

Date of Hearing: May 10, 2017

ASSEMBLY COMMITTEE ON EDUCATION

Patrick O'Donnell, Chair

AB 500 (Gomez) – As Amended May 2, 2017

SUBJECT: Employee codes of conduct

SUMMARY: Requires a local educational agency or private school that maintains a section on employee interactions with pupils in its employee code of conduct to provide a written copy to the parents of each child enrolled at the beginning of each school year. Specifically, **this bill:**

- 1) Requires a local educational agency, or a person, firm, association, partnership, or corporation offering or conducting private school instruction at the elementary or high school level, that maintains a section on employee interactions with pupils in its employee code of conduct with pupils to do both of the following:
 - a) Commencing July 1, 2018, provide a written copy of the section on employee interactions with pupils in its code of conduct to the parent or guardian of each enrolled pupil at the beginning of each school year.
 - b) Commencing January 1, 2018, post the section on employee interactions with pupils in its code of conduct, or provide a link to it, on each of its schools' Internet Web sites, or, if a school of a local educational agency does not have its own Internet Web site, on the local educational agency's Internet Web site, in a manner that is accessible to the public without a password.
- 2) Specifies that a local educational agency may satisfy the requirement to provide a written copy of the section on employee interactions with pupils in its code of conduct to the parent or guardian of each enrolled pupil by including the section on employee interactions with pupils in its code of conduct in the notice required pursuant to Section 48980.
- 3) Specifies that for purposes of this measure, a local educational agency includes a school district, county office of education, or charter school.
- 4) Specifies that this measure shall not be construed to require a local educational agency, a school within a local educational agency, or a private school to create an Internet Web site if it does not have one.
- 5) Specifies this measure does not apply to a private school composed of parents or legal guardians working exclusively with their own children.

EXISTING LAW: Establishes a permissive Education Code, under which LEAs have blanket authorization to provide any program or offer any service that is not otherwise prohibited by law.

FISCAL EFFECT: This bill is keyed non-fiscal.

COMMENTS: This bill requires all schools and school districts that have an employee code of conduct related to employee-student interactions, to distribute that section of the code of conduct

to parents at the beginning of each school year. The bill also requires the information to be published on the school district or school website.

According to the author, AB 500 will require all traditional, charter and private schools in California to provide a written copy of the portions of their school employee code of conduct that deals with students to parents and students at the beginning of each school year and shall post it on the schools public website. Parents and students are not always aware of the existence of a school employee code of conduct with students. This can lead to many situations that affect the learning environment for students. In some extreme cases, these adverse situations can cause long term trauma to a student. This bill seeks to avoid many of these situations by increasing awareness of the school employee code of conduct.

Teachers may benefit, too. The author's office also provided information indicating that codes of conduct can benefit teachers and other school employees. For example, a code of conduct that discourages one-on-one meetings between a teacher and a student behind closed doors can help protect employees against false claims of misconduct.

This bill does not require schools to have a code of conduct; only to distribute and post them if they have them. It is not known how many districts that have codes of conduct already publicize them. Any such districts would be entitled to state reimbursement under this bill, however, because once an activity is mandated it is state reimbursable, even if the district was already doing it.

Previous legislation. AB 2621 (Gomez and Bloom) from 2016, would have required a local educational agency (LEA) or an entity providing private school instruction that maintains an employee code of conduct to provide a written copy of that document to the parent or guardian of each enrolled student at the beginning of each school year and also post it on its Web site if it has one. This bill was vetoed by the Governor with the following message:

This bill would require districts and private schools that have an employee code of conduct to post the code on its website and distribute a copy to parents at the beginning of each school year.

Employee codes of conduct can be many pages and cover several issues related to the employment of all district or school employees. It's not helpful to send parents more information unless the message being conveyed is clear. While well-intentioned, I am not convinced these documents specifically cover the behavior the author is targeting.

REGISTERED SUPPORT / OPPOSITION:

Support

California School Boards Association

Opposition

None on file

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