

CSBA NOTE: CDE's "Roadmap" emphasizes the importance of early identification of English learners, as early childhood is a crucial period of time for language development. Education Code 313 requires any district that has one or more students who are English learners to assess the English language proficiency of those students using the state English Language Proficiency Assessments for California (ELPAC). The ELPAC includes an initial test for identifying students who may be English learners and an annual summative assessment for determining English learners' level of English proficiency and progress in acquiring the skills of listening, speaking, reading, and writing in English. CDE also provides a home language survey to be used to identify students who should be tested for English proficiency. See the accompanying administrative regulation for further information about test administration, identification of English learners, and reclassification criteria.

The Superintendent or designee shall maintain procedures for the early identification of English learners and an assessment of their proficiency using the state's English Language Proficiency Assessments for California (ELPAC). To oversee test administration, the Superintendent or designee shall annually designate a district ELPAC coordinator and a site coordinator for each test site in accordance with 5 CCR 11518.40-11518.45.

Once identified as an English learner, a student shall be annually assessed for language proficiency until the student is reclassified based on criteria specified in the accompanying administrative regulation.

CSBA NOTE: Note: In addition to testing the level of English proficiency of English learners, districts are required pursuant to Education Code 60640 to administer the California Assessment of Student Performance and Progress (CAASPP) to English learners; see BP/AR 6162.51 - State Academic Achievement Tests. As needed, English learners may be provided with the testing resources (i.e., universal tools, designated supports, and accommodations) specified in 5 CCR ~~854.1-854.3~~ **853** during test administration.

CAASPP also includes the optional California Spanish Assessment for students in grades 3-8 and high school, which measures a student's competency in reading, writing, and listening in Spanish.

Pursuant to Education Code 60900.1, as added by AB 1868 (Ch. 907, Statutes of 2022), CDE is required to annually post on its website CAASPP test results by English language acquisition status and to report enrollment data by English language acquisition status and disability.

In addition, English learners' academic achievement in English language arts, mathematics, science, and any additional subject required by law shall be assessed using the California Assessment of Student Performance and Progress. As necessary, the test shall be administered with testing variations in accordance with 5 CCR ~~854.1-854.3~~ **853**. English learners who are in their first 12 months of attending a school in the United States shall be exempted from taking the English language arts assessment to the extent allowed by federal law. (Education Code 60603, 60640; 5 CCR ~~854.1-854.3~~ **853**)

CSBA NOTE: The following paragraph is optional. CDE's "Roadmap" highlights the importance of formative assessments in order to continually adapt methodologies and instruction to meet the needs of English learners.

Formative assessments may be utilized to analyze student performance and appropriately adapt teaching methodologies and instructions.

## Language Acquisition Programs

CSBA NOTE: Education Code 305-310 ~~authorize~~ **authorizes** parents/guardians to select a language acquisition program that best suits their child. At a minimum, the district must offer a structured English immersion program. It also may offer a dual-language immersion program, transitional and developmental program for English learners, or other language acquisition program as defined in Education Code 306. Pursuant to 20 USC 6312 and 34 CFR 100.3, parents/guardians have a right to decline or opt their child out of a language acquisition program. The following section may be revised to reflect programs offered by the district. Also see the accompanying administrative regulation.

The district shall offer research-based language acquisition programs that are designed to ensure English acquisition as rapidly and as effectively as possible and that provide instruction to students on the state-adopted academic content standards, including the English language development standards. (Education Code 306; 5 CCR 11300)

At a minimum, the district shall offer a structured English immersion program which includes designated and integrated English language development. In the structured English immersion program, nearly all of the classroom instruction shall be provided in English, but with the curriculum and presentation designed for students who are learning English. (Education Code 305-306; 5 CCR 11309)

CSBA NOTE: The following optional paragraph may be revised to reflect district practice. The Education Code does not define the term "nearly all" for purposes of ensuring that nearly all instruction in the structured English immersion program is provided in English pursuant to Education Code 306. The following paragraph defines "nearly all" as to provide that all classroom instruction be conducted in English except for clarification, explanation, and support as needed. The district could instead establish a minimum percentage of classroom instructional time to be conducted in English or specify the types of courses to be conducted in English and the courses (e.g., science, algebra) to be taught in the student's primary language.

For the purpose of determining the amount of instruction to be conducted in English in the structured English immersion program, "nearly all" means that all classroom instruction shall be conducted in English except for clarification, explanation, and support as needed.

CSBA NOTE: Items #1-2 below are optional and may be revised to reflect district practice.

In addition, language acquisition programs offered by the district may include, but are not limited to, the following: (Education Code 305-306)

1. A dual-language immersion program that provides integrated language learning and academic instruction for native speakers of English and native speakers of another language, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding
2. A transitional or developmental program for English learners that provides literacy and academic instruction in English and a student's native language and that enables an English learner to achieve English proficiency and academic mastery of subject matter content and higher order thinking skills, including critical thinking, in order to meet state academic content standards

**CSBA NOTE:** The following paragraph is for use by districts that maintain any of grades K-3.

The district's language acquisition programs for grades K-3 shall comply with class size requirements specified in Education Code 42238.02. (Education Code 310)

In establishing the district's language acquisition programs, the Superintendent or designee shall consult with parents/guardians and the community during the LCAP development process. The Superintendent or designee shall also consult with administrators, teachers, and other personnel with appropriate authorizations and experience in establishing a language acquisition program. (Education Code 305)

At the beginning of each school year or upon a student's enrollment, parents/guardians shall be provided information on the types of language acquisition programs available to students enrolled in the district, including, but not limited to, a description of each program, the process to be followed in making a program selection, identification of any language to be taught in addition to English when the program includes instruction in another language, and the process to request establishment of a language acquisition program. (Education Code 310; 5 CCR 11310)

**CSBA NOTE:** Pursuant to 5 CCR 11311, districts are required to establish a process with specified components for schools to receive and respond to requests from parents/guardians of enrolled students, and those enrolled for attendance in the next school year, to establish a language acquisition program other than, or in addition to, those already available at the school. See the section "Language Acquisition Programs" in the accompanying administrative regulation.

Whenever a student is identified as an English learner based on the results of the ELPAC, the student's parents/guardians may choose a language acquisition program that best suits their child. To the extent possible, any language acquisition program requested by the parents/guardians of 30 or more students at the school or by the parents/guardians of 20 or more students at any grade level shall be offered by the school. (Education Code 310; 5 CCR 11311)

**CSBA NOTE:** The following paragraph is optional and may be deleted if the district does not offer a dual-language immersion program.

Pursuant to Education Code 48345, as added by SB 941 (Ch. 711, Statutes of 2022), as an alternative to cancelling classes or seeking emergency credentials for teachers, the Governing Board is authorized, until July 1, 2029, to enter into an instruction collaboration agreement (ICA) with districts, county offices of education, or charter schools to offer courses and coursework to students who have been impacted by disruptions or cancellations to dual language immersion programs, or teacher shortages to such programs. See BP 5117 – Interdistrict Attendance for more information on ICAs.

Until July 1, 2029, the Superintendent or designee may, with Board approval, and as specified in BP 5117 – Interdistrict Attendance, enter into an instruction collaboration agreement (ICA) with another school district, county office of education, or charter school to offer the same or similar courses and coursework to students who have been impacted by teacher shortages, disruptions, or cancellations, or teacher shortages to dual language immersion programs. (Education Code 48345)

## Reclassification

When an English learner is determined based on state and district reclassification criteria to have acquired a reasonable level of English proficiency pursuant to Education Code 313 and 52164.6, or upon request by the student's parent/guardian, the student shall be transferred from a language

acquisition program into an English language mainstream classroom.

### Program Evaluation

CSBA NOTE: The following section may be revised to reflect indicators agreed upon by the Governing Board and Superintendent or designee for measuring the effectiveness of the district's educational program for English learners. Education Code 52061 requires that the annual update of the LCAP include a review of progress toward the goals included in the LCAP, an assessment of the effectiveness of the specific actions described in the LCAP toward achieving the goals, and a description of changes the district will make as a result of this review and assessment.

Pursuant to Education Code 313.2, CDE is required to annually determine the number of students in each district and school who are, or are at risk of becoming, long-term English learners and to report that information to districts and schools. Definitions of "long-term English learner" and "English learner at risk of becoming a long-term English learner" are contained in Education Code 313.1.

20 USC 6311 requires the inclusion of a performance indicator on English language proficiency within the state accountability system under Title I.

To evaluate the effectiveness of the district's educational program for English learners, the Superintendent or designee shall report to the Board, at least annually, regarding:

1. Progress of English learners towards proficiency in English
2. The number and percentage of English learners reclassified as fluent English proficient
3. The number and percentage of English learners who are or are at risk of being classified as long-term English learners in accordance with Education Code 313.1
4. The achievement of English learners on standards-based tests in core curricular areas
5. For any language acquisition program that includes instruction in a language other than English, student achievement in the non-English language in accordance with 5 CCR 11309
6. Progress toward any other goals for English learners identified in the district's LCAP
7. A comparison of current data with data from at least the previous year in regard to ~~items~~Items #1-6 above
8. A comparison of data between the different language acquisition programs offered by the district

The Superintendent or designee shall also provide the Board with regular reports from any district or schoolwide English learner advisory committees.

### Policy Reference UPDATE Service

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**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<b>State</b>	<b>Description</b>
5 CCR 11300-11316	English learner education
5 CCR 11510-11517.5	California English Language Development Test
5 CCR 11517.6-11519.5	English Language Proficiency Assessments for California
5 CCR <del>854.1-854.3</del> <b>853</b>	<del>CAASPP and universal tools, designated supports, and accommodations</del> <b><u>Administration of CAASPP</u></b>
5 CCR 854.9	CAASPP and unlisted resources for students with disabilities
<b><u>Ed. Code 200</u></b>	<b><u>Prohibition of discrimination</u></b>
Ed. Code 300-340	English language education for immigrant children
Ed. Code 310	Language acquisition programs
Ed. Code 313-313.5	Assessment of English proficiency
Ed. Code 33050	Nonwaivable provisions
Ed. Code 42238.02	Local Control Funding Formula
Ed. Code 430 446	English Learner and Immigrant Pupil Federal Conformity Act
Ed. Code 44253.1-44253.11	Qualifications of teachers of English learners
<b><u>Ed. Code 48345</u></b>	<b><u>Interdistrict instruction collaboration agreements</u></b>
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 52052	Accountability; numerically significant student subgroups
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 52160-52178	Bilingual Bicultural Act of 1976
Ed. Code 56305	CDE manual on English learners with disabilities
Ed. Code 60603	Definition; recently arrived English learner
Ed. Code 60640	California Assessment of Student Performance and Progress
Ed. Code 62002.5	Continuation of advisory committee after program sunsets
<b>Federal</b>	<b>Description</b>
20 USC 1412	State eligibility
20 USC <del>1701-1705</del> <b>1721</b>	Equal Educational Opportunities Act
20 USC 6311	State plan



20 USC 6312	Local educational agency plan
20 USC 6801-7014	Limited English proficient and immigrant students
20 USC 7801	Definition of English learner
34 CFR 100.3	Prohibition of discrimination on basis of race, color or national origin
34 CFR 200.16	Assessment of English learners
<b>Management Resources</b>	<b>Description</b>
Attorney General Opinion	83 Ops.Cal.Atty.Gen. 40 (2000)
California Department of Education Publication	California English Learner Roadmap: Strengthening Comprehensive Educational Policies, Programs and Practices for English Learners, <del>2018</del> 2017 ( <a href="https://www.cde.ca.gov/sp/el/rm/rmpolicy.asp">https://www.cde.ca.gov/sp/el/rm/rmpolicy.asp</a> )
<u>California Department of Education Publication</u>	<u>English Language Proficiency Assessments for California Information Guide, August 2022</u> ( <a href="https://www.cde.ca.gov/ta/tg/ep/documents/elpacinfo guide 22.docx">https://www.cde.ca.gov/ta/tg/ep/documents/elpacinfo guide 22.docx</a> )
<u>California Department of Education Publication</u>	<u>California Practitioners' Guide for Educating English Learners with Disabilities, 2019</u> ( <a href="https://www.cde.ca.gov/sp/se/ac/documents/ab2785guide.pdf">https://www.cde.ca.gov/sp/se/ac/documents/ab2785guide.pdf</a> )
California Department of Education Publication	Common Core State Standards for Mathematics, rev. 2013 ( <a href="https://www.cde.ca.gov/be/st/ss/documents/ccssmathstand ardaug2013.pdf">https://www.cde.ca.gov/be/st/ss/documents/ccssmathstand ardaug2013.pdf</a> )
California Department of Education Publication	Reclassification Guidance for <del>2017-18</del> 202-21 and <u>Statewide Testing Window Extension</u> , CDE Correspondence, <del>April 28, 2017</del> June 14, 2021 ( <a href="https://www.cde.ca.gov/sp/el/rd/reclass2021tstng.asp">https://www.cde.ca.gov/sp/el/rd/reclass2021tstng.asp</a> )
<u>California Department of Education Publication</u>	<u>Monitoring Reclassified Students, December 2019</u> ( <a href="https://www.cde.ca.gov/sp/el/rd/reclassified122019.asp">https://www.cde.ca.gov/sp/el/rd/reclassified122019.asp</a> )
California Department of Education Publication	Integrating the CA ELD Standards into K-12 Mathematics and Science Teaching and Learning, December 2015 ( <a href="https://www.cde.ca.gov/sp/el/er/documents/fnl1516agmnte ldstndab899.doc">https://www.cde.ca.gov/sp/el/er/documents/fnl1516agmnte ldstndab899.doc</a> )
California Department of Education Publication	Matrix One: Universal Tools, Designated Supports, and Accommodations for the California Assessment of Student Performance and Progress for <del>2017-18</del> Accessibility Resources Matrix, 2022 ( <a href="https://www.cde.ca.gov/ta/tg/ca/documents/caaccessmatrix 23.docx">https://www.cde.ca.gov/ta/tg/ca/documents/caaccessmatrix 23.docx</a> )

California Department of Education Publication	Next Generation Science Standards for California Public Schools, Kindergarten through Grade Twelve, rev. March 2015 ( <a href="https://www.cde.ca.gov/pd/ca/sc/ngssstandards.asp">https://www.cde.ca.gov/pd/ca/sc/ngssstandards.asp</a> )
California Department of Education Publication	English Language Development Standards for California Public Schools: Kindergarten Through Grade Twelve, 2012 ( <a href="https://www.cde.ca.gov/sp/el/er/documents/eldstndspublication14.pdf">https://www.cde.ca.gov/sp/el/er/documents/eldstndspublication14.pdf</a> )
California Department of Education Publication	English Language Arts/English Language Development Framework for California Public Schools: Kindergarten through Grade Twelve, 2014 ( <a href="https://www.cde.ca.gov/ci/rl/cf/elaeldfrmwrksbeadopted.asp">https://www.cde.ca.gov/ci/rl/cf/elaeldfrmwrksbeadopted.asp</a> )
<u>California Department of Education Publication</u>	<u>California Digital Learning Integration and Standards Guidance, May 2021</u> ( <a href="https://www.cde.ca.gov/ci/cr/dl/documents/dlintegrationstdsguide.pdf">https://www.cde.ca.gov/ci/cr/dl/documents/dlintegrationstdsguide.pdf</a> )
<u>California Department of Education Publication</u>	<u>English Learner, Federal Program Monitoring Instrument</u> ( <a href="https://www.cde.ca.gov/ta/cr/documents/el2223.docx">https://www.cde.ca.gov/ta/cr/documents/el2223.docx</a> )
<u>Commission on Teacher Credentialing Publication</u>	<u>Bilingual Authorization Educator Preparation Preconditions, Program Standards, and Bilingual Teaching Performance Expectations, December 2021</u> ( <a href="https://www.ctc.ca.gov/docs/default-source/educator-prep/standards/bilingual_authorization_program_standards_bt_pes.pdf?sfvrsn=8ebc27b1_3">https://www.ctc.ca.gov/docs/default-source/educator-prep/standards/bilingual_authorization_program_standards_bt_pes.pdf?sfvrsn=8ebc27b1_3</a> )
Court Decision	Valeria O. v. Davis, (2002) 307 F.3d 1036
Court Decision	California Teachers Association v. State Board of Education et al., (9th Circuit, 2001) 271 F.3d 1141
Court Decision	McLaughlin v. State Board of Education, (1999) 75 Cal.App.4th 196
Court Decision	Teresa P. et al v. Berkeley Unified School District et al (1989) 724 F.Supp. 698
CSBA Publication	English Learners in Focus, Issue 3: Ensuring High-Quality Staff for English Learners, Governance Brief, July 2016 ( <a href="https://www.csba.org/-/media/544AF3BEB57F449689C9942EDB3F919F.ashx">https://www.csba.org/-/media/544AF3BEB57F449689C9942EDB3F919F.ashx</a> )
CSBA Publication	English Learners in Focus, Issue 4: Expanding Bilingual Education in California after Proposition 58, Governance Brief, March 2017 ( <a href="https://www.csba.org/-/media/CSBA/Files/GovernanceResources/GovernanceBriefs/201703GBEnglishLearnersInFocusIssue4_Prop58.ashx?la=en&amp;rev=1153e4657b3c46328a4bd425ee40f1c2">https://www.csba.org/-/media/CSBA/Files/GovernanceResources/GovernanceBriefs/201703GBEnglishLearnersInFocusIssue4_Prop58.ashx?la=en&amp;rev=1153e4657b3c46328a4bd425ee40f1c2</a> )

CSBA Publication	<p>English Learners in Focus: The English Learner Roadmap: Providing Direction for English Learner Success, Governance Brief, February 2018</p> <p><a href="https://www.csba.org/GovernanceAndPolicyResources/~media/CSBA/Files/GovernanceResources/GovernanceBriefs/201802EnglishLearnerRoadmap.ashx">https://www.csba.org/GovernanceAndPolicyResources/~media/CSBA/Files/GovernanceResources/GovernanceBriefs/201802EnglishLearnerRoadmap.ashx</a></p>
CSBA Publication	<p>English Learners in Focus, Issue 1: Updated Demographic and Achievement Profile of California's English Learners, Governance Brief, rev. Sep <del>September</del> 2016</p> <p><a href="https://www.csba.org/GovernanceAndPolicyResources/~media/AF163C269B0A4E6B83FE1A5626BB5273">https://www.csba.org/GovernanceAndPolicyResources/~media/AF163C269B0A4E6B83FE1A5626BB5273</a></p>
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The Education Trust-West Publication	<p>Unlocking Learning: Science as a Lever for English Learner Equity, January 2017</p> <p><a href="https://west.edtrust.org/resource/unlocking-learning-science-lever-english-learner-equity/">https://west.edtrust.org/resource/unlocking-learning-science-lever-english-learner-equity/</a></p>
The Education Trust-West Publication	<p>Unlocking Learning II: Math as a Lever for English Learner Equity, March 2018</p> <p><a href="https://west.edtrust.org/resource/unlocking-learning-ii-using-math-lever-english-learner-equity/">https://west.edtrust.org/resource/unlocking-learning-ii-using-math-lever-english-learner-equity/</a></p>
U.S. Department of Education Publication	<p>English Learners and Title III of the Elementary and Secondary Education Act (ESEA), as Amended by the Every Student Succeeds Act (ESSA), <del>September</del> 2016</p> <p><a href="https://www2.ed.gov/policy/elsec/leg/essa/essatitleiiiguidentenglishlearners92016.pdf">https://www2.ed.gov/policy/elsec/leg/essa/essatitleiiiguidentenglishlearners92016.pdf</a></p>
U.S. Department of Education Publication	<p>Innovative Solutions for Including Recently Arrived English Learners in State Accountability Systems: A Guide for States, January 2017 <a href="https://oese.ed.gov/files/2020/10/real-guidefinal.pdf">https://oese.ed.gov/files/2020/10/real-guidefinal.pdf</a></p>
U.S. Department of Education Publication	<p>English Learner Tool Kit for State and Local Educational Agencies (SEAs and LEAs), rev. November 2016</p> <p><a href="https://ncela.ed.gov/files/english_learner_toolkit/OELA_2017_ELTToolkit_508C.pdf">https://ncela.ed.gov/files/english_learner_toolkit/OELA_2017_ELTToolkit_508C.pdf</a></p>
U.S. Department of Education Publication	<p>Dear Colleague Letter: English Learner Students and Limited English Proficient Parents, January 7, 2015</p> <p><a href="https://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf">https://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf</a></p>



<u>Website</u> Publication	Accountability for English Learners Under the ESEA, Non-Regulatory Guidance, January 2017 <u>CSBA District and County Office of Education Legal Services</u>
Website	National Clearinghouse for English Language Acquisition
Website	The Education Trust-West
Website	California Department of Education, English Learners
Website	California Association for Bilingual Education
Website	CSBA
Website	<u>U.S. Department of Education</u>
Website	<u>California Digital Learning Integration and Standards Guidance</u> ( <a href="https://www.cadlsg.com/">https://www.cadlsg.com/</a> )

### Cross References

Code	Description
0200	Goals For The School District
0415	Equity
0420	School Plans/Site Councils
0420	School Plans/Site Councils
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0470	COVID-19 Mitigation Plan
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
3100	Budget
3100	Budget
4112.22	Staff Teaching English Learners
4131	Staff Development
4231	Staff Development
4331	Staff Development
5020	Parent Rights And Responsibilities
5020	Parent Rights And Responsibilities
<u>5117</u>	<u>Interdistrict Attendance</u>

5126	Awards For Achievement
5126	Awards For Achievement
5148	Child Care And Development
5148	Child Care And Development
5148.3	Preschool/Early Childhood Education
5148.3	Preschool/Early Childhood Education
6000	Concepts And Roles
6011	Academic Standards
6020	Parent Involvement
6020	Parent Involvement
6120	Response To Instruction And Intervention
6141	Curriculum Development And Evaluation
6141	Curriculum Development And Evaluation
6142.1	Sexual Health And HIV/AIDS Prevention Instruction
6142.1	Sexual Health And HIV/AIDS Prevention Instruction
6142.2	World Language Instruction
6142.2	World Language Instruction
6142.91	Reading/Language Arts Instruction
6151	Class Size
6152.1	Placement In Mathematics Courses
6152.1	Placement In Mathematics Courses
6159	Individualized Education Program
6159	Individualized Education Program
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.1-E(1)	Selection And Evaluation Of Instructional Materials
6161.11	Supplementary Instructional Materials
6162.5	Student Assessment
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
6164.5	Student Success Teams

6164.5	Student Success Teams
6164.6	Identification And Education Under Section 504
6164.6	Identification And Education Under Section 504
6170.1	Transitional Kindergarten
6171	Title I Programs
6171	Title I Programs
6172	Gifted And Talented Student Program
6172	Gifted And Talented Student Program
6173	Education For Homeless Children
6173	Education For Homeless Children
6173-E(1)	Education For Homeless Children
6173-E(2)	Education For Homeless Children
6173.1	Education For Foster Youth
6173.1	Education For Foster Youth
6173.2	Education Of Children Of Military Families
6173.2	Education Of Children Of Military Families
6175	Migrant Education Program
6175	Migrant Education Program
6190	Evaluation Of The Instructional Program

## Regulation 6174: Education For English Learners

Status: ADOPTED

Original Adopted Date: 03/01/2017 | Last Revised Date: ~~12/06/01/2019~~2023 | Last Reviewed  
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### Definitions

*English learner* means a student who is age 3-21 years, who is enrolled or is preparing to enroll in an elementary or secondary school, and whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the student the ability to meet state academic standards, the ability to successfully achieve in classrooms where the language of instruction is English, or the opportunity to participate fully in society. An English learner may include a student who was not born in the United States or whose native language is a language other than English; a student who is Native American or Alaska Native, or a native resident of the outlying areas, who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or a student who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant. (Education Code 306; 20 USC 7801)

*Designated English language development* means instruction provided during a time set aside in the regular school day for focused instruction on the state-adopted English language development standards to assist English learners to develop critical English language skills necessary for academic content learning in English. (5 CCR 11300)

*Integrated English language development* means instruction in which the state-adopted English language development standards are used in tandem with the state-adopted academic content standards. Integrated English language development includes specially designed academic instruction in English. (5 CCR 11300)

*Native speaker of English* means a student who has learned and used English at home from early childhood and English has been the primary means of concept formation and communication. (Education Code 306)

### Identification and Assessments

CSBA NOTE: Education Code 52164.1 and 5 CCR 11307 require the district to administer a home language survey to all enrolled students. A sample home language survey form in English and Spanish is available on the California Department of Education's (CDE) ~~web site~~website.

Upon enrollment in the district, each student's primary language shall be determined through the use of a home language survey. (Education Code 52164.1; 5 CCR 11307, 11518.5)

CSBA NOTE: When the home language survey indicates that a student's proficiency in English should be tested, Education Code 313 requires the district to administer a state assessment of English language proficiency. The English Language Proficiency Assessments for California



(ELPAC) are used for initial identification of language proficiency and subsequently for annual assessment of language proficiency.

Any student who is identified as having a primary language other than English as determined by the home language survey, and who has not previously been identified as an English learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be initially assessed for English proficiency using the English Language Proficiency Assessments for California (ELPAC). Prior to administering the ELPAC, the Superintendent or designee shall notify the student's parent/guardian in writing that the student will be administered the initial ELPAC. (Education Code 313, 52164.1; 5 CCR 11518.5)

CSBA NOTE: Pursuant to 5 CCR 11518.35 specifies "universal tools" that may be used with all students in ELPAC administration, and "25, the district is required to provide English learners with disabilities with the designated supports" and "accommodations" that may be used with students with disabilities when specified in their in accordance with the student's individualized education program or Section 504 plan.

The Individuals with Disabilities in Education Act (20 USC 1412) requires that students with disabilities be included in all state assessments, including the ELPAC as appropriate. Pursuant to 5 CCR 11518.30, students with the most significant cognitive disabilities who cannot participate in the assessment, even with appropriate accommodations, must be given an alternate assessment of English proficiency. 34 CFR 200.16 provides that, if an English learner with a disability is unable to take the assessment with accommodations, the state accountability system must include the student's score on any part(s) of the test for which it is possible to assess the student (i.e., speaking, reading, listening, writing).

Pursuant to Education Code 56305, CDE has developed a manual, "California Practitioners' Guide for Educating English Learners with Disabilities," which provides guidance on identifying, assessing, supporting, and reclassifying English learners with disabilities.

Administration of the ELPAC, including the use of variations and accommodations in test administration when authorized, shall be conducted in accordance with test publisher instructions and 5 CCR 11518.5-11518.35 37.

CSBA NOTE: The remainder of this section specifies notifications that must be sent to parents/guardians regarding assessment results and available programs for English learners. CDE has developed sample notification letters, available on its web site website in multiple translations, to notify parents/guardians of the initial identification of a student as an English learner or as initially fluent English proficient and to notify them of the results of an annual assessment.

Pursuant to Education Code 48985, when 15 percent or more of students enrolled in a school speak a single primary language other than English, all notices and reports sent to their parents/guardians must be written in English and in the primary language and may be answered by the parent/guardian in either language.

Based on the initial assessment, the student shall be classified either as initially fluent in English proficient or as an English learner. The Superintendent or designee shall notify the student's parent/guardian, in writing, of the results of the ELPAC initial assessment within 30 calendar days after the student's date of initial enrollment, or, if administered prior to the student's initial date of enrollment, up to 60 calendar days prior to such enrollment, but not before July 1 of the school year of the student's initial enrollment. The notice shall indicate whether the student met the

ELPAC initial assessment criterion for proficiency and include the district's contact information for use if the parent/guardian has questions or concerns regarding the student's classification. (5 CCR 11518.5)

Each year after a student is identified as an English learner and until the student is redesignated as English proficient, the summative assessment of the ELPAC shall be administered to the student during a four-month period after January 1 as determined by the California Department of Education. (Education Code 313)

The Superintendent or designee shall notify parents/guardians of their child's results on the summative assessment of the ELPAC within 30 calendar days following receipt of the results from the test contractor or, if the results are received from the test contractor after the last day of instruction for the school year, within 15 working days of the start of the next school year. (Education Code 52164.1; 5 CCR 11518.15)

**CSBA NOTE:** The following paragraph is for use by districts that receive federal funds under either Title I or Title III for services to English learners, and may be adapted for use by other districts. Pursuant to Education Code 440 and 20 USC 6312, districts receiving Title I or Title III funds are required to provide parents/guardians with notification of their child's identification as an English learner and placement in a language acquisition program.

The parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title I or Title III funds shall receive notification of the assessment of the student's English proficiency. Such notice shall be provided ~~not~~ no later than 30 calendar days after the beginning of the school year or, if the student is identified for program participation during the school year, within two weeks of the student's placement in the program. The notice shall include all of the following: (Education Code 313.2, 440; 20 USC 6312)

1. The reason for the identification of the student as an English learner and the need for placement in a language acquisition program
2. The level of English proficiency, how the level was assessed, and the status of the student's academic achievement
3. A description of the language acquisition program in which the student is, or will be, participating, including a description of all of the following:
  - a. The methods of instruction used in the program and in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction
  - b. The manner in which the program will meet the educational strengths and needs of the student
  - c. The manner in which the program will help the student develop English proficiency and meet age-appropriate academic standards for grade promotion and graduation
  - d. The specific exit requirements for the program, the expected rate of transition from the program into classes not tailored for English learners, and the expected rate of graduation from secondary school if applicable

- e. When the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP

CSBA NOTE: Education Code 313.2 requires that the notice contain information in regard to (1) whether the student is a long-term English learner, or English learner at risk of becoming a long-term English learner, and (2) the manner in which the program for English language development instruction will meet the educational strengths and needs of such students and help them develop English proficiency and achieve academic standards. Districts may send an alternate notice if the definitions of long-term English learners and those at risk of becoming long-term English learners used by the district are broader than those defined in Education Code 313.1, the notice states that the definitions utilized by the district are broader, and the notice contains the information specified in ~~item~~ Item #4 below.

4. As applicable, the identification of a student as a long-term English learner or at risk of becoming a long-term English learner, as defined in Education Code 313.1, and the manner in which the program for English language development instruction will meet the educational strengths and needs of such students and help such students develop English proficiency and meet age-appropriate academic standards
5. Information about the parent/guardian's right to have the student immediately removed from a program upon the parent/guardian's request
6. Information regarding a parent/guardian's option to decline to enroll the student in the program or to choose another program or method of instruction, if available
7. Information designed to assist a parent/guardian in selecting among available programs, if more than one program or method is offered

#### Language Acquisition Programs

CSBA NOTE: Pursuant to 5 CCR 11311, districts are required to establish a process for schools to receive and respond to requests from parents/guardians of enrolled students, and those enrolled for attendance in the next school year, to establish a language acquisition program other than, or in addition to, those already available at the school. Each school is required to follow the process even when the district provides the language acquisition program at another school site. The following section includes the components of the process required by 5 CCR 11311 and may be expanded to reflect district practice.

Whenever parents/guardians of enrolled students, and those enrolled for attendance in the next school year, request that the district establish a specific language acquisition program in accordance with Education Code 310, such requests shall be addressed through the following process: (5 CCR 11311)

1. The school shall make a written record of each request, including any request submitted verbally, that includes the date of the request, the names of the parent/guardian and student making the request, a general description of the request, and the student's grade level on the date of the request. As needed, the school shall assist the parent/guardian in clarifying the request. All requests shall be maintained for at least three years from the date of the request.

2. The school shall monitor requests on a regular basis and notify the Superintendent or designee when the parents/guardians of at least 30 students enrolled in the school, or at least 20 students in the same grade level, request the same or a substantially similar type of language acquisition program. If the requests are for a multilingual program model, the district shall consider requests from parents/guardians of students enrolled in the school who are native English speakers in determining whether this threshold is reached.
3. If the number of parents/guardians described in ~~item~~Item #2 is attained, the Superintendent or designee shall:
  - a. Within 10 days of reaching the threshold, notify the parents/guardians of students attending the school, the school's teachers, administrators, and the district's English learner parent advisory committee and parent advisory committee, in writing, of the requests for a language acquisition program
  - b. Identify costs and resources necessary to implement any new language acquisition program, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development for the proposed program, and opportunities for parent/guardian and community engagement to support the proposed program goals
  - c. Within 60 calendar days of reaching the threshold number of parents/guardians described in ~~item~~Item #2 above, determine whether it is possible to implement the requested language acquisition program and provide written notice of the determination to parents/guardians of students attending the school, the school's teachers, and administrators
  - d. If a determination is made to implement the language acquisition program, create and publish a reasonable timeline of actions necessary to implement the program. If a determination is made that it is not possible to implement the program, provide a written explanation of the reason(s) the program cannot be provided.

The district shall notify parents/guardians at the beginning of each school year or upon the student's enrollment regarding the process to request a language acquisition program, including a dual-language immersion program, for their child. The notice shall also include the following: (5 CCR 11309, 11310)

1. A description of the programs provided, including structured English immersion
2. Identification of any language to be taught in addition to English when the program includes instruction in a language other than English
3. The manner in which the program is designed using evidence-based research and includes both designated and integrated English language development
4. The manner in which the district has allocated sufficient resources to effectively implement the program, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development, and opportunities for parent/guardian and community engagement to support the program goals



5. The manner in which the program will, within a reasonable period of time, lead to language proficiency and achievement of the state-adopted content standards in English and, when the program includes instruction in another language, in that other language
6. The process to request establishment of a language acquisition program not offered at the school
7. For any dual-language immersion program offered, the specific languages to be taught. The notice also may include the program goals, methodology used, and evidence of the proposed program's effectiveness.

The district shall provide additional and appropriate educational services to English learners for the purposes of overcoming language barriers and academic deficits in other areas of the core curriculum. (5 CCR 11302)

### Reclassification/Redesignation

English learners shall be reclassified as fluent English proficient when they are able to comprehend, speak, read, and write English well enough to receive instruction in an English language mainstream classroom and make academic progress at a level substantially equivalent to that of students of the same age or grade whose primary language is English and who are in the regular course of study. (Education Code 52164.6)

CSBA NOTE: Education Code 313 and 52164.6 and 5 CCR 11303 require that the district's reclassification process include, at a minimum, the criteria specified in ~~items~~ **Items** #1-4 below. Additional guidance is ~~is~~ **and resources regarding reclassification criteria are** available on CDE's ~~web site~~ **website**. The district may expand the following list to reflect any additional criteria it has established.

The ~~procedures~~ used to determine **criteria for determining** whether an English learner shall be reclassified as fluent English proficient shall include, but not be limited to: (Education Code 313, 52164.6; 5 CCR 11303)

1. Assessment of English language proficiency using an objective assessment instrument, including, but not limited to, the ELPAC

CSBA NOTE: Pursuant to Education Code 313.3, **as amended by AB 181 (Ch. 52, Statutes of 2022), the date by which** CDE is required to develop, ~~by June 30, 2020,~~ a standardized teacher observation protocol for use in evaluating a ~~student's~~ **student's** English language proficiency, as required by ~~item~~ **Item** #2 below, as well as professional development tools to train teachers on the use of the protocol **has been extended to December 31, 2023. CDE is currently developing the, "Observation Protocol for Teachers of English Learners (OPTEL), a resource to support educators in monitoring and evaluating language use of English learner students.**

2. ~~Participation of~~ **Evaluation by** the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions related to the student, **including, but not limited to, a review of the student's curriculum mastery and academic performance**

3. Parent/guardian involvement, including:

- a. Notice to parents/guardians of language reclassification and placement, including a description of the reclassification process and the parent/guardian's opportunity to participate
- b. Encouragement of parent/guardian participation in the district's reclassification procedure, including seeking parent/guardian opinion and consultation during the reclassification process

c. Provision of an interpreter for the parent/guardian, when necessary

CSBA NOTE: Pursuant to Education Code 313, the fourth criterion ~~Item #4~~ requires comparison of student performance on an objective assessment of basic skills that provides an empirically established range of performance of English proficient students of the same age. A letter from CDE to district superintendents ("Updated Reclassification Guidance for 2017-18)2018-19," dated April 28, 2017 January 18, 2019, clarifies that the Smarter Balanced Summative Assessment may be used as a local measure of the fourth criterion for grades 3-8 and 11, or districts may select another local assessment: for all grade levels. CDE correspondence, which is and resources, available on its web site, provides website, provide examples of appropriate measures.

- 4. Student Comparison of student performance on an objective assessment of basic skills in English ~~that shows against an empirically established range of performance in basic skills, based on the performance of English proficient students of the same age, which demonstrates~~ whether the student is ~~performing at or near grade level sufficiently proficient in English to participate effectively in a curriculum designed for students of the same age whose native language is English~~

The student's language proficiency assessments, the participants in the reclassification process, and any decisions regarding reclassification shall be retained in the student's permanent record. (5 CCR 11305)

The Superintendent or designee shall monitor the progress of reclassified students to ensure their correct classification and placement. (5 CCR 11304)

CSBA NOTE: Pursuant to 20 USC 6841, districts receiving federal Title III funding are required to report to CDE the number and percentage of English learners, including English learners with a disability, meeting state academic standards for each of four years after they are no longer receiving services under Title III. In the Federal Program Monitoring process, CDE reviews whether the district monitors the progress of reclassified students for a minimum of four years to ensure correct classification and placement of reclassified students and the provision of additional academic support as needed. A letter from CDE to district superintendents, "Monitoring Reclassified Students," dated December 20, 2019, describes the areas in which districts should monitor students to ensure academic progress of former English learner students.

Districts that do not receive Title III funding may revise the following paragraph to reflect district practice.

The Superintendent or designee shall monitor students for at least four years following their reclassification to ensure ~~correct classification and placement and to determine whether any~~

additional academic support is needed. the students have not prematurely exited, any academic deficit incurred through participation in the English learner program has been remedied, and the students are meaningfully participating in the standard instructional program compared to students who had never participated in an English learner program. (5 CCR 11304; 20 USC 6841)

### Advisory Committees

CSBA NOTE: The following section should be revised to reflect district practice. Pursuant to 5 CCR 11308, an advisory committee on programs and services for English learners is required for any district with over 50 English learners and for each school with over 20 English learners. Duties of the advisory committees are specified in Education Code 52176 and 5 CCR 11308.

A school-level English Learner Advisory Committee (ELAC) shall be established when there are more than 20 English learners at the school. Parents/guardians of English learners, elected by parents/guardians of English learners at the school, shall constitute committee membership in at least the same percentage as English learners represent of the total number of students in the school. The school may designate for this purpose an existing school-level advisory committee provided that it meets these criteria for committee membership. (Education Code 52176; 5 CCR 11308)

The ELAC shall be responsible for assisting in the development of a schoolwide needs assessment, recommending ways to make parents/guardians aware of the importance of regular school attendance, and advising the principal and school staff in the development of a detailed master plan for English learners for the individual school and submitting the plan to the Governing Board for consideration for inclusion in the district master plan. (Education Code 52176)

CSBA NOTE: Pursuant to 5 CCR 11308, each school-level English Learning Advisory Committee (ELAC) is entitled to elect at least one member to the District English Learner Advisory Committee (DELAC). If there are more than 30 ELACs in the district, the district may use a system of proportional or regional representation. The following paragraph may be revised to reflect district practice.

When the district has more than 50 English learners, the Superintendent or designee shall establish a District English Learner Advisory Committee (DELAC), the majority of whose membership shall be composed of parents/guardians of English learners who are not employed by the district. Alternatively, the district may use a subcommittee of an existing districtwide advisory committee on which parents/guardians of English learners have membership in at least the same percentage as English learners represent of the total number of students in the district. (Education Code 52176)

CSBA NOTE: 5 CCR 11308 delineates the duties of the DELAC, as provided below. The list of DELAC duties on CDE's web site website omits ~~item~~ Item #5, administration of the annual language census.

The DELAC shall advise the Board on at least the following tasks: (5 CCR 11308)

1. Developing a district master plan for education programs and services for English learners, taking into consideration the school site plans for English learners
2. Conducting a districtwide needs assessment on a school-by-school basis

3. Establishing a district program, goals, and objectives for programs and services for English learners
4. Developing a plan to ensure compliance with applicable teacher or instructional aide requirements
5. Administering the annual language census
6. Reviewing and commenting on the district's reclassification procedures
7. Reviewing and commenting on the required written parental notifications

In order to assist the advisory committee in carrying out its responsibilities, the Superintendent or designee shall ensure that **DELAC and ELAC** committee members receive appropriate training and materials. This training shall be planned in full consultation with the members. (5 CCR 11308)

### LCAP Advisory Committee

**CSBA NOTE:** The following section is applicable if the district's student enrollment includes at least 15 percent English learners, with at least 50 students who are English learners. Education Code 52063 requires that such districts establish an English learner parent advisory committee to review and comment on the district's local control and accountability plan; see BP 0460 - Local Control and Accountability Plan. 5 CCR 15495 requires this committee to include a majority of parents/guardians of English learners. The English learner parent advisory committee is not required after July 1, 2024.

When there are at least 15 percent English learners in the district, with at least 50 students who are English learners, a district-level English learner parent advisory committee shall be established to review and comment on the district's local control and accountability plan (LCAP). Such advisory committee shall provide input regarding the district's existing language acquisition programs and language programs, and, where possible, the establishment of other such programs, in accordance with BP 0460 - Local Control and Accountability Plan. The committee shall be composed of a majority of parents/guardians of English learners. (Education Code If the DELAC acts as the ELAC pursuant to Education Code 52063 and 52062, the DELAC shall also review and comment on the development or annual update of the LCAP. (Education Code 52062, 52063; 5 CCR 11301, 15495)

The DELAC may also serve as the LCAP English learner advisory committee.

### Policy Reference UPDATE Service

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### Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 11300-11316	English learner education



5 CCR 11510-11517.5	California English Language Development Test
5 CCR 11517.6-11519.5	English Language Proficiency Assessments for California
5 CCR <del>854.1-854.3</del> <u>853</u>	<del>CAASPP and universal tools, designated supports, and accommodations</del> <u>Administration of CAASPP</u>
5 CCR 854.9	CAASPP and unlisted resources for students with disabilities
<u>Ed. Code 200</u>	<u>Prohibition of discrimination</u>
Ed. Code 300-340	English language education for immigrant children
Ed. Code 310	Language acquisition programs
Ed. Code 313-313.5	Assessment of English proficiency
Ed. Code 33050	Nonwaivable provisions
Ed. Code 42238.02	Local Control Funding Formula
Ed. Code 430-446	English Learner and Immigrant Pupil Federal Conformity Act
Ed. Code 44253.1-44253.11	Qualifications of teachers of English learners
<u>Ed. Code 48345</u>	<u>Interdistrict instruction collaboration agreements</u>
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 52052	Accountability; numerically significant student subgroups
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 52160-52178	Bilingual Bicultural Act of 1976
Ed. Code 56305	CDE manual on English learners with disabilities
Ed. Code 60603	Definition; recently arrived English learner
Ed. Code 60640	California Assessment of Student Performance and Progress
Ed. Code 62002.5	Continuation of advisory committee after program sunsets
<b>Federal</b>	<b>Description</b>
20 USC 1412	State eligibility
20 USC <del>1701-1705</del> <u>1721</u>	Equal Educational Opportunities Act
20 USC 6311	State plan
20 USC 6312	Local educational agency plan
20 USC 6801-7014	Limited English proficient and immigrant students
20 USC 7801	Definition of English learner

34 CFR 100.3	Prohibition of discrimination on basis of race, color or national origin
34 CFR 200.16	Assessment of English learners
<b>Management Resources</b>	<b>Description</b>
Attorney General Opinion	83 Ops.Cal.Atty.Gen. 40 (2000)
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<u>California Department of Education Publication</u>	<u>English Language Proficiency Assessments for California Information Guide, August 2022</u> ( <a href="https://www.cde.ca.gov/ta/tg/ep/documents/elpacinfo guide22.docx">https://www.cde.ca.gov/ta/tg/ep/documents/elpacinfo guide22.docx</a> )
<u>California Department of Education Publication</u>	<u>California Practitioners' Guide for Educating English Learners with Disabilities, 2019</u> ( <a href="https://www.cde.ca.gov/sp/se/ac/documents/ab2785guide.pdf">https://www.cde.ca.gov/sp/se/ac/documents/ab2785guide.pdf</a> )
California Department of Education Publication	Common Core State Standards for Mathematics, rev. 2013 ( <a href="https://www.cde.ca.gov/be/st/ss/documents/ccssmathstand ardaug2013.pdf">https://www.cde.ca.gov/be/st/ss/documents/ccssmathstand ardaug2013.pdf</a> )
California Department of Education Publication	Reclassification Guidance for <del>2017-18</del> 202-21 and <u>Statewide Testing Window Extension</u> , CDE Correspondence, April 28, <del>2017</del> June 14, 2021 ( <a href="https://www.cde.ca.gov/sp/el/rd/reclass2021tstng.asp">https://www.cde.ca.gov/sp/el/rd/reclass2021tstng.asp</a> )
<u>California Department of Education Publication</u>	<u>Monitoring Reclassified Students, December 2019</u> ( <a href="https://www.cde.ca.gov/sp/el/rd/reclassified122019.asp">https://www.cde.ca.gov/sp/el/rd/reclassified122019.asp</a> )
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California Department of Education Publication	<del>Matrix One: Universal Tools, Designated Supports, and Accommodations for the California Assessment of Student Performance and Progress for 2017-18</del> <u>Accessibility Resources Matrix, 2022</u> ( <a href="https://www.cde.ca.gov/ta/tg/ca/documents/caaccessmatrix 23.docx">https://www.cde.ca.gov/ta/tg/ca/documents/caaccessmatrix 23.docx</a> )
California Department of Education Publication	Next Generation Science Standards for California Public Schools, Kindergarten through Grade Twelve, rev. March 2015 ( <a href="https://www.cde.ca.gov/pd/ca/sc/ngssstandards.asp">https://www.cde.ca.gov/pd/ca/sc/ngssstandards.asp</a> )
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<a href="#">California Department of Education Publication</a>	<a href="#">California Digital Learning Integration and Standards Guidance, May 2021</a> <a href="https://www.cde.ca.gov/ci/cr/dl/documents/dlintegrationstdsguide.pdf">https://www.cde.ca.gov/ci/cr/dl/documents/dlintegrationstdsguide.pdf</a>
<a href="#">California Department of Education Publication</a>	<a href="#">Englisher Learner, Federal Program Monitoring Instrument</a> <a href="https://www.cde.ca.gov/ta/cr/documents/el2223.docx">https://www.cde.ca.gov/ta/cr/documents/el2223.docx</a>
<a href="#">Commission on Teacher Credentialing Publication</a>	<a href="#">Bilingual Authorization Educator Preparation Preconditions, Program Standards, and Bilingual Teaching Performance Expectations, December 2021</a> <a href="https://www.ctc.ca.gov/docs/default-source/educator-prep/standards/bilingual_authorization_program_standards_btpes.pdf?sfvrsn=8ebc27b1_3">https://www.ctc.ca.gov/docs/default-source/educator-prep/standards/bilingual_authorization_program_standards_btpes.pdf?sfvrsn=8ebc27b1_3</a>
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Court Decision	California Teachers Association v. State Board of Education et al., (9th Circuit, 2001) 271 F.3d 1141
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<a href="#">Website</a> Publication	Accountability for English Learners Under the ESEA, Non-Regulatory Guidance, January 2017 <a href="#">CSBA District and County Office of Education Legal Services</a>
Website	National Clearinghouse for English Language Acquisition



Website	The Education Trust-West
Website	California Department of Education, English Learners
Website	California Association for Bilingual Education
Website	CSBA
Website	<u><a href="#">U.S. Department of Education</a></u>
Website	<u><a href="#">California Digital Learning Integration and Standards Guidance</a></u> ( <a href="https://www.cadlsg.com/">https://www.cadlsg.com/</a> )

## Cross References

Code	Description
0200	Goals For The School District
0415	Equity
0420	School Plans/Site Councils
0420	School Plans/Site Councils
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0470	COVID-19 Mitigation Plan
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
3100	Budget
3100	Budget
4112.22	Staff Teaching English Learners
4131	Staff Development
4231	Staff Development
4331	Staff Development
5020	Parent Rights And Responsibilities
5020	Parent Rights And Responsibilities
<u>5117</u>	<u>Interdistrict Attendance</u>
5126	Awards For Achievement
5126	Awards For Achievement
5148	Child Care And Development

5148	Child Care And Development
5148.3	Preschool/Early Childhood Education
5148.3	Preschool/Early Childhood Education
6000	Concepts And Roles
6011	Academic Standards
6020	Parent Involvement
6020	Parent Involvement
6120	Response To Instruction And Intervention
6141	Curriculum Development And Evaluation
6141	Curriculum Development And Evaluation
6142.1	Sexual Health And HIV/AIDS Prevention Instruction
6142.1	Sexual Health And HIV/AIDS Prevention Instruction
6142.2	World Language Instruction
6142.2	World Language Instruction
6142.91	Reading/Language Arts Instruction
6151	Class Size
6152.1	Placement In Mathematics Courses
6152.1	Placement In Mathematics Courses
6159	Individualized Education Program
6159	Individualized Education Program
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.1-E(1)	Selection And Evaluation Of Instructional Materials
6161.11	Supplementary Instructional Materials
6162.5	Student Assessment
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
6164.5	Student Success Teams
6164.5	Student Success Teams
6164.6	Identification And Education Under Section 504
6164.6	Identification And Education Under Section 504

6170.1	Transitional Kindergarten
6171	Title I Programs
6171	Title I Programs
6172	Gifted And Talented Student Program
6172	Gifted And Talented Student Program
6173	Education For Homeless Children
6173	Education For Homeless Children
6173-E(1)	Education For Homeless Children
6173-E(2)	Education For Homeless Children
6173.1	Education For Foster Youth
6173.1	Education For Foster Youth
6173.2	Education Of Children Of Military Families
6173.2	Education Of Children Of Military Families
6175	Migrant Education Program
6175	Migrant Education Program
6190	Evaluation Of The Instructional Program

**Bylaw 9322: Agenda/Meeting Materials**

**Status: ADOPTED**

Original Adopted Date: 03/01/2008 | Last Revised Date: 03/06/01/2022 2023 | Last Reviewed  
Date: 12/06/01/2018 2023

**Agenda Content**

Governing Board meeting agendas shall reflect the district's vision and goals and the Board's focus on student learning and well-being.

CSBA 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, including teleconferenced meetings, see BB 9320 - Meetings and Notices. For agenda requirements regarding closed session agenda items, see BB 9321 - Closed Session Purposes and Agendas.

Each agenda shall state the meeting time and location and shall briefly describe each item to be transacted or discussed, including items to be discussed in closed session. (Government Code 54954.2)

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 The agenda for a regular meeting shall also provide members of the public an opportunity to address the Board regarding matters within the subject matter jurisdiction of the Board which are not on the agenda. (Education Code 35145.5; Government Code 54954.3)

The agenda does not need to provide an opportunity for public comment when the agenda on an item that has previously been considered at an open meeting by a committee comprised exclusively of Board members, provided that members of the public were afforded an opportunity to comment on the item, before or during the committee's consideration of the item, and 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 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)

The notice and agenda shall describe the means available for the public to access the meeting and provide public comment in-person and, if a Board member is appearing remotely due to an emergency circumstance or for just cause pursuant to Government Code 54953, through an internet-based service or call-in option. (Government Code 54953)

CSBA NOTE: Pursuant to Government Code 54957.5, the agenda for a regular meeting must include the address of the location where the public can inspect any materials that are related to an open session item and are distributed to the Board less than 72 hours before that meeting. See

section below entitled "Agenda Dissemination to Members of the Public." **CSBA 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. Additionally, Government Code 54953, as amended by AB 2449 (Ch. 285, Statutes of 2022), requires boards to maintain and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the Americans with Disabilities Act, and to resolve any doubt in favor of accessibility. 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.

Each agenda for a regular meeting shall list the address designated by the Superintendent or designee for public inspection of 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)

**CSBA 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 include information regarding how, when, and to whom a request for disability-related accommodations or modifications, including auxiliary aids and services, may be made by an individual who requires accommodations or modifications in order to participate in the Board meeting: , as well as the procedure for receiving and resolving such requests as required by law. (Government Code 54954.2), 54953)

**CSBA NOTE:** Pursuant to Government Code 54957.5, the agenda for a regular meeting must include the address of the location where the public can inspect any materials that are related to an open session item and are distributed to the Board less than 72 hours before that meeting. In Fowler v. City of Lafayette, the court clarified that the disclosure requirements of Government Code 54957.5 also apply to claims or written threats of litigation pursuant to Government Code 54956.9.

See the section below entitled "Agenda Dissemination to Members of the Public."

Each agenda for a regular meeting shall list the address designated by the Superintendent or designee for public inspection of documents related to an open session item, or for records of a statement threatening litigation against the district to be discussed in closed session, when such documents have been distributed to the Board less than 72 hours before the meeting. (Government Code 54956.9, 54957.5)

**CSBA NOTE:** The following paragraph is optional. Pursuant to Education Code 49073.2, the Board is prohibited from including in its minutes a student's directory information, as defined in Education Code 49061, or a parent/guardian's personal information, as defined in Education Code 49073.2, when the student or parent/guardian has provided the Board with a written request that such information be excluded; see BB 9324 - Minutes and Recordings. In order to notify students and parents/guardians of the right to request that such information be withheld, the Board should consider including a statement in each agenda.

Each agenda shall include a statement regarding the option for students and parents/guardians to request that directory information or personal information of the student or parent/guardian, as defined in Education Code 49061 and/or 49073.2, be excluded from the minutes. The agenda shall

also state that the request must be made in writing to the secretary or clerk of the Board.

### 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.

CSBA 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 district business on Board meeting agendas. The following paragraph, including the timeline, should be revised to reflect district practice. Districts are free to establish their own timeline 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 case involved an alleged violation of the plaintiff's First Amendment rights when the district did not place an item on the agenda in response to the plaintiff's oral request because the district disagreed with the plaintiff's 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.

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 one week before the scheduled meeting date. Items submitted less than a week 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.~~

CSBA NOTE: In *Mooney v. Garcia*, a California appeals court reaffirmed the ~~board's~~ **Board's** discretion in determining whether an agenda item is related to ~~school district matters~~ **within the subject matter jurisdiction of a governing board.**

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, and if so, respond accordingly.

CSBA 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~~ **during a Board meeting** 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,~~ **and when the item is placed on the agenda.**

CSBA NOTE: The following optional 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~~**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, 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. 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~~**separate** agenda item.

The agenda shall provide an opportunity for members of the public to comment on any consent agenda item unless such item has been previously considered at an open meeting of a committee comprised exclusively of Board members. (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)

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

#### **Agenda Dissemination to Board Members**

CSBA NOTE: The following section is optional and should be modified to reflect district practice. Pursuant to Government Code ~~6252.7~~**7921.310**, when the Board, in the conduct of its duties, is authorized by law to access any writing of the Board or district, including agenda and supporting documents, the district is prohibited from discriminating between or among Board members as to when and which writing will be made available.

CSBA's GAMUT Meetings, an electronic board meeting agenda service for use by districts, 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~~**website**.

At least 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, and others; and other available supporting documents pertinent to the meeting.

When special meetings are called, 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.

#### Agenda Dissemination to Members of the Public

Any ~~agenda~~ Agenda and related materials distributed to the Board shall be made available to the public upon request without delay. ~~Only~~ However, only those documents which are disclosable public records under the Public Records Act (PRA) and which relate to an agenda item scheduled for the open session portion of a regular meeting or which contain a claim or written threat of litigation which will be discussed in closed session shall be made available to the public. (Government Code 54956.9, 54957.5)

CSBA 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~~ website, 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)

CSBA 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~~ website, if it has one, in accordance with law. Districts that use an integrated agenda management platform, such as CSBA's GAMUT Meetings, may provide a direct link on the homepage of the district's ~~web site~~ website 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, available to the public free of charge, and without any restriction that would impede the reuse or redistribution of the agenda.

The Attorney General has opined in 99 Ops. Cal. Atty. 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~~ website 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.

Pursuant to Government Code 54957.5, as amended by AB 2647, the district may post on the district's website any writing related to an open session item of a regular Board meeting which is distributed to Board members less than 72 hours before the meeting, when, due to the closure of the location designated for inspection, the writing is not available for inspection by the public. To post such a writing, the requirements specified in Items #1-4 below must be met. Districts with questions regarding this exception are encouraged to consult CSBA's District and County Office of Education Legal Services or district legal counsel.

In addition, the Superintendent or designee shall post the agenda on the homepage of the district ~~web site~~website. 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~~website with the district's agendas, and the current agenda shall be the first available. (Government Code 54954.2)

If a ~~document~~writing which relates to an open session agenda item ~~of~~for which contains a claim or written threat of litigation which will be discussed in closed session during 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~~writing 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~~)

However, if the writing is distributed to at least a majority of the Board at a time when the designated location is closed to the public, this requirement may be satisfied by posting the writing on the district website if the following conditions are met: (Government Code 54957.5)

1. An initial staff report or similar document containing an executive summary and any staff recommendations related to the agenda item is made available for public inspection at the designated location at least 72 hours before the meeting
2. The writing is immediately posted on the district's website in a position and manner that makes it clear that the writing relates to an agenda item for the upcoming meeting
3. The district lists the website address where such writings may be accessed on all Board meeting agendas
4. A physical copy of the document is made available for public inspection at the designated location at the beginning of the next regular business hours, but not less than 24 hours before the relevant Board meeting

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)

CSBA NOTE: The following paragraph is for districts that have a ~~web site~~website and should be deleted by districts that do not have a ~~web site~~website. Pursuant to Government Code 54954.1, as amended by SB 274 (Ch. 763, Statutes of 2021), any district with a ~~web site~~website is required to email a copy of, or a ~~web site~~website link to, the agenda or a copy of all the documents constituting the agenda packet if a person requests that such items be delivered by email, as specified below.

The Superintendent or designee shall email a copy of, or a ~~web site~~website link to, the agenda or a copy of all the documents constituting the agenda packet to any person who requests such items to be delivered by email. If the Superintendent or designee determines that it is technologically infeasible to do so, a copy of the agenda or a ~~web site~~website link to the agenda and a copy of all other documents constituting the agenda packet shall be sent to the person who has made the request in accordance with mailing requirements specified in law. (Government Code 54954.1)

Any request for mailed copies of agendas or agenda packets shall be in writing and shall be valid for

the calendar year in which it is filed. Written requests must be renewed following January 1 of each year. (Government Code 54954.1)

**CSBA 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.

Persons requesting mailing of the agenda or agenda packet shall pay an annual fee, as determined by the Superintendent or designee, not to exceed the cost of providing the service.

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 PRA. (Government Code 54957.5)

**CSBA 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)

#### **Policy Reference UPDATE Service**

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#### **Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<b>State</b>	<b>Description</b>
Ed. Code 35144	Special meeting
Ed. Code 35145	Public meetings
Ed. Code 35145.5	Agenda; public participation and regulations
Ed. Code 49061	Definitions; directory information
Ed. Code 49073.2	Privacy of student and parent/guardian personal information; minutes of board meeting
Gov. Code 53635.7	Separate item of business for borrowing of \$100,000 or more
<u><a href="#">Gov. Code 54953</a></u>	<u><a href="#">Meetings; Americans with Disabilities Act accessibility</a></u>
Gov. Code 54954.1	Request for copy of agenda or agenda packet by member of public



Gov. Code 54954.2	Agenda posting requirements; board actions
Gov. Code 54954.3	Opportunity for public to address legislative body
Gov. Code 54954.5	Closed session item descriptions
Gov. Code 54956.5	Emergency meetings
<a href="#">Gov. Code 54956.9</a>	<a href="#">Meetings</a>
Gov. Code 54957.5	Public records
Gov. Code 54960.2	Challenging board actions; cease and desist
Gov. Code 7920.000 -- 7930.170 <a href="#">215</a>	California Public Records Act
Gov. Code 95000-95004	California Early Intervention Services Act
<b>Federal</b>	<b>Description</b>
28 CFR 35.160	Effective communications for individuals with disabilities
28 CFR 36.303	Nondiscrimination on the basis of disability; public accommodations; auxiliary aids and services
42 USC 12101-12213	Americans with Disabilities Act
<b>Management Resources</b>	<b>Description</b>
Attorney General Opinion	99 Ops. Cal. Atty. Gen. 11 (2016)
Attorney General Opinion	78 Ops. Cal. Atty. Gen. 327 (1995)
Attorney General Publication	The Brown Act: Open Meetings for Legislative Bodies, rev. 2003
Court Decision	Caldwell v. Roseville Joint Union High School District, (2007) U.S. Dist. LEXIS 66318
Court Decision	Mooney v. Garcia, (2012) 207 Cal.App.4th 229
<a href="#">Court Decision</a>	<a href="#">Fowler v. City of Lafayette (2020) 45 Cal.App.5th 68</a>
<a href="#">Court Decision</a>	<a href="#">Sierra Watch v. County of Placer (2022) 69 Cal.App.5th 86</a>
CSBA Publication	The Brown Act: School Boards and Open Meeting Laws, rev. 2019
CSBA Publication	Call to Order: A Blueprint for Great Board Meetings, 2018
Website	CSBA District and County Office of Education Legal Services
Website	California Attorney General's Office
Website	CSBA
<b>Cross References</b>	
<b>Code</b>	<b>Description</b>
0000	Vision



0200	Goals For The School District
0410	Nondiscrimination In District Programs And Activities
1100	Communication With The Public
1112	Media Relations
1113	District And School Websites
1113	District And School Websites
1113-E(1)	District And School Websites
1312.1	Complaints Concerning District Employees
1312.1	Complaints Concerning District Employees
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1312.2-E(1)	Complaints Concerning Instructional Materials
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1312.4-E(1)	Williams Uniform Complaint Procedures
1312.4-E(2)	Williams Uniform Complaint Procedures
1340	Access To District Records
1340	Access To District Records
1400	Relations Between Other Governmental Agencies And The Schools
2210	Administrative Discretion Regarding Board Policy
3100	Budget
3100	Budget
3312	Contracts
3320	Claims And Actions Against The District
3320	Claims And Actions Against The District
3460	Financial Reports And Accountability
3460	Financial Reports And Accountability

4312.1	Contracts
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.1-E(1)	Selection And Evaluation Of Instructional Materials
9012	Board Member Electronic Communications
9121	President
9122	Secretary
9130	Board Committees
9150	Student Board Members
9200	Limits Of Board Member Authority
9310	Board Policies
9320	Meetings And Notices
9321	Closed Session
9321-E(1)	Closed Session
9321-E(2)	Closed Session
9323	Meeting Conduct
9323.2	Actions By The Board
9323.2-E(1)	Actions By The Board
9323.2-E(2)	Actions By The Board
9324	Minutes And Recordings

**CSBA POLICY GUIDE SHEET**  
**June 2023**

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 0420.41 - Charter School Oversight**

Policy updated to reflect that the Governing Board may deny a request for an expansion that constitutes a material revision to a charter if the request to expand operations is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate or the district is not in a position to absorb the fiscal impact of the proposed charter school, and to include a general reference to exemptions from the geographic boundary requirement that charter schools be located within the geographic boundaries of the authorizing district. Policy also updated to include that the district may charge the charter school for the actual costs of supervisorial oversight up to one percent of the charter school's revenue if the district provides the charter school with facilities and charges the charter school a pro-rata share of the facilities costs. Additionally, policy updated to reference additional components that must be included in the procedures specified in the charter for when a charter school ceases operation.

**Exhibit(1) 0420.41 - Charter School Oversight**

Exhibit updated to include that admission preferences may not result in limited enrollment access for specified students and that mandatory parental volunteer hours may not be the basis of a preference or criterion for admission or continued enrollment, reflect **NEW LAW (AB 181, 2022)** which requires identified schools to complete and adopt an Individuals with Disabilities Act Addendum as part of the local control and accountability adoption and annual update, delete the requirement, based on changed guidance from the California Department of Education, to offer transitional kindergarten if the charter school offers a kindergarten program, add material regarding exemption for eligible students with disabilities from coursework and other requirements adopted by the charter school board that are in addition to the statewide course requirements, reflect **NEW LAW (AB 748, 2022)** which requires each school serving students in any of grade 6-12 to create and prominently display, as specified, a student mental health poster, and clarify that the charter school's policy on bullying and harassment be posted on the charter school's website.

**Board Policy 1113 - District and School Websites**

Policy updated to incorporate concepts from **NEW LAW (AB 2273, 2022)** which, although not necessarily applicable to districts, requires a business that provides an online service, product, or feature likely to be accessed by children to comply with specified requirements and provides good guidance for districts seeking to create a safe online space for students.

**Exhibit(1) 1113 - District and School Websites**

Exhibit updated to reflect that the California Department of Fair Employment and Housing is now named the Civil Rights Department, amend the title of one of the employment related posters for consistency with other sample policy materials, reflect **NEW LAW (SB 1479, 2022)** which requires the district to post on its website its COVID-19 testing plan, **NEW LAW (AB 185, 2022)** which requires the district to post on its website interim expenditure reports on the use of Learning Recovery Emergency Funds and **NEW LAW (AB 748, 2022)** which requires each school site serving students in any of grades 6-12 to have a digitized mental health poster that is distributed online to students through social media, web sites, portals, and learning platforms at the beginning of each school year.

**Board Policy 4112.2 - Certification**

Policy updated to reference that the Commission on Teacher Credentialing (CTC) has adopted regulations to implement statutory changes to the subject matter competence requirements, add, to the first philosophical paragraph, demonstration of competency in the subject matter to be taught to the attributes of certificated staff, provide that the Governing Board is required to adopt an annual resolution that it has made reasonable efforts to recruit a fully prepared teacher before hiring, in accordance with a specified hiring hierarchy, a candidate who is not fully credentialed, clarify that the Board's obligation to take action to approve a notice

of intent to employ a provisional internship permit does not require that the item be an action item, and add that the Declaration of Need specify each subject to be listed on the General Education Limited Assignment Single Subject Teaching Permits and the target language on Emergency Bilingual Permits.

#### **Administrative Regulation 4112.2 - Certification**

Regulation updated to clarify that the district may charge a fee to persons being tested to cover the cost of developing, administering, and grading the district proficiency test, include administrative leave related to dismissal and suspension proceedings and military leave as types of leaves for which the Superintendent or designee may request the Commission on Teacher Credentialing (CTC) to issue a Teaching Permit for Statutory Leave, and add a new section "Early Childhood Education Emergency Specialist Permit/Emergency Transitional Kindergarten Permit" (ETK) which reflects **NEW LAW (AB 210, 2022)** authorizing the district to request a one-year early childhood education emergency specialist permit which allows the teaching of all subjects in a self-contained transitional kindergarten general education classroom. Regulation also updated to reference **NEW LAW (SB 1397, 2022)** which requires CTC, until July 1, 2024, to waive the basic skills proficiency requirement for the issuance of an emergency 30-day substitute permit and **NEW LAW (AB 1876, 2022)** which requires CTC to accept an alternative verification of substitute teaching as part of the requirements for initial issuance of an emergency career substitute teaching permit.

#### **Exhibit(1) 4112.9/4212.9/4312.9 - Employee Notifications**

Exhibit updated to add employee notifications related to (1) homeless liaison services and training, (2) transfer of coursework and credits for highly mobile students, (3) training of volunteers in regard to the administration of emergency anti-seizure medication, and (4) nondiscrimination in the offering of career and technical education courses. Exhibit also updated to clarify that the notice regarding (1) potential exposure to COVID-19 remain posted for not less than 15 calendar days, (2) disability insurance rights and benefits be given upon employment and when the employee goes on leave for pregnancy or non-occupational sickness or injury, and (3) employees assigned to a work area in a laboratory setting be given, within 15 days after receiving a monitoring result related to an employee exposure determination, specified notices. Exhibit additionally updated for conforming changes.

#### **Board Policy 4140/4240/4340 - Bargaining Units**

Policy updated to align the definition of "management employee" with code language and to reference **NEW LAW (SB 931, 2022)** which provides that any district found by the Public Employment Relations Board to be in violation of the prohibition against deterring or discouraging district employees or job applicants from becoming or remaining members of an employee organization, authorizing representation by an employee organization, or authorizing dues or fee deductions to an employee organization, may be subject to civil penalties of \$1,000 for each affected employee, up to a maximum of \$100,000 in total, and may be ordered to pay attorney's fees and costs to the employee organization. Policy also updated to specify that the Superintendent or designee may communicate with district employees regarding their rights to join and/or support an officially recognized employee organization or to refrain from joining or supporting an officially recognized employee organization, add applicable number of days for compulsory interest arbitration related to access to new employee orientation, expand the material regarding district requirements for new employee orientations that are applicable until June 30, 2025, reference **NEW LAW (SB 1131, 2022)** which extends the Safe at Home address confidentiality program to employees who face threats of violence, or violence or harassment from the public because of the employee's work for the district, and clarify language regarding information that should not be disclosed when an employee submits a written request to keep specified information private.

#### **Administrative Regulation 4161.1/4361.1 - Personal Illness/Injury Leave**

Regulation updated to delete outdated material and to reflect **NEW LAW (AB 1041, 2022)** which includes a "designated person" in the definition of family member for whom an employee may take leave to care for.

#### **Administrative Regulation 4261.1 - Personal Illness/Injury Leave**

Regulation updated to align language regarding miscarriage with analogous language in administrative regulation for certificated staff, delete outdated material, and reflect **NEW LAW (AB 1041, 2022)** which includes a "designated person" in the definition of family member for whom an employee may take leave to care for.

**Administrative Regulation 4161.2/4261.2/4361.2 - Personal Leaves**

Regulation updated to reflect **NEW LAW (AB 1949, 2022)** which requires a district to provide up to five days of bereavement leave to a qualified employee for the death of a family member, and provide clarifying language regarding the definitions of "family member" and "immediate family" and implications for bereavement leave. Regulation also updated to reference **NEW LAW (AB 1041, 2022)** which expands the definition of a family member for whom an eligible employee may take leave to care for to include a "designated person."

**Administrative Regulation 4161.8/4261.8/4361.8 - Family Care and Medical Leave**

Regulation updated to reflect **NEW LAW (AB 1041, 2022)** which expands the definition of a family member for whom an eligible employee may take leave to care for to include a "designated person," provide that an employee may identify the designated person at the time of the employee's request for leave, and include that the district may limit an employee's use of CFRA leave to care for one designated person per 12-month period.

**Board Policy 5117 - Interdistrict Attendance**

Policy updated to reference **NEW LAW (AB 185, 2022)** which extends the school district of choice program to July 1, 2028, and to reflect **NEW LAW (SB 941 2022)** which authorizes a district to enter into an Instruction Collaboration Agreement with another local educational agency(ies) (LEA) to offer the same or similar courses and coursework to students from another LEA who have been impacted by teacher shortages, disruptions, or cancellations in science, technology, engineering, and mathematics classes, or dual language immersion programs.

**Board Policy 5141.5 - Mental Health**

Policy updated to expand the first philosophical paragraph and reflect the U.S. Surgeon General's **NEW GUIDANCE** regarding the importance of social connection and the impact of social media on health and well-being. Policy also updated to reflect **NEW LAW (SB 14, 2021)** which requires the California Department of Education (CDE) to recommend best practices and identify training programs to address student behavioral and mental health, including common psychiatric conditions and substance use disorders, safely deescalating crisis situations involving students with a behavioral health disorder, linking students with referrals, and providing instruction on how to maintain student privacy and confidentiality. Policy also updated to reflect that districts are required to notify students and parents/guardians twice a year about how to access mental health services, **NEW LAW (AB 748, 2022)** which requires each school site serving students in any of grades 6-12 to create a mental health poster, and **NEW LAW (AB 167, 2021)** which requires CDE to develop guidelines for the use of telehealth technology in schools.

**Board Policy 5141.6 - School Health Services**

Policy updated to expand the first philosophical paragraph to include the unique position of districts to increase health equity and the utilization of telehealth as a method to deliver health care services in schools. Policy also updated to provide for preventative programming and intervention strategies as types of health services to be provided by districts.

**Administrative Regulation 5141.6 - School Health Services**

Regulation updated to include behavioral health services in the list of school health services that the district may provide, and that the district may deliver health care services to students by way of telehealth technology. Regulation also updated to reflect Department of Healthcare Services Policy and Procedure Letters No. 21-017R and No. 23-004 which require districts to develop a plan to ensure that individuals with disabilities are able to effectively communicate and participate in the Medi-Cal program. Additionally, regulation updated to provide that a district may seek reimbursement from a student's health care service plan when the district provides services or arranges for the provision of services to a student for treatment of a mental health or substance use disorder.



**Policy 5145.6 - Parent/Guardian Notifications**

Policy updated to reflect Health Care Services Policy and Procedures letter No. 21-017R and No. 23-004 which require districts to develop a plan to meet alternative formatting requirements for individuals with disabilities to enable individuals with speech, vision, and hearing disabilities to effectively communicate and participate in the Medi-Cal program.

**Exhibit(1) 5145.6 - Parent/Guardian Notifications**

Exhibit updated to add parent/guardian notifications related to (1) the manner in which district-established graduation requirements and career and technical education courses satisfy college entrance A-G course criteria, (2) California's child access prevention laws and laws related to the safe storage of firearms, (3) transfer of coursework and credits for highly mobile student populations, (4) how to access mental health services at school and/or in the community, (5) the online distribution of a digitized mental health poster, (6) type 1 diabetes information, (7) the opportunity to submit written comments on the local control and accountability plan, (8) student's participation in state assessments and option to request an exemption from testing, (9) information related to the district's food service programs, (10) upcoming eye examinations at school site and option to opt-out of eye examinations, (11) potential eligibility for services or accommodations pursuant to Section 504 or an individualized education program, (12) limitations on disenrollment of a child in a preschool or child care program, including expulsion and suspension, including how to file an appeal in the event of expulsion or suspension, (13) program plan for maintaining a child's safe participation in a preschool or child care program when a child exhibits persistent and serious challenging behaviors, (14) receipt of a "Notice of Action, Recipient of Services," prior to suspending or expelling a child in a preschool program, (15) the provision of a suspension and expulsion notice, manifestation determination notice, involuntary transfer notice, and related information to a foster youth's educational rights holder, attorney, and county social worker, and an Indian child's tribal social worker and, if applicable, county social worker, (16) findings from an evaluation of participating in an independent study course when satisfactory education progress is not being met, (17) exemption from district-established graduation requirements for students with disabilities, (18) requirement to stock and make available an adequate supply of menstrual products free of cost, (19) posting of child care license, and (20) requirement to post rates, discounts and scholarship options at child care facilities. exhibit also updated for conforming changes.

**Board Policy 5148 - Child Care and Development**

Policy updated to reflect **NEW LAW (AB 210, 2022)** which (1) provides grant funding until June 30, 2027 for the purpose of increasing access to inclusive early care and education programs, (2) extends the date by which the California Department of Education and the California Department of Social Services (CDSS) are required to adopt implementing regulations related to early childhood development, and (3) specifies as one of the indicators for the implementation of quality child care and development programs that staff have the appropriate and required training, or any combination of qualifications, experience, or training. Policy also updated to delete material specific to COVID-19 and reflect a district's obligation to provide distance learning when a child care program is physically closed by a local or state public health order, reference that the Commission on Teacher Credentialing has adopted regulations pertaining to the prekindergarten-grade 3 early childhood education specialist credential that include requirements, and accelerated pathways to meet the requirements, in an effort to increase the number of early childhood education teachers, and reference **NEW LAW (AB 2827, 2022)** which requires CDSS to revise its regulations to permit children with disabilities to use outdoor play spaces simultaneously with children who do not have disabilities without having to first seek a regulatory waiver and to specify any health and safety requirements that are required to be met when simultaneous play occurs.

**Administrative Regulation 5148 - Child Care and Development**

Regulation updated to reference **NEW LAW (AB 2131, 2022)** which authorizes the California Department of Social Services (CDSS) to implement and administer the creation of a single child care center license through all-county or similar written instruction until regulations are adopted and to reflect **NEW LAW (AB 210, 2022)** which (1) specifies as one of the indicators for the implementation of quality child care and development program activities that meet the needs of dual language learners, and (2) provides that when eligibility for child care and development services are based on an adjusted monthly family income at or below 85 percent of the state median income, adjusted for family size, that calculation does not include foster care payments made on behalf of a child or guaranteed income payments. Regulation also updated to delete

outdated material regarding the requirement to test for lead contamination in drinking water for buildings constructed before January 1, 2010, reference **NEW LAW (AB 185, 2022)** which requires CDSS to adopt regulations regarding the exclusion from family income of foster care payments made on behalf of a child or income guaranteed income payments, as described above, and reflect **NEW LAW (SB 1047, 2022)** which (1) extends eligibility for child care and development programs to families in which a member of the family has been certified as eligible to receive benefits from specified means tested government programs and that priority for enrollment must be based on the income declared on the application of the government program, and (2) provides that upon establishing initial eligibility or ongoing ability for child care and development services, a family is considered to meet eligibility and need requirements for services for not less than 24 months before having eligibility or need recertified, unless an exceptions exists. In addition, regulation updated to reflect **NEW LAW (AB 321, 2022)** which provides that in the second priority category for enrollment, when there are two or more families with the same income ranking, children who reside in homes in which the primary language is not English are required to be admitted first, add material regarding a family establishing eligibility for child care and development services on the basis of receiving services under a CalWORKs Stage 1,2, or 3 program since this differs from the 24 month eligibility period as described above, delete material applicable only to the 2021-22 school year, add that licensed child care centers are required to post their rates, and discounts or scholarship policies, if any, in a prominent location adjacent to the license at the child care facility, add a new section entitled "Expulsion/Unenrollment and Suspension Based on Behavior" which reflects **NEW LAW (AB 2806, 2022)** establishing requirements for expulsion, unenrollment, or suspension of a child from a child care and development program and reflects a joint statement by the U.S. Department of Education and U.S. Department of Health and Human Services in regard to ensuring that children with disabilities are not suspended or expelled because of disability-related behaviors. Additionally, regulation updated to more closely align with law the order of disenrollment when necessary due to a reduction in state reimbursements, delete material related to the personal belief exemption as this exemption no longer exists, clarify that medical exemptions are required to specify how long the exemption is expected to be needed and that it may not extend beyond the current grade span, reflect **NEW LAW (AB 1797, 2022)** which requires child care centers to disclose specified immunization information to local health departments operating countywide or regional immunization information and reminder systems and the California Department of Public Health, clarify that verification of an excused absence be signed by the district's authorized representative if verification is made by telephone, include procedures districts are required to follow when a child has been absent and the family has not been in communication with the district's child care and development services program coordinator or site supervisor for seven consecutive calendar days, specify that any appeal from a hearing requested by a parent/guardian regarding a Notice of Action be appealed to the Child Development Division, and add a new section entitled "Coordinating Transitions" which includes material regarding the district's obligations when a child in the district's child care and development program transfers to a local public school and reflects **NEW LAW (SB 188, 2022)** which requires districts to designate a main point of contact for coordinating and completing the transition of a child and family from Part C of the Individuals with Disabilities Education Act (IDEA), infant/toddler programs, to Part B of IDEA, preschool.

**Board Policy 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities**

Policy updated to reflect **NEW LAW (AB 181, 2022)** which (1) requires districts to exempt an eligible student with a disability from all coursework and other requirements adopted by the Board that are in addition to the statewide course requirements and award such student a high school diploma, and (2) provides that any such exempted student is eligible to participate in any graduation ceremony and school activity in which a student of similar age without a disability would be eligible to participate.

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

Policy updated to reflect a December 2022 Davis Joint Unified School District Resolution Agreement with the U.S. Department of Education, Office for Civil Rights, regarding the use of seclusion and restraint as it relates to a free appropriate public education for students with disabilities placed in nonpublic schools.

**NEW - Board Policy 6173.4 - Education for American Indian Students**

New policy addresses legal implications and best practices for the education of American Indian students, including a philosophical statement which recognizes the unique cultural, language, and educational needs of Indian students and the ways those needs may be addressed, the importance of culturally relevant

curriculum for all students related to local American Indian tribes, and the practice of implementing strategies necessary for the improvement of the academic achievement of American Indian students. Policy also provides for the involvement of a California Indian Education Task Force as encouraged by **NEW LAW (AB 1703, 2022)**, the identification of and related supports for American Indian students most at-risk of not meeting state academic standards, the additional protections for American Indian students prior to a suspension, expulsion, assignment to a supervised suspension classroom, or involuntary transfer to a continuation school in accordance with **NEW LAW (AB 740, 2022)**, the provision of programs to facilitate the successful transition of American Indian students to post-secondary education and employment, professional development to assist those working with students regarding the unique needs of American Indian students, and annual reporting to the Governing Board regarding the outcomes of American Indian students. Additionally, policy includes a section entitled, "Title VI Indian Education Program," with material moved from deleted Administrative Regulation 6173.4 - Title VI Indian Education Program, and reflects major requirements for districts that receive Title VI Indian education funding.

**DELETE - Administrative Regulation 6173.4 - Title VI Indian Education Program**

Regulation deleted as unnecessary with material moved to new Board Policy 6173.4 - Education for American Indian Students.

**Board Policy 6174 - Education for English Learners**

Policy updated to remove outdated material and reflect **NEW LAW (SB 941, 2022)** which permits a district to enter into an instruction collaboration agreement with another school district, county office of education, or charter school to offer the same or similar courses and coursework to students who have been impacted by teacher shortages, disruptions, or cancellations to science, technology, engineering, and mathematics classes, or dual language immersion programs.

**Administrative Regulation 6174 - Education for English Learners**

Regulation updated to remove outdated material and reflect updated information from the California Department of Education's (CDE) English Learner Federal Program Monitoring 2022-23 Instrument, CDE's Reclassification Criteria website, and letters from CDE which provide updated reclassification guidance regarding the criteria used to determine whether an English learner should be reclassified, including a review of the student's curriculum mastery and academic performance, the provision of an interpreter for parents/guardians, when necessary, as part of the parent/guardian involvement, comparison of student performance on an objective assessment of basic skills in English against an empirically established range of performance in basic skills, based on the performance of English proficient students of the same age, which demonstrates whether the student is sufficiently proficient in English to participate effectively in a curriculum designed for students of the same age whose native language is English. Regulation also updated to include that the four years of post-reclassification monitoring should be utilized to ensure that students have not prematurely exited, any academic deficit incurred through participation in the English learner program has been remedied, and the students are meaningfully participating in the standard instructional program compared to students who had never participated in an English learner program. Additionally, regulation updated to clarify that the LCAP advisory committee provides input regarding exiting language acquisition programs and the possible establishment of other programs.

**Board Bylaw 9322 - Agenda/Meeting Materials**

Bylaw updated to move material regarding public comments to be with content related language, amend language to be more closely aligned with code language, add material regarding the means for in-person and remote public comments, and reflect **NEW LAW (AB 2449, 2022)**, which requires boards to maintain and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation to board meetings for individuals with disabilities. Bylaw also updated to provide that each agenda for a regular meeting is required to list the address designated by the Superintendent or designee for public inspection of documents related to records of a statement threatening litigation against the district to be discussed in closed session, in addition to documents related to open session, when such documents have been distributed to the Governing Board less than 72 hours before a Board meeting, clarify that the Board president and Superintendent decide when an item is placed on the agenda, include that public records under the Public Records Act and which relate to an agenda item which contain a claim or written threat of litigation which will be discussed in closed session are required to be made available to the public, in addition to documents

which relate to an agenda item scheduled for the open session of a regular meeting, and **NEW LAW (AB 2647, 2022)** which clarifies how districts can, without opening their offices after normal business hours, comply with the portion of the Brown Act that requires writings or documents distributed to a majority of a local legislative body less than 72 hours before a meeting to also be distributed to the public.





# CSBA UPDATE CHECKLIST – June 2023

District Name: Cuyama Joint Unified School District

Contact Name: Alfonso Gamino Phone: 661-766-4101 Email: agamino@cuyamaunified.org

POLICY	TITLE	OPTIONS/BLANKS	ADOPT DATE
BP 0420.41	Charter School Oversight		
E(1) 0420.41	Charter School Oversight		
BP 1113	District and School Websites	OPTION 1: <input checked="" type="checkbox"/> OPTION 2: <input type="checkbox"/>	
E(1) 1113	District and School Websites		
BP 4112.2	Certification		
AR 4112.2	Certification		
E(1) 4112.9	Employee Notifications		
E(1) 4212.9	Employee Notifications		
E(1) 4312.9	Employee Notifications		
BP 4140	Bargaining Units		
BP 4240	Bargaining Units		
BP 4340	Bargaining Units		
AR 4161.1	Personal Illness/Injury Leave	OPTION 1: <input checked="" type="checkbox"/> OPTION 2: <input type="checkbox"/>	
AR 4261.1	Personal Illness/Injury Leave	OPTION 1: <input checked="" type="checkbox"/> OPTION 2: <input type="checkbox"/> AND OPTION 1: <input type="checkbox"/> OPTION 2: <input type="checkbox"/> OPTION 3: <input checked="" type="checkbox"/>	

## CSBA UPDATE CHECKLIST – June 2023

District Name: \_\_\_\_\_

POLICY	TITLE	OPTIONS/BLANKS	ADOPT DATE
AR 4361.1	Personal Illness/Injury Leave	<b>OPTION 1:</b> <input checked="" type="checkbox"/> <b>OPTION 2:</b> <input type="checkbox"/>	
AR 4161.2	Personal Leaves		
AR 4261.2	Personal Leaves		
AR 4361.2	Personal Leaves		
AR 4161.8	Family Care and Medical Leave	<b>OPTION 1:</b> <input type="checkbox"/> <b>OPTION 2:</b> <input type="checkbox"/> <b>OPTION 3:</b> <input checked="" type="checkbox"/> <b>OPTION 4:</b> <input type="checkbox"/> AND <b>OPTION 1:</b> <input checked="" type="checkbox"/> <b>OPTION 2:</b> <input type="checkbox"/>	
AR 4261.8	Family Care and Medical Leave	<b>OPTION 1:</b> <input type="checkbox"/> <b>OPTION 2:</b> <input type="checkbox"/> <b>OPTION 3:</b> <input checked="" type="checkbox"/> <b>OPTION 4:</b> <input type="checkbox"/> AND <b>OPTION 1:</b> <input checked="" type="checkbox"/> <b>OPTION 2:</b> <input type="checkbox"/>	

# CSBA UPDATE CHECKLIST – June 2023

District Name: \_\_\_\_\_

POLICY	TITLE	OPTIONS/BLANKS	ADOPT DATE
AR 4361.8	Family Care and Medical Leave	<b>OPTION 1:</b> <input type="checkbox"/> <b>OPTION 2:</b> <input type="checkbox"/> <b>OPTION 3:</b> <input checked="" type="checkbox"/> <b>OPTION 4:</b> <input type="checkbox"/> AND <b>OPTION 1:</b> <input checked="" type="checkbox"/> <b>OPTION 2:</b> <input type="checkbox"/>	
BP 5117	Interdistrict Attendance	<b>OPTION 1:</b> <input checked="" type="checkbox"/> <b>OPTION 2:</b> <input type="checkbox"/>	
BP 5141.5	Mental Health		
BP 5141.6	School Health Services		
AR 5141.6	School Health Services		
BP 5145.6	Parent/Guardian Notifications		
E(1) 5145.6	Parent/Guardian Notifications		
BP 5148	Child Care and Development		
AR 5148	Child Care and Development	<b>Fill in Blanks</b> <u>Superintendent/Principal</u> <u>2300 Highway 166</u> <u>New Canaan, CA 93254</u> <u>661-766-2642</u>	
BP 6146.4	Differential Graduation and Competency Standards for Students with Disabilities		
BP 6159.2	Nonpublic, Nonsectarian School and Agency Services for Special Education		

## CSBA UPDATE CHECKLIST – June 2023

District Name: \_\_\_\_\_

POLICY	TITLE	OPTIONS/BLANKS	ADOPT DATE
BP 6173.4	Education for American Indian Students	<b>NEW POLICY</b>	
AR 6173.4	Title VI Indian Education Program	<b>Delete AR</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <i>N/A</i>	
BP 6174	Education for English Learners		
AR 6174	Education for English Learners		
BB 9322	Agenda/Meeting Materials		

