



CHINO VALLEY
UNIFIED SCHOOL DISTRICT

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

BOARD OF EDUCATION AGENDA

February 18, 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
5:30 p.m. – Closed Session • 7:00 p.m. – Regular Meeting
February 18, 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 – 5:30 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) (15 minutes)
- b. 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. (15 minutes)
- c. 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: Rhodes ES
2. Run for Russ Race: Rite Vogy and Peter Torres, Chino Hills HS Cross Country Athletes
3. Ayala HS: Chinese Club

I.D. COMMENTS FROM STUDENT REPRESENTATIVE

The proceedings of this meeting are being recorded.

- 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. BUSINESS SERVICES

II.A.1. Request for Allowance of Attendance Due to an Emergency Lock Down at Rhodes ES
 Page 1
 Recommend the Board of Education approve the request for allowance of attendance due to an emergency lock down at Rhodes ES.

Motion ___ Second ___
 Preferential Vote: ___
 Vote: Yes ___ No ___

II.A.2. Request for Allowance of Attendance Due to a Potential Threat at Ayala and Chino Hills High Schools
 Page 5
 Recommend the Board of Education approve the request for allowance of attendance due to a potential threat at Ayala and Chino Hills High Schools.

Motion ___ Second ___
 Preferential Vote: ___
 Vote: Yes ___ No ___

II.B. HUMAN RESOURCES

II.B.1. Resolution 2015/2016-47 Release of Temporary Certificated Employees
 Page 9
 Recommend the Board of Education adopt Resolution 2015/2016-47 Release of Temporary Certificated Employees and authorize the Superintendent or his designee to send Notice of Release to employees affected with an effective date of June 30, 2016.

Motion ___ Second ___
 Preferential Vote: ___
 Vote: Yes ___ No ___

III. CONSENT

Motion ___ Second ___
Preferential Vote: ___
Vote: Yes ___ No ___

III.A. ADMINISTRATION

III.A.1. Minutes of the Regular Meeting of February 4, 2016

Page 11 Recommend the Board of Education approve the minutes of the regular meeting of February 4, 2016.

III.B. BUSINESS SERVICES

III.B.1. Warrant Register

Page 18 Recommend the Board of Education approve/ratify the warrant register, provided under separate cover.

III.B.2. Fundraising Activities

Page 19 Recommend the Board of Education approve/ratify the fundraising activities.

III.B.3. Donations

Page 22 Recommend the Board of Education accept the donations.

III.B.4. Legal Services

Page 24 Recommend the Board of Education approve payment of legal services to the law offices of Atkinson, Andelson, Loya, Ruud & Romo; and Chidester, Margaret A. & Associates.

III.C. EDUCATIONAL SERVICES

III.C.1. School-Sponsored Trips

Page 25 Recommend the Board of Education approve the following school-sponsored trips: Eagle Canyon ES; Litel ES; Rolling Ridge ES; Ayala HS; Chino HS; and Chino Hills HS.

III.C.2. Revision of Board Policy 5131.62 Students—Tobacco

Page 27 Recommend the Board of Education approve the revision of Board Policy 5131.62 Students—Tobacco.

III.C.3. Revision of Board Policy 5141.4 Students—Child Abuse Prevention and Reporting

Page 33 Recommend the Board of Education approve the revision of Board Policy 5141.4 Students—Child Abuse Prevention and Reporting.

III.D. FACILITIES, PLANNING, AND OPERATIONS

III.D.1. Purchase Order Register

Page 37 Recommend the Board of Education approve/ratify the purchase order register, provided under separate cover.

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

Page 38 Recommend the Board of Education approve/ratify the Agreements for Contractor/Consultant Services.

III.D.3. Surplus/Obsolete Property

Page 40 Recommend the Board of Education declare the District property surplus/obsolete and authorize staff to sell/dispose of said property.

III.D.4. Notice of Completion of CUPCCAA Project

Page 43 Recommend the Board of Education approve the Notice of Completion of CUPCCAA Project.

III.D.5. Authorization to Enter Into an Agreement with Trane Energy Solutions to Proceed with Phase 1 and the Detailed Engineering Study Necessary to Verify the Feasibility of Energy Projects Energy Efficiency Measure (EEM) 1, 2, and 3 at Various Sites

Page 44 Recommend the Board of Education approve Trane Energy Solutions to proceed with Phase 1 and the detailed engineering study necessary to verify the feasibility of energy projects EEM1, EEM 2, and EEM 3 at various sites.

III.D.6. Resolution 2015/2016-48 for Authorization to Utilize a Piggyback Contract

Page 45 Recommend the Board of Education adopt Resolution 2015/2016-48 for authorization to utilize a piggyback contract.

III.E. HUMAN RESOURCES

III.E.1. Certificated/Classified Personnel Items

Page 49 Recommend the Board of Education approve/ratify the certificated/classified personnel items.

III.E.2. District Affiliation Agreement with Iowa State University of Science and Technology

Page 53 Recommend the Board of Education approve the affiliation agreement with Iowa State University of Science and Technology.

IV INFORMATION

IV.A. CURRICULUM, INSTRUCTION, INNOVATION, AND SUPPORT

IV.A.1. Revision of Administrative Regulation 6145.2 Instruction—Athletic Competition
Page 59

Recommend the Board of Education receive for information the revision of Administrative Regulation 6145.2 Instruction—Athletic Competition.

IV.A.2. Revision of Board Policy and Administrative Regulation 6162.51 Instruction—Standardized Testing and Reporting Program
Page 65

Recommend the Board of Education receive for information the revision of Board Policy and Administrative Regulation 6162.51 Instruction—Standardized Testing and Reporting Program.

IV.A.3. Revision of Board Policy 6162.54 Instruction—Test Integrity/Test Preparation
Page 78

Recommend the Board of Education receive for information the revision of Board Policy 6162.54 Instruction—Test Integrity/Test Preparation.

IV.A.4. Revision of Board Policy and Administrative Regulation 6174 Instruction—Education for English Language Learners
Page 82

Recommend the Board of Education receive for information the revision of Board Policy and Administrative Regulation 6174 Instruction—Education for English Language Learners.

IV.B. HUMAN RESOURCES

IV.B.1. Revision of Administrative Regulation 4032 All Personnel—Reasonable Accommodation
Page 98

Recommend the Board of Education receive for information the revision of Administrative Regulation 4032 All Personnel—Reasonable Accommodation.

V. COMMUNICATIONS

BOARD MEMBERS AND SUPERINTENDENT

VI. ADJOURNMENT

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: February 18, 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: REQUEST FOR ALLOWANCE OF ATTENDANCE DUE TO AN
EMERGENCY LOCK DOWN AT RHODES ES**

=====

BACKGROUND

Education Code 46392 allows the District to request authorization to disregard lost attendance days in the computation of average daily attendance (ADA) when the ADA of a school district is decreased due to the imminence of a major safety hazard as determined by the local law enforcement agency.

On the morning of January 7, 2016, due to a barricaded suspect nearby Rhodes ES, the Chino Police Department set up a perimeter containment that included an emergency lock down at Rhodes ES. During the lock down, students were prohibited from entering or leaving campus. Due to the length of the lock down, 38 afternoon kindergarten students were unable to attend class.

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

RECOMMENDATION

It is recommended the Board of Education approve the request for allowance of attendance due to an emergency lock down at Rhodes ES.

FISCAL IMPACT

Approximately \$1,689.10 credit for lost ADA.

WMJ:SHC:LP:wc

**REQUEST FOR ALLOWANCE OF ATTENDANCE
BECAUSE OF EMERGENCY CONDITIONS
Form J-13A (Rev. 01-05)**

School District (or Charter School) Name: **Chino Valley Unified School District**

School District (or Charter School) Address: **5130 Riverside Dr., Chino, CA 91710**

County-District Code: **36 67678**

County Name: **San Bernardino**

This form replaces the Form J-13A (Rev. 4-90) and should be used to obtain approval of attendance and instructional time credit under one or more of the following conditions:

- When one or more schools were closed because of conditions described in *Education Code* Section 41422
- When one or more schools were kept open but experienced a material decrease in attendance because of conditions described in *Education Code* Section 46392
- When attendance records have been lost or destroyed as described in *Education Code* Section 46391

Approved credit for instructional time may be used in conjunction with regular instructional days to satisfy the requirements of *Education Code* Section 37202 (equal length of instructional time among schools within a district).

A separate form should be submitted for each emergency event, but credit may be requested for more than one school and under one or more of the foregoing conditions on the same form. Each separate form must include the affidavit of the governing board members and the county superintendent before it can be approved by the State Superintendent of Public Instruction.

The original form (with the board members' affidavit) and two copies should be filed with the county superintendent of schools. If the county superintendent approves the request, he or she should execute the affidavit certifying that approval and forward all pages of the original and one copy of the form to:

Terri Emery
School Fiscal Services Division
California Department of Education
1430 N Street, Suite 3800
Sacramento, CA 95814

SCHOOL CLOSURE

Nature of Emergency (describe):

Shortly after 9:00 AM on January 7, 2016, the Chino Police department pursued a suspect to a home adjacent to Rhodes Elementary School. The suspect barricaded himself inside the home. The police set up a perimeter and deployed the SWAT team. Rhodes was placed on lockdown. No students were permitted to enter or leave campus. Thirty eight (38) afternoon Kindergarten parents were contacted and told their students could not enter the campus as Rhodes Elementary was located inside the perimeter determined by law enforcement. The police perimeter was removed shortly after 5:00 PM.

Name of School(s): **Rhodes Elementary – PM Kindergarten class ONLY**
(if request covers all schools, write "all schools")

School Code(s): **100578**

We request that apportionments be maintained and instructional time credited for the above named school(s) without regard to the fact that the school(s) were closed on (dates):

1/7/2016

because of the described emergency. Approval of this request authorizes the local educational agency to disregard these days in the computation of average daily attendance (ADA) (per Section 41422) and obtain credit for instructional time for the days and the instructional minutes that would have been regularly offered on those days pursuant to *Education Code* Section 46200, et seq.

If the school closure resulted from a power outage or impassable roads caused by inclement weather, state the number of school closure days for the same conditions in each of the last five years:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: February 18, 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: REQUEST FOR ALLOWANCE OF ATTENDANCE DUE TO A
POTENTIAL THREAT AT AYALA AND CHINO HILLS HIGH
SCHOOLS**

=====

BACKGROUND

Education Code 46392 allows the District to request authorization to disregard lost attendance days in the computation of average daily attendance (ADA) when the ADA of a school district is decreased due to the imminence of a major safety hazard as determined by the local law enforcement agency.

On December 10, 2015, a potential threat to upcoming school rallies was reported to administration. In light of the recent tragic events that had taken place in San Bernardino on December 2, 2015, and in consultation with the school resource officers of the San Bernardino County Sheriff's Department, the decision was made to cancel the rallies planned for December 11, 2015, at Ayala HS and Chino Hills HS. This announcement was made via phone blasts, texts, school and District websites, along with social media outlets. Many parents exercised an abundance of caution keeping their students home on December 11, 2015. The District calculated a loss of 1,194 absences.

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

RECOMMENDATION

It is recommended the Board of Education approve the request for allowance of attendance due to a potential threat at Ayala and Chino Hills High Schools.

FISCAL IMPACT

Approximately \$53,091.08 credit for lost ADA.

WMJ:SHC:LP:wc

**REQUEST FOR ALLOWANCE OF ATTENDANCE
BECAUSE OF EMERGENCY CONDITIONS
Form J-13A (Rev. 01-05)**

School District (or Charter School) Name: **Chino Valley Unified School District**

School District (or Charter School) Address: **5130 Riverside Dr., Chino, CA 91710**

County-District Code: **36 67678**

County Name: **San Bernardino**

This form replaces the Form J-13A (Rev. 4-90) and should be used to obtain approval of attendance and instructional time credit under one or more of the following conditions:

- When one or more schools were closed because of conditions described in *Education Code* Section 41422
- When one or more schools were kept open but experienced a material decrease in attendance because of conditions described in *Education Code* Section 46392
- When attendance records have been lost or destroyed as described in *Education Code* Section 46391

Approved credit for instructional time may be used in conjunction with regular instructional days to satisfy the requirements of *Education Code* Section 37202 (equal length of instructional time among schools within a district).

A separate form should be submitted for each emergency event, but credit may be requested for more than one school and under one or more of the foregoing conditions on the same form. Each separate form must include the affidavit of the governing board members and the county superintendent before it can be approved by the State Superintendent of Public Instruction.

The original form (with the board members' affidavit) and two copies should be filed with the county superintendent of schools. If the county superintendent approves the request, he or she should execute the affidavit certifying that approval and forward all pages of the original and one copy of the form to:

Terri Emery
School Fiscal Services Division
California Department of Education
1430 N Street, Suite 3800
Sacramento, CA 95814

MATERIAL DECREASE

Nature of Emergency (describe):

On December 10, 2015, a potential threat to upcoming school rallies was reported to administration. In light of the recent tragic events that had taken place in San Bernardino on December 2, 2015, and in consultation with the school resource officers of the San Bernardino County Sherriff’s Department, the decision was made to cancel the rallies planned for December 11, 2015, at Ayala HS and Chino Hills HS. This announcement was made via phone blasts, texts, school and District websites, along with social media outlets. Many parents exercised an abundance of caution keeping their students home on December 11, 2015. The District calculated a loss of 1,194 absences.

Name of School: **Ayala High School & Chino Hills High School**
 (if request covers all schools, write "all schools")

School Code(s): **3630522 & 3631017**

We request the substitution of estimated days of attendance for actual days of attendance in accordance with the provisions of Section 46392. Approval of this request will authorize use of the estimated days of attendance in the computation of apportionments for the foregoing school(s) for (dates) 12/11/2015 during which school attendance was materially decreased because of the described emergency.

Estimated attendance for each day (October or May ADA): 5376 students per day. Estimated daily attendance multiplied by number of days of material decrease, yields 5376 days of attendance requested.

State method of determining estimated daily attendance (October or May ADA):
 ADA for school month beginning on 9/21, 2016 and ending on 10/16, 2016.

Actual apportionable attendance for days of material decrease:

<u>Site</u>	<u>Date</u>	<u>Actual Attendance</u>
Ayala High School	12/11/15	1988
Chino Hills High School	12/11/15	2194

AFFIDAVIT OF GOVERNING BOARD MEMBERS

We, members constituting a majority of the governing board of the Chino Valley Unified school district, hereby swear (or affirm) that the foregoing statements are true and are based on official district records.

_____	_____
Andrew Cruz	_____
_____	_____
Sylvia Orozco	_____
_____	_____
Pamela Feix	_____
_____	_____
Irene Hernandez-Blair	_____
_____	_____
James Na	_____
_____	_____
_____	_____

Printed Names

Signatures

At least a majority of the members of the governing board shall execute this affidavit.

Subscribed and sworn (or affirmed) before me, this 18th day of February, 2016.
Signature, Title _____, **Superintendent**
of **San Bernardino** County, California

Contact/Individual responsible for preparing this form:

Name: Diane McEvilly Title: District Attendance Specialist
Phone: 909-628-1201 ext. 1266 Fax : 909-590-2838
E-mail: Diane_McEvilly@chino.k12.ca.us

AFFIDAVIT OF COUNTY SUPERINTENDENT OF SCHOOLS

The information and statements contained in the foregoing request are true and correct to the best of my knowledge and belief.

Signature, County Superintendent of Schools _____
Date: _____

Subscribed and sworn (or affirmed) before me, this ____ day of _____, 2____.
Signature, Title _____
of _____ County, California

Contact/Individual responsible for preparing this form:

Name: _____ Title: _____
Phone: _____ Fax : _____ E-mail: _____

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: February 18, 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: RESOLUTION 2015/2016-47 RELEASE OF TEMPORARY
CERTIFICATED EMPLOYEES**

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BACKGROUND

Pursuant to Education Code 44954(b), the Board of Education is required to notify temporary employees in a position requiring certification qualifications of the Board's decision to release the employees from a position for the succeeding school year.

RECOMMENDATION

It is recommended the Board of Education adopt Resolution 2015/2016-47 Release of Temporary Certificated Employees and authorize the Superintendent or his designee to send Notice of Release to employees affected with an effective date of June 30, 2016.

FISCAL IMPACT

None.

WMJ:GP:LF:RR:jaf

**Chino Valley Unified School District
Resolution 2015/2016-47
Release of Temporary Certificated Employees**

WHEREAS, Education Code 44954(b) requires that the Board of Education shall notify temporary employees, in positions requiring certification qualifications of the Board's decision to release the employees from such positions if they will not have preferential rights to vacancies for the next succeeding school year;

WHEREAS, the District currently employs numerous temporary employees in positions requiring certification qualifications; and

WHEREAS, the Board of Education has determined to release all temporary certificated employees for the 2016/2017 school year, at this time.

NOW THEREFORE BE IT RESOLVED the Board of Education hereby directs that a notice of non-reelection be sent pursuant to Education Code 44954(b) by the District to all temporary certificated employees with an effective date of June 30, 2016.

BE IT FURTHER RESOLVED that to the extent that any teacher presently contracted as temporary asserts a claim to probationary employment, said teacher is also hereby non-reelected from all probationary employment in the District pursuant to Education Code 44929.21.

APPROVED, PASSED, AND ADOPTED by the Board of Education of the Chino Valley Unified School District this 18th day of February 2016, by the following votes:

AYES: _____
NOES: _____
ABSENT: _____
ABSTAINED: _____

I, Wayne M. Joseph, Secretary of the Board of Education of the Chino Valley Unified School District, certify that the foregoing is a full, true, and correct copy of a resolution adopted by the Board at a regular meeting as stated.

Wayne M. Joseph, Superintendent
Secretary, Board of Education

CHINO VALLEY UNIFIED SCHOOL DISTRICT
REGULAR MEETING OF THE BOARD OF EDUCATION
February 4, 2016

MINUTES

I. OPENING BUSINESS

I.A. CALL TO ORDER – 4:30 P.M.

1. Roll Call

President Cruz called to order the regular meeting of the Board of Education, Thursday, February 4, 2016, at 4:30 p.m. with Blair, Cruz, Feix, and Orozco present. Mr. Na arrived at 4:33 p.m. Mrs. Blair left the meeting at the conclusion of closed session.

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 4:30 p.m. regarding conference with legal counsel existing litigation; student discipline; 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 7:00 p.m. The Board met in closed session from 4:30 p.m. to 6:36 p.m. regarding conference with legal counsel existing litigation; student discipline; 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

Denise Thompson, Administrative Secretary of Access and Equity, led the Pledge of Allegiance.

Pastor Dave King, Isaiah's Rock Church, gave an invocation.

I.C. PRESENTATIONS

1. Student Showcase: Glenmeade ES

Glenmeade ES teachers led kindergartners in a patriot music performance.

2. Special Recognition: Athletic Trainers

Dr. Lally, Chino Valley Medical Center, addressed the Board to recognize the District's high school athletic trainers. President Cruz presented certificates of recognition to Teresa Tyler, Ayala HS; Acacia Ford, Chino Hills HS; Kim Hansen, Don Lugo HS; and Kevin Sells, Chino HS. Superintendent Joseph presented a plaque recognizing Dr. Lally's contributions to the health and safety of all students in the community.

3. California College Guidance Initiative

Tessa DeRoy, Executive Director of California College Guidance Initiative, provided an overview of the organization's resources and services to students with regard to college entrance.

I.D. COMMENTS FROM STUDENT REPRESENTATIVE

Shweta Shah was absent.

I.E. COMMENTS FROM EMPLOYEE REPRESENTATIVES

Todd Hancock, A.C.T. President, acknowledged the student performance; thanked Dr. Lally for the work he does for our students; commended athletic trainers; said he enjoyed the California College Guidance Initiative presentation and is looking forward to reviewing the MOU and discussing the impact to teachers and counselors; thanked Human Resources and the District Office for working with Butterfield Ranch ES to allow staff to attend Stacy Gibbons' funeral; and extended thoughts and prayers to Stacy Gibbons' family.

Yvette Farley, CHAMP President, acknowledge the Community Principal for a Day event; thanked Todd Hancock for doing what was necessary to support Butterfield Ranch ES; quoted Harriet Tubman regarding reaching dreams; said CHAMP presented a celebration cake to Dickey ES for exiting out of Program Improvement status; said she attended the ACSA Region 12 board meeting where several District administrators received awards: Yvette Farley, Elementary Principal of the Year; Ryan Candelaria, Elementary Co-administrator of the Year; Rod Federwisch, Wilson A. Grace Award; and the HOPE Center, Educational Excellence Award.

I.F. COMMENTS FROM COMMUNITY LIAISONS

Curt Hagman, Fourth District Supervisor, thanked the Board for preparing students for the future; provided an update on what is happening in the area; said the County is looking at a WIFI system for the entire County of San Bernardino; said there is growth in the Chino Valley and it is an exciting time; and closed by expressing support for the Oxford Preparatory Academy Charter School renewal petition.

Cynthia Moran, Chino Hills City Council, spoke about the CAHSEE; spoke about the City of Chino Hills' preparations for Student Government Day; thanked the Board for signing the land use agreement for Bird Farm Park; and spoke about the city's finances.

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

None.

I.H. CHANGES AND DELETIONS

The following deletion was read into the record: Item III.E.2., Agreement for Contractor/Consultant Services, Facilities, Planning, Operations, deleted master contract MC-1516-106, I Am Education.

II. ACTION

II.A. ADMINISTRATION

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

President Cruz opened the public hearing regarding the Oxford Preparatory Academy charter school renewal petition at 8:11 p.m. Andrew Crowe, Merrick Wadsworth; Carrie Birchler, Jared McLeod, Maggie Buchan, Amy Mills, Troy Stevens, Ramiro Viramontes, and Peter Patel addressed the Board in support of the renewal. The public hearing was closed at 8:38 p.m.

III. CONSENT

Moved (Na) seconded (Orozco) motion carried (4-0, Blair absent) to approve the consent items, as amended.

III.A. ADMINISTRATION

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

Approved the minutes of the regular meeting of January 21, 2016.

III.B. BUSINESS SERVICES

III.B.1. Warrant Register

Approved/ratified the warrant register.

III.B.2. Fundraising Activities

Approved/ratified the fundraising activities.

III.B.3. Donations

Accepted the donations.

III.C. CURRICULUM, INSTRUCTION, INNOVATION, AND SUPPORT

III.C.1. Deletion of Board Policy 6162.52 Instruction—High School Exit Examination

Approved 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

Approved the student expulsion cases 15/16-14 and 15/16-15.

III.D.2. School-Sponsored Trips

Approved 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

Approved 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

Approved/ratified the purchase order register.

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

Approved/ratified the Agreements for Contractor/Consultant Services, as amended.

III.E.3. Surplus/Obsolete Property

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

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

Approved 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

Authorized 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

Approved/ratified 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

Received 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

Received 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

Received 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

Received for information the revision of Administrative Regulation 4031 All Personnel—Complaints Concerning Discrimination in Employment.

V. COMMUNICATIONS

BOARD MEMBERS AND SUPERINTENDENT

James Na spoke about the passing of Butterfield Ranch ES teacher Stacy Gibbons; asked for prayers and support for Rhodes ES teacher Dan Fjeldsted; attended a celebration in recognition of retiring CVLA teacher Linda Burnett with 38 years of service as a teacher; attended the Chino Boxing Club Awards and Banquet and shared the content of guest speaker Phil Du Bois' inspirational speech; attended Walnut ES's Science Project presentation; attended Chino HS's special education dance, and shared a testimony he had heard that evening; commended culinary class students who volunteered at the dance, under the direction of Ms. Williams, Project Based Learning; and acknowledged CSEA maintenance crews, Greg Stachura, and Martin Silveira for serving.

Pamela Feix said she attended the Community Principal for a Day event, thanked Liberty ES for hosting the morning event, and everyone contributing to its success.

Sylvia Orozco highlighted employee retirements; and said she attended a Chinese New Year's celebration which included a performance by the Ayala HS Chinese Club, and said she would like to see them at the February 18 Board meeting.

Superintendent Joseph congratulated Ayala HS's Terry Martin on being inducted into the National Wrestling Hall of Fame, California Chapter for Lifetime Service to Wrestling; said the application period for scholarships funded by the "Hit the Greens for Scholarships" Golf Tournament is open until February 29; said the 36th annual Student Government Day is on February 25; and said a workshop for special education parents is scheduled for 8:30 a.m. to 10:00 a.m. and 6:00 p.m. to 7:30 p.m. on February 24 at the Adult School library in Chino.

President Cruz attended Chino HS's special education dance and acknowledged the Folkloric performance; said he and Mr. Na attended the Chino Boxing Club's annual awards banquet; acknowledged the contributions of the boxing club; said that the community is connected every day to student success; thanked Dr. Carr and staff for supporting students at the Alternative Education Center; shared Phil Du Bois' inspirational message at the boxing banquet; congratulated boys from Boy Scout Troop 220 who achieved the Arrow of Light; and expressed gratitude to everyone participating in the Community Principal for a Day event.

VI. ADJOURNMENT

President Cruz adjourned the regular meeting of the Board of Education at 8:56 p.m. with a moment of silence in memory of Butterfield Ranch ES teacher Stacy Gibbons.

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 18, 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

=====

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

\$2,163,705.98 to all District funding sources.

WMJ:SHC:LP:wc

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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DATE: February 18, 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

=====

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 18, 2016

<u>SITE/DEPARTMENT</u>	<u>ACTIVITY/DESCRIPTION</u>	<u>DATE</u>
<u>Borba ES</u>		
ASB	Memory Book Sale	3/7/16 - 6/7/16
<u>Cortez ES</u>		
PFA	Read-A-Thon	2/29/16- 3/4/16
<u>Country Springs ES</u>		
PFA	Talent Show Snack Sale	3/12/16
PFA	Chino Hills Pizza Company Family Nights Out	4/1/16 - 6/9/16
PFA	Puzzle Sale	4/11/16 - 4/15/16
<u>Dickson ES</u>		
PTA	Family Bingo Night	2/19/16
<u>Eagle Canyon ES</u>		
PTA	Read-A-Thon	2/29/16 - 3/4/16
<u>Hidden Trails ES</u>		
PTA	Bravo Burger Family Night Out	2/24/16
PTA	Wednesdays After School Snack Sale	2/24/16 - 6/1/16
PTA	Read-A-Thon	2/29/16 - 3/4/16
<u>Oak Ridge ES</u>		
PTA	Chino Hills Pizza Company Spirit Night	3/24/16
<u>Rhodes ES</u>		
PEP Club	Someone Special Dance	2/19/16
PEP Club	Papa John's Family Fun Nights	2/22/16 - 3/2/16
PEP Club	Book Fair	2/26/16 - 3/4/16
PEP Club	Art Products Sale	3/4/16 - 3/14/16
PEP Club	Harkins Movie Plan Ticket Sale	3/7/16 - 3/25/16
PEP Club	Yogurtland Family Fun Night	4/12/16
PEP Club	Wienerschnitzel Family Fun Nights	5/10/16 - 5/24/16

CHINO VALLEY UNIFIED SCHOOL DISTRICT
February 18, 2016

<u>SITE/DEPARTMENT</u>	<u>ACTIVITY/DESCRIPTION</u>	<u>DATE</u>
<u>Magnolia JHS</u>		
Yearbook Club	After School Snack Sale	5/18/16 - 5/20/16
<u>Ayala HS</u>		
BAC Boosters	WGI Color Guard Regionals Program Ad Sale	2/19/16 - 3/5/16
Dance Team	After School Krispy Kreme Donut Sale	2/22/16 - 3/4/16
American Red Cross Club	Pacific Fish Grill Family Night Out	2/24/16
Math Honor Society	Juice-It-Up Family Night Out	2/26/16
Psychology Club	Juice-It-Up Family Night Out	3/3/16
BAC Boosters	WGI Color Guard Regionals Ticket Sale	3/5/16
BAC Boosters	WGI Color Guard Regionals Vendor Space	3/5/16
BAC Boosters	WGI Color Guard Regionals Concessions	3/5/16
Grad Night 2016	Stussy Outlet Sale	3/13/16
Grad Night 2016	E-Waste Recycling Event	3/19/16
Grad Night 2016	E-Waste Recycling Event	4/16/16
<u>Chino HS</u>		
Baseball	Brian Hamilton Baseball Tournament	2/29/16 - 3/12/16
Track & Field	Chino Relays	3/19/16
Class of 2019 & LJPS	Color Run	4/9/16
Pep Squad Boosters	Cheer Try-Outs	5/16/16 - 5/20/16
<u>Chino Hills HS</u>		
Music Boosters	Shoe Collection/Donation Drive	5/1/16 - 5/20/16

CHINO VALLEY UNIFIED SCHOOL DISTRICT

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Humility • Civility • Service

DATE: February 18, 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

=====

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 18, 2016

<u>DEPARTMENT/SITE DONOR</u>	<u>ITEM DONATED</u>	<u>APPROXIMATE VALUE</u>
<u>Chino Hills HS</u>		
Silicon Valley Community Foundation	Cash	\$1,239.96
<u>Don Lugo HS</u>		
Joann Heer	Cash	\$20.00
Lee R. Briseno	Cash	\$100.00
Delfina Briseno & Sostenes Martinez	Cash	\$100.00
Rancho Del Chino Rotary Foundation	Cash	\$200.00
Arlene Veliz	Cash	\$200.00
Barnes & Noble	Cash	\$452.83

CHINO VALLEY UNIFIED SCHOOL DISTRICT
Our Motto:
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DATE: February 18, 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: LEGAL SERVICES

=====

BACKGROUND

The following law firms provide services to the Chino Valley Unified School District and have submitted their invoices. The current invoice amounts, along with the fiscal year-to-date totals for each individual law firm, are listed below.

FIRM	MONTH	INVOICE AMOUNTS	2015/2016 YEAR-TO-DATE
Atkinson, Andelson, Loya, Ruud & Romo	December 2015	\$ 7,092.88	\$ 73,979.68
Chidester, Margaret A. & Associates	December 2015	\$ 19,628.25	\$ 120,829.69
Parker & Covert LLP	-	-	\$ 416.50
	Total	\$ 26,721.13	\$ 195,225.87

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

RECOMMENDATION

It is recommended the Board of Education approve payment for legal services to the law offices of Atkinson, Andelson, Loya, Ruud & Romo; and Chidester, Margaret A. & Associates.

FISCAL IMPACT

\$26,721.13 to the General Fund.

WMJ:SHC:LP:wc

Chino Valley Unified School District

Our Motto:

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DATE: February 18, 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: Eagle Canyon ES Event: Outdoor Science Camp Place: Crestline, CA Chaperone Ratio: TBD/TBD chaperones plus camp counselors at 10:1 ratio	November 28- December 2, 2016	Cost: \$290.00 per student Funding Source: Parents
Site: Litel ES Event: Outdoor Science Camp Place: Lake Arrowhead, CA Chaperone Ratio: 80 students/4 chaperones plus camp counselors at 10:1 ratio	October 25-28, 2016	Cost: \$300.00 per student Funding Source: Parents

School-Sponsored Trips	Date	Fiscal Impact
Site: Rolling Ridge ES Event: Outdoor Science Camp Place: Crestline, CA Chaperone Ratio: 90 students/3 chaperones plus camp counselors at 10: ratio	November 14-18, 2016	Cost: \$305.00 per student Funding Source: Parents
Site: Ayala HS Event: Every 15 Minutes Place: Chino, CA Chaperone Ratio: 25 students/3 chaperones	March 17-18, 2016	Cost: No cost to student Funding Source: NA
Site: Ayala HS Event: USA Spirit Nationals Place: Anaheim, CA Chaperone Ratio: 49 students/5 chaperones	March 18-20, 2016	Cost: \$232.50 per student Funding Source: Parents
Site: Ayala HS Event: WGI Color Guard Championships Place: Las Vegas, NV Chaperone Ratio: 19 students/2 chaperones	March 18-21, 2016	Cost: \$330.00 per student Funding Source: Parents
Site: Ayala HS Event: CASL State Leadership Conference Place: Ontario, CA Chaperone Ratio: 38 students/1 chaperone plus conference chaperones at 10:1 ratio	April 9-11, 2016	Cost: \$325.00 per student Funding Source: Parents
Site: Ayala HS Event: WGI Color Guard World Championships Place: Dayton, OH Chaperone Ratio: 19 students/2 chaperones	April 5-10, 2016	Cost: \$1,275.00 per student Funding Source: Parents
Site: Ayala HS Event: WGI Percussion World Championships Place: Dayton, OH Chaperone Ratio: 51 students/6 chaperones	April 12-17, 2016	Cost: \$1,410.00 per student Funding Source: Parents
Site: Chino HS Event: Softball 21 st Tournament of Champions Place: Bullhead City, AZ Chaperone Ratio: 15 students/15 chaperones	March 10-12, 2016	Cost: \$175.00 per student Funding Source: Parents
Site: Chino Hills HS Event: CIF State Wrestling Tournament Place: Bakersfield, CA Chaperone Ratio: 5 students/2 chaperones	March 4-6, 2016	Cost: \$250.00 per student Funding Source: ASB
Site: Chino Hills HS Event: CASL State Leadership Conference Place: Ontario, CA Chaperone Ratio: 20 students/2 chaperones	April 9-11, 2016	Cost: \$350.00 per student Funding Source: Parents

FISCAL IMPACT

None.

WMJ:JC:lmc

Chino Valley Unified School District

Our Motto:

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

DATE: February 18, 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 5131.62 STUDENTS - TOBACCO

=====

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. This agenda item was presented to the Board of Education on February 4, 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 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 among youth.~~

(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 BIENNIALLY 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:

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

DATE: February 18, 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 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. This agenda item was presented to the Board of Education on February 4, 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 5141.4 Students – Child Abuse Prevention and Reporting.

FISCAL IMPACT

None.

WMJ:JC:SJ:lmc

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/lr/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:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: February 18, 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

\$644,374.39 to all District funding sources.

WMJ:GJS:pw

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

Student Achievement • Safe Schools • Positive School Climate
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DATE: February 18, 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

EDUCATIONAL SERVICES	FISCAL IMPACT
<p>ES-1516-045 Schoolhouse Educational Services, LLC. To provide training for PSW processes and software. Submitted by: Special Education Duration of Agreement: February 19, 2016 – June 30, 2016</p>	<p>Contract Amount: \$2,000.00 Funding Source: Special Education</p>
<p>ES-1516-046 New Perspectives on Learning, LLC. To provide math consultation. Submitted by: Educational Services Duration of Agreement: February 19, 2016 – June 30, 2016</p>	<p>Contract Amount: \$4,200.00 Funding Source: Title I</p>

MASTER CONTRACTS	FISCAL IMPACT
<p>MC-1516-106 Dairy Council of California. To provide mobile dairy classroom assemblies. Submitted by: Chaparral ES/Purchasing Department Duration of Agreement: February 19, 2016 – June 30, 2018</p>	<p>Contract Amount: No cost to schools or District Funding Source: N/A</p>
<p>MC-1516-107 Bruce Stout – The Write Guy. To provide Step Up to Writing training. Submitted by: Newman ES/Purchasing Department Duration of Agreement: February 19, 2016 – June 30, 2018</p>	<p>Contract Amount: Per rate sheet Funding Source: General Fund (school site budgets).</p>
<p>MC-1516-108 Murals for Schools. To provide school mural painting and touch up/repairs. Submitted by: Ayala HS/Purchasing Department Duration of Agreement: February 19, 2016 – June 30, 2018</p>	<p>Contract Amount: Per rate sheet Funding Source: ASB/PFA/PTA, Boosters</p>
<p>MC-1516-109 Purple Easel. To provide instruction based painting events. Submitted by: Briggs K-8/Purchasing Department Duration of Agreement: February 19, 2016 – June 30, 2018</p>	<p>Contract Amount: Per rate sheet Funding Source: ASB/PFA/PTA, Boosters, Parents</p>

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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DATE: February 18, 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 18, 2016**

<u>DESCRIPTION</u>	<u>MAKE/MODEL</u>	<u>I.D./SERIAL</u>	<u>DEPT/SITE</u>
Printer	Xerox	MHB890063	Human Resources
Computer	Dell	26597	Borba ES
Keyboard	Dell	L100	Borba ES
TV	Zenith	SJ2571W	Borba ES
Desktop	Dell DC8M	D9VMZF1	Country Springs ES
Monitor	Dell AS501	CNOUH83748220	Country Springs ES
Printer	Xerox	WPH050243	Country Springs ES
Printer	Xerox	YGG226302	Walnut ES
Printer	Xerox	YGG226278	Walnut ES
Printer	Xerox	YGG225690	Walnut ES
Printer	Xerox	YGG225567	Walnut ES
Printer	Xerox	YGG225582	Walnut ES
Printer	Xerox	YGG225691	Walnut ES
Printer	Xerox	TGG824651	Walnut ES
Printer	Xerox	YGG226304	Walnut ES
Printer	HP	CNCCBDW2	Walnut ES
Computer	Mac	21221	Walnut ES
Desks (5)			Briggs K-8
Cabinets (3)			Briggs K-8
Overhead Projectors (42)			Canyon Hills JHS
Desktop Computer	Macintosh	A21158	Canyon Hills JHS
Desktop Computer	Macintosh	A21159	Canyon Hills JHS
Printer	HP 600	A28408	Canyon Hills JHS
Printer	HP 600	A28411	Canyon Hills JHS
Printer	Epson	C05664	Canyon Hills JHS
Laptop	Apple iBook	13599	Canyon Hills JHS
Desktop Computer	Mac		Canyon Hills JHS
Printer	HP 600		Canyon Hills JHS
Keyboard	Keytronic		Canyon Hills JHS
Desktop Computer	Mac G5		Canyon Hills JHS
Desktop Computer	CBS		Canyon Hills JHS
CRT Monitor	Dell		Canyon Hills JHS
Print Server	HP		Canyon Hills JHS
Still Camera	Sony		Canyon Hills JHS
Camcorders (2)	Panasonic		Canyon Hills JHS
Digital Camera	JamCam 3.0		Canyon Hills JHS
Monitor Stands (3)			Canyon Hills JHS
LCD Monitor (Broken)	Dell 1504FP		Canyon Hills JHS
LCD Monitor	ViewSonic		Canyon Hills JHS

<u>DESCRIPTION</u>	<u>MAKE/MODEL</u>	<u>I.D./SERIAL</u>	<u>DEPT/SITE</u>
Overhead Projector (Misc.)			Canyon Hills JHS
Keyboard Trays (3)	Kensington		Canyon Hills JHS
TV Cart			Canyon Hills JHS
Overhead Projector Cart			Canyon Hills JHS
Printer	Samsung L-1430		Canyon Hills JHS
Body Squaring/Align. Sys.	Chief/EZ liner	5/89 43320	Chino HS
Laptop	Apple	22613	Chino Hills HS
Laptop	Apple	23554	Chino Hills HS
Laptop	Apple	23743	Chino Hills HS
Laptop	Apple	23744	Chino Hills HS
Laptop	Apple	25273	Chino Hills HS
Laptop	Apple	25331	Chino Hills HS
Laptop	Apple	25334	Chino Hills HS
Laptop	Apple	25345	Chino Hills HS
Laptop	Apple	25347	Chino Hills HS
Laptop	Apple	25349	Chino Hills HS
Laptop	Apple	25353	Chino Hills HS
Laptop	Apple	25355	Chino Hills HS
Laptop	Apple	25362	Chino Hills HS
Laptop	Apple	25374	Chino Hills HS
Laptop	Apple	25375	Chino Hills HS
Laptop	Apple	25377	Chino Hills HS
Laptop	Apple	25378	Chino Hills HS
Laptop	Apple	25379	Chino Hills HS
Laptop	Apple	25382	Chino Hills HS
Laptop	Apple	25385	Chino Hills HS
Laptop	Apple	25386	Chino Hills HS
Laptop	Apple	25396	Chino Hills HS
Laptop	Apple	25403	Chino Hills HS
Laptop	Apple	25409	Chino Hills HS
Laptop	Apple	25411	Chino Hills HS
Laptop	Apple	25412	Chino Hills HS
Laptop	Apple	25421	Chino Hills HS
Laptops (18)	Apple		Chino Hills HS
Desktop Tower	Dell	19576	Chino Hills HS
Desktop Tower	Dell	18414	Chino Hills HS
Desktop Tower	Dell	14803	Chino Hills HS
Desktop Tower	Dell	12463	Chino Hills HS
Desktop Tower	Dell	18391	Chino Hills HS
Desktop Towers (13)	Dell		Chino Hills HS
Printer			Chino Hills HS
Keyboards (3)			Chino Hills HS
File Cabinet			Chino Hills HS

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: February 18, 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 OF 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
CC2016-16	Concrete Stair and Slab Replacement at Chaparral ES and Townsend JHS	Hoss Construction	\$23,500.00	N/A	\$23,500.00	25

Documentation indicating satisfactory completion and compliance with specifications has been obtained from school site administrators; Sam Sousa, Project Manager; and Martin Silveira, Director, Maintenance, Operations, and Construction.

Staff recommends approval of the Notice of Completion for this project.

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 of CUPCCAA Project.

FISCAL IMPACT

\$23,500.00 to Capital Facilities Fund 25.

WMJ:GJS:pw

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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DATE: February 18, 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 WITH TRANE ENERGY SOLUTIONS TO PROCEED WITH PHASE 1 AND THE DETAILED ENGINEERING STUDY NECESSARY TO VERIFY THE FEASIBILITY OF ENERGY PROJECTS ENERGY EFFICIENCY MEASURE (EEM) 1, 2, AND 3 AT VARIOUS SITES

=====

BACKGROUND

At the February 4, 2016 Board meeting, the Board approved Trane Energy Solutions as its partner for Proposition 39 Consultation, Engineering and Project Management of Design – Build Energy Efficiency Projects at Various Sites.

Per the attached agreement, Phase 1 of Trane’s work will involve a detailed engineering study necessary to verify the feasibility of energy projects at the following sites;

- EEM 1: HVAC Rooftop Unit Replacement at Don Lugo HS and Cattle ES.
- EEM 2: Lighting Retrofits at all sites.
- EEM 3: Vending machine energy efficiency at all sites.

Upon project and funding approval by the California Energy Commission, Trane will proceed with project design and construction, pending Board approval under Government Code 4217.

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

RECOMMENDATION

It is recommended that the Board of Education approve Trane Energy Solutions to proceed with Phase 1 and the detailed engineering study necessary to verify the feasibility of energy projects EEM 1, EEM 2 and EEM 3 at various sites.

FISCAL IMPACT

\$73,566.78 to Proposition 39 funds.

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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DATE: February 18, 2016

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

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

SUBJECT: RESOLUTION 2015/2016-48 FOR AUTHORIZATION TO UTILIZE A PIGGYBACK CONTRACT

=====

BACKGROUND

Public Contract Code (PCC) 20111 requires school district governing boards to competitively bid and award any contracts involving an expenditure of more than \$86,000.00 to the lowest responsible bidder.

Notwithstanding PCC 20111, PCC 20118 and Administrative Regulation 3311 state that without advertising for bids and upon a determination that it is in the best interest of the District, the Board may authorize District staff by contract, lease, requisition, or purchase order of another public corporation or agency, to lease data-processing equipment, or to purchase materials, supplies, equipment, automotive vehicles, tractors and other personal property for the District in the manner that the other public corporation or agency is authorized to make the leases or purchases from a vendor (piggyback).

Alternatively, if there is an existing contract between a public corporation or agency and a vendor for the lease or purchase of personal property, the District may authorize the lease or purchase of personal property directly to the vendor under the same terms that are available to the public corporation or agency under the contract.

Staff requests approval of the following resolution to provide authorization for the District to participate by piggyback in the contract as itemized:

Resolution	Contract	Contractor	Description	Term
2015/2016-48	County of Los Angeles (COLA) Contract MA-IS-1640249-1	Xerox Corporation	Xerox Photocopiers and Services	1/1/2016-12/31/2016

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

RECOMMENDATION

It is recommended the Board of Education adopt Resolution 2015/2016-48 for authorization to utilize a piggyback contract.

FISCAL IMPACT

Unknown.

WMJ:GJS:pw

**Chino Valley Unified School District
Resolution 2015/2016-48
Authorization to Utilize the County of Los Angeles (COLA)
Contract MA-IS-1640249-1 With Xerox Corporation
to Purchase Photocopiers and Services
Through the Piggyback Contract**

WHEREAS, the Board of Education (Board) of the Chino Valley Unified School District (District) has determined that a true and very real need exists to procure photocopiers and Services for the District;

WHEREAS, COLA currently has a piggyback contract, Contract MA-IS-1640249-1, in accordance with Public Contract Code 20118 with Xerox Corporation that contains the materials, supplies, equipment and/or other personal property the District currently requires;

WHEREAS, the board of education of a school district, without advertising for bids, if the board has determined it to be in the best interests of the district, may authorize by contract, lease, requisition, or purchase order of any public corporation or agency, including any county, city, town, or district, to lease data-processing equipment, purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the district in the manner in which the public corporation or agency is authorized by law to make the leases or purchases from a vendor;

WHEREAS, the board of education of a school district is required to make a determination that a purchase and/or lease through a public corporation or agency is in the best interests of the district to take advantage of this exception; and

WHEREAS, the Board has determined that it is in the best interest of the District to authorize the purchase of photocopiers and services through the piggyback contract procured by the COLA Contract MA-IS-1640249-1.

NOW, THEREFORE, BE IT RESOLVED the Board hereby finds, determines, and declares as follows:

Section 1. Determination re: Recitals. All of the recitals set forth above are true and correct.

Section 2. Determination re: Purchase through Other Public Agency. Pursuant to Public Contract Code 20118, that authorizing the purchase of photocopiers and services through the piggyback contract originally procured by the COLA Contract MA-IS-1640249-1 is in the best interests of the District because there is volume pricing that can be used to reduce the District's overall price.

Section 3. Authorization. The Board hereby authorizes the acquisition of photocopiers and services in accordance with Public Contract Code 20118 through the piggyback contract originally procured by the COLA Contract MA-IS-1640249-1.

Section 4. Other Actions. The Superintendent or his designee are each hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to consummate the purchase, sale, and lease, and otherwise to carry out, give effect to and comply with the terms and intent of this Resolution, and that any and all such prior actions by the District's Superintendent, or his designee, are hereby ratified by the Board.

Section 5. Effective Date. This resolution shall be effective as of January 1, 2016, for the term ending December 31, 2016.

APPROVED, PASSED, AND ADOPTED by the Board of Education of the Chino Valley Unified School District this 18th day of February 2016 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINED:

I, Wayne M. Joseph, Secretary of the Chino Valley Unified School District Board of Education, do hereby certify that the foregoing is a full, true, and correct copy of the Resolution passed and adopted by said Board at a regularly scheduled and conducted meeting held on said date, which Resolution is on file in the office of said Board.

Wayne M. Joseph, Superintendent
Secretary, Board of Education

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: February 18, 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>
<u>HIRED AT APPROPRIATE PLACEMENT ON THE CERTIFICATED SALARY SCHEDULE AND APPROPRIATE CREDENTIAL FOR THE 2015/2016 SCHOOL YEAR</u>			
VAUGHAN, Heather	Special Ed. Teacher	Rhodes/Dickson ES	02/19/2016

RETIREMENT

CARR, Emily (25 years)	Communication Therapist	Special Ed.	06/09/2016
HAYES, Larry (17 years)	Special Ed. Teacher	Chino HS	07/01/2016

RESIGNATION

RODRIGUEZ, Monique	Special Ed. Teacher	Chino Hills HS	01/28/2016
COTRAN, Kristina	Special Ed. Teacher	Chino Hills HS	06/09/2016

CLOSING OF OFFICIAL RECORDS

GIBBONS, Stacy	Elementary Teacher	Butterfield Ranch ES	01/26/2016
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APPOINTMENT – EXTRA DUTY

WOGAHN, Dana (NBM)	Band (NBM)	Canyon Hills JH	02/19/2016
CHEN, Chunxing (NBM)	Choir (B)	Ayala HS	02/19/2016
MILLER, Cassidy (NBM)	Swim (NBM)	Ayala HS	02/19/2016
JIMENEZ, Michael (NBM)	Baseball (GF)	BOYS REPUBLIC HS	02/19/2016
AMBROSIA, Felicia	Softball (B)	Chino HS	02/19/2016
BRASHEAR, Sean (NBM)	Softball (GF)	Chino HS	02/19/2016
OCHOA, Daniella (NBM)	Softball (GF)	Chino HS	02/19/2016
PARRELL, Jessica (NBM)	Track & Field (GF)	Chino HS	02/19/2016
FLORES, Bryan (NBM)	Baseball (B)	Chino Hills HS	02/19/2016
PARRY, Zachary (NBM)	Swim (B)	Chino Hills HS	02/19/2016
RAY, Matthew (NBM)	Band (B)	Chino Hills HS	02/19/2016
REINA, Gerald (NBM)	Football (B)	Chino Hills HS	02/19/2016
HERNANDEZ, Carlos (NBM)	Wrestling (GF)	Don Lugo HS	02/19/2016
RODRIGUEZ, Miguel (NBM)	Swim (B)	Don Lugo HS	02/19/2016
VENEGAS, Andrew (MBM)	Track & Field (B)	Don Lugo HS	02/19/2016

APPOINTMENT OF CERTIFICATED SUBSTITUTES EFFECTIVE AUGUST 17, 2015, THROUGH JUNE 30, 2016

KIM, Julia

O'DELL, Marni

ST. AMANT, Joni

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 SALARY SCHEDULE

APPOINTMENT

MILVERSTED, Dana	IA/SPED/RSP (SELPA/GF)	Ayala HS	02/19/2016
CASTILLO, Arely	Bilingual Typist Clerk I (GF)	Buena Vista HS	02/19/2016
SEBESTYEN, Nancy	Nutrition Services Asst. II (NS)	Don Lugo HS	02/19/2016
VALDIVIESO, Laura	Bilingual Typist Clerk I (GF)	Don Lugo HS	02/19/2016
CRUZ, Steven	Technology Technician (GF)	Technology	02/22/2016
MADRIGAL, Michael	Technology Technician (GF)	Technology	02/19/2016

ADDITIONAL ASSIGNMENT

BARAZZA, Angie	School Community Liaison (C)	Cortez ES	02/19/2016
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PROMOTION

LOPEZ, Jesus	FROM: Custodian I (GF) 8 hrs./261 contract days	Chino Hills HS	02/19/2016
	TO: Custodian II (GF) 8 hrs./261 contract days	Chino Hills HS	
WERLING, Michelle	FROM: Attendance Clk. (GF) 8 hrs./195 work days	Cal Aero K-8	02/19/2016
	TO: Counseling Asst. (GF) 8 hrs./213 work days	Cal Aero K-8	

RESIGNATION

MALDONADO, Krystal	Nutrition Services Asst. I (NS)	Marshall ES	02/05/2016
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APPOINTMENT OF SHORT TERM EMPLOYEES EFFECTIVE JANUARY 1, 2016, THROUGH JUNE 30, 2016

REYES, Jessica	Typist Clerk I	Special Ed.
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CLASSIFIED PERSONNEL (cont.)

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

BANUELOS, Doreen
DAVIS, Cody
DEL RIO, Salomon
HORN, Sheila
QUEVEDO, Laura
SAUM, Krystal
STICKLES, Valerie

CHRISTOS, Holly
DE LEON, Randy
GOMEZ, Michelle
LANTER, Donald
RAMIREZ, Evelia
SCHMIDT, Gloria

CORREA, Justyn
DE LOS RIOS, Irene
HERNANDEZ, Elena
OLSON, Gerald
SANCHEZ, Mark
SEIFERT, Danielle

- (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 18, 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: DISTRICT AFFILIATION AGREEMENT WITH IOWA STATE
UNIVERSITY OF SCIENCE AND TECHNOLOGY**

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BACKGROUND

Internship agreements provide a high quality of learning, support and practical classroom experience for professionals in training. The Chino Valley Unified School District has an opportunity to establish an affiliation agreement with Iowa State University of Science and Technology.

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

RECOMMENDATION

It is recommended the Board of Education approve the affiliation agreement with Iowa State University of Science and Technology.

FISCAL IMPACT

None.

WMJ:GP:LF:RR:jaf

Affiliation Agreement

Dietetics Internship

Food Science and Human Nutrition Department
College of Human Sciences and College of Agriculture and Life Sciences
224 MacKay Hall
Iowa State University of Science and Technology
Ames, IA 50011

and

Nutrition Services Department
Chino Valley Unified School District
5130 Riverside Drive
Chino, CA 91710

AFFILIATION AGREEMENT

This Affiliation Agreement is entered into between the Dietetic Internship located at Iowa State University of Science and Technology ("ISU"), within its Colleges of Human Sciences and of Agriculture and Life Sciences, and the Department of Food Science and Human Nutrition, located at Ames, IA, and Chino Valley Unified School District ("Affiliated Facility") located at 5130 Riverside Drive, Chino, CA 91710.

PURPOSE

The purpose of this Affiliation Agreement is to form an agreement with a facility that is committed to providing desirable dietetics learning experiences and facilities for ISU Interns enrolled in its Dietetic Internship Program. This Affiliation Agreement will establish a cooperative relationship between ISU and the Affiliated Facility and outline the responsibilities of the cooperating parties as they contribute to the learning experience of Interns who benefit from, and participate in, the ISU Dietetic Internship Program in a safe and responsible manner.

TERMS

THEREFORE, in consideration of the mutual promises and agreements contained in this Affiliation Agreement, ISU and the Affiliated Facility agree as follows:

I. JOINT RESPONSIBILITIES

- a. The performance experiences will cover a period of time agreed on and arranged by ISU faculty supervising the Dietetic Internship and preceptors in the Affiliated Facility. The beginning date and length of experience shall be mutually agreed upon prior to the beginning of the affiliation.
- b. Both parties agree that there shall be no discrimination on the basis of marital status, race, color, ethnicity, sex, age, religion, pregnancy, sexual orientation, gender identity, genetic information, disability, national origin or status as a U.S. Veteran pertaining to any experiences during the Dietetic Internship.
- c. ISU faculty and the staff of the Affiliated Facility agree to establish performance objectives and experiences, devise methods for their implementation, and determine the effectiveness of these experiences by ongoing methods of evaluation.
- d. ISU faculty and the staff of the Affiliated Facility agree to maintain communications, cooperate in the development of educational experiences for the Dietetic Internship and review and evaluate the rules and the regulations necessary for the success of the program in the Affiliated Facility upon request.
- e. The Affiliated Facility agrees to indemnify and hold harmless Iowa State University, the Board of Regents, State of Iowa, its officers, agents and employees for any damages including claims, demands, losses, and costs occurring during the course of a required placement in the clinical experience arising out of the negligent acts or omission of the Affiliated Facility or any of its agents, officers, or employees.
- f. To the extent permitted by law under the Iowa Tort Claims Act, Iowa Code Chapter 669, (<http://www.legis.state.ia.us/IACODE/Current/>), Iowa State University agrees to indemnify and hold harmless the Affiliated Facility for any damages, losses, claims or demands arising out of the negligent acts or omissions of the Iowa State University employees, officers, or agents.
- g. Interns are not employees of either Iowa State University or the Affiliated Facility and are not entitled to any employee benefits or compensation of either party which includes not providing Worker's Compensation coverage.
- h. Both parties will instruct their respective faculty, staff, and participating Interns to maintain confidentiality of student and patient information as required by law, including the Family Educational Rights and Privacy Act (FERPA), and the Health Insurance Portability Accountability Act (HIPAA) and by policies and procedures of ISU and the Affiliated Facility.
- i. If the Affiliated Facility is a HIPAA Covered Entity pursuant to HIPAA regulations, the ISU Dietetic Interns are considered part of the Affiliated Facility's workforce as defined in 45 CFR 160.103 because Interns are trainees under the direct control of the facility even though they are not compensated nor employees of the Affiliated Facility and therefore Interns are subject to the Affiliated Facility's policy and procedure including

Confidentiality of patient records and HIPAA Regulations and it is the responsibility of the Affiliated Facility to train the intern on its specific policy and procedure.

- j. If the Affiliated Facility is a HIPAA Covered Entity, it is agreed that ISU is not a “Business Associate” of the Affiliated Facility as that term is defined by HIPAA and its accompanying regulations. Neither ISU nor the Intern is engaged in performing or assisting the Affiliated Facility in performing any of the Business Associate functions that are listed in the HIPAA Regulations, 45 CFR §160.103. The ISU Dietetic Internship Program is considered part of “health care operations” under HIPAA Regulations, 45 CFR §164.501.
- k. Either party may require the immediate withdrawal of any Intern from the clinical area whose conduct has a detrimental effect on patients or personnel of the Affiliated Facility.

II. RESPONSIBILITIES OF THE ISU FACULTY

- a. ISU faculty will notify the supervisors in an Affiliated Facility of the planned schedule of Intern assignment to the facility. The Intern’s name, previous academic preparation, and length and dates of the planned experience will be provided to the facility before the experience begins.
- b. ISU faculty will make a reasonable effort to initiate a criminal background check of the Intern assigned to the Affiliated Facility. The result of the criminal background check may be obtained by the Affiliated Facility upon request. If any information is uncovered that would indicate a record of abuse or neglect or a felony conviction, ISU faculty shall notify the Affiliated Facility and decisions may be made that prevent the Intern from direct patient/client/employee access.
- c. Dietetic Internship faculty will require the assigned Interns to comply with the rules and regulations which are applicable to her/his performance in the Affiliated Facility. These would include:
 - i. Following the administrative policies, standards, and practices and regulations, including dress code, of the Affiliated Facility.
 - ii. Providing his or her own transportation and living arrangements while attending the Affiliated Facility.
 - iii. Providing his or her own health and accident insurance and provide documentation of such coverages to the Affiliated Facility upon request.
 - iv. Professional liability insurance coverage is maintained by the ISU Dietetic Program in the amounts of \$1 million individual and \$3 million aggregate using an “A” rated company.
 - v. Providing documentation of any health screening reports, immunizations, criminal background checks, liability insurance coverage or similar documentation as requested by the Affiliated Facility.
- d. The Dietetic Internship faculty will supply or work with the Affiliated Facility to prepare appropriate forms or arrange conferences that will be used in evaluating the performance of the assigned Intern.
- e. ISU Dietetic Internship faculty will assign only Interns to the Affiliated Facility who have satisfactorily completed the designated prerequisites as determined by the curriculum.

III. RESPONSIBILITIES OF THE AFFILIATED FACILITY

- a. The Affiliated Facility shall provide the Dietetic Internship Intern with an orientation that includes: a copy of the pertinent rules and regulations with which the Intern is expected to comply, a tour of the facilities where the Intern will be learning, the philosophy of patient care at the Affiliated Facility, and other topics that will allow the Intern a quality learning experience during the internship to the benefit of the Affiliated Facility, ISU and the Intern.
- b. The Affiliated Facility shall maintain full administrative and supervisory responsibility for the quality of care given patients and maintain administrative responsibility in so far as an Intern’s presence affects the operation of the Affiliated Facility and/or direct or indirect care of patients/clients/employees.

- c. The Affiliated Facility shall provide observational opportunities and practical experiences to benefit the learning of Intern and agrees to adhere to the Internship policy that "Students in supervised practice programs shall not routinely replace employees except for planned professional staff experiences."
- d. The Affiliated Facility shall provide a supervised program of dietetics experience and maintain complete records pertaining to each Intern's performance. Written evaluations will be provided to the Dietetic Internship faculty using the forms described in IId.
- e. Preceptors in the Affiliated Facility will be provided with time to plan, implement, and evaluate the Intern experiences and, when feasible, attend relevant conferences with or about Interns.
- f. In the event of an emergency, or other health care or medical needs, the Intern may be treated in the Affiliated Facility if it has an emergency department. If necessary, arrangements for transportation to another medical facility will be made. The cost of transportation and all medical treatment will be borne by the Intern.
- g. Upon reasonable request by ISU, the Affiliated Facility will permit the inspection of the facilities, services available for learning experiences, Intern's records, and such other items pertaining to the Dietetic Internship Program.

IV. EFFECTIVE DATE, MODIFICATION, AND TERMINATION

- a. This agreement shall be effective February 19, 2016 for a term of one (1) year and will automatically renew for consecutive one year terms unless earlier terminated by one of the parties.
- b. This agreement may be revised or modified by written amendment when both parties agree to such amendment.
- c. This Affiliation Agreement will be terminated 90 days after a written notice to the below named person by registered mail from either party. This agreement may also be terminated by either party for cause after providing the other party 30 days to cure the deficiency in performance under this Affiliation Agreement. Any Intern currently placed with an Affiliated Facility shall be permitted to complete the placement unless the Intern is personally responsible for the reason termination is requested.

V. MISCELLANEOUS PROVISIONS

- a. This Affiliation Agreement shall be governed by, and construed in accordance with, the laws of the state of Iowa, which shall be the forum for any lawsuits arising from and incident to this Affiliation Agreement.
- b. The Affiliated Facility agrees that ISU may use the name and location of its facility in informational materials and posted on the ISU Dietetic Internship website in order to provide information regarding potential precepting locations to prospective applicants.
- c. The contact persons for any notices required by this Affiliation Agreement are as follows:

For ISU: Jean A. Anderson (515) 294-7316

For AFFILIATED FACILITY: Grace Park (909) 628-1202 ext. 1111

IN WITNESS WHEREOF, the authorized representatives of ISU and the Affiliated Facility have caused this Affiliation Agreement to be executed on the date listed with the representative's signature.

AFFILIATED FACILITY: Chino Valley Unified School District

Name (Signature) Date: _____

Wayne M. Joseph Superintendent
(Printed Name) Title

Name (Signature) Date: _____

Grace Park Assistant Superintendent, Human Resources
(Printed Name) Title

DIETETICS INTERNSHIP: IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

Jean Anderson, MS, RDN, LD
Dietetic Internship Director Date: _____

Ruth MacDonald, PhD, RD
Food Science & Human Nutrition Department Chair Date: _____

Chino Valley Unified School District

Our Motto:

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

DATE: February 18, 2016

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Norm Enfield, Ed.D., Deputy Superintendent, Curriculum,
Instruction, Innovation, and Support
Don Jones, Director, Secondary Curriculum and Instruction

**SUBJECT: REVISION OF ADMINISTRATIVE REGULATION 6145.2
INSTRUCTION – ATHLETIC COMPETITION**

=====

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. Administrative Regulation 6145.2 Instruction – Athletic Competition is being revised to include Education Code 221.8 as it relates to students’ Title IX rights under “Parental Notifications”, item 2.

New language is provided in UPPER CASE.

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 6145.2 Instruction – Athletic Competition.

FISCAL IMPACT

None.

WMJ:NE:DJ:smr

ATHLETIC COMPETITION

Nondiscrimination and Equivalent Opportunities in the Athletic Program

No person shall be excluded from participation in, be denied the benefits of, be denied equivalent opportunity in, or otherwise be discriminated against in interscholastic, intramural, or club athletics on the basis of actual or perceived sex, sexual orientation, gender, gender identity, gender expression, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or any other basis specified in law. (Education Code 220, 221.5, 230; 5 CCR 4920; 34 CFR 106.41)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)

The Superintendent or designee may provide single-sex teams when selection for the teams is based on competitive skills. (34 CFR 106.41; 5 CCR 4921)

Each student shall be allowed to participate in any single-sex athletic program or activity consistent with his/her gender identity and for which he/she is otherwise eligible to participate, irrespective of the gender listed on the student's records. (Education Code 221.5)

(cf. 5125 - Student Records)

When a school provides only one team in a particular sport for members of one sex, but provides no team in the same sport for members of the other sex, and athletic opportunities in the total program for that sex have been previously limited, members of the excluded sex shall be allowed to try out and compete with the team. The same standards for eligibility shall be applied to every student trying out for the team, regardless of sex, sexual orientation, gender, gender identity, gender expression, or other protected group status. (5 CCR 4921; 34 CFR 106.41)

The Superintendent or designee shall ensure that equivalent opportunities are available to both sexes in athletic programs by considering, among other factors: (5 CCR 4922; 34 CFR 106.41)

1. Whether the offered selection of sports and levels of competition effectively accommodate the interests and abilities of both sexes

ATHLETIC COMPETITION (cont.)

The athletic program may be found to effectively accommodate the interests and abilities of both sexes using any one of the following tests: (Education Code 230)

- a. Whether the interscholastic-level participation opportunities for male and female students are provided in numbers substantially proportionate to their respective enrollments
 - b. When the members of one sex have been and are underrepresented among interscholastic athletes, whether the District can show a history and a continuing practice of program expansion that is demonstrably responsive to the developing interests and abilities of the members of that sex
 - c. Where the members of one sex are underrepresented among interscholastic athletes and the District cannot show a history and a continuing practice of program expansion as required in item #b above, whether the District can demonstrate that the interests and abilities of the members of that sex have been fully and effectively accommodated by the present program
2. The provision and maintenance of equipment and supplies
 3. Scheduling of games and practice times, selection of the season for a sport, and location of the games and practices
 4. Travel and per diem allowances
 5. Opportunities to receive coaching and academic tutoring
 6. Assignment and compensation of coaches and tutors
 7. Provision of locker rooms, practice facilities, and competitive facilities
 8. Provision of medical and training facilities and services
 9. Provision of housing and dining facilities and services
 10. Publicity
 11. Provision of necessary funds

ATHLETIC COMPETITION (cont.)

Beginning with the 2015/2016 school year and every year thereafter, each school that offers competitive athletics shall post the following information on its school website, or on the District website if the school does not have a website, at the end of the school year: (Education Code 221.9)

1. The total enrollment of the school, classified by gender
2. The number of students enrolled at the school who participate in competitive athletics, classified by gender
3. The number of boys' and girls' teams, classified by sport and by competition level

(cf. 1113 - District and School Websites)

The data reported for items #1-3 above shall reflect the total number of players on a team roster on the official first day of competition. The materials used to compile this information shall be retained by the school for at least three years after the information is posted on the website. (Education Code 221.9)

(cf. 3580 - District Records)

HEALTH AND SAFETY

The Superintendent or designee shall annually distribute to student athletes and their parents/guardians an information sheet on concussions and head injuries. The student and parent/guardian shall sign and return the information sheet before the student's initiating practice or competition. (Education Code 49475)

(cf. 5145.6 - Parental Notifications)

If a student athlete is suspected of sustaining a concussion or head injury in an athletic activity, he/she shall be immediately removed from the activity for the remainder of the day. The student shall not be permitted to return to the activity until he/she is evaluated by a licensed health care provider trained in the management of concussions and receives the health care provider's written clearance to return to the activity. If the health care provider determines that the athlete sustained a concussion or a head injury, the athlete shall also complete a graduated return-to-play protocol of no less than seven days in duration under the supervision of a licensed health care provider. (Education Code 49475)

ATHLETIC COMPETITION (cont.)

The Superintendent or designee shall notify the student's parent/guardian of the date, time, and extent of any injury suffered by the student and any actions taken to treat the student.

The Superintendent or designee shall provide training to coaches and/or athletic trainers regarding concussion symptoms, prevention, and appropriate response.

(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)

A junior school or high school football team shall not hold a full-contact practice during the off-season and shall not conduct more than two full-contact practices per week during the preseason and regular season (from 30 days before the commencement of the regular season until the completion of the final interscholastic football game of that season). In addition, the full-contact portion of a practice shall not exceed 90 minutes in any single day. For these purposes, full-contact practice means a practice where drills or live action is conducted that involves collisions at game speed, where players execute tackles and other activity that is typical of an actual tackle football game. (Education Code 35179.5)

Parental Notifications

Before a student participates in interscholastic athletic activities, the Superintendent or designee shall send a notice to the student's parents/guardians which:

1. Contains information about the procedures for filing a discrimination complaint that arises out of an interscholastic athletic activity, including the name of the District's Title IX Coordinator

(cf. 1312.3 - Uniform Complaint Procedures)

2. Includes a copy of STUDENTS' TITLE IX ~~the Athletes' Bill of Rights~~ pursuant to Education Code 271221.8.

3. Explains that there is an element of risk associated with all athletic competitions and that the District cannot guarantee that students will not be injured, despite a commitment to every participant's health and welfare

(cf. 3530 - Risk Management/Insurance)

4. Provides information about insurance protection pursuant to Education Code 32221.5

(cf. 5143 - Insurance)

ATHLETIC COMPETITION (cont.)

5. Requests parental permission for the student to participate in the program and, if appropriate, be transported by the District to and from competitions

(cf. 3541.1 - Transportation for School-Related Trips)

6. States the District's expectation that students adhere strictly to all safety rules, regulations, and instructions as well as rules and guidelines related to conduct and sportsmanship

(cf. 5144 - Discipline)

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

7. Includes a copy of the local California Interscholastic Federation (CIF) league rules

8. Includes information about the CIF bylaw and District policy requiring any student athlete and his/her parent/guardian to sign a statement that the student will not use steroids or dietary supplements banned by the U.S. Anti-Doping Agency

(cf. 5131.63 - Steroids)

Chino Valley Unified School District

Regulation approved: August 21, 1997

Revised: February 4, 2010

Revised: June 25, 2015

REVISED:

Chino Valley Unified School District

Our Motto:

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

DATE: February 18, 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: REVISION OF BOARD POLICY AND ADMINISTRATIVE REGULATION 6162.51 INSTRUCTION – STANDARDIZED TESTING AND REPORTING PROGRAM

=====

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 and Administrative Regulation 6162.51 Instruction – Standardized Testing and Reporting Program are being revised to reflect the official name change of the state assessment system to the California Assessment of Student Performance and Progress (CAASPP). The regulation reflects the status of CAASPP testing for the 2014/2015 school year, including field testing of a new alternative test of English language arts and mathematics for students with significant cognitive disabilities. Additionally, the regulation reflects new Title 5 regulations.

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 6162.51 Instruction – Standardized Testing and Reporting Program.

FISCAL IMPACT

None.

WMJ:NE:JR:smr

~~STANDARDIZED TESTING AND REPORTING PROGRAM STATE ACADEMIC ACHIEVEMENT TESTS~~

The Board of Education ~~desires to use the results of the~~ RECOGNIZES THAT STATE achievement test RESULTS PROVIDE AN INDICATION OF STUDENT PROGRESS ~~to evaluate the performance of District students in achieving state academic standards and in comparison to the performance of students across the state~~ MAY BE USED TO PROMOTE HIGH-QUALITY TEACHING AND LEARNING. The Superintendent or designee shall administer mandatory student assessments within the ~~State Standardized Testing and Reporting (STAR) program~~ CALIFORNIA ASSESSMENT OF STUDENT PERFORMANCE AND PROGRESS (CAASPP) as required by law and in accordance with Board Policy and Administrative Regulation.

(cf. 6011 - Academic Standards)
 (cf. 6162.5 - Student Assessment)
 (cf. 6162.54 - Test Integrity/Test Preparation)
 (cf. 9321 - Closed Session Purposes and Agendas)
 (cf. 9321.1 - Closed Session Actions and Reports)

The Board strongly encourages all students at the applicable grade levels to participate in the ~~STAR~~ STATE assessments in order to maximize the usefulness of the data and enable the District to meet participation levels required for state and federal accountability systems. The Superintendent or designee shall notify students and parents/guardians about the importance of these assessments and shall develop strategies to encourage student participation. Students shall be exempted from participation only in accordance with law and administrative regulation.

(cf. 0520.2 - Title I Program Improvement Schools)
 (cf. 0520.3 - Title I Program Improvement Districts)

The Board shall annually examine ~~STAR~~ STATE ASSESSEMENT results by school, grade level, and student subgroup AS ONE MEASURE OF THE DISTRICT'S PROGRESS IN ATTAINING ITS STUDENT ACHIEVEMENT GOALS AND SHALL REVISE THE LOCAL CONTROL AND ACCOUNTABILITY PLAN AND OTHER DISTRICT OR SCHOOL PLANS AS NECESSARY TO IMPROVE STUDENT ACHIEVEMENT FOR UNDERPERFORMING STUDENT GROUPS. ~~in the Board's discussion of each school's ranking on the statewide Academic Performance Index. If the STAR performance level of the school is below the Board's established expectations, the Board may conduct an assessment of the reasons for the performance results and may adopt a performance improvement plan in accordance with Education Code 52056.~~

(cf. 0460 - Local Control and Accountability Plan)
 (cf. 0500 - Accountability)

~~STANDARDIZED TESTING AND REPORTING PROGRAM STATE ACADEMIC ACHIEVEMENT TESTS~~ (cont.)

Legal Reference:

EDUCATION CODE

49076 Student records; access

51041 Evaluation of educational program

52052 Academic Performance Index; numerically significant student subgroups

52060-52077 Local control and accountability plan

56345 Individualized education program, contents

60600-60630 Assessment of academic achievement

60640-60649 California Assessment of Student Performance and Progress

60660-60663 Electronic learning assessment resources

60810 Assessment of language development

99300-99301 Early Assessment Program

CODE OF REGULATIONS, TITLE 5

850-864 State assessments

UNITED STATES CODE, TITLE 20

1412 Participation of students with disabilities in state assessments

6311 Adequate yearly progress

CODE OF FEDERAL REGULATIONS, TITLE 34

200.1 Standards and assessment

Management Resources:

CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Supporting Student Achievement: Student Assessment System in Flux, Governance Brief, June 2013

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Assembly Bill 484 Questions and Answers

CALIFORNIA STATE UNIVERSITY PUBLICATIONS

The Early Assessment Program: Handbook for School Site Leaders, 2008

SMARTER BALANCED ASSESSMENT CONSORTIUM PUBLICATIONS

Usability, Accessibility, and Accommodations Guidelines, September 2013

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 2000

WEBSITES

California School Boards Association: www.csba.org

California Department of Education, Testing and Accountability: www.cde.ca.gov/ta

California Learning Resources Network: clrn.org

California State University, Early Assessment Program: www.calstate.edu/eap

Smarter Balanced Assessment Consortium: www.smarterbalanced.org

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

Chino Valley Unified School District

Policy adopted: May 23, 2002

Revised: March 17, 2011

Reviewed: March 1, 2012

REVISED:

~~STANDARDIZED TESTING AND REPORTING PROGRAM STATE ACADEMIC ACHIEVEMENT TESTS~~

THE SUPERINTENDENT OR DESIGNEE SHALL ADMINISTER THE CALIFORNIA ASSESSMENT OF STUDENT PERFORMANCE AND PROGRESS (CAASPP) TO ALL DISTRICT STUDENTS AT APPLICABLE GRADE LEVELS, EXCEPT THOSE STUDENTS EXEMPTED BY LAW.

THE DISTRICT SHALL PERMIT ANY LOCALLY FUNDED CHARTER SCHOOL TO ADMINISTER THE CAASPP TO ITS STUDENTS IN COORDINATION WITH THE TESTING OF DISTRICT STUDENTS. IN ADDITION, THE SUPERINTENDENT OR DESIGNEE SHALL ARRANGE FOR THE TESTING OF STUDENTS IN ANY ALTERNATIVE EDUCATION PROGRAM OR PROGRAM CONDUCTED OFF CAMPUS, INCLUDING, BUT NOT LIMITED TO, NON-CLASSROOM BASED PROGRAMS, CONTINUATION SCHOOLS, INDEPENDENT STUDY, COMMUNITY DAY SCHOOLS, COUNTY COMMUNITY SCHOOLS, JUVENILE COURT SCHOOLS, OR NONPUBLIC, NONSECTARIAN SCHOOLS. NO TEST SHALL BE ADMINISTERED IN A HOME OR HOSPITAL EXCEPT BY A TEST EXAMINER. (5 CCR 851)

(cf. 0420.4 - Charter School Authorization)

(cf. 0420.41 - Charter School Oversight)

(cf. 6158 - Independent Study)

(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)

(cf. 6181 - Alternative Schools/Programs of Choice)

(cf. 6183 - Home and Hospital Instruction)

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

Staff Responsibilities

ON OR BEFORE SEPTEMBER 30 OF ~~Each~~ year, the Superintendent or designee shall designate a District coordinator who shall OVERSEE ALL MATTERS RELATED TO THE TESTING PROGRAM AND serve as the district representative and liaison with the TEST CONTRACTOR AND THE California Department of Education (CDE) ~~for all matters relating to the STAR program. The Superintendent or designee also shall designate a coordinator at each test site. (5 CCR 857-858).~~ THE SUPERINTENDENT OR DESIGNEE SHALL ALSO DESIGNATE A COORDINATOR FOR EACH TEST SITE. THE DUTIES OF THE DISTRICT AND SITE TEST COORDINATORS SHALL INCLUDE THOSE SPECIFIED IN 5 CCR 857-858. (5 CCR 857-858)

~~In addition to the duties specified in 5 CCR 857, the District coordinator shall establish guidelines to help ensure that the test contractor is provided complete student information, as specified in 5 CCR 861 and 870, for purposes of the Academic Performance Index.~~

~~STANDARDIZED TESTING AND REPORTING PROGRAM STATE ACADEMIC ACHIEVEMENT TESTS~~ (cont.)

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

~~After receiving summary reports and files from the test contractor, District coordinator shall review the files and reports for completeness and accuracy, and shall notify the test contractor and the CDE of any errors, discrepancies, or incomplete information. (5 CCR 857)~~

The Superintendent or designee also shall appoint test examiner(s) to administer the STATE assessments. A test examiner shall be an employee or contractor of the District or, for ~~the CAPA AN ALTERNATE ASSESSEMENT FOR STUDENTS WITH DISABILITIES~~, shall be a certificated or licensed EMPLOYEE OF THE school, District, or County ~~staff member~~ OFFICE OF EDUCATION. (5 CCR 850)

(cf. 4112.2 - Certification)

(cf. 4113 - Assignment)

As appropriate, the Superintendent or designee shall assign a specially trained District employee to serve as a test proctor to assist the test examiner; a specially trained District employee, or other person supervised by a District employee, to serve as a translator to translate the test directions into a student's primary language; and a District employee to serve as a scribe to transcribe a student's responses to the format required by the test. A student's parent/guardian shall not be eligible to be that student's translator or scribe. (5 CCR 850)

Test coordinators, examiners, proctors, translators, and scribes shall sign a test security agreement or affidavit. (5 CCR 859)

TEST INCLUDED IN THE STATE ASSESSMENT SYSTEM

THE DISTRICT SHALL ADMINISTER THE FOLLOWING CAASPP ASSESSMENTS:
(EDUCATION CODE 60640)

1. THE SMARTER BALANCED ASSESSMENT CONSORTIUM ASSESSMENTS FOR ENGLISH LANGUAGE ARTS AND MATHEMATICS IN GRADES 3-8 AND 11, EXCEPT THAT:

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6142.92 - Mathematics Instruction)

~~STANDARDIZED TESTING AND REPORTING PROGRAM~~ STATE ACADEMIC ACHIEVEMENT TESTS (cont.)

- A. RECENTLY ARRIVED ENGLISH LEARNERS, DEFINED PURSUANT TO EDUCATION CODE 60603 AS ENGLISH LEARNERS WHO ARE IN THEIR FIRST 12 MONTHS OF ATTENDING A SCHOOL IN THE UNITED STATES, SHALL BE EXEMPTED FROM TAKING THE ENGLISH LANGUAGE ARTS ASSESSMENT TO THE EXTENT ALLOWED BY FEDERAL LAW.

(cf. 6174 - Education for English Language Learners)

- B. STUDENTS WITH DISABILITIES WHO ARE UNABLE TO PARTICIPATE IN THESE ASSESSMENTS, EVEN WITH THE RESOURCES DESCRIBED IN THE SECTION "TESTING VARIATIONS" BELOW, MAY BE PROVIDED AN ALTERNATE TEST IN ACCORDANCE WITH THEIR INDIVIDUALIZED EDUCATION PROGRAM (IEP), AS PROVIDED IN ITEM #3 BELOW.

(cf. 6159 - Individualized Education Program)

(cf. 6164.6 - Identification and Education Under Section 504)

2. SCIENCE ASSESSMENTS AT GRADES 5, 8, AND 10

(cf. 6142.93 - Science Instruction)

- 3. FOR STUDENTS WITH DISABILITIES WHO ARE UNABLE TO TAKE THE TESTS SPECIFIED IN ITEMS #1-2 ABOVE EVEN WITH APPROPRIATE ACCOMMODATIONS OR OTHER TESTING RESOURCES:

- A. CALIFORNIA ALTERNATE ASSESSMENT IN ENGLISH LANGUAGE ARTS AND MATHEMATICS.
- B. FOR THE SCIENCE ASSESSMENT, EITHER THE CALIFORNIA ALTERNATE PERFORMANCE ASSESSMENT OR CALIFORNIA MODIFIED ASSESSMENT, IN ACCORDANCE WITH THE STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM (IEP).

IN ADDITION, THE SUPERINTENDENT OR DESIGNEE MAY ADMINISTER A PRIMARY LANGUAGE ASSESSMENT TO ENGLISH LEARNERS IN GRADES 2-11. ADMINISTRATION OF THIS TEST SHALL NOT REPLACE THE ADMINISTRATION OF THE ABOVE TESTS, ADMINISTERED IN ENGLISH, TO ENGLISH LEARNERS. (EDUCATION CODE 60640)

~~STANDARDIZED TESTING AND REPORTING PROGRAM STATE ACADEMIC ACHIEVEMENT TESTS~~ (cont.)

THE PRIMARY LANGUAGE ASSESSMENT ALSO MAY BE USED TO ASSESS STUDENTS IN A DUAL LANGUAGE IMMERSION PROGRAM WHO ARE NOT LIMITED ENGLISH PROFICIENT OR WHO ARE REDESIGNATED FLUENT ENGLISH PROFICIENT, SUBJECT TO THE APPROVAL OF THE CALIFORNIA DEPARTMENT OF EDUCATION (CDE) OF AN AGREEMENT BETWEEN THE DISTRICT AND THE STATE TESTING CONTRACTOR. (EDUCATION CODE 60640)

Exemptions

EACH YEAR THE SUPERINTENDENT OR DESIGNEE SHALL NOTIFY PARENTS/GUARDIANS OF THEIR CHILD'S PARTICIPATION IN THE CAASPP AND OF THE PROVISIONS OF EDUCATION CODE 60615 RELATED TO EXEMPTIONS FROM TESTING. (5 CCR 852)

(cf. 5145.6 - Parental Notifications)

A parent/guardian may ANNUALLY submit to the school a written request to excuse his/her child from any or all parts of ~~any test~~THE CAASPP ASSESSMENTS FOR THE SCHOOL YEAR, AND SUCH A REQUEST SHALL BE GRANTED BY THE SUPERINTENDENT OR DESIGNEE. ~~District employees may discuss the STAR program with parents/guardians and may inform them of the availability of exemptions under Education Code 60615.~~ However, the District and its employees shall not solicit or encourage any ~~written~~ exemption request on behalf of any student or group of students. (Education Code 60615; 5 CCR 852)

If a parent/guardian submits an exemption request after testing has begun, any test(s) completed before the request is submitted ~~shall~~ WILL be scored and the results reported to the parent/guardian and included in the student's records. (5 CCR 852)

~~The District shall administer the following assessments in the Standardized Testing and Reporting (STAR) Program:~~

- ~~1. The California Standards Tests (CSTs) in English language arts, mathematics, science, and history-social science to students in grades 2-11. (Education Code 60640)~~

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

~~(cf. 6142.92 - Mathematics Instruction)~~

~~(cf. 6142.93 - Science Instruction)~~

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

~~STANDARDIZED TESTING AND REPORTING PROGRAM STATE ACADEMIC ACHIEVEMENT TESTS (cont.)~~

~~In addition, students in grade 11 may voluntarily take an augmented CST as part of the Early Assessment Program to determine their readiness for college-level work in English and/or mathematics. (Education Codes 60641, 99300-99301)~~

- ~~2. The Standards Based Test in Spanish (STS) to Spanish speaking English learners in grades 2-11 who either: (Education Code 60640)~~
 - ~~a. Received instruction in Spanish, regardless of how long they have been in the United States.~~
 - ~~b. Have been enrolled in a California public school for less than 12 months.~~

~~(cf. 6174 - Education of English Language Learners)~~

~~This test shall be required in addition to the CST administered in English. (Education Code 60640)~~

~~Following the first year of enrollment in a California public school Spanish speaking English learners in grades 2-11 shall continue to take the STS in addition to the CST in English if the Superintendent or designee determines that such test results would provide useful information about students' performance.~~

- ~~3. The California Alternate Performance Assessment (CAPA) for students in grades 2-11 with severe cognitive disabilities who are unable to take the CSTs even with accommodations or modifications, or the California Modified Assessment (CMA) for students in grades 3-11 who are not severely cognitively disabled, when determined appropriate by the student's Individualized Education Program (IEP) team. (Education Codes 56345, 60640; 5 CCR 850; 34 CFR 200.1)~~

~~A student with disabilities may be assessed using the CAPA in all subject areas, CMA in all subject areas, or a combination of CSTs and CMA in the subject areas being assessed, but shall not be allowed to take both the CAPA and CMA. Eligibility to take the CMA shall be based on the criteria specified in 5 CCR 850. The Superintendent or designee shall inform the parents/guardians of students selected to be assessed with the CMA that their child's achievement will be measured based on modified achievement standards. (5 CCR 850)~~

~~STANDARDIZED TESTING AND REPORTING PROGRAM STATE ACADEMIC ACHIEVEMENT TESTS~~ (cont.)

~~Any special education student who is an English learner may be tested with the STS in accordance with item #2 above, unless the IEP specifically exempts him/her from such testing. (Education Code 56345)~~

~~(cf. 6159 Individualized Education Program)
(cf. 6164.6 Identification and Education under Section 504)~~

~~The Superintendent or designee shall make arrangements as necessary to test all eligible students in alternative education programs or programs conducted off campus. (5 CCR 851)~~

~~(cf. 6158 Independent Study, Home Based Independent Study (Alternative Study Program))
(cf. 6181 Alternative Schools/Programs of Choice)
(cf. 6183 Home and Hospital Instruction)
(cf. 6184 Continuation Education)
(cf. 6185 Community Day School)~~

Testing Period

THE SUPERINTENDENT OR DESIGNEE SHALL ESTABLISH TESTING DAYS FOR DISTRICT STUDENTS WITHIN THE FOLLOWING TESTING WINDOWS: (5 CCR 855)

1. ASSESSMENTS IN ENGLISH LANGUAGE ARTS AND MATHEMATICS SHALL NOT BE ADMINISTERED UNTIL AT LEAST 66 PERCENT OF THE SCHOOL'S ANNUAL INSTRUCTIONAL DAYS HAVE BEEN COMPLETED FOR GRADES 3-8, OR AT LEAST 80 PERCENT OF THE ANNUAL INSTRUCTIONAL DAYS FOR GRADE 11, AND MAY CONTINUE UP TO AND INCLUDING THE LAST DAY OF INSTRUCTION FOR THE REGULAR SCHOOL CALENDAR.
2. ALTERNATE ASSESSMENTS FOR STUDENTS WITH DISABILITIES AND SCIENCE ASSESSMENTS FOR ALL STUDENTS SHALL BE ADMINISTERED DURING A TESTING WINDOW OF 25 INSTRUCTIONAL DAYS THAT INCLUDES 12 INSTRUCTIONAL DAYS BEFORE AND AFTER COMPLETION OF 85 PERCENT OF THE SCHOOL'S, TRACK'S, OR PROGRAM'S INSTRUCTIONAL DAYS.
3. THE PRIMARY LANGUAGE ASSESSMENT SHALL BE ADMINISTERED TO ENGLISH LEARNERS WITHIN THE TESTING WINDOW SPECIFIED IN ITEM #2.

~~STANDARDIZED TESTING AND REPORTING PROGRAM STATE ACADEMIC ACHIEVEMENT TESTS~~ (cont.)

STUDENTS WHO ARE ABSENT DURING TESTING SHALL BE PROVIDED AN OPPORTUNITY TO TAKE THE TESTS WITHIN THE TESTING WINDOW.

~~The STAR tests, with the exception of the writing portion of the English language arts test, shall be administered to students during a testing window of 25 instructional days that includes 12 instructional days before and after completion of 85 percent of the instructional days of the school, track, or program. (Education Code 60640; 5 CCR 885)~~

~~The Superintendent or designee shall arrange for at least two make-up days for the testing of students who were absent during the testing period. All make-up testing shall occur within five instructional days of the last date that the District administered the tests but not later than the 25-day testing window. (Education Code 60640; 5 CCR 855)~~

~~The writing portion of the English language arts tests shall be administered only on the testing day(s) and make-up day(s) specified annually by the Superintendent of Public Instruction. (Education Code 60640; 5 CCR 855)~~

Testing Variations

Assessments shall be administered in accordance with the manuals or other instructions provided by the test contractor AND CDE, ~~unless a testing variation~~ EXCEPT THAT, AS APPROPRIATE, STUDENTS MAY BE PROVIDED UNIVERSAL TOOLS, DESIGNATED SUPPORTS, AND/OR accommodationS; DURING TESTING THAT ARE ~~or modification~~ is specifically allowed pursuant to 5 CCR 853.5 OR 853.7. (5 CCR 850, 853.5, 853.7)

DESIGNATED SUPPORTS OR ACCOMMODATIONS PROVIDED TO STUDENTS WITH DISABILITIES SHALL BE THOSE SPECIFIED IN THEIR IEP OR SECTION 504 PLAN. (5 CCR 850, 853.5)

IF A RESOURCE HAS NOT BEEN SPECIFICALLY IDENTIFIED IN 5 CCR 853.5 OR 853.7 BUT IS REGULARLY USED BY A STUDENT IN THE CLASSROOM FOR INSTRUCTION AND/OR ASSESSMENT, THE DISTRICT OR SCHOOL SITE TEST COORDINATOR MAY SUBMIT A WRITTEN REQUEST TO THE CDE FOR APPROVAL TO USE THAT INDIVIDUALIZED AID. HE/SHE SHALL SUBMIT THE REQUEST AT LEAST 10 BUSINESS DAYS PRIOR TO THE STUDENT'S FIRST DAY OF CAASPP TESTING. (5 CCR 853.5)

~~STANDARDIZED TESTING AND REPORTING PROGRAM STATE ACADEMIC ACHIEVEMENT TESTS (cont.)~~

~~All students may be provided with the following variations: (5 CCR 853.5)~~

- ~~1. Simplified or clarified test directions.~~
- ~~2. Allowance to write in test booklets (e.g., underlining, highlighting, working math problems), provided that in grades 2-3 any marks other than those in response circles must be erased or responses must be transcribed into new test booklet(s) to ensure that the tests can be scored.~~
- ~~3. Testing in a small group setting.~~
- ~~4. As much time as needed within a single sitting to complete a test or test part.~~

~~In addition, all students shall be provided with the following testing variations if such variations are regularly used in the classroom: (5 CCR 853.5)~~

- ~~1. Special adaptive furniture.~~
- ~~2. Special lighting, special acoustics, noise canceling devices, visual magnifying equipment or audio amplification equipment.~~
- ~~3. An individual carrel or study enclosure.~~
- ~~4. Individual testing in a separate testing room provided that a District employee who has signed the test security affidavit directly supervises the student.~~
- ~~5. Colored overlay, masks, or other means to maintain visual attention to the test or test questions.~~
- ~~6. Manually Coded English or American Sign Language to communicate directions for test administration.~~

~~Identified English learners shall be permitted the following testing variations if such variations are regularly used in the classroom or for assessment: (5 CCR 853.5)~~

- ~~1. Testing in a separate room with other English learners provided that a District employee who has signed the test security affidavit directly supervises the student.~~

STANDARDIZED TESTING AND REPORTING PROGRAM STATE ACADEMIC ACHIEVEMENT TESTS (cont.)

2. ~~Additional supervised breaks following each section within a test part provided that the test section is completed within a testing day. A test section is identified by a "STOP" at the end of it.~~
3. ~~Translation of the test directions printed in the test administration manual translated into the student's primary language and the opportunity to ask clarifying questions about any test directions presented orally in their primary language.~~
4. ~~Access to translation glossaries/word lists for the CSTs in mathematics, science, and history/social science (English to primary language). The translation glossaries/word lists are to include only the English words or phrases with the corresponding primary language words or phrases. The glossaries/word lists shall not include definitions, parts of speech, or formulas.~~

~~Students with disabilities shall be permitted to take the assessments with any of the testing variations listed in 5 CCR 853.3, provided the variations are specified in their IEP or Section 504 plan. These variations may include, but are not limited to, accommodations in the presentation or setting of the test administration or in how a student is allowed to respond, and/or modifications in accordance with 5 CCR 853.5. (5 CCR 850, 853, 853.5)~~

Reports of Test Results

~~FOR ANY STATE ASSESSMENTS THAT PRODUCE VALID INDIVIDUAL STUDENT RESULTS, THE SUPERINTENDENT OR DESIGNEE SHALL FORWARD OR TRANSMIT THE STUDENT'S TEST RESULTS TO HIS/HER PARENTS/GUARDIANS wWithin 20 working days FROM RECEIPT of receiving the RESULTS student test report from the test contractor OR, IF the Superintendent or designee shall forward the student report to the student's parents/guardians. If these reports are received DISTRICT RECEIVES THE RESULTS from the contractor after the last day of instruction FOR in the school year, THEN WITHIN THE FIRST 20 WORKING DAYS OF THE NEXT SCHOOL YEAR each student's results shall be mailed to his/her parents/guardians. The report shall include a clear explanation of the purpose of the test, the student's score, and its intended use by the District. An individual student's scores shall also be reported to his/her school and teacher(s) and shall be included in his/her student record. (Education Code 60641; 5 CCR 863)~~

(cf. 5125 - Student Records)

~~STANDARDIZED TESTING AND REPORTING PROGRAM STATE ACADEMIC ACHIEVEMENT TESTS~~ (cont.)

With parent/guardian consent, the Superintendent or designee may release a student's test results to a postsecondary educational institution for the purposes of credit, placement, determination of readiness for college-level coursework, or admission. (Education Code 60641)

The Superintendent or designee shall present District wide, school-level, and grade-level results to the Board of Education at a regularly scheduled meeting. The Board shall not receive individual student's scores or the relative position of any individual student. (Education Code 49076, 60641)

Chino Valley Unified School District

Regulation approved: May 23, 2002

Revised: March 3, 2011

Revised: February 16, 2012

REVISED:

Chino Valley Unified School District

Our Motto:

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

DATE: February 18, 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: REVISION OF BOARD POLICY 6162.54 INSTRUCTION – TEST INTEGRITY/TEST PREPARATION

=====

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 6162.54 Instruction – Test Integrity/Test Preparation is being revised to reflect new law Assembly Bill 484 which establishes the California Assessment of Student Performance and Progress (CAASPP) assessment system, prohibits use of a program for the sole purpose of test preparation for state assessments, and allows districts to familiarize students with item types or the computer-based testing environment used in the CAASPP.

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 6162.54 Instruction – Test Integrity/Test Preparation.

FISCAL IMPACT

None.

WMJ:NE:JR:smr

TEST INTEGRITY/TEST PREPARATION

The Board of Education desires to protect the integrity of student assessmentS processes in order to obtain an accurate AND RELIABLE INDICATORS assessment of student achievement AND TO ENSURE in the district and maintain accountability to the community and state. Staff and students SHALL ~~are expected to~~ maintain a high level of integrity in the completion and handling of student assessments.

(cf. 0500 - Accountability)
 (cf. 4119.21/4219.21/4319.21 - Professional Standards)
 (cf. 5131 - Conduct)
 (cf. 5131.9 - Academic Honesty)
 (cf. 6162.5 - Student Assessment)
 (cf. 6162.51 - State Academic Achievement Tests)
 (cf. 6162.52 - High School Exit Examination)

Test Integrity

In the administration of ACADEMIC ACHIEVEMENT ~~standardized~~ tests, staff shall not ENGAGE IN ANY ACTS THAT COULD RESULT IN THE INVALIDATION OF TEST RESULTS, SUCH AS:

1. ProvideING inappropriate test preparation
2. ModifyING test administration procedures, except as allowed by law
3. ProvideING inappropriate assistance to students during test administration
4. ChangeING or fillING in answers on student answer sheets
5. ProvideING inaccurate data on student header sheets
6. DiscourageING or excludeING certain students from taking the test
7. EngageING in any other practice to artificially raise student scores without actually improving underlying student achievement

APPROPRIATE TEST Preparation for ~~State Tests~~

~~Staff may prepare students for assessments by providing instruction in the content specified in state and district academic standards and teaching general test-taking strategies designed to improve their performance on tests included in the Standardized Testing and Reporting Program, the California High School Exit Examination (CAHSEE), or the California English Language Development Test (CELDT). Such strategies may include, but not be limited to using time efficiently, understanding directions, placing answers correctly on answer sheets, checking answers, problem-solving tactics, and exposing students to various test formats.~~

TEST INTEGRITY/TEST PREPARATION (cont.)

(cf. 6011 - Academic Standards)

The Superintendent or designee, principals, and teachers shall not implement any program FOR THE SOLE PURPOSE of TEST specific preparation OF STUDENTS for the statewide student assessment SYSTEM program or a particular test used within that program IN THE STATEWIDE ASSESSMENT SYSTEM. (Education Code 60611)

THE PRIMARY PREPARATION FOR ASSESSMENTS SHALL BE HIGH-QUALITY INSTRUCTION IN THE CONTENT SPECIFIED IN STATE AND DISTRICT ACADEMIC STANDARDS. IN ADDITION, STAFF MAY PREPARE STUDENTS FOR ASSESSMENTS BY TEACHING GENERAL TEST-TAKING STRATEGIES AND FAMILIARIZING THEM WITH ITEM TYPES OR THE COMPUTER-BASED TESTING ENVIRONMENT USED IN STATE ASSESSMENTS.

(cf. 6011 - Academic Standards)

~~Practice tests provided by the publisher of the state achievement test may be used for the limited purpose of familiarizing students with the use of scanable test booklets or answer sheets and the format of test items. No alternate or parallel form of the test shall be administered or used. (5 CCR 854)~~

~~Staff shall not use released test questions to develop practice tests that mimic or parallel state test, or for teaching or drilling students only on the released items.~~

Investigation and Consequences of Testing Irregularities

Reports of student cheating on assessments shall be submitted to the SUPERINTENDENT principal or designee for investigation. The Superintendent or designee shall immediately investigate with due diligence any reports of inappropriate test preparation or other testing irregularities.

Students found to have cheated on assessments shall be subject to disciplinary procedures in accordance with Board policy and administrative regulations.

(cf. 5144 - Discipline)

A staff member found to have committed testing irregularities shall be subject to discipline in accordance with law, where applicable, collective bargaining agreements, Board policy and administrative regulations.

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

TEST INTEGRITY/TEST PREPARATION (cont.)

If the Superintendent or designee is made aware of a testing irregularity on state assessments, he/she shall report the irregularity to the California Department of Education.

Legal Reference:

EDUCATION CODE

60611 Inappropriate test preparation

60640-60649 California Assessment of Student Performance and Progress

60850-60859 California High School Exit Examination

GOVERNMENT CODE

54957 Complaints against employees, closed session

CODE OF REGULATIONS, TITLE 5

850-864 California Assessment of Student Performance and Progress

1200-1225 California High School Exit Examination, especially:

1220 Cheating on the high school exit examination

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Guidelines on Academic Preparation for State Assessments, December 2009

WEBSITES:

California School Boards Association: www.csba.org

California Department of Education: www.cde.ca.gov

Smarter Balanced Assessment Consortium: www.smarterbalanced.org

Chino Valley Unified School District

Policy approved: May 23, 2002

Revised: June 18, 2009

REVISED:

Chino Valley Unified School District

Our Motto:

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

DATE: February 18, 2016
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Norm Enfield, Ed.D., Deputy Superintendent, Curriculum, Instruction, Innovation, and Support
Mary M. Salcido, Director, Access & Equity
SUBJECT: REVISION OF BOARD POLICY AND ADMINISTRATIVE REGULATION 6174 INSTRUCTION – EDUCATION FOR ENGLISH LANGUAGE LEARNERS

=====
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 and Administrative Regulation 6174 Instruction – Education for English Language Learners are being revised to reflect requirements to address goals and specific actions for English language learners in the District’s Local Control and Accountability Plan (LCAP), establish an English learner parent advisory committee to consult on LCAP development when applicable, and measure progress toward District goals for English learners. The policy also adds language on professional development required for district’s receiving federal Title III funds.

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 6174 Instruction – Education for English Language Learners.

FISCAL IMPACT

None.

WMJ:NE:MMS:smr

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

The Board of Education intends to provide English language learners with challenging curriculum and instruction that develop proficiency in English as rapidly and effectively as possible while facilitating student achievement in the District's regular course of study.

THE DISTRICT SHALL IDENTIFY IN ITS LOCAL CONTROL AND ACCOUNTABILITY PLAN (LCAP) SPECIFIC ACTIONS AND SERVICES TO ENHANCE STUDENT ENGAGEMENT, ACADEMIC ACHIEVEMENT, AND OTHER OUTCOMES FOR ENGLISH LEARNERS.

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3100 - Budget)

English learners shall be provided English language development instruction targeted to their English proficiency level and aligned with state content standards AND CURRICULUM FRAMEWORK. The District's program shall be based on sound instructional theory, USE STANDARDS-ALIGNED INSTRUCTIONAL MATERIALS, and ~~adequately supported in order to assist students in accessing the full educational program so that English language learners can achieve results at the same academic level as their English proficient peers in the regular course of study.~~

(cf. 6011 - Academic Standards)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6161.11 - Supplementary Instructional Materials)
(cf. 6171 - Title 1 Programs)

The Superintendent or designee shall ensure that all staff employed to teach English learners possess the appropriate authorization from the Commission on Teacher Credentialing.

(cf. 4112.22 -Staff Teaching English Language Learners)

THE SUPERINTENDENT OR DESIGNEE SHALL PROVIDE TO TEACHERS, ADMINISTRATORS, AND OTHER SCHOOL STAFF RESEARCH-BASED PROFESSIONAL DEVELOPMENT THAT IS DESIGNED TO IMPROVE THE INSTRUCTION AND ASSESSMENT OF ENGLISH LEARNERS AND ENHANCE STAFF'S ABILITY TO UNDERSTAND AND USE CURRICULA, ASSESSMENT, AND INSTRUCTIONAL STRATEGIES FOR ENGLISH LEARNERS. (20 USC 6825)

(cf. 4131/4231/4331 - Staff Development)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (cont.)

The Superintendent or designee shall encourage parent/GUARDIAN and community involvement in the development, implementation, and evaluation of English language development programs. IN ADDITION, TO SUPPORT STUDENTS' ENGLISH LANGUAGE DEVELOPMENT, THE SUPERINTENDENT OR DESIGNEE MAY PROVIDE AN ADULT LITERACY TRAINING PROGRAM THAT LEADS TO ENGLISH FLUENCY FOR PARENTS/GUARDIANS AND COMMUNITY MEMBERS.

(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committees)
(cf. 6020 - Parent Involvement)

Identification and Assessment

The Superintendent or designee shall maintain procedures which provide for the identification of English learners and an assessment of their proficiency and needs in the areas of listening, speaking, reading, and writing in English.

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

ENGLISH LEARNERS' ACADEMIC ACHIEVEMENT IN ENGLISH LANGUAGE ARTS, MATHEMATICS, SCIENCE, AND ANY ADDITIONAL SUBJECT REQUIRED BY LAW SHALL BE ASSESSED USING THE CALIFORNIA ASSESSMENT OF STUDENT PERFORMANCE AND PROGRESS. AS NECESSARY, THE TEST SHALL BE ADMINISTERED WITH ALLOWABLE TESTING VARIATIONS IN ACCORDANCE WITH 5 CCR 853.5 AND 853.7. ENGLISH LEARNERS WHO ARE IN THEIR FIRST 12 MONTHS OF ATTENDING A SCHOOL IN THE UNITED STATES SHALL BE EXEMPTED FROM TAKING THE ENGLISH LANGUAGE ARTS ASSESSMENT TO THE EXTENT ALLOWED BY FEDERAL LAW. (EDUCATION CODE 60603, 60640; 5 CCR 853.5, 853.7)

(cf. 6162.51 - State Academic Achievement Tests)

Placement of English Learners

Students who are English learners shall be educated through “structured English immersion” (also known as “sheltered English immersion”), as defined in law and THE ACCOMPANYING administrative regulation, ~~during~~ FOR a temporary transition period not normally intended to exceed one year. Nearly all of the classroom instruction in the District’s structured English immersion program shall be in English, but with the curriculum and presentation designed for students who are learning the language. (Education Code 305-306)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (cont.)

"NEARLY ALL," FOR THE PURPOSE OF DETERMINING THE AMOUNT OF INSTRUCTION TO BE CONDUCTED IN ENGLISH, MEANS THAT ALL CLASSROOM INSTRUCTION SHALL BE CONDUCTED IN ENGLISH EXCEPT FOR CLARIFICATION, EXPLANATION, AND SUPPORT AS NEEDED.

When an English learner has acquired a reasonable level of English proficiency as measured by any of the state-designated assessments approved by the California Department of Education or District assessments, and/or other criteria adopted by the Board, he/she shall be transferred from a structured English immersion classroom to an English language mainstream classroom in which the instruction is overwhelmingly in English. (Education Code 305; 5 CCR 11301)

(cf. 6162.5 - Student Assessment)

At any time during the school year, the parent/guardian of an English learner may have his/her child moved into an English language mainstream program. (5 CCR 11301)

Parental Exception Waivers

When allowed by law, the parent/guardian of an English learner may submit a request that his/her child be exempted from placement in a structured English immersion program and instead be placed in a class where he/she is taught English and other subjects through bilingual education techniques or other generally recognized educational methodologies permitted by law. (Education Code 310-311)

Each waiver request shall be considered on its individual merits with deference given to parental/GUARDIAN'S preference for student placement.

A waiver request shall be granted in accordance with law unless the principal and educational staff have determined that an alternative program would not be better suited to the student's overall educational development. (5 CCR 11309)

IF THE SUPERINTENDENT OR DESIGNEE DENIES THE WAIVER REQUEST, HE/SHE SHALL PROVIDE A WRITTEN JUSTIFICATION TO THE PARENT/GUARDIAN DESCRIBING THE REASONS FOR THE DENIAL. A PARENT/GUARDIAN MAY APPEAL THE DECISION IN WRITING TO THE BOARD. THE BOARD MAY CONSIDER THE MATTER AT ITS NEXT REGULAR BOARD MEETING. THE BOARD MAY DECIDE NOT TO HEAR THE APPEAL, IN WHICH CASE THE SUPERINTENDENT'S DECISION SHALL BE FINAL. IF THE BOARD HEARS THE APPEAL, THE SUPERINTENDENT SHALL SEND THE BOARD'S DECISION TO THE PARENT/GUARDIAN WITHIN SEVEN WORKING DAYS.

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (cont.)**Program Evaluation**

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

1. the Progress of English learners towards proficiency in English;
2. The number and percentage of English learners reclassified as fluent English proficient;
3. The number and percentage of English learners who are OR AT RISK OF BEING classified as long-term English learners; IN ACCORDANCE WITH EDUCATION CODE 313.1
4. The achievement of English learners on standards-based tests in core curricular areas;
5. PROGRESS TOWARD ANY OTHER GOALS FOR ENGLISH LEARNERS IDENTIFIED IN THE DISTRICT'S LCAP
6. and Aa comparison of current data with data from at least the previous year

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

Legal Reference:EDUCATION CODE

300-340 English language education
 430-446 English Learner and Immigrant Pupil Federal Conformity Act
 33050 State Board of Education waiver authority
 42238.02-42238.03 Local control funding formula
 44253.1-44253.11 Qualifications for teaching English learners
 48985 Notices to parents in language other than English
 52052 Academic Performance Index; numerically significant student subgroups
 52060-52077 Local control and accountability plan
 52130-52135 Impacted Languages Act of 1984
 52160-52178 Bilingual Bicultural Act
 60200.7 Suspension of state instructional materials adoptions
 60605.87 Supplemental instructional materials, English language development
 60640 California Assessment of Student Performance and Progress
 60810-60812 Assessment of language development
 62005.5 Continuation of advisory committee after program sunsets

CODE OF REGULATIONS, TITLE 5

853.5-853.7 Test administration; universal tools, designated supports, and accommodations
 11300-11316 English learner education
 11510-11517 California English Language Development Test

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (cont.)

UNITED STATES CODE, TITLE 20

1701-1705 Equal Educational Opportunities Act

6312 Local education agency plans

6801-6871 Title III, Language instruction for limited English proficient and immigrant students

7012 Parental notification

COURT DECISIONS

Valeria G. v. Wilson, (2002) 307 F.3d 1036

California Teachers Association v. State Board of Education et al., (9th Circuit, 2001) 271 F.3d 1141

McLaughlin v. State Board of Education, (1999) 75 Cal.App.4th 196

Teresa P. et al v. Berkeley Unified School District et al, (1989) 724 F.Supp. 698

ATTORNEY GENERAL OPINIONS

83 Ops.Cal.Atty.Gen. 40 (2000)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Academic Criterion for Reclassification, CDE Correspondence, August 11, 2014

California English Language Development Test (CELDT): 2013-14 CELDT Information Guide, 2013

English Language Arts/English Language Development Framework for California Public Schools:

Transitional Kindergarten Through Grade Twelve, 2014

English Language Development Standards for California Public Schools: Kindergarten Through Grade Twelve, 2012

Matrix of Test Variations, Accommodations, and Modifications for Administration of California Statewide Assessments

U.S. DEPARTMENT OF EDUCATION NONREGULATORY GUIDANCE

Assessment and Accountability for Recently Arrived and Former Limited English Proficient (LEP) Students, May 2007

WEBSITES

California Department of Education: www.cde.ca.gov/sp/el

U.S. Department of Education: www.ed.gov

Chino Valley Unified School District

Policy Adopted: August 21, 1997

Revised: February 22, 2001

Revised: September 4, 2003

Revised: June 18, 2009

Revised: March 21, 2013

REVISED:

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

Definitions

English learner, also known as a limited English proficient student, means a student who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English. (Education Code 306)

Long-term English learner means an English learner who is enrolled in grades 6-12, has been enrolled in schools in the United States for more than six years, has remained at the same English language proficiency level for two or more consecutive years as determined by the California English Language Development Test (CELDT) or any successor test, and scores far below basic or below basic on the English language arts test of the California Standards Tests or any successor test. (Education Code 313.1)

English learner at risk of becoming a long-term English learner means an English learner who is enrolled in grades 5-11 in the United States for four years, scores at the intermediate level or below on the CELDT or any successor test, and scores in the fourth year at the below basic or far below basic level on the English language arts test of the California Standards Tests or any successor test. (Education Code 313.1)

English language classroom means a classroom in which the language of instruction used by the teaching personnel is overwhelmingly the English language, and in which such teaching personnel possess a good knowledge of the English language. (Education Code 306)

English language mainstream classroom means a classroom in which the students either are native English language speakers or already have acquired reasonable fluency in English. (Education Code 306)

~~Sheltered~~ or Sstructured English immersion (ALSO KNOWN AS “SHELTERED English immersion”) means an English language acquisition process in which nearly all classroom instruction is in English but with the curriculum and presentation designed for students who are learning the language. (Education Code 306)

Bilingual education/native language instruction means a language acquisition process for students in which much or all instruction, textbooks, and teaching materials are in the student's native language. (Education Code 306)

Identification and Assessments

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

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (cont.)

Any student who is identified as having a primary language other than English as determined by the home language survey, and who has not been previously identified as an English learner by a California public school or for whom there is no record of results from an administration for an English language proficiency test, shall be assessed English proficiency using the ~~GELDT STATE'S DESIGNED ENGLISH LANGUAGE PROFICIENCY TEST~~. ~~The test shall be administered between 60 calendar days before the date of first enrollment in a district school and 30 calendar days after the date of first enrollment, but not before July 1 of that school year.~~ (Education Code 313; 52164.1; 5 CCR 11511)

~~The CELDT shall be administered in accordance with 5 CCR 11511-11516.7.~~

~~All students shall have sufficient time to complete the CELDT as provided in the directions for test administration. (5 CCR 11516)~~

~~Variations and accommodations in test administration may be provided pursuant to 5 CCR 11516-11516.7. Any student with a disability shall be allowed to take the CELDT with those accommodations for testing that the student has regularly used during instruction and classroom assessment as delineated in the student's Individualized Education Program (IEP) or Section 504 plan that are appropriate and necessary to address the student's individual needs. If he/she is unable to participate in the assessment or a portion of the assessment with such accommodations, he/she shall be administered an alternate assessment for English language proficiency as set forth in his/her IEP. (5 CCR 11516.5)~~

EACH YEAR AFTER A STUDENT IS IDENTIFIED AS AN ENGLISH LEARNER AND UNTIL HE/SHE IS REDESIGNATED AS ENGLISH PROFICIENT, THE SUMMATIVE ASSESSMENT SHALL BE ADMINISTERED TO THE STUDENT DURING A FOUR-MONTH PERIOD AFTER JANUARY 1 AS DETERMINED BY THE CALIFORNIA DEPARTMENT OF EDUCATION. (EDUCATION CODE 313)

THE STATE ASSESSMENT SHALL BE ADMINISTERED IN ACCORDANCE WITH TEST PUBLISHER INSTRUCTIONS AND 5 CCR 11511-11516.7. VARIATIONS AND ACCOMMODATIONS IN TEST ADMINISTRATION MAY BE PROVIDED PURSUANT TO 5 CCR 11516-11516.7. ANY STUDENT WITH A DISABILITY SHALL BE ALLOWED TO TAKE THE ASSESSMENT WITH THOSE ACCOMMODATIONS FOR TESTING THAT THE STUDENT HAS REGULARLY USED DURING INSTRUCTION AND CLASSROOM ASSESSMENT AS DELINEATED IN THE STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM (IEP) OR SECTION 504 PLAN THAT ARE APPROPRIATE AND NECESSARY TO ADDRESS THE STUDENT'S INDIVIDUAL NEEDS. IF HE/SHE IS UNABLE TO PARTICIPATE IN THE ASSESSMENT OR A PORTION OF THE ASSESSMENT WITH SUCH ACCOMMODATIONS, HE/SHE SHALL BE ADMINISTERED AN ALTERNATE ASSESSMENT FOR ENGLISH LANGUAGE PROFICIENCY AS SET FORTH IN HIS/HER IEP. (5 CCR 11516-11516.7)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (cont.)

(cf. 6152.51 - Standardized Testing and Reporting Program)
(cf. 6159 - Individualized Education Program)
(cf. 6164.6 - Identification and Education under Section 504)

PARENTAL NOTIFICATIONS

~~The District shall notify parents/guardians of their child's results on the CELDT within 30 calendar days following receipt of the results from the test contractor. (5 CCR 11511.5)~~

THE SUPERINTENDENT OR DESIGNEE SHALL PROVIDE THE FOLLOWING WRITTEN NOTIFICATIONS TO PARENTS/GUARDIANS OF ENGLISH LEARNERS:

1. ASSESSMENT NOTIFICATION: THE DISTRICT SHALL NOTIFY PARENTS/GUARDIANS OF THEIR CHILD'S RESULTS ON THE STATE'S ENGLISH LANGUAGE PROFICIENCY ASSESSMENT WITHIN 30 CALENDAR DAYS FOLLOWING RECEIPT OF THE RESULTS FROM THE TEST CONTRACTOR. (EDUCATION CODE 52164.1; 5 CCR 11511.5)

(cf. 5145.6 - Parental Notifications)

2. PLACEMENT NOTIFICATION: AT THE BEGINNING OF EACH SCHOOL YEAR, PARENTS/GUARDIANS SHALL BE INFORMED OF THE PLACEMENT OF THEIR CHILD IN A STRUCTURED ENGLISH IMMERSION PROGRAM AND SHALL BE NOTIFIED OF AN OPPORTUNITY TO APPLY FOR A PARENTAL EXCEPTION WAIVER. (EDUCATION CODE 310; 5 CCR 11309)
3. TITLE III NOTIFICATIONS: EACH PARENT/GUARDIAN OF A STUDENT PARTICIPATING IN, OR IDENTIFIED FOR PARTICIPATION IN, A LANGUAGE INSTRUCTION PROGRAM SUPPORTED BY FEDERAL TITLE III FUNDS SHALL RECEIVE NOTIFICATION OF THE ASSESSMENT OF HIS/HER CHILD'S ENGLISH PROFICIENCY. SUCH NOTICE SHALL BE PROVIDED NOT LATER THAN 30 CALENDAR DAYS AFTER THE BEGINNING OF THE SCHOOL YEAR OR, IF THE STUDENT IS IDENTIFIED FOR PROGRAM PARTICIPATION DURING THE SCHOOL YEAR, WITHIN TWO WEEKS OF THE STUDENT'S PLACEMENT IN THE PROGRAM. THE NOTICE SHALL INCLUDE ALL OF THE FOLLOWING: (EDUCATION CODE 440; 20 USC 7012)
 - A. THE REASON FOR THE STUDENT'S CLASSIFICATION AS AN ENGLISH LEARNER
 - B. THE LEVEL OF ENGLISH PROFICIENCY, HOW THE LEVEL WAS ASSESSED, AND THE STATUS OF THE STUDENT'S ACADEMIC ACHIEVEMENT

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (cont.)

- C. A DESCRIPTION OF THE PROGRAM FOR ENGLISH LANGUAGE DEVELOPMENT INSTRUCTION, INCLUDING A DESCRIPTION OF ALL OF THE FOLLOWING:
 - (1) THE MANNER IN WHICH THE PROGRAM WILL MEET THE EDUCATIONAL STRENGTHS AND NEEDS OF THE STUDENT
 - (2) THE MANNER IN WHICH THE PROGRAM WILL HELP THE STUDENT DEVELOP HIS/HER ENGLISH PROFICIENCY AND MEET AGE-APPROPRIATE ACADEMIC STANDARDS
 - (3) THE SPECIFIC EXIT REQUIREMENTS FOR THE PROGRAM, THE EXPECTED RATE OF TRANSITION FROM THE PROGRAM INTO CLASSES NOT TAILORED FOR ENGLISH LEARNERS, AND THE EXPECTED RATE OF GRADUATION FROM SECONDARY SCHOOL IF APPLICABLE
 - (4) WHERE THE STUDENT HAS BEEN IDENTIFIED FOR SPECIAL EDUCATION, THE MANNER IN WHICH THE PROGRAM MEETS THE REQUIREMENTS OF THE STUDENT'S IEP
 - D. INFORMATION REGARDING A PARENT/GUARDIAN'S OPTION TO DECLINE TO ALLOW THE STUDENT TO BE ENROLLED IN THE PROGRAM OR TO CHOOSE TO ALLOW THE STUDENT TO BE ENROLLED IN AN ALTERNATIVE PROGRAM
 - E. INFORMATION DESIGNED TO ASSIST A PARENT/GUARDIAN IN SELECTING AMONG AVAILABLE PROGRAMS, IF MORE THAN ONE PROGRAM IS OFFERED
4. ANNUAL MEASURABLE OBJECTIVES NOTIFICATION: IF THE DISTRICT FAILS TO MAKE PROGRESS ON THE ANNUAL MEASURABLE ACHIEVEMENT OBJECTIVES FOR ENGLISH LEARNERS ESTABLISHED PURSUANT TO 20 USC 6842, THE SUPERINTENDENT OR DESIGNEE SHALL, WITHIN 30 DAYS AFTER SUCH FAILURE OCCURS, SEND A NOTIFICATION REGARDING SUCH FAILURE TO THE PARENTS/GUARDIANS OF EACH STUDENT IDENTIFIED FOR PARTICIPATION IN A LANGUAGE INSTRUCTION EDUCATIONAL PROGRAM SUPPORTED BY TITLE III FUNDS. (20 USC 7012)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (cont.)

~~At the beginning of each school year, parents/guardians shall be informed of the placement of their child in a structured English immersion program and shall be notified of an opportunity to apply for a parental exception waiver. (Education Code 310; 5 CCR 11309)~~

~~Not later than 30 calendar days after the beginning of the school year, each parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title III funds shall receive notification of the assessment of his/her child's English proficiency. The notice shall include all of the following: (Education Code 440; 20 USC 6312)~~

- ~~1. The reason for the student's classification as English learner~~
- ~~2. The level of English proficiency~~
- ~~3. A description of the program for English language development instruction, including a description of all of the following:

 - ~~a. The manner in which the program will meet the educational strengths and needs of the student~~
 - ~~b. The manner in which the program will help the student develop his/her English proficiency and meet age appropriate academic standards~~
 - ~~c. The specific exit requirements for the program, the expected rate of transition from the program into classrooms not tailored for English learners and the expected rate of graduation from secondary school if applicable~~
 - ~~d. Where the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP~~~~
- ~~4. Information regarding a parent/guardian's option to decline to allow the student to be enrolled in the program or to choose to allow the student to be enrolled in an alternative program~~
- ~~5. Information designed to assist a parent/guardian in selecting among available programs, if more than one program is offered~~

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (cont.)**Parental Exception Waivers**

A parent/guardian may, by personally visiting the school, request that the District waive the requirements pertaining to the placement of his/her child in a structured English immersion program if one of the following circumstances exists: (Education Code 310-311)

1. The student already possesses good SUFFICIENT English language skills, as measured by standardized tests of English vocabulary comprehension, reading, and writing, in which the student scores at or above the state average for his/her grade level or at or above the fifth-grade average, whichever is lower.
2. The student is age 10 years or older, and it is the informed belief of the principal and educational staff that an alternate course of study would be better suited to the student's rapid acquisition of basic English skills.
3. The student already has been placed, for a period of not less than 30 calendar days during that school year, in an English language classroom and it is subsequently the informed belief of the principal and educational staff that the student has special physical, emotional, psychological, or educational needs and that an alternate course of educational study would be better suited to the student's overall educational development.

Upon request for a waiver, the Superintendent or designee shall provide to the parents/guardians with a full written description and, upon request, a spoken description of the intent and content of the structured English immersion program, any alternative courses of study, all educational opportunities offered by the District and available to the students, and the educational materials to be used in the different educational program choices. For a request for waiver pursuant to item #3 above, the Superintendent or designee shall notify the parent/guardian that the student must be placed for a period of not less than 30 calendar days in an English language classroom and that the waiver must be approved by the Superintendent pursuant to any guidelines established by the Board. (Education Code 310, 311; 5 CCR 11309)

The principal and educational staff may recommend a waiver to a parent/guardian pursuant to item #2 or #3 above. Parents/guardians shall be informed in writing of any recommendation for an alternative program made by the principal and staff and shall be given notice of their right to refuse to accept the recommendation. The notice shall include a full description of the recommended alternative program and the educational materials to be used for the alternative program as well as a description of all other programs available to the student. If the parent/guardian elects to request the alternative program recommended by the principal and educational staff, the parent/guardian shall comply with District procedures and requirements otherwise applicable to a parental exception waiver, including Education Code 310. (Education Code 311; 5 CCR 11309)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (cont.)

When evaluating waiver requests pursuant to item #1 above and other waiver requests for students for whom standardized assessment data are not available, other equivalent assessment measures may be used. These equivalent measures may include District standards and assessments and teacher evaluations of such students.

Parental exception waivers pursuant to item #2 above shall be granted if it is the informed belief of the principal and educational staff that an alternate course of educational study would be better suited to the student's rapid acquisition of basic English language skills. (Education Code 311)

Parental exception waivers pursuant to item #3 above shall be granted by the Superintendent or designee if it is the informed belief of the principal and educational staff that, due to the student's special physical, emotional, psychological, or educational needs, an alternate course of educational study would be better suited to the student's overall educational development. (Education Code 311)

All parental exception waivers shall be acted upon within 20 instructional days of submission to the principal. However, parental waiver requests pursuant to item #3 above shall not be acted upon during the 30-day placement in an English language classroom. Such waivers shall be acted upon no later than 10 calendar days after the expiration of that 30-day English language classroom placement or within 20 instructional days of submission of the waiver to the principal, whichever is later. (5 CCR 11309)

Any individual schools in which 20 students or more of a given grade level receive a waiver shall offer an alternative class where the students are taught English and other subjects through bilingual education techniques or other generally recognized educational methodologies permitted by law. Otherwise, the students shall be allowed to transfer to a public school in which such a class is offered. (Education Code 310)

~~Students wishing to transfer shall be subject to the District's intradistrict and interdistrict attendance policies and administrative regulations. Students wishing to transfer to another district shall also be subject to the receiving the District's interdistrict attendance policies and administrative regulations.~~

In cases where a parental exception waiver pursuant to item #2 or #3 above is denied, the parent/guardian shall be informed in writing of the reason(s) for the denial and advised that he/she may appeal the decision to the Board if the Board authorizes such an appeal, or to the court. (5 CCR 11309)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (cont.)

~~If the Superintendent or designee denies the waiver request, he/she shall provide a written justification to the parent/guardian describing the reasons for the denial. A parent/guardian may appeal the Superintendent's decision in writing to the Board of Education. The Board may consider the matter at its next regular board meeting. The Board may decide not to hear the appeal, in which case the Superintendent's decision shall be final. If the Board hears the appeal, the Superintendent shall send the Board's decision to the parent/guardian within seven working days.~~

Waiver requests shall be renewed annually by the parent/guardian. (Education Code 310)

Reclassification/Redesignation

The District shall continue to provide additional and appropriate educational services to English learners for the purposes of overcoming language barriers until they:
(5 CCR 11302)

1. Demonstrate English language proficiency comparable to that of the District's average native English language speakers
2. Recoup any academic deficits which may have been incurred in other areas of the core curriculum as a result of language barriers

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

The following measures shall be used to determine whether an English learner shall be reclassified as fluent English proficient: (Education Code 313; 5 CCR 11303)

1. Assessment of English language proficiency using an objective assessment instrument, including, but not limited to, the ~~CELDT~~ THE STATE'S ENGLISH LANGUAGE PROFICIENCY ASSESSMENT.
2. Participation of the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions related to the student.
3. Parent/guardian opinion and consultation.

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (cont.)

The Superintendent or designee shall provide the parents/guardians with notice and a description of the reclassification process and of his/her opportunity to participate in the process and shall encourage his/her involvement in the process.

4. Student performance on aN statewide OBJECTIVE assessment of basic skills in English THAT SHOWS WHETHER THE STUDENT IS PERFORMING AT OR NEAR GRADE LEVEL.

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

THE SUPERINTENDENT OR DESIGNEE SHALL MONITOR STUDENTS FOR AT LEAST TWO YEARS FOLLOWING THEIR RECLASSIFICATION TO DETERMINE WHETHER THE STUDENT NEEDS ANY ADDITIONAL ACADEMIC SUPPORT TO ENSURE HIS/HER LANGUAGE AND ACADEMIC SUCCESS.

~~Students shall be monitored for at least two years following their reclassification. As part of this evaluation, the Superintendent or designee shall identify whether the student needs any additional academic support to ensure his/her language and academic success.~~

Advisory Committee

A PARENT/GUARDIAN ADVISORY COMMITTEE SHALL BE ESTABLISHED aAt the District level when there are more than 50 English learners in the District and at each THE school LEVEL WHEN THERE ARE with more than 20 English learners AT THE SCHOOL.; ~~parent/guardian advisory committees shall be maintained to serve the advisory functions specified in law. (5CCR11308)~~ Parents/guardians of English learners shall constitute committee membership in at least the same percentage as ENGLISH LEARNERS ~~their children~~ represent of the total number of students in the school. (Education Code 52176; 5 CCR 11308)

The District's English language advisory committee shall advise the Board on at least the following tasks: (5 CCR 11308)

1. The development of a District master plan of education programs and services for English learners, taking into consideration the school site plans for English learners
2. The Districtwide needs assessment on a school-by-school basis
3. Establishment of a District program, goals and objectives for programs and services for English learners

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (cont.)

4. Development of a plan to ensure compliance with applicable teacher or aide requirements
5. Administration of the annual language census
6. Review of and comment on the District's reclassification procedures
7. Review of and comments on the written notification required to be sent to parents/guardians pursuant to 5 CCR 11300-11316

(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committees)
(cf. 5020 - Parent Rights and Responsibilities)
(cf. 6020 - Parent Involvement)

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

LCAP ADVISORY COMMITTEE

WHEN THERE ARE AT LEAST 15 PERCENT ENGLISH LEARNERS IN THE DISTRICT, WITH AT LEAST 50 STUDENTS WHO ARE ENGLISH LEARNERS, A DISTRICT-LEVEL ENGLISH LEARNER PARENT ADVISORY COMMITTEE SHALL BE ESTABLISHED TO REVIEW AND COMMENT ON THE DISTRICT'S LOCAL CONTROL AND ACCOUNTABILITY PLAN (LCAP) IN ACCORDANCE WITH BP 0460 - LOCAL CONTROL AND ACCOUNTABILITY PLAN. THE COMMITTEE SHALL BE COMPOSED OF A MAJORITY OF PARENTS/GUARDIANS OF ENGLISH LEARNERS. (EDUCATION CODE 52063; 5 CCR 15495)

(cf. 0460 - Local Control and Accountability Plan)

THE ADVISORY COMMITTEE ESTABLISHED PURSUANT TO 5 CCR 11308, AS DESCRIBED IN THE SECTION "ADVISORY COMMITTEE" ABOVE, COULD SERVE AS THE LCAP ENGLISH LEARNER ADVISORY COMMITTEE IF ITS COMPOSITION INCLUDES A MAJORITY OF PARENTS/GUARDIANS OF ENGLISH LEARNERS.

Chino Valley Unified School District

Regulation approved: August 21, 1997

Revised: February 22, 2001

Revised: September 4, 2003

Revised: May 7, 2009

Revised: March 7, 2013

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: February 18, 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 4032 ALL PERSONNEL – REASONABLE ACCOMMODATION

=====

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 4032 All Personnel – Reasonable Accommodation is being revised to reflect Government Code 12940 as amended by AB 987.

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 4032 All Personnel – Reasonable Accommodation.

FISCAL IMPACT

None.

WMJ:GP:LF:RR:jaf

REASONABLE ACCOMMODATION

Except when undue hardship would result to the District, the superintendent or designee shall provide reasonable accommodation:

1. In the job application process, to any qualified job applicant with a disability
2. To enable any qualified employee with a disability to perform the essential functions of the position he/she holds or desires to hold or to enjoy equal benefits or other terms, conditions, and privileges of employment as other similarly situated employees without disabilities

The District designates Assistant Superintendent, Human Resources, or designee as the coordinator of its efforts to comply with the Americans with Disabilities Act (ADA) and to investigate any and all related complaints.

(cf. 4030 - Nondiscrimination In Employment)

(cf. 4031 - Complaints Concerning Discrimination In Employment)

NO EMPLOYEE OR JOB APPLICANT WHO REQUESTS AN ACCOMMODATION FOR HIS/HER PHYSICAL OR MENTAL DISABILITY SHALL BE SUBJECTED TO DISCRIMINATION OR RETALIATION, REGARDLESS OF WHETHER THE REQUEST FOR ACCOMMODATION WAS GRANTED. (GOVERNMENT CODE 12940)

DEFINITIONS

Disability, with respect to an individual, is defined as any of the following: (Government Code 12926; 20 cfr 1630.2)

1. A physical or mental impairment that limits one or more of the major life activities
2. A record of such an impairment
3. Being regarded as having such an impairment

Limits shall be determined without regard to mitigating measures such as medications, assistive devices, prosthetics or reasonable accommodations, unless the mitigating measure itself limits a major life activity. (Government Code 12926)

Essential functions are the fundamental job duties of the position the individual with a disability holds or desires. The term does not include the marginal functions of the position. (Government Code 12926; 29 CFR 1630.2)

REASONABLE ACCOMMODATION (cont.)

Reasonable accommodation means: (Government Code 12926; 29 CFR 1630.2)

1. For a qualified job applicant with a disability, modifications or adjustments to the job application process that enable him/her to be considered for the position he/she desires
2. For a qualified employee with a disability, modifications or adjustments to the work environment, or to the manner or circumstances under which the position the employee holds or desires is customarily performed, that enable him/her to perform the essential functions of that position or to enjoy equal benefits and privileges of employment as are enjoyed by the District's other similarly situated employees without disabilities

Qualified individual with a disability means a job applicant or employee with a disability who: (29 CFR 1630.15, 1630.2)

1. Satisfies the requisite skill, experience, education, and other job-related requirements of the employment position he/she holds or desires
2. Can perform the essential functions of the position with or without reasonable accommodation
3. Would not pose a significant risk of substantial harm, which cannot be eliminated or reduced by reasonable accommodation, to himself/herself or others in the job he/she holds or desires

Undue hardship is a determination based on an individualized assessment of current circumstances that shows that the provision of a specific accommodation would cause significant difficulty or expense to the District. (29 CFR 1630.2)

REQUEST FOR REASONABLE ACCOMMODATION

When requesting reasonable accommodation, an employee or his/her representative shall inform the employee's supervisor that he/she needs a change at work for a reason related to a medical condition. The supervisor shall inform the coordinator of the employee's request as soon as practicable.

When requesting reasonable accommodation for the hiring process, a job applicant shall inform the coordinator that he/she will need a reasonable accommodation during the process.

REASONABLE ACCOMMODATION (cont.)

When the disability or the need for accommodation is not obvious, the coordinator may ask the employee to supply reasonable documentation about his/her disability. In requesting this documentation, the coordinator shall specify the types of information that are being sought about the employee's condition, the employee's functional limitations, and the need for reasonable accommodation. The employee may be asked to sign a limited release allowing the coordinator to submit a list of specific questions to his/her health care or vocational professional.

If the documentation submitted by the employee does not indicate the existence of a qualifying disability or explain the need for reasonable accommodation, the coordinator shall request additional documentation that specifies the missing information. If the employee does not submit such additional documentation in a timely manner, the coordinator may require him/her to submit to an examination by a health care professional selected and paid for by the District.

The District may make a medical or psychological inquiry of a job applicant or require him/her to submit to a medical or psychological examination after he/she has been given a conditional offer of employment but before the commencement of his/her job duties, provided the inquiry or examination is job-related, consistent with business necessity, and required for all incoming employees in the same job classification. (Government Code 12940)

The coordinator shall not request any job applicant's or employee's genetic information except as authorized by law. (42 USC 2000ff-1, 2000ff-5)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

In accordance with law, the coordinator shall take steps to ensure the confidentiality of information related to medical conditions or history. As applicable, he/she shall notify the supervisor or manager of the qualified individual of any reasonable accommodation granted the individual and may notify first aid and safety personnel when the disability of the qualified individual may require emergency treatment. (42 USC 12112)

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

GRANTING REASONABLE ACCOMMODATION

Upon receiving a request for reasonable accommodation from a qualified individual with a disability, the coordinator shall:

1. Determine the essential functions of the job involved

REASONABLE ACCOMMODATION (cont.)

2. Engage in an informal, interactive process with the individual to review the request for accommodation, identify the precise limitations resulting from the disability, identify potential accommodations, and assess their effectiveness
3. Develop a plan for reasonable accommodation which will enable the individual to perform the essential functions of the job or gain equal access to a benefit or privilege of employment without imposing undue hardship on the District.

A determination of undue hardship should be based on several factors, including: (29 CFR 1630.2)

- a. The nature and net cost of the accommodation needed, taking into consideration the availability of tax credits and deductions and/or outside funding
- b. The overall financial resources of the facility making the accommodation, the number of persons employed at this facility, and the effect on expenses and resources of the facility
- c. The overall financial resources, number of employees, and the number, type, and location of facilities of the District
- d. The type of operation of the District, including the composition, structure, and functions of the workforce and the geographic separateness and administrative or fiscal relationship of the facility making the accommodation to other district facilities
- e. The impact of the accommodation on the operation of the facility, including the impact on the ability of other employees to perform their duties and the impact on the facility's ability to conduct business

The coordinator may confer with the site administrator, any medical advisor chosen by the District, and/or other District staff before making a final decision as to the accommodation.

APPEAL PROCESS

Any qualified individual with a disability who is not satisfied with the decision of the coordinator may appeal in writing to the superintendent or designee. This appeal shall be made within 10 BUSINESS ~~working~~ days of receiving the decision and shall include:

1. A clear, concise statement of the reasons for the appeal

REASONABLE ACCOMMODATION (cont.)

2. A statement of the specific remedy sought

The superintendent or designee shall consult with the coordinator and review the appeal, together with any available supporting documents. The superintendent or designee shall give the individual his/her decision within 15 BUSINESS ~~working~~ days of receiving the appeal.

Any further appeal for reasonable accommodation shall be considered a complaint concerning discrimination in employment and may be taken to the governing board in accordance with the district's procedure for such complaints.

Legal Reference:

CIVIL CODE

51 Unruh Civil Rights Act

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act

UNITED STATES CODE, TITLE 29

701-794e Vocational Rehabilitation Act

UNITED STATES CODE, TITLE 42

2000ff-1-2000ff-11 Genetic Information Nondiscrimination Act of 2008

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act, especially:

35.107 Designation of employee

36.101-36.608 Nondiscrimination on the basis of disability by public facilities

CODE OF FEDERAL REGULATIONS, TITLE 29

1630.2 Definitions

COURT DECISIONS

A.M. v. Albertsons, LLC, (2009) Cal.App.4th 455

Colmenares v. Braemar Country Club, Inc., (2003) 29 Cal.4th 1019

Chevron USA v. Echazabal, (2002) 536 U.S. 73, 122 S.Ct. 2045

US Airways, Inc. v. Barnett, (2002) 535 U.S. 391, 122 S.Ct. 1516

Management Resources:

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

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

WEBSITES:

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

Equal Employment Opportunity Commission: www.eeoc.gov

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

Chino Valley Unified School District

Regulation approved: November 16, 1995

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