

BOARD BYLAWS, BOARD POLICES, AND ADMINISTRATIVE REGULATIONS

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BP 0410 - Nondiscrimination in District Programs and Activities

Revise BP (Pages 1-6)

Reviewed by Debra Hendricks

Policy updated to reflect NEW LAW (AB 30, 2015) which, effective January 1, 2017, prohibits the use of any racially derogatory or discriminatory school or athletic team name, mascot, or nickname. Policy also adds language regarding the use of uniform complaint procedures to investigate and resolve any allegation of unlawful discrimination, expands the means by which notice of the district's nondiscrimination policy will be distributed, reflects NEW LAW (SB 1375, 2016) which requires districts to post specified information regarding Title IX on their web site by July 1, 2017, and adds the district's responsibility to make its web site accessible to individuals with disabilities.

BP 0420.41 - Charter School Oversight

Revise BP (Pages 7-14)

Reviewed by Debra Hendricks

Policy updated to reflect a recommendation in the 2016 edition of CSBA's Charter Schools: A Guide for Governance Teams that the district not appoint a representative to serve on the board of directors of a nonprofit public benefit corporation that operates a charter school, but rather implement other means of fulfilling its oversight responsibilities. Section on "Monitoring Charter School Performance" updated to delete references to the Academic Performance Index and federal measure of Adequate Yearly Progress, and to reflect NEW LAW (SB 828, 2016) which requires charter schools to submit an annual update of their local control and accountability plan. Policy also revised to reflect the Every Student Succeeds Act (P.L. 114-95) which provides for a new system of school support and improvement for Title I schools, including charter schools, beginning in the 2017-18 school year.

E 0420.41 - Charter School Oversight

Revise E (Pages 15-20)

Reviewed by Debra Hendricks

Exhibit updated to reflect NEW LAWS (2015) which add requirements for charter schools to adopt a math placement policy (SB 359), provide lactation accommodations for students (AB 302), comply with law pertaining to the education of foster youth (SB 445), and retroactively grant a diploma to students who met all graduation requirements except the high school exit examination (SB 172). Item also added to reflect requirement of California Constitution to annually issue a school accountability report card, applicable to charter schools pursuant to Education Code 47612(c). Exhibit deletes items related to the qualifications of teachers and paraprofessionals under the No Child Left Behind Act, repealed by NEW FEDERAL LAW (Every Student Succeeds Act, P.L. 114-95), and revises item related to student assessment to

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Cont'd E 0420.41 - Charter School Oversight

reflect the suspension of the high school exit examination through the 2017-18 school year (SB 172).

BP/AR 0450 - Comprehensive Safety Plan

Revise BP/AR (Pages 21-32)

Reviewed by Heidi Reyes

Policy updated to clarify the district's responsibility to annually review comprehensive school safety plans. Regulation updated to delete the requirement to include hate crime reporting procedures in the safety plan, as they are no longer required by law. List of optional plan components expanded to include (1) policy related to firearms possession on campus; (2) measures to minimize gang influence; (3) guidelines for the roles and responsibilities of mental health professionals, community intervention professionals, school counselors, school resource officers, and police officers on school campuses; (4) strategies for suicide prevention; (5) procedures to handle disruptions; and (6) concepts related to environmental safety.

BP/AR 0520.2 - Title I Program Improvement Schools

Revise BP/AR; Delete E (Pages 33-48)

Reviewed by Marti Reyes

Policy and regulation updated to reflect the Every Student Succeeds Act (ESSA) (P.L. 114-95), U.S. Department of Education (USDOE) guidance, and the California Department of Education (CDE) transition plan, which require schools identified for program improvement (PI) to continue to implement their school improvement plans during the 2016-17 school year while a new system of school support and improvement activities for Title I schools is developed. Policy also deletes references to the federal measure of "adequate yearly progress" and the requirements to offer intradistrict transfers and supplemental educational services (SES) to eligible students, as these have been eliminated under ESSA. Material on the Parent Empowerment Act moved from AR to BP, and "Program Evaluation" section revised to reflect requirement to develop and post a report card with specified content. Regulation deletes sections on "Definitions," "Parental Notifications," "Student Transfers," and "Supplemental Educational Services," and adds section on "Alternative Supports" to reflect the CDE's transition plan which requires that district-defined supports be provided to eligible students. Exhibits (1) and (2) deleted since forms related to intradistrict transfers and SES are no longer needed.

BP/AR 0520.3 - Title I Program Improvement Districts

Revise BP; Delete AR (Pages 49-54)

Reviewed by Marti Reyes

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Cont'd BP/AR 0520.3 - Title I Program Improvement Districts

Policy updated to reflect the Every Student Succeeds Act (P.L. 114-95), USDOE guidance, and the CDE's transition plan, which, for the 2016-17 school year, require districts identified for program improvement (PI) to continue to implement their improvement plans and any recommendations of a district assistance and intervention team assigned to the district. Policy deletes outdated reference to the federal measure of "adequate yearly progress," deletes section on "Early Warning System" since districts are not being newly identified for PI, and consolidates and shortens material reflecting requirements for districts based on the number of years in PI. Regulation deleted as some requirements are no longer applicable and others are duplicated in the BP.

BP/AR 1230 - School-Connected Organizations

Reviewed BP-No Changes Made/ Revise AR (Pages 55-58)

Reviewed by Debra Hendricks

Policy and regulation updated to clarify the relationship between the district and a school-connected organization, such as a booster club, parent-teacher organization, or other nonstudent organization. Policy adds material regarding the establishment of such organizations as separate legal entities subject to their own bylaws and rules, delegates the responsibility to approve organizations' fundraisers to the superintendent or designee, and reflects legal requirement that donations and participation in fundraising activities be voluntary. Regulation adds authority of the district to revoke an organization's authorization to conduct activities in the district when necessary, and adds rules designed to maintain the organization's status as a separate entity from the district based on recommendations in the Fiscal Crisis and Management Assistance Team's guidebook updated in 2015.

AR 1340 - Access to District Records

Revise AR (Pages 59-68)

Reviewed by Yvonne Perez

Regulation updated to reflect NEW LAW (AB 2843, 2016) which prohibits disclosure of employees' personal cell phone numbers and birth dates, and NEW LAW (AB 2853, 2016) which authorizes the district, in response to a public records request, to post public records on its web site and refer the requesting member of the public to the location of the records on the web site. Regulation also revised to clarify access to documents containing names, salaries, and pension benefits of district employees and to records pertaining to claims and litigation against the district.

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BP 2121 - Superintendent's Contract

Reviewed BP—Keeping current policy language (Pages 69-72)

Reviewed by Debra Hendricks

Policy updated to clarify the conditions under which the Governing Board may meet in closed session under the "labor exception" (Government Code 54957.6) of the Ralph M. Brown Act to discuss superintendent contact, salary, or compensation paid in the form of fringe benefits.

BP/AR 3230 - Federal Grant Funds

New BP/AR (Pages 73-84)

Reviewed by Yvonne Perez

New mandated policy and mandated regulation reflect major requirements for the management of federal grant funds contained in the Office of Management and Budget's (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (commonly called the "Uniform Guidance"), including the mandate to adopt written procedures related to procurement, conflict of interest, cash management, and allowable costs. Policy addresses the board's desire to maintain fiscal integrity and transparency in the use of federal grant funds, key components of the district's financial management system, and the submission of performance reports in accordance with law and the requirements of the awarding agency. Regulation includes material related to allowable costs, procurement, cash management, audits, and records, including requirements for employees to document "time and effort" spent on grant activities. Regulation also reflects the option to delay implementation of the procurement standards in the Uniform Guidance up to July 1, 2017, provided that the decision is documented in the district's procurement policy.

BP/AR 3270 - Sale and Disposal of Books, Equipment and Supplies

Revise BP/AR (Pages 85-92)

Reviewed by Laura Wharff

Policy and regulation updated to make minor revisions in the renumbering of legal cites pursuant to the Uniform Guidance for federal grant funds and to cross-reference new BP/AR 3230 - Federal Grant Funds.

BP/AR 3311 - Bids

Revise BP/AR (Pages 93-108)

Reviewed by Yvonne Perez

Policy and regulation updated to move some material into new BP/AR 3311.1 - Uniform Public Construction Cost Accounting Procedures, AR 3311.2 - Lease-Leaseback Contracts, AR 3311.3 - Design-Build Contracts, and AR 3311.4 - Procurement of Technological Equipment.

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Cont'd BP/AR 3311 - Bids

Regulation also revises section on "Award of Contract" to expand the exceptions to awarding contracts based on lowest responsible bidder to include lease-leaseback contracts, which are based on "best value" as defined.

BP/AR 3311.1 - Uniform Public Construction Cost Accounting Procedures

New BP/AR (Pages 109-116)

Reviewed by Yvonne Perez

New policy and regulation include material formerly in BP/AR 3311 - Bids pertaining to requirements of the Uniform Public Construction Cost Accounting Act (UPCCAA). Policy also adds prohibition against splitting a project or purchase into smaller work orders in order to evade requirements for competitive bidding, and legal authority to suspend the UPCCAA bidding process for the replacement or repair of a school facility in cases of emergency. Regulation also clarifies the requirement to disseminate the bid notice to the district's list of contractors.

AR 3311.2 - Lease-Leaseback Contracts

New AR (Pages 117-120)

Reviewed by Yvonne Perez

New regulation includes material formerly in BP/AR 3311 - Bids pertaining to requirements for awarding lease-leaseback contracts. Material significantly revised to reflect NEW LAW (AB 2316, 2016) which no longer permits the selection of a lease-leaseback contractor without advertising, and instead requires districts to use a comprehensive "best value" selection process.

AR 3311.3 - Design-Build Contracts

New AR (Pages 121-124)

Reviewed by Yvonne Perez

New regulation includes material formerly in BP/AR 3311 - Bids pertaining to requirements for awarding design-build contracts. Minor editorial changes made to clarify the process and more directly reflect law.

AR 3311.4 - Procurement of Technological Equipment

New AR (Pages 125-126)

Reviewed by Yvonne Perez

New regulation includes material formerly in BP/AR 3311 - Bids pertaining to requirements for the "competitive negotiation" process authorized for procurement of computers, software, telecommunications equipment, microwave equipment, or other related electronic equipment and apparatus.

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AR 3314 - Payment for Goods and Services

Revise AR (Pages 127-128)

Reviewed by Yvonne Perez

Revise 4th paragraph to reflect Public Contract Code 7201, as amended by AB 1705 (Ch. 670, Statutes of 2014), as follows:

The proceeds to be withheld by the district may exceed five percent when the Board has made a finding, prior to the bid and during a properly noticed and regularly scheduled PUBLIC meeting, that the project is substantially complex and requires a higher retention amount than five percent. In such cases, the Board's finding SHALL INCLUDE A DESCRIPTION OF THE SPECIFIC PROJECT AND WHY IT IS A UNIQUE PROJECT THAT IS NOT REGULARLY, CUSTOMARILY, OR ROUTINELY PERFORMED BY THE DISTRICT OR LICENSED CONTRACTORS. THE BID DOCUMENTS SHALL INCLUDE DETAILS EXPLAINING THE BASIS FOR THE FINDING and the actual amount to be withheld (shall be included in the bid documents). (Public Contract Code 7201)

AR 3440 - Inventories

Revise AR (Pages 129-132)

Reviewed by Yvonne Perez

Regulation updated to make minor revisions in the renumbering of legal cites pursuant to the Uniform Guidance for federal grant funds, cross-reference new BP/AR 3230 - Federal Grant Funds, and reflect requirement to annually submit an inventory listing of federally owned property in the district's custody to the federal agency that granted the award.

AR 3460 - Financial Reports and Accountability

Revise AR (Pages 133-138)

Reviewed by Yvonne Perez

Regulation updated to add general language on the need to audit federal grant funds, while deleting detailed material regarding the submission of records related to the audit of federal funds, now addressed in AR 3230 - Federal Grant Funds. Section on "Other Postemployment Benefits Report" updated to reflect Governmental Accounting Standards Board (GASB) Statement 75, which supersedes GASB Statement 45 for fiscal years beginning after June 15, 2017, although earlier implementation is encouraged. Revisions reflect the requirements to report the total unfunded liability for OPEBs and to perform an actuarial valuation every two years regardless of the number of members in the OPEB plan, although an alternative method is still allowed for plans with fewer than 100 members.

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AR 3512 -Equipment

Revise AR (Pages 139-142)

Reviewed by Yvonne Perez

Regulation updated to make minor revisions in the renumbering of legal cites pursuant to the Uniform Guidance for federal grant funds and to cross-reference new BP/AR 3230 - Federal Grant Funds.

BP/AR 3513.3 - Tobacco-Free Schools

Revise BP/AR (Pages 143-148)

Reviewed by Marti Reed

Policy updated to reflect NEW LAW (ABX2 9, 2016) which requires all districts, not just those receiving state Tobacco-Use Prevention Education funds, to prohibit tobacco use on school campuses. Policy also reflects new definitions of "smoking" and "tobacco" pursuant to NEW LAW (SBX2 5, 2016). Regulation reflects provision of ABX2 9 which requires signs prohibiting tobacco use to be displayed at all school entrances, and deletes option to designate a smoking area on campus.

BP/AR 3515.2 - Disruptions

Revise BP/AR (Pages 149-154)

Reviewed by Heidi Reyes

Policy updated to add optional components that may be addressed in district plans to prevent or respond to disruptions. Material on gun-free school zones deleted since possession of firearms and/or ammunition on school grounds is now addressed in BP 3515.7 - Firearms on School Grounds. Regulation updated to authorize the principal or designee to remove from school grounds or a school activity any person who threatens the immediate physical safety of a student, staff, or others. Regulation also reflects law allowing a person who has been directed to leave school facilities to reenter a location where the superintendent's or board's office is located for the purpose of filing an appeal.

AR 3515.5 - Sex Offender Notification

Reviewed AR—Keeping current policy language (Pages 155-158)

Reviewed by Heidi Reyes

Add paragraph to end of AR as follows:

WHENEVER THE PRINCIPAL HAS GRANTED PERMISSION TO A PERSON WHO IS REQUIRED TO REGISTER AS A SEX OFFENDER PURSUANT TO PENAL CODE 290 TO COME INTO A SCHOOL BUILDING OR UPON SCHOOL GROUNDS TO VOLUNTEER AT THE SCHOOL, HE/SHE SHALL NOTIFY THE PARENT/GUARDIAN OF EACH

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Cont'd AR 3515.5 - Sex Offender Notification

STUDENT AT THAT SCHOOL, AT LEAST 14 DAYS IN ADVANCE USING ONE OF THE METHODS SPECIFIED IN EDUCATION CODE 48981, THAT A REGISTERED SEX OFFENDER HAS BEEN GRANTED SUCH PERMISSION, THE DATE(S) AND TIMES FOR WHICH PERMISSION HAS BEEN GRANTED, AND THE PARENT/GUARDIAN'S RIGHT TO OBTAIN INFORMATION REGARDING THE PERSON FROM A DESIGNATED LAW ENFORCEMENT AGENCY. (PENAL CODE 626.81)

(CF. 1240 - VOLUNTEER ASSISTANCE)

(CF. 5145.6 - PARENTAL NOTIFICATIONS)

BP/E 3515.7 - Firearms on School Grounds

NEW BP/E (Pages 159-168)

Reviewed by Heidi Reyes

New policy reflects NEW LAW (SB 707, 2015) which eliminates the exception that had allowed persons with a Carry Concealed Weapon (CCW) license to possess a firearm on campus. The law now requires such persons to obtain written permission of the Superintendent or designee in order to possess a firearm and/or ammunition on school grounds. Policy contains options for the Board either to prohibit any person from possessing a firearm on campus, unless that person is specifically allowed such possession by law, or to authorize the Superintendent or designee to use his/her legal authority to permit persons with a CCW license to possess a firearm and/or ammunition on campus. For districts choosing to allow such permission to be granted on a case-by-case basis, the policy establishes optional criteria and conditions that must be met. Two new Exhibits provide (1) a sample form for persons to apply for permission to possess a firearm and/or ammunition on school grounds and (2) a sample agreement describing responsibilities and restrictions on such possession which should be signed by the Superintendent or designee and by the person granted permission.

AR 3516.3 - Earthquake Emergency Procedure System

Revise AR (Pages 169-174)

Reviewed by Heidi Reyes

Minor revision made in regulation to change name of the California Emergency Management Agency to the California Governor's Office of Emergency Services.

BP 3541.2 - Transportation for Students with Disabilities

Revise BP/Delete AR (Pages 175-180)

Reviewed by Yvonne Perez

Policy updated to clarify the policy's applicability to students receiving services pursuant to Section 504 of the federal Rehabilitation Act of 1973, add sample criteria for individualized

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Cont'd BP 3541.2 - Transportation for Students with Disabilities

education program (IEP) teams to use when determining a student's transportation needs, and add material re: the provision of information to IEP teams. Regulation deleted and material moved to BP re: provision of alternative transportation when a student is excluded from school bus transportation for a disciplinary or other reason, assurance that a contract with a nonpublic, nonsectarian school or agency addresses transportation as necessary, and transportation of service animals.

AR 3543 - Transportation Safety and Emergencies

Revise AR (Pages 181-188)

Reviewed by Yvonne Perez

Regulation updated to reflect NEW LAW (SB 1072, 2016) which (1) expands the required components of the transportation safety plan to include procedures to ensure that a student is not left unattended on the bus and procedures for designating an adult chaperone to accompany students on a student activity bus, and (2) requires installation of a child safety alert system on school buses by the beginning of the 2018-19 school year. Regulation also reflects NEW LAW (AB 1785, 2016) which prohibits a bus driver from using any electronic wireless communications device while driving, except when the device is voice-operated and used in hands-free mode or with a function that requires only a single swipe or tap of the driver's finger.

BP/AR 3553 - Free and Reduced Price Meals

Revise BP/AR (Pages 189-198)

Reviewed by Yvonne Perez

Minor revisions made in policy and regulation to delete references to sharing free and reduced-price meal records for the purpose of determining the eligibility of students in Title I program improvement schools for school choice and supplemental educational services, as those requirements were eliminated in the Every Student Succeeds Act (P.L. 114-95), and instead authorize the use of those records to determine eligibility for alternative supports offered in accordance with the CDE's transition plan.

BP 3555 - Nutrition Program Compliance

Revise BP (Pages 199-206)

Reviewed by Yvonne Perez

Policy updated to clarify that, although state and federal law prohibit discrimination in child nutrition programs for all protected categories, the CDE and U.S. Department of Agriculture (USDA) only investigate complaints of discrimination based on race, color, national origin, sex, age, and disability. Policy also reorganizes and expands the responsibilities of the district's civil

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Cont'd BP 3555 - Nutrition Program Compliance

rights coordinator to reflect CDE's guidebook as updated in November 2015, and updates the addresses where complaints may be submitted. Nondiscrimination statement that is required to be printed on program documents, pamphlets, brochures, and other materials updated to reflect the USDA's 2015 statement.

BP 3580 - District Records

Revise BP (Pages 207-210)

Reviewed by Yvonne Perez

Policy updated to reflect legal requirement to disclose any breach of security of district records that contain personal information, as defined, by providing a written or electronic notification that meets the content and formatting requirements specified in law.

BP/AR 4030 - Nondiscrimination in Employment

Revise BP/AR (Pages 211-224)

Reviewed by Sharon Roddick

Policy and regulation updated to reflect NEW STATE REGULATIONS (Register 2015, No. 50), as renumbered, which specify certain requirements to be included in district policy or regulation and extend protections against discrimination to unpaid interns and volunteers. Policy also adds requirement to post the California Department of Fair Employment and Housing publication on workplace discrimination and harassment, and reflects NEW LAW (SB 1063, 2016) which prohibits the payment of different wage rates based on race or ethnicity and prohibits the use of prior salary history by itself to justify any disparity in compensation. Regulation reflects provisions of new state regulations regarding training of supervisors and dissemination of the district's nondiscrimination policy to all employees.

AR 4112 - Appointment and Conditions of Employment

Revise AR (Pages 225-226)

Reviewed by Sharon Roddick

Delete item #3 to reflect repeal of 20 USC 6319 pursuant to the Every Student Succeeds Act (P.L. 114-95), and renumber the remaining items:

(3. When required by the federal No Child Left Behind Act for teachers of core academic subjects, possess the qualifications of "highly qualified" teachers as defined in law, Board policy and administrative regulations (20 USC 6319))

(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)

(cf. 6171 - Title I Programs)

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BP 4112.2 - Certification

Revise BP (Pages 227-232)

Reviewed by Sharon Roddick

Policy updated to add requirement, as amended by the Every Student Succeeds Act (P.L. 114-95), to notify parents/guardians of each student attending a school receiving Title I funds that they may request certain information regarding the qualifications of their child's teacher.

BP 4112.21 – Interns

Revise BP (Pages 233-236)

Reviewed by Sharon Roddick

Delete 6th paragraph to reflect repeal of 20 USC 6319 pursuant to the Every Student Succeeds Act (P.L. 114-95), as follows:

(An intern may be assigned to teach core academic subjects, as defined in law, if he/she meets the definition of a "highly qualified" teacher adopted by the State Board of Education. (20 USC 6319, 7801; 5 CCR 6100-6112))

(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)

AR 4112.23 - Special Education Staff

Revise AR (Pages 237-240)

Reviewed by Sharon Roddick

Delete 2nd paragraph to reflect repeal of 20 USC 6319 pursuant to the Every Student Succeeds Act (P.L. 114-95), as follows:

(Special education teachers who teach core academic subjects shall possess the qualifications required by the No Child Left Behind Act. (5 CCR 6100-6126; 20 USC 1401, 6319, 7801; 34 CFR 200.55-200.57, 300.18))

(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)

BP/AR 4112.24 - Teacher Qualifications Under the No Child Left Behind Act

Delete BP/AR (Pages 241-246)

Reviewed by Sharon Roddick

Policy, regulation, and exhibits deleted since NEW FEDERAL LAW (P.L. 114-95) repealed requirements that teachers meet criteria of "highly qualified" teachers, as defined.

E 4112.9/4212.9/4312.9 - Employee Notifications

Revise E (Pages 247-256)

Reviewed by Sharon Roddick

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Cont'd E 4112.9/4212.9/4312.9 - Employee Notifications

Minor revision made in exhibit to delete notification (last item of section II) regarding the opportunity to comment and participate when a school is identified for restructuring under Title I program improvement, repealed by the Every Student Succeeds Act (P.L. 114-95).

BP 4113 - Assignments

Revise BP (Pages 257-260)

Reviewed by Sharon Roddick

Policy updated to delete material re: assignment of teachers who meet the qualifications of "highly qualified" teachers, as those requirements were repealed by the Every Student Succeeds Act (ESSA) (P.L. 114-95). Policy also revised to reflect the continuing requirement to describe in the Title I local educational agency plan how the district will address any disparities that result in low-income or minority students being taught at higher rates by ineffective, inexperienced, or out-of-field teachers. Details reflecting the state's Compliance Monitoring, Intervention and Sanctions program deleted as the CDE's ESSA transition plan indicates that districts will not be required to participate in that program in the 2016-17 school year.

AR 4115 - Evaluation/Supervision

Revise AR (Pages 261-264)

Reviewed by Sharon Roddick

Minor revision made in regulation to delete requirement that a teacher, in order to be evaluated on a five-year schedule, must meet the qualifications of a "highly qualified" teacher if applicable for the position, as the highly qualified teacher requirements were repealed by the Every Student Succeeds Act (P.L. 114-95).

BP 4117.13/4317.13 - Early Retirement Option

New BP—Do Not Adopt (Pages 265-266)

Reviewed by Sharon Roddick

In section "Two Years of Service Credit Retirement Incentive," revise 3rd paragraph to reflect repeal of 20 USC 6319 pursuant to the Every Student Succeeds Act (P.L. 114-95), as follows: The Board may also consider the impact of the early retirement option on the staffing needs of district schools (and the ability to satisfy federal requirements for highly qualified teachers pursuant to 20 USC 6319.)
(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)

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BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment

Revise BP/AR (Pages 267-276)

Reviewed by Sharon Roddick

Policy and regulation updated to reflect NEW STATE REGULATIONS (Register 2015, No. 50), as renumbered, which extend protections against sexual harassment to unpaid interns and volunteers, require districts to instruct supervisors to report complaints, and revise requirements pertaining to the training of supervisory employees.

BP/AR 4157.1/4257.1/4357.1 - Work-Related Injuries

Delete BP; New AR (pages 277-282)

Reviewed by Sharon Roddick

Policy moved to administrative regulation and updated to clarify notification requirements, including requirements related to (1) the method and timeline for notifications; (2) availability of notifications in both English and Spanish; (3) notice to an employee who is a victim of crime at the workplace that he/she may be potentially eligible for workers' compensation benefits; (4) the filing of a report of work-related injury or illness with the district's insurer or, if the district is self-insured, with the Department of Industrial Relations (DIR); (5) notice to the DIR's Division of Occupational Safety and Health of any work-related death or serious injury/illness; and (6) the posting of workers' compensation information in a conspicuous location frequented by employees.

AR 4217.11 - Preretirement Part-Time Employment

New AR – Do Not Adopt (Pages 283-284)

Reviewed by Sharon Roddick

Regulation updated to clarify that the regulation is mandated for districts that choose to offer a reduced workload program, which allows classified employees who are members of the Public Employees' Retirement System to reduce their workload to part time while continuing to receive the service credit and other benefits they would have received as full-time employees. Eligibility criteria revised to more directly reflect law. New material reflects requirements re: verification of employee's eligibility, and clarifies that other employees may be allowed to work part time without the benefits of the reduced workload program.

BP 5030 - Student Wellness

Reviewed BP – Keeping current policy language (Pages 285-298)

Reviewed by Heidi Reyes

Policy updated to reflect NEW FEDERAL REGULATIONS (81 Fed. Reg. 50151) which address the content of the wellness policy, assurance of stakeholder participation in the development and updates of the policy, and periodic assessment and disclosure of compliance.

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Cont'd BP 5030 - Student Wellness

Policy also reflects NEW STATE LAW (SB 1169, 2016) which no longer requires posting of district policy on nutrition and physical activity within cafeterias/eating areas, but does require annually informing the public of the content and implementation of the policy.

AR 5111.1 - District Residency

Reviewed AR (Pages 299-306)

Reviewed by Heidi Reyes

Policy updated to reflect NEW LAW (SB 1455, 2016) which establishes residency within the district for enrollment purposes to students whose parent/guardian is transferred or pending transfer into a military installation within district boundaries. Policy also reflects NEW LAW (AB 2537, 2016) which indefinitely extends district authority to grant Allen Bill transfers for students whose parent/guardian is employed within district boundaries for a minimum of 10 hours during the school week.

BP/AR 5116.1 - Intradistrict Open Enrollment

Revise BP/AR (Pages 307-318)

Reviewed by Heidi Reyes

Policy and regulation updated to delete priority for intradistrict open enrollment for students transferring out of a school identified for program improvement (PI), as the Every Student Succeeds Act (ESSA) (P.L. 114-95) eliminated requirements to offer such transfers. Policy also clarifies that Open Enrollment Act transfers for the 2016-17 school year are to be based on the CDE's 2015-16 list of open enrollment schools since the Academic Performance Index is currently suspended. Regulation also reflects ESSA requirement that students who were previously granted intradistrict transfers out of a PI school must be allowed to remain in the school to which they transferred until the highest grade offered by the school.

BP 5116.2 - Involuntary Student Transfers

New BP (Pages 319-322)

Reviewed by Heidi Reyes

New policy reflects NEW LAW (SB 1343, 2016) which authorizes districts to involuntarily transfer a student who has been convicted of a specified violent felony or a misdemeanor associated with possession of a firearm, whenever the student is enrolled at the same school as the victim of the crime for which he/she was convicted. In order to exercise this authority, the district is mandated to adopt policy with specified components and provide notice of the policy to parents/guardians as part of the annual parental notification.

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BP/AR 5121 - Grades/Evaluation of Student Achievement

Revise BP/AR (Pages 323-332)

Reviewed by Laura Wharff

Policy and regulation updated to reflect research-supported best practices regarding grading, including the separation of nonacademic factors from students' academic grades. Policy also adds optional paragraph on reports of student progress on specific academic standards.

AR 5125.3 - Challenging Student Records

Revise AR (Pages 333-336)

Reviewed by Laura Wharff

Regulation reorganized and updated to reflect the requirement to notify a parent/guardian when the superintendent corrects or removes a student record following an appeal in which the board grants the parent/guardian's request. Regulation also adds material on the composition and conduct of the hearing panel that may be established to assist in making determinations regarding challenges to student records.

BP 5131.62 - Tobacco

Revise BP (Pages 337-342)

Reviewed by Heidi Reyes and Marti Reed

Policy updated to reflect NEW LAW (ABX2 9, 2016) which requires all districts, not just those receiving state Tobacco-Use Prevention Education funds, to prohibit tobacco use on school campuses and NEW LAW (SBX2 5, 2016) which establishes new definitions of "smoking" and "tobacco."

BP/AR 5141.21 - Administering Medication and Monitoring Health Conditions

Revise BP/AR (Pages 343-358)

Reviewed by Heidi Reyes

Policy and regulation updated to delete requirements related to the administration of medication in cases of epileptic seizures, as Education Code 49414.7 repeals by its own terms on January 1, 2017, and to clarify that districts may continue to administer such medication under the general authority in state law. Policy and regulation also reflect NEW LAW (AB 1748, 2016) which authorizes districts to stock and administer medication in cases of opioid overdose. Regulation also revises definition of epinephrine auto-injector pursuant to NEW LAW (AB 1386, 2016).

AR 5141.4 - Child Abuse Prevention and Reporting

Reviewed AR – Keeping current policy language (Pages 359-366)

Reviewed by Heidi Reyes

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Cont'd AR 5141.4 - Child Abuse Prevention and Reporting

In section "Training," consider adding optional paragraph at end of section to reflect AB 1058 (Ch. 748, Statutes of 2015), as follows:

IN ADDITION, AT LEAST ONCE EVERY THREE YEARS, SCHOOL PERSONNEL MAY RECEIVE TRAINING IN THE PREVENTION OF CHILD ABUSE, INCLUDING SEXUAL ABUSE, ON SCHOOL GROUNDS, BY SCHOOL PERSONNEL, OR IN SCHOOL-SPONSORED PROGRAMS. (EDUCATION CODE 44691)

BP/AR 5145.3 - Nondiscrimination/Harassment

Revise BP/AR (Pages 367-384)

Reviewed by Heidi Reyes

Mandated policy revised to clarify (1) that the policy is applicable to off-campus conduct that may have a continuing impact on a student at school, and (2) that the district must investigate all allegations of discrimination of which it has notice, regardless of whether a formal written complaint is filed, and must take action to address any effect of discrimination found. Mandated administrative regulation updated to ensure consistency of reporting procedure with formal complaint process in the UCP and to clarify various provisions in the section on "Transgender and Gender-Nonconforming Students."

E 5145.6 - Parental Notifications

Revise E (Pages 385-402)

Reviewed by Heidi Reyes

Exhibit updated to delete parental notification related to the high school exit examination, suspended through the 2017-18 school year pursuant to NEW LAW (SB 172), and notifications repealed by NEW FEDERAL LAW (P.L. 114-95) including notices related to the identification of a school or district for program improvement, availability of supplemental educational services to eligible students in schools identified for program improvement, and failure to make "adequate yearly progress." Item revised to reflect P.L. 114-95 requirement to notify parents/guardians when their child is taught for four or more weeks by a teacher who does not meet state certification requirements. Exhibit also adds notices related to a breach of security of district records containing personal information, exemption of a homeless student from local graduation requirements, and child care and development program operations including approval/denial of subsidized services, a change in the level of service, and fees.

BP/AR 5145.7 - Sexual Harassment

Revise BP/AR (Pages 403-416)

Reviewed by Heidi Reyes

Mandated policy revised to clarify that the district must investigate every allegation of sexual

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Cont'd BP/AR 5145.7 - Sexual Harassment

harassment of which it has notice, whether or not a formal written complaint is filed, and, when needed, must take interim measures to ensure safety of any student complainant or victim of sexual harassment. Mandated administrative regulation revised to recommend how the district may address a report of off-campus sexually harassing conduct.

AR 5148 - Child Care and Development

Reviewed AR – Keeping current policy language (Pages 417-420)

Reviewed by Heidi Reyes

Regulation updated to reflect NEW LAW (SB 792, 2015) which requires employees and volunteers at a child care center to be immunized against influenza, pertussis, and measles, with specified exemptions. Regulation revised to reflect NEW LAW (SB 277, 2015) which eliminates the personal beliefs exemption for immunization of enrolled children unless a letter or affidavit was submitted by January 1, 2016, in which case the exemption will only be effective until the child reaches the next grade span. Regulation also reflects NEW LAW (AB 982, 2015) which authorizes the district liaison for homeless students, a Head Start program, or a transitional shelter to identify a child in need of subsidized child care services.

AR 5148.3 - Preschool/Early Childhood Education

New AR – Do Not Adopt (Pages 421-430)

Reviewed by Laura Wharff

Regulation updated to reflect NEW LAW (SB 792, 2015) which requires employees and volunteers at a preschool to be immunized against influenza, pertussis, and measles, with specified exemptions. Regulation also reflects NEW LAW (AB 982, 2015) which expands the list of entities that can identify a child in need of subsidized preschool to include the district liaison for homeless children and youth, a Head Start program, or a transitional shelter.

BP 6142.4 - Service Learning/Community Service Classes

New BP – Do Not Adopt (Pages 435-438)

Reviewed by Laura Wharff

Policy updated to emphasize the academic benefits of service learning or community service classes, reflect the inclusion of service learning in the History-Social Science Framework for California Public Schools adopted by the State Board of Education in July 2016, reflect the elimination of state and federal sources of funding for service learning, and delete material on the development of a plan for service learning.

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BP 6142.94 - History-Social Science Instruction

Revise BP (Pages 435-438)

Reviewed by Laura Wharff

Policy updated to reflect key concepts in the History-Social Science Framework for California Public Schools adopted by the State Board of Education in July 2016, including, but not limited to, a new emphasis on developing student's literacy skills within the context of history-social science instruction. Policy also reflects law that encourages the use of personal testimony through oral history, videos, or other multimedia formats and establishes requirements for personal testimony provided through oral histories.

AR 6143 - Courses of Study

Revise AR (Pages 439-448)

Reviewed by Laura Wharff

Regulation updated to add comprehensive sexual health education as a required course of study for grades 7-12 and to add optional topics of instruction authorized by law, including instruction on violence awareness and prevention, the Bracero program, and genocide. Regulation also reflects NEW LAW (AB 2016, 2016) which encourages a course in ethnic studies based on a model curriculum to be adopted by the State Board of Education by March 31, 2020 and NEW LAW (AB 1719, 2016) which requires instruction in cardiopulmonary resuscitation beginning in 2018-19 school year for any district that has established health education as a high school graduation requirement.

~~BP 6146.1 – High School Graduation Requirements~~

New BP

Reviewed by Laura Wharff

~~Policy updated to reflect NEW LAW (AB 2306, 2016) which generally exempts from district established graduation requirements any student who transfers into a district school from a juvenile court school after the second year of high school, unless it is determined that the student is reasonably able to complete the requirements in time to graduate by the end of his/her fourth year of high school.~~

BP/AR 6154 - Homework/Makeup Work

*Revise BP; Delete AR **Recommendation to keep AR** (Pages 449-456)*

Reviewed by Laura Wharff

Policy updated for consistency with BP 5121 - Grades/Evaluation of Student Achievement and research on effective grading practices, as summarized in recent CSBA governance brief, **BP/AR**

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Cont'd 6154 - Homework/Makeup Work

including optional language providing for full credit to be given for makeup work satisfactorily completed within a reasonable time, regardless of whether the absence is due to an excused or unexcused absence. Policy also addresses guidelines for the assignment of homework, communication of homework expectations to students and parents/guardians, and resources to assist students in completing homework and developing good study habits. Regulation deleted and key concepts moved to BP.

AR 6158 - Independent Study

Revise AR – Keeping current policy language (Pages 457-470)

Reviewed by Laura Wharff

Minor revision made in regulation to reflect NEW LAW (SB 828, 2016) which expands the types of documents that may be maintained electronically to include supplemental agreements, assignment records, work samples, and attendance records as well as the master agreement. Related material moved to "Records" section and expanded.

BP/AR 6164.6 - Identification and Education Under Section 504

Revise BP/AR (Pages 471-482)

Reviewed by Heidi Reyes

Policy updated to add requirement to address the needs of students with disabilities in the district's local control and accountability plan. Regulation updated to reflect NEW FEDERAL REGULATIONS (81 Fed. Reg. 53203) which primarily revise definitions used in the Americans with Disabilities Act.

AR 6171 - Title I Programs

Revise AR (Pages 483-488)

Reviewed by Marti Reed

In section "Schoolwide Programs," delete item #3 to reflect repeal of 20 USC 6319 pursuant to the Every Student Succeeds Act (P.L. 114-95), and renumber remaining items:

(3. Instruction by highly qualified teachers)

(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)

BP/AR/E 6173 - Education for Homeless Children

Revise BP/AR/E (Pages 489-514)

Reviewed by Heidi Reyes

Policy, regulation, and exhibits updated to reflect the federal McKinney-Vento Homeless Assistance Act as amended by the Every Student Succeeds Act (P.L. 114-95), as well as updated

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Cont'd BP/AR/E 6173 - Education for Homeless Children

U.S. Department of Education non-regulatory guidance. Policy includes new material on the designation of a district liaison for homeless children and youth, identification of homeless students, confidentiality of student records containing information about a homeless student's living situation, and coordination of services with other entities. Policy also reflects new mandate to adopt policy to ensure participation by district liaisons and other appropriate staff in professional development and other technical assistance activities, and NEW LAW (SB 1068, 2016) which requires the California Department of Education (CDE) to provide specified informational and training materials to district liaisons. Regulation revises the definitions of "homeless student" and "school of origin," revises the duties of the district liaison, reflects requirement to provide the district liaison's contact information to the CDE and other specified persons, provides that a homeless student will be immediately enrolled even if he/she misses application or enrollment deadlines, and revises the content of the written explanation of the district's decision related to eligibility, school selection, or enrollment. Exhibits updated to revise the content of the district's explanation of its decision(s) related to eligibility, school selection, or enrollment and to revise the dispute form for use by parents/guardians who choose to appeal the district's decision.

AR 6173.3 - Education for Juvenile Court School Students

New AR (Pages 515-520)

Reviewed by Heidi Reyes

New regulation reflects educational rights of former juvenile court school students who transition into a district school, pursuant to NEW LAW (AB 2306, 2016). These include rights related to the immediate enrollment of such students, the immediate transfer of educational records, the transfer of coursework and credits, and exemption from district-established graduation requirements under certain conditions.

BP 6179 - Supplemental Instruction

Revise BP (Pages 521-524)

Reviewed by Laura Wharff

Policy updated to delete reference to the requirement to provide supplemental educational services to eligible students from low-income families in Title I schools identified for program improvement, as the requirement was repealed by the Every Student Succeeds Act (ESSA) (P.L. 114-95), and to add the requirement to provide alternative supports to eligible students in accordance with the CDE's ESSA transition plan.

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~~BP/AR 6185 – Community Day School~~

New BP/AR

Reviewed by Laura Wharff

~~Policy updated to expand material related to program goals, collaboration with county offices of education and other districts in the development of a plan related to services for expelled students, and program evaluation. Material on location of the community day school moved from AR to BP and clarified. Regulation updated to streamline the process for involuntarily transferring a student into a community day school and to delete unnecessary details regarding facilities which reflected requirements applicable to all school facilities.~~

~~BP/AR 6200 – Adult Education~~

New BP/AR

Reviewed by Laura Wharff

~~Policy and regulation updated to reflect NEW LAW (AB 104, 2015) which establishes the Adult Education Block Grant to fund specified types of programs and coordinate services through regional consortia. Policy also describes other possible funding sources for adult education, clarifies that adult education courses must be approved by the California Department of Education as well as the district board, adds material on teacher qualifications, moves material from AR to BP re: graduation requirements, and adds material on program evaluation. Regulation also deletes prohibition against enrolling students with an F-1 visa, reflects law prohibiting offering a course exclusively through adult education if the course is required for high school graduation or academic progress, and condenses and moves material on community service classes into section on "Programs and Courses."~~

BB 9222 - Resignation

Reviewed BB – Keeping current policy language (Pages 525-526)

Reviewed by Debra Hendricks

Bylaw updated to clarify the effective date of a resignation of a member of the board, the need for the board to fill the vacancy by ordering an election or making a provisional appointment as appropriate, and the need for the resigning member to file a revised Statement of Economic Interest/Form 700.

BB 9240 - Board Training

Reviewed BB – Keeping current policy language (Pages 527-528)

Reviewed by Debra Hendricks

Bylaw retitled and updated to address the purposes and importance of board training, recommended topics of training for new and first-term board members, and the district's process for selecting board training activities. The bylaw also reinforces the prohibition against a

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Cont'd BB 9240 - Board Training

majority of the board members discussing district business of a specific nature while attending a conference or similar public gathering.

BB/E 9270 - Conflict of Interest

Reviewed BB/E – Keeping current language (Pages 529-538)

Reviewed by Debra Hendricks

Bylaw reorganized and updated to reflect requirement to submit the conflict of interest code to the code reviewing body (i.e., county board of supervisors or Fair Political Practices Commission, as appropriate) by the deadline established by the code reviewing body, merge material on the "rule of necessity" into the section "Conflict of Interest under the Political Reform Act," expand material on "noninterests" in the section "Conflict of Interest under Government Code 1090 - Financial Interest in a Contract" to include additional examples of noninterests, and include the exceptions to the gift limitation. Exhibit revised to update legal citations.

BB 9321 - Closed Session Purposes and Agendas

Reviewed BB – Keeping current language (Pages 539-546)

Reviewed by Debra Hendricks

Bylaw updated to clarify that the Board may not meet in closed session under the "personnel exception" (Government Code 54957) of the Ralph M. Brown Act to discuss or act upon any proposed change in compensation other than a reduction of compensation that results from the imposition of discipline. "Negotiations/Collective Bargaining" section revised to reflect that the Board may meet with the district's designated representatives in closed session under the "labor exception" (Government Code 54957.6) of the Ralph M. Brown Act to discuss salaries, salary schedules, or compensation paid in the form of fringe benefits to its represented and unrepresented employees, including the Superintendent.

BB 9323 - Meeting Conduct

Revise BB (Pages 547-550)

Reviewed by Debra Hendricks

Bylaw updated to reflect NEW LAW (AB 1787, 2016) which requires the board to provide a member of the public who uses a translator at least twice the allotted time to address the board during board meetings, unless simultaneous translation equipment is used. Bylaw also clarifies that the board may refer a member of the public to an appropriate complaint procedure, but cannot prohibit criticism of district employees, programs, or policies during a board meeting.

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FEBRUARY 21, 2017 "PREVIEW" GIVEN TO BOARD
MARCH 7, 2017 SECOND READING
MARCH 21, 2017 ADOPTION

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E 9323.2 - Actions by the Board

Revise E (Pages 551-554)

Reviewed by Debra Hendricks

Minor revision made in E(1) to add requirement for two-thirds vote of the board when a K-8 district chooses to establish a community day school.