



## Parent Trigger Laws:

*Is the Game Worth the Candle?*

# Table of Contents

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Overview ..... 1

The Concept ..... 1

The Origin of Parent Trigger ..... 3

The Controversy ..... 3

Implementation Limited to California ..... 4

California Case Studies ..... 4

Conclusion ..... 7

Sources ..... 8



# Parent Trigger Laws:

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## Overview

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While Texas has had a parent trigger law on the books since 2011, California remains the only state in the nation to have actual experience with the policy's implementation and impacts. To assist Texas policymakers in evaluating proposals to modify Texas' parent trigger statute, Raise Your Hand Texas® developed this policy brief based both on available resources regarding California's experience with parent trigger as well as first-hand interviews with key California stakeholders conducted by Raise Your Hand policy research staff.

## The Concept

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Parent trigger laws authorize parents to transform a school's governance structure and staffing by obtaining petition support from a majority of parents with children in a low-performing school. Most state parent trigger laws authorize parents to designate one or more of four interventions in their petition:

1. Converting the school into a charter
2. Replacing at least half the school staff
3. Removing the current principal
4. Closing the school

Once a petition is successfully obtained by parents, a petition approval process ensues. While sanctioned options vary by state, every parent trigger law enables charter school conversion. In two states, charter conversion is the only school reform option permitted.

Seven states, including Texas, have passed parent trigger laws, one of which limits parent trigger eligibility to schools within a specific city in the state (Columbus, Ohio). The following chart describes the laws in each state, including which schools are eligible for parent trigger, the options for implementation, and how the petition process works.

## PARENT TRIGGER

State	Schools Qualifying for Parent Trigger	Parent Trigger Options	Petition Approval Process
<b>California<sup>1</sup></b>	Schools with three consecutive years of low-performance and one year of corrective action status under NCLB are subject to parent trigger.	<ul style="list-style-type: none"> <li>• Converting to a charter school</li> <li>• Replacing the principal, screening and rehiring no more than half the school staff</li> <li>• Replacing only the principal</li> <li>• Closing the school</li> </ul>	The local school board may object, but must recommend an alternate of the sanctioned interventions.
<b>Connecticut<sup>2</sup></b>	After designation as low-performing, a School Governance Council forms; after three years of the Council meeting to assist the administration in needs assessment, hiring decisions, and improvement plan development, schools are subject to parent trigger.	<ul style="list-style-type: none"> <li>• Converting to a charter school</li> <li>• Replacing the principal, screening and rehiring no more than half the school staff</li> <li>• Replacing only the principal</li> <li>• Closing the school</li> <li>• Converting to an Innovation School</li> <li>• Converting to a CommPact school</li> </ul>	The local or regional school board may: (1) support the plan; (2) propose an alternative intervention in consultation with and approved by the Council; or (3) reject change, in which case the Commissioner of Education can choose to uphold or overturn the board's decision.
<b>Indiana<sup>3</sup></b>	Schools with two consecutive years of low-performance are subject to parent trigger.	<ul style="list-style-type: none"> <li>• Converting to a charter</li> </ul>	The local school board must approve the recommended conversion, with no recourse to parents if they do not.
<b>Louisiana<sup>4</sup></b>	After five consecutive years of low-performance, non-charter schools are subject to parent trigger.	<ul style="list-style-type: none"> <li>• Removal from the local jurisdiction to the state Recovery School District, or in the case of schools directly run by the Recovery School District, return to the local jurisdiction*</li> </ul>	Approval by the Board of Elementary and Secondary Education (BESE) required for transfer to Recovery School District; transfer from Recovery School District requires approval of BESE and local school board.
<b>Mississippi<sup>5</sup></b>	Schools with three consecutive years of low-performance are subject to parent trigger.	<ul style="list-style-type: none"> <li>• Converting to a charter</li> </ul>	The State Board of Education must approve the charter conversion.
<b>Columbus City, Ohio<sup>6</sup></b>	Columbus City Schools with three consecutive years of low-performance are subject to parent trigger.	<ul style="list-style-type: none"> <li>• Converting to a charter</li> <li>• Replacing at least 70% of school staff</li> <li>• Contracting with another school district or Education Management Organization</li> <li>• Turning the school over to state operation</li> <li>• Implementing "any other major restructuring"</li> </ul>	The local school board may appeal to the Department of Education, but must recommend an alternate of the sanctioned interventions.
<b>Texas<sup>7</sup></b>	Schools with three consecutive years of low-performance after the Commissioner of Education has reconstituted the school are subject to parent trigger.	<ul style="list-style-type: none"> <li>• Designating alternative management, including converting to a charter</li> <li>• Repurposing, with a comprehensive district plan to replace the principal and all teaching staff except proven high-performers</li> <li>• Closing the school</li> </ul>	The local board of education may recommend an alternate of the sanctioned interventions, in which case the Commissioner decides which to implement.

<sup>1</sup> CA Educ Code § 53300 (2012). Retrieved from <http://law.justia.com/codes/california/2011/edc/title-2/53300-53303/53300>

<sup>2</sup> CT Gen Stat § 10-223j (2012). Retrieved from <http://law.justia.com/codes/connecticut/2012/title-10/chapter-170/section-10-223j>

<sup>3</sup> IN Code § 20-24-11-1 (2011). Retrieved from <http://law.justia.com/codes/indiana/2011/title20/article24/chapter11/>

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<sup>5</sup> MS Code § 37-165-7 (2013). Retrieved from <http://law.justia.com/codes/mississippi/2013/title-37/chapter-165/section-37-165-7/>

<sup>6</sup> OH Rev. Code Ann. § 3302.042 (2011). Retrieved from <http://codes.ohio.gov/orc/3302.042>

<sup>7</sup> Tx. Ed. Code § 39.107 (e-1). Retrieved from [www.statutes.legis.tx.us/Docs/Ed/Htm/Ed.39.htm#39.107](http://www.statutes.legis.tx.us/Docs/Ed/Htm/Ed.39.htm#39.107)

\* Because the Recovery School District is composed almost entirely of charter schools, few schools if any will meet this parent trigger eligibility requirement.

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## The Origin of Parent Trigger

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The first parent trigger legislation was developed by the Los Angeles Parents Union, an organization formed in 2006 by charter operator Green Dot as an organizing alternative to the PTA. The Los Angeles Parents Union was headed by Green Dot consultant Ben Austin. In April 2008, Austin founded Parent Revolution to lobby for and implement parent trigger legislation.<sup>1</sup> California passed the first state parent trigger statute in January 2010.

Staffed with community organizers, Parent Revolution has guided parent trigger campaigns in school districts within and around Los Angeles, driving each step of local parent trigger activity—from conducting petition drives and creating public communication on parents' behalf, to assisting parents in selecting an intervention model and negotiating with school districts on reform.

## The Controversy

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While advocates for parent trigger laws promote the ability to empower parents to reform their child's school, critics offer several cautions:<sup>2</sup>

- Whereas parent trigger is predicated on conflict between parents and other school constituencies, effective school turnaround requires collaborative stakeholder engagement among parents, teachers, administrators and others to develop and implement successful reform plans.
  - Parent trigger campaigns to date have relied on intense organizing support from an outside advocacy organization, leading some to question the degree to which campaign objectives are shaped by parents or those outside of their community.
  - By limiting school decision-making to parents of currently enrolled children, parent trigger laws disenfranchise all other community members, and preempt the authority of elected school boards and state commissioners of education.
- While parent trigger enables parents to vote for significant school change, it stipulates no explicit role for parents in reform implementation, focusing on parent mobilization to execute a petition at the exclusion of long-term parental engagement.
  - Parent trigger enables sweeping governance changes, without requiring the incorporation of essential research-proven school turnaround strategies, such as leadership development; teacher support; curricular improvements; and long-term community and family engagement.<sup>3</sup>

## Implementation Limited to California

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While seven states have passed parent trigger laws, only California has executed a parent trigger action, due foremost to the intense organizing presence of Parent Revolution.\*

Three California schools have executed the parent trigger, with parents submitting petitions to compel specified reforms. In three additional California schools, the threat of a parent trigger petition has been leveraged to engage the school and district administration in committing to these certain notions. Five of the six parent trigger-related reform plans were implemented during the 2013-14 school year, the remaining in 2014-15.

California suspended most state assessment for 2013-14, leaving little performance evidence with which to evaluate parent trigger in implementation. The state data available, limited to a single grade's science scores on the California Standards Test, shows students at two schools scored higher after parent trigger, while scores decreased at three other trigger schools.\*\* Despite a lack of empirical data, the potential impact of parent trigger may still be analyzed by the governance and policy changes implemented as a result of each campaign, along with the nature of attendant parent engagement in school reform.

## California Case Studies<sup>4</sup>

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### Desert Trails Elementary, Adelanto

The first parent trigger petition was executed in Adelanto, following a failed campaign led by Parent Revolution at the City of Compton's McKinley Elementary School. Some McKinley parents claimed to have been misled by petitioners, saying they were asked to support school improvement without being informed the petition sanctioned a charter school operator takeover.<sup>5</sup>

Similar complaints over duplicitous petitioning for a charter operator arose among Adelanto's Desert Trail Elementary school parents, with nearly 100 moving to revoke their signatures, and the school board ruling 200 more invalid.<sup>6</sup> Ultimately, California Superior Court

ruled the parent trigger law did not provide for signature revocation. Accordingly, Desert Trails Elementary was restarted as a charter school in 2013. California has since adopted regulation to mitigate unethical petition practices, including prohibiting gifts or incentives for signatures, requiring signature gatherers to disclose if they are being paid, and prohibiting signature gatherers from being paid by the signature.<sup>7</sup>

**Positive:** Parent Revolution commissioned the research firm Goodwin Simon to assess parent satisfaction with Adelanto's new charter school. Among parents with children at the charter as well as the school preceding it, 92% say the quality of education has improved and 97% say their child is receiving an excellent education.<sup>8</sup>

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\* 2014-15 is the first school year Columbus City, Ohio district schools are eligible for parent trigger under Ohio's parent trigger statute. StudentsFirst Ohio has been designated by the Ohio Department of Education to "facilitate the process of obtaining signatures and requesting a type of reform as prescribed in statute." See Bush, B. (September 16, 2014). StudentsFirst says it won't play politics with Columbus schools parent trigger. The Columbus Dispatch. Retrieved from [http://www.dispatch.com/content/stories/local/2014/09/16/StudentsFirst\\_parent\\_trigger\\_Columbus\\_Schools.html](http://www.dispatch.com/content/stories/local/2014/09/16/StudentsFirst_parent_trigger_Columbus_Schools.html)

\*\*Desert Trails Academy administered the Gates MacGinitie Reading Test in 2013 and 2014. Students in 3rd and 6th grades advanced one grade level between 2013 and 2014; students in 5th grade advanced slightly more, scoring a grade equivalency of 3.5 in 2013 and 4.6 in 2014; 4th graders made the most progress, scoring an average of 2.2 in 3rd grade and 3.6 in 4th grade. Scores for all grades remained below grade level. Comparison data in year over year growth on the test prior to parent trigger is not publicly available. See Staff Writer. (November 22, 2014). Parent-trigger school tracks progress. Hesperia Star. Retrieved from <http://www.hesperia.com/article/20141122/NEWS/141129926/10084/SPORTS>



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**Negative:** Initiated in 2011, the parent trigger campaign created a significant rift in the Adelanto community. Parents split down the middle for and against the charter takeover and tensions persist. This past fall, when volunteers were painting the school for the new school year, parents resentful over the charter conversion vandalized a classroom, leading to arrest and renewed conflict.<sup>9</sup>

### **24th Street Elementary, West Adams**

As one of two schools where parents more uniformly supported parent trigger, parents signed a petition calling for a charter school restart model and solicited proposals with the support of Parent Revolution. The Los Angeles Unified School District (LAUSD) Superintendent intervened, meeting with parents and committing to address their concerns. LAUSD submitted a proposal, which parents selected, to operate the elementary school, partnering with an existing co-located charter middle school to enroll all 24th Street Elementary school graduates.

**Positive:** LAUSD added pre-k classes as a result of the leverage parent trigger petitioning generated.<sup>10</sup> The school also replaced the principal, with whom parents had an antagonistic relationship. Parents report a more constructive relationship with the school's new administration.<sup>11</sup>

### **Weigand Elementary, Watts**

With the organizing support of Parent Revolution, parents submitted a petition to terminate the school's principal.

**Negative:** As a result of the parent trigger petition, the principal was terminated and 21 of the school's 22 teaching staff transferred in protest, leaving the school without the leadership and educator experience necessary to improve school performance. The terminated principal had recently completed an improvement plan through the Public School Choice initiative, LAUSD's turnaround program for chronically

underperforming schools, which requires parent engagement in plan development. Not only was the principal not afforded an opportunity to implement the reform plan, but a district instructional director estimated it could take three years for Weigand to rebuild from staff losses.<sup>12</sup> Unlike 24th Street Elementary School parents, Weigand parents were split in their support and opposition to the parent trigger action.<sup>13</sup>

### **Lennox Middle School, Lennox**

Concerned over weak math and reading scores, parents at Lennox Middle School contacted Parent Revolution for guidance on their options under parent trigger. Their concerns were met by a receptive superintendent new to the district, who requested the opportunity to address parent priorities in an improvement plan.<sup>14</sup>

**Positive:** The superintendent's improvement plan combined 5th grade, which previously stood alone, with the middle school under one principal, whom parents praise for her willingness to engage in collaborative discussion. Additional English as a Second Language (ESL) electives, social studies, and literacy courses are now offered, and "college teams" will be implemented to encourage a college-going culture.<sup>15</sup>

### **Haddon Avenue Elementary, Pacoima**

As Haddon Avenue Elementary parents were organizing for potential parent trigger action for charter conversion, Haddon elected to become a Local Initiative School, California's program allowing for greater autonomy in staffing, curriculum, budget and school organizing decisions. Sixty percent of teachers working at least half-time must agree to the autonomy plan.

While Parent Revolution claims parent organizing provided the leverage necessary to encourage teacher support for the autonomy agreement, teachers insist the two actions were a coincidence, and labeled the parent trigger activity unconstructive.<sup>16</sup>

### West Athens Elementary, West Athens

The West Athens parent trigger campaign was initiated in response to a perception of increased bullying and fighting. Parent Revolution organized parents of children at the school, gathering signatures, distributing flyers, and engaging the school and district administration with parent concerns. Parent Revolution and Parent Union\* members met with the school administration throughout the year to develop an agreement between the school district and the Parent Union. The foremost accomplishment touted by Parent Revolution was an allocation of \$300,000 in the agreement to hire a school psychologist, counselors, and aides to address school violence.<sup>17</sup>

**Positive:** Parents active in the Parent Union believe the principal is now more responsive to their concerns.<sup>18</sup>

**Negative:** West Athens was recognized by the state of California as a “Rewards School” for high academic progress as a low-performing school during the three years prior to 2013-14. The West Athens campaign deeply divided parents. Those with a history of volunteerism at the school resented parents active in the Parent Union. Mitigating parent conflict throughout the year demanded time of school officials that otherwise could have been allocated to supporting new teachers and building on the school’s academic progress.<sup>19</sup>

Furthermore, the primary accomplishment of the campaign—\$300,000 allocated to prevent fighting through additional staffing—likely would have been allocated to violence intervention through the existing Public School Choice improvement plan process.<sup>20</sup>

### Promising Alternatives for Constructive Parent Engagement

Some states have implemented promising models for engaging parents in school turnaround, which are not driven by conflict between stakeholder groups as parent trigger is. In these collaborative models, parents partner with district administrators, teachers, and others in improvement plan development. Whereas parent trigger focuses on mobilization for governance or staff change, strategies to promote long-term constructive parent engagement provide key oversight roles for parents throughout turnaround plan implementation.

*The 2010 Massachusetts Achievement Gap Act* requires underperforming schools to develop turnaround plans based on stakeholder input. The superintendent of an underperforming school convenes a group of local parents, community members, school administrators and teachers, to inform the development of a three-year plan. These stakeholders provide input on measurable annual goals related to: student achievement; college readiness; and parent and family engagement, among other areas in need of improvement. Once the plan is in place, the state recommends appointing a School Redesign Team composed of those impacted by the plan, including multiple parents, a teacher, the principal, and a district office appointee, to oversee implementation.<sup>21</sup>

*Connecticut’s Commissioner’s Network*, authorized in 2012, targets the state’s lowest performing schools for participation in research-based turnaround strategies. When the Commissioner selects a school, the board of education appoints a turnaround committee, which includes parent participation. In addition to principal leadership, teacher performance, and curriculum rigor, the turnaround plan must include strategies to improve the school’s family and community connections.<sup>22</sup>

\* A “Parent Union” is a parent group on a campus organized by Parent Revolution, <http://parentrevolution.org/what-we-do/> (last accessed 11.18.2014).



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## Conclusion

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The use of or threat to use the parent trigger has arguably resulted in important reforms at some California schools, though the extent and impact of those reforms is yet unclear. Parents active in campaigning through Parent Unions organized by Parent Revolution feel empowered in school decision-making impacting their children.

However, the parent trigger policy is inherently rooted in conflict. Some campaigns created deep division among parents, teachers and school administrators, with parent

conflicts persisting over time and extending into the community. For these schools, it is hard to conclude whether the resulting reforms, some of which would have occurred regardless under the state's school turnaround program, were worth the parent trigger's costs in the form of community conflict, distraction from academics, and unwarranted whole school staff attrition. California's experience with the parent trigger is instructive regarding both the positive and negative potential of this policy.

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