

## **POLICY GUIDE SHEET**

### **December 2019**

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.

#### **BP 3600 - Consultants**

(BP revised)

Policy updated to reflect **NEW LAW (AB 5)** which codifies a three-part test, established in *Dynamex Operations West Inc. v. Superior Court of Los Angeles*, to determine whether a person providing services for remuneration should be classified as an employee or an independent contractor. Policy also updates the statement on nondiscrimination to include additional protected categories, and reflects law regarding harassment of or by an independent contractor.

#### **BP/AR 5116.1 - Intradistrict Open Enrollment**

(BP/AR revised)

Policy and regulation updated to delete material related to transfers under the state Open Enrollment Act and federal Program Improvement, as those programs are no longer operational. Policy also reflects **NEW LAW (AB 1127)** which requires districts to approve an intradistrict transfer request for a student who is a victim of bullying, as defined. Optional item added for districts electing to offer intradistrict transfers to all students in a school identified by the California Department of Education (CDE) for comprehensive support and improvement (CSI), in which case priority must be given to the lowest achieving students from low-income families. Regulation revised to clarify timelines for transfers out of schools identified by CDE as "persistently dangerous." For districts that offer transfers out of CSI schools, regulation allows a transfer student the opportunity to remain in the school of enrollment until completing the highest grade offered at that school.

#### **BP/AR 5117 - Interdistrict Attendance**

(BP/AR revised)

Policy updated to reflect **NEW LAW (AB 1127)** which requires districts to provide transportation assistance to transfer students who are victims of bullying or are children of active duty military parents/guardians, if they are also eligible for free or reduced-priced meals. Regulation updated to reflect provisions of AB 1127 which (1) prohibit consideration of specified characteristics when selecting students for transfer who are victims of bullying or children of active duty military parents/guardians and (2) require a district to accept a transfer out of the district for a victim of bullying if the district has only one school offering the student's grade level.

#### **BP/AR/E 5118 - Open Enrollment Act Transfers**

(BP/AR/E deleted)

Policy, regulation, and exhibit deleted since CDE no longer identifies low-achieving schools based on the Academic Performance Index for purposes of developing an Open Enrollment List of schools, in which students had the option to transfer to a higher achieving school within or outside the district.

#### **BP/AR 5131.2 - Bullying**

(BP/AR revised)

Policy updated to reflect **NEW LAW (AB 1127)** which requires a district to approve an intradistrict transfer request for a victim of bullying and, if the district does not have another school with the same grade level, allows a victim of bullying to transfer out of the district. Regulation updated to reflect **NEW LAW (AB 34)** which requires districts to make specified information on bullying and harassment prevention readily accessible on their web sites beginning in the 2020-21 school year.

**BP/AR 6143 - Courses of Study**

(BP/AR revised)

Policy updated to include the prohibition against providing any course separately on the basis of specified characteristics or refusing the participation of a student on any such basis. Policy also reflects the requirement to provide a list of courses certified as meeting California college admission criteria (i.e., "a-g" course requirements) to parents/guardians as well as students in grades 9-12. Regulation updates the list of course offerings for grades 7-12 to revise the description of the Bracero program, update the terminology for "foreign language" to "world language" consistent with current state law, reflect **NEW LAW (AB 1595)** which replaces references to "homemaking" with "family and consumer sciences," and delete outdated date for beginning instruction in compression-only cardiopulmonary resuscitation. Regulation also adds requirement, effective in the 2020-21 school year, to provide specified information on how to properly complete and submit the Free Application for Federal Student Aid (FAFSA) or the Dream Act application, as appropriate, at least once before grade 12.

**BP 6154 - Homework/Makeup Work**

(BP revised)

Policy updated to reflect **NEW LAW (AB 982)** which requires that, when a parent/guardian of a student who has been suspended for two or more days requests homework that the student would have otherwise been assigned, teachers must provide such homework.

**AR 6174 - Education for English Learners**

(AR revised)

Regulation updated to clarify the process for assessment and identification of English learners, including additional notification requirements. Section on "Reclassification/Redesignation" revised to require English learners who are reclassified as fluent English proficient to be monitored for at least four years following their reclassification, consistent with CDE's Federal Program Monitoring instrument. Regulation also adds further information regarding the composition and duties of the school-level and district-level English Learner Advisory Committee.

**AR 6175 - Migrant Education Program**

(AR revised)

Regulation updated to reflect **NEW LAW (AB 1319)** which requires the immediate enrollment of migrant students even if they have outstanding fees, fines, textbooks, or other items or monies due to the school last attended, do not have clothing normally required by the school, or are unable to produce records normally required for enrollment. Regulation also reflects provision of AB 1319 which grants migrant students the right to remain in their school of origin, or in a school within the district of origin, regardless of any change in residence of the student.

board to award elective course credit for student board member service, and authorize the board to appoint an alternate student board member if the student board member's duties are not being fulfilled.