

PUTTING THE FINGER ON THE PARENT TRIGGER LAW TO IMPROVE LOCAL SCHOOLS

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Hundreds of parents, teachers and community stakeholders gathered at the Point Loma Barnes Tennis Center on February 2, 2011 to consider whether they should remake Point Loma High School under the parent trigger law. Only one community of parents—in Compton—has exercised this new parental right to demand fundamental changes in their low-performing local public school. Point Loma’s community may be next.



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1. What is the “parent trigger” law?

The “parent trigger” or “parent empowerment” law (Education Code §§53300-03) was enacted by the California Legislature in January 2010 as part of the state’s effort to seek funding under the federal Race to the Top program. Some 12 other states are following California’s lead in enacting similar laws.

Under federal law, public schools which do not meet targets for annual student achievement improvement must be **restructured in one of four ways** by state authorities.

But the parent empowerment law allows a **majority of the parents** whose children are or will attend a particular public school to **petition** their local school board to require the school to be restructured in one of these ways. The number of such petitions is limited to 75 statewide. The school board is required to implement the type of restructuring requested for the next school year, unless it explains why it *cannot*, and instead chooses a different option.

The options are the same choices school authorities are given under federal law for persistently low-performing schools.

A) *Charter conversion (Restart Model):*

A charter school operator, rather than the district, assumes responsibility for operating the school. A charter school is a public school operating under the Charter Schools Act, which frees the management of the school from district policies and many provisions of the Education Code. How a charter school is organized and operates is spelled out in a charter petition document that contains a detailed description of its governance, educational program and other matters.

High-performing local examples of charter schools serving high school students are High Tech High, the Preuss School at UCSD, and Steele Canyon High School.

No student can be required to attend a charter school, but students in the existing school attendance area will have a right to attend the charter school if they wish. Those who elect not to attend a charter school are reassigned to another district-run school.

B) *Turnaround Model:*

Under this option, the principal must

be replaced, along with at least 50 percent of the teachers. The new principal must be given greater operational flexibility in staffing, calendaring and budgeting. A new governance structure must be implemented for the school. More professional development must be provided to teachers, and data must be used to implement an instructional program that is research-based. This option should give the local school community more control over staffing and budget, but this is not assured.

C) *Transformation Model:*

The principal must be replaced, but all other staff may be left in place under this option. Teacher evaluations must take student achievement into account, along with other assessments of performance. Over time, high performing staff are to be rewarded, and low-performing staff are to be removed. Financial incentives for performance are to be provided. The district controls funding levels.

D) *Closure:*

This option would close the school altogether and send the students to other, higher-performing schools nearby.

2. Does the parent trigger law apply to my school?

The Parent Trigger applies to every school in California that is on Program Improvement Year Three or above, has an API score of under 800, and is not classified as one of the lowest 5% of schools in the state.

3. What must the petition contain?

The petition must contain the signatures of parents representing a majority of the students attending

district schools at the time the petition is submitted who either currently attend, or in the fall will attend the “target” school. The petition also identifies a restructuring option.

4. What are the unanswered questions about the process?

Based on our experience with charter school petitions, we anticipate:

--Challenges to the validity of signatures, with the district or others claiming the right to scrutinize and verify their validity. For charter petitions, the courts have rejected such claims.

--The receiving district may *only* reject the petition if it “cannot” be implemented. What this means is sure to be litigated.

--Whether options other than the

charter conversion option can succeed? Charter conversion/restart petitions appear to be the most likely choice for achieving real change. Other transformational models face questions as to whether they can be implemented based on existing collective bargaining agreement restrictions, existing school district policies, and district control over funding of school reform efforts.

In our discussions with parents, many questions focus on admissions rules. The charter petition can assure that students within the former attendance boundaries of the high school are admitted. If there is still space left, admission would be by lottery.

Whether Point Loma parents will organize and petition to restart Point Loma High School remains to be seen.

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