

POLICY GUIDE SHEET
December 2015
Page 1 of 3

BP 2121 - Superintendent's Contract

(BP revised)

Policy updated to reflect contract components recommended in CSBA's new Superintendent Contract Template and federal law which prohibits favoring "highly compensated" individuals (i.e., generally the highest paid 25 percent of all district employees) in terms of the level of benefits provided. Policy also reflects **NEW LAW** (AB 215) which amends the maximum cash settlement that may be granted upon termination of a superintendent contract executed on or after January 1, 2016 and which provides that no cash or noncash settlement may be given if the termination is for fraud or other illegal fiscal practices.

BP 4030 - Nondiscrimination in Employment

(BP revised)

Policy updated to reflect the mandate to adopt policy necessary to implement the state's nondiscrimination laws. Policy also updated to reflect **NEW LAW** (AB 987) which prohibits districts from retaliating or otherwise discriminating against a person for requesting accommodation of his/her disability or religious beliefs, regardless of whether the accommodation request was granted. New regulation includes the designation of the district's coordinator for nondiscrimination in employment, addresses measures to prevent employment discrimination and harassment, and incorporates complaint procedures and material on other remedies formerly in AR 4031 - Complaints Concerning Discrimination in Employment.

BP 4121 - Temporary/Substitute Personnel

(BP revised)

Policy updated to reflect **NEW LAW** (AB 304) which amends the Healthy Workplaces, Healthy Families Act (AB 1522, 2014) to (1) authorize paid sick leave accrual on a basis other than one hour for each 30 hours worked, provided that the accrual is on a regular basis and the employee will have 24 hours of accrued sick leave available by the 120th calendar day of employment (new Option 2 in section "Paid Sick Leave"); (2) clarify that retired annuitants who have not reinstated to the applicable public retirement system are excluded from participation in these leave benefit provisions; and (3) provide that the district has no obligation to inquire into the purposes for which an employee uses sick leave or paid time off.

BP 5111.1 - District Residency

(BP added)

New policy reflects **NEW LAW** (AB 1101) which mandates any district that elects to conduct investigations of students' residency to adopt policy with specified components, including (1) the circumstances under which the district may initiate an investigation; (2) the investigatory methods that may be used, including whether the district may use the services of a private investigator; (3) a prohibition against surreptitious photographing or video-recording of students who are being investigated; and (4) an appeals process. Policy also contains material formerly in AR re: enrollment not requiring district residency. Regulation updated to reflect **NEW LAW** (SB 200 and AB 224) which provides that a student will be deemed to meet residency requirements if his/her parent/guardian lives with the student in the place of his/her employment within district boundaries at least three days during the school week. Regulation also contains material formerly in AR 5111.12 - Residency Based on Parent/Guardian Employment authorizing districts to grant residency status to students whose parent/guardian is employed within district boundaries for at least 10 hours during the school week (Allen bill transfers), and reflects provisions of SB 200 and AB 224 which provide that this option will sunset July 1, 2017 unless further legislation is passed.

BP 5141 - Health Care and Emergencies

(BP revised)

Policy and regulation updated to reflect **NEW LAW** (SB 658) which requires the principal of any school that has an automated external defibrillator (AED) to annually provide employees with information on sudden cardiac arrest, the school's emergency response plan, and the proper use of an AED and which

POLICY GUIDE SHEET
December 2015
Page 2 of 3

eliminates the requirement that the principal designate the trained employees who will be available to respond to an emergency that may involve the use of an AED. Regulation also reflects provisions of SB 658 which require the district to notify the local emergency medical services agency regarding the existence, location, and type of AED acquired, require that instructions on how to use the AED be posted next to every AED, and reduce the inspection requirements to once every 90 days.

BP 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction

(BP revised)

Policy and regulation updated to reflect **NEW LAW** (AB 329) which requires districts to provide comprehensive sexual health education in grades 7-12 and to integrate such instruction with HIV prevention education. Policy also updated to clarify requirements related to parental consent. Regulation adds new section on "Definitions" and, pursuant to AB 329, expands program criteria and merges the components of sexual health education and HIV prevention education.

BP 6146.1 - High School Graduation Requirements

(BP revised)

Policy updated to reflect **NEW LAW** (SB 172) which suspends, through the 2017-18 school year, the requirement that each student completing grade 12 successfully pass the high school exit exam as a condition of receiving a diploma or graduating from high school and requires districts to retroactively grant a diploma to any student who met all graduation requirements other than the exit exam requirement since the 2003-04 school year. Policy also reflects **NEW LAW** (AB 220) which requires that one mathematics course required for graduation be equivalent to Algebra I or Mathematics I, **NEW LAW** (AB 1764, 2014) which provides that any district requiring more than two math courses may award credit for an approved computer science course, **NEW LAW** (SB 695) which requires any district that requires health education for graduation to include instruction in sexual harassment and violence, **NEW LAW** (AB 1806, 2014) which provides that a homeless student who transfers any time after completing his/her second year of high school is exempted from locally established high school graduation requirements, and **NEW LAW** (AB 1166) which allows homeless students and foster youth such an exemption even if the district fails to provide timely notice of the availability of the exemption.

BP 6152.1 - Placement in Mathematics Courses

(BP revised)

Policy updated to reflect **NEW LAW** (SB 359) which mandates any district which is serving 9th grade students and has not adopted a mathematics placement policy prior to January 1, 2016 to adopt a math placement policy with specific components before the beginning of the 2016-17 school year. Policy reflects other requirements of SB 359 including, but not limited to, the use of multiple objective academic measures for student placement, provision of at least one checkpoint within the first month of the school year to ensure accurate placement, and annual board examination of student placement data.

BP 6173 - Education for Homeless Children

(BP revised)

Updated policy reflects **NEW LAW** (AB 104) which adds homeless students as a "numerically significant student subgroup" whose needs must be addressed in the district's local control and accountability plan and adds material on program evaluation. Section on "Transportation" moved to AR. Regulation revises the definition of "school of origin" to reflect **NEW LAW** (SB 445) and revises the definition of "best interest" for consistency with policy on foster youth. Regulation reflects requirements of SB 445 to immediately enroll homeless students, allow a homeless student to remain in the school of origin or matriculate to a feeder school even if the student is no longer homeless, and provide transportation to a formerly homeless student whose individualized education program indicates that transportation is a necessary related service. Section on "Applicability of Graduation Requirements" revised to reflect **NEW LAW** (SB 172) which

POLICY GUIDE SHEET
December 2015
Page 3 of 3

suspends through the 2017-18 school year the requirement to pass the high school exit exam and **NEW LAW** (AB 1166) which provides that a homeless student who transfers between schools or into the district after the second year of high school must be exempted from local graduation requirements under certain conditions even after he/she ceases to be homeless and even if the district fails to provide the required notification.

BP 6179 - Supplemental Instruction

(BP revised)

Policy updated to delete material requiring supplemental instruction to be provided to students in grades 7-12 who do not demonstrate sufficient progress toward passing the high school exit exam, as the exit exam is suspended through the 2017-18 school year pursuant to **NEW LAW** (SB 172). Policy also revised to clarify that the provision of supplemental instruction to students in grades 2-6 who are "at risk" of retention is optional. List of optional instruction consolidated and revised to add item #3 regarding instruction to high school students who need support to successfully complete courses required for graduation.