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CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 1665

**Introduced by Assembly Member Torlakson
(Coauthors: Assembly Members Lempert and
Strom-Martin)**

January 12, 1998

An act to amend Sections 44670.5, 44670.6, and 52870 of, to ~~add Section 44670.55 to~~, and to add Chapter 1.5 (commencing with Section 51100) to Part 28 of, the Education Code, relating to education.

LEGISLATIVE COUNSEL'S DIGEST

AB 1665, as amended, Torlakson. Education: parental involvement.

(1) Existing law requires each school that establishes a school development plan and that receives funds for that purpose, or that chooses to use certain provisions of law, to have a single plan to strengthen subject matter and instruction, as specified. As a part of the plan, schools may

provide time for professional development activities, for a total of not more than 8 days per year. Existing law requires the plan to include professional development programs for personnel employed at the school and requires the professional development programs to include certain elements.

This bill would instead encourage school districts to establish professional development programs that include certain elements. The bill would require the plan to describe opportunities for parents and guardians of pupils to participate in professional development programs. The bill would require professional development programs to include instruction on how teachers, administrators, and other school staff can work collaboratively with families to ensure that pupils succeed in school. The bill would require the professional development programs to include instruction relating to the diversity of the cultures and lifestyles of the families of the community served by the school district. The bill would require the total number of days of professional development activities, the scheduling of the activities, and other matters pertaining to the time of those activities to be determined in consultation with parents and guardians of pupils enrolled in the school.

(2) Existing law requires the governing board of each school district, at the beginning of the first semester or quarter of the regular school term, to notify parents or guardians of specified rights or responsibilities of the parents or guardians.

This bill would provide that parents or guardians of pupils enrolled in public schools have specified rights and responsibilities with regard to the education of their children.

This bill would also provide that the parents and guardians of pupils have the responsibility to work together in a mutually supportive and respectful partnership with schools, and would require the governing board of a school district to adopt a policy that provides for the joint development with parents and guardians of a pupil-school-parent compact that outlines that working agreement. The compact would be required to include certain elements.

(3) Existing law places various responsibilities on the State Department of Education and the State Board of Education,



including, among other duties, the development and distribution of various guidelines pertaining to school programs.

This bill would require the State Department of Education to make available materials that describe a comprehensive partnership at schools that involves parents and guardians of pupils in the public schools of California on or before December 31, 1999. The materials would be required to include the responsibilities of each parent or guardian, and of each teacher, principal, and other school personnel in fostering and participating in parent involvement activities and programs. The materials would be required to include a statement that parent participation in activities and programs shall only apply to the extent that the participation does not conflict with a valid restraining order, protective order, or order for custody or visitation issued by a court of competent jurisdiction.

(4) Existing law provides that, if a school district and school participate in school-based program coordination, any schoolsite advisory committee may elect to designate the schoolsite council to function as that advisory committee for all purposes.

This bill would require that, if the governing board of a school district adopts a policy establishing a schoolwide decisionmaking body at each school to promote continuous improvement through a single planning process that coordinates federal and state programs and services, then that body may be designated as the single decisionmaking or coordinating body, if the composition of the body meets specified requirements.

(5) This bill, by placing new duties on school districts relating to parental involvement in the education process, would thereby impose a state-mandated local program.

(6) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other



procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 44670.5 of the Education Code is
2 amended to read:

3 44670.5. (a) Each school that is receiving funds for
4 the purposes of this article or that chooses to utilize the
5 provisions of this article shall have a single plan to
6 strengthen subject matter and instruction, consistent
7 with rules and regulations adopted by the school district
8 governing board. If a school develops or has developed a
9 school plan pursuant to Article 3 (commencing with
10 Section 52850) of Chapter 12 of Part 28 of the
11 School-Based Program Coordination Act, the planning
12 requirements of this article shall be met by including
13 within that plan the requirements specified in Section
14 44670.9 and by meeting the requirements of Sections
15 44670.3 and this section.

16 (b) If a school develops or has developed a school plan
17 pursuant to the School-Based Pupil Motivation and
18 Maintenance Program and Dropout Recovery Act,
19 Article 7 (commencing with Section 54720) of Chapter 9
20 of Part 29, or any other state or federal categorical
21 education program, the provision of that school plan shall
22 be included within the plan to strengthen subject matter
23 and instruction, developed pursuant to this article and, in
24 so doing, the school shall be deemed to have complied
25 with the requirements of those programs. The plans shall
26 include professional development of the personnel
27 employed at the school necessary to meet the
28 requirements of the plan. The plan shall also describe
29 opportunities for parents to participate in professional



1 development programs. School districts are encouraged
2 to establish professional development programs that are
3 consistent with the district's individual needs for parents,
4 guardians, and families, and that include all of the
5 following items:

6 (1) Provide opportunities for all school personnel and
7 interested parents or guardians of pupils enrolled in the
8 school to participate in ongoing staff development
9 activities pursuant to the objectives specified in Section
10 44670.3.

11 (2) Be designed and implemented under the direction
12 of parents and guardians of pupils enrolled in the school,
13 classroom teachers, other participating school personnel,
14 including the school principal and one or more mentor
15 teachers, and, as appropriate, other nonadministrative
16 certificated personnel, including, but not limited to,
17 counselors, librarians, and nurses, and, as appropriate, in
18 consultation with resource agencies or consortia
19 established pursuant to Article 2 (commencing with
20 Section 44680), institutions of higher education, and
21 subject matter projects established pursuant to this code.
22 Classroom teachers selected by teachers shall comprise
23 the majority of any group designated to design
24 professional development activities for instructional
25 personnel.

26 (3) Allow for diversity in professional development
27 activities, including, but not limited to, study of theory
28 and rationale, observation of demonstration lessons,
29 practice opportunities for peer coaching, consultation,
30 and feedback in the classroom setting, and systematic
31 observation during visits to other classrooms or schools.

32 (4) Be conducted during time that is set aside for that
33 purpose throughout the year, including, but not limited
34 to, time on a continuing basis when participating school
35 personnel are released from their regular duties.

36 (5) Be evaluated and modified on a continuing basis by
37 participating school personnel in consultation and, as
38 appropriate, with regional resource consortia personnel
39 and subject matter project personnel, based upon
40 benefits to staff and pupils.



1 (6) Include the school principal and other
2 administrative personnel as active continuing
3 participants in one or more professional development
4 activities implemented pursuant to a school development
5 plan.

6 (7) Make available followup activities to assist
7 participating staff in using newly acquired skills on the
8 job.

9 (8) Promote the professional development of
10 instructional paraprofessionals in the schools, including
11 activities that will encourage instructional
12 paraprofessionals to pursue the education and training
13 necessary to become classroom teachers.

14 (9) Include instruction on how teachers,
15 administrators, and other school staff can work
16 collaboratively with families to ensure that pupils succeed
17 in school.

18 (10) Include instruction relating to the diversity of the
19 cultures and lifestyles of the families of the community
20 served by the school district.

21 SEC. 2. Section 44670.6 of the Education Code is
22 amended to read:

23 44670.6. (a) Schools may include as part of their
24 school development plan, the provision of time during
25 the regular school year to conduct professional
26 development activities pursuant to a school development
27 plan and shall receive full average daily attendance
28 reimbursement under Section 46300.

29 The time shall not exceed eight days each year and the
30 number of days, scheduling, and other matters pertaining
31 to the time shall be determined in consultation with the
32 parents and guardians of pupils enrolled in the school.

33 (b) It is the intent of the Legislature that school
34 districts revise salary schedules to allow for and give
35 priority to salary increments related to continuing
36 professional development on the basis of time spent in
37 high quality professional development, including subject
38 matter coursework, pursuant to school development
39 plans created under this article, and school improvement
40 plans created pursuant to Chapter 6 (commencing with



1 Section 52000) of Part 28. The salary schedule revision
2 should include incentives for instructional
3 paraprofessionals to pursue education and training to
4 improve instructional skills and to obtain teaching
5 credentials.

6 (c) (1) If a school district revises its salary schedules
7 pursuant to this section, any activity engaged in by a
8 teacher for professional development to enable the
9 teacher to obtain a salary increment on a revised salary
10 schedule shall satisfy both of the following conditions:

11 (A) The activity shall be approved, in advance, by the
12 district superintendent or site administrator.

13 (B) The activity shall meet the requirements of
14 subdivision (b) of Section 44277.

15 (2) Any activity specified in paragraph (1) shall also
16 satisfy one of the following:

17 (A) The activity shall relate to the current teaching
18 assignment of the teacher.

19 (B) The activity shall be consistent with the school
20 development plan created under this article or school
21 improvement plan created pursuant to Chapter 6
22 (commencing with Section 52000) of Part 28 for the
23 school in which the teacher is currently employed.

24 (d) It is the intent of the Legislature that school
25 districts revise procedures related to professional growth
26 activities required by Section 44277 to ensure that
27 activities consistent with school and school district
28 development plans created pursuant to this article, and
29 school improvement plans created pursuant to Chapter
30 6 (commencing with Section 52000) of Part 28 satisfy the
31 requirements.

32 SEC. 3. Chapter 1.5 (commencing with Section
33 51100) is added to Part 28 of the Education Code, to read:

34

35

CHAPTER 1.5. PARENTAL INVOLVEMENT

36

37 51100. The Legislature finds and declares all of the
38 following:

39 (a) It is essential to our democratic form of
40 government that parents and guardians of schoolage



1 children attending public schools and other citizens
2 participate in improving public education institutions.
3 Specifically, involving parents and guardians of pupils in
4 the education process is fundamental to a healthy system
5 of public education.

6 (b) Research has shown conclusively that early and
7 sustained family involvement at home and at school in the
8 education of children results both in improved pupil
9 achievement and in schools that are successful at
10 educating all children, while enabling them to achieve
11 high levels of performance.

12 (c) All participants in the education process benefit
13 when schools genuinely welcome, encourage, and guide
14 families into establishing equal partnerships with schools
15 to support pupil learning.

16 (d) Family and school collaborative efforts are most
17 effective when they involve parents and guardians in a
18 variety of roles at all grade levels, from preschool through
19 high school.

20 51101. (a) Except as provided in subdivision (c), the
21 parents and guardians of pupils enrolled in public schools
22 have the right and responsibility, as mutually supportive
23 and respectful partners in the education of their children
24 within the public schools, to be informed by the school,
25 and to participate in the education of their children, as
26 follows:

27 (1) Within a reasonable period of time following
28 making the request, to observe the classroom or
29 classrooms in which their child is enrolled or for the
30 purpose of selecting the school in which their child will
31 be enrolled in accordance with the requirements of any
32 intradistrict or interdistrict pupil attendance policies or
33 programs.

34 (2) Within a reasonable time of their request, to meet
35 with their child's teacher or teachers and the principal of
36 the school in which their child is enrolled.

37 (3) To volunteer their time and resources for the
38 improvement of school facilities and school programs
39 under the supervision of district employees, including,
40 but not limited to, providing assistance in the classroom



1 with the approval, and under the direct supervision, of
2 the teacher. Although volunteer parents may assist with
3 instruction, primary instructional responsibility shall
4 remain with the teacher.

5 (4) To be notified on a timely basis if their child is
6 absent from school without permission.

7 (5) To receive the results of their child's performance
8 on standardized tests and statewide tests and information
9 on the performance of the school that their child attends
10 on standardized statewide tests.

11 (6) To request a particular school for their child. This
12 paragraph does not obligate the school district to grant
13 the parent's request.

14 (7) To have a school environment for their child that
15 is safe and supportive of learning.

16 (8) To examine the curriculum materials of the class or
17 classes in which their child is enrolled.

18 (9) To be informed of their child's progress in school
19 and of the appropriate school personnel whom they
20 should contact if problems arise with their child.

21 (10) To have access to the school records of their child.

22 (11) To receive information concerning the academic
23 performance standards, proficiencies, or skills their child
24 is expected to accomplish.

25 (12) To be informed in advance about school rules,
26 attendance policies, dress codes, and procedures for
27 visiting the school.

28 (13) To appeal a school decision that affects the rights
29 of their child to the local school board.

30 (14) To receive information about any psychological
31 testing the school does involving their child and to deny
32 permission to give the test.

33 (15) To participate as a member of a parent advisory
34 committee, schoolsite council, or site-based management
35 leadership team, in accordance with any rules and
36 regulations governing membership in these
37 organizations. In order to facilitate parental
38 participation, schoolsite councils are encouraged to
39 schedule a bi-annual open forum for the purpose of
40 informing parents about current school issues and

1 activities and answering parents' questions. The meetings
2 should be scheduled on weekends, and prior notice
3 should be provided to parents.

4 (16) To question anything in their child's record that
5 the parent feels is inaccurate or misleading or is an
6 invasion of privacy and to receive a response from the
7 school.

8 (b) In addition to the rights described in subdivision
9 (a), parents and guardians of pupils have the
10 responsibility to work together in a mutually supportive
11 and respectful partnership with schools, and to help their
12 children succeed in school. Each governing board of a
13 school district shall adopt a policy that provides for the
14 joint development with parents and guardians of a
15 pupil-school-parent compact that outlines how parents or
16 guardians of pupils, school staff, and pupils will share the
17 responsibility for continuing the intellectual, physical,
18 emotional, and social development and well-being of
19 pupils at each schoolsite. The compact shall include, but
20 is not necessarily limited to, the following:

21 (1) The means by which the school and parents or
22 guardians of pupils will help pupils to achieve academic
23 and other standards of the school.

24 (2) A description of the school's responsibility to
25 provide a high quality curriculum and instructional
26 program in a supportive and effective learning
27 environment that enables all pupils to meet the academic
28 expectations of the school.

29 (3) The manner in which the parents and guardians of
30 pupils will be responsible for supporting the learning
31 environment of their children, including, but not limited
32 to, the following:

33 (A) Monitoring attendance of their children.

34 (B) Ensuring that homework is completed and turned
35 in on a timely basis.

36 (C) Participation of the children in extracurricular
37 activities.

38 (D) Monitoring and regulating the television viewed
39 by their children.



1 (E) Working with their children at home in learning
2 activities that extend learning in the classroom.

3 (F) Volunteering in their children's classrooms, or for
4 other activities at the school.

5 (G) Participating, as appropriate, in decisions relating
6 to the education of their own child or the total school
7 program.

8 (c) This section may not be construed so as to
9 authorize a school to inform a parent or guardian, as
10 provided in this section, or to permit participation by a
11 parent or guardian in the education of a child, if it
12 conflicts with a valid restraining order, protective order,
13 or order for custody or visitation issued by a court of
14 competent jurisdiction.

15 51102. The State Department of Education shall make
16 materials available that describe a comprehensive
17 partnership at a schoolsite that involves parents and
18 guardians of pupils in the public schools of California in
19 the education of their children in a variety of roles at all
20 grade levels on or before December 31, 1999. The
21 materials shall include the responsibilities of each
22 teacher, principal, parent or guardian, and other school
23 personnel in fostering and participating in parent
24 involvement activities and programs. The materials shall
25 also include a statement that the responsibility of parents
26 and guardians to participate in parent activities and
27 programs shall only apply to the extent that the
28 participation does not conflict with a valid restraining
29 order, protective order, or order for custody or visitation
30 issued by a court of competent jurisdiction.

31 SEC. 4. Section 52870 of the Education Code is
32 amended to read:

33 52870. (a) Notwithstanding any other provisions of
34 this chapter, if a school district and school participate in
35 the school-based program coordination, any schoolsite
36 advisory committee may elect to designate the schoolsite
37 council to function as that advisory committee for all
38 purposes required by statute or regulations for a period
39 of up to two years.



1 (b) If the governing board of a school district adopts
 2 a policy that establishes a schoolwide decisionmaking
 3 body at each school to promote continuous improvement
 4 through a single planning process that coordinates
 5 federal and state programs and services, then that body
 6 may be designated as a single decisionmaking or
 7 coordinating body, if the composition of the body meets
 8 the requirements of Section 52852.

9 (c) It is the intent of the Legislature that the members
 10 of the schoolsite council represent the composition of the
 11 school’s pupil population, and, in general,
 12 proportionately represent the special needs of pupils who
 13 are living in poverty, are acquiring English as a second
 14 language, are gifted and talented, and participate in
 15 special education programs at the school.

16 SEC. 5. Notwithstanding Section 17610 of the
 17 Government Code, if the Commission on State Mandates
 18 determines that this act contains costs mandated by the
 19 state, reimbursement to local agencies and school
 20 districts for those costs shall be made pursuant to Part 7
 21 (commencing with Section 17500) of Division 4 of Title
 22 2 of the Government Code. If the statewide cost of the
 23 claim for reimbursement does not exceed one million
 24 dollars (\$1,000,000), reimbursement shall be made from
 25 the State Mandates Claims Fund.

26 Notwithstanding Section 17580 of the Government
 27 Code, unless otherwise specified, the provisions of this act
 28 shall become operative on the same date that the act
 29 takes effect pursuant to the California Constitution.

