



**VISTA UNIFIED SCHOOL DISTRICT VOTES TO STRENGTHEN PARENTAL
NOTIFICATION POLICY AS ENCOURAGED BY THE
WESTERN CENTER FOR LAW & POLICY
March 13, 2009**

Vista, CA—Trustees of the Vista Unified School District voted unanimously last night to amend the District’s student medical release policy to afford greater respect of parental rights and increased protection of their children.

Vista’s existing policy, in place for a decade, required parental notification before releasing students for confidential medical treatment. A social progressive Trustee proposed a policy at the March 5th 2009 meeting which would have stripped parental rights by allowing school officials to send children off-campus for confidential medical procedures, such as abortion, without parental notification or consent.

Dean Broyles, President and Chief Counsel for the Western Center for Law & Policy, addressed the Trustees at the March 5th meeting. He urged the Board to not eviscerate parental rights but rather strengthen them by adopting a better policy which explicitly acknowledges the critical importance of parents.

The policy proposed to the Board by the WCLP is modeled on a similar policy adopted by Poway Unified School District and reads:

The Governing Board believes that parents or guardians should be involved in decisions pertaining to the medical treatment of their children. Therefore, while the Education Code allows school authorities to excuse pupils in Grades 7-12, inclusive for the purpose of obtaining confidential medical services without the consent of the student’s parent or guardian, it is the policy of the Vista Unified School District that NO student shall be released without explicit parent or guardian consent.

The vote was scheduled for March 12th. Meanwhile, Planned Parenthood and the ACLU weighed in on the controversy. On the eve of the vote, the ACLU sent the District a letter threatening litigation on this issue. The ACLU letter misstated state law and argued that

the district could not adopt a policy which required parental notification. In response, the Western Center for Law & Policy sent a detailed legal opinion memorandum to the Trustees assuring them that the proposed policy was legal and offering pro-bono legal defense if the district were sued by the groups such as the ACLU. The result was that the Trustees voted 5-0 to adopt the policy recommended by the WCLP.

“Our culture has witnessed a vast erosion of parental right over the past few decades with devastating consequences. I am tremendously gratified that the Vista Trustees did the right thing and adopted the policy we proposed. The new policy honors the rights of mothers and fathers to help their children make important medical decisions that may have life altering consequences,” declared attorney Dean Broyles.

Attorneys for the Western Center for Law & Policy are available, on a pro-bono basis, to advise and assist other School Districts in adopting lawful parent-friendly policies.

For more information about this case or information about what you can do to help protect parental right in California, please contact the Western Center for Law and Policy via our web site at www.wclplaw.org or via telephone at 760-747-4529.