



Los Angeles Unified School District

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Via Facsimile (323) 441-1930 and E-mail / gloria@parentempower.org

Senator Gloria Romero
California Center for Parent Empowerment
5601 E. Beverly Blvd., Unit B
East Los Angeles, CA 90022

Dear Senator Romero,

You recently inquired as to the rules that apply when third parties wish to interact with and provide leaflets to parents during the hours in which they are dropping off or picking up students. You indicated that the California Center for Parent Empowerment, an organization that you founded, intends to contact parents in this manner for the purpose of informing them of upcoming offsite meetings, at which they can learn more about their rights under the Parent Empowerment Act of 2010. As we discussed, you wanted to make sure that you and your staff engage in lawful, appropriate interactions with parents and administrators when doing so, and you asked our office to provide you with guidelines.

At the outset, we thank you for being proactive and requesting the information in advance of your arrival. As we discussed informally, the issue in leafleting cases is balancing the constitutional rights of the speaker with the need to reserve public property for its intended purpose (in this case, education). Based upon cases interpreting this balance, a school district may not prohibit members of the public from engaging in protected First Amendment activities on sidewalks on the perimeter of school facilities, but it may bar individuals from parking lots and interior walkways where the flow of traffic would be impeded, since it would be disruptive to the educational process. You would not be blocked from approaching parents on the perimeter sidewalks so long as you are not blocking traffic, disrupting the educational process or the activities occurring in the school. As you have indicated your intent to remain on the sidewalk, peacefully contact parents, and certainly not disrupt the educational program at the school, we do not foresee any legal concerns. In order to avoid confusion and facilitate your efforts, we would greatly appreciate advance notice of your intended dates and locations so that we can advise the site administrator accordingly. Moreover, the leaflet should contain contact

information for your organization in order to answer any questions from the parents. You may contact me directly, and I will ensure that the appropriate site-based professionals are informed.

Finally, you inquired as to the District's position on whether the Parent Trigger option is currently available to District parents. As we discussed in our recent meeting, the District's position is that it is not. The following sets forth the District's analysis and position on that issue.

On August 6, 2013, the United States Department of Education approved a waiver to the Elementary and Secondary Education Act /No Child Left Behind Act submitted by eight California school districts, including LAUSD. The waiver was submitted by the California Office to Reform Education ("CORE") and relieves LEAs and their schools from requirements of the ESEA/NCLB to take currently required corrective actions.

On October 2, 2013, Governor Brown signed Assembly Bill 484 ("AB 484") which replaces the Standardized Testing and Reporting (STAR) Program with a new state testing assessment system, which is more closely aligned with the Common Core State Standards in ELA and mathematics authorizing the State Superintendent to not issue an Academic Performance Index (API) score to a school.

The Department of Education's approval of the CORE waiver and passage of AB 484 remove LAUSD schools from being identified as a "subject school" under the Parent Empowerment Act. As you know, in order to be a subject school under the Parent Empowerment Act, a school must be subject to corrective action pursuant to paragraph (7) of Section 1116(b) of the federal Elementary and Secondary Education Act, continues to fail to make adequate yearly progress, and has an Academic Performance Index score of less than 800.

Through the CORE waiver, LAUSD schools are relieved from the requirement to take corrective actions pursuant to ESEA section 1116(b). Therefore, LAUSD does not have any school subject to corrective action pursuant to ESEA/NCLB which is a requirement for a school to be "triggered" under the Parent Empowerment Act. Instead, the CORE waiver requires LAUSD to implement specific reforms beyond the NCLB's narrow achievement targets and cut points which aim to improve performance across the three domains of the School Quality Improvement System: Academic, Social/Emotional, and School/District Culture and Climate.

The District remains committed to addressing any issues and concerns from parents and community as they relate to the culture, climate or academic achievement at their school. Support and intervention, as deemed appropriate, are available through the resources provided within each Educational Service Center and the Parent Community Student Services Branch. Our goal is to ensure that all stakeholders within the school community develop the partnership needed to address any factors or conditions which are preventing the school from focusing upon the academic achievement of all students. .

Should you have any further questions, please do not hesitate to contact either me or Ms. Devora Navera Reed at (213) 241-7600.

Again, thank you for reaching out with respect to these and other related issues. We appreciate your input and cooperation.

Sincerely,



Kathleen Collins
Chief Administrative Law & Litigation Counsel