

## **POLICY GUIDE SHEET**

**December 2018**

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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/AR 0420 - School Plans/Site Councils**

(BP/AR revised)

Policy updated to reflect **NEW LAW (AB 716)** which renames the single plan for student achievement as the school plan for student achievement (SPSA), authorizes the use of uniform complaint procedures for complaints alleging noncompliance with requirements related to the establishment of school site councils or the development of the SPSA, and authorizes the use of the SPSA to satisfy the requirement for a school improvement plan when a school is identified for targeted or comprehensive support. Regulation updated to reflect AB 716 which eliminates the authority to use a school advisory committee other than a school site council to develop the SPSA, allows certain small schools to share a school site council, requires a needs assessment to identify school goals, and, if applicable, requires consultation with the school's English learner advisory committee on review of the SPSA.

### **BP/AR 0450 - Comprehensive Safety Plan**

(BP/AR revised)

Policy updated to reflect **NEW LAW (AB 1747)** which requires the California Department of Education (CDE) to post a compliance checklist for developing the comprehensive safety plan and best practices related to reviewing and approving the plan, and requires districts to share their approved comprehensive safety plans with local law enforcement, the fire department, and other first responder entities. Regulation updated to reflect AB 1747, which adds requirements to consult with the fire department and other first responders in developing safety plans and to develop procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on campus and at school-related functions.

### **BP/AR 0460 - Local Control and Accountability Plan**

(BP/AR revised)

Policy and regulation updated to reflect **NEW LAW (AB 2878)** which expands the state priority on parent involvement that must be addressed in the local control and accountability plan (LCAP) to include family engagement. Policy also reflects **NEW LAW (AB 1808)** which requires consultation on plan development with special education local plan administrator(s) and, by July 1, 2019, requires districts to develop a local control funding formula budget overview for parents/guardians in conjunction with the LCAP. Policy reflects **NEW LAW (AB 1840)** which requires the State Board of Education to expand the LCAP template by January 31, 2020 to include specified information. Section on "Technical Assistance/Intervention" updated to reflect AB 1808 which establishes a single statewide system of support for districts and schools, and AB 1840 which provides that a district receiving an emergency apportionment will be deemed to have been referred to the California Collaborative for Educational Excellence. Regulation updated to reflect AB 1840 which requires data in the LCAP to be reported in a manner consistent with the California School Dashboard and requires districts to post their LCAP prominently on the homepage of their web site. Section on "Annual Updates" deleted since the annual updates follow the same process and adhere to the same template as the initial LCAP.

### **AR 1220 - Citizen Advisory Committees**

(AR revised)

Regulation updated to clarify that the parent advisory committee and English learner parent advisory committee established to review and comment on the LCAP are not subject to Brown Act requirements, but must comply with other, less complex procedural requirements. Legal cites for school site councils revised pursuant to **NEW LAW (AB 716)**.

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**AR 3311.1 - Uniform Public Construction Cost Accounting Procedures**

(AR revised)

Regulation updated to reflect **NEW LAW (AB 2249)** which revises the threshold amounts that determine the process that may be used to award contracts for public works. Regulation also revised to clarify requirements for informal bid notifications that must be sent to contractors and/or construction journals.

**AR 3543 - Transportation Safety and Emergencies**

(AR revised)

Regulation updated to reflect **NEW LAW (AB 1798)** which requires that all school buses be equipped with passenger restraint systems by July 1, 2035. Regulation also reflects **NEW LAW (AB 1840)** which delays until March 1, 2019 the requirement that each school bus and student activity bus be equipped with a child safety alert system, and allows for a possible six-month extension for districts with an average daily attendance of 4,000 or less under specified conditions. Regulation adds the conditions under which a student activity bus is exempt from the requirement to install a child safety alert system.

**AR 4200 - Classified Personnel**

(AR revised)

Regulation updated to reflect **NEW LAW (AB 2160)** which eliminates the exemption of part-time playground positions from the classified service in merit system districts, thereby making those positions part of the classified service. Regulation also reflects **NEW LAW (AB 2261)** which eliminates the exemption from the classified service, in merit system districts, of community representatives employed in advisory or consulting capacities for not more than 90 working days per fiscal year. Paragraph moved to emphasize that employees in either merit or non-merit system districts who are exempted from the classified service must fulfill obligations related to physical examinations, fingerprinting, and tuberculosis tests.

**AR 5113 - Absences and Excuses**

(AR revised)

Regulation updated to reflect **NEW LAW (AB 2289)** which (1) amends the definition of "immediate family" for the purpose of authorizing certain excused absences, (2) prohibits a district from requiring a physician's note for an absence by a parenting student to care for a sick child, and (3) clarifies that students may be excused from school, under specified conditions, for work in the entertainment or allied industry, participation with a nonprofit performing arts organization in a performance for a public school audience, or other reasons at the discretion of school administrators.

**AR 5131.41 - Use of Seclusion and Restraint**

(AR added)

New regulation reflects **NEW LAW (AB 2657)** which prohibits seclusion and behavioral restraint of students as a means of discipline, and provides that seclusion and restraint may be used only to control behavior that poses a clear and present danger of serious physical harm to a student or others if that behavior cannot be immediately prevented by a less restrictive response. Regulation specifies the conditions for such use, reporting requirements, and a list of seclusion and behavioral techniques that are always prohibited.

**BP/AR 5141.52 - Suicide Prevention**

(BP/AR revised)

Policy updated to reflect **NEW LAW (AB 2639)** which requires boards of districts that serve grades 7-12 to review the district's suicide prevention policy at least every five years and update it as necessary. Regulation updated to reflect **NEW LAW (SB 972)** which requires districts that issue student identification cards to print specified suicide prevention hotline numbers on the cards effective July 1, 2019. Regulation also reflects **NEW LAW (AB 1808)** which requires CDE to identify online training programs that districts can use to train students and staff regarding suicide awareness and prevention.

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**BP/AR 5144 - Discipline**

(BP/AR revised)

Policy updated to reflect **NEW LAW (AB 2657)** which prohibits seclusion and behavioral restraint of students as a means of discipline, and to encourage staff development regarding equitable implementation of discipline. Regulation updated to revise section on "Detention After School" to more directly reflect state regulations and delete a specific timeline for advance notice to parents/guardians of a student's detention.

**BP 6146.1 - High School Graduation Requirements**

(BP revised)

Policy updated to reflect **NEW LAW (AB 2121)** which, under certain conditions, exempts from any district-established graduation requirements migrant students and newly arrived immigrant students participating in a newcomer program who transfer schools in grade 11-12. Policy also reflects **NEW LAW (AB 3022)** which authorizes the granting of a diploma to persons who departed California in grade 12 against their will, and adds section on "Honorary Diplomas" including item reflecting **NEW LAW (AB 2109)** which authorizes the board to grant an honorary diploma to a terminally ill student.

**AR 6173.2 - Education of Children of Military Families**

(AR revised)

Regulation updated to reflect **NEW LAW (AB 2949)** which allows a child of a military family to continue attending the school of origin regardless of any change of residence of the family. Regulation also adds new section on "Transportation" reflecting AB 2949, which authorizes, but does not require, districts to provide transportation to enable a child of a military family to attend the school or district of origin.

**AR 6183 - Home and Hospital Instruction**

(AR revised)

Regulation reorganized and updated to reflect **NEW LAW (AB 2109)** which expands the parental notification to include information regarding student eligibility for individual instruction and the duration of such instruction, requires that individual instruction in a student's home begin within five days of determining a student's eligibility, provides that students receiving individual instruction in a hospital for a partial week are eligible to attend school on days that they are not at the hospital, and provides that the absences of a temporarily disabled student must be excused until the student is able to return to the regular school program.

**BB 9322 - Agenda/Meeting Materials**

(BB revised)

Bylaw updated to reflect requirement effective January 1, 2019 that districts post a direct link on the homepage of their web site to the current board meeting agenda or to the district's agenda management platform. Bylaw also clarifies that the agenda need not provide an opportunity for public comment on any agenda item that has previously been considered at an open meeting of a committee comprised exclusively of board members.



# CSBA Sample

## Board Policy

### Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0420(a)

#### SCHOOL PLANS/SITE COUNCILS

Note: The following **optional** policy may be revised to reflect district practice. ~~Each school that participates in specified state and/or federal categorical programs must establish a school site council for the purpose of developing a single plan for student achievement (SPSA), pursuant to Education Code 64001.~~

The Governing Board believes that comprehensive planning ~~that is aligned with the district's local control and accountability plan (LCAP)~~ is necessary at each school, in order to focus school improvement efforts on student academic achievement and facilitate the effective use of available resources. The Superintendent or designee shall ensure that school plans provide clear direction and identify cohesive strategies aligned with school and district goals.

*(cf. 0000 - Vision)*

*(cf. 0200 - Goals for the School District)*

*(cf. 0400 - Comprehensive Plans)*

*(cf. 0415 - Equity)*

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 0460 - Local Control and Accountability Plan)*

Note: The following **optional** paragraph may be revised to reflect district practice. Education Code 64001 requires the composition of a school site council or schoolwide advisory group to meet the requirements of Education Code 52852, as specified in the accompanying administrative regulation. Pursuant to Education Code 64000, the district may submit a consolidated application to the California Department of Education (CDE) to apply for federal categorical funds and/or state categorical programs that are not funded through the local control funding formula. As a condition of receiving such funds, Education Code 64001, as amended by AB 716 (Ch. 471, Statutes of 2018), requires each school to consolidate all of the plans that are required by these programs into a school plan for student achievement (SPSA), unless otherwise prohibited by law. If these programs do not require a plan, the Governing Board may require a school that participates in any program included on the consolidated application to develop an SPSA.

Pursuant to Education Code 64001, each school preparing an SPSA must have the SPSA developed and approved by a school site council. Education Code 65000-65001, as added by AB 716, contain requirements for the establishment and membership of school site councils; see the accompanying administrative regulation.

For additional information regarding the development and content of the SPSA, see the accompanying administrative regulation and CDE's publication [A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council](#), available on its web site. Education Code 64001 provides that, although SPSAs are not required to be submitted as part of the consolidated application, they will be reviewed by CDE during the Federal Program Monitoring process.

Pursuant to Education Code 64001, districts with a single school may instead utilize the local control and accountability plan (LCAP) to serve as the SPSA if the LCAP meets certain federal planning and stakeholder requirements.



**SCHOOL PLANS/SITE COUNCILS (continued)**

Each district school that participates in specified one or more state and/or federal and/or state categorical programs funded through the state's consolidated application process pursuant to Education Code 64000 shall establish a school site council in accordance with Education Code 52852 65000-65001, and the accompanying administrative regulation to develop, review, and approve school plans. For any school that participates in specified state and/or federal categorical programs, the school site council or other schoolwide advisory committee shall consolidate the plans required for those categorical programs into a single plan for student achievement (SPSA). The school site council shall develop, approve, and annually review and update a school plan for student achievement (SPSA) which consolidates the plans required for those categorical programs into a single plan, unless otherwise prohibited by law. (Education Code 64001)

Note: School site councils or other schoolwide advisory committees are required to develop the SPSA to consolidate the school plans required for the state and federal categorical programs included in the state's consolidated application (Education Code 64000-64001).

For additional information regarding the development and content of the SPSA, see the accompanying administrative regulation and the California Department of Education's (CDE) publication A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council, available on its web site.

For any school that participates in specified state and/or federal categorical programs, the school site council or other schoolwide advisory committee shall consolidate the plans required for those categorical programs into a single plan for student achievement (SPSA). (Education Code 64001)

(cf. 1220 - Citizen Advisory Committees)

(cf. 1431 - Waivers)

(cf. 6020 - Parent Involvement)

(cf. 6171 - Title I Programs)

(cf. 6174 - Education for English Learners)

(cf. 6190 - Evaluation of the Instructional Program)

As appropriate, a school may incorporate any other school program into the SPSA. (Education Code 64001)

Note: The following optional paragraph may be revised to reflect district practice. Pursuant to Education Code 52062, there must be consistency between a school's SPSA and specific actions included in the district's local control and accountability plan (LCAP). For more detailed requirements of the LCAP, see BP/AR 0460 - Local Control and Accountability Plan.

The Superintendent or designee shall review each school's SPSA to ensure that it meets the content requirements for all applicable programs included, is based on an analysis of current practices and student academic performance, and reasonably links improvement strategies to identified needs of the school and its students. He/she The Superintendent or designee shall



## SCHOOL PLANS/SITE COUNCILS (continued)

also ensure ~~that specific actions included in the district's LCAP are consistent~~ consistency between the specific actions included in the district's local control and accountability plan and with the strategies identified in each school's SPSA.

Note: Education Code 64001, as amended by AB 716, requires the Board to review and approve a school's SPSA whenever there are material revisions affecting the academic programs for students participating in the categorical programs. Although not explicitly required by law, it is recommended that the Board also review the initial plan.

The Board shall, at a regularly scheduled Board meeting, review and approve each school's SPSA ~~and whenever there are any subsequent~~ material revisions affecting the academic programs for students participating in the categorical programs addressed in the SPSA. ~~The Board shall certify that, to the extent allowable under federal law, the SPSA is consistent with district local improvement plans required as a condition of receiving federal funding.~~ (Education Code 64001)

Note: Pursuant to Education Code 52855 and as indicated in the CDE's publication *A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council*, the Board must communicate its reasons to the school site council any time it does not approve the SPSA.

~~Whenever~~ If the Board does not approve a school's SPSA, it shall communicate its specific reasons for disapproval of the plan to the school site council ~~or committee~~. The school site council ~~or committee~~ shall then revise and resubmit the SPSA to the Board for its approval. (Education Code ~~52855~~ 64001)

Note: The following optional paragraph may be revised to reflect district practice.

The Superintendent or designee shall ensure that school administrators and school site council members receive training on the roles and responsibilities of the **school** site council.

Note: Education Code 64001, as amended by AB 716, authorizes a school identified for targeted or comprehensive support pursuant to 20 USC 6303 to use its SPSA to satisfy the requirement for a school improvement plan.

The SPSA may serve as the school improvement plan required when a school is identified for targeted or comprehensive support pursuant to 20 USC 6303. (Education Code 64001)

*(cf. 0500 - Accountability)*

Note: Education Code 64001, as amended by AB 716, provides that complaints alleging noncompliance with requirements pertaining to school site councils or the SPSA may be addressed through the district's uniform complaint procedures pursuant to 5 CCR 4600-4670.

**SCHOOL PLANS/SITE COUNCILS** (continued)

**Any complaint alleging noncompliance with requirements related to the establishment of school site councils or the development of the SPSA may be filed with the district in accordance with the district's uniform complaint procedures pursuant to 5 CCR 4600-4670 and BP/AR 1312.3 - Uniform Complaint Procedures. (Education Code 64001)**

***(cf. 1312.3 - Uniform Complaint Procedures)***

*Legal Reference: (see next page)*



**SCHOOL PLANS/SITE COUNCILS (continued)***Legal Reference:*EDUCATION CODE

52-53 Designation of schools

33133 Information guide for school site councils

35147 Open meeting laws exceptions

41540-41544 Targeted instructional improvement block grants

52060-52077 Local control and accountability plan

52176 English learner advisory committees

52852 School site councils

54000-54028 Educationally Disadvantaged Youth Programs

54425 Advisory committees (compensatory education)

56000-56867 Special education

64000 Categorical programs included in consolidated application

64001 Single School plan for student achievement, consolidated application programs

65000-65001 School site councils

CODE OF REGULATIONS, TITLE 5

3930-3937 Compliance plans

4600-4670 Uniform complaint procedures

11308 English learner advisory committees

UNITED STATES CODE, TITLE 20

6303 School improvement

6311 State plan

6312 Title I local educational agency plans

6314 Schoolwide programs; schoolwide program plan

6421-6472 Programs for neglected, delinquent, and at-risk children and youth

6601-6651 Teacher and Principal Training and Recruitment program

6801-7014 Limited English proficient and immigrant students

7101-7122 Student Support and Academic Enrichment Grants

7341-7355c Rural Education Initiative

*Management Resources:*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONSA Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council, February 2014WEST ED PUBLICATIONS

California Healthy Kids Survey

California School Climate Survey

WEB SITESCalifornia Department of Education, Single Plan for Student Achievement:  
<http://www.cde.ca.gov/nclb/sr/le/singleplan.asp>U.S. Department of Education: <http://www.ed.gov>WestEd: <http://www.wested.org>

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# CSBA Sample

## Board Policy

### Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0450(a)

### COMPREHENSIVE SAFETY PLAN

Note: Pursuant to Education Code 32280-32289, districts are responsible for ensuring that a comprehensive safety plan with specified components is in place for each district school. As amended by AB 1747 (Ch. 806, Statutes of 2018), Education Code 32282 requires the California Department of Education (CDE) to post on its web site a compliance checklist for developing comprehensive safety plans, and Education Code 32288 requires CDE to post best practices for reviewing and approving the plans. Beginning in the 2018-19 school year, comprehensive safety plans will be audited through the annual audits required by Education Code 41020 to ensure that they are updated and approved by March 1 of each year.

The Governing Board recognizes that students and staff have the right to a safe and secure campus where they are free from physical and psychological harm. The Board is fully committed to maximizing school safety and to creating a positive learning environment that includes strategies for violence prevention and high expectations for student conduct, responsible behavior, and respect for others.

(cf. 0410 - Nondiscrimination in District Programs and Activities)  
(cf. 1312.3 - Uniform Complaint Procedures)  
(cf. 3515 - Campus Security)  
(cf. 3515.2 - Disruptions)  
(cf. 3515.3 - District Police/Security Department)  
(cf. 3515.7 - Firearms on School Grounds)  
(cf. 5131 - Conduct)  
(cf. 5131.2 - Bullying)  
(cf. 5131.4 - Student Disturbances)  
(cf. 5131.41 - Use of Seclusion and Restraint)  
(cf. 5131.7 - Weapons and Dangerous Instruments)  
(cf. 5136 - Gangs)  
(cf. 5137 - Positive School Climate)  
(cf. 5138 - Conflict Resolution/Peer Mediation)  
(cf. 5144 - Discipline)  
(cf. 5144.1 - Suspension and Expulsion/Due Process)  
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))  
(cf. 5145.3 - Nondiscrimination/Harassment)  
(cf. 5145.7 - Sexual Harassment)  
(cf. 5145.9 - Hate-Motivated Behavior)

Note: Pursuant to Education Code 32281 and 32286, each school is required to adopt a comprehensive school safety plan (Option 1 below). However, districts with an average daily attendance (ADA) of 2,500 or less are authorized by Education Code 32281 to develop a districtwide safety plan in lieu of developing school plans; thus, those districts may select either Option 1 or 2 to reflect district practice. Any district may choose to develop both district and school plans.

**(Districts with more than 2,500 ADA, and districts with 2,500 or less ADA that choose to develop school site plans)**

**COMPREHENSIVE SAFETY PLAN** (continued)

The school site council at each district school shall develop a comprehensive school safety plan relevant to the needs and resources of that particular school. New school campuses shall develop a safety plan within one year of initiating operations. (Education Code 32281, 32286)

*(cf. 0420 - School Plans/Site Councils)*

*(cf. 1220 - Citizen Advisory Committees)*

The school safety plan shall take into account the school's staffing, available resources, and building design, as well as other factors unique to the site.



**COMPREHENSIVE SAFETY PLAN (continued)****Tactical Response Plan**

Note: The following section is **optional**. Pursuant to Education Code 32281, the **Governing Board** may, after consulting with law enforcement officials, elect to have the district, rather than the school site council, develop those portions of the comprehensive safety plan that include tactical responses to criminal incidents that may result in death or serious bodily injury.

Notwithstanding the process described above, any portion of a comprehensive safety plan that **includes-addresses** tactical responses to criminal incidents that may result in death or serious bodily injury at the school site, including steps to be taken to safeguard students and staff, secure the affected school premises, and apprehend the criminal perpetrator(s), shall be developed by district administrators in accordance with Education Code 32281. In developing such strategies, district administrators shall consult with law enforcement officials and with **a representative(s) of an employee bargaining unit(s)**, if **he/she they** chooses to participate.

When reviewing the tactical response plan, the Board may meet in closed session to confer with law enforcement officials, provided that any vote to approve the tactical response plan is announced in open session following the closed session. (Education Code 32281)

*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*  
*(cf. 9011 - Disclosure of Confidential/Privileged Information)*  
*(cf. 9321 - Closed Session Purposes and Agendas)*  
*(cf. 9321.1 - Closed Session Actions and Reports)*

**Public-Access to Safety Plan(s)**

The Superintendent or designee shall ensure that an updated file of all safety-related plans and materials is readily available for inspection by the public. (Education Code 32282)

*(cf. 1340 - Access to District Records)*

Note: The following paragraph is **optional**. Pursuant to Education Code 32281, the Board may choose to prohibit disclosure of those portions of the comprehensive safety plan that include tactical responses to criminal incidents.

However, those portions of the comprehensive safety plan that include tactical responses to criminal incidents shall not be publicly disclosed.

**Note: Education Code 32281, as amended by AB 1747, adds a requirement to share the comprehensive safety plans with the following entities.**

**The Superintendent or designee shall share the comprehensive safety plans and any updates to the plans with local law enforcement, the local fire department, and other first responder entities. (Education Code 32281)**

**COMPREHENSIVE SAFETY PLAN (continued)***Legal Reference:*EDUCATION CODE

200-262.4 Prohibition of discrimination

32260-32262 Interagency School Safety Demonstration Act of 1985

32270 School safety cadre

32280-32289 School safety plans

32290 Safety devices

35147 School site councils and advisory committees

35183 School dress code; uniforms

35291 Rules

35291.5 School-adopted discipline rules

35294.10-35294.15 School Safety and Violence Prevention Act41020 Annual audits

48900-48927 Suspension and expulsion

48950 Speech and other communication

49079 Notification to teacher; student act constituting grounds for suspension or expulsion

67381 Violent crime

GOVERNMENT CODE54957 Closed session meetings for threats to securityPENAL CODE

422.55 Definition of hate crime

626.8 Disruptions

11164-11174.3 Child Abuse and Neglect Reporting Act

CALIFORNIA CONSTITUTION

Article 1, Section 28(c) Right to Safe Schools

CODE OF REGULATIONS, TITLE 5

11987-11987.7 School Community Violence Prevention Program requirements

11992-11993 Definition, persistently dangerous schools

UNITED STATES CODE, TITLE 20

7111-7122 Student Support and Academic Enrichment Grants

7912 Transfers from persistently dangerous schools

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

*Management Resources:*CSBA PUBLICATIONSUpdated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014Safe Schools: Strategies for Governing Boards to Ensure Student Success, October-rev. 2011Community Schools: Partnerships Supporting Students, Families and Communities, Policy Brief, October 2010Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2010Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONSSafe Schools: A Planning Guide for Action, 2002*Management Resources continued: (see next page)*

## COMPREHENSIVE SAFETY PLAN (continued)

### *Management Resources: (continued)*

#### FEDERAL BUREAU OF INVESTIGATION PUBLICATIONS

*Uniform Crime Reporting Handbook, 2004*

#### U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

*Practical Information on Crisis Planning: A Guide for Schools and Communities, January 2007*

#### U.S. SECRET SERVICE AND U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

*Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates, 2004*

#### WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Safe Schools: <http://www.cde.ca.gov/lr/ss>

California Governor's Office of Emergency Services: <http://www.caloes.ca.gov>

California Healthy Kids Survey: <http://chks.wested.org>

Centers for Disease Control and Prevention: <http://www.cdc.gov/ViolencePrevention>

Federal Bureau of Investigation: <http://www.fbi.gov>

National Center for Crisis Management: <http://www.schoolcrisisresponse.com>

National School Safety Center: <http://www.schoolsafety.us>

U.S. Department of Education: <http://www.ed.gov>

U.S. Secret Service, National Threat Assessment Center: <http://www.secretservice.gov/protection/ntac>

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# CSBA Sample

## Board Policy

### Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0460(a)

### LOCAL CONTROL AND ACCOUNTABILITY PLAN

Note: **The following policy is optional.** Education Code 52060-52077 require the Governing Board to adopt and annually update, on or before July 1, a local control and accountability plan (LCAP). Pursuant to Education Code 52060, **as amended by AB 2878 (Ch. 826, Statutes of 2018)**, the LCAP must include goals and actions aligned with eight state priorities related to (1) the degree to which teachers are appropriately assigned and fully credentialed, students have sufficient access to standards-based instructional materials, and facilities are maintained in good repair; (2) implementation of and student access to state academic content and performance standards; (3) parent/guardian involvement **and family engagement**; (4) student achievement; (5) student engagement; (6) school climate; (7) student access to and enrollment in a broad course of study, including programs and services provided to benefit low-income students, English learners, and/or foster youth (i.e., "unduplicated students" for purposes of supplemental and concentration grants under the local control funding formula **(LCFF)**); and (8) student outcomes in the specified course of study. Education Code 52060 provides that, in addition to addressing the state priorities in the LCAP, the district may establish and address local priorities **and goals**. Examples include priorities for student wellness and other conditions of children, professional development, community involvement, and effective governance and leadership. See the accompanying administrative regulation for further information about the required content of the LCAP.

The Governing Board desires to ensure the most effective use of available funding to improve outcomes for all students. A comprehensive, data-driven planning process shall be used to identify annual goals and specific actions **which are aligned with the district budget** and ~~to~~ facilitate continuous improvement of district practices.

*(cf. 0000 - Vision)*

*(cf. 0200 - Goals for the School District)*

*(cf. 0415 - Equity)*

Note: Pursuant to Education Code 52064, the State Board of Education (SBE) has adopted a template that districts must use to complete the LCAP. An electronic version of the template is available on the California Department of Education's (CDE) web site.

**As amended by AB 1840 (Ch. 426, Statutes of 2018), Education Code 52064 requires the SBE, by January 31, 2020, to expand the template to include more specific information about the goals, actions, expenditures, and services for all students and subgroups of students, as well as information about the district, highlights of the LCAP, and annual performance as indicated by the California School Dashboard.**

The Board shall adopt a districtwide local control and accountability plan (LCAP), based on the template adopted by the State Board of Education, that addresses the state priorities in Education Code 52060 and any local priorities adopted by the Board. The LCAP shall be updated on or before July 1 of each year and, like the district budget, shall cover the next fiscal year and **two** subsequent ~~two~~ fiscal years. (Education Code 52060, 52064; 5 CCR 15494-15497)

*(cf. 3100 - Budget)*

**LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)**

Note: Education Code 52060 requires that the LCAP include annual goals to be achieved for all students and for each numerically significant student subgroup as defined in Education Code 52052. ~~For schools with 11-99 students, numerically significant student subgroups are defined by the Superintendent of Public Instruction (SPI) with approval by the SBE.~~ In addition, several state priorities address programs and services for "unduplicated students," as defined in Education Code 42238.01-42238.02.

The LCAP shall focus on improving outcomes for all students, particularly those who are "unduplicated students" or are part of any numerically significant student subgroup that is at risk of or is underperforming.

Note: Pursuant to Education Code 42238.01, as amended by AB 1962 (Ch. 748, Statutes of 2018), no later than the 2020-21 fiscal year, the definition of "foster youth" for the purpose of identifying unduplicated students will include a dependent child of the court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court in accordance with the tribe's law, provided the child would also meet one of the descriptions in Welfare and Institutions Code 300 describing when a child may be adjudged a dependent child of the juvenile court.

*Unduplicated students* include students who are eligible for free or reduced-price meals, English learners, and foster youth, as defined in Education Code 42238.01 for purposes of the local control funding formula (LCFF). (Education Code 42238.02)

*(cf. 3553 - Free and Reduced Price Meals)*

*(cf. 6173.1 - Education for Foster Youth)*

*(cf. 6174 - Education for English Learners)*

*Numerically significant student subgroups* include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when there are at least 30 students in the subgroup or at least 15 foster youth or homeless students, ~~or as otherwise defined by the Superintendent of Public Instruction (SPI).~~ (Education Code 52052)

*(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)*

*(cf. 6173 - Education for Homeless Children)*

The Superintendent or designee shall review the **single school** plan for student achievement (SPSA) submitted by each district school pursuant to Education Code 64001 to ensure that the specific actions included in the LCAP are consistent with strategies included in the SPSA. (Education Code 52062)

*(cf. 0420 - School Plans/Site Councils)*

The LCAP shall also be aligned with other district and school plans to the extent possible in order to minimize duplication of effort and provide clear direction for program implementation.

*(cf. 0400 - Comprehensive Plans)*



**LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)**

*(cf. 0440 - District Technology Plan)*  
*(cf. 0450 - Comprehensive Safety Plan)*  
*(cf. 5030 - Student Wellness)*  
*(cf. 6171 - Title I Programs)*  
*(cf. 7110 - Facilities Master Plan)*

**Note:** Pursuant to Education Code 52064.1, as added by AB 1808 (Ch. 32, Statutes of 2018), districts are required, by July 1, 2019, to develop an LCFF budget overview for parents/guardians with specified information. The budget overview must be developed in conjunction with, and attached as a cover to, the LCAP and annual update to the LCAP. The budget overview is subject to the requirements of Education Code 52062 and 52070 pertaining to the adoption, review, and approval of the LCAP. The Superintendent of Public Instruction (SPI) is required to develop, before December 31, 2018, a template for the budget overview.

**As part of the LCAP adoption and annual update to the LCAP, the Board shall separately adopt an LCFF budget overview for parents/guardians, based on the template developed by the SBE, which includes specified information relating to the district's budget. The budget overview shall be adopted, reviewed, and approved in the same manner as the LCAP and the annual update. (Education Code 52064.1)**

Any complaint that the district has not complied with legal requirements pertaining to the LCAP may be filed pursuant to AR 1312.3 - Uniform Complaint Procedures. (Education Code 52075)

*(cf. 1312.3 - Uniform Complaint Procedures)*

**Plan Development**

The Superintendent or designee shall gather data and information needed for effective and meaningful plan development and present it to the Board and community. Such data and information shall include, but not be limited to, data regarding the number of students in student subgroups, disaggregated data on student achievement levels, and information about current programs and expenditures.

**Note:** Education Code 52060 requires consultation on plan development with all of the groups listed below. The Board may delegate responsibility for arranging meetings and other input opportunities to the Superintendent or designee.

5 CCR 15495 defines what it means to consult with students, including unduplicated students and other numerically significant student subgroups, and gives examples of methods that may be used for this consultation. State regulations do not provide examples of consultation with groups other than students, but consultations might include surveys, the establishment of an advisory committee consisting of representatives of all the specified groups, solicitation of feedback from the groups after a draft plan is available, discussion of the LCAP at staff meetings, and communication with parent organizations, student councils, school site councils, or other established committees or organizations. The district may expand the following paragraph to reflect district practice.



## LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

The Board shall consult with teachers, principals, administrators, other school personnel, employee bargaining units, parents/guardians, and students in developing the LCAP. Consultation with students shall enable unduplicated students and other numerically significant student subgroups to review and comment on LCAP development and may include surveys of students, student forums, student advisory committees, and/or meetings with student government bodies or other groups representing students. (Education Code 52060; 5 CCR 15495)

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 4140/4240/4340 - Bargaining Units)*

*(cf. 6020 - Parent Involvement)*

### Public Review and Input

Note: Pursuant to Education Code 52063 and 5 CCR 15495, the Board is required to establish a parent advisory committee that is composed of a majority of parents/guardians and includes at least one parent/guardian of an unduplicated student. In addition, if district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, the Board is required to establish an English learner parent advisory committee which, pursuant to 5 CCR 15495, must include a majority of parents/guardians of English learners. Pursuant to Education Code 52063 and 5 CCR 15495, the Board is required to establish a parent advisory committee and, if district enrollment includes at least 15 percent English learners, an English learner parent advisory committee to review and comment on the LCAP. The district may use existing parent advisory committees for these purposes if the committee composition complies with Education Code 52063 and 5 CCR 15495. However, the district should consider whether such opportunities need to be expanded to achieve significant levels of stakeholder involvement in the planning process as intended by the law.

The Board shall establish a parent advisory committee to review and comment on the LCAP. The committee shall be composed of a majority of parents/guardians and shall include at least one parents/guardians of an unduplicated students as defined above. (Education Code 52063; 5 CCR 15495)

Whenever district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, the Board shall establish an English learner parent advisory committee composed of a majority of parents/guardians of English learners to review and comment on the LCAP. (Education Code 52063; 5 CCR 15495)

The Superintendent or designee shall present the LCAP to the committee(s) before it is submitted to the Board for adoption, and shall respond in writing to comments received from the committee(s). (Education Code 52062)

Note: Education Code 52062 requires notification to the public of the opportunity to submit written comments on the proposed LCAP, including notification in the primary language of parents/guardians when required by Education Code 48985. Pursuant to Education Code 48985, whenever 15 percent or more of the students in a school speak a single primary language other than English, notifications sent to parents/guardians of such students must be written in the primary language as well as in English; see BP 5145.6 - Parental Notifications.



**LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)**

The Superintendent or designee shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the LCAP. The notification shall be provided using the most efficient method of notification possible, which may not necessarily include producing printed notices or sending notices by mail. All written notifications related to the LCAP shall be provided in the primary language of parents/guardians when required by Education Code 48985. (Education Code 52062)

*(cf. 5145.6 - Parental Notifications)*

Note: Pursuant to Education Code 305, the LCAP parent/guardian and community engagement process must include solicitation of input ~~as described in the following paragraph on language acquisition programs.~~ Also see BP/AR 6174 - Education for English Learners for further information regarding the types of language acquisition programs that may be offered to students.

As part of the parent/guardian and community engagement process, the district shall solicit input on effective and appropriate instructional methods, including, but not limited to, establishing language acquisition programs to enable all students, including English learners and native English speakers, to have access to the core academic content standards and to become proficient in English. (Education Code 305-306)

Note: Education Code 52062, as amended by AB 1808, requires the district to consult with its special education local plan area administrator(s) to ensure that specific actions for individuals with disabilities are included in the LCAP.

The Superintendent or designee shall consult with the administrator(s) of the special education local plan area of which the district is a member to ensure that specific actions for students with disabilities are included in the LCAP and are consistent with strategies included in the annual assurances support plan for the education of students with disabilities. (Education Code 52062)

*(cf. 0430 - Comprehensive Local Plan for Special Education)*

Note: Pursuant to Education Code 42127, the Board must not adopt a district budget until the LCAP is in place for the budget year; see BP 3100 - Budget. The budget must include the expenditures necessary to implement the plan that will be effective during the subsequent fiscal year. If it does not, the County Superintendent of Schools will disapprove the district's budget.

The Board shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the LCAP. The public hearing shall be held at the same meeting as the budget hearing required pursuant to Education Code 42127 and AR 3100 - Budget. (Education Code 42127, 52062)

*(cf. 9320 - Meetings and Notices)*



**LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)****Adoption of the Plan**

The Board shall adopt the LCAP prior to adopting the district budget, but at the same public meeting. This meeting shall be held after the public hearing described above, but not on the same day as the hearing. (Education Code 52062)

The Board may adopt revisions to the LCAP at any time during the period in which the plan is in effect, provided the Board follows the process to adopt the LCAP pursuant to Education Code 52062 and the revisions are adopted in a public meeting. (Education Code 52062)

**Submission of Plan to County Superintendent of Schools**

Note: Education Code 52070 requires the district to submit the LCAP to the County Superintendent, who: ~~The County Superintendent~~ may seek written clarification of the contents of the plan and may submit recommendations for amendments as provided below. ~~He/she~~ ~~The County Superintendent~~ is required to approve the LCAP on or before October 8 if ~~he/she determines~~ it is determined that (1) the LCAP adheres to the template adopted by the SBE and follows any SBE instructions or directions for completing the template; (2) the district budget includes expenditures sufficient to implement the specific actions and strategies in the LCAP; and (3) the LCAP adheres to supplemental and concentration grant expenditure requirements specified in Education Code 42238.07 for unduplicated students. In determining whether the district has fully demonstrated that it will use supplemental and concentration funds to increase or improve services for unduplicated students, 5 CCR 15497 requires the County Superintendent to review any descriptions of districtwide or schoolwide services provided.

Education Code 52064.1, as added by AB 1808, requires the district to file the LCFF budget overview for parents/guardians with the County Superintendent to be reviewed for adherence with the template adopted by the SPI. If the budget overview is not approved, the County Superintendent will withhold approval of the LCAP and will provide technical assistance pursuant to Education Code 52071.

Not later than five days after adoption of the LCAP, the district budget, and the LCFF budget overview for parents/guardians, the Board shall file the LCAP, the budget, and the budget overview with the County Superintendent of Schools. (Education Code 42127, 52064.1, 52070)

If the County Superintendent sends, by August 15, a written request for clarification of the contents of the LCAP, the Board shall respond in writing within 15 days of the request. If the County Superintendent then submits recommendations for amendments to the LCAP within 15 days of receiving the Board's response, the Board shall consider those recommendations in a public meeting within 15 days of receiving the recommendations. (Education Code 52070)

If the County Superintendent does not approve the district's LCAP, the Board shall accept technical assistance from the County Superintendent focused on revising the plan so that it can be approved. (Education Code 52071)



## LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

### Monitoring Progress

Note: The following **optional** paragraph may be revised to reflect the district's timeline for reviewing the progress and effectiveness of strategies included in the LCAP. Reports should be provided to the Board in sufficient time to allow for any necessary changes in the annual update to the LCAP by July 1 of each year, as required by Education Code 52060-52061. The **California School** Dashboard provides a tool to assist in evaluation of district and school performance and includes all of the state priorities for the LCAP described in Education Code 52060.

The Superintendent or designee shall report to the Board, at least annually in accordance with the timeline and indicators established by **him/her the Superintendent** and the Board, regarding the district's progress toward attaining each goal identified in the LCAP. Evaluation shall include, but not be limited to, an assessment of district and school performance reported on the California School Dashboard. Evaluation data shall be used to recommend any necessary revisions to the LCAP.

(cf. 0500 - Accountability)

### Technical Assistance/Intervention

Note: Pursuant to Education Code 52071, **as amended by AB 1808**, the Board may, at its discretion **and at the district's expense**, request technical assistance from the **County Superintendent** as described in items #1-3 **2** below. **The County Superintendent may charge a fee not to exceed the cost of the service, if the provision of the service requested would create an unreasonable or untenable cost burden for the County Superintendent.** ~~In addition, the County Superintendent is required to provide such technical assistance whenever he/she does not approve the district's LCAP and/or the district fails to improve student achievement across more than one state priority described in Education Code 52060, as determined using the Dashboard.~~

~~When it is in the best interest of the district,~~ **At its discretion,** the Board may submit a request to the County Superintendent for technical assistance, including, but not limited to: (Education Code 52071)

1. Assistance in ~~the identification of~~ **identifying** district strengths and weaknesses in regard to state priorities, **which includes the review of performance data on the state and local indicators included in the Dashboard and other relevant local data, and review of** ~~in identifying~~ effective, evidence-based programs **or practices** that **address any areas of weakness** ~~apply to the district's goals~~
2. Assistance from an academic, **programmatic, or fiscal expert, or team of academic experts, in identifying and implementing effective programs and practices that are designed to improve performance in any identified areas of weakness. The district may engage other service providers, including, but not limited to, or**



**LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)**

another school districts, county offices of education, or charter schools, to provide such assistance. in the county in identifying and implementing effective programs to improve the outcomes for student subgroups.

3. Advice and assistance from the California Collaborative for Educational Excellence established pursuant to Education Code 52074

Note: Pursuant to Education Code 52071, as amended by AB 1808, the district must be provided technical assistance whenever one or more numerically significant student subgroups meet the criteria for assistance and intervention established pursuant to Education Code 52064.5.

If the County Superintendent offers the district technical assistance in the event that one or more the district's numerically significant student subgroups are identified based on performance criteria established pursuant to Education Code 52064.5, the Board shall provide the County Superintendent timely documentation of the district's completion of activities listed in items #1-2 above, maintain regular communication with the County Superintendent, and take all necessary steps to ensure district compliance with other requirements specified in Education Code 52071.

Note: Pursuant to Education Code 52074, as amended by AB 1840, either the County Superintendent or the SPI may refer a district to the California Collaborative for Educational Excellence (CCEE) if it is determined to be necessary to help the district accomplish the goals set forth in the district's LCAP. Additionally, if a district receives an emergency apportionment pursuant to Education Code 41320-41322, the district shall be deemed to have been referred to the CCEE.

If referred to the California Collaborative for Educational Excellence by either the County Superintendent or the Superintendent of Public Instruction (SPI), the district shall implement the recommendations of that agency in order to accomplish the goals set forth in the district's LCAP. (Education Code 52071, 52074)

In the event that the County Superintendent requires the district to receive technical assistance pursuant to Education Code 52071, the Board shall review all recommendations received from the County Superintendent or other advisor and shall consider revisions to the LCAP as appropriate in accordance with the process specified in Education Code 52062.

Note: Education Code 52072 provides that the SPI, with approval of the SBE, may intervene when a district meets both of the following criteria: (1) the district did not improve the outcomes for three or more student subgroups identified pursuant to Education Code 52052, or all of the student subgroups if the district has fewer than three subgroups, in regard to more than one state or local priority in three out of four consecutive school years; and (2) the California Collaborative for Educational Excellence (CCEE) has provided advice and assistance to the district and submits a finding that the district failed or is unable to implement the CCEE's recommendations or that the district's inadequate performance is so persistent or acute as to require intervention. For any district identified as needing intervention, the SPI or an academic trustee appointed by the SPI may, with approval of the SBE, take one or more of the actions listed in items #1-3 below.

**LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)**

If the SPI identifies the district as needing intervention pursuant to Education Code 52072, the district shall cooperate with any action taken by the SPI or any academic advisor appointed by the SPI, which may include one or more of the following: (Education Code 52072)

1. Revision of the district's LCAP
2. Revision of the district's budget in accordance with changes in the LCAP
3. A determination to stay or rescind any district action that would prevent the district from improving outcomes for all student subgroups, provided that action is not required by a collective bargaining agreement

*Legal Reference:*EDUCATION CODE

305-306 English language education

17002 State School Building Lease-Purchase Law, including definition of good repair

33430-33436 Learning Communities for School Success Program; grants for LCAP implementation

41020 Audits

41320-41322 Emergency apportionments

42127 Public hearing on budget adoption

42238.01-42238.07 Local control funding formula

44258.9 County superintendent review of teacher assignment

48985 Parental notices in languages other than English

51210 Course of study for grades 1-6

51220 Course of study for grades 7-12

52052 Numerically significant student subgroups

52059.5 Statewide system of support

52060-52077 Local control and accountability plan

52302 Regional occupational centers and programs

52372.5 Linked learning pilot program

54692 Partnership academies

60119 Sufficiency of textbooks and instructional materials; hearing and resolution

60605.8 California Assessment of Academic Achievement; Academic Content Standards Commission

60811.3 Assessment of language development

64001 Single plan for student achievement

99300-99301 Early Assessment Program

WELFARE AND INSTITUTIONS CODE300 Dependent child of the courtCODE OF REGULATIONS, TITLE 5

15494-15497 Local control and accountability plan and spending requirements

UNITED STATES CODE, TITLE 20

6312 Local educational agency plan

6826 Title III funds, local plans



## LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

### Management Resources:

#### CSBA PUBLICATIONS

*The California School Dashboard and Small Districts, October 2018*

*Promising Practices for Developing and Implementing LCAPs, Governance Brief, November 2016*

*LCFF Rubrics, Issue 1: What Boards Need to Know About the New Rubrics, Governance Brief, rev. October 2016*

#### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*California School Accounting Manual*

*California School Dashboard*

*LCFF Frequently Asked Questions*

*Local Control and Accountability Plan and Annual Update (LCAP) Template*

*Family Engagement Framework: A Tool for California School Districts, 2014*

*California Career Technical Education Model Curriculum Standards, 2013*

*California Common Core State Standards: English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects, rev. 2013*

*California Common Core State Standards: Mathematics, rev. 2013*

*California English Language Development Standards, 2012*

#### WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

California School Dashboard: <http://www.caschooldashboard.org>

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# CSBA Sample Board Policy

Students

BP 5141.52(a)

## SUICIDE PREVENTION

Note: Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), mandates that the Governing Board of any district serving students in grades 7-12 adopt a policy on student suicide prevention, intervention, and postvention (i.e., intervention conducted after a suicide) with specified components. Those components are addressed in the following policy and the accompanying administrative regulation. Also see the California Department of Education's model policy required by Education Code 215. Although not required by law, districts serving students in grades K-6 may adapt this policy for use in elementary schools.

The following policy and accompanying administrative regulation should be revised to reflect district practice. Pursuant to Education Code 215, the policy must be developed in consultation with school and community stakeholders, school-employed mental health professionals, and suicide prevention experts. It is recommended that districts also consult with legal counsel and the district's risk manager or insurance carrier, as appropriate.

Also see the California Department of Education's model policy required by Education Code 215.

The Governing Board recognizes that suicide is a leading cause of death among youth and that school personnel who regularly interact with students are often in a position to recognize the warning signs of suicide and to offer appropriate referral and/or assistance. **To In an attempt-effort** to reduce suicidal behavior and its impact on students and families, the Superintendent or designee shall develop measures and strategies for suicide prevention, intervention, and postvention.

In developing measures and strategies for use by the district, the Superintendent or designee may consult with school health professionals, school counselors, school psychologists, school social workers, administrators, other staff, parents/guardians, students, **suicide prevention experts**, local health agencies, mental health professionals, and community organizations.

*(cf. 1020 - Youth Services)*

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)*

Such measures and strategies shall include, but are not limited to:

Note: Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), mandates that the district's policy address any training to be provided to teachers of students in grades 7-12 on suicide awareness and prevention. See the accompanying administrative regulation for additional language fulfilling this mandate. In addition, Education Code 49604 encourages each district to provide suicide prevention training at least once to each middle, junior high, and high school counselor. Item #1 may be revised to specify other categories of employees who will receive the training.

## SUICIDE PREVENTION (continued)

1. Staff development on suicide awareness and prevention for teachers, school counselors, and other district employees who interact with students **in the secondary grades**

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

Note: Items #2-7 below reflect **optional** strategies for suicide prevention, intervention, and postvention and may be revised to reflect district practice.

2. Instruction to students in problem-solving and coping skills to promote students' mental, emotional, and social health and well-being, as well as instruction in recognizing and appropriately responding to warning signs of suicidal intent in others

*(cf. 6142.8 - Comprehensive Health Education)*

3. Methods for promoting a positive school climate that enhances students' feelings of connectedness with the school and that is characterized by caring staff and harmonious interrelationships among students

*(cf. 5131 - Conduct)*

*(cf. 5131.2 - Bullying)*

*(cf. 5137 - Positive School Climate)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

*(cf. 5145.9 - Hate-Motivated Behavior)*

4. The provision of information to parents/guardians regarding risk factors and warning signs of suicide, the severity of the **youth**-suicide problem **among youth**, the district's suicide prevention curriculum, basic steps for helping suicidal youth, and/or school and community resources that can help youth in crisis
5. Encouragement for students to notify appropriate school personnel or other adults when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions
6. Crisis intervention procedures for addressing suicide threats or attempts
7. Counseling and other postvention strategies for helping students, staff, and others cope in the aftermath of a student's suicide



**SUICIDE PREVENTION (continued)**

Note: Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), mandates that the district's policy specifically address the needs of high-risk groups, including, but not limited to, those listed in the following paragraph. See the accompanying administrative regulation for additional language fulfilling this mandate.

As appropriate, these measures and strategies shall specifically address the needs of students who are at high risk of suicide, including, but not limited to, students who are bereaved by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning youth. (Education Code 215)

Note: Pursuant to Education Code 215, as amended by AB 2639 (Ch. 437, Statutes of 2018), boards that serve students in grades 7-12 are required to review, and if necessary update, the district's student suicide prevention policy at least every five years.

**The Board shall review, and update as necessary, this policy at least every five years. (Education Code 215)**

*Legal Reference:*

EDUCATION CODE

215 Student suicide prevention policies

215.5 Suicide prevention hotline contact information on student identification cards

216 Suicide prevention online training programs

32280-32289 Comprehensive safety plan

49060-49079 Student records

49602 Confidentiality of student information

49604 Suicide prevention training for school counselors

GOVERNMENT CODE

810-996.6 Government Claims Act

PENAL CODE

11164-11174.3 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

5698 Emotionally disturbed youth; legislative intent

5850-5883 Children's Mental Health Services Act

COURT DECISIONS

*Corales v. Bennett (Ontario-Montclair School District), (2009) 567 F.3d 554*

*Management Resources: (see next page)*

**SUICIDE PREVENTION (continued)***Management Resources:*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONSHealth Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve, 2008Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONSSchool Connectedness: Strategies for Increasing Protective Factors Among Youth, 2009NATIONAL ASSOCIATION OF SCHOOL PSYCHOLOGISTS PUBLICATIONSPreventing Suicide: Guidelines for Administrators and Crisis Teams, 2015U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONSNational Strategy for Suicide Prevention: Goals and Objectives for Action, rev. 2012Preventing Suicide: A Toolkit for High Schools, 2012National Strategy for Suicide Prevention: Goals and Objectives for Action, rev. 2012WEB SITESAmerican Association of Suicidology: <http://www.suicidology.org>American Foundation for Suicide Prevention: <https://afsp.org>American Psychological Association: <http://www.apa.org>American School Counselor Association: <https://www.schoolcounselor.org>California Department of Education, Mental Health: <http://www.cde.ca.gov/ls/cg/mh>California Department of Health Care Services, Suicide Prevention Program: <http://www.dhcs.ca.gov/services/MH/Pages/SuicidePrevention.aspx>Centers for Disease Control and Prevention, Mental Health: <http://www.cdc.gov/mentalhealth>National Association of School Psychologists: <https://www.nasponline.org>National Institute for Mental Health: <http://www.nimh.nih.gov>Trevor Project: <http://thetrevorproject.org>U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration: <http://www.samhsa.gov>

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# CSBA Sample Board Policy

Students

BP 5144(a)

## DISCIPLINE

Note: The following policy is **optional**. Pursuant to Education Code 52060-52077, the Governing Board is required to adopt a local control and accountability plan (LCAP) that includes a description of the specific actions that the district intends to take in order to achieve its annual goals in specific priority areas, including student engagement and school climate. See BP/AR 0460 - Local Control and Accountability Plan.

Since a district's ability to meet its goals around these priorities is impacted by its student discipline policies and practices, the Board must be careful to enact rules that are effective in maintaining safety and order on campus and in correcting student misbehavior without unnecessarily excluding students from school or participation in instruction. State law specifies behaviors for which a student may be suspended and/or recommended for expulsion (see BP/AR 5144.1 - Suspension and Expulsion/Due Process) and authorizes the use of age-appropriate alternatives designed to address a student's specific misbehavior, including those listed in Education Code 48900.5 and 48900.6.

In addition, the U.S. Department of Justice's Civil Rights Division and the U.S. Department of Education's Office for Civil Rights (OCR), in their joint January 2014 Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, state that studies have suggested a correlation between exclusionary discipline policies and practices (such as suspension and expulsion) and an array of serious educational, economic, and social problems, including school avoidance, diminished educational engagement, decreased academic achievement, increased behavior problems, and increased likelihood of dropping out, substance abuse, and involvement with the juvenile justice system. Consequently, they recommend that districts adopt alternative disciplinary measures that provide students with appropriate interventions and supports as a means for preventing and addressing student misbehavior.

The Governing Board is committed to providing a safe, supportive, and positive school environment which is conducive to student learning **and achievement** and **to preparing** **desires to prepare** students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent/**guardian** involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 6020 - Parent Involvement)

The Superintendent or designee shall develop effective, age-appropriate strategies for maintaining a positive school climate and correcting student misbehavior at district schools.

**DISCIPLINE** (continued)

The strategies shall focus on providing students with needed supports; communicating clear, appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of district discipline policies and practices.

*(cf. 5138 - Conflict Resolution/Peer Mediation)*  
*(cf. 6164.2 - Guidance/Counseling Services)*

In addition, the Superintendent or designee's strategies for correcting student misconduct shall reflect the Board's preference for the use of positive interventions and alternative disciplinary measures over exclusionary discipline measures.

Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as detention, suspension, and expulsion, shall be imposed only when required or permitted by law or when other means of correction have been documented to have failed. (Education Code 48900.5)

*(cf. 5020 - Parent Rights and Responsibilities)*  
*(cf. 5144.1 - Suspension and Expulsion/Due Process)*  
*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*  
*(cf. 6159.4 - Behavioral Interventions for Special Education Students)*  
*(cf. 6164.5 - Student Success Teams)*

**Note:** Pursuant to Education Code 49557.5, as added by SB 250 (Ch. 726, Statutes of 2017), districts must ensure that any discipline imposed on a student does not result in the denial or delay of a nutritionally adequate meal. The following paragraph is for use by districts participating in the National School Lunch and/or Breakfast Program (42 USC 1751-1769j, 1773), or any district in which there is a school required to serve a free or reduced-price meal during the school day pursuant to Education Code 49550.

School personnel and volunteers shall not allow any disciplinary action taken against a student to result in the denial or delay of a school meal. (Education Code 49557.5)

*(cf. 3550 - Food Service/Child Nutrition Program)*  
*(cf. 3551 - Food Service Operations/Cafeteria Fund)*  
*(cf. 3553 - Free and Reduced Price Meals)*

**Note:** Pursuant to Education Code 49005.2, as added by AB 2657 (Ch. 998, Statutes of 2018), use of seclusion and behavioral restraint as a means of discipline is prohibited. Education Code 49005.4, as added by AB 2657, provides that seclusion or behavioral constraint may only be used to control behavior that poses a clear and present danger of serious physical harm to a student or others that cannot be immediately prevented by a less restrictive response. See AR 5131.41 - Use of Seclusion and Restraint.

**Seclusion and behavioral restraint are prohibited as a means of discipline and shall not be used to correct student behavior except as permitted pursuant to Education Code 49005.4 and in accordance with district regulations. (Education Code 49005.2)**

*(cf. 5131.41 - Use of Seclusion and Restraint)*



**DISCIPLINE** (continued)

Note: The following **optional** paragraph may be revised to reflect district practice. According to Public Counsel's model policy issued as part of the Fix School Discipline Project, a discipline matrix that lists violations and consequences could be a useful guide to school site administrators with regard to when suspension or expulsion referrals should be utilized.

The Superintendent or designee shall create a model discipline matrix that lists violations and the consequences for each as allowed by law.

Note: Education Code 35291.5 authorizes, but does not require, school sites to adopt rules and procedures for student discipline. Pursuant to Education Code 32282, any adopted site-level discipline rules must be included in the comprehensive safety plan; see BP/AR 0450 - Comprehensive Safety Plan. The following paragraph is **optional**.

The administrative staff at each school may develop disciplinary rules to meet the school's particular needs consistent with law, Board policy, and district regulations. The Board, at an open meeting, shall review the approved school discipline rules for consistency with Board policy and state law. Site-level disciplinary rules shall be included in the district's comprehensive safety plan. (Education Code 32282, 35291.5)

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 9320 - Meetings and Notices)*

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health, well-being, and opportunity to learn.

Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the district's nondiscrimination policies.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

***(cf. 0415 - Equity)***

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

The Superintendent or designee shall provide professional development as necessary to assist staff in developing the skills needed to effectively **and equitably** implement the disciplinary strategies adopted for district schools, including, but not limited to, **knowledge of consistent** school and classroom management skills **and their consistent application**, effective accountability and positive intervention techniques, and **development of the tools to form** strong, cooperative relationships with parents/guardians.

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

**DISCIPLINE** (continued)

(cf. 4331 - Staff Development)

Note: Pursuant to Education Code 52060, the district must annually adopt an LCAP that includes a description of district goals for improving school climate, as provided in the following paragraph.

District goals for improving school climate, based on suspension and expulsion rates, surveys of students, staff, and parents/guardians regarding their sense of school **safety and connectedness to the school community**, and other local measures, shall be included in the district's local control and accountability plan, as required by law.

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

At the beginning of each school year, the Superintendent or designee shall report to the Board regarding disciplinary strategies used in district schools in the immediately preceding school year and their effect on student learning.

*Legal Reference:*

EDUCATION CODE

32280-~~32288~~ **32289** School safety plans

35146 Closed sessions

35291 Rules

35291.5-35291.7 School-adopted discipline rules

37223 Weekend classes

44807.5 Restriction from recess

48900-48926 Suspension and expulsion

48980-48985 Notification of parent/guardian

**49005-49006.4 Seclusion and restraint**

49330-49335 Injurious objects

49550-~~49562~~ **49564.5** Meals for needy students

52060-52077 Local control and accountability plan

CIVIL CODE

1714.1 Parental liability for child's misconduct

CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus

353 Detention after school

**UNITED STATES CODE, TITLE 20**

**1400-1482 Individuals with Disabilities Education Act**

**UNITED STATES CODE, TITLE 29**

**794 Section 504 of the Rehabilitation Act of 1973**

UNITED STATES CODE, TITLE 42

1751-1769j School Lunch Program

1773 School Breakfast Program

*Management Resources: (see next page)*



**DISCIPLINE** (continued)

*Management Resources:*

CSBA PUBLICATIONS

*Recent Legislation on Discipline: AB 240, Fact Sheet, March 2015*

*The Case for Reducing Out-of-School Suspensions and Expulsions, Fact Sheet, April 2014*

*Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014*

*Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011*

*Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009*

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

*Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000*

STATE BOARD OF EDUCATION POLICIES

*01-02 School Safety, Discipline, and Attendance, March 2001*

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

*Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014*

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

Public Counsel: <http://www.fixschooldiscipline.org>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

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# CSBA Sample Board Policy

## Instruction

BP 6146.1(a)

### HIGH SCHOOL GRADUATION REQUIREMENTS

Note: The following policy is for use by districts that maintain grades 9-12.

~~AB 830 (Ch. 641, Statutes of 2017) repealed Education Code 60850-60859, thereby eliminating the California High School Exit Examination as a requirement for high school graduation.~~

The Governing Board desires to prepare all students to obtain a high school diploma so that they can take advantage of opportunities for postsecondary education and employment.

*(cf. 5127 - Graduation Ceremonies and Activities)*

*(cf. 5147 - Dropout Prevention)*

*(cf. 6011 - Academic Standards)*

*(cf. 6143 - Courses of Study)*

*(cf. 6146.3 - Reciprocity of Academic Credit)*

### Course Requirements

Note: Education Code 51225.3 specifies the courses that a student is required to complete in order to graduate from high school as listed in items #1-6 below.

Pursuant to Education Code 66204, each district that maintains a high school also is required to develop a process for submitting courses to the University of California to ensure that they align with the "a-g" course requirements for college admission.

To obtain a high school diploma, students shall complete at least the following courses in grades 9-12, with each course being one year unless otherwise specified:

1. Four courses in English (Education Code 51225.3)

*(cf. 6142.91 - Reading/Language Arts Instruction)*

2. Two courses in mathematics (Education Code 51225.3)

At least one mathematics course, or a combination of the two mathematics courses, shall meet or exceed state academic content standards for Algebra I or Mathematics I. Completion of such coursework prior to grade 9 shall satisfy the Algebra I or Mathematics I requirement, but shall not exempt a student from the requirement to complete two mathematics courses in grades 9-12. (Education Code 51224.5)

Note: The following optional paragraph is for use only by districts that require more than two courses in mathematics for graduation and should be deleted by other districts. Pursuant to Education Code 51225.3 and 51225.35, a district that requires more than two courses in mathematics may award up to one



**HIGH SCHOOL GRADUATION REQUIREMENTS (continued)**

mathematics course credit for an approved computer science course, as defined. Any such course must have been approved by the University of California as a "category c" (mathematics) course in the university's "a-g" course admission criteria; see BP 6143 - Courses of Study.

*(cf. 6142.92 - Mathematics Instruction)*

*(cf. 6152.1 - Placement in Mathematics Courses)*

3. Two courses in science, including biological and physical sciences (Education Code 51225.3)

*(cf. 6142.93 - Science Instruction)*

4. Three courses in social studies, including United States history and geography; world history, culture, and geography; a one-semester course in American government and civics; and a one-semester course in economics (Education Code 51225.3)

*(cf. 6142.3 - Civic Education)*

*(cf. 6142.94 - History-Social Science Instruction)*

Note: Education Code 51225.3 authorizes the Board to include a course in career technical education (CTE) as an alternative to the visual or performing arts or foreign language course requirement for high school graduation. If the Board chooses to do so, it must, at a regular Board meeting prior to allowing a CTE course as an alternative, notify parents/guardians, students, teachers, and the public of information specified in Education Code 51225.3. In addition, the information must be included in the district's annual notification to parents/guardians pursuant to Education Code 48980; see the accompanying administrative regulation. Districts that do not allow this alternative course requirement should delete references to CTE in item #5 below.

The CTE course may be offered through different means, including a district-operated program, regional occupational center or program, or county office of education program pursuant to a joint powers agreement. See BP/AR 6178 - Career Technical Education and BP 6178.2 - Regional Occupational Center/Program for program details pertaining to CTE.

5. One course in visual or performing arts; foreign language, including American Sign Language; or career technical education (CTE) (Education Code 51225.3)

To be counted towards meeting graduation requirements, a CTE course shall be aligned to the CTE model curriculum standards and framework adopted by the State Board of Education.

*(cf. 6142.2 - World/Foreign Language Instruction)*

*(cf. 6142.6 - Visual and Performing Arts Education)*

**HIGH SCHOOL GRADUATION REQUIREMENTS (continued)***(cf. 6178 - Career Technical Education)**(cf. 6178.2 - Regional Occupational Center/Program)*

6. Two courses in physical education, unless the student has been otherwise exempted pursuant to other sections of the Education Code (Education Code 51225.3)

*(cf. 6142.7 - Physical Education and Activity)*

Note: Pursuant to Education Code 51225.3, the Board may prescribe additional coursework (e.g., health education, service learning) or other requirements (e.g., portfolios or senior projects) that district students must complete in order to obtain a diploma. If the Board does so, such courses or projects should be listed below.

If the district requires a course in health education for graduation, Education Code 51225.36 requires that the district include instruction in sexual harassment and violence, including, but not limited to, information on the affirmative consent standard pursuant to Education Code 67386. See AR 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction. In addition, pursuant to Education Code 51225.6, a district that requires a course in health education for graduation is required to include instruction in compression-only cardiopulmonary resuscitation beginning in the 2018-19 school year. See AR 6143 - Courses of Study.

*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)**(cf. 6142.4 - Service Learning/Community Service Classes)**(cf. 6142.8 - Comprehensive Health Education)*

Note: Education Code 51225.3 requires the Board to adopt alternative means for students to complete the prescribed course of study; see BP/AR 6146.11 - Alternative Credits Toward Graduation.

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.

*(cf. 6146.11 - Alternative Credits Toward Graduation)**(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)**(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)***Exemptions and Waivers**

Note: Education Code 51225.1 requires the district to exempt from any district-adopted graduation requirements a foster youth, homeless student, former juvenile court school student, or, as amended by AB 365 (Ch. 739, Statutes of 2017), child of a military family, or, as amended by AB 2121 (Ch. 581, Statutes



**HIGH SCHOOL GRADUATION REQUIREMENTS (continued)**

of 2018), a migrant student or a newly arrived immigrant student participating in a newcomer program who transfers into the district or between district high schools any time after completing his/her the second year of high school. This exemption does not apply if the Superintendent or designee makes a finding that the student is reasonably able to complete the requirements in time to graduate by the end of his/her the fourth year of high school. Also see AR 6173 - Education for Homeless Children, AR 6173.1 - Education for Foster Youth, AR 6173.2 - Education of Children of Military Families, and AR 6173.3 - Education for Juvenile Court School Students, and AR 6175 - Migrant Education Program.

Pursuant to Education Code 51225.1, within 30 calendar days of the transfer of a foster youth, homeless student, former juvenile court school student, ~~or~~ child of a military family, migrant student, or student participating in a newcomer program, the district is required to provide notice to the student of the availability of the exemption and whether the student qualifies for it. If the district fails to provide that notification, the student will be eligible for the exemption once notified, even if the notification is received after the termination of the court's jurisdiction over the foster youth or former juvenile court school student, after the homeless student ceases to be homeless, or after the student no longer meets the definition of a child of a military family, a migrant student, or a student participating in a newcomer program, as applicable.

Education Code 51225.1 also provides that, if an exempted student completes the statewide coursework requirements before the end of his/her the fourth year of high school, the district or a district school must not require or request that he/she the student graduate before the end of his/her the fourth year of high school.

Any complaint alleging the district's failure to comply with the requirements of Education Code 51225.1 may be filed using the district's uniform complaint procedures pursuant to 5 CCR 4600-4687; see BP/AR 1312.3 - Uniform Complaint Procedures.

A foster youth, homeless student, former juvenile court school student, ~~or~~ child of a military family, migrant student, or newly arrived immigrant student participating in a newcomer program who transfers into the district any time after completing his/her the second year of high school shall be required to complete all graduation requirements specified in Education Code 51225.3 but shall be exempt from any additional district-adopted graduation requirements, unless the Superintendent or designee makes a finding that the student is reasonably able to complete the requirements in time to graduate by the end of his/her the fourth year of high school. Within 30 days of the transfer, any such student shall be notified of the availability of the exemption and whether he/she the student qualifies for it. (Education Code 51225.1)

(cf. 1312.3 - Uniform Complaint Procedures)  
 (cf. 5145.6 - Parental Notifications)  
 (cf. 6173 - Education for Homeless Children)  
 (cf. 6173.1 - Education for Foster Youth)  
 (cf. 6173.2 - Education of Children of Military Families)  
 (cf. 6173.3 - Education for Juvenile Court School Students)  
 (cf. 6175 - Migrant Education Program)

**Retroactive Diplomas**

Note: Education Code 51413, as added by AB 830 (Ch. 641, Statutes of 2017), retains and renumbers the



**HIGH SCHOOL GRADUATION REQUIREMENTS (continued)**

~~requirement to grant a diploma to students who previously met all applicable graduation requirements other than the requirement to pass the high school exit examination.~~

Any student who completed grade 12 in the 2003-04 through 2014-15 school year and met all applicable graduation requirements other than the passage of the high school exit examination shall be granted a high school diploma. (Education Code 51413)

Note: ~~The remainder of this section is optional. Items #1-3 below are optional and may be revised to reflect district practice.~~

AB 3022 (Ch. 772, Statutes of 2018) amended Education Code 51430 to authorize the granting of a diploma to persons who departed California in grade 12 against their will, as defined in Education Code 48204.4, as provided in item #1 below.

**In addition, the district may retroactively grant a high school diploma to:** (Education Code 48204.4, 51430, 51440)

1. **Persons who departed California against their will while in grade 12 and did not receive a diploma because the departure interrupted their education, provided that they were in good academic standing at the time of the departure**

**Persons may be considered to have departed California against their will if they were in custody of a government agency and were transferred to another state, were subject to a lawful order from a court or government agency that authorized their removal from California, were subject to a lawful order and were permitted to depart California before being removed from California pursuant to the lawful order, were removed or were permitted to depart voluntarily pursuant to the federal Immigration and Nationality Act, or departed due to other circumstances determined by the district that are consistent with the purposes of Education Code 48204.4.**

**In determining whether to award a diploma under these circumstances, the Superintendent or designee shall consider any coursework that may have been completed outside of the United States or through online or virtual courses.**

2. **a former student who was were interned by order of the federal government during World War II or who is an are honorably discharged veterans of World War II, the Korean War, or the Vietnam War, provided that he/she was they were enrolled in a district school immediately preceding the internment or military service and he/she did not receive a diploma because his/her their education was interrupted due to the internment or military service in those wars**



## HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

~~A-d~~Deceased former students who ~~satisfies~~ satisfy these conditions may be granted a retroactive diploma to be received by ~~his/her~~ their next of kin. (~~Education Code 51430~~)

3. ~~In addition, the district may grant a diploma to a veteran~~ Veterans who entered the military service of the United States while ~~he/she was a district student~~ in grade 12 and who had ~~satisfactorily~~ completed the first half of the work required for grade 12 in a district school. (~~Education Code 51440~~)

### Honorary Diplomas

Note: The following optional section reflects the Board's authority to confer honorary high school diplomas pursuant to Education Code 51225.5 and may be revised to reflect district practice. As amended by AB 2109 (Ch. 167, Statutes of 2018), Education Code 51225.5 authorizes the Board to grant an honorary diploma to a terminally ill student, as provided in item #2 below.

The Board may grant honorary high school diplomas to: (Education Code 51225.5)

1. An international exchange student who has not completed the course of study ordinarily required for graduation, and who is returning to the home country following the completion of one academic school year in the district

(cf. 6145.6 - International Exchange)

2. A student who is terminally ill

The honorary diploma shall be clearly distinguishable from the regular diploma of graduation awarded by the district. (Education Code 51225.5)

*Legal Reference: (see next page)*

**HIGH SCHOOL GRADUATION REQUIREMENTS (continued)***Legal Reference:*EDUCATION CODE

47612 Enrollment in charter school

48200 Compulsory attendance

**48204.4 Parents/guardians departing California against their will**

48412 Certificate of proficiency

48430 Continuation education schools and classes

48645.5 Acceptance of coursework

48980 Required notification at beginning of term

49701 Interstate Compact on Educational Opportunity for Military Children

51224 Skills and knowledge required for adult life

51224.5 Algebra instruction

51225.1 Exemption from district graduation requirements

51225.2 Pupil in foster care defined; acceptance of coursework, credits, retaking of course

51225.3 High school graduation

51225.35 Mathematics course requirements; computer science

51225.36 Instruction in sexual harassment and violence; districts that require health education for graduation

51225.5 Honorary diplomas; ~~foreign exchange students~~

51225.6 Compression-only cardiopulmonary resuscitation

51228 Graduation requirements

51240-51246 Exemptions from requirements

51250-51251 Assistance to military dependents

51410-51413 Diplomas

51420-51427 High school equivalency certificates

51430 Retroactive high school diplomas

51440 Retroactive high school diplomas

51450-51455 Golden State Seal Merit Diploma

51745 Independent study restrictions

56390-56392 Recognition for educational achievement, special education

66204 Certification of high school courses as meeting university admissions criteria

67386 Student safety; affirmative consent standard

CODE OF REGULATIONS, TITLE 5

1600-1651 Graduation of students from grade 12 and credit toward graduation

4600-4687 Uniform complaint procedures

COURT DECISIONSO'Connell v. Superior Court (Valenzuela), (2006) 141 Cal.App.4th 1452*Management Resources:*WEB SITESCSBA: <http://www.csba.org>California Department of Education, High School: <http://www.cde.ca.gov/ci/gs/hs>

University of California, List of Approved a-g Courses:

<http://www.universityofcalifornia.edu/admissions/freshman/requirements>

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**Policy Reference UPDATE Service**

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# CSBA Sample Board Bylaw

## Board Bylaws

BB 9322(a)

### AGENDA/MEETING MATERIALS

#### Agenda Content

~~Each agenda~~ **Governing Board meeting agendas** shall reflect the district's vision and goals and the Board's focus on student learning.

*(cf. 0000 - Vision)*

*(cf. 0200 - Goals for the School District)*

Note: Government Code 54954.2 requires Governing Board meeting agendas to briefly describe each item to be discussed, including closed session items, and states that a brief general description of an item generally need not exceed 20 words. For information regarding the different types of meetings and meeting location requirements, see BB 9320 - Meetings and Notices. For agenda requirements regarding closed session agenda items, see BB 9321 - Closed Session Purposes and Agendas.

~~Governing Board meeting agendas~~ **Each agenda** shall state the meeting time and place and shall briefly describe each business item to be transacted or discussed, including items to be discussed in closed session. (Government Code 54954.2)

*(cf. 9320 - Meetings and Notices)*

*(cf. 9321- Closed Session Purposes and Agendas)*

The agenda shall provide members of the public the opportunity to address the Board on any agenda item before or during the Board's consideration of the item. However, the agenda need not provide an opportunity for public comment when the ~~consent~~ agenda item has previously been considered at an open meeting of a committee comprised exclusively of all the Board members, provided that members of the public were afforded an opportunity to comment on the item at that meeting, ~~unless~~ and that the item has not been substantially changed since the committee considered it. (Government Code 54954.3)

The agenda **for a regular Board meeting** shall also provide members of the public an opportunity to ~~testify at regular meetings~~ **provide comment** on matters which are not on the agenda but which are within the subject matter jurisdiction of the Board. (Education Code 35145.5; Government Code 54954.3)

*(cf. 9323 - Meeting Conduct)*

Note: Pursuant to Government Code 54957.5, ~~when agenda materials are distributed to the Board less than 72 hours before a meeting, the agenda for a regular meeting must include the address of the location where the public can inspect any agenda materials that are related to an open session item and are distributed to the Board less than 72 hours before that meeting.~~ **Also** See section below entitled "Agenda Dissemination to Members of the Public."

**AGENDA/MEETING MATERIALS (continued)**

Each **meeting** agenda **for a regular meeting** shall list the address designated by the Superintendent or designee for public inspection of **agenda documents related to an open session item** that have been distributed to the Board less than 72 hours before the meeting. (Government Code 54957.5)

Note: Government Code 54954.2 requires that the agenda include information regarding how, when, and to whom a request for a disability-related accommodation or modification may be made. See BB 9320 - Meetings and Notices. The following paragraph should be modified to reflect district practice as to when and to whom such a request should be made.

The agenda shall ~~specify that~~ **include information regarding how, when, and to whom a request should be made if** an individual ~~should contact the Superintendent or designee if he/she~~ requires disability-related accommodations or modifications, including auxiliary aids and services, in order to participate in the Board meeting. (Government Code 54954.2)

**Agenda Preparation**

The Board president and the Superintendent, as secretary to the Board, shall work together to develop the agenda for each regular and special meeting. ~~Each agenda shall reflect the district's vision and goals and the Board's focus on student learning.~~

~~(cf. 0000 - Vision)~~

~~(cf. 0200 - Goals for the School District)~~

~~(cf. 9121 - President)~~

~~(cf. 9122 - Secretary)~~

Note: Education Code 35145.5 **mandates** that the Board adopt reasonable regulations to ensure that members of the public can place matters directly related to ~~school~~ district business on Board meeting agendas. **In *Mooney v. Garcia*, a California appeals court reaffirmed boards' discretion in determining what agenda items are related to school district matters.** The following **section paragraph**, including the timelines, should be revised to reflect district practice. Districts are free to establish their own timelines for placing an item on the agenda, taking into account staff time and resources, as long as the established timeline is a reasonable one. In *Caldwell v. Roseville Joint Union High School District*, a federal district court upheld a district bylaw requiring members of the public to submit a written request in order to place items on a meeting agenda. The plaintiff had alleged that his First Amendment rights were violated when the district did not place his item on the agenda in response to his oral request because the district disagreed with his religious beliefs. However, the court held that the district's bylaw requiring that requests first be made in writing was content-neutral and thus a reasonable restriction.

~~The Board president and the Superintendent, as secretary to the Board, shall work together to develop the agenda for each regular and special meeting. Each agenda shall reflect the district's vision and goals and the Board's focus on student learning.~~

~~(cf. 0000 - Vision)~~

~~(cf. 0200 - Goals for the School District)~~



**AGENDA/MEETING MATERIALS (continued)***(cf. 9121—President)**(cf. 9122—Secretary)*

Any Board member or member of the public may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting. The request shall be submitted in writing to the Superintendent or designee with supporting documents and information, if any, at least 10 days before the scheduled meeting date. Items submitted less than 10 days before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue.

Note: In Mooney v. Garcia, a California appeals court reaffirmed boards' the board's discretion in determining what ~~whether an agenda items are~~ is related to school district matters.

The Board president and Superintendent shall decide whether a request **from a member of the public** is within the subject matter jurisdiction of the Board. Items not within the subject matter jurisdiction of the Board may not be placed on the agenda. In addition, before placing the item on the agenda, the Board president and Superintendent shall determine if the item is merely a request for information or whether the issue is covered by an existing policy or administrative regulation.

Note: The following paragraph is optional and may be revised to reflect district practice.

**If the Board president and Superintendent deny a request from a Board member to place an item on the agenda, the Board member may request the Board to take action to determine whether the item shall be placed on the agenda.**

The Board president and Superintendent shall **also** decide whether an agenda item is appropriate for discussion in open or closed session, and whether the item should be an action item subject to Board vote, **or** an information item that does not require immediate action, ~~or a consent item that is routine in nature and for which no discussion is anticipated.~~

Note: The following **optional section paragraph** is for boards that use the consent agenda or calendar to take action on matters of a routine nature for which discussion may not be necessary. It is important for such boards to limit the use of the consent agenda to noncontroversial matters and to establish rules that help ensure that any use of the consent agenda does not reduce transparency in the board's conduct of district business or result in violation of the open meeting laws. In addition, boards should be aware that, by law, certain items may not be placed on the consent agenda. For example, pursuant to Government Code 54960.2, ~~as added by SB 1003 (Ch. 732, Statutes of 2012)~~, a board's decision to approve or rescind its unconditional commitment to refrain from taking certain actions in violation of the Brown Act must be made as a separate item and not on the consent agenda. See BB 9323.2 - Actions by the Board.

**In order to promote efficient meetings, the Board may bundle a number of items and act upon them together by a single vote through the use of a consent agenda. Consent agenda items shall be items of a routine nature and items for which Board discussion is not anticipated and**



**AGENDA/MEETING MATERIALS (continued)**

for which the Superintendent recommends approval. When any Board member requests the removal of an item from the consent agenda, the item shall be removed and given individual consideration for action as a regular agenda item.

The agenda shall provide an opportunity for members of the public to comment on any consent agenda item that has not been previously considered. However, the agenda need not provide an opportunity for public comment when the consent agenda item has previously been considered at an open meeting of a committee comprised exclusively of all the Board members provided that members of the public were afforded an opportunity to comment on the item at that meeting, unless the item has been substantially changed since the committee considered it. (Government Code 54954.3)

Any Board action that involves borrowing \$100,000 or more shall be discussed, considered, and deliberated upon as a separate item of business on the meeting agenda. (Government Code 53635.7)

*(cf. 9323.2 - Actions by the Board)*

All public communications with the Board are subject to requirements of relevant Board policies and administrative regulations.

*(cf. 1312.1 - Complaints Concerning District Employees)*  
*(cf. 1312.2 - Complaints Concerning Instructional Materials)*  
*(cf. 1312.3 - Uniform Complaint Procedures)*  
*(cf. 1312.4 - Williams Uniform Complaint Procedures)*  
*(cf. 3320 - Claims and Actions Against the District)*  
*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

**Consent Agenda/Calendar**

Note: The following optional section is for boards that use the consent agenda or calendar to take action on matters of a routine nature for which discussion may not be necessary. It is important for such boards to limit the use of the consent agenda to noncontroversial matters and to establish rules that help ensure that any use of the consent agenda does not reduce transparency in the board's conduct of district business or result in violation of the open meeting laws. In addition, boards should be aware that, by law, certain items may not be placed on the consent agenda. For example, pursuant to Government Code 54960.2, as added by SB 1003 (Ch. 732, Statutes of 2012), a board's decision to approve or rescind its unconditional commitment to refrain from taking certain actions in violation of the Brown Act must be made as a separate item and not on the consent agenda. See BB 9323.2 - Actions by the Board.

In order to promote efficient meetings, the Board may bundle a number of items and act upon them together by a single vote through the use of a consent agenda. Consent items shall be items of a routine nature and items for which Board discussion is not anticipated and for which the Superintendent recommends approval.



**AGENDA/MEETING MATERIALS (continued)**

When any Board member requests the removal of an item from the consent agenda, the item shall be removed and given individual consideration for action as a regular agenda item.

The agenda shall provide an opportunity for members of the public to comment on any consent agenda item that has not been previously considered. However, the agenda need not provide an opportunity for public comment when the consent agenda item has previously been considered at an open meeting of a committee comprised exclusively of all the Board members provided that members of the public were afforded an opportunity to comment on the item at that meeting, unless the item has been substantially changed since the committee considered it. (Government Code 54954.3)

**Agenda Dissemination to Board Members**

Note: The following section is **optional** and should be modified to reflect district practice. Pursuant to Government Code 6252.7, when the Board, in the conduct of its duties, is authorized by law to access any writing of the district, including agenda and supporting documents, the district is prohibited from discriminating between or among Board members as to when and which records will be made available.

CSBA's Agenda Online, an electronic board meeting agenda service for use by districts, and county offices of education, and the public allows development of and access to Board meeting agendas, supporting documents, and minutes from any computer that has Internet access. Further information can be found on CSBA's web site.

At least ~~three days~~ **72 hours** before each regular meeting, each Board member shall be provided a copy of the agenda and agenda packet, including the Superintendent or designee's report; minutes to be approved; copies of communications; reports from committees, staff, ~~citizens~~, and others; and other available documents pertinent to the meeting.

When special meetings are called, ~~the Superintendent or designee shall make every effort to distribute the agenda and supporting materials to Board members as soon as possible before the meeting.~~ **Board members shall receive, at least 24 hours prior to the meeting, notice of the business to be transacted. (Government Code 54956)**

Board members shall review agenda materials before each meeting. Individual members may confer directly with the Superintendent or designee to ask questions and/or request additional information on agenda items. However, a majority of Board members shall not, **outside of a noticed meeting**, directly or through intermediaries or electronic means discuss, deliberate, or take action on any matter within the subject matter jurisdiction of the Board.

(cf. 9012 - Board Member Electronic Communications)



**AGENDA/MEETING MATERIALS (continued)****Agenda Dissemination to Members of the Public**

The Superintendent or designee shall mail a copy of the agenda or a copy of all the documents constituting the agenda packet to any person who requests the items. The materials shall be mailed at the time the agenda is posted or upon distribution of the agenda to a majority of the Board, whichever occurs first. (Government Code 54954.1)

Note: Government Code 54957.5 requires that when agenda materials are distributed to the Board less than 72 hours before a regular meeting, the district must also make the documents available for public inspection, as specified below. However, only those documents that are "public records" under the Public Records Act and which relate to an agenda item scheduled for the open session portion of a regular meeting need to be made available for inspection.

Any agenda and related materials distributed to the Board shall be made available to the public upon request without delay. If a document which relates to an open session agenda item of a regular Board meeting is distributed to the Board less than 72 hours prior to a meeting, the Superintendent or designee shall make the document available for public inspection at a designated location at the same time the document is distributed to all or a majority of the Board, provided the document is a **Only those documents which are disclosable public records under the Public Records Act and which relate to an agenda item scheduled for the open session portion of a regular meeting shall be made available to the public.** The Superintendent or designee may also post the document on the district's web site in a position and manner that makes it clear that the document relates to an agenda item for an upcoming meeting. (Government Code 54957.5)

Note: Pursuant to Government Code 54954.2, the agenda for a regular meeting of the Board must be posted at least 72 hours prior to the meeting on the district's web site, if it has one, and at a location that is freely accessible to the public. The Attorney General has determined in 78 Ops.Cal.Atty.Gen. 327 (1995) that weekend hours may be counted as part of the 72-hour period for posting of the agenda prior to a regular meeting. In the same opinion, the Attorney General found that the term "freely accessible" requires that the agenda be posted in a location where it can be read by the public at any time, including evening hours, during the 72 hours immediately preceding the meeting. Also see BB 9320 - Meetings and Notices.

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public. (Government Code 54954.2)

Note: Government Code 54954.2 requires that the agenda for any meeting occurring on or after January 1, 2019, be posted on the homepage of the district web site, if it has one, in accordance with law. Districts that use an integrated agenda management platform, such as CSBA's Agenda Online, may provide a link to access agendas posted on the platform. Pursuant to Government Code 54954.2, the link must not be solely accessible through a contextual menu, and the agenda must be posted in a format which is retrievable, downloadable, indexable, electronically searchable by commonly used Internet search applications, and without any restriction that would impede the reuse or redistribution of the agenda.



**AGENDA/MEETING MATERIALS (continued)**

The Attorney General has opined (99 Ops. Cal. Att. Gen. 11 (2016)) that the Brown Act regular meeting online agenda posting provision contained within Government Code 54954.2 is not necessarily violated when a local agency's web site experiences technical difficulties that cause the agenda to become inaccessible to the public for a portion of the 72 hours that precede the scheduled meeting. If the local agency has otherwise substantially complied with the Brown Act agenda posting requirements, the legislative body may lawfully hold its regular meeting as scheduled.

In addition, the Superintendent or designee shall post the agenda on the homepage of the district web site. The posted agenda shall be accessible through a prominent direct link to the current agenda or to the district's agenda management platform in accordance with Government Code 54954.2. When the district utilizes an integrated agenda management platform, the link to that platform shall take the user directly to the web site with the district's agendas, and the current agenda shall be the first available. (Government Code 54954.2)

(cf. 1113 - District and School Web Sites)

(cf. 1340 - Access to District Records)

Any document prepared by the district or Board and distributed during a public meeting shall be made available for public inspection at the meeting. Any document prepared by another person shall be made available for public inspection after the meeting. These requirements shall not apply to a document that is exempt from public disclosure under the Public Records Act. (Government Code 54957.5)

Note: Pursuant to Government Code 54954.1, upon request, the agenda and supporting documentation must be made available in appropriate alternative formats to persons with a disability, as required under the Americans with Disabilities Act (42 USC 12132). Examples of alternative formats, also referred to as "auxiliary aids and services," are listed in 28 CFR 36.303 and include audio recordings or Braille materials.

Upon request, the Superintendent or designee shall make the agenda, agenda packet, and/or any writings distributed at the meeting available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act. (Government Code 54954.1)

If a document which relates to an open session agenda item of a regular Board meeting is distributed to the Board less than 72 hours prior to a meeting, the Superintendent or designee shall make the document available for public inspection at a designated location at the same time the document is distributed to all or a majority of the Board. (Government Code 54957.5)

The Superintendent or designee shall mail a copy of the agenda or a copy of all the documents constituting the agenda packet to any person who requests the items. The materials shall be mailed at the time the agenda is posted or upon distribution of the agenda to a majority of the Board, whichever occurs first. (Government Code 54954.1)

**AGENDA/MEETING MATERIALS (continued)**

Note: The following **optional** paragraph is for use by districts that charge a fee for mailing the agenda or agenda packet. Government Code 54954.1 authorizes districts to charge a fee for mailing the agenda or agenda packet as long as the fee does not exceed the cost of providing the service. Pursuant to Government Code 54957.5, a surcharge may not be imposed for providing the agenda and other public record documents in alternative formats to persons with disabilities.

Any document prepared by the district or Board and distributed during a public meeting shall be made available for public inspection at the meeting. Any document prepared by another person shall be made available for public inspection after the meeting. These requirements shall not apply to a document that is exempt from public disclosure under the Public Records Act. (Government Code 54957.5)

Note: Pursuant to Government Code 54954.1, upon request, the agenda and supporting documentation must be made available in appropriate alternative formats to persons with a disability, as required under the Americans with Disabilities Act (42 USC 12132). Examples of alternative formats, also referred to as "auxiliary aids and services," are listed in 28 CFR 36.303 and include **accessible electronic and information technology**, audio recordings, or Braille materials.

Upon request, the Superintendent or designee shall make the agenda, agenda packet, and/or any writings distributed at the meeting available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act. (Government Code 54954.1)

*Legal Reference: (see next page)*



## AGENDA/MEETING MATERIALS (continued)

### *Legal Reference:*

#### EDUCATION CODE

35144 *Special meetings*

35145 *Public meetings*

35145.5 *Right of public to place matters on agenda*

#### GOVERNMENT CODE

6250-6270 *Public Records Act*

53635.7 *Separate item of business*

54954.1 *Mailed agenda of meeting*

54954.2 *Agenda posting requirements; board actions*

54954.3 *Opportunity for public to address legislative body*

54954.5 *Closed session item descriptions*

54956.5 *Emergency meetings*

54957.5 *Availability of public records*

54960.2 *Challenging board actions; cease and desist*

#### UNITED STATES CODE, TITLE 42

12101-12213 *Americans with Disabilities Act*

#### CODE OF FEDERAL REGULATIONS, TITLE 28

35.160 *Effective communications*

36.303 *Auxiliary aids and services*

#### COURT DECISIONS

*Mooney v. Garcia*, (2012) 207 Cal.App.4th 229

*Caldwell v. Roseville Joint Union High School District*, 2007 U.S. Dist. LEXIS 66318

#### ATTORNEY GENERAL OPINIONS

99 *Ops. Cal. Atty. Gen.*, 11 (2016)

78 *Ops. Cal. Atty. Gen.*, 327 (1995)

### *Management Resources:*

#### CSBA PUBLICATIONS

*Call to Order: A Blueprint for Great Board Meetings*, 2015

*The Brown Act: School Boards and Open Meeting Laws*, rev. 2014

#### ATTORNEY GENERAL PUBLICATIONS

*The Brown Act: Open Meetings for Legislative Bodies*, rev. 2003

#### WEB SITES

CSBA, Agenda Online: <http://www.csba.org>

California Attorney General's Office: <http://www.oag.ca.gov>

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