



Schools Legal Service
is a joint powers entity
providing legal and
collective bargaining
services to California
public education
agencies since 1976.

Grant Herndon
General Counsel

Stacy L. Inman
Assistant General Counsel

William A. Hornback
Patricia T. Castle
Christopher P. Burger
Alan B. Harris
Carol J. Grogan
Kathleen R. LaMay
Christopher W. Hine
Monica D. Batanero
Counsel

Peter C. Carton
of Counsel

Carl B. A. Lange III
Director of Labor Relations

June 2008

To: Schools Legal Service Clients
From: Pete Carton
Re: Annual Notification to Parents—2008 Update

Compared to prior years, the latest edition of our suggested Annual Notice to Parents has relatively few substantive revisions. Here are the changes.

HIGH SCHOOL ONLY

Commencing with the 2008-2009 school year, each district offering grades 9-12 shall provide the parent or guardian of each minor pupil enrolled in any of those grades with written notification (that, to the extent possible, shall not exceed one page in length) the following:

- ▶ A brief explanation of college admission requirements;
- ▶ A list of the current California public college websites and a list of high school courses that have been certified by the University of California as satisfying the requirements for admission to state public colleges;
- ▶ A brief description of career technical education;
- ▶ The internet address for the portion of the web site of the department where students can learn more about career technical education; and
- ▶ Information about how pupils may meet with school counselors to help them choose courses at their school that will meet college admission requirements or enroll in career technical education courses, or both.

We enclose with our sample annual notice a College Admission Requirements and Career Technical Education description. We anticipate that the Kern High School District will develop a more complete version for distribution later this summer. A copy will be added to our online edition at that time.

- ▶ For districts maintaining grades 10-12, that receive California High School Exit Examination (CAHSEE) intensive intervention funds, Education Code section 35186 now requires the following item to be included in the Williams Uniform Complaint Rights Notices posted in each classroom:

"Pupils, including English Learners, who have not passed one or both parts of the high school exit examination by the end of the 12th grade are to be provided the opportunities to receive intensive instruction and services for up to two consecutive academic years after the completion of grade 12."

A sample Williams [Settlement] Uniform Complaint Rights Notice for grades 10-12 can be found at: <http://www.cde.ca.gov/re/cp/uc/documents/wsvalnoticeeng.asp>

ALL DISTRICTS, K – 12

Districts of Choice. Revised legislation now makes clear that a district which had not chosen to become a "district of choice" prior to August 29, 2007, no longer has the option to do so. The Annual Notice to Parents has been modified to reflect this change.

Excused Absences. The Legislature has made clear that a student's attendance at an educational conference is a legitimate basis for an excused absence.

Student Discipline. We recommend that schools remind students that if caught on surveillance videotape in a properly posted common (public) area they have no expectation of privacy. We have added a sentence to that effect in item no. 17 of the notice.

Parent Liability for Student-Caused Damages. The former limit of \$10,000 has been increased to \$15,693, and will apparently be indexed annually.

NOTES ON SOME ADDITIONAL REQUIREMENTS FOR PROGRAMS IN CERTAIN SITUATIONS.

We believe that as modified our updated Annual Notice to Parents will satisfy a school district's obligations under Education Code section 48980 and other state and federal laws addressing annual notice requirements.

However, do please be aware, that our attached Annual Notice to Parents:

- ▶ Provides only summary notification to parents for annually required notices and;
- ▶ Does not satisfy any specific circumstance notifications that may be required under state and/or federal law, which will vary from district-to-district and may vary from school site-to-school site.

A. Specific District-Based Policies and Documents.

Needed Documents. As always, each school district is required to provide, in addition to the Annual Notice to Parents, documents that are specific to each individual school district. The following documents must also be included with the Annual Notice to Parents:

- ▶ Your district's policy on sexual harassment;
- ▶ A listing of all pesticides that will be used at each school site in your district (including the Internet address developed by the Department of Pesticide Regulation pursuant to Food and Agricultural Code section 13184 for access to information on pesticides and pesticide use reduction, and the parent option to register to receive notification of individual pesticide applications at the school facility);
- ▶ The schedule of all minimum and pupil-free staff development days for your district (school calendar);
- ▶ Your district's policy on parent classroom visits;
- ▶ Your district's Uniform Complaint Procedures, which should include an explanation of the process, opportunity to appeal to the California Department of Education (Education Code section 262.3), district staff person(s) responsible for processing complaints, and a statement that additional civil law remedies may be available under state and federal discrimination laws. Based upon recent changes to the law, the Uniform Complaint Procedures notice has been revised to include additional bases of discrimination and kinds of prohibited instruction and activities. A sample Uniform Complaint Procedures Annual Notice has been attached.

B. School Accountability Report Card.

Pursuant to Education Code section 35256, the governing board of each school district annually shall issue a School Accountability Report Card for each school in the district, publicize those reports, and notify parents or guardians of pupils that a hard copy will be provided upon request. Starting with the 2008-2009 school year, each district must make hard copies of its annually updated report card available, upon request, on or before February 1 of each year. We strongly encourage that each district include this information in its Annual Notice to Parents.

C. Federal No Child Left Behind (NCLB) Notices.

For districts that may be receiving Title I and/or any other federal funds, please note that the annual notice to parents is not intended to satisfy other specific notification obligations you

may have under federal law, including the No Child Left Behind Act ("NCLB"). Although the Annual Notice to Parents does contain some parent notifications in satisfaction of NCLB, the scope of such notice is limited to providing only those notices universally required of all districts. Districts should consult with their Title I and other special program coordinators as well as Schools Legal Service with respect to any additional notifications that may be required.

D. Title VI Non-Discrimination Statement.

Additionally, Title VI of the Civil Rights Act of 1964 requires that each district have a policy of non-discrimination on the basis of race, color, national origin, sex, age, or disability. We recommend that this policy be included with your Annual Notice to Parents. We have included a sample Notice of Non-discrimination for guidance.

E. Miscellaneous Other Notices.

As described above, state and federal law requires that many documents and other information also be made available to parents/guardians upon request, including, but not limited to, each school's Prospectus of School Curriculum and district nondiscrimination policies. In satisfaction of these requirements, the 2008-2009 Annual Notice to Parents provides that such information may be obtained either from the student's school or the district office (as appropriate). Accordingly, please review the Annual Notice to Parents carefully to ensure that your district's policies and procedures are consistent.

FOREIGN LANGUAGE TRANSLATIONS

Please take note that we anticipate that some member districts this year will issue their 2008-2009 Annual Notice to Parents in Spanish. You may contact us for more information and directions to examples.

PCC:cp

Enclosures:

Sample Annual Notice

Sample Uniform Complaint Procedures Annual Notice

Sample Notice of Nondiscrimination