



CHINO VALLEY
UNIFIED SCHOOL DISTRICT

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

BOARD OF EDUCATION AGENDA

September 15, 2016

BOARD OF EDUCATION

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

—◆◆—
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
5:15 p.m. – Closed Session • 7:00 p.m. – Regular Meeting
September 15, 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 – 5:15 P.M.

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

Discussion and possible action (times are approximate):

- a. Conference with Legal Counsel–Existing Litigation (Government Code 54954.4(c) and 54956.9)(d)(1): Federal District Court, Case No. EDCV 14-2336-JGB (DTBx) Freedom from Religion Foundation vs. Chino Valley Unified School District Board of Education. (Tyler & Bursch, LLP) (Margaret A. & Associates) (30 minutes)
- b. Student Admission Matter (Education Code 35146.48916 (c)): Case 16/17-02A. (5 minutes)
- c. Conference with Labor Negotiators (Government Code 54957.6): A.C.T. and CSEA negotiations. Agency designated representatives: Dr. Norm Enfield, Sandra Chen, Dr. Grace Park, Lea Fellows, and Richard Rideout. (15 minutes)
- d. Public Employee Discipline/Dismissal/Release (Government Code 54957): (15 minutes)
- e. Public Employee Performance Evaluation (Government Code 54957): Superintendent. (40 minutes)

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

1. Report Closed Session Action
2. Pledge of Allegiance

I.C. PRESENTATIONS AND RECOGNITIONS

1. Student Showcase: Cortez ES
2. Ayala HS: Elementary Debate League
3. CAASPP: Julian Rodriguez, Director, Curriculum, Instruction, Innovation and Support

The proceedings of this meeting are being recorded.

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

II. ACTION

II.A. BUSINESS SERVICES

II.A.1. 2015/2016 Unaudited Actuals Financial Report and 2016/2017 Adopted Budget

Page 7

Recommend the Board of Education approve the 2015/2016 Unaudited Actuals Financial Report, and authorize the Superintendent or designee to sign the 2015/2016 District Certification of Unaudited Actual Financial Report.

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

II.B. HUMAN RESOURCES

II.B.1. 3.5% Partial Stipend Restoration for the Board of Education

Page 9

Recommend the Board of Education approve a 3.5% partial stipend restoration for the Board of Education.

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 Special Meeting of August 25, 2016, Regular Meeting of September 1, 2016, and Special Meeting of September 6, 2016

Page 10

Recommend the Board of Education approve the minutes of the special meeting of August 25, 2016, regular meeting of September 1, 2016, and special meeting of September 6, 2016.

III.A.2. Resolution 2016/2017-07 in Support of Proposition 51, The Kindergarten Through Community College Public Education Facilities Bond Act of 2016

Page 22

Recommend the Board of Education adopt Resolution 2016/2017-07 in support of Proposition 51, The Kindergarten Through Community College Public Education Facilities Bond Act of 2016.

III.A.3. Resolution 2016/2017-08 in Support of Proposition 55, The Children’s Education and Health Care Protection Act of 2016

Page 25

Recommend the Board of Education adopt Resolution 2016/2017-08 in support of Proposition 55, The Children’s Education and Health Care Protection Act of 2016.

III.B. BUSINESS SERVICES

III.B.1. Warrant Register

Page 28

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

III.B.2. Fundraising Activities

Page 29

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

III.B.3. Donations

Page 34

Recommend the Board of Education accept the donations.

III.B.4. Resolution 2016/2017-06 Actual Gann Limit for 2015/2016 and Estimated Gann Limit for 2016/2017

Page 36

Recommend the Board of Education adopt Resolution 2016/2017-06, Actual Gann Limit for 2015/2016 in the amount of \$151,658,728.00 and Estimated Gann Limit for 2016/2017 in the amount of \$155,393,245.00.

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

III.C.1. Student Admission Case 16/17-02A

Page 38

Recommend the Board of Education approve the student admission case 16/17-02A.

III.D. EDUCATIONAL SERVICES

III.D.1. School-Sponsored Trips

Page 39

Recommend the Board of Education approve/ratify the following school-sponsored trips: Dickson ES; Rolling Ridge ES; and Ayala HS.

III.D.2. Revision of Board Policy 3513.3 Business and Noninstructional Operations—Tobacco-Free Schools

Page 41

Recommend the Board of Education approve the revision of Board Policy 3513.3 Business and Noninstructional Operations—Tobacco-Free Schools.

III.D.3. Revision of Board Policy 5131.2 Students—Bullying

Page 45 Recommend the Board of Education approve the revision of Board Policy 5131.2 Students—Bullying.

III.D.4. Revision of Board Policy 5131.62 Students—Tobacco

Page 52 Recommend the Board of Education approve the revision of Board Policy 5131.62 Students—Tobacco.

III.E. FACILITIES, PLANNING, AND OPERATIONS

III.E.1. Purchase Order Register

Page 58 Recommend the Board of Education approve/ratify the purchase order register, provided under separate cover.

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

Page 59 Recommend the Board of Education approve/ratify the Agreements for Contractor/Consultant Services.

III.E.3. Surplus/Obsolete Property

Page 61 Recommend the Board of Education declare the District property surplus/obsolete and authorize staff to sell/dispose of said property.

III.F. HUMAN RESOURCES

III.F.1. Certificated/Classified Personnel Items

Page 64 Recommend the Board of Education approve/ratify the certificated/classified personnel items.

III.F.2. Reclassification and Revision of the Job Description for Maintenance III—Locksmith

Page 69 Recommend the Board of Education approve the reclassification and revision of the job description for Maintenance III—Locksmith.

III.F.3. Revision of Board Policy 1312.3 Community Relations—Uniform Complaint Procedures

Page 74 Recommend the Board of Education approve the revision of Board Policy 1312.3 Community Relations—Uniform Complaint Procedures.

IV. INFORMATION

IV.A. EDUCATIONAL SERVICES

IV.A.1. Revision of Administrative Regulation 6153 Instruction—School-Sponsored Trips
Page 82

Recommend the Board of Education receive for information the revision of Administrative Regulation 6153 Instruction—School-Sponsored Trips.

IV.B. HUMAN RESOURCES

IV.B.1. Revision of Board Policy 4030 Personnel—Nondiscrimination in Employment
Page 94

Recommend the Board of Education receive for information the revision of Board Policy 4030 Personnel—Nondiscrimination in Employment.

IV.B.2. Revision of Administrative Regulation 4161.2 Personnel—Personal Leaves
Page 99

Recommend the Board of Education receive for information the revision of Administrative Regulation 4161.2 Personnel—Personal Leaves.

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: September 15, 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: 2015/2016 UNAUDITED ACTUALS FINANCIAL REPORT AND
2016/2017 ADOPTED BUDGET**

BACKGROUND

Pursuant to Education Code 42100, on or before September 15, the governing board of each school district shall approve, in a format prescribed by the Superintendent of Public Instruction, an annual statement of all receipts and expenditures of the District for the preceding fiscal year and shall file the statement with the County Superintendent of Schools.

Unaudited Actuals reports the final revenues and expenditures for the District for the 2015/2016 fiscal year prior to the final review of the District's financial transactions by an independent auditor. The Unaudited Actuals Financial report is provided under separate cover.

The year-end closing process for the 2015/2016 fiscal year has concluded and the balance in each fund is as follows:

2015/2016 Unaudited Actual Balance of General Fund	Unrestricted Balance	Restricted Balance
General Fund Beginning Balance as of July 1, 2015	\$ 42,707,271	\$4,932,189
General Fund Ending Balance as of June 30, 2016	\$ 64,282,712	\$8,055,928
Components of Ending Fund Balance		
Restricted:		
Medi-Cal		\$1,035,784
Prop 39		\$ 202,832
Educator Effectiveness Grant		\$2,125,734
Lottery		\$1,176,061
Special Ed Mental Health		\$2,006,430
Local Grant and Donations		\$1,509,087
Economic Uncertainty:	\$ 25,315,401	
Assigned:		
Equity Distribution	\$ 374,557	
Revolving Cash	\$ 100,000	
School Site Carryover	\$ 346,018	
F1 VISA/21 st Century Innovation Funds	\$ 446,806	
Textbook Adoption	\$ 3,000,000	
Unappropriated:	\$ 35,245,930	\$ 0

2015/2016 Unaudited Actual Balances of Other Funds			
Fund	Description	Unrestricted Balance	Restricted Balance
11	Adult Education		\$ 717,076
12	Child Development		\$ 8,804
13	Cafeteria		\$ 4,779,770
14	Deferred Maintenance		\$ 1,223
20	Postemployment Benefits		\$ 2,483
21	Building Fund		\$ 5
25	Capital Facilities		\$37,891,002
35	School Facilities		\$ 4,241,734
49	Blended Component Units		\$ 5,031
51	Bond Interest and Redemption		\$ 9,020,218
52	Debt Service for Blended Comp Units		\$11,961,601
56	Debt Service		\$ 11
67	Self-Insurance		\$ 454,947

The unaudited actuals will be audited by the District's external auditor and presented to the Board of Education in January 2017.

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

RECOMMENDATION

It is recommended the Board of Education approve the 2015/2016 Unaudited Actuals Financial Report, and authorize the Superintendent or designee to sign the 2015/2016 District Certification of Unaudited Actual Financial Report.

FISCAL IMPACT

None.

WMJ:SHC:LP:wc

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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DATE: September 15, 2016
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Grace Park, Ed.D., Assistant Superintendent, Human Resources
SUBJECT: 3.5% PARTIAL STIPEND RESTORATION FOR THE BOARD OF EDUCATION

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BACKGROUND

Board Bylaw 9250 states, “Each member of the Board of Education may receive the monthly compensation as provided for in Education Code 35120. On an annual basis, the Board may increase the compensation of Board members beyond the limit delineated in Education Code 35120 in an amount not to exceed five percent based on the present monthly rate of compensation. Any increase made pursuant to this section shall be effective upon approval by the Board (Education Code 35120).”

In light of the compensation increases for all District employees approved at the July 21 and September 1, 2016 board meetings, the Board is asked to approve a three and a half percent (3.5%) partial restoration toward their stipend.

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

RECOMMENDATION

It is recommended the Board of Education approve a 3.5% partial stipend restoration for the Board of Education.

FISCAL IMPACT

\$1,646.00 to the General Fund.

WMJ:GP:mcm

CHINO VALLEY UNIFIED SCHOOL DISTRICT
SPECIAL MEETING OF THE BOARD OF EDUCATION
Board Study Session
August 25, 2016

MINUTES

I. OPENING BUSINESS

I.A. CALL TO ORDER – 6:00 P.M.

1. Roll Call

President Cruz called to order the special meeting of the Board of Education, Thursday, August 25, 2016, at 6:00 p.m. with Blair, Cruz, Feix, and Orozco present. Mr. Na arrived at 6:01 p.m.

Administrative Personnel

Wayne M. Joseph, Superintendent

Norm Enfield, Ed.D., Deputy Superintendent (absent)

Sandra H. Chen, Assistant Superintendent, Business Services

Jeanette Chien, Ed.D., Asst. Supt., Educational Services (absent)

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

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

2. Pledge of Allegiance

Superintendent Joseph led the Pledge of Allegiance.

I.B. COMMENTS FROM THE AUDIENCE ON ITEMS ON THE AGENDA

None.

II. BOARD STUDY SESSION

II.A. FACILITIES IMPLEMENTATION PLAN

Superintendent Joseph made opening comments. A presentation regarding Measure M was provided by Sandra Chen, Assistant Superintendent of Business Services. Jim DiCamillo, WLC Architects, provided a presentation regarding the Facilities Master Plan.

III. ADJOURNMENT

President Cruz adjourned the Board study session at 8:00 p.m.

Andrew Cruz, President

Pamela Feix, Clerk

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

CHINO VALLEY UNIFIED SCHOOL DISTRICT
REGULAR MEETING OF THE BOARD OF EDUCATION
September 1, 2016

MINUTES

I. OPENING BUSINESS

I.A. CALL TO ORDER – 5:15 P.M.

1. Roll Call

President Cruz called to order the regular meeting of the Board of Education, Thursday, September 1, 2016, at 5:15 p.m. with Blair, Cruz, Feix, Na, and Orozco present.

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 5:15 p.m. regarding conference with legal counsel existing litigation; public employee appointment high school assistant principal, junior high school principal and assistant principal; public employee discipline/dismissal/release; and public employee performance evaluation: Superintendent.

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 5:15 p.m. to 6:54 p.m. regarding conference with legal counsel existing litigation; public employee appointment high school assistant principal, junior high school principal and assistant principal; public employee discipline/dismissal/release; and public employee performance evaluation: Superintendent.

The Board took action to appoint Todd Finkbinder as principal at Canyon Hills JHS effective September 9, 2016; and Monica Hyland as assistant principal at Briggs K-8 effective September 6, 2016. No further action was taken that required public disclosure.

2. Pledge of Allegiance

Liz Avila led the Pledge of Allegiance.

I.C. COMMENTS FROM STUDENT REPRESENTATIVE

Student Carlos Ruelas acknowledged newly appointed administrators.

I.D. COMMENTS FROM EMPLOYEE REPRESENTATIVES

Todd Hancock, A.C.T. President, congratulated the two newly appointed administrators; spoke in support of a Proposition 55 extension; and spoke about elementary report card.

Denise Arroyo, CSEA President, congratulated newly appointed administrators; said CSEA ratified its contract last week; thanked the negotiating teams for finalizing the Tentative Agreement; spoke about adequate staffing and thanked Dr. Park for following up on her concerns; thanked the District for reconvening the safety committee; spoke about Proposition 55; and expressed concern about Aeries.net.

Yvette Farley, CHAMP, recognized some of the District retirees who have put in many work years; said CHAMP gave out two high school scholarships; spoke about rounding up the third week of school; spoke about the roll out on standards based report cards; spoke about the new way of assessment and information being provided; thanked behavioral counselors for meeting with administration and assisting students who may have difficulty adjusting; and thanked staff from Aeries training.

I.E. COMMENTS FROM COMMUNITY LIAISONS

Melissa Compani, Field Representative, County Supervisor Curt Hagman's office spoke about Chino's Community Clean Up Day, which took place on August 27.

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

Jessie Soto, Danielle Brooks, and Jesse Garcia addressed the Board regarding prayer; Jim Gallagher addressed the Board to announce the League of Women Voters September 21 candidate forum; Pam Levac addressed the Board regarding elementary report cards; and Flory Welsh addressed the Board regarding instructional coaches.

I.G. CHANGES AND DELETIONS

The following change was read into the record: Item III.C.5., new Board Policy 3515.7, corrected to read Board Policy 3515.8; Item III.E.1., Human Resources, under Hired at the Appropriate Placement on the Certificated Salary Schedule and Appropriate Credential for the 2016/2017 School Year, added the names Sarah Scheetz, elementary teacher, Newman ES, effective September 2, 2016; Celia Twiford, Special Education, effective September 7, 2016; and Zachary Edwards, English teacher, Chino Hills HS effective September 6, 2016.

<p>II. ACTION</p>

II.A. HUMAN RESOURCES

II.A.1. Public Hearing and Ratification of the Tentative Agreement Between the Chino Valley Unified School District and the California School Employees Association (CSEA) and its Chino Chapter 102

President Cruz opened the public hearing at 7:35 p.m. There were no speakers, and the hearing was closed at 7:35 p.m. Moved (Na) seconded (Feix) carried unanimously (5-0) to ratify the Tentative Agreement between the Chino Valley Unified School District and the California School Employees Association and its Chino Chapter 102. Student representative voted yes.

II.A.2. Approval of Salary Increase for Management and Classified Confidential Employees

Moved (Blair) seconded (Na) carried unanimously (5-0) to approve the salary increase for management and classified confidential employees, in paid status between November 1, 2015, through February 29, 2016, shall receive a 2.5% off schedule one-time payment. The payment will be on the base salary received in the 2015/2016 school year, and effective July 1, 2016, the District shall provide a 3.5% on going on schedule salary increase. Student representative voted yes.

II.A.3. Addendum to the Employment Contracts for the Superintendent; Deputy Superintendent; and the Assistant Superintendents of Business Services; Educational Services; Facilities, Planning and Operations; and Human Resources Divisions of the Chino Valley Unified School District

Moved (Blair) seconded (Na) carried unanimously (5-0) to approve the addendum to the employment contracts for the Superintendent; Deputy Superintendent; and the Assistant Superintendents of Business Services; Educational Services; Facilities, Planning and Operations; and Human Resources Divisions as follows: For the 2015/2016 school year, receive a 2.5% off schedule one-time payment.

This payment will be on the salary received in the 2015/2016 school year; and, for the 2016/2017 school year, provide a 3.5% salary increase retroactive to July 1, 2016. Student representative voted yes.

III. CONSENT

Moved (Blair) seconded (Na) carried unanimously (5-0) to approve the consent items, as amended. Student representative voted yes.

III.A. ADMINISTRATION

III.A.1. Minutes of the Regular Meeting of August 18, 2016

Approved the minutes of the regular meeting of August 18, 2016.

III.A.2. Revision of Board Bylaw 9222 Bylaws of the Board—Resignation

Approved the revision of Board Bylaw 9222 Bylaws of the Board—Resignation.

III.A.3. Revision of Board Bylaw 9321 Bylaws of the Board—Closed Session Purposes and Agendas

Approved the revision of Board Bylaw 9321 Bylaws of the Board—Closed Session Purposes and Agendas.

III.A.4. Revision of Board Bylaw Exhibit 9323.2 Bylaws of the Board—Actions by the Board

Approved the revision of Board Bylaw Exhibit 9323.2 Bylaws of the Board—Actions by the Board.

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.B.4. Legal Services

Approved payment for legal services to the law offices of Atkinson, Andelson, Loya, Ruud & Romo; and Parker and Covert LLP.

III.B.5. Signature Authorizations for Chino Valley Unified School District

Approved the signature authorizations for Chino Valley Unified School District.

III.C. EDUCATIONAL SERVICES

III.C.1. School-Sponsored Trips

Approved/ratified the following school-sponsored trips: Hidden Trails ES; Rhodes ES; and Don Lugo HS.

III.C.2. Revision of Board Policy 0450 Philosophy, Goals, Objectives, and Comprehensive Plans—Comprehensive Safety Plans

Approved the revision of Board Policy 0450 Philosophy, Goals, Objectives, and Comprehensive Plans—Comprehensive Safety Plans.

III.C.3. Revision of Board Policy 3541.2 Business and Noninstructional Operations—Transportation for Students with Disabilities

Approved the revision of Board Policy and 3541.2 Business and Noninstructional Operations—Transportation for Students with Disabilities.

III.C.4. Revision of Board Policy 3515.2 Business and Noninstructional Operations—Disruptions

Approved the revision of Board Policy 3515.2 Business and Noninstructional Operations—Disruptions.

III.C.5. New Board Policy 3515.78 Business and Noninstructional Operations—Firearms on School Grounds

Approved the new Board Policy 3515.78 Business and Noninstructional Operations—Firearms on School Grounds, as amended.

III.D. FACILITIES, PLANNING, AND OPERATIONS

III.D.1. Purchase Order Register

Approved/ratified the purchase order register.

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

Approved/ratified the Agreements for Contractor/Consultant Services.

III.D.3. Surplus/Obsolete Property

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

III.D.4. Change Orders and Notice of Completion for Bid No. 15-16-05, Installation of New Single Ply Roofing at Various Sites

Approved the Change Orders and Notice of Completion for Bid No. 15-16-05, Installation of New Single Ply Roofing at Various Sites.

III.D.5. Change Order and Notice of Completion for Bid No. 15-16-07, Exterior Painting at Various Sites

Approved the Change Order and Notice of Completion for Bid No. 15-16-07, Exterior Painting at Various Sites.

III.D.6. Notice of Completion for CUPCCAA Projects

Approved the Notice of Completion for CUPCCA Projects.

III.D.7. Revision of Board Policy 3270 Business and Noninstructional Operations—Sale and Disposal of Books, Equipment, and Supplies

Approved the revision of Board Policy 3270 Business and Noninstructional Operations—Sale and Disposal of Books, Equipment, and Supplies.

III.E. HUMAN RESOURCES

III.E.1. Certificated/Classified Personnel Items

Approved/ratified the certificated/classified personnel items, as amended.

IV. INFORMATION

IV.A. EDUCATIONAL SERVICES

IV.A.1. Revision of Board Policy and Administrative Regulation 3513.3 Business and Noninstructional Operations—Tobacco-Free Schools

Received for information the revisions of Board Policy and Administrative Regulation 3513.3 Business and Noninstructional Operations—Tobacco-Free Schools.

IV.A.2. Revision of Board Policy 5131.2 Students—Bullying

Received for information the revision of Board Policy 5131.2 Students—Bullying.

IV.A.3. Revision of Board Policy 5131.62 Students—Tobacco

Received for information the revision of Board Policy 5131.62 Students—Tobacco.

IV.A.4. Revision of Administrative Regulation 5145.7 Students—Sexual Harassment

Received for information the revision of Administrative Regulation 5145.7 Students—Sexual Harassment.

IV.B. HUMAN RESOURCES

IV.B.1. Revision of Board Policy and Administrative Regulation 1312.3 Community Relations—Uniform Complaint Procedures

Received for information the revision of Board Policy and Administrative Regulation 1312.3 Community Relations—Uniform Complaint Procedures.

V. COMMUNICATIONS

BOARD MEMBERS AND SUPERINTENDENT

Irene Hernandez-Blair advocated for slowing the process down for the new report card system and to seek input from stake holders; shared that the HOPE Resource Center is in need of sundries for families in need; congratulated Howard Cattle ES for being involved in the No Excuses Community Network; and extended a reminder regarding the Board's September 6 study session.

James Na thanked Mia Ontiveros, Lilia Valdivia, and Liz Avila for their attendance at the Board meeting and for volunteering in the community; visited Ayala HS; expressed concerns about sewer drains at Chino Hills HS; expressed a need for the technology department to assist school site secretaries getting attendance set up; and thanked the visiting pastor for expressing great concern for our students.

Pamela Feix visited Chino Hills HS, Townsend JHS and Magnolia JHS to see the opening of schools; expressed gratitude to school crossing guards on Riverside Drive during school dismissal; echoed Ms. Welsh's comments regarding the evaluation of instructional coaches in the LCAP and expressed concerns that there is no measure of how they are doing; brought up employee recognition again and expressed that the District needs something in place; and extended Labor Day wishes.

Sylvia Orozco announced the retirements on the agenda; agreed with Mrs. Feix's comments about employee recognition; asked for more information on the report card process (*is each site making its own rubric that is not district-wide*); said that discussion took place at the July SANDABS meeting regarding supporting Proposition 55; spoke about Aeries software and issues surrounding it; attended the Chino Valley Fire District Maintenance Facility dedication; said that conversation is still taking place regarding the effects of CalSTRS and CalPERS; spoke about San Bernardino County's *Transitioning to a New Accountability System* meeting scheduled for September 13; announced that on October 24 the RCSBA Fall Joint Meeting is taking place; said the County Superintendent's State of Education is scheduled for September 29 and October 21; and invited the public to participate in either the YMCA or Chino Hills HS golf tournaments; and provided a background on each of the Richard Gird Educational Hall of Fame inductees.

Superintendent Joseph announced the Parent Information Forum scheduled for 6:30 p.m. to 8:00 p.m. on September 13 at Don Lugo HS, and said a second forum is scheduled for March 22 at Ayala HS; reminded parents of the new four-week Kindergarten Parent Academy beginning September 6 at the District's new Parent Engagement Center on the Adult School campus; and said a homework workshop for parents of kindergarten through sixth graders is scheduled for September 14 at the Family Engagement Center and another on September 21 with registration and information available on the District's website.

President Cruz said he visited Edwin Rhodes, Walnut, and EJ Marshall elementary schools; spoke about implementing new processes; congratulated Cortez Cougars for their great work on standardized tests; said District students as a whole are doing an awesome job on testing; and spoke in support of instructional coaches.

VI. ADJOURNMENT

President Cruz adjourned the regular meeting of the Board of Education at 8:03 p.m.

Andrew Cruz, President

Pamela Feix, Clerk

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

CHINO VALLEY UNIFIED SCHOOL DISTRICT
SPECIAL MEETING OF THE BOARD OF EDUCATION
Board Study Session
September 6, 2016

MINUTES

I. OPENING BUSINESS

I.A. CALL TO ORDER – 6:00 P.M.

1. Roll Call

President Cruz called to order the special meeting of the Board of Education, Thursday, September 6, 2016, at 6:00 p.m. with Blair, Cruz, Feix, Na, and Orozco present.

Administrative Personnel

Wayne M. Joseph, Superintendent
Norm Enfield, Ed.D., Deputy Superintendent
Sandra H. Chen, Assistant Superintendent, Business Services
Jeanette Chien, Ed.D., Asst. Supt., Educational Services
Grace Park, Ed.D., Assistant Superintendent, Human Resources
Gregory J. Stachura, Assistant Supt., Facilities, Planning, and Operations

2. Pledge of Allegiance

Superintendent Joseph led the Pledge of Allegiance.

I.B. COMMENTS FROM THE AUDIENCE ON ITEMS ON THE AGENDA

None.

II. BOARD STUDY SESSION

II.A. FACILITIES IMPLEMENTATION PLAN

Superintendent Joseph made opening comments and introduced Jim DiCamillo, WLC Architects, Inc., who provided recommendations with regard to the Measure G implementation plan.

III. ADJOURNMENT

President Cruz adjourned the Board study session at 7:28 p.m.

Andrew Cruz, President

Pamela Feix, Clerk

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

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 15, 2016
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
SUBJECT: RESOLUTION 2016/2017-07 IN SUPPORT OF PROPOSITION 51, THE KINDERGARTEN THROUGH COMMUNITY COLLEGE PUBLIC EDUCATION FACILITIES BOND ACT OF 2016

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BACKGROUND

Proposition 51 would temporarily extend the income tax provisions of Proposition 30 for 12 years, with revenues split between K-14 education and health care. The sales tax provisions of Proposition 30 will not be extended. Extending these income tax provisions, which will otherwise sunset in 2018, could generate as much as \$4 billion annually for K-12 education.

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

RECOMMENDATION

It is recommended the Board of Education adopt Resolution 2016/2017-07 in support of Proposition 51, The Kindergarten Through Community College Public Education Facilities Bond Act of 2016.

FISCAL IMPACT

None.

WMJ:pk

**Chino Valley Unified School District
Resolution 2016/2017-07
In Support of Proposition 51
The Kindergarten through Community College Public Education
Facilities Bond Act of 2016**

WHEREAS, Article IX Section 5 of the California Constitution finds public education is a State responsibility; and

WHEREAS, Article 1 Section 28 of the California Constitution states that public schools shall be safe, secure and peaceful; and

WHEREAS, the voters of the State of California have, since 1982, consistently approved statewide school construction and modernization bond measures to provide resources through programs contained in Division 1, Part 10, Article 12 and Article 12.5 of the Education Code; and

WHEREAS, state school construction and modernization bond funds are matched with funds provided by local communities; and

WHEREAS, the State of California is out of school facility funds and cannot provide the State match for almost \$2 billion in projects already filed under current law; and

WHEREAS, the Chino Valley Unified School District has \$950,000,000.00 in facility need which may be partially funded by State bonds; and

WHEREAS, Proposition 51, the Kindergarten through Community College Public Education Facilities Bond Act of 2016 provides resources for renovation and upgrade of existing classrooms, construction of new classrooms to accommodate growth, and for career technical education facilities to provide job training to meet the trained workforce needs of California employers; and

WHEREAS, 13,000 middle class jobs are created for each \$1 billion in school facility infrastructure investment; and

WHEREAS, Proposition 98 and the new Local Control Funding Formula are intended to improve educational achievement for all students but do not provide dedicated facilities funding; and

WHEREAS, quality 21st Century school facilities designed for student needs of today and tomorrow enhance academic achievement and further the State's academic and economic goals; and

WHEREAS, the Kindergarten through Community College Public Education Facilities Bond Act of 2016 will provide State matching funds;

WHEREAS, the California School Boards Association supports the Kindergarten through Community College Public Education Facilities Bond Act of 2016; now, therefore, be it

NOW, THEREFORE, BE IT RESOLVED that the Chino Valley Unified School District Board of Education supports Proposition 51, the Kindergarten through Community College Public Education Facilities Bond Act of 2016.

Adopted by the Board of Education of the Chino Valley Unified School District on this 15th day of September 2016.

AYES _____
NOES _____
ABSTAIN _____
ABSENT _____

Andrew Cruz, President
Date

Pamela Feix, Clerk

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 15, 2016
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
SUBJECT: RESOLUTION 2016/2017-08 IN SUPPORT OF PROPOSITION 55, THE CHILDREN'S EDUCATION AND HEALTH CARE PROTECTION ACT OF 2016

=====

BACKGROUND

Proposition 30 was passed in 2012 to help public education recover some of the funds lost during the recession by allowing districts to hire more teachers, faculty, and education support professionals; brought additional books and supplies directly to the classroom; reopened school libraries; and improved student access to community college courses, while at the same time helping to stabilize California's budget.

Proposition 55, the Children's Education and Health Care Protection Act extends the current income tax rates on the wealthiest Californians and only affects the top 2% of earners in the state. It will automatically expire after 12 years.

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

RECOMMENDATION

It is recommended the Board of Education adopt Resolution 2016/2017-08 in support of Proposition 55, The Children's Education and Health Care Protection Act of 2016.

FISCAL IMPACT

None.

WMJ:pk

**Chino Valley Unified School District
Resolution 2016/2017-08
In Support of Proposition 55
The California Children's Education and Health Care Protection Act of 2016**

WHEREAS, the Chino Valley Unified School District Board of Education is committed to making policy and financial decisions that enable the school district to provide quality educational programs and services to the school-age children of our community;

WHEREAS, during the recent recession, the state cut more than \$56 billion from education, healthcare and other critical services; and public schools statewide experienced unprecedented funding reductions and apportionment deferrals;

WHEREAS, California public schools rank 42nd out of the 50 states in per-pupil spending; California public schools are the most crowded in the nation; and California provides fewer guidance counselors and librarians per student than any other state in the nation;

WHEREAS, many of California's schoolchildren come from low-income families that lack access to the health care services needed to keep those children in school and learning;

WHEREAS, passage of Proposition 30 in 2012 helped increase state revenues, providing a significant boost to California's K-12 school spending and sending funds directly to school districts through the Education Protection Account;

WHEREAS, the revenues from Proposition 30 will decline after 2016 and will disappear completely after 2018, the last year its provisions will be in effect;

WHEREAS, Proposition 55, the California Children's Education and Health Care Protection Act of 2016 would extend the Proposition 30 temporary income tax rates for an additional 12 years to continue funding the Education Protection Account and boost spending on health care for low income families;

WHEREAS, unless Californians extend the Proposition 30 temporary tax increases, the state's schools most likely will receive relatively fewer dollars in the years ahead, raising the prospect that California's school spending will fall even further behind the nation; and

WHEREAS, the California School Boards Association supports Proposition 55, the California Children's Education and Health Care Protection Act of 2016.

NOW, THEREFORE, BE IT RESOLVED that the Chino Valley Unified School District Board of Education joins the California School Boards Association and governing boards around the state in supporting Proposition 55, the California Children’s Education and Health Care Protection Act of 2016 and in urging the Legislature to work with the public education community to identify stable, long-term, adequate funding solutions for public schools.

NOW, BE IT FURTHER RESOLVED, that this body, the Chino Valley Unified School District Board of Education, supports the passage of Proposition 55, the California Children’s Education and Health Care Protection Act of 2016 because it provides needed revenue to public schools.

Adopted by the Board of Education of the Chino Valley Unified School District on this 15th day of September 2016.

AYES _____
NOES _____
ABSTAIN _____
ABSENT _____

Andrew Cruz, President

Pamela Feix, Clerk

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 15, 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

\$2,056,989.83 to all District funding sources.

WMJ:SHC:LP:wc

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 15, 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
September 15, 2016

<u>SITE/DEPARTMENT</u>	<u>ACTIVITY/DESCRIPTION</u>	<u>DATE</u>
<u>Cattle ES</u>		
PFA	Mother/Daughter Event Ticket Sale	9/16/16 - 9/19/16
PFA	Off Campus Catalog Sale	9/23/16 - 10/17/16
PFA	Fall Festival	10/28/16
PFA	Holiday Boutique	12/12/16 - 12/16/16
PFA	Book Fair	1/23/17 - 1/27/17
PFA	Book Fair	5/15/17 - 5/19/17
<u>Cortez ES</u>		
PFA	Carl's Jr. Family Night Out	9/20/16
PFA	IHOP	10/18/16
<u>Country Springs ES</u>		
PFA	Book Fair	10/24/16 - 10/28/16
<u>Dickson ES</u>		
ASB - 6th Grade	Off Campus Candy Sale	9/23/16 - 10/28/16
<u>Hidden Trails ES</u>		
PTA	Off Campus Cookie Dough Sale	10/12/16 - 10/26/16
PTA	JoJo's Pizza Family Night Out	11/9/16
<u>Liberty ES</u>		
ASB - 6th Grade	Off Campus Candy Sale	10/3/16 - 10/18/16
ASB - 6th Grade	Off Campus See's Candy Sale	11/14/16 - 11/29/16
<u>Marshall ES</u>		
PTO	McTeacher's Night	10/11/16
PTO	Trunk or Treat	10/27/16
PTO	Smencil Sale	11/14/16 - 11/18/16

CHINO VALLEY UNIFIED SCHOOL DISTRICT
September 15, 2016

<u>SITE/DEPARTMENT</u>	<u>ACTIVITY/DESCRIPTION</u>	<u>DATE</u>
<u>Newman ES</u>		
ASB	Yogurtland Family Day	9/28/16
<u>Briggs K-8</u>		
PFA	Pennies for Plants Donation Drive	9/16/16 - 9/30/16
PFA	Box Tops For Education	9/16/16 - 6/1/17
<u>Cal Aero K-8</u>		
Flight Crew	Creamistry Family Day	10/13/16
Flight Crew	Family Movie Night	10/28/16
Flight Crew	Papa Murphy's Family Day	11/16/16
Flight Crew	Book Fair	11/27/16 - 12/9/17
Flight Crew	Mountain Mike's Family Day	12/15/16
<u>Canyon Hills JHS</u>		
PTSA	Local Restaurants Family Nights Out	9/19/16 - 9/30/16
<u>Townsend JHS</u>		
Dance Team	Creamistry Family Day	9/22/16
PTSA	Chipotle Family Night Out	10/5/16
PTSA	Yogurtland Family Day	11/3/16
<u>Ayala HS</u>		
Dance Production	Applebee's Breakfast Ticket Sale	9/16/16 - 9/17/16
Dance Production	Off Campus Krispy Kreme Donuts Sale	9/16/16 - 9/23/16
Football Boosters	Preferred Parking at Home Football Games	9/16/16 - 11/30/16
Football Boosters	Football Program Sale at Football Games	9/16/16 - 11/30/16
Football Boosters	Spirit Wear Sale	9/16/16 - 6/30/17
Football Boosters	Sponsorship Drive	9/16/16 - 6/30/17
Spiritleader Boosters	Photo Art Sale	9/19/16 - 9/26/16
Boys Basketball Boosters	Community Discount Card Sale	9/20/16 - 12/1/16
Dance Production	Off Campus Candle Sale	9/26/16 - 10/21/16
Boys Basketball Boosters	Shoot-A-Thon	9/30/16

CHINO VALLEY UNIFIED SCHOOL DISTRICT
September 15, 2016

<u>SITE/DEPARTMENT</u>	<u>ACTIVITY/DESCRIPTION</u>	<u>DATE</u>
<u>Ayala HS</u> (cont.)		
Girls Basketball	After School Pizza/Drink Sale	9/30/16 & 10/7/16
Boys Basketball Boosters	Program Advertisement Sale	9/30/16 - 12/30/16
Girls Basketball	Applebee's Pancake Breakfast	10/1/16
Wrestling Boosters	Vegas Turn-Around	10/1/16
Boys Basketball Boosters	Christmas Tree Sale	10/1/16 - 12/1/16
Boys Basketball Boosters	Applebee's Breakfast Ticket Sale	11/15/16 - 11/21/16
Boys Golf Boosters	Chipotle Family Day	2/13/17
<u>Chino HS</u>		
Girls Basketball Boosters	Fancloth Apparel Sale	9/16/16 - 10/15/16
Cross Country Boosters	Off Campus See's Candy Sale	9/19/16 - 9/26/16
Baseball Boosters	Outfield Sign Sponsor Sale	10/1/16 - 6/1/17
Wrestling Boosters	Wrestling Under the Lights	10/15/16
Baseball Boosters	Baseball Tournament	10/21/16 - 10/30/16
Baseball Boosters	Ball Drop Sponsorship Sale	11/19/16
Baseball Boosters	Snap-Raise Sponsorship Drive	12/1/16 - 6/1/17
<u>Chino Hills HS</u>		
Health Science Academy	Chipotle Family Night Out	9/16/16
Aquatics Boosters	Boys Varsity Waterpolo Tournament	9/16/16 - 9/17/16
Girls Volleyball	Donation Drive	9/16/16 - 10/31/16
PTSA	E-Waste Recycling Drive	9/16/16 - 5/15/17
Health Science Academy	Donation Drive	9/16/16 - 6/1/17
Choir	Singing Birthday Gram Sale	9/16/16 - 6/1/17
Girls Softball	Field Banner Advertisement Sale	9/17/16 - 3/1/17
Girls Softball	Adopt-The-Huskies Donation Drive	9/17/16 - 3/1/17
FCCLA	Off Campus Cookbook Sale	9/21/16 - 10/7/16
Aquatics Boosters	Boys Waterpolo Tournament	9/23/16 - 9/24/16
Make-A-Wish Club	Off Campus Snack Sale	9/24/16
AVID	Donation Drive	9/24/16 - 10/24/16
Choir	Angels Game Ticket Sale	9/26/16 - 9/30/16
Digital Club	Gift Card Sale	9/26/16 - 10/14/16
Digital Club	Smash Bros Tournament	9/29/16 - 9/30/16
AVID	Off Campus Candy Sale	9/30/16 - 10/26/16
Girls Softball	Donation Drive	10/1/16 - 2/25/17

CHINO VALLEY UNIFIED SCHOOL DISTRICT
September 15, 2016

<u>SITE/DEPARTMENT</u>	<u>ACTIVITY/DESCRIPTION</u>	<u>DATE</u>
<u>Chino Hills HS</u> (cont.)		
Health Science Academy	Off Campus Caramel Apple Sale	10/3/16 - 10/7/16
Health Science Academy	Coat Check for Homecoming	10/8/16
Health Science Academy	Dr. Phil Show Taping	10/13/16
Aquatics Boosters	Boys Waterpolo Tournament	10/14/16 - 11/30/16
Theater	Fall Musical Production Ticket Sale	10/20/16 - 10/29/16
Digital Club	Mario Kart Tournament	11/3/16 - 11/4/16
Spirit Leader Boosters	Poinsettia Sale	11/7/16 - 11/18/16
Choir	Choir Concerts	11/9/16 - 11/10/16
Digital Club	NBA 2K Tournament	12/1/16 - 12/2/16
Choir	Choir Concerts	12/7/16 - 12/8/16
Choir	Choir Concerts	3/21/17 - 3/22/17
Theater	Spring Musical Production Ticket Sale	4/20/17 - 4/29/17
Health Science Academy	Basketball Tournament Entrance Fees	4/28/17
Choir	Choir Concerts	5/17/17 - 5/18/17
<u>Don Lugo HS</u>		
AP Club	After School Nacho/Root Beer Float Sale	9/16/16 - 4/27/17
Spirit Boosters	Local Restaurants Monthly Nights Out	9/16/16 - 5/17/17
Spirit Boosters	Cheer Youth Clinic	9/22/16
Performing Arts Boosters	Yogurtland Family Night Out	9/22/16 & 10/22/16
Spirit Boosters	Off Campus Krispy Kreme Donut Sale	10/14/16 -10/21/16
Jazz Band	Holiday Performance Donation Drive	11/1/16 - 12/30/16
Performing Arts Boosters	Cannataro's Family Night Out	11/10/16 & 1/18/17

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 15, 2016
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Sandra H. Chen, Assistant Superintendent, Business Services
Liz Pensick, Director, Business Services
SUBJECT: DONATIONS

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BACKGROUND

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

Approximate values are determined by the donor.

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

RECOMMENDATION

It is recommended the Board of Education accept the donations.

FISCAL IMPACT

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

WMJ:SHC:LP:wc

CHINO VALLEY UNIFIED SCHOOL DISTRICT
September 15, 2016

<u>DEPARTMENT/SITE DONOR</u>	<u>ITEM DONATED</u>	<u>APPROXIMATE VALUE</u>
<u>Borba ES</u>		
American Legion Auxiliary	Cash	\$100.00
American Legion Auxiliary	School Supplies	\$250.00
<u>Hidden Trails ES</u>		
Hidden Trails PTA	Cash	\$7,191.04
<u>Oak Ridge ES</u>		
Mulqueen Family	Cash	\$20.00
Wells Fargo	Cash	\$129.98
<u>Rhodes ES</u>		
Rhodes PEP Club	Cash	\$779.17
Rhodes PEP Club	Cash	\$2,587.61
<u>Rolling Ridge ES</u>		
Mr. & Mrs. David Stillwell	Color Printer/Office Supplies	\$166.00
<u>Chino Hills HS</u>		
YourCause.com	Cash	\$2.00
CHHS Booster Club	Cash	\$415.38
West Coast Copper & Supply	Cash	\$4,000.00
<u>Don Lugo HS</u>		
Michael Titus	Tennis Ball Machine	\$4,000.00

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 15, 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: RESOLUTION 2016/2017-06, ACTUAL GANN LIMIT FOR 2015/2016
AND ESTIMATED GANN LIMIT FOR 2016/2017**

=====

BACKGROUND

In November 1979, California voters approved Proposition 4, an initiative that added Article XIII B to the California Constitution. This constitutional amendment, known as the Gann Limit, placed limits on the growth of expenditures for publicly funded agencies, including school districts. The law further specified the process for calculating State and local government appropriation limits and appropriations subject to limitation under Article XIII B of the Constitution.

Based on the prescribed calculation formula, the District’s actual appropriation limit for 2015/2016 is \$151,658,728.00. The District’s estimated appropriation limit for 2016/2017 is \$155,392,245.00.

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

RECOMMENDATION

It is recommended the Board of Education adopt Resolution 2016/2017-06, Actual Gann Limit for 2015/2016 in the amount of \$151,658,728.00 and Estimated Gann Limit for 2016/2017 in the amount of \$155,392,245.00.

FISCAL IMPACT

None.

WMJ:SHC:LP:wc

CHINO VALLEY UNIFIED SCHOOL DISTRICT
Resolution 2016/2017-06
Actual Gann Limit for 2015/2016 and
Estimated Gann Limit for 2016/2017

WHEREAS, Article XIII B of the California Constitution, as approved by the voters in November 1979, requires the establishment of appropriation limits on “proceeds of taxes” revenues for public agencies, including school districts, beginning with the 1980/1981 fiscal year; and

WHEREAS, each district is required to determine and adopt such actual appropriation limits, as calculated on forms supplied by the State of California, for the 2015/2016 fiscal year, as a legislative act; and

WHEREAS, each district is required to determine and adopt such estimated appropriation limits, as calculated on forms supplied by the State of California, for the 2016/2017 fiscal year, as a legislative act; and

WHEREAS, this school district’s appropriation limit has been calculated in accordance with Article XIII B of the State Constitution and Division 9 of Title 1 of the Government Code.

BE IT THEREFORE RESOLVED, as a legislative act of this Board of Education, that for the purposes of Article XIII B, there is hereby established this district’s actual “appropriation limit” of \$151,658,728.00 for the 2015/2016 fiscal year.

BE IT FURTHER RESOLVED, as a legislative act of this Board of Education, that for the purposes of Article XIII B, there is hereby established this district’s estimated “appropriation limit” of \$155,392,245.00 for the 2016/2017 fiscal year.

BE IT FURTHER RESOLVED, that the appropriation subject to limitation in the 2015/2016 fiscal year budget of this school district does not exceed this appropriation limit.

APPROVED, PASSED, AND ADOPTED the 15th day of September 2016 by the Board of Education of the Chino Valley Unified School District of San Bernardino County.

AYES: _____

NOES: _____

ABSENT: _____

Andrew Cruz
President, Board of Education

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: September 15, 2016

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Norm Enfield, Ed.D., Deputy Superintendent, Curriculum, Instruction, Innovation, and Support
Stephanie Johnson, Director, Student Support Services

SUBJECT: STUDENT ADMISSION CASE 16/17-02A

=====

BACKGROUND

The Board of Education may admit students expelled from other districts in accordance with law when consistent with the Board’s goal to provide a safe and secure school environment for students and staff.

The District shall not enroll a student expelled by another district for any of the offenses listed in Education Code 48915(a) or (c) (mandatory expulsion offenses) during the term of the student’s expulsion, unless the enrollment is at a community day school. A student expelled for an act specified in Education Code 48915(a) or (c) may enroll in the District after the term of his/her expulsion if the Board finds, at a hearing, that the student does not pose a continuing danger to students or staff.

The Board, when making its determination whether to enroll an individual who has been expelled from another school district for any of the acts mentioned above, may consider the following options: deny enrolment, permit enrollment, or permit conditional enrollment in a regular school program or another education program.

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

RECOMMENDATION

Based upon the evidence presented to the Expulsion Hearing Administrative Panel, it is recommended the request regarding admission to the Chino Valley Unified School District be approved for case 16/17-02A.

FISCAL IMPACT

None.

WMJ:NE:SJ:ss

Chino Valley Unified School District

Our Motto:

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

DATE: September 15, 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/ratify the following school-sponsored trips:

School-Sponsored Trips	Date	Fiscal Impact
Site: Dickson ES Event: Thousand Pines Science Camp Place: Crestline, CA Chaperone Ratio: 60 students/2 chaperones plus camp counselors at 10:1 ratio	April 3-7, 2017	Cost: \$300.00 per student Funding Source: Parents

School-Sponsored Trips	Date	Fiscal Impact
Site: Rolling Ridge ES Event: Sacramento trip Place: Sacramento, CA Chaperone Ratio: 60 students/14 chaperones	April 7, 2017	Cost: \$440.00 per student Funding Source: Parents
Site: Ayala HS Event: Coronado Water Polo Tournament Place: Coronado, CA Chaperone Ratio: 16 students/2 chaperones	September 23-24, 2016	Cost: \$100.00 per student Funding Source: Parents
Site: Ayala HS Event: Cross Country Clovis Invitational Place: Clovis, CA Chaperone Ratio: 30 students/3 chaperones	October 7-8, 2016	Cost: \$100.00 per student Funding Source: Parents
Site: Ayala HS Event: National Cheerleading Assoc. Nationals Place: Dallas, TX Chaperone Ratio: 30 students/5 chaperones	January 20-23, 2017	Cost: \$440.00 per student Funding Source: Parents
Site: Ayala HS Event: National Dance Alliance Nationals Place: Orlando, FL Chaperone Ratio: 11 students/3 chaperones	March 2-6, 2017	Cost: \$788.00 per student Funding Source: Parents
Site: Ayala HS Event: USA High School Spirit Nationals Place: Anaheim, CA Chaperone Ratio: 57 students/7 chaperones	March 24-26, 2017	Cost: \$200.00 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: September 15, 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 3513.3 BUSINESS AND
NONINSTRUCTIONAL OPERATIONS – TOBACCO-FREE
SCHOOLS**

=====

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 3513.3 Business and Noninstructional Operations – Tobacco-Free Schools are being updated to reflect new law (ABX2 9, 2016), which requires all districts, not just those receiving state Tobacco-Use Prevention Education funds, to prohibit tobacco use on school campuses. Policy also reflects new definitions of "smoking" and "tobacco" pursuant to new law (SBX2 5, 2016). This agenda item was presented to the Board of Education on September 1, 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 3513.3 Business and Noninstructional Operations – Tobacco-Free Schools.

FISCAL IMPACT

None.

WMJ:JC:LM:lmc

TOBACCO-FREE SCHOOLS

The Board of Education recognizes that **SMOKING AND OTHER USES OF TOBACCO AND NICOTINE PRODUCTS CONSTITUTE A SERIOUS PUBLIC HEALTH HAZARD** ~~AND the health hazards associated with smoking and the use of tobacco products, including the breathing of second-hand smoke,~~ are inconsistent with DISTRICT its goals to provide a healthy environment for students and staff.

(cf. 3514 - Environmental Safety)
(cf. 4159/4259/4359 - Employee Assistance Programs)
(cf. 5030 - Student Wellness)
(cf. 5131.62 - Tobacco)
(cf. 5141.23 - Asthma Management)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6143 - Courses of Study)

The Board prohibits **SMOKING AND/OR** the use of tobacco products at any time in district-owned or leased buildings, on district property, and in district vehicles. (Health and Safety Code 104420, 104559)

This prohibition applies to all employees, students, and visitors at any school-sponsored instructional program, activity, or athletic event held on or off district property. Any written joint use agreement governing community use of district facilities or grounds shall include notice of the district's tobacco-free schools policy and consequences for violations of the policy.

(cf. 1330 - Use of School Facilities)
(cf. 1330.1 - Joint Use Agreements)

SMOKING MEANS INHALING, EXHALING, BURNING, OR CARRYING OF ANY LIGHTED OR HEATED CIGAR, CIGARETTE, PIPE, TOBACCO, OR PLANT PRODUCT INTENDED FOR INHALATION, WHETHER NATURAL OR SYNTHETIC, IN ANY MANNER OR FORM, AND INCLUDES THE USE OF AN ELECTRONIC SMOKING DEVICE THAT CREATES AEROSOL OR VAPOR OR OF ANY ORAL SMOKING DEVICE FOR THE PURPOSE OF CIRCUMVENTING THE PROHIBITION OF SMOKING. (BUSINESS AND PROFESSIONS CODE 22950.5; EDUCATION CODE 48901)

TOBACCO PRODUCTS INCLUDE: (BUSINESS AND PROFESSIONS CODE 22950.5; EDUCATION CODE 48901)

1. ANY PRODUCT CONTAINING, MADE, OR DERIVED FROM TOBACCO OR NICOTINE THAT IS INTENDED FOR HUMAN CONSUMPTION, WHETHER SMOKED, HEATED, CHEWED, ABSORBED, DISSOLVED, INHALED, SNORTED, SNIFFED, OR INGESTED BY ANY OTHER MEANS, INCLUDING, BUT NOT LIMITED TO, CIGARETTES, CIGARS, LITTLE CIGARS, CHEWING TOBACCO, PIPE TOBACCO, OR SNUFF

TOBACCO-FREE SCHOOLS (cont.)

2. AN ELECTRONIC DEVICE THAT DELIVERS NICOTINE OR OTHER VAPORIZED LIQUIDS TO THE PERSON INHALING FROM THE DEVICE, INCLUDING, BUT NOT LIMITED TO AN ELECTRONIC CIGARETTE, CIGAR, PIPE, OR HOOKAH
3. ANY COMPONENT, PART, OR ACCESSORY OF A TOBACCO PRODUCT WHETHER OR NOT SOLD SEPARATELY

THIS POLICY DOES NOT PROHIBIT THE USE OR POSSESSION OF PRESCRIPTION PRODUCTS AND OTHER CESSATION AIDS THAT HAVE BEEN APPROVED BY THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, FOOD AND DRUG ADMINISTRATION, SUCH AS NICOTINE PATCH OR GUM.

~~Prohibited products include any product containing tobacco and/or nicotine, including, but not limited to, cigarettes, cigars, miniature cigars, smokeless tobacco, snuff, chew, clove cigarettes, betel, and nicotine delivery devices, such as electronic cigarettes, any time, in charter school(s) or school district-owned or leased buildings, on school or District property, and in school or District vehicles. However, this section does not prohibit the use or possession of prescription products, or other cessation aids such as nicotine patches or nicotine gum. Student use or possession of such products must conform to laws governing student use and possession of medications on school property. Other vapor emitting electronic devices, such as electronic hookah, with or without nicotine content, that mimic the use of tobacco products, are also prohibited.~~

Smoking or use of any tobacco-related products OR ~~and~~ disposal of any tobacco-related waste are prohibited within 25 feet of any playground, except on a public sidewalk located within 25 feet of the playground. IN ADDITION, ANY FORM OF INTIMIDATION, THREAT, OR RETALIATION AGAINST A PERSON FOR ATTEMPTING TO ENFORCE THIS POLICY IS PROHIBITED. (Health and Safety Code 104495)

Legal Reference:EDUCATION CODE

48900 Grounds for suspension/expulsion

48901 Prohibition against tobacco use by students

BUSINESS AND PROFESSIONS CODE

22950.5 Stop Tobacco Access to Kids Enforcement Act; definitions

HEALTH AND SAFETY CODE

39002 Control of air pollution from nonvehicular sources

104350-104495 Tobacco use prevention, especially:

104495 Prohibition of smoking and tobacco waste on playgrounds

104559 Tobacco use prohibition

119405 Unlawful to sell or furnish electronic cigarettes to minors

LABOR CODE

3300 Employer, definition

6304 Safe and healthful workplace

6404.5 Occupational safety and health; use of tobacco products

TOBACCO-FREE SCHOOLS (cont.)

UNITED STATES CODE, TITLE 20

6083 Nonsmoking policy for children's services

7111-7122 Student Support and Academic Enrichment Grants

CODE OF FEDERAL REGULATIONS, TITLE 21

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

PUBLIC EMPLOYMENT AND RELATIONS BOARD RULINGS

Eureka Teachers Assn. v. Eureka City School District (1992) PERB Order #955 (16 PERC 23168)

CSEA #506 and Associated Teachers of Metropolitan Riverside v. Riverside Unified School District (1989) PERB Order #750 (13 PERC 20147)

Management Resources:

WEBSITES

California Department of Education, Alcohol, Tobacco and Other Drug Prevention:

www.cde.ca.gov/ls/he/at

California Department of Education, Tobacco-Free School District Certification:

www.cde.ca.gov/ls/he/at/tobaccofreecert.asp

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

Occupational Safety and Health Standards Board: www.dir.ca.gov/OSHSB/oshsb.html

U.S. Environmental Protection Agency: www.epa.gov

Chino Valley Unified School District

Policy adopted: November 16, 1995

Revised: December 15, 2005

Revised: September 18, 2008

Revised: September 19, 2013

REVISED:

Chino Valley Unified School District

Our Motto:

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

DATE: September 15, 2016
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Jeanette Chien, Ed.D., Asst. Superintendent, Educational Services
SUBJECT: REVISION OF BOARD POLICY 5131.2 STUDENTS - BULLYING

=====

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 5131.2 Students – Bullying is being revised to reflect district practice. Updated policy designates the Director of Student Support Services to serve as the compliance officer for district bullying complaints. This item was presented to the Board of Education on September 1, 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 5131.2 Students – Bullying.

FISCAL IMPACT

None.

WMJ:JC:Imc

BULLYING

The Board of Education recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No individual or group through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, retaliate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.

(cf. 5131 – Conduct)
(cf. 5136 – Gangs)
(cf. 5145.3 – Nondiscrimination/Harassment)
(cf. 5145.7 – Sexual Harassment)
(cf. 5145.9 – Hate-Motivated Behavior)

Cyberbullying includes the creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

(cf. 5145.2 – Freedom of Speech/Expression)

Strategies for addressing bullying in district schools shall be developed with involvement of key stakeholders, including students, parents/guardians, and staff, and may be incorporated into the comprehensive safety plans, the local control and accountability plan, and other applicable district and school plans.

(cf. 0420 – School Plans/Site Councils)
(cf. 0450 – Comprehensive Safety Plan)
(cf. 0460 – Local Control and Accountability Plan)
(cf. 1220 – Citizen Advisory Committees)
(cf. 1400 – Relations between Other Governmental Agencies and the Schools)
(cf. 6020 – Parent Involvement)

As appropriate, the Superintendent or designee may collaborate with law enforcement, courts, social services, mental health services, other agencies, and community organizations in the development and implementation of joint strategies to promote safety in schools and the community and to provide services for alleged victims and perpetrators of bullying.

(cf. 1020 – Youth Services)

BULLYING (cont.)

Bullying Prevention

To the extent possible, district schools shall focus on prevention of bullying by establishing clear rules for student conduct and implementing strategies to promote a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying.

(cf. 5137 – Positive School Climate)

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

(cf. 6142.8 – Comprehensive Health Education)
(cf. 6142.94 – History-Social Science Instruction)
(cf. 6163.4 – Student Use of Technology)

Staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective response.

(cf. 4131 – Staff Development)
(cf. 4231 – Staff Development)
(cf. 4331 – Staff Development)

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias.

Intervention

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

School staff who witness an act of bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

BULLYING (cont.)

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)

(cf. 6164.2 – Guidance/Counseling Services)

Report and Filing of Complaints

Any complaint of bullying, whether it is discriminatory or nondiscriminatory, shall be investigated and resolved in accordance with law and the district's SITE LEVEL GRIEVANCE ~~uniform complaint~~ procedure specified in ADMINISTRATIVE REGULATION 5145.7 ~~1312.3 Uniform Complaint Procedures~~.

(cf. ~~1312.3 – Uniform Complaint Procedures~~)

THE BOARD OF EDUCATION DESIGNATES THE FOLLOWING POSITION AS THE DISTRICT COMPLIANCE OFFICER AND DESIGNEE REGARDING STUDENT-ON-STUDENT BULLYING COMPLAINTS:

STEPHANIE JOHNSON
DIRECTOR, STUDENT SUPPORT SERVICES
13453 RAMONA AVENUE, CHINO, CA 91710
(909) 628-1201 EXT. 7750

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, compliance officer, or any other available school employee. Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report his/her observation to the principal or district compliance officer, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify THE DIRECTOR OF STUDENT SUPPORT SERVICES. ~~a district compliance officer identified in AR 1312.3.~~

When a student is reported to be engaging in bullying off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

BULLYING (cont.)

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee also may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

When a report of bullying is submitted, the principal or DIRECTOR OF STUDENT SUPPORT SERVICES ~~a district compliance officer~~ shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 5145.7 SEXUAL HARASSMENT SITE LEVEL GRIEVANCE PROCEDURE ~~AR 4312.3~~. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

Investigation and Resolution of Complaints

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the districts SITE LEVEL GRIEVANCE PROCEDURE ~~uniform complaint procedures~~ specified in Administrative Regulation 5145.7 ~~4312.3~~.

If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

Discipline

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

(cf. 5138 – Conflict Resolution/Peer Mediation)

(cf. 5144 – Discipline)

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

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

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

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 – Dismissal/Suspension/Disciplinary Action)

BULLYING (cont.)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
32282 Comprehensive safety plan
32283.5 Bullying; online training
35181 Governing board policy on responsibilities of students
35291-35291.5 Rules
48900-48925 Suspension or expulsion
48985 Translation of notices
52060-52077 Local control and accountability plan

PENAL CODE

422.55 Definition of hate crime
647 Use of camera or other instrument to invade person's privacy; misdemeanor
647.7 Use of camera or other instrument to invade person's privacy; punishment
653.2 Electronic communication devices, threats to safety

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
110.25 Notification of nondiscrimination on the basis of age

COURT DECISIONS

Wynar v. Douglas County School District, (2013) 728 F.3d 1062
J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094
Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources:

CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

Bullying at School, 2003

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

Dear Colleague Letter: Bullying of Students with Disabilities, August 2013

Dear Colleague Letter: Harassment and Bullying, October 2010

BULLYING (cont.)

WEBSITES

California School Boards Association: www.csba.org
California Department of Education, Safe Schools Office: www.cde.ca.gov/lr/ss
Common Sense Media: www.commonsensemedia.org
National School Safety Center: www.schoolsafety.us
ON[the]LINE, digital citizenship resources: www.onthelineca.org
U.S. Department of Education: www.ed.gov

Chino Valley Unified School District

Policy adopted: June 14, 2012

Revised: November 5, 2015

REVISED:

Chino Valley Unified School District

Our Motto:

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

DATE: September 15, 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. Board Policy 5131.62 Students – Tobacco reflects new law (ABX2 9, 2016) which requires all districts, not just those receiving state Tobacco-Use Prevention Education funds, to prohibit tobacco use on school campuses and NEW LAW (SBX2 5, 2016) which establishes new definitions of "smoking" and "tobacco." This item was presented to the Board of Education on September 1, 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 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.

(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 possess, smoke, or use tobacco, or any product containing tobacco or nicotine while on ~~CAMPUS 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))

SMOKING MEANS INHALING, EXHALING, BURNING, OR CARRYING OF ANY LIGHTED OR HEATED CIGAR, CIGARETTE, PIPE, TOBACCO, OR PLANT PRODUCT INTENDED FOR INHALATION, WHETHER NATURAL OR SYNTHETIC, IN ANY MANNER OR FORM, AND INCLUDES THE USE OF AN ELECTRONIC SMOKING DEVICE THAT CREATES AEROSOL OR VAPOR OR OF ANY ORAL SMOKING DEVICE FOR THE PURPOSE OF CIRCUMVENTING THE PROHIBITION OF SMOKING. (BUSINESS AND PROFESSIONS CODE 22950.5; EDUCATION CODE 48901)

TOBACCO (cont.)

TOBACCO PRODUCTS INCLUDE: (BUSINESS AND PROFESSIONS CODE 22950.5; EDUCATION CODE 48901)

1. A PRODUCT CONTAINING, MADE, OR DERIVED FROM TOBACCO OR NICOTINE THAT IS INTENDED FOR HUMAN CONSUMPTION, WHETHER SMOKED, HEATED, CHEWED, ABSORBED, DISSOLVED, INHALED, SNORTED, SNIFFED, OR INGESTED BY ANY OTHER MEANS, INCLUDING, BUT NOT LIMITED TO, CIGARETTES, CIGARS, LITTLE CIGARS, CHEWING TOBACCO, PIPE TOBACCO, OR SNUFF
2. AN ELECTRONIC DEVICE THAT DELIVERS NICOTINE OR OTHER VAPORIZED LIQUIDS TO THE PERSON INHALING FROM THE DEVICE, INCLUDING, BUT NOT LIMITED TO, AN ELECTRONIC CIGARETTE, CIGAR, PIPE, OR HOOKAH
3. ANY COMPONENT, PART, OR ACCESSORY OF A TOBACCO PRODUCT, WHETHER OR NOT SOLD SEPARATELY

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 SCHOOL 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)

~~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.~~

~~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)~~

Prevention Instruction

The District shall provide developmentally appropriate tobacco-use prevention instruction for students at selected grade levels from K-12 pursuant to Education Code 51202. 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)

TOBACCO (cont.)**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)

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 with the local health department and county office of education in program planning and implementation. He/she may establish an advisory council including students, parents/guardians, district staff, representatives of the local health department and community organizations, law enforcement professionals, and/or others with demonstrated expertise in tobacco prevention and cessation.

(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)

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)

TOBACCO (cont.)

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

8900 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

BUSINESS AND PROFESSIONS CODE

22950.5 Stop Tobacco Access to Kids Enforcement Act; definitions

HEALTH AND SAFETY CODE

104350-104495 Tobacco-use prevention education
 104559 Tobacco use prohibition
 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

7111-7122 Student Support and Academic Enrichment Grants

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)

TOBACCO (cont.)

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 Schools 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: February 18, 2016

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 15, 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

\$780,844.17 to all District funding sources.

WMJ:GJS:pw

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 15, 2016
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Gregory J. Stachura, Asst. Supt., Facilities, Planning, and Operations
SUBJECT: AGREEMENTS FOR CONTRACTOR/CONSULTANT SERVICES

=====

BACKGROUND

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

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

RECOMMENDATION

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

FISCAL IMPACT

As indicated.

WMJ:GJS:pw

CURRICULUM, INSTRUCTION, INNOVATION, AND SUPPORT	FISCAL IMPACT
CIIS-1617-039 Comparex USA. To provide support for Office 365 and servers. Submitted by: Technology Department Duration of Agreement: September 16, 2016 – June 30, 2017	Contract Amount: Not to exceed \$20,000.00 Funding Source: Technology
CIIS-1617-040 2 Teach, LLC. To provide professional development. Submitted by: Don Lugo HS Duration of Agreement: September 16, 2016 – June 30, 2017	Contract Amount: \$17,519.07 Funding Source: Professional Development

EDUCATIONAL SERVICES	FISCAL IMPACT
ES-1617-041 Community Matters. To provide safe school ambassadors training and support for participating school sites. Submitted by: Educational Services Duration of Agreement: July 1, 2016 – June 30, 2017	Contract Amount: \$148,500.00 Funding Source: SBCSS JPA
ES-1617-042 City of Chino. To provide school resource officers at Buena Vista HS, Chino HS, Don Lugo HS, Magnolia JHS and Ramona JHS. Submitted by: Educational Services Duration of Agreement: August 15, 2016 – June 30, 2017	Contract Amount: \$326,073.00 Funding Source: General Fund

MASTER CONTRACTS	FISCAL IMPACT
MC-1617-005 TNT Dunk Squad. To provide acrobatic slam dunk assembly. Submitted by: Glenmeade ES/Purchasing Department Duration of Agreement: September 16, 2016 – June 30, 2019	Contract Amount: per rate sheet Funding Source: PFA/PTA/ASB/USB/Boosters
MC-1617-006 Fluff Ice Truck. To provide shaved ice and boba drinks. Submitted by: Glenmeade ES/Purchasing Department Duration of Agreement: July 1, 2016 – June 30, 2019	Contract Amount: per rate sheet Funding Source: PFA/PTA/ASB/USB/Boosters
MC-1617-007 Apex Fun Run of Orange County, LLC. To provide fundraising and leadership events. Submitted by: Glenmeade ES/Purchasing Department Duration of Agreement: July 1, 2016 – June 30, 2019	Contract Amount: N/A Funding Source: N/A

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 15, 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
September 15, 2016**

<u>DESCRIPTION</u>	<u>MAKE/MODEL</u>	<u>I.D./SERIAL</u>	<u>DEPT/SITE</u>
Latitude D620	Dell	24529/HW96VC1	Technology
Optiplex 980	Dell	34560/GVPKYBP1	Technology
Optiplex 760	Dell	30336 / B8HTBK1	Technology
Optiplex 760	Dell	31372 / 7ZX8TK1	Technology
D620	Dell	26628 / 896FWD1	Technology
Dimension	Dell	18260	Technology
Optiplex 760	Dell	30337 / 97HTBK1	Technology
Optiplex 760	Dell	JB0FJK1	Technology
Smart UPS	APC	13745	Technology
Smart UPS	APC	NA	Technology
Optiplex 790	Dell	39526	Technology
Latitude D620	Dell	JGK8QB1	Technology
Latitude D610	Dell	21960/4QC7T71	Technology
Latitude E5400	Dell	33017/3M0JGM1	Technology
Netbook 2100	Dell	32712/4SDC8M1	Technology
Latitude E5400	Dell	BF4WPM1/33212	Technology
Latitude E5400	Dell	12Y3XL1/ 32071	Technology
Latitude E5430	Dell	4KYTZW1/41211	Technology
iBook G4	Apple	4H6081LTSE7	Technology
Latitude E5400	Dell	4RP3XL1/32052	Technology
Latitude E5400	Dell	18GGTH1/29204	Technology
Latitude E5400	Dell	HL0JGM1/33021	Technology
PowerLite 93	ESPON	P94F1333326L/38626	Technology
Document Camera	Aver Vision F50	29980	Technology
Head set	Jabra	GN9125	Technology
Latitude E5400	Dell	29558	Technology
Laptop	Dell	11736	Technology
OptiPlex	Dell	39387	Technology
2014 School Bus	Chevrolet/Collins	VIN #1GB3G3BG9E1116274	Transportation
Laptop	Dell	26009595541	Cattle ES
Laptop	Dell	3094594453	Cattle ES
Laptop	Apple	13708	Cattle ES
Projector	Epson	Km3f899008L	Cattle ES
Laptop	Dell	W314tchrjones	Cattle ES
Projector	Epson	Emp50	Cattle ES
Printer	HP	14698	Cattle ES
Laptop	Dell	W314tchhildto	Cattle ES
Laptop	Dell	H16fwd1	Cattle ES

<u>DESCRIPTION</u>	<u>MAKE/MODEL</u>	<u>I.D./SERIAL</u>	<u>DEPT/SITE</u>
Laptop	Dell	W314tchmgarri	Cattle ES
Laptop	Dell	4rnbwd1	Cattle ES
Laptop	Dell	W31tchHburto	Cattle ES
Printer	Xerox	Phase 6120	Cattle ES
Printer	HP	33183	Cattle ES

CHINO VALLEY UNIFIED SCHOOL DISTRICT
Our Motto:
Student Achievement • Safe Schools • Positive School Climate
Humility • Civility • Service

DATE: September 15, 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/or 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:mcm

CERTIFICATED PERSONNEL

<u>NAME</u>	<u>POSITION</u>	<u>LOCATION</u>	<u>EFFECTIVE DATE</u>
<u>HIRED AT THE APPROPRIATE PLACEMENT ON THE CERTIFICATED MANAGEMENT SALARY SCHEDULE AND APPROPRIATE CREDENTIAL FOR THE 2016/2017 SCHOOL YEAR</u>			

DANIELS-VALDEZ, Gloria	Program Specialist	Special Education	09/16/2016
SANCHEZ, Gerardo	School Psychologist	Special Education	09/16/2016

HIRED AT APPROPRIATE PLACEMENT ON THE CERTIFICATED SALARY SCHEDULE AND APPROPRIATE CREDENTIAL FOR THE 2016/2017 SCHOOL YEAR

BARBA, Mariel	Biology Teacher 40%	Alternative Ed.	09/16/2016
PEREZ, Lisa	Special Ed. Teacher	Special Education	09/26/2016

RESIGNATION

CONNELL, Douglas	English Teacher	Chino Hills HS	09/15/2016
MORALES, Erica	School Psychologist	Special Education	09/02/2016

LEAVES OF ABSENCE

LARIOS-CONTRERAS, Zorayda	Spanish Teacher 20%	Chino HS	08/12/2016 through 12/31/2016
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APPOINTMENT – EXTRA DUTY

NEE, Meghan (NBM)	Boys Water Polo (B)	Ayala HS	09/16/2016
AGUINIGA CAMPOS, Javier (NBM)	Boys Soccer (GF)	Chino HS	09/16/2016
LEACH, Jonathon (NBM)	Football (B)	Chino HS	09/16/2016
NGUYEN, Jimmy (NBM)	Band (B)	Chino HS	09/16/2016
PERREAULT, Brian (NBM)	Girls Soccer (GF)	Chino HS	09/16/2016
CHAVEZ, Henry (NBM)	Football (B)	Chino Hills HS	09/16/2016
COWLING, Christopher (NBM)	Band (B)	Chino Hills HS	09/16/2016
FARROW, Andrew (NBM)	Volleyball (GF)	Chino Hills HS	09/16/2016
VARGA, Vivian (NBM)	Volleyball (GF)	Chino Hills HS	09/16/2016
PANATTONI, Jody (NBM)	Football (B)	Don Lugo HS	09/16/2016
		TOTAL	\$15,906.00

CERTIFICATED PERSONNEL (cont.)

**APPOINTMENT OF CERTIFICATED SUBSTITUTES EFFECTIVE JULY 1, 2016,
THROUGH JUNE 30, 2017**

AGUILAR, Maria
CARO, Anthony
CHAVEZ, Christina
KRANAWETTER, Timothy
ROBERTS, Melissa

BLAAUW, JoAnne
CAVINESS, Jon
GOODMAN, Patrick
MORENO-SANDOVAL, Denise
VARGAS, Kelly

BURDA, Kristen
CERVANTES, Aleissa
GUTIERREZ, Mark
NICHOLS, Amanda

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**

BIGGS, Chelsea	IA/Computer Asst. Instr. (C)	Cortez ES	09/16/2016
CERDA, Misty	Elementary Library/Media Center Asst. (C)	Glenmeade ES	09/16/2016
LEON, Belen	Nutrition Services Asst. I (NS)	Newman ES	09/16/2016
TSWEI, Daniel	Network Support Tech. (GF)	Technology	09/16/2016

ADDITIONAL ASSIGNMENT

RODRIGUEZ, Sofia	Bilingual Typist Clerk I (GF)	Woodcrest JHS	09/16/2016
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LEAVE OF ABSENCE

OGLE, Kim	Nutrition Services Asst. II (NS)	Chino HS	09/09/2016 through 10/09/2016
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RELEASE OF PROBATIONARY EMPLOYEE WITHOUT PREJUDICE

Employee #25452			09/02/2016
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RESIGNATION

LUGO, Jamye	Nutrition Services Asst. I (NS)	Chaparral ES	09/09/2016
ANCHONDO, Amanda	IA/Childhood Ed (C)	Dickey ES-SOAR	09/05/2016
HARRIS, Sarah	Nutrition Services Asst. I (NS)	Marshall ES	09/09/2016
GUILLEN, JoAnn	IA/SPED/SH (SELPA/GF)	Canyon Hills JHS	08/23/2016
LUJAN, Mark	IA/SPED/SH (SELPA/GF)	Woodcrest JHS	08/26/2016
JAMES, Seyto	IA/Biling.-Bilit.-Spanish (C)	Don Lugo HS	09/09/2016

RETIREMENT

BEGUE, Marilyn (9 years of service)	IA/Elementary (GF)	Dickson ES	08/27/2016
ANGELES, Randolph (21 years of service)	Carpet/Flooring Custodian II (GF)	Maintenance	12/30/2016

CLASSIFIED PERSONNEL (cont.)

**APPOINTMENT OF SHORT TERM EMPLOYEES EFFECTIVE JULY 1, 2016, THROUGH
DECEMBER 31, 2016**

WILCOX, Carolyn	IA/SPED/SH	Eagle Canyon ES
CASILLAS, Sylvia	IA/SPED – Collaborative	Rolling Ridge ES
DENVER, Donna	IA/SPED/SH	Canyon Hills JHS

**APPOINTMENT OF CLASSIFIED SUBSTITUTES EFFECTIVE JULY 1, 2016, THROUGH
JUNE 30, 2017**

CHEEVER, Gary	FIERROS, Catalina	GERDINE, Frank
LEONG, Timothy	MURPHY, Carol	MURRAY, Marissa
ORTIZ, Celia	TANCIOCO, Kevin	

(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:

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Humility • Civility • Service

DATE: September 15, 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: RECLASSIFICATION AND REVISION OF THE JOB DESCRIPTION FOR MAINTENANCE III - LOCKSMITH

BACKGROUND

Changes in the nature, variety, and complexities of responsibilities for the position of Maintenance III - Locksmith prompted the Reclassification Committee to re-evaluate this position and its functions.

The evaluation, which was completed by the Reclassification Committee, comprised of District administrators and members of the California School Employees Association, and its Chino Chapter 102, identified the need to reclassify the existing position and a recommendation to revise the job description to accurately depict the duties that are currently being performed by the incumbent in the position.

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

RECOMMENDATION

It is recommended the Board of Education approve the reclassification and revision of the job description for Maintenance III – Locksmith.

FISCAL IMPACT

\$10,865.00 for salary and benefits of to the classified General Fund.

WMJ:GP:LF:RR:mcm

MAINTENANCE III - LOCKSMITH**DEFINITION**

Under general supervision, performs MASTER, JOURNEY-LEVEL ~~highly skilled~~ work in the installation ~~and~~, repair, ~~remodel~~ and MAINTENANCE of MANUAL AND AUTOMATED LOCKS, LOCKING SYSTEMS AND SECURITY DEVICES; COMPUTERIZED ACCESS CONTROL SYSTEMS; DOOR OPENERS, CLOSERS, AND HARDWARE ~~of locks, locking devices and door hardware~~; maintains District master record system of keys and locks. Directs personnel assigned to this craft; performs related duties as required.

DISTINGUISHING CHARACTERISTICS

This ~~is a single~~ position ~~class IS~~ characterized by the responsibility to independently perform complex locksmith maintenance work and to coordinate and oversee the work of others assigned to locksmith maintenance projects. The incumbent serves as the expert in this trade area and may assist other maintenance personnel on all aspects of locksmith maintenance.

OCCUPATIONAL GROUP

Classified (Crafts, Labor and Trades)

EXAMPLES OF DUTIES

Duties may include, but are not limited to, the following:

1. PARTICIPATES IN THE MAINTENANCE AND OPERATIONS OF A LOCKSMITH SHOP. (E)
2. Plans, lays out and COORDINATES WITH ~~directs~~ other employees on the maintenance, installation and repair of all types of locks, lockers, doors, desks, cabinets; opens key safe locks using hand tools or special equipment. (E)
3. Assigns and schedules work according to work orders; may estimate type and amounts of material needs; order materials and parts; coordinates work with site administrators and other maintenance personnel; determines methods to accomplish the jobs; makes rough sketches of proposed projects. (E)
4. ~~Disassembles~~ SERVICES AND MAINTAINS padlocks, doorS and safeS ~~locks~~ using various tools and equipment; rekeys locks, changes locker combinations; removes broken key or foreign objects from locks; repairs exit hardware and other door opening and closing apparatus. (E)
5. DESIGNS, sets up and maintains key coding for grand master and master KEYS for all schools. (E)
6. PROGRAMS AND ISSUES ELECTRONIC KEY CARDS AND KEY FOBs; DESIGNS AND maintains A COMPUTERIZED District master record system of keys and locks UTILIZING SOFTWARE; makes new or duplicate keys decoded and cut from records; maintains security of duplicate locks and keys. (E)
7. IMPLEMENTS, TROUBLESHOOTs, REPAIRS AND PROGRAMS COMPUTERIZED ACCESS CONTROL SYSTEMS. (E)

8. INSPECTS COMPLETED WORK FOR CONFORMANCE WITH SPECIFICATIONS, REQUIREMENTS AND COMPLIANCE WITH APPLICABLE BUILDING AND SAFETY CODES AND REGULATIONS; INSPECTS RELATED WORK PERFORMED BY CONTRACTORS; ~~inspects equipment and installations for conformity with safety standards and regulations;~~ makes recommendations for repairs to and replacement of equipment. (E)
9. ESTIMATES COST, TIME AND MATERIALS FOR LOCKSMITH PROJECTS; prepares reports of work done and keeps time, labor and material records. (E)
10. Drives District vehicles in the performance of job duties. (E)
11. INSTALLS, REPAIRS, ADJUSTS AND MAINTAINS COMMERCIAL LOCKABLE HARDWARE SUCH AS DOORS, AUTOMATIC ELECTRIC DOORS, WINDOWS, LOCKERS AND MAGNETIC KEYING SYSTEMS TO ENSURE SECURITY OF DISTRICT ASSETS INCLUDING BUT NOT LIMITED TO FACILITIES, FURNITURE, AND VEHICLES. (E)
12. MAINTAINS AND REPAIRS AUTOMATIC DOOR OPENERS, DOOR CLOSING UNITS AND CONTROL GATES. (E)
13. KEYS AND/OR REKEYS DOORS, LOCKS AND CYLINDERS; PROVIDES EMERGENCY LOCKOUT/LOCKDOWN OF BUILDINGS SUSCEPTIBLE TO BREAK-IN OR VANDALISM DUE TO LOST OR STOLEN KEYS. (E)
14. ASSISTS IN THE DESIGN, MODIFICATION, AND IMPLEMENTATION OF SECURITY MEASURES, POLICIES AND PROCEDURES. (E)
15. UPGRADES AND MAINTAINS THE SECURITY KEY ACCESS CONTROL SYSTEM. (E)
16. ASSISTS IN THE WRITING OF SPECIFICATIONS FOR REPAIRS AND NEW CONSTRUCTION. (E)
17. Provides vacation and temporary relief as required.
18. PERFORMS OTHER RELATED DUTIES AS ASSIGNED.

(E) = ESSENTIAL FUNCTIONS

MINIMUM REQUIREMENTS

Knowledge of:

- Principles, terms, practices, materials and equipment used in the locksmith trade, INCLUDING COMPLEX ACCESS AND CONTROL SYSTEMS; WORKING KNOWLEDGE OF ELECTRICAL LOCKING AND SECURITY SYSTEMS AND DEVICES;
- Codes and regulations applicable to school facility maintenance, installation and repair; INCLUDING THE CODES AND REGULATIONS PERTAINING TO FIRE EXITS AND DOOR HARDWARE;
- Safe working methods and procedures of locksmith work in particular and maintenance work in general;

- SAFETY PRECAUTIONS TO BE OBSERVED IN THE MAINTENANCE AND INSTALLATION OF ELECTRONIC AND MECHANICAL EQUIPMENT.

Good knowledge of:

- Supervision.

Ability to:

- Determine causes of lock failures and make repairs;
- Skillfully use tools and equipment in performing locksmith maintenance and repair work; INCLUDING COMPUTERIZED KEYING, RECORD KEEPING PROGRAMS AND SOFTWARE;
- Estimate labor and material cost needs as required;
- Work from diagrams, blueprints, plans and specifications;
- Prepare rough sketches and diagrams for use by maintenance personnel;
- Maintain records and prepare complete and concise reports;
- Understand and carry out oral and written directions;
- Establish and maintain effective working relationships;
- Direct the work of others as assigned;
- Make accurate arithmetic MATHEMATICAL calculations; and
- Maintain tools and equipment in good condition.

EXPERIENCE

~~MINIMUM THREE~~ Two years of experience as a journeyman-LEVEL locksmith or two years as a Maintenance II Locksmith or three years as a Maintenance I Locksmith.

EDUCATION

HIGH SCHOOL DIPLOMA OR ITS EQUIVALENT ~~Completion of formal or informal education sufficient to assure the ability to perform the tasks listed above.~~

WORKING CONDITIONS

- SUBJECT TO DRIVING A VEHICLE TO CONDUCT WORK;
- DEMANDING TIMELINES;
- SUBJECT TO FREQUENT INTERRUPTIONS AND CONTACT WITH STAFF; AND
- SUBJECT TO CONTINUOUS NOISE LEVELS.

PHYSICAL ABILITIES

- HEARING AND SPEAKING TO EXCHANGE INFORMATION;
- VISUAL ABILITY TO READ AND TO PREPARE/PROCESS DOCUMENTS;
- DEXTERITY OF HANDS AND FINGERS TO OPERATE EQUIPMENT;
- OPERATE COMPUTER FOR EXTENDED PERIODS OF TIME;
- REACHING OVERHEAD, ABOVE THE SHOULDERS AND HORIZONTALLY;
- BENDING AT THE WAIST;
- CARRYING, PUSHING PULLING OF UP TO 50 POUNDS OF EQUIPMENT AND/OR SUPPLIES;
- CLIMBING, OCCASIONAL USE OF STEP LADDERS; AND
- STOOPING, CROUCHING AND KNEELING.

HAZARDS

- WORKING AROUND AND WITH MACHINERY HAVING HIGH SPEED MOVING PARTS;
- EXPOSURE TO FLYING DEBRIS;
- SUBJECT TO NOISE AND FUMES FROM EQUIPMENT OPERATION; AND
- EXPOSURE TO FUMES/VAPORS, DUST, AND OTHER HAZARDOUS MATERIALS.

SPECIAL REQUIREMENTS

Must possess or obtain prior to appointment, a valid California Vehicle Operator's License. Must have the ability to obtain and maintain insurability status under the District's vehicle insurance policy.

Approved: 03/25/80

Revised: 03/12/87

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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Humility • Civility • Service

DATE: September 15, 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 BOARD POLICY 1312.3 COMMUNITY RELATIONS
– UNIFORM COMPLAINT PROCEDURES**

=====

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 1312.3 Community Relations – Uniform Complaint Procedures is being revised to reflect new laws which authorize the use of uniform complaint procedures to resolve complaints of noncompliance with requirements related to accommodations for lactating students (AB 302, 2015), educational rights of foster youth and homeless students (AB 379, 2015), assignment of students to courses without educational content for more than one week per semester or to courses they have previously completed (AB 1012, 2015), and physical education instructional minutes in elementary schools (AB 1391, 2015). This agenda item was presented to the Board of Education on September 1, 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 1312.3 Community Relations – Uniform Complaint Procedures.

FISCAL IMPACT

None.

WMJ:GP:LF:RR:mcm

UNIFORM COMPLAINT PROCEDURES

The Board of Education recognizes the District has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages the early, informal resolution of complaints whenever possible and appropriate. To resolve complaints which cannot be resolved through such informal process, the Board shall adopt a uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

The District's Uniform Complaint Procedures (UCP) shall be used to investigate and resolve the following complaints:

1. Any complaint alleging District violation of applicable state and federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs (5 CCR 4610).

(cf. 3553 - Free and Reduced Price Meals)
(cf. 3555 - Nutrition Program Compliance)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5148 - Child Care and Development)
(cf. 6159 - Individualized Education Program)
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English Language Learners)
(cf. 6175 - Migrant Education Program)
(cf. 6178 - Career Technical Education)
(cf. 6178.1 - Work-Based Learning)
(cf. 6178.2 - Regional Occupational Center/Program)
(cf. 6200 - Adult Education)

2. Any complaint alleging the occurrence of unlawful discrimination, such as discriminatory harassment, OR intimidation, or ~~bullying~~ against any person, based on his/her actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics, in District programs and activities, including, but not limited to, those funded directly by or that receive or benefit from any state financial assistance (5 CCR 4610).

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 4030 - Nondiscrimination in Employment)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

UNIFORM COMPLAINT PROCEDURES (cont.)

3. Any complaint alleging ~~that the~~ District NONCOMPLIANCE WITH THE REQUIREMENT TO PROVIDE REASONABLE ACCOMMODATION TO A LACTATING STUDENT ON SCHOOL CAMPUS TO ADDRESS BREASTFEEDING-RELATED NEEDS OF THE STUDENT (Education Code 222) ~~violation of the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities (5 CCR 4610)~~

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

4. Any complaint alleging ~~that the~~ District NONCOMPLIANCE WITH THE PROHIBITION AGAINST REQUIRING STUDENTS TO PAY FEES, DEPOSITS, OR OTHER CHARGES FOR PARTICIPATION IN EDUCATIONAL ACTIVITIES (5 CCR 4610) ~~has not complied with legal requirements related to the implementation of the local control and accountability plan (Education Code 52075)~~

(cf. 3260 - Fees and Charges)

(cf. 3320 - Claims and Actions Against the District)

5. Any complaint alleging ~~retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy~~ DISTRICT NONCOMPLIANCE WITH LEGAL REQUIREMENTS RELATED TO THE IMPLEMENTATION OF THE LOCAL CONTROL AND ACCOUNTABILITY PLAN (EDUCATION CODE 52075)

(cf. 0460 - Local Control and Accountability Plan)

6. Any ~~other~~ complaint, ~~as specified in a District policy.~~ BY OR ON BEHALF OF ANY STUDENT WHO IS A FOSTER YOUTH, ALLEGING DISTRICT NONCOMPLIANCE WITH ANY LEGAL REQUIREMENT APPLICABLE TO THE STUDENT REGARDING PLACEMENT DECISIONS, THE RESPONSIBILITIES OF THE DISTRICT'S EDUCATIONAL LIAISON TO THE STUDENT, THE AWARD OF CREDIT FOR COURSEWORK SATISFACTORILY COMPLETED IN ANOTHER SCHOOL OR DISTRICT, SCHOOL TRANSFER, OR THE GRANT OF AN EXEMPTION FROM BOARD-IMPOSED GRADUATION REQUIREMENTS (EDUCATION CODE 48853, 48853.5, 49069.5, 51225.1, 51225.2)

(cf. 6173.1 - Education for Foster Youth)

7. ANY COMPLAINT, BY OR ON BEHALF OF A HOMELESS STUDENT AS DEFINED IN 42 USC 11434A, ALLEGING DISTRICT NONCOMPLIANCE WITH ANY REQUIREMENT APPLICABLE TO THE STUDENT REGARDING THE AWARD OF CREDIT FOR COURSEWORK SATISFACTORILY COMPLETED IN ANOTHER SCHOOL OR DISTRICT OR THE GRANT OF AN EXEMPTION FROM

UNIFORM COMPLAINT PROCEDURES (cont.)

BOARD-IMPOSED GRADUATION REQUIREMENTS (EDUCATION CODE 51225.1, 51225.2)

(cf. 6173 - Education for Homeless Children)

8. ANY COMPLAINT ALLEGING DISTRICT NONCOMPLIANCE WITH THE REQUIREMENTS OF EDUCATION CODE 51228.1 AND 51228.2 THAT PROHIBIT THE ASSIGNMENT OF A STUDENT TO A COURSE WITHOUT EDUCATIONAL CONTENT FOR MORE THAN ONE WEEK IN ANY SEMESTER OR TO A COURSE THE STUDENT HAS PREVIOUSLY SATISFACTORILY COMPLETED, WITHOUT MEETING SPECIFIED CONDITIONS (EDUCATION CODE 51228.3)

(cf. 6152 - Class Assignment)

9. ANY COMPLAINT ALLEGING DISTRICT NONCOMPLIANCE WITH THE PHYSICAL EDUCATION INSTRUCTIONAL MINUTES REQUIREMENT FOR STUDENTS IN ELEMENTARY SCHOOL (EDUCATION CODE 51210, 51223)

(cf. 6142.7 - Physical Education and Activity)

10. ANY COMPLAINT ALLEGING RETALIATION AGAINST A COMPLAINANT OR OTHER PARTICIPANT IN THE COMPLAINT PROCESS OR ANYONE WHO HAS ACTED TO UNCOVER OR REPORT A VIOLATION SUBJECT TO THIS POLICY

11. ANY OTHER COMPLAINT AS SPECIFIED IN A DISTRICT POLICY

The Board recognizes that Alternative Dispute Resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is agreeable to all parties. One type of ADR is mediation, which shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

The District shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. As appropriate, for any complaint alleging retaliation, or unlawful discrimination, such as discriminatory harassment, intimidation, or bullying, the Superintendent or designee shall keep confidential the identity of a complainant and/or the subject of the complaint, if he/she is different from the complainant, as long as the integrity of the complaint process is maintained.

UNIFORM COMPLAINT PROCEDURES (cont.)

(cf. 4119.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

When an allegation that is not subject to the UCP is included in a UCP complaint, the District shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP related allegation(s) through the District's UCP.

The Superintendent or designee shall provide training to District staff to ensure awareness and knowledge of current law and related requirements, including the steps and timelines specified in this policy and the accompanying administrative regulation.

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

The Superintendent or designee shall maintain records of all UCP complaints and the investigations of those complaints. All such records shall be destroyed in accordance with applicable state law and District policy.

(cf. 3580 - District Records)

Non-Uniform Complaint Procedures Complaints

The following complaints shall not be subject to the District's UCP but shall be referred to the specified agency: (5 CCR 4611)

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.
3. Any complaint alleging employment discrimination shall be sent to the California Department of Fair Employment and Housing and the compliance officer shall notify the complainant by first class mail of the transfer.
4. Any complaint alleging fraud shall be referred to the California Department of Education.

UNIFORM COMPLAINT PROCEDURES (cont.)

In addition, the District's Williams Uniform Complaint Procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments (Education Code 35186)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
222 Reasonable accommodations; lactating students
8200-8498 Child care and development programs
8500-8538 Adult basic education
18100-18203 School libraries
32289 School safety plan, uniform complaint procedures
35186 Williams uniform complaint procedures
48853-48853.5 Foster youth
48985 Notices in language other than English
49010-49013 Student fees
49060-49079 Student records
49069.5 Rights of parents
49490-49590 Child nutrition programs
51210 Courses of study grades 1-6
51223 Physical education, elementary schools
51225.1-51225.2 Foster youth and homeless children; course credits; graduation requirements
51228.1-51228.3 Course periods without educational content
52060-52077 Local control and accountability plan, especially
52075 Complaint for lack of compliance with local control and accountability plan requirements
52160-52178 Bilingual education programs
52300-52490 Career technical education
52500-52616.24 Adult schools
52800-52870 School-based program coordination
54400-54425 Compensatory education programs
54440-54445 Migrant education
54460-54529 Compensatory education programs
56000-56867 Special education programs
59000-59300 Special schools and center
64000-64001 Consolidated application process

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state
12900-12996 Fair Employment and Housing Act

PENAL CODE

422.55 Hate crime; definition
422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

3080 Application of section
4600-4687 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

UNIFORM COMPLAINT PROCEDURES (cont.)

1221 Application of laws
1232g Family Educational Rights and Privacy Act
1681-1688 Title IX of the Education Amendments of 1972
6301-6577 Title I basic programs
6801-6871 Title III language instruction for limited English proficient and immigrant students
7101-7184 Safe and Drug-Free Schools and Communities Act
7201-7283g Title V promoting informed parental choice and innovative programs
7301-7372 Title V rural and low-income school programs
12101-12213 Title II equal opportunity for individuals with disabilities
UNITED STATES CODE, TITLE 29
794 Section 504 of Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Acts of 194
6101-6107 Age Discrimination Act of 1975
CODE OF FEDERAL REGULATIONS, TITLE 28
35.107 Nondiscrimination of basis of disability; complaints
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
106.9 Notification of nondiscrimination on basis of sex
110.25 Notification of nondiscrimination on the basis of age

Management Resources:

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

Dear Colleague Letter: Title IX Coordinators, April 2015
Questions and Answers on Title IX and Sexual Violence, April 2014
Dear Colleague Letter: Bullying of Students with Disabilities, August 2013
Dear Colleague Letter; Sexual Violence, April 2011
Dear Colleague Letter: Harassment and Bullying, October 2010
Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, of Third Parties, January 2001

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2002

WEBSITES

California School Boards Association: www.csba.org
California Department of Education: www.cde.ca.gov
Family Policy Compliance Office: family.policy.ed.gov
U.S. Department of Education, Office for Civil Rights: www.ed.gov/about/offices/list/ocr
U.S. Department of Justice: www.justice.gov

Chino Valley Unified School District

Policy adopted: October 19, 1995

Revised: September 4, 2003

Revised: December 9, 2004

Revised: September 1, 2005

UNIFORM COMPLAINT PROCEDURES (cont.)

Revised: October 15, 2009

Revised: August 16, 2012

Revised: June 13, 2013

Revised: September 5, 2013

Revised: October 2, 2014

Revised: August 13, 2015

Revised: November 5, 2015

REVISED:

Chino Valley Unified School District

Our Motto:

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

DATE: September 15, 2016
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Jeanette Chien, Ed.D., Asst. Superintendent, Educational Services
**SUBJECT: REVISION OF ADMINISTRATIVE REGULATION 6153
INSTRUCTION – SCHOOL-SPONSORED TRIPS**

=====

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 6153 Instruction – School-Sponsored Trips is being revised to reflect current district practices. Deleted information regarding transportation for school related trips is found in Board Policy and Administrative Regulations 3541.1.

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 6153 Instruction – School-Sponsored Trips.

FISCAL IMPACT

None.

WMJ:JC:LM:imc

SCHOOL-SPONSORED TRIPS**SUPERVISION**

STUDENTS ON SCHOOL-SPONSORED TRIPS ARE UNDER THE JURISDICTION OF THE DISTRICT AND SHALL BE SUBJECT TO DISTRICT AND SCHOOL RULES AND REGULATIONS.

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5144 - Discipline)

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

THE SUPERINTENDENT OR DESIGNEE SHALL ENSURE THAT ADEQUATE SUPERVISION BY SCHOOL EMPLOYEES IS PROVIDED ON ALL SCHOOL-SPONSORED TRIPS AND THAT THERE IS AN APPROPRIATE RATIO OF ADULTS TO STUDENTS PRESENT ON THE TRIP. PARENTS ARE ENCOURAGED TO PARTICIPATE IN SUCH SUPERVISION. THERE SHALL BE ONE (1) ADULT CHAPERONE FOR EVERY TEN (10) STUDENTS.

PARENT/GUARDIAN PERMISSION

BEFORE A STUDENT CAN PARTICIPATE IN A SCHOOL-SPONSORED TRIP, THE TEACHER SHALL OBTAIN PARENT/GUARDIAN PERMISSION FOR THE TRIP. WHENEVER A TRIP INVOLVES WATER ACTIVITIES, THE PARENT/GUARDIAN SHALL PROVIDE SPECIFIC PERMISSION FOR HIS/HER CHILD TO PARTICIPATE IN THE WATER ACTIVITIES. THE DISTRICT SHALL PROVIDE AN ALTERNATIVE EDUCATIONAL EXPERIENCE FOR STUDENTS WHOSE PARENTS/GUARDIANS DO NOT WISH THEM TO PARTICIPATE IN A TRIP.

ALL PERSONS MAKING THE FIELD TRIP OR EXCURSION SHALL BE DEEMED TO HAVE WAIVED ALL CLAIMS AGAINST THE DISTRICT OR THE STATE OF CALIFORNIA FOR INJURY, ACCIDENT, ILLNESS, OR DEATH OCCURRING DURING OR BY REASON OF THE FIELD TRIP OR EXCURSION. ALL ADULTS TAKING OUT-OF-STATE FIELD TRIPS OR EXCURSIONS AND ALL PARENTS/GUARDIANS OF STUDENTS TAKING OUT-OF-STATE FIELD TRIPS OR EXCURSIONS SHALL SIGN A STATEMENT WAIVING SUCH CLAIMS. (EDUCATION CODE 35330)

SCHOOL-SPONSORED TRIPS (cont.)

SAFETY ISSUES

1. WHILE CONDUCTING A TRIP, THE TEACHER, EMPLOYEE, OR AGENT OF THE SCHOOL SHALL HAVE THE SCHOOL'S FIRST AID KIT IN HIS/HER POSSESSION OR IMMEDIATELY AVAILABLE. (EDUCATION CODE 32041)

WHENEVER TRIPS ARE CONDUCTED IN AREAS KNOWN TO BE INFESTED WITH POISONOUS SNAKES, THE FIRST AID KIT TAKEN ON THE TRIP SHALL CONTAIN MEDICALLY ACCEPTED SNAKEBITE REMEDIES. IN ADDITION, A TEACHER, EMPLOYEE, OR AGENT OF THE SCHOOL WHO HAS COMPLETED A FIRST AID COURSE WHICH IS CERTIFIED BY THE AMERICAN RED CROSS AND WHICH EMPHASIZES THE TREATMENT OF SNAKEBITES SHALL PARTICIPATE IN THE TRIP. (EDUCATION CODE 32043)

2. THE DISTRICT SHALL PROVIDE OR MAKE AVAILABLE MEDICAL AND/OR HOSPITAL INSURANCE FOR STUDENTS INJURED WHILE PARTICIPATING IN ANY EXCURSION OR FIELD TRIP. (EDUCATION CODE 35331)

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

(cf. 5143 - Insurance)

3. IF THE SUPERINTENDENT OR DESIGNEE RECEIVES THREAT LEVEL WARNINGS FROM THE HOMELAND SECURITY ADVISORY SYSTEM PERTAINING TO THE DESTINATION OF A SCHOOL-SPONSORED TRIP, HE/SHE SHALL IMPLEMENT PRECAUTIONS NECESSARY TO PROTECT THE SAFETY OF STUDENTS AND STAFF.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

4. LIFEGUARDS ARE REQUIRED FOR ALL SWIMMING ACTIVITIES. IF THE ACTIVITY IS AT A PRIVATE POOL, THE OWNER OF THE POOL SHALL PROVIDE A CERTIFICATE OF INSURANCE, DESIGNATING THE DISTRICT AS AN ADDITIONAL INSURED, FOR NOT LESS THAN \$500,000 IN LIABILITY COVERAGE. STAFF SHALL DETERMINE SUPERVISORY RESPONSIBILITIES FOR ALL CHAPERONES.

(cf. 3530 - Risk Management/Insurance)

(cf. 5141.7 - Sun Safety)

SCHOOL-SPONSORED TRIPS (cont.)

5. BEFORE TRIPS OF MORE THAN ONE DAY, THE PRINCIPAL OR DESIGNEE MAY HOLD A MEETING FOR STAFF, CHAPERONES, PARENTS/GUARDIANS, AND STUDENTS TO DISCUSS SAFETY AND THE IMPORTANCE OF SAFETY-RELATED RULES FOR THE TRIP.

(cf. 5142 - Safety)

Field Trips

Purpose of Field Trip

The Chino Valley Unified School District considers field trips to be a method of instruction and shall be planned as such, with definite instructional objectives to advance the learning of the District's adopted course of study.

1. Procedures for Field Trips

- a. A teacher planning to take a field trip ~~that is neither overnight nor 250 miles one way~~ shall make a request in writing and submit to the principal at least six (6) weeks prior to the date of the field trip along with a daily itinerary.

~~No fundraisers, written communication, bulletin notifications, activities or plans shall be made by the teacher until the principal has formally approved said trip.~~

The principals shall approve or disapprove the request and notify the teacher, if disapproved, the principal should state the reason(s).

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

~~Exception to regulation b above is to be proved when a student or group of students must attend a competitive event and notification of said event does not allow sufficient time for board approval. In such cases, the principal and superintendent or designee must approve.~~

~~If said trip involves overnight stay or is in excess of 250 miles (one way), no fundraisers, written communication, school bulletin notices, activities or plans shall be made until said trip is Board approved. This will be presented to the Board on Form 405 C & I (preliminary authorization).~~

SCHOOL-SPONSORED TRIPS (cont.)

- ~~e. The preliminary authorization by the Board will allow the petitioner to fundraise, communicate, coordinate with transportation, risk management and curriculum and instruction to prepare and agendaize 30 days before the impending Board meeting.~~
- d b. Specific written approval of parent or guardian is required before participation in any and all field trips on Form 399S.
- e. ~~Before a student can participate in a school-sponsored trip, the teacher shall obtain parent/guardian permission for the trip. Whenever a trip involves water activities, the parent/guardian shall provide specific permission for his/her child to participate in the water activities. The District shall provide an alternative educational experience for students whose parents/guardians do not wish them to participate in a trip~~
- f. ~~All persons making the field trip or excursion shall be deemed to have waived all claims against the District or the State of California for injury, accident, illness, or death occurring during or by reason of the field trip or excursion. All adults taking out-of-state field trips or excursions and all parents/guardians of students taking out-of-state field trips or excursions shall sign a statement waiving such claims. (Education Code 35330)~~

2. Supervision and Safety

- a. All field trips shall begin and end at the school.

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

- b. ~~On all school-sponsored field trips involving students, provisions shall be made for proper supervision by school employees. Parents are encouraged to participate in such supervision. There shall be one (1) adult chaperone for every ten (10) students. For overnight field trips, there shall be at least one (1) male adult chaperone for every ten (10) male students and at least one (1) female chaperone for every ten (10) female students.~~
- c. When a field trip is made to a place of business or industry the host company must serve as a guide.

SCHOOL-SPONSORED TRIPS (cont.)

- ~~d. While conducting a trip, the teacher, employee, or agent of the school shall have the school's first aid kit in his/her possession or immediately available. (Education Code 32041)~~
- ~~e. Whenever field trips are conducted in areas known to be infested with poisonous snakes, the following requirements of law shall be met: (Education Code 32043)~~
 - ~~1) The first aid kit on the field trip shall contain medically accepted snakebite remedies.~~
 - ~~2) A teacher, employee or any other agent of the school who has completed a course in first aid which emphasizes the treatment of snakebites shall accompany the field trip. Such a first aid course shall be certified by the American Red Cross.~~
 - ~~3) The District shall provide a first aid kit whenever students are taken on field trips under the supervision of a teacher, employee or agent of the school.~~
 - ~~4) Any member of the Board of Education, or Superintendent, principal, teacher, or school agent who willfully violates the provision regarding first aid on field trips, are guilty of a misdemeanor. (Education Code 32040)~~
- d. The teacher shall check the student roster before all departures from one destination to another.
- ~~f. If the Superintendent or designee receives threat level warnings from the Homeland Security Advisory System pertaining to the destination of a school-sponsored trip, he/she shall implement precautions necessary to protect the safety of students and staff.~~
- ~~g. Lifeguards are required for all swimming activities. If the activity is at a private pool, the owner of the pool shall provide a certificate of insurance, designating the District as an additional insured, for not less than \$500,000 in liability coverage.~~

SCHOOL-SPONSORED TRIPS (cont.)

4. Funding for and Equal Access to Field Trips

- a. No student shall be required to pay the costs of transportation, admission fees, lodging, or any other costs related to field trips or denied the opportunity to take part in a field trip because of an inability to pay admission fees, lunches, or any other costs.
- b. The District discourages field trips that depend on excessive amounts of fundraising and/or contributions from the parents and/or others.
- c. Fundraising activities shall not infringe upon the student's time to do homework assignments.
- d. Fundraising activities shall not jeopardize a student's safety.
- e. Teachers must receive parent permission slips prior to fundraising activities.

~~5. Transportation for Field Trips~~

- ~~a. Field trips requiring school bus transportation shall not interfere with the regularly scheduled transportation of students to and from school.

 - ~~1) The bus driver shall see that all rules and regulations are enforced in the use of school buses for field trips. Certificated personnel shall assist the bus driver in doing so and shall accompany the students riding the bus.~~~~
- ~~b. Chartered buses may be obtained provided that the requesting party request said chartered bus on Form 405 C & I and submit it with the field trip request form. The chartered bus must conform to all requirements as stated in Board Policy 3540 – 3540.1.~~
- ~~c. Air transportation shall be in accordance with Education Code 35332.~~
- ~~d. No student shall be transported to and/or from an off-site activity in a vehicle other than a Chino Valley Unified School District vehicle, or properly chartered vehicle (as per b and c above) unless all of the following criteria are met:

 - ~~1) Site administrator approves use.~~~~

SCHOOL-SPONSORED TRIPS (cont.)

- ~~2) Driver/owner provides Risk Management with proof of insurance in an amount that shall meet or exceed the legal minimum amount required by law.~~
 - ~~3) Driver/owner provides Risk Management with an original copy of a California Department of Motor Vehicles six-month driver's record search.~~
 - ~~4) Driver/owner provides Risk Management a copy of a valid and current California driver's license.~~
 - ~~5) Parents whose children are to be transported by another parent will provide a signed parental consent form by which parent/guardian gives approval for student to be transported in a specific private vehicle (Form 680-R91).~~
 - ~~6) Parents transporting solely their own children are exempt from furnishing items 2 through 5 above. They must, however, complete a Parent Driver Agreement Form (Form 1465RM-07/2009) annually. The form needs to be submitted to the site, which will be responsible for forwarding a copy to Risk Management.~~
 - ~~7) Owners, drivers and passengers shall understand that the registered owner and his/her insurance company are responsible for any vehicular accidents which may occur.~~
 - ~~8) All provisions of this administrative regulation apply to CVUSD employees when transporting students.~~
 - ~~9) All drivers and passengers shall wear seat belts in accordance with law. (Vehicle Code 273105)~~
 - ~~10) Trucks and pickups may not transport more persons than can safely sit in the passenger compartment.~~
 - ~~11) The number of passengers, including the driver, shall not exceed the capacity for which the vehicle was designed and should not in any case exceed 10. (Education Code 39830)~~
- ~~e. When District transportation is provided, students may be released from using District transportation for the return trip, only with the advance written permission of their parent/guardian, and the approval of the site administrator.~~

SCHOOL-SPONSORED TRIPS (cont.)

- ~~f. International field trips shall adhere to all rules and regulations as stated the international travel program as selected from the advisory list of international educational travel and exchange programs.~~

Student Travel (Part 2)

Purpose of Student Travel

The purpose of student travel is to provide the student with educational experiences other than those provided within the regular classroom setting ~~and/or regular classroom field trip experience. (For regular classroom field trips, see section titled, Field Trips.)~~ ALL STUDENT TRAVEL THAT REQUIRES OVERNIGHT STAY OR ARE IN EXCESS OF 250 MILES (ONE WAY) REQUIRE BOARD APPROVAL.

1. General Rules and Procedures for Student Travel Experiences
 - a. Travel experiences ~~(other than field trips organized within the regular classroom setting)~~ must be sponsored by district recognized club groups.
 - b. If student travel experiences take place during the regular instructional time, students must complete the requirements of their courses for the class time missed as outlined by the teacher of the respective courses.
 - c. Student shall be allowed to make up work missed during district approved experiences.
 - d. All board approved policies and regulations shall apply when students, staff, and chaperones are on student travel experiences.
 - e. Transportation may be provided for students, employees, and other individuals for student for school sponsored trips in accordance with Board Policy 3541.1 Transportation for School-Related Trips.
2. Procedures
 - a. Certificated employees must first receive approval from site administrator on student travel experience Form 405 C & I.

SCHOOL-SPONSORED TRIPS (cont.)

- b. Student travel that requires overnight stay or are in excess of 250 miles (one way) require Board approval.

~~Exception to regulation b above is to be provided when a student or group of students must attend a competitive event THAT and notification of said event does not allow sufficient time FOR of board approval. In such cases, the principal and Superintendent or designee must approve.~~

~~If said trip involves overnight stay or is in excess of 250 miles (one way), no fundraisers, written communication, school bulletin notices, activities or plans shall be made until said trip is board approved. This will be presented to the Board on Form 405 C & I (preliminary authorization).~~

- c. Specific written approval of parent/guardian is required before participation in any and all student travel on Form 399SS.
- d. The preliminary authorization by the Board will allow the petitioner to fundraise, communicate, coordinate with transportation, risk management, and educational services to prepare and agendaize 30 days before the impending board meeting.
- e. Parent agreement: upon receiving site principal and Board approval, the certificated employee organizing the travel experience must receive written permission of parent or guardian that the student may participate in the travel experience and sign a release and agreement form.
- f. No student travel experiences shall be allowed without Board approval which will be due at subsequent board meeting 30 days prior to the trip. The student must meet extra/co-curricular grade and citizenship regulations.

4. Supervision and Safety

- a. All student travel experiences must begin and end at school unless otherwise stated on the parent agreement form.
- b. There shall be one (1) adult chaperone for every ten (10) students. Otherwise trips must include male chaperones for male students and female chaperones for female students.

SCHOOL-SPONSORED TRIPS (cont.)

- ~~c. Before trips of more than one day, it is recommended that the principal or designee hold a meeting for staff, chaperones, parents/guardians, and students to discuss safety and the importance of safety-related rules for the trip. Staff shall determine supervisory responsibilities for all chaperones.~~
 - ~~d. When a travel experience is made to a place of business or industry, the host company must serve as a guide.~~
 - ~~e. A first aid kit shall be provided on all student travel experiences.~~
 - f. The certificated employee shall check a student roster before all departures from one destination to another.
 - ~~g. Whenever student travel is conducted in areas known to be infested with poisonous snakes, the following requirements of law shall be met: (Education Code 32043)~~
 - ~~1) The first aid kit on the student travel shall contain medically accepted snakebite remedies.~~
 - ~~2) A teacher, employee or any agent of the school who has completed a course in first aid which emphasizes the treatment of snakebites shall accompany the student travel. Such a first aid course shall be certified by the American Red Cross.~~
 - ~~3) The District shall provide a first aid kit whenever students are taken on student travel under the supervision of a teacher, employee or agent of the school.~~
 - ~~4) Any member of the Board of Education, or Superintendent, principal, teacher, or school agent who willfully violates the provisions regarding the first aid on student travel, are guilty of a misdemeanor (Education Code 32040).~~
5. International Travel
- a. Any INTERNATIONAL foreign travel must be conducted ARRANGED THROUGH by a program listed in the advisory list of Educational Travel and Exchange Programs published by the Council on Standards for International Educational Travel or American Leadership Study Group, EF Educational Tours OR and Cultural Heritage Alliance, and adhere to all supervision safety standards therein.

SCHOOL-SPONSORED TRIPS (cont.)

Any request for INTERNATIONAL ~~foreign~~ travel that does not meet this criteria in ~~section 4 h (above)~~ must be recommended and justified before the Board of Education by the principal during the preliminary request. The employees and students ~~going on said trip~~ shall provide proof of insurance coverage to Risk Management. All parties ~~going on said trip~~ shall sign a hold harmless clause with the Chino Valley Unified School District.

- b. Provisions for all INTERNATIONAL ~~foreign~~ travel must include:
 - 1) Refund should tour be canceled
 - 2) Provisions that ensure living accommodations and return travel if funding tour is mishandled or misappropriated
 - 3) Chino Valley Unified School District named as ADDITIONAL ~~added~~ insured
 - 4) Minimum of \$10,000,000 liability coverage
 - 5) Certificate of Insurance of the above two (2) items
- 6. Funding for Student Travel
 - a. Student participation in travel experiences is strictly voluntary and students may be expected to bear the entire cost. ~~of said travel experiences.~~
 - b. Club groups may fundraise for student participation in travel experiences.
 - c. The District discourages travel experiences that depend on excessive amounts of fundraising and/or contributions from parents and/or others.
 - d. Fundraising activities shall not infringe upon the student's time to do homework assignments.
 - e. Fundraising activities shall not jeopardize a student's safety. Parent acceptance of responsibility of student while fundraising is required.

Chino Valley Unified School District

Regulation approved: August 21, 1997

Revised: June 23, 1999

Revised: January 19, 2012

Revised: March 15, 2012

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 15, 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 BOARD POLICY 4030 PERSONNEL -
NONDISCRIMINATION IN EMPLOYMENT**

=====

BACKGROUND

Board policies, administrative regulations, and bylaws of the Board are routinely developed and revised as a result of changes in law, mandates, federal regulations, and current practice. Board Policy 4030 Personnel – Nondiscrimination in Employment is being revised to add verbiage on prohibited discrimination against an employee or job applicant on the basis of his/her association with a person or group with one or more of the legally defined protected characteristics.

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 4030 Personnel – Nondiscrimination in Employment.

FISCAL IMPACT

None.

WMJ:GP:LF:RR:mcm

NONDISCRIMINATION IN EMPLOYMENT

The Board of Education desires to provide a positive work environment where employees and job applicants are assured of equal access and opportunities and are free from harassment in accordance with law. The Board of Education prohibits any District employees from discriminating against or harassing any other District employee or job applicant on the basis of the person's actual or perceived race, ~~religion~~ RELIGIOUS creed, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, gender, gender identity, gender expression, sex, or sexual orientation. OR ASSOCIATION WITH A PERSON OR GROUP WITH ONE OR MORE OF THESE ACTUAL OR PERCEIVED CHARACTERISTICS.

cf. 0410 - Nondiscrimination in District Programs and Activities
cf. 4119.11 - Sexual Harassment
cf. 4119.41 - Employees with Infectious Disease
cf. 5145.7 - Sexual Harassment

Prohibited discrimination consists of the taking of any adverse employment action against a person, including termination or denial of promotion, job assignment, or training, or in discriminating against the person in compensation, terms, conditions, or other privileges of employment based on any of the prohibited categories of discrimination listed above.

cf. 4154 - Health and Welfare Benefits
cf. 4032 - Reasonable Accommodation

The prohibition against discrimination based on the religious creed of an employee or job applicant includes any discrimination based on the person's religious dress or grooming practices or any conflict between the person's religious belief, observance, or practice and an employment requirement. IN ACCORDANCE WITH GOVERNMENT CODE 12940, PROHIBITED DISCRIMINATION ON THE BASIS OF RELIGIOUS CREED ALSO INCLUDES THE DISTRICT'S FAILURE OR REFUSAL TO USE REASONABLE MEANS TO ACCOMMODATE AN EMPLOYEE'S OR JOB APPLICANT'S RELIGIOUS BELIEF, OBSERVANCE, OR PRACTICE WHICH CONFLICTS WITH AN EMPLOYMENT REQUIREMENT. HOWEVER, THE DISTRICT SHALL NOT ACCOMMODATE AN EMPLOYEE'S RELIGIOUS DRESS PRACTICE OR RELIGIOUS GROOMING PRACTICE IF IT REQUIRES SEGREGATION OF THE INDIVIDUAL FROM OTHER EMPLOYEES OR THE PUBLIC OR IF IT WOULD RESULT IN A VIOLATION OF THIS POLICY OR ANY LAW PROHIBITING DISCRIMINATION. The prohibition against discrimination based on the sex of an employee or job applicant shall include any discrimination based on the person's pregnancy, childbirth, breastfeeding, or any related medical conditions. (Government Code 12926, 12940)

cf. 4033 - Lactation Accommodation

NONDISCRIMINATION IN EMPLOYMENT

Harassment consists of any unwelcome verbal, physical, or visual conduct that is based on any of the prohibited categories of discrimination listed above and that is so severe or pervasive that it adversely affects an individual's employment opportunities, has the purpose or effect of unreasonable interfering with the individual's work performance, or creates an intimidating hostile, or offensive work environment.

cf. 4119.11/4219.11/4319.11 - Sexual Harassment

The Board also prohibits retaliation against any District employee or job applicant who complains, testifies, assists, or in any way participates in the District's complaint procedures instituted pursuant to this policy. **NO EMPLOYEE OR JOB APPLICANT WHO REQUESTS AN ACCOMMODATION FOR ANY PROTECTED CHARACTERISTIC LISTED IN THIS POLICY SHALL BE SUBJECTED TO ANY PUNISHMENT OR SANCTION, REGARDLESS OF WHETHER THE REQUEST WAS GRANTED. (GOVERNMENT CODE 12940)**

Any District employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Suspension/Disciplinary Action)

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

The following position is designated as Coordinator for Nondiscrimination in Employment:

Assistant Superintendent, Human Resources
5130 Riverside Drive
Chino, California 91710-4310
(909) 628-1201 ext. 1111

Any employee or job applicant who believes that he/she has been or is being discriminated against or harassed in violation of District policy should, as appropriate, immediately contact his/her supervisor, the Coordinator, or the Superintendent who shall advise the employee or applicant about the District's procedures for filing, investigating, and resolving any such complaint.

Complaints regarding employment discrimination or harassment shall immediately be investigated in accordance with AR 4031 – Complaints Concerning Discrimination in Employment.

(cf. 4031 - Complaints Concerning Discrimination in Employment)

NONDISCRIMINATION IN EMPLOYMENT

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to the Coordinator or Superintendent as soon as practical after the incident. All other employees are to report such incidents to their supervisor immediately.

THE SUPERINTENDENT OR DESIGNEE SHALL USE APPROPRIATE MEANS TO REINFORCE THE DISTRICT'S NONDISCRIMINATION POLICY. HE/SHE SHALL PROVIDE TRAINING AND INFORMATION TO EMPLOYEES ABOUT HOW TO RECOGNIZE HARASSMENT AND DISCRIMINATION, HOW TO RESPOND APPROPRIATELY, AND COMPONENTS OF THE DISTRICT'S POLICIES AND REGULATIONS REGARDING DISCRIMINATION. THE SUPERINTENDENT OR DESIGNEE SHALL REGULARLY REVIEW THE DISTRICT'S EMPLOYMENT PRACTICES AND, AS NECESSARY, SHALL TAKE ACTION TO ENSURE DISTRICT COMPLIANCE WITH THE NONDISCRIMINATION LAWS.

NOTIFICATIONS

~~The Superintendent or designee shall regularly publicize, within the District and in the community, the District's nondiscrimination policy and the availability of complaint procedures. Such publication shall be included in each announcement, bulletin or application form that is used in employee recruitment. (34 CFR 100.6, 106.9)~~

The District's policy shall be posted in all DISTRICT schools and offices including staff lounges (5 CCR 4960)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

CIVIL CODE

51.7 Freedom from violence or intimidation

GOVERNMENT CODE

11135 Unlawful discrimination

11138 Rules and regulations

12900-12996 Fair Employment and Housing Act

PENAL CODE

422.56 Definitions, hate crimes

CODE OF REGULATIONS, TITLE 2

11019 Terms, conditions and privileges of employment

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 29

621-634 Age Discrimination in Employment Act

794 Section 504 of the Rehabilitation Act of 1973

NONDISCRIMINATION IN EMPLOYMENT

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964, as amended
2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended
2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age discrimination in federally assisted programs
12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 34

100.6 Compliance information
104.7 Designation of responsible employee for Section 504
104.8 Notice
106.8 Designation of responsible employee and adoption of grievance procedures
106.9 Dissemination of policy
110.1-110.39 Nondiscrimination on the basis of age

COURT DECISIONS

Thompson v. North American Stainless LP, (2011) 131 S.Ct. 863
Shephard v. Loyola Marymount, (2002) 102 Cal.App.4th 837

Management Resources:

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

Notice of Non-Discrimination, August 20110

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

Questions and Answers: Religious Discrimination in the Workplace, 2008

New Compliance Manual Section 15: Race and Color Discrimination, April 2006

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

WEBSITES

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

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

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

Chino Valley Unified School District

Policy adopted: November 16, 1995 Revised: March 23, 2000

Revised: April 20, 2000

Revised: September 16, 2010

Revised: September 6, 2012

Revised: September 5, 2013

Revised: November 5, 2015

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 15, 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 4161.2
PERSONNEL – PERSONAL LEAVES**

=====

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 4161.2 Personnel – Personal Leaves is being revised to reflect new law (SB 579, 2015) which expands the purposes of leave for child-related activities, crime victims and victim of domestic violence, sexual assault and stalking.

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 4161.2 Personnel – Personal Leaves.

FISCAL IMPACT

None.

WMJ:GP:LF:RR:mcm

Personnel

AR 4161.2(a)

4261.2(a)

PERSONAL LEAVES

4361.2(a)

PERSONAL LEAVES GRANTED TO DISTRICT EMPLOYEES SHALL BE USED AS PERMITTED IN THIS ADMINISTRATIVE REGULATION, OTHER BOARD-APPROVED POLICY OR DISTRICT REGULATION, OR APPLICABLE COLLECTIVE BARGAINING AGREEMENT.

Whenever possible, employees shall request personal leaves in advance and prepare suitable instructions, including lesson plans as applicable, for a substitute employee.

(cf. 4121 - Temporary/Substitute Personnel)

Bereavement

Employees are entitled to a leave of up to three days, or five days if out-of-state travel is required, or if travel distance is 400 miles, or more, round trip upon the death of any member of the employee's immediate family. No deduction shall be made from the employee's salary, nor shall such leave be deducted from any other leave to which the employee is entitled. (Education Code 44985, 45194)

(cf. 4161/4261/4361 - Leaves)

Members of the immediate family include; (Education Code 44985, 45194)

1. The mother, father, grandmother, grandfather, or grandchild of the employee or of the employee's spouse
2. The employee's spouse, son, son-in-law, daughter, daughter-in-law, brother, or sister
3. Any relative living in the employee's immediate household

At the employee's request, bereavement leave may be extended under personal necessity leave provisions as provided in the section "Personal Necessity" below. (Education Code 44981, 45207)

Personal Necessity

Employees may use up to ten days of their accrued personal illness/injury leave (sick leave) during each school year for reasons of personal necessity. (Education Code 44981, 45207)

(cf. 4161.1 - Personal Illness/Injury Leave)

(cf. 4261.1 - Personal Illness/Injury Leave)

Acceptable reasons for the use of personal necessity leave include:

PERSONAL LEAVES (cont.)

1. Death of a member of the employee's immediate family when the number of days of absence exceeds the limits set by bereavement leave provisions. (Education Code 44981,45207)
2. An accident involving the employee's person or property or the person or property of a member of the employee's immediate family. (Education Code 44981, 45207)
3. ~~A serious~~ illness, PREVENTIVE CARE, OR OTHER NEED of a member of the certificated employee's immediate family. (Education Code 44981; LABOR CODE 246.5)

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

4. A classified employee's appearance in any court or before any administrative tribunal as a litigant, party, or witness under subpoena or other order. (Education Code 45207)
5. Fire, flood, or other immediate danger to the home of the employee.
6. Personal business of a serious nature which the employee cannot disregard.

Leave for personal necessity may be allowed for other reasons at the discretion of the Superintendent or designee. However, personal necessity leave shall not be granted for purposes of personal convenience, for the extension of a holiday or vacation, or for matters which can be taken care of outside of working hours. The Superintendent or designee shall have final discretion as to whether or not a request reflects personal necessity.

Advance permission shall not be required of any employees in any case involving the death of a member of the employee's immediate family, or an accident involving the employee's person or property or the person or property of a member of his/her immediate family, or the ~~serious~~ illness, PREVENTIVE CARE, OR OTHER NEED of a member of the employee's immediate family. (Education Code 44981, 45207)

FOR ANY LEAVE THAT IS PLANNED, OR WHERE THE NEED FOR LEAVE IS FORESEEABLE, AN EMPLOYEE SHALL NOTIFY THE SUPERINTENDENT OR DESIGNEE IN ADVANCE. However, the employee shall notify the Superintendent or designee of the need for the leave as soon as practicable.

After any absence due to personal necessity, the employee shall verify the absence by submitting a completed and signed District absence form to his/her immediate supervisor.

PERSONAL LEAVES (cont.)

Legal Duties

An employee may take time off work in order to: (Labor Code 230)

1. Serve on an inquest jury or trial jury
2. Comply with a subpoena or other court order to appear as a witness

Notices, summons, and subpoenas for court appearances shall be submitted to the District office when requesting leave.

A classified employee called for jury duty shall be granted leave with pay up to the amount of the difference between his/her regular earnings and any amount received for jury fees. (Education Code 44037)

A certificated employee also shall be granted leave for jury duty with pay up to the amount of the difference between his/her regular earnings and any amount received for jury fees.

Employees shall be granted leave to appear in court as witnesses other than litigants or to respond to an official order from another governmental jurisdiction for reasons not brought about through the connivance or misconduct of the employee. Such employees shall receive pay up to the amount of the difference between the employee's regular earnings and any amount received for witness fees.

LEAVES FOR CRIME VICTIMS

AN EMPLOYEE MAY BE ABSENT FROM WORK IN ORDER TO ATTEND JUDICIAL PROCEEDINGS RELATED TO A CRIME WHEN HE/SHE IS A VICTIM, OR AN IMMEDIATE FAMILY MEMBER: (LABOR CODE 230.2)

1. A VIOLENT FELONY AS DEFINED IN PENAL CODE 667.5(C)
2. A SERIOUS FELONY AS DEFINED IN PENAL CODE 1192.7(C)
3. A FELONY PROVISION OF LAW PROSCRIBING THEFT OR EMBEZZLEMENT

FOR THESE PURPOSES, THE EMPLOYEE MAY USE VACATION, PERSONAL LEAVE, PERSONAL ILLNESS/INJURY LEAVE, UNPAID LEAVE, OR COMPENSATORY TIME OFF THAT IS OTHERWISE AVAILABLE TO THE EMPLOYEE. (LABOR CODE 230.2)

PERSONAL LEAVES (cont.)

PRIOR TO TAKING TIME OFF, AN EMPLOYEE SHALL GIVE HIS/HER SUPERVISOR A COPY OF THE NOTICE OF EACH SCHEDULED PROCEEDING THAT IS PROVIDED BY THE RESPONSIBLE AGENCY, UNLESS ADVANCE NOTICE IS NOT FEASIBLE. WHEN ADVANCE NOTICE IS NOT FEASIBLE OR AN UNSCHEDULED ABSENCE OCCURS, THE EMPLOYEE SHALL, WITHIN A REASONABLE TIME AFTER THE ABSENCE, PROVIDE DOCUMENTATION EVIDENCING THE JUDICIAL PROCEEDING FROM THE COURT OR GOVERNMENT AGENCY SETTING THE HEARING, THE DISTRICT ATTORNEY OR PROSECUTING ATTORNEY'S OFFICE, OR THE VICTIM/WITNESS OFFICE THAT IS ADVOCATING ON BEHALF OF THE VICTIM. (LABOR CODE 230.2)

THE DISTRICT SHALL KEEP CONFIDENTIAL ANY RECORDS PERTAINING TO THE EMPLOYEE'S ABSENCE FROM WORK BY REASON OF THIS LEAVE. (LABOR CODE 230.2)

LEAVES FOR VICTIMS OF DOMESTIC VIOLENCE, SEXUAL ASSAULT AND STALKING

AN EMPLOYEE WHO IS A VICTIM OF DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING AS DEFINED BY LAW MAY USE VACATION, SICK LEAVE, PERSONAL LEAVE, OR COMPENSATORY TIME OFF THAT IS OTHERWISE AVAILABLE TO HIM/HER UNDER THE TERMS OF HIS/HER EMPLOYMENT TO ATTEND TO THE FOLLOWING ACTIVITIES: (LABOR CODE 230, 230.1, 246.5)

1. OBTAIN OR ATTEMPT TO OBTAIN ANY RELIEF, INCLUDING, BUT NOT LIMITED TO, A TEMPORARY RESTRAINING ORDER, RESTRAINING ORDER, OR OTHER INJUNCTIVE RELIEF TO HELP ENSURE THE HEALTH, SAFETY, OR WELFARE OF THE EMPLOYEE OR HIS/HER CHILD
2. SEEK MEDICAL ATTENTION FOR INJURIES CAUSED BY DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING
3. OBTAIN SERVICES FROM A DOMESTIC VIOLENCE SHELTER, PROGRAM, OR RAPE CRISIS CENTER AS A RESULT OF DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING
4. OBTAIN PSYCHOLOGICAL COUNSELING RELATED TO AN EXPERIENCE OF DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING
5. PARTICIPATE IN SAFETY PLANNING AND TAKE OTHER ACTIONS TO INCREASE SAFETY FROM FUTURE DOMESTIC VIOLENCE, SEXUAL

PERSONAL LEAVES (cont.)

ASSAULT, OR STALKING, INCLUDING TEMPORARY OR PERMANENT RELOCATION

PRIOR TO TAKING TIME OFF, AN EMPLOYEE SHALL GIVE REASONABLE NOTICE TO HIS/HER SUPERVISOR, UNLESS ADVANCE NOTICE IS NOT FEASIBLE. WHEN AN UNSCHEDULED ABSENCE OCCURS, THE EMPLOYEE SHALL PROVIDE, WITHIN A REASONABLE PERIOD OF TIME, CERTIFICATION OF THE ABSENCE IN THE FORM OF ANY OF THE FOLLOWING: (LABOR CODE 230, 230.1)

1. A POLICE REPORT INDICATING THAT THE EMPLOYEE WAS A VICTIM OF DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING
2. A COURT ORDER PROTECTING OR SEPARATING THE EMPLOYEE FROM THE PERPETRATOR OF AN ACT OF DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING, OR OTHER EVIDENCE FROM THE COURT OR PROSECUTING ATTORNEY THAT THE EMPLOYEE HAS APPEARED IN COURT
3. DOCUMENTATION FROM A DOMESTIC VIOLENCE OR SEXUAL ASSAULT COUNSELOR AS DEFINED IN EVIDENCE CODE 1037.1 OR 1035.2, LICENSED MEDICAL PROFESSIONAL OR HEALTH CARE PROVIDER, OR COUNSELOR THAT THE EMPLOYEE WAS UNDERGOING TREATMENT FOR PHYSICAL OR MENTAL INJURIES OR ABUSE RESULTING IN VICTIMIZATION FROM AN ACT OF DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING

THE DISTRICT SHALL MAINTAIN THE CONFIDENTIALITY OF SUCH AN EMPLOYEE TO THE EXTENT AUTHORIZED BY LAW. (LABOR CODE 230, 230.1)

Personal Leave for a Child-~~s~~ School RELATED Activities

Any employee who is a parent/guardian ~~or grandparent having custody~~ of one or more children enrolled in grades K-12, or who attending a licensed day care facility may use up to 40 hours of personal leave, vacation or compensatory time off each school year in order to: ~~participate in school or day care activities. Such leave shall not exceed eight hours in any month of year. The employee shall give reasonable advance notice of the absence. (Labor Code 230.8)~~

1. FIND, ENROLL, OR REENROLL HIS/HER CHILD IN A SCHOOL OR WITH A LICENSED CHILD CARE PROVIDER OR TO PARTICIPATE IN ACTIVITIES OF THE SCHOOL OR CHILD CARE PROVIDER, PROVIDED THE EMPLOYEE GIVES REASONABLE ADVANCE NOTICE OF THE ABSENCE. TIME OFF FOR THIS PURPOSE SHALL NOT

PERSONAL LEAVES (cont.)

EXCEED EIGHT HOURS IN ANY CALENDAR MONTH.

2. ADDRESS A SCHOOL OR CHILD CARE EMERGENCY, PROVIDED THE EMPLOYEE GIVES NOTICE. AN EMERGENCY EXISTS WHEN THE CHILD CANNOT REMAIN IN SCHOOL OR WITH A CHILD CARE PROVIDER DUE TO ONE OF THE FOLLOWING CIRCUMSTANCES:
 - a. A REQUEST BY THE SCHOOL OR CHILD CARE PROVIDER THAT THE CHILD BE PICKED UP
 - b. AN ATTENDANCE POLICY, EXCLUDING PLANNED HOLIDAYS, THAT PROHIBITS THE CHILD FROM ATTENDING OR REQUIRES THAT THE CHILD BE PICKED UP FROM THE SCHOOL OR CHILD CARE PROVIDER
 - c. BEHAVIORAL OR DISCIPLINE PROBLEMS
 - d. CLOSURE OR UNEXPECTED UNAVAILABILITY OF THE SCHOOL OR CHILD CARE PROVIDER, EXCLUDING PLANNED HOLIDAYS
 - e. A NATURAL DISASTER, INCLUDING, BUT NOT LIMITED TO, FIRE, EARTHQUAKE, OR FLOOD

(cf. 5148 - Child Care and Development)

FOR PURPOSES OF THIS LEAVE, PARENT/GUARDIAN INCLUDES A PARENT, GUARDIAN, STEPPARENT, FOSTER PARENT, GRANDPARENT, OR PERSON WHO STANDS IN LOCO PARENTIS TO A CHILD. (LABOR CODE 230.8)

If both parents/GUARDIAN of a child are employed at the same work site, this leave shall be allowed for the first parent/GUARDIAN who applies; simultaneous absence by the second parent/GUARDIAN OF THE CHILD may be granted by the Superintendent or designee. (Labor Code 230.8)

SUCH LEAVE SHALL NOT EXCEED EIGHT HOURS IN ANY MONTH OF YEAR. THE EMPLOYEE SHALL GIVE REASONABLE ADVANCE NOTICE OF THE ABSENCE. (LABOR CODE 230.8)

In lieu of using vacation, personal leave or compensatory time off, eligible employees giving reasonable advance notice may take up to 40 hours without pay each school year for this purpose, not to exceed eight hours in any month.

AR 4161.2(g)
4261.2(g)
4361.2(g)

PERSONAL LEAVES (cont.)

Upon request by the Superintendent or designee, the employee shall provide documentation from the school or license day care facility that he/she participated in ~~school or licensed day care facility activities~~ PERMITTED CHILD-RELATED ACTIVITIES on a specific date and at a particular time. (Labor Code 230.8)

Service on Education Boards and Committees

Upon request, a certificated employees shall be granted up to 20 school days of paid leave per school year for service performed within the state on any education board, commissions, committee or group authorized by Education Code 44987.3, provided that all the following conditions are met. (Education Code 44987.3)

1. The service is performed within the state.
2. The board, commission, organization, or group informs the District in writing of the service.
3. The board, commission, organization, or group agrees, prior to the service, to reimburse the District, upon the District's request, for compensation paid to the employee's substitute and for actual related administrative costs.

EMPLOYEE ORGANIZATION ACTIVITIES

Employees may take a leave of absence without loss of compensation to serve as an elected officer of a district employee organization or any statewide or national employee organization with which the local organization is affiliated. The leave shall include, but is not limited to, absence for purposes of attending periodic, stated, special or regular meetings of the body of the organization. (Education Code 44987, 45210)

(cf. 4140/4240/4340 - Bargaining Units)
(cf. 4143/4243 - Negotiations)

Spouse on Leave from Military Deployment

An employee who works an average of 20 hours or more per week and whose spouse is a member of the United States Armed Forces, National Guard, or reserves may take up to 10 days of unpaid leave during a period that his/her spouse is on leave from deployment during a military conflict, as defined in Military and Veterans Code 395.10. (Military and Veterans Code 395.10)

Within two business days of receiving official notice that his/her spouse will be on leave from deployment, the employee shall provide the Superintendent or designee with notice of his/her intention to take the leave. The employee shall submit written documentation

PERSONAL LEAVES (cont.)

certifying that his/her spouse will be on leave from deployment during the time that the leave is requested. (Military and Veterans Code 395.10)

Leave for Emergency Duty

An employee may take time off to perform emergency duty as a volunteer firefighter, a reserve peace officer, or emergency rescue personnel. (Labor Code 230.3)

An employee who performs duty as is a volunteer firefighter, reserve peace officer, or emergency rescue personnel shall be permitted to take temporary leaves of absence, not to exceed an aggregate total of 14 days per calendar year, for the purpose of engaging in fire, law enforcement, or emergency rescue training. (Labor Code 230.4)

Civil Air Patrol Leave

An employee may take up to 10 days of unpaid leave per calendar year, beyond any leave otherwise available to him/her, to respond to an emergency operational mission of the California Civil Air Patrol, provided that the employee has been employed by the

District for at least a 90-day period immediately preceding the leave. Such leaves shall not exceed three days for a single mission, unless an extension is granted by the governmental entity authorizing the mission and is approved by the Superintendent or designee. (Labor Code 1501, 1503)

The employee shall give the District as much advance notice as possible of the intended dates of the leave. The Superintendent or designee may require certification from the proper Civil Air Patrol authority to verify the eligibility of the employee for the leave and may deny the leave if the employee fails to provide the required certification. (Labor Code 1503)

Legal Reference:

EDUCATION CODE

- 44036-44037 Leaves of absence for judicial and official appearances
- 44963 Power to grant leaves of absence (certificated)
- 44981 Leaves of absence for personal necessity (certificated)
- 44985 Leave of absence due to death in immediate family (certificated)
- 44987 Service as Officer of Employee Organization (certificated)
- 44987.3 Leave of absence to serve on certain boards, commissions, etc.
- 45190 Leaves of absence and vacations (classified)
- 45194 Bereavement leave of absence (classified)
- 45198 Effect of provisions authorizing leaves of absence
- 45207 Personal necessity (classified)
- 45210 Service as Officer of Employee Organization (classified)
- 45240-45320 Merit system, classified employees

PERSONAL LEAVES (cont.)

EVIDENCE CODE

1035.2 Sex assault counselor; definition
1037.1 Domestic violence counselor; definition

FAMILY CODE

297-297.5 Registered domestic partner rights, protections, and benefits

GOVERNMENT CODE

3543.1 Release time for representatives of employee organizations
12945.1-12945.2 California Family Rights Act

LABOR CODE

230-230.2 Leave for victims of domestic violence, sexual assault, or specified felonies
230.3 Leave for emergency personnel
230.4 Leave for volunteer firefighters
230.8 Leave to visit child's school
233 Illness of child, parent, spouse, domestic partner or domestic partner's child
234 Absence control policy
246.5 Paid sick days, purposes for use
1500-1507 Civil Air Patrol leave

MILITARY AND VETERANS CODE

395.10 Leave when spouse on leave from military deployment

PENAL CODE

667.5 Violent felony, defined
1192.7 Serious felony, defined

CALIFORNIA CONSTITUTION

Article 1, Section 8 Religious discrimination

UNITED STATES CODE, TITLE 29

2601-2654 Family and Medical Leave Act

UNITED STATES CODE, TITLE 42

2000D-2000D-7 vii, Civil Rights Act of 1964

COURT DECISIONS

Rankin v. Commission on Professional Competence, (1988) 24 Cal.3d 167

PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS

Berkeley Council of Classified Employees v. Berkeley Unified School District, (2008) PERB Decision No. 1954

Management Resources:

WEBSITES

California Federation of Teachers: www.cft.org
California School Employees Association: www.csea.com
California Teachers Association: www.cta.org
Public Employment Relations Board: www.perb.ca.gov

Chino Valley Unified School District

Regulation approved: November 16, 1995

Revised: April 1, 1999

Revised: March 23, 2000

Revised: April 20, 2000

Revised: March 1, 2001

Revised: October 2, 2003

PERSONAL LEAVES (cont.)

AR 4161.2(j)
4261.2(j)
4361.2(j)

Revised: October 15, 2015
REVISED: