

POLICY GUIDESHEET

March 2011

Page 1 of 3

BP 0520.1 High Priority Schools Grant Program

(BP deleted)

Policy and administrative regulation deleted because the state is no longer funding improvement efforts for new cohorts of schools through the High Priority Schools Grant Program. In addition, **NEW LAW** (SB 70, 2011) deletes this program from the list of categorical programs subject to Tier 3 flexibility.

BP 1100 - Communication with the Public

(BP revised)

Updated policy expands possible methods of communication. Section on "Prohibition Against Mass Mailings at Public Expense" expanded to include additional definition of mass mailing related to ballot measures, candidates, legislative activities, and other campaign activities. Schedule for evaluating the implementation and effectiveness of the district's communications plan made more flexible since the schedule may change depending on communications goals and district needs.

BP 1160 - Political Processes

(BP revised)

Policy revised to reflect **NEW COURT DECISION** which details the appropriate use of district resources for election purposes. Consistent with the court's decision, the policy clarifies that it is a permissible informational activity for the Board to adopt a resolution in support of or in opposition to a ballot measure as long as the resolution and other materials do not urge voters to act in a certain way and as long as the distribution of the materials is consistent with regular district practice. Policy also outlines impermissible campaign activities by the district, such as the purchase of bumper stickers or the use of district email to disseminate campaign literature. In addition, policy contains updated language re: district lobbying and advocacy activities.

Districts are encouraged to read CSBA's fact sheets *Legal Guidelines: Use of Public Resources for Ballot Measures and Candidates* and *Legal Guidelines for Lobbying Activity* prior to adopting this policy.

BP 2140 - Evaluation of the Superintendent

(BP revised)

Updated policy broadens evaluation criteria and adds concept of providing opportunities throughout the year for review of the Superintendent's progress toward meeting goals. Policy also clarifies the Board's process for developing the evaluation document to be presented to the Superintendent.

BP 3513.3 - Tobacco-Free Schools

(BP revised)

MANDATED policy revised to reflect California Department of Education (CDE) requirements, as a condition for receipt of Tobacco-Use Prevention Education (TUPE) funding, related to certification of compliance with tobacco-free schools requirements. Policy adds definition of prohibited products, including nicotine delivery devices such as electronic cigarettes, and reflects **NEW LAW** (SB 882, 2010) which prohibits sales of electronic cigarettes to minors. For districts not receiving TUPE funds, policy reflects law re: definition of "enclosed space" and conditions that must be met to provide employee breakrooms for smoking. Regulation revised to add (1) new optional language re: methods of disseminating information about the tobacco-free schools policy and enforcement procedures, and (2) clarification that an employee is not required to physically eject a nonemployee who is smoking or request a nonemployee to refrain from smoking when doing so would involve a risk of physical harm to the employee.

POLICY GUIDESHEET

March 2011

Page 2 of 3

BP 3550 - Food Service/Child Nutrition Program

(BP revised)

Policy and regulation updated to reflect **NEW FEDERAL LAW** (P.L. 111-296) which reauthorized and revised requirements for the National School Lunch and Breakfast Programs. Policy also adds optional language re: goal to maximize student participation in meal programs, establishment of school gardens and farm-to-school programs, and offering of multiple choices within a meal service. Regulation reorganized to clarify requirements applicable to various programs. Regulation also provides legal cites for nutrition standards and deletes detailed standards which are subject to change per P.L. 111-296. Regulation adds section reflecting **NEW LAW** (SB 1431, 2010) and P.L. 111-296 which require districts to make free drinking water available during meals, adds section on Special Milk Program for schools that don't participate in the federal meal programs, and adds language on recordkeeping based on U.S. Department of Agriculture (USDA) guidance.

For further information, see article in the accompanying *Policy News*.

BP 3551 - Food Service Operations/Cafeteria Fund

(BP revised)

Policy updated to reflect requirements of **NEW FEDERAL LAW** (P.L. 111-296) re: pricing of full-price meals, upcoming USDA guidance on indirect costs, and upcoming regulations on qualifications and training of food service personnel. Updated regulation revises section on "Payments for Meals" to add optional language re: parental notification of meal payment policy, actions that may be taken in the event of repeated nonpayment by students, and replacement of lost or stolen tickets. Regulation also adds sections on "Reimbursement Claims" and "U.S. Department of Agriculture Foods," and adds requirements pertaining to contracts for food service management services.

BP 3553 - Free and Reduced Price Meals

(BP revised)

MANDATED policy adds new language re: providing free milk through the federal Special Milk Program and releasing information from the free and reduced-price meal application when eligible students transfer to another district or private school. Regulation reflects **NEW FEDERAL LAW** (P.L. 111-296) which provides that the meal application must request only the last four digits of the applicant's social security number and which allows direct certification of foster youth. Regulation also adds new sections on "Verification of Eligibility" and "Prices."

BP 4158/4258/4358 - Employee Security

(BP revised)

Updated policy reflects **NEW COURT DECISION** which ruled that the issuance of a temporary restraining order and injunction against a person who had verbally threatened a city official was not a violation of that person's right to free speech and right of access to a public place. Updated regulation clarifies procedures to maintain confidentiality of student records when notifying a teacher or counselor of the need to review a student's file in the school office as required when the student has committed an offense.

BP 5022 - Student and Family Privacy Rights

(BP revised)

MANDATED policy and regulation revised and reorganized to address certain privacy issues related to students and/or their parents/guardians, including the administration of surveys and physical exams/screenings, parent/guardian rights to inspect instructional materials, and the collection of personal information for marketing purposes. Options formerly in BP re: collection of personal information for marketing purposes moved into AR and consolidated with materials formerly in section titled "Exceptions to Collection of Personal Information." Regulation also revised to more directly reflect law re: health examinations.

POLICY GUIDESHEET

March 2011

Page 3 of 3

BP 5116.1 - Intradistrict Open Enrollment

(BP revised)

MANDATED policy revised to reflect **NEW LAW (SBX5 4)** which allows a student attending a school identified by the CDE as an "open enrollment school" to transfer to another school that has a higher Academic Performance Index. Policy contains language giving priority for admission to students attending an identified school who wish to transfer to another school within the district. Policy and regulation also revised to create an application window in order to allow the district to grant priorities consistent with the requirements in the Open Enrollment Act.

For further information about both intradistrict and interdistrict attendance options, see CSBA's fact sheet *Transfer Law Comparison*.

BP 5131.62 - Tobacco

(BP revised)

Policy revised to provide examples of prohibited tobacco products in accordance with law and to add prohibition of nicotine delivery devices such as electronic cigarettes, consistent with **NEW LAW (SB 882, 2010)** which makes it unlawful for a person to sell or furnish an electronic cigarette to a minor. Policy also authorizes the use of intervention services as an alternative to suspension for tobacco possession and reflects requirement of TUPE program that the district not accept materials, advertisements, or funds from the tobacco industry.

BP 5144 - Discipline

(BP revised)

Revised policy expands goal statement to focus on correcting student behavior while avoiding an adverse effect on student learning or health. Policy also broadens related staff development topics to include assisting staff to establish cooperative relationships with parents/guardians. Regulation expands disciplinary strategies to include option to restrict or disqualify student from participation in extracurricular activities, and provides that teachers will first try disciplinary measures other than recess restriction when recess restriction would result in withholding of physical activity.