

# CLIENT NEWS BRIEF

## 2018 Updates: Annual Notice of Parental Rights and Responsibilities

California school districts and county offices of education are required annually, at the beginning of each school year, to provide written notice of parental rights and responsibilities. Lozano Smith continuously tracks legislation impacting these notices. The following summarizes changes in California law that call for required or optional updates to the Annual Notice of Parental Rights and Responsibilities.

### **Children of Military Service Members – Residency**

Previously, the law only allowed military families to register their children for school on a preliminary basis in the California school district in which their military base was located. Senate Bill (SB) 455 amended Education Code section 48204.3 to allow all active duty military families to enroll their children in the school district where they will be living, instead of the school district where the military base is located, so long as they provide proof of residency within 10 days of the prescribed date of the Permanent Change of Station order. ([See 2017 Client News Brief No. 77.](#))

### **Children of Active Duty Military – Graduation and Coursework Requirements**

Assembly Bill (AB) 365 amended Education Code sections 51225.1 and 51225.2 to give students living in the household of a parent who is an active duty member of the military the same rights related to exemptions from coursework and graduation requirements currently available to foster youth, homeless students, and former juvenile court school students. Currently, Education Code sections 51225.1 and 51225.2 provide that students in foster care, who are homeless, or were former juvenile court school students, who transfer between schools any time after the completion of their second year of high school, are exempt from district-level requirements for graduation above those set by the state. Complaints of noncompliance may be filed under the local education agency's (LEA's) Uniform Complaint Procedures. ([See 2017 Client News Brief No. 77.](#))

### **Residency Retention for Students Whose Parents are Detained or Deported**

SB 257 added Education Code section 48204.4, which now allows students whose parents have been detained or deported to retain residency in a school district, regardless of the students' current residency, when certain conditions are met. ([See 2017 Client News Brief No. 64.](#))

### **Immigration Enforcement – “Know Your Rights”**

Assembly Bill (AB) 699 added Education Code section 234.7, which requires LEAs to provide parents and guardians, as appropriate, information regarding the right to a free public education, regardless of immigration status. This

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Claudia P. Weaver  
Partner  
Monterey Office  
[cweaver@lozanosmith.com](mailto:cweaver@lozanosmith.com)

Mary Gates-Casey  
Senior Paralegal  
Monterey Office  
[mgates@lozanosmith.com](mailto:mgates@lozanosmith.com)



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must include information relating to immigrants' rights posted on [the Attorney General's website](#) and may be provided in the annual notice or by any other cost-effective means determined by the LEA. ([See 2017 Client News Brief No. 64.](#))

## **Discrimination Based on Immigration Status**

AB 699 also amended Education Code sections 200, 220, and 234.1 to prohibit discrimination based on immigration status. Annual notice anti-discrimination provisions and Uniform Complaint Procedures provisions will require updates to include immigration status as a protected classification. ([See 2017 Client News Brief No. 64.](#))

## **Juvenile Court Students – Graduation Requirements and Continuing Education Options**

AB 1124 amended Education Code section 48645.3 and added Education Code section 48645.7. Under these changes to the law, a student who is in a juvenile detention facility may defer the granting of a diploma until he or she is released. Then, upon release, it allows the student to decline the issuance of a diploma for the purpose of enrolling in a school operated by an LEA or charter school to take additional coursework. The bill also allows complaints of noncompliance to be filed with LEAs. LEAs are also required to include such information regarding the availability of the complaint process in their annual notice.

## **Employee Codes of Conduct – Interactions with Students**

AB 500 added Education Code section 44050, which applies to LEAs that maintain a written employee code of conduct that includes a section on employee interactions with students.

As of January 1, 2018, LEAs must post, if applicable, the section of their employee code of conduct on employee interactions with students or provide a link to it on each of its schools' websites. If an LEA's schools do not have their own websites, it may be posted on the LEA's website. Additionally, starting on July 1, 2018, LEAs must provide a written copy of this section to parents and guardians at the beginning of each school year. This requirement may be satisfied by including the section on employee interactions with students in the annual notice.

## **California High School Exit Examination (CAHSEE)**

AB 830 eliminated the CAHSEE, so references to the CAHSEE should be removed from the annual notice.

Lozano Smith regularly reviews and updates annual notices for LEAs around the state. Such revisions involve either an update to the prior year's annual notice to account for changes in the law within the past year, or a more comprehensive review to ensure that updates resulting from changes in the law over the past several years and changes in an LEA's own policies and practices that impact the annual notice's content are current. If you are interested in any of the annual review services that Lozano Smith provides, please contact the authors of this Client News brief or an attorney at one of our [eight offices](#) located statewide. You can also visit our [website](#), follow us on [Facebook](#) or [Twitter](#) or download our [Client News Brief App](#).