

Date of Hearing: June 12, 2024

ASSEMBLY COMMITTEE ON EDUCATION

Al Muratsuchi, Chair

SB 1194 (Wilk) – As Amended June 3, 2024

SENATE VOTE: 33-1

SUBJECT: State Superintendent of Public Instruction’s Parent Advisory Council: membership information: meetings

SUMMARY: Requires, on or before January 31, 2025, the California Department of Education (CDE) to publicly post on its website the membership of the Superintendent of Public Instruction’s (SPI’s) Parent Advisory Council (PAC), and to update the membership list on its website within 30 days of a membership change. Specifically, **this bill:**

- 1) Requires, on or before January 31, 2025, the CDE to publicly post on its website the membership of the SPI’s Parent Advisory Council, and to update the membership list on its website within 30 days of a membership change.
- 2) Requires the membership information posted on the CDE’s website to include, but is not limited to, all of the following for each person:
 - a) Their name;
 - b) Their occupation, title, and, if employed by a local educational agency (LEA), their employer; and
 - c) Their county of residence.
- 3) Requires meetings of the SPI’s Parent Advisory Council to be conducted pursuant to the Bagley-Keene Open Meeting Act.
- 4) Defines “local educational agency” to mean a school district, county office of education (COE), or charter school.

EXISTING LAW:

- 1) Establishes CDE in state government, and provides that it be administered through:
 - a) The State Board of Education (SBE), which shall be the governing and policy determining body of CDE; and
 - b) The Director of Education, in whom all executive and administrative functions of CDE are vested and who is the executive officer of SBE. (Education Code (EC) 33300 and 33301)
- 2) Requires that a SPI be elected by the qualified electors of the State at each gubernatorial election, and prohibits any SPI from serving more than two terms. (California Constitution, Article IX, Section 2)

FISCAL EFFECT: According to the Senate Appropriations Committee, pursuant to Senate Rule 28.8, negligible state costs.

COMMENTS:

Need for the bill. According to the author, “SB 1194 is a simple transparency measure that requires the California Department of Education to post the names and county of residence for members that sit on its PAC, as well as the PAC to be subject to the Bagley-Keene Open Meeting Act. It is common practice for similar CDE advisory committees to voluntarily post the names, employers, and positions of their members. For example, The Instructional Quality Commission, The Advisory Commission on Charter Schools, and the Advisory Commission on Special Education all post this information voluntarily.

Superintendent Thurmond stated that the council was created to help ensure the CDE is, ‘reaching out to our families to make sure they are included in the conversation about what education looks like for children.’ But parents can’t be included in the conversation if they have no idea who’s participating in this conversation and what is being discussed.

I think it’s always a great idea to empower parents to help shape education policy and this committee will help accomplish that. But I want to make sure that parents know who is speaking on their behalf and if their community is represented.”

CDE’s Parent Advisory Council. On April 5, 2022, the SPI announced the formation of a statewide PAC by issuing a letter to county and district superintendents and charter school administrators stating, “The PAC will work directly with my office to provide input and feedback on matters affecting youth throughout the state. I am creating a council of diverse parents that will directly work with policymakers and educational partners to provide equitable change to California’s education system through authentic parent voices. As we reimagine education, we hope to have parents working alongside California’s education professionals and policymakers to build a better tomorrow for all learning institutions in our state.”

Within the CDE, the PAC is overseen by the Whole Child Division. According to the CDE’s website, the PAC’s mission is to “engage families to help shape education policy and represent diverse parent voices in the statewide decision-making process. The PAC is committed to helping close gaps in achievement and to create authentic engagement opportunities that will result in transformative outcomes for California students.”

No additional information about the PAC, such as membership and meeting dates, can be found on the CDE’s website (other than a general email address for the council). According to the author, requests to obtain information from the CDE about this council’s membership have proven futile. Also according to information provided by the author, “In January 2023, rejection letters began going out to [PAC member] applicants, however a list of the 15 parents that were chosen was not provided. Requests to obtain this information from CDE have proven futile and the webpage where information on the PAC is posted is currently under construction. CDE did state that they were planning to post information about the council and its members by the end of 2023; however, it is unclear why the information has still not been released. Existing law does not require CDE to post this type of information on their website.”

The CDE recently provided information to Committee staff stating the PAC is a high priority for the CDE, the last PAC meeting took place in the fall of 2023, and the CDE will continue to update information on the CDE website. The CDE further stated the purpose of the PAC is to present recommendations to the SPI to support academic, social-emotional learning, and family engagement among all public-school children, and ensures that policy decisions made by the SPI are informed by the voices of parents and guardians who reflect the State's diverse student population.

Public information. This bill requires the CDE to publicly post information about members of the PAC, including name, county of residence, occupation, title, and employer if employed by a local educational agency. As noted below, information about the membership of other various advisory bodies is currently available on the CDE's website. Web pages for some of the advisory bodies note the position/title and employer of members, but those bodies call for specific expertise of their members (such as laws on charter schools, special education, or in curricular design). **The Committee may wish to consider** that the employers of some parents that serve on the Parent Advisory Council may present potential a conflict of interest if, for example, the parent's employer is under contract with a school district to provide goods or services.

Other advisory bodies. Currently, the SBE and CDE may convene advisory councils, committees, or commissions. A small sampling of those bodies, and information about membership, include:

- Advisory Commission on Charter Schools: Listed on the CDE's website are members' names, group affiliation, biography, and terms of appointment.
- Advisory Commission on Ethnic Studies Model Curriculum: Listed on the CDE's website are members' names, position title, and employer.
- California Practitioners Advisory Group: Listed on the CDE's website are members' names, positions/employers, group affiliation, and terms of appointment.
- Advisory Commission on Special Education: Listed on the CDE's website are members' names, email, term and appointing body.

Recommended Committee Amendments. *Staff recommends that the bill be amended* as follows:

- Require the CDE to post on its website membership information for all advisory councils, committees, workgroups, and other similar bodies established by the superintendent, including but not limited to the State Superintendent of Public Instruction's Parent Advisory Council. Membership information will include name, occupation, title, employer (only if employer is an LEA), and county of residence.
- Clarify that member employment information is only required to be posted if a member is employed by an LEA.

Related legislation. AB 715 (Megan Dahle) of the 2023-24 Session would have established the Rural Education Task Force within the CDE to provide assistance and advice to the SPI on the needs and challenges of very rural schools that serve pupils in kindergarten and grades 1 to 12.

This bill would have required specified task force members, including parents. This bill was held in the Senate Appropriations Committee.

Arguments in support. Educate. Advocate. writes, “The families we serve strongly support this bill. Please support this important bill.”

Arguments in opposition. TransFamily Support Service writes, “The publication of personal information exposes council members to heightened risks of harassment and intimidation, with potentially severe consequences. AB 1979, the Doxing Victims Recourse Act, underscores the serious harms that can result from the unauthorized release of personal information, including physical injury, harassment, stalking, and emotional distress. By requiring the publication of personal information without consent, the proposed changes to SB 1194 perpetuate the very risks that AB 1979 aims to mitigate. This inconsistency undermines efforts to protect individuals' privacy and safety, particularly for vulnerable communities such as LGBTQ+ youth and their families.

Consider the case of LGBTQ+ youth and their families, who already face disproportionate rates of discrimination and violence. By associating council members with LGBTQ+ advocacy, the proposed changes increase the likelihood of targeted harassment and bullying, both online and offline. Such actions not only undermine the safety and well-being of council members and their families but also create a chilling effect, deterring individuals from participating in advisory roles for fear of reprisal.”

REGISTERED SUPPORT / OPPOSITION:

Support

Educate. Advocate.

Oppose

Transfamily Support Services
Transyouth Liberation

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