



NEWS RELEASE

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‘Willful Defiance’ Reform Good First Step, but Another Unfunded Mandate

Signed by Gov. Brown, law limiting suspensions and expulsions needs resources to be effective

The California Federation of Teachers (CFT) today praised Gov. Jerry Brown for signing AB 420, which will reduce or eliminate suspensions and expulsions of students for reasons of “willful defiance.” However, CFT also stressed that without the necessary resources to address the underlying issues surrounding willful defiance, the law is not much more than another unfunded mandate.

“While a step in the right direction, this law provides no resources for additional mental health professionals, counselors or nurses to help these students who act out through willful defiance,” said CFT President Joshua Pechthalt. “It’s just another in a long line of unfunded mandates from Sacramento with no resources to move it beyond symbol to substance.”

The new law will eliminate the authority to suspend from school a pupil enrolled in Kindergarten through Grade 3, and the authority to recommend for expulsion a pupil enrolled in Kindergarten through Grade 12 for disrupting school activities or otherwise willfully defying the authority of school personnel engaged in the performance of their duties. However, it also allows teachers to remove the student from class temporarily (up to two days) and requires the teacher to pull together a parent teacher conference as soon as possible. If practicable, a school counselor or school psychologist may attend the conference.

“Willful defiance” far outnumbers the other 23 reasons for which a student in California may be suspended, and is disproportionately cited for suspending or expelling students of color. CFT took a neutral stance on AB 420, strongly supporting the intent behind the bill to institute progressive models of student discipline that keep young people in school rather than expel them, while underscoring the need for real resources to provide a greater positive impact on students’ lives.

CFT supported legislation in the spring called “Healthy Kids, Healthy Minds,” which would have required schools to bring in a full-time nurse and a mental health professional, and keep school libraries open before and after school.

“Healthy Kids, Healthy Minds would have provided funding for these types of holistic services needed by all of our students, especially including those cited with willful defiance,” Pechthalt said.

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The California Federation of Teachers represents faculty and classified workers in public and private schools and colleges, from early childhood through higher education. For more information, www.cft.org.