



SCHOOL & COLLEGE LEGAL SERVICES OF CALIFORNIA

*A Joint Powers Authority
serving school and college
districts throughout the
state.*

5350 Skylane Boulevard
Santa Rosa, CA 95403

Tel: (707) 524-2690
santarosa@sclscal.org
www.sclscal.org

General Counsel
Kaitlyn Schwendeman

Attorneys
Maureen Dahl
Harjit Kaur
Jennifer L. McIntosh
Steven P. Reiner
Debra I. Sanders
Frank Zotter, Jr.

Of Counsel
Nicollette M. Alvarado
Robert J. Henry
Loren W. Soukup

LEGAL UPDATE

April 29, 2026

To: Superintendents, Member School Districts (K-12)

From: Jennifer McIntosh, Associate General Counsel JM

**Subject: 2026-2027 Annual Notice to Parents
Memo No. 04-2026**

Districts are required to annually notify students, parents, and guardians of their legal rights and responsibilities in accordance with Education Code section 48980 and other state and federal laws. We have prepared this Legal Update to provide districts with information about recent changes in legislation that impact the information that districts should include in their Annual Notice to Parents for the 2026-2027 school year.

In addition, we have prepared a model Annual Notice to Parents which will satisfy a school district's obligations under Section 48980 and other state and federal laws addressing annual notice requirements. However, please be aware that this model 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.

The model Annual Notice to Parents will be provided to **client districts** upon request. If you would like to obtain a copy, please contact Kelly Maul at kmaul@sclscal.org.

Notes and Changes for the 2026-2027 Notification

School Safety Plan

Schools are required in their annual notification to notify parents regarding their school safety plans. Education Code section 32282 was amended to require the school safety plan to require procedures specifically designed to



notify parents and guardians of pupils, teachers, administrators, and school personnel when the school confirms the presence of immigration enforcement on the school site. School safety plans must also contain procedures specifically designed to address the supervision and protection of children from child abuse or neglect or sex offenses.

Prohibition Against Discriminatory Education Materials

Education Code section 244 was amended to specify that the annual parent notification must describe the prohibition regarding discriminatory educational materials in schools and the complaint process regarding violations of this provision. Section 244 states that school districts shall not adopt or approve the use of any textbook, instructional material, supplemental instructional material, professional development materials, or curriculum for classroom instruction if the use of the textbook, instructional material, supplemental instructional material, or curriculum would subject a pupil to unlawful discrimination pursuant to Education Code section 220. Section 220 provides that no person shall be subjected to discrimination on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status in any program or activity of a school that receives state funding.

Student Directory Information

Education Code section 49073 specifies that directory information related to homeless or unaccompanied youths will not be released without the express written consent for its release by the eligible pupil or guardian. However, Section 49073 was amended to state that, in accordance with Section 49073, directory information of a pupil identified as a homeless child or youth may be disclosed, as authorized by school district policy, to facilitate an eye examination by a nonprofit eye examination provider, or a free oral health assessment hosted by schools, unless the parent or pupil accorded parental rights has provided written notice to the school that they do not consent to the physical examination.

Information Relevant to Immigration Issues

Pursuant to Education Code section 234.7, LEAs must provide information to parents and guardians regarding their children's right to a free public education regardless of immigration status or religious belief. This information has been incorporated into the Annual Notice to Parents, but such information may also be distributed by any other cost-effective means determined by the LEA. Section 234.7 was amended to update the materials that must be provided to parents regarding immigration issues. The information that schools must provide is the publications developed by the Attorney General called "Know Your Educational Rights" and "Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues." Section 234.7 was also updated to specify that "Know Your Educational Rights," shall be posted in the administrative buildings and on the internet websites of the local educational agency and each of its school sites. The "Know Your Educational Rights" guide shall be posted in every language that the



Attorney General provides and shall be updated during the school year following any updates published by the Attorney General.

California Kids Investment and Development Savings Program

A district shall provide each pupil and the pupil's parent or legal guardian with information about the California Kids Investment and Development Savings Program (CalKIDS) established pursuant to Article 19.5 (commencing with Section 69996) of Chapter 2 of Part 42 of Division 5 of Title 3 and the pupil's potential eligibility for that benefit. We recommend including information about this in the Annual Notice to Parents.

Additional Documents That Must Be Included in the Annual Notice to Parents

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 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) and, if using pesticides not listed in Education Code section 17610.5, the district's integrated pest management ("IPM") plan or the district website address where the plan may be viewed;
- The schedule of all minimum and pupil-free staff development days for your district (your school calendar);
- Your district's policy on parent classroom visits;
- A memorandum to all parents regarding the safe storage of firearms. The California Department of Education issued a template, which can be accessed on the California Department of Education's website at: <https://www.cde.ca.gov/ls/ss/vp/>. School districts are not required to use the model content; however, Education Code section 48986 provides that "A local educational agency, a private school, and the department are immune from civil liability for any damages allegedly caused by, arising out of, or relating to the notice if the entity provided the notice using the model language provided to it by the department."
- Your district's Uniform Complaint Procedures, which should include the contact information for the district staff member responsible for processing complaints, an explanation of the process, an opportunity to appeal to the California Department of Education (Education Code section 262.3), and a statement that additional civil law remedies may be available under state and federal discrimination laws. **Each district's Uniform Complaint Procedures, typically found in Board Policy and Administrative Regulation 1312.3, should be updated annually to ensure compliance with current laws. Please note that Education Code section 262.3 was recently amended, effective January 1, 2026.**



If your school district offers any of grades 9 to 12, you must provide information about college admission requirements and career technical education with your Annual Notice to Parents:

- Pursuant to Education Code section 51229, each district must provide the parent or guardian of all 9-12 grade students with an annual written notification of College Admission Requirements and Career Technical Education. This written notice, to the extent possible, shall not exceed one page in length and must include the following:
 - A brief explanation of college admission requirements;
 - A list of the current University of California and California State University internet websites and a list of high school courses that have been certified by the University of California as satisfying the requirements for admission to the University of California and the California State University;
 - A brief description of career technical education, as defined by the CDE;
 - The internet address for the portion of the internet website of the CDE where students can learn more about career technical education;
 - Information about how students may meet with school counselors to help them choose courses at their schools that will meet college admission requirements and/or enroll in career technical education courses, or both;
 - A separate and distinct disclosure that data may be shared with the California College Guidance Initiative (“CCGI”) to provide pupils and their families with direct access to online tools and resources for college and career planning; and
 - Direction to the CaliforniaColleges.edu platform in order to access resources that help pupils and their families learn about college admissions requirements.
- For Partner LEAs providing transcript-informed Partner Accounts to 9th–12th grade students, Education Code section 60900(f)(3)(A) further specifies that these districts include in their annual parent notifications, as required by FERPA, a distinct notification that data may be shared with CCGI to do both of the following:
 - Provide pupils and their families with direct access to online tools and resources for college and career planning.
 - Enable the student to transmit data shared with CCGI to:
 1. Institutions of higher education for purposes of admissions and academic placement; and
 2. The Student Aid Commission, for purposes of determining eligibility for and increasing uptake of student financial aid.
- In addition, if a district elects to allow a career technical education course to satisfy the visual/performing arts or foreign language graduation requirement, the district shall provide information about the high school graduation requirements of the district and how each requirement satisfies or does not satisfy the subject matter requirements for admission to state public colleges. The district shall also provide a complete list of career



technical education courses offered by the district that satisfy the subject matter requirements for admission to the state public colleges, and identify which of the specific admission requirements these courses satisfy. It is recommended that the College Admission Requirements and Career Technical Education notification be included with your Annual Notice to Parents.

Other Relevant Laws to Consider

As described above, several state and federal laws require that many documents and other information be made available to parents/guardians upon request. In satisfaction of these requirements, the 2026-2027 Annual Notice to Parents provides that such information may be obtained either from the student's school or the district office (as appropriate). Some laws require notifying parents or guardians in particular situations that do not apply to all students or all schools.

Please review the following sections carefully to ensure that your district's policies and procedures and your Annual Notice to Parents are consistent with the relevant laws.

Code of Conduct for Employee-Pupil Interactions

Pursuant to Education Code section 44050, LEAs that maintain an employee code of conduct containing a section on employee interactions with pupils must provide a written copy of the section to the parent or guardian of each pupil at the beginning of the school year. This requirement is satisfied by including the relevant section in the Annual Notice to Parents. If you have a code of conduct containing a section on employee interactions with pupils, we strongly encourage you to include the language in your Annual Notice to Parents. Additionally, Education Code section 51950 now requires schools to have policies in place on or before July 1, 2026, regarding appropriate boundaries regarding adult-to-pupil interactions.

Long-Term English Learners

Under Education Code section 440, each parent or guardian must be given notice when their child is assessed for English language proficiency, no later than 30 days after the start of the school year. Education Code section 313.2 expanded these parental notification requirements to include the following additional information:

- Whether the child is a long-term English learner or at risk of becoming a long-term English learner;
- The manner in which the English language development instruction will meet the educational needs of long-term English learners or those at risk of becoming long-term English learners;
- The manner in which the program for English language development instruction will help long-term English learners or those at risk of becoming long-term English learners develop English proficiency and meet age-appropriate academic standards.



School Accountability Report Card

Pursuant to Education Code section 35256, the governing board of each school district shall annually 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. Each district must make hard copies of its annually updated report card available, upon request, on or before February 1st of each year. We strongly encourage that each district include this information in its Annual Notice to Parents.

Title I/Every Student Succeeds Act

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 ESSA. Although the Annual Notice to Parents does contain some parent notifications in satisfaction of ESSA, the scope of such notice is limited to providing only those notices universally required of all districts. Similar to the ESSA requirements, California has enacted the Open Enrollment Act,¹ which requires districts with a “low-achieving school” to notify the parents at that school of their option to transfer to another public school served by the district of residence or another school district. Districts should consult with their Title I and other special program coordinators, as well as this office, with respect to any additional notifications that may be required.

Title IX of the U.S. Education Amendments of 1972

Title IX of the U.S. Education Amendments of 1972 requires that each district provide a notice of non-discrimination and state that the district does not discriminate on the basis of sex in its educational programs and activities. The notice must state that questions regarding Title IX may be referred to the school’s Title IX coordinator or the Office of Civil Rights. The district must notify all students and employees of the name or title, office address, telephone number, and email address of each district’s designated Title IX coordinator(s). We highly encourage your district to review its policies and administrative regulations on non-discrimination on the basis of sex to ensure they are up to date. If your district maintains a website, please also ensure that your website clearly displays the information of the designated Title IX coordinator and the related non-discrimination policies.

Federal Race and Ethnicity Data Collection Reporting

Based upon final guidance from the U.S. Department of Education regarding the collection of race and ethnicity data for students and staff, the California Department of Education has revised its data collection requirements using the California Longitudinal Pupil Achievement Data System (CALPADS). School districts are obligated to comply with the reporting requirements using a two-part question (<https://www.cde.ca.gov/ds/sp/cl/refaq.asp>). It is recommended that the Annual Notice to Parents be used as the mechanism for distributing the information to students.

¹ Education Code sections 48350 et seq.



Translation

Pursuant to Education Code section 48985, where 15% or more of pupils enrolled speak a primary language other than English, all notices, reports, and statements sent to the parent or guardian must be written in the primary language in addition to being written in English. The California Department of Education has established a Clearinghouse for Multilingual Documents to help school districts meet state and federal requirements for document translation and parental notification, including the requirements in Education Code section 48985, Every Student Succeeds, and other legislation. The Clearinghouse may be accessed at the following web address: <http://www.cde.ca.gov/Ls/pf/cm/>.

Bullying

Districts are required to adopt and publicize a policy prohibiting discrimination, harassment, intimidation, and bullying, based on actual or perceived characteristics. The policy must include a statement that the policy applies to all acts related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district. Districts are required to post the policy in all schools and offices, including staff lounges and student government meeting rooms, and the policy must be translated as required by Education Code section 48985. It is recommended that the Annual Notice to Parents be used as a mechanism for distributing the policy to students.

Sections of the Annual Notice to Parents Required Under Specific Circumstances

Lastly, please find below a list of code sections that require annual notice to parents only under specific circumstances. Most of these code sections have not been added to the Annual Notice to Parents, as they may not be applicable to all students, and specific policies may vary from district to district. It is the responsibility of the individual school district to notify parents regarding the following sections:

- **Education Code section 310 – Multilingual Education**

If a school district implements a language acquisition program under this section, information on the types of language programs available and a description of each program must be given to parents and guardians in the annual parent notice or upon enrollment.

- **Education Code section 49073.6 – Information from Social Media**

If your district has adopted a program or entered a contract for services to gather and maintain information from social media² about enrolled students, the district must

² “Social media” is defined as an electronic service or account, or electronic content, including, but not limited to, videos, still photographs, blogs, video blogs, podcasts, instant and text messages, email, online services or accounts, or Internet Web site profiles or locations. (Education Code section 49073.6(a)(2).)



provide certain information to the parent or guardian of any student whose information has been gathered. This information may be included in the Annual Notice. The parent or guardian of the student whose information has been gathered must be notified of the following:

- The student’s information is being gathered from social media;
- The process by which the student or their parent or guardian can access and examine the collected information; and
- The process by which the student or their parent or guardian can request the correction or removal of information gathered.

- **Education Code section 35182.5 – Electronic Products or Services that Disseminate Advertising**

If a district enters into a contract for electronic products or services that requires the dissemination of advertising to students, the district must provide written notice to the parents or guardians of the students that the advertising will be used in the classroom or other learning centers.

- **Education Code section 69432.9 – Cal Grant Program**

Districts must notify students enrolled in 11th grade and, for pupils under 18 years of age, their parent or guardian, that the students will be deemed Cal Grant applicants unless the students opt out of being automatically deemed a Cal Grant applicant. If 11th grade students do not opt out,³ their grade point average will be submitted electronically. This written notice must be provided to all 11th grade students, and their parents (for students who are under 18), by January 1 of the student’s 11th grade year. The notice must specify the process and time by which students may opt out within a set period of time, but not less than 30 days. The notice must indicate when the school will send grade point averages to the commission, and the submission deadline of October 1.

- **Education Code section 32221.5 – Pupils Insurance for Athletic Teams**

Requires school districts that elect to operate an interscholastic athletic team(s) to include the following statement, printed in boldface type of prominent size, in all offers of insurance coverage that are sent to members of school athletic teams:

“Under state law, school districts are required to ensure that all members of school athletic teams have accidental injury insurance that covers medical and hospital expenses. This insurance requirement can be met by the school district offering insurance or other health benefits that cover medical and hospital expenses.

³ Until a pupil turns 18 years of age, only a parent or guardian may opt the pupil out. Once a pupil turns 18, only the pupil may opt out.



Some pupils may qualify to enroll in no-cost or low-cost local, state, or federally sponsored health insurance programs. Information about these programs may be obtained by calling [Insert toll-free telephone number].”⁴

- **Education Code section 49475 – Concussions and Head Injuries in Athletics**

Requires districts that elect to offer athletic programs to provide, on a yearly basis, a concussion and head injury information sheet, which must be signed and returned by the athlete and the athlete’s parent or guardian before the athlete may initiate practice or competition.

- **Education Code section 48980(m) – Transfer of Student with Felony Conviction**

A school district that elects to adopt a policy regarding the transfer of pupils convicted of a violent felony or misdemeanor, pursuant to Education Code section 48929, shall inform parents or guardians of the policy in the Annual Notice to Parents.

- **Education Code section 49452.8 – Pupil Health: Oral Health Assessment**

Requires public schools to send a notification of the oral health assessment requirements, including a standardized form that can be used for the assessment or on which the parent or legal guardian can indicate one of several specified reasons why an oral health assessment by a licensed dentist or other registered dental health professional assessment cannot be completed for any pupil enrolled in kindergarten in a public school, or in first grade if the pupil was not previously enrolled in kindergarten in a public school. For purposes of this section, “kindergarten” includes both transitional kindergarten and kindergarten. The proof shall be required only once during a two-year kindergarten program. Section 49452.8 was recently amended to state that, “If a school district or county office of education hosts an oral health assessment program, reports made to a parent, legal guardian, or caregiver of a pupil experiencing homelessness about a pupil defect identified from this oral health assessment should be made by alternative communication channels rather than mail, when possible.”

- **Education Code section 44808.5 – High School Open Campus**

If a school district allows high school students to leave campus at lunchtime, a copy of the following notice set forth below in bold letters must be included as part of the Annual Notice to Parents:

⁴ Under the law, the toll-free telephone number can be for: 1) The Healthy Families Program; 2) Medi-Cal; 3) Any other comparable toll-free telephone number for a no-cost or low-cost local, state, or federally sponsored health insurance program. (Education Code § 32221.5, subd. (c).) The number for Medi-Cal, 1-800-880-5305, will meet this requirement.



“The governing board of the _____ School District, pursuant to Section 44808.5 of the Education Code, has decided to permit the pupils enrolled at _____ High School to leave the school grounds during the lunch period.

Section 44808.5 of the Education Code further states:

“Neither the school district nor any officer or employee thereof shall be liable for the conduct or safety of any pupil during such time as the pupil has left the school grounds pursuant to this section.”

- **Education Code section 35211 – Driver’s Training**

School districts that maintain a driver’s training course must advise parents of students participating in the course of the civil liability that will be imposed on the parent or guardian, and insurance coverage carried by the district for such courses, specifically including any limitations of such coverage as it relates to parent liability.

- **Education Code section 11503 – Programs to Encourage Parental Involvement**

Districts receiving funds under the federal Elementary and Secondary Education Act (20 U.S.C. Sec. 6301 et seq.), as amended by the federal Every Student Succeeds Act, are required to develop a written parent and family engagement program for each school in the district that receives these funds. Each year, these districts must provide:

- An annual statement identifying specific objectives of the program.
- An annual review and assessment of the program’s progress in meeting those objectives, with the review being made available to parents upon request.

- **Title 20 of the United States Code section 1232h – Protection of Pupil Rights Amendment**

The Protection of Pupil Rights Amendment (“PPRA”) requires that districts develop policies that obligate them to obtain prior written consent from parents or guardians prior to their student participating in a survey containing one or more of the following items:

- Political affiliations or beliefs of the student or the student's parent;
- Mental or psychological problems of the student or the student's family;
- Sex behavior or attitudes;
- Illegal, anti-social, self-incriminating, or demeaning behavior;
- Critical appraisals of other individuals with whom respondents have close family relationships;
- Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- Religious practices, affiliations, or beliefs of the student or the student's parent; or



- Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

The PPRA requires that school districts provide parents and guardians with annual notice of these policies and parents' rights under the policies at the beginning of the school year and within a reasonable period of time after any substantive change in such policies, including the process to opt their children out of participation in certain activities, and the dates during the school year when the district schedules: (a) surveys requesting personal information; (b) physical examinations or screenings; and (c) collection of personal information from students for marketing or sale.

California has also adopted a requirement similar to the PPRA in Education Code section 51513, which requires written parent consent prior to their students participating in a survey, test, questionnaire, or examination regarding the pupil's or the pupil's family's beliefs, morality, and similar issues.

Please contact our office with questions regarding this Legal Update or any other legal matter.

The information in this Legal Update is provided as a summary of law and is not intended as legal advice. Application of the law may vary depending on the particular facts and circumstances at issue. We, therefore, recommend that you consult legal counsel to advise you on how the law applies to your specific situation.

© 2026 School and College Legal Services of California

All rights reserved. However, SCLS grants permission to any current SCLS client to use, reproduce, and distribute this Legal Update in its entirety for the client's own non-commercial purposes.