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LEGAL UPDATE

August 4, 2016

To: Superintendents, Member School Districts (K-12)
From: Steven P. Reiner 
Assistant General Counsel
Subject: Scoliosis Screening Not Mandated for 2016-2017 School Year
Memo No. 22-2016

The California Department of Finance has advised that the mandate for scoliosis screening has been suspended for school districts and county offices of education for the 2016-2017 fiscal year (attached) per the 2016 Budget Act.

The California Education Code mandates that a governing board of a school district is required to screen every female pupil in grade 7 and every male pupil in grade 8 for scoliosis, as long as these screenings are performed at no additional cost to the state or school district.¹ The 2016 Budget Act does not provide reimbursement for scoliosis screening. As a result, the mandate to perform the screenings is suspended.

The requirement for scoliosis screening was addressed in our Legal Update 13-2016 (2016-2017 Annual Parent Notice and Cover Letter) which stated districts may provide for scoliosis screening and school districts could exercise their discretion to provide this service as it was not mandated in the 2015 Budget Act. We further advised that if the upcoming 2016 Budget Act were to include reimbursement for such screening, districts may need to provide notice to parents of this change.

This legal update is to advise districts that funding for scoliosis screening is not mandatory for the 2016-2017 school year and no further parental notice is required.

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

¹ California Education Code §49452.5



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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.

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