

CSBA's Policy Services

2016 Policies in Review



CSBA's Policy Services

2016 Policies in Review

CSBA offers a wide array of products and services to support governance teams in school districts and county offices of education, including services to help districts and COEs develop and maintain a comprehensive, up-to-date policy manual that provides direction and structure for the school system.

At least five times a year, CSBA issues a Policy Update packet containing new and revised sample board policies, administrative regulations, board bylaws and exhibits. These samples recommend best practices for improving student learning and school operations and assist districts in complying with the law. Governance teams are encouraged to review and tailor these materials to reflect local practices and circumstances.

Policy Updates are regularly issued in March, May, July, October and December to address legislative changes and other critical issues in a timely manner. Included in these packets is CSBA's *Policy News*, which provides additional information on policy issues, new educational resources and board training opportunities. CSBA may issue special releases of sample materials at other times during the year when there is an urgent need that may require district attention prior to the next regularly scheduled Policy Update.

In 2016, CSBA issued 142 sample district materials. Along with the regular updates, CSBA issued four special releases in April, June, September and December. These addressed firearms on school grounds; conditions under which boards may meet in closed session under the "labor exception" to discuss the superintendent's contract, salary or benefits; the federal "Uniform Guidance" for the management of federal grant funds; nondiscrimination/harassment of transgender and gender-nonconforming students; and the mandate to adopt policy on debt issuance and management.

Also in 2016, CSBA began issuing sample policies and bylaws specifically tailored to county boards. This increased effort to provide samples for COEs recognizes that they have unique purposes, responsibilities, structures and board-superintendent relationships that influence their policy needs.

The COE samples can be accessed through the Gamut Online website by CSBA members with Gamut Online service subscriptions. This year CSBA issued 39 county-specific samples, including board bylaws on numerous governance issues and policies related to the Local Control and Accountability Plan, media relations, commendations and awards, waivers, juvenile court schools and student expulsion appeals.

In response to district requests, CSBA now offers a new policy development tool for Manual Maintenance and Policy Online clients. Along with the guide sheet that highlights the important revisions made to the samples, CSBA provides for each policy or regulation a version that highlights new language, deleted language and material that has been moved. This tool may be useful to districts that want to compare their existing policy to the updated CSBA sample. However, districts are still encouraged to review and give careful consideration to their entire policy prior to adoption, as additional changes may be needed to reflect district practice.

2016 Policies in Review provides an overview of the major policy issues addressed throughout the year. Appendices include a list of acronyms used in this document (Appendix A); a description of policy services offered by CSBA (Appendix B); a list of publications and continuing education opportunities provided in 2016 that support the board's policy development role (Appendices C and D); and a guide sheet listing the specific changes made to the sample policies, regulations and bylaws (Appendix E).

For further information about CSBA's policy services, call CSBA's Member Services Department at 800-266-3382 or email policy@csba.org.

2016 CSBA Leadership

Chris Ungar, President

Susan Henry, President-Elect

Mike Walsh, Vice President

Jesus Holguin, Immediate Past President

Vernon M. Billy, CEO & Executive Director

CSBA Staff

Naomi Eason, Assistant Executive Director, Member Services

Policy Services

Robert Tuerck, Senior Director, Policy Development and Governance Technology Services

Diane Greene, Senior Policy Manual Consultant

Barbara Laifman, Policy Manual Consultant

Susan Lewis, Policy Manual Consultant

Jamille Peters, Policy Manual Consultant

Tezeta Stewart, Policy Manual Consultant

Adriana Armendariz, Policy Manual Technician Coordinator

Joy Myers, Policy Manual Technician Coordinator

Dolores Geiger, Policy Manual Technician

Jeanene Hammett-Carter, Policy Manual Technician

Erin O'Ray, Policy Manual Technician

Denee Payne, Policy Manual Technician

Yolanda Torres, Administrative Specialist, Member Services

Legal Services

Keith Bray, General Counsel

Bode Owoyele, Staff Attorney

Mike Ambrose, Staff Attorney

Anita Ceballos, Legal Specialist

Mary Biehl, Administrative Specialist



California School Boards Association

3251 Beacon Blvd. | West Sacramento, CA 95691 | 800.266.3382 | www.csba.org

Table of Contents

Accountability	2	Safety	13
State accountability system		Firearms on school grounds	
State evaluation rubrics		Student assessment	14
At-risk student populations	3	Grading	
Former juvenile court school students		Support services	15
Homeless students		Guidance counseling	
Curriculum and instruction	4	Supplemental educational services	
Adult education		Appendix A: Acronyms	17
Cardiopulmonary resuscitation instruction		Appendix B: CSBA Policy Services	18
English language development		Appendix C: 2016 Publications	19
History-social science instruction		Appendix D: 2016 Leadership development	20
Physical education		Appendix E: Policies/regulations/bylaws/exhibits issued in 2016.....	21
Enrollment	7		
District residency			
Involuntary transfers of convicted students			
Transfers out of a Program Improvement school			
Facilities	8		
Contract procedures for school facilities			
Finance	9		
Debt management			
Federal Uniform Guidance for grant funds			
Governance	10		
Board meetings			
Board training			
Closed sessions for superintendent contract issues			
Nondiscrimination	12		
Lactation accommodations			
Uniform complaint procedures			
Personnel	13		
Qualifications of teachers and paraprofessionals			

Accountability

State accountability system

(July, October 2016)

California continues its process of developing a new state accountability system to replace both the state's Academic Performance Index, which was suspended in 2015, and the federal measure of Adequate Yearly Progress, which was eliminated by the federal Every Student Succeeds Act (Public Law 114-95). The State Board of Education emphasizes its intent to have a single system that integrates both state and federal accountability requirements.

Under the ESSA, states have greater discretion in determining and assigning weight to accountability indicators. States must define "ambitious" long-term goals and annually measure academic achievement, graduation rate, progress in English proficiency for English learners and at least one additional indicator of school quality or student success, such as student engagement, postsecondary readiness or school climate and safety.

Furthermore, each state will need to have a system for differentiating school performance on an annual basis using all of the indicators in the state's accountability system, with greater weight given to academic indicators than to other indicators of school quality or student success. Using a methodology to be established in the state's ESSA implementation plan, the California Department of Education will be required to identify and notify districts/COEs regarding Title I schools that need "comprehensive support and improvement," including schools performing in the lowest five percent of Title I schools, all high schools failing

to graduate one third or more of their students, and schools in which a subgroup of students, considered on its own, would lead to identification among the lowest performing five percent of schools. The CDE will also be required to notify districts/COEs of schools that have a consistently underperforming subgroup of students and therefore need "targeted support and improvement."

Until the new school improvement system is in place, schools that were previously identified for program improvement based on the federal Adequate Yearly Progress measure must continue to implement their improvement plans. However, during the transition, districts are no longer required to offer intradistrict transfers or supplemental educational services from an approved service provider to students in PI schools. See the sections on "Transfers Out of a Program Improvement School" and "Supplemental Educational Services" below.

BP/AR 0520.2 - Title I Program Improvement Schools and BP 0520.3 - Title I Program Improvement Districts were updated in July 2016 to reflect interim requirements. When the accountability system is fully implemented, CSBA expects to update those policies again, along with BP 0500 - Accountability. CSBA has also revised several policies that included references to PI, such as BP/AR 3553 - Free and Reduced Price Meals, E 4112.9/4212.9/4312.9 - Employee Notifications, BP/AR 5116.1 - Intradistrict Open Enrollment and BP 6179 - Supplemental Instruction.

State evaluation rubrics

At its September meeting, the SBE adopted a set of evaluation rubrics designed to assist districts/COEs in evaluating their progress toward the goals identified in their LCAP, as required under the Local Control Funding Formula. The rubrics consist of state and local indicators, performance standards for the indicators, and criteria for determining eligibility for technical assistance and intervention. State indicators use some data already collected by the state and include English language arts and mathematics assessment results, English learner proficiency, graduation rate, chronic absenteeism, suspension rate and college and career readiness. For each of these indicators, the SBE will provide a status indicator that rates the current overall performance of the district/COE or school. It will also report improvement or decline of performance over prior year(s).

In addition, the following four indicators will be based on self-assessment data uploaded to the rubrics by the district/COE: Williams Act compliance (i.e., appropriate teacher assignment, sufficient access to standards-aligned instructional materials, and facilities in good repair), implementation of academic standards, school climate and parent engagement. For these local indicators, the standard requires that the district/COE review the area and report the findings to the local board and community. Districts/COEs will self-certify whether the standard was met, not met for one year, or not met for two or more years.

[Update: Now called the California School Dashboard, the system is expected to be unveiled to the public in late February or March

2017. Changes will continue to be made until the system becomes fully operational in the 2017-18 school year.]

The evaluation rubrics will be a key component of California's new system of accountability. They will serve as a reference for schools and districts/COEs as they develop strategies for continuous improvement and will be used to identify districts and schools, including charter schools, that need technical support.

CSBA's governance brief *LCFF Rubrics, Issue 1: What Boards Need to Know About the New Rubrics* (August 2016), available at www.csba.org/GovernanceBriefs, provides further informa-

tion about the evaluation rubrics, communication tips and talking points. Also see CSBA's archived webinar, *The LCFF Rubrics Are Coming – What You Need to Know*, originally broadcast Aug. 17, 2016 and available at www.csba.org/ArchivedWebcastsWebinars.

In anticipation of the adoption of state evaluation rubrics, several policies had been revised prior to 2016 to call for the use of the evaluation rubrics in district program evaluations. Further revisions may be needed in BP 0500 - Accountability, BP 0420.41 - Charter School Oversight, BP/AR 0460 - Local Control and Accountability Plan and other policies.

At-risk student populations

Former juvenile court school students

(December 2016)

Juvenile court schools serve students who are under the protection or authority of the county juvenile justice system and have been placed in juvenile halls, juvenile homes, day centers, ranches, camps or regional youth education facilities. Such schools offer a standards-based curriculum leading to a high school diploma. If students are released from a juvenile facility, they are required to continue attending school until they graduate or receive a high school equivalency certificate.

More than 42,000 students spend at least some time in a California juvenile court school each year, according to CDE data. Data on this student population are difficult to collect because of the transient nature of the program. Some students may only attend for a few days or weeks while waiting for court trials or placement at another facility. Research suggests that students in the California juvenile justice system are among the most academically at-risk student groups in the state, often arriving at the juvenile court school already performing lower than their age-equivalent peers and having experienced one or more forms of trauma.

Recognizing that juvenile court school students are at greater risk of educational failure, AB 2306 (2016) extends certain educational rights available to homeless students and foster youth to juvenile court school students transferring to a regular school. These include requirements that the district/COE:

- » Immediately enroll the student and immediately transfer educational records
- » Award full credit for coursework completed at the juvenile court school, or partial credit for the portion of the course completed
- » Exempt the student from locally established graduation requirements if the student transfers any time after completing his or her second year of high school, unless the district/COE makes a finding that the student is reasonably able to complete the local requirements by the end of his or her fourth year of high school
- » Allow the student to stay in high school for a fifth year if it is determined that the student would be reasonably able to complete the locally established graduation requirements within the fifth year of high school

Complaints alleging failure to comply with any of these requirements may be addressed through the uniform complaint procedures.

CSBA issued a new administrative regulation, AR 6173.3 - Education for Juvenile Court School Students and revised BP 6146.1 - High School Graduation Requirements to reflect the new law. BP/AR 1312.3 - Uniform Complaint Procedures and county board policy BP 6186 - Juvenile Court Schools will also be updated.

Homeless students

(October 2016)

When the McKinney-Vento Homeless Assistance Act was reauthorized by the ESSA in 2015, it included stronger requirements for identifying homeless students and providing related professional development. The U.S. Department of Education has updated *Education for Homeless Children and Youth Program: Non-Regulatory Guidance* to incorporate changes in the Act and “address the challenges that homeless children and youths have faced in enrolling, attending, and succeeding in school.” The guidance cites statistics showing that the number of homeless children and youth in the nation nearly doubled between the 2006-07 and 2013-14 school years, reaching approximately 1.3 million in 2013-14. In California, the number of homeless children and youth in 2013-14 was estimated at 284,022, representing more than 21 percent of the homeless students in the United States (National Center for Homeless Education, http://nche.ed.gov/states/state_resources.php).

To address the needs of these students, the federal law and guidance emphasize the need for districts/COEs to identify and remove barriers to the identification, enrollment, attendance or school success of homeless children, including unaccompanied homeless youth. Major changes in the McKinney-Vento Homeless Assistance Act include requirements to:

- » Identify preschool-aged homeless children and ensure that they have access to programs and services for which they are eligible, including preschool programs and the Early Intervention Program for Infants and Toddlers with Disabilities
- » Allow homeless children to remain in a preschool that is their “school of origin”

- » Create procedures to ensure the transfer of full and partial academic credit for homeless students
- » Adopt policy and practices to ensure that the district/COE liaison for homeless students and other appropriate staff participate in professional development and other technical assistance activities designed to assist them in identifying and meeting the needs of homeless students and understanding the definition of terms related to homelessness
- » Collaborate with other agencies to meet the needs of homeless students, including public and private child welfare and social services agencies, law enforcement agencies, juvenile and family courts, agencies providing mental health services, domestic violence agencies, child-care providers, runaway and homeless youth centers, providers of services and programs funded under the Runaway and Homeless Youth Act, and providers of emergency, transitional and permanent housing (including public housing agencies, shelter operators and operators of transitional housing facilities)

In California, districts, COEs and charter schools that have at least 15 homeless students are also required to include annual goals for homeless students in their LCAP. These goals must be aligned with state priorities and annually reviewed based on an assessment of progress toward the goals.

CSBA updated BP/AR 6173 - Education for Homeless Children in October to reflect the ESSA and federal guidance. The guidance is available at www2.ed.gov/policy/elsec/leg/essa.

Curriculum and instruction

Adult education

(May 2016)

In 2013, the passage of Assembly Bill 86 resulted in the creation of regional consortia composed of K-12 school districts, COEs, community college districts and joint power authorities. The consortia ensure collaboration in the identification of the educational needs of adults in the region, development of an adult education plan, and effective implementation of strategies and services.

Participation in a consortium is optional, but according to a report issued by the CDE and the California Community College Chancellor’s Office (*Adult Education Block Grant Planning Report*, 2015) there are currently 71 consortia. These consortia have completed their planning efforts and moved to the implementation phase.

The state's new Adult Education Block Grant, established by AB 104 (2015), builds upon these efforts to improve the quality and efficiency of adult education programs throughout the state. Funds allocated through this block grant may be used to support adult education programs related to elementary and secondary basic skills, entry or reentry into the workforce, career technical education, pre-apprenticeship training, knowledge and skills to assist K-12 students to succeed academically, and programs for immigrants and adults with disabilities. Districts/COEs may

provide other types of adult education programs through other sources of funding.

CSBA has significantly revised BP/AR 6200 - Adult Education to reflect requirements of the Adult Education Block Grant.

Numerous resources related to the block grant and other adult education issues are available on a website jointly sponsored by CDE and the California Community College Chancellor's Office at <http://aebg.cccco.edu>. These include best practices, research reports, collaboration tools and more.

Cardiopulmonary resuscitation instruction

(December 2016)

Pursuant to AB 1719 (2016), any district/COE or charter school that requires completion of a health education course for high school graduation will, beginning with the 2018-19 school year, be required to include instruction in performing compression-only cardiopulmonary resuscitation. Such instruction must be based on national guidelines, such as those developed by the American Heart Association or the American Red Cross, and must include hands-on practice. The CDE will be providing guidance on how to implement these provisions.

AB 1719 also encourages districts/COEs and charter schools to provide students with general information on the use and importance of an automated external defibrillator.

CSBA has updated AR 6143 - Courses of Study to reflect the new law and will also review the policy implications for AR 6142.8 - Comprehensive Health Education.

English language development

(December 2016)

Eighteen years after California voters approved Proposition 227 eliminating bilingual education in schools and mandating that nearly all instruction be in English, almost 73 percent of the electorate approved Proposition 58 in November to allow non-English languages to be used in public school instruction. Under Proposition 227, the only way that parents/guardians of English learners could opt out of the "structured English immersion" classroom was to request a waiver on the grounds that their child already possessed sufficient English language skills, that an alternate course of study would be better suited to the student's rapid acquisition of basic English skills, or that the child had special physical, emotional, psychological or educational needs warranting an alternate course of educational study. Effective July 1, 2017, Proposition 58 authorizes parents/guardians to select a language acquisition program that best suits their child.

Districts/COEs will still be required to offer a structured English immersion program that ensures English learners become proficient in English and have access to the core academic content standards. However, under the new law, districts/COEs will also be able to provide additional transitional or developmental programs for English learners that provide instruction in both English and the student's native language in order to assist the student in achieving English proficiency, academic mastery of subject matter content and higher order skills. Furthermore, dual-language immersion programs may provide integrated language learning

and academic instruction for native speakers of either English or another language.

As a result of Proposition 58, the waiver process to allow an alternative to structured English immersion has been eliminated, giving parents/guardians the choice of language acquisition programs available at the school. To the extent possible, a school must provide a particular language acquisition program designed to provide language instruction whenever such a program is requested by the parents/guardians of 30 or more students in a school or 20 or more students at any grade level. Information on the types of language programs available in the district/COE must be included as part of the annual parental notification required pursuant to Education Code 48980.

Proposition 58 also requires districts/COEs to solicit input on effective and appropriate instructional methods, including, but not limited to, language acquisition programs, as part of the parent/guardian and community engagement process required for the development of the LCAP. Thus, before the LCAP is adopted by the board prior to July 1 each year, specific opportunities to discuss language acquisition programs should be provided.

CSBA plans to update BP/AR 6174 - Education for English Language Learners, BP 0460 - Local Control and Accountability Plan and E 5145.6 - Parental Notifications to reflect the provisions of Proposition 58.

Other recent changes will also impact policy on English learners. The ESSA shifts accountability requirements related to English learners from Title III to Title I and deletes specified notification requirements. The state continues to transition to a new language proficiency assessment, the English Language Proficiency Assessments for California, which will include an initial screening test to identify students who may be English learners (operational July 2018) and a summative assessment which will be used

to determine English learners' level of English proficiency and progress in acquiring the skills of listening, speaking, reading and writing in English (operational in spring 2018). Finally, pursuant to AB 2785 (2016), the CDE will be developing, by July 1, 2018, a manual providing guidance to districts/COEs on identifying, assessing, supporting and reclassifying English learners who may qualify for special education services and students with disabilities who may be classified as English learners.

History-social science instruction

(October 2016)

Although state content standards for history-social science instruction have not been updated since 1998, a new curriculum framework was adopted by the SBE on July 14, 2016 to keep up with educational reforms that necessitate changes in instruction. *The History-Social Science Framework for California Public Schools* not only reflects the state content standards still in force, but also the Common Core State Standards for English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects and the state's English language development standards. The framework provides guidance and detailed classroom examples that demonstrate how teachers can integrate instruction to build students' history-social science knowledge and skills, literacy skills (reading, writing, speaking and listening), and English language development.

The updated framework also expands content on civic learning consistent with the work of the California Task Force on K-12 Civic Learning, and incorporates additional topics that recent legislation either required or encouraged the framework to address. For instance, information was added about financial literacy, voter education, genocide and the contributions of lesbian, gay, bisexual and transgender Americans and people with disabilities to the history of California and the United States.

The next step is the adoption of instructional materials aligned to state standards and the newly revised curriculum framework. According to the timeline adopted by the SBE, the SBE is expected to take action on recommended materials by November 2017.

The CDE has also recommended the development of three state computer-based summative assessments for history-social science (elementary, middle and high school) as part of the California Assessment of Student Performance and Progress, but no action has yet been taken. Different types of assessments that may be useful in determining what students know and understand in the subject area of history-social science are described in the curriculum framework.

CSBA updated BP 6142.94 - History-Social Science Instruction, AR 6143 - Courses of Study and BP 6142.4 - Service Learning/Community Service Classes to reflect key concepts in the curriculum framework.

The framework may be downloaded at www.cde.ca.gov/ci/hs/cf/sbedraftthssfw.asp. Information about the California Task Force on K-12 Civic Learning is available at www.cde.ca.gov/eo/in/civicedinitiative.asp.

Physical education

(March 2016)

In the wake of numerous lawsuits initiated by the unincorporated association Cal200 alleging noncompliance with required instructional minutes of physical education, CSBA has updated BP/AR 6142.7 - Physical Education and Activity to clarify legal requirements and encourage districts/COEs to carefully document the number of instructional minutes provided.

State law requires the adopted course of study for all students at an elementary school (either grades 1-6 or 1-8) to include PE instruction for at least 200 minutes every 10 school days, exclusive of recesses and the lunch period. Students in grades 7-12 are required to attend PE courses for at least 400 minutes each

10 school days, unless they are excused or exempted as allowed by law. Strict adherence to these requirements is important to protect the district/COE from litigation.

In addition, new law (AB 1391, 2015) provides that complaints alleging noncompliance with PE instructional minutes in an elementary school may be filed using the UCP. If the district finds merit in the complaint, or the CDE finds merit in an appeal of the district's decision, then the district must provide a remedy to all affected students and parents/guardians.

In order to document the number of instructional minutes, AR 6142.7 and CSBA's Legal Alert *Districts at Risk from Lawsuits Re-*

garding PE Instructional Minute Requirement provide examples of methods that may be used. Such methods might include the use of a master schedule or teacher roster that provides evidence of when PE classes are offered; a form for completion by PE teachers, other teachers and/or principals to document the number of instructional minutes; a student log of the PE instruction received;

or technology such as electronic wrist bracelet which tracks students' physical activity during PE instruction.

CSBA's Legal Alert is available at www.csba.org/Advocacy/EducationLegalAlliance/LegalResources. For information about the benefits of physical activity for student health and learning, see the resources available through www.csba.org/PE.

Enrollment

District residency

(December 2016)

Two new laws affect the criteria under which students will be deemed to have complied with district residency requirements for enrollment in a district school. AR 5111.1 - District Residency has been revised to reflect these laws.

Pursuant to Senate Bill 1455 (2016), a student will be deemed to meet district residency requirements if his or her parent/guardian is transferred or is pending transfer to a military installation (i.e., a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the U.S. Department of Defense or the U.S. Coast Guard) within district boundaries. In such cases, the parent/guardian must provide proof of residence within 10 days of the arrival date that is listed

on the official transfer documentation. For this purpose, the parent/guardian may use as his or her address a temporary on-base billeting facility, a purchased or leased home or apartment, or federal government or public-private venture off-base military housing.

AB 2537 (2016) indefinitely extends the district's authority to admit a student whose parent/guardian is employed within district boundaries for a minimum of 10 hours during the school week (so-called "Allen bill transfers"). Authority for Allen bill transfers would otherwise have become inoperative on July 1, 2017 under legislation signed in 2015 (SB 200 and AB 224).

Involuntary transfers of convicted students

(December 2016)

New law (SB 1343, 2016) allows a school board to involuntarily transfer a student convicted of a violent felony or specified misdemeanor when the victim of the crime is a student at the same school. The law applies to crimes listed in Penal Code 667.5(c) or 29805, including, but not limited to, crimes such as attempted murder, rape, assault, kidnapping or robbery or a misdemeanor associated with possession of a firearm, regardless of whether the crime occurred on or off campus.

The bill's author, Sen. Lois Wolk (D-Davis), cited an incident when a victim had to change classes to avoid daily contact with his attacker and thus was denied his constitutional right to attend a safe school. Sen. Wolk added that a temporary restraining order was insufficient because schools are not enforcement agencies. The new law requires efforts to resolve the conflict through other means but allows transfer to a regular or alternative school as needed to ensure student safety.

In order to exercise this authority, boards are mandated to adopt, at a regularly scheduled meeting, policy that contains the following provisions:

- » A requirement that the student to be transferred and his or her parent/guardian be notified of the right to request a meeting with the principal or designee
- » A requirement that the school first attempt to resolve the conflict using restorative justice, counseling or other services
- » Whether the decision to transfer a student is subject to periodic review and the procedure for conducting the review
- » The process to be used by the board to consider and approve or disapprove the recommendation of the principal or designee to transfer the student

Education Code 48929 also requires the district/COE to provide notice of the policy to parents/guardians as part of the annual parental notification required by Education Code 48980.

CSBA issued a new policy, BP 5116.2 - Involuntary Student Transfers, to reflect the new law.

Boards should also be aware that, regardless of whether they exercise the authority to involuntarily transfer a student in these circumstances, federal law (20 USC 7912) requires that any student who becomes a victim of a violent criminal offense while on school grounds must be provided an option to transfer to another district school, including a charter school. Such transfers are addressed in BP/AR 5116.1 - Intradistrict Open Enrollment.

Transfers out of a Program Improvement school

(July 2016)

The ESSA repealed 20 USC 6316, which had required districts to offer all students in Title I schools identified for PI the option to transfer to another district school or charter school that has not been identified for PI. Following the authority granted to states under the ESSA, the SBE approved a transition plan which confirmed the elimination of this requirement for California schools. Districts may choose to continue to offer such transfers at their discretion.

Although districts are no longer required to offer transfers to students in PI schools, the USDOE's *Transitioning to the Every Student Succeeds Act (ESSA): Frequently Asked Questions* (May 2016) and the CDE's *Every Student Succeeds Act 2016-17 School Year Transition Plan* (April 2016) provide that any student who transferred under this option prior to the 2016-17 school year must be allowed to remain in the school of enrollment until he or she completes the highest grade offered in the school. Further-

more, districts must set aside Title I funds for transportation costs for students who previously transferred.

For districts that voluntarily continue to offer transfers out of PI schools, the USDOE and CDE resources do not expressly address whether students who transfer must be allowed to remain in the school of enrollment until the highest grade at the school. However, for consistency with previous years and with 20 USC 6311, which allows transfers to be granted to students in schools identified for "comprehensive support and improvement" when the new accountability system is implemented, it is recommended that districts allow any student who transfers with the opportunity to subsequently stay in the school of enrollment.

CSBA has updated BP/AR 0520.2 - Title I Program Improvement Schools and BP/AR 5116.1 - Intradistrict Open Enrollment to eliminate the requirement to offer transfers out of PI schools.

Facilities

Contract procedures for school facilities

(December 2016)

California law requires the use of competitive bidding procedures for public works projects that involve an expenditure of \$15,000 or more, including a contract for construction, reconstruction, erection, alteration, renovation, improvement, painting, repainting, demolition or repair work involving a district owned, leased or operated facility. Repairs that are not defined as a public works project, including maintenance, must be competitively bid when the contract exceeds the amount annually adjusted by the Superintendent of Public Instruction (\$88,300 for 2017). The required procedures are detailed in BP/AR 3311 - Bids.

However, state law provides a number of exceptions for which the district/COE may use alternative procedures for the award-

ing of contracts. For example, the board may adopt a resolution electing to use an alternative procedure under the Uniform Public Construction Cost Accounting Act, which establishes a higher bid limit and a more informal bidding process for certain projects. Districts/COEs that choose to enter into a design-build contract (i.e., a process in which both the design and construction of a project are procured from a single entity) for a public works project in excess of \$1 million may award the contract to either the low bid or best value, as defined. Using a "lease-leaseback" procedure, the district/COE may also lease currently owned property to any person, firm or corporation for a minimum of \$1 per year, as long as the lease requires the person, firm or corporation to construct building(s) on the property for the district's or COE's

use during the lease and the property and building(s) will vest in the district/COE at the expiration of the lease.

Unlike other construction contracting methods, the lease-lease-back process has not required advertising for bids, a practice which has been controversial and resulted in a number of lawsuits in recent years. Now, AB 2316 (2016) has repealed the authority of districts to award lease-leaseback contracts without advertising for bids. It requires districts to use a “best value” procurement process in which proposals are objectively evaluated

and the contract is awarded based on the best combination of price and qualifications.

CSBA policy language on lease-leaseback contracts has been updated to reflect the new law. At the same time, CSBA moved some material from the lengthy BP/AR 3311 - Bids and created the new BP/AR 3311.1 - Uniform Public Construction Cost Accounting Procedures, AR 3311.2 - Lease-Leaseback Contracts, AR 3311.3 - Design-Build Contracts and AR 3311.4 - Procurement of Technological Equipment.

Finance

Debt management

(December 2016)

Under new law (SB 1029, 2016), any district/COE that proposes to issue debt (bonds, notes, certificates of participation or other debt) will be required to certify that it has adopted a policy with specified components and that the proposed debt issuance is consistent with that policy. The certification must be filed with the California Debt and Investment Advisory Commission as part of the Report of Proposed Debt Issuance, at least 30 days prior to the sale of any debt issue. The new law applies to any debt issue sold after the effective date of the bill (Jan. 1, 2017), including general obligation bonds authorized in the November 2016 elections.

The debt policy must include all of the following:

- » The purposes for which the debt proceeds may be used
- » The types of debt that may be issued
- » The relationship of the debt to, and integration with, the district’s or COE’s capital improvement program or budget, if applicable
- » Policy goals related to the district’s or COE’s planning goals and objectives
- » The internal control procedures that the district or COE has implemented, or will implement, to ensure that the proceeds of the proposed debt issuance will be directed to the intended use

An uncodified section of SB 1029 contains the Legislature’s declaration that state and local agencies should adopt comprehensive written debt management policies pursuant to the recommendation of the Government Finance Officers Association, a national association of government finance professionals.

SB 1029 also requires districts/COEs to prepare an annual report for any debt sold after Jan. 1, 2017. The report is due to the CDIAC within seven months of the end of the reporting period (July 1 through June 30). Thus, the annual reporting requirement would begin with the report due in January 2018. The report must include specified information regarding any debt authorized or outstanding during the reporting period and the use of proceeds of the debt.

According to the legislative bill analysis for SB 1029, the enhanced transparency requirements imposed by the new law are similar to requirements that already apply to some types of debts, including Mello-Roos districts’ bonds and school districts’ general obligation bonds. The new law applies similar standards to all types of state and local debt.

In a special release in December, CSBA issued a new sample policy and regulation, BP/AR 3470 - Debt Issuance and Management, addressing the legal requirements for debt policies and reports. It is expected that BP/AR 3470 will need to be significantly tailored to meet local needs and goals. Further information about debt policies is available on the CDIAC’s website at www.treasurer.ca.gov/cdiac and on the GFOA’s website at www.gfoa.org/topic-areas/debt-management and www.gfoa.org/debt-management-policy. Examples of detailed city and county debt policies are posted at www.gfoa.org/financial-policy-examples-debt-management.

Federal Uniform Guidance for grant funds

(September 2016)

Management of any federal grant received by districts/COEs is subject to the requirements specified in the Office of Management and Budget *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, commonly called the “Uniform Guidance.” This includes both discretionary grants and formula grants, such as funding for Title I or the Individuals with Disabilities Education Act.

The Uniform Guidance adds new requirements, but primarily consolidates, supersedes and renumbers federal regulations containing earlier OMB circulars. It is important to note that the new federal regulations mandate the adoption of written procedures related to federal grant funds, including regulations addressing procurement, conflict of interest, cash management, payments and allowable costs. In a special Policy Update released in September, CSBA issued a new policy and regulation, BP/AR 3230 - Federal Grant Funds, which reflect the major requirements of the Uniform Guidance. However, CSBA recommends that districts/COEs adopt a more detailed administrative regulation and/or maintain a separate procedures manual that addresses all of the mandated components and is tailored to the district/COE’s unique needs and circumstances.

The Uniform Guidance is applicable to all grants awarded after December 26, 2014. However, districts/COEs may choose to delay implementation of the procurement standards until July 1, 2017.

If they choose to do so, they must adopt policy documenting this decision. Note that the Council on Governmental Relations, a national association of research institutions, has recommended an extension of the grace period to July 1, 2018 and indicates that OMB is reviewing the request. CSBA will monitor the federal rulemaking process to determine if such an extension is granted.

Compliance with the audit requirements in the Uniform Guidance must begin with the fiscal year ending June 30, 2016. The audit must be submitted to the grant awarding agency within 30 calendar days after receipt of the auditor’s report or nine months after the end of the audit period, whichever is earlier. Thus, districts/COEs must ensure that all policies and procedures are in place and are being implemented.

In CSBA’s September Policy Update, other related policies were also updated to ensure consistency and to renumber legal citations, including BP/AR 3270 - Sale and Disposal of Books, Equipment and Supplies, AR 3440 - Inventories, AR 3460 - Financial Reports and Accountability and AR 3512 - Equipment.

For further information about the Uniform Guidance, see USDOE’s *Questions and Answers Regarding 2 CFR Part 200* and other useful tools at www.whitehouse.gov/omb/grants_docs. Also see the resources available on the U.S. Chief Financial Officers Council website at <https://cfo.gov/cofar/uniform-guidance>.

Governance

Board meetings

(December 2016)

Several new laws affect the notice or conduct of board meetings. AB 1787 (2016) is designed to ensure that non-English speakers have equal opportunity to directly address the board on any item described in the meeting notice. When boards choose to limit the amount of time allocated for public input, the new law requires boards to provide at least twice the allotted time to a member of the public who utilizes a translator, unless simultaneous translation equipment is used. Another new law, SB 1436 (2016), requires boards to report an oral summary of any recommendation for final action on the salaries, salary schedules or benefits of a superintendent, deputy or assistant superintendent, department

head or other executive staff during the open meeting in which the final action is to be taken.

Beginning Jan. 1, 2019, AB 2257 (2016) requires any district/COE with a website to post its meeting agenda on its primary homepage accessible through a prominent, direct link. Alternatively, the district/COE may use an integrated agenda management platform that meets specified requirements, including that the current agenda is the first agenda available at the top of the integrated agenda management platform.

CSBA has updated BB 9323 - Meeting Conduct and will update other bylaws as needed to reflect the new laws.

Board training

(December 2016)

Just as staff members need professional development to continuously learn and improve their skills, school board members need professional development to understand their responsibilities, stay abreast of new developments in education and develop skills to communicate effectively with each other, staff and the community.

New and first-term board members need specialized training to be prepared for their role as quickly as possible. Very few people who are elected or appointed to a governing board come into the job with the full scope of knowledge they will need to govern effectively and understand the legal responsibilities of a board member. Board development is equally important for veteran board members, as changing laws and new research continually affect board operations and strategies for providing high-quality education programs.

It is recommended that boards set aside funding for board training each year and make decisions about how such funds will be allocated to ensure that each board member has an opportunity to participate in activities that will improve his or her knowledge and skills. Boards should consider whether each board member will select activities within the amount allocated to him or her, or whether the full board will be involved in determining activities that are aligned with the district/COE vision and goals, district/

COE needs and/or individual board member needs for becoming a more effective member of the governance team.

In early 2016, CSBA's Board of Directors adopted four strategic priorities to drive the association's work for the next two to three years, one of which is to support the effectiveness of boards by increasing board members' participation in CSBA's board development activities. CSBA offers a carefully planned series of board development activities designed to address priorities of boards across the state.

Education opportunities available through CSBA include the Institute for New and First-Term Board Members, Masters in Governance program, Annual Education Conference and Trade Show, Legal Symposium for Experienced Board Members, Board Presidents Workshop, The Brown Act Workshop, Back-to-School Webcast, other workshops and webinars on specific topics, and in-district governance consulting services. A full listing of upcoming activities is available at www.csba.org/TrainingAndEvents.

CSBA has retitled and substantially revised BB 9240 - Board Training to describe the purposes and goals of board training, suggest topics for orientation and training of new and first-term board members, encourage boards to specify the manner in which board training activities will be selected or approved, and clarify the prohibition against a majority of the board discussing district/COE business at a conference or public gathering.

Closed sessions for superintendent contract issues

(June 2016)

In response to questions from board members, CSBA has updated BP 2121 - Superintendent's Contract and BB 9321 - Closed Session Purposes and Agendas to clarify the limited circumstances under which the superintendent's salary may be discussed in closed session rather than in an open meeting. The Ralph M. Brown Act generally prohibits discussion or action on proposed compensation in closed session. However, the "personnel exception" of the Act permits closed session discussion and action regarding any reduction of compensation as a result of the imposition of discipline. In addition, the "labor exception" of the Brown Act authorizes the board to meet with its designated negotiators in closed session to discuss salaries, salary schedules

or benefits paid to represented and unrepresented employees, including the superintendent. The "labor exception" prohibits the board from taking final action in closed session on the proposed compensation of one or more unrepresented employees. It is recommended that boards exercise caution and consult with legal counsel as necessary before discussing any matter related to compensation in closed session.

[Update: Pursuant to new law (SB 1436, 2016), during the open meeting at which final action is to be taken regarding the salaries, salary schedules or benefits of a district/COE executive such as the superintendent, the board must report an oral summary of the recommended action prior to taking final action.]

Nondiscrimination

Lactation accommodations

(March 2016)

In March, CSBA updated BP 5146 - Married/Pregnant/Parenting Students and BP/AR 1312.3 - Uniform Complaint Procedures to reflect AB 302 (2015), which requires a school to offer reasonable accommodations to a lactating student and provides that any complaint alleging noncompliance may be addressed through the UCP. In updating these materials, CSBA received input from both the American Civil Liberties Union and the University of California San Diego's Center for Community Health.

Previously, CSBA partnered with the Center for Community Health to develop BP 4033 - Lactation Accommodation applicable to employees. This policy expresses the board's recognition of the immediate and long-term health advantages of breastfeeding for infants and mothers, expresses the board's desire to provide a supportive and nondiscriminatory environment, and reflects both federal and state requirements to provide employees with reasonable break time and an appropriate location to accommodate their desire to express milk for their infant children.

During National Breastfeeding Month every August, CSBA reminds districts/COEs of the importance of adopting policy to ensure compliance with laws regarding lactation accommodation. The Fair Employment and Housing Commission has determined that, because breastfeeding is an activity intrinsic to females, discrimination against an employee who is breastfeeding after returning to work from pregnancy disability leave constitutes sexual discrimination that may result in a citation from the Labor Commissioner and/or a civil penalty. As of February 2016, 48 percent of the nearly 500 local policy manuals hosted on Gamut Online included policy on lactation accommodation for employees.

In recognition of CSBA's development of sample policies on this topic and continuing efforts to promote policy adoption, the California Breastfeeding Coalition presented its prestigious Golden Wave Award to CSBA policy services staff during the California Breastfeeding Summit in February.

Uniform complaint procedures

(March, September 2016)

Several laws signed in 2015 expanded the types of complaints that may be addressed using UCP. In consultation with the CDE, CSBA updated BP/AR 1312.3 - Uniform Complaint Procedures to address the use of UCP for complaints alleging noncompliance with requirements related to educational rights of foster youth and homeless students (AB 379, 2015), accommodations for lactating students (AB 302, 2015), assignment of students to courses without educational content for more than one week per semester or to courses they have previously completed (AB 1012, 2015), and PE instructional minutes in elementary schools (AB 1391, 2015).

In addition, AB 2306 (2016) adds complaints alleging noncompliance with the educational rights of former juvenile court school

students to the types of complaints to be addressed through the UCP. (For a discussion of these rights, see section "Former Juvenile Court School Students" above.) These requirements have been included in the new AR 6173.3 - Education for Juvenile Court School Students and will be added to BP/AR 1312.3 the next time those procedures are reissued.

Personnel

Qualifications of teachers and paraprofessionals

(May, July 2016)

Previous federal law (the No Child Left Behind Act, 20 USC 6319) required all teachers of core academic subjects to meet the qualifications of “highly qualified” teachers as defined in law and established requirements for the qualifications and duties of paraprofessionals working in programs supported by Title I funds. The CDE has chosen to use the flexibility granted under the ESSA to waive these requirements. Thus, hiring practices should be solely based on state qualifications requirements. See the CDE’s April 15, 2016 letter at www.cde.ca.gov.

Districts/COEs are no longer required to notify parents/guardians when their child has been assigned to, or has been taught for four or more consecutive weeks by, a teacher who does not meet highly qualified teacher requirements. However, the ESSA does require a similar notification to parents/guardians when the teacher does not meet state teacher certification requirements for the grade level or subject being taught. In addition, the ESSA retains the requirement for districts/COEs receiving Title I funds

to annually notify parents/guardians of their right to request information regarding the qualifications of their child’s teacher or paraprofessional.

CSBA has begun to remove references to highly qualified teacher requirements throughout the sample policy manual. CSBA has deleted BP/AR/E 4112.24 - Teacher Qualifications Under the No Child Left Behind Act and removed language related to highly qualified teachers from E 0420.41 - Charter School Oversight and E 5145.6 - Parental Notifications. Revisions were also made to AR 4112 - Appointment and Conditions of Employment, BP 4112.2 - Certification, BP 4112.21 - Interns, AR 4112.23 - Special Education Staff, BP 4113 - Assignment, AR 4115 - Evaluation/Supervision, BP 4117.13/4317.13 - Early Retirement Option, BP/AR 4222 - Teacher Aides/Paraprofessionals, AR 6158 - Independent Study, AR 6164.41 - Children with Disabilities Enrolled by Their Parents in Private School and AR 6171 - Title I Programs.

Safety

Firearms on school grounds

(April 2016)

In April, CSBA issued a special release of Policy Update consisting of two sample policies related to possession of firearms on or near school grounds. CSBA’s new sample board policy, BP 3515.7 - Firearms on School Grounds, responds to new law (SB 707, 2015) which prohibits a person with a valid Carry Concealed Weapon license from possessing a firearm on school grounds, unless he or she obtains the written permission of the superintendent or designee.

Previous state law established gun-free school zones on campus and within 1,000 feet of a school, but made certain exceptions including an exception for persons with CCW permits.

Thus, persons with CCW permits might have possessed firearms on campus without the knowledge of school officials. The public was largely unaware of this exception. SB 707 amended state law to provide that persons with CCW permits may still carry firearms within 1,000 feet of a school but cannot carry them on campus without written authorization from the district. As a result, school officials are placed in the position of having to determine whether or not to grant such permission.

The board has the authority to adopt policy which prohibits the granting of permission to possess a firearm on school grounds, or may choose to allow the superintendent or designee to make this determination on a case-by-case basis. Recognizing that

such decisions must be made based on local circumstances, the new sample policy provides options for the governing board to consider in consultation with the district's legal counsel, insurance provider and local law enforcement and with input from students, parents/guardians, staff and community members. For districts that choose to allow persons with a CCW license to apply for permission to possess a firearm and/or ammunition on

school grounds, CSBA has issued two exhibits providing a sample application form and a sample possession agreement specifying responsibilities and restrictions.

The special release also included revisions to BP/AR 3515.2 - Disruptions. Material related to gun-free school zones has been deleted since it is now covered in 3515.7.

Student assessment

Grading

(July 2016)

Grades inform students, parents/guardians and teachers about students' academic achievement. They may also be used to make recommendations for appropriate placement in courses at the secondary level and are a major factor in college admissions. With grades playing such an important role in students' lives, it is critical that grades be as fair, accurate and consistent as possible. Researchers who study grading have uncovered common practices that contribute to the inaccuracy of grades. CSBA's new governance brief, *Research-Supported Strategies to Improve the Accuracy and Fairness of Grades*, examines this research and presents two key recommendations designed to improve grading practices, especially at the secondary grade levels:

- 1. Assess nonacademic factors separately.** Academic grades should reflect only student mastery of academic content. Although it is a common practice to combine academic and nonacademic factors in a single grade, there is little research to indicate that some of the factors often included in academic grades accurately reflect students' academic achievement. Examples of such factors include student behavior, attendance, classroom participation, effort, turning in assignments on time and other study habits. While it may be important to provide an indication of student progress with regard to these elements, it is equally important to report such factors separately from academic grades.
- 2. Ensure academic grades reflect only final mastery of content.** Researchers recommend basing grades on what students have learned by the end of a unit of study or

course. They reason that students continue to learn content after an early test or difficult assignment, and therefore basing grades on assessments or tests given before they have completed this learning process provides an inaccurate picture of their level of mastery. This recommendation may be implemented by using end-of-course assessments, allowing students to retest and/or allowing late work to be submitted without penalty.

Although state law gives teachers the responsibility and authority to assign grades to students, it is appropriate for districts/COEs to set criteria and establish a uniform grading system to be applied to all students in the same course or grade level. Toward this end, CSBA has updated BP/AR 5121 - Grades/Evaluation of Student Achievement to reflect these research-based best practices. Consistent with the recommendation to separate academic and nonacademic factors in grading, the sample policy suggests dealing with attendance problems separately from grading, despite the authority granted by Education Code 49067 to assign failing grades to students with excessive unexcused absences. Other policies and programs, such as those dealing with chronic absence, truancy or dropout prevention, may provide more effective strategies for addressing attendance that do not affect the assessment of a student's mastery of academic content.

For further details on the research findings and recommendations, read CSBA's governance brief at www.csba.org/GovernanceBriefs.

Support services

Guidance counseling

(March 2016)

State law authorizes districts/COEs to provide educational counseling programs for students and requires that such programs, if offered, must include specified components of academic and career/vocational counseling. New law (SB 415, 2015) updates those components, adds a list of optional components, and expresses the Legislature's intent that school counselors perform certain functions and duties. It also requires that professional development related to career/vocational counseling include strategies for counseling students pursuing postsecondary education, career technical education, multiple pathways, college and global career opportunities.

CSBA updated BP 6164.2 - Guidance/Counseling Services in March to reflect the new law. The legislation comes on the heels of a recent release of data from the National Center for Education Statistics which shows that California had the highest ratio of students to counselors in the nation in 2010-11, with 1,016 K-12 students for every one counselor. This ratio far exceeds

the national average of 471:1 and is four times higher than the American School Counselor Association's recommended ratio of 250:1. The high student-to-counselor ratio suggests that many students do not have access to the vital mental health and academic support services they need as districts have been forced to cut counseling staff due to budget limitations.

The bill analysis for SB 415 reflects the concern of the bill's author (Sen. Lara) about the high student-to-counselor ratios in California and his belief that school counselors play a critical role in addressing equity challenges and meeting the eight state priorities outlined in the LCAP, including school climate, high school graduation rates and access to college preparation courses. It also cites a 2014 University of California Irvine study which found that the availability of counselors in K-12 schools is strongly associated with higher college enrollment and other improved student outcomes. Additional research on the effectiveness of school counseling programs is available at www.cde.ca.gov/ls/cg.

Supplemental educational services

(May 2016)

The CDE has opted to accept the flexibility granted under the ESSA in order to waive certain requirements for schools previously identified for PI, including the requirement to provide supplemental educational services to eligible students from low-income families.

At its May meeting, the SBE approved a transition plan which addresses what districts/COEs must do in lieu of supplemental educational services. The transition plan provides that schools in the second year of PI or beyond must provide alternative supports to eligible students.

The plan defines alternative supports as "supplemental activities designed to increase the academic achievement of socioeconomically disadvantaged students attending schools in PI Year 2 and beyond. Alternative supports shall be locally defined and administered by the LEA [local educational agency] to provide a well-rounded program of instruction to meet the academic needs of students." Districts/COEs may include the types of alternative supports and the criteria used to identify eligible students for such additional support in their LCAP. Examples listed in the transition plan include:

1. Academic support offered during school hours, before school, after school, during intercession and/or during summer learning programs
2. Small group instruction and/or pull-out interventions offered during the regular school day
3. Interventions offered during After School Education and Safety or 21st Century Community Learning Center programs
4. High-quality academic tutoring
5. Purchase of supplemental materials to support alternative support services
6. Personnel costs of a crisis, intervention and/or academic counselor to meet with eligible students
7. Services and programs that remove barriers to promote academic achievement of eligible students

The CDE will no longer post a list of approved service providers. If a district/COE chooses to contract with outside entities or community partners to provide alternative supports, it may select and contract with a provider of its choice.

CSBA has updated BP/AR/E 0520.2 - Title I Program Improvement Schools, BP 6179 - Supplemental Instruction and E 5145.6 - Parental Notifications to reflect the new requirements.

Appendix A: Acronyms

AB - Assembly Bill

ADA - Average daily attendance

AR - Administrative regulation

BB - Board bylaw

BP - Board policy

CAA - California Alternate Assessments

CAASPP - California Assessment of Student Performance and Progress

CCW - Carry Concealed Weapon permit

CDE - California Department of Education

CDIAC - California Debt and Investment Advisory Commission

COE - County office of education

DFEH - California Department of Fair Employment and Housing

DIR - California Department of Industrial Relations

E - Exhibit

ELPAC - English Language Proficiency Assessments for California

ESSA - Every Student Succeeds Act

GASB - Governmental Accounting Standards Board

GFOA - Government Finance Officers Association

IEP - Individualized education program

LCAP - Local Control and Accountability Plan

LCFF - Local Control Funding Formula

OMB - Office of Management and Budget

OPEBs - Other postemployment benefits

PE - Physical education

PI - Program Improvement under the No Child Left Behind Act

P.L. - Public Law

SB - Senate Bill

SBE - State Board of Education

UCP - Uniform complaint procedures

UPCCAA - Uniform Public Construction Cost Accounting Act

USDA - U.S. Department of Agriculture

USDOE - U.S. Department of Education

Appendix B: CSBA Policy Services

Policy manual maintenance is an overwhelming task. Hundreds of new laws are passed by the California Legislature and Congress every year and policies can quickly become out of date. CSBA offers a variety of policy services and programs to provide policy information to districts and COEs and to facilitate local

policy development tailored to local needs and circumstances. For information about subscribing to CSBA policy services, please see www.csba.org/policyservices or contact CSBA at 800-266-3382.

The CSBA online boardroom

Gamut Online

Gamut Online is the only information system that links school governance and management resources on the Internet. It offers quick access to more than 650 sample board policies, regulations and bylaws as well as the entire Education Code, Title 5 regulations and other state and federal code sections referenced in the sample policies. The search functions enable users to retrieve policies by code number or specific key words or phrases in the manual. Users can export sample policies to their word processing application for easy customization. Users can also navigate to related policies by clicking on the cross-references within the policy and can click on a legal citation within the policy to bring up that code section. Email notifications alert subscribers when the CSBA policy manual has been updated. A free 30-day trial offer is available.

Policy Online

Districts/COEs that subscribe to Gamut Online and are also Manual Maintenance clients (see below) can post their local policy manual on Gamut Online and receive the following benefits:

- » Online access to the local policy manual, legal references and other member policy manuals
- » Unlimited number of user accounts for district/COE staff and board members

- » Elimination of the need for policy binders and a cumbersome policy dissemination process
- » A “public account” providing parents, students and community members access to the district/COE policy manual (but not providing access to Education Code, other laws and other district/COE policy manuals)
- » Increased transparency in district/COE operations and community engagement with the district
- » Access to new and revised local policies within 30 days after they are received by CSBA

Agenda Online

Agenda Online is an electronic board meeting agenda service. It is a web-based application that allows development of and access to board meeting information, including agendas, supporting documents and minutes, from any computer that has Internet access. Board members, staff and the public have access to information based on user type. Features include meeting and item templates, ability to attach multiple background documents, ability to link to documents already posted on the web, “sticky note” option for board members and staff, recording of minutes including votes, printing of agenda and minutes, a district goal scorecard and more. Agenda Online can also link to Gamut Online to provide access to policy information during board meetings.

Bringing policy manuals into compliance

Policy Development Workshop

This service helps districts/COEs develop a robust, up-to-date policy manual that addresses key issues and complies with state and federal mandates. The Policy Development Work-

shop pairs the knowledge and experience of administrators and/or board members with the expertise of a CSBA consultant to generate a clear, user-friendly policy manual that meets

local needs. Districts/COEs of all sizes can benefit from an individual workshop designed and led by CSBA. Districts with less than 1,000 Average Daily Attendance can also take advantage of consortium Policy Development Workshops and receive additional discounts.

Policy Audit Program

Through CSBA's Policy Audit Program, a CSBA consultant will review more than 150 of a district's policies, including about 90 policies mandated by law and others that contain important legal requirements, to determine if they reflect current law and the CSBA sample. This report will help the district identify priority areas for policy updating and give an indication as to the overall status of the district's manual.

Keeping policy manuals updated and in compliance

Policy Manual Maintenance

CSBA's Policy Manual Maintenance service is designed to help districts/COEs save time while keeping their policy manual up to date. Subscribers receive policy update packets five times a year containing sample policy language that can be modified to reflect local goals, philosophy, circumstances and practices.

The update packets include a "track changes" version of the revised CSBA sample policies and a checklist to help districts/COEs stay on top of their updates. Word processing is performed by CSBA staff, incorporating adoption dates and policy language modifications made by the district/COE. Ongoing consulting services are also available to Manual Maintenance subscribers.

Appendix C: 2016 Publications

The following publications, available at www.csba.org, are among those issued by CSBA in 2016 to provide information and guidance to boards on major policy issues.

Manuals/Guides

What's New for 2017: A Compendium of New Laws that Impact K-12 Education in California (12/16)

Charter Schools: A Guide for Governance Teams

2015 Policies in Review (3/16)

Newsletters/Magazines

Policy News (3/16, 5/16, 7/16, 10/16, 12/16)

California Schools Magazine (published quarterly)

California School News (published monthly)

Legal Guidance

Education Legal Alliance Annual Report 2016

Guide to Reporting Gifts, Honoraria and Travel Payments (11/16)

SB 707 Permission to Carry Concealed Weapons on School Grounds (9/16)

Important Update: Developer Fees (8/16)

Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination (updated 7/16)

Appeals Court Reverses Ruling in Vergara v. California (4/16)

Lease-Leasebacks in Light of Davis v. Fresno USD and AB 566 (3/16)

Superintendent Contract Template (2/16)

Important Update: Court Denies CDE Request for Stay in Student Privacy Case but Amends Protocol (2/16)

Important Update: Disclosure of Student Information (2/16)

Governance Briefs

Charter Schools in Focus

Issue 1: Managing the Petition Review Process (11/16)

Promising Practices for Developing and Implementing LCAPs (11/16)

Supporting the California Next Generation Science Standards (11/16)

Summer and STEAM Make an Ideal Match (11/16)

LCFF Rubrics

Issue 1: What Boards Need to Know About the New Rubrics (updated 10/16)

2015-2016 California CAASPP Results for Mathematics and English Language Arts (9/16)

English Learners in Focus

Issue 1: Updated Demographic and Achievement Profile of California's English Learners (updated 9/16)

Issue 3: Ensuring High-Quality Staff for English Learners (7/16)

Research-Supported Strategies to Improve the Accuracy and Fairness of Grades (7/16)

Foster Youth: Supports for Success (5/16)

What Boards of Education Can Do About Kindergarten Readiness (5/16)

African-American Students in Focus

Issue 2: Closing Opportunity and Achievement Gaps for African-American Students (4/16)

Issue 1: Demographics and Achievement of California's African-American Students (4/16)

Integrating Physical Activity into the School Day (4/16) (A joint publication with the Alliance for a Healthier Generation)

Fact Sheets

Latino Students in California's K-12 Public Schools (10/16)

Our Foster Youth: What School Boards Can Do (5/16)

Concussions in Student Athletes and How to Reduce Risk (1/16)

Recent Legislation on Vaccines (SB 277) (1/16)

Appendix D: 2016 Leadership Development

CSBA offered a number of continuing education opportunities on major policy issues throughout 2016. See the Events calendar at www.csba.org/TrainingAndEvents for upcoming workshops, webinars and other training events in 2017. Call 800-266-3382 for further information.

Annual Education Conference and Trade Show

CSBA's 2016 Annual Education Conference and Trade Show included numerous sessions on policy issues, the policy development process and CSBA policy services.

Agenda Online Webinar

This no-obligation webinar showcases CSBA's Agenda Online service which enables easy development and dissemination of board meeting information. The webinar explains features of the service, such as creating meeting templates, electronic submission of agenda items from staff, attaching and linking supporting documents, recording minutes and more. Attendees learn how districts and COEs are saving time and money using this service.

Training for Executive Assistants

Executive assistants play a key role in the district and COE. In this popular, full-day training, executive assistants can learn skills,

tools and strategies to effectively meet the needs of the superintendent, board, students and the community.

Institute for New and First-Term Board Members

This innovative two-day seminar is one of the best opportunities for newly elected and first-term trustees to learn about their unique role and responsibilities. Board members can sharpen their skills on effective governance, finance, human resources and student learning.

The Brown Act

This three-hour workshop provides valuable information about the principles of open meetings, including requirements related to open and closed sessions, meeting agendas and board bylaws.

Board Presidents Workshop

CSBA's Board Presidents Workshop prepares current and aspiring board presidents to perform this critical leadership role. Attendees receive tips, tactics and techniques to build effective governance teams, conduct meaningful meetings and fulfill governance responsibilities while focusing efforts on improved student learning and achievement.

Leadership Institute

CSBA's Leadership Institute: Leading and Taking Action for Student Success delves into the most pressing issues facing governance teams today. This two-day event provides governance teams with relevant, engaging content and critical strategies to help them navigate the complexities of current issues and advance their leadership skills. The 2016 inaugural institute included nationally known speakers and breakout sessions on accountability and achievement, facilities, Common Core State Standards and Next Generation Science Standards, and Local Control and Accountability Plan leadership.

Webinars/Webcasts

The following archived webinars and webcasts are available at www.csba.org/ArchivedWebcastsWebinars

Fulfilling the Promise of Special Education (11/16)

Managing Your OPEB and Other Benefit Liabilities (10/16)

2016 Back-to-School Webcast (9/16)

CSBA Business Partner and Affiliate Budget Webinar (9/16)

The LCFF Rubrics Are Coming--What You Need to Know (8/16)

2016 Forecast Webcast (1/16)

Education Insights: Legal Update, Season 4

Episode 2: Guns on Campus (Senate Bill 707) (10/16)

Episode 1: Keeping Up with State and Federal Accountability Regulations (10/16)

Education Insights: Legal Update, Season 3

Episode 4: Disclosure of Public and Student Records (3/16)

Episode 3: Charter Schools and Board Member Responsibilities (3/16)

Appendix E: Policies/regulations/bylaws/exhibits issued in 2016

Sample District Policy Manual

0000 Series: Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0410 - Nondiscrimination in District Programs and Activities (10/16)

Policy updated to reflect new law (AB 30, 2015) which prohibits the use of a racially derogatory or discriminatory school or athletic team name, mascot or nickname. Policy also adds language regarding the use of uniform complaint procedures to investigate and resolve any allegation of unlawful discrimination, expands the means by which notice of the district's nondiscrimination policy will be distributed, reflects new law (SB 1375, 2016) which requires districts to post specified information regarding Title IX on their website by July 1, 2017, and adds the district's responsibility to make its website accessible to individuals with disabilities.

BP/E 0420.41 - Charter School Oversight (5/16, 10/16)

Policy updated to reflect a recommendation in the 2016 edition of CSBA's *Charter Schools: A Guide for Governance Teams* that the district not appoint a representative to serve on the board of directors of a nonprofit public benefit corporation that operates a charter school, but rather implement other

means of fulfilling its oversight responsibilities. Section on "Monitoring Charter School Performance" updated to delete references to the Academic Performance Index and federal measure of Adequate Yearly Progress, and to reflect new law (SB 828, 2016) which requires charter schools to submit an annual update of their Local Control and Accountability Plan. Policy also revised to reflect the Every Student Succeeds Act (P.L. 114-95) which provides for a new system of school support and improvement for Title I schools, including charter schools, beginning in the 2017-18 school year.

Exhibit updated to reflect new laws which add requirements for charter schools to adopt a math placement policy (SB 359, 2015), provide lactation accommodations for students (AB 302, 2015), comply with law pertaining to the education of foster youth (SB 445, 2015) and retroactively grant a diploma to students who met all graduation requirements except the high school exit examination (SB 172, 2015). Item also added to reflect requirement to annually issue a school accountability report card. Exhibit deletes items related to the qualifications of teachers and paraprofessionals under the No Child Left Behind Act, repealed by the ESSA, and revises item related to student assessment to reflect the suspension of the high school exit examination through the 2017-18 school year (SB 172).

BP/AR 0450 - Comprehensive Safety Plan (7/16)

Policy updated to clarify the district's responsibility to annually review comprehensive school safety plans. Regulation updated to delete the requirement to include hate crime reporting procedures in the safety plan, as they are no longer required by law. List of optional plan components expanded to include (1) policy related to firearms possession on campus; (2) measures to minimize gang influence; (3) guidelines for the roles and responsibilities of mental health professionals, community intervention professionals, school counselors, school resource officers and police officers on school campuses; (4) strategies for suicide prevention; (5) procedures to handle disruptions; and (6) concepts related to environmental safety.

BP/AR/E 0520.2 - Title I Program Improvement Schools (7/16)

Policy and regulation updated to reflect the ESSA (P.L. 114-95), U.S. Department of Education guidance, and the California Department of Education transition plan, which require schools identified for program improvement to continue to implement their school improvement plans during the 2016-17 school year while a new system of school support and improvement activities for Title I schools is developed. Policy also deletes references to the federal measure of Adequate Yearly Progress and the requirements to offer intradistrict transfers and supplemental educational services to eligible students, as these have been eliminated under ESSA. Material on the Parent Empowerment Act moved from AR to BP, and "Program Evaluation" section revised to reflect requirement to develop and post a report card with specified content. Regulation deletes sections on "Definitions," "Parental Notifications," "Student Transfers," and "Supplemental Educational Services," and adds section on "Alternative Supports" to reflect the CDE's transition plan which requires that district-defined supports be provided to eligible students. Exhibits (1) and (2) deleted since forms related to intradistrict transfers and supplemental educational services are no longer needed.

BP/AR 0520.3 - Title I Program Improvement Districts (7/16)

Policy updated to reflect the ESSA (P.L. 114-95), USDOE guidance, and the CDE's transition plan, which, for the 2016-17 school year, require districts identified for PI to continue to implement their improvement plans and any recommendations of a district assistance and intervention team assigned to the district. Policy deletes outdated reference to the federal measure of Adequate Yearly Progress, deletes section on "Early Warning System" since districts are not being newly identified for PI, and consolidates and shortens material reflecting requirements for districts based on the number of years in PI. Regulation deleted as some requirements are no longer applicable and others are duplicated in the BP.

1000 Series: Community Relations

BP/AR 1230 - School-Connected Organizations (5/16)

Policy and regulation updated to clarify the relationship between the district and a school-connected organization, such as a booster club, parent-teacher organization or other nonstudent organization. Policy adds material regarding the establishment of such organizations as separate legal entities subject to their own bylaws and rules, delegates the responsibility to approve organizations' fundraisers to the superintendent or designee, and reflects legal requirement that donations and participation in fundraising activities be voluntary. Regulation adds authority of the district to revoke an organization's authorization to conduct activities in the district when necessary, and adds rules designed to maintain the organization's status as a separate entity from the district based on recommendations in the Fiscal Crisis and Management Assistance Team's guidebook updated in 2015.

BP/AR 1312.3 - Uniform Complaint Procedures (3/16, 9/16)

Policy updated to reflect new laws which authorize the use of UCP to resolve complaints of noncompliance with requirements related to accommodations for lactating students (AB 302, 2015), educational rights of foster youth and homeless students (AB 379, 2015), assignment of students to courses without educational content for more than one week per semester or to courses they have previously completed (AB 1012, 2015), and physical education instructional minutes in elementary schools (AB 1391, 2015). Regulation also reflects laws that allow appeals of the district's decision related to these complaints to the CDE and provide that, if any complaint regarding PE instructional minutes is found to have merit, the district must provide a remedy to all affected students and parents/guardians. Regulation also revised to clarify required annual notification and complaint filing requirements and to provide for equitable treatment of a respondent to a complaint as required under federal law.

AR 1340 - Access to District Records (12/16)

Regulation updated to reflect new law (AB 2843, 2016) which prohibits disclosure of employees' personal cell phone numbers and birth dates, and new law (AB 2853, 2016) which authorizes the district, in response to a public records request, to post public records on its website and refer the requesting member of the public to the location of the records on the website. Regulation also revised to clarify access to documents containing names, salaries and pension benefits of district employees and to records pertaining to claims and litigation against the district.

2000 Series: Administration

BP 2121 - Superintendent's Contract (6/16)

Policy updated to clarify the conditions under which boards may meet in closed session under the "labor exception" of the Ralph M. Brown Act to discuss the superintendent's contract, salary or compensation paid in the form of fringe benefits.

3000 Series: Business & Noninstructional Operations

BP/AR 3230 - Federal Grant Funds (9/16)

New mandated policy and mandated regulation reflect major requirements for the management of federal grant funds contained in the Office of Management and Budget's *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (commonly called the "Uniform Guidance"), including the mandate to adopt written procedures related to procurement, conflict of interest, cash management, payments and allowable costs. Policy addresses the board's desire to maintain fiscal integrity and transparency in the use of federal grant funds, key components of the district's financial management system and the submission of performance reports in accordance with law and the requirements of the awarding agency. Regulation includes material related to allowable costs, procurement, cash management, audits and records, including requirements for employees to document "time and effort" spent on grant activities. Regulation also reflects the option to delay implementation of the procurement standards in the Uniform Guidance up to July 1, 2017, provided that the decision is documented in the district's procurement policy.

BP 3270 - Sale and Disposal of Books, Equipment and Supplies (3/16, 9/16)

Minor revisions made in regulation to more directly reflect law regarding the disposal of property in the local public dump, renumber legal cites pursuant to the Uniform Guidance for federal grant funds, and cross-reference new BP/AR 3230 - Federal Grant Funds.

BP/AR 3311 - Bids (5/16, 12/16)

Policy and regulation updated in May to include requirements for districts that choose to use the alternative Uniform Public Construction Cost Accounting Act for contracting for public works projects, to reflect new law (AB 1358, 2015) which authorizes a district to award a design-build contract for a public works project in excess of \$1 million on the basis of either low bid or "best value," to reflect the new bid limit established by the Superintendent of Public Instruction for specified projects, and add new section on "Lease-Leaseback Contracts." In December, policy and regulation updated to move some

material into new BP/AR 3311.1 - Uniform Public Construction Cost Accounting Procedures, AR 3311.2 - Lease-Leaseback Contracts, AR 3311.3 - Design-Build Contracts and AR 3311.4 - Procurement of Technological Equipment. Regulation also revises section on "Award of Contract" to expand the exceptions to awarding contracts based on lowest responsible bidder to include lease-leaseback contracts, which are based on "best value" as defined.

BP/AR 3311.1 - Uniform Public Construction Cost Accounting Procedures (12/16)

New policy and regulation include material formerly in BP/AR 3311 - Bids pertaining to requirements of the UPCCAA. Policy also adds prohibition against splitting a project or purchase into smaller work orders in order to evade requirements for competitive bidding and reflects the legal authority to suspend the UPCCAA bidding process for the replacement or repair of a school facility in cases of emergency. Regulation also clarifies the requirement to disseminate the bid notice to the district's list of contractors.

AR 3311.2 - Lease-Leaseback Contracts (12/16)

New regulation includes material formerly in BP/AR 3311 - Bids pertaining to requirements for awarding lease-leaseback contracts. Material significantly revised to reflect new law (AB 2316, 2016) which no longer permits the selection of a lease-leaseback contractor without advertising, and instead requires districts to use a comprehensive "best value" selection process.

AR 3311.3 - Design-Build Contracts (12/16)

New regulation includes material formerly in BP/AR 3311 - Bids pertaining to requirements for awarding design-build contracts. Minor editorial changes made to clarify the process and more directly reflect law.

AR 3311.4 - Procurement of Technological Equipment (12/16)

New regulation includes material formerly in BP/AR 3311 - Bids pertaining to requirements for the competitive negotiation process authorized for procurement of computers, software, telecommunications equipment, microwave equipment or other related electronic equipment and apparatus.

AR 3314 - Payment for Goods and Services (5/16)

Regulation revised to reflect additional content that must be included in the board's finding that a project is substantially complex and requires a higher retention amount than five percent.

AR 3440 - Inventories (9/16)

Minor revisions made in regulation to reflect the renumbering of legal cites pursuant to the Uniform Guidance for federal grant funds, cross-reference new BP/AR 3230 - Federal Grant Funds, and reflect requirement to annually submit an inventory listing of federally owned property in the district's custody to the federal agency that granted the award.

AR 3460 - Financial Reports and Accountability (9/16)

Regulation updated to add general language on the need to audit federal grant funds, while deleting detailed material regarding the submission of records related to the audit of federal funds, now addressed in AR 3230 - Federal Grant Funds. Material on other postemployment benefits updated to reflect Governmental Accounting Standards Board Statement 75, which supersedes GASB Statement 45 for fiscal years beginning after June 15, 2017. Revisions reflect the requirements to report the total unfunded liability for OPEBs and to perform an actuarial valuation every two years regardless of the number of members in the OPEB plan, although an alternative method is still allowed for plans with fewer than 100 members.

BP 3470 - Debt Issuance and Management (12/16)

New policy reflects new law (SB 1029, 2016) which mandates that boards adopt a debt management policy prior to issuing any debt, including, but not limited to, general obligation bonds, tax and revenue anticipation notes and certificates of participation. Policy addresses the components mandated by law, including (1) the purposes for which the debt proceeds may be used; (2) the types of debt that may be issued; (3) the relationship of the debt to, and integration with, the district's capital improvement program or budget, if applicable; (4) policy goals related to the district's planning goals and objectives; and (5) internal control procedures to ensure that the proceeds of the proposed debt issuance will be directed to the intended use.

AR 3512 - Equipment (9/16)

Minor revisions made in regulation to reflect the renumbering of legal cites pursuant to the Uniform Guidance for federal grant funds and to cross-reference new BP/AR 3230 - Federal Grant Funds.

BP/AR 3513.3 - Tobacco-Free Schools (7/16)

Policy updated to reflect new law (ABX2 9, 2016) which requires all districts, not just those receiving state Tobacco-Use Prevention Education funds, to prohibit tobacco use on school campuses. Policy also reflects new definitions of "smoking" and "tobacco" pursuant to new law (SBX2 5, 2016). Regulation reflects provision of ABX2 9 which requires signs prohibit-

ing tobacco use to be displayed at all school entrances, and deletes option to designate a smoking area on campus.

BP/AR 3515.2 - Disruptions (4/16)

Policy updated to add components that might be addressed in district plans to prevent or respond to disruptions, and to delete material related to gun-free school zones which is now addressed in BP/E 3515.7 - Firearms on School Grounds. Regulation updated to authorize the principal or designee to remove from school grounds or a school activity any person who threatens the immediate physical safety of a student, staff or others. Regulation also reflects law allowing a person who has been directed to leave school facilities to reenter a location where the superintendent's or board's office is located for the purpose of filing an appeal.

AR 3515.5 - Sex Offender Notification (5/16)

Regulation updated to reflect law requiring notification of parents/guardians at least 14 days in advance if the principal grants permission to a registered sex offender to volunteer at the school.

BP/E 3515.7 - Firearms on School Grounds (4/16)

New policy reflects new law (SB 707, 2015) which eliminates the exception that had allowed persons with a Carry Concealed Weapon license to possess a firearm on campus. The law now requires such persons to obtain written permission of the superintendent or designee in order to possess a firearm and/or ammunition on school grounds. Policy contains options for the board either to prohibit any person from possessing a firearm on campus, unless that person is specifically allowed such possession by law, or to authorize the superintendent or designee to use his or her legal authority to permit persons with a CCW license to possess a firearm and/or ammunition on campus. For districts choosing to allow such permission to be granted on a case-by-case basis, the policy establishes optional criteria and conditions that must be met. Two new exhibits provide (1) a sample form for persons to apply for permission to possess a firearm and/or ammunition on school grounds and (2) a sample agreement describing responsibilities and restrictions on such possession which should be signed by the superintendent or designee and by the person granted permission.

AR 3516.3 - Earthquake Emergency Procedure System (7/16)

Minor revision made in regulation to change name of the California Emergency Management Agency to the California Governor's Office of Emergency Services.

BP/AR 3541.2 - Transportation for Students with Disabilities (5/16)

Policy updated to clarify the policy's applicability to students receiving services pursuant to Section 504 of the federal Rehabilitation Act of 1973, add sample criteria for individualized education program teams to use when determining a student's transportation needs and add material regarding the provision of information to IEP teams. Regulation deleted and material moved to BP regarding provision of alternative transportation when a student is excluded from school bus transportation for a disciplinary or other reason, assurance that a contract with a nonpublic, nonsectarian school or agency addresses transportation as necessary, and transportation of service animals.

AR 3543 - Transportation Safety and Emergencies (12/16)

Regulation updated to reflect new law (SB 1072, 2016) which (1) expands the required components of the transportation safety plan to include procedures to ensure that a student is not left unattended on the bus and procedures for designating an adult chaperone to accompany students on a student activity bus, and (2) requires installation of a child safety alert system on school buses by the beginning of the 2018-19 school year. Regulation also reflects new law (AB 1785, 2016) which prohibits a bus driver from using any electronic wireless communications device while driving, except when the device is voice-operated and used in hands-free mode or with a function that requires only a single swipe or tap of the driver's finger.

AR 3550 - Food Service/Child Nutrition Program (3/16)

Minor revision made in regulation to delete cite to federal regulation on nutritional standards for National School Breakfast Program, superseded by other requirements in July 2013.

BP/AR 3553 - Free and Reduced-Price Meals (3/16, 7/16)

Policy updated to reflect the timeline for submitting a request to the State Board of Education for a waiver of the requirement to provide free and reduced-price meals during summer session. Policy also revised to reflect law authorizing the sharing of students' free and reduced-price meal eligibility information with another local educational agency serving another child living in the same household as the student and with the Superintendent of Public Instruction for purposes of determining Local Control Funding Formula allocations. Regulation updated to reflect new law (SB 708, 2015) which authorizes districts to make free and reduced-price meal applications available electronically as long as the online application complies with specific requirements, including the provision of clear instructions for homeless or migrant families. Both policy and regulation revised to delete references to sharing free and reduced-price meal records for the purpose of determining the

eligibility of students in Title I PI schools for school choice and supplemental educational services, as those requirements were eliminated in the ESSA (P.L. 114-95), and instead authorize the use of those records to determine eligibility for alternative supports offered in accordance with the CDE's transition plan.

BP 3555 - Nutrition Program Compliance (7/16)

Policy updated to clarify that, although state and federal law prohibit discrimination in child nutrition programs for all protected categories, the CDE and U.S. Department of Agriculture only investigate complaints of discrimination based on race, color, national origin, sex, age and disability. Policy also reorganizes and expands the responsibilities of the district's civil rights coordinator to reflect CDE's guidebook as updated in November 2015, and updates the addresses where complaints may be submitted. Nondiscrimination statement that is required to be printed on program documents, pamphlets, brochures and other materials updated to reflect the USDA's 2015 statement.

BP 3580 - District Records (5/16)

Policy updated to reflect legal requirement to disclose any breach of security of district records that contain personal information, as defined, by providing a written or electronic notification that meets the content and formatting requirements specified in law.

4000 Series: Personnel

BP/AR 4030 - Nondiscrimination in Employment (5/16, 12/16)

Policy and regulation updated to reflect new state regulations (Register 2015, No. 50), as renumbered, which specify certain requirements to be included in district policy or regulation and extend protections against discrimination to unpaid interns and volunteers. Policy also adds prohibition against discrimination on the basis of an employee's association with a person or group with one or more of the listed characteristics and adds requirement to post the California Department of Fair Employment and Housing publication on workplace discrimination and harassment. Policy reflects new law (SB 1063, 2016) which prohibits the payment of different wage rates based on race or ethnicity and prohibits the use of prior salary history by itself to justify any disparity in compensation. Regulation reflects provisions of new state regulations regarding training of supervisors and dissemination of the district's nondiscrimination policy to all employees.

AR 4112 - Appointment and Conditions of Employment (5/16)

Regulation revised to reflect the repeal by the ESSA (P.L. 114-95) of requirements to meet qualifications of “highly qualified” teachers, as defined.

BP 4112.2 - Certification (7/16)

Policy updated to add requirement, as amended by the ESSA (P.L. 114-95), to notify parents/guardians of each student attending a school receiving Title I funds that they may request certain information regarding the qualifications of their child’s teacher.

BP 4112.21 - Interns (5/16)

Policy revised to reflect the repeal by the ESSA (P.L. 114-95) of requirements to meet qualifications of “highly qualified” teachers, as defined.

AR 4112.23 - Special Education Staff (5/16)

Regulation revised to reflect the repeal by the ESSA (P.L. 114-95) of requirements to meet qualifications of “highly qualified” teachers, as defined.

BP/AR/E(1)/E(2) 4112.24 - Teacher Qualifications Under the No Child Left Behind Act (5/16)

Policy, regulation and exhibits deleted since the ESSA (P.L. 114-95) repealed requirements that teachers meet criteria of “highly qualified” teachers, as defined.

AR 4112.6/4212.6/4312.6 - Personnel Files (3/16)

Regulation updated to reflect new law (AB 1452, 2015) which prohibits expunging from an employee’s personnel file any documentation of a credible complaint of, substantiated investigation into, or discipline for egregious misconduct, except under specified circumstances.

E 4112.9/4212.9/4312.9 - Employee Notifications (5/16, 7/16)

Exhibit revised to delete notification regarding the opportunity to comment and participate when a school is identified for restructuring under Title I PI, repealed by the ESSA (P.L. 114-95). Exhibit also revised to add notification of affected employees in the event of a breach of security of district records and to reflect new law (SB 658, 2015) which revises the content of the notification related to automated external defibrillators.

BP 4113 - Assignment (7/16)

Policy updated to delete material regarding the assignment of teachers who meet the qualifications of “highly qualified” teachers, as those requirements were repealed by the ESSA (P.L. 114-95). Policy also revised to reflect the continuing

requirement to describe in the Title I local educational agency plan how the district will address any disparities that result in low-income or minority students being taught at higher rates by ineffective, inexperienced or out-of-field teachers. Details reflecting the state’s Compliance Monitoring, Intervention and Sanctions program deleted as the CDE’s ESSA transition plan indicates that districts will not be required to participate in that program in the 2016-17 school year.

AR 4115 - Evaluation/Supervision (7/16)

Minor revision made in regulation to delete the requirement that a teacher, in order to be evaluated on a five-year schedule, must meet the qualifications of a “highly qualified” teacher if applicable for the position, as the highly qualified teacher requirements were repealed by the ESSA (P.L. 114-95).

BP 4117.13/4317.13 - Early Retirement Option (5/16)

Minor revision made in policy to delete consideration of the impact of the early retirement option on the ability to satisfy federal requirements for “highly qualified” teachers, as those requirements were repealed pursuant to the ESSA (P.L. 114-95).

BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment (12/16)

Policy and regulation updated to reflect new state regulations (Register 2015, No. 50), as renumbered, which extend protections against sexual harassment to unpaid interns and volunteers, require districts to instruct supervisors to report complaints, and revise requirements pertaining to the training of supervisory employees.

BP 4151/4251/4351 - Employee Compensation (10/16)

Policy updated to add new section on “Overtime Compensation” and to reflect new federal regulations (81 Fed. Reg. 32391) which adjust the salary level at which employees become eligible to receive overtime pay. Policy also revised to reflect the requirement to classify nonadministrative, nonsupervisory certificated employees on the salary schedule based on years of training and experience, the prohibition against paying certificated employees different salaries solely on the basis of the grade levels they teach, the board’s authority to determine the frequency and schedule of salary payments for employees who work less than 12 months per year, and the requirement to post a notice of federal minimum wage provisions.

AR 4157.1/4257.1/4357.1 - Work-Related Injuries (10/16)

Policy moved to administrative regulation and updated to clarify notification requirements, including requirements related to (1) the method and timeline for notifications; (2) availability of notifications in both English and Spanish; (3) notice to an employee who is a victim of crime at the workplace that

he or she may be potentially eligible for workers' compensation benefits; (4) the filing of a report of work-related injury or illness with the district's insurer or, if the district is self-insured, with the Department of Industrial Relations; (5) notice to the DIR's Division of Occupational Safety and Health of any work-related death or serious injury/illness; and (6) the posting of workers' compensation information in a conspicuous location frequented by employees.

AR 4161.1/4361.1 - Personal Illness/Injury Leave (3/16)

Regulation updated to reflect new law (AB 375, 2015) which requires differential pay for a certificated employee who has exhausted all available sick leave and continues to be absent due to maternity or paternity leave for the birth, adoption or foster care placement of a child. Regulation also reflects new law (SB 579, 2015) which allows an employee to use sick leave, up to the amount he or she would accrue during six months, for all the purposes specified in the Healthy Workplaces, Healthy Families Act. Regulation reflects new law (AB 304, 2015) which allows districts to use a different sick leave accrual method which provides for the accrual to be on a regular basis so that an employee accrues at least 24 hours of sick leave or paid time off by the 120th calendar day of his or her employment or each calendar year or 12-month period.

AR 4161.2/4261.2/4361.2 - Personal Leaves (3/16)

Regulation updated to reflect new law (SB 579, 2015) which expands the purposes of leave for child-related activities to include (1) enrolling or reenrolling a child in a school or with a licensed child care provider and (2) addressing a school or child care emergency, as defined. Regulation also adds definition of "parent/guardian" for purposes of such leave, expanded by SB 579 to include a stepparent, foster parent or person who stands in loco parentis to the child.

AR 4217.11 - Preretirement Part-Time Employment (5/16)

Regulation updated to clarify that the regulation is mandated for districts that choose to offer a reduced workload program, which allows classified employees who are members of the Public Employees' Retirement System to reduce their workload to part time while continuing to receive the service credit and other benefits they would have received as full-time employees. Eligibility criteria revised to more directly reflect law. New material reflects requirements regarding the verification of employee's eligibility and clarifies that other employees may be allowed to work part time without the benefits of the reduced workload program.

AR/E 4222 - Teacher Aides/Paraprofessionals (7/16)

Regulation updated to delete material on the qualifications and duties of paraprofessionals working in a program supported by Title I funds, as those requirements were repealed by the ESSA (P.L. 114-95). Regulation also consolidates options for the requirement that paraprofessionals demonstrate proficiency in reading, writing and mathematics equivalent to or exceeding the proficiency required for high school seniors. Exhibit deleted, as a sample attestation of compliance with Title I paraprofessional requirements is no longer needed.

AR 4261.1 - Personal Illness/Injury Leave (3/16)

Regulation updated to reflect new law (SB 579, 2015) which allows employees to use sick leave, in an amount not less than the employee would accrue during six months at his or her current rate of accrual, for the purposes specified in the Healthy Workplaces, Healthy Families Act, rather than just for attending to the illness of the employee's child, parent, spouse, domestic partner or domestic partner's child. Regulation also clarifies circumstances under which the district may require an employee to verify the need for sick leave.

5000 Series: Students

BP 5030 - Student Wellness (12/16)

Policy updated to reflect new federal regulations (81 Fed. Reg. 50151) which address the content of the wellness policy, assurance of stakeholder participation in the development and updates of the policy, and periodic assessment and disclosure of compliance. Policy also reflects new state law (SB 1169, 2016) which no longer requires posting the district policy on nutrition and physical activity within cafeterias/eating areas, but does require annually informing the public of the content and implementation of the policy.

AR 5111.1 - District Residency (12/16)

Policy updated to reflect new law (SB 1455, 2016) which establishes residency within the district for enrollment purposes to students whose parent/guardian is transferred or pending transfer into a military installation within district boundaries. Policy also reflects new law (AB 2537, 2016) which indefinitely extends district authority to grant Allen Bill transfers for students whose parent/guardian is employed within district boundaries for a minimum of 10 hours during the school week.

BP/AR 5116.1 - Intradistrict Open Enrollment (7/16)

Policy and regulation updated to delete priority for intradistrict open enrollment for students transferring out of a school iden-

tified for PI, as the ESSA (P.L. 114-95) eliminated requirements to offer such transfers. Policy also clarifies that Open Enrollment Act transfers for the 2016-17 school year are to be based on the CDE's 2015-16 list of open enrollment schools since the Academic Performance Index is currently suspended. Regulation also reflects ESSA requirement that students who were previously granted intradistrict transfers out of a PI school must be allowed to remain in the school to which they transferred until the highest grade offered by the school.

BP 5116.2 - Involuntary Student Transfers (12/16)

New policy reflects new law (SB 1343, 2016) which authorizes districts to involuntarily transfer a student who has been convicted of a specified violent felony or a misdemeanor associated with possession of a firearm, whenever the student is enrolled at the same school as the victim of the crime for which he or she was convicted. In order to exercise this authority, the district is mandated to adopt policy with specified components and provide notice of the policy to parents/guardians as part of the annual parental notification.

BP/AR 5121 - Grades/Evaluation of Student Achievement (7/16)

Policy and regulation updated to reflect research-supported best practices regarding grading, including the separation of nonacademic factors from students' academic grades. Policy also adds optional paragraph on reports of student progress on specific academic standards.

AR 5125.3 - Challenging Student Records (10/16)

Regulation reorganized and updated to reflect the requirement to notify a parent/guardian when the superintendent corrects or removes a student record following an appeal in which the board grants the parent/guardian's request. Regulation also adds material on the composition and conduct of the hearing panel that may be established to assist in making determinations regarding challenges to student records.

BP 5131.62 - Tobacco (7/16)

Policy updated to reflect new law (ABX2 9, 2016) which requires all districts, not just those receiving state Tobacco-Use Prevention Education funds, to prohibit tobacco use on school campuses. Policy also reflects new law (SBX2 5, 2016) which establishes new definitions of "smoking" and "tobacco."

BP/AR 5141.21 - Administering Medication and Monitoring Health Conditions (12/16)

Policy and regulation updated to delete requirements related to the administration of medication in cases of epileptic seizures, as Education Code 49414.7 repeals by its own terms on Jan.

1, 2017, and to clarify that districts may continue to administer such medication under the general authority in state law. Policy and regulation also reflect new law (AB 1748, 2016) which authorizes districts to stock and administer medication in cases of opioid overdose. Regulation also revises definition of epinephrine auto-injector pursuant to new law (AB 1386, 2016).

AR 5141.4 - Child Abuse Prevention and Reporting (5/16)

Regulation updated to reflect new law (AB 1058, 2015) which authorizes training to be provided to school personnel, at least once every three years, in the prevention of child abuse, including sexual abuse, on school grounds, by school personnel or in school-sponsored programs.

BP/AR 5145.3 - Nondiscrimination/Harassment (9/16)

Policy revised to clarify (1) that the policy is applicable to off-campus conduct that may have a continuing impact on a student at school and (2) that the district must investigate all allegations of discrimination of which it has notice, regardless of whether a formal written complaint is filed, and must take action to address any effect of discrimination found. Regulation updated to ensure consistency of the reporting procedure with the formal complaint process in the UCP and to clarify various provisions in the section on "Transgender and Gender-Nonconforming Students."

E 5145.6 - Parental Notifications (5/16)

Exhibit updated to delete parental notification related to the high school exit examination, suspended through the 2017-18 school year pursuant to new law (SB 172, 2015), and notifications repealed by the ESSA (P.L. 114-95) related to the identification of a school or district for PI, availability of supplemental educational services to eligible students in schools identified for PI, and failure to make Adequate Yearly Progress. Exhibit revised to reflect ESSA requirement to notify parents/guardians when their child is taught for four or more weeks by a teacher who does not meet state certification requirements. Exhibit also adds notices related to a breach of security of district records containing personal information, exemption of a homeless student from local graduation requirements, and child care and development program operations including approval/denial of subsidized services, a change in the level of service and fees.

BP/AR 5145.7 - Sexual Harassment (9/16)

Policy revised to clarify that the district must investigate every allegation of sexual harassment of which it has notice, whether or not a formal written complaint is filed, and, when needed, must take interim measures to ensure the safety of any student complainant or victim of sexual harassment. Regulation revised

to recommend how the district may address a report of off-campus sexually harassing conduct.

BP 5146 - Married/Pregnant/Parenting Students (3/16)

Policy updated to reflect state requirement that any education program or activity offered separately to pregnant students be “equal” to that offered to other district students, a standard that is more stringent than the federal standard for “comparable” programs. Policy also reflects new law (AB 302, 2015) requiring schools to offer reasonable accommodations, as specified, to any lactating student on the campus and providing that any complaint regarding noncompliance with these provisions may be addressed through the district’s UCP.

AR 5148 - Child Care and Development (10/16)

Regulation updated to reflect new law (SB 792, 2015) which requires employees and volunteers at a child care center to be immunized against influenza, pertussis and measles, with specified exemptions. Regulation revised to reflect new law (SB 277, 2015) which eliminates the personal beliefs exemption for immunization of enrolled children unless a letter or affidavit was submitted by Jan. 1, 2016, in which case the exemption will only be effective until the child reaches the next grade span. Regulation also reflects new law (AB 982, 2015) which authorizes the district liaison for homeless students, a Head Start program or a transitional shelter to identify a child in need of subsidized child care services.

AR 5148.3 - Preschool/Early Childhood Education (10/16)

Regulation updated to reflect new law (SB 792, 2015) which requires employees and volunteers at a preschool to be immunized against influenza, pertussis and measles, with specified exemptions. Regulation also reflects new law (AB 982, 2015) which expands the list of entities that can identify a child in need of subsidized preschool to include the district liaison for homeless children and youth, a Head Start program or a transitional shelter.

6000 Series: Instruction

BP 6142.4 - Service Learning/Community Service Classes (10/16)

Policy updated to emphasize the academic benefits of service learning or community service classes, reflect the inclusion of service learning in the *History-Social Science Framework for California Public Schools* adopted by the SBE in July 2016, reflect the elimination of state and federal sources of funding for service learning, and delete material on the development of a plan for service learning.

BP/AR 6142.7 - Physical Education and Activity (3/16)

Policy updated to add information regarding required qualifications of PE teachers. Policy also incorporates material formerly

in AR regarding the minimum school day for high school students who are granted two-year or permanent exemptions from PE courses, and adds the amount of PE instructional time that must be provided to students who are excused from PE courses in order to participate in driver training. Regulation updated to clarify instructional time requirements, describe recent lawsuits alleging districts’ noncompliance with these requirements, provide optional methods for documenting the number of instructional minutes provided, and reflect related CSBA Legal Alert. Regulation also reflects new law (AB 1391, 2015) which authorizes the use of UCP for any complaint that an elementary school has not complied with the instructional minute requirement.

BP 6142.94 - History-Social Science Instruction (10/16)

Policy updated to reflect key concepts in the *History-Social Science Framework for California Public Schools* adopted by the SBE in July 2016, including, but not limited to, a new emphasis on developing students’ literacy skills within the context of history-social science instruction. Policy also reflects law that encourages the use of personal testimony through oral history, videos or other multimedia formats and establishes requirements for personal testimony provided through oral histories.

AR 6143 - Courses of Study (10/16)

Regulation updated to add comprehensive sexual health education as a required course of study for grades 7-12 and to add optional topics of instruction authorized by law, including instruction on violence awareness and prevention, the Bracero program, and genocide. Regulation also reflects new law (AB 2016, 2016) which encourages a course in ethnic studies based on a model curriculum to be adopted by the SBE by March 31, 2020 and new law (AB 1719, 2016) which requires instruction in cardiopulmonary resuscitation beginning in the 2018-19 school year for any district that has established health education as a high school graduation requirement.

BP 6146.1 - High School Graduation Requirements (12/16)

Policy updated to reflect new law (AB 2306, 2016) which generally exempts from district-established graduation requirements any student who transfers into a district school from a juvenile court school after the second year of high school, unless it is determined that the student is reasonably able to complete the requirements in time to graduate by the end of his or her fourth year of high school.

BP 6152 - Class Assignment (3/16)

Policy updated to reflect new law (AB 1012, 2015) which prohibits, unless certain conditions are satisfied, the assignment of a student in grades 9-12 to (1) any course period “without educational content” for more than one week in any semester or (2) any course that he or she previously completed with a grade determined by the district to satisfy minimum require-

ments for high school graduation and admission to California postsecondary institutions. Policy also calls for the use of multiple objective academic measures when assigning students to appropriate courses and classes, consistent with new law (SB 359, 2015) mandating policy on placement in mathematic courses.

BP/AR 6154 - Homework/Makeup Work (12/16)

Policy updated for consistency with BP 5121 - Grades/Evaluation of Student Achievement and research on effective grading practices, as summarized in recent CSBA governance brief, including optional language providing for full credit to be given for makeup work satisfactorily completed within a reasonable time, regardless of whether the absence is due to an excused or unexcused absence. Policy also addresses guidelines for the assignment of homework, communication of homework expectations to students and parents/guardians, and resources to assist students in completing homework and developing good study habits. Regulation deleted and key concepts moved to BP.

AR 6158 - Independent Study (5/16, 7/16)

Regulation updated to reflect new law (SB 828, 2016) which expands the types of documents that may be maintained electronically to include supplemental agreements, assignment records, work samples and attendance records as well as the master agreement. Related material moved to "Records" section and expanded. In addition, regulation updated to delete the requirement that independent study courses be taught under the general supervision of certificated employees who meet federal requirements for "highly qualified" teachers, as those requirements were repealed pursuant to the ESSA (P.L. 114-95).

AR 6162.51 - State Academic Achievement Tests (3/16)

Regulation updated to reflect new Title 5 regulations (Register 2015, No. 48) which (1) establish a July 1 deadline for designating a district test coordinator, (2) address the qualifications of "test administrators" who administer California Assessment of Student Performance and Progress achievement tests and "test examiners" who administer California Alternate Assessments for students with significant cognitive disabilities, (3) prohibit a student's sibling from serving as his or her translator or scribe during test administration, (4) establish testing windows for the CAA and for schools on year-round tracks, and (5) amend the testing variations that may be used during CAASPP administration.

BP 6164.2 - Guidance/Counseling Services (3/16)

Policy updated to reflect new law (SB 451, 2015) which expresses legislative intent regarding the responsibilities of school counselors, specifies required and optional components to be included in a comprehensive counseling program if the district chooses to offer such a program, and requires that certain strategies be included in professional development related to

career and vocational counseling. Policy also clarifies options regarding access to students by college and employment recruiters, including military recruiters.

AR 6164.41 - Children with Disabilities Enrolled by Their Parents in Private School (7/16)

Minor revision made in regulation to delete the statement that private school teachers providing services to students with disabilities do not need to meet the federal requirements for "highly qualified" teachers, as requirements for highly qualified teachers were repealed pursuant to the ESSA (P.L. 114-95).

BP/AR 6164.6 - Identification and Education Under Section 504 (12/16)

Policy updated to add requirement to address the needs of students with disabilities in the district's LCAP. Regulation updated to reflect new federal regulations (81 Fed. Reg. 53203) which primarily revise definitions used in the Americans with Disabilities Act.

AR 6171 - Title I Programs (5/16)

Minor revision made in regulation to delete the requirement that schoolwide Title I programs include instruction by teachers who meet federal qualifications for "highly qualified" teachers, as those requirements were repealed pursuant to the ESSA (P.L. 114-95).

BP/AR/E 6173 - Education for Homeless Children (10/16)

Policy, regulation and exhibits updated to reflect the federal McKinney-Vento Homeless Assistance Act as amended by the ESSA (P.L. 114-95), as well as updated USDOE non-regulatory guidance. Policy includes new material on the designation of a district liaison for homeless children and youth, identification of homeless students, confidentiality of student records containing information about a homeless student's living situation, and coordination of services with other entities. Policy also reflects new mandate to adopt policy to ensure participation by district liaisons and other appropriate staff in professional development and other technical assistance activities, and new law (SB 1068, 2016) which requires the CDE to provide specified informational and training materials to district liaisons. Regulation revises the definitions of "homeless student" and "school of origin," revises the duties of the district liaison, reflects requirement to provide the district liaison's contact information to the CDE and other specified persons, provides that a homeless student must be immediately enrolled even if he or she misses application or enrollment deadlines, and revises the content of the written explanation of the district's decision related to eligibility, school selection or enrollment. Exhibits updated to revise the content of the district's explanation of its decision(s) related to eligibility, school selection or

enrollment and to revise the dispute form for use by parents/guardians who choose to appeal the district's decision.

AR 6173.2 - Education of Children of Military Families (3/16)

Minor revision made in regulation to reflect new law (AB 306, 2015) which prohibits a district from denying a transfer out of the district to a "school district of choice" for a student whose parent/guardian is on active military duty, provided that the other district approves the application for transfer.

AR 6173.3 - Education for Juvenile Court School Students (12/16)

New regulation reflects educational rights of former juvenile court school students who transition into a district school, pursuant to new law (AB 2306, 2016). These include rights related to the immediate enrollment of such students, the immediate transfer of educational records, the transfer of coursework and credits, and exemption from district-established graduation requirements under certain conditions.

BP 6179 - Supplemental Instruction (7/16)

Policy updated to delete reference to the requirement to provide supplemental educational services to eligible students from low-income families in Title I schools identified for PI, as the requirement was repealed pursuant to the ESSA (P.L. 114-95), and to add the requirement to provide alternative supports to eligible students in accordance with the CDE's ESSA transition plan.

BP/AR 6185 - Community Day School (10/16)

Policy updated to expand material related to program goals, collaboration with county offices of education and other districts in the development of a plan related to services for expelled students, and program evaluation. Material on the location of the community day school moved from AR to BP and clarified. Regulation updated to streamline the process for involuntarily transferring a student into a community day school and to delete unnecessary details regarding facilities which reflected requirements applicable to all school facilities.

BP/AR 6200 - Adult Education (5/16)

Policy and regulation updated to reflect new law (AB 104, 2015) which establishes the Adult Education Block Grant to fund specified types of programs and coordinate services through regional consortia. Policy also describes other possible funding sources for adult education, clarifies that adult education courses must be approved by the CDE as well as the district board, adds material on teacher qualifications, moves material from AR to BP regarding graduation requirements, and adds material on program evaluation. Regulation also deletes prohibition against enrolling students with an F-1 visa, reflects law prohibiting offering a course exclusively through

adult education if the course is required for academic progress or high school graduation, and condenses and moves material on community service classes into section on "Programs and Courses."

7000 Series: Facilities

AR 7111 - Evaluating Existing Buildings (3/16)

Minor revision made in regulation to delete material regarding the use of portable school buildings that do not comply with Field Act requirements pertaining to structural safety under specified conditions, as that authority expired in September 2015.

9000 Series: Board Bylaws

BB 9222 - Resignation (5/16)

Bylaw updated to clarify the effective date of a resignation of a member of the board, the need for the board to fill the vacancy by ordering an election or making a provisional appointment as appropriate, and the need for the resigning member to file a revised Statement of Economic Interest/Form 700.

BB 9240 - Board Training (12/16)

Bylaw retitled and updated to address the purposes and importance of board training, recommended topics of training for new and first-term board members, and the district's process for selecting board training activities. The bylaw also reinforces the prohibition against a majority of the board members discussing district business of a specific nature while attending a conference or similar public gathering.

BB/E 9270 - Conflict of Interest (5/16)

Bylaw updated to reflect the requirement to submit the conflict of interest code to the code reviewing body (i.e., county board of supervisors or Fair Political Practices Commission, as appropriate) by the deadline established by the code reviewing body. Bylaw also merges material on the "rule of necessity" into the section "Conflict of Interest under the Political Reform Act," expands material on "noninterests" in the section "Conflict of Interest under Government Code 1090 - Financial Interest in a Contract" to include additional examples of noninterests, and includes the exceptions to the gift limitation. Exhibit revised to update legal citations.

BB 9321 - Closed Session Purposes and Agendas (6/16)

Bylaw updated to clarify that the board may not meet in closed session under the "personnel exception" (Government Code 54957) of the Ralph M. Brown Act to discuss or act upon any proposed change in compensation other than a reduction of compensation that results from the imposition of discipline. "Negotiations/Collective Bargaining" section revised to reflect that the board may meet with the district's designated

representatives in closed session under the “labor exception” (Government Code 54957.6) of the Ralph M. Brown Act to discuss salaries, salary schedules or compensation paid in the form of fringe benefits to its represented and unrepresented employees, including the superintendent.

BB 9323 - Meeting Conduct (12/16)

Bylaw updated to reflect new law (AB 1787, 2016) which requires the board to provide a member of the public who uses a translator at least twice the allotted time to address the board during board meetings, unless simultaneous translation equipment is used. Bylaw also clarifies that the board may refer a

member of the public to an appropriate complaint procedure, but cannot prohibit criticism of district employees, programs or policies during a board meeting.

E (1) 9323.2 - Actions by the Board (5/16, 10/16)

Exhibit updated to add requirement for a two-thirds vote of the board when a K-8 district chooses to establish a community day school. Exhibit also adds requirement for a four-fifths vote of the board to award a public works project at \$187,500 or less to the lowest responsible bidder, when the district is using the informal process authorized under the UPCCAA and specified conditions are met.

Sample County Policy Manual

BP 0460 - Local Control and Accountability Plan (1/16)

Policy updated to reflect new law (AB 104, 2015) which adds homeless students to the definition of “numerically significant” student subgroups whose needs must be addressed in the LCAP. Policy also reflects new state regulations (Register 2015, No. 2) which revise the state template for the LCAP and specify the method for determining the percentage by which services for unduplicated students must be increased or improved above services provided to all students in the fiscal year.

BP 1112 - Media Relations (6/16)

New county board policy addresses protocols for handling media requests, student interviews by the media, and the development of a proactive media communications plan and a crisis communications plan.

BP 1150 - Commendations and Awards (6/16)

New county board policy addresses board recognition and commendation of students, parents/guardians, community members, businesses, and organizations.

BP 1431 - Waivers (6/16)

New county board policy addresses the process for board review and approval of proposed COE requests for general waivers of state or federal laws or regulations that the SBE has the authority to waive.

BP 5144.3 - Student Expulsion Appeals (1/16)

New county board policy fulfills the mandate for county boards to establish procedures for appeals by students who have been expelled from a school district within the COE’s jurisdiction.

BP 6186 - Juvenile Court Schools (6/16)

New county board policy addresses the responsibility of the county board to provide for the administration of juvenile court

schools, adopt an annual school calendar and course of study for such schools, and approve a plan for the construction of classrooms, offices or other structures in a juvenile court school.

BB/E 9000 - Role of the Board (1/16)

New county board bylaw reflects the roles and responsibilities of the county board, consistent with the Professional Governance Standards for County Boards adopted by CSBA and the California County Boards of Education. Exhibit lists responsibilities of county boards as specified in the California Constitution and state laws and regulations.

BB 9005 - Governance Standards (1/16)

New county board bylaw reflects the attributes of effective boards and individual trustees, consistent with the Professional Governance Standards for County Boards adopted by CSBA and the California County Boards of Education.

BB 9010 - Public Statements (1/16)

New county board bylaw addresses protocols for the designation of spokespersons to issue public statements on behalf of the board and expectations that, when applicable, board members will identify personal viewpoints as such and not as the viewpoint of the board.

BB 9011 - Disclosure of Confidential/Privileged Information (1/16)

New county board bylaw prohibits the disclosure of confidential information acquired during a closed session of a board meeting to a person not entitled to receive such information, unless a majority of the county board has authorized its disclosure. Bylaw also prohibits disclosure, for pecuniary gain, of other confidential information acquired in the course of official duties.

BB 9012 - Board Member Electronic Communications (1/16)

New county board bylaw addresses protocols for handling electronic communications from community members as well as circumstances under which electronic communications may be subject to disclosure under the California Public Records Act.

BB 9100 - Organization (1/16)

New county board bylaw addresses the scheduling of the annual organizational meeting and items of business to be conducted during that meeting, including the election of officers.

BB 9121 - President and Other Officers (1/16)

New county board bylaw addresses the duties of the president of the county board.

BB 9130 - Board Committees (1/16)

New county board bylaw addresses the establishment of board committees, circumstances under which committee meetings may be subject to open meeting laws (Brown Act), and committee reports to the board.

BB 9140 - Board Representatives (1/16)

New county board bylaw addresses the appointment of a board member to serve as a representative on a committee of another public agency or organization of which the county board is a member or to which the county board is invited to participate.

BB 9200 - Limits of Board Member Authority (1/16)

New county board bylaw recognizes that the board only has authority as a unit and that board members have no individual authority.

BB 9220 - Board Member Elections (1/16)

New county board bylaw addresses eligibility for office, election schedule, campaign conduct and term of office. For county boards that hold regular elections in odd-numbered years and have had voter turnout at least 25 percent less than the average voter turnout in the same jurisdiction in the past four statewide elections, bylaw reflects new law (SB 415, 2015) requires the board to adopt, by Jan. 1, 2018, a plan to consolidate their election with statewide elections by the November 2022 statewide election.

BB 9222 - Resignation (1/16)

New county board bylaw addresses the process for a board member to resign from the board and the requirement for a resigned member to file a Statement of Economic Interest/Form 700.

BB 9223 - Filling Vacancies (1/16)

New county board bylaw outlines the events that may cause a vacancy on the board and describes the process and timelines for filling a vacancy through election or provisional appointment, as applicable.

BB 9224 - Oath or Affirmation (1/16)

New county board bylaw addresses the requirement for county board members to take the oath or affirmation required by law prior to entering upon the duties of their office.

BB 9230 - Orientation (1/16)

New county board bylaw provides for an orientation for new and first-term board members and/or board candidates to increase their understanding of the roles and responsibilities of county board members.

BB 9240 - Board Development (1/16)

New county board bylaw encourages board training to help board members understand their responsibilities, stay abreast of new developments in education and develop boardsmanship skills.

BB/E 9250 - Remuneration, Reimbursement and Other Benefits (1/16)

New county board bylaw specifies the amount of monthly compensation, if any, that board members will receive; the extent to which health and welfare benefits may be available to board members and former board members; and entitlement to reimbursement for expenses incurred when performing official duties. Exhibit presents sample board resolution to approve compensation for a member who missed board meeting(s) for specified reasons.

BB 9260 - Legal Protection (1/16)

New county board bylaw requires the board to provide insurance necessary to protect its members against liability for death, personal injury, or damage or loss of property caused by their negligent act or omission when acting within the scope of their office, and specifies circumstances under which protection from liability does not apply.

BB/E 9270 - Conflict of Interest (6/16)

New county board bylaw reflects requirements related to conflict of interest for certain county boards and may be modified as applicable to include the county superintendent and/or consultants hired by the board. Exhibit presents a sample resolution adopting a conflict of interest code.

BB 9310 - Board Policies (1/16)

New county board bylaw addresses the policy development process, the role of the board and county superintendent, and the suspension of any policy that is in conflict with law.

BB 9320 - Meetings and Notices (1/16)

New county board bylaw reflects requirements to provide notice for regular, special and emergency meetings in accordance with the Brown Act, location of meetings and teleconferencing.

BB 9321 - Closed Session (1/16)

New county board bylaw reflects purposes for closed session, as authorized by law, and related agenda items.

BB 9322 - Agenda/Meeting Materials (1/16)

New county board bylaw addresses the preparation and content of board meeting agendas, use of a consent agenda, and dissemination of the agenda to board members and to the public.

BB 9323 - Meeting Conduct (1/16)

New county board bylaw addresses procedures for conducting board meetings, public participation in meetings, recordings of meetings, determination of quorum and vote abstentions.

BB/E 9323.2 - Actions by the Board (1/16)

New county board bylaw defines board actions and lists actions that require more than a majority vote. Bylaw also addresses legal authority of the district attorney's office or any interested person to file an action in court to determine the applicability of the Brown Act to any past county board action. Exhibit presents a sample letter to respond to a "cease and desist" letter submitted by the district attorney or other interested person.

BB 9324 - Minutes and Recordings (1/16)

New county board bylaw addresses the maintenance of accurate minutes of county board meetings.

BB 9400 - Board Self-Evaluation (1/16)

New county board bylaw provides for an annual self-evaluation of the board's effectiveness and addresses the content and method of board evaluation.

BB 9500 - County Superintendent's Remuneration (1/16)

New county board bylaw reflects the board's constitutional authority to fix the salary of the county superintendent.



California School Boards Association

3251 Beacon Blvd. | West Sacramento, CA 95691 | 800.266.3382 | www.csba.org