

# Policy News

## Topics:

New law mandates policy on math placement

SB 277 limits immunization exemptions

New policy addresses International Baccalaureate program

Work continues on COE sample policies

CSBA learning opportunities

- » Education Insights: Legal Update (Lease-leasebacks and Conflict of Interest)
- » Best Practices for an Effective Hazard Communication Program Webinar
- » Annual Education Conference and Trade Show

## New law mandates policy on math placement

New legislation (Senate Bill 359, Ch. 508, 2015) calls attention to the problem of “math misplacement,” which occurs when students successfully complete a mathematics course but are not advanced to the next course. Such practices limit students’ opportunity to complete high-level math courses during their high school career, which sometimes puts them at a disadvantage for college admissions.

Under the new law, governing boards of districts, county offices of education, charter schools and state special schools that serve students entering grade nine are required to adopt a math placement policy with specified elements before the beginning of the 2016-17 school year. The policy must then be posted on their website. The law authorizes, but does not require, districts to adopt a policy addressing math placement for students who are transitioning between elementary and middle school or junior high school.

A 2010 study by the Noyce Foundation found that uniform criteria for math placement were lacking in the nine school districts studied.<sup>1</sup> In particular, many students who had taken Algebra I in grade eight were repeating Algebra I in grade nine even though more than 42 percent of those students had earned a grade of B- or better in the grade eight course, and 42-60 percent had met proficiency standards on math assessments.

Furthermore, the study found that math misplacement disproportionately affected African American and Latino students. Only about one-third of students in these groups who took Algebra I in grade eight went on to take Geometry in grade nine. According to the study, repeating Algebra I did not improve achievement levels for many students. Half of the students earned the same or a lower grade when they repeated the course in grade nine.


A report by the Lawyers’ Committee for Civil Rights of the San Francisco Bay Area<sup>2</sup>, examined the study findings and recommends that districts:

- » gather retrospective and current data about course placement
- » gather placement protocols and procedures
- » talk with teachers and administrators
- » analyze the data to determine disparities in placements
- » eliminate subjective measurements and identify objective measurements
- » communicate protocols
- » monitor results and make adjustments as needed

In August CSBA developed a sample policy, BP 6152.1 - Placement in Mathematics Courses, to assist districts in policy development. That policy will soon be updated as needed to reflect new law. In September, CSBA and the Silicon Valley Community Foundation issued a governance brief, *Math Misplacement*, which describes the problem and recommends the adoption and implementation of a fair, objective and transparent policy on mathematics placement (available at [www.csba.org/GovernanceBriefs](http://www.csba.org/GovernanceBriefs)).



3251 Beacon Boulevard,  
West Sacramento, CA 95691  
[www.csba.org](http://www.csba.org)



The next phase of CSBA's efforts to promote high-quality math education will be to identify and share best practices for recruiting and retaining math teachers capable of teaching higher-level courses. Districts that want to share their best practices are asked to contact Peter Wright, policy and programs officer, at [pwright@csba.org](mailto:pwright@csba.org) or (800) 266-3382. CSBA is particularly looking for best practices in small and rural districts, which may have greater challenges with staff recruitment and retention.

---

## SB 277 limits immunization exemptions

Gov. Jerry Brown has signed SB 277 (Ch. 35, 2015) which provides that students in public and private schools will no longer be exempted from immunization requirements based on the personal beliefs of their parents/guardians, beginning in the 2016-17 school year. The legislation was inspired by the outbreak of measles that hit California last year. In his message statement, Gov. Brown acknowledged that the issue has been controversial but "the science is clear that vaccines dramatically protect children against a number of infectious and dangerous diseases. While it's true that no medical intervention is without risk, the evidence shows that immunization powerfully benefits and protects the community."

However, it is important to note that personal belief exemptions must still be granted to parents/guardians who submit a letter or written affidavit by Jan. 1, 2016. Students exempted on this basis must continue to be exempted until the next applicable grade span (i.e., birth-preschool, grades K-6, grades 7-12), at which time immunization will be required. For example, a first grader who has a personal belief exemption on file by Jan. 1, 2016 must be exempted until he or she starts seventh grade. According to Frequently Asked Questions issued by the California Department of Public Health (<http://bit.ly/1MnhpYn>), personal belief exemptions may be transferred across districts and child care facilities within California, but personal belief exemptions from other states or countries may not be accepted.

SB 277 does not affect students who are exempted from one or more immunizations for medical reasons. Medical exemptions should still be granted when a parent/guardian submits a letter from a health provider documenting the need for a medical exemption.

In addition, students who have an individualized education program should continue to receive special education and related services as specified in the IEP, even if they do not have all the required immunizations. Nevertheless, the law does not exempt such students from the immunization requirements. Districts should consult legal counsel if they have questions about how to ensure compliance.

CSBA has updated BP/AR 5141.31 – Immunizations and AR 5112.2 – Exclusions from Attendance to reflect the new law. In addition, CSBA issued a fact sheet, *Recent Legislation on Vaccines: SB 277*, which provides further information and questions for districts to consider. The fact sheet is available at [www.csba.org/GovernanceBriefs](http://www.csba.org/GovernanceBriefs).

---

## New policy addresses International Baccalaureate program

The International Baccalaureate program, governed by the International Baccalaureate Organization in Geneva, Switzerland, is a rigorous academic option with an intercultural, global approach to education and a focus on structured, purposeful inquiry designed to engage students in their own learning. CSBA has developed a new sample policy, BP 6141.4 – International Baccalaureate Program, which reflects the philosophy and requirements of this program.

Districts may seek authorization from the International Baccalaureate Organization to offer one or more of the following programs:



3251 Beacon Boulevard,  
West Sacramento, CA 95691  
[www.csba.org](http://www.csba.org)

- » The IB Diploma Program is a two-year program for students ages 16-19. Requirements include completion of an intensive course of study, examinations in six subject areas (language and literature, language acquisition, individuals and societies, sciences, mathematics, and arts), an oral presentation, an extended essay and community service.
- » The IB Career-related Program, also for students ages 16-19, addresses the needs of students for vocational or career technical education. Participating students take a minimum of two IB courses, perform community service, and complete a final project related to their CTE field.
- » The Primary Years Program for students ages 3-12 and the Middle School Program for students ages 11-15 help prepare students for the high school programs by developing active learners who are able to make connections between their studies and the real world.

In California, 52 schools currently offer the Primary Years Program, 44 offer the Middle School Program, 103 schools offer the IB Diploma Program, and 4 offer the Career-related Program. For further information about establishing an IB program, see [www.ibo.org](http://www.ibo.org).

Research provides evidence of the benefits of the IB program for students and schools. As with the Advanced Placement program, achievement of a qualifying score on IB examinations may earn students college credit and make them more competitive in college admissions. Research shows that IB students are more likely than their peers to enroll in top universities, complete their undergraduate degrees, pursue graduate work and be engaged in various aspects of university life (International Baccalaureate Organization, [www.ibo.org/research](http://www.ibo.org/research)).

To encourage students to participate in the program and take the examinations, districts may offer fee assistance to students from low-income families. Districts may annually apply to the California Department of Education for federal funds to support the fee assistance and/or may use other funding sources. SB 416 (Ch. 538, 2015) amended Education Code 52922 to eliminate a separate state allocation that could be used for IB fee assistance and professional development. SB 416 also repealed Education Code 52921 which required districts to annually submit to the CDE specified data regarding the district's implementation of the IB Diploma Program.

---

## Work continues on COE sample policies

CSBA continues its development of a county board-specific reference policy manual to address the unique roles and responsibilities that county boards of education have in California's education system.

The county manual is being developed in stages, with the first set of policies scheduled to be unveiled at CSBA's 2015 Annual Education Conference and Trade Show in December.

At that time, CSBA expects to issue a comprehensive set of county board bylaws, as well as policies covering student expulsion appeals, Local Control and Accountability Plan, uniform complaint procedures, budget and juvenile court schools. Additional policies will be released in the spring and summer of 2016.

The sample materials will be available to COEs that are members of CSBA and subscribe to CSBA's policy services. For further information, visit [www.csba.org/PolicyServices](http://www.csba.org/PolicyServices) or contact CSBA's Policy Services at (800) 266-3382.



3251 Beacon Boulevard,  
West Sacramento, CA 95691  
[www.csba.org](http://www.csba.org)

---

## CSBA learning opportunities

---

### Education Insights: Legal Update (Lease-leasebacks and Conflict of Interest Webcast)

CSBA will present on Oct. 21 the first episode of the third season of Education Insights Legal Update webcast. In this series, top attorneys will discuss the latest on lease-leaseback, facility construction agreements and how recent legislation and court cases affect districts or county offices of education. Attorneys will also discuss board-approved contracts and conflict of interest laws. During this one-hour webcast from noon to 1 p.m., topics will include:

- » *Davis v. Fresno USD* – What’s next for lease-leaseback construction projects
- » Implementing AB 566 – Finding skilled workers to build lease-leaseback projects
- » Conflict of interest laws and governing board contracts – What every board member should know

Moderated by CSBA General Counsel Keith Bray, this discussion features legal experts from three CSBA Premier Business Affiliate law firms:

- » Terry Tao, senior partner with Atkinson, Andelson, Loya Ruud & Romo
- » Addison Covert, shareholder with Kronick Moskovitz Tiedemann & Girard
- » Megan Macy, partner with Lozano Smith

Registration is free, but is required to view. Register at [www.csba.org/TrainingAndEvents](http://www.csba.org/TrainingAndEvents). Registrants will receive an email containing the viewing instruction on Tuesday, Oct. 20.

---

### Best Practices for an Effective Hazard Communication Program Webinar

School districts and county offices of education statewide are legally obligated to provide and maintain a safe and healthful workplace for their employees. California’s hazard communication regulation emphasizes workplace safety and requires employers to inform their employees of the hazardous substances to which they are exposed at the job site. During this webinar, participants will get an overview of the regulations for compliance with California’s hazard communication standards. This includes an update to recent changes under the Globally Harmonized System of Classification and Labeling of Chemicals. Presenters from 3E Company will examine current scenarios of various agencies and their approaches to managing compliance.

Also, learn the many benefits of having an effective hazard communication program, including:

- » Identifying and controlling hazardous substances present in the workplace
- » Developing or rethinking safe and efficient strategies for the use, handling and disposal of chemicals
- » Promoting safe and effective work practices
- » Reducing workers’ compensation losses
- » Compliance with the law

Registration is open at [www.csba.org/TrainingAndEvents](http://www.csba.org/TrainingAndEvents). This webinar will be held on Nov. 4 from noon to 1 p.m.



3251 Beacon Boulevard,  
West Sacramento, CA 95691  
[www.csba.org](http://www.csba.org)

---

## CSBA Annual Education Conference and Trade Show

CSBA's 2015 Annual Education Conference and Trade Show, to be held December 3-5 at the San Diego Convention Center, will feature three general sessions and numerous workshops, critical issue sessions and table talk sessions. This premier education event will inform attendees about current issues and best practices that impact board policies and promote effective governance. Examples of workshops include the following:

- » "Privacy: The Wild West Meets the Cyber Frontier," Thursday, Dec. 3, 8:30-9:45 a.m., will provide updated information about issues related to student privacy, including rapidly evolving state and federal legislation, tips and resources for contract compliance, staff training, policy updates and parent communication.
- » "Hot Topics in Board Policy Development," Thursday, Dec. 3, 10:00-11:15 a.m., will explore current issues impacting board policy development and invite attendees to share policy issues that are a priority in their district or county office of education.
- » "Brown Act: The Basics and Beyond," Thursday, Dec. 3, 4:00-5:15 p.m., will provide a concise overview of California's open meeting law requirements and answers to difficult questions in a roundtable discussion format with top legal practitioners.
- » "A New Approach to Technology Policies," Friday, Dec. 4, 10:00-11:15 a.m., will describe a practical approach for avoiding out-of-date technology policies and share valuable resources from the statewide ON[the]LINE coalition of education groups.
- » "Critical Legal Issues Facing Districts in 2016," Friday, Dec. 4, 10:00-11:15 a.m., will focus on current legal issues that impact districts/COEs, such as *Vergara v. California*, funding adequacy, important court decisions from 2015, and new laws and regulations.

A guide is available to identify workshops that may be of particular interest to small and rural districts as well as large and urban districts on the AEC website.

Executive assistants are invited to a one-day program on Dec. 4. The one-day registration fee includes a continental breakfast, lunch and materials, a resource room for executive assistants to network and meet, and choice of breakout sessions. Executive assistants are also invited to attend other sessions of the Annual Education Conference that day.

To register for the conference or obtain additional information, go to <http://aec.csba.org>.

---

## Endnotes

<sup>1</sup> *Pathways Study: Dead Ends and Wrong Turns on the Path Through Algebra*: [www.noycefdn.org/documents/Pathways\\_Report.pdf](http://www.noycefdn.org/documents/Pathways_Report.pdf)

<sup>2</sup> *Held Back: Addressing Misplacement of 9th Grade Students in Bay Area School Math Classes* (2013): <http://bit.ly/1MJIEsp>



3251 Beacon Boulevard,  
West Sacramento, CA 95691  
[www.csba.org](http://www.csba.org)