

# POLICY GUIDESHEET

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

## **BP/AR/E 1330 - Use of School Facilities (April 2013 Update)**

(BP/AR revised)

**MANDATED** policy reflects **NEW LAW (SB 1404, 2012)** which (1) modifies the definition of "direct costs" that may be charged for community use of school facilities or grounds and (2) includes the YMCA and religious organizations/churches that arrange for and supervise youth sports league activities among the nonprofit organizations, clubs, and associations that may be allowed the use of school facilities or grounds without charge. Policy also adds statements on joint use of school facilities and references BP 1325 - Advertising and Promotion for guidance on advertisements on school facilities. **MANDATED** regulation clarifies responsibilities of groups or organizations using school facilities, including a requirement to provide evidence of insurance against claims arising out the group's own negligence. Material moved from AR to BP re: authority to grant the use of school facilities on those days on which the school is closed. Updated Exhibit provides a sample form for requiring a group or organization to (1) indicate its agreement to expressly undertake to comply with district restrictions on the use of facilities and (2) indicate its recognition of its liability for any damage or injury caused by its negligence.

## **BP 1330 - Use of School Facilities (August 2014 Update)**

(BP revised)

Mandated policy updated to reflect **NEW TITLE 5 REGULATIONS** (Register 2014, No. 19) which (1) require boards to adopt a fee schedule that specifies the hourly fee to be charged for specific school facilities or grounds or for types/categories of school facilities or grounds, (2) contain specific rules for determining "direct costs" to be charged for use of school facilities and grounds, (3) authorize districts to discount direct cost fees based on the type or category of the applicant, and (4) address the expenditure of funds collected as capital direct costs.

## **AR 1330 - Use of School Facilities (April 2015 Update)**

(AR revised)

Regulation updated to reflect **NEW LAW (AB 2073, 2014)** which authorizes districts to allow the use of school facilities for events that may involve the acquisition, possession, use, or consumption of alcohol when the event is covered by a special events permit and will be held at a time that students are not present. Regulation provides that, if the district chooses to exercise this authority, it may specify limitations in the facility use agreement to reduce risks to the district and ensure the safety of participants.

## **BP/AR 1312.3 - Uniform Complaint Procedures (July 2015 Update)**

(BP/AR revised)

Policy and regulation updated to reflect California Department of Education (CDE) compliance requirements for 2015-16 school year. Regulation also clarifies timeline for filing complaints regarding student fees and reflects **NEW OFFICE FOR CIVIL RIGHTS GUIDANCE** recommending that districts use web sites and social media to post nondiscrimination notices, policies, and procedures and contact information for compliance officer(s).

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## BP 5131.2 – Bullying (July 2015 Update)

(BP revised)

Policy updated to clarify the appropriate use of the uniform complaint procedures (UCP) in cases of nondiscriminatory bullying. As revised, the policy provides that the UCP be used to investigate all instances of bullying, but that conduct determined to be nondiscriminatory bullying then be resolved in accordance with the district's student discipline policies and procedures.

## MINOR REVISIONS -- July 2015

Note: From time to time, relatively minor changes occur that affect the text of CSBA sample board policies, administrative regulations, and board bylaws but do not warrant reissuing the entire sample because the changes are limited. Such changes are highlighted in the following document, with ~~strikeout~~ indicating material to be deleted and **boldface type** indicating material to be inserted. Affected samples are attached at the end of this document.

It is recommended that districts review the revisions and incorporate them in district materials as appropriate. **Although the revisions are minor, the district should still use its normal adoption process to adopt the board policies, administrative regulations, and/or board bylaws affected by these revisions.**

These changes are separate from the Technical Revisions that are periodically issued by CSBA based on renumbering of laws, changes in cross-references, or corrections in Notes, legal references, or management resources. Those nonsubstantive revisions generally can be made in district materials without formal adoption.

## AR 5145.3 - Nondiscrimination/Harassment (July 2015 Update)

In section "Measures to Prevent Discrimination," revise item #1 as follows:

1. Publicize the district's nondiscrimination policy and related complaint procedures, **including the coordinator/compliance officer's contact information**, to students, parents/guardians, employees, volunteers, and the general public, ~~and post them on the district's web site and other locations that are easily accessible to students. (Education Code 234.1)~~ **posting them on the district's web site and other prominent locations and providing easy access to them through district-supported social media, when available.**

*Rationale: To reflect U.S. Department of Education, Office for Civil Rights "Dear Colleague Letter: Title IX Coordinators," April 2015*

## AR 5145.7 - Sexual Harassment (July 2015 Update)

In section "Notifications," revise item #2 as follows:

2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted, ~~including school web sites~~ (Education Code 231.5)

**A copy of the district's sexual harassment policy and regulation shall be posted on district and school web sites and, when available, on district-supported social media.**

*Rationale: To reflect U.S. Department of Education, Office for Civil Rights "Dear Colleague Letter: Title IX Coordinators," April 2015*