

June 6, 2003

To: Schools Legal Service Clients

From: Pete Carton

Re: Notifications to Parents and Students  
Update on Required General Notices

Education Code section 48980 and other various statutes require school districts to give written notification to parents on an annual basis regarding programs, rights, and services. This notice is to be sent at the beginning of the first semester or quarter. Each year we prepare an updated model of this notice for our clients.

This model is designed to provide a guideline for you to follow in preparing your district's notice. You will note that certain information is generic and can be copied from the sample. However, other portions require information that describes your district's particular program, policy, or situation. You will need to tailor your notice to fit your district's situation.

Revisions for the 2003-2004 notice are in bold italic print and are for your convenience only. This will assist you in making the necessary changes in your previous notice. This year's version takes into account those changes listed below as "Required Revisions." We do not believe that revisions are necessarily required for the "Optional Items" unless the specific characteristics of a district or school site suggest otherwise.

#### **REQUIRED REVISIONS FOR ALL DISTRICTS**

***Sunscreen:*** State law has been amended to guarantee students the right to wear sun-protective clothing. Additionally, sunscreen may be carried and used without a doctor's prescription.

***School safety plans:*** Tell parents and students that notice will be given to a wide varieties of entities and individuals of the contents of a school safety plan.

#### ***Student discipline:***

- A. Selling or offering to sell the prescription drug Soma is now prohibited.
- B. The prohibition against damaging school property has been extended to cover electronic files and databases.
- C. The prohibition against harassing fellow students has been extended to protect school personnel.

**OPTIONAL ITEMS; SPECIFIC CIRCUMSTANCES**

***Notice of occurrence of violent crime:*** The District may, but need not, send an informational notice of violent crimes to parents and guardians.

***The student discipline code:*** The legislature again wrestled in one statute with the idea that a district “may” rather than “must” publish and give notice of discipline rules. Another statute, not amended, seems to require giving notice. We understand that many of our clients do send home a complete set of the student discipline rules, whether in the annual notice or separately.

For districts which have not been giving notice of student discipline rules, **we recommend at a minimum** giving notice that the rules exist, with a cross-reference to booklets, postings or web sites containing the complete set of rules.

***Sex education course content additions:*** Where such classes are offered, the curriculum must include reference to new Penal Code and Family Code provisions covering the right to anonymously drop off a newborn child at designated locations.

***A note on the Federal “No Child Left Behind” Act:*** We have not attempted to include any references to the myriad of so-called Title I “NCLB” rules and regulations in the Annual Notices. Several districts and individual school sites may be subject to specific requirements conditioned on local performance issues. We encourage clients to consider handling any such matters by separate notices.

Our 2003 version of the recommended notice package has been updated and posted in pdf format for downloading and printing at the “Members Only” section of our web page at [www.schoolslegalservice.org](http://www.schoolslegalservice.org). We welcome your comments and suggestions.

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