

CSBA POLICY GUIDE SHEET

March 2025

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.

Board Policy 1312.2 - Complaints Concerning Instructional Materials

Policy updated to reflect **NEW LAW (SB 153, 2024)** which prohibits the Governing Board from adopting or approving the use of any textbook, instructional material, supplemental instructional material, or curriculum for classroom instruction if the use would subject a student to unlawful discrimination in accordance with specified state law.

Administrative Regulation 1312.2 - Complaints Concerning Instructional Materials

Regulation updated to reference **NEW LAW (SB 153, 2024)** which prohibits the Governing Board from adopting or approving the use of any textbook, instructional material, supplemental instructional material, or curriculum for classroom instruction if the use would subject a student to unlawful discrimination in accordance with specified state law.

~~Exhibit(1) 1312.2 - Complaints Concerning Instructional Materials~~

~~Exhibit updated in conjunction with accompanying Board policy and administrative regulation, with minor revisions to formatting and style.~~

Board Policy 1340 - Access to District Records

Policy updated to delete material related to the copying of public records, as it is more appropriately placed in, and therefore moved to, the accompanying Administrative Regulation.

Administrative Regulation 1340 - Access to District Records

Regulation updated to add that the regulation is a non-exhaustive list of records that may be defined as either public or confidential. Additionally, regulation updated to clarify that (1) the public may have access to public records unless otherwise exempt from disclosure, and (2) it is after initial proposals of exclusive employee representatives and of the district are presented at a district Governing Board meeting that they are a public record. In addition, regulation updated to include that executed contracts for the purchase of goods or services, even if the contract contains provisions specifying that the contract is confidential or a proprietary record of the vendor, is a public record. Regulation also updated to require that confidential home addresses, telephone numbers, or birth dates of employees may only be disclosed in the limited circumstances listed in the regulation, and to reflect **NEW LAW (AB 1785, 2024)** which prohibits districts from publicly posting online the home address, telephone number, or both the name and assessor parcel number associated with the home address of any elected or appointed official without first obtaining the written permission of that individual. Additionally, regulation updated to clarify that unless otherwise authorized or required by law, information regarding an individual's citizenship or immigration status shall not be disclosed. In addition, regulation updated to reflect **NEW LAW (SB 1034, 2024)** which adds, as an unusual circumstance which would permit the district to extend its response to a California Public Records Act request, to include the need to search for, collect, and appropriately examine records during a state of emergency when the state of emergency currently affects the district's ability to timely respond to staffing shortages or closure of facilities where the requested records are located. Regulation also updated to clarify that if a portion of a requested record is exempt from disclosure, only the non-exempt portion of the record is available for inspection and that the record's exempt material is required to be redacted prior to disclosure. Additionally, regulation reorganized for clarity and to keep related content together.

Board Policy 3311 - Bids

Policy updated to clarify that bidding procedures are required to be established in accordance with, and meet the requirements for, bidding procedures specified in law. Additionally, policy updated to incorporate material from the accompanying administrative regulation related to awarding contracts, protests by bidders,

and instances when bids are not required, as the majority of such content is related to Governing Board actions and therefore more appropriately placed in Board policy.

Administrative Regulation 3311 - Bids

Regulation updated to clarify that the definition of maintenance includes landscape maintenance and minor repainting. Additionally, regulation updated to reflect requirement that prequalification is required for projects that utilize state general funds. In addition, regulation updated to delete material related to awarding contracts, protests by bidders, and instances when bids are not required, as the majority of such content is related to Governing Board actions and therefore more appropriately placed, and thus incorporated, into the accompanying Board policy.

Board Policy 3311.1 - Uniform Public Construction Cost Accounting Procedures

Policy updated to add language related to authorization for the Governing Board when, after the first invitation of bids pursuant to informal or formal bidding procedures under the Uniform Public Construction Cost Accounting Act all bids are rejected, declare that a project can be performed more economically by employees of the district.

Administrative Regulation 3311.1 - Uniform Public Construction Cost Accounting Procedures

Regulation updated to reflect **NEW LAW (AB 2192, 2024)** which (1) includes "installations" involving publicly owned, leased, or operated facility in the definition of "public project," and (2) adjusted the threshold amounts for utilizing Uniform Public Construction Cost Accounting Act procedures. Regulation also updated to clarify and expand material related to informal procedures for awarding contracts for public projects of \$220,000 or less.

Board Policy 3312 - Contracts

Policy updated to broaden philosophical statement to include that the Governing Board ensure that contracts entered into on behalf of the district conform to any applicable legal standards. Additionally, policy updated to provide that Board members and district employees involved in the making of contracts on behalf of the district comply with applicable law. In addition, policy updated to add language that executed contracts for the purchase of goods or services, even if the contract contains provisions specifying that the contract is confidential or a proprietary record of the vendor, is a public record unless otherwise exempt from disclosure under state or federal law. Policy also updated to reflect **NEW LAW (SB 1303, 2024)** which (1) requires, if the district utilizes a private labor compliance entity, the entity to submit a signed declaration verifying that it does not have a conflict of interest, and (2) defines "private labor compliance entity" and "conflict of interest." Additionally, policy updated to clarify language regarding public records and that a district may not enforce a confidentiality clause that would prevent the district from making any part of the contract a public record.

Board Policy 3516.5 - Emergency Schedules

Policy updated to add "health conditions" as a reason for which the Superintendent or designee is authorized by the Governing Board to close a school site, change the regular school day schedule, or take any necessary action. Additionally, policy updated to reference **NEW LAW (SB 1429, 2024)** which adds snowstorms to the list of emergencies for which a district may apply to the Superintendent of Public Instruction to obtain apportionment credit for days and minutes lost due to emergency closure and material decreases in attendance. In addition, policy updated to reflect **NEW LAW (SB 153, 2024)** and **NEW LAW (AB 176, 2024)** which require a district that submits an affidavit for a school closure necessitated by an emergency condition to (1) for an emergency event occurring after September 1, 2021 but before July 1, 2026, certify that the district has a plan for offering independent study to affected students within 10 instructional days of the first day of a school closure or material decrease in attendance, and (2) for events occurring on or after July 1, 2026, certify that an instructional continuity plan is included in the district's comprehensive safety plan and that the district offered student engagement and instruction consistent with the instructional continuity plan or certify that it did not do so due to extenuating circumstances. **NEW LAW (SB 153, 2024)** also authorizes districts, beginning July 1, 2025, to implement attendance recovery programs for students in grades transitional kindergarten-12 to make up lost instructional time and offset absences due to emergency events. Additionally, policy updated to combine material related to student and parent/guardian notifications, make more current the modalities of the district's notification system for informing students and

parents/guardians of a change in the school day schedule, a school closure due to an emergency, or change in operation of school bus schedules, and reflect **NEW LAW (AB 2905, 2024)** which requires, when a district or school uses an automatic dialing-announcing device, for the device to be operated by a person who follows all procedures required by law prior to operating the device, and disconnect the device from the telephone line upon the termination of the call.

Board Policy 3580 - District Records

Policy updated to include protection of records against damage, loss, or theft, which may be caused by cybersecurity breaches. Additionally, policy updated to require the Superintendent or designee to (1) ensure that employees receive information and training about cybersecurity, including ways to protect district records from breaches to the district's digital infrastructure, and (2) to report a cyberattack that impacts more than 500 students or personnel to the California Cybersecurity Integration Center. In addition, policy updated to clarify that if a breach in security of district records has resulted in the release of personal information that was either unencrypted, or encrypted under certain specified circumstances, the Superintendent or designee is required to notify individuals, as specified. Policy also updated to specify that records containing confidential address information of a participant in the Safe at Home program are required to be kept in a confidential location and not shared with the public.

Administrative Regulation 3580 - District Records

Regulation updated to clarify that it is any historical inventory of equipment that is required to be a continuing record; that a student's cumulative record, if not transferred, is a continuing record until the student ceases to be enrolled in the district; and that minutes of Governing Board or Board committees are classified as permanent records, including text of rules, regulations, policies or resolutions not set forth verbatim in the minutes but included by reference only. Additionally, regulation updated to delete reference to printing and physically filing records and replace with language that all records, including electronic documents, should be organized and filed for easy retrieval based on information contained in, and the purpose of, the record.

Board Policy 4151/4251/4351 - Employee Compensation

Policy updated to reflect **NEW LAW (AB 938, 2024)** which requires districts, beginning January 31, 2026, to annually complete the Salary and Benefit Schedule for Bargaining Units (Form J-90), for classified and certificated staff assigned to a district school site(s) and report the Form J-90 to the California Department of Education. Additionally, policy updated to include "fillable" language for districts to utilize to reflect the payroll schedule determined by the Governing Board. In addition, policy updated to delete material related to the compensation of employees during periods of extended closure or disruption which was COVID-19 specific, and therefore outdated. Policy also updated to correct an inaccuracy regarding overtime rate of pay, which required the deletion of material related to an overtime rate of twice the regular rate of pay for any hours worked in excess of 12 hours in one day or eight hours on the seventh consecutive work day, since the Labor Code section which provides for such overtime compensation does not apply to school districts. Additionally, policy updated to add language regarding the rate of pay for a classified employee in an exempt position who is required to work on a holiday designated in law or by the Board. In addition, policy updated to clarify that, when an employee does not respond or disputes the existence or amount of an overpayment claimed by the district, the district may only recover an overpayment after pursuing appropriate legal action, and to delete the requirement for Board approval for the district to exercise legal means to recover an overpayment, as Board approval is not required by law.

Board Policy 4158/4258/4358 - Employee Security

Policy updated to include material which authorizes a collective bargaining representative to seek a temporary restraining order on behalf of a district employee who has been subjected to harassment, unlawful violence, or a credible threat of violence in the workplace, if the collective bargaining representative serves that employee in employment or labor matters at the employee's workplace. Additionally, policy updated to incorporate Executive Order 14127, "Combating Emerging Firearms Threats and Improving School-Based Active-Shooter Drills," which establishes a task force to provide guidance to schools related to school-based active shooter drills. In addition, policy revised to more closely align with law and to reflect a change in provisions from the Labor Code to the Government Code.

Administrative Regulation 4158/4258/4358 - Employee Security

Regulation updated to reference the requirement for schools to include in their comprehensive safety plans procedures to assess and respond to reports of any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted at school, at an activity sponsored by the school, or on a school bus serving the school. Additionally, regulation updated to add that reports of an attack, assault, or physical threat shall be forwarded immediately to the Superintendent or designee. In addition, regulation updated to reflect **NEW LAW (AB 2499, 2024)**, which requires districts to provide reasonable accommodations to an employee who is a victim, or whose family member is a victim, of domestic violence, sexual assault, stalking, or other qualifying act(s) of violence. Policy also updated to clarify material related to an employee's request, based on need, to carry or possess pepper spray on school property or at school-related activities.

Board Policy 5125 - Student Records

Policy updated to include in the first philosophical paragraph disclosure of records in the list of administrative regulations the Superintendent or designee is required to establish. Additionally, policy updated to reflect **NEW LAW (AB 801, 2024)** which requires districts to provide documentation that a student has not been enrolled in the district for at least 60 days to the operator of a website, online service or application, or mobile application that has control of student records which contain covered information that is not subject to the California Consumer Privacy Act, if the student's parent/guardian or the student, if 18 years of age or older, requests deletion of such records. In addition, policy updated to reflect **REVISED GUIDANCE** from the California Attorney General related to responding to immigration enforcement in K-12 schools. Policy also updated to broaden the applicability of the prohibition against disclosure by deleting reference to "Superintendent or designee" and replacing with "district or district employee", and add the requirement that the Superintendent or designee develop protocols to comply with a court's restraining order that prohibits a party from accessing specified records and information pertaining to a student. Additionally, policy updated to add requirements related to the retention, disclosure, and security of student records, including that the Superintendent or designee (1) ensure the confidentiality of student records as required by law and establish processes and procedures to safeguard data against damage, loss, or theft, including damage, loss, or theft, which may be caused by the use of technology, including artificial intelligence, in the retention or disclosure of student records and breaches to the district's digital infrastructure, (2) ensure that employees receive information and training about cybersecurity, including ways to protect student records from breaches to the district's digital infrastructure, and (3) report a cyberattack to the California Cybersecurity Integration Center if the district experiences a cyberattack that impacts more than 500 students or personnel.

Administrative Regulation 5125 - Student Records

Regulation updated to reference **REVISED GUIDANCE** from the California Attorney General related to responding to immigration enforcement in K-12 schools. Additionally, regulation updated to reorganize definitions to appear in alphabetical order, and add that the district is prohibited from disclosing student records to a party, including a parent/guardian, who is legally prohibited from accessing records and information of a student pursuant to a restraining order. In addition, regulation updated to reflect **NEW LAW (SB 153, 2024)** which requires a district that serves students in grades 9-12 to (1) enter into a data sharing agreement with the California College Guidance Initiative (CCGI) to provide student data for use when students are planning for and applying to California public colleges and universities, and (2) provide parent/guardian notification of the sharing with CCGI of specified district data and data collected by the California Department of Education for the purposes of college admissions, academic placement, and eligibility for student financial aid. In addition, regulation updated to clarify that (1) information may be released from a student's records to appropriate persons in connection with an emergency if the knowledge of the information is necessary to protect the health or safety of the student or other persons, and (2) that when a student in foster care is enrolling in a district school, the district's liaison for foster youth is required to contact, within two business days of the student's request for enrollment, the school last attended by the student to obtain all academic and other records.

Board Policy 5131 - Conduct

Policy updated to reflect **NEW LAW (AB 3216, 2024)** which requires the Governing Board to, by July 1, 2026, develop, adopt, and update every five years a policy to limit or prohibit student use of smartphones while at a school site or under the supervision and control of district employee(s). Additionally, policy updated to expand the list of prohibited student conduct to include conduct that is prohibited by law related to suspension and expulsion.

Board Policy 5131.6 - Alcohol and Other Drugs

Policy updated to add language which requires districts to annually inform parents/guardians at the beginning of the first semester or quarter of the regular school year about the dangers associated with the use of synthetic drugs that are not prescribed by a physician, such as fentanyl, and to reflect **NEW LAW (AB 2690, 2024)** which requires districts to notify parents/guardians about the risk of social media being used as a way to market and sell synthetic drugs. Additionally, policy updated to reflect **NEW LAW (AB 2711, 2024)** which prohibits the suspension of students who voluntarily disclose their use of a tobacco product, controlled substance, alcohol, or an intoxicant of any kind in order to seek help through services or supports solely for that disclosure, **NEW LAW (SB 997, 2024)** which prohibits districts that serve students in middle school, junior high school, high school, or adult school from prohibiting a student in middle school, junior high school, or high school, while on a school site or participating in school activities, from carrying fentanyl test strips while on a school site or participating in school activities, to carry fentanyl test strips or a federally approved opioid antagonist for the emergency treatment of persons suffering, or reasonably believed to be suffering, from an opioid overdose, and **NEW LAW (AB 2998, 2024)**, which provides that districts may not prohibit students 12 years of age or older, while on a school site or participating in school activities, from carrying or administering, for the purposes of providing emergency treatment to persons who are suffering, or reasonably believed to be suffering, from an opioid overdose, a naloxone hydrochloride nasal spray or any other opioid overdose reversal medication. In addition, policy updated to add language which authorizes a district to use alternatives to the referral of a student to a law enforcement agency in response to an incident involving the student's misuse of an opioid, to the extent any alternative utilized is not in conflict with any law requiring that referral.

Administrative Regulation 5131.6 - Alcohol and Other Drugs

Regulation updated to reflect **NEW LAW (AB 2865, 2024)** which requires instruction on the nature and effects of alcohol to include information about excessive alcohol use and the short- and long-term health risks of excessive alcohol use, which may include instruction about depression and anxiety, and **NEW LAW (AB 2429, 2024)**, which provides that, beginning with the 2026-27 school year, districts that require students to complete a course in health education for graduation from high school to include in such course instruction in the dangers associated with fentanyl use.

Board Policy 5131.8 - Mobile Communication Devices

Policy updated to reflect **NEW LAW (AB 3216, 2024)** which requires the Governing Board to, by July 1, 2026, develop, adopt, and update every five years a policy to limit or prohibit student use of smartphones while at a school site or under the supervision and control of district employee(s). Additionally, policy updated to add options which offer different approaches to regulating the use of smartphones and other mobile communication devices. In addition, policy updated to clarify language related to the search of a student's personal electronic device.

Board Policy 5141.5 - Mental Health

Policy updated to include substance abuse in instruction provided to students, and to include students as recipients of information and training that the Superintendent or designee is required to provide. Additionally, policy updated to reflect **NEW LAW (SB 153, 2024)** which (1) requires the district to, by July 1, 2029, certify to the California Department of Education that all certificated employees and 40 percent of classified employees who have direct contact with students in grades 7-12 receive youth behavioral training at least one time, and (2) requires the Governing Board of any district serving students in grades 7-12 to, before January 31, 2026, adopt a policy at a regularly scheduled meeting, on referral protocols for addressing student behavioral health concerns. In addition, policy updated to reflect that the Superintendent or designee is required to provide and require at least one hour of training to support lesbian, gay, bisexual, transgender, queer, and questioning cultural competency annually to all certificated employees serving students in grades 7 to 12, and that the district is required to maintain records documenting the date that each employee completed such training and the name of the entity that provided the training. Policy also updated to expand material related to telehealth or other information and communication technologies for mental and behavioral health services for students.

Board Policy 5141.52 - Suicide Prevention

Policy updated to reflect **NEW LAW (SB 1318, 2024)** which, if the district does not have a school mental health professional or contract with a mental health professional, encourages the Governing Board to consider when reviewing its policy on suicide prevention whether funding should be identified for purposes of hiring a school mental health professional. Additionally, policy updated to require that measures and strategies for suicide prevention, intervention, and postvention include student instruction on help-seeking strategies and resources, and expand tasks of district and/or school-site crisis intervention team(s) to include posting of suicide prevention policy, protocols, and resources on district and school websites. In addition, policy updated to include material related to addressing mental health disabilities, as well as language regarding the establishment of a process to maintain regular contact with students, including during distance learning or school closures, and to communicate emotional wellbeing and or safety concerns. Policy also updated to include that mental health and behavioral health services be provided for in accordance with Board Policy 5141.5 - Mental Health, which includes the provision of services by way of telehealth technology.

Administrative Regulation 5141.52 - Suicide Prevention

Regulation updated to include definitions for "mental health professional," "student suicide crisis," and "school mental health professional." Additionally, regulation updated to reflect **NEW LAW (SB 1063, 2024)** which requires districts that issue or reissue student identification cards to include on the card the 988 Suicide and Crisis Lifeline, and authorizes districts to include the telephone number for campus police or security or, if the campus does not have a campus police or security telephone number, the local nonemergency telephone number, and/or a quick response (QR) code for the county's mental health resources website. In addition, regulation updated to include that mental health and behavioral health services be provided for in accordance with Board Policy 5141.5 - Mental Health.

Board Policy 5145.13 - Response to Immigration Enforcement

Policy updated to reflect **REVISED GUIDANCE** from the California Attorney General related to responding to immigration enforcement in K-12 schools, including the prohibition against seeking or requiring information or documents, to the exclusion of other permissible information or documents, regarding the citizenship or immigration status of a student or the student's family members. Additionally, policy updated to incorporate language from the accompanying administrative regulation related to the prohibition against using resources and data collected by the district to compile a list, registry, or database of individuals based on national origin, immigration status, religion, or other category of individual characteristics protected against unlawful discrimination.

Administrative Regulation 5145.13 - Response to Immigration Enforcement

Regulation updated to reflect **REVISED GUIDANCE** from the California Attorney General related to responding to immigration enforcement in K-12 schools, including the requirement to obtain consent to release immigration-related student information; when and how a law enforcement officer is required to register at a school in order to gain access; and what to do when a law enforcement officer declares that exigent circumstances exist and demands immediate access to the campus. Additionally, regulation updated to clarify the circumstances when there is a need for a judicial subpoena and/or judicial subpoena warrant. In addition, regulation updated to delete language moved to the accompanying Board policy related to the prohibition against using resources and data collected by the district to compile a list, registry, or database of individuals based on national origin, immigration status, religion, or other category of individual characteristics protected against unlawful discrimination. Regulation also updated to add new section headings for organization and ease of understanding.

Board Policy 6142.93 - Science Instruction

Policy updated to expand the philosophical statement to specify the Governing Board's belief that science instruction include the place of humans in ecological systems, the causes and effects of climate change and the methods to mitigate and adapt to climate change, and experiments and other activities that foster critical thinking. Additionally, policy updated to clarify that the Board is required to adopt academic standards for science which meet or exceed the California Next Generation Science Standards and describe the knowledge and skills students are expected to possess at each grade level, with an instructional focus on understanding the process of science, the fundamental ideas within each discipline of science, and underlying themes that are common to all sciences.

Board Policy 6142.94 – History Social Science Instruction

~~Policy updated to expand the philosophical statement to specify the Governing Board's belief that history-social science instruction include a foundation for the appreciation of different ethnicities, the wise use of natural resources, and the responsible management of personal finance. Additionally, policy updated to specify that districts with high schools are required to annually observe, during the week that includes April 28, "Workplace Readiness Week" by providing information to students on their rights as workers, and that for students in grades 11 and 12, the "Workplace Readiness Week" observances are required to be integrated into the regular school program, consistent with the history-social science framework.~~

Board Policy 6159 - Individualized Education Program

Policy reviewed in conjunction with the accompanying administrative regulation and updated for technical revisions, including changing the term "students with disabilities" to "students with exceptional needs".

Administrative Regulation 6159 - Individualized Education Program

Regulation updated to reflect **NEW LAW (AB 438, 2024)** which requires a student's individualized education program (IEP), if determined appropriate by a student's IEP team, to include measurable postsecondary goals and transition services beginning when the student starts high school or not later than the first IEP to be in effect when the student is 16 years of age or younger, as appropriate, and updated annually thereafter, and **NEW LAW (AB 1938, 2024)** which requires IEP teams, when determining the least restrictive environment for a deaf, hard of hearing, or deaf-blind student to consider the language needs of the student and to consider placements and services available to the student, as specified. Additionally, policy updated to recognize that assistive devices and services may include artificial intelligence services, and to reflect **NEW GUIDANCE** from the U.S. Department of Education which provides information to support children with disabilities who need assistive technology devices and services for meaningful access and engagement in education. In addition, regulation updated to change the term "students with disabilities" to "students with exceptional needs".

Board Policy 6159.2 - Nonpublic, Nonsectarian School and Agency for Special Education

Policy updated to provide that for any foster youth served by a nonpublic school or agency (NPS/A), the NPS/A will serve as the school of origin of the foster youth and that the foster youth will be allowed to continue in the school. Additionally, policy updated to include that within 14 days of becoming aware of any change to the certification status of an NPS/A, the district is required to notify parents/guardians of district students who attend the NPS/A of the change in certification status and include in that notice, a copy of procedural safeguards. In addition, policy updated to change the term "students with disabilities" to "students with exceptional needs".

Administrative Regulation 6159.2 - Nonpublic, Nonsectarian School and Agency for Special Education

Regulation updated to reflect the requirement that an eligible student with exceptional needs who entered the ninth grade in the 2022-23 school year or later be exempted from all coursework and other requirements adopted by the Governing Board that are in addition to the statewide course requirements for high school graduation, and award such student a high school diploma, and to reflect **NEW LAW (SB 153, 2024)** which authorizes districts, until July 1, 2031, to extend such an exemption and award a high school diploma to an eligible student with exceptional needs who was enrolled in grade 10 or higher in the 2022-23 school year..

Board Bylaw 9150 - Student Board Members

Bylaw updated to reflect authorization for the Governing Board to provide student Board members with monthly financial compensation and **NEW LAW (SB 1445, 2024)** which authorizes student Board members to make restorative justice recommendations regarding expulsions if certain conditions are met. Additionally, bylaw restructured based on two legal bases to create student Board member positions and to clarify which aspects of bylaw are based on which basis.

Board Bylaw 9224 - Oath or Affirmation

Bylaw updated as part of CSBA's process to review policy materials that have not recently required updating based on changes to law, regulations, new guidance, or other directives, and has been amended for precision, consistency, and accuracy.

Board Bylaw 9260 - Legal Protection

Bylaw updated as part of CSBA's process to review policy materials that have not recently required updating based on changes to law, regulations, new guidance, or other directives, and has been amended for precision, consistency, and accuracy.