environment, according to the California State Lands Commission (CSLC). In a report to the state legislature, CSLC observed that vessels that spend long periods in port or move at slow speeds appear to accumulate more extensive and diverse fouling, and that the “mothball” fleet of out-of-service military vessels moored in Suisun Bay likely contains substantial fouling communities

To prevent such problems, vessel operators periodically clean underwater areas and use antifouling toxic paints. Yet much of the Suisun Bay fleet has been immobile for years, if not decades, with little or no hull maintenance.

“The fleet is a floating wrecking yard and there is no fundamental reason that it should be there,” says Saul Bloom, Executive Director of Arc Ecology, which forwards that the vessels are ticking environmental time bombs. “This constitutes substantial dumping of hazardous material and toxic waste in San Francisco Bay.”

The NDRF was established under the Merchant Ship Sales Act of 1946 for national defense and emergencies. In 1950 the NDRF held 2,277 ships, but the fleet is now fewer than 250 ships at anchorages in three locations: Suisun Bay, the James River in Virginia, and the Neches River in Texas. Of the 96 currently in the Western fleet, about a third are military useful, fleet support, or maintained as the Ready Reserve Force for expedient deployment; another third are under historic review or hold (with one school ship and one in donation hold to The Glacier Society); and the rest are slated for scrapping or disposal.

CSLC reports that research and access to military vessels has been extremely difficult to obtain. For example, NIS regulation exempts military vessels from its authority, and they are instead subject to the Uniform National Discharge Standards for Vessels of the Armed Forces.

To obtain information regarding the status and upkeep of the fleet, Arc Ecology and the National Resources Defense Council filed a freedom of information request last year with MARAD. Bloom reports MARAD has recently responded with hundreds of documents.

“They’re trying to be responsive to our request and they have attempted to reply in a timely fashion,” he says. “They have a big problem and very little money to deal with it—and that’s part of their frustration, as well as ours.”

Cleaning methods attempted by MARAD have included scamping (cleaning with rotary-like brushes called scampers), which may have caused more harm than good.

Keith Lichten of the San Francisco Bay Regional Water Quality Control Board (Water Board) notes there’s some risk of a discharge of heavy metals both when the ships are at anchor and when they are transported—and a significant risk of discharge to the Bay when they’re cleaned prior to transport. “It’s a challenge removing biotic material,” Lichten comments. “It takes off paint chips and potentially large sections of paint. In one case the hull had rusted in layers and a several-foot square section of metal and paint was discharged into the Bay.”

Toxic substances such as metals and pesticides can adsorb to sediment particles, which organisms may ingest and introduce into the food web.

“We see this as real threat,” Lichten says. “We want to see the ships scrapped in as clean a way as possible.”

Bloom suggests the ships be dry-docked and scrapped locally. “The best thing to do is to scrap them in an appropriate fashion here in the San Francisco Bay Area and create some jobs,” he contends. “That would be the most expeditious and fortuitous of conditions.”

Although Federal and California Codes and Statutes are limited in scope and specificity in regard to these concerns, the U.S. Coast Guard was able to use federal regulation to intervene when some vessels were moved for dismantling, reports CSLC. According to MARAD, the Coast Guard has now put a halt to all scamping operations.

In the meantime, the Water Board and the other agencies are working with MARAD to help ensure the development of safe cleaning and scrapping methods. “It’s in the best interests of the Bay for the aging ships to be scrapped, yet in a way that is protective of water quality,” Lichten remarks.

For further reading on ship disposal and related issues, visit www.marad.dot.gov and www.arcecolgy.org

June 2007

POLICY UPDATE



California Charter School Policy Update: Legislators focus on facilities, financing, and governance

CALIFORNIA'S CHARTER SCHOOLS ACT

of 1992 covered a wide range of issues, such as the charter petitioning and approval process, the duration of a charter, criteria for revoking a charter, funding policies, and a state-level evaluation requirement. Yet it was also brief and nonspecific.

This lack of specificity was in part by design. In a state as diverse as California, with more than 1,000 school districts and county offices of education that vary dramatically in size and situation, many issues have to be worked out locally between charter-granting entities and charter schools. But legislators might have provided a more detailed blueprint if they could have foreseen the myriad of concerns that have surfaced over time. Since the first California charter school opened in 1993, the Legislature has continued to add and fine-tune its policy direction.

In some cases, new statutes have provided more freedom or resources to charter schools. In other instances, legislators have reacted to reported abuses by tightening the regulations and reporting requirements. Further, the state's standards-based reforms related to testing and accountability have included charters. The accumulation of this body of law and policy has resulted in a fairly sophisticated set of rules for how charters are authorized, operated, governed, and staffed.

Today, the portion of the state's Education Code that is dedicated to charter schools is more than twice as long as the original Act. Still, both the charter school community and the districts and county offices of education (referred to collectively as "local education agencies" or "LEAs") that oversee charter schools say that more changes are needed. In general, charter school operators and supporters tend to desire one set of changes and LEAs want other—sometimes opposing—revisions.

Charter advocates prefer to maintain or expand charter schools' independence, flexibility,

and access to resources. They would like to minimize statutory and regulatory requirements and be able to readily seek waivers from the State Board of Education. On the other side, LEAs would like compensation for funding lost when their students enroll in charters.

Some of these issues—facilities, financial impacts, and governance—provide ongoing sources of friction and have provoked intermittent calls for policy solutions.

Facilities remain a central issue for charters and local education agencies (LEAs)

California's foray into charter schools was meant to be revenue-neutral, meaning that operational funding would follow a student who chose a charter school instead of a traditional public school. In accordance with revenue neutrality, the state did not originally provide additional funding for modifying or building facilities for charter schools. But that has changed over time. In 1996, the state established the Charter School Revolving Loan Fund to help cover start-up costs, which could include facilities. Within a few years, the state was issuing five-year loans for up to \$250,000.

In 1998, Assembly Bill (AB) 544 said that charter schools could have facilities that the districts were not using for instructional or administrative purposes—or that had not been historically used as rentals—provided the charter took responsibility for maintaining those facilities.

Three years later, the state enacted Senate Bill 740, which created the Charter Schools Facility Grant Program. Under that program, charter schools in high-poverty areas can receive as much as \$750 per pupil for leasing costs.

Proposition 39 gives charters access to facilities but creates potential for conflicts

Before policymakers created that program, however, state voters in November 2000 passed Proposition 39, which replaced AB 544's requirements with terms more favorable

to charter schools. Proposition 39 requires districts to provide facilities sufficient for each local charter school to accommodate all its in-district students (if there are at least 80 such students). Such facilities must be in a condition "reasonably equivalent to those in which the students would be accommodated if they were attending other public schools of the district." Furthermore, Proposition 39 requires these facilities, which remain the property of the district, to be contiguous, furnished, and equipped. The district must make reasonable efforts to provide the charter school with facilities near to where it wishes to locate and may not move the charter unnecessarily. The district may not charge the charter rent unless the district has been paying for the facility with general fund dollars (rather than with bond funds earmarked for facilities). The district must also compute rent charges according to a specified formula.

Although key terms from the proposition were detailed in administrative regulations, many charter schools and their districts have butted heads over the interpretation and implementation of the law. Many charters say that their districts have not fulfilled their duties under Proposition 39. However, some districts are struggling to build, modernize, or equip the facilities needed to house "their own" students and have difficulty adapting their facilities plans to the wishes of charter schools. The State Board of Education built into the regulations a dispute-resolution process. However, that process was removed from the regulations because the Department of Finance thought it would create costs for local governmental entities that the state would have to reimburse.

After four years of observing how charters and their local districts have implemented the regulations, state leaders decided they wanted to revise them based on lessons learned. Key stakeholders have formed work groups to help with the revisions.

In general, the proposed revisions provide added explanation, detail, or examples. Many are controversial, including some opposed by major education organizations. They say that much of the proposed new regulatory language exceeds the scope of Proposition 39 and deals with issues that would be more appropriately addressed by the Legislature. One example is a revision that would require a "furnished and equipped" facility to be sufficient not only for instruction, but also for student services that directly support instruction.

Other issues that the proposed regulations would cover follow:

- Including the time that primarily nondclassroom-based pupils spend in the classroom in computing average daily attendance;
- What the district must do if it does not accommodate the charter at a single site;
- The "comparison group" of district-run schools that the parties look to for reasonable equivalence of facilities;
- Obligations of the district and the charter school when the school has been established at an existing public school site;
- The rate that charter schools must reimburse districts for "over-allocated" space;
- The basis for facilities requests (projections of attendance).

Charters' financial impact on LEAs' operating funds is raising concerns

Another major policy issue centers on how schools are funded. The bulk of schools' operational funding is based on the average daily attendance of students, and that money "follows the student" who opts for a charter school. As a result, many LEAs see charters as draining money from their coffers. Charter supporters say that this creates an incentive for both district-run and charter schools to provide the services that the student is looking for and that healthy competition improves quality. But the loss of

funding is tough for districts to handle because schools have fixed costs that do not decrease commensurately with the loss of each student. For example, if 10 students of a district-run school transfer to a charter school, the district loses funding for 10 students but must still keep its teachers, maintain its facilities, and so forth.

LEAs point to Massachusetts and New York as examples of states that cushion districts' financial losses. It may just be a matter of time before a California legislator proposes a similar policy. Already there have been several legislative attempts to support districts facing declining enrollments due to larger demographic forces.

Another issue is the cost borne by LEAs—including personnel time—for overseeing charter schools. The law allows chartering agencies to charge fees for this oversight—up to 1% of the charter's state revenues or up to 3% if the chartering agency is providing substantially rent-free facilities. Some LEAs say these fees do not cover the full cost of oversight or even the cost of reviewing the charter petition before the school opens. They see charter schools as costing them not only the operational funding that follows the student, but also staff time for which they are not fully compensated.

But charter advocates say that some charter schools pay more than their fair share of Special Education costs, have to use operational funds to pay for facilities, and do not have access to equal categorical funding because districts do not share it equally or because charters cannot afford the personnel time or do not have the expertise needed to pursue those funding sources.

State Sen. Joe Simitian has introduced Senate Bill 537, which calls for a study by January 2009 of whether oversight fees are set at the appropriate level.

Charter governance issues create conflicts

In addition to the financial concerns, there are some key governance issues.

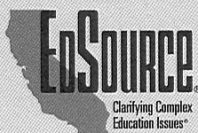
Some LEAs find that the grounds for approving a charter are subjective and inconsistent both throughout the state and between districts and their county offices. In addition, state policy holds that if a district denies the charter, the petitioner can seek approval from the local county office of education (COE). The COE can complain that its district was wrong to deny the charter and has created unnecessary work for the COE. If the charter is approved by the COE, the district can say that it has to work with a charter school that should not have been allowed to open.

Another governance issue concerns oversight and accountability. Some districts say that they are put in a difficult position when a local charter school's statistics—such as academic performance scores or the percent of teachers that meet federal "highly qualified" criteria—are rolled into the district total because the district has little power over the charter school's operations. In addition, a district's oversight duties can become onerous if it has multiple charter schools that are not affiliated with each other and have very different procedures and policies.

Local problem solving is key to charter schools' independence and flexibility

This update focuses on the major policy issues concerning charter school facilities, financial impacts, and governance. However, there are many more complaints and pitfalls that charter schools and their chartering authorities face every day. If LEAs and charters can work together to reach consensus, they will help reduce their reliance on legislators' ability to fine-tune regulations. Local problem solving might also help charter schools stay independent and flexible so they can continue providing options and choice within California's public school system. ■■

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Mission Statement

The League of Women Voters of Fremont, Newark, and Union City, a nonpartisan political organization, encourages the informed and active participation of citizens in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.

League Successfully Opposes Voter ID Amendment

This month, the League worked successfully to [defeat an amendment](#) that would require every voter in the 2008 election to provide government-issued, current and valid photo identification before being allowed to vote at a polling place. This would disenfranchise large numbers of legal voters and create administrative problems at the polls in the next federal election. President Wilson spoke about this issue on Pacifica Radio, [publicly denounced](#) the introduction of this amendment, and [urged Senators](#) to oppose it.

—LWVUS

Diversity Policy

LWVFNUC affirms its commitment to reflect the diversity of our communities in our membership and actions. We believe diverse views are important for responsible decision making and seek to work with all people and groups who reflect our community diversity.

ELECTRONIC CORNER

Recently the League of Women Voters of California signed on as a member of the California Campaign for the Civic Mission of Schools. They are committed to making change and to ensuring that adequate resources are available to provide good civics education programs in our schools. This will a big step in preparing our young people for participation in our democratic institutions when they become adults. For more information, check the website at www.cms-ca.org

—Vesta Wilson

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QUOTE: Give me the liberty to know, to think, to believe, and to utter freely according to conscience, above all other liberties. —MILTON



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CALENDAR

Fri., July 13	Action Committee	12:30 PM	Marilyn Singer's home
Wed., July 18	Healthcare program	7:00—8:45 PM	Fremont Main Library
Fri., July 20	Education Committee	9:30 AM	Miriam Keller's Home
Thurs. July 26	Action Committee—brown bag	12:30 PM	Marilyn Singer's home
Thurs., Aug 16	LWVFNUC Board Meeting	7:15	Carolyn Hedgecock's home
Sat., Aug. 18	Observer's Brunch	?	Marilyn Singer's home