

**MANUAL MAINTTENANCE GUIDESHEET**  
**Vol. 2008-09, No. 3**  
**March 2009**  
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Note: Descriptions below identify major changes in revised materials. Editorial changes have also been made.

<u>DELETE</u>	<u>ADD</u>	<u>DESCRIPTION</u>
BP/AR/E 0520.2	BP/AR/E 0520.2	<p><u>Title I Program Improvement Schools</u>  <u>Replace</u> BP/AR. <u>Delete</u> E(1-4). <u>Add</u> E(1-2). Policy and regulation updated to reflect <b>NEW FEDERAL REGULATIONS</b> which give greater flexibility in the use of Title I funds required to be set aside for supplemental educational services and transportation for student transfers in schools identified for Program Improvement (PI), provided that the district meets certain criteria. Updated policy also expands program purpose, clarifies that PI schools must revise their Single Plan for Student Achievement, and expands section on "Program Evaluation." Regulation revises definitions and reflects <b>NEW FEDERAL REGULATIONS</b> re: partnering with outside groups to provide program information; timelines for notice and implementation of the transfer option; posting of specified information on the district's web site; and new requirements for supplemental educational services. In Exhibits, sample parental notification letters were deleted since the California Department of Education (CDE) offers samples, and the remaining exhibits were renumbered.</p>
BP 3280	BP 3280	<p><u>Sale or Lease of District-Owned Real Property</u>  <u>Replace</u> BP. Policy retitled and revised to include new language re: publication of the resolution and notice of the hearing for the proposed sale or lease of unused district real property. Policy also contains new note and text re: State Allocation Board regulations which specify that the proceeds from the sale of property be used for one-time expenditures and not for ongoing expenditures, as defined.</p>
BP/AR/E(6) 3320	BP/AR/E(6) 3320	<p><u>Claims and Actions Against the District</u>  <u>Replace</u> BP/AR/E(6). Policy updated to more accurately describe authorization for district to adopt a procedure to govern the processing of claims not covered by the Government Claims Act (formerly the Tort Claims Act). Regulation updated to reflect <b>NEW LAW</b> (SB 640) which exempts from the six-month filing limitation certain types of claims suffered as a result of childhood sexual abuse. Section on "Delivery and Forms of Claims" revised to clarify mailing requirements. Exhibit (6) revised to include a new note explaining when a district must provide a warning of "Notice of Action Taken on Claim" to a claimant.</p>
BP/AR 4111.2 4211.2 4311.2	BP/AR 4111.2 4211.2 4311.2	<p><u>Legal Status Requirement</u>  <u>Replace</u> BP/AR. Policy and regulation revised to reflect <b>NEW FEDERAL REGULATIONS</b> which prohibit employers from accepting expired documents to verify employment authorization on Form I-9. Beginning April 3, 2009, all employers must use the revised I-9 Form developed by the U.S. Citizenship and Immigration Services.</p>

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## DELETE

## ADD

## DESCRIPTION

BP/AR 4113

BP/AR 4113

### Assignment

Replace BP/AR. Updated policy adds language on assignment of teachers to courses/classes based on credential authorization and to elective courses when no credential authorization exists and describes local teaching assignment options. Policy also contains new section on "Equitable Distribution of Qualified Teachers" which reflects actions required by the state plan for NCLB to ensure that poor, minority, and underperforming students are taught by qualified, experienced teachers at the same rate as other district students. Updated **MANDATED** regulation clarifies the circumstances when the district must verify a teacher's subject matter knowledge in order to teach a departmentalized class outside his/her credential authorization and contains new section on "Assignment to Elective Courses Outside Credential Authorization." *For further information, see article in accompanying Governance and Policy Services News.*

AR 4161.8  
4261.8  
4361.8

AR 4161.8  
4261.8  
4361.8

### Family and Medical Leave

Replace AR. Regulation revised to reflect **NEW FEDERAL REGULATIONS** which contain new provisions re: military caregiver leave (26 weeks of unpaid leave to care for a servicemember with a serious injury or illness) and leave for military families to attend to a "qualified exigency" (12 weeks of unpaid leave to attend to exigencies arising from a call to duty). Regulation also reflects **NEW FEDERAL REGULATIONS** which made substantial amendments to the nonmilitary leave provisions of the Family and Medical Leave Act (FMLA), including conditions if the district requires an employee to submit a fitness-for-duty certification and additional notification requirements.

BP/AR 5125

BP/AR 5125

### Student Records

Replace BP/AR. **MANDATED** policy and **MANDATED** regulation revised to reflect **NEW FEDERAL REGULATIONS**, including (1) revised definitions of attendance, disclosure, and personally identifiable information (see section entitled "Definitions"); (2) new requirements for disclosures in response to a court order under the USA Patriot Act or in response to an emergency or to organizations conducting a study (see "Persons Granted Access Without Prior Written Consent"); (3) additional security requirements to ensure that persons are only accessing those records in which they have a legitimate educational interest (see "Access to Records by Authorized Persons"); and (4) new procedures for the release of records that have been "de-identified" since all personally identifiable information has been removed (see "De-Identification of Records").

AR 5125.1

AR 5125.1

### Release of Directory Information

Replace AR. **MANDATED** regulation updated to reflect **NEW FEDERAL REGULATIONS** which clarify that a student's social security number or student identification number may not be designated as directory information. Regulation also contains new note re: discrepancy between federal and state law regarding the designation of photographs and email addresses as directory information.

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<u>DELETE</u>	<u>ADD</u>	<u>DESCRIPTION</u>
BP/AR 5126	BP/AR 5126	<u>Awards for Achievement</u> <u>Replace</u> BP/AR. Updated policy clarifies the purpose and process of awarding the Golden State Seal Merit Diploma, and adds new optional section on "Biliteracy Award" to recognize student proficiency in one or more languages in addition to English. <b>MANDATED</b> regulation updated to revise section on "Golden State Seal Merit Diploma" to specifically state the eligibility requirements and add submission of insignia request to the CDE. Regulation also includes new optional section on "Biliteracy Award" with sample eligibility criteria. <i>For further information, see article in accompanying Governance and Policy Services News.</i>
AR 5141.23	AR 5141.23	<u>Asthma Management</u> <u>Replace</u> AR. Updated regulation encourages parents/guardians to notify the district any time during the school year that their child is diagnosed with asthma, addresses applicability of the Family Educational Rights and Privacy Act to student health records, strengthens language on the supervision of students who are experiencing asthma symptoms, and adds language on education and support services for students with asthma.
BP/AR 5145.7	BP/AR 5145.7	<u>Sexual Harassment</u> <u>Replace</u> BP/AR. <b>MANDATED</b> policy revised to reflect <b>NEW COURT DECISION</b> which details the standards for determining district liability for sexual harassment under state law. Material formerly included in policy re: timelines for complaint investigation moved to regulation. Regulation contains a revised site-level complaint process/grievance procedure to reflect guidance from the U.S. Department of Education Office for Civil Rights, including timelines for completing various steps in the investigative process, interim measures to be taken by the district pending the results of the investigation, optional mediation in cases of student-to-student harassment, and items to be included in the written report on the findings of the investigation.
BP/AR 5148	BP/AR 5148	<u>Child Care and Development</u> <u>Replace</u> BP/AR. <b>MANDATED</b> policy and <b>MANDATED</b> regulation updated to reflect <b>NEW LAW</b> (AB 2759) which consolidates several programs, including general child care and development services for ages 3-4, into a new California State Preschool Program. Policy also revised to reflect requirement that the Board approve a philosophical statement, goals, and objectives for the child care and development program and to include mandated language on admissions policies formerly in regulation. Revised regulation (1) includes note re: facilities inspection requirements per <b>NEW LAW</b> (AB 978); (2) expands section on "Program Components" to reflect <b>NEW REGULATIONS</b> which change the schedule for completing the developmental profile; (3) adds language in "Enrollment" section on the county's centralized eligibility list, eligibility criteria and priorities for subsidized services, and notification regarding approval or denial of

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## DELETE

## ADD

## DESCRIPTION

### Child Care and Development (continued)

services; (4) expands section on "Fees" to add language on fee exemptions; and (5) expands section on "Rights of Parents/Guardians" to add language on parental rights.

BP/AR 5148.3

### Preschool/Early Childhood Education

Add BP/AR. Policy renumbered (formerly BP 6300) to be located in same section as other policies and regulations related to child care and development. Policy updated to (1) reflect **NEW LAW** (AB 2759) which consolidates a number of programs into a new California State Preschool Program; (2) add note re: **NEW LAW** (SB 1629) which establishes a state advisory committee on preschool education; (3) encourage collaboration with county office of education; and (4) add language on staff development. New **MANDATED** regulation reflects requirements of the California State Preschool Program as added by **NEW LAW** (AB 2759).

BP/AR 6142.2

### World/Foreign Language Instruction

Add BP/AR. New policy and regulation reflect **NEW STATE CONTENT STANDARDS** for world languages adopted by the State Board of Education in January 2009. Policy also includes legal requirements for the provision of foreign language instruction beginning no later than grade 7, optional language on instruction in elementary grades, and material on instructional resources, professional development, and program evaluation. Regulation also includes material re: two-way immersion programs. *For further information, see article in accompanying Governance and Policy Services News.*

BP/AR 6159.1

BP/AR 6159.1

### Procedural Safeguards and Complaints for Special Education

Replace BP/AR. **MANDATED** policy contains editorial changes and updated legal references. **MANDATED** regulation updated to reflect **NEW FEDERAL REGULATIONS** which require the district to send the "prior written notice" upon receipt of a parent/guardian's revocation of consent for the continued provision of special education services. Regulation also reflects **NEW LAW** (AB 2555) which requires the "procedural safeguards notice" to include information regarding the state special schools for students who are deaf or blind.

BP/AR 6163.4

BP/AR 6163.4

### Student Use of Technology

Replace BP/AR. **MANDATED** policy and **MANDATED** regulation updated to reflect **NEW FEDERAL LAW** (P.L. 110-385) which mandates that the district's Internet safety policy include educating students about appropriate online behavior. Updated regulation also addresses (1) informing staff about their role in supervision of students' use of technology, (2) prescreening of technological resources, (3) **NEW LAW** (AB 919) which makes it a crime to distribute personal identification information electronically with the intent to cause harassment or threaten a person's safety, and (4) an expanded range of consequences for inappropriate use of technology.

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<b><u>DELETE</u></b>	<b><u>ADD</u></b>	<b><u>DESCRIPTION</u></b>
AR 6164.4	AR 6164.4	<u>Identification and Evaluation for Special Education</u> <u>Replace</u> AR. Regulation revised to reflect <b>NEW FEDERAL REGULATIONS</b> which authorize a parent/guardian to revoke consent for the continued provision of special education services for his/her child at any time. Upon receipt of this revocation, the district must provide prior written notice, as specified, and the district may not override this revocation by filing for a due process hearing or mediation. Regulation also updated to reflect <b>NEW LAW</b> (AB 1663) which conformed state law to federal law by clarifying the factors that must be considered when making a determination of eligibility for special education and the areas in which a student must be assessed.
AR 6164.6	AR 6164.6	<u>Identification and Education Under Section 504</u> <u>Replace</u> AR. Regulation revised to focus on procedures for identifying and evaluating students who are eligible to receive a free appropriate public education under Section 504. Regulation includes: (1) revised definitions of FAPE and eligibility, (2) clarification that the principal or 504 coordinator makes the determination whether to evaluate a student for services, and (3) revised grievance procedure including a process for administrative review of the district's decision and for a parent/guardian's request for a due process hearing.
BP 6300		<u>Preschool/Early Childhood Education</u> <u>Delete</u> BP. Policy and new regulation renumbered to BP/AR 5148.3 - Preschool/Early Childhood Education.

CSBA: MANDATED AND CONDITIONALLY MANDATED POLICY LANGUAGE

**CSBA SAMPLE POLICY/REGULATION**

NUMBER	DATE ISSUED	TITLE	MANDATED BY	REQUIREMENT	DISTRICT STATUS
BP 0410	7/03	Nondiscrimination in District Programs and Activities <i>MANDATE</i>	GC §11138	Rules and regulations to carry out the intent of nondiscrimination provision.	
BP 0420.1	7/05	School-Based Program Coordination <i>CONDITIONAL MANDATE</i>	EC §52852.5	For districts participating in School-Based Program Coordination, policy establishing school site council to consider participation in program.	
AR 0430	3/08	Comprehensive Local Plan for Special Education <i>MANDATE</i>	EC §56195.8	Information regarding number of individuals receiving special education and related services.	
BP/AR 1312.3	1/06	Uniform Complaint Procedures <i>MANDATE</i>	5 CCR §4621	Policy and procedures consistent with state's uniform complaint procedures and protection against retaliation.	
AR 1312.4	11/07	Williams Uniform Complaint Procedures <i>MANDATE</i>	EC §35186	Procedures regarding deficiencies related to instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff, and teacher vacancy or misassignment	
BP 1330	11/06	Use of School Facilities <i>MANDATE</i>	EC §38133 EC §38134	Policy stating which activities shall be charged direct costs; application procedures.	
AR 3250	10/97	Transportation Fees <i>CONDITIONAL MANDATE</i>	EC §39807.5	For districts providing transportation, rules and regulations for identifying indigent parents exempt from fees.	
BP 3270	6/96	Sale and Disposal of Books, Equipment and Supplies <i>MANDATE</i>	EC §60500	Rules, regulations and standards for disposing of obsolete or unusable instructional materials.	
AR 3311	3/08	Bids <i>MANDATE</i>	GC §54202	Bidding procedures governing the purchase of equipment and supplies.	
BP 3312	11/05	Contracts <i>CONDITIONAL MANDATE</i>	EC §35182.5	For districts entering into contracts for exclusive sale or advertising of carbonated beverages, policy ensuring "internal controls" to protect integrity of public funds, addressing renewals of contracts for non-nutritious beverages and foods, and ensuring that contracts are entered into on a competitive basis.	

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VC	Vehicle Code			

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NUMBER	DATE ISSUED	TITLE	MANDATED BY	REQUIREMENT	DISTRICT STATUS
BP 3513.3	7/03	Tobacco-Free Schools <i>CONDITIONAL MANDATE</i>	H/S C §104420	For districts receiving TUPE funds, tobacco-free campus policy.	
BP 3516	7/06	Emergencies and Disaster Preparedness Plan <i>MANDATE</i>	5 CCR §560	Policy for district schools to formulate individual civil defense and disaster preparedness plans.	
BP 3541.2	10/97	Transportation for Students with Disabilities <i>MANDATE</i>	EC §56195.8	Policy describing coordination with regular home-to-school transportation and criteria for meeting special education students' needs; compatibility of mobile seating devices.	
AR 3542	11/02	School Bus Drivers <i>CONDITIONAL MANDATE</i>	5 CCR §14103 EC §56195.8	For districts providing transportation, rules on bus driver authority; training on proper installation of mobile seating devices.	
AR 3543	11/08	Transportation Safety and Emergencies <i>CONDITIONAL MANDATE</i>	VC §34501.6	For districts providing transportation, procedures to limit bus operations when atmospheric conditions reduce visibility.	
BP 3553	11/07	Free and Reduced Price Meals <i>CONDITIONAL MANDATE</i>	EC §49558	For districts authorizing use of program participant information for disaggregation of academic achievement data and for identification of students eligible for school choice and supplemental services, policy authorizing such use.	
BP/AR 3554	11/07	Other Food Sales <i>CONDITIONAL MANDATE</i>	7 CFR §210.11 7 CFR §220.12	For districts participating in the National School Lunch/Breakfast Program, rules and regulations to control sale of foods in competition with the program and to prohibit sale of food of minimal nutritional value.	
BP 4020	7/02	Drug and Alcohol-Free Workplace <i>MANDATE</i>	41 USC §701 41 USC §702 GC §8355	Policy demonstrating compliance with Drug-Free Schools and Communities Act.	
BP 4040	7/07	Employee Use of Technology <i>CONDITIONAL MANDATE</i>	47 USC §254 20 USC §6777	For districts receiving Title II, Part D technology funds or E-rate discounts, an Internet safety policy requiring operation and enforcement of a "technology protection measure."	
AR 4112.23	11/08	Special Education Staff <i>MANDATE</i>	EC §56195.8	Policy or rule related to resource specialists.	

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NUMBER	DATE ISSUED	TITLE	MANDATED BY	REQUIREMENT	DISTRICT STATUS
BP 4112.42/ 4212.42/ 4312.42	3/06	Drug and Alcohol Testing for School Bus Drivers <i>CONDITIONAL MANDATE</i>	49 CFR §382.601	For districts providing transportation, policy on drug testing for bus drivers.	
AR 4113	3/09	Assignment <i>CONDITIONAL MANDATE</i>	EC §44258.3	For districts assigning teachers to K-12 departmentalized classes outside their credential authorization, procedures for verifying subject matter knowledge.	
AR 4115	11/07	Evaluation/Supervision <i>MANDATE</i>	EC §35171	Regulation relating to certificated employees' evaluation.	
BP/AR 4119.11/ 4219.11/ 4319.11	7/05	Sexual Harassment <i>MANDATE</i>	EC §231.5	Written policy on sexual harassment	
BP 4136/ 4236/ 4336	7/08	Nonschool Employment <i>MANDATE</i>	GC §1126	Procedures prohibiting a district employee from engaging in any activity which is inconsistent, incompatible, or in conflict with, or inimical to his/her duties.	
BP 4156.2/ 4256.2/ 4356.2	12/91	Awards and Recognition <i>CONDITIONAL MANDATE</i>	EC §44015	For districts that provide awards, rules and regulations to implement award program.	
AR 4161.1/ 4361.1	3/02	Personal Illness and Injury Leave <i>MANDATE</i>  <i>CONDITIONAL MANDATE</i>	EC §44978  EC §44977 EC §44983	Regulation requiring proof of illness or injury and prescribing means of verification.  Rule for districts that give employees at least 50% of regular salary for absences up to five months.	
AR 4161.11/ 4361.11	10/98	Industrial Accident and Illness Leave <i>MANDATE</i>	EC §44984	Rules and regulations governing leave for certificated employees.	
AR 4161.2/ 4261.2/ 4361.2	11/07	Personal Leaves <i>MANDATE</i>	EC §44981 EC §45207	Regulation requiring and prescribing the manner of proof of personal necessity for leaves.	



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NUMBER	DATE ISSUED	TITLE	MANDATED BY	REQUIREMENT	DISTRICT STATUS
AR 4161.9/ 4261.9/ 4361.9	10/98	Catastrophic Leave Program <i>CONDITIONAL MANDATE</i>	EC §44043.5	For districts offering a catastrophic leave program, regulation specifying program components, maximum time credits, verification requirements, and irrevocability of credit transfer.	
AR 4200	11/02	Classified Personnel <i>MANDATE</i>	EC §45106	Rule or regulation making exempt positions subject to certain Education Code provisions.	
BP 4216	7/02	Probationary/Permanent Status <i>MANDATE</i>	EC §45113	Rules and regulations establishing period of probationary service of no more than one year for classified employees.	
AR 4218	6/94	Dismissal/Suspension/ Disciplinary Action <i>CONDITIONAL MANDATE</i>	EC §45113	For districts not using merit system, rules or regulations prescribing causes for disciplinary action against permanent classified employees.	
AR 4261.1	7/07	Personal Illness and Injury Leave <i>MANDATE</i>	EC §45191	Regulation regarding proof of illness or injury and prescribing means of verification.	
		<i>CONDITIONAL MANDATE</i>	EC §45196	Rule crediting employees with at least 100 working days of paid sick leave each year, including current year and accumulated days of leave and providing that employees receive at least 50% of salary during that time after fully paid sick leave is exhausted.	
AR 4261.11	10/98	Industrial Accident and Illness Leave <i>MANDATE</i>	EC §45192	Rules and regulations regarding industrial accident or illness leave for classified employees.	
BP 4315	7/07	Evaluation/Supervision <i>MANDATE</i>	EC §35171	Regulation relating to certificated administrative or supervisory employees' evaluation.	
BP/AR 5020	BP 11/02 AR 3/05	Parent Rights and Responsibilities <i>MANDATE</i>	EC §51101	Policy jointly adopted with parents/guardians containing specified components.	
BP/AR 5022	BP 11/02 AR 3/04	Student and Family Privacy Rights <i>CONDITIONAL MANDATE</i>	20 USC 1232h	For districts receiving funds administered by USDOE, policy re: administration of surveys, right of parents to inspect instruments, and collection of personal information for marketing purposes.	
BP 5030	11/07	Student Wellness <i>CONDITIONAL MANDATE</i>	42 USC §1751 Note	For districts participating in the National School Breakfast or Lunch Program, wellness policy with specified components.	

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NUMBER	DATE ISSUED	TITLE	MANDATED BY	REQUIREMENT	DISTRICT STATUS
AR 5111.13	7/02	Residency for Homeless Children <i>MANDATE</i>	42 USC §11432	Policy ensuring that homeless children are not segregated or stigmatized, including the requirement that they be immediately enrolled.	
BP/AR 5112.3	12/88	Student Leave of Absence <i>CONDITIONAL MANDATE</i>	EC §48232 EC §48416	For districts that grant student leaves of absence, policy to grant leaves.	
BP/AR 5113	BP 11/99 AR 11/07	Absences and Excuses <i>CONDITIONAL MANDATE</i>	EC §46014	For districts that permit absences for religious instruction/exercises, resolution permitting such absences.	
AR 5113.1	3/02	Truancy <i>MANDATE</i>	EC §48273	Regulation for gathering data and making reports to County Superintendent regarding truants.	
BP 5116	7/06	School Attendance Boundaries <i>CONDITIONAL MANDATE</i>	GC §53312.7	For districts forming a community facilities district, policy granting admission priority to children of residents of the community facilities district that pay taxes to finance school construction.	
BP 5116.1	11/08	Intradistrict Open Enrollment <i>MANDATE</i>	EC §35160.5	Policy establishing open enrollment with specified components.	
AR 5121	11/03	Grades/Evaluation of Student Achievement <i>MANDATE</i>	EC §49067	Regulation requiring evaluation of student achievement.	
		<i>CONDITIONAL MANDATE</i>	EC §49067	For districts authorizing teachers to assign failing grades to students for unexcused absences, regulation granting opportunity to the student to explain the absence and identification of such failing grades in the student's record.	
BP/AR 5123	BP 7/05 AR 11/00	Promotion/Acceleration/Retention <i>MANDATE</i>	EC §48011 EC §48070 EC §48070.5 5 CCR §200	Policy on promotion and retention including identification by grade level of students at risk of retention; opportunities for remedial instruction; appeal process; acceleration to 1 <sup>st</sup> grade.	
BP/AR 5125	3/09	Student Records <i>MANDATE</i>	EC §49069 5 CCR §431	Policy and procedures re: identification, description, security, and granting of access to records.	
BP/AR 5125.1	BP 7/05 AR 3/09	Release of Directory Information <i>MANDATE - AR</i>	EC §49073	Regulation identifying categories of directory information that may be released.	

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NUMBER	DATE ISSUED	TITLE	MANDATED BY	REQUIREMENT	DISTRICT STATUS
BP/AR 5125.1 (cont)		<i>CONDITIONAL MANDATE - BP</i>	10 USC §503	For districts with grades 9-12 that deny military recruiters access to directory information, policy denying access.	
AR 5125.2	12/91	Withholding Grades, Diploma or Transcripts <i>MANDATE</i>	EC §48904	Regulation regarding procedures for reparation when school property is damaged or lost.	
AR 5126	3/09	Awards for Achievement <i>CONDITIONAL MANDATE</i>	EC §44015	For districts granting awards to students, rules for awards program.	
AR 5131.1	7/08	<i>CONDITIONAL MANDATE</i>	EC §35310 EC §35316	For districts that have established a scholarship and loan fund, rules regarding committee selection and governing applications.	
AR 5131.6	7/04	Bus Conduct <i>MANDATE</i>	5 CCR §14103	Rules re: bus driver authority, bus conduct and suspension of riding privileges.	
BP 5131.7	3/08	Alcohol and Other Drugs <i>MANDATE</i>	EC §51203	Regulation specifying grade level and courses for drug education.	
BP 5141.3	6/96	Weapons and Dangerous Instruments <i>MANDATE</i>	20 USC §7151	Policy regarding referral of student to law enforcement if firearm brought to school.	
AR 5144.1	11/08	Health Examinations <i>MANDATE</i>	EC §49450	Rules to ensure confidentiality of results of student health exam.	
BP/AR 5145.2	11/07	Suspension and Expulsion/Due Process <i>MANDATE</i>	EC §48916 EC §48918 EC §48918.5	Procedures for expulsion; rights of a complaining witness, written notice of expulsion, conduct of expulsion hearing, readmission after expulsion	
BP 5145.7	3/09	<i>CONDITIONAL MANDATE</i>	EC §48918	For districts that use a hearing officer or panel to conduct expulsion hearings, procedures with specified components, including timelines and conduct of hearing.	
		Freedom of Speech/Expression <i>MANDATE</i>	EC §48907	Written publications code to guarantee free speech and press rights to students.	
		Sexual Harassment <i>MANDATE</i>	EC §231.5 34 CFR §106.9	Written policy on sexual harassment for students.	

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BP 5146	3/03	Married/Pregnant/Parenting Students <i>CONDITIONAL MANDATE</i>	EC §54745	For districts participating in the Cal-SAFE program, a policy declaring commitment to provide program reflecting cultural and linguistic diversity of the community.	
BP/AR 5148	3/09	Child Care and Development <i>CONDITIONAL MANDATE</i>	EC §8263 5 CCR §18066 5 CCR §18105 5 CCR §18114	For districts offering child care, policy and regulation regarding written admission policies, collection of fees, excused and unexcused absences. If charge fees for diapers or field trips, regulation re: involving parents in decision process.	
AR 5148.2	3/08	Before/After School Programs <i>CONDITIONAL MANDATE</i>	EC §8483 EC §8483.1	For districts offering a before- or after-school program, policy regarding reasonable late daily arrival to the before-school program or reasonable early release from the after-school program.	
AR 5148.3	3/09	Preschool/Early Childhood Education <i>CONDITIONAL MANDATE</i>	EC §8263	For districts offering preschool and charging fees for field trips or diapers, regulation involving parents in decision process.	
BP/AR 6020	8/06	Parent Involvement <i>CONDITIONAL MANDATE - BP</i>	EC §11504	For districts that have one or more schools that do not receive Title I funds or districts that do not receive any Title I funds, parent involvement policy consistent with specified goals.	
		<i>CONDITIONAL MANDATE - BP/AR</i>	20 USC §6318	For districts receiving Title I funds, parent involvement policy describing how specified components will be addressed by district.	
AR 6115	11/08	Ceremonies and Observances <i>MANDATE</i>	EC §52720	For districts maintaining secondary schools, regulation regarding implementation of daily patriotic exercises.	
BP 6143	11/07	Courses of Study <i>MANDATE</i>	EC §51225.4	For elementary districts, certify to SPI that policy adopted to implement course of instruction that sufficiently prepares students for secondary school course of study.	

**CSBA: MANDATED AND CONDITIONALLY MANDATED POLICY LANGUAGE**

**CSBA SAMPLE POLICY/REGULATION**

<b>NUMBER</b>	<b>DATE ISSUED</b>	<b>TITLE</b>	<b>MANDATED BY</b>	<b>REQUIREMENT</b>	<b>DISTRICT STATUS</b>
BP/AR 6145	11/01	Extracurricular and Cocurricular Activities <i>MANDATE</i>	EC §35160.5	Policy establishing eligibility requirements for students in grades 7-12.	
BP/AR 6158	3/05	Independent Study <i>MANDATE</i>	EC §51747	Policy, including written agreements, maximum length of time to complete assignments, number of missed assignments allowed.	
AR 6159	11/06	Individualized Education Program <i>MANDATE</i>	EC §56195.8 EC §56380	Procedures/timelines for review of classroom assignment of student when requested by teacher, ensuring IEP team reviews IEP periodically to determine if student achieving annual goals.	
BP/AR 6159.1	3/09	Procedural Safeguards and Complaints for Special Education <i>MANDATE</i>	EC §56195.8 20 USC §1415 34 CFR § 300.508	Policy on procedural safeguards; prior written notice; ensuring parent notice in native language; right to initiate due process hearing.	
BP 6159.2	6/99	Nonpublic, Nonsectarian School and Agency Services for Special Education <i>MANDATE</i>	EC §56195.8	Policy for services.	
BP/AR 6159.3	3/05	Appointment of Surrogate Parent for Special Education <i>MANDATE</i>	20 USC §1415(b)(2)	Policy and procedures to protect the rights of students.	
BP/AR 6163.4	3/09	Student Use of Technology <i>CONDITIONAL MANDATE</i>	47 USC §254 20 USC §6777	For districts receiving Title II, Part D technology funds or E-rate discounts, Internet safety policy with specified components.	
BP 6164.2	11/07	Guidance/Counseling Services <i>CONDITIONAL MANDATE</i>	10 USC §503	For districts with grades 9-12 that deny military recruiters access to students, policy denying access.	
BP 6164.4	11/08	Identification and Evaluation of Individuals for Special Education <i>MANDATE</i>	EC §56301	Policy for continuous child-find system and notification of parent rights.	
BP 6164.41	3/07	Children with Disabilities Enrolled by Their Parents in Private School <i>MANDATE</i>	EC §56301	Policy for child-find system.	

EC Education Code  
GC Government Code  
H/SC Health and Safety Code  
PRC Public Resources Code  
VC Vehicle Code

5 CCR  
8 CCR  
USC  
CFR

Title 5, California Code of Regulations  
Title 8, California Code of Regulations  
United States Code  
Code of Federal Regulations

CSBA: MANDATED AND CONDITIONALLY MANDATED POLICY LANGUAGE

**CSBA SAMPLE POLICY/REGULATION**

NUMBER	DATE ISSUED	TITLE	MANDATED BY	REQUIREMENT	DISTRICT STATUS
BP 6171	8/06	Title I Programs <i>CONDITIONAL MANDATE</i>	20 USC §6321	For districts receiving Title I funds, policy ensuring comparability of services.	
BP 6173	7/05	Education for Homeless Children <i>MANDATE</i>	42 USC §11432	Policy to ensure that homeless children are not stigmatized or segregated and policy to ensure that transportation is provided.	
AR 6174	3/03	Education for English Language Learners <i>MANDATE</i>	5 CCR §11303 5 CCR §11309	Procedures for reclassification and granting of parental exception waivers.	
BP 6178	3/08	Career Technical Education <i>CONDITIONAL MANDATE</i>	EC §52376	For districts that receive funding through targeted instructional improvement grants, policy comparing district's program to model curriculum; procedures for systemic review of program.	
BP 6178.2	7/08	Regional Occupational Center/Program <i>CONDITIONAL MANDATE</i>	EC §52314	For districts choosing to enroll adult students in ROC/P courses during the school day on a high school campus, policy authorizing such enrollment.	
BP 6179	11/07	Supplemental Instruction <i>MANDATE</i>	EC §48070.5	Policy identifying manner in which opportunities for remedial instruction will be provided to students recommended for retention or identified as at risk for retention.	
		<i>CONDITIONAL MANDATE</i>	EC §37252.2 EC §37254.1	For districts that require student participation in supplemental instruction programs, policy identifying such students.	
BP/AR 6184	7/00	Continuation Education <i>CONDITIONAL MANDATE</i>	EC §48432.5	For districts offering continuation education, rules and regulation for involuntary transfer to continuation school and provisions of notice.	
BP/AR 6185	3/00	Community Day School <i>CONDITIONAL MANDATE</i>	EC §48662	For districts with a community day school, policies and procedures regarding involuntary transfers.	
AR 6200	7/99	Adult Education <i>CONDITIONAL MANDATE</i>	EC §52509 EC §52510	For districts offering adult education, graduation requirements for diploma.	
BP 7150	3/02	Site Selection and Development <i>MANDATE</i>	PRC § 21082	Procedures for evaluation of projects, preparation of environmental impact reports, and negative declarations under CEQA.	

CSBA: MANDATED AND CONDITIONALLY MANDATED POLICY LANGUAGE

CSBA SAMPLE POLICY/REGULATION

NUMBER	DATE ISSUED	TITLE	MANDATED BY	REQUIREMENT	DISTRICT STATUS
BP 7212	11/07	Mello-Roos Districts <i>CONDITIONAL MANDATE</i>	GC §53312.7	For districts establishing a Mello-Roos district, local goals and policies.	
BB 9320	11/08	Meetings and Notices <i>MANDATE</i>	EC §35140 GC §54954	Rule and regulation for fixed time and place for regular meetings.	
BB 9322	3/08	Agenda/Meeting Materials <i>MANDATE</i>	EC §35145.5	Regulations re: placement of items on the agenda by the public.	
BB 9323	11/06	Meeting Conduct <i>MANDATE</i>	EC §35010 EC §35145.5	Adoption of rules for governance, including ensuring public can address Board re: agenda items.	

EC	Education Code	5 CCR	Title 5, California Code of Regulations	California School Boards Association
GC	Government Code	8 CCR	Title 8, California Code of Regulations	Page 10
H/SC	Health and Safety Code	USC	United States Code	March 2009
PRC	Public Resources Code	CFR	Code of Federal Regulations	
VC	Vehicle Code			

