

Assembly Bill No. 2645

Passed the Assembly August 21, 2006

Chief Clerk of the Assembly

Passed the Senate August 16, 2006

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2006, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 35183.5 of the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

AB 2645, Parra. Pupils: sun protection.

Existing law requires each schoolsite to allow pupils to wear articles of sun-protective clothing, including hats, for outdoor use during the schoolday.

This bill would authorize pupils to wear hats for sun protection without a note from a parent or a physician. The bill would authorize each schoolsite to set a policy related to what is considered “outdoors” for purposes of the above provision of existing law.

Existing law requires each schoolsite to allow pupils the use of sunscreen during the schoolday without a physician’s note or prescription.

This bill would also allow that use of sunscreen without a note from a parent.

The people of the State of California do enact as follows:

SECTION 1. This act shall be known and may be cited as Esmeralda and Billy’s Law for Sun Safety.

SEC. 2. Section 35183.5 of the Education Code is amended to read:

35183.5. (a) (1) Each schoolsite shall allow for outdoor use during the schoolday, articles of sun-protective clothing, including, but not limited to, hats.

(2) Each schoolsite may set a policy related to the type of sun-protective clothing, including, but not limited to, hats, that pupils will be allowed to use outdoors pursuant to paragraph (1). Specific clothing and hats determined by the school district or schoolsite to be gang-related or inappropriate apparel may be prohibited by the dress code policy.

(3) Each schoolsite may also set a policy related to what is considered outdoors for purposes of this subdivision.

(4) Pupils may wear hats for sun protection pursuant to paragraph (2) without a note from a parent or a physician.

(b) (1) Each schoolsite shall allow pupils the use of sunscreen during the schoolday without a physician's note or prescription or a note from a parent.

(2) Each schoolsite may set a policy related to the use of sunscreen by pupils during the schoolday.

(3) For purposes of this subdivision, sunscreen is not an over-the-counter medication.

(4) Nothing in this subdivision requires school personnel to assist pupils in applying sunscreen.

Approved _____, 2006

Governor