



CHINO VALLEY
UNIFIED SCHOOL DISTRICT

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

BOARD OF EDUCATION

AGENDA

April 6, 2017

BOARD OF EDUCATION

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

SUPERINTENDENT
Wayne M. Joseph

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

CHINO VALLEY UNIFIED SCHOOL DISTRICT

REGULAR MEETING OF THE BOARD OF EDUCATION

District Office Board Room

5130 Riverside Drive, Chino, CA 91710

5:00 p.m. – Closed Session • 7:00 p.m. – Regular Meeting

April 6, 2017

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.
- Order of business is approximate and subject to change.

I. OPENING BUSINESS

I.A. CALL TO ORDER – 5:00 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) (15 minutes)
- b. Student Expulsion Matter (Education Code 35146, 48918 (c) & (j)): Case 16/17-35. (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): (45 minutes)
- e. Public Employee Appointment (Government Code 54957): Elementary assistant principal. (10 minutes)
- f. Public Employee Performance Evaluation (Government Code 54957): Superintendent. (15 minutes)

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

1. Report Closed Session Action
2. Pledge of Allegiance

I.C. PRESENTATIONS

1. Student Showcase: Canyon Hills JHS
2. 8th Annual Hit the Greens for Scholarships Donation
3. Local Control and Accountability Plan

- 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. HUMAN RESOURCES

II.A.1. Resolution 2016/2017-28 Notice of Layoff of Certain Classified Staff Pursuant to Education Code 45117 and 45298

Page 7

Recommend the Board of Education adopt Resolution 2016/2017-28 Notice of Layoff of Certain Classified Staff pursuant to Education Code 45117 and 45298.

III. CONSENT

Motion ____ **Second** ____
Preferential Vote: ____
Vote: Yes ____ **No** ____

III.A. ADMINISTRATION

III.A.1. Minutes of the Regular Meeting of March 16, 2017

Page 9

Recommend the Board of Education approve the minutes of the regular meeting of March 16, 2017.

III.B. BUSINESS SERVICES

III.B.1. Warrant Register

Page 17

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

III.B.2. Fundraising Activities

Page 18

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

III.B.3. Donations

Page 21

Recommend the Board of Education accept the donations.

III.B.4. Legal Services

Page 25

Recommend the Board of Education approve payment for legal services to the law offices of Chidester, Margaret A. & Associates; and McCune & Harber, LLP.

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

III.C.1. Student Expulsion Case 16/17-35

Page 26 Recommend the Board of Education approve the student expulsion case 16/17-35.

III.C.2. West End Special Education Local Plan Area Local Plan

Page 27 Recommend the Board of Education approve the West End Special Education Local Plan Area Local Plan.

III.C.3. School Probation Officer Program for 2017/2018

Page 91 Recommend the Board of Education approve the School Probation Officer Program for 2017/2018.

III.C.4. School-Sponsored Trips

Page 92 Recommend the Board of Education approve/ratify the school-sponsored trips for Ayala HS.

III.C.5. Proclamation for Alcohol Awareness Month, April 2017

Page 94 Recommend the Board of Education adopt the proclamation for Alcohol Awareness Month, April 2017.

III.D. FACILITIES, PLANNING, AND OPERATIONS

III.D.1. Purchase Order Register

Page 96 Recommend the Board of Education approve/ratify the purchase order register, provided under separate cover.

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

Page 97 Recommend the Board of Education approve/ratify the Agreements for Contractor/Consultant Services.

III.D.3. Surplus/Obsolete Property

Page 100 Recommend the Board of Education declare the District property surplus/obsolete and authorize staff to sell/dispose of said property.

III.D.4. Notice of Completion for CUPCCAA Projects

Page 102 Recommend the Board of Education approve the Notice of Completion for CUPCCAA Projects.

III.D.5. Resolutions 2016/2017-29, and 2016/2017-30 for Authorization to Utilize Piggyback Contracts

Page 103 Recommend the Board of Education adopt Resolutions 2016/2017-29, and 2016/2017-30 for authorization to utilize piggyback contracts.

III.D.6. Revision of Board Policy 3311 Business and Noninstructional Operations—Bids

Page 109

Recommend the Board of Education approve the revision of Board Policy 3311 Business and Noninstructional Operations—Bids.

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

Page 113

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

III.E.2. Revision of the Job Description for Director of Communications

Page 120

Recommend the Board of Education approve the revision of the job description for Director of Communications.

III.E.3. Revision of Board Policy 4113 Certificated Personnel—Assignment

Page 127

Recommend the Board of Education approve the revision of Board Policy 4113 Certificated Personnel—Assignment.

IV. INFORMATION**IV.A. CURRICULUM, INSTRUCTION, INNOVATION, AND SUPPORT****IV.A.1. Revision of Board Policy 1160 Community Relations—Political Processes**

Page 132

Recommend the Board of Education receive for information the revision of Board Policy 1160 Community Relations—Political Processes.

IV.A.2. Revision of Board Policy and Administrative Regulation 4119.25, 4219.25, and 4319.25 All Personnel—Political Activities of Employees

Page 137

Recommend the Board of Education receive for information the revision of Board Policy and Administrative Regulation 4119.25, 4219.25, and 4319.25 All Personnel—Political Activities of Employees.

IV.A.3. Review of Administrative Regulation 5141.4 Students—Child Abuse Prevention and Reporting

Page 143

Recommend the Board of Education review Administrative Regulation—5141.4 Students—Child Abuse Prevention and Reporting.

IV.A.4. Williams Settlement Legislation Quarterly Uniform Complaint Report Summary for January through March 2017

Page 152

Recommend the Board of Education receive for information the Williams Settlement Legislation Quarterly Uniform Complaint Report Summary for January through March 2017.

IV.B. FACILITIES, PLANNING, AND OPERATIONS

IV.B.1. Revision of Administrative Regulation 3543 Business and Noninstructional Operations—Transportation Safety and Emergencies
Page 154

Recommend the Board of Education receive for information the revision of Administrative Regulation 3543 Business and Noninstructional Operations—Transportation Safety and Emergencies.

IV.C. HUMAN RESOURCES

IV.C.1. Request from a Member of the Public to Place a Statement on School Websites
Page 164

Recommend the Board of Education receive for information the request from a member of the public to place a statement on school websites.

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: April 6, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

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

**SUBJECT: RESOLUTION 2016/2017-28 NOTICE OF LAYOFF OF CERTAIN
CLASSIFIED STAFF PURSUANT TO EDUCATION CODE 45117
AND 45298**

=====

BACKGROUND

The Title I funding for the Instructional Aide-Bilingual/Biliterate positions within Chino Valley Unified School District is expiring. It has been determined that it is necessary to discontinue certain classified services for the 2017/2018 school year due to a lack of funds. This requires the elimination of 0.75 full-time equivalent positions. Resolution 2016/2017-28 outlines the recommendation for discontinued services.

RECOMMENDATION

It is recommended the Board of Education adopt Resolution 2016/2017-28 Notice of Layoff of Certain Classified Staff pursuant to Education Code 45117 and 45298.

FISCAL IMPACT

\$22,378.00 annual savings to the restricted programs/other funds.

WMJ:LF:SH:RR:mcm

**Chino Valley Unified School District
Resolution 2016/2017-28
Notice of Layoff of Certain Classified Staff Pursuant to
Education Code 45117 and 45298**

WHEREAS, due to lack of funds or lack of work, the Board of Education of the Chino Valley Unified School District hereby finds that it is in the best interest of the District to eliminate existing classified positions to the following extent:

POSITIONS ELIMINATED

Two (2) Instructional Aide-Bilingual/Biliterate-Spanish .75 FTE

NOW, THEREFORE, BE IT RESOLVED, by the Board as follows:

1. The classified positions specified herein above be eliminated by layoff pursuant to the District rules and regulations and applicable provisions of the California Education Code.
2. The said elimination by layoff become effective sixty (60) calendar days following service of notice of layoff on the affected employees, subject to any negotiations to the extent required by law.
3. Pursuant to Education Code 45117, the Superintendent or his designee is directed to give notices of layoff to the affected classified employees.
4. Pursuant to Education Code 45298, the affected classified employees laid off, pursuant to this resolution shall be eligible for reemployment.

APPROVED, PASSED, AND ADOPTED by the Board of Education of the Chino Valley Unified School District this 6th day of April 2017 by the following vote:

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

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

Wayne M. Joseph, Superintendent
Secretary, Board of Education

CHINO VALLEY UNIFIED SCHOOL DISTRICT
REGULAR MEETING OF THE BOARD OF EDUCATION
March 16, 2017

MINUTES

I. OPENING BUSINESS

I.A. CALL TO ORDER – 5:20 P.M.

1. Roll Call

President Orozco called to order the regular meeting of the Board of Education, Thursday, March 16, 2017, at 5:20 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

Lea Fellows, Assistant Superintendent, Human Resources

Grace Park, Ed.D., Assistant Superintendent, CIIS

Gregory J. Stachura, Asst. Supt., Facilities, Planning, & Operations

2. Public Comment on Closed Session Items

None.

3. Closed Session

President Orozco adjourned to closed session at 5:20 p.m. regarding conference with legal counsel existing litigation; conference with labor negotiators, A.C.T. and CSEA; public employee discipline/dismissal/ release; and public employee appointment: Construction Coordinator.

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

1. Report Closed Session Action

President Orozco reconvened the regular meeting of the Board of Education at 7:00 p.m. The Board met in closed session from 5:20 p.m. to 6:37 p.m. regarding conference with legal counsel existing litigation; conference with labor negotiators, A.C.T. and CSEA; public employee discipline/dismissal/ release; and public employee appointment: Construction Coordinator. By a unanimous vote of 5-0 (Blair, Cruz, Feix, Na, and Orozco voted yes) appointed James Costa as Construction Coordinator effective March 17, 2017. No further action was taken that required public disclosure.

2. Pledge of Allegiance

Richard Southern, Cal Aero Preserve Academy Band Director, led the Pledge of Allegiance.

I.C. PRESENTATIONS

1. Student Showcase: Cal Aero Preserve Academy

Band Director Richard Southern led students in a musical performance.

2. California Institution for Men to HOPE

Mark Hargrove, Public Information Office and Lieutenant at California Institution for Men, presented a donation to the HOPE Family Resource Center.

3. Teaching and Learning Task Force and Professional Development Committee Update

Dr. Enfield and CIIS staff provided a Teaching and Learning Task Force and Professional Development Committee update.

4. California School Dashboard

Dr. Park presented the California School Dashboard, which is part of California's new accountability system.

President Orozco called a recess from 8:34 p.m. to 8:39 p.m.

I.D. COMMENTS FROM STUDENT REPRESENTATIVE

Absent.

I.E. COMMENTS FROM EMPLOYEE REPRESENTATIVES

Denise Arroyo, CSEA President, thanked Grace Park for attending the Chapter meeting to give an LCAP presentation; addressed the notice of layoff agenda item; said March is National Women's History Month; and spoke about the paraeducators conference, and Irene Hensley provided her feedback on the conference.

Todd Hancock, A.C.T. President, quoted Zig Ziglar regarding outstanding people and a sense of mission; spoke about the teachers' Task Force and the time dedicated to it; said Cal Aero's showcase was fantastic; acknowledged the donation to the HOPE program; announced that CTA is holding *The Good Teaching Conference South* this weekend; spoke about public school education being attacked; spoke about Sycamore Charter School Academy's Dash Board; thanked CSEA for doing things that lead to student success; thanked District administrators for working hard and helping students to be successful.

Yvette Farley, CHAMP President, spoke about teamwork and quoted Jason Silva regarding those who make sense of things.

I.F. COMMENTS FROM COMMUNITY LIAISONS

None.

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

None.

I.H. CHANGES AND DELETIONS

The following changes were read into the record: CIIS, Item III.C.1., under Chino Hills HS, deleted CIF State Playoffs, spirit leaders; added Chino Hills HS Cheer/Song competition, Anaheim, 30 students/4 chaperones, March 24 through 26, 2017, cost \$200.00 per student, funding source: boosters; and under Ayala HS AVID corrected the cost and funding source to read: \$155.00 per student, funding source: parents and AVID District budget; and Human Resources, Item III.E.1., under Certificated Personnel, Retirements, Kathy Avgerenos, Dickson ES, corrected effective date to read June 3, 2017.

II. ACTION

II.A. ADMINISTRATION

II.A.1. Sycamore Preparatory Charter School Petition

Sharon Duran and Mary Hancock addressed the Board in favor of the resolution. Roy Kim addressed the Board refuting statements regarding SanvantCo., Laura Girard, Tess Brown, Patricia Cisneros, Melissa Boehmer, Fatima Cristerna Adame, and Barbara Hale addressed the Board opposing the resolution. Moved (Blair) seconded (Cruz). Superintendent Joseph outlined his recommendation for denial. By a unanimous roll call vote of 5-0, (Blair, Cruz, Feix, Na, and Orozco voted yes) the Board adopted Resolution 2016/2017-27 Adopting Findings regarding Sycamore Preparatory Charter School Petition pursuant to Education Code section 47605(b).

II.B. BUSINESS SERVICES

II.B.1. 2016/2017 Second Interim Financial Report

Moved (Blair) seconded (Cruz) carried unanimously (5-0) to approve the 2016/2017 Second Interim Financial Report, and authorized the President of the Board of Education and the Superintendent to sign the positive Certification of Financial Condition for the current and two subsequent fiscal years.

II.C. FACILITIES, PLANNING, AND OPERATIONS**II.C.1. Resolution 2016/2017-24 Authorizing the Issuance and Sale of its Measure M, 2017 General Obligation Refunding Bonds, 2002 Election, 2006 Series D, and Approving Certain Other Matters Relating to Said Bonds**

Moved (Blair) seconded (Feix) carried unanimously (5-0) by roll call vote with Blair, Cruz, Feix, Na, and Orozco voting yes to adopt Resolution 2016/2017-24 Authorizing the Issuance and Sale of its Measure M, 2017 General Obligation Refunding Bonds, 2002 Election, 2006 Series D, and Approving Certain Other Matters Relating to Said Bonds.

II.C.2. Resolution 2016/2017-23 Authorizing the Issuance and Sale of its General Obligation Bonds, Election of 2016, Series 2017A, in an Aggregate Principal Amount Not to Exceed \$225,000,000, and Approving Certain Other Matters Relating to Said Bonds

Moved (Blair) seconded (Cruz) carried unanimously (5-0) by roll call vote with Blair, Cruz, Feix, Na, and Orozco voting yes to adopt Resolution 2016/2017-23 Authorizing the Issuance and Sale of its General Obligation Bonds, Election of 2016, Series 2017A, in an Aggregate Principal Amount Not to Exceed \$225,000,000, and Approving Certain Other Matters Relating to Said Bonds.

II.D. HUMAN RESOURCES**II.D.1. Resolution 2016/2017-22 Notice of Layoff of Certain Classified Staff Pursuant to Education Code 45117 and 45298**

Moved (Feix) seconded (Blair) motion carried (4-1, Na voted no) to adopt Resolution 2016/2017-22 Notice of Layoff of Certain Classified Staff Pursuant to Education Code 45117 and 45298.

III. CONSENT

Pamela Feix pulled for separate action Item III.D.4. and III.D.5. Moved (Blair) seconded (Na) carried unanimously (5-0) to approve the consent items as amended.

III.A. ADMINISTRATION**III.A.1. Minutes of the Regular Meeting of February 16, 2017, and March 2, 2017**

Approved the minutes of the regular meeting of February 16, 2017, and March 2, 2017.

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 office of Atkinson, Andelson, Loya, Ruud & Romo.

III.B.5. Applications to Operate Fundraising Activities and Other Activities for the Benefit of Students

Approved/ratified the applications to operate fundraising activities and other activities for the benefit of students.

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

III.C.1. School-Sponsored Trips

Approved/ratified the school-sponsored trips for: Country Springs ES; Eagle Canyon ES; Oak Ridge ES; Rhodes ES; Liberty ES; Canyon Hills JHS; Ayala HS; Chino HS; Chino Hills HS; and Don Lugo HS, as amended.

III.C.2. New Course Exploratory Work Experience (Internship)

Approved the new course Exploratory Work Experience (Internship).

III.C.3. Career Technical Education/Carl D. Perkins Advisory Committee

Approved the Career Technical Education/Carl D. Perkins Advisory Committee as follows: Jennell Acker, Teacher, Chino Hills HS (Hospitality & Tourism); Elena Armijo, Armijo News and ABC Public Relations; Michael Armijo, Armijo News and ABC Public Relations; Reginald Barber, School Resource Officer, Chino HS (Law & Justice); Laura Beckman, Special Event Coord., Irvine University Center; Alyssa Berry, Teacher, Don Lugo HS (Agriculture); Michael J Bidart, Trial Lawyer, Shernoff Bidart Echeverria, LLP; Yvette Bookout, Parent, Don Lugo HS; Brian Engstrom, Teacher, Don Lugo HS (Engineering); Rashi Jeeda, Student, Chino Hills HS (Digital Imaging); Vanessa Morales, Student, Chino HS (Forensic Science); Anthony Pittman, Teacher, Ayala HS (Computer Science); Mike Rolland, Teacher, Chino Hills HS (Digital Design); Ray Santoyo, Parent, Chino Fire Department; Sally Santoyo, Parent, Chino HS; Sam Sabbara, Teacher, Chino Hills HS (Medical); Kathy Tan, Parent, Chino HS; Natalie Tong, So. Cal. Prog. Coord., CA Restaurant Association Educational Foundation; Christopher Torres, Student, Chino HS (Forensic Science); Lorraine Vara, Teacher, Chino HS (Law & Justice); Elizabeth Williams, Teacher, Chino HS (Culinary)

III.C.4. Revision of Board Policy 6164.6 Instruction-Identification and Education Under Section 504

Approved the revision of Board Policy 6164.6 Instruction-Identification and Education Under Section 504.

III.C.5. Revision of Board Policy 6200 Instruction–Adult Education

Approved the revision of Board Policy 6200 Instruction–Adult Education.

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. Request for Proposal 16-17-01, Data Networking Services Districtwide

Moved (Blair) seconded (Na) carried unanimously (5-0) to approve the Request for Proposal 16-17-01, Data Networking Services Districtwide to Time Warner Cable Business Class.

III.D.5. Architectural Firms Under Request for Qualifications 15-16-03 Architectural/Engineering Services on New School Construction

Moved (Blair) seconded (Na) carried unanimously (5-0) to Authorize staff to enter into agreements with Flewelling & Moody, HMC Architects, PJHM Architects, and WLC Architects on an as-needed basis as projects develop for architectural services under Request for Qualifications 15-16-03 Architectural/Engineering Services on New School Construction.

III.D.6. Resolutions 2016/2017-25 and 2016/2017-26 for Authorization to Utilize Piggyback Contracts

Adopted Resolutions 2016/2017-25 and 2016/2017-26 for authorization to utilize piggyback contracts.

III.E. HUMAN RESOURCES

III.E.1. Certificated/Classified Personnel Items

Approved/ratified the certificated/classified personnel items.

III.E.2. Rejection of Claim

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

IV. INFORMATION

IV.A. FACILITIES, PLANNING, AND OPERATIONS

IV.A.1. Revision of Board Policy and Administrative Regulation 3311 Business and Noninstructional Operations—Bids

Received for information revision of Board Policy and Administrative Regulation 3311 Business and Noninstructional Operations—Bids.

IV.A.2. New Administrative Regulation 3311.4 Business and Noninstructional Operations—Procurement of Technological Equipment

Received for information new Administrative Regulation 3311.4 Business and Noninstructional Operations—Procurement of Technological Equipment.

IV.B. HUMAN RESOURCES

IV.B.1. Revision of Board Policy 4113 Certificated Personnel—Assignment

Received for information the revision of Board Policy 4113 Certificated Personnel—Assignment.

V. COMMUNICATIONS

BOARD MEMBERS AND SUPERINTENDENT

Andrew Cruz said he attended the ASL (American Sign Language) event at Ayala HS and encouraged Cabinet and the Superintendent to attend next year; and addressed Chino's ADA allowance.

Irene Hernandez-Blair addressed concerns regarding red ants at Newman ES's fields; commended Lourdes Baeza and Irene Hensley in their roles as instructional aides; said Don Lugo HS's boys' inaugural volleyball season begins on March 17; announced Chino HS's Choral Festival on March 22; addressed a public comment regarding requests from the charter academy director for dialogue; and wished everyone an enjoyable spring break.

James Na said he attended the ASL program at Ayala HS; visited the theater program at Don Lugo HS; spoke about issues associated with the changing economy; spoke about the rampant use of drugs; reiterated the need for K-3 instructional aides; and ended with a quote.

President Orozco asked for and received consensus to continue the meeting beyond 10:00 p.m.

Pamela Feix said she attended Literacy Day at Hidden Trails ES two weeks ago; said she attended the Fun Run at Rolling Ridge ES today; said she attended Anna Borba ES and Levi Dickey ES AVID programs, and expressed concerns about students who are being dropped off well before the start of school; attended the junior high basketball tournament at Woodcrest JHS; and commended retired administrators who come back and serve District schools.

Superintendent Joseph said Measure G Citizens' Oversight Committee will meet on March 21 at 5:30 p.m. in the Board room, and that community meetings for the rebuild of Chino HS are taking place on April 4 and 27 at 6:00 p.m. in the Chino HS multipurpose room; said the District has been selected as one of a few model School Attendance Review Boards (SARB) in the state; and said that San Bernardino County Superintendent of School's CWA will be using CVUSD as the model SARB for the county.

President Orozco acknowledged retirees on the agenda; said the Employee Retirement and Recognition Reception will be on Tuesday, May 23 at Woodcrest JHS at 4:30 p.m.; commended Cal Aero's student showcase; announced the 2nd Annual San Bernardino County Museum Association's Bucky Ball on May 20; said that another bond study session is being planned to review what will be done with the money; said she attended the city of Chino council meeting where long-serving city attorney Jimmy Gutierrez was acknowledged on his retirement for 42 years of service, and said Justine Cunningham and her husband received the Mayor's Home Beautification Award; congratulated Lonzo Ball for being nominated to PAC-12 Freshman of the Year; and said she is looking forward to tomorrow's golf scholarships tournament and Hall of Fame ceremony.

VI. ADJOURNMENT

President Orozco adjourned the regular meeting of the Board of Education at 10:13 p.m.

Sylvia Orozco, President

James Na, Clerk

Recorded 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: April 6, 2017
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

\$2,254,867.90 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: April 6, 2017

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
April 6, 2017

<u>SITE/DEPARTMENT</u>	<u>ACTIVITY/DESCRIPTION</u>	<u>DATE</u>
<u>Borba ES</u>		
PFA	Student Store	5/3/17 - 5/17/17
<u>Chaparral ES</u>		
PTO	Quakes Family Feast Night	4/14/17
PTO	Dickey's Barbeque Family Night Out	4/21/17
<u>Country Springs ES</u>		
PFA	Applebee's Flapjack Breakfast	4/22/17
<u>Dickson ES</u>		
PTA	Spring Fundraiser/Raffle (Approved by the Department of Justice)	4/10/17 - 4/28/17
PTA	Jog-A-Thon	5/10/17
PTA	Spring Book Fair	5/22/17 - 5/26/17
PTA	End of School Dance	5/19/17
<u>Canyon Hills JHS</u>		
Music Club	Spring Concert Refreshment Sale	5/10/17
<u>Magnolia JHS</u>		
MAPSS	Spring Photography Sale	4/28/17
Music Boosters	After School Ice Cream Sale	5/24/17
<u>Ramona JHS</u>		
ASB	T-Shirt Sale	4/10/17 - 6/2/17
ASB	Chipotle Family Night Out	4/20/17
<u>Townsend JHS</u>		
Travel Club	Off Campus Candy Sale	4/10/17 - 5/26/17
PTSA	Townsend JHS 30th Anniversary BBQ Sale	4/28/17

CHINO VALLEY UNIFIED SCHOOL DISTRICT
April 6, 2017

<u>SITE/DEPARTMENT</u>	<u>ACTIVITY/DESCRIPTION</u>	<u>DATE</u>
<u>Townsend JHS</u> (cont.)		
PTSA	Townsend JHS 30th Anniversary Taco Sale	4/28/17
Music Boosters	After School Bundt Cake Sale	5/2/17
<u>Woodcrest JHS</u>		
Music Boosters	Rebates from Mattress Liquidation Sale	4/7/17 - 6/20/17
Music Boosters	On-Line Silent Auction	4/28/17 - 5/13/17
<u>Ayala HS</u>		
Football	Spirit Pack Sale	4/10/17 - 6/30/17
Chemistry Club	Chipotle Family Night Out	4/11/17
BAC	Clothing Drive	4/15/17
Girls Golf Boosters	Chipotle Family Night Out	4/18/17
Cross Country Boosters	Track Meet	5/13/17
<u>Chino HS</u>		
Leadership	Olive Garden Staff Lunch Ticket Sale	4/10/17 - 4/28/17
Pep Squad Boosters	Cheer Try-Outs	4/17/17 - 4/21/17
Sports Boosters	Chino Fitness Day	4/22/17
Sports Boosters	Baseball Tournaments	6/15/17 - 7/27/17
<u>Chino Hills HS</u>		
Theater	Legally Blonde the Musical Ticket Sale	4/20/17
<u>Don Lugo HS</u>		
Class of 2019	Pieology Fundraiser Days	4/7/17 - 4/30/17
Class of 2019	Chick-fil-A Fundraiser Days	5/1/17 - 6/30/17
Band Boosters	Bike-A-Thon	5/6/17

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: April 6, 2017
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Sandra H. Chen, Assistant Superintendent, Business Services
Liz Pensick, Director, Business Services
SUBJECT: DONATIONS

=====

BACKGROUND

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

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

RECOMMENDATION

It is recommended the Board of Education accept the donations.

FISCAL IMPACT

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

WMJ:SHC:LP:wc

CHINO VALLEY UNIFIED SCHOOL DISTRICT
April 6, 2017

<u>DEPARTMENT/SITE DONOR</u>	<u>ITEM DONATED</u>	<u>APPROXIMATE VALUE</u>
<u>Health Services - HOPE Program</u>		
California Institution for Men	Cash	\$2,060.00
<u>Chaparral ES</u>		
Western Dental & Orthodontics	Cash	\$500.00
<u>Litel ES</u>		
Schoola	Cash	\$25.00
Keith Ishibashi	Cash	\$70.00
<u>Oak Ridge ES</u>		
Oak Ridge PTA	Cash	\$1,270.00
Azusa Pacific University	Cash	\$3,105.00
<u>Wickman ES</u>		
Wells Fargo	Cash	\$300.00
<u>Briggs K-8</u>		
Edison International	Cash	\$100.00
<u>Magnolia JHS</u>		
Craig Prince	Colorguard Equipment	\$200.00
<u>Ramona JHS</u>		
Western Dental Services, Inc.	Cash	\$500.00

CHINO VALLEY UNIFIED SCHOOL DISTRICT
April 6, 2017

<u>DEPARTMENT/SITE DONOR</u>	<u>ITEM DONATED</u>	<u>APPROXIMATE VALUE</u>
<u>Ayala HS</u>		
Costco Wholesale	Gift Cards	\$100.00
Bottling Group LLC-FSV	Cash	\$167.00
<u>Chino Hills HS</u>		
Your Cause	Cash	\$2.00
Carol Ward Schoonmaker	Cash	\$100.00
Your Cause	Cash	\$180.00
Chino Valley Fire Foundation	Cash	\$500.00
<u>Don Lugo HS</u>		
Arlette Ogiamien	Cash	\$5.00
No Problem Exterminators, Inc.	Cash	\$10.00
Miriam Cardona	Cash	\$20.00
Peter Lynch	Cash	\$20.00
Marveen Rivers	Cash	\$20.00
Ryan & Jennifer Rushing	Cash	\$20.00
Brenda Ulibarri	Cash	\$20.00
David & Carrie Aulicino	Cash	\$25.00
Jose & Linda Castrejon	Cash	\$25.00
Diane Gonzales	Cash	\$25.00
Robert Joseph & Theresa Aulicino	Cash	\$25.00
Joe & Nancy Lemire Family Trust	Cash	\$25.00
Adam McCamish	Cash	\$25.00
Rachelle Perez	Cash	\$25.00
Edward Rushing	Cash	\$25.00
Jose Nava	Cash	\$40.00
Advanced Chiropractic Concepts	Cash	\$45.00
Florentino & Angela Alvarez	Cash	\$50.00
Ernesto & Cecilia Delgado	Cash	\$50.00
Carlos & Aide Gomez	Cash	\$50.00
Kyohei & Yuki Kamo	Cash	\$50.00
Helen Rushing	Cash	\$50.00

CHINO VALLEY UNIFIED SCHOOL DISTRICT
April 6, 2017

<u>DEPARTMENT/SITE DONOR</u>	<u>ITEM DONATED</u>	<u>APPROXIMATE VALUE</u>
<u>Don Lugo HS</u> (cont.)		
John & Christina Rushing	Cash	\$50.00
Raymond Yanez & Julie Cuellar	Cash	\$50.00
C.J. & E.D. Flores	Cash	\$55.00
Robert & Carmen Cole	Cash	\$65.00
Luis Estrada & Tanya Sanchez	Cash	\$65.00
Annette Ramirez	Cash	\$65.00
Michael & Catherine Rodriguez	Cash	\$65.00
Linda Flexser	Cash	\$100.00
Rita Samour	Cash	\$116.00
Robert Grebel	Cash	\$150.00
John & Renee Imai	Cash	\$150.00
Ricky & Joan Thomas	Cash	\$150.00
Marveen Lynth	Cash	\$191.00
Kimberly Cabrera	Cash	\$200.00
Mr. Maintenance	Cash	\$220.00
Melissa Saucedo	Cash	\$226.00
Chino Police Officers Foundation	Cash	\$250.00
Chino Police Officers Foundation	Cash	\$250.00
Michael & Connie Weeks	Cash	\$400.00
Escobedo Family	Cash	\$500.00

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

DATE: April 6, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

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

SUBJECT: LEGAL SERVICES

=====

BACKGROUND

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

FIRM	MONTH	INVOICE AMOUNTS	2016/2017 YEAR-TO-DATE
Atkinson, Andelson, Loya, Ruud & Romo	-	-	\$ 113,429.57
Chidester, Margaret A. & Associates	January 2017	\$ 98,297.65	\$ 713,003.66
McCune & Harber, LLP	February 2017	\$ 4,705.00	\$ 4,705.00
Parker & Covert LLP	-	-	\$ 1,224.00
	Total	\$ 103,002.65	\$ 832,362.23

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

RECOMMENDATION

It is recommended the Board of Education approve payment for legal services to the law offices of Chidester, Margaret A. & Associates; and McCune & Harber, LLP.

FISCAL IMPACT

\$103,002.65 to the General Fund.

WMJ:SHC:LP:wc

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: April 6, 2017
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Norm Enfield, Ed.D., Deputy Superintendent
Stephanie Johnson, Director, Student Support Services
SUBJECT: STUDENT EXPULSION CASE 16/17-35

=====

BACKGROUND

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

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

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

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

RECOMMENDATION

Based upon the recommendation of the Expulsion Hearing Administrative Panel, it is recommended the Board of Education approve student expulsion case 16/17-35.

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: April 6, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Norm Enfield, Ed.D., Deputy Superintendent
Anne Ingulsrud, Director, Special Education

SUBJECT: WEST END SPECIAL EDUCATION LOCAL PLAN AREA LOCAL PLAN

BACKGROUND

The current Special Education Local Plan Area (SELPA) Local Plan was adopted and approved as an interim plan by the California Department of Education on April 2, 2016. Since the approval, the Ontario-Montclair School District, a member district of the West End SELPA (WESELPA), filed a waiver with the State Board of Education to become a single district SELPA. This request was approved on January 11, 2017, and becomes effective on July 1, 2017.

The departure of the Ontario-Montclair School District imposed the requirement to revise the WESELPA Local Plan to reflect a nine district SELPA. The proposed revised Local Plan was reviewed and approved by the WESELPA Superintendents' Council on January 20, 2017. Each participating Local Educational Agency's (LEAs) governing board must approve the proposed revisions to the Local Plan. The proposed revision, as approved by the SELPA governing boards, will serve as an interim plan for up to one year while obtaining approval from the LEAs, the California Department of Education, and the State Board of Education (SBE). Once approved by the SBE, the interim plan will replace any previous WESELPA Local Plans.

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

RECOMMENDATION

It is recommended the Board of Education approve the West End Special Education Local Plan Area Local Plan.

FISCAL IMPACT

None.

WMJ:NE:Al:smr

WEST END
SPECIAL EDUCATION LOCAL PLAN AREA

**LOCAL PLAN
FOR
SPECIAL EDUCATION**

Approved January 20, 2017



9630 7th Street (Temporary Address)
Rancho Cucamonga, CA 91730

(909)476-6188
(909)466-4230 FAX
weselpa.sbcss.k12.ca.us

WEST END SPECIAL EDUCATION LOCAL PLAN AREA

Susan Bobbitt-Voth, SELPA Administrator

MEMBER LOCAL EDUCATION AGENCIES

Alta Loma School District

Central Elementary School District

Chaffey Joint Union High School District

Chino Valley Unified School District

Cucamonga School District

Etiwanda School District

Mountain View School District

Mt. Baldy Joint School District

Upland Unified School District

San Bernardino County Superintendent of Schools

LOCAL PLAN FOR SPECIAL EDUCATION

TABLE OF CONTENTS

SECTION I	CERTIFICATION OF PARTICIPATION	1
	COMPATIBILITY AND COMPLIANCE ASSURANCES	
	Revised and Approved April 21, 2014	
	PARTICIPATING UNIT BOARD ACTION DATES.....	6
	WEST END SELPA REVIEW COMMITTEE LISTING.....	7
SECTION II	GOVERNANCE AND ADMINISTRATION.....	8
	- Regionalized Services	
	- Public Participation	
	- Dispute Resolution Process	
	- Method of Distributing Funds	
	- Behavioral Intervention Plans	
	- Charter School Policy	
	- Community Advisory Committee	
SECTION III	LITERACY POLICY.....	27
SECTION IV	ANNUAL SERVICE PLAN.....	29
	- Early Education Program Description	
SECTION V	ANNUAL BUDGET PLAN.....	31
	- Supplementation of state/federal funds	
	- Maintenance of financial effort	
	- Use of property taxes	
APPENDICES		
Appendix A	West End SELPA Bylaws.....	33
Appendix B	Agreement for Participation in West End SELPA.....	40
Appendix C	Community Advisory Committee Bylaws.....	48
Appendix D	Annual Service Plan Grid.....	58
Appendix E	Part C, Infant to Preschool Transition-Interagency Agreement	59
Appendix F	Department of Public Health Interagency Agreement...CCS.....	60

SECTION I

CERTIFICATION OF PARTICIPATION, COMPATIBILITY, AND COMPLIANCE ASSURANCES

SECTION I

CERTIFICATION OF PARTICIPATION, COMPATABILITY, AND COMPLIANCE ASSURANCES

SED-LP 1-Certification of Participation, Compatibility, Compliance

FREE APPROPRIATE PUBLIC EDUCATION (20 USC § 1412 (a)(1))

It shall be the policy of this LEA that a free appropriate public education is available to all children residing in the LEA between the ages of 3 through 21 inclusive, including students with disabilities who have been suspended or expelled from school.

FULL EDUCATIONAL OPPORTUNITY (20 USC § 1412 (a)(2))

It shall be the policy of this LEA that all pupils with disabilities have access to educational programs, nonacademic programs, and services available to non-disabled pupils.

CHILD FIND (20 USC § 1412 (a)(3))

It shall be the policy of this LEA that all children with disabilities residing in the State, including children with disabilities who are homeless or are wards of the State and children attending private schools, regardless of the severity of their disabilities, and who are in need of special education and related services are identified, located and evaluated. A practical method is developed and implemented to determine which students with disabilities are currently receiving needed special education and related services.

INDIVIDUALIZED EDUCATION PROGRAM (IEP) AND INDIVIDUALIZED FAMILY SERVICE PLAN (IFSP) (20 USC § 1412 (a)(4))

It shall be the policy of this LEA that an Individualized Education Program (IEP) or an Individualized Family Service Plan (IFSP) is developed, reviewed and revised for each child with a disability who requires special education and related services in order to benefit from his/her individualized education program. It shall be the policy of this LEA that a review of an IEP will be conducted on at least an annual basis to review a student's progress and make appropriate revisions.

LEAST RESTRICTIVE ENVIRONMENT (20 USC § 1412 (a)(5))

It shall be the policy of this LEA that to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled. Special class, separate schooling, or other removal of a student with disabilities from the general educational environment, occurs only when the nature or severity of the disability of the student is such that education in general classes with the use of supplemental aids and services cannot be achieved satisfactorily.

PROCEDURAL SAFEGUARDS (20 USC § 1412 (a)(6))

It shall be the policy of this LEA that children with disabilities and their parents shall be afforded all procedural safeguards throughout the provision of a free appropriate public education including the identification, evaluation, and placement process.

EVALUATION (20 USC § 1412 (a)(7))

It shall be the policy of this LEA that a reassessment of a student with a disability shall be conducted at least once every three years or more frequently, if appropriate.

CONFIDENTIALITY (20 USC § 1412 (a)(8))

It shall be the policy of this LEA that the confidentiality of personally identifiable data information and records maintained by the LEA relating to children with disabilities and their parents and families shall be protected pursuant to the Family Educational Rights and Privacy Act (FERPA).

PART C, TRANSITION (20 USC § 1412 (a)(9))

It shall be the policy of this LEA that a transition process for a child who is participating in Early Intervention Programs (IDEA, Part C) with an IFSP is begun prior to a toddler's third birthday. The transition process shall be smooth, timely and effective for the child and family.

PRIVATE SCHOOLS (20 USC § 1412 (a)(10))

It shall be the policy of this LEA to assure that children with disabilities voluntarily enrolled by their parents in private schools shall receive appropriate special education and related services pursuant to LEA coordinated procedures. The proportionate amount of federal funds will be allocated for the purpose of providing special education services to children with disabilities voluntarily enrolled in private school by their parents.

LOCAL COMPLIANCE ASSURANCES (20 USC § 1412 (a)(11))

It shall be the policy of this LEA that the local plan shall be adopted by the appropriate local boards of the districts and San Bernardino County Superintendent of Schools and is the basis for the operation and administration of special education programs; and that the agencies herein represented will meet all applicable requirements of state and federal laws and regulations, including compliance with the Individuals with Disabilities Education Act, the Federal Rehabilitation Act of 1973, Section 504 of Public Law and the provisions of the California Education Code, Part 30.

INTERAGENCY (20 USC § 1412 (a)(12))

It shall be the policy of this LEA that interagency agreements or other mechanisms for interagency coordination are in effect to ensure services required for FAPE are provided, including the continuation of services during an interagency dispute resolution process.

GOVERNANCE (20 USC § 1412 (a)(13))

It shall be the policy of this LEA to support and comply with the provisions of the governance bodies and any necessary administrative support to implement the Local Plan. A final determination that an LEA is not eligible for assistance under this part will not be made without first affording that LEA with reasonable notice and an opportunity for a hearing through the State Educational Agency.

PERSONNEL QUALIFICATIONS (20 USC § 1412 (a)(14))

It shall be the policy of this LEA to ensure that personnel providing special education related services meet the highly qualified requirements as defined under federal law, including that those personnel have the content knowledge and skills to serve children with disabilities.

This policy shall not be construed to create a right of action on behalf of an individual student for the failure of a particular LEA staff person to be highly qualified or to prevent a parent from filing a State complaint with the CDE about staff qualifications.

PERFORMANCE GOALS & INDICATORS (20 USC § 1412 (a)(15))

It shall be the policy of this LEA to comply with the requirements of the performance goals and indicators developed by the CDE and provide data as required by the CDE.

PARTICIPATION IN ASSESSMENTS (20 USC § 1412 (a)(16))

It shall be the policy of this LEA that all students with disabilities shall participate in state and district-wide assessment programs. The IEP team determines how a student will access assessments with or without accommodations, or access alternate assessments, consistent with state standards governing such determinations.

SUPPLEMENTATION OF STATE/FEDERAL FUNDS (20 USC § 1412 (a)(17))

It shall be the policy of this LEA to provide assurances that funds received from Part B of the IDEA will be expended in accordance with the applicable provisions of the IDEA; will be used to supplement and not to supplant state, local and other Federal funds those funds.

MAINTENANCE OF EFFORT (20 USC § 1412 (a)(18))

It shall be the policy of this LEA that federal funds will not be used to reduce the level of local funds and/or combined level of local and state funds expended for the education of children with disabilities except as provided in Federal law and regulations.

PUBLIC PARTICIPATION (20 USC § 1412 (a)(19))

It shall be the policy of this LEA that public hearings, adequate notice of the hearings, and an opportunity for comment available to the general public, including individuals with disabilities and parents of children with disabilities are held prior to the adoption of any policies and/or regulations needed to comply with Part B of the IDEA.

RULE OF CONSTRUCTION (20 USC § 1412 (a)(20))

(Federal requirement for State Education Agency only)

STATE ADVISORY PANEL (20 USC § 1412 (a)(21))

(Federal requirement for State Education Agency only)

SUSPENSION/EXPULSION (20 USC § 1412 (a)(22))

The LEA assures that data on suspension and expulsion rates will be provided in a manner prescribed by the CDE. When indicated by data analysis, the LEA further assures that policies, procedures and practices related to the development and implementation of the IEPs will be revised.

ACCESS TO INSTRUCTIONAL MATERIALS (20 USC § 1412 (a)(23))

It shall be the policy of this LEA to provide instructional materials to blind students or other students with print disabilities in a timely manner according to the state adopted National Instructional Materials Accessibility Standard.

OVERIDENTIFICATION AND DISPROPORTIONALITY (20 USC § 1412 (a)(24))

It shall be the policy of this LEA to prevent the inappropriate disproportionate representation by race and ethnicity of students with disabilities.

PROHIBITION ON MANDATORY MEDICINE (20 USC § 1412 (a)(25))

It shall be the policy of this LEA to prohibit school personnel from requiring a student to obtain a prescription for a substance covered by the Controlled Substances Act as a condition of attending school or receiving a special education assessment and/or services.

DISTRIBUTION OF FUNDS (20 USC § 1411(e),(f)(1-3) (Federal requirement for State Education Agency only)

DATA (20 USC § 1418 a-d)

It shall be the policy of this LEA to provide data or information to the California Department of Education that may be required by regulations.

READING LITERACY (State Board requirement, 2/99)

It shall be the policy of this LEA that in order to improve the educational results for students with disabilities, SELPA Local Plans shall include specific information to ensure that all students who require special education will participate in the California Reading Initiative.

CHARTER SCHOOLS (E.C. 56207.5 (a-c))

It shall be the policy of this LEA that a request by a charter school to participate as a local educational agency in a special education local plan area may not be treated differently from a similar request made by a school district.

In accordance with federal and state laws and regulations, the West End SELPA ensures that policies and procedures covered by this assurance statement are on file at the Local Education Agency and/or SELPA office.

Be it further resolved that the Superintendent shall administer the local implementation of procedures, in accordance with state and federal laws, rules, and regulations, which will ensure full compliance.

WEST END SELPA
SPECIAL EDUCATION LOCAL PLAN AREA
LOCAL PLAN APPROVAL

District	Date of Local Board Meeting	Superintendent Signature
Alta Loma		
Central		
Chaffey Joint Union		
Chino Valley Unified		
Cucamonga		
Etiwanda		
Mountain View		
Mt. Baldy Joint		
Upland Unified		
San Bernardino County Superintendent of Schools		

West End Special Education Local Plan Area 2015-16

WEST END SELPA REVIEW COMMITTEE LISTING

Administrator	West End Special Education Local Plan Area	Susan Bobbitt-Voth
Director	Special Education, Alta Loma School District	Loren Thompson
Director	Special Education, Chino Valley Unified School District	Anne Inglesrud
Director	Special Education, Etiwanda School District	Beth Freer
Director	Special Education, Mountain View School District	Jan Van Dyke
Director	West End Student Services, San Bernardino County Superintendents' of School	Peggy McFee
Member	Community Advisory Committee West End Special Education Local Plan Area	Sharon Neault
Principal	Elementary, Chino Valley Unified School District	Shawna Petit-Dinkins
Program Manager	West End Special Education Local Plan Area	Royal Lord
Teacher	Preschool, Etiwanda School District	Janie Jarvis
Teacher	General Education, Chino Valley Unified School District	Christy Koenig
Teacher	Special Education, Cucamonga School District	Meredith Fierro, Bobby Baltierra

SECTION II

GOVERNANCE AND ADMINISTRATION

SECTION II GOVERNANCE AND ADMINISTRATION

1. GOVERNING BODY (Education Code 56205(a)(12)(A), 56207.5)

The governing body of the SELPA is the Superintendents' Council. The Superintendents' Council is composed of the Superintendent of each Local Education Agency (LEA) within the SELPA. Members of the Superintendents' Council are responsible to the governing board of their respective local education agency. The San Bernardino County Superintendent of Schools serves as the Responsible Local Agency (RLA) as defined in Education Code 56030, or administrative unit as referred to in Education Code 56205(a)(12)(D)(ii). The RLA Superintendent or his/her designee serves as Chairperson of the Council. One other superintendent is selected as Vice-Chairperson. The SELPA Administrator serves as Secretary to the Council. All structural changes within the organization of the SELPA, including changes in governance, are decided through deliberations of the Superintendents' Council. Each superintendent may cast one vote, if necessary, to accept or reject changes within the system. Procedures to present requests for withdrawal from or admission to the SELPA are included in the Bylaws (Appendix A).

Any independent charter school admitted to the SELPA shall participate in SELPA governance in the same manner as other local educational agencies of the SELPA.

All conflicts are ultimately resolved through the same procedure delineated above. However, most concerns are managed within various committee interactions. Program issues and staffing needs are examined by the Program Advisory Committee. Fiscal concerns are managed by the Finance Advisory Committee. If necessary, recommendations can be given to the SELPA administrator for ultimate consideration by the Superintendents' Council. Voting membership on the Superintendents' Council is one vote per LEA.

2. GOVERNANCE (Education Code 56205)

Each Local Education Agency will defend and indemnify the RLA against, and will hold and save RLA, its officers, agents, and employees harmless from any and all actions, claims, damages to persons or property, penalties, obligations, or liabilities that may be asserted or claimed by any person, firm, entity, corporation, political subdivisions, or any other organization arising out of the operation or maintenance or other activities of the LEA or its agents, employees, or independent contractors under this agreement.

3. GOVERNANCE STRUCTURE AND ADMINISTRATIVE SUPPORT (Education Code 56140, 56195, 56195.1, 56195.3, 56195.5)

The local education agencies within the West End of San Bernardino County join together pursuant to Sections 56140 and 56195 of the California Education Code to adopt a plan to assure access to special education and services for all eligible individuals with disabilities residing in the geographic area served by these agencies, hereafter known as the West End Special Education Local Plan Area, West End SELPA. In adopting the Local Plan, each participating agency agrees to carry out the duties and responsibilities assigned to it within the plan. Participating agencies may enter into additional contractual arrangements to meet the requirements of applicable federal and state law.

4. RESPONSIBILITY OF PARTICIPATING AGENCIES (Education Code 56195.1(b)(2), 56195.5, 56207)

In adopting the Local Plan, each participating local education agency agrees to carry out the duties and responsibilities assigned to it within the plan. Each agency shall provide special education and services to all eligible students within its boundaries, including students attending charter schools where that local education agency of the SELPA has granted that charter. In addition, each agency shall cooperate to the maximum extent possible with other agencies to serve individuals with disabilities who cannot be served in the local education agency of residence programs. Such cooperation ensures that a range of program options is available throughout the West End SELPA.

Any participating local education agency may provide for the education of special education students in special education programs maintained by other districts or counties, and may include within the special education program students who reside in other districts or counties.

Changes or amendments to the permanent portion of the Local Plan, which excludes Appendices only, may be considered by the Superintendents' Council. The Superintendents' Council may adopt amendments to the permanent portion of the Local Plan on an interim basis, which is not to exceed one school year. Amendments approved in this manner shall become permanent upon subsequent approval by all local education agencies governing boards and the State Board of Education.

5. WITHDRAWAL FROM SELPA (Education Code 56195.3(b))

A member LEA will cooperate with the county office and other school districts in the geographic area in planning its options under EC 56195.1 and each fiscal year, notify the California Department of Education, impacted special education local plan areas, and participating county offices of its intent to withdraw from the SELPA at least one year prior to the proposed effective date of the implementation to the alternative plan. Any such plan will be submitted to the county office for review in accordance with guidelines approved by the Superintendents' Council.

Any district initiating a proposal to withdraw from the SELPA shall bear the total cost of consultants retained by the LEA or SELPA to provide a thorough analysis of legal or fiscal implications caused by such proposed action. In addition, any due process costs associated with a withdrawal from SELPA or program transfer within the SELPA shall be born entirely by the district initiating the change.

When the local plan is revised, each LEA governing board must approve the plan in order for the district to continue as a participant in the West End SELPA. When an LEA board does not approve the plan, the LEA will have the opportunity to bring its concerns to the Superintendents' Council for review. Subsequently, the Council may determine a deadline for the LEA governing board to approve the plan or be terminated from the SELPA. If the LEA does not meet the deadline, the Council shall consider this as notice to withdraw from the SELPA. If the district does not submit its intent to withdraw, the Council will notify the district and the California Department of Education of its intent to move forward with the termination.

In the event a district is terminated, the district shall bear the total cost of consultants retained by the LEA and the SELPA to provide a thorough analysis of legal or fiscal implications caused by this action. In addition, all costs, including but not limited to due process, associated with the termination from the SELPA shall be born entirely by the district being terminated.

6. PROGRAM TRANSFERS WITHIN THE SELPA (Education Code 56207)

Any LEA initiating a transfer of educational programs and services already in operation within the SELPA shall follow appropriate Education Codes. In the event an LEA desires to initiate program or services transfers, a transfer planning committee made up of three SELPA governance members chosen by their peers shall be designated to address, at a minimum, all of the following: pupil needs, the availability of the full continuum of services to affected pupils, the functional continuation of the current IEPs of all affected pupils, the provision of service in the least restrictive environment from which affected pupils can benefit, the maintenance of appropriate support services, the assurance that there will be compliance with federal and state laws and regulations as well as SELPA policies, and the means through which parents and staff were represented in the planning process.

The day on which the transfer of programs will take effect may be no earlier than the first day of the second fiscal year beginning after the date on which the sending or receiving agency has informed the other agency and the Superintendents' Council, unless the Superintendents' Council unanimously approves the transfer take effect on the first day of the first year following the date of receipt of notification.

The approved SELPA guidelines for program transfer will be followed by SELPA staff as well as all affected agencies. Alternate dispute resolution pursuant to Education Code 56205 (d) will be utilized if either sending or receiving agency disagrees with the proposed transfer. All costs associated with due process actions will be paid by the agency initiating the program or service transfer.

7. IMPLEMENTATION OF ADMINISTRATIVE FUNCTIONS (Education Code 56195(b)(3)(c)(2), 56195.1, 56205 (a)(12)(D)(ii), 56205(a)(12)(D)(ii)(IV))

The San Bernardino County Superintendent of Schools is designated as the Responsible Local Agency (RLA) for the West End SELPA. It shall be responsible for functions such as, but not limited to:

- (1) Receipt and distribution of special education funds to district accounts for the operation of special education programs and services.
- (2) Receipt and distribution of special education funds to accounts exclusively designated for SELPA use.
- (3) The employment of staff in accordance with direction from the Superintendents' Council for functions the SELPA is required to provide.

The West End SELPA office is designated as the entity responsible for the administration of the Local Plan and assuring that the SELPA is in compliance with all applicable laws and regulations.

8. RESPONSIBILITIES OF SUPERINTENDENTS (Education Code 56205(a)(12 (D)(i), 56195.1, 56205(b))

The superintendents of each participating local education agency, or chief official in the case of a Charter School approved as a Local Educational Agency by the SELPA Superintendents' Council, shall be responsible for special education programs operated by the agency and for implementing all requirements of the Local Plan.

A charter school that operates as its own local education agency for special education purposes shall participate in the governance of the SELPA in the same manner as all local education agencies.

The Superintendents' Council shall be responsible for the following areas of Local Plan administration:

- (1) Selection and annual evaluation of the SELPA Administrator.
- (2) Designation of participants for the Program Advisory Committee and Finance Advisory Committee.
- (3) Establishment and promotion of a Community Advisory Committee.
- (4) Establishment of the number and type of SELPA office staff employed by the SELPA for SELPA-wide services.
- (5) Review, approve, and monitor all budgets assigned to the SELPA.
- (6) Provide leadership to the SELPA regarding the development, revision, implementation and review of the Local Plan.
- (7) Review, approve, and monitor the allocation of special education funds to local education agencies.
- (8) Approve all SELPA policies, regulations, standards, and guidelines.

The Superintendents' Council shall meet on a regular basis according to Brown Act requirements and shall receive and act upon information provided by the Program Advisory Committee, Finance Advisory Committee, Community Advisory Committee, and the SELPA Administrator to assist in the administration of the SELPA. Members of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the plan, may address questions or concerns to the Superintendents' Council at a regularly scheduled meeting.

9. RESPONSIBILITIES OF LOCAL EDUCATION AGENCY BOARD MEMBERS
(Education Code 56195.1, 56195.5)

Local education agency boards shall:

- (1) Exercise authority over, assume responsibility for, and be fiscally accountable for special education programs operated by the agency.
- (2) By approving the Local Plan, enter into an Agreement for Participation (see Appendix B) with other local education agencies participating in the plan, for purpose of delivery of regional services and programs.
- (3) Review and approve revisions of the West End SELPA Local Plan for Special Education.
- (4) Participate in the governance of the West End SELPA through their designated representative to the Superintendents' Council. The governing boards provide the designated Superintendents' Council member with the authority to act as the board designee to approve and amend policies as necessary.

If the San Bernardino County Superintendent of Schools provides services to more than one SELPA within the county, relevant provisions of contracts between the county office and its employees governing wages, hours, and working conditions shall supersede like provisions contained in any other plan submitted.

10. RESPONSIBILITIES OF LOCAL EDUCATION AGENCY ADMINISTRATORS (Education Code 56205(a)(12)(D)(ii)(III))

Local education agency administrators of special education are responsible for the coordination of special education service and programs within their agencies and for the implementation of the Local Plan. The administrators participate on the Program Advisory Committee and the Finance Advisory Committee, which are given authority by the Superintendents' Council to develop policies and procedures, which are presented to the Superintendents' Council for approval.

Program Advisory Committee

Each participating LEA appoints an appropriate administrator of special education programs to

membership on the Program Advisory Committee. The duties of the Program Advisory Committee include, but are not limited to, the following:

- (1) Provide information and recommendations for the development, modification, and implementation of the Local Plan to the Superintendents' Council.
- (2) Develop and implement procedures for the identification, referral, assessment, IEP development, and placement of individuals with disabilities as established by the Local Plan.
- (3) Develop forms, procedures and recommendations for programs and services for review, modification, and approval by the Superintendents' Council.
- (4) Review, modify and recommend an annual budget for SELPA operations, including Regional Services and Program Specialist allocations for review, modification, and approval by the Superintendents' Council.
- (5) Recommend and monitor inservice/staff development programs, including parent education activities, for review, modification, and approval by the Superintendents' Council.
- (6) Provide recommendations for membership for the Community Advisory Committee.
- (7) Develop the Annual Service Plan for approval by the Superintendents' Council.

The Program Advisory Committee may be requested by the Superintendents' Council to provide advice or assistance in other areas as needs are identified within the SELPA.

The Program Advisory Committee meets on a regular basis. The SELPA Administrator serves as the secretary of the committee and is responsible for providing timely written notice of the meeting and agenda, minutes for the meeting and additional documentation as needed to provide for informed decision making.

In addition to carrying out the responsibilities identified in the Local Plan, the Program Advisory Committee may choose to form special work groups to focus on special issues. Such work groups shall report to the Program Advisory Committee or Superintendents' Council, as appropriate.

A charter school that has been approved to operate as its own local education agency for special education purposes shall be represented on the Program Advisory Committee and Superintendents' Council in the same manner as all local education agencies.

Finance Advisory Committee

Each participating LEA appoints a person to the Finance Advisory Committee who is knowledgeable in the area of special education finance. The duties of the Finance Advisory Committee include, but are not limited to, the following:

- (1) Provide information and recommendations for the development, modification, and implementation of the SELPA funding allocation plan to the Superintendents' Council.
- (2) Review and make recommendations to the Superintendents' Council regarding decisions that impact the finances of local education agencies.
- (3) Develop the Annual Budget Plan for approval by the Superintendents' Council.

The Finance Advisory Committee may be requested by the Superintendents' Council to provide advice or assistance in other areas as needs are identified within the SELPA.

The Finance Advisory Committee meets on a regular basis. The Fiscal Analyst serves as the chairperson of the committee and is responsible for providing timely written notice of the meeting and agenda, minutes for the meeting and additional documentation as needed to provide for informed decision making.

In addition to carrying out the responsibilities identified in the Local Plan, the Finance Advisory Committee may choose to form special work groups to focus on special issues. Such work groups shall report to the Finance Advisory Committee or Superintendents' Council as appropriate.

A representative of a charter school that operates as its own local education agency for special education purposes may be appointed to participate on the Finance Advisory Committee in the same manner as all local education agency representatives.

11. SELPA STAFFING (Education Code 56205 (a) (12)(D)(ii))

The governing boards of each of the participating local education agencies agree to invest the Superintendents' Council with the responsibility of designating an appropriate agency as the Responsible Local Agency (RLA) for the administration of the Local Plan and its implementation. The boards assure that the Superintendents' Council shall identify the need for and designate positions necessary for the operation of the SELPA functions according to this policy.

SELPA Administrator

The fundamental role of the SELPA Administrator is to direct all SELPA staff, as well as provide leadership and facilitate the decision making process. The SELPA Administrator's role includes the provision of information, specific services identified by the Superintendents' Council, technical assistance, leadership and arbitration. It is the SELPA Administrator's responsibility to represent the interests of the SELPA as a whole without promoting any particular local education agency interest over the interest of any other agencies. In the event there are differences of opinions and/or positions on issues, it is the SELPA Administrator's responsibility to mediate a reasonable resolution of the issue(s).

The Superintendents' Council shall be responsible for the selection, direction, monitoring, discipline, and annual evaluation of the SELPA Administrator. The Superintendents' Council shall be assisted in the hiring and selection process by the Responsible Local Agency. It is understood that this includes responsibility for any allegations of violations arising under the federal and state equal employment law.

The SELPA Administrator is subject to the Responsible Local Agency's policies and procedures for day-to-day operations, but receives direction from, and is responsible to, the Superintendents' Council. The SELPA Administrator is evaluated by a joint committee comprised of the Responsible Local Agency Superintendent and two other superintendents chosen by their peers from the Superintendents' Council.

SELPA Staff

The Superintendents' Council shall be responsible for designating the staff to support the functioning of the SELPA. In reviewing and approving the SELPA budgets on an annual basis, the Superintendents' Council designates the staffing for the SELPA office upon recommendation of the SELPA Administrator.

SELPA staff shall be employed by the Responsible Local Agency and supervised by the SELPA Administrator according to the Responsible Local Agency's policy and practices. The SELPA Administrator shall use a selection process that is in accordance with the law and personnel policies of the Responsible Local Agency.

The supervision of West End SELPA staff will be determined by the SELPA Administrator. An organizational chart showing the staff to be supervised by the members of the SELPA management team will be provided to the governance committees annually.

Program Manager –Alternative Services Unit

The description of due process procedures in Education Code Sections 56500 – 56508, for purposes of Code of Federal Regulations, 34 C.F.R. 300.500 – 300.529, is hereby included in the Local Plan by reference. Within the SELPA administrative unit, a program manager responsible for due process and individual protections is employed. This person assists and/or conducts the procedures involved in alternative dispute resolution, due process hearings, complaints, and investigations for all participating units within the SELPA. Inherent to this assignment is dissemination of information and initiation of procedures that ensure compliance with all parent/child rights requirements. These include availability of parent/child rights notices, equal access to programs, correction of identified program/service problems, and compliance with mandated timelines for assessment and placement of children.

The following job elements are identified with this position:

- (1) Inter-SELPA program placements
- (2) Placement in as well as oversight and evaluation of nonpublic schools
- (3) Determination of as well as oversight and evaluation of private services/nonpublic agencies (NPA)
- (4) Review and assistance in district IEP team procedures
- (5) Review of compliance procedures within all SELPA participating units
- (6) Assistance to local units in complaint/mediation procedures and alternative dispute resolution
- (7) Represent districts at due process fair hearings

The supervision of West End SELPA staff will be determined by the SELPA Administrator. An organizational chart showing the staff to be supervised by the members of the SELPA management team will be provided to the governance committees annually.

Any district failing to adhere to SELPA advice regarding state and federal law relative to the IEP development process shall bear any and all subsequent due process or private contracting costs associated with said independent actions. West End SELPA notification of fiscal responsibility shall be in the form of a written formal memo directed to the district special education director with a copy to the district superintendent.

Any district wishing to appeal this decision by the SELPA Administrator shall request the matter be placed on the agenda at a Program Advisory Committee meeting with a subsequent recommendation to Superintendents' Council for final action.

All contacts with SELPA-retained attorneys or legal consultants shall be made only after approval of the SELPA Administrator, or designee. Any district initiating contact with a legal advisor without prior approval will bear the cost of the contract.

Counseling Services

The SELPA employs licensed counselors to serve students receiving special education and their parents who reside within the SELPA. Counseling services are provided in accordance with SELPA guidelines. Counseling interns are utilized as appropriate. Effective July 1, 2014 and based on the Superintendents' Council decision on February 21, 2014, the SELPA will continue to provide: staff development training; counseling and assessment services through a fee-for-service model; and case management for students with IEPs that include counseling services and who are placed in nonpublic schools and residential treatment centers.

Program Manager – Staff and Curriculum Development

A program manager responsible for SELPA-wide staff and curriculum development activities is employed by the SELPA. This individual interacts with all local districts to determine staff development needs, initiate training activities/programs, and manage resources available to support staff development training and transition services for all individuals who are responsible for special education and for youth with disabilities. Activities are initiated through the Program Advisory Committee as well as with various teacher/administrator groups. Program specialists, behavior specialists, transition staff, school-to-career staff (vocational team members hired under grants including but not limited to Transition Partnership Program, WorkAbility1 and the CaPROMISE Grant), and teacher-on-assignment positions may be supervised by this program manager.

Program Specialists (Education Code 56205 (b)(1)(F), 56206, 56368)

The program specialists are employed by the SELPA and serve the SELPA districts. The Superintendents' Council designates the number and type of specialists upon recommendation of the Program Advisory Committee as well as approves the SELPA budget for its expenditures. The Program Specialist holds a valid special education credential or a school psychologist authorization and has advanced training and related experience in the education of individuals with exceptional needs. The Program Specialist also has specialized, in-depth knowledge in preschool disabilities, career vocational development, or one or more areas of major disabling conditions.

The governing boards of the local education agencies identify the importance of employment of program specialists to provide unique and necessary services to the agencies and to pupils in the SELPA. Program specialists shall provide the following services:

- (1) Observe, consult with, and assist, in accordance with local education agency procedures, special education teachers and support staff.
- (2) Utilize evidence-based data to plan programs, coordinate curricular resources and share in the evaluation of the effectiveness of programs for children with disabilities.
- (3) Assist with local education agency staff development, program development and innovation of special methods and approaches.
- (4) Provide coordination, consultation and program development in one or more specialized areas of expertise.
- (5) Upon request, participate in and/or conduct IEP team meetings where technical assistance is needed.
- (6) Assist in mediation, due process hearings and compliance proceedings by providing expertise in knowledge of special education law and regulations as well as programs and appropriate interventions available throughout the SELPA.
- (7) Assist in developing training for parents and members of the Community Advisory Committee.
- (8) Provide in-service training and technical assistance for general and special education teachers, administrators, support staff and parents
- (9) Assist as a liaison to various community agencies such as Department of Behavioral Health, Department of Rehabilitation, Inland Regional Center, California Children's Services, and the Probation Department.
- (10) Conduct nonpublic school visitations to verify students are making appropriate educational progress in accordance with the IEP.
- (11) Coordinate the assessment of student needs for assistive technology or specialized in the least restrictive environment.
- (12) Direct instructional support.

Behavior Specialist

The functions of the behavior specialists are driven by Education Code requirements as well as IEP team specification which include inservice training; activity organization; individual parent, teacher, and student support; intra-SELPA communication; student socialization activities; and committees and councils for support and planning. Behavior specialists promote implementation of these activities throughout the region.

These behavior specialists are employed by the SELPA and supported by regional service funds as well as the fee-for-service structure. They are selected to represent skills and expertise in specific areas of disability, and they provide coordinated, centralized, and individualized service.

Vocational Assessment and Transition Planning

School-to-work activities are provided through vocational assessment, WorkAbility activities, and on-the-job training opportunities, when appropriate, as well as linkage to the Department of Rehabilitation. A "Work Project" program provides work from the community to be completed in the classroom setting as appropriate. Transition planning is developed as part of the IEP process.

Teacher-On-Special-Assignment

Teachers-On-Special Assignment (TOSA) are employed by the SELPA or contracted with districts in the SELPA. They serve the SELPA under the supervision of a Program Manager. The Superintendents' Council approves the number and type of (TOSA) s upon recommendation of the Program Advisory Committee.

(TOSA)'s are supported by regional service funds and may be employed permanently or for a limited, contracted period of time. They are selected to represent skills and expertise in specific areas of disability as well as provide coordinated, centralized, and individualized service.

Fiscal Consultant

The Fiscal Consultant is the primary fiscal advisor employed by the SELPA. The Fiscal Consultant is responsible for the development, implementation, and maintenance of fiscal operations and procedures as well as the analysis of fiscal data and the preparation of fiscal and budgetary reports in support of SELPA operations.

Other Administrative Services

West End Student Services – While employed as a San Bernardino County Superintendent of Schools (SBCSS) employee, the county area director works collaboratively with the SELPA Administrator for all program effectiveness and quality issues. Through communication with the area director, the SELPA Administrator assures that services provided by the West End Student Services comply with SELPA policies/guidelines and interface effectively with program services provided by other units within the consortium.

Management Information System – the SELPA is responsible for effective collection and maintenance of data relevant to program, placement of children, and other data required by state and federal mandates.

Fiscal Consultant Service – accounting services are provided in the areas of excess cost billings, audit procedures, and other areas of special education finance.

12. REGIONALIZED SERVICES AND OPERATIONS (Education Code 56195.1 56195.7, 56205, 56206)

The SELPA Administrator shall serve on behalf of the member local education agencies and implement the Local Plan including the following regional services and operations:

- (1) Coordination of the SELPA and the administration of the Local Plan
- (2) Coordinated system of identification and assessment
- (3) Coordinated system of procedural safeguards
- (4) Coordinated system of staff development and parent education
- (5) Coordinated system of curriculum development and alignment with the core curriculum
- (6) Coordinated system of internal program review, evaluation of the effectiveness of the local plan and implementation of a local plan accountability mechanism
- (7) Coordinated system of data collection and management
- (8) Coordination of interagency agreements
- (9) Coordination of services to medical facilities
- (10) Coordination of services to licensed children's facilities and foster family homes
- (11) Preparation and transmission of required SELPA reports
- (12) Fiscal and logistical support of the Community Advisory Committee
- (13) Coordination of transportation services for students with disabilities
- (14) Coordination of career, vocational, and transition services
- (15) Assurance of full educational opportunity
- (16) Fiscal administration and the allocation of state and federal funds
- (17) Direct instructional support provided by program specialists
- (18) Direct programmatic support provided by behavior specialists
- (19) Coordination of the distribution and assignment of specialized equipment and services
- (20) Coordination of services to individuals with exceptional needs in juvenile court schools or county community schools pursuant to EC 56150

13. DISPUTE RESOLUTION (Education Code 56205(b)(5))

In the event of a disagreement among local education agencies, local education agencies and the Responsible Local Agency, local education agencies and/or the Responsible Local Agency and the SELPA regarding the distribution of funding, responsibility for service provision and any other governance activities specified in the Local Plan, it is the intent of the Superintendents' Council that issues be resolved at the lowest level possible in the governance structure outlined in the Local Plan. The Superintendents' Council is considered to be the board of last resort. This policy is intended to resolve disagreements within a period of 45 days, but is not intended to undermine local authority.

If a local education agency disagrees with a decision or practice of another agency or the SELPA office, that local education agency has a responsibility to discuss and attempt resolution of the disagreement with the party, or parties, directly involved. The parties involved will present the issues to their respective superintendents, or designees, who will attempt to resolve the matter. Either party may request the direct assistance of the SELPA Administrator, or his/her designee, or Chair of the Superintendents' Council or the services of a neutral mediator from outside the SELPA. In the event the issue has not been resolved, either party may request review by the Program Advisory Committee or Finance Advisory Committee. If either party disagrees with the recommendation of the Program Advisory Committee or Finance Advisory Committee, either party may request that the issue be placed on the Superintendents' Council agenda. If this process fails, the parties may pursue a hearing on the issues and resolution with the Superintendents' Council. The decision of the Superintendents' Council shall be final.

14. METHOD OF DISTRIBUTION OF FEDERAL AND STATE FUNDS (Education Code 56205(a)(12)(D)(ii), 56205 (b)(1) and 56195 (h))

All federal and state special education funds shall be allocated to the SELPA for distribution to local education agencies according to an approved Special Education Funding Allocation Plan. The Superintendents' Council shall make any changes to the allocation of federal and state special education funds. The SELPA Administrator is responsible to ensure that the funds are distributed in accordance with the funding allocation plan.

15. RESPONSIBILITIES FOR DISTRIBUTION OF FEDERAL AND STATE FUNDS (Education Code 56195, 56195.1 (b) (3))

The governing boards of the local education agencies participating in the SELPA have agreed that students with disabilities will be provided with appropriate special education services. The Superintendents' Council has been designated the authority to determine the distribution of all federal and state special education funds in order for local education agencies to carry out their responsibilities. The SELPA shall be responsible for the distribution of the funds according to an approved Special Education Funding Allocation Plan. The SELPA Administrator is responsible to ensure that the funds are distributed in accordance with the funding allocation plan.

The fiscal analyst shall develop the Annual Budget Plan for review and recommendation by the Finance Advisory Committee to the Superintendents' Council for approval. A public meeting shall be held annually to provide the Community Advisory Committee and members of the public the opportunity to review the Annual Budget Plan and Annual Services Plan and provide input to the Superintendents' Council. Upon approval by the Superintendents' Council, these documents shall be submitted to the LEAs and the California Department of Education.

16. PROVISION OF SPECIAL EDUCATION SERVICES TO STUDENTS WITH DISABILITIES (Education Code 56195.7(a), 56205 (a)(12)(D)(ii)(III), 56205(b)(1)(C,E), 56205(b)(1)(D), 56303)

The SELPA provides a full continuum of services to students with disabilities, including students in charter schools as well as alternative education, throughout the geographic region of the SELPA. Access to services is through each of the local education agencies. The referral, assessment and IEP process is utilized to identify the needs of each individual student with disabilities. The local education agencies have committed to policies and procedures to assure that students will have their rights to appropriate supplemental aids and services provided in the least restrictive environment. A student shall be referred for special educational instruction and services only after the resources of the general education program have been considered and where appropriate, utilized.

The Program Advisory Committee shall identify on a regular basis any unmet needs for students within the SELPA. With the assistance of the SELPA Administrator and administrative staff, the Program Advisory Committee identifies the resources within the SELPA that could provide the appropriate services. When services are required beyond the programs and services being provided by any local education agency, the Program Advisory Committee shall develop a plan for consideration by the Superintendents' Council. Any plan having a fiscal impact on local education agencies shall be reviewed by the Finance Advisory Committee prior to consideration by the Superintendents' Council.

17. DEVELOPMENT OF THE ANNUAL SERVICE PLAN (Education Code 56205(b)(2))

West End SELPA is required to submit an "Annual Service Plan" to the California Department of Education. The Program Advisory Committee shall develop the Annual Service Plan for review by the Community Advisory Committee and approval by the Superintendents' Council. A public meeting shall be held annually to provide the Community Advisory Committee and members of the public the

opportunity to review the Annual Budget Plan and Annual Services Plan and provide input to the Superintendents' Council. Upon approval by the Superintendents' Council, these documents shall be submitted to the California Department of Education.

The Superintendents' Council shall adopt policies to describe program and service options available in the SELPA. Innovative service designs or the piloting of new options is encouraged, however after one year of operation, the LEA providing the service must present the new service delivery model to the Superintendents' Council for adoption. The Superintendents' Council may provide guidelines for staffing patterns, student patterns, curriculum, and/or instructional methodology.

Amendments to the Annual Service and Budget Plans (EC 56205(b)(1))

The governing boards of the local education agencies agree to designate authority to the Superintendents' Council to approve the SELPA-wide annual service and budget plans and any subsequent modifications.

18. MONITORING THE USE OF SPECIAL EDUCATION FUNDS (Education Code 56205(a)(12)(ii)(IV))

It is the intent of the SELPA that the needs of students with disabilities as identified in the IEP shall be met. Funds allocated for special education programs shall be used for services to students with disabilities. Federal funds under Part B of IDEA may be used for the following activities:

- (1) For the costs of special education and related services and supplementary aids and services provided in a general education class or other education-related setting to a child with a disability in accordance with the IEP for the child, even if one or more nondisabled children benefit from these services.
- (2) To develop and implement a fully integrated and coordinated services system.

The SELPA Administrator, with the assistance of the Program Advisory Committee, the Finance Advisory Committee, and the Responsible Local Agency, shall be responsible to monitor on an annual basis the appropriate use of all funds allocated for special education programs. The Superintendents' Council through the Annual Budget Plan process shall make final determination and action regarding the appropriate use of special education funds.

19. PREPARATION OF PROGRAM AND FISCAL REPORTS (Education Code 56205(a)(12)(D)(ii)(V))

The SELPA Administrator, with the assistance of the Fiscal Consultant, Program Advisory Committee, Finance Advisory Committee, and Responsible Local Agency, shall be responsible to prepare all program and fiscal reports required of the SELPA by the state.

20. SELECTION OF REPRESENTATIVES FOR DEVELOPMENT OF THE LOCAL PLAN (Education Code 56195.3)

The Local Plan is developed and updated cooperatively by a committee of representatives of special and general education teachers and administrators and representatives of charter schools selected by the groups they represent and with participation by the chair of the CAC Local Plan Committee to ensure adequate and effective participation and communication. Teacher participants shall be selected by their peers. General education and special education administrators shall be selected by the representative superintendents. Directors of charter schools shall be requested to select a representative to serve on the Local Plan committee.

21. PUBLIC PARTICIPATION (Education Code 56205(b)(4))

Members of the public, including parents or guardians of individuals with exceptional needs who are

receiving services under the plan are informed of and invited to a public input meeting to discuss the plan. Notification of the public input meeting date is posted in member school districts for two weeks prior to the meeting date. The Local Plan is also presented as a discussion item at appropriate governance meetings. Members of the public, including parents or guardians of students with disabilities, may address, through standardized procedures, questions or concerns to the governing boards of the local education agencies, the Superintendents' Council, the Program Advisory Committee, the Finance Advisory Committee and any subcommittees of these governance groups.

22. CONSULTATIONS FOR POLICY AND BUDGET DEVELOPMENT (Education Code 56195.7(a), 56205(a)(12)(c))

All policy, procedure and budget development matters shall be reviewed by the Community Advisory Committee prior to action by the Superintendents' Council. Special education teachers, regular education teachers, administrators and parent members of the CAC shall participate in regular consultations regarding policy and budget development through input at regularly scheduled CAC meetings.

23. COMMUNITY ADVISORY COMMITTEE (CAC) (Education Code 56205 (a)(12)(C))

Membership in the Community Advisory Committee is by appointment and action of the participating LEA board of education. Each of the WESELPA districts has a board approved policy which outlines the process for nomination, selection and board approval of CAC members and alternates. A continuous effort is maintained to inform and interest parents in participating on the committee. Terms of office are approved as two years, and at least 51 percent of the committee's members are to be parents of special education students. Each CAC member will receive information that outlines the duties and responsibilities of the organization.

The SELPA Administrator works collaboratively with the CAC. Officers may request presentation, discussion, or explanation of any program service provided within the SELPA. The CAC chairman, in conjunction with other officers if necessary, may request to present information to any governance body within the SELPA. Additionally, the CAC shall prepare and present an annual report to the SELPA administrator regarding the status of programs and issues studied by the group. This report, if the individual members wish, may be presented to the board of education which appointed that member. Any concerns or recommendations determined to be of importance by the group may be presented at the CAC or other SELPA governance meetings for consideration in the rewriting of the local plan.

During its annual activities, the CAC will regularly forward communications to all parents of children receiving special education services within the SELPA via the district directors of special education. Parents will be invited to attend any of the regularly scheduled meetings held by the committee. Various programs of interest will be scheduled for presentation. The committee will determine the need to study various issues, and all interested community members will be invited to attend. Input by individual parents, teachers, and others will be encouraged. It will be the goal of the CAC to support all local and regional activities organized on behalf of students with special needs. A complete listing of their duties is as follows:

1. Assist the SELPA in the development and implementation of the local plan for special education.
2. Serve as a liaison between community members and the district administrator of special education.

3. Raise the community consciousness through parent education programs, and increase community acceptance of the differences in learning abilities in children and the need for educational and vocational provisions to accommodate these differences.
4. Provide a forum where needs can be assessed, issues can be raised, and suggestions for change and/or improvement can be discussed and recommendations for action can be made with respect to planning and provision of special education programs and services.
5. Provide a parent representative to participate on the evaluation team for the local plan for special education.
6. Interact with parent groups and individual students' parents to encourage consistent and continuous attendance of children to their school programs
7. Promote and elicit broad community support for special programs and services.
8. Submit a written report annually to the West End SELPA Program Advisory Committee and an annual report to the Superintendent of the Responsible Local Agency and LEA member boards of education.
9. Become familiar with the laws pertaining to special education and their implication for people with special needs.
10. Encourage the establishment of procedures to ensure public access to all written documentation related to state and federal laws, as well as the local plan.
11. Receive training regarding the selection and utilization of parent surrogates.

Parent education is facilitated through the network and communication of the Community Advisory Committee. Informative presentations are given during some CAC meetings to provide parent education. In depth parent training series are available through the SELPA to CAC members and all parents in the districts served by the SELPA. The CAC members continuously seek to recruit additional parents to participate in the meetings and activities.

24. COMMUNITY ADVISORY COMMITTEE MEMBERSHIP (Education Code 56205) See Appendix C for CAC Bylaws, Section 4.01.

25. BEHAVIORAL INTERVENTIONS FOR SPECIAL EDUCATION STUDENTS
(Education Code 3001, 5CCR 3052, CFR 300.346-300.520, 56341(c)(2))

The SELPA shall develop procedures regarding behavioral assessment and intervention to guide all staff members and parents in responding to students with challenging behaviors. Behavioral assessment and intervention plans will be considered when a student's disciplinary actions constitute a "change of placement," when behaviors impede the learning of the student or others, and when behaviors occur that are dangerous to the student and others.

The West End SELPA has Policies and Procedures which outline the behavioral interventions for students receiving special education services within the West End SELPA region.

26. CHARTER SCHOOL POLICY

WEST END SELPA

CHARTER SCHOOL POLICY

Education Code 56195, 56195.1(f), 56207.5

Provision of Special Education Services to Students Voluntarily Enrolled in Charter Schools

A. Rationale

This policy applies to all dependent charter schools that are chartered by educational entities located within West End SELPA, as well as independent charter schools designated as a Local Education Agency (LEA). Additionally, this policy applies to any charter school petition granted by the County Board of Education or State Board of Education (SBE) in which oversight responsibilities have been assigned to a district within the SELPA (EC 47605(k)(1), 47605.5). In compliance with EC 47645, the West End SELPA will treat the review and approval of a charter school's request to be an LEA in the same manner as a request from another district to join the SELPA.

As students enrolled in charter schools are entitled to special education services provided by state and federal funding, the charter schools shall follow all applicable requirements of state and federal law regarding provision of special education services (EC 56000 et seq.), Individuals with Disabilities Education Act (20 U.S.C. Chapter 33).

B. Policy Statement

Special education and related services shall be provided to all eligible individuals within West End SELPA in accordance with this Local Plan. Students enrolled in charter schools chartered within the county shall receive services in a manner similar to students enrolled in member districts within the SELPA. Funding for special education services, participation in the governance structure and responsibility for provision of services shall be based on the status (dependent vs. independent of the individual charter school).

All approved charter schools will be deemed as public schools within a district unless the charter school has been deemed an LEA.

1. SELPA Involvement with Approval and Renewal of Charters

- a. Prior to approval of a new charter or renewal of an existing charter, the superintendent or designee of the chartering entity shall consult with the SELPA Administrator regarding the status of the charter school. In order to be deemed an LEA, the chartering entity will provide assurances that all eligible students, including those students enrolled in the charter school, will receive appropriate special education services.
- b. A charter may be granted pursuant to EC Section 47605, 47605.5, and 47606 for a period not to exceed five years.
- c. A material revision of the provisions of a charter petition may be made only with the authority that granted the charter; a school district governing board, a county board of education, or the State Board of Education
- d. The authority that grants the charter may inspect or observe any part of the charter school at any time.
- e. Reversals and material revisions of charters shall be governed by the standards and criteria in EC 47605.
- f. A charter may be revoked by the granting authority if it is found that the charter:
 - i. Committed a material violation of any of the conditions, standards, or procedure set forth in the charter;

- ii. Failed to meet or pursue any of the pupil outcomes identified with the charter,
 - iii. Failed to meet generally accepted accounting principles or engaged in fiscal mismanagement;
 - iv. Violated any provision of law.
- g. Prior to revocation, the authority that granted the charter shall notify the charter public school of any violation and give the school a reasonable opportunity to remedy the violation, unless the authority determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the pupils.
- 2 Status of Charter Schools - For the purposes of provision of special education services, charter schools may be deemed either an LEA or a public school within the chartering district.
 - a. Public School Within a School District - Charter schools that are deemed to be public schools within a district will participate in the state and federal funding in the same manner as other schools within the chartering district. The chartering district will be responsible for ensuring that all children with disabilities enrolled in the charter school receive special education and designated instructional services in a manner that is consistent with all applicable provisions of state and federal law. The district will determine the policies and procedures necessary to ensure that the protectionism of special education law extend to students in the charter school in the same manner as students in the regular program. The chartering district will receive all applicable special education funds. The chartering district will represent the needs of charter schools, like other schools within the district, in the SELPA governance structure. The chartering district will be responsible for ensuring that all eligible students are appropriately served. The district will be responsible for procuring and funding appropriate special education services, even though the student may reside anywhere in the State of California. The district and the charter school may enter into agreements whereby the charter school is billed for excess costs associated with providing special education services to identified students, including the administration of special education programs. The charter school should also be held fiscally responsible for a fair share of any encroachment on district general funds that is created by the provision of special education services throughout the district.
 - b. Charter School as an LEA Within the SELPA - A charter school may apply to become an LEA for the provision of special education services. Application must be made to the SELPA by February 1 of the school year preceding the school year in which the charter school anticipates operating as an LEA within the SELPA. The Superintendents' Council will make the final determination whether the charter school has met all requirements of an LEA. The requirements include:
 - i. Meet the terms of the agreement regarding Identification, Screening, Referral, Assessment, Instructional Planning, Implementation, and Review.
 - ii. Meet the terms of the agreement regarding Procedural Safeguards.
 - iii. Meet the terms of the agreement regarding Regionalized Services.
 - c. Once deemed an LEA, the charter school will be responsible for and entitled to the following:
 - i. Participant in governance of the SELPA in the same manner as other districts within the SELPA
 - ii. Receive state and federal funding for special education in accordance with the SELPA Allocation Plan.

- iii. Be responsible for all costs incurred in the provision of special education services. These costs may include, but are not limited to, instruction, transportation, non-public school/agency placements, inter/intra SELPA placements, due process proceedings, complaints, and attorney fees.
- iv. Receive services from the SELPA including dispute resolution and nonpublic school/agency tuition in the same manner as other districts within the SELPA.

C. Administrative Guidelines

1. A petition for the creation of a charter school, or renewal of an existing charter, which seeks to be deemed an LEA, must contain adequate assurances that the proposed school will comply with all applicable provisions of state and federal law and implementing regulations related to the rights of disabled students and their parents (20 U.S.C. Chapter 33, Individuals with Disabilities Education Act).
2. The LEA governing board may require that a petition include the means by which the charter school intends to serve students with disabilities. This may include a specific reference as to whether the charter school intends to be deemed an LEA or public school for the provision of special education services.
3. The LEA governing board shall require that a petition contain assurances that no student will be denied admission to the charter school based on disability or lack of available services or performance levels.
4. Prior to approving a charter school petition, the superintendent or designee of the chartering entity may consult with the SELPA Administrator regarding the provision of special education services to students enrolled in the prospective charter school.
5. The charter petition, or an accompanying Memorandum of Understanding or Business Services Agreement, may provide for the allocation of excess costs and/or the charter school's fair share of special education encroachment on the district general fund.
6. Once admitted to a charter school, any special education services required by enrolled students will be provided by the district which authorized the charter if the school is deemed a public school within the district or by the charter school if deemed an LEA.
7. If a charter school IEP team places a student in a special education program provided by another educational entity (i.e., a COE, non-public school, non-public agency, or another district or SELPA), the charter school will be responsible for any excess costs attributable to the placement in accordance with the SELPA fiscal allocation plan. Responsibility for excess costs will rest with the placing charter school or LEA authorizing the charter school.
8. A district IEP team may place a student in a charter program only with agreement between responsible educational entities and parental consent. Under such circumstances, the placing district will be responsible for any excess costs in accordance with the Local Plan.
9. The chartering district will be allocated all special education funds that are generated by a charter school that is deemed a public school. The chartering district will represent the needs of the charter schools it authorizes that are deemed public schools of the LEA in the

SELPA governance structure. The charter school will receive SELPA services in the same manner as other schools within the chartering district depending on charter school agreement or MOU with the LEA.

10. If the approval of a charter school requires a change in the SELPA allocation plan, such change shall be adopted pursuant to the policy making process outlined in the SELPA Local Plan.

SECTION III

LITERACY POLICY

SECTION III LITERACY POLICY

27. LITERACY POLICY

To ensure positive student outcomes in literacy, West End SELPA follows the Common Core State Standards and the Reading/Language Arts Framework for California Public Schools, Kindergarten through Grade Twelve, and state adopted literacy standards. The districts and the SELPA strive for student progress toward grade level performance. Students with severe disabilities who require a functional curriculum receive instruction for literacy and communication based upon standards from an alternate curriculum. The West End SELPA goals for literacy are to:

- (1) Increase the percentage of children with disabilities who are literate and achieve at grade level
- (2) Improve the rate of reading gain for students in special education achievement of grade level reading
- (3) Have qualified staff who provide evidence-based strategies and use the California Reading/Language Arts Framework and Standards or the state supported alternate curriculum for students with severe disabilities
- (4) Support collaboration between special and general education to provide explicit, systematic instruction for special education and at-risk students
- (5) Support ongoing assessment to measure student progress and to provide a prescriptive basis for instruction
- (6) Prepare students to participate in statewide or alternate curriculum assessments with or without accommodations
- (7) Provide techniques for meeting the needs of diverse learners

Reading/Language Arts present levels, goals, and benchmark objectives are documented in each student's initial IEP and annually as appropriate.

The West End SELPA assures that students with disabilities will have full access to the Common Core State Standards and all required core curriculum including state adopted core curriculum text books and supplementary text books as well as instructional materials and support in order that students with disabilities attain higher standards in reading.

28. STAFF DEVELOPMENT OPPORTUNITIES

To achieve goals for students in Reading/Language Arts, the West End SELPA provides staff development opportunities:

- (1) For special educators, general educators, and families in the core curriculum and the California Reading/Language Arts Framework and Standards evidence-based reading programs
- (2) That support literacy programs in the areas of reading, writing, speaking and listening with more instructional time, precisely sequenced direct instruction, more coaching and practice, and careful progress monitoring

Special education instructional personnel will participate in staff development in-service opportunities in the areas of literacy that include:

- (1) Information about current literacy and learning research
- (2) State adopted standards and frameworks aligned with the federal Common Core State Standards
- (3) Increased participation of students with disabilities in statewide student assessments
- (4) And, evidence-based instructional strategies aligned with the Common Core State Standards for teaching reading and writing to a wide range of diverse learners in order to increase the percentage of children with disabilities who are literate

SECTION IV

ANNUAL SERVICE PLAN

SECTION IV
ANNUAL SERVICE PLAN
AND
EARLY INTERVENTION SERVICE
UNDER PART C OF IDEA

29. PROVISION OF SPECIAL EDUCATION SERVICES TO STUDENTS WITH DISABILITIES (Education Code 56140)

The SELPA provides a full continuum of services to students with disabilities, including students in charter schools as well as alternative education programs including opportunity schools and classes, community schools offered by districts, community schools offered by county offices of education, and juvenile court schools throughout the geographic region of the SELPA. Access to services is through each of the local education agencies. The referral, assessment and IEP process is utilized to identify the needs of each individual student with disabilities. The local education agencies have committed to policies and procedures to assure that students will have their rights to appropriate services provided in the least restrictive environment.

The Program Advisory Committee shall identify on a regular basis any unmet needs for students within the SELPA. With the assistance of the SELPA Administrator and administrative staff, the Program Advisory Committee identifies the resources within the SELPA which could provide the appropriate services. When services are required beyond the programs and services being provided by any local education agency, the Program Advisory Committee shall develop a plan for consideration by the Superintendents' Council. Any plan having a fiscal impact on local education agencies shall be reviewed by the Finance Advisory Committee prior to consideration by the Superintendents' Council.

The Program Advisory Committee shall develop the Annual Service Plan for review and approval by the Superintendents' Council. The Annual Service Plan shall be distributed to the local education agencies and the Community Advisory Committee upon approval.

30. CERTIFICATED INSTRUCTIONAL AND SUPPORT PERSONNEL (Education Code 56205(b)(1))

LEAs will report annually to the SELPA at specified dates the number of special education staff employed to serve special education students. This report will include certificated, classified and management categories.

31. RESPONSIBILITIES OF LEA AND REGIONAL CENTER (Education Code 56205(b)) The SELPA will provide services to infants through pre-school aged children in accordance with federal and state laws. See Appendix F: Interagency Agreement between West End SELPA and Inland Regional Center

SECTION V

ANNUAL BUDGET PLAN

SECTION V ANNUAL BUDGET PLAN Education Code 56205(b)(1)

32. ANNUAL BUDGET PLAN

The local plan shall contain an annual budget plan that shall be adopted at a public hearing held by the SELPA. Notice of this hearing shall be posted in each school in the local plan area at least 15 days prior to the hearing. A copy of the Public Hearing Notice must be submitted with the annual budget plan. The annual budget plan may be revised during any fiscal year according to the policymaking process established pursuant to subparagraphs (D) and (E) of paragraph (12) of subdivision (a) and consistent with subdivision (f) of Section 56001 and Section 56195.9.

The annual budget plan shall identify expected expenditures for all items required by this part which shall include, but not be limited to, the following:

- A) Funds received in accordance with Chapter 7.2 (commencing with Section 56836).
- B) Administrative costs of the plan.
- C) Special education services to pupils with severe disabilities and low incidence disabilities.
- D) Special education services to pupils with nonsevere disabilities.
- E) Supplemental aids and services to meet the individual needs of pupils placed in regular education classrooms and environments.
- F) Regionalized operations and services, and direct instructional support by program specialists in accordance with Article 6 (commencing with Section 56836.23) of Chapter 7.2.
- G) The use of property taxes allocated to the special education local plan area pursuant to Section 2572.

It is understood that the annual budget plan will be submitted in accordance with State guidelines once the Local Plan is approved.

Supplementation of state/federal funds

LEAs contribute annually to a SELPA X-Pot that is used to supplement regional services provided within the SELPA.

Maintenance of financial effort

LEAs provide data reports regarding financial expenditures to the West End SELPA on a regular basis. These reports are evaluated to determine continued maintenance of financial effort. Each district in the SELPA assures the maintenance of fiscal support and understands that Part B funds will not be used to reduce the level of support beyond the amount permitted under federal law and regulations.

Use of property taxes (EC 56205(b)(1)(G))

County property taxes are allocated to regional provider classes operated by San Bernardino County Superintendent of Schools.

APPENDIX A

WEST END SELPA BYLAWS

APPENDIX A

WEST END SELPA BYLAWS

WEST END SPECIAL EDUCATION LOCAL PLAN AREA

PURPOSE

The West End Special Education Local Plan Area (SELPA) is a consortium of school districts and the County Superintendent's Office, functioning under a state certified plan to provide special education services to children with disabilities in a programmatically meaningful and fiscally viable fashion. The SELPA is structured to comply with the requirements of the state of California Education Code as well as specifics of federal law as written under the Individuals with Disabilities Education Act and Section 504 of Public Law and the provisions of the California Education Code, Part 30.

PARTIES

The parties listed below mutually agree to cooperate under the policies, rules, and directives established by the consortium governing bodies and the specifications written into the Agreement for Participation:

- Alta Loma School District
- Central Elementary School District
- Chaffey Joint Union High School District
- Chino Valley Unified School District
- Cucamonga School District
- Etiwanda School District
- Mountain View School District
- Mt. Baldy Joint School District
- Upland Unified School District
- San Bernardino County Superintendent of Schools

AUTHORITY

The West End Special Education Local Plan Area of San Bernardino County is organized under the authority of Education Codes 56140, 56195.1 through 56195.5 and 56205 through 56207.5, which requires local educational agencies to participate in a Special Education Local Planning Area.

GOVERNANCE AND ADMINISTRATION

This SELPA, as a consortium of school districts, will be governed separately from the individual participating school districts through the establishment of the following bodies and positions:

1. Responsible Local Agency (RLA)

The RLA will be one of the participating parties as determined by vote of the Superintendents' Council. The RLA will receive and distribute Regional Services dollars; employ personnel necessary to staff the WESELPA; and assure compliance with state and federal program mandates through policies and guidelines formed by the Superintendents' Council. The RLA Superintendent will assure compliance with the Local Plan as submitted to the State Department of Education.

2. Superintendents' Council

A. Purpose:

The Council will exercise leadership of WESELPA through direction of the RLA and WESELPA administrator at scheduled meetings and through the formulation and adoption of written guidelines and policies. The Council will determine necessary action for WESELPA by consideration of recommendations gained from the RLA Superintendent, WESELPA administrator, Program Advisory Committee, Finance Advisory Committee, and Personnel Committee. The adoption of policies for WESELPA shall be gained through a majority vote of the Council and recorded in the official meeting minutes.

B. Membership:

Each party of WESELPA will appoint its superintendent, or in the case of a charter school LEA, an appropriate administrator, to membership on the Council. There shall be no other members.

C. Alternates:

District superintendents may select an alternate to attend Council meetings on an emergency basis. Standing alternates are not designated and are discouraged.

D. Voting:

Each member of the Council shall have one vote. The member or the emergency alternate must be present at the meeting to cast a vote.

E. Officers:

The RLA Superintendent shall be the chairperson of the Council. One other member will serve as Vice Chairperson as determined by the rotation schedule approved by the Council. The RLA will employ an administrator, selected by the Council, to function as secretary to the Council and as administrator of WESELPA

F. Meetings:

The Council will have a minimum of six meetings per year. Special meetings may be scheduled at the discretion of the members. A meeting quorum will consist of five voting members.

G. Committees:

There are no standing committees within the Council. Special committees or work groups may be formed for specific purposes as deemed necessary by the membership.

3. Program Advisory Committee

A. Purpose:

To study issues, laws, program needs, problem solution, and cooperative planning for developing recommendations for action by the Superintendents' Council as presented through the WESELPA administrator.

B. Membership:

Each party participating in WESELPA shall appoint one administrator of special education programs to membership on the Program Advisory Committee. No standing alternates are accepted. Emergency alternates may be selected for specific meetings.

C. Voting:

Each member shall have one vote. The member or the emergency alternate must be present to cast his/her vote unless the Committee determines otherwise by its action. A quorum consists of five voting members.

D. Chairperson:

The WESELPA Administrator will function as chairperson of the Committee. In his/her absence, the WESELPA Program Manager shall serve as chair. The administrator's secretary will function as secretary to the committee.

E. Meetings:

The Committee will have a minimum of six meetings per year. Special meetings may be scheduled as the membership deems necessary.

F. Committees:

The Program Advisory Committee will have no standing subcommittees. Special subcommittees or work groups may be formed for limited and specific purposes as determined necessary by the Committee membership.

4. Finance Advisory Committee

A. Purpose:

To review current fiscal issues as they impact the policies and direction of WESELPA and form recommendations, presented through the WESELPA administrator, to the Superintendents' Council for action.

B. Membership:

Each party participating in WESELPA shall appoint one manager of district business services to membership on the Finance Advisory Committee. Alternates may be selected to attend individual and specific meetings.

C. Voting:

Each member shall have one vote. The member or selected alternate must be present at the meeting to cast a vote. A quorum consists of five voting members.

D. Officers:

The WESELPA administrator or a selected designee will function as chairperson of the Finance Advisory Committee for purposes of reporting information or recommendations to the Superintendents' Council.

E. Meetings:
Meetings will be scheduled quarterly. Special meetings may be scheduled for the purpose of meeting specific needs of WESELPA or its individual parties.

F. Committees:
There are no standing subcommittees. Individual subcommittees or work groups may be established to study or investigate special subjects or issues on a time-limited basis.

5. Personnel Committee

A. Purpose:
To project, review, and propose solutions to personnel issues as they affect the positions and programs required in WESELPA operations and to recommend proposed solutions or actions to the Superintendents' Council through the WESELPA administrator.

B. Membership:
Each participating party shall appoint one administrator to this Committee. Alternates may be selected to represent the regular member at individual meetings.

C. Voting:
Each member may have one vote. The member or selected alternate must be present at the meeting to cast a vote. A quorum consists of five voting members.

D. Officers:
The WESELPA administrator will function as chairperson of the Personnel Committee for purposes of reporting information or making recommendations to the Superintendents' Council.

E. Meetings:
Meetings will be scheduled semi-annually or as needed to address issues or concerns requiring additional consideration by the Committee members.

F. Committees:
There are no standing subcommittees. Individual subcommittees or work groups may be established to study or investigate special subjects or issues on a time-limited basis.

COMMITTEE ACTIVITIES

All formal committees of the West End Special Education Local Plan Area will have designation, membership, and purposes determined by the Superintendents' Council. All business meetings of the Community Advisory Committee, Program Advisory Committee, Finance Advisory Committee and Superintendents' Council shall be open to the public. The only exceptions are those meetings or portions of meetings which may be held in closed session under the provisions of the Ralph M. Brown Act, such as a closed personnel session.

REQUIREMENTS OF PARTICIPATION

1. Certification of Participation

Each party participating in the West End Special Education Local Plan Area will complete and certify through district board action an Agreement for Participation in the West End Special Education Local Plan Area. This agreement will be in force for the term of the Local Plan. In order to comply with new legislation, or to comply with the agreements of the participants, this agreement may be modified and updated through formal action of the Superintendents' Council prior to renewal.

2. Withdrawal from Participation

Either party may by giving written notice to the RLA and SELPA on or before December 31 of any year and therein specifying the effective withdrawal date of July 1 of the second succeeding school year, terminate the Agreement to Participate in whole or in part. Upon receipt and acceptance of the notice of withdrawal by formal action of the Superintendents' Council, the requesting party will:

- receive assignment of all approved state revenues allocated to that district for service to its resident pupils.
- receive all pupils resident to that district previously being served by other consortium parties.
- return to the consortium parties all revenues allocated to the district for service to non-resident pupils.
- return all non-resident pupils to the consortium parties for assignment to appropriate classes/services within the consortium programs.

Questions concerning disbursement and allocation of classroom equipment and materials utilized to serve pupils withdrawn from consortium programs may be addressed to a three-member special committee appointed by the Superintendents' Council. This committee will be selected and activated only when necessary.

Any district initiating a proposal to withdraw from the SELPA shall bear the total cost of consultants retained to provide a thorough analysis of legal or fiscal implications caused by such proposed action. In addition, any due process costs associated with a withdrawal from SELPA or program transfer within the SELPA shall be paid entirely by the district initiating the change.

Exceptions to the above requirements may be initiated only by specific action of the Superintendents' Council.

3. Program Transfer

Any LEA initiating a transfer of educational programs and services already in operation within the SELPA shall follow Education Code 56207. In the event an LEA desires to initiate program or services transfers, a transfer planning committee made up of three SELPA governance members shall be designated to address, at a minimum, all of the following: pupil needs, the availability of the full continuum of services to affected pupils, the functional continuation of the current IEPs of all affected pupils, the provision of service in the least restrictive environment

from which affected pupils can benefit, the maintenance of appropriate support services, the assurance that there will be compliance with federal and state laws and regulations as well as SELPA policies, and the means through which parents and staff were represented in the planning process.

The day on which the transfer of programs will take effect may be no earlier than the first day of the second fiscal year beginning after the date on which the sending or receiving agency has informed the other agency and the Superintendents' Council, unless the Superintendents' Council unanimously approves the transfer take effect on the first day of the first year following the date of receipt of notification.

The approved SELPA guidelines for program transfer will be followed by SELPA staff as well as all affected agencies. Alternate dispute resolution pursuant to Education Code 56205 (d) will be utilized if either sending or receiving agency disagrees with the proposed transfer. All costs associated with due process actions will be paid by the agency initiating the program or service transfer.

PUBLIC PRESENTATIONS TO THE COUNCIL

All business meetings of the Superintendents' Council shall be open to the public. The only exceptions are those meetings or portions of meetings which may be held in closed session under the provisions of the Ralph M. Brown Act, such as a closed personnel session.

Members of the public shall have a right to place matters directly related to the business of the Council on the agenda by presenting those agenda items in writing to the WESELPA administrator no later than two weeks in advance of a scheduled Council meeting. Agenda items received later than two weeks prior to the meeting shall be placed on the agenda for the subsequent meeting, unless the WESELPA administrator, in his or her sole discretion, determines that there is still time to place the matter on the agenda without interfering with the normal process of preparing and mailing the agenda.

Along with his or her request to place an item on the agenda, the member of the public shall submit copies of any "handout" or other materials he or she wishes to present to the Council or give to the public at the meeting.

Members of the public shall be given the opportunity to address the Council regarding items of business on the agenda as such items are taken up. In addition, a portion of each meeting shall be set aside for public comment on matters not on the agenda which any member of the public may wish to bring before the Council, provided that no action shall be taken by the Council on such matters at the same meeting at which such items are presented.

All public comments shall be limited to a maximum of three minutes in duration per person, unless a longer period is expressly granted by a majority vote of the Council. Any provision of the above policy may be waived by majority vote of the Council.

APPENDIX B

AGREEMENT FOR PARTICIPATION

IN

WEST END SELPA

Amended by the West End Superintendents' Council

4/22/16 to include the RLA Chart

APPENDIX B

AGREEMENT FOR PARTICIPATION IN WEST END SELPA

THE SAN BERNARDINO COUNTY SUPERINTENDENT OF SCHOOLS, hereinafter referred to as RLA and SCHOOL DISTRICT hereinafter referred to as "Participating Unit," mutually agree as follows:

DEFINITIONS: RLA

Responsible Local Agency as defined in Education Code Section 56030.

SELPA

The West End Special Education Local Plan Area (WESELPA) is the administrative unit responsible for assuring services in Education Code 56001 (a) through (o) as provided in a Local Plan - Education Code 56195 through 56195.5.

SPECIAL EDUCATION

As defined in Education Code Sections 56000 through 56001.

GOVERNANCE COUNCIL

The decision-making council for the Local Plan comprised of the superintendent or approved representative from each Participating Unit.

PROGRAM ADVISORY COMMITTEE

A committee whose members represent each participating unit who meet on a regular basis to ensure coordination of services in compliance with the Local Plan and with state/federal law.

LOCAL PLAN

As defined in Education Code 56027.

PARTICIPATING UNIT

A local school district, charter school LEA, and the county Superintendent of Schools participating in the WEST END SELPA. Approval of the Local Plan by the LEA governing board is a requirement for each participating unit.

COMMUNITY ADVISORY COMMITTEE

Composed of citizen members the majority of whom are parents to advise on the implementation of the Local Plan per Education Code 56190 through 56194.

ARTICLES:

- I. Pursuant to the provisions of Education Code Sections 56000 et seq., the SELPA shall plan, facilitate, implement, and administer the activities of the San Bernardino County West End Special Education Local Plan Area as approved by the State Board of Education, and shall perform those services as required to accomplish the elements set forth in the plan as well as those required by state and federal law. Those services include, but are not limited to the following:
 - A. Act as agent for participating units as specified in the Plan and law. Receive, compile, and submit required reports to state and federal agencies and collect state aid funds for regionalized services per Education Code 56836.23 through 56836.25.
 - B. Provide fiscal and legal guidance for compliance with state and federal mandates.
 - C. Assist Participating Units in the development and implementation of a systematic method for referring, placing, and educating individuals with exceptional needs who are their responsibility, including the methods and procedures for communication with the parents and/or legal guardians.
 - D. Assist the Participating Units in the development and implementation of program objectives and provide for continuous expert evaluation of the identified objectives to assure that such objectives are effective and in compliance with the intent of the Local Plan.
 - E. Assist in the development and determination of the duties of program specialists in compliance with Education Code Section 56368 and the Local Plan.
 - F. Provide such assistance as may be requested by the Participating Unit to organize and coordinate the activities of the IEP Team.
 - G. Organize and assist Participating Units in the activities of the IEP Team as provided in Education Code Section 56328.
 - H. Assist in the selection, when requested, of appropriate staff members. Such assistance may include the development of criteria for staff recruitment, qualification, and performance evaluation consistent with Education Code requirements and established consortium policy as well as actual assistance in recruitment.
 - I. Organize and coordinate the activities of the Community Advisory Committee to facilitate the achievement of the Comprehensive Plan and advise the SELPA Administrator in the operation of the Local Plan. Provide for the attendance of designated members of the SELPA staff at all regularly scheduled Community Advisory Committee meetings.
 - J. Coordinate community and state agency resources with those provided by Participating Units and the RLA, including initiation of such contractual agreements as may be required.
 - K. Structure and maintain the Program Advisory Committee for the purpose of monitoring the program operations of the Local Plan and make recommendations to the SELPA for necessary modifications.
 - L. Provide, if requested, guidelines for coordination of pupil transportation services to the special classes conducted by Participating Units by contracts with the RLA, other districts, and/or private contractors.
 - M. Provide for the regular in-service training and staff development of SELPA staff responsible for the operation and conduct of the Local Plan.
 - N. Provide the process and forms to enable the Participating Units to report to the SELPA on student enrollment/attendance, and on teacher/pupil program placement necessary to verify compliance with state/federal requirements.
 - O. Establish and maintain a pupil Management Information System in compliance with state requirements.

- P. Perform other services necessary to the administration and coordination of the Local Plan as directed by the Superintendents' Council.
- Q. Provide services to meet the legally required demands of dispute resolution and/or Due Process requests by parents and others in compliance with state and federal law.
- R. Provide and manage nonpublic school placements and appropriate private services to SELPA children as required by state and federal law.

II. Participating Units in the Local Plan shall perform the following:

- A. Select, compensate, and assign the duties of the resource specialists, special education teachers, DIS staff, instructional aides, and other personnel as required to conduct programs in compliance with the Local Plan.
- B. Organize and administer the activities of the IEP Teams in conformance with Education Code Section 56340 through 56347 and in compliance with the Local Plan and SELPA policy.
- C. Organize and maintain the activities of the Special Day Classes, Resource Specialist Program, and DIS staff in conformance with the Education Code and in compliance with the Local Plan and SELPA policy.
- D. Provide facilities as required to house the programs conducted by the RLA and the SELPA as part of the Local Plan and SELPA policy.
- E. Provide such transportation services as may be required to meet program mandates and in compliance with the Local Plan.
- F. Assist the SELPA in development of curriculum for the classes and in the development of program objectives. Assist in the evaluation of the programs as specified in the Local Plan.
- G. Assist the SELPA in the development of procedures and methods of communicating with the parents and/or legal guardians of the individuals served in conformance with provisions of the Local Plan and federal and state law.
- H. Provide for the documentation, reporting, and security of diagnostic procedures used for the placement of individuals. Provide for the continuous review of placements and diagnostic procedures employed to ensure their effectiveness and applicability in conformance with state and federal law.
- I. Provide for the integration, when appropriate, of individuals educated under this Agreement into the general education school programs and provide for evaluating the results of such integration according to specifications of the Local Plan.
- J. Prepare and submit all necessary and required reports, including reports on student enrollment, program evaluation, and program management to the SELPA.
- K. Provide individuals to represent the Participating Unit at regularly scheduled meetings of the SELPA Program Advisory Committee, and Finance Advisory Committee to monitor the implementation of the Local Plan and make necessary recommendations for Local Plan modifications to the SELPA.

III. The RLA will provide the following services:

- A. The prior year ending balance remaining in the SELPA Services Account shall be returned by transfer from the SELPA to the Participating Unit at such time as the Annual Financial Reports have been completed by the SELPA, reported to the RLA, and filed with the California Department of Education. No funds shall be transferred until such time as the prior year ending balance has been returned to the Participating Units in accordance with this section. The amount to be transferred to each Participating Unit shall be in proportion to the Participating Unit contribution of the prior year.

- B. A supporting personnel system will be provided for contacting, recruiting, and employing necessary SELPA staff to comply with state law, the Local Plan, and Superintendents' Council decisions. The personnel will be employees of the RLA and responsive to the same policies as other members of that office.
 - C. The RLA will provide support to the SELPA for completion of necessary operational contractual arrangements, and for a purchasing process for obtaining necessary equipment, materials, and supplies to meet outlined responsibilities. These business procedures will comply with all necessary policies and procedures of the RLA fiscal management system.
- IV. The Participating Unit will defend and indemnify the SELPA and RLA against, and will hold and save the SELPA and RLA, its officers, agents, and employees harmless from any and all actions, claims, damages to persons or property, penalties, obligations, or liabilities that may be asserted or claimed by any person, firm entity, corporation, political subdivisions, or any other organization arising out of the operation or maintenance or other activities of the Participating Unit or its agents, employees, or independent contractors under this Agreement.
- V. The Participating Unit shall provide and shall maintain in force, during the term of this contract, comprehensive personal injury and property damage liability insurance, including automobiles, with minimum personal injury liability limits of \$1,000,000 per person and \$5,000,000 per occurrence, and minimum property damage liability limits of \$500,000 aggregate. The policy or policies of liability insurance shall name the RLA as additional named insured under the terms of such policy or policies. Further, such policy shall not be canceled without thirty (30) days prior written notice to the RLA.
- VI. It is expressly understood that the Participating Unit is an independent contractor in carrying out the terms of this Agreement and shall not act, in any manner, as the servant or agent of the RLA.
- VII. The Participating Unit shall maintain such records and accounts including property, personal and financial records, as are deemed necessary by RLA and the California State Department of Education, and such records and accounts will be retained for five years after expiration of this Agreement unless permission to destroy them is granted by both RLA and California State Department of Education.
- VIII. The term of this Agreement is concurrent with the term of the Local Plan.
- IX. Either party may, by giving written notice on or before December 31 of any year, and therein specifying the effective withdrawal date of July 1 of the second succeeding school year, terminate this Agreement in whole or in part in the manner stipulated within the bylaws of this consortium.
- X. This Agreement may be amended only by the mutual written consent of the parties hereto.
- XI. This Agreement supersedes all prior Agreements of the West End Special Education Local Plan Area.

WESELPA - Role Clarification

Issue	Superintendent, Elected Official	RLA - SBCSS - Organization	Superintendents' Council	SELPA Administrator
Personnel	Oversight of all SBCSS Operations,	Responsible for recruitment, hiring, discipline, of SELPA Employees See III.B p. 47).	Selection, direction, monitoring, discipline, and annual evaluation of SELPA Administrator (p. 16). Determine number and type of SELPA staff, and approve changes to personnel recommended by the Personnel Committee.	Subject to the RLA's policies and procedures for day-to-day operations, but receives direction from the Superintendents' Council.
SELPA Administrator	RLA Superintendent and two other superintendents chosen by their peers comprise the joint committee to evaluate the SELPA Administrator (p. 16).	WESELPA Administrator is an employee of SBCSS	Selection and annual evaluation of the SELPA Administrator	The SELPA Administrator is subject to the RLA's policies and procedures for day-to-day operations but receives direction from, and is responsible to, the Superintendents' Council (p. 16).
SELPA Staff	Oversight of SBCSS Operations	Employees of SBCSS and supervised by WESEPA management employees	Establish number and type of SELPA office staff	Direct all staff (p. 16)
Superintendents' Council Meetings	Chair (p. 37).	N/A	Voting body for West End SELPA	Secretary to the Council
Business	Oversight of all SBCSS Operations	Receives and distributes funds per WESELPA Fiscal Allocation Plan. Provides all business and technology functions for WESELPA. See III.A and C, p. 47).	Review, approve and monitor all budgets assigned to the SELPA (p. 13).	Responsible for all day-to-day business operations which are managed by the WESELPA (Fiscal) Consultant and staff.
Local Plan	Signs as representative of SBCSS and Oversees all SBCSS Operations. The RLA Superintendent will assure compliance with the Local Plan as submitted to the State Department of Education (. P. 37).	The RLA will receive and distribute Regional Services dollars, employ personnel necessary to staff the WESELPA, and assure compliance with state and federal program mandates through policies and guidelines formed by the Superintendents' Council (p. 37).	Provide leadership to the SELPA regarding the development, revision, implementation and review of the Local Plan (p. 13). Follow process to receive input from other governance committees and SELPA management team regarding the Local Plan. Voting body on approval of content and/	Oversight and monitoring of the Local Plan implementation, including the process to make revisions to the plan.

WESELPA - Role Clarification

Issue	Superintendent, Elected Official	RLA - SBCSS - Organization	Superintendents' Council	SELPA Administrator
Response to Public Records Act (PRA) Requests	Provides public records held by Superintendent's office	Provides public records held by SBCSS	or changes of the local plan. Provides public records held by the district	Provides public records held by the SELPA
Response to requests for Agenda Items for Superintendents' Council	Informs SELPA Administrator of items to be added to agenda	WESELPA staff work collaboratively with SBCSS departments to provide information to superintendents for information or decision making purposes through formal agenda items or via the Administrator's report.	Informs SELPA Administrator of items to be added to agenda	Develop agenda and supporting materials, including those requested by the RLA Superintendent, Superintendents' Council and the public.
Complaints regarding West End SELPA	The Superintendents' office informs the WESELPA Administrator of any complaints received. The WESELPA follows up, as is appropriate. If the complaint is regarding WESELPA staff, the Superintendents' office refers to SBCSS Human Resources Dept. to follow-up with the WESELPA Administrator..		The WESELPA Administrator is responsible to follow up on any complaints presented to the Council.	1. SELPA Administrator contacts complainant to discuss and offer resolution. 2. If complaint is regarding a WESELPA District, Administrator contacts the Director to apprise of the need to respond and to offer any assistance needed.

County/District	Signature	Date
RLA Ted Alejandre San Bernardino County Superintendent of Schools		
Alta Loma School District		
Central Elementary School District		
Chaffey Joint Union High School District		
Chino Valley Unified School District		
Cucamonga School District		
Etiwanda School District		
Mountain View School District		
Mt. Baldy Joint School District		
Upland Unified School District		
San Bernardino County Superintendent of Schools		

APPENDIX C

COMMUNITY ADVISORY COMMITTEE BYLAWS

APPENDIX C
COMMUNITY ADVISORY COMMITTEE BYLAWS
ORGANIZATION OF CONSTITUTION AND
BYLAWS FOR COMMUNITY ADVISORY COMMITTEE

4/22/16

Article 1
NAME AND LOCATION

- Section 1.1 The name of this organization of volunteers shall be the Community Advisory Committee (CAC) for the West End Special Education Local Plan Area (WESELPA)
- Section 1.2 The location shall be within the West End Special Education Local Plan Area (WESELPA)
- Section 1.3 The area served includes the following local education agencies (LEAs): Alta Loma, Central, Chaffey Joint Union High School, Chino Valley Unified, Cucamonga, Etiwanda, Mountain View Mt. Baldy, Upland Unified, and San Bernardino County Superintendent of Schools (SBCSS) West End Student Services.

Article II
PURPOSE

- Section 2.1 The purpose of this committee is to:
- Section 2.1.1 Advise the West End SELPA regarding the development, amendment and review of the SELPA Local Plan.
- Section 2.1.2 Recommend annual priorities to be addressed under the local plan.
- Section 2.1.3 Assist in parent/guardian education and recruiting parents and other volunteers who may contribute to the implementation of the plan.
- Section 2.1.4 Encourage community involvement in the development and review of the local plan.
- Section 2.1.5 Support activities on behalf of individuals with exceptional needs.
- Section 2.1.6 Assist in parent/guardian awareness of the importance of regular school attendance.

Article III GOAL AND OBJECTIVES

Section 3.1 Goal

The broad goal of the CAC is to involve interested parents/guardians, students, teachers, community members and education specialists in advising and providing input to the WESELPA and District Boards and their administrative and professional staff of students with exceptional needs, to assist the administration in furthering and improving the functioning of the Special Education Local Plan Area, and to support local and regional activities organized on behalf of students receiving special education services.

Section 3.2 Objective

Section 3.2.1 To promote communication between parents/guardians of individuals with exceptional needs and school district administrators and professional staff to obtain support for improved educational opportunities for individuals with exceptional needs. Parents with individual concerns, needs, or issues relating to their child shall be encouraged to contact the District Director

Section 3.2.2 To maintain, communication among local, county, state legislative and administrative personnel to inform them of new developments in special education and to give for students with exceptional needs within the WESELPA.

Section 3.2.3 To encourage attendance and recruitment for the CAC and obtain community support for improved educational opportunities for all students with exceptional needs.

Section 3.2.4 To conduct informative presentations. Parents and/or guardians as well as professional staff are invited to attend all CAC presentations and scheduled meetings held by the CAC. All interested community members are also welcome to attend. The CAC will solicit input from parents of children with disabilities in determining topics for CAC presentations.

Section 3.2.5 Directors will be provided with brochures and presentation flyers for distribution and will promote the dissemination of CAC information on member websites so that parents are informed of the CAC yearly activities.

Section 3.2.6 To receive the Local Plan for special education at least 30 days prior to the Superintendents' Council's final review in order to provide recommendations and advisement prior to submission, both for initial plan development and subsequent revisions of the Local Plan. Once reviewed, the Chairperson will sign the Local Plan as specified in Education Code.

Section 3.2.7 District representatives serve as a liaison between the community, Superintendents' Council and local Board of Education. As needed, attend district Board meetings to give input on CAC goals. Gather information regarding district school board actions and report these matters at CAC meetings.

- Section 3.2.8 Provide a forum where needs can be assessed, issues can be raised, suggestions for change and/or improvements can be discussed and recommendations for action can be made with respect to planning and provision of special education programs and services identified in the Local Plan.
- Section 3.2.9 Provide a parent/guardian representative to participate on the development team for the Local Plan review.
- Section 3.2.10 Participate in parent training offered by their district and the SELPA.

Article IV MEMBERSHIP

- Section 4.1 Composition
The Community Advisory Committee shall be composed of one designated parent representative and one alternate from each district participating in the West End SELPA, three teachers or other district staff members, one community agency representative, and one student representative

At least the majority of the members shall be parents of students enrolled in schools participating in the Local Plan, and at least a majority of those parents shall be parents of students with exceptional needs. The selection process is determined by each district as approved by its Governing Board.
- Section 4.2 Appointment
Membership shall include the following:
- Section 4.2.1 The West End SELPA Administrator as an ex-officio non-voting member who may not serve as an officer.
- Section 4.2.2 Each district shall appoint one parent of a student residing and enrolled in the school district or district offered school program. In addition, the district may appoint an alternate member who votes in the absence of the designated member. In cases where the district is unable to obtain a parent representative they may appoint an individual, residing in or employed by the school district, concerned with the interests of students with exceptional needs, as long as this does not adversely affect the requirement for the majority of members of the CAC to be parents of students enrolled in schools within the West End SELPA. District representatives shall be approved by their respective School Boards of Education.
- Section 4.2.3 Representatives of private or public community agencies providing services to individuals with exceptional needs, may apply to the Executive Committee. The Executive Committee shall recommend one representative for consideration of approval by the Superintendents' Council. This position may be filled by a member and an alternate.

Agencies considered for representation to the CAC may be, but are not limited to Family Resource Center, Inland Regional Center, Head Start Program, Early Start Program, County Mental Health, California Children's Services, and Department of Rehabilitation.

- Section 4.2.4 Districts may nominate teachers or other District staff, who shall be reviewed by the West End SELPA Program Advisory Committee. The Program Advisory Committee shall recommend up to three school staff representatives for approval by the Superintendents' Council.
- Section 4.2.5 Each Unified or High School District may nominate one student with exceptional needs residing and enrolled in the district. Student nominees shall be reviewed by the CAC and the selected student representative shall be recommended for approval by the Superintendent's Council.
- Section 4.2.6 Board of Education members from the nine participating districts within the West End SELPA may serve as ex officio non-voting members who may not serve as an officer.
- Section 4.3 Term
The term of office shall be for two years with half the members approved every year. Term of membership begins July 1 through June 30 of the designated odd/even year.
- Section 4.3.1 Chaffey JUHSD, Chino Valley USD, Etiwanda, and Upland shall appoint parent representatives in odd numbered years. Alta Loma, Central, Cucamonga, Mountain View, Mt. Baldy shall appoint parent representatives in even numbered years.
- Section 4.3.2 One agency representative, two teacher representatives will be appointed in even numbered years, and one teacher and one student representative will be appointed in odd numbered years.
- Section 4.3.3 Voting Members shall cast one vote on issues, give input, hold office, and serve on standing and special committees. The alternate to any position has a vote when the designated voting member is absent. Members must be present to vote. Members shall not use information readily available to CAC members for personal gain, but shall make every effort to put community-wide issues ahead of personal issues, or that of any one organization or agency.

Article V MEETINGS AND PROCEDURES

- Section 5.1 Meetings
The Committee shall meet as frequently as deemed necessary, but no less than eight regularly scheduled business or presentations meetings each year.
- Section 5.1.1 All meetings subject to the Ralph M. Brown Act shall have 72 hours' prior public notice and be open to the public
- Section 5.1.2 Unless the Committee decides otherwise, all meetings shall be held at the West End Educational Service Center.
- Section 5.1.3 All members shall receive written or personal notification at least five working days in advance of all regular Committee meetings

Section 5.1.4 The last regular meeting before the end of the fiscal school year of the Responsible Local Agency shall be designated the annual meeting

Section 5.1.5 A quorum shall consist of 50% of the appointed voting members.

Section 5.1.6 The Chairperson shall not commit the Committee or its members to any action without a vote of the Committee. Any member may call for a roll call or ballot vote by motion, if seconded.

Section 5.1.7 Emergency meetings may be called provided each Committee member is personally contacted at least twenty-four (24) hours in advance.

Section 5.2 Procedures
Every act or decision done or made by a majority of the members present at a meeting at which a quorum is present is the act of the Committee unless the Bylaws require a greater number.

Section 5.2.1 Committee officers shall be elected at the annual meeting of the Committee.

Section 5.2.2 Any member may resign or make a request for a leave of absence by filing a written request to the CAC Chairperson for approval of the body.

Section 5.2.3 Any vacancy on the Committee shall be filled for the remainder of the unexpired term by process outlined in Article IV.

Section 5.2.4 Any member who misses three consecutive regular meetings in the year without due cause, as determined by the Committee members, may be recommended for replacement to their local governing board. Excused absences are accepted when a member has notified an Executive Committee member of a valid reason for the absence.

Section 5.2.5 In the event a member misrepresents the CAC goals and objectives or procedures as outlined in Article III and VI of the body's bylaws, the CAC Executive Committee may recommend replacement of the member to the local governing board.

Section 5.2.6 There shall be a portion of the meeting designated as Public Comment provided for input from the community at large. Community input will be limited to four (4) minutes for each speaker for items not on the agenda, and four (4) minutes for each speaker for items on the agenda with a maximum of twenty (20) minutes total for each agenda item, unless recognized by the Chairperson to exceed the time limit.

Section 5.2.7 No letters or personally presented statements of concerns against individuals will be acted on by the West End SELPA CAC.

Section 5.2.8 All CAC members will encourage a positive atmosphere during any CAC meeting or event. West End SELPA CAC members will conduct themselves in a professional manner that

encourages respectful dialogue between all persons present.

Section 5.2.9 All regular and special meetings of the West End SELPA CAC shall be conducted in accordance with Robert's Rules of Order Newly Revised, or in accordance with an appropriate adaptation thereof

Article VI OFFICERS

Section 6.1 Composition

There shall be the following officers: Chairperson, Chairperson Elect, Parliamentarian, Secretary, and Immediate Past Chairperson. Whenever possible, a majority of officers will be parents/guardians of students with disabilities residing and enrolled within the local plan area. Officers must be members in good standing.

Section 6.2 Nomination

Nomination for officers will be taken from the floor at the annual meeting. Officers will assume office as of July 1. Nominees must state a willingness to serve before elected. In the event no nominations are submitted for a position, the Chairperson may appoint a person to the position or extend the current officer for an additional term.

Section 6.3 Terms of Office

The term of office shall be two years. No person shall serve more than three consecutive terms in one office with the exception of the Chairperson who may serve four consecutive terms. In the event of a vacancy for any reason, the office shall be filled by majority vote of the quorum present at the next meeting following the vacancy.

Section 6.4 The major duties of the officers are as follows:

Chairperson - Preside at all Committee meetings. Appoint convener Chairperson of the committees. Serve, or appoint a designee, as CAC spokesperson to the school districts and Superintendents' Council Meetings. Serve as a non-voting ex officio member of all CAC committees. In Collaboration with the SELPA Administrator, develops the agenda for the CAC meeting, prepare reports as needed or requested, direct the planning of parent educational presentations oversee and approve, before dissemination, all correspondence written on behalf of CAC, such as but not limited to: letters, reports, publication of articles in the West End SELPA newsletter and CAC pamphlet. Sign off on Local Plan Reviews.

Chairperson Elect – Assist the Chairperson in his/her absence and in the event the Chairperson is unable to continue to serve, assume that position. Preside at meetings in the Chairpersons' absence. Serve on the Executive Committee and any subcommittees as appointed to do so. Will serve as chair in next term.

Parliamentarian - To assist the Chairperson in keeping the meeting focused on the agenda and to follow parliamentary procedures and those required by the Ralph M. Brown Act.

Secretary - Record attendance and minutes of all Committee meetings. Advise Chairperson and SELPA Administrator of the membership status of each member. Keep a membership list that includes dates of appointment and end of term. Maintain subcommittee membership list and subcommittee reports. Receive and transmit Committee correspondence and materials designated by the members, including public notification and notification to members prior to the meetings. The Secretary may designate these tasks to West End SELPA staff.

Immediate Past Chair Person -The Chairperson becomes the Immediate Past President, following his/her term as Chairperson and is a member of the Executive Committee, provided he/she continues as a CAC member for an additional term. The Immediate Past President's role is primarily limited to performing such duties and provides such advice as is requested by the current Chairperson.

Article VII COMMITTEES AND STRUCTURE

- Section 7.1 There shall be three types of committees: Standing committees, ad hoc committees, and an executive committee
- Section 7.1.1 The authority and duties of the Committees shall be delegated by the Community Advisory Committee Chairperson.
- Section 7.1.2 Each subcommittee shall have a minimum membership of three subcommittee members appointed by the chairperson. A quorum shall consist of a majority of the committee members.
- Section 7.1.3 The Chairperson shall appoint the convener of standing and ad hoc committees as well as standing and ad hoc committee chairpersons.
- Section 7.1.4 Business shall be conducted in accordance with Robert's Rules of Order Newly Revised.
- Section 7.1.5 Committees shall not take action without a meeting.
- Section 7.1.6 Committee members shall receive written or personal notification of all meetings at least five working days prior to the meeting.
- Section 7.1.7 Committees may be created or inactivated as deemed necessary by a majority of the Community Advisory Committee.
- Section 7.2 The CAC shall have the following standing committees: The Public Information and Membership Committee, the Parent and Community Education Committee, the Local Plan Review Committee, the Legislative Committee, the Art and Writing Contest Committee, and the Executive Committee.
- Section 7.2.1 Executive Committee – The Executive Committee shall be comprised of the

Chairperson, Chairperson Elect, Parliamentarian, Secretary and Immediate Past Chairperson. Each member shall have one vote. A majority of members of the Executive Committee must be present to constitute a quorum. A majority vote shall be required for any motion to be approved by the Executive Committee. The Executive Committee can call an emergency meeting of the CAC in accordance with the CAC Bylaws. The Executive Committee will participate in annual goal setting each year.

Section 7.2.2 Public Information and Membership Committee – Members will provide information about the CAC to interested persons in the local community. The committee will work collaboratively with the CAC Secretary regarding membership vacancies, member term of office, and ensure that the membership stays in accordance with the CAC Bylaws and the California Education Code.

Section 7.2.3 Parent and Community Education Committee – The Parent and Community Education Committee will assist in educating students, parents, school staff, and the community about individuals with exceptional needs through newspapers, newsletter articles, and organized educational presentations. It will coordinate with the SELPA to plan and deliver training topics and/or presenters for the full CAC. Members will assist and participate, when appropriate and available, with in-service activities, parent education, and any CAC training.

Section 7.2.4 Local Plan Review and Legislative Committee – The Local Plan Review and Legislative Committee will read and review the Local Plan, assist in the development and provide recommendations for changes and/or improvements in programs for students with disabilities, in accordance with the California Education Code. It will encourage involvement and comments from the community regarding the programs, services, and the Local Plan. It will submit a written report and/or send a representative as needed, to the West End SELPA Program Advisory Committee and Superintendents' Council. It will keep CAC members and community informed regarding pertinent legislation.

Section 7.2.5 Art and Writing Contest and Awards Committee – The Art and Writing Contest and Awards Committee will assist in the planning, organizing, and promotion of this event. It will assist in the solicitation of nominees, assist in judging, and assist in the selection of finalists for the Art and Writing Contest and Teacher Awards. It will assist in determining the number of finalists and the number and amount of monetary award(s).

Article VIII ROLE OF WESELPA ADMINISTRATOR

Section 8.1 The West End Special Education Local Plan Area (WESELPA) Administrator shall serve as a liaison to the CAC and will assist with the operation and implementation of the CAC activities and serve as an ex-officio non-voting member of the Executive Committee of the CAC.

Section 8.2 SELPA Administrator Duties and Responsibilities include, but are not limited to, collaborating with the CAC to accomplish the following objectives:

- Section 8.3 Develop an organized program of publicity and public information, such as assisting with articles in the WESELPA newsletters.
- Section 8.4 Develop a forum where parents, guardians, or community members can express needs and/or concerns regarding their child's educational progress
- Section 8.5 Develop an understanding of the WESELPA and CAC in the community.
- Section 8.6 Inform local, county, and state legislators of the needs of students receiving special education services
- Section 8.7 Inform CAC members of federal and state laws and regulations governing special education.
- Section 8.8 Inform CAC members of activities occurring within the WESELPA and make available for review a copy of minutes of the most recent Superintendents' Council meeting.
- Section 8.9 Provide an annual report of CAC activities to be distributed to the WESELPA Governance groups and members of CAC.
- Section 8.10 Provide information concerning in-service training

Article IX EFFECTIVE DATE OF BYLAWS

- Section 9.1 CAC Bylaws shall conform to the California Education Code, Part 30, Chapter 2, Article 7: Community Advisory Committee as well as the West End SELPA Local Plan.
- Section 9.2 These Bylaws Amendments thereto shall become effective immediately upon approval by the West End SELPA Superintendents' Council.
- Section 9.3 Changes to the bylaws may be proposed by the Community Advisory Council for approval by the Superintendents Council. All changes shall require a two-thirds vote of all Committee members present at a regularly scheduled CAC business meeting.

CAC Review: March 8, 2016 and April 14, 2016
Superintendents' Council Approval: April 22, 2016

APPENDIX D

ANNUAL SERVICE PLAN GRID

COPIES of the CURRENT
ANNUAL BUDGET AND SERVICE DELIVERY PLAN LOCATED IN THE
WEST END SELPA OFFICE AND LEA OFFICES.

APPENDIX E

INTERAGENCY AGREEMENT WITH INLAND REGIONAL CENTER INFANT TO PRESCHOOL TRANSITION

COPIES of the CURRENT
INTERAGENCY AGREEMENT WITH INLAND REGIONAL CENTER
LOCATED IN THE WEST END SELPA OFFICE AND LEA OFFICES.

APPENDIX F

INTERAGENCY AGREEMENT WITH DEPARTMENT OF PUBLIC HEALTH CALIFORNIA CHILDREN SERVICES

COPIES of the CURRENT
INTERAGENCY AGREEMENT WITH DEPARTMENT OF PUBLIC
HEALTH, CALIFORNIA CHILDREN SERVICES LOCATED IN THE
WEST END SELPA OFFICE AND LEA OFFICES.

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

DATE: April 6, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

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

SUBJECT: SCHOOL PROBATION OFFICER PROGRAM FOR 2017/2018

=====

BACKGROUND

The Chino Valley Unified School District has participated in the San Bernardino County Probation Department's School Probation Officer program since 1999/2000. School probation officers are assigned to school districts throughout the county and have offices located on school campuses. The main focus is to decrease truancy and identify at-risk youth that may benefit from intervention/prevention services through funding received from the Juvenile Justice Crime Prevention Act.

The school probation officer program shall be effective on July 1, 2017, and shall terminate June 30, 2018, which provides two full-time probation officers. School Probation Officers make referrals to counseling agencies, parenting programs, anger management, gang intervention, drugs and alcohol rehabilitation programs, etc. The probation officers will be utilized as a resource guide to work with students and their families regarding problems that reach beyond the school setting and that are affecting the students' academic progress.

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

RECOMMENDATION

It is recommended the Board of Education approve the School Probation Officer Program for 2017/2018.

FISCAL IMPACT

Estimated payment total for fiscal year 2017/2018 is \$59,056.00.

WMJ:NE:SJ:smr

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: April 6, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Grace Park, Ed.D., Assistant Superintendent, Curriculum, Instruction, Innovation, and Support

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. School-sponsored 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: Ayala HS Event: Winter Guard International Percussion Championships Place: Dayton, OH Chaperone: 48 students/5 chaperones	April 18-24, 2017	Cost: \$1,423.00 per student Funding Source: Parents, Donations, and Fundraising
Site: Ayala HS Event: 2017 Reno Jazz Festival Place: Reno, NV Chaperone: 40 students/5 chaperones	April 27-30, 2017	Cost: \$497.00 per student Funding Source: Parents

Site: Ayala HS Event: CA Association for Health, Physical Education, Recreation, and Dance Convention Place: Palm Springs, CA Chaperone: 8 students/3 chaperones	April 28-30, 2017	Cost: \$200.00 per student Funding Source: Parents
--	-------------------	---

FISCAL IMPACT

None.

WMJ:GP:rtt

Chino Valley Unified School District

Our Motto:

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

DATE: April 6, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Grace Park Ed.D., Assistant Superintendent, Curriculum, Instruction, Innovation, and Support
Laurel Mullally, Ed.D., Director, Health Services/Child Development

SUBJECT: PROCLAMATION FOR ALCOHOL AWARENESS MONTH, APRIL 2017

=====

BACKGROUND

Alcohol is the most commonly used addictive substance in the United States: 17.6 million people, or one in every 12 adults, suffer from alcohol abuse or dependence along with several million more who engage in risky, binge-drinking patterns that could lead to alcohol problems. More than half of all adults have a family history of alcoholism or problem drinking, and more than seven million children live in a household where at least one parent is dependent on or has abused alcohol.

Reducing underage drinking requires community-based efforts to monitor the activities of youth and decrease youth access to alcohol. Publications by the Surgeon General and the Institute of Medicine outlined many prevention strategies that require actions on the national, state, and local levels, such as enforcement of minimum legal drinking age laws, national media campaigns targeting youth and adults, increasing alcohol excise taxes, reducing youth exposure to alcohol advertising, and development of comprehensive community-based programs

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

RECOMMENDATION

It is recommended the Board of Education adopt the proclamation for Alcohol Awareness Month, April 2017.

FISCAL IMPACT

None.

WMM:GP:LM:rtt

**Chino Valley Unified School District
Proclamation
Alcohol Awareness Month
April 2017**

WHEREAS, since 1987, the National Council on Alcoholism and Drug Dependence, Inc. has designated April as Alcohol Awareness Month;

WHEREAS, Alcohol Awareness Month was established as a nationwide effort to increase public awareness and understanding, reduce stigma and encourage local communities to focus on alcoholism and alcohol-related issues;

WHEREAS, this year's theme, *"For the Health of It: Early Education on Alcoholism and Addiction,"* aims to educate people about the treatment and prevention of alcoholism, particularly among our youth, and the benefits of providing early education giving a better understanding of the impact that alcohol can have on their lives;

WHEREAS, alcohol use by young people is extremely dangerous, both to themselves and to society, and is directly associated with traffic fatalities, violence, suicide, educational failure, alcohol overdose, and other problem behaviors, even for those who may never develop a dependence or addiction;

WHEREAS, alcohol is the number one drug of choice for America's youth, and is more likely to kill young people than all illegal drugs combined; and

WHEREAS, reducing underage drinking is critical to securing a healthy future for America's youth and requires a cooperative effort from parents, schools, community organizations, business leaders, government agencies, the entertainment industry, alcohol manufacturers/retailers, and young people themselves.

NOW, THEREFORE, BE IT RESOLVED, the Board of Education of the Chino Valley Unified School District does hereby proclaim that April 2017 is Alcohol Awareness Month. We call upon all citizens, parents, governmental agencies, businesses, and District schools to support efforts that encourage youth to be alcohol free.

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: April 6, 2017

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

\$479,519.47 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: April 6, 2017

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
SBCSS-16/17-0763 San Bernardino County Superintendent of Schools Educational Stipend Program. To design, maintain and administer the system to distribute AB 212 incentive funds in accordance with San Bernardino County AB 212 Plan. Submitted by: Health Services Duration of Agreement: July 1, 2016 – June 30, 2017	Contract Amount: None Funding Source: None
CIIS-1617-059 Solution Tree. To provide on-site Response to Intervention professional development to staff. Submitted by: Townsend JHS Duration of Agreement: April 7, 2017 – August 10, 2017	Contract Amount: \$6,500.00 Funding Source: Educator Effectiveness Funds
CIIS-1617-060 BlackBoard Inc. To provide custom design template for District website. Submitted by: Deputy Superintendent Duration of Agreement: April 7, 2017 – March 31, 2018	Contract Amount: \$20,475.00 Funding Source: General Fund

MASTER CONTRACTS	FISCAL IMPACT
MC-1617-040 Admiral Aircraft & Yacht Charters. To provide boat rental/harbor cruises. Submitted by: Purchasing Department Duration of Agreement: April 7, 2017 – June 30, 2020	Contract Amount: Per rate sheet Funding Source: ASB/PFA/PTA/Boosters/Parents
MC-1617-041 Amazing School Assemblies. To provide school assemblies. Submitted by: Purchasing Department Duration of Agreement: April 7, 2017 – June 30, 2020	Contract Amount: Per rate sheet Funding Source: ASB/PFA/PTA/Boosters

APPROVED CONTRACTS TO BE AMENDED	AMENDMENT
CIIS-1617-008 FastBridge Learning M1. To provide universal screening for Multi -Tiered System of Supports A/B in grades K-8. Submitted by: Elementary Curriculum Duration of Agreement: July 1, 2016 – June 30, 2017 Original Agreement Board Approved: June 30, 2016	Extend contract term to June 30, 2018 Increase contract amount from \$90,000.00 per year to \$116,370.00 per year. Funding Source: Title I
CIIS-1516-088 Logos Education Systems. To provide secondary teachers professional learning support in the science content areas. Submitted by: Elementary Curriculum Duration of Agreement: May 20, 2016 – June 30, 2017 Original Agreement Board Approved: May 19, 2016	Increase contract amount from \$5,000.00 to \$10,000.00 Funding Source: General Fund
SBC-11-510- A-5 M1 San Bernardino County Probation Department. To provide two full time probation officers. Submitted by: Curriculum, Instruction, Innovation, and Support Duration of Agreement: July 1, 2016 – June 30, 2017 Original Agreement Board Approved: April 21, 2016	Extend contract term one year to June 30, 2018 Increase from \$56,244.00 to \$59,056.00 due to San Bernardino County Probation Department salary and benefits increase. Funding Source: General Fund

APPROVED CONTRACTS TO BE AMENDED	AMENDMENT
<p>B-1617-008 M1 Vavrinek, Trine, Day & Co., LLP. To provide auditing services for fiscal years 2016/17, 2017/18, and 2018/19. Submitted by: Business Services Duration of Agreement: July 1, 2016 – June 30, 2019 Original Agreement Board Approved: September 1, 2016</p>	<p>Increase contract amount from \$72,000.00 to Not to Exceed \$88,000.00</p> <p>Add Booster club training and attendance reporting training to services provided.</p> <p>Funding Source: General Fund</p>

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: April 6, 2017

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**

April 6, 2017

<u>DESCRIPTION</u>	<u>MAKE/MODEL</u>	<u>I.D./SERIAL</u>	<u>DEPT/SITE</u>
Electric Stapler	Rapid 5080	57402	Access & Equity
Dump Truck #264	1990 Ford/E284915	1FDNF70K9lv16117	Maintenance
Dump Truck #258	1980 Ford/E744868	F60HVHD0636	Maintenance
Sit Down Mower #310	Ex-mark	255886	Maintenance
Sit Down Mower #293	Blazer		Maintenance
CompressorTrailer#202	Ingersoll Rand	80533u74102-GYRO-F185	Maintenance
Bobtail Box Truck #457	1999 GMC/E1066470	1GDG6H1C9XJ506656	Nutrition
Bobtail Box Truck #458	1999 GMC/E1078849	1GDG6H1C3XJ506751	Nutrition
Bobtail Box Truck #456	1995 Ford/E013902	1FDNF70J0SVA31904	Nutrition
Bobtail Box Truck #452	1990 Ford/E200530	1FDNF60K4LVA04791	Nutrition
Panel Truck #103	1966 Chevy/E681614	C3656Z165570	Transportation
Van (Pool) #578	1966 GMC/E1031356	1GKDM19W8WB523254	Transportation
Van (Pool) #579	2002 Chevy/E1129164	1GNDM19X12B146532	Transportation
Impala (Pool) #107	2000 Chevy/E1086291	1G1ND52J51M605521	Transportation
Bobtail Box Truck #462	1996 GMC/E996940	J8DC4B1K5V7005141	Warehouse
Stand up Forklift #W004	Yale	379324	Warehouse
Laptop	Dell	7Q96VC1	Oak Ridge ES
Laptop	Dell	8TZCMQ1	Oak Ridge ES
Laptop	Dell	1TR5VC1	Oak Ridge ES
Laptop	Dell	2CCPPD1	Oak Ridge ES
Laptop	Dell	1WZRG1	Oak Ridge ES
Laptop	Dell	FQCCMB1	Oak Ridge ES
Projector	Epson	34371	Oak Ridge ES
Projector	Epson	34372	Oak Ridge ES
Smart Board			Oak Ridge ES

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: April 6, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

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

SUBJECT: NOTICE OF COMPLETION FOR CUPCCAA PROJECTS

=====

BACKGROUND

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

CUPCCAA Project	Project Description	Contractor	Original Quotation	Change Order	Total	Funding Source
CC2017-17	HVAC Replacement at Various Sites	Leading Edge Air Conditioning	\$55,608.00	N/A	\$55,608.00	01
CC2017-20	Site Wide Rekey at Woodcrest JHS and Chino HS	Montgomery Hardware Co.	\$105,668.12	\$3,778.24	\$109,446.36	25

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

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

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

RECOMMENDATION

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

FISCAL IMPACT

\$55,608.00 to RMA Fund 01.

\$109,446.36 to RDA Fund 25.

WMJ:GJS:pw

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: April 6, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

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

**SUBJECT: RESOLUTIONS 2016/2017-29, AND 2016/2017-30 FOR
AUTHORIZATION TO UTILIZE PIGGYBACK CONTRACTS**

=====

BACKGROUND

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

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

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

Staff requests approval of the following resolutions to provide authorization for the District to participate by piggyback in contracts as itemized below:

Resolution	Contract	Contractor	Description	Term
2016/2017-29	U.S. Communities Contract #C15-JL-12	Thermo Fisher Scientific	Science Supplies	7/1/2015-6/30/2018
2016/2017-30	Franklin-McKinley School District Bid #1467	McGrath Rent Corp. dba Mobile Modular Management Corp.	Modular Classroom and Modular Toilet Building Rentals	7/1/2013-7/30/2018

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

RECOMMENDATION

It is recommended the Board of Education adopt Resolutions 2016/2017-29, and 2016/2017-30 for authorization to utilize piggyback contracts.

FISCAL IMPACT

Unknown.

WMJ:GJS:pw

**Chino Valley Unified School District
Resolution 2016/2017-29
Authorization to Utilize the U.S. Communities Contract #C15-JL-12
With Thermo Fisher Scientific
to Purchase Science Supplies
Through the Piggyback Contract**

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

WHEREAS, U.S. Communities currently has a piggyback contract, #C15-JL-12, in accordance with Public Contract Code 20118 with Thermo Fisher Scientific that contains the materials, supplies, equipment and/or other personal property the District currently requires;

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

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

WHEREAS, the Board has determined that it is in the best interest of the District to authorize the purchase of science supplies through the piggyback contract procured by the U.S. Communities Contract #C15-JL-12.

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

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

Section 2. Determination re: Purchase through Other Public Agency. Pursuant to Public Contract Code 20118, that authorizing the purchase of science supplies through the piggyback contract originally procured by the U.S. Communities Contract #C15-JL-12 is in the best interests of the District because there is volume pricing that can be used to reduce the District's overall price.

Section 3. Authorization. The Board hereby authorizes the acquisition of science supplies in accordance with Public Contract Code 20118 through the piggyback contract originally procured by the U.S. Communities Contract #C15-JL-12.

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

Section 5. Effective Date. This resolution shall be effective as of July 1, 2015, for the term ending June 30, 2018.

APPROVED, PASSED, AND ADOPTED by the Board of Education of the Chino Valley Unified School District this 6th day of April 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

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

Wayne M. Joseph, Superintendent
Secretary, Board of Education

**Chino Valley Unified School District
Resolution 2016/2017-30
Authorization to Utilize the Franklin-McKinley School District Bid #1467
With McGrath Rent Corp. dba Mobile Modular Management Corp.
to Purchase Modular Classroom and Modular Toilet Building Rentals
Through the Piggyback Contract**

WHEREAS, the Board of Education (Board) of the Chino Valley Unified School District (District) has determined that a true and very real need exists to procure modular classroom and modular toilet building rentals for the District;

WHEREAS, Franklin-McKinley School District currently has a piggyback contract, Bid #1467, in accordance with Public Contract Code 20118 with McGrath Rent Corp. dba Mobile Modular Management Corp. that contains the materials, supplies, equipment and/or other personal property the District currently requires;

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

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

WHEREAS, the Board has determined that it is in the best interest of the District to authorize the purchase of modular classroom and modular toilet building rentals through the piggyback contract procured by the Franklin-McKinley School District Bid #1467.

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

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

Section 2. Determination re: Purchase through Other Public Agency. Pursuant to Public Contract Code 20118, that authorizing the purchase of modular classroom and modular toilet building rentals through the piggyback contract originally procured by the Franklin-McKinley School District Bid #1467 is in the best interests of the District because there is volume pricing that can be used to reduce the District's overall price.

Section 3. Authorization. The Board hereby authorizes the acquisition of modular classroom and modular toilet building rentals in accordance with Public Contract Code 20118 through the piggyback contract originally procured by the Franklin-McKinley School District Bid #1467.

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

Section 5. Effective Date. This resolution shall be effective as of July 1, 2013, for the term ending July 30, 2018.

APPROVED, PASSED, AND ADOPTED by the Board of Education of the Chino Valley Unified School District this 6th day of April 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

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

Wayne M. Joseph, Superintendent
Secretary, Board of Education

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: April 6, 2017
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Gregory J. Stachura, Asst. Supt., Facilities, Planning, and Operations
**SUBJECT: REVISION OF BOARD POLICY 3311 BUSINESS AND
NONINSTRUCTIONAL OPERATIONS – BIDS**

=====

BACKGROUND

Board policies, administrative regulations, and bylaws are routinely developed and revised as a result of changes in law, mandates, federal regulations, and current practice. Board Policy 3311 Business and Noninstructional Operations – Bids are being updated to move some material into new BP 3311.1 – Uniform Public Construction Cost Accounting Procedures, AR 3311.2 – Lease-Leaseback Contracts, AR 3311.3 – Design-Build Contracts, and AR 3311.4 – Procurement of Technological Equipment. Regulation also revises section on “Award of Contract” to expand the exceptions to awarding contracts based on the lowest responsible bidder to include lease-leaseback contracts, which are based on “best value” as defined. This agenda item was presented to the Board of Education on March 16, 2017, 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 3311 Business and Noninstructional Operations – Bids.

FISCAL IMPACT

None.

WMJ:GJS:pw

BIDS

The Board of Education is committed to promoting public accountability and ensuring the prudent use of public funds. When leasing, purchasing, or contracting for equipment, materials, supplies, or services for the District, including when contracting for public projects involving District facilities, the Board shall explore lawful opportunities to obtain the greatest possible value for its expenditure of public funds. When required by law, or if the Board determines that it is in the best interest of the District, such contracts shall be made using competitive bidding.

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

(cf. 3000 - Concepts and Roles)

(cf. 3230 - Federal Grant Funds)

(cf. 3300 - Expenditures and Purchases)

(cf. 3311.1 - Uniform Public Construction Cost Accounting Procedures)

(cf. 3311.2 - Lease-Leaseback Contracts)

(cf. 3311.3 - Design-Build Contracts)

(cf. 3311.4 - Procurement of Technological Equipment)

No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading the legal requirements FOR regarding contracting after competitive bidding. (Public Contract Code 20116 22033)

The Superintendent or designee shall establish comprehensive bidding procedures for the District in accordance with law. The procedures shall include a process for advertising bids, instructions and timelines for submitting and opening bids, and other relevant requirements.

FOR AWARD OF CONTRACTS, WHICH BY LAW OR BOARD POLICY REQUIRE PREQUALIFICATION, THE PROCEDURES SHALL IDENTIFY A UNIFORM SYSTEM FOR RATING BIDDERS ON THE BASIS OF A COMPLETED QUESTIONNAIRE AND FINANCIAL STATEMENTS.

(cf. 9270 - Conflict of Interest)

When calling for bids, the Superintendent or designee shall ensure that the bid specification clearly describes in appropriate detail the quality, delivery, and service required, and include all information which the District knows, or has in its possession, that is relevant to the work to be performed or that may impact the cost of performing the work.

Except as authorized by law, ~~and specified in the administrative regulation~~ contracts shall be let to the lowest responsible bidder who shall give such security as the Board requires, or else all bids shall be rejected. (Public Contract Code 20111)

BIDS (cont.)

When the Board has determined that it is in the best interest of the District, the District may piggyback onto the contract of another public agency or corporation to lease or purchase ANY PERSONAL PROPERTY ~~equipment or supplies~~ to the extent authorized by law. (Public Contract Code 20118)

~~For use in contracting for public works projects, the Board has, by resolution, adopted the procedures set forth in the Uniform Public Construction Cost Accounting Act pursuant to Public Contract Code 22030-22045, including the required cost accounting procedures and the informal bidding procedures when allowed by law. The Board delegates to the Superintendent or designee the responsibilities to award any contract eligible for informal bidding procedures and to develop plans, specifications, and working details for all public projects requiring formal bidding procedures.~~

Legal Reference:EDUCATION CODE

17070.10-17079.30 Leroy F. Greene School Facilities Act
 17250.10-17250.55 Design-build contracts
 17406 Lease-leaseback contract
 17595 Purchase of supplies through Department of General Services
 17602 Purchase of surplus property from federal agencies
 38083 Purchase of perishable foodstuffs and seasonable commodities
 38110-38120 Apparatus and supplies
 39802 Transportation services

BUSINESS AND PROFESSIONS CODE

7056 General engineering contractor
 7057 General building contractor

CODE OF CIVIL PROCEDURE

446 Verification of pleadings

GOVERNMENT CODE

4217.10-4217.18 Energy conservation contracts
 4330-4334 Preference for California-made materials
 6252 Definition of public record
 53060 Special services and advice
 54201-54205 Purchase of supplies and equipment by local agencies

PUBLIC CONTRACT CODE

1102 Emergencies
 2000-2002 Responsive bidders
 3000-3010 Roofing projects
 3400 Bids, specifications by brand or trade name not permitted
 3410 United States produce and processed foods
 4113 Prime contractor; subcontractor
 6610 Bid visits
 12200 Definitions, recycled goods, materials and supplies
 20101-20103.7 Public construction projects, requirements for bidding
 20103.8 Award of contracts
 20110-20118.4 Local Agency Public Constructions Act; school districts
 20189 Bidder's security, earthquake relief
 22000-22045 Alternative procedures for public projects (UPCCAA)
 22152 Recycled product procurement

BIDS (cont.)

COURT DECISIONS

Los Angeles Unified School District v. Great American Insurance Co., (2010) 49 Cal.4th 739

Great West Contractors Inc. v. Irvine Unified School District, (2010) 187 Cal.App.4th 1425

Marshall v. Pasadena Unified School District, (2004) 119 Cal.App.4th 1241

Konica Business Machines v. Regents of the University of California, (1988) 206 Cal.App.3d 449

City of Inglewood-Los Angeles County Civic Center Authority v. Superior Court, (1972) 7 Cal.3d 861

ATTORNEY GENERAL OPINIONS

89 Ops.Cal.Atty.Gen. 1 (2006)

Management Resources:

WEBSITES

California School Boards Association: www.csba.org

California Association of School Business Officials: www.casbo.org

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

California Department of General Services: www.dgs.ca.gov

Chino Valley Unified School District

Policy adopted: November 16, 1995

Revised: April 19, 2001

Revised: November 16, 2006

Revised: September 18, 2008

Revised: January 16, 2014

Revised: February 2, 2017

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: April 6, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Lea Fellows, Assistant Superintendent, Human Resources
Suzanne Hernandez, Ed.D., 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:LF:SH:RR:mcm

CERTIFICATED PERSONNEL

<u>NAME</u>	<u>POSITION</u>	<u>LOCATION</u>	<u>EFFECTIVE DATE</u>
<u>HIRED AT APPROPRIATE PLACEMENT ON THE CERTIFICATED SALARY SCHEDULE AND APPROPRIATE CREDENTIAL FOR THE 2016/2017 SCHOOL YEAR</u>			
ROGEL, Joseph	Special Education Teacher	Ramona JHS	04/07/2017
SWIFT, Micah	English Teacher	Don Lugo HS	04/07/2017

LEAVE OF ABSENCE – JOB SHARES – 2017/2018

CINTRA DO PRADE, Theresa	Transitional Kindergarten 40%	Chaparral ES	2017/2018
SOMERVILLE, Carol	Transitional Kindergarten 60%	Chaparral ES	2017/2018
BROD, Candace	Elementary Teacher 50%	Rhodes ES	2017/2018
FALLS, Melissa	Elementary Teacher 50%	Rhodes ES	2017/2018

LEAVE OF ABSENCE – 2017/2018

MOTT, Jenny	School Nurse 20%	Health Services	2017/2018
MURILLO, Denise	School Nurse 20%	Health Services	2017/2018

RETIREMENTS

WINANS, Susan (30 years of service)	Instructional Coach	Butterfield Ranch ES	06/03/2017
BUNCH, Jody (20 years of service)	Intervention Teacher	Cortez ES	06/03/2017
HAUN, Loren (31 years of service)	Science Teacher	Canyon Hills JHS	06/06/2017
MCNAIR, Donna (35 years of service)	Social Science Teacher	Canyon Hills JHS	06/06/2017
SIMON, Debora (37 years of service)	Math Teacher	Canyon Hills JHS	06/06/2017
IVERSON, Stephen (33 years of service)	Chemistry Teacher	Ayala HS	06/06/2017

PLACED ON 39 MONTH RE-EMPLOYMENT LIST

MORRIS, Karen	Science Teacher	Chino HS	03/10/2017
---------------	-----------------	----------	------------

DELETE – EXTRA DUTY – DEPARTMENT CHAIR

WHITE, Guy	Freshman Class Advisor	Don Lugo HS	03/23/2017
------------	------------------------	-------------	------------

CERTIFICATED PERSONNEL (cont.)

<u>NAME</u>	<u>POSITION</u>	<u>LOCATION</u>	<u>EFFECTIVE DATE</u>
<u>APPOINTMENT – EXTRA DUTY</u>			
BELLOSO, Rodrigo (NBM)	7 th Grade Boys Basketball (GF)	Briggs K-8	04/07/2017
DONOHOO, Julie	Track (GF)	Briggs K-8	04/07/2017
MILLER, Amy	7 th Grade Girls Basketball (GF)	Briggs K-8	04/07/2017
MILLER, Amy	Volleyball (GF)	Briggs K-8	04/07/2017
SILVA, Michael	7 th Grade Boys Basketball (GF)	Briggs K-8	04/07/2017
WEINSTEIN, Danielle	Volleyball (GF)	Briggs K-8	04/07/2017
AKER, Carol	Intramural Sports (GF)	Canyon Hills JHS	04/07/2017
BROMLEY, Maureen	7 th Grade Girls Basketball (GF)	Canyon Hills JHS	04/07/2017
MARTIN, Richard	7 th Grade Boys Basketball (GF)	Canyon Hills JHS	04/07/2017
WALKER, Carri	Intramural Sports (GF)	Canyon Hills JHS	04/07/2017
ALLEN, Jeffrey	Track & Field (GF)	Ayala HS	04/07/2017
AMMENTORP, Richard	Baseball (GF)	Ayala HS	04/07/2017
CAMPBELL, Amy	Softball (GF)	Ayala HS	04/07/2017
CORDTS, Michael (NBM)	Swim (B)	Ayala HS	04/07/2017
DIMARCO, Tonino (NBM)	Track & Field (GF)	Ayala HS	04/07/2017
KING, Derek	Baseball (B)	Ayala HS	04/07/2017
KLEIBACKER, Christian	Track & Field (GF)	Ayala HS	04/07/2017
KUHN, Dylan	Baseball (GF)	Ayala HS	04/07/2017
MACRORIE, Neil (NBM)	Track & Field (B)	Ayala HS	04/07/2017
MOUNT, Richard (NBM)	Baseball (B)	Ayala HS	04/07/2017
NGUYEN, Vincent (NBM)	Boys Tennis (GF)	Ayala HS	04/07/2017
PARKS, Ryan (NBM)	Track & Field (B)	Ayala HS	04/07/2017
VOGT, Christopher	Baseball (GF)	Ayala HS	04/07/2017
YOUNG, Wayne (NBM)	Softball (GF)	Ayala HS	04/07/2017
EATON, Shane (NBM)	Softball (B)	Chino Hills HS	04/07/2017
GOTTBRECHT, John	Golf (GF)	Chino Hills HS	04/07/2017
HOENISCH, Brad (NBM)	Softball (GF)	Chino Hills HS	04/07/2017
MOORE, Larry	Badminton (GF)	Chino Hills HS	04/07/2017
PRESTSATER, Corey (NBM)	Boys Tennis (GF)	Chino Hills HS	04/07/2017
STANFORD, Ronald	Swim (GF)	Chino Hills HS	04/07/2017
STANFORD, Summer (NBM)	Swim (B)	Chino Hills HS	04/07/2017
TOGNETTI, Carolynn (NBM)	Swim (GF)	Chino Hills HS	04/07/2017
WINTON, Bryce (NBM)	Swim (B)	Chino Hills HS	04/07/2017
BAYLON, Cherry Mae (NBM)	Volleyball (B)	Don Lugo HS	04/07/2017

TOTAL:	\$58,574.00
--------	-------------

CERTIFICATED PERSONNEL (cont.)

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

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

HUANG, Allen
WENGER, Steven

SEWARD, Tomi

SHEEHAN, Amanda

CLASSIFIED PERSONNEL

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

CLASSIFIED CONFIDENTIAL/MANAGEMENT SALARY SCHEDULE**LEAVE OF ABSENCE – 2017/2018**

CHEN, Lina	Occupational Therapist 40%	Special Education	2017/2018
------------	----------------------------	-------------------	-----------

HIRED AT THE APPROPRIATE PLACEMENT ON THE CLASSIFIED SALARY SCHEDULE**APPOINTMENT**

VILLALOBOS, Armeda	Health Technician (GF)	Cortez ES	04/07/2017
NAVARRO, Cherrish	Security Person (GF)	Don Lugo HS	04/07/2017
ARREYGUE, Maria	Personnel Clerk III (GF)	Human Resources	04/10/2017
SANCHEZ CEDILLO, Ruben	Custodian III/Carpet-Flooring (GF)	Maintenance	04/07/2017
HERNANDEZ, Laura	Behavior Intervention Aide (SELPA/GF)	Special Education	04/07/2017
RUTHERFORD, Andrew	Technology Technician (GF)	Technology	04/07/2017

PROMOTION

NIXON, Angie	FROM: Central Kitchen Assistant I (NS) 3.5 hrs./181 work days TO: Nutrition Services Manager I (NS) 3.75 hrs./ 181 work days	Townsend JHS Oak Ridge ES	04/07/2017
VARNER, Kimberly	FROM: Typist Clerk II (GF) 8 hrs./261 contract days TO: Maintenance III / Locksmith (GF) 8 hrs./261 contract days	Maintenance Maintenance	04/07/2017

ADDITIONAL ASSIGNMENT

WHITE, Jessa Rae	Custodian I (GF)	Student Support	04/07/2017
------------------	------------------	-----------------	------------

CLASSIFIED PERSONNEL (cont.)

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

CHANGE IN ASSIGNMENT

PADILLA, Rocio	FROM: Bilingual Typist Clerk I (GF) 3.5 hrs./200 work days	Dickey ES	04/07/2017
	TO: School Community Liaison/Biling.-Spanish (C) 6 hrs./161 work days	Chino HS	

INCREASE HOURS/DAYS

CABAN, Eilene	FROM: Nutrition Services Assistant I (NS) 2 hrs./181 work days	Walnut ES	04/07/2017
	TO: Nutrition Services Assistant I (NS) 3.5 hrs./181 work days	Walnut ES	
ARELLANO, Leslie	FROM: Typist Clerk I (GF) 4 hrs./201 work days	Canyon Hills JHS	04/07/2017
	TO: Typist Clerk I (GF) 8 hrs./201 work days	Canyon Hills JHS	
MENDOZA, Maria	FROM: Bilingual Typist Clerk I (C) 5 hrs./166 work days	Adult School	04/07/2017
	TO: Bilingual Typist Clerk I (C) 8 hrs./208 work days	Adult School	

PLACED ON 39 MONTH RE-EMPLOYMENT LIST

BALDERRAMA, Sarah	IA/Special Ed./SH (SELPA/GF)	Borba ES	03/15/2017
-------------------	------------------------------	----------	------------

RETIREMENT

BERISHA, Nazmi (9 years of service)	Custodian I (GF)	Butterfield Ranch ES	07/01/2017
ROCKE, Partorina (13 years of service)	Central Kitchen Asst. I (NS)	Magnolia JHS	03/24/2017
BENNETT, Michele (12 years of service)	Accountant I (GF)	Maintenance	07/18/2017

CLASSIFIED PERSONNEL (cont.)

<u>NAME</u>	<u>POSITION</u>	<u>LOCATION</u>	<u>EFFECTIVE DATE</u>
<u>RESIGNATION</u>			
LIMON, Loretta	Custodian I (GF)	Newman ES	03/20/2017
AGUIRRE, Abraham	Maintenance II Painter (GF)	Maintenance	03/21/2017

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

CASTRO, Mayra	DELLA MARNA, Eric	GONZALEZ, Gustavo
GUTIERREZ, Ryan	MAY, Brittany	VIS, Chelsea

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

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: April 6, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

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

SUBJECT: REVISION OF THE JOB DESCRIPTION FOR DIRECTOR OF COMMUNICATIONS

=====

BACKGROUND

Job descriptions are a statement of duties, qualifications, and responsibilities associated with a particular job. It is a matter of standard practice to modify and/or create job descriptions as new positions become necessary, jobs evolve, and responsibilities and duties change. Additionally, changes in organizational structure, student needs, and other factors require the revision of existing positions to support the District's mission of increased student achievement.

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 the job description for Director of Communications.

FISCAL IMPACT

None.

WMJ:LF:SH:RR:mcm

CHINO VALLEY UNIFIED SCHOOL DISTRICT
Position Description

TITLE:	Director, Communications	REPORTS:	Superintendent
DEPARTMENT:	Superintendent	CLASSIFICATION:	Management
FLSA:	Exempt	WORK YEAR:	226
ISSUED:	10-5-06	SALARY:	Range 23

BASIC FUNCTIONS:

Under the direction of the Superintendent or his/her designee, plans, organizes, controls, and directs an effective communications program and coordinates its regular evaluation, including the District programs of public information and marketing, internally and externally; establishes and maintains cooperative relationships with all news media, including radio, television, and print; acts as District spokesperson; POINT OF CONTACT FOR COMMUNICATION DURING EMERGENCIES; processes and maintains public records requests; reviews District information for content, accuracy and effectiveness; ~~assists with the development of programming for the District cable television channel~~; provides media relations training; publicizes District current events, activities, and recognitions; projects the image of excellence through District accomplishments; and, evaluates the performance of assigned personnel.

REPRESENTATIVE DUTIES: (Incumbents may perform any combination of the essential functions shown below. This position description is not intended to be an exhaustive list of all duties, knowledge, or abilities associated with this classification, but is intended to accurately reflect the principal job elements.)

E = Essential Functions

~~Directs the planning, development, implementation and regular evaluation of a comprehensive District wide marketing and public relations program to enhance the District's image to its wide variety of constituents. (E)~~

LEADS COMMUNICATIONS PROJECTS AS ASSIGNED AND DEVELOPS PROJECTS TO BE COMPLETED TO CARRY OUT THE DISTRICT'S COMPREHENSIVE COMMUNICATION PLAN. (E)

DESIGNS AND IMPLEMENTS COMMUNICATION STRATEGIES THAT MAXIMIZE COMMUNITY AND STAKEHOLDER ENGAGEMENT. (E)

DEVELOPS, COORDINATES, IMPLEMENTS AND MONITORS THE CRISIS COMMUNICATION PLAN AS NEEDED, INCLUDING THE ORGANIZATION OF PRESS CONFERENCES AND DISSEMINATION OF TIME-SENSITIVE INFORMATION. (E)

Initiates and coordinates media coverage, and acts as District spokesperson, available to the press during office hours and on call at other times. (E)

Plans and coordinates an effective press relations program; maintains close working relationship with media representatives, meeting regularly with reporters and holding press conferences as appropriate. (E)

Promotes newsworthy material from District and site personnel including, but not limited to information on service events, student activities, recreational and sporting activities, shows and exhibits, and other District-related matters. (E)

Establishes an effective means of communication with District employees; prepares and distributes electronic and regular newsletters; provides information to news media, District staff and community; prepares, edits and disseminates news releases, public service announcements, and news advisories, regarding the District's programs, policies, events, efforts, and related information. (E)

Works closely with the Board and/or Superintendent in solving public relations problems, issues, ~~and concerns,~~
AND PROVIDES RECOMMENDATIONS FOR CRISIS SITUATIONS WITHIN THE DISTRICT. (E)

COORDINATES WEBSITE DEVELOPMENT AND THE REGULAR MAINTENANCE REVIEW OF DISTRICT AND SITE WEBSITES; RESPONSIBLE FOR THE OVERALL CONTENT, QUALITY, DESIGN AND STYLE OF THE DISTRICT AND SCHOOL SITE WEBSITES. (E)

Researches and prepares special reports and projects as assigned, and prepares, edits, and distributes white papers to Board members and staff. (E)

~~Conducts staff development programs in the area of public information and media and community relations.~~

DEVELOPS, IMPLEMENTS, AND MAINTAINS A DISTRICT-WIDE STRATEGIC MEDIA PLAN AND PROVIDES COMMENSURATE TRAINING, SUPPORT AND ASSISTANCE TO ADMINISTRATORS AND MANAGEMENT REGARDING THE DISTRICT'S COMPREHENSIVE COMMUNICATION PROGRAM.

~~Provides technical assistance to District and site level staff in the implementation and effective use of media and information material, communication procedures and media relations, as requested.~~

Reviews communication material created by District departments for efficiency and public information value, as well as information to be posted on the District website. (E)

Assists in the development of materials, and assists District personnel in developing and BRANDING materials to inform and increase understanding of District objectives, problems, programs and achievements. (E)

Assists in District communication regarding employee negotiations, and the development and dissemination of information during general obligation bond elections. (E)

Responds to District emergencies as appropriate. (E)

~~Plans, organizes, and develops video/multi-media productions; and assists with the development of programming for the District cable television channel; assists with the District's communication through its website; coordinates the placement of exhibits and displays in the Boardroom. (E)~~

Plans and coordinates marketing and public relations activities AND DISTRICT EVENTS such as Principal-for-a-Day, State of the District Address, Student Government Day, Legislators Adopt-A-School Program, forums and town hall meetings, RECOGNITION AND RETIREMENT FUNCTIONS, and the District's presence at the L.A. County Fair; assists with other events and activities as requested. (E)

Writes or reviews speeches, articles and scripts for Members of the Board of Education, Superintendent, and District staff as requested; responds to correspondence, and develops remarks for public events. (E)

Invites and coordinates guest presentations at Board of Education meetings; plans and implements Board recognitions. (E)

Serves as District representative to the Chamber of Commerce and represents the District at service organizations and community events as requested. (E)

Develops and maintains a district-wide calendar of events. (E)

Attends all Board meetings and serves as a liaison to the media; coordinates requests for interviews and programs; and provides results of Board action as appropriate. (E)

REPRESENTS THE DISTRICT AT MEETINGS, CONFERENCES AND EVENTS AS REQUESTED BY THE SUPERINTENDENT.

Directs "key community communicators" group and coordinates power breakfast meetings.

Develops a marketing program to attract new students and involve local businesses to sponsor programs and volunteer in District schools.

~~Coordinates District participation in charitable contribution campaigns.~~ DEVELOPS PARTNERSHIPS WITH COMMUNITY ENTITIES TO SUPPORT DISTRICT STUDENTS AND PROGRAMS.

Supervises, directs, and evaluates the performance of assigned staff; interviews and selects employees and recommends transfers, reassignments, terminations, and disciplinary actions; plans, coordinates, and arranges for appropriate training of subordinates. (E)

Directs the preparation and maintenance of a variety of narrative and statistical reports, records, and files; prepares agendas and memos. (E)

Develops and implements long and short-term plans and activities. (E)

Assures accurate and timely dissemination of information. (E)

Serves on committees, such as the Superintendent's Cabinet, District Safety Committee, and the District-wide Relationship Council, as appropriate. (E)

Writes and revises policies and administrative regulations pertaining to assigned functions. (E)

Keeps informed of current trends in communications, public relations, public education and other pertinent areas, such as federal, state and local laws and District regulations and procedures. **(E)**

Performs other duties as assigned.

MINIMUM REQUIREMENTS:

EDUCATION, EXPERIENCE, LICENSES, AND OTHER REQUIREMENTS:

Bachelor's degree required in Journalism, Marketing, Communications, Public Relations, English, or related field. Master's degree in related field preferred.

A minimum of three (3) years experience performing communications, marketing, public relations, and/or journalism work at the professional level. Experience working directly with public school districts is highly desirable.

Employment eligibility that may include fingerprints, health (TB), and/or other employment clearance.

Must have valid California driver's license and automobile available for use. Must be willing to attend evening, night, weekend meetings, and be on call.

KNOWLEDGE AND ABILITIES:

KNOWLEDGE OF:

- Principles and methods of publication.
- Principles of organization, operation, and supervision of a District communications office.
- Principles, practices and techniques of communications and public relations.
- Principles and methods of professional writing.
- Technical aspects of field of specialty.
- Principles of organization, operation, and supervision of a District Communications Office.
- Principles and practices of management.
- Modern technology and office procedures, methods, computer equipment, and computer software application necessary to perform required duties.
- Budget preparation and control.
- Applicable federal, state and local laws, codes, regulations, and District policies, regulations, and procedures.
- Oral and written communication skills, including English usage, grammar, spelling, vocabulary, composition, and mathematics.

ABILITY TO:

- Serve as District spokesperson to the media.
- Provide counsel to District staff on marketing, communications, and public relations issues.
- Respond calmly and effectively in emergency or confusing situations.
- Prepare and deliver speeches and other oral and audio-visual presentations.
- Develop and implement communications and public relations strategies.
- Edit and prepare clear, complete and concise reports, policy statements and other written materials.

- Produce effective, meaningful written communications.
- Determine and retain privileged communications.
- Utilize a variety of computer applications, with the ability to quickly master new applications.
- Operate a computer terminal and audio-visual equipment.
- Plan, organize, and administer comprehensive and effective communications and public relations programs.
- Administer assigned budgets and allocate funds.
- Communicate effectively, both orally and in writing.
- Speak and write within parameters of stated or implied policies (such as confidentiality).
- Write in a clear and concise manner for broad public appeal and interpretation.
- Gain cooperation through discussion and persuasion.
- Analyze situations carefully and adopt an effective course of action.
- Interpret, apply, and explain administrative and Board policies, laws, and regulations.
- Plan, organize, and prioritize work to meet multiple schedules and deadlines, and manage simultaneous tasks.
- Work independently; work under pressure.
- Understand, analyze, and prepare comprehensive narrative and statistical reports.
- Establish and maintain effective and cooperative working relationships with District staff, community members, and business contacts.
- Supervise and evaluate the performance of assigned staff.

WORKING CONDITIONS:

ENVIRONMENT:

- District office environment, school sites, Board meetings, and various public sites.
- Demanding timelines.
- Subject to driving to a variety of locations to conduct work during day and evening hours, and on call.
- Subject to frequent interruptions and extensive contact with students, staff, parents, and the public.

PHYSICAL DEMANDS:

- Bending at the waist, kneeling or crouching, and reaching to retrieve and maintain files and records.
- Reaching overhead, above the shoulders and horizontally.
- Dexterity of hands and fingers to operate standard office equipment, computer keyboard, other office equipment, and other equipment necessary to complete the required duties.
- Hearing and speaking to exchange information in person and on the telephone.
- Visual ability to read and to prepare/process documents, and to monitor various services and personnel.
- Sitting for extended periods.
- Standing for extended periods.
- Walking over rough or uneven surfaces.
- Light lifting; pushing or pulling carts.

HAZARDS:

- Extended viewing of computer monitor.
- Working around and with office equipment having moving parts.

I have read the above position description and fully understand the requirements set forth herein. I hereby accept the position of Director, Communications and agree to abide by the requirements and duties set forth. I will perform all duties and responsibilities to the best of my ability.

(SIGNATURE OF EMPLOYEE)

(DATE)

In compliance with the Americans with Disabilities Act, the Chino Valley Unified School District will provide reasonable accommodations to qualified individuals with disabilities, and encourages both prospective and current employees to discuss potential accommodations with the Human Resources Office.

Board Approved: 09-15-05
Revised: 10-05-06
REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: April 6, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

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

**SUBJECT: REVISION OF BOARD POLICY 4113 CERTIFICATED
PERSONNEL - ASSIGNMENT**

=====

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 4113 Certificated Personnel – Assignment is being revised in accordance with the Every Student Succeeds Act (ESSA) (P.L. 114-95). The policy is also being revised to reflect the continuing requirement as delineated in the Title I local educational agency plan. This agenda item was presented to the Board of Education on March 16, 2017, 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 4113 Certificated Personnel – Assignment.

FISCAL IMPACT

None.

WMJ:LF:SH:RR:mcm

Certificated Personnel

ASSIGNMENT

In order to serve the best interests of students and the educational program, the Board of Education authorizes the Superintendent or designee to assign certificated personnel to positions for which their preparation, certification, professional experience and aptitude qualify them.

(cf. 4112.2 - Certification)

(cf. 4112.21 - Interns)

(cf. 4112.22 - Staff Teaching Students of Limited English Proficiency)

(cf. 4112.23 - Special Education Staff)

(cf. 4112.8/4212.8/4312.8 - Employment of Relatives)

Teachers may be assigned to any school within the District in accordance with the Collective Bargaining Agreement or Board Policy.

(cf. 4141/4241 - Collective Bargaining Agreement)

Assignment to Courses/Classes

The Superintendent or designee shall assign teachers to courses based on the grade level and subject matter authorized by their credentials.

When there is no credential authorization requirement for teaching an elective course, the Superintendent or designee shall select the credentialed teacher whose knowledge and skills best prepare him/her to provide instruction in that subject.

~~Teachers who are assigned to teach core academic subjects shall meet the requirements of the No Child Left Behind Act (NCLB) pertaining to qualifications of highly qualified teachers. (20 USC 6319, 7801; 5 CCR 6100-6126)~~

~~(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)~~

The Superintendent or designee may assign a teacher, with his/her consent, to a position outside his/her credential authorization when specifically authorized by law or regulation, and in accordance with the local teaching assignment options described in the Commission on Teacher Credentialing Administrator's Assignment Manual. Assignments made pursuant to Education Code 44256, 44258.2, and 44263 shall be annually approved by Board resolution. In such cases, the Superintendent or designee shall reference in District records the statute or regulation under which the assignment is authorized.

(cf. 3580 - District Records)

The Superintendent or designee shall periodically report to the Board on teacher assignments and vacancies, including the number and type of assignments made outside a teacher's credential authorization through a local teaching assignment option.

ASSIGNMENT (cont.)

Whenever District misassignments and vacancies are reviewed by the County Superintendent of Schools or Commission on Teacher Credentialing, as applicable, the Superintendent or designee shall report the results to the Board and shall provide recommendations for remedying any identified issues.

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Equitable Distribution of Qualified Teachers

In order to ensure that highly qualified and experienced teachers are equitably distributed among district schools, including those with higher than average levels of low-income, minority, and/or academically underperforming students, the Superintendent or designee shall:

1. ANNUALLY REPORT TO THE BOARD COMPARISONS OF TEACHER QUALIFICATIONS ACROSS DISTRICT SCHOOLS, INCLUDING THE NUMBER OF TEACHERS SERVING UNDER A PROVISIONAL INTERNSHIP PERMIT, SHORT-TERM STAFF PERMIT, INTERN CREDENTIAL, EMERGENCY PERMIT, OR CREDENTIAL WAIVER
2. ENSURE EQUITABLE ACCESS TO EXPERIENCED TEACHERS, WHICH MAY INCLUDE, BUT ARE NOT LIMITED TO, VOLUNTARY TRANSFERS, PROFESSIONAL DEVELOPMENT, AND/OR PROGRAMS TO RECRUIT AND RETAIN EFFECTIVE TEACHERS
13. Verify that all teachers of core academic subjects possess the qualifications of highly qualified teachers as required by NCLB or develop immediate and long-term solutions for ensuring that all core academic classes will be taught by highly qualified teachers
24. Not assign teachers with provisional internship permits, short-term staffing permits, or credential waivers to schools that have 40 percent or higher poverty or are ranked in deciles 1-3 on the statewide academic performance index
35. Not place interns in high-poverty, low-performing schools in greater numbers than in schools with low poverty or higher academic achievement
46. Compare teacher retention rates across district schools and develop strategies to recruit and retain experienced and effective teachers in hard-to-staff schools

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 4111 - Recruitment and Selection)

ASSIGNMENT (cont.)

The Superintendent or designee shall annually report to the Board and the California Department of Education (CDE) comparisons of teacher qualifications across district schools. When required by the CDE, the Superintendent or designee shall develop an equitable distribution plan to identify strategies for recruiting, developing, and retaining highly qualified teachers in low-performing schools. As needed, the Board may direct the Superintendent to transfer teachers to high-need schools in accordance with law and the Collective Bargaining Agreement, and/or may align District resources to improve the skills and qualifications of teachers at those schools.

(cf. 0460 - Local Control and Accountability Plan)
 (cf. 4111 - Recruitment and Selection)
 (cf. 4114 - Transfers)
 (cf. 4131 - Staff Development)
 (cf. 4131.1 - Beginning Teacher Support/Induction)
 (cf. 6171 - Title I Programs)

Legal Reference:EDUCATION CODE

33126 School accountability report card
 35035 Additional powers and duties of superintendent
 35186 Complaint process
 37616 Assignment of teachers to year-round schools
 44225.6 Commission report to the legislature re:
 teachers
 44250-44277 Credentials and assignments of teachers
 44314 Subject matter programs, approved subjects
 44824 Assignment of teachers to weekend classes
 44955 Reduction in number of employees

GOVERNMENT CODE

3543.2 Scope of representation

CODE OF REGULATIONS, TITLE 5

80003-80005 Credential authorizations
 80020-80020.5 Additional assignment authorizations
 80335 Performance of unauthorized professional services
 80339-80339.6 Unauthorized certificated employee assignment

UNITED STATES CODE, TITLE 20

6311 State plan
 6312 Local educational agency plans
 6601-6651 Teacher and Principal Training and Recruiting Fund

Management Resources:CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California State Plan to Ensure Equitable Access to Excellent Educators
 Every Student Succeeds Act 2016-17 School Year Transition Plan, April 2016

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

Administrator's Assignment Manual – Updates and Revisions, May 2014
 The Administrator's Assignment Manual, rev. September 2007

ASSIGNMENT (cont.)

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Transitioning to the Every Student Succeeds Act (ESSA): Frequently Asked Questions, rev. May 4, 2016

Improving Teacher Quality State Grants: ESEA Title II, Part A, rev. October 5, 2006

WEBSITES

California School Boards Association: www.csba.org

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

Commission on Teacher Credentialing: www.ctc.ca.gov

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

Chino Valley Unified School District

Policy adopted: November 16, 1995

Revised: June 2, 2011

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: April 6, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Norm Enfield, Ed.D., Deputy Superintendent

SUBJECT: **REVISION OF BOARD POLICY 1160 COMMUNITY RELATIONS –
POLITICAL PROCESSES**

=====

BACKGROUND

A Board member requested that District policy addressing its political processes be clarified. Board policy 1160 Community Relations – Political Processes is being revised to clarify the restrictions regarding the posting or distribution of campaign materials on District property.

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 1160 Community Relations – Political Processes.

FISCAL IMPACT

None.

WMJ:NE:smr

POLITICAL PROCESSES

The Board of Education has a responsibility to actively advocate fiscal and public policy that supports the District's schools and the children in the community. The Board shall be proactive in defining the District's advocacy agenda based on the District's vision and goals and the needs of the District and community. The Board's advocacy efforts shall be conducted in accordance with legal requirements.

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)
(cf. 9000 - Role of the Board)
(cf. 9010 - Public Statements)

The Board may provide fair and impartial information about legislative issues affecting schools and children, and shall inform the community about its legislative advocacy activities. ~~However, the Board shall not urge the public to lobby the legislature on behalf of the District.~~

Ballot Measures/Candidates

No District funds, services, supplies or equipment shall be used to urge the support or defeat of any ballot measure or candidate, including any candidate for election to the Board of Education. (Education Code 7054)

The Board may discuss and study the potential effect of proposed or qualified ballot measures on the District's schools at an open and agendized board meeting. The Board's discussion of the effect of such measures shall include an opportunity for staff and members of the public to speak on all sides of the issue. At that meeting, the Board may adopt a position or resolution in support of or in opposition to a ballot measure. The language in any resolution adopted by the Board shall not urge the public to take any action regarding the measure.

(cf. 9320 - Meetings and Notices)

The Board's position on a ballot measure, including any resolution, shall be publicized only through normal District procedures and consistent with regular District practice for reporting Board actions. Such publicity shall be for informational purposes and shall not attempt to influence voters.

The Superintendent or designee may use District resources to provide students, parents/guardians, and community members with fair and impartial information related to ballot measures, including information about the impact of ballot measures on the District. (Education Code 7054)

POLITICAL PROCESSES (cont.)

(cf. 1100 - Communication with the Public)

In preparing or distributing such informational material, the Superintendent or designee shall analyze the material to help ensure that it is an appropriate informational activity, provides a fair analysis of the issues, and does not advocate passage or defeat of a measure or candidate.

District resources, including email or computer systems shall not be used to disseminate campaign literature. In addition, District resources shall not be used to purchase advertisements, bumper stickers, posters, or similar promotional items that advocate an election result or urge voters to take any action in support of or in opposition to a measure.

CAMPAIGN LITERATURE SHALL NOT BE POSTED OR DISTRIBUTED ON DISTRICT PROPERTY. THE SUPERINTENDENT OR DESIGNEE MAY AUTHORIZE THE REMOVAL AND DISPOSAL OF ANY CAMPAIGN LITERATURE POSTED ON DISTRICT PROPERTY.

MEMBERS OF THE COMMUNITY MAY NOT DISTRIBUTE CAMPAIGN LITERATURE ON DISTRICT PROPERTY. PRINCIPALS MAY EXCLUDE PARENTS, COMMUNITY MEMBERS, OR ANY MEMBER OF THE PUBLIC FROM A SCHOOL SITE WHEN, IN THEIR JUDGMENT, THE PERSON'S CONTINUAL PRESENCE MAY POSE A THREAT TO STUDENTS OR STAFF DUE TO INAPPROPRIATE CONDUCT OR PREVIOUS INCIDENT ON CAMPUS INVOLVING STUDENTS OR STAFF.

(cf. 1325 - Advertising and Promotion)

Political activity related to District bond measures shall, in addition to the above, be subject to the following conditions:

1. The Superintendent or designee may research, draft and prepare a bond measure or other initiative for the ballot, but shall not use District resources to influence voters or otherwise campaign for the measure.
2. Upon request, Board members and District administrators may appear at any time before a citizens' group to explain why the Board called for an election on a bond measure and to answer questions. (Education Code 7054.1)

If the presentation occurs during working hours, the employee representing the District shall not urge a citizens' group to vote for or against the bond measure.

3. The Board or any individual Board member may file a written argument for the ballot that is either for or against any school measure. (Elections Code 9501)

POLITICAL PROCESSES (cont.)

(cf. 1020 - Youth Services)

(cf. 1112 - Media Relations)

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

(cf. 7131 - Relations with Local Agencies)

Legislation

The Board's responsibility as an advocate for the District may include lobbying and outreach at the state, national, and local levels. The Board and Superintendent or designee shall work to establish and maintain ongoing relationships with elected officials, community leaders, and the media in order to communicate District positions and concerns.

In order to strengthen legislative advocacy efforts, the District may work with organizations and coalitions, and may join associations whose representatives lobby on behalf of their members in accordance with Government Code 53060.5.

The District may provide fair and impartial information about legislative issues affecting schools and children and shall inform the community about its advocacy activities. However, informational materials about legislation shall not urge the public to lobby the legislature, governor, or state agencies on behalf of the District.

As necessary, the Superintendent or designee may draft legislative OR REGULATORY proposals which serve the District's interest.

Legal Advocacy

The Board of Education recognizes that some issues are more appropriately addressed judicially rather than legislatively. When a legal issue is likely to set a state or national precedent, the District may join with other districts or parties in order to RESOLVE ~~challenge~~ the issue through litigation or other appropriate means.

(cf. 9124 - Attorney)

(cf. 9321 - Closed Session Purposes and Agendas)

Political Forums

Forums on political issues may be held in District facilities as long as the forum is made available to all sides of the issue on an equitable basis. (Education Code 7058)

(cf. 1330 - Use of School Facilities)

POLITICAL PROCESSES (cont.)

Legal Reference:

EDUCATION CODE

7050-7058 Political activities of school officers and employees, including:

7054 Use of district property

7054.1 Requested appearance

7056 Soliciting or receiving political funds

35160 Authority of governing boards

35172 Promotional activities

ELECTIONS CODE

9501 School district elections, arguments for or against a measure

GOVERNMENT CODE

8314 Unlawful use of state resources

53060.5 Attendance at legislative body; expenses

54953.5 Right to record proceedings

54953.6 Broadcasts of proceedings

81000-91015 Political Reform Act, including:

82031 Definition of independent expenditure

CODE OF REGULATIONS, TITLE 2

18600-18640 Lobbyists

18901.1 Campaign related mailings sent at public expense

COURT DECISIONS

Vargas v. City of Salinas, (2009) 46 Cal. 4th 1

Santa Barbara County Coalition Against Automobile Subsidies v. Santa Barbara County Association of Governments, (2008) 167 Cal.App.4th 1229

Yes on Measure A v. City of Lake Forest, (1997) 60 Cal.App.4th 620

Choice-in-Education League et al v. Los Angeles Unified School District, (1993) 17 Cal.App.4th 415

League of Women Voters v. Countywide Criminal Justice Coordination Committee, (1988) 203 Cal.App.3d 529

Miller v. Miller, (1978) 87 Cal.App.3d 762

Stanson v. Mott, (1976) 17 Cal. 3d 206

ATTORNEY GENERAL OPINIONS

88 Ops.Cal.Atty.Gen. 46 (2005)

73 Ops.Cal.Atty.Gen. 255 (1990)

Management Resources:

CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Legal Guidelines: Use of Public Resources for Ballot Measures and Candidates, Fact Sheet, February 2011

Legal Guidelines for Lobbying Activity, Fact Sheet, February 2011

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

Legal Issues Associated with Use of Public Resources and Ballot Measure Activities, June 2010

WEBSITES

California School Boards Association: www.csba.org

Fair Political Practices Commission: www.fppc.ca.gov

Institute for Local Government: www.ca-ilg.org

Chino Valley Unified School District

Policy adopted: October 19, 1995

Revised: May 20, 1999

Revised: September 8, 2011

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: April 6, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Norm Enfield, Ed.D., Deputy Superintendent

**SUBJECT: REVISION OF BOARD POLICY AND ADMINISTRATIVE
REGULATION 4119.25, 4219.25, AND 4319.25 ALL PERSONNEL
– POLITICAL ACTIVITIES OF EMPLOYEES**

=====

BACKGROUND

A Board member requested that District policy and administrative regulation be clarified with regard to campaign activity on District property. Board Policy and Administrative Regulation 4119.25, 4219.25, and 4319.25 All Personnel – Political Activities of Employees are being revised to enact rules regarding the political activity of employees.

New language is provided in UPPER CASE.

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

RECOMMENDATION

It is recommended the Board of Education receive for information the revision of Board Policy and Administrative Regulation 4119.25, 4219.25, and 4319.25 All Personnel – Political Activities of Employees.

FISCAL IMPACT

None.

WMJ:NE:smr

POLITICAL ACTIVITIES OF EMPLOYEES

The Board of Education respects the right of school employees to engage in political DISCUSSIONS AND activities on their own time and at their own expense. On such occasions, employees shall make it clear that they are acting as individuals and not as representatives of the District.

THE BOARD OF EDUCATION ALSO RECOGNIZES THAT STATE LAW GENERALLY PROHIBITS THE USE OF DISTRICT PROPERTY, FUNDS, SERVICES, SUPPLIES, OR EQUIPMENT AND DISTRICT TIME FOR POLITICAL PURPOSES. THE BOARD THEREFORE ENACTS THE FOLLOWING RULES REGARDING POLITICAL ACTIVITY.

NO ON-DUTY EMPLOYEE SHALL ENGAGE IN POLITICAL ACTIVITIES UPON PROPERTY UNDER THE JURISDICTION OF THE CHINO VALLEY UNIFIED SCHOOL DISTRICT. "PROPERTY" AS USED HEREIN INCLUDES SCHOOL PREMISES, PROPERTY OWNED BY THE DISTRICT, AND PROPERTY IN POSSESSION OF THE DISTRICT, WHETHER THE POSSESSION BE THROUGH LEASE OR OTHERWISE. HOWEVER, OUTSIDE OF ON-DUTY HOURS AND OFF DISTRICT PROPERTY, EMPLOYEES HAVE THE SAME RIGHT AS ALL OTHER PERSONS TO PARTICIPATE IN POLITICAL ACTIVITIES.

(cf. 1160 - Political Processes)

Like other COMMUNITY members, employees may use school facilities for meetings under the Civic Center Act.

(cf. 1330 - Use of School Facilities)

EMPLOYEES SHALL REFRAIN FROM PROHIBITED ACTIVITIES IDENTIFIED IN LAW AND ADMINISTRATIVE REGULATIONS. EMPLOYEES WHO ENGAGE IN THESE ACTIVITIES SHALL BE SUBJECT TO DISCIPLINARY ACTION AND/OR CRIMINAL PENALTIES.

EMPLOYEES WHO ARE CONTACTED OR SOLICITED TO DISTRIBUTE POLITICAL MATERIAL TO STUDENTS OR STAFF SHALL IMMEDIATELY REPORT SUCH CONTACT TO THE PRINCIPAL, OR OTHER SITE ADMINISTRATOR, WHO SHALL REPORT THE MATTER TO THE SUPERINTENDENT OR DESIGNEE FOR RESOLUTION.

(cf. 1325 - Advertising and Promotion)
(cf. 4118/4218 - Suspension/Disciplinary Action)

POLITICAL ACTIVITIES OF EMPLOYEES (cont.)

Legal Reference:

EDUCATION CODE

7050-7057 Political activities of school officers and employees

38130-38139 Civic Center Act

51520 Prohibited solicitations on school premises

GOVERNMENT CODE

3543.1 Rights of employee organizations

COURT DECISIONS

San Leandro Teachers Association v. Governing Board, (2009) 46 Cal. 4th 822

Downs v. Los Angeles Unified School District, (9th Cir. 2000) 228 F.3d 1003

California Teachers Association v. Governing Board of San Diego Unified School District, (1996) 45 Cal. App. 4th 1383

L.A. Teachers Union v. L.A. City Board of Education, (1969) 71 Cal.2d 551

ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen. 106 (2001)

84 Ops.Cal.Atty.Gen. 52 (2001)

77 Ops.Cal.Atty.Gen. 56 (1994)

PUBLIC EMPLOYMENT RELATIONS BOARD RULINGS

California Federation of Teachers, Local 1931 v. San Diego Community College District (2001) PERB Order #1467 (26 PERC 33014)

Management Resources:

CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Political Activities of School Districts: Legal Issues, 1998, revised 2001

WEBSITES

California School Boards Association: www.csba.org

Office of the Attorney General, Dept. of Justice: caag.state.ca.us/

Public Employment Relations Board: www.perb.ca.gov

Chino Valley Unified School District

Policy adopted: November 16, 1995

Revised: April 1, 1999

Revised: October 18, 2012

REVISED:

POLITICAL ACTIVITIES OF EMPLOYEES

District employees shall not:

1. Use District funds, services, supplies or equipment to urge the passage or defeat of any ballot measure or candidate, including any candidate for election to the Board of Education. (Education Code 7054)

(cf. 1160 - Political Processes)

2. During working hours and on District property, solicit or receive any political funds or contributions to promote the passage or defeat of a ballot measure that would affect the rate of pay, hours of work, retirement, civil service or other working conditions. (Education Code 7056)
3. During working hours and on District property, solicit or receive any political funds or contributions to promote the passage or defeat of other types of ballot measures.
4. Use District time to urge the passage or defeat of any ballot measure or candidate.
5. Use District equipment for the preparation or reproduction of political campaign materials, even if the District is reimbursed.

(cf. 3512 - Equipment)

6. Post or distribute political campaign materials on District property.
7. Disseminate political campaign materials through the District's mail service, email or staff mailboxes.

(cf. 4040 - Employee Use of Technology)

8. Use students to write, address or distribute political campaign materials.
9. Present viewpoints on particular candidates or ballot measures in the classroom without giving equal time to the presentation of opposing views.

(cf. 6144 - Controversial Issues)

POLITICAL ACTIVITIES OF EMPLOYEES (cont.)

10. ATTEMPT TO COERCE OR INFLUENCE THE POLITICAL ACTIVITY OR INACTIVITY OF ANOTHER PERSON IN EXCHANGE FOR A PROMISE OF BENEFIT OR THREAT OF REPRISAL. (EDUCATION CODE 7053)
11. DISPLAY POLITICAL SIGNS ON VEHICLES PARKED ON DISTRICT PROPERTY IF, IN THE JUDGMENT OF THE PRINCIPAL OR SITE ADMINISTRATOR, SUCH SIGNS MAY LEAD TO DISRUPTION OF THE EDUCATIONAL ENVIRONMENT OR IMPLY DISTRICT ENDORSEMENT OF THE CONTENT OF THE SIGN IN CONTRAST, DISPLAYING POLITICAL BUMPER STICKERS, AND SIMILARLY-SIZED SIGNS INSIDE VEHICLES, THAT ARE NOT VISIBLE TO STUDENTS IN ANY CLASSROOM AND DO NOT IMPLY DISTRICT ENDORSEMENT IS PERMITTED.
12. Wear buttons or articles of clothing that express political opinions on ballot measures or candidates during instructional time.

However, teachers shall not be prohibited from wearing political buttons during noninstructional time, such as back-to-school night.

Nothing in board policy or administrative regulation shall be construed to prevent employees from soliciting or receiving funds or contributions for political purposes during nonworking time, including before and after school, the lunch period or other scheduled work intermittency during the school day. (Education Code 7056)

Employee Organizations

Employee organizations may use District mailboxes and other means to communicate with employees, subject to reasonable regulation. Employee organizations may have access at reasonable times to areas in which employees work; may use institutional bulletin boards, mailboxes, and other means of communication and may use District facilities at reasonable times for the purpose of meetings. (Government Code 3543.1)

However, employee organizations shall not use District funds, services, supplies or equipment, such as the District mail OR EMAIL system, to urge the passage or defeat of any ballot measure or candidate, including any candidate for election to the Board. (Education Code 7054)

(cf. 4140/4240 - Bargaining Units)

Access to District communication channels shall be limited in cases where such access would be disruptive to District operations.

AR 4119.25(c)
AR 4219.25(c)
AR 4319.25(c)

POLITICAL ACTIVITIES OF EMPLOYEES (cont.)

In the event of a concerted action or work stoppage, political activities by employee organizations and individual employees shall be restricted to peaceful informational picketing and other activities allowed by law.

(cf. 4141.6/4241.6 - Concerted Action/Work Stoppage)

Chino Valley Unified School District

Regulation approved: November 16, 1995

Revised: October 4, 2012

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: April 6, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Grace Park, Ed.D., Assistant Superintendent, Curriculum, Instruction,
Innovation, and Support
Lea Fellows, Assistant Superintendent, Human Resources

**SUBJECT: REVIEW OF ADMINISTRATIVE REGULATION 5141.4 STUDENTS -
CHILD ABUSE PREVENTION AND REPORTING**

=====

BACKGROUND

Board policies, administrative regulations, and bylaws of the Board are routinely developed and revised as a result of changes in law, mandates, federal regulations and current practice. Administrative Regulation 5141.4 Students - Child Abuse Prevention and Reporting has been reviewed and no changes are recommended.

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

RECOMMENDATION

It is recommended the Board of Education review Administrative Regulation 5141.4 Students - Child Abuse Prevention and Reporting.

FISCAL IMPACT

None.

WMJ:GP:LF:rtt

CHILD ABUSE PREVENTION AND REPORTING

Definitions

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

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

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

(cf. 5145.7 - Sexual Harassment)

Child abuse or neglect does not include:

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

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5144 - Discipline)

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

CHILD ABUSE PREVENTION AND REPORTING (cont.)

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

(cf. 6142.7 - Physical Education and Activity)

(cf. 6145.2 - Athletic Competition)

6. Homelessness or classification as an unaccompanied minor (Penal Code 11165.15)

Mandated reporters include but are not limited to teachers; instructional aides; teachers' aides or assistants; classified employees; certificated pupil personnel employees; administrative officers or supervisors of child attendance; athletic coaches, administrators, and directors; administrators and employees of a licensed child day care facility; Head Start teachers; district police or security officers; licensed nurse or health care providers; and administrators, presenters, and counselors of a child abuse prevention program. (Penal Code 11165.7)

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

Reportable Offenses

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

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

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

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

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

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

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

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

(cf. 1240 - Volunteer Assistance)

Reporting Procedures**1. Initial Telephone Report**

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

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

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

CHILD ABUSE PREVENTION AND REPORTING (cont.)

2. Written Report

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

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

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

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

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

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

CHILD ABUSE PREVENTION AND REPORTING (cont.)

3. Internal Reporting

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

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

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

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

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

Training

Within the first six weeks of each school year, the Superintendent or designee shall provide training on mandated reporting requirements to district employees and persons working on their behalf who are mandated reporters. Any school personnel hired during the school year shall receive such training within the first six weeks of employment. (Education Code 44691; Penal Code 11165.7)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall develop appropriate means of instructing school personnel in the detection of child abuse and neglect and the proper action that school personnel should take in suspected cases of child abuse and neglect. (Education Code 44691)

The training shall include, but not necessarily be limited to, training in identification and reporting of child abuse and neglect. In addition, the training shall include information that failure to report an incident of known or reasonably suspected child abuse or neglect as required by law is a misdemeanor punishable by imprisonment and/or a fine as specified. (Education Code 44691; Penal Code 1116537)

CHILD ABUSE PREVENTION AND REPORTING (cont.)

The Superintendent or designee shall obtain and retain proof of each mandated reporter's completion of the training. (Education Code 44691)

Victim Interviews by Social Services

Whenever the Department of Social Services or another government agency investigating suspected child abuse or neglect that occurred within the child's home or out-of-home care facility, the student may be interviewed by an agency representative during school hours, on school premises. The Superintendent or designee shall give the student the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the student. (Penal Code 11174.3)

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

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

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

Release of Child to Peace Officer

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

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

(cf. 5145.11 - Questioning and Apprehension)

CHILD ABUSE PREVENTION AND REPORTING (cont.)**Parent/Guardian Complaints**

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

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

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

(cf. 1312.1 - Complaints Concerning District Employees)

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

(cf. 1312.3 - Uniform Complaint Procedures)

Notifications

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

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

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

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

CHILD ABUSE PREVENTION AND REPORTING (cont.)

The Superintendent or designee shall also notify all employees that:

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

Chino Valley Unified School District

Regulation approved: January 23, 1997

Revised: May 23, 2002

Revised: January 15, 2009

Revised: January 20, 2011

Revised: February 4, 2016

REVIEWED:

Chino Valley Unified School District

Our Motto:

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

DATE: April 6, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Grace Park, Ed.D., Assistant Superintendent, Curriculum, Instruction, Innovation, and Support

**SUBJECT: WILLIAMS SETTLEMENT LEGISLATION QUARTERLY
UNIFORM COMPLAINT REPORT SUMMARY FOR JANUARY
THROUGH MARCH 2017**

=====

BACKGROUND

In accordance with the Williams settlement legislation, Education Code 35186 states that the Superintendent or designee shall report summarized data on the nature and resolution of all Williams related complaints to the Board of Education and the San Bernardino County Superintendent of Schools on a quarterly basis. Williams related complaints are complaints specific to 1) insufficiency of instructional materials, 2) unsafe facilities, or 3) teacher vacancy or misassignment. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. These summaries shall be publicly reported on a quarterly basis at a regularly scheduled board meeting.

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 Williams Settlement Legislation Quarterly Uniform Complaint Report Summary for January through March 2017.

FISCAL IMPACT

None.

WMJ:GP:rtt

Williams Settlement Legislation
Quarterly Uniform Complaint Report Summary
For submission to school district governing board and county office of education

District Name: Chino Valley Unified School District

Quarter covered by this report: January 2017 – March 2017

Please fill in the following table. Enter 0 in any cell that does not apply.

	Number of complaints received in quarter	Number of complaints resolved	Number of complaints unresolved
Instructional Materials	0	0	0
Facilities	0	0	0
Teacher Vacancy and Misassignments	0	0	0
Totals	0	0	0

Submitted by: Grace Park, Ed.D.

Title: Assistant Superintendent, Curriculum, Instruction, Innovation, and Support

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: April 6, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Gregory J. Stachura, Asst. Supt., Facilities, Planning, and Operations
Maria Sedillo, Director, Transportation

**SUBJECT: REVISION OF ADMINISTRATIVE REGULATION 3543 BUSINESS
AND NONINSTRUCTIONAL OPERATIONS – TRANSPORTATION
SAFETY AND EMERGENCIES**

=====

BACKGROUND

Board policies, administrative regulations, and bylaws are routinely developed and revised as a result of changes in law, mandates, federal regulations, and current practice. Administrative Regulation 3543 Business and Noninstructional Operations – Transportation Safety and Emergencies is being revised to reflect NEW LAW (SB 1072, 2016) which (1) expands the required components of the transportation safety plan to include procedures to ensure that a student is not left unattended on the bus and procedures for designating an adult chaperone to accompany students on a student activity bus, and (2) requires installation of a child safety alert system on school buses by the beginning of the 2018-19 school year. Regulation also reflects NEW LAW (AB 1785, 2016) which prohibits a bus driver from using any electronic wireless communications device while driving, except when the device is voice-operated and used in hands-free mode or with a function that requires only a single swipe or tap of the driver's finger.

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 3543 Business and Noninstructional Operations – Transportation Safety and Emergencies.

FISCAL IMPACT

None.

WMJ:GJS:pw

TRANSPORTATION SAFETY AND EMERGENCIES**~~SAFE BUS OPERATIONS~~**

~~The Superintendent or designee may consult with the California Highway Patrol or appropriate weather service for information about road conditions and visibility. He/she shall suspend home-to-school transportation service whenever precipitation or atmospheric conditions reduce visibility on the roadway to 200 feet or less.~~

EACH DAY, PRIOR TO DRIVING A SCHOOL BUS, EACH SCHOOL BUS DRIVER SHALL INSPECT THE BUS TO ENSURE THAT IT IS IN SAFE OPERATING CONDITION AND EQUIPPED AS REQUIRED BY LAW AND THAT ALL EQUIPMENT IS IN GOOD WORKING ORDER. AT THE COMPLETION OF EACH DAY'S WORK, THE DRIVER SHALL PREPARE AND SIGN A WRITTEN REPORT OF THE CONDITION OF THE EQUIPMENT SPECIFIED IN 13 CCR 1215. THE REPORT SHALL INDICATE ANY DEFECT OR DEFICIENCY DISCOVERED BY OR REPORTED TO THE DRIVER WHICH WOULD AFFECT SAFE OPERATION OR RESULT IN MECHANICAL BREAKDOWN OF THE BUS. IF NO DEFECT OR DEFICIENCY WAS DISCOVERED OR REPORTED, SHALL SO INDICATE. ANY DEFECT OR DEFICIENCY THAT WOULD AFFECT SAFE OPERATION SHALL BE REPAIRED PRIOR TO OPERATING THE BUS. (13 CCR 1215)

(cf. 3540 - Transportation)

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

(cf. 3542 - School Bus Drivers)

PASSENGER RESTRAINT SYSTEMS

~~Bus drivers for school activity trips shall have the authority to discontinue bus operation whenever they determine that it is unsafe to continue operation because of reduced visibility. (Vehicle Code 34501.6)~~

~~A person shall not drive a motor vehicle while using a wireless telephone, except under the following conditions: (Vehicle Code 23123, 23125)~~

The Superintendent or designee shall ensure that any school bus or student activity bus which is purchased or leased by the District is equipped with a combination pelvic and upper torso passenger restraint system at all designated seating positions if that bus: (Vehicle Code 27316, 27316.5; 13 CCR 1201)

TRANSPORTATION SAFETY AND EMERGENCIES (cont.)

1. ~~For emergency purposes, including, but not limited to, an emergency call to a law enforcement agency, health care provider, fire department, or other emergency service agency or entity.~~

IS A TYPE 1 SCHOOL BUS MANUFACTURED ON OR AFTER JULY 1, 2005, WHICH IS DESIGNED FOR CARRYING MORE THAN 16 PASSENGERS AND THE DRIVER

2. ~~In the case of a school bus driver, for work-related purposes.~~

IS A TYPE 2 SCHOOL BUS OR STUDENT ACTIVITY BUS MANUFACTURED ON OR AFTER JULY 1, 2004, WHICH MEETS ONE OF THE FOLLOWING CRITERIA:

A. IS DESIGNED FOR CARRYING 16 OR FEWER PASSENGERS AND THE DRIVER

B. HAS A MANUFACTURER'S VEHICLE WEIGHT RATING OF 10,000 POUNDS OR LESS AND IS DESIGNED FOR CARRYING NOT MORE THAN 20 PASSENGERS AND THE DRIVER

~~A person shall not drive a motor vehicle while using an electronic wireless communications device to write, send, or read a text-based communication, including, but not limited to, text messages, instant messages, and email. This prohibition does not include reading, selecting, or entering a telephone number or name in an electronic wireless communication device for the purpose of making or receiving a telephone call. (Vehicle Code 23123.5)~~

THE SUPERINTENDENT OR DESIGNEE SHALL PRIORITIZE THE ALLOCATION OF SCHOOL BUSES PURCHASED, LEASED, OR CONTRACTED TO ENSURE THAT ELEMENTARY STUDENTS RECEIVE FIRST PRIORITY FOR NEW SCHOOL BUSES EQUIPPED WITH PASSENGER RESTRAINT SYSTEMS WHENEVER FEASIBLE.

WHEN A SCHOOL BUS OR STUDENT ACTIVITY BUS IS EQUIPPED WITH A PASSENGER RESTRAINT SYSTEM, ALL PASSENGERS SHALL USE THE PASSENGER RESTRAINT SYSTEM. (5 CCR 14105)

BUS DRIVERS SHALL BE INSTRUCTED REGARDING PROCEDURES TO ENFORCE THE PROPER USE OF THE PASSENGER RESTRAINT SYSTEM. STUDENTS WHO FAIL TO FOLLOW INSTRUCTIONS OF THE BUS DRIVER MAY BE SUBJECT TO DISCIPLINE, INCLUDING SUSPENSION OF RIDING PRIVILEGES, IN ACCORDANCE WITH BOARD POLICY AND ADMINISTRATIVE REGULATIONS.

TRANSPORTATION SAFETY AND EMERGENCIES (cont.)

(cf. 5131.1 - Bus Conduct)

(cf. 5144 - Discipline)

FIRE EXTINGUISHERS

EACH SCHOOL BUS SHALL BE EQUIPPED WITH AT LEAST ONE FIRE EXTINGUISHER LOCATED IN THE DRIVER'S COMPARTMENT WHICH MEETS THE STANDARDS SPECIFIED IN LAW. IN ADDITION, A WHEELCHAIR SCHOOL BUS SHALL HAVE ANOTHER FIRE EXTINGUISHER PLACED AT THE WHEELCHAIR LOADING DOOR OR EMERGENCY EXIT. ALL FIRE EXTINGUISHERS SHALL BE REGULARLY INSPECTED AND SERVICED IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE STATE FIRE MARSHAL. (Education Code 39838; 13 CCR 1242; 19 CCR 574-575.3)

ELECTRONIC COMMUNICATIONS DEVICES

A BUS DRIVER IS PROHIBITED FROM DRIVING A SCHOOL BUS OR STUDENT ACTIVITY BUS WHILE USING A WIRELESS TELEPHONE OR OTHER ELECTRONIC WIRELESS COMMUNICATIONS DEVICE EXCEPT FOR WORK-RELATED OR EMERGENCY PURPOSES, INCLUDING, BUT NOT LIMITED TO, CONTACTING A LAW ENFORCEMENT AGENCY, HEALTH CARE PROVIDER, FIRE DEPARTMENT, OR OTHER EMERGENCY SERVICE AGENCY OR ENTITY. IN ANY SUCH PERMITTED SITUATION, THE DRIVER SHALL ONLY USE A WIRELESS TELEPHONE OR DEVICE THAT IS SPECIFICALLY DESIGNED AND CONFIGURED TO ALLOW VOICE-OPERATED AND HANDS-FREE OPERATION OR A FUNCTION THAT REQUIRES ONLY A SINGLE SWIPE OR TAP OF THE DRIVER'S FINGER PROVIDED THE DEVICE IS MOUNTED ON THE WINDSHIELD, DASHBOARD, OR CENTER CONSOLE OF THE BUS. (Vehicle Code 23123.5, 23125)

SAFE BUS OPERATIONS

SCHOOL BUSES AND STUDENT ACTIVITY BUSES SHALL NOT BE OPERATED WHENEVER THE NUMBER OF PASSENGERS EXCEEDS BUS SEATING CAPACITY, EXCEPT WHEN NECESSARY IN EMERGENCY SITUATIONS WHICH REQUIRE THAT INDIVIDUALS BE TRANSPORTED IMMEDIATELY TO ENSURE THEIR SAFETY. (Education Code 39834)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

SCHOOL BUS OPERATIONS SHALL BE LIMITED WHEN ATMOSPHERIC CONDITIONS REDUCE VISIBILITY ON THE ROADWAY TO 200 FEET OR LESS DURING REGULAR HOME-TO-SCHOOL TRANSPORTATION SERVICE. BUS DRIVERS FOR SCHOOL ACTIVITY TRIPS MAY DISCONTINUE BUS OPERATION

TRANSPORTATION SAFETY AND EMERGENCIES (cont.)

WHENEVER THEY DETERMINE THAT IT IS UNSAFE TO CONTINUE OPERATION BECAUSE OF REDUCED VISIBILITY. (Vehicle Code 34501.6)

UNAUTHORIZED ENTRY

THE SUPERINTENDENT OR DESIGNEE MAY PLACE A NOTICE AT BUS ENTRANCES THAT WARNS AGAINST UNAUTHORIZED ENTRY. THE DRIVER OR ANOTHER SCHOOL OFFICIAL MAY ORDER ANY PERSON TO DISEMBARK IF THAT PERSON ENTERS A BUS WITHOUT PRIOR AUTHORIZATION. (Education Code 39842; 13 CCR 1256.5)

(cf. 3515.2 - Disruptions)

TRANSPORTATION SAFETY PLAN FOR BOARDING AND EXITING BUSES

~~The Superintendent or designee shall review all investigations of bus incidents and accidents to develop preventative measures.~~

~~The Superintendent or designee may place a notice at bus entrances that warns against unauthorized entry. The driver or another school official may order any person to disembark if that person enters a bus without prior authorization. (Education Code 39842; 13 CCR 1256.5)~~

THE SUPERINTENDENT OR DESIGNEE SHALL DEVELOP A TRANSPORTATION SAFETY PLAN CONTAINING PROCEDURES FOR SCHOOL PERSONNEL TO FOLLOW TO ENSURE THE SAFE TRANSPORT OF STUDENTS. THE PLAN SHALL ADDRESS ALL OF THE FOLLOWING: (Education Code 39831.3)

1. DETERMINING IF STUDENTS IN GRADES PREKINDERGARTEN THROUGH 8 REQUIRE AN ESCORT TO CROSS A PRIVATE ROAD OR HIGHWAY AT A BUS STOP PURSUANT TO Vehicle Code 22112
2. PROCEDURES FOR ALL STUDENTS IN GRADES PREKINDERGARTEN THROUGH 8 TO FOLLOW AS THEY BOARD AND EXIT THE BUS AT THEIR BUS STOPS
3. BOARDING AND EXITING A SCHOOL BUS AT A SCHOOL OR OTHER TRIP DESTINATION
4. PROCEDURES TO ENSURE THAT A STUDENT IS NOT LEFT UNATTENDED ON A SCHOOL BUS, STUDENT ACTIVITY BUS, OR YOUTH BUS

TRANSPORTATION SAFETY AND EMERGENCIES (cont.)

SUCH PROCEDURES SHALL INCLUDE, ON OR BEFORE THE BEGINNING OF THE 2018-19 SCHOOL YEAR, THE INSTALLATION OF A CHILD SAFETY ALERT SYSTEM AT THE INTERIOR REAR OF EACH BUS THAT REQUIRES THE DRIVER TO EITHER MANUALLY CONTACT OR SCAN THE DEVICE, THEREBY PROMPTING THE DRIVER TO INSPECT THE ENTIRETY OF THE INTERIOR OF THE VEHICLE BEFORE EXITING. A STUDENT ACTIVITY BUS MAY BE EXEMPT FROM THIS REQUIREMENT UNDER THE CONDITIONS SPECIFIED IN Vehicle Code 28160.

5. PROCEDURES AND STANDARDS FOR DESIGNATING AN ADULT CHAPERONE, OTHER THAN THE DRIVER, TO ACCOMPANY STUDENTS ON A SCHOOL ACTIVITY BUS

A COPY OF THE PLAN SHALL BE KEPT AT EACH SCHOOL SITE AND MADE AVAILABLE UPON REQUEST TO THE CALIFORNIA HIGHWAY PATROL (CHP). (Education Code 39831.3)

PARENTAL NOTIFICATIONS

THE SUPERINTENDENT OR DESIGNEE SHALL PROVIDE WRITTEN SAFETY INFORMATION TO THE PARENTS/GUARDIANS OF ALL STUDENTS IN GRADES PREKINDERGARTEN THROUGH 6 WHO HAVE NOT PREVIOUSLY BEEN TRANSPORTED IN A DISTRICT SCHOOL BUS OR STUDENT ACTIVITY BUS. THIS INFORMATION SHALL BE PROVIDED UPON REGISTRATION AND SHALL CONTAIN: (Education Code 39831.5)

1. A list of school bus stops near each student's home.
2. General rules of conduct at school bus loading zones.
3. Red light crossing instructions.
4. A DESCRIPTION OF THE school bus danger zone.
5. INSTRUCTIONS FOR Safely walking to and from school bus stops.

(cf. 5145.6 - Parental Notifications)

Student Instruction

Students who are transported in a school bus or school student activity bus shall receive instruction in school bus emergency procedures and passenger safety as follows: (Education Code 39831.5; 5CCR 14102)

1. ~~Before departing on a school activity trip, all students riding on a school bus or school student activity bus shall receive safety instruction which includes, but is not limited to:~~
EACH YEAR, ALL STUDENTS WHO RECEIVE HOME-TO-SCHOOL TRANSPORTATION IN A SCHOOL BUS SHALL BE PROVIDED APPROPRIATE

TRANSPORTATION SAFETY AND EMERGENCIES (cont.)

INSTRUCTION IN SAFE RIDING PRACTICES AND EMERGENCY EVACUATION DRILLS.

- a. ~~Location of emergency exits.~~
- b. ~~Location and use of emergency equipment.~~

~~This instruction also may include responsibilities of passengers seated next to an emergency exit.~~

- 2. At least once each SCHOOL year, all ~~pre-kindergarten~~ students and students in grades ~~K-8~~ PREKINDERGARTEN THROUGH 8 who receive home-to-school transportation shall receive safety instruction which includes, but is not limited to:
 - a. Proper loading and unloading procedures, including escorting by the driver.
 - b. ~~Proper passenger conduct.~~ HOW TO SAFELY CROSS THE STREET, HIGHWAY, OR PRIVATE ROAD
 - c. ~~Bus evacuation.~~ IN SCHOOL BUSES WITH PASSENGER RESTRAINT SYSTEMS, INSTRUCTION IN THE USE OF SUCH SYSTEMS AS SPECIFIED IN 5CCR 14105, INCLUDING, BUT NOT LIMITED TO, THE PROPER FASTENING AND RELEASE OF THE PASSENGER RESTRAINT SYSTEM, ACCEPTABLE PLACEMENT OF PASSENGER RESTRAINT SYSTEMS ON STUDENTS, TIMES AT WHICH THE PASSENGER RESTRAINT SYSTEMS SHOULD BE FASTENED AND RELEASED, AND ACCEPTABLE PLACEMENT OF THE PASSENGER RESTRAINT SYSTEMS WHEN NOT IN USE
 - d. ~~Location of emergency equipment.~~ PROPER PASSENGER CONDUCT
 - E. BUS EVACUATION PROCEDURES
 - F. LOCATION OF EMERGENCY EQUIPMENT

As part of this instruction, students shall evacuate the school bus through emergency exit doors. Instruction also may include responsibilities of passengers seated next to an emergency exit.

TRANSPORTATION SAFETY AND EMERGENCIES (cont.)

Each time the above instruction is given, the following information shall be documented:

- a. District name.
- b. School name and location.
- c. Date of instruction.
- d. Names of supervising adults.
- e. Number of students participating.
- f. Grade levels of students.
- g. Subjects covered in instruction.
- h. Amount of time taken for instruction.
- i. Bus driver's name.
- j. Bus number.
- k. Additional remarks.

This documentation shall be kept on file AT THE DISTRICT OFFICE OR THE SCHOOL for one year and shall be available for inspection by the ~~Department of the California Highway Patrol~~. CHP.

(cf. 3580 - District Records)

3. BEFORE DEPARTING ON A SCHOOL ACTIVITY TRIP, ALL STUDENTS RIDING ON A SCHOOL BUS OR STUDENT ACTIVITY BUS SHALL RECEIVE SAFETY INSTRUCTION WHICH INCLUDES, BUT IS NOT LIMITED TO, THE LOCATION OF EMERGENCY EXITS AND THE LOCATION AND USE OF EMERGENCY EQUIPMENT. THIS INSTRUCTION ALSO MAY INCLUDE RESPONSIBILITIES OF PASSENGERS SEATED NEXT TO AN EMERGENCY EXIT.

BUS ACCIDENTS

IN THE EVENT OF A SCHOOL BUS ACCIDENT, THE DRIVER SHALL IMMEDIATELY NOTIFY THE CHP AND THE SUPERINTENDENT OR DESIGNEE. THE DRIVER SHALL NOT LEAVE THE IMMEDIATE VICINITY OF THE BUS TO SEEK AID UNLESS NECESSARY. (13 CCR 1219)

THE SUPERINTENDENT OR DESIGNEE SHALL MAINTAIN A REPORT OF EACH ACCIDENT THAT OCCURRED ON PUBLIC OR PRIVATE PROPERTY INVOLVING A SCHOOL BUS WITH STUDENTS ABOARD. THE REPORT SHALL CONTAIN PERTINENT DETAILS OF THE ACCIDENT AND SHALL BE RETAINED FOR 12 MONTHS FROM THE DATE OF THE ACCIDENT. IF THE ACCIDENT WAS NOT INVESTIGATED BY THE CHP, THE SUPERINTENDENT OR DESIGNEE SHALL FORWARD A COPY OF THE REPORT TO THE LOCAL CHP WITHIN FIVE WORK DAYS OF THE DATE OF THE ACCIDENT. (13 CCR 1234)

TRANSPORTATION SAFETY AND EMERGENCIES (cont.)

THE SUPERINTENDENT OR DESIGNEE SHALL REVIEW ALL INVESTIGATIONS OF BUS INCIDENTS AND ACCIDENTS TO DEVELOP PREVENTATIVE MEASURES.

(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

Notifications

~~The Superintendent or designee shall give safety information in writing to the parents/guardians of all pre-kindergarten students and students in grades K-6 who have not previously been transported in a school bus or school activity bus. This information shall be provided upon registration and shall include: (Education Code 39831.5)~~

- ~~6. A list of school bus stops near each student's home.~~
- ~~7. General rules of conduct at school bus loading zones.~~
- ~~8. Red light crossing instructions.~~
- ~~9. School bus danger zone.~~
- ~~10. Safety in walking to and from school bus stops.~~

Legal Reference:

EDUCATION CODE

39830-398412 Transportation, school buses

39860 Contract for transportation; requirement that student not be left unattended

51202 Instruction in personal and public health and safety

PENAL CODE

241.3 Assault against school bus driver

243.3 Battery against school bus driver

VEHICLE CODE

415 Definition of motor vehicle

545-546 Definition of school bus and student activity bus

22112 Loading and Unloading Passengers

23123.5 Use of wireless telephone or communications device while driving; exceptions

23125 Use of wireless telephone prohibited while driving school bus

27316-27316.5 Passenger restraint systems

28160 Child safety alert system

34500 California Highway Patrol responsibility to regulate safe operation of school buses

34501.5 California Highway Patrol responsibility to adopt rules re: safe operation of school buses

34501.6 School buses; reduced visibility

34508 California Highway Patrol responsibility to adopt rules re: equipment and bus operations

CODE OF REGULATIONS, TITLE 5

14100-14105 School buses and student activity buses

CODE OF REGULATIONS, TITLE 13

1200-1293 Motor carrier safety

2480 Airborne toxic control measure; limitation on bus idling

CODE OF REGULATIONS, TITLE 19

574-575.3 Inspection and maintenance of fire extinguishers

CODE OF FEDERAL REGULATIONS, TITLE 49

571.1-571.500 Motor vehicle standards, including school buses

TRANSPORTATION SAFETY AND EMERGENCIES (cont.)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Passenger Restraints Frequently Asked Questions

WEBSITES

California Association of School Business Officials: www.casbo.org

American School Bus Council: www.americanschoolbuscouncil.org

California Association of School Transportation Officials: www.castoways.org

California Department of Education, Office of School Transportation: www.cde.ca.gov

California Highway Patrol: www.chp.ca.gov

National Transportation Safety Board: www.nts.gov

U.S. Department of Transportation, National Highway Traffic Safety Administration: www.nhtsa.dot.gov

Chino Valley Unified School District

Regulation approved: November 16, 1995

Revised: August 21, 200

Revised: March 5, 2009

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: April 6, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

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

**SUBJECT: REQUEST FROM A MEMBER OF THE PUBLIC TO PLACE A
STATEMENT ON SCHOOL WEBSITES**

=====

BACKGROUND

Board Policy and Administrative Regulations 1312.3 establishes the guidelines and procedures for the Uniform Complaint Procedures (UCP). A member of the public requested that the following statement, explaining the prohibition against pupil fees, be placed on all school websites: "The California State Constitution contains a 'Free School Guarantee' that generally entitles the youth of the state to be educated at the public's expense. Education Code Section 49011 subdivision (a) states: 'A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.'"

RECOMMENDATION

It is recommended the Board of Education receive for information the request from a member of the public to place the above statement on school websites.

FISCAL IMPACT

None.

WMJ:LF:SH:RR:mcm