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State faces a moving target in implementing 'parent trigger' law

As the Board of Education continues to weigh the details of how parents will go about forcing overhauls of low-performing schools, debates over transparency, public input and special interests drag on.

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It was billed as a radical transfer of power from the educational establishment to parents. It survived a furious opposition campaign. And after squeaking through the state Legislature by one vote last year, the "parent trigger" law made California history as the first successful effort to empower parents to force sweeping changes at low-performing schools.

But now the fight has shifted to implementing the law, making its passage look almost easy.

After months of debate and reams of revisions, state education officials were expected to vote last week to finalize details laying out how the law is supposed to work. But that vote was postponed because a newly appointed state Board of Education announced that it needed more time to consider the issues.

The law is intended to allow parents to petition for dramatic changes at struggling schools. This includes closing the school, overhauling staff and programs, or turning over the campus to a charter operator. Charters are independently run, publicly funded and free of many district and union regulations.

Several education groups say the previous board gave short shrift to their concerns, instead rushing to approve rules favorable to the charter-school industry. Gov. Jerry Brown replaced a majority of the board in one of his first official acts, installing some members viewed by critics as having more traditional union sympathies.

"The old board was not listening well.... It was clearly trying to rush the regulations," said Bob Wells, executive director of the Assn. of California School Administrators. "Having a new board more open and receptive to feedback is going to be terrific."

A key concern for that group and others is that the law does not require public meetings to discuss reform alternatives. Others are concerned that current proposals would allow parents outside the school to form a majority and force change. And some object to proposals allowing parents to select a charter operator and place their choice on the petition without first gathering community input.

The lack of clear regulations could hamper the state's first petition drive under the law in the Compton Unified School District. Last month, 62% of parents at McKinley Elementary School, whose academic performance ranks in the bottom tenth in California, petitioned to turn over school management to a charter operator, Celerity Educational Group.

That effort was led by Parent Revolution, a Los Angeles-based education reform group and ally of charter school interests that pushed for the parent trigger law.

The group's executive director, Ben Austin, was a member of the state Education Board until he was recently replaced. He said it is urgent that the board act on the revisions to the law, particularly as several important issues in Compton remain unclear.

As the Compton petition campaign became embroiled in charges of intimidation and deceit, some parents are said to have rescinded their signatures. Yet in the absence of permanent regulations, Austin said, the process for rescinding signatures is unclear, along with a host of other issues.

Compton school board members also are looking for state action on the rules as they consider how to proceed with the petitions.

"The parents of Compton made history last month, but they are doing so in a regulatory Wild Wild West," Austin said. "There is a real urgency for the state board to act."

Others feel they have been left out of the debate and want their concerns fully aired before the new board.

The state PTA and Public Advocates, for instance, are pushing to require at least two public meetings before a petition can be submitted to make sure parents are fully informed about all reform options.

"Making this more transparent is best for everyone," said Virginia Strom-Martin, a lobbyist for the Los Angeles Unified School District.

In particular, several groups believe the proposed regulations go beyond the law in allowing parents to choose their own charter operator without public meetings.

In Compton, Parent Revolution — not the parents themselves — chose both the preferred reform option and the charter operator.

"Well-funded charter schools will have a financial motive to persuade parents to support a charter's takeover of an existing school district facility, knowing that the result will be a stream of public revenue directly to the charter," the Compton schools' attorney, Barrett K. Green, wrote to state educational officials this month.

Austin said his group would support public meeting requirements as long as regulations also guaranteed a "level playing field" for those seeking change — granting access to school enrollment information, for example, or banning the use of school resources to oppose a petition.

The group also wants the appeals process strengthened so that parents whose petitions are rejected by their local school board can turn to county and state authorities.

In other concerns, several groups said they opposed the use of paid signature-gatherers and want petition organizers to disclose whether they are affiliated with charter schools, unions or other interests.

And advocates for students who speak limited English, such as Californians Together, are pushing for the board to require materials to be presented in all languages spoken by at least 15% of the affected parents.

"We think these are very significant changes for the schools and want the opportunity for full public input and discussion," said Debbie Look of the state PTA.

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