

AMENDED IN ASSEMBLY AUGUST 6, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

Assembly Concurrent Resolution

No. 162

Introduced by Assembly Members V. Manuel Pérez and Cedillo
(Coauthors: Assembly Members Alejo, Allen, Campos, Chesbro,
Huffman, and Perea)

June 20, 2012

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

LEGISLATIVE COUNSEL'S DIGEST

ACR 162, as amended, 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~~ *In* the state of California, children,
2 youth, and young adults under 25 years of age comprise roughly
3 one-third 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

1 WHEREAS, It is projected that by 2018, nearly two-thirds of
2 the jobs in California and the nation will require some college or
3 additional training after high school and it is imperative that our
4 youth are prepared to compete for jobs in this economy. However,
5 many youth in California lack the basic conditions that promote
6 their well-being and educational success; and

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

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

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

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

35 WHEREAS, In seeking to respond to these sobering conditions,
36 it is not enough to appeal to individual responsibility, self
37 discipline, and personal commitment to one's self actualization as
38 the remedy. Instead, a societal commitment is needed to confront
39 and rectify these barriers ~~by recognizing the systemic and pervasive~~

1 ~~nature of the barriers~~ *with an understanding of*, and deriving hope
2 from, the fact that they are human made and can be changed; and

3 WHEREAS, All young people have a stake and role to play in
4 this effort and must be active participants in articulating a vision
5 for surmounting these challenges. Therefore, beginning in ~~2010,~~
6 *2011*, hundreds of youth and youth advocates throughout California
7 began a *process of* needs identification ~~and discussion~~ to develop
8 a “Student and Youth Bill of Rights” to serve as a framework for
9 doing so; and

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

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

25 WHEREAS, The Student and Youth Bill of Rights sets forth
26 that all students are deserving of safe and secure public school
27 facilities of equal quality, regardless of whether it is a magnet
28 school, a continuation school, or a charter school or the public
29 school is in a rural, urban, or suburban location; and

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

38 WHEREAS, Youth should have the opportunity to study
39 curriculum that is relevant to their life experiences, includes content
40 acknowledging the ongoing struggle of oppressed peoples, and

1 examines the material, social, and cultural needs of their
2 communities. This knowledge helps personalize education for all
3 youth and provides them with examples of how to become agents
4 of change in their communities; and

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

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

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

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

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

38 WHEREAS, Pupils and youth deserve the opportunity to
39 develop, make mistakes, and grow with appropriate limits
40 established and without unreasonable school, court, or law

1 enforcement labeling and surveillance. In instances when the law
2 is broken, due process should not be denied, and youth under 18
3 years of age should not be added to police databases without a fair
4 and just trial, and pupils and youth should be secure from arbitrary
5 police stops, searches and seizures, excessive ticketing and fines,
6 and criminalization of truancy or lateness to school; and

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

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

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

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

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

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