

Parental/Guardian Notification Policy

The _____ School District Board of Education (“Board”) strives to foster ongoing communications between its district and parent(s)/guardian(s). To that end, the Board supports the fundamental rights of parent(s)/guardian(s) to be informed of and involved in all aspects of their pupils’ education in order to promote the best outcomes for both the pupil and the family.

Intent of Policy

By enacting this Parental Notification Policy (the “Policy”), it is the intent of the _____ District (“_____” or “District”) to do all of the following:

1. Set forth expectations for transparency, and clear and candid communications, between the District and parent(s)/guardian(s) of pupils.
2. Bring parent(s)/guardian(s) into the decision-making process at the earliest possible time regarding the mental health and social-emotional issues of their children in order to protect the health and welfare of all pupils, including but not limited to preventing self-harm, and promoting the best outcomes for both pupils and families.
3. Promote communication and positive relationships with parent(s)/guardian(s) of pupils that promote best outcomes for pupils’ academic and social-emotional success.
4. Encourage all District employees, administrators, certificated staff and/or agents to collaborate with parent(s)/guardian(s) in evaluating the needs of pupils who exhibit difficulties or challenges with academics or attendance, or social, emotional, or behavioral issues, and to identify the strategies and programs that may assist such pupil(s) to maximize their opportunities for success in school and beyond.

Types of Notifications

Consistent with these requirements, the District will provide the following notifications to parent(s)/guardian(s) in accordance with these provisions:

1. **Gender Dysphoria:** Any teacher, district employee, administrator, certificated staff and/or agent shall notify the principal or other designee within two school days, in writing, when any one of them becomes aware that a pupil is exhibiting symptoms of, or experiencing gender dysphoria, as defined by the *Diagnostic and Statistical Manual of Mental Disorders* (DMS-5), shown in Exhibit “A” attached hereto, and/or gender incongruence, as evidenced by the pupil doing any of the following actions:

- A. Requesting to be identified as or treated as a gender (as defined in California Education Code Section 210.7) other than the pupil’s biological sex or gender

listed on the pupil's birth certificate or any other official records. This includes any request by the pupil to use a name that differs from his or her legal name (other than a commonly recognized diminutive of the child's legal name) or to use pronouns that do not comport with the pupil's biological sex or gender listed on the pupil's birth certificate or other official records;

B. Accessing or requesting to access sex-segregated school programs and activities, including athletic teams and competitions, or using bathroom or changing facilities that do not comport with the pupil's biological sex or gender listed on the pupil's birth certificate or other official records;

C. Requesting to change any information contained in the pupil's official or unofficial records.

1.1 The principal/designee shall notify the parent(s)/guardian(s), in writing, within three school days from the date any District teacher, certificated employee, or administrator (inclusive of the principal) and/or agent has notified the principal/designee that the pupil has engaged in any of the behavior enumerated in sections 1.A through 1.C. Sending the pupil to a school counselor/psychologist does not affect the notification requirement in this section or section 1.

2. **Physical Injury Notification:** The principal/designee, or staff shall notify the parent(s)/guardian(s) of the pupil immediately or as soon as reasonably possible, when a pupil experiences any significant physical injury while on school property or while participating in a school sponsored activity.

3. **Suicidality:** All District employees shall take every pupil's statement(s) regarding suicidal intent seriously. To this end, and in accordance with **Board Policy** :

A. Whenever a District employee, administrator, or certificated staff member or agent suspects or has knowledge of a pupil's suicidal intentions, based on the pupil's verbalizations or act(s) of self-harm, the employee, administrator, staff member or agent shall promptly notify the principal or school counselor, who shall implement the District's intervention protocols, as appropriate, and shall notify the parent(s)/guardian(s) immediately, or as soon as reasonably possible.

B. When a suicide attempt or threat is known, the principal/designee shall ensure pupil safety by taking the following actions:

(i) Immediately secure medical treatment and/or mental health services as necessary;

(ii) Keep the pupil under continuous adult supervision until the parent(s)/guardian(s) and/or appropriate support agent or agency can be contacted and has the opportunity to intervene;

- (ii) Notify law enforcement and/or other emergency assistance if a suicidal act is being actively threatened and remove other pupils from the area in the event of an active suicidal act.

The principal/designee shall document the incident in writing, including the steps taken by the school in response to the suicide attempt or threat.

4. **Bullying By or Against A Pupil:** The principal/designee or certificated staff shall notify the parent(s)/guardian(s) of any incident or complaint of a verbal or physical altercation involving their pupil, including bullying by or against their pupil, within three school days of the occurrence. Any pupil, parent(s)/guardian(s), or other individual who believes that a pupil has been subjected to bullying or who has witnessed bullying may report the incident to the principal, assistant principal, or teacher. Any complaint of bullying, whether it is discriminatory or nondiscriminatory, shall be investigated and resolved in accordance with law and in accordance with Board Policy ____.

5. **School Counseling**

5.1 Where the pupil is **under 12 years of age** and does not engage in any of the behavior in sections 1.A through 1.C, but reveals to a school counselor/psychologist his/her desire to be treated as a gender other than his/her biological sex or gender listed on his/her birth certificate or any other records, or expresses that he/she is exhibiting symptoms of, or experiencing gender dysphoria or gender incongruence, the school counselor/psychologist shall notify the parent(s)/guardian(s) by no later than five school days following such knowledge.

5.2 A school counselor/psychologist shall comply with Education Code Section 49602. Pursuant to Education Code section 49602, where a pupil is **12 years or older**, only information of a personal nature is confidential, and where a school counselor has a reasonable belief that disclosure to parent(s)/guardian(s) is necessary to avert a clear and present danger to the pupil's health, safety, or welfare, disclosure must be made. This disclosure includes but is not limited to any counseling involving an issue where there is a known heightened risk of suicidal thoughts, suicide attempts and any indications of self-harm.

5.3 Pursuant to Education Code section 49602, where the pupil is **12 years or older**, and the school counselor/psychologist has a reasonable belief that informing the parent(s)/guardian(s) about information of a personal nature creates a clear and present danger to the pupil, no notification to parent(s)/guardian(s) is required. The school counselor/psychologist shall record the specific basis for his or her belief of that clear and present danger, in writing, in the pupil's file.

Miscellaneous

1. District employees shall act only within the authorization and scope of their credential or license. An employee is not authorized to diagnose or treat mental illness unless specifically licensed and employed to do so. (California Education Code Section 215).

2. The notification required in sections 1 through 4 above may be by telephone, mail, email, or conference, and shall comport with the preferred notification method(s) identified in the pupil's official records by the parent(s)/guardian(s). District employees who make such notification shall either keep a record of such notification (if written) or shall document such notification (if verbal).

3. For purposes of this Board policy, Family Code Section 6924, and Health and Safety Code Section 124260, notification to parent(s)/guardian(s) is appropriate that a student is exhibiting symptoms of, or experiencing gender dysphoria, unless specifically prohibited by law.

Fiscal Impact:

The Fiscal Impact for implementing this policy will be reported annually and updated as part of the Board of Education's approval and adoption of the District budget.

Legal References:

- CALIFORNIA EDUCATION CODE:
35160 Authority of Governing Board 49069.7 Absolute right to access 49602
Confidentiality of pupil information 51100-51102 Parent/guardian rights
- CALIFORNIA FAMILY CODE:
6924 Counseling Services
- CALIFORNIA HEALTH AND SAFETY CODE:
124260 Counseling Services
- FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT 20 U.S.C. 1232g

EXHIBIT “A”

DSM-5 Criteria for Gender Dysphoria

A marked incongruence between one’s experienced/expressed gender and natal gender of at least 6 months in duration, as manifested by at least two of the following:

- A. A marked incongruence between one’s experienced/expressed gender and primary and/or secondary sex characteristics (or in young adolescents, the anticipated secondary sex characteristics)
- B. A strong desire to be rid of one’s primary and/or secondary sex characteristics because of a marked incongruence with one’s experienced/expressed gender (or in young adolescents, a desire to prevent the development of the anticipated secondary sex characteristics)
- C. A strong desire for the primary and/or secondary sex characteristics of the other gender
- D. A strong desire to be of the other gender (or some alternative gender different from one’s designated gender)
- E. A strong desire to be treated as the other gender (or some alternative gender different from one’s designated gender)
- F. A strong conviction that one has the typical feelings and reactions of the other gender (or some alternative gender different from one’s designated gender)

The condition is associated with clinically significant distress or impairment in social, occupational, or other important areas of functioning. Specify if:

- A. The condition exists with a disorder of sex development.
- B. The condition is post-transitional, in that the individual has transitioned to full-time living in the desired gender (with or without legalization of gender change) and has undergone (or is preparing to have) at least one sex-related medical procedure or treatment regimen—namely, regular sex hormone treatment or gender reassignment surgery confirming the desired gender (e.g., penectomy, vaginoplasty in natal males; mastectomy or phalloplasty in natal females.)