

Assembly Concurrent Resolution

No. 162

Introduced by Assembly Members V. Manuel Pérez and Cedillo

June 20, 2012

Assembly Concurrent Resolution No. 162—Relative to pupil rights.

LEGISLATIVE COUNSEL’S DIGEST

ACR 162, as introduced, V. Manuel Pérez. Pupil rights: Student and Youth Bill of Rights.

This measure would declare that the Legislature recognizes the importance of engaging with young people to influence decisions that affect their quality of life and well-being, and that the Student and Youth Bill of Rights serves as a framework to guide and inform the youth of the state in organizing and advocating policy issues on their own behalf.

Fiscal committee: no.

- 1 WHEREAS, Throughout the state of California, children, youth,
2 and young adults under 25 years of age comprise roughly one-third
3 of the state’s population; and
4 WHEREAS, The youth of California are among the state’s
5 greatest assets and are an important indicator of the state’s future
6 prosperity. The youth of the state are tomorrow’s workers,
7 entrepreneurs, educators, public servants, and community leaders
8 and need the education and training to participate and succeed in
9 the California economy; and
10 WHEREAS, It is projected that by 2018, nearly two-thirds of
11 the jobs in California and the nation will require some college or
12 additional training after high school and it is imperative that our
13 youth are prepared to compete for jobs in this economy. However,

1 many youth in California lack the basic conditions that promote
2 their well-being and educational success; and

3 WHEREAS, The face of California is changing and racial and
4 ethnic minorities now comprise the majority of the student
5 population as Latino, Asian, African American, Pacific Islander,
6 and mixed-race students make up 73 percent of all California
7 students; and

8 WHEREAS, While many populations face barriers and
9 challenges, an abundant body of research has demonstrated that
10 young people of color disproportionately experience lower and
11 worsening outcomes with regard to educational attainment,
12 socio-economic status, health status, and interactions with the
13 juvenile justice and child welfare systems; and

14 WHEREAS, Young people of color are more likely to grow up
15 in neighborhoods where they confront challenges to their safety
16 and well-being and also are more likely to attend schools that lack
17 the facilities, funding, and support staff, including, but not limited
18 to, counselors, coaches, and after school programs, that contribute
19 to a successful learning environment; and

20 WHEREAS, Young people of color are more likely to start their
21 adult lives without a high school diploma as a result of the barriers
22 they encounter. African Americans over 25 years of age are nearly
23 twice as likely to be without a high school diploma as their white
24 counterparts, and Latinos are almost seven times as likely to lack
25 a high school degree compared to their white counterparts.
26 Furthermore, young people of color who graduate from high school
27 are less likely to be prepared for college, with data showing that
28 only 14 percent of Latino high school graduates and 15 percent of
29 African American high school graduates have completed the
30 courses needed to access higher education; and

31 WHEREAS, In seeking to respond to these sobering conditions,
32 it is not enough to appeal to individual responsibility, self
33 discipline, and personal commitment to one's self actualization as
34 the remedy. Instead, a societal commitment is needed to confront
35 and rectify these barriers by recognizing the systemic and pervasive
36 nature of the barriers and deriving hope from the fact that they are
37 human made and can be changed; and

38 WHEREAS, All young people have a stake and role to play in
39 this effort and must be active participants in articulating a vision
40 for surmounting these challenges. Therefore, beginning in 2010,

1 hundreds of youth and youth advocates throughout California
2 began a needs identification and discussion to develop a “Student
3 and Youth Bill of Rights” to serve as a framework for doing so;
4 and

5 WHEREAS, In keeping with the basic principles of our
6 democracy, the Student and Youth Bill of Rights is premised on
7 the fundamental belief that the right to a quality of life shall not
8 be denied or abridged based on one’s race, gender, ethnicity, sexual
9 orientation, disability, religion, socio-economic status, place of
10 residence, country of origin, or previous and resolved contact with
11 the justice system; and

12 WHEREAS, The Student and Youth Bill of Rights also rests
13 on the belief that in addition to educational opportunity, youth
14 need supportive conditions in which to thrive and grow, including
15 safe and secure housing, safe neighborhoods and communities,
16 basic human services, healthy and nutritious food, physical activity
17 and recreation, art and culture, affordable and accessible public
18 transportation, and dental and health care, among other supports;
19 and

20 WHEREAS, The Student and Youth Bill of Rights sets forth
21 that all students are deserving of safe and secure public school
22 facilities of equal quality, regardless of whether it is a magnet
23 school, a continuation school, or a charter school or the public
24 school is in a rural, urban, or suburban location; and

25 WHEREAS, Youth in California should be served by school
26 districts that are adequately funded through a school finance system
27 that is fair, transparent, equitable, and accountable. The system
28 should recognize the additional educational barriers experienced
29 by particular subgroups, including, but not limited to, English
30 learners and children living in poverty, and include a transparent
31 method for ensuring the allocation of supplemental funding tied
32 to their amelioration; and

33 WHEREAS, Youth should have the opportunity to study
34 curriculum that is relevant to their life experiences, includes content
35 acknowledging the ongoing struggle of oppressed peoples, and
36 examines the material, social, and cultural needs of their
37 communities. This knowledge helps personalize education for all
38 youth and provides them with examples of how to become agents
39 of change in their communities; and

1 WHEREAS, Students and youth with children of their own
2 should have the right of access to affordable day care for their
3 children as long as they maintain a passing grade point average or
4 employment; and

5 WHEREAS, Students and youth have a right to receive their
6 school records, transcripts, test scores, medical records,
7 immunization records, and key identification documents in order
8 to access schools and public and community resources without
9 prejudice and in a timely manner. Youth exiting foster care, group
10 homes, mental health and other facilities, including, but not limited
11 to, detention or incarceration facilities, should be assured timely
12 access to these documents as well as referrals to education and
13 essential services at the time of their release; and

14 WHEREAS, Communities should have the ability to establish
15 and be engaged in the development of programs for restorative
16 and transformative justice and positive behavior interventions in
17 their schools that make use of intervention workers and peace
18 builders in schools and communities to address conflicts while
19 preventing school suspension, expulsion, and arrests, providing
20 safe passage to and from school, providing for rumor control and
21 retaliation prevention, and building truces and cease fires between
22 neighborhoods; and

23 WHEREAS, Due to the importance of family stability to child
24 and youth development, teen and young adult parents incarcerated
25 due to nonviolent and nonsexual crimes should be encouraged and
26 supported to remain in contact with their children. Similarly, youth
27 whose parents are detained or incarcerated should be assisted to
28 the extent possible in maintaining family bonds; and

29 WHEREAS, New schools and other youth-serving facilities
30 should be built to encourage and celebrate youth identities and
31 possibilities, with attention focused not only on function but also
32 on what is communicated through the design and aesthetic aspects
33 of the buildings and the environments they support; and

34 WHEREAS, Pupils and youth deserve the opportunity to
35 develop, make mistakes, and grow with appropriate limits
36 established and without unreasonable school, court, or law
37 enforcement labeling and surveillance. In instances when the law
38 is broken, due process should not be denied, and youth under 18
39 years of age should not be added to police databases without a fair
40 and just trial, and pupils and youth should be secure from arbitrary

1 police stops, searches and seizures, excessive ticketing and fines,
2 and criminalization of truancy or lateness to school; and

3 WHEREAS, On completion of elementary and secondary
4 education, all California high school graduates should be prepared
5 to either enter into a career or have acquired the knowledge and
6 completed the coursework necessary to start a successful college
7 tenure; and

8 WHEREAS, All eligible students, including immigrant students,
9 should have access to affordable and available higher education,
10 ensuring that course offerings are available not only for the
11 full-time, nonworking students, but that ample evening, weekend,
12 and online courses are available for those who work while pursuing
13 their careers; and

14 WHEREAS, The state is just one partner among many that must
15 be invested in the fulfillment of our societal promise to California's
16 youth, and other critical partners are parents, peers, neighbors,
17 philanthropy, the private sector, and nongovernmental
18 organizations; now, therefore, be it

19 *Resolved by the Assembly of the State of California, the Senate*
20 *thereof concurring*, That the Legislature recognizes the importance
21 of engaging with young people to influence decisions that affect
22 their quality of life and well-being, and that the Student and Youth
23 Bill of Rights serves as a framework to guide and inform the youth
24 of the state in organizing and advocating policy issues on their
25 own behalf; and be it further

26 *Resolved*, That the Chief Clerk of the Assembly transmit copies
27 of this resolution to the author for appropriate distribution.