



Legislative Talking Points for the RUSD School Board 25-26

- **Underfunded Special Education Programs**

Background / Issue: Federal law, through the Individuals with Disabilities Education Act (IDEA), mandates that schools provide a "free appropriate public education" to students with disabilities, but the federal government has never provided sufficient funds for school districts to satisfy this requirement. The states, like California, have to make up the funding difference. California does provide limited special education funding, but that funding also falls far short of the actual costs incurred by local school districts. This underfunding by the federal and state governments places a significant financial burden on local school districts. And, the problem only is growing. The funding formulas have not kept pace with the rising number of students with disabilities, particularly those with complex needs such as autism. This means districts are forced to divert money from their general education funds to cover special education costs, creating what is known as an "encroachment" on the general fund. The lack of qualified staff and a need to comply with services written into a student's IEP forced districts to contract out for services through a non-public agency (NPA), usually at a significantly higher cost. In addition to NPAs, costs for placement and services at non-public schools (NPS) have grown significantly. Ultimately, this financial strain creates a significant obstacle for districts to fully support their most vulnerable student population as well as meet their education obligations to the entire student population.

Talking Points: *The federal Individuals with Disabilities Education Act (IDEA) mandates we provide a free and appropriate education for students with disabilities, but the federal government's failure to fully fund this commitment places a massive financial burden on local districts. Our current funding model cannot keep up with the growing number of students with complex needs and the rising costs of services.*

In the 2024-25 school year, RUSD spent \$3.5 million on special education services. RUSD received \$154,000 in funding from the federal government toward this cost,

representing just 4.4% of total expenditures. RUSD received \$793,000 in funding from the state of California, representing 22.5% of total expenditures. The rest of the money—\$2.6 million or 73% of total expenditures—came from RUSD’s general fund budget.

This forces us to use money from our general education funds to cover special education costs which reduces funding for all students and programs and makes it difficult to meet the specialized needs of our most vulnerable populations.

The state and federal governments need to recognize that costs of special education have skyrocketed in recent years and that the burden of those rising costs is being shouldered entirely by local school districts. The funding formulas need to be reworked to recognize the increased number of students requiring specializing services and the increasing costs of those services.

- **Artificial Intelligence**

Background / Issue: Artificial intelligence (AI) has the potential to revolutionize education, but its implementation in schools raises significant concerns and requires careful navigation in order to maximize the benefit. Without clear legislative guidance, schools may struggle to balance the benefits of AI with potential risks and ethical considerations.

Talking Points: *Legislative support is essential to guide the responsible and effective use of AI in schools. By addressing key concerns and promoting ethical AI practices, policymakers can help ensure that AI is used to enhance student learning and outcomes. Proposed legislative solutions include the need to:*

- *Establish Corporate Controls: Ensure appropriate safeguards that the AI companies have to build into their products like data privacy and security, transparency, identifying mental health concerns, sourcing rules, and bias mitigation.*
- *Protect Student Privacy: Enact data privacy laws that safeguard student information collected and used by AI systems.*
- *Promote Equity and Access: Ensure that AI tools are accessible to all students, regardless of their socioeconomic background or location.*
- *Support Research and Development: Invest in research to explore the potential benefits and risks of AI in education and develop best practices for its implementation.*

- **Public Records Requests**

Background / Issue: Public records requests have become much more frequent, far reaching, ambiguous, overly broad, and incredibly time consuming. This is a huge time commitment for all staff members involved. For example, from April to July, we received 8 requests. The last request I received asked for all text messages, voicemails, and correspondences (which seems unclear) since 2023 for a list of 22 words. This request alone required around 20 staff hours to complete. It seems as though our need and desire to be open and transparent has transformed into something that takes away from students and our work for the community we serve.

Talking Points: *School districts understand the need for transparency, but public records requests are taking our educators away from student learning and forcing school districts to spend precious resources on ensuring that requests are fully answered while also protecting student privacy. Reasonable guardrails (like the number of years and number of search terms) and financial support by the state are needed so that the requests can be fulfilled in a reasonable manner and not draw educators away from student learning.*

Related article from CSBA:

<https://publications.csba.org/issue/spring-2024/california-public-records-act/>

- **Unlawful Discrimination in Books**

Background / issue: In 2024, the state legislature added a requirement that, “The use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library shall not be adopted by the Board or district if the use would subject a student to unlawful discrimination.” Eliminating bias and discrimination in education are laudable goals, but the law is unclear. No definition for unlawful discrimination is provided. This could open the door to claims of discrimination if schools teach historical texts (i.e., works that use language that is no longer considered acceptable) or about historical events, regardless of how the work is taught and presented to students.

Talking Points: *Education Code 244 has the laudable goal to prevent discrimination in the classroom or library, but the lack of precision could create unintended consequences. RUSD is strongly against censorship and believes the appropriateness of books and instructional materials is best determined by educators guided by the needs and ages of their students. The state legislature needs to clarify and define*

exactly what constitutes “unlawful discrimination” to avoid subjecting school districts to litigation and calls to ban certain works.

- **AB2534 Reference Checks**

Background / issue: Assembly Bill 2534 mandates that schools districts report all “egregious misconduct” by certificated employees to the Commission on Teacher Credentialing (“CTC”) and also prohibits schools districts from entering into agreements to expunge personnel records of “credible complaints of, substantiated investigations into, or discipline for, egregious misconduct.” School districts also must inquire with each and every previous employing agency about credible and substantiated complaints, investigations, or discipline for "egregious misconduct" against an applicant. The bill requires former employers to release all records provided to the CTC pertaining to these instances. This law aims to enhance student safety by providing a more comprehensive understanding of an applicant's past.

Talking Points: *RUSD strongly supports the goal of AB 2534 to improve student safety by identifying employment applicants who have been the subject of prior credible complaints, substantiated investigations into, and discipline for egregious misconduct, but AB 2534 fails to provide an effective and efficient system in several respects.*

- *First, school districts should be required to report all past credible complaints, substantiated investigations into, and discipline for egregious misconduct to the California Commission on Teacher Credentialing (CTC) regardless of any private agreement to withhold the information and void prior, private agreements to withhold or expunge such information. Without a requirement for reporting past instances and a voiding of prior agreements, important information will remain unavailable to districts hiring applicants.*
- *Second, the CTC already is charged with receiving and housing information on credible complaints, substantiated investigations into, and discipline for egregious misconduct, and AB 2534 simply makes that same information provided to CTC available to school districts looking to hire subjects of those complaints, investigations, and discipline. CTC should simply be required to provide that information to any inquiring school district, instead of forcing school districts to seek it out from all 977 school districts in the state. This is a much more efficient process and avoids the problem of an applicant concealing prior egregious misconduct by not identifying a prior employer.*
- *Third, to the extent the problem is that CTC has failed to maintain up-to-date and complete records, the legislature should ensure that CTC lives up to its*

responsibility. The legislature should determine why CTC is failing in its charge and provide an appropriate remedy, e.g., increasing funding or updating CTC's mission and powers.