



CHINO VALLEY
UNIFIED SCHOOL DISTRICT

Student Achievement • Safe Schools • Positive School Climate
Humility • Civility • Service

BOARD OF EDUCATION AGENDA

February 4, 2016

BOARD OF EDUCATION

Andrew Cruz, President
Sylvia Orozco, Vice President
Pamela Feix, Clerk
James Na, Member
Irene Hernandez-Blair, Member

Shweta Shah, Student Representative

SUPERINTENDENT
Wayne M. Joseph

5130 Riverside Drive. Chino. California 91710
www.chino.k12.ca.us

CHINO VALLEY UNIFIED SCHOOL DISTRICT
REGULAR MEETING OF THE BOARD OF EDUCATION
5130 Riverside Drive, Chino, CA 91710
4:30 p.m. – Closed Session • 7:00 p.m. – Regular Meeting
February 4, 2016

AGENDA

- The public is invited to address the Board of Education regarding items listed on the agenda. Comments on an agenda item will be accepted during consideration of that item, or prior to consideration of the item in the case of a closed session item. Persons wishing to address the Board are requested to complete and submit to the Administrative Secretary, Board of Education, a "Request to Speak" form available at the entrance to the Board room.
- In compliance with the Americans with Disabilities Act, please contact the Administrative Secretary, Board of Education, if you require modification or accommodation due to a disability.
- Agenda documents that have been distributed to members of the Board of Education less than 72 hours prior to the meeting are available for inspection at the Chino Valley Unified School District Administration Center, 5130 Riverside Drive, Chino, California, during the regular business hours of 7:30 a.m. to 4:30 p.m., Monday through Friday.

I. OPENING BUSINESS

I.A. CALL TO ORDER – 4:30 P.M.

1. Roll Call
2. Public Comment on Closed Session Items
3. Closed Session

Discussion and possible action:

- a. Conference with Legal Counsel–Existing Litigation (Government Code 54954.4(c) and 54956.9)(d)(1): USDC Central District Eastern Division Case No. 5:14-CV-2336. (Pacific Justice Institute) (30 minutes)
- b. Student Expulsion Matters (Education Code 35146, 48918 (c) & (i): Expulsion cases: 15/16-14 and 15/16-15. (30 minutes)
- c. Conference with Labor Negotiators (Government Code 54957.6): A.C.T. and CSEA negotiations. Agency designated representatives: Dr. Norm Enfield, Sandra Chen, Dr. Grace Park, Lea Fellows, and Richard Rideout. (30 minutes)
- d. Public Employee Discipline/Dismissal/Release (Government Code 54957): (60 minutes)

I.B. RECONVENE TO REGULAR OPEN MEETING – 7:00 P.M.

1. Report Closed Session Action
2. Pledge of Allegiance

I.C. PRESENTATIONS

1. Student Showcase: Glenmeade ES
2. Special Recognition: Athletic Trainers
3. California College Guidance Initiative

The proceedings of this meeting are being recorded.

- I.D. COMMENTS FROM STUDENT REPRESENTATIVE
- I.E. COMMENTS FROM EMPLOYEE REPRESENTATIVES
- I.F. COMMENTS FROM COMMUNITY LIAISONS
- I.G. COMMENTS FROM THE AUDIENCE ON ITEMS NOT ON THE AGENDA
- I.H. CHANGES AND DELETIONS

II. ACTION

II.A. ADMINISTRATION

II.A.1. Public Hearing Regarding Oxford Preparatory Academy Charter School Renewal Petition

Page 1

Recommend the Board of Education conduct a public hearing regarding the Oxford Preparatory Academy charter school renewal petition.

Open Hearing _____

Close Hearing _____

III. CONSENT

Motion ____ Second ____

Preferential Vote: ____

Vote: Yes ____ No ____

III.A. ADMINISTRATION

III.A.1. Minutes of the Regular Meeting of January 21, 2016,

Page 2

Recommend the Board of Education approve the minutes of the regular meeting of January 21, 2016.

III.B. BUSINESS SERVICES

III.B.1. Warrant Register

Page 10

Recommend the Board of Education approve/ratify the warrant register, provided under separate cover.

III.B.2. Fundraising Activities

Page 11

Recommend the Board of Education approve/ratify the fundraising activities.

III.B.3. Donations

Page 14

Recommend the Board of Education accept the donations.

III.C. CURRICULUM, INSTRUCTION, INNOVATION, AND SUPPORT**III.C.1. Deletion of Board Policy 6162.52 Instruction—High School Exit Examination**

Page 17

Recommend the Board of Education approve the deletion of Board Policy 6162.52 Instruction—High School Exit Examination.

III.D. EDUCATIONAL SERVICES**III.D.1. Student Expulsion Cases 15/16-14 and 15/16-15**

Page 20

Recommend the Board of Education approve the student expulsion cases 15/16-14 and 15/16-15.

III.D.2. School-Sponsored Trips

Page 21

Recommend the Board of Education approve the following school-sponsored trips: Ayala HS; Chino HS; Chino Hills HS; and Don Lugo HS.

III.D.3. Revision of Board Policy 3515.5 Business and Noninstructional Operations—Sex Offender Information

Page 23

Recommend the Board of Education approve the revision of Board Policy 3515.5 Business and Noninstructional Operations—Sex Offender Information.

III.E. FACILITIES, PLANNING, AND OPERATIONS**III.E.1. Purchase Order Register**

Page 26

Recommend the Board of Education approve/ratify the purchase order register, provided under separate cover.

III.E.2. Agreements for Contractor/Consultant Services

Page 27

Recommend the Board of Education approve/ratify the Agreements for Contractor/Consultant Services.

III.E.3. Surplus/Obsolete Property

Page 29

Recommend the Board of Education declare the District property surplus/obsolete and authorize staff to sell/dispose of said property.

III.E.4. Notice of Completion for the CUPCCAA Project

Page 33

Recommend the Board of Education approve the Notice of Completion for the CUPCCAA Project.

III.E.5. Authorization to Enter Into an Agreement per RFQ #15-16-01 With Trane Energy Solutions for Proposition 39 Consultation, Engineering and Project Management of Design—Build Energy Efficiency Projects at Various Sites

Page 34

Recommend the Board of Education authorize staff to enter into an agreement per RFQ #15-16-01 with Trane Energy Solutions for Proposition 39 Consultation, Engineering and Project Management of Design—Build Energy Efficiency Projects at Various Sites.

III.F. HUMAN RESOURCES**III.F.1. Certificated/Classified Personnel Items**

Page 36

Recommend the Board of Education approve/ratify the certificated/classified personnel items.

IV INFORMATION**IV.A. EDUCATIONAL SERVICES****IV.A.1. Revision of Board Policy and Administrative Regulation 5131.62 Students—Tobacco**

Page 41

Recommend the Board of Education receive for information the revision of Board Policy and Administrative Regulation 5131.62 Students—Tobacco.

IV.A.2. Revision of Board Policy and Administrative Regulation 5141.4 Students—Child Abuse Prevention and Reporting

Page 50

Recommend the Board of Education receive for information the revision of Board Policy and Administrative Regulation 5141.4 Students—Child Abuse Prevention and Reporting.

IV.A.3. San Bernardino County Superintendent of Schools Williams Findings Decile 1-3 Schools Second Quarterly Report 2015/2016

Page 62

Recommend the Board of Education receive for information the San Bernardino County Superintendent of Schools Williams Findings Decile 1-3 Schools Second Quarterly Report 2015/2016.

IV.B. HUMAN RESOURCES**IV.B.1. Revision of Administrative Regulation 4031 All Personnel—Complaints Concerning Discrimination in Employment**

Page 64

Recommend the Board of Education receive for information the revision of Administrative Regulation 4031 All Personnel—Complaints Concerning Discrimination in Employment.

V. COMMUNICATIONS**BOARD MEMBERS AND SUPERINTENDENT**

VI. ADJOURNMENT

Date posted: February 1, 2016

Prepared by: Patricia Kaylor, Administrative Secretary, Board of Education

ACTION

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

Student Achievement • Safe Schools • Positive School Climate
Humility • Civility • Service

DATE: February 4, 2016

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

**SUBJECT: PUBLIC HEARING REGARDING OXFORD PREPARATORY
ACADEMY CHARTER SCHOOL RENEWAL PETITION**

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BACKGROUND

On January 25, 2016, Oxford Preparatory Academy submitted a charter school renewal petition to the Chino Valley Unified School District.

California Education Code Sections 47605 and 47607 establish the procedures and timelines for charter school renewal petitions. California Education Code Section 47605(b) requires the Board of Education to hold a public hearing to consider the level of support for the petition by teachers employed by the District, other employees of the District, and parents.

RECOMMENDATION

It is recommended the Board of Education conduct a public hearing regarding the Oxford Preparatory Academy charter school renewal petition.

FISCAL IMPACT

None.

WMJ:pk

CHINO VALLEY UNIFIED SCHOOL DISTRICT
REGULAR MEETING OF THE BOARD OF EDUCATION
January 21, 2016

MINUTES

I. OPENING BUSINESS

I.A. CALL TO ORDER – 4:00 P.M.

1. Roll Call

President Cruz called to order the regular meeting of the Board of Education, Thursday, January 21, 2016, at 4:00 p.m. with Blair, Cruz, Feix, and Orozco present. Mr. Na arrived at 4:08 p.m.

Administrative Personnel

Wayne M. Joseph, Superintendent

Norm Enfield, Ed.D., Deputy Superintendent

Sandra H. Chen, Assistant Superintendent, Business Services

Jeanette Chien, Ed.D., Assistant Superintendent, Educational Services

Grace Park, Ed.D., Assistant Superintendent, Human Resources

Gregory J. Stachura, Assistant Supt., Facilities, Planning, and Operations

2. Public Comment on Closed Session Items

None.

3. Closed Session

President Cruz adjourned to closed session at 4:00 p.m. regarding conference with legal counsel, anticipated and existing litigation; student readmissions; conference with legal labor negotiators, A.C.T. and CSEA; and public employee discipline/dismissal/ release.

I.B. RECONVENE TO REGULAR OPEN MEETING – 7:00 P.M.

1. Report Closed Session Action

President Cruz reconvened the regular meeting of the Board of Education at 7:05 p.m. The Board met in closed session from 4:00 p.m. to 6:58 p.m. regarding conference with legal counsel, anticipated and existing litigation; student readmissions; conference with legal labor negotiators, A.C.T. and CSEA; and public employee discipline/dismissal/release. No action was taken that required public disclosure.

2. Pledge of Allegiance

Levi Dickey ES Principal Suzanne Hernandez led the Pledge of Allegiance.

Calvary Chapel Chino Hills High School Pastor Shadrach Means gave an invocation.

I.C. PRESENTATIONS

1. Student Showcase: Levi Dickey ES
Levi Dickey music teacher Dr. Stan Berger led advanced band students in a musical performance.
2. Special Recognition: Chino Hills HS Boys Basketball
President Cruz presented certificates to the Chino Hills HS Boys Basketball team in recognition of their work leading to being ranked No. 1 in the nation.
3. Rose Parade Participants: Don Lugo HS and Chino HS Students
President Cruz presented certificated to students Anthony Erroa and Alana Pineda from the Don Lugo HS band, and students August Decker-Curry, Topanga Betke, and Kayla Arcoverde from the Chino HS band in recognition of their selection and participation in the 2016 Pasadena Rose Parade.
4. School Portraits by Adams Photography
Tim Adams presented the District with a check in the amount of \$31,329.29 representing the proceeds from the Hit the Greens for Scholarships Golf Tournament.
5. Measure M Financial/Performance Audit Report
Ms. Shilo Gorospe from Vavrinek, Trine, and Day, presented the Measure M Financial Performance Audit Report.
6. Curriculum, Instruction, Innovation, and Support: Student Achievement
Dr. Enfield, Deputy Superintendent, and the Curriculum, Instruction, Innovations, and Support (CIIS) team presented an overview of student achievement.

President Cruz called for a recess from 9:02 to 9:10 p.m.

I.D. COMMENTS FROM STUDENT REPRESENTATIVE

Shewta Shaw congratulated high school students for getting finals over; extended congratulations to students who were recognized for their achievements; applauded Dickey ES students for their dedication to band; said she is proud of Chino Hills HS for representing the District nation-wide; congratulated students from Don Lugo and Chino High Schools for being selected to participate in the Rose Parade; thanked Adams Photography for the scholarship donation; said she was impressed the new approach to whole child teaching. Ms. Shaw departed at 9:13 p.m.

I.E. COMMENTS FROM EMPLOYEE REPRESENTATIVES

Todd Hancock, President A.C.T. quoted Martin Luther King regarding time being right for doing what is right, and having faith; congratulated students who participated in the Rose Parade; commended Chino Hills HS basketball players for also being academically dedicated; said the Association started a CVUSD retired teachers committee; thanked Adams Photography for the golf tournament; thanked Dr. Enfield, Dr. Chien, and Grace Lee for meeting with him; said he appreciated the CIIS presentation; said he is concerned that data is the big issue because there are many indicators; quoted Superintendent Joseph regarding people being labeled by data; spoke about teachers needing time; and closed by asking: "who is the key to all of the data, and student success, and the implementation of the intervention?"

Denice Arroyo, President, CSEA, thanked Superintendent Joseph and Don Lugo Principal Kimberly Cabrera for allowing Delia Smallwood's memorial service to be held on the school site; attended the funeral for former employee Fern Gerard, who she said implemented one of the first computer labs in the District; spoke about school safety and resources; encouraged the District to send special education instructional aides to the CSEA sponsored California Para-educator Conference (at the Ontario Convention Center); attended the District Health Fair; and acknowledged the student achievements.

Ryan Candelaria, CHAMP representative, spoke about the work being done to promote and support student achievement, and the social and emotional component relative to student learning; and highlighted the contributions of District and site administrators Dr. Sherry Johnson, Dan Sousa, Anna Ingulsrud, Mary Salcido, Don Jones, and Stephanie Johnson.

I.F. COMMENTS FROM COMMUNITY LIAISONS

Art Bennett expressed awe at the achievements of District students; acknowledged students who were selected to participate in the Rose Parade; thanked Adams Photography for the golf tournament partnership; spoke about Measure M; acknowledged the CIIS presentation; said he attended a meeting dealing with human trafficking and shared the information with Superintendent Joseph.

I.G. COMMENTS FROM THE AUDIENCE ON ITEMS NOT ON THE AGENDA

Ruben Chamorro addressed the Board thanking them for approving naming the Chino HS track after Grandpa Ortiz; Barbara Rugeley and Pauline Corse introduced themselves to the Board as observers from the League of Women Voters; and Jim Case addressed the Board regarding the achievement gap.

I.H. CHANGES AND DELETIONS

The following changes were read into the record: Item II. B.2., Business Services, Fundraising Activities, under Chino Hills HS, Henna Tattoo Sale, corrected date to read February 10, 2016; Item II.C.2., Curriculum, Instruction, Innovation, and Support, Supplemental Summer Instruction Program, under High School, deleted the words "Seniors Only"; and Item II.F.1., Human Resources, Certificated Personnel, under Hired, added the name Cynthia Nadolny, math teacher, Chino Hills HS, effective February 1, 2016; and deleted the word resignation and inserted the word retirement above the name Jerry Jones.

II. CONSENT

Irene Hernandez-Blair pulled for separate action items II.C.1., and II.C.2.; Pamela Feix pulled for separate action item II.F.1.; and Sylvia Orozco pulled for separate action case 14/15-22 of item II.D.1., Moved (Na) seconded (Blair) carried unanimously (5-0) to approve the consent items, as amended.

II.A. ADMINISTRATION**II.A.1. Minutes of the Regular Meeting of January 7, 2016, and Special Meeting of January 9, 2016**

Approved the minutes of the regular meeting of January 7, 2016, and special meeting of January 9, 2016.

II.B. BUSINESS SERVICES**II.B.1. Warrant Register**

Approved/ratified the warrant register.

II.B.2. Fundraising Activities

Approved/ratified the fundraising activities, as amended.

II.B.3. Donations

Accepted the donations.

II.B.4. Legal Services

Approved payment for legal services to the law offices of Atkinson, Andelson, Loya, Ruud & Romo; and Chidester, Margaret A. & Associates.

II.C. CURRICULUM, INSTRUCTION, INNOVATION, AND SUPPORT**II.C.1. 2015/2016 Single Plan for Student Achievement**

Moved (Blair) seconded (Na) motion carried (4-1, Blair voted 'no') to approve the 2015/2016 Single Plan for Student Achievement.

II.C.2. 2016 Supplemental Summer Instruction Program and Special Education Extended School Year

Moved (Na) seconded (Orozco) carried unanimously (5-0) to approve the 2016 Supplemental Summer Instruction Program and Special Education Extended School Year, as amended.

II.D. EDUCATIONAL SERVICES**II.D.1. Student Readmission Cases 13/14-05A, 13/14-09, 14/15-03, 14/15-22, 14/15-28, 14/15-43, 14/15-48, and 15/16-01A**

Approved the student readmission cases 13/14-05A, 13/14-09, 14/15-03, 14/15-28, 14/15-43, 14/15-48, and 15/16-01A. Moved (Blair) seconded (Na) motion failed (2-3, Blair, Feix, Orozco voted 'no') to approve readmission case 14/15-22.

II.D.2. School-sponsored Trips

Approved the following school-sponsored trips: Cattle ES; Canyon Hills JHS; Ayala HS; Chino HS, and Chino Hills HS.

II.D.3. Amendment to the Local Agreement for Child Development Services CCTR-5195 and CSPP-5384 and Adoption of Resolution 2015/2016-45

Approved the amendment to the Local Agreement for Child Development Services CCTR-5195 and CSPP-5384 and adopt Resolution 2015/2016-45.

II.D.4. School Accountability Report Card 2015/2016

Approved the School Accountability Report Card 2015/2016 for each school in the Chino Valley Unified School District.

II.E. FACILITIES, PLANNING, AND OPERATIONS**II.E.1. Purchase Order Register**

Approved/ratified the purchase order register.

II.E.2. Agreements for Contractor/Consultant Services

Approved/ratified the Agreements for Contractor/Consultant Services.

II.E.3. Surplus/Obsolete Property

Declared the District property surplus/obsolete and authorized staff to sell/dispose of said property.

II.E.4. Resolution 2015/2016-46 Authorizing the Conveyance by Quitclaim of Easement

Adopted Resolution 2015/2016-46 Authorizing the Conveyance by Quitclaim of Easement.

II.F. HUMAN RESOURCES**II.F.1. Certificated/Classified Personnel Items**

Moved (Na) seconded (Blair) carried unanimously (5-0) to approve/ratify the certificated/classified personnel items, as amended.

II.F.2. Rejection of Claim

Rejected the claim and referred it to the District's insurance adjuster.

II.F.3. Revision of Board Policy 4040 Personnel—Employee Use of Technology

Approved the revision of Board Policy 4040 Personnel—Employee Use of Technology.

III INFORMATION

III.A. CURRICULUM, INSTRUCTION, INNOVATION, AND SUPPORT**III.A.1. Deletion of Board Policy and Administrative Regulation 6162.52 Instruction—High School Exit Examination**

Received for information the deletion of Board Policy and Administrative Regulation 6162.52 Instruction—High School Exit Examination.

III.B. EDUCATIONAL SERVICES**III.B.1. Revision of Board Policy and Administrative Regulation 3515.5 Business and Noninstructional Operations—Sex Offender Information**

Received for information the revision of Board Policy and Administrative Regulation 3515.5 Business and Noninstructional Operations—Sex Offender Information.

III.B.2. Williams Settlement Legislation Quarterly Uniform Complaint Report Summary for October Through December 2015

Received for Information the Williams Settlement Legislation Quarterly Uniform Complaint Report Summary for October through December 2015.

IV. COMMUNICATIONS

BOARD MEMBERS AND SUPERINTENDENT

Irene Hernandez-Blair acknowledged her error from the last Board meeting and apologized for incorrectly stating that Dickson ES had exited out of Program Improvement; said she was contacted by a Magnolia JHS parent and an Ayala HS parent regarding bullying and she asked that the Board consider stronger bullying preventions including peer counseling; acknowledged Stephanie Johnson for the work that she and her staff do, and requested a presentation regarding the services provided by the Department; said she would like for us to consider providing intervention specialists/teachers with access to Aeries relative to the students they are helping; wore her CARE/HOPE program shirt; attended the CARE Closet open house, and thanked Superintendent Joseph for allowing expansion of the program; and said CARE is still seeking donations of various items.

President Cruz asked for and received consensus to extend meeting beyond 10:00 p.m.

James Na attended Delia Smallwood's memorial service; visited the HOPE Center and CARE closet, and thanked Sylvia Orozco for her donations to the program; said he visited Adult School teacher Sindi Wasserman's class with Mr. Cruz; attended the Health Fair; attended the Chino Hills HS basketball game; said new home builders are advertising their properties as being located in the award winning CVUSD; and requested a presentation about existing anti-bullying programs at the schools, and other available programs.

Pamela Feix commented on the bullying issue, expressed concern, and said she would welcome a report or workshop on options to address it; said she was unaware of a group of international students coming to the District and asked to be apprised when events like that occur; and distributed to the Board letters from she received from Canyon Hills JHS AVID students regarding the new school start time.

Sylvia Orozco thanked Art Bennett for staying for the whole meeting; acknowledged retirees on the agenda; attended the budget perspective workshop sponsored by Capitol Advisors; said she is looking forward to the District holding a budget workshop; said the CARE Closet made many improvements; attended the health fair; visited the revamped HOPE Center and gave kudos to those for putting it together; commented on the Levi Dickey students performance; acknowledged the Rose Parade participants; appreciated the CIIS presentation; said she is hopeful that all teachers use Aeries so parents can keep track of grades; encouraged the public to attend a Chino Hills HS basketball game; highlighted Don Lugo HS's girls basketball student athlete Ana Resendiz; said Ayala Boys Basketball is ranked No. 20 in the state; shared Chino Hills sports calendar of events and said she would like to see all high schools do something similar; and acknowledged the approval of Chino Hills HS choir students traveling to sing at Carnegie Hall.

Superintendent Joseph said Ayala HS's Band and Colorguard celebrates its 25th Anniversary All-Class Reunion on January 23, and said Mark Stone will mark his 25th year as band director; said the open enrollment deadline has been extended to January 29; reminded the community about the annual community Principal for a Day scheduled for January 27; and thanked Dr. Enfield and his team for the presentation on student achievement.

President Cruz said he, Mrs. Orozco, and Mr. Na attended HOPE's Care Closet open house; said District resources have helped 600 families with needed essentials; said that the Care Closet made life a little easier for some of the 1,500 homeless children in the District; thanked the HOPE Committee, Ms. Lara, and staff for providing resources to students; attended the District Health Fair and thanked Dr. Mullallay for putting it together; acknowledged Martin Luther King's birthday and said his teachings are critically relevant today.

V. ADJOURNMENT

President Cruz adjourned the regular meeting of the Board of Education at 10:26 p.m.

Andrew Cruz, President

Pamela Feix, Clerk

Recorded by: Patricia Kaylor, Administrative Secretary to the Board of Education

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

Student Achievement • Safe Schools • Positive School Climate
Humility • Civility • Service

DATE: February 4, 2016
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Sandra H. Chen, Assistant Superintendent, Business Services
Liz Pensick, Director, Business Services
SUBJECT: WARRANT REGISTER

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BACKGROUND

Education Code 42650 requires the Board to approve and/or ratify all warrants. These payments are made in the form of warrants, and the warrant (check) form is approved by the County Superintendent.

All items listed are within previously budgeted amounts. There is no fiscal impact beyond currently available appropriations.

Approval of this item supports the goals identified within the District's Strategic Plan.

RECOMMENDATION

It is recommended the Board of Education approve/ratify the warrant register, provided under separate cover.

FISCAL IMPACT

\$2,915,206.72 to all District funding sources.

WMJ:SHC:LP:wc

CHINO VALLEY UNIFIED SCHOOL DISTRICT

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DATE: February 4, 2016

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Sandra H. Chen, Assistant Superintendent, Business Services
Liz Pensick, Director, Business Services

SUBJECT: FUNDRAISING ACTIVITIES

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BACKGROUND

Board Policy 3452 Business and Noninstructional Operations – Student Activity Funds and Board Policy 1230 Community Relations – School Connected Organizations require that fundraising activities be submitted to the Board of Education for approval.

Approval of this item supports the goals identified within the District's Strategic Plan.

RECOMMENDATION

It is recommended the Board of Education approve/ratify the fundraising activities.

FISCAL IMPACT

None.

WMJ:SHC:LP:wc

CHINO VALLEY UNIFIED SCHOOL DISTRICT
February 4, 2016

<u>SITE/DEPARTMENT</u>	<u>ACTIVITY/DESCRIPTION</u>	<u>DATE</u>
<u>Cortez ES</u>		
PFA	Cortez Garden - Go Fund Me	2/5/16 - 3/4/16
ASB - 6th Grade	Tuesdays After School Smoothie Sale	2/9/16 - 5/31/16
ASB - 6th Grade	Off Campus Candy Apple Sale	3/1/16 - 3/16/16
<u>Country Springs ES</u>		
PFA	Solar City Sign-Up	2/21/16 -6/1/16
<u>Oak Ridge ES</u>		
PTA	Mother/Son Dance	3/10/16
<u>Rhodes ES</u>		
PEP Club	Off Campus Popcorn/Snack Catalog Sale	4/4/16 - 4/18/16
PEP Club	Family Fun Night	5/13/16
<u>Magnolia JHS</u>		
AVID	Off Campus Sees Candy Sale	3/4/16 - 3/10/16
<u>Ramona JHS</u>		
ASB	After School Shaved Ice Sale	3/23/16 - 6/1/16
<u>Ayala HS</u>		
Spirit Team Boosters	Off Campus Krispy Kreme Donut Sale	2/5/16 - 2/15/16
BAC Boosters	Pieology Band Night Out	2/9/16
Girls Waterpolo Boosters	BJ's Restaurant Family Night Out	2/10/16
<u>Chino HS</u>		
Pep Squad Boosters	Cannataro's Family Night Out	2/11/16
Softball Boosters	Banner Sale	2/16/16 - 5/20/16
Softball Boosters	Mountain Mike's Family Night Out	2/23/16
Softball Boosters	Cannataro's Family Night Out	3/22/16

CHINO VALLEY UNIFIED SCHOOL DISTRICT
February 4, 2016

<u>SITE/DEPARTMENT</u>	<u>ACTIVITY/DESCRIPTION</u>	<u>DATE</u>
<u>Chino Hills HS</u>		
Make-A-Wish Club	Off Campus Valentine Goodie Sale	2/6/16
Philanthropy Club	Coins for a Cause Drive	2/8/16 - 2/19/16
PTSA	Valentine Flower Sale	2/9/16 - 2/12/16
Music Boosters	District Honor Band Show Refreshment Sale	2/10/16
Make-A-Wish Club	Talent Show Ticket Sale	3/18/16 - 3/19/16
Music Boosters	O "HI" O Gram Sale	4/1/16 - 4/18/16
Music Boosters	World Championship Viewing	4/16/16
Music Boosters	District Showcase Refreshment Sale	5/18/16
Music Boosters	Spring Concert Concessions	5/25/16
<u>Don Lugo HS</u>		
Band Boosters	Alumni Uniform Sale	2/5/16 - 3/5/16
Girls Soccer	Monthly Cannataro's Family Nights Out	2/6/16 - 3/31/16
Girls Soccer	Monthly Pieology Family Night Out	2/6/16 - 3/31/16
Girls Soccer	Monthly Smash Burger Bring a Friend Foodfest	2/6/16 - 3/31/16
Girls Soccer	Monthly Chick-fil-A Kickin it With Girls Soccer	2/6/16 - 3/31/16
AP Club	Off Campus Catalog Sale	2/8/16 - 2/26/16
Cross Country/Track & Field	Jog-A-Thon	2/27/16
Girls Swim	Spirit Wear Sale	2/29/16 - 3/4/16
Giving Tree Club	Off Campus See's Candy Sale	2/29/16 - 3/11/16
JROTC	Off Campus Catalog Sale	3/2/16 - 3/16/16

CHINO VALLEY UNIFIED SCHOOL DISTRICT

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DATE: February 4, 2016
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Sandra H. Chen, Assistant Superintendent, Business Services
Liz Pensick, Director, Business Services
SUBJECT: DONATIONS

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BACKGROUND

Board Policy 3290 Business and Noninstructional Operations - Gifts, Grants, and Bequests states the Board of Education may accept any bequest or gift of money or property on behalf of the District. All gifts, grants, and bequests shall become property of the District. Use of the gift shall not be impaired by restrictions or conditions imposed by the donor.

Approximate values are determined by the donor.

Approval of this item supports the goals identified within the District's Strategic Plan.

RECOMMENDATION

It is recommended the Board of Education accept the donations.

FISCAL IMPACT

Any cost for repairs of donated equipment will be a site expense.

WMJ:SHC:LP:wc

CHINO VALLEY UNIFIED SCHOOL DISTRICT
February 4, 2016

<u>DEPARTMENT/SITE DONOR</u>	<u>ITEM DONATED</u>	<u>APPROXIMATE VALUE</u>
<u>CARE Program</u>		
Rich & Lorie Kutnoch	Gift Cards	\$200.00
Mia Sedillo	Gift Cards	\$200.00
CVUSD Maintenance & Operations Staff	Gift Cards	\$250.00
<u>HOPE Center</u>		
Lewis Family Foundation	Cash	\$1,500.00
<u>Borba ES</u>		
Box Tops for Education	Cash	\$399.70
<u>Dickson ES</u>		
Box Tops for Education	Cash	\$466.40
Walmart	Cash	\$1,250.00
<u>Glenmeade ES</u>		
Water Education Awareness	Cash	\$600.00
Target Corporation Scholarship	Cash	\$700.00
<u>Marshall ES</u>		
Box Tops for Education	Cash	\$242.00
<u>Oak Ridge ES</u>		
Ann Blasetti	Cash	\$20.00
Lee Maas	Cash	\$20.00
<u>Rhodes ES</u>		
Edison International	Cash	\$400.00
Rhodes PEP Club	Cash	\$2,500.00
<u>Canyon Hills JHS</u>		
Subway Sandwiches & Salads	Cash	\$50.00

CHINO VALLEY UNIFIED SCHOOL DISTRICT
February 4, 2016

<u>DEPARTMENT/SITE DONOR</u>	<u>ITEM DONATED</u>	<u>APPROXIMATE VALUE</u>
<u>Magnolia JHS</u>		
Travelers Companies, Inc.	Cash	\$500.00
Bottling Group LLC-FSV	Cash	\$340.18
<u>Ramona JHS</u>		
Water Education Awareness	Cash	\$184.55
<u>Ayala HS</u>		
Bottling Group LLC-FSV	Cash	\$205.86
<u>Don Lugo HS</u>		
Veritas Health Services, Inc.	Cash	\$250.00

Chino Valley Unified School District

Our Motto:

Student Achievement • Safe Schools • Positive School Climate
Humility • Civility • Service

DATE: February 4, 2016

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Norm Enfield, Ed.D., Deputy Superintendent, Curriculum,
Instruction, Innovation, and Support
Julian Rodriguez, Director, Assessment and Instructional
Technology

**SUBJECT: DELETION OF BOARD POLICY 6162.52 INSTRUCTION – HIGH
SCHOOL EXIT EXAMINATION**

=====

BACKGROUND

Board policies, administrative regulations, and bylaws of the Board are routinely developed and revised as a result of changes in law, mandates, federal regulations, and current practice. Board Policy 6162.52 Instruction – High School Exit Examination is being deleted to reflect new legislation and current District practice. Senate Bill 725 was signed by the Governor and chaptered into law on August 26, 2015. This law suspends passage of the California High School Exit Examination (CAHSEE) as a condition for receiving a diploma of graduation or a condition of graduation from high school for a student who has met all other high school graduation requirements in school year 2014/2015. Additionally, Senate Bill 172, enacted on October 7, 2015, suspends the administration of the CAHSEE, and the requirement that students completing grade twelve successfully pass the high school exit examination as a condition of receiving a diploma of graduation from high school for the 2015/2016, 2016/2017, and 2017/2018 school years. This item was presented to the Board on January 21, 2016, as information.

Language to be deleted is ~~lined through~~.

Approval of this item supports the goals identified within the District's Strategic Plan.

RECOMMENDATION

It is recommended the Board of Education approve the deletion of Board Policy 6162.52 Instruction – High School Exit Examination.

FISCAL IMPACT

None.

WMJ:NE:JR:smr

HIGH SCHOOL EXIT EXAMINATION

~~The Board of Education desires to ensure that District students who graduate from high school can demonstrate grade-level competency in reading, writing and mathematics and are given the opportunity to learn the subjects covered in the high school exit examination required for high school graduation.~~

~~(cf. 6146.1 High School Graduation Requirements)
(cf. 6162.5 Student Assessment)
(cf. 6162.54 Test Integrity/Test Preparation)
(cf. 6164.2 Guidance/Counseling Services)
(cf. 6177 Summer School)
(cf. 6179 Supplemental Instruction)~~

~~The Superintendent or designee shall ensure that District programs and services, including, but not limited to, instructional materials, staff development and remediation programs, are aligned with the exit exam.~~

~~The Superintendent or designee shall administer the exit exam in accordance with law. (Education Code 60850)~~

~~Students may be allowed to take the exit exam with variations, accommodations, or modifications in accordance with law and administrative regulation.~~

Legal Reference:

EDUCATION CODE

~~35146 Closed sessions
35186 Williams Uniform Complaint Procedures
37252-37254.1 Supplemental instruction
51041 Evaluation of educational program
52378 Supplemental school counseling program
56026 Individuals with exceptional needs
56101 Waiver of code or regulation
60810 Assessment of language development
60850-60859 Exit examination~~

CODE OF REGULATIONS, TITLE 5

~~1200-1225 High school exit examination~~

UNITED STATES CODE, TITLE 20

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

UNITED STATES CODE, TITLE 29

~~794 Rehabilitation Act of 1973, Section 504~~

CODE OF FEDERAL REGULATIONS, TITLE 34

~~300.503 Prior notice~~

COURT DECISIONS

~~O'Connell v. Superior Court (Valenzuela), (2006) 141 Cal.App.4th 1452
Smiley v. California Department of Education, (2002) 45 Fed.Appx. 780
Chapman v. California Department of Education, (2002) 229 F.Supp.2d 981~~

HIGH SCHOOL EXIT EXAMINATION (cont.)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Independent Evaluation of the California High School Exit Examination (CAHSEE), Annual Reports,
Human Resources Research Organization

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

The Use of Tests as Part of High-Stakes Decision-Making for Students: A Resource Guide for Educators
and Policy-Makers, December 2004

WEBSITES

California School Boards Association: www.csba.org

California Department of Education, California High School Exit Examination:
www.cde.ca.gov/ta/tg/hs/index.asp

Educational Testing Service: www.ets.org/cahsee

U.S. Department of Education, Office for Civil Rights: www.ed.gov/offices/OCR

Chino Valley Unified School District

Policy adopted: May 23, 2002

Revised: October 2, 2003

Revised: August 6, 2009

Revised: May 20, 2010

DELETED:

Chino Valley Unified School District
Our Motto:
Student Achievement • Safe Schools • Positive School Climate
Humility • Civility • Service

DATE: February 4, 2016

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Jeanette Chien, Ed.D., Asst. Superintendent, Educational Services
Stephanie Johnson, Director, Student Support Services

SUBJECT: STUDENT EXPULSION CASES 15/16-14 AND 15/16-15

=====

BACKGROUND

The Board of Education has established policies and standards of behavior in order to promote learning and protect the safety and well-being of all students. When these policies and standards are violated, it may be necessary to suspend or expel a student from regular classroom instruction.

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to him/herself or others.

A student may be expelled only by the Board of Education. The Board shall expel, as required by law, any student found to have committed certain offenses listed in Education Code 48915.

Approval of this item supports the goals identified within the District's Strategic Plan.

RECOMMENDATION

Based upon the recommendation of the Expulsion Hearing Administrative Panel, it is recommended the Board of Education approve the student expulsion cases 15/16-14 and 15/16-15.

FISCAL IMPACT

None.

WMJ:JC:SJ:lmc

Chino Valley Unified School District
Our Motto:
Student Achievement • Safe Schools • Positive School Climate
Humility • Civility • Service

DATE: February 4, 2016

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Jeanette Chien, Ed.D., Asst. Superintendent, Educational Services

SUBJECT: SCHOOL-SPONSORED TRIPS

=====

BACKGROUND

The Board of Education recognizes that school-sponsored trips are an important component of a student's development and supplement and enrich the classroom learning experience. School-sponsored trips may be conducted in connection with the District's course of study or school related social, educational, cultural, athletic, school band activities, or other extracurricular or cocurricular activities. Resources will be identified and established at the school site to assist economically disadvantaged students in obtaining funding for field trips and, in some cases, student travel.

Field trips that require overnight stay or are in excess of 250 miles (one way) require board approval.

Approval of this item supports the goals identified within the District's Strategic Plan.

RECOMMENDATION

It is recommended the Board of Education approve the following school-sponsored trips:

School-Sponsored Trips	Date	Fiscal Impact
Site: Ayala HS Event: Key Club District Convention Place: Sacramento, CA Chaperone Ratio: 5 students/1 chaperone	April 8-10, 2016	Cost: \$419.00 per student Funding Source: Parents
Site: Chino HS Event: CADA Leadership Camp Place: Santa Barbara, CA Chaperone Ratio: 16 students/2 chaperones	July 12-15, 2016	Cost: \$480.00 per student Funding Source: Parents and ASB

School-Sponsored Trips	Date	Fiscal Impact
Site: Chino Hills HS Event: Softball Competition – Girls Place: Bullhead City, AZ Chaperone Ratio: 17 students/9 chaperones	March 9-12, 2016	Cost: \$210.00 per student Funding Source: Parents
Site: Chino Hills HS Event: Winter Guard Int. Championships Place: Dayton, OH Chaperone Ratio: 45 students/9 chaperones	April 12-17, 2016	Cost: \$1,036.00 per student Funding Source: Boosters
Site: Don Lugo HS Event: USA Nationals Competition Finals Place: Anaheim, CA Chaperone Ratio: 16 students/3 chaperones	March 18-19, 2016	Cost: \$165.00 per student Funding Source: Parents and Fundraising

FISCAL IMPACT

None.

WMJ:JC:Imc

Chino Valley Unified School District

Our Motto:

Student Achievement • Safe Schools • Positive School Climate
Humility • Civility • Service

DATE: February 4, 2016

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Jeanette Chien, Ed.D., Asst. Superintendent, Educational Services
Stephanie Johnson, Director, Student Support Services

**SUBJECT: REVISION OF BOARD POLICY 3515.5 BUSINESS AND
NONINSTRUCTIONAL OPERATIONS – SEX OFFENDER
INFORMATION**

=====

BACKGROUND

Board policies, administrative regulations, and bylaws of the Board are routinely developed and revised as a result of changes in law, mandates, federal regulations, and current practice. The revision of Board Policy 3515.5 Business and Noninstructional Operations – Sex Offender Information has been revised pursuant to Penal Code 290.45 which reflects that law enforcement determines the appropriate scope of the disclosure of sex offender information when necessary to protect public safety. This item was presented to the Board of Education on January 21, 2016, for information.

New language is provided in UPPER CASE while old language to be deleted is lined through.

Approval of this item supports the goals identified within the District's Strategic Plan.

RECOMMENDATION

It is recommended the Board of Education approve the revision of Board Policy 3515.5 Business and Noninstructional Operations – Sex Offender Information.

FISCAL IMPACT

None.

WMJ:JC:SJ:lmc

SEX OFFENDER NOTIFICATION INFORMATION

In order to protect students while they are traveling to and from school, attending school or at a school-related activity, the Board of Education believes it is important that the District respond appropriately when a law enforcement agency NOTIFIES ~~contacts~~ the District about registered sex offenders who may reside or work within district boundaries.

The Superintendent or designee shall establish an ongoing relationship with law enforcement officials to coordinate the receipt and dissemination of such information. To the extent authorized by law, the Superintendent or designee shall also establish procedures for notifying appropriate staff when necessary.

To protect the District and its employees from liability, employees shall disseminate sex offender information in good faith, and only in the manner and extent authorized by the law enforcement agency.

THE SUPERINTENDENT OR DESIGNEE MAY ANNUALLY NOTIFY PARENTS/GUARDIANS OF THE AVAILABILITY OF INFORMATION ABOUT REGISTERED SEX OFFENDERS ON THE DEPARTMENT OF JUSTICE'S INTERNET WEBSITE.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 1240 - Volunteer Assistance)
(cf. 1250 - Visitors/Outsiders)
(cf. 1400 - Relations between Other Governmental Agencies and the Schools)
(cf. 3515 - Campus Security)
(cf. 5142 - Safety)

Role of District Police/Security Department

In accordance with law, BOARD POLICY AND ADMINISTRATIVE REGULATION, the district police/security department may disseminate information about registered sex offenders to the school community. ~~In order to ensure the accuracy of any information,~~ The district police/security department shall consult with local law enforcement AND THE SUPERINTENDENT OR DESIGNEE prior to any such dissemination.

The district police/security department shall maintain records of the means and dates of dissemination for five years. (Penal code 290.45)

Legal reference:**EDUCATION CODE**

32211 Threatened disruption or interference with classes; offense
35160 Authority of boards
35160.1 Board authority of school districts

SEX OFFENDER NOTIFICATION INFORMATION (cont).

PENAL CODE

290 Registration of sex offenders

290.4 Sex offender registration; compilation of information

290.45 Release of sex offender information

290.46 Making information about certain sex offenders available via the Internet

290.9 Addresses of persons who violate duty to register

290.95 Disclosure by person required to register as sex offender

626.8 Disruptive entry or entry of sex offender upon school grounds

830.32 School district and community college police

3003 Parole, geographic placement

UNITED STATES CODE, TITLE 42

14071 Jacob Wetterling Crimes against Children and Sexually Violent Offender

Registration Program Act

ATTORNEY GENERAL OPINIONS

82 Ops.Cal.Atty.Gen. 20 (1999)

Management Resources:

WEBSITES

California Department of Justice, Megan's Law mapping: www.meganslaw.ca.gov

Chino Valley Unified School District

Policy Approved: June 18, 1998

Revised: April 1, 1999

Revised: April 15, 2004

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

Student Achievement • Safe Schools • Positive School Climate
Humility • Civility • Service

DATE: February 4, 2016

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Gregory J. Stachura, Asst. Supt., Facilities, Planning, and Operations

SUBJECT: PURCHASE ORDER REGISTER

=====

BACKGROUND

Board Policy 3310 Business and Noninstructional Operations – Purchasing requires approval/ratification of purchase orders by the Board of Education. A purchase order is a legal contract between a district and vendor, containing a description of each item listed and/or a statement to the effect that supplies, equipment or services furnished herewith shall be in accordance with specifications and conditions.

Purchase orders represent a commitment of funds. No item on this register will be processed unless within budgeted funds. The actual payment for the services or materials is made with a warrant (check) and reported on the warrant register report.

Approval of this item supports the goals identified within the District's Strategic Plan.

RECOMMENDATION

It is recommended the Board of Education approve/ratify the purchase order register, provided under separate cover.

FISCAL IMPACT

\$1,127,717.71 to all District funding sources.

WMJ:GJS:pw

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

Student Achievement • Safe Schools • Positive School Climate
Humility • Civility • Service

DATE: February 4, 2016

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Gregory J. Stachura, Asst. Supt., Facilities, Planning, and Operations

SUBJECT: AGREEMENTS FOR CONTRACTOR/CONSULTANT SERVICES

=====

BACKGROUND

All contracts between the District and outside agencies shall conform to standards required by law and shall be prepared under the direction of the Superintendent or designee. To be valid or to constitute an enforceable obligation against the District, all contracts must be approved and/or ratified by the Board of Education.

Approval of this item supports the goals identified within the District's Strategic Plan.

RECOMMENDATION

It is recommended the Board of Education approve/ratify the Agreements for Contractor/Consultant Services.

FISCAL IMPACT

As indicated.

WMJ:GJS:pw

CURRICULUM, INSTRUCTION, INNOVATION, AND SUPPORT	FISCAL IMPACT
CIIS-1516-078 Center of Innovation in Education. To provide Math Their Way training. Submitted by: Curriculum, Instruction, Innovation, and Support Duration of Agreement: February 5, 2016 – June 30, 2016	Contract Amount: \$2,500.00 Funding Source: LCAP
CIIS-1516-079 California College Guidance Initiative. To provide an electronic format for students grades 8-12 to build college and career folios. Submitted by: Curriculum, Instruction, Innovation, and Support Duration of Agreement: February 5, 2016 – June 30, 2017	Contract Amount: \$26,007.00 Funding Source: LCAP
SBCSS 15/16-0810 San Bernardino County Superintendent of Schools. To provide professional development for teachers of English language learners in the EL3 Linked Learning Pathway. Submitted by: Curriculum, Instruction, Innovation, and Support Duration of Agreement: October 1, 2015 – October 1, 2018	Contract Amount: \$25,000.00 Income from SBCSS Funding Source: N/A

EDUCATIONAL SERVICES	FISCAL IMPACT
ES-1516-044 Staff Rehab. To provide occupational therapy, speech language pathology, psych nurse and teaching staff. Submitted by: Special Education Duration of Agreement: February 5, 2016 – June 30, 2016	Contract Amount: \$100,000.00 Funding Source: Special Education

MASTER CONTRACTS	FISCAL IMPACT
MC-1516-105 Coast 2 Coast Soccer. To provide afterschool STEM and soccer program. Submitted by: Glenmeade ES/Purchasing Department Duration of Agreement: February 5, 2016 – June 30, 2018	Contract Amount: Per rate sheet Funding Source: ASB/PFA/PTA, Boosters, Donations, Parents
MC-1516-106 I Am Education. To provide afterschool tutoring and character building. Submitted by: Purchasing Department Duration of Agreement: February 5, 2016 – June 30, 2018	Contract Amount: No cost to school site or District Funding Source: N/A

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

Student Achievement • Safe Schools • Positive School Climate
Humility • Civility • Service

DATE: February 4, 2016

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Gregory J. Stachura, Asst. Supt., Facilities, Planning, and Operations

SUBJECT: SURPLUS/OBSOLETE PROPERTY

=====

BACKGROUND

The Board of Education recognizes that the District may own personal property which is unusable, obsolete, or no longer needed by the District. The Superintendent or designee shall arrange for the sale or disposal of District personal property in accordance with Board policy and the requirements of Education Code 17545.

Lists of surplus items are emailed to the Facilities/Planning Department to be placed on an upcoming Board agenda. After Board approval, items may be picked up by District warehouse or a liquidation company for public auction. Proceeds of the sale are deposited into the General Fund.

Approval of this item supports the goals identified within the District's Strategic Plan.

RECOMMENDATION

It is recommended the Board of Education declare the District property surplus/obsolete and authorize staff to sell/dispose of said property.

FISCAL IMPACT

Increase to the General Fund from proceeds of sale.

WMJ:GJS:pw

**CHINO VALLEY UNIFIED SCHOOL DISTRICT
SURPLUS/OBSOLETE PROPERTY**

February 4, 2016

<u>DESCRIPTION</u>	<u>MAKE/MODEL</u>	<u>I.D./SERIAL</u>	<u>DEPT/SITE</u>
eMAC	Apple	17296	Wickman ES
eMAC	Apple	17297	Wickman ES
eMAC	Apple	17298	Wickman ES
eMAC	Apple	17300	Wickman ES
eMAC	Apple	17301	Wickman ES
eMAC	Apple	17302	Wickman ES
eMAC	Apple	17309	Wickman ES
eMAC	Apple	17315	Wickman ES
eMAC	Apple	17319	Wickman ES
eMAC	Apple	17323	Wickman ES
eMAC	Apple	17324	Wickman ES
eMAC	Apple	17325	Wickman ES
eMAC	Apple	17389	Wickman ES
eMAC	Apple	17398	Wickman ES
eMAC	Apple	17467	Wickman ES
eMAC	Apple	17478	Wickman ES
eMAC	Apple	17479	Wickman ES
eMAC	Apple	17480	Wickman ES
eMAC	Apple	17487	Wickman ES
eMAC	Apple	17488	Wickman ES
eMAC	Apple	17499	Wickman ES
eMAC	Apple	17504	Wickman ES
eMAC	Apple	17506	Wickman ES
eMAC	Apple	17511	Wickman ES
eMAC	Apple	17530	Wickman ES
eMAC	Apple	17539	Wickman ES
eMAC	Apple	17540	Wickman ES
eMAC	Apple	17550	Wickman ES
eMAC	Apple	17554	Wickman ES
eMAC	Apple	17555	Wickman ES
eMAC	Apple	17559	Wickman ES
eMAC	Apple	17564	Wickman ES
eMAC	Apple	17567	Wickman ES
eMAC	Apple	17568	Wickman ES
eMAC	Apple	17576	Wickman ES
eMAC	Apple	17578	Wickman ES
eMAC	Apple	17580	Wickman ES
eMAC	Apple	17581	Wickman ES

<u>DESCRIPTION</u>	<u>MAKE/MODEL</u>	<u>I.D./SERIAL</u>	<u>DEPT/SITE</u>
eMAC	Apple	17584	Wickman ES
eMAC	Apple	17589	Wickman ES
eMAC	Apple	17593	Wickman ES
eMAC	Apple	17598	Wickman ES
eMAC	Apple	19212	Wickman ES
eMAC	Apple	21118	Wickman ES
eMAC	Apple	21642	Wickman ES
eMAC	Apple	21645	Wickman ES
eMAC	Apple	21648	Wickman ES
eMAC	Apple	21654	Wickman ES
eMAC	Apple	21656	Wickman ES
eMAC	Apple	21660	Wickman ES
eMAC	Apple	21670	Wickman ES
eMAC	Apple	21675	Wickman ES
eMAC	Apple	21677	Wickman ES
eMAC	Apple	21678	Wickman ES
eMAC	Apple	21680	Wickman ES
eMAC	Apple	21688	Wickman ES
eMAC	Apple	21690	Wickman ES
eMAC	Apple	21704	Wickman ES
eMAC	Apple	21721	Wickman ES
Computer	Dell	34280	Wickman ES
Computer	Dell	27699	Wickman ES
Computer	Dell	27706	Wickman ES
Computer	Dell	27710	Wickman ES
Computer	Dell	27604	Wickman ES
Computer	Dell	27709	Wickman ES
Computer	Dell	27609	Wickman ES
Computer	Dell	29306	Wickman ES
Computer	Dell	26917	Wickman ES
Computer	Dell	26975	Wickman ES
Computer	Dell	26977	Wickman ES
Computer	Dell	26968	Wickman ES
Computer	Dell	27629	Wickman ES
Computer	Dell	27704	Wickman ES
Computer	Dell	27712	Wickman ES
Computer	Dell	27703	Wickman ES
Computer	Dell	27711	Wickman ES
Computer	Dell	27705	Wickman ES
Computer	Dell	27605	Wickman ES
Computer	Dell	27708	Wickman ES
Computer	Dell	27701	Wickman ES

<u>DESCRIPTION</u>	<u>MAKE/MODEL</u>	<u>I.D./SERIAL</u>	<u>DEPT/SITE</u>
Computer	Dell	26973	Wickman ES
Computer	Dell	26976	Wickman ES
Computer	Dell	29305	Wickman ES
Computer	Dell	27700	Wickman ES
Computer	Dell	27603	Wickman ES
Computer	Dell	27698	Wickman ES
Computer	Dell	27608	Wickman ES
Computer	Dell	27602	Wickman ES
Computer	Dell	26972	Wickman ES
Computer	Dell	27078	Wickman ES
Computer	Dell	2689	Wickman ES
Computer	Dell	26915	Wickman ES
Computer	Dell	27076	Wickman ES
Computer	Dell	27607	Wickman ES
Computer	Dell	29342	Wickman ES
Computer	Dell	26976	Wickman ES
Mac Laptop	Apple	17700	Wickman ES
Mac Laptop	Apple	17660	Wickman ES
Mac Laptop	Apple	17676	Wickman ES
eMAC	Apple	20809	Wickman ES
eMAC	Apple	17510	Wickman ES
eMAC	Apple	17525	Wickman ES
eMAC	Apple	19213	Wickman ES
eMAC	Apple	17294	Wickman ES
eMAC	Apple	21209	Wickman ES
eMAC	Apple	17482	Wickman ES
eMAC	Apple	17483	Wickman ES
eMAC	Apple	21093	Wickman ES
eMAC	Apple	17561	Wickman ES
eMAC	Apple	17310	Wickman ES
eMAC	Apple	17313	Wickman ES

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

Student Achievement • Safe Schools • Positive School Climate
Humility • Civility • Service

DATE: February 4, 2016

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Gregory J. Stachura, Asst. Supt., Facilities, Planning, and Operations

SUBJECT: NOTICE OF COMPLETION FOR THE CUPCCAA PROJECT

=====

BACKGROUND

On May 9, 2013, the Board of Education adopted Resolution 2012/2013-71, Adoption of California Uniform Public Construction Cost Accounting Act (CUPCCAA). Per Public Contract Code 22030, the adoption of CUPCCAA allows the use of alternate bidding procedures for projects under \$175,000.00, while still ensuring the District receives the lowest pricing possible from responsible vendors and contractors. Utilizing CUPCCAA, the District has completed the projects listed below.

CUPCCAA Project	Project Description	Contractor	Original Quotation	Change Order	Total	Funding Source
CC2016-06	Single Ply Roof Repair at Oak Ridge ES and Chino HS	Bligh Pacific Commercial and Industrial Roofing	\$165,170.00	N/A	\$165,170.00	01

Documentation indicating satisfactory completion and compliance with specifications has been obtained from school site administrators; Bill Childress, Maintenance and Operations Supervisor; and Martin Silveira, Director, Maintenance, Operations, and Construction.

Staff recommends approval of the Notice of Completion for these projects.

Approval of this item supports the goals identified within the District's Strategic Plan.

RECOMMENDATION

It is recommended the Board of Education approve the Notice of Completion for the CUPCCAA Project.

FISCAL IMPACT

\$165,170.00 to RMA Fund 01

WMJ:GJS:pw

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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DATE: February 4, 2016

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Gregory J. Stachura, Asst. Supt., Facilities, Planning, and Operations
Martin Silveira, Director, Maintenance, Operations, and Construction

**SUBJECT: AUTHORIZATION TO ENTER INTO AN AGREEMENT PER RFQ
#15-16-01 WITH TRANE ENERGY SOLUTIONS FOR
PROPOSITION 39 CONSULTATION, ENGINEERING AND
PROJECT MANAGEMENT OF DESIGN – BUILD ENERGY
EFFICIENCY PROJECTS AT VARIOUS SITES**

=====

BACKGROUND

For the past several years, the District has been engaged in energy efficiency projects that have included lighting retrofits, HVAC system replacements, motion-sensor thermostats, and cool roof installations. In continuing its commitment to efficient facilities and in anticipation of completing additional, Proposition 39 funded, energy efficiency projects, the District advertised Request for Qualifications #15-16-01, (RFQ) Proposition 39 Consultation, Engineering and Project Management of Design – Build Energy Efficiency Projects at Various Sites. Nineteen (19) firms requested RFQ packages and five (5) firms submitted proposals; Climatec Energy Services, Honeywell Building Solutions, Indoor Environmental Services, Opterra Energy Services, and Trane Energy Solutions.

As outlined in the RFQ, District staff reviewed the proposals based on the following criteria;

- Experience in the successful development of energy efficiency measures and clean energy systems; including, design specification, project finance development, construction oversight, operations, maintenance and asset management;
- Experience working with school districts with regard to energy program development;
- Experience in securing any and all necessary project financing, as well as credits and incentives available through federal, state, local and utility company programs;

- Experience in working with the California Division of State Architect (DSA) with regard to energy project plan approvals;
- Knowledge and understanding of applicable California Building Codes; and
- Ability to provide timely, effective communication and support to the District through multiple means;

After a thorough review of the proposals, Trane Energy Solutions was selected as the most qualified firm for the District's Proposition 39 Consultation, Engineering and Project Management of Design – Build Energy Efficiency Projects at Various Sites.

Approval of this item supports the goals identified within the District's Strategic Plan.

RECOMMENDATION

It is recommended that the Board of Education authorize staff to enter into an agreement per RFQ #15-16-01 with Trane Energy Solutions for Proposition 39 Consultation, Engineering and Project Management of Design – Build Energy Efficiency Projects at Various Sites.

FISCAL IMPACT

None.

WMJ:GJS:pw

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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DATE: February 4, 2016

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Grace Park, Ed.D., Assistant Superintendent, Human Resources
Lea Fellows, Director, Human Resources
Richard Rideout, Director, Human Resources

SUBJECT: CERTIFICATED/CLASSIFIED PERSONNEL ITEMS

=====

BACKGROUND

Board approval of personnel transactions is required by Board Bylaw 9324 Bylaws of the Board - Minutes and Recordings and Education Code 35163. Included are new hires based on need, which includes replacements, growth, and class size reduction.

Approval of this item supports the goals identified within the District's Strategic Plan.

RECOMMENDATION

It is recommended the Board of Education approve/ratify the certificated/classified personnel items.

FISCAL IMPACT

All personnel assignments are within the approved staffing ratio for the appropriate school year budget.

WMJ:GP:LF:RR:jaf

CERTIFICATED PERSONNEL

<u>NAME</u>	<u>POSITION</u>	<u>LOCATION</u>	<u>EFFECTIVE DATE</u>
--------------------	------------------------	------------------------	------------------------------

**HIRED AT APPROPRIATE PLACEMENT ON THE CERTIFICATED SALARY SCHEDULE
APPROPRIATE CREDENTIAL FOR THE 2015/2016 SCHOOL YEAR**

LABA, Michael	Elementary Teacher	Liberty ES	02/05/2016
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RETIREMENT

WAGNER, Janet (20 years of service)	Elementary Teacher	Dickey ES	06/09/2016
OSBORNE, David (28 years of service)	Psychology Teacher	Ayala HS	06/10/2016
HALL, Perry (26 years of service)	Economics Teacher	Chino HS	01/23/2016
BURNETT, Linda (27 years of service)	Special Ed. Teacher	CVLA	02/08/2016

RESIGNATION

CALLAHAN, Bonnie	Special Ed. Teacher	Wickman ES	06/08/2016
RODRIGUEZ, Monique	Special Ed. Teacher	Chino Hills HS	02/04/2016

APPOINTMENT – EXTRA DUTY – DEPARTMENT CHAIR

BRULE, Beverly	Band Director	Cal Aero K-8	02/05/2016
BRULE, Beverly	Vocal Music	Cal Aero K-8	02/05/2016

APPOINTMENT – EXTRA DUTY

GARCIA III, Arthur (NBM)	Football (GF)	Ayala HS	02/05/2016
SAIZ, Manuel	Track & Field (GF)	Chino HS	02/05/2016
BATY, James	Track & Field (GF)	Chino HS	02/05/2016
OCHOA, Javier (NBM)	Baseball (B)	Chino HS	02/05/2016
LONG, Debra (NBM)	Equipment Manager (B)	Chino Hills HS	02/05/2016
REITER III, Francis (NBM)	Track & Field (GF)	Chino Hills HS	02/05/2016
STEVENS, Christopher (NBM)	Football (GF)	Chino Hills HS	02/05/2016
NGUYEN, Jimmy (NBM)	Band (B)	Don Lugo HS	02/05/2016

**APPOINTMENT OF CERTIFICATED SUBSTITUTES EFFECTIVE JULY 1, 2015,
THROUGH JUNE 30, 2016**

BAYS, Janee	CUNNINGHAM, Carolyn	DOMINGUEZ, Angela
GALELLI, Martha	OSTRANDER, Ryan	SHELBY, Whitney
SULPRIZIO, Tina		

CLASSIFIED PERSONNEL

<u>NAME</u>	<u>POSITION</u>	<u>LOCATION</u>	<u>EFFECTIVE DATE</u>
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**HIRED AT THE APPROPRIATE PLACEMENT ON THE CLASSIFIED MANAGEMENT
SALARY SCHEDULE****RESIGNATION**

MELO, Stefanie	Occupational Therapist (SELPA/GF)	Special Ed.	01/15/2016
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**HIRED AT THE APPROPRIATE PLACEMENT ON THE CLASSIFIED SALARY
SCHEDULE****APPOINTMENT**

CHICO, Laurie	Elem. Library/Media Center Asst. (GF)	Liberty ES	02/05/2016
HIZEY, Jessica	IA/Childhood Ed (CDF)	Liberty/Newman FC	02/05/2016
BABEY, Carrie	IA/SPED/RSP (SELPA/GF)	Ayala HS	02/05/2016
URBINA, Arturo	Security Person (GF)	Don Lugo HS	02/05/2016

PROMOTION

GONZALES, Gregory	FROM: Nutrition Services Assistant I (NS) 3 hrs./181 work days TO: Nutrition Services Manager I (NS) 3.75 hrs./183 work days	Glenmeade ES Oak Ridge ES	02/05/2016
BADIOS, Thelma	FROM: IA/SPED/SH (SELPA/GF) 3.5 hrs./181 work days TO: Student Personnel Specialist (GF) 8 hrs./261 contract days	Walnut ES Student Support Services	02/05/2016
BERNARD, Sharon	FROM: Typist Clerk I (GF) 8 hrs./201 work days TO: Typist Clerk II (GF) 8 hrs./201 work days	Chino Hills HS Chino Hills HS	02/05/2016

CLASSIFIED PERSONNEL (cont.)

<u>NAME</u>	<u>POSITION</u>	<u>LOCATION</u>	<u>EFFECTIVE DATE</u>
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PROMOTION (cont.)

HARADA, Dana	FROM: Account Clerk II _(GF) 8 hrs./261 contract days	Transportation	02/05/2016
	TO: Payroll Technician _(GF) 8 hrs./261 contract days	Payroll	

INCREASE HRS./DAYS

MELENDEZ, Joy	FROM: Health Tech. _(GF) 3.5 hrs./185 work days	Chaparral ES	02/05/2016
	TO: Health Tech. _(GF) 5.5 hrs./185 work days	Ramona JHS	
ERMER, Carrie	FROM: Nutrition Services Assistant I _(NS) 2 hrs./181 work days	Cal Aero K-8	02/05/2016
	TO: Nutrition Services Assistant I _(NS) 3 hrs./181 work days	Cal Aero K-8	

DEMOTION OF PROBATIONARY EMPLOYEE WITHOUT PREJUDICE

Employee # 6562		01/21/2016
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RESIGNATION

TAYLOR, Alisha	IA/SPED/SDC _(SELPA/GF)	Cortez ES	01/11/2016
ELGUEZABAL, Erika	IA/Childhood Ed _(CDF)	Oak Ridge FC	01/08/2016

RETIREMENT

OLSON, Jan (23 years of service)	IA/SPED/SDC _(SELPA/GF)	Canyon Hills JHS	01/30/2016
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APPOINTMENT OF SHORT TERM EMPLOYEES EFFECTIVE JANUARY 1, 2016, THROUGH JUNE 30, 2016

FIGUEROA, Virginia	IA/SPED/SH	Woodcrest JHS
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CLASSIFIED PERSONNEL (cont.)

**APPOINTMENT OF CLASSIFIED SUBSTITUTES EFFECTIVE JULY 1, 2015,
THROUGH JUNE 30, 2016**

ELLERBECK, Antonina ROMAN, Miriam

(504) = Federal Law for Individuals with Handicaps
(ACE) = Ace Driving School
(ASB) = Associated Student Body
(ASF) = Adult School Funded
(ATE) = Alternative to Expulsion
(B) = Booster Club
(BTSA) = Beginning Teacher Support & Assessment
(C) = Categorically Funded
(CAHSEE)= California High School Exit Exam
(CC) = Children's Center (Marshall)
(CDF) = Child Development Fund
(CSR) = Class Size Reduction
(CVLA) = Chino Valley Learning Academy
(CWY) = Cal Works Youth
(E-rate) = Discount Reimbursements for Telecom.
(G) = Grant Funded
(GF) = General Fund
(HBE) = Home Base Education
(MM) = Measure M – Fund 21
(MAA) = Medi-Cal Administrative Activities
(MH) = Mental Health – Special Ed.
(NBM) = Non-Bargaining Member
(ND) = Neglected and Delinquent
(NS) = Nutrition Services Budget
(OPPR) = Opportunity Program
(PFA) = Parent Faculty Association
(R) = Restricted
(ROP) = Regional Occupation Program
(SAT) = Saturday School
(SB813) = Medi-Cal Admin. Activities Entity Fund
(SELPA) = Special Education Local Plan Area
(SOAR) = Students on a Rise
(SPEC) = Spectrum Schools
(SS) = Summer School
(SWAS) = School within a School
(VA) = Virtual Academy
(WIA) = Workforce Investment Act

Chino Valley Unified School District

Our Motto:

Student Achievement • Safe Schools • Positive School Climate
Humility • Civility • Service

DATE: February 4, 2016

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Jeanette Chien, Ed.D., Asst. Superintendent, Educational Services
Laurel Mullally, Ed.D., Director, Health Services/Child Development

**SUBJECT: REVISION OF BOARD POLICY AND ADMINISTRATIVE
REGULATION 5131.62 STUDENTS - TOBACCO**

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BACKGROUND

Board policies, administrative regulations, and bylaws of the Board are routinely developed and revised as a result of changes in law, mandates, federal regulations, and current practice. The revision of Board Policy and Administrative Regulation 5131.62 Students -Tobacco expands the list of prohibited products to include electronic hookahs and other aerosol-emitting devices, with or without nicotine content, that mimic the use of tobacco products.

New language is provided in UPPER CASE while old language to be deleted is lined through.

Consideration of this item supports the goals identified within the District's Strategic Plan.

RECOMMENDATION

It is recommended the Board of Education receive for information the revision of Board Policy and Administrative Regulation 5131.62 Students – Tobacco.

FISCAL IMPACT

None.

WMJ:JC:LM:lmc

TOBACCO

The Board of Education recognizes ~~that tobacco use presents~~ THE serious health risks PRESENTED BY TOBACCO USE and desires to ENSURE THAT, THROUGH ADOPTION OF CONSISTENT POLICIES, DISTRICT STUDENTS ARE MADE AWARE OF THOSE RISKS, AND TO THE EXTENT POSSIBLE, PROTECTED FROM THEM. THE SUPERINTENDENT OR DESIGNEE SHALL ESTABLISH A COORDINATED SCHOOL HEALTH SYSTEM WHICH INCLUDES A COMPREHENSIVE BEHAVIORAL HEALTH EDUCATION COMPONENT THAT TEACHES STUDENTS THE KNOWLEDGE, SKILLS, AND ATTITUDES THEY NEED IN ORDER TO LEAD HEALTHY LIVES AND AVOID HIGH-RISK BEHAVIORS, SUCH AS TOBACCO USE. ~~provide support and assistance in the prevention and intervention of tobacco use~~

(cf. 5141.23 – Asthma Management)

THE SUPERINTENDENT OR DESIGNEE SHALL PROVIDE PREVENTION, INTERVENTION, AND CESSATION EDUCATION, INFORMATION, ACTIVITIES, AND/OR REFERRALS TO DISTRICT STUDENTS AND SHALL ENSURE CONSISTENT ENFORCEMENT OF DISTRICT POLICIES PROHIBITING STUDENT POSSESSION AND USE OF TOBACCO PRODUCTS.

PROHIBITION AGAINST TOBACCO USE

Students shall not smoke, possess, or use tobacco, or any product containing tobacco or nicotine, while on school district property, while attending school-sponsored activities, or while under the supervision and control of district employees. PROHIBITED PRODUCTS INCLUDE, BUT ARE NOT LIMITED TO, CIGARETTES, CIGARS, MINIATURE CIGARS, CLOVE CIGARETTES, SMOKELESS TOBACCO, SNUFF, CHEW PACKETS, AND BETEL. (Education Code 48900, 48901)

(cf. 3513.3 – Tobacco-Free Schools)

(cf. 5131 – Conduct)

(cf. 5144 – Discipline)

(cf. 5144.1 – Suspension and Expulsion/Due Process)

(cf. 5144.2 – Suspension and Expulsion/Due Process (Students with Disabilities))

STUDENTS' POSSESSION OR USE OF ELECTRONIC CIGARETTES, ELECTRONIC HOOKAHS, AND OTHER AEROSOL-EMITTING DEVICES, WITH OR WITHOUT NICOTINE CONTENT, THAT MIMIC THE USE OF TOBACCO PRODUCTS IS ALSO PROHIBITED.

TOBACCO (cont.)

THESE PROHIBITIONS DO NOT APPLY TO A STUDENT'S POSSESSION OR USE OF HIS/HER OWN PRESCRIPTION PRODUCTS. HOWEVER, STUDENT POSSESSION OR USE OF PRESCRIPTION PRODUCTS IN SCHOOLS SHALL BE SUBJECT TO THE DISTRICT'S POLICY AND REGULATION FOR ADDRESSING THE ADMINISTRATION OF MEDICATIONS ON CAMPUS. (EDUCATION CODE 48900)

(cf. 5141.21 – Administering Medication and Monitoring Health Conditions)

~~The District's comprehensive prevention/intervention program shall be based on an ongoing assessment of objective data regarding tobacco use in the schools and community and on research identifying strategies that have proven effective in preventing or reducing tobacco use among youth. The program shall be designed to meet a set of measurable goals and objectives and shall be periodically evaluated to assess progress.~~

PREVENTION INSTRUCTION

The District shall provide developmentally appropriate tobacco-use prevention instruction for students AT SELECTED in grades LEVELS FROM K-12 PURSUANT TO EDUCATION CODE 51202. ~~kindergarten through 12.~~ SUCH INSTRUCTION SHALL BE ALIGNED WITH STATE CONTENT STANDARDS AND THE STATE CURRICULUM FRAMEWORK FOR HEALTH EDUCATION AND WITH ANY REQUIREMENTS OF STATE AND/OR FEDERAL GRANT PROGRAMS IN WHICH THE DISTRICT PARTICIPATES.

(cf. 6142.8 – Comprehensive Health Education)
(cf. 6143 – Courses of Study)

INTERVENTION/CESSATION SERVICES

THE DISTRICT MAY PROVIDE OR REFER STUDENTS TO COUNSELING, INTENSIVE EDUCATION, AND OTHER INTERVENTION SERVICES TO ASSIST IN THE CESSATION OF TOBACCO USE. SUCH INTERVENTION SERVICES SHALL BE PROVIDED AS AN ALTERNATIVE TO SUSPENSION FOR TOBACCO POSSESSION.

(cf. 1020 – Youth Services)
(cf. 5141.6 – School Health Services)
(cf. 5146 – Married/Pregnant/Parenting Students)
(cf. 6164.2 – Guidance/Counseling Services)

TOBACCO (cont.)

~~The Superintendent or designee also may provide students with counseling and other support services to assist in the prevention or reduction of tobacco use. Because of the additional health risks of tobacco use for prenatal development, the district shall provide outreach, motivational and other support services to prevent or reduce tobacco use among pregnant and parenting minors.~~

~~(cf. 5146 – Married/Pregnant/Parenting Students)~~

~~Information about smoking cessation programs shall be made available and encouraged for students and staff. (Health and Safety Code 104420)~~

PROGRAM PLANNING

THE DISTRICT'S TOBACCO-USE PREVENTION AND INTERVENTION PROGRAM SHALL BE BASED ON AN ASSESSMENT OF TOBACCO-USE PROBLEMS IN DISTRICT SCHOOLS AND THE COMMUNITY, AN EXAMINATION OF EXISTING SERVICES AND ACTIVITIES IN THE COMMUNITY, AND A DETERMINATION OF HIGH-RISK STUDENT POPULATIONS THAT ARE MOST IN NEED OF DISTRICT SERVICES.

~~The Superintendent or designee shall coordinate prevention and cessation efforts with the local health department AND COUNTY OFFICE OF EDUCATION IN PROGRAM PLANNING AND IMPLEMENTATION. other local agencies and community organizations and shall involve HE/SHE MAY ESTABLISH AN ADVISORY COUNCIL INCLUDING students, parents/guardians, families DISTRICT STAFF, REPRESENTATIVES OF THE LOCAL HEALTH DEPARTMENT and the community ORGANIZATIONS, LAW ENFORCEMENT PROFESSIONALS, AND/OR OTHERS WITH DEMONSTRATED EXPERTISE IN TOBACCO PREVENTION AND CESSATION. in support of school-based programs.~~

~~(cf. 1220 – Citizen Advisory Councils)~~

~~(cf. 1400 – Relations between Other Governmental Agencies and the Schools)~~

THE SUPERINTENDENT OR DESIGNEE ALSO SHALL COORDINATE THE DISTRICT'S TOBACCO-USE PREVENTION AND INTERVENTION PROGRAM WITH OTHER DISTRICT EFFORTS TO REDUCE STUDENTS' USE OF ILLEGAL SUBSTANCES AND TO PROMOTE STUDENT WELLNESS.

~~(cf. 5030 – Student Wellness)~~

~~(cf. 5131.6 – Alcohol and Other Drugs)~~

~~(cf. 5131.63 – Steroids)~~

TOBACCO (cont.)

THE SUPERINTENDENT OR DESIGNEE SHALL SELECT TOBACCO-USE PREVENTION PROGRAMS BASED ON THE MODEL PROGRAM DESIGNS IDENTIFIED BY THE CALIFORNIA DEPARTMENT OF EDUCATION (CDE) AND MAY ADAPT THE MODEL TO MEET DISTRICT NEEDS. (HEALTH AND SAFETY CODE 104420)

THE SUPERINTENDENT OR DESIGNEE SHALL NOT ACCEPT FOR DISTRIBUTION ANY MATERIALS OR ADVERTISEMENTS THAT PROMOTE THE USE OR SALE OF TOBACCO PRODUCTS. HE/SHE ALSO SHALL NOT ACCEPT TOBACCO-USE PREVENTION OR INTERVENTION FUNDS OR MATERIALS FROM THE TOBACCO INDUSTRY OR FROM ANY ENTITY WHICH IS KNOWN TO HAVE RECEIVED FUNDING FROM THE TOBACCO INDUSTRY.

(cf. 1325 – Advertising and Promotion)
(cf. 3290 – Gifts, Grants and Bequests)
(cf. 6161.1 – Selection and Evaluation of Instructional Materials)

PROGRAM EVALUATION

TO EVALUATE THE EFFECTIVENESS OF THE DISTRICT'S PROGRAM AND ENSURE ACCOUNTABILITY, THE SUPERINTENDENT OR DESIGNEE SHALL BIENNIALY ADMINISTER THE CALIFORNIA HEALTHY KIDS SURVEY OR OTHER APPROPRIATE STUDENT SURVEY AT SELECTED GRADE LEVELS IN ORDER TO ASSESS STUDENT ATTITUDES TOWARD TOBACCO AND STUDENT USE OF TOBACCO. HE/SHE ALSO SHALL ANNUALLY REPORT TO THE BOARD, AND TO THE CDE IF REQUIRED, THE DATA SPECIFIED IN HEALTH AND SAFETY CODE 104450.

(cf. 0500 – Accountability)
(cf. 5022 – Student and Family Privacy Rights)
(cf. 6162.8 – Research)

THE RESULTS OF PROGRAM EVALUATIONS SHALL BE USED TO REFINE PROGRAM GOALS AND OBJECTIVES AND MAKE CHANGES AS NEEDED TO STRENGTHEN PROGRAM IMPLEMENTATION.

Legal Reference:

EDUCATION CODE

48900 Suspension or expulsion (grounds)
48900.5 Suspension, limitation on imposition; exception
48901 Smoking or use of tobacco prohibited
51202 Instruction in personal and public health and safety
60041 Instructional materials, portrayal of effects of tobacco use

TOBACCO (cont.)

HEALTH AND SAFETY CODE

104350-104495 Tobacco-use prevention education

119405 Unlawful to sell or furnish electronic cigarettes to minors

PENAL CODE

308 Minimum age for tobacco possession

CODE OF REGULATIONS, TITLE 17

6800 Definition, health assessment

6844-6847 Child Health and Disability Prevention program; health assessments

UNITED STATES CODE, TITLE 20

7111-7117 Safe and Drug-Free Schools and Communities Act

CODE OF FEDERAL REGULATIONS, TITLE 21

1140.1-1140.34 Unlawful sale of cigarettes and smokeless tobacco to minors

ATTORNEY GENERAL OPINIONS

88 Ops.Cal.Atty.Gen. 8 (2005)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

TUPE Acceptance of Funds Guidance

Health Education Content Standards for California Public Schools: Kindergarten through Grade Twelve, 2008

Health Framework for California Public Schools: Kindergarten through Grade Twelve, 2003

Getting Results: Part II California Action Guide to Tobacco Use Prevention Education, 2000

WEST ED PUBLICATIONS

Guidebook for the California Healthy Kids Survey

WEBSITES

California School Boards Association: www.csba.org

California Department of Education, Tobacco-Use Prevention Education:
www.cde.ca.gov/ls/he/at/tupe.asp

California Department of Public Health, Tobacco Control: www.cdph.ca.gov/programs/tobacco

California Healthy Kids Resource Center: www.californiahealthykids.org

California Healthy Kids Survey: www.wested.org/hks

Centers for Disease Control and Prevention, Smoking and Tobacco Use: www.cdc.gov/tobacco

U.S. Surgeon General: www.surgeongeneral.gov

Chino Valley Unified School District

Policy adopted: January 23, 1997

Revised: December 15, 2005

Revised: August 20, 2009

REVISED:

TOBACCO**Discipline**

Students who possess or use tobacco on school premises or at school-sponsored events shall be subject to the following disciplinary procedures:

1. First Offense:
 - a. Student conference
 - b. Parent/guardian contact
 - c. Student referred to tobacco cessation programs
2. Second Offense:
 - a. Parent/guardian contact
 - b. One- to two-day suspension or detention alternative to suspension
3. Third and Subsequent Offenses:
 - a. One- to five-day suspension
 - b. Transfer
 - c. Disciplinary probation with behavioral contract

A behavioral contract is a written agreement between a student, parent/guardian and administrator, setting forth conditions that the student must meet during the probation period. Students under disciplinary probation shall either fulfill these conditions or be denied specified privileges until their behavior improves. Failure to comply with the agreement also may result in further disciplinary action, which may include citation by local law enforcement officials.

Tobacco Use Prevention Education

THE DISTRICT'S TOBACCO-USE PREVENTION PROGRAM SHALL PROVIDE ~~Instruction for all students in grades 6-12 four through eight~~ INSTRUCTION WHICH shall address the following topics: (Health and Safety Code 104420)

1. Immediate and long-term undesirable physiological, cosmetic and social consequences of tobacco use
2. Reasons that adolescents say they smoke or use tobacco
3. Peer norms and social influences that promote tobacco use
4. Refusal skills for resisting social influences that promote tobacco use

(cf. 5131.6 – Alcohol and Other Drugs)
(cf. 6142.8 – Comprehensive Health Education)
(cf. 6143 – Courses of Study)

TOBACCO (cont.)

AS APPROPRIATE, the District SHALL PROVIDE OR REFER STUDENTS IN ~~program~~ for grades 7-12 ~~9 through 12 shall~~ TO TOBACCO-USE INTERVENTION AND CESSATION ACTIVITIES. (Health and Safety Code 104420)

(cf. 1020 – Youth Services)

(cf. 5141.6 – School Health Services)

(cf. 6164.2 – Guidance/Counseling Services)

THESE SERVICES SHALL BE DIRECTED TOWARD CURRENT USERS AND SHALL BE VOLUNTARY FOR STUDENTS WHO DESIRE ASSISTANCE IN CEASING THE USE OF TOBACCO.

IN ADDITION TO TARGETING STUDENTS WHO CURRENTLY USE TOBACCO, THE DISTRICT'S PROGRAM SHALL TARGET STUDENTS MOST AT RISK FOR BEGINNING TO USE TOBACCO AS IDENTIFIED THROUGH A LOCAL NEEDS ASSESSMENT.

THE DISTRICT SHALL PROVIDE OR REFER EVERY PREGNANT AND PARENTING MINOR ENROLLED IN THE DISTRICT TO TOBACCO-USE PREVENTION SERVICES. SUCH SERVICES MAY BE INTEGRATED WITH EXISTING PROGRAMS FOR PREGNANT AND PARENTING MINORS AND SHALL INCLUDE: (HEALTH AND SAFETY CODE 104460)

1. REFERRAL TO PERINATAL AND RELATED SUPPORT SERVICES
2. OUTREACH SERVICES AND ASSESSMENT OF SMOKING STATUS
3. INDIVIDUALIZED COUNSELING AND ADVOCACY SERVICES
4. MOTIVATIONAL MESSAGES
5. CESSATION SERVICES, IF APPROPRIATE
6. INCENTIVES TO MAINTAIN A HEALTHY LIFESTYLE
7. FOLLOW-UP ASSESSMENT
8. MAINTENANCE AND RELAPSE PREVENTION SERVICES

(cf. 5146 – Married/Pregnant/Parenting Students)

- ~~1. Target current smokers and students who are most at risk for beginning to use tobacco, including young women, low achieving students, students from families whose members include tobacco users and students who associate with peers who use tobacco~~

TOBACCO (cont.)

- ~~2. Offer or refer students to pre-cessation readiness classes or cessation classes for current smokers~~
- ~~3. Utilize existing antismoking resources~~

(cf. 6142.8 – Comprehensive Health Education)
(cf. 6143 – Courses of Study)

Chino Valley Unified School District
Regulation approved: January 23, 1997
Revised: November 17, 2005
Revised: August 6, 2009
REVISED:

Chino Valley Unified School District

Our Motto:

Student Achievement • Safe Schools • Positive School Climate
Humility • Civility • Service

DATE: February 4, 2016

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Jeanette Chien, Ed.D., Asst. Superintendent, Educational Services
Stephanie Johnson, Director, Student Support Services

**SUBJECT: REVISION OF BOARD POLICY AND ADMINISTRATIVE
REGULATION 5141.4 STUDENTS – CHILD ABUSE
PREVENTION AND REPORTING**

=====

BACKGROUND

Board policies, administrative regulations, and bylaws of the Board are routinely developed and revised as a result of changes in law, mandates, federal regulations, and current practice. The revision of Board Policy and Administrative Regulation 5141.4 Students – Child Abuse Prevention and Reporting authorizes districts to provide students with instruction in sexual abuse and sexual assault awareness. Addresses new law (AB 2560) which requires applicants for a new or renewed credential to sign a statement that they understand their obligations as mandated reports and new law (AB 1432) which mandates staff training regarding the duties of mandated reporters.

New language is provided in UPPER CASE while old language to be deleted is lined through.

Consideration of this item supports the goals identified within the District's Strategic Plan.

RECOMMENDATION

It is recommended the Board of Education receive for information the revision of Board Policy and Administrative Regulation 5141.4 Students – Child Abuse Prevention and Reporting.

FISCAL IMPACT

None.

WMJ:JC:SJ:Imc

CHILD ABUSE PREVENTION AND REPORTING

THE GOVERNING BOARD IS COMMITTED TO SUPPORTING THE SAFETY AND WELL-BEING OF DISTRICT STUDENTS AND DESIRES TO FACILITATE THE PREVENTION OF AND RESPONSE TO CHILD ABUSE AND NEGLECT. THE SUPERINTENDENT OR DESIGNEE SHALL DEVELOP AND IMPLEMENT STRATEGIES FOR PREVENTING, RECOGNIZING, AND PROMPTLY REPORTING KNOWN OR SUSPECTED CHILD ABUSE AND NEGLECT.

THE SUPERINTENDENT OR DESIGNEE MAY PROVIDE A STUDENT WHO IS A VICTIM OF ABUSE WITH SCHOOL-BASED MENTAL HEALTH SERVICES OR OTHER SUPPORT SERVICES AND/OR MAY REFER THE STUDENT TO RESOURCES AVAILABLE WITHIN THE COMMUNITY AS NEEDED.

(cf. 1020 – Youth Services)

(cf. 5141.6 – School Health Services)

(cf. 6164.2 – Guidance/Counseling Services)

~~The Board of Education recognizes that the district has a responsibility to educate students about the dangers of child abuse so that they will acquire the skills and techniques needed to identify unsafe situations and to react appropriately and promptly.~~

CHILD ABUSE PREVENTION

The District's instructional program shall include age-appropriate and culturally sensitive child abuse prevention curriculum. This curriculum shall explain students' right to live free of abuse, INCLUDE INSTRUCTION IN THE SKILLS AND TECHNIQUES NEEDED TO IDENTIFY UNSAFE SITUATIONS AND REACT APPROPRIATELY AND PROMPTLY, inform STUDENTS ~~them~~ of available support resources, and teach STUDENTS ~~them~~ how to obtain help and disclose incidents of abuse. ~~The curriculum also shall include training in self-protection techniques.~~

(cf. 6142.8 – Comprehensive Health Education)

(cf. 6143 – Courses of Study)

THE DISTRICT'S PROGRAM ALSO MAY INCLUDE AGE-APPROPRIATE CURRICULUM IN SEXUAL ABUSE AND SEXUAL ASSAULT AWARENESS AND PREVENTION. UPON WRITTEN REQUEST OF A STUDENT'S PARENT/GUARDIAN, THE STUDENT SHALL BE EXCUSED FROM TAKING SUCH INSTRUCTION. (EDUCATION CODE 51900.6)

The Superintendent or designee shall, TO THE EXTENT FEASIBLE, seek to incorporate community resources into the District's child abuse prevention programs

CHILD ABUSE PREVENTION AND REPORTING (cont.)

AND MAY ~~To the extent feasible, the Superintendent or designee shall use these~~ community resources to provide parents/guardians with instruction in parenting skills and child abuse prevention.

Child Abuse Reporting

THE SUPERINTENDENT OR DESIGNEE SHALL ESTABLISH PROCEDURES FOR THE IDENTIFICATION AND REPORTING OF KNOWN AND SUSPECTED CHILD ABUSE AND NEGLECT IN ACCORDANCE WITH LAW.

(cf. 4119.21/4219.21/4319.21 – Professional Standards)
(cf. 5145.7 – Sexual Harassment)

PROCEDURES FOR REPORTING CHILD ABUSE SHALL BE INCLUDED IN THE DISTRICT AND/OR SCHOOL COMPREHENSIVE SAFETY PLAN. (EDUCATION CODE 32282)

(cf. 0450 – Comprehensive Safety Plan)

~~The Board recognizes that child abuse has severe consequences and that the District has a responsibility to protect students by facilitating the prompt reporting of known and suspected incidents of child abuse. The Superintendent or designee shall establish procedures for the identification and reporting of such incidents in accordance with law.~~

DISTRICT employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect. Mandated reporters shall not investigate any suspected incidents but rather shall cooperate with agencies responsible for investigating and prosecuting cases of child abuse and neglect.

The Superintendent or designee shall provide training regarding the reporting duties of mandated reporters.

~~In the event that training is not provided to mandated reporters the Superintendent or designee shall report to the California Department of Education the reasons that such training is not provided. (Penal Code 11165.7)~~

CHILD ABUSE PREVENTION AND REPORTING (cont.)

Legal Reference:

EDUCATION CODE

32280-32288 Comprehensive school safety plans
33195 Heritage schools, mandated reporters
33308.1 Guidelines on procedure for filing child abuse complaints
44252 Teacher credentialing
44691 Staff development in the detection of child abuse and neglect
44807 Duty concerning conduct of students
48906 Notification when student released to peace officer
48987 Dissemination of reporting guidelines to parents
49001 Prohibition of corporal punishment
51220.5 Parenting skills education
51900.6 Sexual abuse and sexual assault awareness and prevention

PENAL CODE

152.3 Duty to report murder, rape, or lewd or lascivious act
273a Willful cruelty or unjustifiable punishment of child; endangering life or health
288 Definition of lewd or lascivious act requiring reporting
11164-11174.3 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

15630-15637 Dependent adult abuse reporting

CODE OF REGULATIONS, TITLE 5

4650 Filing complaints with CDE, special education students

UNITED STATES CODE, TITLE 42

11434a McKinney-Vento Homeless Assistance Act; definitions

COURT DECISIONS

Camreta v. Greene (2011) 131 S.Ct. 2020

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools, Kindergarten through Grade Twelve

Health Framework for California Public Schools, Kindergarten through Grade Twelve

WEBSITES

California Attorney General's Office, Suspected Child Abuse Report Form:

www.ag.ca.gov/childabuse/pdf/ss_8572.pdf

California Department of Education, Safe Schools: www.cde.ca.gov/ls/ss/ap

California Department of Social Services, Children and Family Services Division: www.childsworld.ca.gov

U.S. Department of Health and Human Services, Child Welfare Information Gateway:

www.childwelfare.gov/can

Chino Valley Unified School District

Policy adopted: January 23, 1997

Revised: May 23, 2002

Revised: February 5, 2009

REVISED:

CHILD ABUSE PREVENTION AND REPORTING

Definitions

Child abuse or neglect includes the following: (Penal Code 11165.5)

1. A physical injury or death inflicted by other than accidental means on a child by another person.
2. Sexual abuse of a child, including sexual assault or sexual exploitation, as defined in Penal Code 11165.1.
3. Neglect of a child as defined in Penal Code 11165.2.
4. Willful harming or injuring of a child or the endangering of the person or health of a child as defined in Penal Code 11165.3.
5. Unlawful corporal punishment or injury as defined in Penal Code 11165.4.

(cf. 4119.21/4219.21/4319.21 – Professional Standards)

(cf. 5145.7 – Sexual Harassment)

Child abuse or neglect does not include:

1. A mutual affray between minors. (Penal Code 11165.6)
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment. (Penal Code 11165.6)
3. An injury resulting from the exercise by a teacher, assistant principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian would be privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning. (Education Code 44807)
4. An injury caused by a school employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of the student. (Education Code 49001)

(cf. 5131.7 – Weapons and Dangerous Instruments)

(cf. 5144 – Discipline)

(cf. 6159.4 – Behavioral Interventions for Special Education Students)

CHILD ABUSE PREVENTION AND REPORTING (cont.)

5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by the student. (Education Code 49001)

(cf. 6142.7 – Physical Education and Activity)

(cf. 6145.2 – Athletic Competition)

6. HOMELESSNESS OR CLASSIFICATION AS AN UNACCOMPANIED MINOR (PENAL CODE 11165.15)

Mandated reporters include but are not limited to teachers; instructional aides; teachers' aides or assistants; classified employees; certificated pupil personnel employees; administrative officers or supervisors of child attendance; ATHLETIC COACHES, ADMINISTRATORS, AND DIRECTORS; administrators and employees of a licensed CHILD day care facility; head start teachers; district police or security officers; licensed nurse or health care providers; and administrators, presenters, and counselors of a child abuse prevention program. (Penal Code 11165.7)

Reasonable suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse or neglect. However, reasonable suspicion does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect. (Penal Code 11166)

Reportable Offenses

A mandated reporter shall make a report using the procedures provided below whenever, in his/her professional capacity or within the scope of his/her employment, he/she has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. (Penal Code 11166)

Any mandated reporter who has knowledge of or who reasonably suspects that a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage, based on evidence of severe anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others, may make a report to the appropriate agency. (Penal Code 11166.05)

Any district employee who reasonably believes that he/she has observed the commission of a murder, rape, or lewd or lascivious act by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury, against a victim who is a child under age 14 shall notify a peace officer. (Penal Code 152.3, 288)

CHILD ABUSE PREVENTION AND REPORTING (cont.)**Responsibility for Reporting**

The reporting duties of mandated reporters are individual and cannot be delegated to another person. (Penal Code 11166)

When two or more mandated reporters jointly have knowledge of a known or suspected instance of child abuse or neglect, the report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report. (Penal Code 11166)

No supervisor or administrator shall impede or inhibit a mandated reporter from making a report. (Penal Code 11166)

Any person not identified as a mandated reporter who has knowledge of or observes a child whom he/she knows or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to the appropriate agency. (Penal Code 11166)

(cf. 1240 – Volunteer Assistance)

Reporting Procedures**1. Initial Telephone Report**

Immediately or as soon as practicably possible after knowing or observing suspected child abuse or neglect, a mandated reporter shall make an initial report by telephone to any police department (excluding a school district police/security department), sheriff's department, county probation department if designated by the county to receive such reports, or county welfare department. (Penal Code 11165.9)

Department of Children's Services Child Abuse Hotline 412 W. Hospitality Lane San Bernardino, CA 921415-0029 (800) 827-8724	Chino Hills Police/Sheriff's Station 14077 Peyton Drive Chino Hills, CA 91709 (909) 364-2000
Chino Police Department 5450 Walnut Avenue Chino, CA 91710 (909) 628-1234	Ontario Police Department 2500 S. Archibald Avenue Ontario, CA 91761 (909) 395-2001

When the initial telephone report is made, the mandated reporter shall note the name of the official contacted, the date and time contacted, and any instructions or advice received.

CHILD ABUSE PREVENTION AND REPORTING (cont.)

2. Written Report

Within 36 hours of knowing or observing the information concerning the incident, the mandated reporter shall prepare and either send, fax or electronically submit to the appropriate agency a written follow-up report which includes a completed Department of Justice form. (Penal Code 11166, 11168)

The Department of Justice form may be obtained from the district office or other appropriate agencies, such as the county probation or welfare department or the police or sheriff's department.

Reports of suspected child abuse or neglect shall include, if known: (Penal Code 11167)

- a. The name, business address and telephone number of the person making the report and the capacity that makes the person a mandated reporter
- b. The child's name and address, present location and, where applicable, school, grade, and class
- c. The names, addresses, and telephone numbers of the child's parents/guardians
- d. The name, address, telephone number, and other relevant personal information about the person(s) who might have abused or neglected the child
- e. The information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information

The mandated reporter shall make a report even if some of this information is not known or is uncertain to him/her. (Penal Code 11167)

The mandated reporter may give to an investigator from an agency investigating the case, including a licensing agency, any information relevant to an incident of child abuse or neglect or to a report made for serious emotional damage pursuant to Penal Code 11166.05. (Penal Code 11167)

CHILD ABUSE PREVENTION AND REPORTING (cont.)

3. Internal Reporting

The mandated reporter shall not be required to disclose his/her identity to the principal. (Penal Code 11166)

HOWEVER, employees reporting child abuse or neglect to the appropriate agency are encouraged, but not required, to notify the principal as soon as possible after the initial telephone report to the appropriate agency. When so notified, the principal shall inform the Superintendent or designee.

The principal so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Board policy, and administrative regulation. At the mandated reporter's request, the principal may assist in completing and filing these forms.

He/she may provide or mail a copy of the written report to the principal, superintendent, or designee without his/her signature or name.

Reporting the information to an employer, supervisor, principal, school counselor, co-worker, or other person shall not be a substitute for making a mandated report to the appropriate agency. (Penal Code 11166)

Training

WITHIN THE FIRST SIX WEEKS OF EACH SCHOOL YEAR, THE SUPERINTENDENT OR DESIGNEE SHALL PROVIDE TRAINING ON MANDATED REPORTING REQUIREMENTS TO DISTRICT EMPLOYEES AND PERSONS WORKING ON THEIR BEHALF WHO ARE MANDATED REPORTERS. ANY SCHOOL PERSONNEL HIRED DURING THE SCHOOL YEAR SHALL RECEIVE SUCH TRAINING WITHIN THE FIRST SIX WEEKS OF EMPLOYMENT. (EDUCATION CODE 44691; PENAL CODE 11165.7)

(cf. 4131 – Staff Development)

(cf. 4231 – Staff Development)

(cf. 4331 – Staff Development)

THE SUPERINTENDENT OR DESIGNEE SHALL DEVELOP APPROPRIATE MEANS OF INSTRUCTING SCHOOL PERSONNEL IN THE DETECTION OF CHILD ABUSE AND NEGLECT AND THE PROPER ACTION THAT SCHOOL PERSONNEL SHOULD TAKE IN SUSPECTED CASES OF CHILD ABUSE AND NEGLECT. (EDUCATION CODE 44691)

~~Training of mandated reporters shall include identification and mandated reporting of child abuse and neglect. (Penal Code 11165.7)~~

CHILD ABUSE PREVENTION AND REPORTING (cont.)

THE training shall ~~also~~ include, BUT NOT NECESSARILY BE LIMITED TO, TRAINING IN IDENTIFICATION AND REPORTING OF CHILD ABUSE AND NEGLECT. IN ADDITION, THE TRAINING SHALL INCLUDE INFORMATION THAT FAILURE TO REPORT AN INCIDENT OF KNOWN OR REASONABLY SUSPECTED CHILD ABUSE OR NEGLECT AS REQUIRED BY LAW IS A MISDEMEANOR PUNISHABLE BY IMPRISONMENT AND/OR A FINE AS SPECIFIED. ~~guidance in the appropriate discipline of students, physical contact with students, and maintenance of ethical relationships with students to avoid actions that may be misinterpreted as child abuse.~~ (Education Code 44691; Penal Code 1116537)

THE SUPERINTENDENT OR DESIGNEE SHALL OBTAIN AND RETAIN PROOF OF EACH MANDATED REPORTER'S COMPLETION OF THE TRAINING. (EDUCATION CODE 44691)

Victim Interviews by Social Services

Whenever ~~a representative from~~ the Department of Social Services or another government agency investigating suspected child abuse or neglect THAT OCCURRED WITHIN THE CHILD'S HOME OR OUT-OF-HOME CARE FACILITY, THE STUDENT ~~deems it necessary, a suspected victim~~ may be interviewed BY AN AGENCY REPRESENTATIVE during school hours, on school premises. ~~concerning a report of suspected child abuse or neglect that occurred within the child's home or out of home care facility.~~ THE SUPERINTENDENT OR DESIGNEE ~~The child~~ shall be given the STUDENT THE choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the STUDENT ~~child~~. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her, ~~before the interview takes place~~, of the following legal requirements: (Penal Code 11174.3)

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Neglect Reporting Act, a violation of which is punishable as specified in Penal Code 11167.5.

CHILD ABUSE PREVENTION AND REPORTING (cont.)

If a staff member agrees to be present, the interview shall be held at a time during school hours when it does not involve an expense to the school. (Penal Code 11174.3)

Release of Child to Peace Officer

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse or neglect, the Superintendent or designee and/or principal shall not notify the parent/guardian, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)

Peace officers shall be asked to sign an appropriate release or acceptance of responsibility form.

(cf. 5145.11 – Questioning and Apprehension)

Parent/Guardian Complaints

Upon request, the Superintendent or designee shall provide parents/guardians with a copy of the district's administrative regulation which contains procedures for reporting that describes how to report suspected child abuse occurring at a school site to appropriate agencies. For parents/guardians whose primary language is other than English, such procedures shall be in their primary language and when communicating orally regarding those procedures, an interpreter shall be provided.

To file a complaint against a district employee or other person suspected of child abuse or neglect at a school site, parents/guardians may file a report by telephone, in person or in writing with any appropriate agency identified above under "reporting procedures."

If a parent/guardian makes a complaint about an employee to any other employee, the employee receiving the information shall notify the parent/guardian of procedures for filing a complaint with the appropriate agency. The employee also is obligated pursuant to Penal Code 11166 to file a report himself/herself using the procedures described above for mandated reporters.

(cf. 1312.1 – Complaints Concerning District Employees)

In addition, if the child is enrolled in special education, a separate complaint may be filed with the California Department of Education under 5 CCR 4650.

(cf. 1312.3 – Uniform Complaint Procedures)

CHILD ABUSE PREVENTION AND REPORTING (cont.)**Notifications**

The Superintendent or designee shall provide to all new employees who are mandated reporters a statement that informs them of their status as mandated reporters, their reporting obligations under Penal Code 11166, and their confidentiality rights under Penal Code 11167. The District shall also provide these new employees with a copy of Penal Code 11165.7, 11166, and 11167. (Penal Code 11165.7, 11166.5)

Before beginning employment, any person who will be a mandated reporter by virtue of his/her position shall sign the statement indicating that he/she has knowledge of the reporting obligations under Penal Code 11166 and will comply with those provisions. The signed statement shall be retained by the Superintendent or designee. (Penal Code 11166.5)

(cf. 4112.9/4212.9/4312.9 – Employee Notifications)

Employees who work with dependent adults shall be notified of legal responsibilities and reporting procedures pursuant to Welfare and Institutions Code 15630-15637.

The Superintendent or designee shall also notify all employees that:

1. A mandated reporter who reports a known or suspected instance of child abuse or neglect shall not be held civilly or criminally liable for making a report and this immunity shall apply even if the mandated reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of his/her professional capacity or outside the scope of his/her employment. Any other person making a report shall not incur civil or criminal liability unless it can be proven that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11172)
2. If a mandated reporter fails to report an incident of known or reasonably suspected child abuse or neglect, he/she is guilty of a crime punishable by a fine and/or imprisonment. (Penal Code 11166)
3. No employee shall be subject to any sanction by the district for making a report. (Penal Code 11166)

Chino Valley Unified School District

Regulation approved: January 23, 1997

Revised: May 23, 2002

Revised: January 15, 2009

Revised: January 20, 2011

REVISED:

Chino Valley Unified School District

Our Motto:

Student Achievement • Safe Schools • Positive School Climate
Humility • Civility • Service

DATE: February 4, 2016

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Jeanette Chien, Ed.D., Asst. Superintendent, Educational Services

SUBJECT: **SAN BERNARDINO COUNTY SUPERINTENDENT OF SCHOOLS
WILLIAMS FINDINGS DECILE 1-3 SCHOOLS SECOND
QUARTERLY REPORT 2015/2016**

=====

BACKGROUND

California Education Code 1240 requires that the San Bernardino County Superintendent of Schools visit all decile 1-3 schools (Williams monitored schools currently based on the 2009 Academic Performance Index and all Quality Education Investment Act schools) identified in the county and report the results of findings on a quarterly basis to ensure compliance with the Williams Legislation. The San Bernardino County Superintendent of Schools office is required to file quarterly reports on schools progress in rectifying any findings.

Consideration of this item supports the goals identified within the District's Strategic Plan.

RECOMMENDATION

It is recommended the Board of Education receive for information the San Bernardino County Superintendent of Schools Williams Findings Decile 1-3 Schools Second Quarterly Report 2015/2016.

FISCAL IMPACT

None.

WMJ:JC:lmc



San Bernardino County Superintendent of Schools

Ted Alejandre
County Superintendent

Transforming lives through education

January 15, 2016

Mr. Wayne M. Joseph, Superintendent
Chino Valley Unified School District
5130 Riverside Drive
Chino, CA 91710

Dear Mr. Joseph,

California Education Code section 1240 requires that I visit all deciles 1-3 schools (*Williams* monitored schools currently based on the 2012 Academic Performance Index [API]) identified in our county and report to you the results of my findings on a quarterly basis. The instructional materials sufficiency reviews, facilities inspections and School Accountability Report Card (SARC) reviews were conducted during the first quarter of the 2015/16 fiscal year and the findings were reported in October 2015. The annual teacher assignment monitor and review process began November 6, 2015 and concludes by report to the California Commission on Teacher Credentialing on July 1, 2016. The final teacher assignment information will be provided in the fourth quarterly report.

In summary, there are no findings to report in the following areas:

1. **Instructional Materials**
2. **School Facilities**
3. **SARC**
4. **Teacher Assignments**

This report serves as your district's *second quarterly report* for the 2015/16 fiscal year. Please agendaize this report for your next regularly scheduled Board meeting.

It has been a pleasure to work in partnership with you and the staff of the Chino Valley Unified School District.

Sincerely,

Ted Alejandre
County Superintendent

cc: Mr. Andrew Cruz, Board President
Mrs. Jeanette Chien, *Williams* Liaison
Mr. Richard De Nava, SBCSS Assistant Superintendent, Business Services
Ms. Barbara Alejandre, SBCSS Chief Intergovernmental Relations Officer

Office of the Superintendent

601 North E Street • San Bernardino CA 92415-0020 • P: 909.386.2406 • F: 909.888.5480 • www.sbcss.k12.ca.us

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

Student Achievement • Safe Schools • Positive School Climate
Humility • Civility • Service

DATE: February 4, 2016

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Grace Park, Ed.D., Assistant Superintendent, Human Resources
Lea Fellows, Director, Human Resources
Richard Rideout, Director, Human Resources

SUBJECT: REVISION OF ADMINISTRATIVE REGULATION 4031 ALL PERSONNEL – COMPLAINTS CONCERNING DISCRIMINATION IN EMPLOYMENT

=====

BACKGROUND

Board policies, administrative regulations, and bylaws of the Board are routinely developed and revised as a result of changes in law, mandates, federal regulations, and current practice. Administration Regulation 4031 All Personnel – Complaints Concerning Discrimination in Employment is being revised to reflect the Coordinator(s) for Nondiscrimination in Employment designation.

New language is provided in UPPER CASE while old language to be deleted is ~~lined through~~.

Consideration of this item supports the goals identified within the District's Strategic Plan.

RECOMMENDATION

It is recommended the Board of Education receive for information the revision of Administrative Regulation 4031 All Personnel – Complaints Concerning Discrimination in Employment.

FISCAL IMPACT

None.

WMJ:GP:LF:RR:jaf

COMPLAINTS CONCERNING DISCRIMINATION IN EMPLOYMENT

The Board of Education designates the following position(s) as Coordinator(s) for Nondiscrimination in Employment:

~~Norm Enfield, Ed.D.~~
Assistant Superintendent, Human Resources
5130 Riverside Drive
Chino, CA 91710
(909) 628-1201 ext. 1111

COMPLAINT PROCEDURE

Any complaint by an employee or job applicant alleging discrimination or harassment shall be addressed in accordance with the following procedures:

1. Notice and Receipt of Complaint: Any employee or job applicant (the "complainant") who believes he/she has been subjected to prohibited discrimination or harassment shall promptly inform his/her supervisor, the District's coordinator for Nondiscrimination in Employment, or the Superintendent.

The complainant may file a written complaint in accordance with this procedure, or if he/she is an employee, may first attempt to resolve the situation informally with his/her supervisor.

A supervisor or manager who has received information about an incident of discrimination or harassment, or has observed such an incident, shall report it to the coordinator or designee, whether or not the complainant files a written complaint.

The written complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, any witnesses who may have relevant information, other evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

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

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4032 - Reasonable Accommodation)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

2. Investigation Process: The coordinator or designee shall initiate an impartial investigation of an allegation of discrimination or harassment within ten (10) days of receiving notice of the behavior, regardless of whether a written complaint has

COMPLAINTS CONCERNING DISCRIMINATION IN EMPLOYMENT (cont.)

been filed or whether the written complaint is complete. The coordinator may assign a staff member as his/her designee to conduct the investigation.

The coordinator or designee shall meet with the complainant to describe the District's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. The coordinator or designee shall inform the complainant that the allegations will be kept confidential to the extent possible, but that some information may be revealed as necessary to conduct an effective investigation.

(cf. 3580 - District Records)

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

If the coordinator or designee determines that a detailed fact-finding investigation is necessary, he/she shall begin the investigation immediately. As part of this investigation, the coordinator or designee should interview the complainant, the person accused, and other persons who could be expected to have relevant information.

When necessary to carry out his/her investigation or to protect employee or student safety, the coordinator or designee may discuss the complaint with the Superintendent or designee, District legal counsel, or the District's risk manager.

The coordinator or designee also shall determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed to ensure that further incidents do not occur. The coordinator or designee shall ensure that such interim measures do not constitute retaliation.

3. Written Report on Findings and Corrective Action: No more than sixty (60) working days after receiving the complaint, the coordinator shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause. If an extension is needed, the coordinator shall notify the complainant and explain the reasons for the extension.

For all complaints, the decision shall include:

- a. The findings of fact based on the evidence gathered.
- b. The conclusion(s) of law.
- c. Disposition of the complaint.
- d. Rationale for such disposition.

COMPLAINTS CONCERNING DISCRIMINATION IN EMPLOYMENT (cont.)

- e. Corrective actions, if any are warranted.
- f. Include a copy of Board Policy 4144, prohibiting retaliation.

The report shall be presented to the complainant, the person accused, and the Superintendent or designee.

- 4. Appeal to the Superintendent: The complainant or the person accused may appeal any findings to the Superintendent within ten (10) days of receiving the written report of the coordinator's findings. The Superintendent shall review the coordinator's findings, including the written complaint and all responses from District staff. The Superintendent shall respond to the complainant or the person accused in writing within thirty (30) days.
- 5. Appeal to the Board of Education: The complainant or the person accused may appeal any findings to the Board within ten (10) days of receiving the written report of the coordinator's findings. The Superintendent or designee shall provide the Board with all information presented during the investigation. Upon receiving an appeal, the Board shall schedule a hearing as soon as practicable. Any complaint against a District employee shall be addressed in closed session in accordance with law. The Board shall render its decision within ten (10) days.

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 9321 - Closed Session Purposes and Agendas)

Other Remedies

In addition to filing a discrimination or harassment complaint with the District, a person may also file a complaint with either the California Department of Fair Employment and Housing (DFEH) or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

- 1. To file a valid complaint with DFEH, within one year of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960 (Government Code 12960)
- 2. To file a valid complaint directly with EEOC, within 180 days of the alleged discriminatory act(s) (42 USC 2000e-5)
- 3. To file a valid complaint with EEOC after first filing a complaint with DFEH, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier (42 USC 2000e-5)

COMPLAINTS CONCERNING DISCRIMINATION IN EMPLOYMENT (cont.)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

GOVERNMENT CODE

12920-12921 Nondiscrimination

12940-12948 Discrimination prohibited; unlawful practices, generally

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 29

621-634 Age Discrimination in Employment Act

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964, as amended

2001e-2001e-17 Title VII, Civil Rights Act of 1964, as amended

2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008

2001h-2-2001h-6 Title IX of the Civil Rights Act of 1964

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 34

106.8 Designation of responsible employee for Title IX

Management Resources:

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act, October 2002

Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999

WEBSITES

California Department of Fair Employment and Housing: www.dfeh.ca.gov

U.S. Equal Employment Opportunity Commission: www.eeoc.gov

Chino Valley Unified School District

Regulation approved: November 16, 1995

Revised: March 23, 2000

Revised: September 16, 2010

Revised: August 16, 2012

Revised: August 15, 2013

REVISED: