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Department of Education and Charter Schools Association Agree with Civil Rights Group: Public Schools Can't Force Parents to Volunteer

Sacramento, CA - The California Department of Education (CDE) issued an advisory late last week ([Fiscal Management Advisory 15-01](#)) advising charter schools and school districts that the law prohibits them from requiring parents to donate "service hours" to a public school. This Advisory was issued as a result a report by Public Advocates ("[Charging for Access](#)") released last November, which called into question the parent involvement policies of many charter schools across the state. After Public Advocates demanded that the CDE address this issue, the California Charter Schools Association reached out quickly to both groups, offering its support in ensuring that parent volunteering in charter schools is always exactly that: *voluntary*.

Public Advocates, which has long fought for the civil rights of California's public schoolchildren, and CCSA, the professional and membership organization representing charter schools in California, found common ground on the issue and sought clarity on the law from the CDE. Both groups agree that while schools should encourage parents to participate in their children's education, they should never penalize a child or a family whose parents are unable to meet a school's parent-participation goals. While parental engagement is undoubtedly a good thing, making parent participation mandatory is simply unlawful, as the CDE's guidance clarifies.

"CDE has confirmed that policies mandating minimum hours of parent volunteerism or financial contributions are not legal and could lead to inequity, excluding some of our state's highest-need students from high quality educational opportunities," said Public Advocates attorney Hilary Hammell.

After CDE was alerted to the concerns, the Department acted swiftly, issuing the new guidance within less than two months. "We are pleased by the CDE's quick action," said John Affeldt, Public Advocates Managing Attorney. The guidance states clearly that California law "bars a school district or school from requiring 'volunteer hours' as a condition [for] admission, enrollment...[or] participation in educational activities." The guidance also clarifies that public schools may not employ cash payments or fee waivers (e.g., indigency waivers) as ways to satisfy volunteer hours requirements.

“While CCSA believes that the majority of charter schools are complying with the law, we absolutely agree that no child should ever be excluded from a school or school activity as a result of a parent’s inability to volunteer at the school,” said Jed Wallace, president and CEO, CCSA. “We have appreciated the opportunity to work with Public Advocates and the CDE to provide guidance that will assist charter schools in developing charter petitions and other foundational documents that reflect the practices that we believe should be universal across the charter school sector in California. To that end, we have sent an advisory to our members and will continue to provide guidance regarding best practices that maximize parent participation while complying with this law.”

If a public school, charter or otherwise, continues to tell parents that volunteering is mandatory, “the parent should file an AB 1575 complaint with the school,” said Hammell. AB 1575 is the law clarifying that public schools can’t charge fees. “The CDE’s guidance makes clear that AB 1575 equally prohibits mandatory service requirements. If the school doesn’t fix the problem after a parent files an AB 1575 complaint, the parent can appeal to the CDE. We will also continue to monitor school compliance with this prohibition.”

About Public Advocates

Public Advocates Inc. is a nonprofit law firm and advocacy organization that challenges the systemic causes of poverty and racial discrimination by strengthening community voices in public policy and achieving tangible legal victories advancing education, housing and transit equity. We spur change through collaboration with grassroots groups representing low-income communities, people of color and immigrants, combined with strategic policy reform, media advocacy and litigation, “making rights real” across California since 1971. For more information, visit us at www.publicadvocates.org.

About the California Charter Schools Association

The California Charter Schools Association (CCSA) advances the charter school movement through state and local advocacy, leadership on accountability, and resources for member schools. CCSA's vision is to increase student learning by growing the number of families choosing high quality charter schools so that no child is denied the right to a great public education. Our mission is to ensure a million students attend charter public schools by 2022, with charter public schools outperforming non-charter public schools on every measure. For more information, please visit our website at www.calcharters.org.
