

Updates | 27.75

May 2018 Update Guidesheet

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

Nondiscrimination in District Programs and Activities

(BP revised) Policy updated to reflect NEW LAW (AB 699) which (1) adds immigration status to the categories of characteristics that are protected against discrimination, (2) requires parent/guardian notification of their child's right to a free public education regardless of immigration status or religious beliefs, and (3) mandates that districts adopt policy consistent with a model policy developed by the California Attorney General, which includes a statement regarding equitable services. Policy also reflects provisions of the Attorney General's model policy and NEW LAW (SB 31) which prohibit districts from compiling or assisting in the compilation of a registry based on immigration status, religion, or other specified characteristics.

See BP 0410

Charter School Oversight

requirements for charter schools, including AB 1360 which clarifies that the district board, AB 830 which repeals the high school exit examination requirement that parent/guardian involvement is not a requirement for enrollment at the charter school, AB 831 which repeals the requirement that parent/guardian involvement is consistent with the model policy on immigration enforcement developed by the Attorney General, AB 832 which repeals the requirement that parent/guardian involvement in the collection of social security numbers, AB 841 which prohibits advertising for charter schools which requires parental notification within 10 days of a negative meal account balance, AB 842 which requires parental notification of meal fees, and SB 138 which requires "very high poverty schools" to apply for federal universal service provision.

NEW LAW (AB 746) which provides that, if a community water system finds lead

above specified levels in a school's potable water system, the district must notify parents/guardians, shut down fountains and faucets, and provide a source of drinking water to students. Policy also deletes details regarding district strategies that are duplicated in the AR. Regulation also updates material related to particulate filters in school buses and carbon monoxide detectors to reflect current law.

See BP 3514

See AR 3514

Hazardous Substances

(BP revised) Policy updated to reflect legal requirements regarding toxic art and craft supplies, formerly in BP 6161.3 - Toxic Art Supplies.

See BP 3514.1

Emergencies and Disaster Preparedness Plan

(BP/AR revised) Policy expands paragraph on the involvement of staff and community groups in plan development, consistent with U.S. Department of Education recommendation. Policy also adds training on staff responsibilities in an emergency or disaster, clarifies staff's legal obligation to serve as disaster service workers, and clarifies that board members are not considered disaster service workers. Regulation expands prevention strategies to include measures to increase the security of school facilities, expands crisis communications methods to include social media and electronic communications, and adds assembly of key information into a "crisis response box" that can be easily accessed in an emergency.

See BP 3516

See AR 3516

Transportation Routes and Services

(AR revised) Regulation updated to reflect NEW LAW (AB 1453) which authorizes districts to provide for the transportation of adult volunteers to and from educational activities. Regulation also reflects requirement to provide transportation consistent with a student's Section 504 plan, and clarifies the district's responsibility with respect to transportation for homeless students and foster youth.

See AR 3541

Employee Security

(BP/AR revised) Policy updated to add staff training on procedures for responding to an active shooter situation, condense options on pepper spray to recommend that any possession of pepper spray by employees require advance written permission, and reflect renumbering of legal cite pertaining to pepper spray. Regulation updated to clarify the reporting of an attack, assault, or threat and to modify section on pepper spray consistent with revisions to the BP.

See BP 4158/4258/4358

See AR 4158/4258/4358

Catastrophic Leave Program

(BP/AR revised) Policy and regulation substantially revised and reorganized to clarify requirements for the catastrophic leave program. Policy recommends that donated leave be placed into a pool for eligible employees rather than earmarked for particular employees, and adds notification to employees regarding the program. Regulation provides that donation of leave be made in writing to the superintendent rather than the board, encourages employees to retain sufficient leave for their own potential use, establishes a maximum amount of catastrophic leave that may be used by an individual employee, and provides that employees will be ineligible for catastrophic leave while receiving workers' compensation benefits.

See BP 4161.9/4261.9/4361.9

See AR 4161.9/4261.9/4361.9

Admission

(BP/AR revised) Policy updated to reflect state law prohibiting the collection of social security numbers or the last four digits of the social security numbers of students or their parents/guardians, unless otherwise required by law. Policy also reflects NEW LAW (AB 699) which prohibits districts from inquiring into students' citizenship or immigration status and the California Attorney General's model policy which provides that, under the limited circumstances when such information must be collected to comply with eligibility requirements for special state or federal programs, such information should be collected separately from the school enrollment process. Regulation updated to reflect a requirement of the Attorney General's model policy that prohibits districts from requiring documentation that may indicate a student's national origin or immigration status, such as a passport, to the exclusion of other permissible documentation. Regulation also reflects the authority to accept a parent/guardian affidavit as evidence of a child's age when other documentation is not available.

See BP 5111

See AR 5111

District Residency

(BP/AR revised) Policy and regulation updated to reflect NEW LAW (AB 699) which prohibits districts from collecting information or documents regarding the citizenship or immigration status of students or their family members. Regulation also updated to reflect NEW LAWS providing that a student meets district residency requirements if the student's parent/guardian is transferring or pending transfer to a military installation within the state (SB 455), or the student's parent/guardian was a resident of California who departed the state against his/her will pursuant to a transfer by a government agency, a court order, or the federal Immigration and Nationality Act (SB 257).

See BP 5111.1

See AR 5111.1

Student Records

(BP/AR revised) Policy updated to reflect the California Attorney General's model policy, developed pursuant to NEW LAW (AB 699), which (1) prohibits districts from collecting information regarding students' citizenship or immigration status, and (2) requires district staff to receive training in the gathering and handling of sensitive student information. Policy also reflects state law limiting the collection of students' social security numbers or the last four digits of the social security numbers, and NEW LAW (SB 31) which prohibits districts from assisting in the compilation of a list, registry, or database based on students' national origin, ethnicity, or religion. Regulation updated to reflect NEW LAW (SB 233) which expands the types of records related to foster youth that must be made accessible to specified agencies, and a requirement of the Attorney General's model policy that the annual parental notification include a statement that a student's citizenship, place of birth, or national origin will not be released without parental consent or a court order.

See BP 5125

See AR 5125

Release of Directory Information

(AR/E revised) Regulation and exhibit updated to reflect the California Attorney General's model policy, developed pursuant to NEW LAW (AB 699), which requires that the annual parental notification include a statement that directory information does not include citizenship status, immigration status, place of birth, or national origin.

See AR 5125.1

See E 5125.1

Bullying

(BP revised) Policy updated to reflect NEW LAW (AB 699) which requires districts to educate students about the negative impact of bullying based on actual or perceived immigration status or religious beliefs and customs. Policy also reflects the California Attorney General's model policy developed pursuant to AB 699, which requires staff training with specified components related to bullying prevention and response.

See BP 5131.2

Response to Immigration Enforcement

(BP/AR added) New policy and regulation reflect NEW LAW (AB 699) which mandates districts to adopt, by July 1, 2018, policy consistent with the model policy developed by the California Attorney General, including policy related to the district's response to requests by law enforcement for access to information, students, or school grounds for immigration enforcement purposes and actions to be taken in the event that a student's family member is detained or deported. Policy also reflects NEW LAW (SB 31) which prohibits districts from compiling or assisting federal government authorities with compiling a list, registry, or database based on students' national origin, ethnicity, or religion.

See BP 5145.13

See AR 5145.13

Nondiscrimination/Harassment

(BP/AR revised) Minor revisions made in policy and regulation to reflect NEW LAW (AB 699) which prohibits discrimination based on immigration status.

See BP 5145.3

See AR 5145.3

Hate-Motivated Behavior

(BP revised) Policy updated to define hate-motivated behavior and expand material related to collaboration, staff training, and enforcement of rules regarding student conduct. Policy also provides for the use of uniform complaint procedures when the behavior is determined to be based on unlawful discrimination.

See BP 5145.9

Toxic Art Supplies

(BP 6161.3 deleted) Policy deleted and key concepts incorporated into BP 3514.1 - Hazardous Substances.