

# **POLICY GUIDESHEET**

**December 2013**

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Note: Descriptions below identify major revisions made in CSBA's sample board policies, administrative regulations, board bylaws, and/or exhibits. Editorial changes have also been made. Districts should review the sample materials and modify their own policies accordingly.

## **BP 0410 - Nondiscrimination in District Programs and Activities**

(BP revised)

**MANDATED** policy updated to generally reflect **NEW LAW** (AB 1266) which requires districts to permit a student to participate in sex-segregated school programs and activities, including athletic teams and competitions, and to use facilities consistent with the student's gender identity, regardless of his/her gender as listed on his/her educational records. Policy also references **NEW LAW** (AB 556) which prohibits employers from discriminating against employees and job applicants based on their military or veteran status.

## **BP 2210 - Administrative Discretion Regarding Board Policy**

(BP revised)

Policy updated to delete section on "Tier 3 Categorical Flexibility" since **NEW LAW** (AB 97) repealed law granting flexibility in the use of Tier 3 categorical program funding and redirected that funding into the local control funding formula (LCFF). Policy also adds consultation with legal counsel, the chief business official, or other district staff as necessary regarding the exercise of the superintendent's authority to act on behalf of the district.

## **BP 3551 - Food Service Operations/Cafeteria Fund**

(BP revised)

Policy updated to (1) clarify requirement for districts participating in the National School Lunch and/or Breakfast Program to ensure that appropriate personnel receive annual training on administrative practices, (2) reflect the U.S. Department of Agriculture's guidance on indirect costs, and (3) add new section on "Program Monitoring and Evaluation" reflecting new state Administrative Review process.

Regulation updated to (1) provide for use of an alternative tracking system when a student reports an excessive number of lost or stolen meal tickets, (2) add measures to prevent potential identity theft in food services accounts, (3) reflect **NEW LAW** (AB 86) which repealed law authorizing the establishment of a cafeteria equipment reserve fund, and (4) add material on indirect costs and on limitations for net cash resources in the nonprofit school food service.

## **BP 4111/4211/4311 - Recruitment and Selection**

(BP revised)

Policy updated to delete material reflecting requirements for recruitment incentives under the Professional Development Block Grant, as the funding for that block grant has been redirected into the LCFF pursuant to **NEW LAW** (AB 97). New optional material authorizes the superintendent, with board approval, to provide incentives to recruit teachers, administrators, or other employees to work in low-performing schools or in hard-to-fill positions.

## **BP 4131 - Staff Development (Certificated)**

(BP revised)

Policy updated to reflect the self-repeal of the Math and Reading Professional Development program and to reflect **NEW LAW** (AB 97) which redirects funding for the Professional Development Block Grant into the LCFF. Goals for staff development expanded to include ability to meet the needs of foster youth.

Regulation deleted since the Math and Reading Professional Development program was self-repealed.

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**BP 4231 - Staff Development (Classified)**

(BP revised)

Policy updated to reflect **NEW LAW** (SB 590) which (1) requires any district that expends funds for staff development for any school site staff to consider the staff development needs of its classified school employees and (2) lists topics that may be included in staff development for classified staff. Policy also adds optional paragraph re: staff development for classroom instructional aides and reflects **NEW LAW** (AB 97) which redirects funding for the Professional Development Block Grant into the LCFF.

Unnecessary regulation deleted.

**BP 4331 - Staff Development (Administrative & Supervisory Personnel)**

(BP revised)

Policy updated to reflect the self-repeal of the Administrator Training Program and the redirection of that funding into the LCFF pursuant to **NEW LAW** (AB 97). Policy also adds topics for staff development for district and school administrators.

Regulation deleted since the Administrator Training Program self-repealed; key concepts moved to BP.

**BP 5123 - Promotion/Acceleration/Retention**

(BP revised)

**MANDATED** policy updated to reflect mandate that the policy provide for students to be identified for retention as early in the school year, and as early in their school careers, as possible. Policy reflects **NEW LAW** (AB 484) which establishes a new state assessment system, impacting the indicators that may be used to identify a student for retention. Policy also reflects **NEW LAW** (AB 97) which redirects into the LCFF funding for supplemental instruction for students in grades 2-9 who have been retained or recommended for retention (without eliminating the district's responsibility to provide supplemental instruction for such students) and for students in grades 2-6 who have been identified as being at risk of retention. Policy contains material formerly in AR re: grade levels at which students will be identified for retention, subjects that will be used as the basis for identifying students for retention, responsibility for retention decision when the student has more than one teacher, and requirement for an appeals process.

**MANDATED** regulation updated to reflect California Department of Education (CDE) recommendation re: the timing of approving a student's continuation in kindergarten for an additional year and to clarify the process for parent/guardian appeal of a teacher's decision to promote or retain a student.

**BP 5141.21 - Administering Medication and Monitoring Health Conditions**

(BP revised)

Policy updated to reflect **NEW COURT DECISION** which held that state law permits trained, nonmedical school personnel to administer insulin to students in school in accordance with a written health care provider statement and parental consent. Policy also updated to reflect Title 5 regulations related to the administration of emergency antiseizure medication.

Regulation updated to reflect Title 5 regulations related to the administration of emergency antiseizure medication, including requirement for school employees who volunteer to administer medication to be supervised by a licensed health care professional.

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**BP 5145.3 - Nondiscrimination/Harassment**

(BP revised)

**MANDATED** policy updated to reflect **NEW LAW** (AB 1266) which requires districts to permit a student to participate in sex-segregated school programs and activities, including athletic teams and competitions, and to use facilities consistent with the student's gender identity, regardless of his/her gender as listed on his/her educational records. Material regarding the designation of a district Coordinator for Nondiscrimination, provision of training and information about the district's nondiscrimination policy, and grievance procedures moved to new AR.

New **MANDATED** regulation contains material formerly in BP regarding the designation of a district Coordinator for Nondiscrimination, provision of training and information about the district's nondiscrimination policy, and grievance procedures. Regulation also includes best practices recommended for addressing the unique circumstances and considerations that may arise when a student asserts a different gender from his/her gender at birth, consistent with **NEW LAW** (AB 1266). Regardless of whether a referendum qualifies for the ballot to attempt to overturn this law, this material may be used to meet the district's responsibility to ensure nondiscrimination based on gender identity.

**BP 5146 - Married/Pregnant/Parenting Students**

(BP revised)

Policy updated to reflect **NEW LAW** (AB 97) which redirects funding for the California School Age Families Education (Cal-SAFE) program into the LCFF and thereby eliminates the mandate for program participants to adopt related policy. Material related to pregnancy prevention also deleted since the issue is appropriately addressed in other policies. In addition, policy revised to (1) require the use of uniform complaint procedures for complaints regarding discrimination on the basis of a student's marital, pregnancy, or parental status; (2) add material on program evaluation; (3) reflect **NEW U.S. DEPARTMENT OF EDUCATION GUIDANCE** re: reasonable accommodations to enable pregnant and parenting students to access the educational program; and (4) reflect federal regulations addressing the circumstances under which a student may be required to obtain medical certification in order to participate in a program or activity.

Regulation deleted since funding for the Cal-SAFE program was redirected into the LCFF pursuant to **NEW LAW** (AB 97).

**BP 6142.6 - Visual and Performing Arts Education**

(BP revised)

Policy updated to delete program requirements related to Arts and Music Block Grants since **NEW LAW** (AB 97) redirects funding for these grants into the LCFF. Revised policy also reflects law which allows the district to select non-SBE-approved instructional materials for grades K-8 provided the materials are aligned to state standards and selected through a process involving a majority of teachers.

**BP 6142.91 - Reading/Language Arts Instruction**

(BP revised)

Policy updated to align the district's reading/language arts program with Common Core State Standards for English language arts. In addition, material related to the Professional Development Block Grant, the Math and Reading Professional Development Block Grant, and the intensive reading program for grades K-4 funded through the Pupil Retention Block Grant deleted since **NEW LAW** (AB 97) redirects funding for those programs into the LCFF.

Regulation deleted since **NEW LAW** (AB 97) redirects Pupil Retention Block Grant funding for the grade K-4 intensive reading program into the LCFF, and the federal Reading First program is no longer funded.

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### **BP 6146.1 - High School Graduation Requirements**

(BP revised)

Policy updated to reflect **NEW LAW** (AB 216) which requires districts to exempt from any district-adopted graduation requirements a foster youth who transfers into the district or between district high schools after completing his/her second year of high school, unless the district finds that the youth is reasonably able to complete the requirements in time to graduate by the end of his/her fourth year of high school. Policy also reflects **NEW LAW** (AB 97) which redirects into the LCFF funding for supplemental instruction for students who do not demonstrate "sufficient progress" toward passing the high school exit examination (without eliminating the district's responsibility to provide supplemental instruction for such students) and funding for intensive intervention and services for students who have not passed one or both parts of the exit exam by the end of grade 12.

### **BP 6162.51 - State Academic Achievement Tests**

(BP revised)

Retitled policy updated to reflect **NEW LAW** (AB 484) which establishes a new state assessment system, designated by the CDE as the California Assessment of Student Performance and Progress (CAASPP), beginning in the 2013-14 school year. Policy also reflects **NEW LAW** (SB 247) which requires the CDE to identify existing tests that may be used by classroom teachers for diagnostic purposes in grade 2. Policy reflects **NEW LAW** (AB 97) which repealed law that encouraged boards to examine state assessment results by school, grade, and student subgroup during their annual discussion of each school's Academic Performance Index, but which still requires demonstration of comparable improvement in academic achievement by numerically significant student subgroups.

Retitled regulation updated to reflect the tests that are included in the CAASPP state assessment system established by **NEW LAW** (AB 484), including, but not limited to, 2013-14 field tests of the Smarter Balanced Assessment Consortium tests in English language arts and mathematics. Regulation also reflects the SBE's authorization to use the Standards-Based Test in Spanish (STS) to assess students in a dual language immersion program. Details of allowable testing variations deleted pending the adoption of revised Title 5 regulations, but reference added to related guidelines from Smarter Balanced Assessment Consortium.

### **BP 6164.2 - Guidance/Counseling Services**

(BP revised)

**MANDATED** policy updated to reflect **NEW LAW** (AB 97) which redirects funding into the LCFF for the Supplemental School Counseling Program for grades 7-12 and for the 10th-grade counseling program formerly funded through the Pupil Retention Block Grant. Policy also expands material on (1) the qualifications of employees providing school counseling, school psychology, and/or school social work services; (2) mental health counseling; and (3) the teacher-based advisory program.

Regulation deleted since funding for the Supplemental School Counseling Program was redirected into the LCFF pursuant to **NEW LAW** (AB 97). Some material moved from AR to BP.

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**BP 6173.1 - Education for Foster Youth**

(BP revised)

Policy updated to reflect **NEW LAW** (AB 97 and SB 97) which provides grants within the LCFF based on the number and concentration of unduplicated counts of foster youth, English learners, and low-income students and requires the district's local control and accountability plan (LCAP) to include annual goals for all students and each "numerically significant" student subgroup including foster youth.

Regulation updated to reflect **NEW LAW** (AB 97) which defines "foster youth" and requires districts to monitor the educational progress of foster youth. Regulation also reflects **NEW LAW** (AB 216) which requires districts to exempt from any district-adopted graduation requirements a foster youth who transfers into the district or between district high schools after completing the second year of high school, except under specified circumstances. Section on "Transfer of Coursework and Credits" updated to reflect California Child Welfare Council recommendations regarding the calculation of partial credits.

**BP 6176 - Weekend/Saturday Classes**

(BP revised)

Updated policy reflects **NEW LAW** (AB 97) which redirects funding that could be used for Saturday programs, including supplemental instruction programs and intensive reading and algebra programs funded through the Pupil Retention Block Grant, into the LCFF. Policy also adds material re: assignment of teachers to weekend classes and provision of meals during Saturday session.

Regulation deleted and concepts moved to BP.

**BP 6177 - Summer Learning Programs**

(BP revised)

Updated policy reflects **NEW LAW** (AB 97) which redirects funding that could be used for summer school, including supplemental instruction programs and intensive reading and algebra programs funded through the Pupil Retention Block Grant, into the LCFF. Revised policy also provides for alignment of summer programs with goals in the district's LCAP.

**BP 6179 - Supplemental Instruction**

(BP revised)

**MANDATED** policy updated to reflect **NEW LAW** (AB 97) which redirects funding for supplemental instruction programs into the LCFF. Policy also clarifies which programs are still required by law and which are discretionary, and reflects **NEW LAW** (AB 484) which establishes a new state assessment system, thereby affecting the criteria that may be used to determine student eligibility for supplemental instruction based on lack of sufficient progress toward passing the high school exit exam.

Regulation deleted since funding for supplemental instruction programs was redirected into the LCFF pursuant to **NEW LAW** (AB 97). Some concepts moved from AR to BP.

**BP 7214 - General Obligation Bonds**

(BP revised)

Policy updated to reflect **NEW LAW** (AB 182) which requires greater transparency for the use of capital appreciation bonds and other bonds that allow for compounding of interest. Policy also reflects **NEW LAW** (SB 581) which requires that performance and financial audits be submitted to the citizens' oversight committee at the same time they are submitted to the district and requires the board to respond to all findings, recommendations, and concerns within three months of receiving the audits.

Regulation updated to delete requirement for certain reports repealed pursuant to **NEW LAW** (AB 97).