

AMENDED IN SENATE APRIL 12, 2000

AMENDED IN ASSEMBLY APRIL 5, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

**ASSEMBLY BILL**

**No. 697**

**Introduced by Assembly Member ~~Vincent~~ Gallegos**

February 24, 1999

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~~An act relating to school accountability.~~ *An act to amend Section 51512 of the Education Code, relating to classroom instruction.*

LEGISLATIVE COUNSEL'S DIGEST

AB 697, as amended, ~~Vincent~~ Gallegos. ~~School accountability~~ *Classroom instruction: listening or recording devices: prohibition of use.*

*Existing law prohibits the use of any electronic listening or recording device in any classroom of the elementary and secondary schools without the prior consent of the teacher and principal.*

*This bill would prohibit any evidence obtained as a result of eavesdropping upon or recording a communication in a classroom in violation of that provision of law from being viewed, listened to, or relied upon by school officials or used in any judicial, administrative, legislative, or other proceeding.*

~~Existing law provides for a State Department of Education in state government conducted under the control of the Superintendent of Public Instruction.~~

~~This bill would require the State Department of Education to review and evaluate the implementation of education reforms and school accountability systems in other states. The bill would require the Superintendent of Public Instruction to submit a report to the Legislature that compares these various school accountability systems and to make recommendations regarding how these systems can be incorporated, as appropriate, into California's school accountability system.~~

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

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

1 ~~SECTION 1. The State Department of Education~~

2 *SECTION 1. Section 51512 of the Education Code is*  
3 *amended to read:*

4 51512. (a) The Legislature finds that the use by any  
5 person, including a pupil, of any electronic listening or  
6 recording device in any classroom of the elementary and  
7 secondary schools without the prior consent of the  
8 teacher and the principal of the school given to promote  
9 an educational purpose disrupts and impairs the teaching  
10 process and discipline in the elementary and secondary  
11 schools, and such use is prohibited. Any person, other  
12 than a pupil, who willfully violates this section shall be  
13 guilty of a misdemeanor.

14 ~~Any~~

15 (b) Any pupil violating this section shall be subject to  
16 appropriate disciplinary action.

17 ~~This~~

18 (c) *This* section shall not be construed as affecting the  
19 powers, rights, and liabilities arising from the use of  
20 electronic listening or recording devices as provided for  
21 by any other provision of law.

22 (d) *Except as proof in an action or prosecution for*  
23 *violation of this section, no evidence obtained as a result*  
24 *of eavesdropping upon or recording a communication in*  
25 *a classroom in violation of this section shall be viewed or*  
26 *relied upon by school officials or used in any judicial,*  
27 *administrative, legislative, or other proceeding.*



1 shall review and evaluate the implementation of  
2 education reforms and school accountability systems in  
3 other states, including, but not limited to academic  
4 standards, high school graduation requirements,  
5 professional development, and teacher education. The  
6 Superintendent of Public Instruction shall submit a  
7 report to the Legislature that compares these various  
8 school accountability systems and shall make  
9 recommendations regarding how these systems can be  
10 incorporated, as appropriate, into California's school  
11 accountability system.

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