



CHINO VALLEY
UNIFIED SCHOOL DISTRICT

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

BOARD OF EDUCATION AGENDA

September 7, 2017

BOARD OF EDUCATION

Sylvia Orozco, President

Pamela Feix, Vice President

James Na, Clerk

Irene Hernandez-Blair, Member

Andrew Cruz, Member

Jonah Botello, 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 Board Room

5130 Riverside Drive, Chino, CA 91710

3:40 p.m. – Closed Session • 7:00 p.m. – Regular Meeting

September 7, 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 – 3:40 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. Conference with Legal Counsel: Existing Litigation: Government Code 54954.5 (c) and 54956.9 (d)(1): Oxford Preparatory Academy v. Chino Valley Unified School District, et. al. SBC No. CIVDS1710045. (Chidester, Margaret A. & Associates) (15 minutes)
- c. Conference with Legal Counsel–Anticipated Litigation (Government Code 54956.9 (d)(2) and (e)(1): One possible case. (Atkinson, Andelson, Loya, Ruud & Romo) (60 minutes)
- d. 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, Dr. Suzanne Hernandez, Lea Fellows, and Richard Rideout. (30 minutes)
- e. Public Employee Discipline/Dismissal/Release (Government Code 54957): (20 minutes)
- f. Public Employee Appointment (Government Code 54957): Director, Elementary Curriculum; Elementary Principal and Assistant Principal. (15 minutes)
- g. Public Employee Employment (Government Code 54957): Superintendent. (30 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. 2016/2017 Positive Behavior Interventions and Support Silver and Bronze Award Winners
- I.D. COMMENTS FROM STUDENT REPRESENTATIVE
- I.E. EMPLOYEE REPRESENTATIVES' COMMUNICATIONS
- I.F. COMMUNITY LIAISONS' COMMUNICATIONS
- I.G. COMMENTS FROM THE AUDIENCE ON ITEMS NOT ON THE AGENDA
- I.H. CHANGES AND DELETIONS

II. ACTION

II.A. BUSINESS SERVICES

II.A.1. 2016/2017 Unaudited Actuals Financial Report
 Page 9
 Recommend the Board of Education approve the 2016/2017 Unaudited Actuals Financial Report, and authorize the Superintendent or designee to sign the 2016/2017 District Certification of Unaudited Actual Financial Report.

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

III. CONSENT

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

III.A. ADMINISTRATION

III.A.1. Minutes of the Regular Meeting of August 17, 2017
 Page 11
 Recommend the Board of Education approve the minutes of the regular meeting of August 17, 2017.

III.B. BUSINESS SERVICES

III.B.1. Warrant Register
 Page 21
 Recommend the Board of Education approve/ratify the warrant register, provided under separate cover.

III.B.2. Fundraising Activities

Page 22 Recommend the Board of Education approve/ratify the fundraising activities.

III.B.3. Donations

Page 30 Recommend the Board of Education accept the donations.

III.B.4. Legal Services

Page 32 Recommend the Board of Education approve payment for legal services to the law offices of Atkinson, Andelson, Loya, Ruud & Romo; and Parker & Covert LLP.

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

Page 33 Recommend the Board of Education approve/ratify the applications to operate fundraising activities and other activities for the benefit of students.

III.B.6. Resolution 2017/2018-18, Actual Gann Limit for 2016/2017 and Estimated Gann Limit for 2017/2018

Page 35 Recommend the Board of Education adopt Resolution 2017/2018-18, Actual Gann Limit for 2016/2017 in the amount of \$158,492,419.00 and Estimated Gann Limit for 2017/2018 in the amount of \$156,452,431.00.

III.B.7. Revision of Board Policy 3551 Business and Noninstructional Operations—Nutrition Services Operations/Cafeteria Fund

Page 37 Recommend the Board of Education approve the revision of Board Policy 3551 Business and Noninstructional Operations—Nutrition Services Operations/Cafeteria Fund.

III.C. CURRICULUM, INSTRUCTION, INNOVATION, AND SUPPORT**III.C.1. School Sponsored Trips**

Page 42 Recommend the Board of Education approve/ratify the following school-sponsored trips: Litel ES, and Ayala HS.

III.C.2. Revision of Board Policy 0460 Philosophy, Goals, Objectives, and Comprehensive Plans—Local Control and Accountability Plan

Page 43 Recommend the Board of Education approve the revision of Board Policy 0460 Philosophy, Goals, Objectives, and Comprehensive Plans—Local Control and Accountability Plan.

III.C.3. Revision of Board Policy 5141.52 Students—Suicide Prevention

Page 50 Recommend the Board of Education approve the revision of Board Policy 5141.52 Students—Suicide Prevention.

- III.C.4. Revision of Board Policy 6142.93 Instruction—Science Instruction**
Page 55 Recommend the Board of Education approve the revision of Board Policy 6142.93 Instruction—Science Instruction.
- III.C.5. Revision of Board Policy 6145.2 Instruction—Athletic Competition**
Page 58 Recommend the Board of Education approve the revision of Board Policy 6145.2 Instruction—Athletic Competition.
- III.C.6. Revision of Board Policy 6174 Instruction—Education for English Learners**
Page 65 Recommend the Board of Education approve the revision of Board Policy 6174 Instruction—Education for English Learners.
- III.C.7. Revision of Board Policy 6178.1 Instruction—Work-Based Learning**
Page 72 Recommend the Board of Education approve the revision of Board Policy 6178.1 Instruction—Work-Based Learning.
- III.C.8. Agricultural Career Technical Education Incentive Grant 2017/2018 Application for Funding for Don Lugo HS**
Page 77 Recommend the Board of Education approve the Agricultural Career Technical Education Incentive Grant 2017/2018 application for funding for Don Lugo HS.
- III.D. FACILITIES, PLANNING, AND OPERATIONS**
- III.D.1. Purchase Order Register**
Page 82 Recommend the Board of Education approve/ratify the purchase order register, provided under separate cover.
- III.D.2. Agreements for Contractor/Consultant Services**
Page 83 Recommend the Board of Education approve/ratify the Agreements for Contractor/Consultant Services.
- III.D.3. Surplus/Obsolete Property**
Page 86 Recommend the Board of Education declare the District property surplus/obsolete and authorize staff to sell/dispose of said property.
- III.D.4. Revision of Board Policy 7214 Facilities—General Obligation Bonds**
Page 89 Recommend the Board of Education approve the revision of Board Policy 7214 Facilities—General Obligation Bonds.
- III.D.5. Revision of Board Policy 3311 Business and Noninstructional Operations—Bids**
Page 98 Recommend the Board of Education approve the revision of Board Policy 3311 Business and Noninstructional Operations—Bids.

III.D.6. Revision of Board Policy 3311.1 Business and Noninstructional Operations—Pre-Qualification of Bidders

Page 103

Recommend the Board of Education approve the revision of Board Policy 3311.1 Business and Noninstructional Operations—Pre-Qualification of Bidders.

III.D.7. Resolutions 2017/2018-16 and 2017/2018-17 for Authorization to Utilize Piggyback Contracts

Page 106

Recommend the Board of Education adopt Resolutions 2017/2018-16 and 2017/2018-17 for authorization to utilize piggyback contracts.

III.D.8. Notice of Completion for CUPCCAA Projects

Page 112

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

III.D.9. Agreement with Trane Energy Solutions to Proceed with Phase 3 Implementation of Energy Project Energy Efficiency Measure 1, 2, and 3 at Various Sites Under Government Code 4217

Page 114

Recommend the Board of Education approve the Agreement with Trane Energy Solutions to proceed with phase 3 implementation of energy project Energy Efficiency Measure 1, 2, and 3 at various sites under Government Code 4217, contingent on Department of State Architect and California Energy Commission approval.

III.D.10. Authorization for Use of Chino Valley Unified School District Battery Systems to Participate in California Independent System Operator Demand Response Market Pilot Program Under California Energy Commission Grant Funding Opportunity 15-311

Page 131

Recommend the Board of Education approve the Authorization for Use of Chino Valley Unified School District Battery Systems to Participate in California Independent System Operator Demand Response Market Pilot Program Under California Energy Commission Grant Funding Opportunity 15-311.

III.E. HUMAN RESOURCES

III.E.1. Certificated/Classified Personnel Items

Page 138

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

III.E.2. Rejection of Claim

Page 145

Recommend the Board of Education reject the claim and refer it to the District's insurance adjuster.

IV. INFORMATION**IV.A. ADMINISTRATION****IV.A.1. Revision of Bylaws of the Board 9121—President**

Page 146 Recommend the Board of Education receive for information the revision of Bylaws of the Board 9121—President.

IV.A.2. Revision of Bylaws of the Board 9230—Orientation

Page 150 Recommend the Board of Education receive for information the revision of Bylaws of the Board 9230—Orientation.

IV.A.3. Revision of Bylaws of the Board 9400—Self-Evaluation

Page 154 Recommend the Board of Education receive for information the revision of Bylaws of the Board 9400—Board Self-Evaluation.

IV.B. CURRICULUM, INSTRUCTION, INNOVATION, AND SUPPORT**IV.B.1. Revision of Board Policy and New Administrative Regulation 5145.3 Students—Nondiscrimination/Harassment of Students**

Page 157 Recommend the Board of Education receive for information the revision of Board Policy and new Administrative Regulation 5145.3 Students—Nondiscrimination/Harassment of Students.

IV.B.2. Williams Settlement Legislation Quarterly Uniform Complaint Report Summary for April Through June 2017

Page 172 Recommend the Board of Education receive for information the Williams Settlement Legislation Quarterly Uniform Complaint Report Summary for April through June 2017.

IV.C. FACILITIES, PLANNING, AND OPERATIONS**IV.C.1. Revision of Board Policy 7212 Facilities—Mello-Roos Districts**

Page 174 Recommend the Board of Education receive for information the revision of Board Policy 7212 Facilities—Mello-Roos Districts.

IV.D. HUMAN RESOURCES**IV.D.1. Revision of Board Policy 4312.1 Management, Supervisory and Confidential Personnel—Contracts**

Page 179 Recommend the Board of Education receive for information the revision of Board Policy 4312.1 Management, Supervisory and Confidential Personnel—Contracts.

V. COMMUNICATIONS

BOARD MEMBERS AND SUPERINTENDENT

VI. ADJOURNMENT

Prepared by: Patricia Kaylor, Administrative Secretary, Board of Education
Date posted: September 1, 2017

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 7, 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: 2016/2017 UNAUDITED ACTUALS FINANCIAL REPORT

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BACKGROUND

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

Unaudited Actuals reports the final revenues and expenditures for the District for the 2016/2017 fiscal year prior to the final review of the District’s financial transactions by an independent auditor. The Unaudited Actuals Financial report is provided under separate cover.

The year-end closing process for the 2016/2017 fiscal year has concluded and the balance in each fund is as follows:

2016/2017 Unaudited Actual Balance of General Fund	Unrestricted Balance	Restricted Balance
General Fund Beginning Balance as of July 1, 2016	\$ 64,828,712	\$ 8,055,928
General Fund Ending Balance as of June 30, 2017	\$ 72,228,584	\$ 9,937,890
Components of Ending Fund Balance		
Restricted:		
Medi-Cal		\$ 1,186,165
Prop 39		\$ 2,040,732
Educator Effectiveness Grant		\$ 1,186,361
Lottery		\$ 1,579,842
Special Ed Mental Health		\$ 1,790,188
College Readiness Block Grant		\$ 635,294
Local Grant and Donations		\$ 1,519,308
Economic Uncertainty:	\$ 25,315,401	
Assigned:		
Equity Distribution	\$ 374,557	
Revolving Cash	\$ 100,000	
School Site Carryover	\$ 206,704	
F1 VISA/21 st Century Innovation Funds	\$ 618,077	
New Special Education Busses	\$ 402,297	
Unappropriated:	\$ 45,211,548	\$ 0

2016/2017 Unaudited Actual Ending Balances of Other Funds			
Fund	Description	Unrestricted Balance	Restricted Balance
11	Adult Education		\$ 897,433
12	Child Development		\$ 56,433
13	Cafeteria		\$ 4,713,762
14	Deferred Maintenance		\$ 1,460
20	Postemployment Benefits		\$ 2,505
21	Building Fund		\$ 204,951,437
25	Capital Facilities		\$ 48,688,831
35	School Facilities		\$ 4,278,163
49	Blended Component Units		\$ 6,912
51	Bond Interest and Redemption		\$ 22,671,464
52	Debt Service for Blended Comp Units		\$ 14,417,195
56	Debt Service		\$ 11
67	Self-Insurance		\$ 446,422

The unaudited actuals will be audited by the District's external auditor and presented to the Board of Education in January 2018.

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

RECOMMENDATION

It is recommended the Board of Education approve the 2016/2017 Unaudited Actuals Financial Report, and authorize the Superintendent or designee to sign the 2016/2017 District Certification of Unaudited Actual Financial Report.

FISCAL IMPACT

None.

WMJ:SHC:LP:wc

CHINO VALLEY UNIFIED SCHOOL DISTRICT
REGULAR MEETING OF THE BOARD OF EDUCATION
August 17, 2017

MINUTES

I. OPENING BUSINESS

I.A. CALL TO ORDER – 4:30 P.M.

1. Roll Call

President Orozco called to order the regular meeting of the Board of Education, Thursday, August 17, 2017, at 4:30 p.m. with Blair, Feix, and Orozco present. Mr. Na arrived at 4:39 p.m. and Mr. Cruz arrived at 4:44 p.m.

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 4:30 p.m. regarding conference with legal counsel existing and anticipated litigation; conference with labor negotiators (A.C.T. and CSEA); public employee discipline/dismissal/ release; and public employee appointment: Junior High Assistant Principal, and Coordinator, Child Development.

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 4:30 p.m. to 6:41 p.m. regarding conference with legal counsel existing and anticipated litigation; conference with labor negotiators (A.C.T. and CSEA); public employee discipline/dismissal/release; and public employee appointment: Junior High School Assistant Principal, and

Coordinator, Child Development. The Board took action to appoint Julie Fromdahl as Assistant Principal, Townsend JHS effective August 28, 2017, by a vote of 4-0 with Feix, Blair, Na, and Orozco voting yes, and Cruz absent; and took action to appoint Kyle Coates as Coordinator, Child Development effective August 28, 2017, by a vote of 3-0 with Feix, Blair, and Orozco voting yes, and Cruz and Na absent. No further action was taken that required public disclosure.

2. Pledge of Allegiance

Jonah Botello led the Pledge of Allegiance.

I.C. COMMENTS FROM STUDENT REPRESENTATIVE

Jonah Botello said that the first Student Advisory Council meeting will take place on September 26.

I.D. EMPLOYEE REPRESENTATIVES' COMMUNICATIONS

Denise Arroyo, CSEA President, said she visited school sites for the new school year; thanked staff for serving our students, and in particular the instructional aides; reminded drivers to be aware of students boarding school buses; said unit members attended the CSEA 91st annual conference; spoke about happy students and staff; spoke about Oxford Preparatory Academy and charter schools in general; and said CSEA negotiations dates have been scheduled.

Steve Ball, A.C.T. President, thanked members of the Board for welcoming him; thanked Superintendent Joseph and District office staff for his smooth transition; said that unit members have worked without a contract for 413 days; and spoke about teacher shortages and the need to retain teachers.

Yvette Farley, CHAMP President, spoke about the beginning of the school year and expressed gratitude for the Board's support; and acknowledged school sites for their work at the start of the school year.

I.E. COMMUNITY LIAISONS' COMMUNICATIONS

Paul Rodriguez, Chino Council, said he looks forward to working with the District; said he wants to meet with individual Board members to express some of his ideas; said he wants a college career and civic character building annual fair partnership between the city of Chino and the District; and said he will be attending the California League of Cities regarding increasing education and technology.

Suzette Dang, Community Services Liaison, Supervisor Curt Hagman's Office, wished everyone luck for the new school year; said Dare to Prepare was a success; said future workshops are being discussed; and extended an invitation for Coffee with Curt, scheduled for August 19 at Beola's Southern Cuisine.

Kevin Cisneros, Chino Community Commissioner, reported on the July 4 fireworks setting off timeframe.

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

Mona Hermosillo addressed the Board regarding Oxford Preparatory Academy and Briggs K-8 concerns.

I.G. CHANGES AND DELETIONS

The following changes were read into the record: Item III.B.5., Applications to Operate Fundraising Activities and Other Activities for the Benefit of Students, under Townsend JHS, added Townsend JHS Dance Team Boosters; and Item III.E.1., Certificated/Classified Personnel Items, was yellow-sheeted.

II. ACTION

II.A. ADMINISTRATION

II.A.1. Superintendent Search Options

Moved (Na) seconded (Blair) to discuss the search options. Following discussion, moved (Na) seconded (Blair) motion carried (4-1, Feix voted no) to conduct internal interviews. Student representative voted yes.

II.A.2. Revision to the Classified Management/Confidential Salary Schedule and Proposed Classified Confidential Salary Schedule Reflecting a One Percent (1%) On-going on Schedule Increase Retroactive Effective July 1, 2014

Moved (Blair) seconded (Feix) carried unanimously (5-0) to approve the revision to the Classified Management/Confidential salary schedule, and proposed Classified Confidential Salary Schedule reflecting a one percent (1%) on-going on schedule increase retroactive effective to July 1, 2014. Student representative voted yes.

II.B. CURRICULUM, INSTRUCTION, INNOVATION, AND SUPPORT**II.B.1. Public Hearing Regarding the Sufficiency of Instructional Materials 2017/2018, and Adoption of Resolution 2017/2018-14 for Cal Aero Preserve Academy K Through 6**

President Orozco opened the public hearing regarding the Sufficiency of Instructional Materials 2017/2018 at 8:02 p.m. There were no speakers and the public hearing was closed at 8:02 p.m. Moved (Blair) seconded (Na) carried unanimously (5-0) to adopt Resolution 2017/2018-14 for Cal Aero Preserve Academy K Through 6. Student representative voted yes.

III. CONSENT

Andrew Cruz pulled item III.C.2. for separate action; and Irene Hernandez-Blair pulled for separate action item III.E.6. Moved (Blair) seconded (Cruz) carried unanimously (5-0) to approve the remainder of the consent items, as amended. Student representative voted yes.

III.A. ADMINISTRATION**III.A.1. Minutes of the Regular Meeting of July 20, 2017**

Approved the minutes of the regular meeting of July 20, 2017.

III.A.2. Revision of Bylaws of the Board 9012—Board Member Electronic Communications

Approved the revision of Bylaws of the Board 9012—Board Member Electronic Communications.

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

Approved/ratified the warrant register, provided.

III.B.2. Fundraising Activities

Approved/ratified the fundraising activities.

III.B.3. Donations

Accepted the donations.

III.B.4. Legal Services

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

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, as amended.

III.B.6. Signature Authorizations for Chino Valley Unified School District

Approved the signature authorizations for Chino Valley Unified School District.

III.C. CURRICULUM, INSTRUCTION, INNOVATION, AND SUPPORT**III.C.1. Adoption of English Language Development Curriculum for High Schools**

Adopted the English Language Development curriculum for high schools, as follows: Moore, David W., Short, Deborah J., Smith, Michael W., and Tatum, Alfred W. (2014). Edge 2nd Edition. Monterey, CA: National Geographic Learning/Cengage Learning.

III.C.2. Revision of Board Policy 5146 Students—Married/Pregnant/Parenting Students

Moved (Blair) seconded (Feix) carried unanimously (5-0) to approve the revision of Board Policy 5146 Students—Married/Pregnant/Parenting Students. Student representative voted yes.

III.C.3. Revision of Board Policy 6145 Instruction—Extracurricular and Cocurricular Activities

Approved the revision of Board Policy 6145 Instruction—Extracurricular and Cocurricular Activities.

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. Resolutions 2017/2018-10, 2017/2018-11, 2017/2018-12, and 2017/2018-13 for Authorization to Utilize Piggyback Contracts

Adopted Resolutions 2017/2018-10, 2017/2018-11, 2017/2018-12, and 2017/2018-13 for authorization to utilize piggyback contracts.

- III.D.5. **CUPCCAA Bid No. 17-18-04, Walnut ES Playground Equipment Install**
Awarded CUPCCAA Bid No. 17-18-04, Walnut ES Playground Equipment Install to Single Source Construction.
- III.D.6. **CUPCCAA Bid No. 17-18-05, Ayala HS Asphalt Repair**
Awarded CUPCCAA Bid No. 17-18-05, Ayala HS Asphalt Repair to Premier Paving, Inc.
- III.D.7. **CUPCCAA Bid No. 17-18-06, Cattle ES Asphalt Repair**
Awarded CUPCCAA Bid No. 17-18-06, Cattle ES Asphalt Repair to Premier Paving, Inc.
- III.D.8. **Notice of Completion for CUPCCAA Projects**
Approved the Notice of Completion for CUPCCAA Projects.
- III.D.9. **License Agreement with Southgate Engineering Inc., for Access to and Temporary Storage of Completed Custom Fabricated Pressure Vessels in the Yorba Avenue Materials Yard**
Approved the License Agreement with Southgate Engineering, Inc. for Access to and Temporary Storage of Completed, Custom Fabricated Pressure Vessels in the Yorba Avenue Materials Yard.
- III.D.10. **Resolution 2017/2018-09, Authorization for Eligibility Determination, Funding Authorization to Sign Applications and Associated Documents**
Adopted Resolution 2017/2018-09, Authorization for Eligibility Determination, Funding Authorization to Sign Applications and Associated Documents.
- III.D.11. **Resolution 2017/2018-15, Adopting Notice of Exemption for Yorba Avenue Materials Storage Yard License Agreement**
Adopted Resolution 2017/2018-15, Adopting Notice of Exemption for Yorba Avenue Materials Storage Yard License Agreement.
- III.E. **HUMAN RESOURCES**
- III.E.1. **Certificated/Classified Personnel Items**
Approved/ratified the certificated/classified personnel items, as amended.
- III.E.2. **Revision of the Job Description for Behavior Intervention Specialist**
Approved the revision of the job description for Behavior Intervention Specialist.
- III.E.3. **Revision of Board Policy 1312.3 Community Relations—Uniform Complaint Procedures**
Approved the revision of Board Policy 1312.3 Community Relations—Uniform Complaint Procedures.

- III.E.4. Internship Agreement with California State University, Los Angeles**
Approved the internship agreement with California State University, Los Angeles.
- III.E.5. Internship Agreement with Loyola Marymount University**
Approved the internship agreement with Loyola Marymount University.
- III.E.6. Memorandum of Understanding for Tuition Discount with California Baptist University**
Moved (Blair) seconded (Na) carried unanimously (5-0) to approve the memorandum of understanding for tuition discount with California Baptist University. Student representative voted yes.

IV. INFORMATION

IV.A. BUSINESS SERVICES

- IV.A.1. Revision of Board Policy and Administrative Regulation 3551 Business and Noninstructional Operations—Nutrition Services Operations/Cafeteria Fund**
Received for information the revision of Board Policy and Administrative Regulation 3551 Business and Noninstructional Operations—Nutrition Services Operations/Cafeteria Fund.

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

- IV.B.1. Revision of Board Policy 0460 Philosophy, Goals, Objectives, and Comprehensive Plans—Local Control and Accountability Plan**
Received for information the revision of Board Policy 0460 Philosophy, Goals, Objectives, and Comprehensive Plans—Local Control and Accountability Plan.
- IV.B.2. Revision of Board Policy and Administrative Regulation 5141.52 Students—Suicide Prevention**
Received for information the revision of Board Policy and Administrative Regulation 5141.52 Students—Suicide Prevention.
- IV.B.3. Revision of Board Policy 6142.93 Instruction—Science Instruction**
Received for information the revision of Board Policy 6142.93 Instruction—Science Instruction.

IV.B.4. Revision of Board Policy and Administrative Regulation 6145.2 Instruction—Athletic Competition

Received for information the revision of Board Policy and Administrative Regulation 6145.2 Instruction—Athletic Competition.

IV.B.5. Revision of Board Policy and Administrative Regulation 6174 Instruction—Education for English Learners

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

IV.B.6. Revision of Board Policy and Administrative Regulation 6178.1 Instruction—Work-Based Learning

Received for information the revision of Board Policy and Administrative Regulation 6178.1 Instruction—Work-Based Learning.

IV.B.7. San Bernardino County Superintendent of Schools Williams Findings Decile 1-3 Schools Fourth Quarterly Report 2016/2017

Received for information the San Bernardino County Superintendent of Schools Williams Findings Decile 1-3 Schools Fourth Quarterly Report 2016/2017.

IV.C. FACILITIES, PLANNING, AND OPERATIONS

IV.C.1. Revision of Board Policy 7214 Facilities—General Obligation Bonds

Received for information the revision of Board Policy 7214 Facilities—General Obligation Bonds.

IV.C.2. Revision of Board Policy and Administrative Regulation 3311 Business and Noninstructional Operations—Bids

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

IV.C.3. Revision of Board Policy and Administrative Regulation 3311.1 Business and Noninstructional Operations—Pre-Qualification of Bidders

Received for information the revision of Board Policy and Administrative Regulation 3311.1 Business and Noninstructional Operations—Prequalification of Bidders.

IV.C.4. Revision of Administrative Regulation 3311.2 Business and Noninstructional Operations—Change Order Procedure

Received for information the revision of Administrative Regulation 3311.2 Business and Noninstructional Operations—Change Order Procedure.

IV.C.5. Revision of Administrative Regulation 3311.3 Business and Noninstructional Operations—Informal Bidding Procedures Under the Uniform Public Construction Cost Accounting Act

Received for information the revision of Administrative Regulation 3311.3 Business and Noninstructional Operations—Informal Bidding Procedures Under the Uniform Public Construction Cost Accounting Act.

V. COMMUNICATIONS

BOARD MEMBERS AND SUPERINTENDENT

Andrew Cruz said Chino Councilman Paul Rodriguez brought up some interesting concepts regarding career readiness, civic character, and technology that he would like the District to explore; and said he attended the Chino Boxing event.

Irene Hernandez-Blair addressed OPA parent Mona Hermosillo’s concerns regarding Briggs K-8; said that it is not accurate for A.C.T. to say that contract delays were due to the District, and that it takes two sides to meet and negotiate and hopes for honesty in communications; wore Cal Aero Preserve Academy spirit wear; thanked staff who worked over the summer break to ensure safe and clean campuses and student needs; applauded coaches who worked with students in varying sports to ensure student athletes are ready to compete; spoke about the possibility of online registration; visited several school sites on Monday; commented on the bad traffic and parents blocking entrances and exits; said she is now a high school parent and attended Don Lugo HS’s freshman assembly; spoke about combination classes and shared data that Cabinet provided regarding the reduction of combo class numbers during the past years.

James Na said Don Lugo HS retired teacher Ray Sheffield passed away this June; said he visited Ramona JHS and Magnolia JHS and shared that Principal Miller uses a compass as a reminder that we should always point to students; said a Chino Hills HS special education aide told him she was glad to be back serving students; said Buena Vista HS finished its summer school program, which was a great success; said he has heard compliments about District Cabinet members; thanked Steve Ball for sharing information about the future of education in California and teacher shortage; asked Superintendent Joseph to direct staff regarding our plan for the future in that regard; spoke about Steve Ball’s comment that we need to change the culture; said our job is to serve students; says he hopes and prays that we can change the culture for our students.

Pamela Feix said that as a retired educator, back to school is the best and most hopeful of times; said she visited many schools the first day of school and that everywhere the excitement was palpable; highlighted Ramona JHS’s *Red Carpet* welcome; echoed Mrs. Blair’s comments regarding online registration and said she would like a system where students receive schedules before the first day of school; said Don Lugo HS

provided early schedules and would like to hear feedback; as a community member said she drives past schools and the number of cars was remarkable knowing that teachers are giving of their time getting ready for the first day of school, that it humbles her, and she is grateful for the extra effort.

Superintendent Joseph announced the first Parent Information Forum of the school year scheduled for September 20 at Chino Hills HS; announced the ribbon cutting ceremony for Newman ES's new STEAM Lab scheduled for August 23; said the new school year started off with creative welcomes at several school sites; and promised a smooth and seamless transition for whomever the Board selects as Superintendent.

President Orozco announced retirees on the agenda; attended Marshall ES celebration on the first day of school; agreed with the concept of on-line registration packets; congratulated former Don Lugo HS student Moriah Peters for her acting work in the film *Because of Gracia*; and announced a Board study session regarding the bond scheduled for August 31 at 5:00 p.m.

VI. ADJOURNMENT

President Orozco adjourned the regular meeting of the Board of Education at 8:39 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: September 7, 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

\$3,519,327.50 to all District funding sources.

WMJ:SHC:LP:wc

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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Humility • Civility • Service

DATE: September 7, 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
September 7, 2017

<u>SITE/DEPARTMENT</u>	<u>ACTIVITY/DESCRIPTION</u>	<u>DATE</u>
<u>Butterfield Ranch ES</u>		
PTA	Catalog Sale	9/8/17 - 9/22/17
PTA	Art Lessons	9/8/17 - 4/12/18
PTA	Thursdays After School Snack Sale	9/14/17 - 5/24/18
PTA	Chipotle Family Night Out	9/20/17
PTA	PTA Membership Drive	10/2/17 - 11/17/17
PTA	Wild West Family Fun Night	10/6/17
PTA	Book Fair	10/16/17 - 10/20/17
PTA	Chili's Family Nights Out	10/17/17 - 10/18/17
PTA	The Pub at Chino Hills Family Nights Out	11/14/17 - 11/15/17
PTA	Mother/Daughter Paint Night	11/18/17
<u>Cattle ES</u>		
ASB	Pencil Sale	9/8/17 - 5/11/18
<u>Chaparral ES</u>		
PTO	Catalog Sale	9/8/17 - 10/30/17
PTO	After School Monthly Popsicle Sale	9/8/17 - 5/31/18
PTO	Spirit Wear Sale	9/8/17 - 6/30/18
PTO	Box Tops for Education	9/8/17 - 6/30/18
<u>Cortez ES</u>		
PFA	Back-to-School Night Refreshment Sale	9/5/17
<u>Country Springs ES</u>		
PFA	Catalog Sale	9/8/17 - 11/8/17
PFA	Spirit Wear Sale	9/11/17 - 5/31/18
PFA	After School Smoothie/Frozen Yogurt Sale	9/13/17 - 5/23/18
PFA	Monthly Family Nights Out	9/21/17 - 5/17/18
<u>Eagle Canyon ES</u>		
PTA	Off Campus Popcorn Sale	11/1/17 - 11/15/17

CHINO VALLEY UNIFIED SCHOOL DISTRICT
September 7, 2017

<u>SITE/DEPARTMENT</u>	<u>ACTIVITY/DESCRIPTION</u>	<u>DATE</u>
<u>Glenmeade ES</u>		
PTA	Yearbook Sale	9/8/17 - 5/31/18
PTA	Off Campus Candy Sale	9/8/17 - 5/31/18
PTA	Box Tops for Education	9/8/17 - 5/31/18
PTA	Cash 4 Shooz	9/8/17 - 5/31/18
PTA	After School Smoothie Sale	9/14/17 - 10/26/17
PTA	Chuck E. Cheese Family Night Out	9/20/17
PTA	Jog-A-Thon	9/28/17 - 10/5/17
PTA	Great American On-Line Shopping	10/9/17 - 10/20/17
<u>Hidden Trails ES</u>		
PTA	Tukey Trot	9/15/17 - 11/15/17
PTA	Fall Movie Night	9/22/17
PTA	McTeacher's Night	10/11/17
PTA	Trunk-or-Treat/Monster Ball	10/27/17
PTA	Holiday Book Fair	12/4/17 - 12/8/17
<u>Liberty ES</u>		
ASB	Off Campus See's Candy Sale	11/15/17 - 11/28/17
<u>Litel ES</u>		
PTA	PTA Membership Drive	9/8/17 - 5/15/18
PTA	Recycling Program	9/8/17 - 5/15/18
PTA	Box Tops for Education	9/8/17 - 5/15/18
PTA	Restaurant Family Dinner Nights Out	9/8/17 - 5/15/18
PTA	Agenda Sale	9/8/17 - 6/1/18
PTA	Yearbook Sale	9/8/17 - 6/3/18
PTA	Spirit Wear Sale	9/8/17 - 6/3/18
PTA	Fun Run Pledge Drive	9/18/17 - 9/29/17
PTA	Trunk-or-Treat	10/20/17
PTA	Off Campus Popcorn Sale	10/30/17 - 11/9/17
PTA	Reusable Mix Bag Sale	10/30/17 - 11/9/17
PTA	Holiday Boutique	12/5/17 - 12/7/17
PTA	Penny Donation Drive	2/5/18 - 2/14/18
PTA	Family Movie Night	3/16/18

CHINO VALLEY UNIFIED SCHOOL DISTRICT
September 7, 2017

<u>SITE/DEPARTMENT</u>	<u>ACTIVITY/DESCRIPTION</u>	<u>DATE</u>
<u>Marshall ES</u>		
PTO	After School Snack Shack	9/14/17 - 5/31/18
PTO	Family Movie Night	9/29/17
<u>Rolling Ridge ES</u>		
PTA	Carl's Jr. Family Dine Out	9/20/17
<u>Briggs K-8</u>		
PFA	Chipotle Family Night Out	9/27/17
PFA	Grocery Outlet Fundraising Days	10/1/17 - 5/31/18
<u>Cal Aero K-8</u>		
PTO	Lettuce Toss It Family Dine Out Day	8/24/17
PTO	Family Literacy Night/Book Fair	9/1/17
PTO	Clothes for a Cause	9/8/17 - 9/30/17
PTO	Scripts Gift Card Sale	9/15/17 - 6/30/18
PTO	Skate Night	9/21/17
PTO	Project Pie & Yorgurtland Family Night Out	9/28/17
PTO	Color Run	10/12/17
PTO	Harkins Theater Movie Night	10/20/17
PTO	Movie Night Snack Sale	10/20/17
PTO	Wood Ranch Family Dine Out Day	10/26/17
PTO	Change for Change	11/13/17 - 6/30/18
PTO	Family Magic Night	11/15/17
PTO	California Pizza Kitchen Family Night Out	11/16/17
PTO	Chili's Family Night Out	12/14/17
PTO	BJ's Restaurant Family Night Out	1/25/18
PTO	Papa Murphy's Family Night Out	2/22/18
PTO	Chipotle Family Night Out	3/22/18
PTO	Fun Run Jog-A-Thon	4/19/18
PTO	Roscoe's Family Night Out	4/26/18
<u>Canyon Hills JHS</u>		
Music Club Boosters	Community Discount Card Sale	10/9/17 - 10/23/17
Music Club Boosters	Winter Concert Refreshment Sale	12/13/17

CHINO VALLEY UNIFIED SCHOOL DISTRICT
September 7, 2017

<u>SITE/DEPARTMENT</u>	<u>ACTIVITY/DESCRIPTION</u>	<u>DATE</u>
<u>Magnolia JHS</u>		
PFA	McTeacher's Family Night	9/20/17
ASB	Skate Express Ticket Sale	9/25/17 - 9/29/17
PFA	Off Campus See's Candy Sale	9/27/17 - 10/16/17
ASB	Chipotle Family Night Out	10/17/17
<u>Townsend JHS</u>		
Dance Team Boosters	Bravo Burger Family Dine Out Day	8/29/17
Dance Team Boosters	Back-to-School Night Pizza Sale	9/6/17
Music Boosters	Off Campus Popcorn Sale	9/8/17 - 10/31/17
Music Boosters	Band Spirit Wear Sale	9/8/17 - 12/13/17
Music Boosters	Carl's Jr. Coupon Booklet Sale	9/8/17 - 12/13/17
PTSA	PTSA Membership Drive	9/8/17 - 5/25/18
Music Boosters	After School Snack Shack	9/9/17 - 3/1/18
Dance Team Boosters	Off Campus Candle Sale	10/16/17 - 10/30/17
Dance Team Boosters	Poinsettia Sale	11/1/17 - 11/13/17
Music Boosters	After School Nothing Bundt Cake Sale	12/13/17
Dance Team Boosters	Dance Showcase	1/12/18
<u>Woodcrest JHS</u>		
Music Boosters	After School Snack Sale	9/8/17 - 5/15/18
Music Boosters	Sponsorship Drive	9/8/17 - 5/31/18
Music Boosters	T-Shirt Sale	9/8/17 - 5/31/18
Music Boosters	Off Campus Candy Sale	9/14/17 - 10/14/17
Music Boosters	Reusable Mix Bag Sale	10/14/17 - 11/14/17
Music Boosters	Off Campus Candy Sale	2/1/18 - 3/1/18
<u>Ayala HS</u>		
Spirit Team Boosters	Juice-It-Up Family Night Out	9/8/17
Wrestling Boosters	Community Discount Card Sale	9/8/17 - 9/30/17
2018 Grad Night Boosters	Off Campus Yankee Candle Sale	9/8/17 - 12/31/17
PTSA	PTSA Membership Drive	9/8/17 - 4/30/18
PTSA	Bling T-Shirt Sale	9/8/17 - 5/30/18
2020 Grad Night Boosters	Clothing/Shoe Drive	9/8/17 - 6/30/18
PTSA	Information Magnet Sale	9/12/17
PTSA	Back to School Night Snack Sale	9/12/17
PTSA	Back to School Night Carl's Jr. Coupon Sale	9/12/17
2018 Grad Night Boosters	After School Smoothie Sale	9/12/17

CHINO VALLEY UNIFIED SCHOOL DISTRICT
September 7, 2017

<u>SITE/DEPARTMENT</u>	<u>ACTIVITY/DESCRIPTION</u>	<u>DATE</u>
<u>Ayala HS</u> (cont.)		
Wrestling Boosters	Chick-fil-A Family Night Out	9/15/17
Boys Basketball	Shoot-a-Thon	9/15/17
Boys Basketball	Program Advertisement Sale	9/15/17 - 12/15/17
AVID	AVID T-Shirt Sale	9/18/17 - 12/17/17
Boys Basketball	Community Discount Card Sale	9/20/17 - 10/6/17
Wrestling Boosters	Color Run	9/24/17
Spirit Team Boosters	Tahoe Joe's Family Night Out	9/25/17 - 10/16/17
Dance Production	Applebee's Breakfast	9/25/17 & 10/21/17
Water Polo Boosters	Digital Entertainment Pass Sale	9/27/17
BAC	Taco Sale	9/29/17
Dance Production	Off Campus Yankee Candle Sale	10/2/17 - 12/15/17
Dance Production	Fall Dance Concert Ticket Sale	10/30/17 - 11/17/17
Spirit Team Boosters	Chino Hills Pizza Co. Dinner Ticket Sale	11/1/17 - 11/30/17
Dance Production	Fall Dance Concert Snack Sale	11/17/17
Dance Production	Dancing with the Staff Ticket Sale	11/27/17 - 12/15/17
Dance Production	Dancing with the Staff Snack Sale	12/15/17
Dance Production	Off Campus Krispy Kreme Donut Sale	1/8/18 - 2/15/18
Dance Production	Jr. Dance Camp Ticket Sale	1/9/18 - 4/14/18
2018 Grad Night Boosters	After School Smoothie Sale	3/15/18
Dance Production	Spring Dance Concert Ticket Sale	4/23/18 - 5/11/18
Dance Production	Spring Dance Concert Snack Sale	5/10/18 - 5/11/18
<u>Chino HS</u>		
Cross Country Boosters	Snap! Raise Donation Drive	9/8/17 - 9/29/17
Pep Squad Boosters	Mixed Reusable Bag Sale	9/8/17 - 10/6/17
Wrestling Boosters	After School Snack Sale	9/8/17 - 6/30/18
Girls Water Polo Boosters	After School Snack Sale	9/8/17 - 6/30/18
Boys Soccer Boosters	Spirit Apparel Sale	9/8/17 - 6/30/18
Girls Water Polo Boosters	Spirit Apparel Sale	9/8/17 - 6/30/18
Wrestling Boosters	Spirit Apparel Sale	9/8/17 - 6/30/18
Girls Basketball Boosters	After School Snack Sale	9/8/17 - 6/30/18
Girls Basketball Boosters	Spirit Apparel Sale	9/8/17 - 6/30/18
Girls Soccer Boosters	After School Snack Sale	9/8/17 - 6/30/18
Girls Soccer Boosters	Spirit Apparel Sale	9/8/17 - 6/30/18
Boys Soccer Boosters	After School Snack Sale	9/8/17 - 6/30/18
Baseball Boosters	After School Snack Sale	9/8/17 - 6/30/18
Baseball Boosters	Spirit Apparel Sale	9/8/17 - 6/30/18
Swimming Boosters	Spirit Apparel Sale	9/8/17 - 6/30/18
Swimming Boosters	After School Snack Sale	9/8/17 - 6/30/18

CHINO VALLEY UNIFIED SCHOOL DISTRICT
September 7, 2017

<u>SITE/DEPARTMENT</u>	<u>ACTIVITY/DESCRIPTION</u>	<u>DATE</u>
<u>Chino HS</u> (cont.)		
Boys Tennis Boosters	After School Snack Sale	9/8/17 - 6/30/18
Boys Tennis Boosters	Spirit Apparel Sale	9/8/17 - 6/30/18
Track & Field Boosters	Spirit Apparel Sale	9/8/17 - 6/30/18
Track & Field Boosters	After School Snack Sale	9/8/17 - 6/30/18
Softball Boosters	Spirit Apparel Sale	9/8/17 - 6/30/18
Softball Boosters	After School Snack Sale	9/8/17 - 6/30/18
Boys Golf Boosters	Spirit Apparel Sale	9/8/17 - 6/30/18
Girls Golf Boosters	Spirit Apparel Sale	9/8/17 - 6/30/18
Cross Country Boosters	Jog-A-Thon	9/20/17
AVID	Chipotle Family Night Out	9/29/17
Girls Basketball Boosters	Christmas Tree/Wreath/Garland/Swag Sale	10/1/17 - 12/2/17
Girls Water Polo Boosters	Christmas Tree/Wreath/Garland/Swag Sale	10/1/17 - 12/2/17
Boys Soccer Boosters	Christmas Tree/Wreath/Garland/Swag Sale	10/1/17 - 12/2/17
Wrestling Boosters	Christmas Tree/Wreath/Garland/Swag Sale	10/1/17 - 12/2/17
Swimming Boosters	Christmas Tree/Wreath/Garland/Swag Sale	10/1/17 - 12/2/17
Boys Tennis Boosters	Christmas Tree/Wreath/Garland/Swag Sale	10/1/17 - 12/2/17
Track & Field Boosters	Christmas Tree/Wreath/Garland/Swag Sale	10/1/17 - 12/2/17
Softball Boosters	Christmas Tree/Wreath/Garland/Swag Sale	10/1/17 - 12/2/17
Boys Golf Boosters	Christmas Tree/Wreath/Garland/Swag Sale	10/1/17 - 12/2/17
Girls Golf Boosters	Christmas Tree/Wreath/Garland/Swag Sale	10/1/17 - 12/2/17
Girls Soccer Boosters	Christmas Tree/Wreath/Garland/Swag Sale	10/1/17 - 12/2/17
Baseball Boosters	Christmas Tree/Wreath/Garland/Swag Sale	10/1/17 - 12/2/17
Pep Squad Boosters	Christmas Tree/Wreath/Garland/Swag Sale	10/1/17 - 12/2/17
Boys Water Polo Boosters	Christmas Tree/Wreath/Garland/Swag Sale	10/1/17 - 12/2/17
Cross Country Boosters	Christmas Tree/Wreath/Garland/Swag Sale	10/1/17 - 12/2/17
Girls Tennis Boosters	Christmas Tree/Wreath/Garland/Swag Sale	10/1/17 - 12/2/17
Girls Volleyball Boosters	Christmas Tree/Wreath/Garland/Swag Sale	10/1/17 - 12/2/17
Baseball Boosters	Ball Drop Sponsorship Drive	10/1/17 - 12/31/17
Baseball Boosters	Baseball Tournament	10/20/17 - 10/28/17
Every Teen Succeeds	After School Snack Sale	10/23/17 - 10/27/17
AVID/Class of 2020	Teacher Lunch Sale	11/17/17
Baseball Boosters	Snap! Raise Donation Drive	1/1/18 - 3/30/18
Christian Club	After School Smoothie Sale	3/8/18
Every Teen Succeeds	After School Snack Sale	4/16/18 - 4/20/18
<u>Chino Hills HS</u>		
PTSA	PTSA Membership Drive	9/8/17 - 5/30/18
Choir	Singing Birthday Grams	9/8/17 - 5/31/18
PTSA	Home Football Games Southland Catering	9/10/17 - 12/31/17

CHINO VALLEY UNIFIED SCHOOL DISTRICT
September 7, 2017

<u>SITE/DEPARTMENT</u>	<u>ACTIVITY/DESCRIPTION</u>	<u>DATE</u>
<u>Chino Hills HS</u> (cont.)		
PTSA	Home Football Games Tea/Boba Sale	9/10/17 - 12/31/17
ASB	Husky Birthdays "Name in Lights"	9/10/17 - 5/30/18
Helping Our Youth	Back to School Snack Sale	9/13/17
PTSA	After School Shaved Ice Sale	9/13/17 & 9/27/17
Choir	Great American Discount Card Sale	9/20/17 - 10/6/17
Choir	Angels Baseball Game Ticket Sale	9/22/17
Spirit Team Boosters	Applebee's Flapjack Breakfast	9/23/17
Softball	Off Campus Car Wash	9/24/17
PTSA	After School Shaved Ice Sale	10/11/17
AP English	Off Campus See's Candy Sale	10/13/17- 10/27/17
Wrestling	All Star Meet	10/20/17
PTSA	Monthly E-Waste Recycling	10/20/17 - 1/21/18
Choir	Pancake Breakfast	11/11/17
PTSA	Valentine Carnation Sale	2/9/18 - 2/14/18
<u>Don Lugo HS</u>		
All Sports Boosters	Parking Donations at Home Football Games	9/8/17 - 12/1/17
Renaissance	Catalog Sale	9/8/17 - 12/3/17
Renaissance	Monthly Restaurant Days	9/8/17 - 5/31/18
Softball	Chipotle Family Night Out	10/25/17
Renaissance	Walk-a-Thon Sponsorship Drive	1/1/18 - 3/15/18

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 7, 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

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BACKGROUND

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

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

RECOMMENDATION

It is recommended the Board of Education accept the donations.

FISCAL IMPACT

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

WMJ:SHC:LP:wc

CHINO VALLEY UNIFIED SCHOOL DISTRICT
September 7, 2017

<u>DEPARTMENT/SITE DONOR</u>	<u>ITEM DONATED</u>	<u>APPROXIMATE VALUE</u>
<u>Special Education</u>		
Robert LaRade	Drive Folding Medical Walker	\$50.00
Southwest School & Office Supply	Office/Classroom Supplies	\$102.00
Daisy I.T.	Tote Bags/Pens	\$104.00
Gorm Inc.	Gift Cards	\$140.00
Office Depot/OfficeMax, Inc.	Classroom Supplies/Gift Cards	\$255.00
School Specialty	Goodie Bags/Disinfectant Spray	\$1,324.00
<u>Cal Aero K-8</u>		
Cal Aero PTO	Cash	\$500.00
Edison International	Cash	\$600.00
<u>Canyon Hills JHS</u>		
Rex & Armin Amador	Cash	\$40.00
Bhumika Patel	Cash	\$100.00
Ismo Creations, Inc.	Cash	\$500.00
Diamond Bar Senior Citizen Club	Cash	\$1,000.00
Pack Plus Converting	Cash	\$1,000.00
Christie Ladia	Cash	\$1,000.00
<u>Chino HS</u>		
Pepsi Bottling Company	Cash	\$65.00
<u>Chino Hills HS</u>		
Wells Fargo	Cash	\$50.00
<u>Don Lugo HS</u>		
Kimberly Cabrera	Two Portable Massagers	\$1,070.00
Veritas Health Services Inc.	Cash	\$2,000.00

CHINO VALLEY UNIFIED SCHOOL DISTRICT
Our Motto:
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DATE: September 7, 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	2017/2018 YEAR-TO-DATE
Atkinson, Andelson, Loya, Ruud & Romo	July 2017	\$ 17,676.27	\$ 17,676.27
Parker & Covert LLP	July 2017	\$ 247.50	\$ 247.50
	Total	\$ 17,923.77	\$ 17,923.77

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

RECOMMENDATION

It is recommended the Board of Education approve payment for legal services to the law offices of Atkinson, Andelson, Loya, Ruud & Romo; and Parker & Covert LLP.

FISCAL IMPACT

\$17,923.77 to the General Fund.

WMJ:SHC:LP:wc

CHINO VALLEY UNIFIED SCHOOL DISTRICT

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DATE: September 7, 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: APPLICATIONS TO OPERATE FUNDRAISING ACTIVITIES AND
OTHER ACTIVITIES FOR THE BENEFIT OF STUDENTS**

=====

BACKGROUND

Administrative Regulation 1230 Community Relations – School Connected Organizations requires that any person or group of people desiring to raise money to benefit a student or students at one or more schools within the District shall request authorization to operate by applying to the Chino Valley Unified School District 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 applications to operate fundraising activities and other activities for the benefit of students.

FISCAL IMPACT

None.

WMJ:SHC:LP:wc

CHINO VALLEY UNIFIED SCHOOL DISTRICT
September 7, 2017

**AUTHORIZATION TO OPERATE FUNDRAISING ACTIVITIES
AND OTHER ACTIVITIES FOR THE BENEFIT OF STUDENTS**

Elementary Schools

Organization

Butterfield Ranch
Cal Aero K-6
Chaparral
Marshall
GATE

PTA
Preserve Academy (PTO)
PTO
PTO
AdvoGATE

Junior High Schools

Organization

Cal Aero 7-8
Woodcrest

Preserve Academy (PTO)
Music Boosters

High School

Organization

Ayala

PTSA

CHINO VALLEY UNIFIED SCHOOL DISTRICT

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DATE: September 7, 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: RESOLUTION 2017/2018-18, ACTUAL GANN LIMIT FOR 2016/2017
AND ESTIMATED GANN LIMIT FOR 2017/2018**

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BACKGROUND

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

Based on the prescribed calculation formula, the District's actual appropriation limit for 2016/2017 is \$158,492,419.00. The District's estimated appropriation limit for 2017/2018 is \$156,452,431.00.

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

RECOMMENDATION

It is recommended the Board of Education adopt Resolution 2017/2018-18, Actual Gann Limit for 2016/2017 in the amount of \$158,492,419.00 and Estimated Gann Limit for 2017/2018 in the amount of \$156,452,431.00.

FISCAL IMPACT

None.

WMJ:SHC:LP:wc

CHINO VALLEY UNIFIED SCHOOL DISTRICT
Resolution 2017/2018-18
Actual Gann Limit for 2016/2017 and
Estimated Gann Limit for 2017/2018

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

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

WHEREAS, each district is required to determine and adopt such estimated appropriation limits, as calculated on forms supplied by the State of California, for the 2017/2018 fiscal year, as a legislative act; and

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

BE IT THEREFORE RESOLVED, as a legislative act of this Board of Education, that for the purposes of Article XIII B, there is hereby established this district’s actual “appropriation limit” of \$158,492,419.00 for the 2016/2017 fiscal year.

BE IT FURTHER RESOLVED, as a legislative act of this Board of Education, that for the purposes of Article XIII B, there is hereby established this district’s estimated “appropriation limit” of \$156,452,431.00 for the 2017/2018 fiscal year.

BE IT FURTHER RESOLVED, that the appropriation subject to limitation in the 2016/2017 fiscal year budget of this school district does not exceed this appropriation limit.

APPROVED, PASSED, AND ADOPTED the 7th day of September 2017 by the Board of Education of the Chino Valley Unified School District of San Bernardino County.

AYES: _____

NOES: _____

ABSENT: _____

Sylvia Orozco
President, Board of Education

Wayne M. Joseph, Superintendent
Secretary, Board of Education

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 7, 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: REVISION OF BOARD POLICY 3551 BUSINESS AND
NONINSTRUCTIONAL OPERATIONS – NUTRITION SERVICES
OPERATIONS/CAFETERIA FUND**

=====

BACKGROUND

Board policies and regulations are routinely developed as a result of changes in law, mandates, federal regulations, and current practice. Board Policy 3551 Business and Noninstructional Operations – Nutrition Services Operations/Cafeteria Fund is being revised to reflect updates to both laws and current practice. This agenda item was presented to the Board of Education on August 17, 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 3551 Business and Noninstructional Operations – Nutrition Services Operations/Cafeteria Fund.

FISCAL IMPACT

None.

WMJ:SHC:LP:wc

NUTRITION SERVICES OPERATIONS/CAFETERIA FUND

The Board of Education intends that, ~~insofar as possible,~~ the school nutrition services program shall be a self-supporting, nonprofit program. To ENSURE PROGRAM QUALITY AND increase cost effectiveness, the Superintendent or designee shall centralize and direct the purchasing of foods and supplies, the planning of menus, and the auditing of all nutrition service accounts for the District.

(cf. 3100 - Budget)
 (cf. 3300 - Expenditures/Expending Authority)
 (cf. 3311 - Bids)
 (cf. 3550 - Nutrition Services/Child Nutrition Program)
 (cf. 3552 - Summer Meal Program)
 (cf. 5030 - Student Wellness)

The Superintendent or designee shall ensure that all ~~food~~ NUTRITION Services administrators and personnel possess ~~appropriate~~ THE REQUIRED qualifications and receive ongoing professional development related to the effective management and implementation of the District's ~~food~~ NUTRITION services program IN ACCORDANCE WITH LAW.

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

AT LEAST ONCE EACH YEAR, FOOD SERVICE ADMINISTRATORS, OTHER APPROPRIATE PERSONNEL WHO CONDUCT OR OVERSEE ADMINISTRATIVE PROCEDURES, AND OTHER FOOD SERVICE PERSONNEL SHALL RECEIVE TRAINING PROVIDED BY THE CALIFORNIA DEPARTMENT OF EDUCATION (CDE). (42 USC 1776)

Meal Sales

Meals may be sold to students, District employees, board members, and employees or members of the fund or association maintaining the cafeteria. (Education Code 38082)

In addition, meals may be sold to NONSTUDENTS, INCLUDING PARENTS/GUARDIANS, VOLUNTEERS, STUDENTS' SIBLINGS, OR other individuals ~~and organizations that~~ WHO are on campus ~~during meal times~~ for a legitimate purpose, ~~such as classroom volunteers, parents/guardians, or students' siblings.~~ Any meals served to nonstudents shall not be subsidized by federal or state reimbursements, food service revenues, or U.S. Department of Agriculture Foods.

MEAL PRICES, AS RECOMMENDED BY ~~the~~ Superintendent or designee AND APPROVED BY THE BOARD, shall ~~recommend meal prices,~~ BE based on the costs of providing food services and consistent with Education Code 38084 and 42 USC 1760, ~~for students and nonstudents for approval by the board.~~

NUTRITION SERVICES OPERATIONS/CAFETERIA FUND (cont.)

Students who are enrolled in the free or reduced-price meal program shall receive meals free of charge or at a reduced price in accordance with law, Board policy, and administrative regulation. SUCH STUDENTS SHALL NOT BE OVERTLY IDENTIFIED OR TREATED DIFFERENTLY FROM OTHER STUDENTS.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 5145.3 - Nondiscrimination/Harassment)

THE SUPERINTENDENT OR DESIGNEE SHALL ESTABLISH STRATEGIES AND PROCEDURES FOR THE COLLECTION OF MEAL PAYMENTS, INCLUDING DELINQUENT MEAL PAYMENTS, AND SHALL CLEARLY COMMUNICATE THESE PROCEDURES AND RELATED DISTRICT POLICIES TO STUDENTS AND PARENTS/GUARDIANS. THE PROCEDURES ADOPTED BY THE SUPERINTENDENT OR DESIGNEE SHALL CONFORM WITH 2 CFR 200.426 AND ANY APPLICABLE CDE GUIDANCE, AND SHALL NOT OVERTLY IDENTIFY STUDENTS WITH UNRECOVERED OR DELINQUENT DEBT OR TREAT THEM DIFFERENTLY THAN OTHER STUDENTS.

Cafeteria Fund

The Superintendent or designee shall establish a cafeteria fund independent of the District's general fund.

The wages, salaries and benefits of nutrition service employees shall be paid from the district general fund and reimbursed monthly from the cafeteria fund to the general fund. (Education Code 38103)

The Superintendent or designee shall ensure that state and federal funds provided through school meal programs are allocated only for purposes related to the operation or improvement of food services and reasonable and necessary indirect program costs as allowed by law. ~~Program financial reports shall be presented regularly to the Board.~~

(cf. 3230 - Federal Grant Funds)
(cf. 3400 - Management of District Assets/Accounts)
(cf. 3460 - Financial Reports and Accountability)

CONTRACTS WITH OUTSIDE SERVICES

WITH BOARD APPROVAL, THE DISTRICT MAY ENTER INTO A CONTRACT FOR FOOD SERVICE CONSULTING SERVICES OR MANAGEMENT SERVICES IN ONE OR MORE DISTRICT SCHOOLS. (Education Code 45103.5; 42 USC 1758; 7 CFR 210.16)

(cf. 3312 - Contracts)
(cf. 3600 - Consultants)

NUTRITION SERVICES OPERATIONS/CAFETERIA FUND (cont.)**PROCUREMENT OF FOODS**

TO THE MAXIMUM EXTENT PRACTICABLE, FOODS PURCHASED FOR USE IN SCHOOL MEALS BY THE DISTRICT OR BY ANY ENTITY PURCHASING FOOD ON ITS BEHALF SHALL BE DOMESTIC COMMODITIES OR PRODUCTS. DOMESTIC COMMODITY OR PRODUCT MEANS AN AGRICULTURAL COMMODITY THAT IS PRODUCED IN THE UNITED STATES AND A FOOD PRODUCT THAT IS PROCESSED IN THE UNITED STATES SUBSTANTIALLY USING AGRICULTURAL COMMODITIES THAT ARE PRODUCED IN THE UNITED STATES. (42 USC 1760; 7 CFR 210.21)

A NONDOMESTIC FOOD PRODUCT MAY BE PURCHASED FOR USE IN THE DISTRICT'S FOOD SERVICE PROGRAM ONLY AS A LAST RESORT WHEN THE PRODUCT IS NOT PRODUCED OR MANUFACTURED IN THE UNITED STATES IN SUFFICIENT AND REASONABLE QUANTITIES OF A SATISFACTORY QUALITY, OR WHEN COMPETITIVE BIDS REVEAL THE COSTS OF A UNITED STATES PRODUCT ARE SIGNIFICANTLY HIGHER THAN THE NONDOMESTIC PRODUCT. IN SUCH CASES, THE SUPERINTENDENT OR DESIGNEE SHALL RETAIN DOCUMENTATION JUSTIFYING THE EXCEPTION.

PROGRAM MONITORING AND EVALUATION

THE SUPERINTENDENT OR DESIGNEE SHALL PRESENT TO THE BOARD, AT LEAST ANNUALLY, FINANCIAL REPORTS REGARDING REVENUES AND EXPENDITURES RELATED TO THE FOOD SERVICE PROGRAM.

THE SUPERINTENDENT OR DESIGNEE SHALL PROVIDE ALL NECESSARY DOCUMENTATION REQUIRED FOR THE ADMINISTRATIVE REVIEW CONDUCTED BY THE CDE TO ENSURE COMPLIANCE OF THE DISTRICT'S FOOD SERVICE PROGRAM WITH FEDERAL REQUIREMENTS RELATED TO MAINTENANCE OF THE NONPROFIT SCHOOL FOOD SERVICE ACCOUNT, MEAL CHARGES, PAID LUNCH EQUITY, REVENUE FROM NONPROGRAM GOODS, INDIRECT COSTS, AND USDA FOODS.

(cf. 3555 - Nutrition Program Compliance)

Legal Reference:**EDUCATION CODE**

38080-38086 Cafeteria, establishment and use
 38090-38095 Cafeterias, funds and accounts
 38100-38103 Cafeterias, allocation of charges
 42646 Alternate payroll procedure
 45103.5 Contracts for management consulting services; restrictions
 49490-49493 School breakfast and lunch programs
 49500-49505 School meals
 49554 Contract for services
 49550-49562 Meals for needy students

NUTRITION SERVICES OPERATIONS/CAFETERIA FUND (cont.)

HEALTH AND SAFETY CODE

113700-114437 California Retail Food Code

CODE OF REGULATIONS, TITLE 5

15550-15565 School lunch and breakfast programs

UNITED STATES CODE, TITLE 42

1751-1769j School lunch programs

1771-1791 Child nutrition, including:

1773 School breakfast program

CODE OF FEDERAL REGULATIONS, TITLE 2

200.56 Indirect costs, definition

200.400-200.475 Cost principles

200 Appendix VII Indirect cost proposals

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program

220.1-220.21 National School Breakfast Program

250.1-250.70 USDA foods

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

Food Distribution Program Administrative Manual

Unpaid Meal Charges: Local Meal Charge Policies, Clarification on Collection of Delinquent Meal Payments, and Excess Student Account Balances, Management Bulletin, SNP-03-2017, April 2017

Clarification for the Use of Alternate Meals in the National School Lunch and School Breakfast Programs, Bad Debt Policies, and the Handling of Unpaid Meal Charges, Management Bulletin USDA-SNP-06-2015, May 2015

Cafeteria Funds--Allowable Uses, Management Bulletin NSD-SNP-07-2013, May 2013

Paid Lunch Equity Requirement, Management Bulletin USDA-SNP-16-2012, October 2012

Storage and Inventory Management of United States Department of Agriculture (USDA) Donated Foods, Management Bulletin USDA-FDP-02-2010, August 2010

Adult and Sibling Meals in the National School Lunch and School Breakfast Programs, Management Bulletin 00-111, July 2000

WEBSITES

California Department of Education, Nutrition Services Division: www.cde.ca.gov/ls/nu California School

Nutrition Association: www.calsna.org

U.S. Department of Agriculture, Food and Nutrition Service: www.fns.usda.gov/cnd

Chino Valley Unified School District

Policy adopted: November 16, 1995

Revised: August 21, 2008

Revised: April 5, 2012

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 7, 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 for:

School-Sponsored Trips	Date	Fiscal Impact
Site: Litel ES Event: Sixth Grade Science Camp Place: Lake Arrowhead, CA Chaperone: 80 students/16 chaperones	October 24-27, 2017	Cost: \$300.00 per student Funding Source: Parents
Site: Ayala HS Event: Big Bear Elevation Training Place: Big Bear Lake, CA Chaperone: 10 students/1 chaperone	November 9-12, 2017	Cost: \$151.79 per student Funding Source: USB

FISCAL IMPACT

None.

Chino Valley Unified School District

Our Motto:

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Humility • Civility • Service

DATE: September 7, 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: REVISION OF BOARD POLICY 0460 PHILOSOPHY, GOALS, OBJECTIVES, AND COMPREHENSIVE PLANS – LOCAL CONTROL AND ACCOUNTABILITY PLAN

=====
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 0460 Philosophy, Goals, Objectives, and Comprehensive Plans – Local Control and Accountability Plan is being updated to reflect the State Board of Education’s (SBE) adoption of evaluation rubrics (the “California School Dashboard”) that will assist districts in evaluating progress toward their LCAP goals. This item was presented to the Board of Education on August 17, 2017, as 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 0460 Philosophy, Goals, Objectives, and Comprehensive Plans – Local Control and Accountability Plan.

FISCAL IMPACT

None.

WMJ:GP:rtt

LOCAL CONTROL AND ACCOUNTABILITY PLAN

The Board of Education desires to ensure the most effective use of available funding to improve outcomes for all students. A community-based, comprehensive, data-driven planning process shall be used to identify annual goals and specific actions and to facilitate continuous improvement of District practices.

(cf. 0000 - Concepts and Roles)
(cf. 0200 - Goals for the School District)

The Board shall adopt a districtwide Local Control and Accountability Plan (LCAP); following the template provided in 5 CCR 15497.5, which addresses the state priorities in Education Code 52060 and any local priorities adopted by the Board. The LCAP shall be updated on or before July 1 of each year and, like the District budget, shall cover the next fiscal year and subsequent two fiscal years. (Education Code 52060; 5 CCR 15497.5)

(cf. 3100 - Budget)

The LCAP shall focus on improving outcomes for all students, particularly those who are "unduplicated students" and other underperforming students.

Unduplicated students include students who are eligible for free or reduced-price meals, English learners, and foster youth and are counted only once for purposes of the local control funding formula. (Education Code 42238.02)

(cf. 3553 - Free and Reduced Price Meals)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6174 - Education for English Learners)

The LCAP shall also be aligned with other district and school plans to the extent possible in order to minimize duplication of effort and provide clear direction for program implementation.

(cf. 0400 - Comprehensive Plans)
(cf. 0440 - District Technology Plan)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 5030 - Student Wellness)
(cf. 6171 - Title I Programs)
(cf. 7110 - Facilities Master Plan)

The Superintendent or designee shall review the Single Plan for Student Achievement (SPSA) submitted by each District school pursuant to Education Code 64001 to ensure that the specific actions included in the LCAP ~~or the annual update~~ are consistent with strategies included in the SPSA. (Education Code 52062)

(cf. 0420 - School Plans/Site Councils)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (cont.)

THE LCAP SHALL ALSO BE ALIGNED WITH OTHER DISTRICT AND SCHOOL PLANS TO THE EXTENT POSSIBLE IN ORDER TO MINIMIZE DUPLICATION OF EFFORT AND PROVIDE CLEAR DIRECTION FOR PROGRAM IMPLEMENTATION.

(cf. 0400 - Comprehensive Plans)
(cf. 0440 - District Technology Plan)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 5030 - Student Wellness)
(cf. 6171 - Title I Programs)
(cf. 7110 - Facilities Master Plan)

Any complaint that the District has not complied with legal requirements pertaining to the LCAP may be filed pursuant to AR 1312.3 - Uniform Complaint Procedures. (Education Code 52075)

(cf. 1312.3 - Uniform Complaint Procedures)

Plan Development

The Superintendent or designee shall gather data and information needed for effective and meaningful plan development and present it to the Board and community. Such data and information shall include, but not be limited to, data regarding the numbers of students in various student subgroups, disaggregated data on student achievement levels, and information about current programs and expenditures.

The Superintendent or designee shall consult with teachers, principals, administrators, other school personnel, and employee bargaining units, parents/guardians, and students in developing the LCAP. Consultation with students shall enable unduplicated students and other numerically significant student subgroups to review and comment on LCAP development and may include surveys of students, student forums, student advisory committees, and/or meetings with student government bodies or other groups representing students. (Education Code 52060; 5 CCR 15495)

(cf. 1220 - Citizen Advisory Committees)
(cf. 4140/4240/4340 - Bargaining Units)
(cf. 6020 - Parent Involvement)

Public Review and Input

The Board shall establish a parent advisory committee to review and comment on the LCAP. The committee shall be ~~comprised~~ COMPOSED of a majority of parents/guardians and shall include at least one parent/guardian of an unduplicated student as defined above. (Education Code 52063; 5 CCR 15495)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (cont.)

Whenever District enrollment includes at least 15 percent English learners with at least 50 students who are English Learners, the Board shall establish an English learner parent advisory committee composed of a majority of parents/guardians of English learners. (Education Code 52063; 5 CCR 15495)

The Superintendent or designee shall present the LCAP to the committee(s) before it is submitted to the Board for adoption, and shall respond in writing to comments received from the committee(s). (Education Code 52062)

The Superintendent or designee shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the LCAP. The notification shall be provided using the most efficient method of notification possible, which may not necessarily include producing printed notices or sending notices by mail. All written notifications related to the LCAP shall be provided in the primary language of parents/guardians when required by Education Code 48985. (Education Code 52062)

(cf. 5145.6 - Parental Notifications)

The Board shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the LCAP. The public hearing shall be held at the same meeting as the budget hearing required pursuant to Education Code 42127 and AR 3100 - Budget. (Education Code 42127, 52062)

(cf. 9320 - Meetings and Notices)

Adoption of the Plan

The Board shall adopt the LCAP prior to adopting the District budget, but at the same public meeting. This meeting shall be held after the public hearing described above, but not on the same day as the hearing.

The Board may adopt revisions to the LCAP at any time during the period in which the plan is in effect, provided the Board follows the process to adopt the LCAP pursuant to Education Code 52062 and the revisions are adopted in a public meeting. (Education Code 52062)

Submission of Plan to County Superintendent of Schools

Not later than five days after adoption of the LCAP, the Board shall file the LCAP with the County Superintendent of Schools. (Education Code 52070)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (cont.)

If the County Superintendent sends, by August 15, a written request for clarification of the contents of the LCAP, the Board shall respond in writing within 15 days of the request. If the County Superintendent then submits recommendations for amendments to the LCAP within 15 days of receiving the Board's response, the Board shall consider those recommendations in a public meeting within 15 days of receiving the recommendations. (Education Code 52070)

Monitoring Progress

The Superintendent or designee shall report to the Board, at least annually in accordance with the timeline and indicators established by him/her and the Board, regarding the District's progress toward attaining each goal identified in the LCAP. EVALUATION SHALL INCLUDE, BUT NOT BE LIMITED TO, AN ASSESSMENT OF DISTRICT AND SCHOOL PERFORMANCE BASED ON EVALUATION RUBRICS ADOPTED BY THE STATE BOARD OF EDUCATION PURSUANT TO EDUCATION CODE 52064.5. Evaluation Data be used to recommend any necessary revisions to the LCAP.

(cf. 0500 - Accountability)

Technical Assistance/Intervention

When it is in the best interest of the District, the Board may submit a request to the County Superintendent for technical assistance, including, but not limited to: (Education Code 52071)

1. Assistance in the identification of District strengths and weaknesses in regard to state priorities and review of effective, evidence-based programs that apply to the District's goals.
2. Assistance from an academic expert, team of academic experts, or another district in the county in identifying and implementing effective programs to improve the outcomes for student subgroups.
3. Advice and assistance from the California Collaborative for Educational Excellence established pursuant to Education Code 52074.

In the event that the County Superintendent requires the District to receive technical assistance pursuant to Education Code 52071, the Board shall review all recommendations received from the County Superintendent or other advisor and shall consider revisions to the LCAP as appropriate in accordance with the process specified in Education Code 52062.

LOCAL CONTROL AND ACCOUNTABILITY PLAN (cont.)

If the Superintendent of Public Instruction (SPI) identifies the District as needing intervention pursuant to Education Code 52072, the District shall cooperate with any action taken by the SPI or any academic advisor appointed by the SPI, which may include one or more of the following:

1. Revision of the District's LCAP.
2. Revision of the District's budget in accordance with changes in the LCAP.
3. A determination to stay or rescind any District action that would prevent the District from improving outcomes for all student subgroups, provided that action is not required by a collective bargaining agreement.

Legal Reference:**EDUCATION CODE**

305-306 English Language Education

17002 State School Building Lease-Purchase Law, including definition of good repair

33430-33436 Learning Communities for School Success Program; grants for LCAP implementation

41020 Audits

42127 Public hearing on budget adoption

42238.01-42238.07 Local control funding formula

44258.9 County superintendent review of teacher assignment

48985 Parental notices in languages other than English

51210 Course of study for grades 1-6

51220 Course of study for grades 7-12

52052 Academic Performance Index; numerically significant student subgroups

52060-52077 Local control and accountability plan

52302 Regional occupational centers and programs

52372.5 Linked learning pilot program

54692 Partnership academies

60119 Sufficiency of textbooks and instructional materials; hearing and resolution

60605.8 California Assessment of Academic Achievement; Academic Content Standards Commission

60811.3 Assessment of language development

64001 Single plan for student achievement

99300-99301 Early Assessment Program

CODE OF REGULATIONS, TITLE 5

15494-15497.5 Local Control and Accountability Plan and Spending Requirements

UNITED STATES CODE, TITLE 20

6312 Local educational agency plan

6826 Title III funds, local plans

Management Resources:**CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS**

Promising Practices for Developing and Implementing LCAPs, Governance Brief, November 2016

Local Control Funding Formula, Issue 1: What Board Needs to Know About the New Rubrics, Governance Brief, rev. October 2016

LOCAL CONTROL AND ACCOUNTABILITY PLAN (cont.)

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

Every Student Succeeds Act – Update #6, January 16, 2017

LCFF Frequently Asked Questions

WEBSITES

California School Boards Association: www.csba.org

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

Chino Valley Unified School District

Policy adopted: August 7, 2014

Revised: April 7, 2016

REVISED:

Chino Valley Unified School District

Our Motto:

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

DATE: September 7, 2017
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Grace Park, Ed.D., Assistant Superintendent, Curriculum, Instruction, Innovation, and Support
Imee Perius, Director, Communications
Anne Ingulsrud, Director, Special Education
Stephanie Johnson, Director, Student Support
SUBJECT: REVISION OF BOARD POLICY 5141.52 STUDENTS – SUICIDE PREVENTION

=====

BACKGROUND

Board policies, administrative regulations, and bylaws of the Board are routinely developed and revised as a result of changes in law, mandates, federal regulations, and current practice. The revision of Board Policy 5141.52 Students – Suicide Prevention is being revised to reflect new law (AB 2246, 2016) which mandates districts serving grades 7-12 to adopt policy on suicide prevention, intervention, and postvention by the beginning of the 2017/2018 school year. Policy reflects the mandate to address any related staff development and to address the needs of specified high-risk student populations. In addition, policy adds best practices in prevention, intervention, and postvention, including, but not limited to, crisis intervention procedures, follow-up care for a student who threatens or attempts suicide, and the provision of counseling and other postvention strategies to reduce suicide contagion. This item was presented to the Board of Education on August 17, 2017, as information.

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

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

RECOMMENDATION

It is recommended the Board of Education approve the revision of Board Policy 5141.52 Students – Suicide Prevention.

FISCAL IMPACT

None.

WMJ:GP:IP:AI:SJ:rtt

SUICIDE PREVENTION

The Board of Education recognizes that suicide is a major cause of death among youth and that should be taken seriously. In order to attempt to reduce suicidal behavior and its impact on students and families, the Superintendent or designee shall develop ~~preventative~~ MEASURES AND strategies and FOR SUICIDE PREVENTION, intervention ~~procedures~~, AND POSTVENTION.

IN DEVELOPING MEASURES AND STRATEGIES FOR USE BY THE DISTRICT, ~~the~~ Superintendent or designee may ~~involve~~ CONSULT WITH school health professionals, school counselors, SCHOOL PSYCHOLOGISTS, administrators, other staff, parents/guardians, students, local health agencies, MENTAL HEALTH ~~and~~ professionals, and community organizations in ~~planning, implementing, and evaluating the district's strategies for suicide prevention and intervention.~~

(cf. 1020 - Youth Services)

(cf. 1220 - Citizen Advisory Committees)

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

~~Prevention and Instruction~~

~~Suicide prevention~~ SUCH MEASURES AND strategies may SHALL include, but ARE not be limited to: ~~efforts to promote a positive school climate that enhances students' feelings of connectedness with the school and is characterized by caring staff and harmonious interrelationships among students.~~

~~The District's comprehensive health education program shall promote the healthy mental, emotional, and social development of students including, but not limited to, the development of problem-solving skills, coping skills, and self-esteem. Suicide prevention instruction shall be incorporated into the health education curriculum in the secondary grades. Such instruction shall be aligned with state content standards and shall be designed to help students analyze signs of depression and self-destructive behaviors, including potential suicide, and to identify suicide prevention strategies.~~

~~(cf. 6142.8 - Comprehensive Health Education)~~

~~The Superintendent or designee may offer parents/guardians education or information which describes the severity of the youth suicide problem, the District's suicide prevention curriculum, risk factors and warning signs of suicide, basic steps for helping suicidal youth, and/or school and community resources that can help youth in crisis.~~

~~Staff Development~~

~~Suicide prevention training for staff shall be designed to help staff identify and respond to students at risk of suicide. The training shall be offered under the direction of a district~~

SUICIDE PREVENTION (cont.)

~~counselor/psychologist and/or in cooperation with one or more community mental health agencies and may include information on:~~

- ~~1. Research identifying risk factors, such as previous suicide attempt(s), history of depression or mental illness, substance use problems, family history of suicide or violence, feelings of isolation, interpersonal conflicts, a recent severe stressor or loss, family instability, and other factors.~~

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

- ~~2. Warning signs that may indicate suicidal intentions, including changes in students' appearance, personality, or behavior.~~

- ~~3. Research-based instructional strategies for teaching the suicide prevention curriculum and promoting mental and emotional health.~~

- ~~4. School and community resources and services.~~

~~(cf. 5141.6 - School Health Services)~~

~~(cf. 6164.2 - Guidance/Counseling Services)~~

- ~~5.1. District procedures for intervening when a student attempts, threatens, or discloses the desire to commit~~ STAFF DEVELOPMENT ON suicide AWARENESS AND PREVENTION FOR TEACHERS, SCHOOL COUNSELORS, AND OTHER DISTRICT EMPLOYEES WHO INTERACT WITH STUDENTS IN THE SECONDARY GRADES

~~(cf. 4131 - Staff Development)~~

~~(cf. 4231 - Staff Development)~~

~~(cf. 4331 - Staff Development)~~

2. METHODS FOR PROMOTING A POSITIVE SCHOOL CLIMATE THAT ENHANCES STUDENTS' FEELINGS OF CONNECTEDNESS WITH THE SCHOOL AND IS CHARACTERIZED BY CARING STAFF AND HARMONIOUS INTERRELATIONSHIPS AMONG STUDENTS

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

SUICIDE PREVENTION (cont.)

3. ENCOURAGEMENT FOR STUDENTS TO NOTIFY APPROPRIATE SCHOOL PERSONNEL OR OTHER ADULTS WHEN THEY ARE EXPERIENCING THOUGHTS OF SUICIDE OR WHEN THEY SUSPECT OR HAVE KNOWLEDGE OF ANOTHER STUDENT'S SUICIDAL INTENTIONS
4. CRISIS INTERVENTION PROCEDURES FOR ADDRESSING SUICIDE THREATS OR ATTEMPTS
5. COUNSELING AND OTHER POSTVENTION STRATEGIES FOR HELPING STUDENTS, STAFF, AND OTHERS COPE IN THE AFTERMATH OF A STUDENT'S SUICIDE

Intervention

~~Whenever a staff member suspects or has knowledge of a student's suicidal intentions, he/she shall promptly notify the principal or school counselor. The principal or counselor shall then notify the student's parents/guardians as soon as possible and may refer the student to mental health resources in the school or community.~~

~~(cf. 5141 – Health Care and Emergencies)~~

~~Students shall be encouraged to notify a teacher, principal, counselor, or other adult when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions.~~

~~Whenever schools establish a peer counseling system to provide support for students, peer counselors shall complete the suicide prevention curriculum, including identification of the warning signs of suicidal behavior and referral of a suicidal student to appropriate adults.~~

~~(cf. 5138 – Conflict Resolution/Peer Mediation)~~

~~The Superintendent or designee shall establish crisis intervention procedures to ensure student safety and appropriate communications in the event that a suicide occurs or an attempt is made on campus or at a school-sponsored activity.~~

AS APPROPRIATE, THESE MEASURES AND STRATEGIES SHALL SPECIFICALLY ADDRESS THE NEEDS OF STUDENTS WHO ARE AT HIGH RISK OF SUICIDE, INCLUDING, BUT NOT LIMITED TO, STUDENTS WHO ARE BEREAVED BY SUICIDE; STUDENTS WITH DISABILITIES, MENTAL ILLNESS, OR SUBSTANCE USE DISORDERS; STUDENTS WHO ARE EXPERIENCING HOMELESSNESS OR WHO ARE IN OUT-OF-HOME SETTINGS SUCH AS FOSTER CARE; AND

SUICIDE PREVENTION (cont.)

STUDENTS WHO ARE LESBIAN, GAY, BISEXUAL, TRANSGENDER, OR QUESTIONING YOUTH. (Education Code 215)

Legal Reference:

EDUCATION CODE

215 Student Suicide Prevention Policies
32280-32289 Comprehensive Safety Plan
49060-49079 Student records
49602 Confidentiality of student information
49604 Suicide prevention training for school counselors

GOVERNMENT CODE

810-996.6 Government Claims Act

PENAL CODE

11164-11174.3 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

5698 Emotionally disturbed youth; legislative intent
5850-5883 Mental Health Services Act

COURT DECISIONS

Corales v. Bennett (Ontario-Montclair School District), (2009) 567 F.3d 554

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools, Kindergarten through Grade Twelve, 2008
Health Framework for California Public Schools, Kindergarten through Grade Twelve, 2003

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

School Connectedness: Strategies for Increasing Protective Factors Among Youth, 2009

NATIONAL ASSOCIATION OF SCHOOL PSYCHOLOGISTS PUBLICATIONS

Preventing Suicide, Guidelines for Administrators and Crisis Teams, 2015

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

Preventing Suicide, A Toolkit for High Schools, 2012
National Strategy for Suicide Prevention: Goals and Objectives for Action, 2012

WEBSITES

American Association of Suicidology: www.suicidology.org
American Foundation for Suicide Prevention: www.afsp.org
American Psychological Association: www.apa.org
American School Counselor Association: www.schoolcounselor.org
California Department of Education, Mental Health: www.cde.ca.gov/ls/cg/mh
California Department of Health Care Services, Suicide Prevention Program:
www.dhcs.ca.gov/services.MH/Pages/SuicidePrevention.aspx
Centers for Disease Control and Prevention, Mental Health: www.cdc.gov/mentalhealth
National Institute for Mental Health: www.nimh.nih.gov
National Institute for Mental Health: www.nimh.nih.gov
U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration: www.samhsa.gov

Chino Valley Unified School District

Policy Adopted: August 12, 1999

Revised: March 17, 2011

REVISED:

Chino Valley Unified School District

Our Motto:

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

DATE: September 7, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Grace Park, Ed.D., Assistant Superintendent, Curriculum, Instruction, Innovation, and Support
Julian Rodriguez, Director, Secondary Curriculum
Dan Sosa, Director, Elementary Curriculum

SUBJECT: REVISION OF BOARD POLICY 6142.93 INSTRUCTION – SCIENCE INSTRUCTION

=====

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 6142.93 Instruction – Science Instruction is being revised to reflect new curriculum framework for science instruction adopted by the State Board of Education in November 2016 and the Next Generation Science Standards. This item was presented to the Board of Education on August 17, 2017, as 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 6142.93 Instruction – Science Instruction.

FISCAL IMPACT

None.

WMJ:GP:JR:DS:rtt

SCIENCE INSTRUCTION

The Board of Education believes that science education should focus on giving students an understanding of ~~key scientific concepts and a capacity for~~ THE BIOLOGICAL AND PHYSICAL ASPECTS OF SCIENCE, ~~KEY scientific ways of thinking~~ CONCEPTS, AND METHODS OF SCIENTIFIC INQUIRY AND INVESTIGATION. Students should become familiar with the natural world and the interrelationSHIP of science, mathematics, ~~and technology,~~ AND ENGINEERING. As part of ~~their~~ science instruction, students should learn how to apply scientific knowledge and ~~ways of thinking for individual and social purposes~~ REASONING.

(cf. 0440 - District Technology Plan)
 (cf. 5145.8 - Refusal to Harm or Destroy Animals)
 (cf. 6142.92 - Mathematics Instruction)
 (cf. 6143 - Courses of Study)
 (cf. 6146.1 - High School Graduation Requirements)

Philosophical and religious theories are based, at least in part, on faith and are not subject to scientific test and refutation. Such beliefs shall not be taught in science classes, but may be addressed in the social science and language arts curricula.

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

THE DISTRICT'S ACADEMIC STANDARDS FOR SCIENCE INSTRUCTION SHALL MEET OR EXCEED THE CALIFORNIA NEXT GENERATION SCIENCE STANDARDS (CA-NGSS). THE SUPERINTENDENT OR DESIGNEE SHALL ENSURE THAT CURRICULA USED IN DISTRICT SCHOOLS ARE ALIGNED WITH THESE STANDARDS AND THE STATE CURRICULUM FRAMEWORK.

(cf. 6011 - Academic Standards)
 (cf. 6141 - Curriculum Development and Evaluation)
 (cf. 6161.1 - Selection and Evaluation of Instructional Materials)

THE SUPERINTENDENT OR DESIGNEE SHALL ENSURE THAT STUDENTS HAVE ACCESS TO AND ARE ENROLLED IN A BROAD COURSE OF STUDY INCLUDING SCIENCE COURSES.

(cf. 0460 - Local Control and Accountability Plan)

Legal Reference:

EDUCATION CODE:

8774 Residential outdoor science program
 32030-32034 Eye Safety
 32255-32255.6 Student's right to refrain from harmful or destructive use of animals
 33475-33475.5 Model curriculum on stem cell science
 49340-49341 Hazardous substances education
 51210 Areas of Study, Grades 1 through 6

SCIENCE INSTRUCTION (cont.)

51210.3 Elementary science coach
51220 Areas of Study, Grades 7 through 12
51225.3 High school graduation
52060-52077 Local control and accountability plan
60640-60649 California Assessment of Student Performance and Progress
CODE OF REGULATIONS, TITLE 5
14030 Science laboratories, design specifications
CODE OF REGULATIONS, TITLE 8
5191 Occupational exposure to hazardous chemicals in laboratories; chemical hygiene plan

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Science Framework for California Public Schools: Kindergarten Through Grade Twelve, 2016

Next Generation Science Standards Systems Implementation Plan for California, 2014

California Next Generation Science Standards, 2013

Science Safety Handbook for California Public Schools, 2012

WEBSITES

CSBA: www.csba.org

California Alliance for Next Generation Science Standards: www.cdefoundation.org/stem/ca4ngss

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

California Science Teachers Association: www.cascience.org

U.S. Department of Education, STEM Education: www.ed.gov/stem

Chino Valley Unified School District

Policy adopted: August 21, 1997

Revised: March 5, 2009

REVISED:

Chino Valley Unified School District

Our Motto:

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

DATE: September 7, 2017
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Grace Park, Ed.D., Assistant Superintendent, Curriculum, Instruction, Innovation, and Support
Julian Rodriguez, Director, Secondary Curriculum
SUBJECT: REVISION OF BOARD POLICY 6145.2 INSTRUCTION – ATHLETIC COMPETITION

=====
BACKGROUND

Board policies, administrative regulations, and bylaws of the Board are routinely developed and revised as a result of changes in law, mandates, federal regulations, and current practice. The revision of Board Policy 6145.2 Instruction – Athletic Competition is being revised to reflect new law (AB 1639, 2016) which requires (1) distribution to student athletes and parents/guardians of information on the nature and warning signs of sudden cardiac arrest, (2) training of coaches on the nature and warning signs of sudden cardiac arrest, and (3) removal of a student from an athletic if he/she passes out or faints, until clearance is obtained from a health care provider. Policy reflects law which provides that a homeless student must be immediately deemed to meet all residency requirements for participation in interscholastic athletic activities. This item was presented to the Board of Education on August 17, 2017, as 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 6145.2 Instruction – Athletic Competition.

FISCAL IMPACT

None.

WMJ:GP:JR:rtt

ATHLETIC COMPETITION

The Board of Education recognizes that the District's athletic program constitutes an integral component of the educational program and helps to build a positive school climate. The athletic program also promotes the physical, social, and emotional well-being and character development of participating students. The DISTRICT'S athletic program shall be designed to meet students' interests and abilities and shall be varied in scope to attract wide participation.

(cf. 3541.1 - Transportation for School-Related Trips)
(cf. 5030 - Student Wellness)
(cf. 5137 - Positive School Climate)
(cf. 6142.7 - Physical Education and Activity)
(cf. 7110 - Facilities Master Plan)

Supervision

All athletic teams shall be supervised by qualified coaches to ensure that student athletes receive appropriate instruction and guidance related to safety, health, sports skills, and sportsmanship. Athletic events shall be officiated by qualified personnel.

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

The Board encourages business and community support for District athletic programs, subject to applicable District policies and regulations governing advertisements and donations.

(cf. 1260 - Educational Foundation)
(cf. 1321 - Solicitation of Funds from and by Students)
(cf. 1325 - Advertising and Promotion)
(cf. 1700 - Relations Between Private Industry and the Schools)
(cf. 3290 - Gifts, Grants and Bequests)

Nondiscrimination and Equivalent Opportunities in the Athletic Program

The District's athletic program shall be free from discrimination and discriminatory practices prohibited by state and federal law. The Superintendent or designee shall ensure that equivalent athletic opportunities are provided for males and females, AND THAT STUDENTS ARE PERMITTED TO PARTICIPATE IN ATHLETIC ACTIVITIES CONSISTENT WITH THEIR GENDER IDENTITY.

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

Any complaint regarding the District's athletic program shall be filed in accordance with the District's uniform complaint procedures.

ATHLETIC COMPETITION (cont.)

(cf. 1312.3 - Uniform Complaint Procedures)

California Interscholastic Federation

The Board maintains membership in the CIF and requires that interscholastic athletic activities be conducted in accordance with Board policy, administrative regulations, and CIF bylaws and rules. The Superintendent or designee shall have responsibility for the District's interscholastic athletic program, while the principal or designee at each participating school shall be responsible for site-level decisions, as appropriate.

Upon recommendation of the Superintendent, the Board shall annually designate an ~~employee from each high~~ A REPRESENTATIVE TO THE LOCAL CIF LEAGUE FROM EACH school to serve as a representative to the local CIF league THAT PARTICIPATES IN CIF SPORTS. ~~Appointees shall represent the district in performing all duties required by the CIF league. In making this selection, the Board shall consider the employee's~~ THE SUPERINTENDENT OR DESIGNEE SHALL RECOMMEND A CANDIDATE FOR THE POSITION WHO DEMONSTRATES AN understanding of the District's goals for student learning, AND interscholastic and ~~extracurricular~~ activities, knowledge of the athletic programs, awareness of the implications of league decisions for the school and the District, and ~~individual~~ interpersonal communication and leadership skills.

The ~~Superintendent or designee~~ DESIGNATED REPRESENTATIVE(S) shall ensure that the District representatives to CIF report regularly to the Board on VOTE ON ISSUES THAT IMPACT INTERSCHOLASTIC ATHLETICS AT THE league, AND section LEVELS, and PERFORM ANY OTHER DUTIES REQUIRED BY THE CIF LEAGUE. ~~and statewide issues, as well as activities and prospective actions related to athletic programs.~~

(cf. 0500 - Accountability)

Student Eligibility

Eligibility requirements for STUDENT participation in the District's interscholastic athletic program, including requirements pertaining to academic achievement ~~and residency~~, shall be the same as those set by the District for participation in extracurricular and cocurricular activities.

(cf. 3530 - Risk Management/Insurance)
 (cf. 5111.1 - District Residency)
 (cf. 5121 - Grades/Evaluation of Student Achievement)
 (cf. 6145 - Extracurricular and Cocurricular Activities)
 (cf. 6146.1 - High School Graduation Requirements)
 (cf. 6173 - Education for Homeless Children)
 (cf. 6173.1 - Education for Foster Youth)
 (cf. 6173.2 - Education of Children of Military Families)

ATHLETIC COMPETITION (cont.)

In addition, the Superintendent or designee shall ensure that students participating in interscholastic athletics governed by CIF satisfy CIF eligibility requirements.

Students shall not be charged a fee to participate in an athletic program, INCLUDING, BUT NOT LIMITED TO, A FEE TO COVER THE COST OF UNIFORMS, LOCKS, LOCKERS, OR ATHLETIC EQUIPMENT.

(cf. 3260 - Fees and Charges)
(cf. 5143 - Insurance)

Sportsmanship

The Board values the quality and integrity of the athletic program and the character development of student athletes. Student athletes, coaches, parents/guardians, spectators, and others are expected to demonstrate good sportsmanship, ethical conduct, and fair play during all athletic competitions. They shall also abide by the core principles of trustworthiness, respect, responsibility, fairness, caring, and good citizenship and the Codes of Conduct ETHICS adopted by CIF.

Students and staff ~~may~~ SHALL be subject to disciplinary action for improper conduct.

(cf. 3515.2 - Disruptions)
(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5131 - Conduct)
(cf. 5131.1 - Bus Conduct)
(cf. 5131.4 - Student Disturbances)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Individuals with Disabilities))

Health and Safety

The Board desires to give student health and safety the highest consideration in planning and conducting athletic activities.

Students shall have a medical clearance before participating in interscholastic athletic programs. Care shall be taken to ensure that all athletic trainings and competitions are conducted in a manner that will not overtax the physical capabilities of the participants. When appropriate, protective equipment shall be used to prevent or minimize injuries.

(cf. 5131.61 - Drug Testing)
(cf. 5131.63 - Steroids)
(cf. 5141.3 - Health Examinations)
(cf. 5141.6 - School Health Services)

ATHLETIC COMPETITION (cont.)

(cf. 5141.7 - Sun Safety)
(cf. 5143 - Insurance)

Coaches and appropriate District employees shall take every possible precaution to ensure that athletic equipment is kept in safe and serviceable condition. The Superintendent or designee shall ensure that all athletic equipment is cleaned and inspected for safety before the beginning of each school year.

(cf. 5142 - Safety)

In the event ~~that~~ OF an injury ~~occurs~~ OR A PERCEIVED IMMINENT RISK TO A STUDENT'S HEALTH, SUCH AS A CONCUSSION OR PASSING OUT, FAINTING, OR OTHER SIGN OF SUDDEN CARDIAC ARREST, DURING OR IMMEDIATELY AFTER AN ATHLETIC ACTIVITY, the coach or ~~other appropriate~~ ANY OTHER District employee WHO IS PRESENT shall ~~observe universal precautions and shall~~ remove the student athlete from the activity, OBSERVE UNIVERSAL PRECAUTIONS IN HANDLING BLOOD OR OTHER BODILY FLUID, and/or seek medical treatment for the student as appropriate.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141 - Health Care and Emergencies)
(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
(cf. 5141.22 - Infectious Diseases)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
17578 Cleaning and sterilizing of football equipment
17580-17581 Football equipment
32220-32224 Insurance for athletic teams, especially:
32221.5 Required insurance for athletic activities
33353-33353.5 California Interscholastic Federation; implementation of policies, insurance program
33354 California Department of Education authority over interscholastic athletics
33479-33479.9 The Eric Parades Sudden Cardiac Arrest Prevention Act
35160.5 District policies; rules and regulations
35179 Interscholastic athletics
35179.1 California High School Coaching Education and Training Program
35179.5 Interscholastic athletics; limitation on full-contact practices
48850 Interscholastic athletics; students in foster care
48900 Grounds for suspension and expulsion
48930-48938 Student organizations
49010-49013 Student fees
49020-49023 Athletic programs; legislative intent, equal opportunity
49030-49034 Performance-enhancing substances
49458 Health examinations, interscholastic athletic program
49475 Health and safety, concussions and head injuries
49700-49701 Education of children of military families
51242 Exemption from physical education for high school students in interscholastic athletic program

ATHLETIC COMPETITION (cont.)

PENAL CODE

245.6 Hazing

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs, especially:

4920-4922 Nondiscrimination in intramural, interscholastic, and club activities

5531 Supervision of extracurricular activities of students 5

5590-5596 Employment of noncertificated coaches

UNITED STATES CODE, TITLE 20

1681-1688 Discrimination based on sex or blindness, Title IX

CODE OF FEDERAL REGULATIONS, TITLE 34

106.31 Nondiscrimination on the basis of sex in education programs or activities

106.33 Comparable facilities

106.41 Nondiscrimination in athletic programs

COURT DECISIONS

Mansourian v. Regents of University of California, (2010) 594 F. 3d 1095

Kahn v. East Side Union High School District, (2004) 31 Cal. 4th 990t

McCormick v. School District of Mamaroneck, (2004) 370 F.3d 275

Hartzell v. Connell, (1984) 35 Cal. 3d 899

Management Resources:

CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Discrimination, March 2017

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013

CALIFORNIA INTERSCHOLASTIC FEDERATION PUBLICATIONS

Guidelines for Gender Identity Participation

California Interscholastic Federation Constitution and Bylaws

A Guide to Equity in Athletics

Keep Their Heart in the Game: A Sudden Cardiac Arrest Information Sheet for Athletes and Parents/Guardians

Pursuing Victory with Honor, 1999

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

Heads Up: Concussion in High School Sports, Tool Kit, June 2010

Heads Up: Concussion in Youth Sports, Tool Kit, July 2007

Acute Concussion Evaluation (ACE) Care Plan, 2006

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

Withdrawal of Dear Colleague Letter on Transgender Students, Dear Colleague Letter, February 22, 2017

Intercollegiate Athletics Policy Clarification: The Three-Part Test - Part Three, Dear Colleague letter, April 20, 2010

WEBSITES

California School Boards Association: www.csba.org

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

California Interscholastic Federation: www.cifstate.org

Centers for Disease Control and Prevention, Concussion Resources: www.cdc.gov/concussion

National Federation of State High School Associations: www.nfhs.org

National Operating Committee on Standards for Athletic Equipment: www.nocsae.org

U.S. Anti-Doping Agency: www.usada.org

U.S. Department of Education, Office for Civil Rights: www2.ed.gov/ocr

ATHLETIC COMPETITION (cont.)

Chino Valley Unified School District

Policy adopted: August 21, 1997

Revised: February 18, 2010

Revised: July 16, 2015

REVISED:

Chino Valley Unified School District

Our Motto:

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

DATE: September 7, 2017
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Grace Park, Ed.D., Assistant Superintendent, Curriculum, Instruction, Innovation, and Support
Mary Salcido, Director, Access and Equity
SUBJECT: REVISION OF BOARD POLICY 6174 INSTRUCTION – EDUCATION FOR ENGLISH LEARNERS

=====
BACKGROUND

Board policies, administrative regulations, and bylaws of the Board are routinely developed and revised as a result of changes in law, mandates, federal regulations, and current practice. The revision of Board Policy 6174 Instruction – Education for English Learners is being revised to reflect new law (Proposition 58) which authorizes parents/guardians to select a language acquisition program that best suits their child and eliminates the requirement for parents/guardians to request a waiver from the District if they want to enroll their child in a program other than a structured English immersion program. Policy reflects revisions in Title III English learner programs, including renumbering of accountability requirements and changes in the required parental notification, pursuant to the Every Student Succeeds Act. Title of policy updated to reflect current terminology. This item was presented to the Board of Education on August 17, 2017, as 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 6174 Instruction – Education for English Learners.

FISCAL IMPACT

None.

WMJ:GP:MS:rtt

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

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

The District shall identify in its Local Control and Accountability Plan (LCAP) GOALS AND specific actions and services to enhance student engagement, academic achievement, and other outcomes for English learners.

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

English learners shall be provided English language development instruction targeted to their English proficiency level and aligned with state content standards and curriculum framework. The District's program shall be based on sound instructional theory, use standards-aligned instructional materials, and assist students in accessing the full educational program.

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6171 - Title I Programs)

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

(cf. 4112.22 - Staff Teaching English Language Learners)

~~The Superintendent or designee~~ THE DISTRICT shall provide EFFECTIVE PROFESSIONAL DEVELOPMENT to teachers, administrators, and other school staff ~~research-based professional development that is designed~~ to improve the instruction and assessment of English learners and enhance staff's ability to understand and use curricula, assessment, and instructional strategies for English learners. (20 USC 6825)

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

The Superintendent or designee shall encourage parent/guardian and community involvement in the development, implementation, and evaluation of English language development programs. In addition, to support students' English language development, the Superintendent or designee may provide an adult literacy training program that leads to English fluency for parents/guardians and community members.

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

(cf. 6020 - Parent Involvement)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (cont.)

Identification and Assessment

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

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

English learners' academic achievement in English language arts, mathematics, science, and any additional subject required by law shall be assessed using the California Assessment of Student Performance and Progress. As necessary, the test shall be administered ~~with allowable~~ WITH testing variations in accordance with 5 CCR 853.5 and 853.7. English learners who are in their first 12 months of attending a school in the United States shall be exempted from taking the English language arts assessment to the extent allowed by federal law. (Education Code 60603, 60640; 5 CCR 853.5, 853.7)

(cf. 6162.51 - State Academic Achievement Tests)

LANGUAGE ACQUISITION PROGRAMS

LANGUAGE ACQUISITION PROGRAMS ARE EDUCATIONAL PROGRAMS THAT ARE DESIGNED TO ENSURE ENGLISH ACQUISITION AS RAPIDLY AND AS EFFECTIVELY AS POSSIBLE AND THAT PROVIDE INSTRUCTION TO STUDENTS ON THE STATE-ADOPTED ACADEMIC CONTENT STANDARDS, INCLUDING THE ENGLISH LANGUAGE DEVELOPMENT STANDARDS. THE LANGUAGE ACQUISITION PROGRAMS PROVIDED TO STUDENTS SHALL BE INFORMED BY RESEARCH AND SHALL LEAD TO GRADE-LEVEL PROFICIENCY ACHIEVEMENT IN BOTH ENGLISH AND ANOTHER LANGUAGE. (Education Code 306)

THE DISTRICT SHALL OFFER ENGLISH LEARNERS A STRUCTURED ENGLISH IMMERSION PROGRAM TO ENSURE THAT ENGLISH LEARNERS HAVE ACCESS TO THE CORE ACADEMIC CONTENT STANDARDS, INCLUDING THE ENGLISH LANGUAGE DEVELOPMENT STANDARDS, AND BECOME PROFICIENT IN ENGLISH. IN THE STRUCTURED ENGLISH IMMERSION PROGRAM, NEARLY ALL OF THE CLASSROOM INSTRUCTION SHALL BE PROVIDED IN ENGLISH, BUT WITH THE CURRICULUM AND PRESENTATION DESIGNED FOR STUDENTS WHO ARE LEARNING ENGLISH. (Education Code 305-306)

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

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (cont.)**Placement of English Learners**

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

~~“Nearly all,” for the purpose of determining the amount of instruction to be conducted in English, means that all classroom instruction shall be conducted in English except for clarification, explanation, and support as needed.~~

~~When an English learner IS DETERMINED PURSUANT TO STATE AND DISTRICT RECLASSIFICATION CRITERIA TO has have acquired a reasonable level of English proficiency as measured by any of the state-designated assessments approved by the California Department of Education or District assessments, and/or other criteria adopted by the Board, he/she PURSUANT TO EDUCATION CODE 313 AND 52164.6, OR UPON REQUEST BY THE STUDENT’S PARENT/GUARDIAN, THE STUDENT shall be transferred from a structured English immersion classroom LANGUAGE ACQUISITION PROGRAM inTO an English language mainstream classroom in which the instruction is overwhelmingly in English.~~

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

~~THE FOLLOWING MEASURES SHALL BE USED TO DETERMINE WHETHER AN ENGLISH LEARNER SHALL BE RECLASSIFIED AS FLUENT ENGLISH PROFICIENT: (Education Code 313; 5 CCR 11303)~~

- ~~1. ASSESSMENT OF ENGLISH LANGUAGE PROFICIENCY USING AN OBJECTIVE ASSESSMENT INSTRUMENT, INCLUDING, BUT NOT LIMITED TO, THE STATE’S ENGLISH LANGUAGE PROFICIENCY ASSESSMENT~~
- ~~2. PARTICIPATION OF THE STUDENT’S CLASSROOM TEACHER AND ANY OTHER CERTIFICATED STAFF WITH DIRECT RESPONSIBILITY FOR TEACHING OR PLACEMENT DECISIONS RELATED TO THE STUDENT~~
- ~~3. PARENT/GUARDIAN OPINION AND CONSULTATION~~

~~THE SUPERINTENDENT OR DESIGNEE SHALL PROVIDE THE PARENTS/GUARDIANS WITH NOTICE AND A DESCRIPTION OF THE RECLASSIFICATION PROCESS AND OF HIS/HER OPPORTUNITY TO PARTICIPATE IN THE PROCESS AND SHALL ENCOURAGE HIS/HER INVOLVEMENT IN THE PROCESS.~~

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (cont.)

4. STUDENT PERFORMANCE ON AN OBJECTIVE ASSESSMENT OF BASIC SKILLS IN ENGLISH THAT SHOWS WHETHER THE STUDENT IS PERFORMING AT OR NEAR GRADE LEVEL.

THE SUPERINTENDENT OR DESIGNEE SHALL MONITOR THE PROGRESS OF RECLASSIFIED STUDENTS TO ENSURE THEIR CORRECT CLASSIFICATION AND PLACEMENT. (5 CCR 11304)

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

Parental Exception Waivers

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

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

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

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

Program Evaluation

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

1. Progress of English learners towards proficiency in English
2. The number and percentage of English learners reclassified as fluent English proficient

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (cont.)

3. The number and percentage of English learners who are or at risk of being classified as long-term English learners, in accordance with Education Code 313.1
4. The achievement of English learners on standards-based tests in core curricular areas
5. Progress toward any other goals for English learners identified in the District's LCAP
6. A comparison of current data with data from at least the previous year

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

Legal Reference:**EDUCATION CODE**

300-340 English language education, especially:
 305-310 Language acquisition programs
 313-313.5 Assessment of English proficiency
 430-446 English Learner and Immigrant Pupil Federal Conformity Act
 33050 State Board of Education waiver authority
 42238.02-42238.03 Local control funding formula
 44253.1-44253.11 Qualifications for teaching English learners
 48980 Parental notifications
 48985 Notices to parents in language other than English
 52052 Academic Performance Index; numerically significant student subgroups
 52060-52077 Local control and accountability plan
 52130-52135 Impacted Languages Act of 1984
 52160-52178 Bilingual Bicultural Act
 60603 Definition, recently arrived English learner
 60605.87 Supplemental instructional materials, English language development
 60640 California Assessment of Student Performance and Progress
 60810-60812 Assessment of language development
 62005.5 Continuation of advisory committee after program sunsets

CODE OF REGULATIONS, TITLE 5

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

UNITED STATES CODE, TITLE 20

1412 Individuals with Disabilities Education Act; state eligibility
 1701-1705 Equal Educational Opportunities Act
 6311 Title I state plan
 6312 Local education agency plans
 6801-7014 Title III, Language instruction for limited English proficient and immigrant students
 7801 Definitions

COURT DECISIONS

Valeria G. v. Wilson, (2002) 307 F.3d 1036
 California Teachers Association v. State Board of Education et al., (9th Circuit, 2001) 271 F.3d 1141
 McLaughlin v. State Board of Education, (1999) 75 Cal.App.4th 196
 Teresa P. et al v. Berkeley Unified School District et al, (1989) 724 F.Supp. 698

ATTORNEY GENERAL OPINIONS

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

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (cont.)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Integrating the CA ELD Standards into K-12 Mathematics and Science Teaching and Learning, December 2013

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

English Language Arts/English Language Development Framework for California Public Schools: Transitional Kindergarten Through Grade Twelve, 2014

Common Core State Standards for Mathematics, rev. 2013

Next Generation Science Standards for California Public Schools, Kindergarten through Grade Twelve, 2013

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

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

U.S. DEPARTMENT OF EDUCATION NONREGULATORY GUIDANCE

Accountability for English Learners Under the ESEA, Non-Regulatory Guidance, January 2017

English Learner Tool Kit for State and Local Educational Agencies (SEAs and LEAs), rev. November 2016

English Learners and Title III of the Elementary and Secondary Education Act (ESEA), as Amended by the Every Student Succeeds Act (ESSA), Non-Regulatory Guidance, September 23, 2016

Dear Colleague Letter: English Learner Students and Limited English Proficient Parents, January 7, 2015

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

WEBSITES

California Association for Bilingual Education: www.gocabe.org

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

National Clearinghouse for English Language Acquisition: www.ncela.us

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

Chino Valley Unified School District

Policy Adopted: August 21, 1997

Revised: February 22, 2001

Revised: September 4, 2003

Revised: June 18, 2009

Revised: March 21, 2013

Revised: March 3, 2016

REVISED:

Chino Valley Unified School District

Our Motto:

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

DATE: September 7, 2017
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Grace Park, Ed.D., Assistant Superintendent, Curriculum, Instruction, Innovation, and Support
Julian Rodriguez, Director, Secondary Curriculum
SUBJECT: REVISION OF BOARD POLICY 6178.1 INSTRUCTION – WORK-BASED LEARNING

=====
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 6178.1 Instruction – Work-Based Learning is being updated to reflect new law (AB 2063, 2016) which authorized the District to grant credit for satisfactory completion of a work experience education program to students ages 14-15 when the principal certifies that such credit is necessary for the student’s participation in a career technical education (CTE) program. This item was presented to the Board of Education on August 17, 2017, as 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 6178.1 Instruction – Work-Based Learning.

FISCAL IMPACT

None.

WMJ:GP:JR:rtt

WORK- EXPERIENCE EDUCATION BASED LEARNING

The Board of Education ~~believes that~~ DESIRES TO FACILITATE work-BASED LEARNING OPPORTUNITIES WHICH LINK CLASSROOM LEARNING WITH REAL-WORLD experienceS. ~~education programs can provide~~ THE DISTRICT'S WORK-BASED LEARNING PROGRAM SHALL BE DESIGNED TO TEACH students with ~~valuable instruction in the skills, attitudes, and understandings they need in order to be~~ KNOWLEDGE NECESSARY FOR successfully employedMENT AND TO REINFORCE MASTERY OF BOTH ACADEMIC AND CAREER TECHNICAL EDUCATION (CTE) STANDARDS.

(cf. 6000 - Concepts and Roles)
 (cf. 6011 - Academic Standards)
 (cf. 6143 - Courses of Study)
 (cf. 6178 - Career Technical Education)

The District's work-based learning program may offer opportunities for paid and/or unpaid work experiences, including, but not limited to:

1. Work experience education as defined in Education Code 51764
2. Cooperative CTE or community classrooms as defined in Education Code 52372.1
3. Job shadowing experience as defined in Education Code 51769
4. Student internships
5. Apprenticeships
6. Service learning
7. Employment in social/civic or school-based enterprises
8. Technology-based or other simulated work experiences

(cf. 6142.4 - Services Learning/Community Service Classes)

~~Students enrolled in this program shall receive~~ TO ENSURE APPROPRIATE guidance and supervision OF PARTICIPATING STUDENTS ~~designed to ensure~~ AND maximize THE educational benefit from placement in suitable WEE courses ANY WORK-BASED LEARNING PROGRAM. ~~The program shall integrate the efforts of teachers, counselors, students, parents/ guardians, and employers to assist students in selecting a career path and developing a positive work ethic and work habits.,~~ District staff shall coordinate with the workplace supervisors or mentors.

WORK- EXPERIENCE EDUCATION BASED LEARNING (cont.)

THE SUPERINTENDENT OR DESIGNEE MAY PROVIDE STUDENTS EMPLOYMENT OPPORTUNITIES WITH PUBLIC AND PRIVATE EMPLOYERS IN AREAS WITHIN OR OUTSIDE THE DISTRICT. (Education Code 51768)

ANY DISTRICT PLAN FOR WORK-BASED LEARNING SHALL BE SUBMITTED TO THE BOARD FOR APPROVAL. WHEN REQUIRED, THE PLAN SHALL BE SUBMITTED TO THE CALIFORNIA DEPARTMENT OF EDUCATION OR OTHER STATE AGENCY OR OFFICIAL.

THE SUPERINTENDENT OR DESIGNEE SHALL INVOLVE LOCAL BUSINESSES OR BUSINESS ORGANIZATIONS IN PLANNING AND IMPLEMENTING WORK-BASED LEARNING OPPORTUNITIES THAT SUPPORT THE DISTRICT'S VISION AND GOALS FOR STUDENT LEARNING AND LOCAL WORKFORCE DEVELOPMENT EFFORTS. HE/SHE ALSO MAY WORK WITH POSTSECONDARY INSTITUTIONS, COMMUNITY ORGANIZATIONS, AND OTHERS TO IDENTIFY OPPORTUNITIES FOR WORK-BASED LEARNING.

(cf. 0000 - Concepts and Roles)
 (cf. 0200 - Goals for the School District)
 (cf. 1220 - Citizen Advisory Committees)
 (cf. 1700 - Relations Between Private Industry and the Schools)
 (cf. 6020 - Parent Involvement)

WHEN REQUIRED BY LAW, THE SUPERINTENDENT OR DESIGNEE SHALL DEVELOP A WRITTEN TRAINING AGREEMENT WITH THE EMPLOYER THAT DESCRIBES THE CONDITIONS AND REQUIREMENTS TO BE MET BY ALL PARTIES AND SHALL DEVELOP AN INDIVIDUAL TRAINING PLAN FOR EACH STUDENT WHICH OUTLINES THE OBJECTIVES OR COMPETENCIES THAT THE STUDENT IS EXPECTED TO ACCOMPLISH AT THE WORK SITE. (5 CCR 10070-70071, 10087, 10108)

A MINOR STUDENT SHALL BE ALLOWED EMPLOYMENT THROUGH A PAID WORK-BASED LEARNING PROGRAM ONLY IF HE/SHE HAS BEEN ISSUED A WORK PERMIT, IN ACCORDANCE WITH LAW, BOARD POLICY, AND ADMINISTRATIVE REGULATION. (Education Code 49113, 49160)

(cf. 5113.2 - Work Permits)

ALL LAWS OR RULES APPLICABLE TO MINORS IN EMPLOYMENT RELATIONSHIPS SHALL BE APPLICABLE TO STUDENTS ENROLLED IN WORK-BASED LEARNING PROGRAMS (Education Code 51763)

The ~~District~~ SUPERINTENDENT OR DESIGNEE ~~may~~ SHALL ~~provide for liability insurance for~~ ENSURE THAT ANY students participating in a ~~WEE program~~ WORK-BASED LEARNING PROGRAM off school grounds ~~in accordance with law and board~~

WORK- EXPERIENCE EDUCATION BASED LEARNING (cont.)

policy is covered under the employer's or District's insurance, as applicable, in the event the student is injured. (~~Education Code 51760~~)

(cf. 3530 - Insurance Management)
(cf. 5143 - Insurance)

THE SUPERINTENDENT OR DESIGNEE SHALL ENSURE THAT ANY TEACHER-COORDINATOR OF A WORK-BASED LEARNING PROGRAM POSSESSES THE APPROPRIATE CREDENTIAL ISSUED BY THE COMMISSION ON TEACHER CREDENTIALING. (5 CCR, 10075, 10080, 10100)

(cf. 4112.2 - Certification)

THE SUPERINTENDENT OR DESIGNEE SHALL MAINTAIN RECORDS RELATED TO EACH STUDENT'S PARTICIPATION IN THE DISTRICT'S WORK-BASED LEARNING PROGRAM, INCLUDING, BUT NOT LIMITED TO, THE STUDENT'S INDIVIDUALIZED TRAINING PLAN, EMPLOYMENT HOURS AND JOB SITE, WORK PERMIT IF APPLICABLE, THE EMPLOYER'S REPORT OF STUDENT'S ATTENDANCE AND JOB PERFORMANCE, THE TEACHER-COORDINATOR'S CONSULTATIONS AND OBSERVATIONS, AND REPORTS OF THE STUDENT'S GRADE AND CREDITS EARNED.

(cf. 5125 - Student Records)

Legal Reference:**EDUCATION CODE**

35208 Liability Insurance

46144 Minimum School Day for Work Experience Program

46147 Exception for Minimum Day; Students in Last Semester or Quarter of Grade 12

46300 Method of Computing ADA

48402 Enrollment in Continuation Education, Minors not Regularly Employed

49110-49119 Permits to Work

49160 Permits to Work, Duties of Employer

51760-51769.5 Work-Based Learning

52300-52499.66 Career Technical Education

54690-54697 Partnership Academies

56026 Students with Exceptional Needs

52372.1 Community Classrooms and Cooperative Career Technical Education Programs

LABOR CODE

1285-1312 Employment of Minors

1391-1394 Working Hours for Minors

3070-3099.5 Apprenticeships

3200-6002 Workers' Compensation and Insurance

CODE OF REGULATIONS, TITLE 5

1635 Credit for Work Experience Education

10070-10075 Work Experience Education

10080-10090 Community Classrooms

10100-10111 Cooperative Career Technical Education Programs

WORK- EXPERIENCE EDUCATION BASED LEARNING (cont.)

UNITED STATES CODE, TITLE 20

2301-2414 Carl D. Perkins Career and Technical Education Act of 2006

CODE OF FEDERAL REGULATIONS, TITLE 29

570.35a Work Experience Programs

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Work Experience Education Guide

California Career Technical Education Model Curriculum Standards, 2013

Multiple Pathways to student success: Envisioning the New California High School, 2010

2008-2012 California State Plan for Career Technical Education, 2008

Career Technical Education Framework for California Public Schools: Grades Seven Through Twelve, 2007

CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS

Child Labor Laws, 2013

WEST ED PUBLICATIONS

Work-Based Learning in California: Opportunities and Models for Expansion, 2009

WEBSITES

California School Boards Association: www.csba.org

California Association of Work Experience Educators: www.cawee.org

California Department of Education, Work Experience Education: www.cde.ca.gov/ci/ct/we

California Department of Industrial Relations: www.dir.ca.gov

Linked Learning Alliance: www.linkedlearning.org

WestEd: www.wested.org

Chino Valley Unified School District

Policy adopted: August 21, 1997

Revised: June 18, 2009

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 7, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

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

SUBJECT: AGRICULTURAL CAREER TECHNICAL EDUCATION INCENTIVE GRANT 2017/2018 APPLICATION FOR FUNDING FOR DON LUGO HS

=====

BACKGROUND

The purpose of the Agricultural Vocational Educational Incentive Grant is to improve the quality of Agricultural Vocational Programs by upgrading agricultural equipment. Equipment is defined as “any non-salary” item of expenditure.

The grant amount applied for is in addition to any funds received through the 2017/2018 Carl D. Perkins Vocational and Applied Technology Act. School districts participating in the incentive grant must certify that the funds will be used to supplement, not supplant, the District’s regular on-going expenditures for the Agricultural Career Technical Education Program.

Districts are required to provide matching funds. Matching funds can come from several sources including the Applied Technology Act, Baldy View ROP, and 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 approve the Agricultural Career Technical Education Incentive Grant 2017/2018 application for funding for Don Lugo HS.

FISCAL IMPACT

\$24,848.00 to General Fund.

WMJ:GP:JR:lar


California Department of Education
**AGRICULTURAL CAREER TECHNICAL EDUCATION INCENTIVE GRANT
 2017-18 APPLICATION FOR FUNDING**
 (Due Date: To be received in Regional Supervisor's Office by June 30, 2017)


DATES OF PROJECT DURATION - JULY 1, 2017, TO JUNE 30, 2018

Don Antonio Lugo High School
 (School Site)


Chino Valley Unified School District
 (District)

Certification: I hereby certify that all applicable state and federal rules and regulations will be observed; that to the best of my knowledge, the information contained in this application is correct and complete; and that the attached assurances are accepted as the basic conditions of the operations in this project/program for local participation and assistance.



 Signature of Authorized Agent


 Signature of Agriculture Teacher Responsible for the Program

Director Secondary Curriculum


 Signature of Principal

Contact Phone Number: 951-323-5120

Date of Approval of Local Agency Board

Funds Requested - Part I
 Part II
 Part III
 Part IV
 Total

Pending-

\$5,000.00
\$1,848.00
\$18,000.00
\$0.00

\$24,848.00

Number of Different Agriculture Teachers at Sites: 3

PART I - QUALITY CRITERIA 1-9 (REQUIRED) ALLOCATION

Quality Criteria	Will Meet Criteria	Variance Requested
1. Curriculum and Instruction	X	
2. Leadership and Citizenship Development	X	
3. Practical Application of Occupational Skills	X	
4. Qualified and Competent Personnel		X
5. Facilities, Equipment, and Materials	X	
6. Community, Business, and Industry Involvement	X	
7. Career Guidance	X	
8. Program Promotion	X	
9. Program Accountability and Planning	X	

Formal Variance Request must be included if requesting a variance. A variance is a proposed plan for bringing the program into compliance with required quality criteria. Variances should result in compliance prior to the following year's application. All variances must be approved with the application. Non-compliance with the terms of the approved variance will result in a loss of funds.

PART I - CONTINUED

Departmental Allocation: Meeting the criteria in PART I makes the program eligible for the following amounts based on the number of teachers in the program.

Total Number of Teachers	Amount Eligible	Amount Requested
One Teacher or Less	\$4,000	
Two Teachers	\$4,500	
Three Teachers or More	\$5,000	\$5,000.00

PART II - PROGRAM ENROLLMENT ALLOCATION

Total Number of Students	2016-17 R2 Number	Amount Requested
List Number from R2 Report (\$8/Member)	231	\$1,848.00

PART III - QUALITY CRITERIA 10-11 (OPTIONAL) ALLOCATION

Schools which qualify for a Departmental Allocation may apply for additional amounts for each specific Quality Criteria (10 and 11) met.

- * Amounts requested in Quality Criterion 10 will be the indicated amount for that criterion, multiplied by the full-time equivalent (FTE). To count a preparation period, the teacher must be teaching Career Technical Education courses in Agriculture for 50 percent or more of their teaching periods.
- * Amounts requested in Quality Criterion 11A will be the indicated amount for each teacher who was compensated a minimum of \$2,000 for year-round employment.
- * Amounts requested in Quality Criterion 11B will be the indicated amount for each teacher who is provided a project supervision period. Project periods will be counted if the teacher has a preparation period as part of the regular teaching day.

Number of FTE Agriculture Teachers at Site: 3

List the Names of the Agriculture Teachers:

- | | |
|---------------------|----------|
| 1. Ashley Cureton | 4. _____ |
| 2. Alyssa Berry | 5. _____ |
| 3. Mary Jane Ashley | 6. _____ |

	Number Meeting Criteria	Amount Requested
Criterion 10 - Student/Teacher Ratio	3	\$6,000.00
Criterion 11A - Year-Round Employment	3	\$6,000.00
Criterion 11B - Project Supervision Period	3	\$6,000.00
TOTAL FUNDS REQUESTED PART IV		\$18,000.00

PART IV - QUALITY CRITERION 12 (OPTIONAL) ALLOCATION

Quality Criterion 12 Form is attached and all criteria has been met. If the answer is yes, list \$7,500 (funds requesting) in space to the right.

PART V - FINANCIAL SCHEDULE

Part A

			A	B	C
--	--	--	---	---	---

Line	Acct. No.	Classification	Description of Item for Which Funds Will be Expended	Incentive Grant Funds	Matching Funds
1	4000	Books & Supplies		15,000.00	15,000.00
2			Subtotal for 4000	\$15,000.00	\$15,000.00
3	5000	Services and Other Operating Expenses such as: Services of Consultants, Staff Travel, and Conference; Rentals, Leases, and Repairs; Bus Transportation	1. Conference Registratio	1,500.00	1,500.00
4			2. Staff Travel	2,000.00	2,000.00
5			3. Transportation	2,000.00	2,000.00
6			4. Repairs	4,000.00	4,000.00
			5.		
7			6.		
8			Subtotal for 5000	\$9,500.00	\$9,500.00
9	6000	Capital Outlay: Includes Sites and Improvements of Sites; Buildings and Improvement of Buildings; Equipment	1.		
10			2.		
11			3.		
			4.		
12			5.		
13			Subtotal for 6000	\$0.00	\$0.00
14			Total for 4000-6000 Lines 2, 8, 13	\$24,500.00	\$24,500.00

TOTAL 2017-18 Incentive Grant Allocation:

\$24,848.00

Part B - Complete this portion if a waiver of the matching requirement is requested

Line	Acct No.	Classification	A Description of Item for Which Funds Were Expended	B Incentive Grant Funds	C Amount of Salary and Benefits
15	1000	Salaries	Teachers' Summer Service Salaries		
16	1000	Salaries	Teachers' Salaries for Project Supervision Period		
17	3000	Benefits	Benefits for the Above Items (1000)		
18			TOTAL		\$0.00

TOTAL Amount of Waiver Requested:

California Department of Education
**AGRICULTURAL CAREER TECHNICAL EDUCATION INCENTIVE GRANT
 VARIANCE REQUEST FORM**

Variance Request for Funding Year: 2017-2018

District: Chino Valley Unified School District

School Site: Don Antonio Lu o Hi h School

Principal - Print Name: Kimberl Cabre

Principal - Signature: *Kimberl Cabre*

Ag Teacher - Print Name: Ashley Cureton

Ag Teacher Signature: *Ashley Cureton*

1. Standard and criterion for which variance is requested *

Standard Number	<u>1</u>
Criterion Number	<u>4</u>

2. Reasons why the criterion is not being met at this time (use additional pages if nee

Mary Jane Ashley was hired under the condition that she will complete her CTE Designated Subject (Agriculture) Credential. She plans to complete the coursework during the 2017-2018 school year through San Diego State University. She currently holds a single subject agriculture credential.

3. Steps to be taken in order to meet this criterion (use additional pages if needed):

	<u>STEPS</u>	<u>TIMELINE</u>
A.	<u>CTE credential coursework</u>	<u>2017-2018 school year</u>
B.	_____	_____
C.	_____	_____
D.	_____	_____
E.	_____	_____

Regional Supervisor - Print Name _____

Regional Supervisor - Signature _____

* Each criterion for which a variance is requested must be completed on a separate form.

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 7, 2017
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Gregory J. Stachura, Asst. Supt., Facilities, Planning, and Operations
Anna G. Hamilton, Director, Purchasing
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

\$2,463,961.28 to all District funding sources.

WMJ:GJS:AGH:pw

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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Humility • Civility • Service

DATE: September 7, 2017
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Gregory J. Stachura, Asst. Supt., Facilities, Planning, and Operations
Anna G. Hamilton, Director, Purchasing
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:AGH:pw

BUSINESS SERVICES	FISCAL IMPACT
B-1718-005 School Services of California. To provide fiscal budget assistance. Submitted by: Business Services Duration of Agreement: July 1, 2017 – June 30, 2018	Contract amount: \$3,120.00 Funding source: General Fund
B-1718-006 Fiscal Crisis & Management Assistance Team (FCMAT). To provide ASB workshops. Submitted by: Business Services Duration of Agreement: July 1, 2017 – June 30, 2018	Contract amount: \$3,300.00 Funding source: General Fund

CURRICULUM, INSTRUCTION, INNOVATION, AND SUPPORT	FISCAL IMPACT
CIIS 1718-078 Baldy View Regional Occupational Program. To provide warehouse wreath production teacher(s) at Boys Republic HS. Submitted by: Boys Republic HS Duration of Agreement: July 1, 2017 – June 30, 2018	Contract amount: \$6,500.00 Funding source: Title I
CIIS 1718-079 Media Rushworks, LLC dba RUSHWORKS. To provide support, software maintenance, and upgrades for videotaping equipment for Board meetings. Submitted by: Technology Duration of Agreement: July 1, 2017 – June 30, 2018	Contract amount: Per rate sheet Funding source: General Fund
CIIS 1718-080 Hoonuit LLC (formerly Atomic Learning). To provide training resources for technology staff. Submitted by: Technology Duration of Agreement: July 1, 2017 – June 30, 2018	Contract amount: \$999.90 Funding source: General Fund
CIIS 1718-081 Advanced Toolware, LLC dba Tools4ever. To provide maintenance and support for User Management Resource Administrator (UMRA). Submitted by: Technology Duration of Agreement: July 1, 2017 – June 30, 2018	Contract amount: Per rate sheet Funding source: General Fund
CIIS 1718-082 Turnitin. To provide software to engage students in the writing process, provide personalized feedback, and assess student progress over time. Submitted by: Technology Duration of Agreement: July 1, 2017 – June 30, 2018	Contract amount: Per rate sheet Funding source: LCAP

HUMAN RESOURCES	FISCAL IMPACT
HR 1718-009 City of Chino Hills. To provide School Resource Offices (SROs) at Ayala HS and Chino Hills HS. Submitted by: Human Resources Duration of Agreement: August 14, 2017 – May 31, 2018	Contract amount: \$226,261.00 Funding source: General Fund

MASTER CONTRACTS	FISCAL IMPACT
MC-1718-011 OCMC, Inc. dba Orange County Mining Company. To provide banquet and catering facility. Submitted by: Chino Hills HS Duration of Agreement: July 1, 2017 – June 30, 2020	Contract amount: Per rate sheet Funding source: Various

MASTER CONTRACTS	FISCAL IMPACT
<p>MC-1718-012 KAR Endeavors, LLC dba School Spirit Vending. To provide spirit sticker and pencil vending machine. Submitted by: Glenmeade ES Duration of Agreement: July 1, 2017 – June 30, 2020</p>	<p>Contract amount: Per rate sheet Funding source: Various</p>
<p>MC-1718-013 All Star Events. To provide event planners. Submitted by: Ayala HS Duration of Agreement: July 1, 2017 – June 30, 2020</p>	<p>Contract amount: Per rate sheet Funding source: Various</p>
<p>MC-1718-014 Gateway Fresh LLC dba Baja Fresh. To provide event catering. Submitted by: Ayala HS Duration of Agreement: July 1, 2017 – June 30, 2020</p>	<p>Contract amount: Per rate sheet Funding source: Various</p>
<p>MC-1718-015 RJ LaRue Inc., dba Geezers Restaurant. To provide event catering. Submitted by: Ayala HS Duration of Agreement: July 1, 2017 – June 30, 2020</p>	<p>Contract amount: Per rate sheet Funding source: Various</p>
<p>MC-1718-016 Houston Kraft. To provide motivational speaking services. Submitted by: Ayala HS Duration of Agreement: July 1, 2017 – June 30, 2020</p>	<p>Contract amount: Per rate sheet Funding source: Various</p>
<p>MC-1718-017 Super Birthday, Inc. dba Kona Shave Ice. To provide food truck for fundraising. Submitted by: Ayala HS Duration of Agreement: July 1, 2017 – June 30, 2020</p>	<p>Contract amount: Per rate sheet Funding source: Various</p>
<p>MC-1718-018 West Hills Golf Assoc., Ltd dba Western Hills Country Club. To provide banquet and catering facility. Submitted by: Ayala HS Duration of Agreement: July 1, 2017 – June 30, 2020</p>	<p>Contract amount: Per rate sheet Funding source: Various</p>
<p>MC-1718-019 Titan Student Union/University Conference Center, CSUF. To provide arcade, catering, bowl and billiards. Submitted by: Ayala HS Duration of Agreement: July 1, 2017 – June 30, 2020</p>	<p>Contract amount: Per rate sheet Funding source: Various</p>
<p>MC-1718-020 Jurupa Mountains Discover Center. To provide on-site interactive science programs. Submitted by: Litel ES Duration of Agreement: July 1, 2017 – June 30, 2020</p>	<p>Contract amount: Per rate sheet Funding source: Various</p>
<p>MC-1718-021 Movie Licensing USA. To provide public performance movie licensing. Submitted by: Purchasing Department Duration of Agreement: July 1, 2017 – June 30, 2020</p>	<p>Contract amount: Per rate sheet Funding source: Various</p>
<p>MC-1718-022 Big Smiles California Program. To provide access to dental care for under served students at participating District schools. Submitted by: Purchasing Department Duration of Agreement: July 1, 2017 – June 30, 2020</p>	<p>Contract amount: Pro bono Funding source: None</p>

APPROVED CONTRACT TO BE AMENDED	AMENDMENT
<p>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 Original Agreement Board Approved: April 6, 2017</p>	<p>Increase contract amount: \$1,500.00 Funding Source: General Fund</p>

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 7, 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
September 7, 2017**

<u>DESCRIPTION</u>	<u>MAKE/MODEL</u>	<u>I.D./SERIAL</u>	<u>DEPT/SITE</u>
Copier/Printer	HP	42039	Communications
Document Camera	Aver Media	26382	Chaparral ES
Document Camera	Aver Media	26377	Chaparral ES
Projector	Epson	23372	Chaparral ES
D-Doc	Dell		Chaparral ES
Redcat Speaker	Lightspeed		Chaparral ES
Radio/Tape Player	Optimus	C05287	Dickey ES
Laptop	Dell	C0544	Dickey ES
Laptop	Dell	40179	Dickey ES
Laptop	Dell	40180	Dickey ES
Laptop	Dell	40175	Dickey ES
Laptop	Dell	40176	Dickey ES
Laptop	Dell	40178	Dickey ES
Laptop	Dell	34160-C0538	Dickey ES
Computer	Dell	26098	Dickey ES
Computer	Dell	26107	Dickey ES
Computer	Dell	26101	Dickey ES
Computer	Dell	31703	Dickey ES
Computer	Dell	30409	Dickey ES
Computer	Dell	26033	Dickey ES
Computer	Dell	26013	Dickey ES
Computer	Dell	26029	Dickey ES
Computer	Dell	31696	Dickey ES
Computer	Dell		Dickey ES
Computer	Dell	31705	Dickey ES
Computer	Dell	31706	Dickey ES
Computer	Dell	22844	Dickey ES
Computer	Dell	44894	Dickey ES
VCR	JVC	A27651	Dickey ES
Laserjet Printer	HP		Dickey ES
Laserjet Printer	HP		Dickey ES
Printer	Brother		Dickey ES
Radio/Tape Player	Optimus	C05280	Dickey ES
Projection Camera	Aver Media	38928	Dickey ES
Recorder	Olympus		Dickey ES
Camcorder	Sony	14955	Dickey ES
Overhead projector	Elmo		Dickey ES
Overhead projector	3M		Dickey ES

<u>DESCRIPTION</u>	<u>MAKE/MODEL</u>	<u>I.D./SERIAL</u>	<u>DEPT/SITE</u>
TV	Quasar	33146	Dickey ES
Boombox	Coby		Dickey ES
Monitors (9)	Dell		Dickey ES
Keyboards (9)	Dell		Dickey ES
Floor Cleaner	Ace20C		Dickey ES
Computer Tower	Dell	26177	Dickey ES
Boombox	Coby		Dickey ES
Chalkboard			Eagle Canyon ES
2-Tiered Tables (2)			Eagle Canyon ES
Cassette Recorder	Califone	A29258	Hidden Trails ES
Tower	HP	R4001d0202503	Rolling Ridge ES
Tower	Custom Built Solution	21577/28956	Rolling Ridge ES
Keyboard	Emachines	9040041506B	Rolling Ridge ES
Computer	Dell	80045894757814	Canyon Hills JHS

CHINO VALLEY UNIFIED SCHOOL DISTRICT

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Humility • Civility • Service

DATE: September 7, 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 7214 FACILITIES–GENERAL OBLIGATION BONDS

=====

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 7214 Facilities–General Obligation Bonds is being updated to reflect new laws.

Policy updated to reflect new law (SB 1029, 2016) which requires the Board to adopt a debt management policy prior to issuing any debt, including a general obligation bond, and to certify to the California Debt and Investment Advisory Commission that any proposed issuance of debt is consistent with the District’s policy. Policy also reflects new law (AB 2116, 2016) which requires the Board to obtain reasonable and informed projections of assessed valuations that take into consideration projections of assessed property valuations made by the county assessor, and new law (AB 2738, 2016) which prohibits districts from withdrawing proceeds from bond sales at any time for the purpose of making investments outside the county treasury. Policy also adds caution that some uses of bond proceeds that are specified in the Education Code for bond elections with a 66.67 percent threshold may be inconsistent with the California Constitution and encourages consultation with legal counsel. This agenda item was presented to the Board of Education on August 17, 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 7214 Facilities–General Obligation Bonds.

FISCAL IMPACT

None.

GENERAL OBLIGATION BONDS

The Board of Education recognizes that school facilities are an essential component of the educational program and that the Board has a responsibility to ensure that the District's facilities needs are met in the most cost-effective manner possible. When the Board determines that it is in the best interest of District students, it may order an election on the question of whether bonds shall be issued to pay for school facilities.

(cf. 1160 - Political Processes)
(cf. 7110 - Facilities Master Plan)
(cf. 7210 - Facilities Financing)

~~The Board shall determine the appropriate amount of the bond in accordance with law.~~
THE BOARD'S DECISION TO ORDER A BOND ELECTION, AS WELL AS ITS DETERMINATIONS REGARDING THE APPROPRIATE AMOUNT, TIMING, AND STRUCTURE OF THE BOND ISSUANCE, SHALL BE CONSISTENT WITH LAW AND THE DISTRICT'S DEBT MANAGEMENT POLICY.

(cf. 3470 - Debt Issuance and Management)

BEFORE ORDERING A BOND ELECTION, THE BOARD SHALL OBTAIN REASONABLE AND INFORMED PROJECTIONS OF ASSESSED VALUATIONS THAT TAKE INTO CONSIDERATION PROJECTIONS OF ASSESSED PROPERTY VALUATIONS MADE BY THE COUNTY ASSESSOR. (Education Code 15100)

When any project to be funded by bonds will require state matching funds for any phase of the project, the ballot for the bond measure shall include a statement as specified in Education Code 15122.5, advising voters that, because the project is subject to approval of state matching funds, passage of the bond measure is not a guarantee that the project will be completed. (Education Code 15122.5)

Bonds Requiring 55 Percent Approval by Local Voters

The Board may decide to pursue the authorization and issuance of bonds by approval of 55 percent majority of the voters pursuant to Article 13A, Section 1(b)(3) and Article 16, Section 18(b) of the California Constitution. If two-thirds of the Board agrees to such an election, the Board shall vote to adopt a resolution to incur bonded indebtedness if approved by a 55 percent majority of the voters. (Education Code 15266)

(cf. 9323.2 - Actions by the Board)

The bond election may only be ordered at a primary or general election, a statewide special election, or a regularly scheduled local election at which all of the electors of the ~~school~~ District are entitled to vote. (Education Code 15266)

GENERAL OBLIGATION BONDS (cont.)

Bonded indebtedness incurred by the District shall be used only for the following purposes: (California Constitution Article 13A, Section 1(b)(3) and 1(b)(3)(A))

1. The construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities.
2. The acquisition or lease of real property for school facilities.
3. The refunding of any outstanding debt issuance used for the purposes specified in items 1 and 2 above.

The proposition approved by the voters shall include the following accountability requirements: (California Constitution Article 13A, Section 1(b)(3))

1. ~~A requirement~~ CERTIFICATION that proceeds from the sale of the bonds be used only for the purposes specified in items 1 and 2 above, and not for any other purposes including teacher and administrative salaries and other school operating expenses.
2. A list of specific school facility~~IES~~ projects to be funded and certification that the Board has evaluated safety, class size reduction, and information technology needs in developing that list.

(cf. 0440 - District Technology Plan)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 6151 - Class Size)

3. A requirement that the Board conduct an annual, independent performance audit to ensure that the funds have been expended only on the specific projects listed.
4. A requirement that the Board conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the school facilities projects.

If a District general obligation bond requiring a 55 percent majority is approved by the voters, the Board shall appoint an independent citizens' oversight committee to inform the public concerning the expenditure of bond revenues as specified in Education Code 15278 and the accompanying administrative regulation. This committee shall be appointed within 60 days of the date that the Board enters the election results in its minutes pursuant to Education Code 15274. (Education Code 15278)

GENERAL OBLIGATION BONDS (cont.)

(cf. 1220 - Citizen Advisory Committees)

(cf. 9324 - Minutes and Recordings)

The Superintendent or designee shall ensure that the annual, independent performance and financial audits required pursuant to items 3 and 4 above are issued in accordance with the U.S. Comptroller General's Government Auditing Standards and submitted to the citizens' oversight committee at the same time they are submitted to him/her and no later than March 31 of each year. (Education Code 15286)

The Board shall provide the citizens' oversight committee with responses to all findings, recommendations, and concerns addressed in the performance and financial audits within three months of receiving the audits. (Education Code 15280)

The Board may disband the citizens' oversight committee when the committee has completed its review of the final performance and financial audits.

Bonds Requiring 66.67 Percent Approval by Local Voters

The Board may decide to pursue the authorization and issuance of bonds by approval of 66.67 percent majority of the voters pursuant to Education Code 15100 and Article 13A, Section 1(b)(2) of the California Constitution. If a majority of the Board agrees to such an election, or upon a petition of the majority of the qualified electors residing in the District, the Board shall adopt a resolution ordering an election on the question of whether to incur bonded indebtedness if approved by a 66.67 percent majority of the voters. (Education Code 15100)

The bond election may be ordered to occur on any Tuesday, except a Tuesday that is a state holiday or the day before or after a state holiday, is within 45 days before or after a statewide election unless conducted at the same time as the statewide election, or is an established election date pursuant to Elections Code 1000 or 1500. (Education Code 15101)

SUBJECT TO LIMITS SPECIFIED IN ARTICLE 13A, SECTION 1 OF THE CALIFORNIA CONSTITUTION, Bbonds shall be sold to raise money for ANY OF the following purposes: (Education Code 15100)

1. Purchasing school lots.
2. Building or purchasing school buildings.
3. Making alterations or additions to school building(s) other than as may be necessary for current maintenance, operation, or repairs.

GENERAL OBLIGATION BONDS (cont.)

4. Repairing, restoring, or rebuilding any school building damaged, injured, or destroyed by fire or other public calamity.
5. Supplying school buildings and grounds with furniture, equipment, or necessary apparatus of a permanent nature.
6. Permanently improving school grounds.
7. Refunding any outstanding valid indebtedness of the District, evidenced by bonds or state school building aid loans.
8. Carrying out sewer or drain projects or purposes authorized in Education Code 17577.
9. Purchasing school buses with a useful life of at least 20 years.
10. Demolishing or razing any school building with the intent to replace it with another school building, whether in the same location or in any other location.

Except for refunding any outstanding indebtedness, any of the purposes listed above may be united and voted upon as a single proposition by AN order of the Board and entered into the minutes. (Education Code 15100)

The Board may appoint a citizens' oversight committee to review and report to the Board and the public as to whether the expenditure of bond revenues complies with the intended purposes of the bond.

Certificate of Results

If the certificate of election results received by the Board shows that the appropriate majority of the voters are in favor of issuing the bonds, the Board shall record that fact in its minutes. The Board shall then certify to the County Board of Supervisors all proceedings it had in connection with the election results. (Education Code 15124, 15274)

Resolutions Regarding Sale of Bonds

Following passage of the bond measure by the appropriate majority of voters, the Board shall pass a resolution directing the issuance and sale of bonds. In accordance with law, the resolution shall prescribe the total amount of bonds to be sold and may also prescribe the maximum acceptable interest rate, not to exceed eight percent, and the time(s) when the whole or any part of the principal of the bonds shall be payable. (Education Code 15140; Government Code 53508.6)

GENERAL OBLIGATION BONDS (cont.)

In passing the resolution, the Board shall consider each available funding instrument, including, but not limited to, the costs associated with each and their relative suitability for the project to be financed.

Prior to the sale of bonds, the Board shall ~~disclose~~ PLACE as an agenda item at a public meeting ~~either in~~ AND ADOPT AS PART OF the bond issuance resolution or IN a separate resolution, DISCLOSURES OF THE available funding instruments, the costs and ~~suitability~~ SUSTAINABILITY of each, and all of the following information: (Education Code 15146; Government Code 53508.9)

1. Express approval of the method of sale (i.e., competitive, negotiated, or hybrid).
2. Statement of the reasons for the method of sale selected.
3. Disclosure of the identity of the bond counsel, and the identities of the bond underwriter and the financial adviser if either or both are utilized for the sale, unless these individuals have not been selected at the time the resolution is adopted, in which case the Board shall disclose their identities at the public meeting occurring after they have been selected.
4. Estimates of the costs associated with the bond issuance, including, but not limited to, bond counsel and financial advisor fees, printing costs, rating agency fees, underwriting fees, and other miscellaneous costs and expenses of issuing the bonds.

When the sale involves bonds that allow for the compounding of interest, such as a Capital Appreciation Bond (CAB), THE RESOLUTION TO BE ADOPTED BY THE BOARD SHALL INCLUDE items 1 through 4 above AS WELL AS ~~and~~ the financing term and time of maturity, repayment ratio, and the estimated change in the assessed value of taxable property within the District over the term of the bonds. ~~shall be included in the resolution to be adopted by the Board.~~ The resolution shall be publicly noticed on at least two consecutive meeting agendas, first as an information item and second as an action item. The agendas shall identify that bonds that allow for the compounding of interest are proposed. (Education Code 15146)

Prior to adopting a resolution for the sale of bonds that allow for the compounding of interest, the Board shall be presented with the following: (Education Code 15146)

1. An analysis containing the total overall cost of the bonds that allow for the compounding of interest.
2. A comparison to the overall cost of current interest bonds.

GENERAL OBLIGATION BONDS (cont.)

3. The reason bonds that allow for the compounding of interest are being recommended.
4. A copy of the disclosure made by the underwriter in compliance with Rule G-17 adopted by the Federal Municipal Securities Rulemaking Board.

AT LEAST 30 DAYS PRIOR TO THE SALE OF ANY DEBT ISSUE, THE SUPERINTENDENT OR DESIGNEE SHALL SUBMIT A REPORT OF THE PROPOSED ISSUANCE TO THE CALIFORNIA DEBT AND INVESTMENT ADVISORY COMMISSION (CDIAC). (Government Code 8855)

After the sale, the Board shall be presented with the actual issuance cost information and shall disclose that information at the Board's next scheduled meeting. The Board shall ensure that an itemized summary of the costs of the bond sale and all necessary information and reports regarding the sale are submitted to the ~~California Debt and Investment Advisory Commission~~ CDIAC. (Education Code 15146; Government Code 53509.5)

Bond Anticipation Notes

Whenever the Board determines that it is in the best interest of the District, it may, by resolution, issue a bond anticipation note, on a negotiated or competitive-bid basis, to raise funds that shall be used only for a purpose authorized by a bond that has been approved by the voters of the District in accordance with law. (Education Code 15150)

Payment of principal and interest on any bond anticipation note shall be made at note maturity, not to exceed five years, from the proceeds derived from the sale of the bond in anticipation of which that note was originally issued or from any other source lawfully available for that purpose, including state grants. Interest payments may also be made from such sources. However, interest payments may be made periodically and prior to note maturity from an increased property tax if the following conditions are met: (Education Code 15150)

1. A resolution of the board authorizes the property tax for that purpose.
2. The principal amount of the bond anticipation note does not exceed the remaining principal amount of the authorized but unissued bonds.

A bond anticipation note may be issued only if the tax rate levied to pay interest on the note would not cause the District to exceed the tax rate limitation set forth in Education Code 15268 or 15270, as applicable.

GENERAL OBLIGATION BONDS (cont.)

DEPOSIT OF BOND PROCEEDS

WITH REGARD TO GENERAL OBLIGATION BONDS, THE DISTRICT SHALL INVEST NEW MONEY BOND PROCEEDS IN THE COUNTY TREASURY POOL AS REQUIRED BY LAW. (Education Code 15146)

Legal Reference:

EDUCATION CODE

7054 Use of district property, campaign purposes

15100-15254 Bonds for school districts and community college districts

15264-15288 Strict Accountability in Local School Construction Bonds Act of 2000

17577 Sewers and drains

47614 Charter school facilities

ELECTIONS CODE

324 General election

328 Local election

341 Primary election

348 Regular election

356 Special election

357 Statewide election

1302 Local election

15372 Elections official certificate

1090-1099 Prohibitions applicable to specified officers

1125-1129 Incompatible activities

8855 California Debt and Investment Advisory Commission

53506-53509.5 General obligation bonds

53580-53595.5 Bonds

54952 Definition of legislative body, Brown Act

CALIFORNIA CONSTITUTION

Article 13A, Section 1 Tax limitation

Article 16, Section 18 Debt limit

CODE OF FEDERAL REGULATIONS, TITLE 17

240.10b-5 Prohibition against fraud or deceit

240.15c-12 Municipal securities disclosure

COURT DECISIONS

San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School District (2006) 139 Cal.App.4th 1356

ATTORNEY GENERAL OPINIONS

99 Ops.Cal.Atty.Gen. 18 (2016)

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

87 Ops.Cal.Atty.Gen. 157 (2004)

Management Resources:

CSBA PUBLICATIONS

California's Challenge: Adequately Funding Education in the 21st Century, December 2015

Bond Sales - Questions and Considerations for Districts, Governance Brief, December 2012

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

GENERAL OBLIGATION BONDS (cont.)

GOVERNMENT FINANCE OFFICERS ASSOCIATION PUBLICATIONS

An Elected Official's Guide to Debt Issuance, 2nd Ed., 2016

Understanding Your Continuing Disclosure Responsibilities, Best Practice, September 2015

Investment of Bond Proceeds, Best Practice, September 2014

Selecting and Managing Municipal Advisors, Best Practice, February 2014

Debt Management Policy, Best Practice, October 2012

Analyzing and Issuing Refunding Bonds, Best Practice, February 2011

WEBSITES

California School Boards Association: www.csba.org

California Debt and Investment Advisory Commission: www.treasurer.ca.gov/cdiac

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

California Office of Public School Construction: www.opsc.dgs.ca.gov

Government Finance Officers Association: www.gfoa.org

Municipal Security Rulemaking Board, Electronic Municipal Market Access (EMMA): www.emma.msrb.org

Chino Valley Unified School District

Policy Adopted: October 2, 2008

Revised: November 15, 2012

Revised: March 7, 2013

Revised: March 20, 2014

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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Humility • Civility • Service

DATE: September 7, 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.

Language formerly included in Board Policy 3311.1 Business and Noninstructional Operations – Pre-Qualification of Bidders, and 3311.2 Business and Noninstructional Operations – Change Order Procedure is now included in Board Policy 3311 Business and Noninstructional Operations – Bids. This agenda item was presented to the Board of Education on August 17, 2017, for information.

New language is provided in UPPER CASE while old policy language 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 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 legal requirements for competitive bidding. (Public Contract Code 20116)

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, 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 to the extent authorized by law. (Public Contract Code 20118)

PRE-QUALIFICATION OF BIDDERS

FOR ALL PUBLIC WORKS PROJECTS WITH AN ESTIMATED COST OF \$1,000,000 OR MORE, PROSPECTIVE BIDDERS IN THE CHINO VALLEY UNIFIED SCHOOL DISTRICT SHALL COMPLETE A PRE-QUALIFICATION OF BIDDERS PROCEDURE AS AUTHORIZED BY THE PUBLIC CONTRACTS CODE SECTIONS 20111.5, 1101. NOT MEETING THE DISTRICT'S REQUIREMENTS WILL RESULT IN FAILURE TO PRE-QUALIFY.

CHANGE ORDER PROCEDURE

THE BOARD OF EDUCATION RECOGNIZES THAT DURING CONSTRUCTION THERE MAY BE UNANTICIPATED OR UNFORESEEN CONDITIONS WHICH COULD NOT REASONABLY BE EXPECTED TO BE IDENTIFIED DURING THE DESIGN AND BIDDING PROCESSES, AND THAT THESE CONDITIONS MAY REQUIRE CHANGES TO A PROJECT'S ORIGINAL PLANS AND SPECIFICATIONS.

THE BOARD OF EDUCATION ALSO RECOGNIZES THAT OPPORTUNITIES TO INCREASE THE VALUE OF A CONSTRUCTION PROJECT MAY ARISE DURING THE CONSTRUCTION PHASE. SUCH OPPORTUNITIES MAY REQUIRE CHANGES TO A PROJECT'S ORIGINAL PLANS AND SPECIFICATIONS.

SUCH MODIFICATIONS OF EXISTING AGREEMENTS ARE KNOWN AS "CHANGE ORDERS." THE SUPERINTENDENT WILL DEVELOP ADMINISTRATIVE REGULATIONS TO ESTABLISH CHANGE ORDER 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
- 39643 Purchases through Department of General Services
- 39802 Bids and Contracts for Services
- 39873 Purchases of Perishable Foodstuffs and Seasonable Commodities

BIDS (cont.)

40000 Purchases of Supplies through County Superintendent

40001 Purchases by District Governing Board

40002 Purchases of Other than Standard Supplies

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

12161 Definitions

12168 Preferences for Purchase of Recycled Paper Products

12169 Bidders to Specify Percentage of Recycled Paper Product

12200 Definitions, recycled goods, materials and supplies

12210 Purchases of Recycled Products Preferred

12213 Specifications by Bidder of Recycled Content

20101-20103.7 Public construction projects, requirements for bidding

20103.8 Award of contracts

20107 Bidder's Security

20110-20118.4 Local Agency Public Constructions Act; school districts

20129 Bidder's Security; Performance Bond

20189 Bidder's security, earthquake relief

22000-22045 Alternative procedures for public projects (UPCCAA)

22152 Recycled product procurement

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

BIDS (cont.)

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: April 6, 2017

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 7, 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 3311.1 BUSINESS AND NONINSTRUCTIONAL OPERATIONS – PRE-QUALIFICATION OF BIDDERS

=====

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.

Revision of Board Policy 3311.1 Business and Noninstructional Operations – Pre-Qualification of Bidders now includes material formerly in Board Policy 3311 – Bids pertaining to requirements of the Uniform Public Construction Cost Accounting Act (UPCCAA). Policy also adds prohibition against splitting a project or purchase into smaller work orders in order to evade requirements for competitive bidding, and legal authority to suspend the UPCCAA bidding process for the replacement or repair of a school facility in cases of emergency. This agenda item was presented to the Board of Education on August 17, 2017, for information.

New language is provided in UPPER CASE while old policy language 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 3311.1 Business and Noninstructional Operations – Pre-Qualification of Bidders.

FISCAL IMPACT

None.

WMJ:GJS:pw

UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES PRE-QUALIFICATION OF BIDDERS

IN AWARDING CONTRACTS FOR PUBLIC WORKS PROJECTS INVOLVING DISTRICT FACILITIES, THE BOARD OF EDUCATION DESIRES TO OBTAIN THE BEST VALUE TO THE DISTRICT AND ENSURE THE QUALIFICATIONS OF CONTRACTORS TO COMPLETE THE PROJECT IN A SATISFACTORY MANNER. 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 INFORMAL BIDDING PROCEDURES WHEN ALLOWED BY LAW.

(cf. 3311 - Bids)

(cf. 7110 - Facilities Master Plan)

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.

NO WORK, PROJECT, SERVICE, OR PURCHASE SHALL BE SPLIT OR SEPARATED INTO SMALLER WORK ORDERS OR PROJECTS FOR THE PURPOSE OF EVADING LEGAL REQUIREMENTS FOR COMPETITIVE BIDDING. (Public Contract Code 22033)

PROJECTS AWARDED THROUGH THE UPCCAA SHALL BE SUBJECT TO THE COST ACCOUNTING PROCEDURES ESTABLISHED BY THE CALIFORNIA UNIFORM CONSTRUCTION COST ACCOUNTING COMMISSION. (Public Contract Code 22030)

WHEN FORMAL BIDS ARE REQUIRED BY LAW BUT AN EMERGENCY NECESSITATES IMMEDIATE REPAIR OR REPLACEMENTS, THE BOARD MAY, UPON A FOUR-FIFTHS VOTE OF THE BOARD, PROCEED TO REPLACE OR REPAIR A FACILITY WITHOUT ADOPTING PLANS, SPECIFICATION, STRAIN SHEETS, OR WORKING DETAILS OR GIVING NOTICE FOR BIDS TO LET CONTRACTS. THE WORK MAY BE DONE BY DAY LABOR UNDER THE DIRECTION OF THE BOARD AND/OR CONTRACTOR. THE EMERGENCY ACTION SHALL SUBSEQUENTLY BE REVIEWED BY THE BOARD IN ACCORDANCE WITH PUBLIC CONTRACT CODE 22050 AND SHALL BE TERMINATED AT THE EARLIEST POSSIBLE DATE THAT CONDITIONS WARRANT, SO THAT THE REMAINDER OF THE EMERGENCY ACTION MAY BE COMPLETED BY GIVING NOTICE FOR BIDS TO LET CONTRACTS. (Public Contract Code 1102, 22035, 22050)

(cf. 9323.2 - Actions by the Board)

UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES PRE-QUALIFICATION OF BIDDERS (cont.)

~~For all public works projects with an estimated cost of \$1,000,000 or more, prospective bidders in the Chino Valley Unified School District shall complete a pre-qualification of bidders procedure as authorized by the Public Contracts Code Sections 20111.5, 1101. Not meeting the District's requirements will result in failure to pre-qualify.~~

Legal Reference:

PUBLIC CONTRACT CODE

1102 Definition of emergency

20110-20118.4 Local Agency Public Construction Act; school districts

22000-22020 California Uniform Construction Cost Accounting Commission

22030-22045 Alternative procedures for public projects (UPCCAA), especially:

22032 Applicability of procedures based on amount of project

22034 Informal bidding procedure

22035 Emergency need for repairs or replacement

22037-22038 Formal bidding procedures for projects exceeding \$175,000

22050 Alternative emergency procedures

Management Resources:

CALIFORNIA UNIFORM CONSTRUCTION COST ACCOUNTING COMMISSION PUBLICATIONS

Cost Accounting Policies and Procedures Manual

Frequently Asked Questions

WEBSITES

California School Boards Association: www.csba.org

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

California Uniform Construction Cost Accounting Commission: www.sco.ca.gov/ard_cuccac.html

Chino Valley Unified School District

Policy adopted: November 16, 1995

Revised: October 6, 2005

Revised: November 16, 2006

Revised: September 18, 2008

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 7, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Gregory J. Stachura, Asst. Supt., Facilities, Planning, and Operations
Anna G. Hamilton, Director, Purchasing

**SUBJECT: RESOLUTIONS 2017/2018-16 AND 2017/2018-17 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(g) 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 the contracts as itemized:

Resolution	Contract	Contractors	Description	Term
2017/2018-16	California Participating Addendum 7-15-70-34-001	Hewlett Packard Company	Purchase of Computer Equipment under the Master Agreement Bands: Band 1-Desktop Band 2-Laptop Band 3-Tablet	4/1/2015-3/31/2020
2017/2018-17	State of California Multiple Awards Schedule (CMAS) 3-09-70-2428M	Optiv Security Inc.	Information Technology Goods and Services	12/7/2012-3/31/2018

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

RECOMMENDATION

It is recommended the Board of Education adopt Resolutions 2017/2018-16 and 2017/2018-17 for authorization to utilize piggyback contracts.

FISCAL IMPACT

Unknown.

WMJ:GJS:AGH:pw

**Chino Valley Unified School District
Resolution 2017/2018-16
Authorization to Utilize the California Participating Addendum 7-15-70-34-001
With Hewlett Packard Company
to Purchase Computer Equipment under the Master Agreement Bands:
Band 1 - Desktop, Band 2 - Laptop, and Band 3 - Tablet
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 computer equipment under the master agreement bands: band 1 - desktop, band 2 - laptop, and band 3 - tablet for the District;

WHEREAS, California Participating Addendum currently has a piggyback contract, 7-15-70-34-001, in accordance with Public Contract Code 20118 with Hewlett Packard Company 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 computer equipment under the master agreement bands: band 1 - desktop, band 2 - laptop, and band 3 - tablet for the District; through the piggyback contract procured by the California Participating Addendum 7-15-70-34-001.

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 computer equipment under the master agreement bands: band 1 - desktop, band 2 - laptop, and band 3 - tablet for the District; through the piggyback contract originally procured by the California Participating Addendum 7-15-70-34-001 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 computer equipment under the master agreement bands: band 1 - desktop, band 2 - laptop, and band 3 - tablet for the District; in accordance with Public Contract Code 20118 through the piggyback contract originally procured by the California Participating Addendum 7-15-70-34-001.

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 April 1, 2015, for the term ending March 31, 2020.

APPROVED, PASSED, AND ADOPTED by the Board of Education of the Chino Valley Unified School District this 7th day of September 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 2017/2018-17
Authorization to Utilize the State of California Multiple Awards Schedule (CMAS)
Agreement 3-09-70-2428M With Optiv Security Inc.
to Purchase Information Technology Goods and Services
Through the CMAS**

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 information technology goods and services for the District;

WHEREAS, CMAS currently has a piggyback contract, Agreement 3-09-70-2428M, in accordance with Public Contract Code 20118 with Optiv Security Inc. 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 information technology goods and services through the piggyback contract procured by the CMAS Agreement 3-09-70-2428M.

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 information technology goods and services through the piggyback contract originally procured by the CMAS Agreement 3-09-70-2428M 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 information technology goods and services in accordance with Public Contract Code 20118 through the piggyback contract originally procured by the CMAS Agreement 3-09-70-2428M.

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 December 7, 2012, for the term ending March 31, 2018.

APPROVED, PASSED, AND ADOPTED by the Board of Education of the Chino Valley Unified School District this 7th day of September 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: September 7, 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
CC2017-02	Concrete Ramp Installation at Chino Hills HS	WCCR Construction	\$15,650.00	N/A	\$15,650.00	01
CC2017-26	Portable Water Mainline Repair at Chino HS	Frasca Plumbing Co.	\$112,685.49	N/A	\$112,685.49	01
CC2017-30	Expansion of Facilities and Planning Offices	Angelo Construction	\$174,038.00	N/A	\$174,038.00	25
CC2017-34	Installation of Projection System at Woodcrest JHS	Apple Valley Communications Inc.	\$76,890.00	N/A	\$76,890.00	25
CC2017-36	HVAC Installation at District Offices	Carver Air Conditioning & Heating	\$37,895.00	N/A	\$37,895.00	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 these projects.

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

RECOMMENDATION

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

FISCAL IMPACT

\$15,650.00 to General Fund 01.

\$112,685.49 to RMD Fund 01.

\$288,823.00 to RDA Fund 25.

WMJ:GJS:pw

CHINO VALLEY UNIFIED SCHOOL DISTRICT
Our Motto:
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Humility • Civility • Service

DATE: September 7, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

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

SUBJECT: AGREEMENT WITH TRANE ENERGY SOLUTIONS TO PROCEED WITH PHASE 3 IMPLEMENTATION OF ENERGY PROJECT ENERGY EFFICIENCY MEASURE 1, 2, AND 3 AT VARIOUS SITES UNDER GOVERNMENT CODE 4217

=====

BACKGROUND

At its February 4, 2016 meeting, the Board approved Trane Energy Solutions as its partner for Proposition 39 Consultation, Engineering and Project Management of Design – Build Energy Efficiency Projects at various sites. At its February 18, 2016 meeting, the Board approved Trane Energy Solutions to proceed with phase 2 and the detailed engineering study necessary to verify the feasibility of energy project EEM 1, 2, and 3 at various sites.

Per the attached agreement, phase 3 of Trane’s work will be to obtain approvals for funding from the California Energy Commission (CEC), review final equipment selection and construction documents with District staff and complete implementation/execution of the EEM 1, 2, and 3 project per final approved submittals under Government Code 4217:

- EEM 1: HVAC rooftop unit replacement at Don Lugo HS and Cattle ES
- EEM 2: Lighting retrofits at all sites
- EEM 3: Transformer replacement at Briggs K-8, Chino Hills HS, and Don Lugo HS

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

RECOMMENDATION

It is recommended the Board of Education approve the Agreement with Trane Energy Solutions to proceed with phase 3 implementation of energy project Energy Efficiency Measure 1, 2, and 3 at various sites under Government Code 4217, contingent on Department of State Architect and California Energy Commission approval.

FISCAL IMPACT

\$2,492,870.00 to Proposition 39 (CEC) Funds and SCE On-Bill Financing.

WMJ:GJS:MS:pw



Proposition 39 Implementation, Phase III:



Trane U.S. Inc. dba Trane
3253 E Imperial Highway
Brea, CA - 92821
Phone: (626) 913-7123
Fax: (626) 913-7923

August 3rd, 2017

Greg Stachura
Director
Business Services
Chino Valley Unified School District
5130 Riverside Ave
Chino, CA - 91710

Site Addresses:
Various Sites

Attention: Greg Stachura

Project Name: Proposition 39 Implementation, Phase III

Trane is pleased to provide you with the following Design-Build proposal for the implementation of **Energy Expenditure Plan Phase III** project, which is pending submission to the California Energy Commission (CEC) for funding approval.

Under this proposal Trane will complete the following:

- A. Obtain approvals for funding from California Energy Commission (CEC):**
 - a. Submit Energy Expenditure Plan to CEC
 - b. Guide Energy Expenditure Plan to approval from CEC
- B. Review final equipment selection and construction documents with District personnel**
 - a. Review and get approval on proposed interior and exterior lighting specifications
- C. Execute the project per final approved submittals**
 - a. Coordinate with District personnel to validate installation timeline
 - b. Schedule and implement project

To minimize risk to the District, Trane will not procure any equipment or commence installation before receiving CEC approval as well as written approval on technical specifications from Chino Valley Unified School District.

Provided below, is a detailed scope for the project. Attached are also appendices that detail the equipment that is proposed to be used on the project. The final scope of the project may change due to those necessitated through code requirements, energy efficiency requirements and/or budgeting concerns. Trane will thoroughly review any changed scope with the District and gain the District's approval prior to proceeding as per Part C above.

Scope of Work – Energy Engineering (CEC Approval Process)

- Trane will facilitate or implement the 8 steps necessary to receive energy project award funding as per the Prop 39 Final guidelines. The steps and Trane’s commitment in completing each step is as follows:
 - **Electric and Gas Usage/Billing Data – Sign Utility data release form for 12 months of past and future data**
 - Trane will prepare the required data release form and submit to CEC if a hard copy is required.
 - **Benchmarking or Energy Rating System – To determine energy use intensity (EUI) of buildings**
 - Trane will benchmark each site at which a project is being proposed and will potentially receive Prop 39 funding.
 - Trane will create a benchmarking report, rank schools and identify the lowest energy performers based upon EUI if necessary.
 - **Energy Project Prioritization Considerations**
 - Trane will have considered the eleven factors provided by the CEC as listed under Public Resources Code 26235(e) (1-11) and printed on pages 14 and 15 of the Prop 39 Final guidelines document.
 - It is to be noted that the CEC asks for the consideration of the above-mentioned factors in the Energy Expenditure Plan, it will not reject an application for non-compliance of these guidelines.
 - **Sequencing of Facility Improvements**
 - Trane will have considered the guidance provided by the CEC in Exhibit B of the Prop 39 Final guidelines on the sequencing of facility improvements and typical cost-effective K-12 energy projects.
 - It is to be noted that while the CEC asks for the consideration of the above-mentioned factors in the Energy Expenditure Plan, it will not reject an application on non-compliance of these guidelines.
 - **Energy Project Identification**
 - Trane will utilize at the very least, Option 1(Energy Survey) and Option 3 (Data Analytics) to identify the energy savings opportunity.
 - **Cost-Effectiveness Determination**
 - Trane will create financial pro-formas for each individual project as well as a comprehensive one, if applicable.
 - Trane will adhere to the requirements posed under Exhibit E of the Prop 39 Final guidelines document, specifically, the Savings to Investment Ratio (SIR) required of each project or measure to qualify for Prop 39 funding. Trane reserves the right to maximize operational and non-energy cost benefits to the allowable limits proposed under the Prop 39 Final guidelines.
 - **Complete and Submit an Energy Expenditure Plan**
 - Trane will prepare an energy plan for the fiscal years 2016-2018 for submission to CEC as per the requirements of the Prop 39 Guidelines. The plan content will compose of the following:
 - Description of use of energy planning funds
 - Benchmarking
 - Energy project upgrades – Pre-installation verification form
 - Estimated energy savings
 - Estimated project cost
 - Individual project backup documentation (Energy audit or survey)
 - Job creation benefits (per CEC calculator)
 - Consent for LEA’s utility provider to release data
 - Certifications of compliance with various requirements

- Trane understands that the Energy Expenditure Plan Review process is based on completeness, project eligibility criteria (energy savings) and technical and financial reasonableness. As such Trane, will work with Chino Valley Unified School District to maximize the chances of receiving approval.
- **Project Tracking and Reporting**
 - Trane will create and/or submit quarterly reports to the CDE on behalf of Chino Valley Unified School District
 - Trane will create a final report upon completion of the project for submission to CDE on behalf of Chino Valley Unified School District
- Trane agrees to adhere to the SIR value of 1.01 as stipulated by Exhibit E of the guidelines while developing the projects after all available rebates.
- Trane will provide the district with an approved Energy Expenditure Plan as part of this process.

General Scope of Work – Districtwide Lighting Retrofit

Trane recommends upgrading the existing interior fluorescent 32W lamps to T8-LED systems that include LED linear tubes, LED drivers, and occupancy sensor controls. This upgrade will dramatically improve the energy efficiency of the systems and provide increased comfort levels throughout the campus. Existing compact fluorescent lamps will be replaced with LED Plug-in lamps. The proposed measure solutions included in this proposal meet the requirements of the current version of the State of California Title 24 option 3.

In addition, Trane recommends the replacement or retrofit of exterior fixtures with LED product. A comprehensive list of sites and proposed measures are included in Appendix A.

The proposed measures for implementation include, but are not limited to:

- T8-LED lamps replacing existing linear fluorescent T8 lamps
- LED screw-in lamps replacing existing incandescent, halogen, and compact fluorescent lamps
- LED plug-in lamps replacing existing compact fluorescent lamps
- LED fixture replacement for exterior wall-pack, flood, and area lighting

For a detailed list of lighting retrofits per school, please see the proposed scope of work in:

Appendix A: Lighting Worksheet

General Scope of Work – Transformer Replacements

Trane recommends upgrading the existing 480V transformers to new high efficiency transformers. The existing transformers operate at reduced nameplate capacities, lower efficiencies and produce excess heat. These factors, along with the associated energy losses all contribute to higher utility costs. The replacement high efficiency transformers will perform better than the existing transformers, performing at the design capacities that the system was intended for, which will in turn reduce energy losses and utility costs.

Trane has identified the following sites to replace transformers:

- Lyle S. Briggs Fundamental – 3 units
- Chino Hills High School – 7 Units
- Don Lugo High School – 11 units

For a detailed list of lighting retrofits per school, please see the proposed scope of work in:

Appendix B: Transformer Replacements

Appendix A: Lighting Worksheet

Buena Vista High School

Existing Measure	Proposed Measure	Quantity
Building Interiors, 32W T8	ZY-T8P-12W1200 BIXX Magic Tube	577
Building Interiors, Canopy 42W 4pin	Lunera Helen Lamp - 13watt	16
Custodian rm, 23W CFL Twist	LED A19 - 9W Dimmable	1
Portables, Doorpack 42W 4PIN	17Watt LED Doorpack	3
Exterior, Pole lamp triple head 400W HPS	WSD-SB-10W-27-50K-D-T3-A-10V-M	6
Exterior, Wallpack round 42W 4PIN	AE-L-WPLP-24	35
Exterior, Wallpack 42W 4pin	AE-L-WPLP-24	2
Exterior, Canopy Round 42W 4pin 2 lamp	Lunera Helen Lamp - 13watt	36
Quad, Pole lamp quad head 400W HPS	WSD-SB-10W-27-50K-D-T3-A-10V-M	4
Lunch Area, 32W T8	ZY-T8P-12W1200 BIXX Magic Tube	8
Parking Lot, Pole lamp Dual head 400W HPS	WSD-SB-10W-27-50K-D-T3-A-10V-M	6

Anna Borba Elementary

Existing Measure	Proposed Measure	Quantity
EXTERIOR BUILDING CANOPIES, LOW-PROFILE ROUND CANOPY (23W 4-PIN CFL)	Lunera Helen Lamp - 13watt	32
EXTERIOR BUILDING CANOPIES, SMALL WALLPACK D405 (23W 4-PIN CFL)	Lunera Helen Lamp - 13watt	25
EXTERIOR BUILDINGS, MEDIUM WALLPACK D405 (42W 4-PIN CFL)	Lunera Helen Lamp - 13watt	5
EXTERIOR BUILDINGS, HALF CIRCLE WALLPACK (42W 4-PIN CFL)	Lunera Helen Lamp - 13watt	7
BLACKTOP, SMALL FLOOD (DUAL 42W 4-PIN CFL)	Lunera Helen Lamp - 13watt	2
BLACKTOP, LARGE FLOOD (250W HPS)	WSD-SB-10W-27-50K-D-T3-A-10V-M	3
CIRCLE DRIVE, SHOEBOX POLE FIXTURE (INDUCTION)	WSD-SB-10W-27-50K-D-T3-A-10V-M	3
RM 14-17/28-29/MPR, 1X4 W1 32W T8 (SINGLE T8)	ZY-T8P-12W1200 BIXX Magic Tube	238
BATHROOM/KITCHEN/STORAGE, 1X4 W2 32W T8 (DUAL T8)	ZY-T8P-12W1200 BIXX Magic Tube	64
INTERIOR BUILDING, 2X4 W2 32W T8 (DUAL T8)	ZY-T8P-12W1200 BIXX Magic Tube	624
MAIN OFFICE, 2X4 W2 32W T8 (DUAL T8) PARABOLIC	ZY-T8P-12W1200 BIXX Magic Tube	42
RM 18-27, 2X4 W2 54W T5 (DUAL T5)	T5-LED	200
MPR, LOW-PROFILE CANOPY (23W 4-PIN CFL)	Lunera Helen Lamp - 13watt	7
MPR, HALF CIRCLE WALLPACK (42W 4-PIN CFL)	Lunera Helen Lamp - 13watt	2
MPR STAGE, SPOTLIGHT (90W HALOGEN)	LED17/PAR38/DIM/830/FL40/GL1/W/RP	28

Chino Unified Media Center

Existing Measure	Proposed Measure	Quantity
Building Interior, 32W T8	ZY-T8P-12W1200 BIXX Magic Tube	276
Building Exterior, Wallpack 200W HPS	AE-L-WPDS-60	5
Building Exterior, Wallpack 42W 4 pin	Lunera Helen Lamp - 13watt	1

Chino Unified Student Services

Existing Measure	Proposed Measure	Quantity
Student Services Interior, 32W T8	ZY-T8P-12W1200 BIXX Magic Tube	82
Portables Interior, 32W T8	ZY-T8P-12W1200 BIXX Magic Tube	84
Building Exterior, Wallpack 4pin 42W	AE-L-WPLP-24	9
Building Exterior, Doorpack 42W 4pin	17Watt LED Doorpack	5

Back Parking, Floods on pole 2 lamp 400W HPS	WSD-SB-10W-27-50K-D-T3-A-10V-M	4
Parking, Pole Lamp Dual Head 400W hps	WSD-SB-10W-27-50K-D-T3-A-10V-M	8
Parking, Pole Lamp Single Head 400W hps	WSD-SB-10W-27-50K-D-T3-A-10V-M	2

Chino USD Learning Academy and Alt

Existing Measure	Proposed Measure	Quantity
Building Interiors, 32W T8	ZY-T8P-12W1200 BIXX Magic Tube	1821
Exterior, Round Canopy 42W 4pin	Lunera Helen Lamp - 13watt	21
Exterior, Wallpack 42W 4pin	20Watt LED Wallpack	23
Office, Wallpack 42W	20Watt LED Wallpack	11
Pole Lamps, Pole Lamps single head 54W T5	WSD-SB-10W-27-50K-D-T3-A-10V-M	8

Chino Valley Adult School

Existing Measure	Proposed Measure	Quantity
EXTERIOR BUILDINGS, LARGE WALLPACK (DUAL 23W 4-PIN CFL)	Lunera Helen Lamp - 13watt	18
EXTERIOR BUILDINGS, MEDIUM WALLPACK D405 (42W 4-PIN CFL)	Lunera Helen Lamp - 13watt	11
EXTERIOR BUILDINGS, SMALL WALLPACK D405 (23W 4-PIN CFL)	Lunera Helen Lamp - 13watt	12
EXTERIOR BUILDING CANOPIES, ROUND CANOPY (23W 4-PIN CFL)	Lunera Helen Lamp - 13watt	14
EXTERIOR BUILDINGS, HALF CIRCLE WALLPACK (42W 4-PIN CFL)	Lunera Helen Lamp - 13watt	10
MPR, SQUARE CANOPY (DUAL 23W 4-PIN CFL)	Lunera Helen Lamp - 13watt	4
EATING CANOPY, CANOPY D530 (DUAL 42W 4-PIN CFL)	Lunera Helen Lamp - 13watt	8
MPR, T5 FLOOD LIGHT (3-LAMP)	WSD-SB-10W-27-50K-D-T3-A-10V-M	1
PARKING LOT, T5 POLE LIGHT (4-LAMP)	WSD-SB-10W-27-50K-D-T3-A-10V-M	4
MPR, FLOOD LIGHT (DUAL 42W 4-PIN CFL)	Lunera Helen Lamp - 13watt	4
FRONT SIGN, SMALL FLOOD (23W 4-PIN CFL)	LED A19 - 9W Dimmable	2
INTERIOR BUILDINGS, 2X4 W2 32W T8 (DUAL T8)	ZY-T8P-12W1200 BIXX Magic Tube	844
MAIN OFFICE, 2X4 W2 32W T8 (DUAL T8) PARABOLIC	ZY-T8P-12W1200 BIXX Magic Tube	64
RM 1-3/CUSTODIAN OFFICE, 2X4 W3 32W T8 (TRIPLE T8)	ZY-T8P-12W1200 BIXX Magic Tube	156
RM 26, 2X4 W4 32W T8 (QUAD T8)	ZY-T8P-12W1200 BIXX Magic Tube	32
BATHROOMS/KITCHEN/STORAGE, 1X4 W2 32W T8 (DUAL T8)	ZY-T8P-12W1200 BIXX Magic Tube	72
MPR SCONCE, 1X4 W1 54W T5 (SINGLE T5)	T5-LED	30
RM KA-KB, RECESSED CAN (32W 4-PIN CFL)	6" Canlight - 10.5W	4
MPR/OFFICE BATHROOMS, CANOPY (23W 4-PIN CFL)	LED A19 - 9W Dimmable	9
MPR STAGE, SPOTLIGHT (90W HALOGEN)	LED26/PAR38/HO/DIM/830/FL40/W/120	28

Edwin Rhoades Elementary

Existing Measure	Proposed Measure	Quantity
Building Interiors, 32W T8	ZY-T8P-12W1200 BIXX Magic Tube	1122
Building Interiors, Recessed Can 42W 4pin	Lunera Helen Lamp - 13watt	49
Building Exteriors, Canopy Light 42W 4pin	Lunera Helen Lamp - 13watt	67
Building Exteriors, Recessed Canopy 100W hps	Universal 36 Watt	4
Building Exteriors, Doorpack 42W 4pin	17Watt LED Doorpack	10
Building Exteriors, Wallpack 42W 4pin	17Watt LED Doorpack	2
Building Exteriors, Wallpack 100W HPS	AE-L-WPLP-24	36

Paking and Playground, Pole Lamp Spider 2 leg	WSD-SB-10W-27-50K-D-T3-A-10V-M	18
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Glenmeade Elementary

Existing Measure	Proposed Measure	Quantity
School Interior, 28Watt Fluorescent Lamps	ZY-T8P-12W1200 BIXX Magic Tube	1375

Levi H. Dickey Elementary

Existing Measure	Proposed Measure	Quantity
EXTERIOR BUILDING CANOPIES, ROUND CANOPY (42W 4-PIN CFL)	Lunera Helen Lamp - 13watt	25
EXTERIOR BUILDING CANOPIES, MEDIUM WALLPACK D402 (42W 4-PIN CFL)	D402-LED-20	1
PORTABLES, SMALL WALLPACK D405 (26W 4-PIN CFL)	LED Wall Mount Light 17W	13
PARKING LOT, SHOEBOX POLE FIXTURE (DUAL CFL)	WSD-SB-10W-27-50K-D-T3-A-10V-M	6
INTERIOR BUILDING, 1X4 W1 32W T8 (SINGLE T8)	ZY-T8P-12W1200 BIXX Magic Tube	392
INTERIOR BUILDING, 1X4 W2 32W T8 (DUAL T8)	ZY-T8P-12W1200 BIXX Magic Tube	364
PORTABLES/INTERIOR, 2X4 W2 32W T8 (DUAL T8)	ZY-T8P-12W1200 BIXX Magic Tube	512
PRE-K, 2X4 W4 32W T8 (QUAD T8)	ZY-T8P-12W1200 BIXX Magic Tube	44
STAGE, RECESSED CAN LIGHTS (90W HALOGEN)	LED17/PAR38/DIM/830/FL40/GL1/W/RP	6

Liberty Elementary

Existing Measure	Proposed Measure	Quantity
Building Interiors, 32W T8	ZY-T8P-12W1200 BIXX Magic Tube	1630
Building Interiors, 26W Recessed Can	Lunera Helen Lamp - 13watt	16
Building Interiors, 2x2 3lamp U - 93Watt	2x2 36Watt Recessed LED Panel	180

Lyle S. Briggs Fundamental

Existing Measure	Proposed Measure	Quantity
Building Interiors, 32W T8	ZY-T8P-12W1200 BIXX Magic Tube	1254
Exterior, Round Canopy 42W 4pin	Lunera Helen Lamp - 13watt	42
Exterior, Wallpack 42W 4pin	20W LED Wallpack	15
Building Interiors, Recessed Can 26W 4 pin	6" Canlight - 10.5W	9
Exterior, Wallpack 42W	20W LED Wallpack	11
Exterior, Pole Lamps single head 54W T5	WSD-SB-10W-27-50K-D-T3-A-10V-M	6
Exterior, Tables, Canopy Light	Lunera Helen Lamp - 13watt	8

Magnolia Junior High

Existing Measure	Proposed Measure	Quantity
COVERED WALKWAYS, LOW PROFILE CANOPY (26W 4-PIN CFL)	Lunera Helen Lamp - 15watt, horizontal/Vertical	48
QUAD AREA, MEDIUM WALLPACK (DUAL 26W 4-PIN CFL)	Lunera Helen Lamp - 15watt, horizontal/Vertical	16
QUAD AREA LUNCH TABLES, CANOPY (D530 W2 26W CFL)	Lunera Helen Lamp - 15watt, horizontal/Vertical	8
BUILDING EXTERIOR, WALLPACK (D404 W2 26W CFL)	Lunera Helen Lamp - 15watt, horizontal/Vertical	32
PORTABLES, SMALL WALLPACK (D411 W1 26W CFL)	Lunera Helen Lamp - 15watt, horizontal/Vertical	10
INTERIOR BUILDING, 2X4 W2 32W T8 (DUAL T8)	ZY-T8P-12W1200 BIXX Magic Tube	1026
INTERIOR BUILDING, 1X4 W1 32W T8 (SINGLE T8)	ZY-T8P-12W1200 BIXX Magic Tube	678

INTERIOR BUILDING, 1X4 W2 32W T8 (DUAL T8)	ZY-T8P-12W1200 BIXX Magic Tube	1054
LIBRARY ROOM 4, 1X4 W3 32W T8 (TRIPLE T8) SUSPENDED	ZY-T8P-12W1200 BIXX Magic Tube	36
BATHROOMS, RECTANGULAR CANOPY (DUAL 13W 4-PIN CFL)	Lunera Helen Lamp - 13watt	12
STAGE, SPOT LIGHT (300W I. FLOOD)	40W LED FLOOD FIXTURE	4
STAGE, RECESSED CAN (90W HALOGEN)	6" Canlight - 10.5W	20

Newman Elementary School

Existing Measure	Proposed Measure	Quantity
EXTERIOR BUILDING CANOPIES, CANOPY (26W 4-PIN CFL)	Lunera Helen Lamp - 13watt	42
EXTERIOR BUILDING CANOPIES, LOW-PROFILE CANOPY (42W 4-PIN CFL)	Lunera Helen Lamp - 13watt	11
FUN CLUB/36-38/42-44, SMALL WALLPACK (26W 4-PIN CFL)	Lunera Helen Lamp - 13watt	8
39-41, MEDIUM WALLPACK (26W 4-PIN CFL)	Lunera Helen Lamp - 13watt	3
MPR, FLOOD LIGHT (DUAL 100W CFL SPIRAL)	corn cob	2
MPR, FLOOD LIGHT (QUAD 100W CFL SPIRAL)	corn cob	2
PLAYGROUND/PARKING LOT, DUAL T5 FIXTURE (3-LAMP)	WSD-SB-10W-27-50K-D-T3-A-10V-M	6
INTERIOR BUILDING, 2X4 W2 32W T8 (DUAL T8)	ZY-T8P-12W1200 BIXX Magic Tube	930
INTERIOR BUILDING, 1X4 W2 32W T8 (DUAL T8)	ZY-T8P-12W1200 BIXX Magic Tube	124
INTERIOR BUILDING, 2X4 W2 54W T5 (DUAL T5)	T5-LED	150
1/2 BATHROOM, CANOPY (13W 4-PIN CFL)	7Watt Plug in	1
MPR, LOW-PROFILE CANOPY (42W 4-PIN CFL)	Lunera Helen Lamp - 13watt	4

Ramona Junior High

Existing Measure	Proposed Measure	Quantity
Building Interiors, 32W T8	ZY-T8P-12W1200 BIXX Magic Tube	1678
Building Interiors, 54W T8	25 Watt T5 LED Tube	188
MPR, 42W 4pin (Low Bay) (V)	Lunera Helen Lamp - 13watt	16
Office and Kitchen Rest Room, 13W 2pin (H)	7 watt Lamp Plug in	3
Exterior, Wallpack 42W 4pin (Square)	20Watt LED Wallpack	4
Exterior, Wallpack 42W 4pin (Round)	20Watt LED Wallpack	35
Exterior, Canopy 42W 4pin (Round)	Lunera Helen Lamp - 13watt	54
Exterior, Doorpack 42W 4pin (Square)	17Watt LED Doorpack	6
Exterior Front Roof, Flood lamp on Pole mounted to roof 42W 4 pin	WSD-SB-10W-27-50K-D-T3-A-10V-M	3

Walnut Ave Elementary

Existing Measure	Proposed Measure	Quantity
Building Interiors, 32W T8	ZY-T8P-12W1200 BIXX Magic Tube	1382
Building Interiors, 25W T8	ZY-T8P-12W1200 BIXX Magic Tube	4
Building Interiors, Recessed Can 42W 4 pin	6" Canlight - 10.5W	7
Building Interiors (Mech Rm), Doorpack	17Watt LED Doorpack	3
Office, Recessed Can 42W 4 pin	6" Canlight - 10.5W	8
Office, A Lamp	LED A19 - 9W Dimmable	3
Exterior, Wallpack 42W 4pin	20Watt LED Wallpack	2
Exterior, Wallpack 42W 4pin	20Watt LED Wallpack	19
Exterior, Round Canopy 42W 4pin	Lunera Helen Lamp - 13watt	80
Exterior Roof, Flood Light 42W 4pin	D816-LED-60-50-UNV-T5-PM6-BZ-MS	3
Exterior, Vaportight 32W T8	ZY-T8P-12W1200 BIXX Magic Tube	6

Pole Lamps, Pole Lamps single head 54W T5	WSD-SB-10W-27-50K-D-T3-A-10V-M	10
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Woodcrest Junior High

Existing Measure	Proposed Measure	Quantity
ADMIN/GYM/F QUAD/C QUAD, CANOPY (32W 4-PIN CFL)	Lunera Helen Lamp - 13watt	68
GYM ENTRANCE, SQUARE CANOPY (DUAL 13W 2-PIN CFL)	Lunera Helen Lamp - 13watt	1
PORTABLES, DOOR PACK (TRIPLE 13W 2-PIN CFL)	20Watt LED Wallpack	9
19/20, SMALL WALLPACK (32W 4-PIN CFL)	20Watt LED Wallpack	2
101/102, DOOR PACK (13W 2-PIN CFL)	20Watt LED Wallpack	4
INTERIOR BUILDING, 2X4 W2 32W T8 (DUAL T8)	ZY-T8P-12W1200 BIXX Magic Tube	1088
INTERIOR BUILDING, 2X4 W3 32W T8 (TRIPLE T8)	ZY-T8P-12W1200 BIXX Magic Tube	63
SPECIAL ED. ROOMS, 2X4 W4 32W T8 (QUAD T8)	ZY-T8P-12W1200 BIXX Magic Tube	112
INTERIOR BUILDING, 1X4 W2 32W T8 (DUAL T8)	ZY-T8P-12W1200 BIXX Magic Tube	388
MPR/LIBRARY, 1X4 W2 32W T8 (DUAL T8) SUSPENDED	ZY-T8P-12W1200 BIXX Magic Tube	258
ELECTRIC/MPR SOUND ROOM, 1X8 W4 32W T8 (QUAD T8)	ZY-T8P-12W1200 BIXX Magic Tube	16
INTERIOR BUILDING, 2X2 W2 32W U-BEND T8 (DUAL T8)	U-Bend	362
GYM SHOWERS, CANOPY (32W 4-PIN CFL)	Lunera Helen Lamp - 13watt	4
INTERIOR BUILDING, RECESSED CAN (26W 2-PIN CFL)	Lunera Helen Lamp - 13watt	11

Appendix B: Transformer Replacements

Site Name	kVA Capacity	Quantity
Briggs Jr High	500	1
	300	1
	300	1
Total Replacements		3

Site Name	kVA Capacity	Quantity
Chino Hills HS	500	1
	75	1
	300	1
	225	1
	112.5	1
	45	1
	225	1
Total Replacements		7

Site Name	kVA Capacity	Quantity
Don Lugo HS	300	1
	112.5	1
	112.5	1
	300	1
	75	1
	45	1
	25	1
	300	1
	75	1
	45	1
	112.5	1
Total Replacements		11

Project Assumptions/Exclusions

- Any work dealing with asbestos abatement is excluded
- Lighting work is priced to be performed on second shift
- Equipment selections are matched to existing equipment schedule.
- Any repairs to duct-liner are not included
- Duct cleaning is excluded.
- Duct leakage testing is excluded.
- Air Balance pre-readings are not included
- Air and water balance is excluded
- ADA requirements excluded
- Painting or touchup is excluded
- Electric service upgrades are excluded
- Existing code deficiencies are excluded
- Transformer replacement work is priced to be performed over summer break as it requires power shutdowns. All power shutdowns will be coordinated with District staff prior to commencement of work
- Any additional items required by DSA are excluded.
- The scope of our work is not intended to include remediation of any existing code deficiencies.
- Seismic improvements to existing equipment, structure, buildings is excluded
- Trane to retain salvage rights of all removed equipment and materials
- No temporary cooling has been provided, but can be at an additional cost
- Any work dealing with the programming of fire life safety system and smoke evacuation systems is excluded. Existing contacts for fire life safety will be disconnected and then reconnected to new wiring from the replacement units.
- All existing equipment that is not being replaced as part of the unit replacement scope in this document is assumed to be in working order – mechanical upgrades are excluded
- Cat 5 wiring and IP Address for connectivity of each of SC building controllers to be provided by customer
- Existing conduit, wiring, devices and sensors to be reused whenever possible
- New computer/workstation is not provided

Pricing

Comprehensive Solution Cost..... **\$2,492,870.00**

Clarifications

1. **Applicable taxes are included in the above prices.**
2. Any service not listed is not included.
3. Trane will bear the risk of all rebates associated with the project
4. Any rebates due to be received by the District will be transferred to Trane
5. Work will be performed during normal Trane business hours.
6. All controls hardware includes a 1 year parts and labor warranty
7. This proposal is valid for 30 days from August 3rd, 2017.

Sincerely,

Somac Roy
Account Executive, Energy Solutions
Cell: (408) 203-4786

ACCEPTANCE

This proposal is subject to Customer’s acceptance of the attached Trane Terms and Conditions (Installation).

We value the confidence you have placed in Trane and look forward to working with you.

Submitted By: Somac Roy	Cell: (408) 203-4786 Office: (626) 913-7123 Proposal Date: August 3 rd , 2017
CUSTOMER ACCEPTANCE Chino Valley Unified School District	TRANE ACCEPTANCE Trane U.S. Inc. dba Trane
Authorized Representative	Authorized Representative
Printed Name	Printed Name
Title	Title
Purchase Order	Signature Date
Acceptance Date:	License Number: 561796

TERMS AND CONDITIONS - INSTALLATION

“Company” shall mean Trane U.S. Inc. dba Trane.

1. Acceptance; Agreement. These terms and conditions are an integral part of Company’s offer and form the basis of any agreement (the “Agreement”) resulting from Company’s proposal (the “Proposal”) for the goods and/or services described (the “Work”). **COMPANY’S TERMS AND CONDITIONS ARE SUBJECT TO PERIODIC CHANGE OR AMENDMENT.** The Proposal is subject to acceptance in writing by the party to whom this offer is made or an authorized agent (“Customer”) delivered to Company within 30 days from the date of the Proposal. If Customer accepts the Proposal by placing an order, without the addition of any other terms and conditions of sale or any other modification, Customer’s order shall be deemed acceptance of the Proposal subject to Company’s terms and conditions. If Customer’s order is expressly conditioned upon Company’s acceptance or assent to terms and/or conditions other than those expressed herein, return of such order by Company with Company’s terms and conditions attached or referenced serves as Company’s notice of objection to Customer’s terms and as Company’s counter-offer to provide Work in accordance with the Proposal and the Company terms and conditions. If Customer does not reject or object in writing to Company within 10 days, Company’s counter-offer will be deemed accepted. Customer’s acceptance of the Work by Company will in any event constitute an acceptance by Customer of Company’s terms and conditions. This Agreement is subject to credit approval by Company. Upon disapproval of credit, Company may delay or suspend performance or, at its option, renegotiate prices and/or terms and conditions with Customer. If Company and Customer are unable to agree on such revisions, this Agreement shall be cancelled without any liability, other than Customer’s obligation to pay for Work rendered by Company to the date of cancellation.

2. Pricing and Taxes. Unless otherwise noted, the price in the Proposal includes standard ground transportation and, if required by law, all sales, consumer, use and similar taxes legally enacted as of the date hereof for equipment and material installed by Company. Tax exemption is contingent upon Customer furnishing appropriate certificates evidencing Customer’s tax exempt status. Company shall charge Customer additional costs for bonds agreed to be provided. Equipment sold on an uninstalled basis and any taxable labor/labour do not include sales tax and taxes will be added. Following acceptance without addition of any other terms and condition of sale or any other modification by Customer, the prices stated are firm provided that notification of release for immediate production and shipment is received at the factory not later than 3 months from order receipt. If such release is received later than 3 months from order receipt date, prices will be increased a straight 1% (not compounded) for each one-month period (or part thereof) beyond the 3 month firm price period up to the date of receipt of such release. If such release is not received within 6 months after date of order receipt, the prices are subject to renegotiation, or at Company’s option, the order will be cancelled. Any delay in shipment caused by Customer’s actions will subject prices to increase equal to the percentage increase in list prices during that period of delay and Company may charge Customer with incurred storage fees.

3. Exclusions from Work. Company’s obligation is limited to the Work as defined and does not include any modifications to the Work site under the Americans With Disabilities Act or any other law or building code(s). In no event shall Company be required to perform work Company reasonably believes is outside of the defined Work without a written change order signed by Customer and Company.

4. Performance. Company shall perform the Work in accordance with industry standards generally applicable in the area under similar circumstances as of the time Company performs the Work. Company may refuse to perform any Work where working conditions could endanger property or put at risk the safety of persons. Unless otherwise agreed to by Customer and Company, at Customer’s expense and before the Work begins, Customer will provide any necessary access platforms, catwalks to safely perform the Work in compliance with OSHA or state industrial safety regulations.

5. Payment. Customer shall pay Company’s invoices within net 30 days of invoice date. Company may invoice Customer for all equipment or material furnished, whether delivered to the installation site or to an off-site storage facility and for all Work performed on-site or off-site. No retention shall be withheld from any payments except as expressly agreed in writing by Company, in which case retention shall be reduced per the contract documents and released no later than the date of substantial completion. Under no circumstances shall any retention be withheld for the equipment portion of the order. If payment is not received as required, Company may suspend performance and the time for completion shall be extended for a reasonable period of time not less than the period of suspension. Customer shall be liable to Company for all reasonable shutdown, standby and start-up costs as a result of the suspension. Company reserves the right to add to any account outstanding for more than 30 days a service charge equal to 1.5% of the principal amount due at the end of each month. Customer shall pay all costs (including attorneys’ fees) incurred by Company in attempting to collect amounts due and otherwise enforcing these terms and conditions. If requested, Company will provide appropriate lien waivers upon receipt of payment. Customer agrees that, unless Customer makes payment in advance, Company will have a purchase money security interest in all equipment from Company to secure payment in full of all amounts due Company and its order for the equipment, together with these terms and conditions, form a security agreement. Customer shall keep the equipment free of all taxes and encumbrances, shall not remove the equipment from its original installation point and shall not assign or transfer any interest in the equipment until all payments due Company have been made.

6. Time for Completion. Except to the extent otherwise expressly agreed in writing signed by an authorized representative of Company, all dates provided by Company or its representatives for commencement, progress or completion are estimates only. While Company shall use commercially reasonable efforts to meet such estimated dates, Company shall not be responsible for any damages for its failure to do so.

7. Access. Company and its subcontractors shall be provided access to the Work site during regular business hours, or such other hours as may be requested by Company and acceptable to the Work site’ owner or tenant for the performance of the Work, including sufficient areas for staging, mobilization, and storage. Company’s access to correct any emergency condition shall not be restricted.

8. Completion. Notwithstanding any other term or condition herein, when Company informs Customer that the Work has been completed, Customer shall inspect the Work in the presence of Company’s representative, and Customer shall either (a) accept the Work in its entirety in writing, or (b) accept the Work in part and specifically identify, in writing, any exception items. Customer agrees to re-inspect any and all excepted items as soon as Company informs Customer that all such excepted items have been completed. The initial acceptance inspection shall take place within ten (10) days from the date when Company informs Customer that the Work has been completed. Any subsequent re-inspection of excepted items shall take place within five (5) days from the date when Company informs Customer that the excepted items have been completed. Customer’s failure to cooperate and complete any of said inspections within the required time limits shall constitute complete acceptance of the Work as of ten (10) days from date when Company informs Customer that the Work, or the excepted items, if applicable, has/have been completed.

9. Permits and Governmental Fees. Company shall secure (with Customer’s assistance) and pay for building and other permits and governmental fees, licenses, and inspections necessary for proper performance and completion of the Work which are legally required when bids from Company’s subcontractors are received, negotiations thereon concluded, or the effective date of a relevant Change Order, whichever is later. Customer is responsible for necessary approvals, easements, assessments and charges for construction, use or occupancy of permanent structures or for permanent changes to existing facilities. If the cost of such permits, fees, licenses and inspections are not included in the Proposal, Company will invoice Customer for such costs.

10. Utilities During Construction. Customer shall provide without charge to Company all water, heat, and utilities required for performance of the Work.

11. Concealed or Unknown Conditions. In the performance of the Work, if Company encounters conditions at the Work site that are (i) subsurface or otherwise concealed physical conditions that differ materially from those indicated on drawings expressly incorporated herein or (ii) unknown physical conditions of an unusual nature that differ materially from those conditions ordinarily found to exist and generally recognized as inherent in construction activities of the type and character as the Work, Company shall notify Customer of such conditions promptly, prior to significantly disturbing same. If such conditions differ materially and cause an increase in Company’s cost of, or time required for, performance of any part of the Work, Company shall be entitled to, and Customer shall consent by Change Order to, an equitable adjustment in the Contract Price, contract time, or both.

12. Pre-Existing Conditions. Company is not liable for any claims, damages, losses, or expenses, arising from or related to conditions that existed in, on, or upon the Work site before the Commencement Date of this Agreement (“Pre-Existing Conditions”), including, without limitation, damages, losses, or expenses involving Pre-Existing Conditions of building envelope issues, mechanical issues, plumbing issues, and/or indoor air quality issues involving mold/mould and/or fungi. Company also is not liable for any claims, damages, losses, or expenses, arising from or related to work done by or services provided by individuals or entities that are not employed by or hired by Company.

13. Asbestos and Hazardous Materials. Company’s Work and other services in connection with this Agreement expressly excludes any identification, abatement, cleanup, control, disposal, removal or other work connected with asbestos, polychlorinated biphenyl (“PCB”), or other hazardous materials (hereinafter, collectively, “Hazardous Materials”). Customer warrants and represents that, except as set forth in a writing signed by Company, there are no Hazardous Materials on the Work site that will in any way affect Company’s Work and Customer has disclosed to Company the existence and location of any Hazardous Materials in all areas within which Company will be performing the Work. Should Company become aware of or suspect the presence of Hazardous Materials, Company may immediately stop work in the affected area and shall notify Customer. Customer will be exclusively responsible for taking any and all action necessary to correct the condition in accordance with all applicable laws and regulations. Customer shall be exclusively responsible for and, to the fullest extent permitted by law, shall indemnify and hold harmless Company (including its employees, agents and subcontractors) from and against any loss, claim, liability, fees, penalties, injury (including death) or liability of any nature, and the payment thereof arising out of or relating to any Hazardous Materials on or about the Work site, not brought onto the Work site by Company. Company shall be required to resume performance of the Work in the affected area only in the absence of Hazardous Materials or when the affected area has been rendered harmless. In no event shall Company be obligated to transport or handle Hazardous Materials, provide any notices to any governmental agency, or examine the Work site for the presence of Hazardous Materials.

14. Force Majeure. Company's duty to perform under this Agreement is contingent upon the non-occurrence of an Event of Force Majeure. If Company shall be unable to carry out any material obligation under this Agreement due to an Event of Force Majeure, this Agreement shall at Company's election (i) remain in effect but Company's obligations shall be suspended until the uncontrollable event terminates or (ii) be terminated upon 10 days notice to Customer, in which event Customer shall pay Company for all parts of the Work furnished to the date of termination. An "Event of Force Majeure" shall mean any cause or event beyond the control of Company. Without limiting the foregoing, "Event of Force Majeure" includes: acts of God; acts of terrorism, war or the public enemy; flood; earthquake; tornado; storm; fire; civil disobedience; pandemic insurrections; riots; labor/labour disputes; labor/labour or material shortages; sabotage; restraint by court order or public authority (whether valid or invalid), and action or non-action by or inability to obtain or keep in force the necessary governmental authorizations, permits, licenses, certificates or approvals if not caused by Company; and the requirements of any applicable government in any manner that diverts either the material or the finished product to the direct or indirect benefit of the government.

15. Customer's Breach. Each of the following events or conditions shall constitute a breach by Customer and shall give Company the right, without an election of remedies, to terminate this Agreement or suspend performance by delivery of written notice declaring termination, upon which event Customer shall be liable to Company for all Work furnished to date and all damages sustained by Company (including lost profit and overhead): (1) Any failure by Customer to pay amounts when due; or (2) any general assignment by Customer for the benefit of its creditors, or if Customer becomes bankrupt or insolvent or takes the benefit of any statute for bankrupt or insolvent debtors, or makes or proposes to make any proposal or arrangement with creditors, or if any steps are taken for the winding up or other termination of Customer or the liquidation of its assets, or if a trustee, receiver, or similar person is appointed over any of the assets or interests of Customer; (3) Any representation or warranty furnished by Customer in this Agreement is false or misleading in any material respect when made; or (4) Any failure by Customer to perform or comply with any material provision of this Agreement.

16. Indemnity. To the fullest extent permitted by law, Company and Customer shall indemnify, defend and hold harmless each other from any and all claims, actions, costs, expenses, damages and liabilities, including reasonable attorneys' fees, resulting from death or bodily injury or damage to real or tangible personal property, to the extent caused by the negligence or misconduct of their respective employees or other authorized agents in connection with their activities within the scope of this Agreement. Neither party shall indemnify the other against claims, damages, expenses or liabilities to the extent attributable to the acts or omissions of the other party. If the parties are both at fault, the obligation to indemnify shall be proportional to their relative fault. The duty to indemnify will continue in full force and effect, notwithstanding the expiration or early termination hereof, with respect to any claims based on facts or conditions that occurred prior to expiration or termination.

17. Limitation of Liability. NOTWITHSTANDING ANYTHING TO THE CONTRARY, IN NO EVENT SHALL COMPANY BE LIABLE FOR ANY SPECIAL, INCIDENTAL, INDIRECT CONSEQUENTIAL, OR PUNITIVE OR EXEMPLARY DAMAGES (INCLUDING WITHOUT LIMITATION BUSINESS INTERRUPTION, LOST DATA, LOST REVENUE, LOST PROFITS, LOST DOLLAR SAVINGS, OR LOST ENERGY USE SAVINGS, EVEN IF A PARTY HAS BEEN ADVISED OF SUCH POSSIBLE DAMAGES OR IF SAME WERE REASONABLY FORESEEABLE AND REGARDLESS OF WHETHER THE CAUSE OF ACTION IS FRAMED IN CONTRACT, NEGLIGENCE, ANY OTHER TORT, WARRANTY, STRICT LIABILITY, OR PRODUCT LIABILITY). In no event will Company's liability in connection with the provision of products or services or otherwise under this Agreement exceed the entire amount paid to Company by Customer under this Agreement.

18. Patent Indemnity. Company shall protect and indemnify Customer from and against all claims, damages, judgments and loss arising from infringement or alleged infringement of any United States patent by any of the goods manufactured by Company and delivered hereunder, provided that in the event of suit or threat of suit for patent infringement, Company shall promptly be notified and given full opportunity to negotiate a settlement. Company does not warrant against infringement by reason of Customer's design of the articles or the use thereof in combination with other materials or in the operation of any process. In the event of litigation, Customer agrees to reasonably cooperate with Company. In connection with any proceeding under the provisions of this Section, all parties concerned shall be entitled to be represented by counsel at their own expense.

19. Limited Warranty. Company warrants for a period of 12 months from the date of substantial completion ("Warranty Period") equipment manufactured by Company against failure due to defects in material and manufacture and that the labor/labour furnished is warranted to have been properly performed (the "Limited Warranty"). **Product manufactured by Company that includes required startup and is sold in North America will not be warranted by Company unless Company performs the product start-up.** Substantial completion shall be the earlier of the date that the Work is sufficiently complete so that the Work can be utilized for its intended use or the date that Customer receives beneficial use of the Work. If such defect is discovered within the Warranty Period, Company will correct the defect or furnish replacement equipment (or, at its option, parts therefor) and, if said equipment was installed pursuant hereto, labor/labour associated with the replacement of parts or equipment not conforming to this Limited Warranty. Defects must be reported to Company within the Warranty Period. Exclusions from this Limited Warranty include damage or failure arising from: wear and tear; corrosion, erosion, deterioration; Customer's failure to follow the Company-provided maintenance plan; refrigerant not supplied by Trane; and modifications made by others to Company's equipment. Company shall not be obligated to pay for the cost of lost refrigerant. Notwithstanding the foregoing, all warranties provided herein terminate upon termination or cancellation of this Agreement. No warranty liability whatsoever shall attach to Company until the Work has been paid for in full and then said liability shall be limited to the lesser of Company's cost to correct the defective Work and/or the purchase price of the equipment shown to be defective. Equipment, material and/or parts that are not manufactured by Company are not warranted by Company and have such warranties as may be extended by the respective manufacturer. Trane equipment sold on an uninstalled basis is warranted in accordance with Company's standard warranty for supplied equipment. **THE WARRANTY AND LIABILITY SET FORTH IN THIS AGREEMENT ARE IN LIEU OF ALL OTHER WARRANTIES AND LIABILITIES, WHETHER IN CONTRACT OR IN NEGLIGENCE, EXPRESS OR IMPLIED, IN LAW OR IN FACT, INCLUDING IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE AND/OR OTHERS ARISING FROM COURSE OF DEALING OR TRADE. COMPANY MAKES NO REPRESENTATION OR WARRANTY EXPRESS OR IMPLIED REGARDING PREVENTION BY THE WORK, OR ANY COMPONENT THEREOF, OF MOLD/MOULD, FUNGUS, BACTERIA, MICROBIAL GROWTH, OR ANY OTHER CONTAMINATES. COMPANY SPECIFICALLY DISCLAIMS ANY LIABILITY IF THE WORK OR ANY COMPONENT THEREOF IS USED TO PREVENT OR INHIBIT THE GROWTH OF SUCH MATERIALS.**

20. Insurance. Company agrees to maintain the following insurance while the Work is being performed with limits not less than shown below and will, upon request from Customer, provide a Certificate of evidencing the following coverage:

Commercial General Liability	\$2,000,000 per occurrence
Automobile Liability	\$2,000,000 CSL
Workers Compensation	Statutory Limits

If Customer has requested to be named as an additional insured under Company's insurance policy, Company will do so but only subject to Company's manuscript additional insured endorsement under its primary Commercial General Liability policies. In no event does Company waive its right of subrogation.

21. Commencement of Statutory Limitation Period. Except as to warranty claims, as may be applicable, any applicable statutes of limitation for acts or failures to act shall commence to run, and any alleged cause of action stemming therefrom shall be deemed to have accrued, in any and all events not later than the last date that Company or its subcontractors physically performed work on the project site.

22. General. Except as provided below, to the maximum extent provided by law, this Agreement is made and shall be interpreted and enforced in accordance with the laws of the state or province in which the Work is performed, without regard to choice of law principles which might otherwise call for the application of a different state's or province's law. Any dispute arising under or relating to this Agreement that is not disposed of by agreement shall be decided by litigation in a court of competent jurisdiction located in the state or province in which the Work is performed. Any action or suit arising out of or related to this Agreement must be commenced within one year after the cause of action has accrued. To the extent the Work site is owned and/or operated by any agency of the Federal Government, determination of any substantive issue of law shall be according to the Federal common law of Government contracts as enunciated and applied by Federal judicial bodies and boards of contract appeals of the Federal Government. This Agreement contains all of the agreements, representations and understandings of the parties and supersedes all previous understandings, commitments or agreements, oral or written, related to the subject matter hereof. This Agreement may not be amended, modified or terminated except by a writing signed by the parties hereto. No documents shall be incorporated herein by reference except to the extent Company is a signatory thereon. If any term or condition of this Agreement is invalid, illegal or incapable of being enforced by any rule of law, all other terms and conditions of this Agreement will nevertheless remain in full force and effect as long as the economic or legal substance of the transaction contemplated hereby is not affected in a manner adverse to any party hereto. Customer may not assign, transfer, or convey this Agreement, or any part hereof, or its right, title or interest herein, without the written consent of the Company. Subject to the foregoing, this Agreement shall be binding upon and inure to the benefit of Customer's permitted successors and assigns. This Agreement may be executed in several counterparts, each of which when executed shall be deemed to be an original, but all together shall constitute but one and the same Agreement. A fully executed facsimile copy hereof or the several counterparts shall suffice as an original.

23. Equal Employment Opportunity/Affirmative Action Clause. Company is a federal contractor that complies fully with Executive Order 11246, as amended, and the applicable regulations contained in 41 C.F.R. Parts 60-1 through 60-60, 29 U.S.C. Section 793 and the applicable regulations contained in 41 C.F.R. Part 60-741; and 38 U.S.C. Section 4212 and the applicable regulations contained in 41 C.F.R. Part 60-250 Executive Order 13496 and Section 29 CFR 471, appendix A to subpart A, regarding the notice of employee rights in the United States and with Canadian Charter of Rights and Freedoms Schedule B to the Canada Act 1982 (U.K.) 1982, c. 11 and applicable Provincial Human Rights Codes and employment law in Canada.

24. U.S. Government Work.

The following provision applies only to direct sales by Company to the US Government. The Parties acknowledge that all items or services ordered and delivered under this Agreement are Commercial Items as defined under Part 12 of the Federal Acquisition Regulation (FAR). In particular, Company agrees to be bound only by those Federal contracting clauses that apply to “commercial” suppliers and that are contained in FAR 52.212-5(e)(1). Company complies with 52.219-8 or 52.219-9 in its service and installation contracting business.

The following provision applies only to indirect sales by Company to the US Government. As a Commercial Item Subcontractor, Company accepts only the following mandatory flow down provisions: 52.219-8; 52.222-26; 52.222-35; 52.222-36; 52.222-39; 52.247-64. If the Work is in connection with a U.S. Government contract, Customer certifies that it has provided and will provide current, accurate, and complete information, representations and certifications to all government officials, including but not limited to the contracting officer and officials of the Small Business Administration, on all matters related to the prime contract, including but not limited to all aspects of its ownership, eligibility, and performance. Anything herein notwithstanding, Company will have no obligations to Customer unless and until Customer provides Company with a true, correct and complete executed copy of the prime contract. Upon request, Customer will provide copies to Company of all requested written communications with any government official related to the prime contract prior to or concurrent with the execution thereof, including but not limited to any communications related to Customer’s ownership, eligibility or performance of the prime contract. Customer will obtain written authorization and approval from Company prior to providing any government official any information about Company’s performance of the work that is the subject of the Proposal or this Agreement, other than the Proposal or this Agreement.

NOTICE: Company is restricted from receiving funds appropriated or otherwise made available under U.S Public Laws 110-161, 111-8, and 111-117.

25. Limited Waiver of Sovereign Immunity. If Customer is an Indian tribe (in the U.S.) or a First Nation or Band Council (in Canada), Customer, whether acting in its capacity as a government, governmental entity, a duly organized corporate entity or otherwise, for itself and for its agents, successors, and assigns: (1) hereby provides this limited waiver of its sovereign immunity as to any damages, claims, lawsuit, or cause of action (herein “Action”) brought against Customer by Company and arising or alleged to arise out of the furnishing by Company of any product or service under this Agreement, whether such Action is based in contract, tort, strict liability, civil liability or any other legal theory; (2) agrees that jurisdiction and venue for any such Action shall be proper and valid (a) if Customer is in the U.S., in any state or United States court located in the state in which Company is performing this Agreement or (b) if Customer is in Canada, in the superior court of the province or territory in which the work was performed; (3) expressly consents to such Action, and waives any objection to jurisdiction or venue; (4) waives any requirement of exhaustion of tribal court or administrative remedies for any Action arising out of or related to this Agreement; and (5) expressly acknowledges and agrees that Company is not subject to the jurisdiction of Customer’s tribal court or any similar tribal forum, that Customer will not bring any action against Company in tribal court, and that Customer will not avail itself of any ruling or direction of the tribal court permitting or directing it to suspend its payment or other obligations under this Agreement. The individual signing on behalf of Customer warrants and represents that such individual is duly authorized to provide this waiver and enter into this Agreement and that this Agreement constitutes the valid and legally binding obligation of Customer, enforceable in accordance with its terms.

1-26.251-10(1213)
Supersedes 1-26.251-10(1013)

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 7, 2017
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Gregory J. Stachura, Asst. Supt., Facilities, Planning, and Operations
Martin Silveira, Director, Maintenance, Operations, and Construction
SUBJECT: AUTHORIZATION FOR USE OF CHINO VALLEY UNIFIED SCHOOL DISTRICT BATTERY SYSTEMS TO PARTICIPATE IN CALIFORNIA INDEPENDENT SYSTEM OPERATOR DEMAND RESPONSE MARKET PILOT PROGRAM UNDER CALIFORNIA ENERGY COMMISSION GRANT FUNDING OPPORTUNITY 15-311

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BACKGROUND

At its August 13, 2015 meeting, the Board adopted resolutions 2015/2016-13 through 2015/2016-26 to enter into agreements for energy conservation services with SolarCity Inc., (a wholly owned subsidiary of Tesla Inc.) pursuant to Government Code Section 4217.10-18 which entailed the installation of solar arrays/carports at fourteen (14) school sites. As part of this project, electricity storage systems (batteries) were installed at Ayala HS, Chino HS, Chino Hills HS, Don Lugo HS, and Walnut ES.

Tesla has an opportunity to participate, for a six (6) month term, in CAISO’s Demand Response Market Pilot Program utilizing these battery storage systems. Under this program, energy created by the solar arrays and stored in the battery banks would be diverted back to the electrical grid. Tesla will reimburse the District for any lost electricity savings resulting from program participation.

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

RECOMMENDATION

It is recommended the Board of Education approve the Authorization for Use of Chino Valley Unified School District Battery Systems to Participate in California Independent System Operator Demand Response Market Pilot Program Under California Energy Commission Grant Funding Opportunity 15-311.

FISCAL IMPACT

General Fund Income of up to \$10,000.00.

WMJ:GJS:MS:pw

August 28, 2017

Tesla, Inc.
3500 Deer Creek Road
Palo Alto, CA, 94304

RE: Use of Battery Systems located at California Chino Valley Unified School District to Participate in CAISO demand response markets, under California Energy Commission Grant Funding Opportunity 15-311

SolarCity Corporation ("SolarCity") is a wholly-owned subsidiary of Tesla, Inc. ("Tesla"); and SolarCity and Chino Valley Unified School District ("CVUSD"), have executed certain solar power purchase agreements ("PPAs"), under which SolarCity installed solar arrays, and battery storage systems (each, a "Battery") at certain CVUSD facilities. In addition, for each PPA there is a Demand Logic Guarantee ("Battery Guarantee"). SolarCity and Tesla are collectively referred to herein as "Tesla." Each of Tesla and CVUSD is a "Party" hereto.

This Participation Agreement pertains to CVUSD facilities, and the corresponding Batteries and PPAs, identified on Exhibit 1 (each, a "Participating Site"). This Participation Agreement applies to each listed CVUSD facility, Battery, and PPA, as a separate Participation Agreement for each Participating Site.

This Participation Agreement sets forth the terms under which Tesla will use the Battery and the electricity stored therein, to bid energy and other services into the California Independent System Operator ("CAISO") wholesale market, or simulate market participation in CAISO (such participation, the "Program").

1. Program Participation.
 - a. CVUSD consents to Tesla's control of the solar array and selective discharge of the Battery during the Term. CVUSD acknowledges that the Battery may be discharged at any time and to any degree, including to the point of 100% depletion. However, if energy remains stored in the Battery, such energy will be available for the purposes contemplated in the PPA.
 - b. For the duration of the pilot program participation, Tesla will transfer 100% of the CAISO market settlement revenue, if any, to CVUSD.
 - c. Tesla will report to CVUSD monthly on its activities under the Program.
2. Program Reimbursement; Effect on Performance Guaranty.

- a. Participating in the Program may result in lost opportunities to curtail the Participating Site's peak usage, and in losses of useful energy from additional cycling of the Battery. Tesla will compensate CVUSD for the lost electricity savings resulting from participating in the Program through the "Program Reimbursement." Tesla will calculate the Program Reimbursement using the mechanism set forth in Exhibit 2 hereto, and will remit the Program Reimbursement to CVUSD within thirty (30) days after the end of the Term. The Program Reimbursement with respect to a Participating Site will not in any case exceed \$50,000.
- b. In addition, the Parties acknowledge that the Battery Guarantee compensates CVUSD for foregone peak reductions. The Battery Guarantee will remain in effect during the Program, provided that it will be calculated after accounting for the Program Reimbursement. Any CAISO market settlement revenues as described in Section 1(b), however, are supplemental to the Program Reimbursement and Battery Guarantee.

3. Term. The Term of this Participation Agreement is from the date of last Party's execution of this Participation Agreement, for six (6) calendar months (the "Term"). Notwithstanding the foregoing, the Participation Agreement may be terminated before the end of the Term, as follows:

- a. by either Party, for reason of a failure of the other Party to substantially perform any other material obligation under this Participation Agreement within thirty (30) days following receipt of written notice from the non-defaulting Party demanding such cure;
- b. by either Party, if the other Party, becomes insolvent or is a party to a bankruptcy, reorganization, insolvency, liquidation, receivership, dissolution, winding-up or relief of debtors, or any general assignment for the benefit of creditors or other similar arrangement.

The termination rights in this Section 3 shall apply to each Participating Site individually, and a default with respect to one Participating Site shall not work a default with respect to a second Participating Site, except to the extent that such default is independently a default with respect to the second Participating Site.

4. Data Usage. In connection with the Program, Tesla may disclose to CAISO, market participants, and energy regulators, information of CVUSD including but not limited to solar energy generation, Battery charge and discharge, voltage, grid frequency, reactive power output, and system details (collectively "System Data"). System Data does not include the pricing in the PPA. Tesla may collect and store the System Data, and disclose it as described in this Section 3, in connection with the Program.

5. Indemnity. Each Party shall defend, indemnify and hold harmless the officers, directors, employees, and agents of the other Party and its affiliates, from and against any third party claims arising out of or related to the indemnifying Party's negligence, willful misconduct, breach of contract or violation of law. Excepting third-party claims and the Program Reimbursement, Tesla's direct liability arising from or relating to this Participation Agreement inclusive of all Participating Sites shall not exceed \$100,000.

6. Financing Assurances. The Parties acknowledge that Tesla, and not any lender or tax equity investor financing CVUSD's systems ("Financing Party"), is responsible for the Program, and any breach of this Participation Agreement or liabilities arising therefrom. Accordingly, no breach of this Agreement shall give rise to a right to withhold payments due and owing under the PPA; no Financing Party of Tesla shall be liable for direct or third party claims arising hereunder; and CVUSD agrees to make no claim against a Financing Party.

7. Disputes. This Participation Agreement shall be governed by California law, without reference to any conflict of law principles that would direct or permit the application of the law of another jurisdiction. Any dispute arising from or relating to this Participation Agreement shall be resolved as set forth in Section 22(b) of the PPA, unless otherwise agreed by the Parties.

8. Counterparts. This Participation Agreement may be executed in any number of counterparts and by the different parties hereto on separate counterparts, each of which when so executed and delivered shall be an original, but all of which shall together constitute one and the same instrument.

9. Miscellaneous. Sections 20, 22(c), 22(e), 22(f), 22(g), 22(i), 22(k), 22(l), and 22(n) of the PPA are hereby incorporated by reference herein, mutatis mutandis. Provisions of this Agreement that should reasonably be considered to survive termination of this Agreement shall survive.

By signing below, you hereby acknowledge and agree to the terms of this Participation Agreement.

Very truly yours,

TESLA, INC.

By: _____
Its: _____

SOLARCITY CORPORATION

By: _____
Its: _____

ACKNOWLEDGED AND AGREED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT.

By: _____
Its: _____

**Exhibit 1
Participating CVUSD Locations**

The CVUSD locations, SPSAs, and Batteries participating in the Program and referenced in the Participation Agreement, are as follows:

Site Name	Address	Battery Resource
Chino Hills HS	16150 Pomona Rincon Rd, Chino Hills, CA 91709	250 kW/475 kWh
Chino HS	5472 Park Pl., Chino, CA 91710	250 kW/475 kWh
Don Lugo HS	13400 Pipeline Ave., Chino, CA 91710	250 kW/475 kWh
Ruben Ayala HS	14255 Peyton Dr., Chino Hills, CA 91709	250 kW/475 kWh
Walnut Ave ES	5550 Walnut Ave., Chino, CA 91710	100 kW/190 kWh
	Total	1,100 kW/2,090 kWh

Exhibit 2 Program Reimbursement Mechanism

The Program Reimbursement for CVUSD's lost savings for participating in each month of the Program will be calculated as follows:

1. Classify each day in month as either a market or non-market day; where
 - a. A market day is a day that the aggregation was dispatched to provide a market service in exchange for a market award or simulate the provision of a market service for the purposes of the pilot.
 - b. A non-market day is a day that the aggregation was not dispatched to provide or simulate the provision of a market service.
2. Determine the peak demand across market days as defined by the electric rate billing determinant (e.g. weekdays only)
3. Determine the peak demand across non-market days as defined by the electric rate billing determinant (e.g. weekdays only)
4. Calculate the demand charge impact for each site as the following:
 - a. DemandChargeImpact = Maximum [Peak Demand from Market Days – Peak Demand from Non-Market Days, 0]
5. Calculate the demand charge reimbursement for each site as the following:
 - a. DemandChargeReimbursement = DemandChargeImpact * Monthly Demand Charge Rate

Tables 2a and 2b provide illustrative calculations for a month with and without a DemandChargeImpact.

Table 2a: Example of Month with Demand Charge Impact

PeakDemand Market Days	100 kW
Peak Demand Non-Market Days	40 kW
DemandChargeImpact	Maximum[100-50, 0] = 60
Monthly Demand Charge Rate	\$10/kw
DemandChargeReimbursement	\$600

Table 2b: Example of Month with Demand Charge Impact

PeakDemand Market Days	100 kW
Peak Demand Non-Market Days	140 kW
DemandChargeImpact	Maximum[100-140, 0] = 0
Monthly Demand Charge Rate	\$10/kw
DemandChargeReimbursement	\$0

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 7, 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

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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>
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CERTIFICATED MANAGEMENT PERSONNEL FOR THE 2017/2018 SCHOOL YEAR

RESIGNATION

SOSA, Dan	Director	Elementary Curriculum	08/31/2017
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HIRED AT THE APPROPRIATE PLACEMENT ON THE CERTIFICATED SALARY SCHEDULE AND APPROPRIATE CREDENTIAL FOR THE 2017/2018 SCHOOL YEAR

MORTENSEN, Amy	Elementary Teacher	Glenmeade ES	08/22/2017
ROSENBAUM, Lindsay	Elementary Teacher	Marshall ES	09/05/2017
THOMAS, Shelley	Child Development Teacher	Newman FC	09/08/2017
BENITEZ, Janine	Child Development Teacher	Rolling Ridge FC	09/08/2017
MOANA, Denise	Child Development Teacher	Rolling Ridge FC	09/13/2017
DOERING, Marlena	Elementary Teacher	Walnut ES	08/23/2017
LEON, Andrea	Elementary Teacher	Walnut ES	08/23/2017
LOWE, Katherine	Instructional Coach	Briggs K-8	09/08/2017
SCHWAB, Katelyn	Elementary Teacher	Cal Aero K-8	09/22/2017
BALBUENA, Guadalupe	Special Education Teacher	Chino Hills HS	08/24/2017
RUIZ, Christina	K-12 Intervention Counselor	Special Education	09/08/2017

RESIGNATION

MARQUEZ, Constance	Special Education Teacher	Newman ES	08/08/2017
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APPOINTMENT – EXTRA DUTY

BELLOSO, Rodrigo	8th Grade Boys Basketball (GF)	Briggs K-8	09/08/2017
DONOHU, Julie	Volleyball (GF)	Briggs K-8	09/08/2017
DONOHU, Julie	Track (GF)	Briggs K-8	09/08/2017
MILLER, Amy	Co-ed Softball (GF)	Briggs K-8	09/08/2017
SILVA, Michael	8th Grade Boys Basketball (GF)	Briggs K-8	09/08/2017
WEINSTEIN, Amelia (NBM)	Volleyball (GF)	Briggs K-8	09/08/2017
WEINSTEIN, Danielle	Volleyball (GF)	Briggs K-8	09/08/2017
WEINSTEIN, Danielle	Co-ed Softball (GF)	Briggs K-8	09/08/2017
SPICER, Scott	Football (GF)	Magnolia JHS	09/08/2017
SPICER, Scott	8th Grade Boys Basketball (GF)	Magnolia JHS	09/08/2017
SPICER, Scott	Soccer (GF)	Magnolia JHS	09/08/2017
SPICER, Scott	Track (GF)	Magnolia JHS	09/08/2017

CERTIFICATED PERSONNEL (cont.)

<u>NAME</u>	<u>POSITION</u>	<u>LOCATION</u>	<u>EFFECTIVE DATE</u>
CABRERA, Richard	Football (GF)	Ramona JHS	09/08/2017
CABRERA, Richard	7th Grade Boys Basketball (GF)	Ramona JHS	09/08/2017
GONZALEZ, Joseph	Soccer (GF)	Ramona JHS	09/08/2017
LEATHERWOOD, Joseph	7th Grade Girls Basketball (GF)	Ramona JHS	09/08/2017
ROGERS, Nancy	7th Grade Girls Basketball (GF)	Ramona JHS	09/08/2017
VAZQUEZ, Alberto	Soccer (GF)	Ramona JHS	09/08/2017
ANCONA, Camilla (NBM)	Color Guard (B)	Townsend JHS	09/08/2017
CARROLL, Nathan (NBM)	Band (B)	Townsend JHS	09/08/2017
COLLINS, Michael (NBM)	7th Grade Boys Basketball (B)	Townsend JHS	09/08/2017
GARCIA, Jaclyn (NBM)	Pep Squad (B)	Townsend JHS	09/08/2017
ARANA, Hector (NBM)	Boys Soccer (B)	Ayala HS	09/08/2017
CAZETT, Michaella (NBM)	Athletic Trainer (B)	Ayala HS	09/08/2017
DONOVAN, Kenny	Girls Golf (B)	Ayala HS	09/08/2017
GONZALEZ, Jesus (NBM)	Girls Soccer (B)	Ayala HS	09/08/2017
LIBBY, Gary	Baseball (B)	Ayala HS	09/08/2017
ORTEGA, Jesus (NBM)	Baseball (B)	Ayala HS	09/08/2017
COMMESSO, Joseph (NBM)	Boys Basketball (GF)	Chino HS	09/08/2017
DAVIDSON, Timothy (NBM)	Football (B)	Chino HS	09/08/2017
HARRIS, Calvin (NBM)	Football (B)	Chino HS	09/08/2017
JIMENEZ, Jose (NBM)	Boys Soccer (B)	Chino HS	09/08/2017
MONTELLO, Makaila (NBM)	Volleyball (B)	Chino HS	09/08/2017
PRESCOTT, Renay (NBM)	Pep Squad (B)	Chino HS	09/08/2017
FRANKLIN, Daniel	Baseball (GF)	Chino Hills HS	09/08/2017
GARCIA, Jaclyn (NBM)	Pep Squad (B)	Chino Hills HS	09/08/2017
LIN, Albert (NBM)	Band (B)	Chino Hills HS	09/08/2017
PALMER, Robert	Baseball (GF)	Chino Hills HS	09/08/2017
WROTH, Christen (NBM)	Band (B)	Chino Hills HS	09/08/2017
WELLER, Ryan (NBM)	Band (B)	Don Lugo HS	09/08/2017
WROTH, Christen (NBM)	Band (B)	Don Lugo HS	09/08/2017

TOTAL: \$ 34,128.00

APPOINTMENT OF CERTIFICATED SUBSTITUTES EFFECTIVE JULY 1, 2017, THROUGH JUNE 30, 2018

ALANIS, Anthony	CAMPAGNA, Emily	CENTENO, Rosalinda
CHAMORRI, Ruben	CHAVEZ, Maria	CUNNINGHAM, Gina
FRANKLIN, John	HENDERTILO, Rachel	HEYER, Gabriela
LEE, YoungJi	KINDER, Tina	KRANAWETTER, Timothy
LEON, Analizet	LORDS, Kristina	LYND, Jessie Rose
PLASCENCIA, Andy	QUINN, Ryan	SANCEAU, Sonia
VIRAMONTES, Wendy		

CLASSIFIED PERSONNEL

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

APPOINTMENT

BAROLDY, Shelly Nicole	Behavioral Health Counselor (C)	Health Services	09/08/2017
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RESIGNATION

HAZEN, Olivia	Occupational Therapist (SELPA/GF)	Special Education	08/10/2017
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HIRED AT THE APPROPRIATE PLACEMENT ON THE CLASSIFIED SALARY SCHEDULE**APPOINTMENT**

RAMIREZ, Tiara	IA/Special Ed./SH (SELPA/GF)	Borba ES	09/08/2017
STEBBINS, Juliette	IA/Elementary Physical Ed. (GF)	Butterfield Ranch ES /Eagle Canyon ES	09/08/2017
LOPEZ, Jezebel	IA/Elementary Physical Ed. (GF)	Butterfield Ranch ES /Eagle Canyon ES	09/08/2017
MELENDEZ, Elvis	Custodian II (GF)	Chaparral ES	09/08/2017
LEONARDO, Noemi	Bilingual Typist Clerk I (GF)	Glenmeade ES	09/08/2017
HOLENDOR, Ambar	IA/Childhood Ed. (CDF)	Litel FC	09/08/2017
CRONIN, Lissett	Nutrition Services Asst. I (NS)	Marshall ES	09/08/2017
GOOD, Stephanie	IA/Special Ed. (SELPA/GF)	Newman ES	09/08/2017
IHDE, Gina	Nutrition Services Asst. I (NS)	Walnut ES	09/08/2017
GARCIA, Pricilla	Nutrition Services Asst. I (NS)	Briggs K-8	09/08/2017
DREILING, Tammy	IA/Special Ed./SH (SELPA/GF)	Magnolia JHS	09/08/2017
ESTRADA, Blanca	Central Kitchen Asst. I (NS)	Woodcrest JHS	09/08/2017
LAGUS, David	Custodian I (GF)	Chino HS	09/08/2017
NUNEZ, Selena	Nutrition Services Asst. II (NS)	Chino HS	09/08/2017
AGUILAR, Jianna	Athletic Trainer (GF)	Chino Hills HS	09/08/2017

PROMOTION

CERDA, Misty	FROM: Elementary Library/ Media Center Asst. (GF) 3.5 hrs./131 work days	Glenmeade ES	09/08/2017
	TO: Health Technician (C) 3.5 hrs./185 work days	Marshall ES	

CLASSIFIED PERSONNEL (cont.)

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

LEON, Belen	FROM: Nutrition Services Asst. I (NS) 2 hrs./181 work days TO: Central Kitchen Asst. I (NS) 3.5 hrs./181 work days	Newman ES Canyon Hills JHS	09/08/2017
SWARTZ, Katherine	FROM: IA/Special Ed./SH (SELPA/GF) 6 hrs./181 work days TO: Typist Clerk II (GF) 8 hrs./201 work days	Chino Hills HS Glenmeade	09/08/2017
DEAN, Curtis	FROM: Security Person (GF) 8 hrs./181 work days TO: Technology Technician (GF) 8 hrs./261 contract days	Don Lugo HS Technology	09/08/2017
JIMENEZ, Eva	FROM: IA/Secondary (C/GF) 5 hrs./217 work days TO: Typist Clerk II (C) 8 hrs./261 contract days	Boys Republic HS Special Education	09/08/2017

CHANGE IN ASSIGNMENT

GRANCHUKOFF, Michelle	FROM: Central Kitchen Asst. I (NS) 2.5 hrs./181 work days TO: Central Kitchen Asst. I (NS) 3 hrs./181 work days	Woodcrest JHS Townsend JHS	09/08/2017
MCMILLAN, Linda	FROM: Attendance Clerk (GF) 8 hrs./195 work days TO: Typist Clerk II (GF) 8 hrs./201 work days	Chino Hills HS Chino Hills HS	09/08/2017

CLASSIFIED PERSONNEL (cont.)

<u>NAME</u>	<u>POSITION</u>	<u>LOCATION</u>	<u>EFFECTIVE DATE</u>
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CHANGE IN ASSIGNMENT (cont.)

TAPIA, Susan	FROM: Bilingual Typist Clerk I (GF) 8 hrs./181 work days TO: Testing Aide Bilingual- Biliterate (GF) 8 hrs./213 work days	Nutrition Services Assessment & Instructional Technology	09/08/2017
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INCREASE HOURS/DAYS

BUTTERLY, Lupe	FROM: IA/Bilingual-Biliterate- Spanish (C) 3.75 hrs./150 work days TO: IA/Bilingual-Biliterate- Spanish (C) 3.75 hrs./175 work days	Cattle ES Cattle ES	09/08/2017
FROYA, Brenda	FROM: School Comm. Liaison-Biling. Spanish (C) 4 hrs./160 contract days TO: School Comm. Liaison- Biling. Spanish (C) 6 hrs./180 contract days	Access & Equity Access & Equity	09/08/2017

RESIGNATION OF POSITION

FROYA, Brenda	IA/Childhood Education (CDF)	Dickey SOAR	08/17/2017
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RELEASE OF PROBATIONARY EMPLOYEE WITHOUT PREJUDICE

Employee #26125			08/21/2017
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RESIGNATION

GUILLEN-MEZA, Gludy	Nutrition Services Asst. I (NS)	Marshall ES	08/10/2017
THOMAS, Shelley	Child Care Specialist (CDF)	Newman FC	09/07/2017
AYALA, Jackie	IA/Special Education (SELPA/GF)	Chino Hills HS	08/24/2017

CLASSIFIED PERSONNEL (cont.)

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

ADAMS, Karen (25 years of service)	IA/Special Education (SELPA/GF)	Chino HS	10/10/2017
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APPOINTMENT OF SHORT TERM EMPLOYEES EFFECTIVE JULY 1, 2017, THROUGH DECEMBER 31, 2017

MORREIRA, Richard	IA/Special Education/SH	Walnut ES
CORREA, Lucia	IA/Special Education/SH	Wickman ES
WILLIAMS, Janelle	IA/Special Education/SH	Magnolia JHS
DUNN, Clara	IA/Special Education/SH	Don Lugo HS

APPOINTMENT OF CLASSIFIED SUBSTITUTES EFFECTIVE JULY 1, 2017, THROUGH JUNE 30, 2018

ALVIZ, Lauren	ARTUKOVICH, Denise	BARILLA, Veronica
BROWN, Maya	CANSECO, Hilda	CHEEVER, Gary
CHUNG, Dexter	COGBURN, Dana	FIERROS, Catalina
GALLARDO, Keilah	GRIEGO, Michael	GONZALEZ, Sarah
LARO, Kenneth	LOPEZ, Kimberly	MAUS, Bryanna
RAMOS, Erica	RODRIGUEZ, Adriana	ROSALEZ Jr., Victor
SOLTIS, Nicole		

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

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 7, 2017
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Lea Fellows, Assistant Superintendent, Human Resources
Craig Frame, Director, Risk Management and Human Resources
SUBJECT: REJECTION OF CLAIM

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BACKGROUND

Claim 17-08-13 was submitted on August 11, 2017, by Xuebing Cao, member of the public. Claimant alleges that he sustained vehicle damage after a District employee backed into him while he was parked in the parking lot at the Chino Valley Learning Academy. Claimant seeks reimbursement for vehicle damage in the amount of \$1,788.42.

The Board is requested to reject claims against the District to allow insurance carriers to investigate the claims and make recommendations regarding the dispositions.

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

RECOMMENDATION

It is recommended the Board of Education reject the claim and refer it to the District's insurance adjuster.

FISCAL IMPACT

Unknown at present.

WMJ:LF:CF:lag

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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DATE: September 7, 2017
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
SUBJECT: REVISION OF BYLAWS OF THE BOARD 9121—PRESIDENT

=====

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. Bylaws of the Board 9121—President. Bylaw updated to reorganize and revise the duties of the board president for consistency with information provided in CSBA’s Board President’s Workshop, and to add an optional component on providing training for the president to enhance his/her leadership skills

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 Bylaws of the Board 9121—President.

FISCAL IMPACT

None.

WMJ:pk

PRESIDENT

The Board of Education shall elect a president from among its members to provide leadership on behalf of the GOVERNANCE TEAM Board and the educational community it serves.

(cf. 9000 - Role of the Board)
 (cf. 9005 - Governance Standards)
 (cf. 9100 - Organization)

TO ENSURE THAT BOARD MEETINGS ARE CONDUCTED IN AN EFFICIENT, TRANSPARENT, AND ORDERLY MANNER, THE PRESIDENT SHALL ~~The president shall preside at all Board of Education meetings. He/she shall:~~

1. CALL SUCH MEETINGS OF THE BOARD AS HE/SHE MAY DEEM NECESSARY, GIVING NOTICE AS REQUIRED BY LAW

(cf. 9320 - Meetings and Notices)
 (cf. 9321 - Closed Session Purposes and Agendas)

2. CONSULT WITH THE SUPERINTENDENT OR DESIGNEE ON THE PREPARATION OF BOARD MEETING AGENDAS

- 4.3. Call the meeting to order at the appointed time; AND PRESIDE OVER THE MEETING

(cf. 9322 - Agenda/Meeting Materials)

- 2.4 Announce the business to come before the Board in its proper order;

35. Enforce the Board's policies relating to the conduct of meetings and help ensure compliance with applicable requirements of The Brown Act

- 4.6. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference;

- ~~5. Explain what the effect of a motion would be if it is not clear to every member;~~

- 6.7. FACILITATE THE BOARD'S EFFECTIVE DELIBERATION, ENSURING THAT EACH BOARD MEMBER HAS AN OPPORTUNITY TO PARTICIPATE IN THE DELIBERATION AND THAT THE DISCUSSION REMAINS FOCUSED ~~Restrict discussion to the question when a motion is before the Board;~~

- 7.8. Rule on ISSUES OF parliamentary procedure;

PRESIDENT (cont.)

BB 9121(b)

8-9. Put motions to a vote; EXPLAIN WHAT THE EFFECT OF A MOTION WOULD BE IF IT IS NOT CLEAR TO EVERY MEMBER; and ~~state~~ clearly STATE the results of the vote;

9. ~~Be responsible for the orderly conduct of all board meetings.~~

(cf. 9323 - Meeting Conduct)

The BOARD president shall have all the rights of any member of the Board, including the right to ~~move, second,~~ discuss, and vote on all MATTERS ~~questions~~ before the Board.

The Board president shall perform other duties in accordance with law and Board Policy, including but not limited TO:

1. Sign all instruments, acts, ~~and~~ orders AND RESOLUTIONS necessary to COMPLY WITH ~~carry out state~~ LEGAL requirements and CARRY OUT the will of the Board
2. WORKING ~~Consult~~ with the Superintendent or designee TO ENSURE THAT BOARD MEMBERS HAVE NECESSARY MATERIALS AND INFORMATION ~~on the preparation of the Board's agendas~~
3. Work with the Superintendent to ensure that Board members have necessary materials and information;
4. Subject to Board approval, appoint and dissolve all committees;

(cf. 9130 - Board Committees)

5. ~~Call such meetings of the Board as he/she may deem necessary, giving notice as prescribed by law;~~

(cf. 9320 - Meeting and Notices)

(cf. 9321 - Closed Session Purposes and Agendas)

5. IN CONJUNCTION WITH THE SUPERINTENDENT OR DESIGNEE, represent the District as THE BOARD'S ~~governance~~ spokesperson in COMMUNICATION WITH THE MEDIA ~~in conjunction with the Superintendent;~~
6. LEADING THE BOARD'S ADVOCACY EFFORTS TO BUILD SUPPORT WITHIN THE LOCAL COMMUNITY AND AT THE STATE AND NATIONAL LEVELS

PRESIDENT (cont.)

BB 9121(c)

(cf. 1112 – Media Relations)

When the president resigns or is absent ~~or disabled~~, the vice president shall perform the president's duties. When both the president and vice president are absent ~~or disabled~~, the clerk shall perform the president's duties.

Legal Reference:

EDUCATION CODE

35022 President of the Board

35143 Annual organizational meetings; dates and notice

GOVERNANCE CODE

54950-54963 Ralph M. Brown Act

Management Resources:

CSBA PUBLICATIONS

Board Presidents' Handbook, revised 2002 CSBA Professional Governance Standards, 2000

Maximizing School Board Leadership: Boardmanship, 1996

WEBSITES

California School Board Association: www.csba.org

Chino Valley Unified School District

Bylaw adopted: August 17, 1995

Revised: October 21, 2010

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 7, 2017
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
SUBJECT: REVISION OF BYLAWS OF THE BOARD 9230—ORIENTATION

=====

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. Bylaws of the Board 9230—Orientation is being updated to delete section on “Board Candidate Orientation” and move that material to Board Bylaw 9220—Governing Board Elections. Bylaw also clarifies that an orientation meeting must be conducted in open session if a majority of the members of the board will be discussing district business; provides examples of topics and materials to be addressed in the orientation; and provides information about CSBA trainings for new and first-term board members.

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 Bylaws of the Board 9230—Orientation.

FISCAL IMPACT

None.

WMJ:pk

ORIENTATION

Board Candidates Orientation

The Board of Education ~~desires to provide Board candidates with orientation that will enable them to understand the responsibilities and expectations of Board membership. The Superintendent or designee shall provide all candidates with general information about school programs, District operations, and Board responsibilities.~~ RECOGNIZES THE IMPORTANCE OF PROVIDING ALL NEWLY ELECTED OR APPOINTED BOARD MEMBERS WITH SUPPORT AND INFORMATION TO ASSIST THEM IN BECOMING EFFECTIVE MEMBERS OF THE BOARD. INCOMING BOARD MEMBERS SHALL BE PROVIDED AN ORIENTATION DESIGNED TO BUILD THEIR KNOWLEDGE OF THE DISTRICT AND AN UNDERSTANDING OF THE RESPONSIBILITIES OF THEIR POSITION. SUCH ORIENTATION MAY INCLUDE THE PROVISION OF INFORMATION, SUPPORT, AND/OR TRAINING RELATED TO BOARD FUNCTIONS, POLICIES, PROTOCOLS, AND STANDARDS OF CONDUCT.

(cf. 9200 - Board Members, Limits of Authority)

(cf. 9220 - Governing Board Elections)

(cf. 9223 - Filling Vacancies)

The Board encourages all candidates to attend public Board meetings during the period of their candidacy. Candidates have the same access as members of the public to District staff and information.

(cf. 1340 - Access to District Records)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

INCOMING BOARD MEMBERS

Upon their election OR APPOINTMENT, incoming Board members shall be provided a copy of the Brown Act and informed that, pursuant to Government Code 54952.1, they must conform to the Act's requirements as if they had already assumed office.

ADDITIONAL INFORMATION FOR INCOMING BOARD MEMBERS MAY INCLUDE, BUT IS NOT LIMITED TO, BOARD BYLAWS RELATED TO THE LIMITS OF INDIVIDUAL BOARD MEMBER AUTHORITY, THE CONDUCT OF BOARD MEETINGS, AND OTHER BOARD OPERATIONS; GOVERNANCE STANDARDS FOR ETHICAL CONDUCT; LEGAL REQUIREMENTS RELATED TO CONFLICT OF INTEREST AND PROHIBITED POLITICAL ACTIVITY; PROTOCOLS FOR SPEAKING WITH DISTRICT STAFF, MEMBERS OF THE PUBLIC, AND THE MEDIA; AND PUBLICATIONS ON EFFECTIVE GOVERNANCE PRACTICES.

(cf. 1112 - Media Relations)

(cf. 1160 - Political Processes)

ORIENTATION (cont.)

- (cf. 9005 - Governance Standards)
- (cf. 9010 - Public Statements)
- (cf. 9011 - Disclosure of Confidential/Privileged Information)
- (cf. 9012 - Board Member Electronic Communications)
- (cf. 9200 - Limits of Board Member Authority)
- (cf. 9270 - Conflict of Interest)
- (cf. 9323 - Meeting Conduct)

IN ADDITION, the Superintendent OR DESIGNEE SHALL ~~may~~ provide incoming Board members with SPECIFIC ~~additional~~ background ~~and~~ information regarding the DISTRICT, INCLUDING, BUT NOT LIMITED TO, THE District's vision and goals STATEMENTS, LOCAL CONTROL AND ACCOUNTABILITY PLAN AND OTHER COMPREHENSIVE PLANS, STUDENT DEMOGRAPHIC DATA, STUDENT ACHIEVEMENT DATA, DISTRICT POLICY MANUAL, DISTRICT BUDGET, AND MINUTES OF RECENT OPEN BOARD MEETINGS. ~~operations, and current challenges in areas that include, but are not be limited to, student achievement, curriculum, finance, facilities, policy, human resources, and collective bargaining.~~

- (cf. 0000 - Vision)
- (cf. 0200 - Goals for the School District)
- (cf. 0400 - Comprehensive Plans)
- (cf. 0460 - Local Control and Accountability Plan)

THE SUPERINTENDENT OR DESIGNEE MAY OFFER INCOMING BOARD MEMBERS A TOUR OF DISTRICT SCHOOLS AND FACILITIES, AND MAY INTRODUCE THEM TO DISTRICT AND SCHOOL SITE ADMINISTRATORS AND OTHER STAFF.

Incoming members are encouraged, AT DISTRICT EXPENSE, to attend THE CALIFORNIA SCHOOL BOARDS ASSOCIATION'S ORIENTATION FOR NEW TRUSTEES, INSTITUTE FOR NEW AND FIRST-TERM BOARD MEMBERS ~~board meetings and review agenda materials available to the public in order to become familiar with current issues facing the District. Incoming members also may, at District expense,~~ AND attend workshops and conferences relevant to THE NEEDS OF THE ~~their individual MEMBER, needs or to the needs of the~~ Board as a whole, or the District.

Legal Reference:

EDUCATION CODE

33360 Department of Education and statewide association of school district boards; annual workshops
33362-33363 Reimbursement of expenses; board member or member-elect

GOVERNMENT CODE

54950-54963 The Ralph M. Brown Act, especially:
54952.1 Member of a legislative body
54952.2 Open meeting laws; posting agenda; board actions
54952.7 Copies of Brown Act to board members

ORIENTATION (cont.)

Management Resources:

CSBA PUBLICATIONS

Professional Governance Standards for School Boards

The Brown Act: School Boards and Open Meeting Laws, rev. 2009

WEBSITES

California School Boards Association: www.csba.org

Chino Valley Unified School District

Bylaw adopted: August 17, 1995

Revised: May 19, 2011

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 7, 2017
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
SUBJECT: REVISION OF BYLAWS OF THE BOARD 9400—BOARD SELF-EVALUATION

=====

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. Bylaws of the Board 9400—Board Self-Evaluation is being updated for consistency with CSBA’s online board self-evaluation tool and facilitator services. Bylaw also links board self-evaluation to the identification of strategies for strengthening board performance including board trainings.

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 Bylaws of the Board 9400—Board Self-Evaluation.

FISCAL IMPACT

None.

WMJ:pk

BOARD SELF-EVALUATION

The Board of Education shall annually conduct a self-evaluation in order to demonstrate accountability to the community and ensure that District governance effectively supports student achievement and the attainment of the District's vision and goals.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 2140 - Evaluation of the Superintendent)

The evaluation may address any areas of Board responsibility, including but not limited to board performance in relation to vision setting, curriculum, personnel, finance, policy DEVELOPMENT, collective bargaining, and community relations, AND ADVOCACY. The evaluation also may address objectives related to Board meeting operations, relationships among Board members, relationship with the Superintendent, understanding of Board and Superintendent roles and responsibilities, communication skills, or other GOVERNANCE OR Boardsmanship skills.

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

The Board shall ~~be evaluated~~ ITSELF as a whole. Individual Board members also are EXPECTED ~~encouraged~~ to use the evaluation process as an opportunity to ~~privately~~ assess AND SET GOALS FOR their own personal performance.

Each year, the Board, with assistance from the Superintendent, shall determine an evaluation method or instrument that measures key components of board responsibility and previously identified performance objectives. Visual and/or audio recordings of a Board meeting may only be used as an evaluation tool when consent is given by all Board members.

Any discussion INVOLVING ~~of~~ the Board's self-evaluation shall be conducted in open session. At the request of the Board, a facilitator may be used to assist with the evaluation process. The Board may invite the Superintendent or other individual(s) with pertinent information to provide input into the evaluation process.

Following the evaluation, the Board shall SET GOALS DEFINE AND/OR REFINE PROTOCOLS AND ESTABLISH PRIORITIES AND OBJECTIVES FOR THE FOLLOWING YEAR'S EVALUATION. THE BOARD SHALL ALSO develop strategies for strengthening Board performance BASED ON IDENTIFIED AREAS OF NEED, INCLUDING, BUT NOT LIMITED TO, BOARD TRAININGS SUCH AS THOSE OFFERED BY THE CALIFORNIA SCHOOL BOARDS ASSOCIATION. ~~and shall establish priorities and objectives for the following year's evaluation.~~

BOARD SELF-EVALUATION (cont.)

(cf. 9230 - Orientation)

(cf. 9240 - Board Development)

Legal Reference:

GOVERNMENT CODE

54950-54963 Brown Act; board self-evaluations not covered

Management Resources:

CSBA PUBLICATIONS

Professional Governance Standards

Defining Governance, Issue 3: Governance Practices, Governance Brief, April 2014

WEBSITES

California School Boards Association: www.csba.org

California School Boards Association Board Self-Evaluation: www.bse.csba.org

Chino Valley Unified School District

Bylaw Adopted: October 15, 2015

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 7, 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: REVISION OF BOARD POLICY AND NEW ADMINISTRATIVE
REGULATION 5145.3 STUDENTS – NONDISCRIMINATION/
HARASSMENT OF STUDENTS**

=====

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 5145.3 Students – Nondiscrimination/Harassment of Students is being revised to clarify (1) that the policy is applicable to off-campus conduct that may have a continuing impact on a student at school, and (2) that the District must investigate all allegations of discrimination of which it has notice, regardless of whether a formal written complaint is filed, and must take action to address any effect of discrimination found. New Administrative Regulation 5145.3 Students – Nondiscrimination Harassment of Students ensures consistency of the reporting procedures with the formal complaint procedure in the Uniform Complaint Process, and sets provisions in the section on “Transgender and Gender-Nonconforming Students.”

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

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

RECOMMENDATION

It is recommended the Board of Education receive for information the revision of Board Policy and new Administrative Regulation 5145.3 Students – Nondiscrimination/Harassment of Students.

FISCAL IMPACT

None.

NONDISCRIMINATION/HARASSMENT OF STUDENTS

The Board of Education desires to ~~ensure~~ PROVIDE A SAFE SCHOOL ENVIRONMENT THAT ALLOWS ~~equal opportunities for all students~~ EQUAL ACCESS AND OPPORTUNITIES in THE DISTRICT'S ACADEMIC, EXTRACURRICULAR, AND OTHER EDUCATIONAL SUPPORT ~~admission and access to the District's Educational programs, guidance and counseling programs, athletic programs, testing procedures, and other~~ SERVICES AND activities. All District programs and activities shall be free from THE BOARD OF EDUCATION PROHIBITS, AT ANY DISTRICT SCHOOL OR SCHOOL ACTIVITY, UNLAWFUL discrimination, including DISCRIMINATORY harassment, INTIMIDATION, AND BULLYING, TARGETED AT ANY STUDENT BY ANYONE, BASED ON ~~with respect to a~~ THE student's actual or perceived race, color, ANCESTRY, national origin, NATIONALITY, ETHNICITY, ethnic group identification, age, religion, MARITAL OR PARENTAL STATUS, physical or mental disability, sex, ~~or~~ sexual orientation gender, GENDER IDENTITY, OR GENDER EXPRESSION OR ASSOCIATION WITH A PERSON OR GROUP WITH ONE OR MORE OF THESE ACTUAL OR PERCEIVED CHARACTERISTICS.

THIS POLICY SHALL APPLY TO ALL ACTS RELATED TO SCHOOL ACTIVITY OR TO SCHOOL ATTENDANCE OCCURRING WITHIN A DISTRICT SCHOOL, AND TO ACTS WHICH OCCUR OFF CAMPUS OR OUTSIDE OF SCHOOL-RELATED OR SCHOOL-SPONSORED ACTIVITIES BUT WHICH MAY HAVE AN IMPACT OR CREATE A HOSTILE ENVIRONMENT AT SCHOOL.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5145.9 - Hate-Motivated Behavior)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 6164.6 - Identification and Education Under Section 504)

UNLAWFUL DISCRIMINATION, INCLUDING DISCRIMINATORY HARASSMENT, INTIMIDATION, OR BULLYING, MAY RESULT FROM PHYSICAL, VERBAL, NONVERBAL, OR WRITTEN CONDUCT BASED ON ANY OF THE CATEGORIES LISTED ABOVE. UNLAWFUL DISCRIMINATION ALSO INCLUDES THE CREATION OF A HOSTILE ENVIRONMENT THROUGH PROHIBITED CONDUCT THAT IS SO SEVERE, PERSISTENT, OR PERVASIVE THAT IT AFFECTS A STUDENT'S ABILITY TO PARTICIPATE IN OR BENEFIT FROM AN EDUCATIONAL PROGRAM OR ACTIVITY; CREATES AN INTIMIDATING, THREATENING, HOSTILE, OR OFFENSIVE EDUCATIONAL ENVIRONMENT; HAS THE EFFECT OF SUBSTANTIALLY OR UNREASONABLY INTERFERING WITH A STUDENT'S ACADEMIC PERFORMANCE; OR OTHERWISE ADVERSELY AFFECTS A STUDENT'S EDUCATIONAL OPPORTUNITIES.

NONDISCRIMINATION/HARASSMENT OF STUDENTS (cont.)

UNLAWFUL DISCRIMINATION ALSO INCLUDES DISPARATE TREATMENT OF STUDENTS BASED ON ONE OF THE CATEGORIES ABOVE WITH RESPECT TO THE PROVISION OF OPPORTUNITIES TO PARTICIPATE IN SCHOOL PROGRAMS OR ACTIVITIES OR THE PROVISION OR RECEIPT OF EDUCATION BENEFITS OR SERVICES.

THE BOARD OF EDUCATION ALSO PROHIBITS ANY FORM OF RETALIATION AGAINST ANY INDIVIDUAL WHO REPORTS OR PARTICIPATES IN THE REPORTING OF UNLAWFUL DISCRIMINATION, FILES OR PARTICIPATES IN THE FILING OF A COMPLAINT, OR INVESTIGATES OR PARTICIPATES IN THE INVESTIGATION OF A COMPLAINT OR REPORT ALLEGING UNLAWFUL DISCRIMINATION. RETALIATION COMPLAINTS SHALL BE INVESTIGATED AND RESOLVED IN THE SAME MANNER AS A DISCRIMINATION COMPLAINT.

THE SUPERINTENDENT OR DESIGNEE SHALL FACILITATE STUDENTS' ACCESS TO THE EDUCATIONAL PROGRAM BY PUBLICIZING THE DISTRICT'S NONDISCRIMINATION POLICY AND RELATED COMPLAINT PROCEDURES TO STUDENTS, PARENTS/GUARDIANS, AND EMPLOYEES. HE/SHE SHALL PROVIDE INFORMATION ON THE POLICY AND COMPLAINT PROCEDURES RELATED TO DISCRIMINATION. THE SUPERINTENDENT OR DESIGNEE SHALL REGULARLY REVIEW THE IMPLEMENTATION OF THE DISTRICT'S NONDISCRIMINATION POLICIES AND PRACTICES AND, AS NECESSARY, SHALL TAKE ACTION TO REMOVE ANY IDENTIFIED BARRIER TO STUDENT ACCESS TO OR PARTICIPATION IN THE DISTRICT'S EDUCATIONAL PROGRAM. HE/SHE SHALL REPORT HIS/HER FINDINGS AND RECOMMENDATIONS TO THE BOARD OF EDUCATION AFTER EACH REVIEW.

(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 1330 - Use of Facilities)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6164.2 - Guidance/Counseling Services)

REGARDLESS OF WHETHER A COMPLAINANT COMPLIES WITH THE WRITING, TIMELINE, AND/OR OTHER FORMAL FILING REQUIREMENTS, ALL COMPLAINTS ALLEGING UNLAWFUL DISCRIMINATION, INCLUDING DISCRIMINATORY HARASSMENT, INTIMIDATION, OR BULLYING, SHALL BE INVESTIGATED AND PROMPT ACTION TAKEN TO STOP THE DISCRIMINATION, PREVENT RECURRENCE, AND ADDRESS ANY CONTINUING EFFECT ON STUDENTS.

NONDISCRIMINATION/HARASSMENT OF STUDENTS (cont.)

~~Discrimination may also include retaliation towards students and their parents/guardians for engaging in a “protected activity”. Such “protected activities” include complaining of or reporting discrimination, participating in an investigation of such a complaint, and advocating for the civil rights of a student regardless of whether the complaint relates to the complaining person or someone else.~~

~~(cf. 0410 – Nondiscrimination in District Programs and Activities)
(cf. 5145.9 – Hate-Motivated Behavior)
(cf. 5146 – Married/Pregnant/Parenting Students)
(cf. 6164.6 – Identification and Education Under Section 504)~~

~~The Board prohibits discrimination, including intimidation, harassment and retaliation of any student by any employee, student or other person in the District. Prohibited harassment includes physical, verbal, nonverbal, or written conduct based on one of the categories listed above that is so severe and pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the purpose or effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects the student's educational opportunities.~~

~~School staff and volunteers shall carefully guard against segregation, bias, and stereotyping in the delivery of services, including, but not limited to, instruction, guidance, and supervision.~~

~~(cf. 5145.2 – Freedom of Speech/Expression)
(cf. 6145 – Extracurricular and Cocurricular Activities)
(cf. 6145.2 – Athletic Competition)
(cf. 6164.2 – Guidance/Counseling Services)~~

~~The principal or designee shall develop a plan to provide students with appropriate accommodations when necessary for their protection from threatened or potentially harassing, retaliatory or other discriminatory behavior.~~

~~Students who engage in UNLAWFUL discrimination, including DISCRIMINATORY harassment, and INTIMIDATION, retaliation, OR BULLYING, in violation of law, board policy, or administrative regulation shall be subject to APPROPRIATE CONSEQUENCE OR discipline, WHICH MAY INCLUDE up to and including counseling, suspension, and/or expulsion WHEN BEHAVIOR IS SEVERE OR PERVASIVE AS DEFINED IN EDUCATION CODE 48900.4. Any employee who permits or engages in harassment, retaliation, or other prohibited discrimination shall be subject to disciplinary action, up to and including dismissal.~~

NONDISCRIMINATION/HARASSMENT OF STUDENTS (cont.)

~~(cf. 4118 – Suspension/Disciplinary Action)
(cf. 4119.21/4219.21/4319.21 – Professional Standards)
(cf. 4218 – Dismissal/Suspension/Disciplinary Action)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities)
(cf. 5145.2 - Freedom of Speech/Expression)~~

Grievance Procedures

~~The Board hereby designates the following position as coordinator for nondiscrimination to handle complaints regarding discrimination, including harassment and retaliation, and inquiries regarding the District's nondiscrimination policies:~~

~~Norm Enfield, Ed.D.
Assistant Superintendent, Human Resources
Chino Valley Unified School District
5130 Riverside Drive, Chino, CA 91710
(909) 628-1201 ext. 1110~~

~~(cf. 1312.1 – Complaints Concerning District Employees)
(cf. 1312.3 – Uniform Complaint Procedures)~~

~~Any student who feels that he/she has been subjected to discrimination including harassment and retaliation should immediately contact the coordinator, principal or any other staff member. Any student or school employee, who observes an incident of discrimination, including harassment and retaliation, should report the incident to the coordinator or principal, whether or not the victim files a complaint.~~

~~Upon receiving a complaint of discrimination including harassment and retaliation, the coordinator shall immediately investigate the complaint in accordance with site-level grievance procedures specified in Administrative Regulation 5145.7 – Sexual Harassment.~~

~~(cf. 5145.7 – Sexual Harassment)~~

~~The Superintendent or designee shall ensure that the student handbook clearly describes the District's nondiscrimination policy, procedures for filing a complaint regarding discrimination including harassment and retaliation, and the resources that are available to students and parents/guardians, who feel that they have been the victim of discrimination or harassment. The District's policy may also be posted on the District's website or any other location that is easily accessible to students and parents/guardians.~~

NONDISCRIMINATION/HARASSMENT OF STUDENTS (cont.)

RECORD-KEEPING

THE SUPERINTENDENT OR DESIGNEE SHALL MAINTAIN A RECORD OF ALL REPORTED CASES OF UNLAWFUL DISCRIMINATION, INCLUDING DISCRIMINATORY HARASSMENT, INTIMIDATION, OR BULLYING, TO ENABLE THE DISTRICT TO MONITOR, ADDRESS, AND PREVENT REPETITIVE PROHIBITED BEHAVIOR IN DISTRICT SCHOOLS.

(cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of Discrimination
48900.3 Suspension or Expulsion for Act of Hate Violence
48900.4 Suspension or Expulsion for Threats or Harassment
48904 Liability of Parent/guardian for Willful Student Misconduct
48907 Student Exercise of Free Expression
48950 Freedom of Speech
48985 Translation of Notices
49020-49023 Athletic Programs
51500 Prohibited Instruction or Activity
5150 Prohibited Means of Instruction
6004 Prohibited Instructional Materials

CIVIL CODE

1714. Liability of Parents/guardians for Willful Misconduct of Minor

PENAL CODE

422.5 Definition of Hate Crime
422.6 Crimes, Harassment

CODE OF REGULATIONS, TITLE 5

432 Student Record
4600-4687 Uniform Complaint Procedures
4900-4965 Nondiscrimination in Elementary and Secondary Education Programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972
12101-12213 Title II Equal Opportunity for Individuals with Disabilities

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age Discrimination Act of 1975

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on Basis of Disability; Complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.31 Disclosure of Personally Identifiable Information
100.3 Prohibition of Discrimination on Basis of Race, Color or National Origin
104.7 Designation of Responsible Employee for Section 504
106.8 Designation of Responsible Employee for Title IX

NONDISCRIMINATION/HARASSMENT OF STUDENTS (cont.)

106.9 Notification of Nondiscrimination on Basis of Sex

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

Management Resources:

CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Final Guidance Regarding Transgender Students, Privacy, and Facilities, March 2014

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

FIRST AMENDMENT CENTER PUBLICATIONS

Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Dealing with Legal Matters Surrounding Students' Sexual Orientation and Gender Identity, 2004

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

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, January 1999

WEBSITES

California School Boards Association: www.csba.org

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

California Safe Schools Coalition: www.casafeschools.org

First Amendment Center: www.firstamendmentcenter.org

National School Boards Association: www.nsba.org

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

Chino Valley Unified School District

Policy adopted: January 23, 1997

Revised: September 3, 1998

Revised: August 5, 2010

Revised: January 17, 2013

Revised: September 5, 2013

REVISED:

NONDISCRIMINATION/HARASSMENT OF STUDENTS

THE BOARD OF EDUCATION DESIGNATES THE INDIVIDUAL(S) IDENTIFIED BELOW AS THE EMPLOYEE(S) RESPONSIBLE FOR COORDINATING THE DISTRICT'S EFFORTS TO COMPLY WITH APPLICABLE STATE AND FEDERAL CIVIL RIGHTS LAWS, INCLUDING TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, SECTION 504 OF THE REHABILITATION ACT OF 1973, TITLE II OF THE AMERICANS WITH DISABILITIES ACT, AND THE AGE DISCRIMINATION ACT OF 1975, AND TO ANSWER INQUIRIES REGARDING THE DISTRICTS NONDISCRIMINATION POLICIES. THE COORDINATOR/COMPLIANCE OFFICER(S) MAY BE CONTACTED AT: (EDUCATION CODE 234.1; 5 CCR 4621)

DIRECTOR OF STUDENT SUPPORT SERVICES
13453 RAMONA AVENUE
CHINO, CA 91710
909-628-1201 EXTENSION 7750

AT THE DIRECTION OF THE COMPLIANCE OFFICER, ADDITIONAL DISTRICT ADMINISTRATORS MAY ASSIST IN INVESTIGATIONS WITHIN THEIR AREA OF EXPERTISE.

MEASURES TO PREVENT DISCRIMINATION

TO PREVENT UNLAWFUL DISCRIMINATION, INCLUDING DISCRIMINATORY HARASSMENT, INTIMIDATION, RETALIATION, AND BULLYING, OF STUDENTS AT DISTRICT SCHOOLS OR IN SCHOOL ACTIVITIES AND TO ENSURE EQUAL ACCESS OF ALL STUDENTS TO THE EDUCATIONAL PROGRAM, THE SUPERINTENDENT OR DESIGNEE SHALL IMPLEMENT THE FOLLOWING MEASURES:

1. PUBLICIZE THE DISTRICT'S NONDISCRIMINATION POLICY AND RELATED COMPLAINT PROCEDURES, INCLUDING THE COORDINATOR/COMPLIANCE OFFICER'S CONTACT INFORMATION, TO STUDENTS, PARENTS/GUARDIANS, EMPLOYEES, VOLUNTEERS, AND THE GENERAL PUBLIC, POSTING THEM ON THE DISTRICT'S WEBSITE AND OTHER PROMINENT LOCATIONS.

(cf. 1113 - District and School Websites)
(cf. 1114 - District-Sponsored Social Media)

2. PROVIDE TO STUDENTS A HANDBOOK THAT CONTAINS INFORMATION THAT CLEARLY DESCRIBES THE DISTRICT'S NONDISCRIMINATION POLICY, PROCEDURES FOR FILING A COMPLAINT. (Education Code 234.1)

NONDISCRIMINATION/HARASSMENT OF STUDENTS (CONT.)

3. ANNUALLY NOTIFY ALL STUDENTS AND PARENTS/GUARDIANS OF THE DISTRICT'S NONDISCRIMINATION POLICY, INCLUDING ITS RESPONSIBILITY TO PROVIDE A SAFE, NONDISCRIMINATORY SCHOOL ENVIRONMENT FOR ALL STUDENTS, INCLUDING TRANSGENDER AND GENDER-NONCONFORMING STUDENTS.

(cf. 5145.6 - Parental Notification)

4. THE SUPERINTENDENT OR DESIGNEE SHALL ENSURE THAT STUDENTS AND PARENTS/GUARDIANS, INCLUDING THOSE WITH LIMITED ENGLISH PROFICIENCY, ARE NOTIFIED OF HOW TO ACCESS THE RELEVANT INFORMATION PROVIDED IN THE DISTRICT'S NONDISCRIMINATION POLICY AND RELATED COMPLAINT PROCEDURES, NOTICES, AND FORMS IN A LANGUAGE THEY CAN UNDERSTAND.

IF 15 PERCENT OR MORE OF STUDENTS ENROLLED IN A PARTICULAR DISTRICT SCHOOL SPEAK A SINGLE PRIMARY LANGUAGE OTHER THAN ENGLISH, THE DISTRICT'S POLICY, REGULATION, FORMS, AND NOTICES CONCERNING NONDISCRIMINATION SHALL BE TRANSLATED INTO THAT LANGUAGE IN ACCORDANCE WITH EDUCATION CODE 234.1 AND 48985.

5. PROVIDE TO STUDENTS, EMPLOYEES, AND PARENTS/GUARDIANS INFORMATION REGARDING THE DISTRICT'S NONDISCRIMINATION POLICY; WHAT CONSTITUTES PROHIBITED DISCRIMINATION, INCLUDING DISCRIMINATORY HARASSMENT, INTIMIDATION, RETALIATION, OR BULLYING; AND HOW AND TO WHOM A REPORT OF AN INCIDENT SHOULD BE MADE. SUCH INFORMATION SHALL INCLUDE GUIDELINES THE DISTRICT MAY USE TO PROVIDE A DISCRIMINATION-FREE ENVIRONMENT FOR ALL DISTRICT STUDENTS, INCLUDING TRANSGENDER AND GENDER-NONCONFORMING STUDENTS.
6. AT THE BEGINNING OF EACH SCHOOL YEAR, INFORM SCHOOL EMPLOYEES THAT ANY EMPLOYEE WHO WITNESSES ANY ACT OF UNLAWFUL DISCRIMINATION, INCLUDING DISCRIMINATORY HARASSMENT, INTIMIDATION, OR BULLYING, AGAINST A STUDENT IS REQUIRED TO INTERVENE IF IT IS SAFE TO DO SO. (Education Code 234.1)
7. AT THE BEGINNING OF EACH SCHOOL YEAR, INFORM EACH PRINCIPAL OR DESIGNEE OF THE DISTRICT'S RESPONSIBILITY TO PROVIDE APPROPRIATE ASSISTANCE OR RESOURCES TO PROTECT STUDENTS' PRIVACY RIGHTS AND ENSURE THEIR SAFETY FROM THREATENED OR POTENTIALLY DISCRIMINATORY BEHAVIOR.

NONDISCRIMINATION/HARASSMENT OF STUDENTS (CONT.)

ENFORCEMENT OF DISTRICT POLICY

THE SUPERINTENDENT OR DESIGNEE SHALL TAKE APPROPRIATE ACTIONS TO REINFORCE BP 5145.3 – NONDISCRIMINATION/HARASSMENT. AS NEEDED, THESE ACTIONS MAY INCLUDE ANY OF THE FOLLOWING:

1. REMOVING VULGAR OR OFFENDING GRAFFITI

(cf. 5131.5 - Vandalism and Graffiti)

2. PROVIDING INFORMATION TO STUDENTS, STAFF, AND PARENTS/GUARDIANS ABOUT UNLAWFUL DISCRIMINATION, AND HOW TO REPORT IT OR FILE A COMPLAINT

3. DISSEMINATING AND/OR SUMMARIZING THE DISTRICT'S POLICY AND REGULATION REGARDING UNLAWFUL DISCRIMINATION

4. CONSISTENCY WITH THE LAWS REGARDING THE CONFIDENTIALITY OF STUDENT RECORDS, COMMUNICATING THE SCHOOL'S RESPONSE TO STUDENTS, PARENTS/GUARDIANS, AND THE COMMUNITY

(cf. 5125 - Student Records)

5. TAKING APPROPRIATE DISCIPLINARY ACTION AGAINST STUDENTS AND ANYONE DETERMINED TO HAVE ENGAGED IN WRONGDOING IN VIOLATION OF DISTRICT POLICY, INCLUDING ANY STUDENT WHO IS FOUND TO HAVE FILED A COMPLAINT OF DISCRIMINATION THAT HE/SHE KNEW WAS NOT TRUE

(cf. 5144 - Discipline)

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

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

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

PROCESS FOR INITIATING AND RESPONDING TO COMPLAINTS

ANY STUDENT WHO FEELS THAT HE/SHE HAS BEEN SUBJECTED TO UNLAWFUL DISCRIMINATION DESCRIBED ABOVE OR IN DISTRICT POLICY IS STRONGLY ENCOURAGED TO IMMEDIATELY CONTACT THE PRINCIPAL, ANY STAFF MEMBER OR COMPLIANCE OFFICER. IN ADDITION, ANY STUDENT WHO OBSERVES ANY SUCH INCIDENT IS STRONGLY ENCOURAGED TO REPORT THE INCIDENT TO THE PRINCIPAL, COMPLIANCE OFFICER, OR DESIGNEE, WHETHER OR NOT THE ALLEGED VICTIM FILES A COMPLAINT.

NONDISCRIMINATION/HARASSMENT OF STUDENTS (CONT.)

ANY SCHOOL EMPLOYEE WHO OBSERVES AN INCIDENT OF UNLAWFUL DISCRIMINATION, INCLUDING DISCRIMINATORY HARASSMENT, INTIMIDATION, RETALIATION, OR BULLYING, OR TO WHOM SUCH AN INCIDENT IS REPORTED SHALL REPORT THE INCIDENT TO THE PRINCIPAL, COMPLIANCE OFFICER, OR DESIGNEE, WITHIN A SCHOOL DAY, WHETHER OR NOT THE ALLEGED VICTIM FILES A COMPLAINT.

ANY SCHOOL EMPLOYEE WHO WITNESSES AN INCIDENT OF UNLAWFUL DISCRIMINATION, INCLUDING DISCRIMINATORY HARASSMENT, INTIMIDATION, RETALIATION, OR BULLYING, SHALL IMMEDIATELY INTERVENE TO STOP THE INCIDENT WHEN IT IS SAFE TO DO SO. (Education Code 234.1)

WHEN A VERBAL REPORT OF UNLAWFUL DISCRIMINATION, INCLUDING DISCRIMINATORY HARASSMENT, INTIMIDATION, RETALIATION, OR BULLYING, IS MADE TO OR RECEIVED BY THE PRINCIPAL, COMPLIANCE OFFICER, OR DESIGNEE, HE/SHE SHALL MAKE A NOTE OF THE REPORT AND ENCOURAGE THE STUDENT OR PARENT/GUARDIAN TO FILE THE COMPLAINT IN WRITING, PURSUANT TO ADMINISTRATIVE REGULATION 5145.7 – SEXUAL HARASSMENT. ONCE NOTIFIED VERBALLY OR IN WRITING, THE PRINCIPAL, COMPLIANCE OFFICER, OR DESIGNEE, SHALL BEGIN THE INVESTIGATION AND SHALL IMPLEMENT IMMEDIATE MEASURES NECESSARY TO STOP THE DISCRIMINATION AND ENSURE THAT ALL STUDENTS HAVE ACCESS TO THE EDUCATIONAL PROGRAM AND A SAFE SCHOOL ENVIRONMENT. ANY INTERIM MEASURES ADOPTED TO ADDRESS UNLAWFUL DISCRIMINATION SHALL, TO THE EXTENT POSSIBLE, NOT DISADVANTAGE THE COMPLAINANT OR A STUDENT WHO IS THE VICTIM OF THE ALLEGED UNLAWFUL DISCRIMINATION.

ANY REPORT OR COMPLAINT ALLEGING UNLAWFUL DISCRIMINATION BY THE PRINCIPAL, COMPLIANCE OFFICER, DESIGNEE, OR ANY OTHER PERSON TO WHOM A REPORT WOULD ORDINARILY BE MADE OR COMPLAINT FILED SHALL INSTEAD BE MADE TO OR FILED WITH THE SUPERINTENDENT OR DESIGNEE WHO SHALL DETERMINE HOW THE COMPLAINT WILL BE INVESTIGATED.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

TRANSGENDER AND GENDER-NONCONFORMING STUDENTS

GENDER IDENTITY OF A STUDENT MEANS THE STUDENT'S GENDER-RELATED IDENTITY, APPEARANCE, OR BEHAVIOR AS DETERMINED FROM THE STUDENT'S INTERNAL SENSE OF HIS/HER GENDER, WHETHER OR NOT THAT GENDER-RELATED IDENTITY, APPEARANCE, OR BEHAVIOR IS DIFFERENT FROM THAT TRADITIONALLY ASSOCIATED WITH THE STUDENT'S PHYSIOLOGY OR ASSIGNED SEX AT BIRTH.

NONDISCRIMINATION/HARASSMENT OF STUDENTS (CONT.)

GENDER EXPRESSION MEANS A STUDENT'S GENDER-RELATED APPEARANCE AND BEHAVIOR, WHETHER STEREOTYPICALLY ASSOCIATED WITH THE STUDENT'S ASSIGNED SEX AT BIRTH. (Education Code 210.7)

GENDER TRANSITION REFERS TO THE PROCESS IN WHICH A STUDENT CHANGES FROM LIVING AND IDENTIFYING AS THE SEX ASSIGNED TO THE STUDENT AT BIRTH TO LIVING AND IDENTIFYING AS THE SEX THAT CORRESPONDS TO THE STUDENT'S GENDER IDENTITY.

GENDER-NONCONFORMING STUDENT MEANS A STUDENT WHOSE GENDER EXPRESSION DIFFERS FROM STEREOTYPICAL EXPECTATIONS.

TRANSGENDER STUDENT MEANS A STUDENT WHOSE GENDER IDENTITY IS DIFFERENT FROM THE GENDER HE/SHE WAS ASSIGNED AT BIRTH.

REGARDLESS OF WHETHER THEY ARE SEXUAL IN NATURE, ACTS OF VERBAL, NONVERBAL, OR PHYSICAL AGGRESSION, INTIMIDATION, OR HOSTILITY THAT ARE BASED ON SEX, GENDER IDENTITY, OR GENDER EXPRESSION, OR THAT HAVE THE PURPOSE OR EFFECT OF PRODUCING A NEGATIVE IMPACT ON THE STUDENT'S ACADEMIC PERFORMANCE OR OF CREATING AN INTIMIDATING, HOSTILE, OR OFFENSIVE EDUCATIONAL ENVIRONMENT ARE PROHIBITED.

ADMINISTRATIVE REGULATION 5145.7 SHALL BE USED TO REPORT AND RESOLVE COMPLAINTS ALLEGING DISCRIMINATION AGAINST TRANSGENDER AND GENDER-NONCONFORMING STUDENTS.

TO ENSURE THAT TRANSGENDER AND GENDER-NONCONFORMING STUDENTS ARE AFFORDED THE SAME RIGHTS, BENEFITS, AND PROTECTIONS PROVIDED TO ALL STUDENTS BY LAW AND BOARD POLICY, THE DISTRICT SHALL ADDRESS EACH SITUATION ON A CASE-BY-CASE BASIS, IN ACCORDANCE WITH THE FOLLOWING GUIDELINES:

1. **RIGHT TO PRIVACY:** A STUDENT'S TRANSGENDER OR GENDER-NONCONFORMING STATUS IS HIS/HER PRIVATE INFORMATION AND THE DISTRICT SHALL ONLY DISCLOSE THE INFORMATION TO OTHERS WITH THE STUDENT'S PRIOR WRITTEN CONSENT, EXCEPT WHEN THE DISCLOSURE IS OTHERWISE REQUIRED BY LAW OR WHEN THE DISTRICT HAS COMPELLING EVIDENCE THAT DISCLOSURE IS NECESSARY TO PRESERVE THE STUDENT'S PHYSICAL OR MENTAL WELL-BEING. IN ANY CASE, THE DISTRICT SHALL ONLY ALLOW DISCLOSURE OF A STUDENT'S PERSONALLY IDENTIFIABLE INFORMATION TO EMPLOYEES WITH A LEGITIMATE EDUCATIONAL INTEREST AS DETERMINED BY THE DISTRICT

NONDISCRIMINATION/HARASSMENT OF STUDENTS (CONT.)

PURSUANT TO 34 CFR 99.31. ANY DISTRICT EMPLOYEE TO WHOM A STUDENT'S TRANSGENDER OR GENDER-NONCONFORMING STATUS IS DISCLOSED SHALL KEEP THE STUDENT'S INFORMATION CONFIDENTIAL. WHEN DISCLOSURE OF A STUDENT'S GENDER IDENTITY IS MADE TO A DISTRICT EMPLOYEE BY A STUDENT, THE EMPLOYEE SHALL SEEK THE STUDENT'S PERMISSION TO NOTIFY THE COMPLIANCE OFFICER. IF THE STUDENT REFUSES TO GIVE PERMISSION, THE EMPLOYEE SHALL KEEP THE STUDENT'S INFORMATION CONFIDENTIAL, UNLESS HE/SHE IS REQUIRED TO DISCLOSE OR REPORT THE STUDENT'S INFORMATION PURSUANT TO THIS ADMINISTRATIVE REGULATION, AND SHALL INFORM THE STUDENT THAT HONORING THE STUDENT'S REQUEST MAY LIMIT THE DISTRICT'S ABILITY TO MEET THE STUDENT'S NEEDS RELATED TO HIS/HER STATUS AS A TRANSGENDER OR GENDER-NONCONFORMING STUDENT. IF THE STUDENT PERMITS THE EMPLOYEE TO NOTIFY THE COMPLIANCE OFFICER, THE EMPLOYEE SHALL DO SO WITHIN THREE SCHOOL DAYS.

AS APPROPRIATE, GIVEN THE STUDENT'S NEED FOR SUPPORT, THE COMPLIANCE OFFICER MAY DISCUSS WITH THE STUDENT ANY NEED TO DISCLOSE THE STUDENT'S TRANSGENDER OR GENDER-NONCONFORMITY STATUS OR GENDER IDENTITY OR GENDER EXPRESSION TO HIS/HER PARENTS/GUARDIANS AND/OR OTHERS, INCLUDING OTHER STUDENTS, TEACHER(S), OR OTHER ADULTS ON CAMPUS. THE DISTRICT SHALL OFFER SUPPORT SERVICES, SUCH AS COUNSELING, TO STUDENTS WHO WISH TO INFORM THEIR PARENTS/GUARDIANS OF THEIR STATUS AND DESIRE ASSISTANCE IN DOING SO.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

2. DETERMINING A STUDENT'S GENDER IDENTITY: THE COMPLIANCE OFFICER SHALL ACCEPT THE STUDENT'S ASSERTION OF HIS/HER GENDER IDENTITY AND BEGIN TO TREAT THE STUDENT CONSISTENT WITH HIS/HER GENDER IDENTITY UNLESS DISTRICT PERSONNEL PRESENT A CREDIBLE AND SUPPORTABLE BASIS FOR BELIEVING THAT THE STUDENT'S ASSERTION IS FOR AN IMPROPER PURPOSE.
3. ADDRESSING A STUDENT'S TRANSITION NEEDS: THE COMPLIANCE OFFICER SHALL ARRANGE A MEETING WITH THE STUDENT AND, IF APPROPRIATE, HIS/HER PARENTS/GUARDIANS TO IDENTIFY AND DEVELOP STRATEGIES FOR ENSURING THAT THE STUDENT'S ACCESS TO EDUCATION PROGRAMS AND ACTIVITIES IS MAINTAINED. IN ADDITION, THE COMPLIANCE OFFICER SHALL IDENTIFY SPECIFIC SCHOOL SITE

NONDISCRIMINATION/HARASSMENT OF STUDENTS (CONT.)

EMPLOYEE(S) TO WHOM THE STUDENT MAY REPORT ANY PROBLEM RELATED TO HIS/HER STATUS AS A TRANSGENDER OR GENDER-NONCONFORMING INDIVIDUAL, SO THAT PROMPT ACTION COULD BE TAKEN TO ADDRESS IT.

4. ACCESSIBILITY TO SEX-SEGREGATED FACILITIES, PROGRAMS, AND ACTIVITIES: WHEN THE DISTRICT MAINTAINS SEX-SEGREGATED FACILITIES, SUCH AS RESTROOMS AND LOCKER ROOMS, OR OFFERS SEX-SEGREGATED PROGRAMS AND ACTIVITIES, SUCH AS PHYSICAL EDUCATION CLASSES, INTERMURAL SPORTS, AND INTERSCHOLASTIC ATHLETIC PROGRAMS, STUDENTS SHALL BE PERMITTED TO ACCESS FACILITIES AND PARTICIPATE IN PROGRAMS AND ACTIVITIES CONSISTENT WITH THEIR GENDER IDENTITY. TO ADDRESS ANY STUDENT'S PRIVACY CONCERNS IN USING SEX-SEGREGATED FACILITIES, THE DISTRICT SHALL OFFER AVAILABLE OPTIONS SUCH AS A GENDER-NEUTRAL OR SINGLE-USE RESTROOM OR CHANGING AREA, A BATHROOM STALL WITH A DOOR, AN AREA IN THE LOCKER ROOM SEPARATED BY A CURTAIN OR SCREEN, ACCESS TO A STAFF MEMBER'S OFFICE, OR USE OF THE LOCKER ROOM BEFORE OR AFTER THE OTHER STUDENTS. HOWEVER, THE DISTRICT SHALL NOT REQUIRE A STUDENT TO UTILIZE THESE OPTIONS BECAUSE HE/SHE IS TRANSGENDER OR GENDER-NONCONFORMING. IN ADDITION, A STUDENT SHALL BE PERMITTED TO PARTICIPATE IN ACCORDANCE WITH HIS/HER GENDER IDENTITY IN OTHER CIRCUMSTANCES WHERE STUDENTS ARE SEPARATED BY GENDER, SUCH AS FOR CLASS DISCUSSIONS, YEARBOOK PICTURES, AND FIELD TRIPS. A STUDENT'S RIGHT TO PARTICIPATE IN A SEX-SEGREGATED ACTIVITY IN ACCORDANCE WITH HIS/HER GENDER IDENTITY SHALL NOT RENDER INVALID OR INAPPLICABLE ANY OTHER ELIGIBILITY RULE ESTABLISHED FOR PARTICIPATION IN THE ACTIVITY.

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6153 - School-Sponsored Trips)

(cf. 7110 - Facilities Master Plan)

5. STUDENT RECORDS: A STUDENT'S LEGAL NAME OR GENDER AS ENTERED ON THE MANDATORY STUDENT RECORD REQUIRED PURSUANT TO 5 CCR 432 SHALL ONLY BE CHANGED PURSUANT TO A COURT ORDER. HOWEVER, AT THE WRITTEN REQUEST OF A STUDENT OR, IF APPROPRIATE, HIS/HER PARENTS/GUARDIANS, THE DISTRICT SHALL USE THE STUDENT'S PREFERRED NAME AND PRONOUNS CONSISTENT WITH HIS/HER GENDER IDENTITY ON ALL OTHER DISTRICT-RELATED

NONDISCRIMINATION/HARASSMENT OF STUDENTS (CONT.)

DOCUMENTS. SUCH PREFERRED NAME MAY BE ADDED TO THE STUDENT'S RECORD AND OFFICIAL DOCUMENTS AS PERMITTED BY LAW.

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

CHINO VALLEY UNIFIED SCHOOL DISTRICT
REGULATION APPROVED:

Chino Valley Unified School District

Our Motto:

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

DATE: September 7, 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 APRIL THROUGH JUNE 2017

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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 April through June 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: April 2017 – June 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

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Humility • Civility • Service

DATE: September 7, 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 7212 FACILITIES–MELLO-ROOS DISTRICTS**

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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 7212 Facilities–Mello-Roos Districts is being updated to reflect new laws.

Policy updated to reflect new law (AB 1666, 2016) which requires an agency that has formed a community facilities district (CFD) to post specified financial reports on its website. Policy also expanded to include additional requirements regarding the submission of a petition to form a CFD, timelines for proceedings to form a CFD, consistency with the District’s debt management policy, attendance priority for students residing within the CFD, and procedures for levying special taxes or incurring bonded indebtedness.

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 7212 Facilities–Mello-Roos Districts.

FISCAL IMPACT

None.

WMJ:GJS:pw

MELLO-ROOS DISTRICTS

The Board of Education ~~is committed~~ DESIRES to providing adequate facilities in order to ~~accommodate its student enrollment, to~~ enhance student learning and to help the District achieve its vision for educating District students. ~~To that~~ TOWARD THAT end, the Board may order the formation of a community facilities DISTRICT (CFD) (Mello-Roos District) (~~hereinafter "Mello-Roos District"~~) for the acquisition or improvement of school facilities when, in the Board's judgment, it is ~~advisable and~~ in the best interest of District students and the community. THE ISSUANCE OF DEBT THROUGH THE CFD SHALL BE CONSISTENT WITH LAW AND THE DISTRICT'S DEBT MANAGEMENT POLICY.

(cf. 3470 - Debt Issuance and Management)
 (cf. 7110 - Facilities Master Plan)
 (cf. 7111 - Evaluating Existing Buildings)
 (cf. 7210 - Facilities Financing)
 (cf. 7211 - Developer Fees)
 (cf. 7213 - School Facilities Improvement Districts)

PROCEEDINGS TO ESTABLISH A CFD MAY BE INSTITUTED AT THE BOARD'S DISCRETION. IN ADDITION, SUCH PROCEEDINGS SHALL BE INSTITUTED WHEN A WRITTEN REQUEST TO ESTABLISH A CFD HAS BEEN FILED BY ANY TWO BOARD MEMBERS OR A PETITION HAS BEEN SUBMITTED BY AT LEAST 10 PERCENT OF REGISTERED VOTERS RESIDING WITHIN THE TERRITORY OF THE PROPOSED CFD OR BY THE OWNERS OF AT LEAST 10 PERCENT OF THE AREA OF LAND TO BE INCLUDED WITHIN THE PROPOSED CFD. (Government Code 53318)

Prior to ~~forming a Mello-Roos District~~ INITIATING PROCEEDINGS TO FORM A CFD, the Board shall consider and adopt local goals and policies that include the following elements: (Government Code 53312.7)

1. The priority that various facilities shall have for financing through a THE Mello-Roos ~~District~~ COMMUNITY FACILITIES ACT, including public facilities to be owned and operated by other public agencies and services to be provided by other public agencies;
2. The credit quality to be required of bond issues and criteria to be used in evaluating the credit quality;
3. Steps by which prospective property purchasers will be fully informed about their related taxpaying obligations;
4. Criteria for evaluating the equity of tax allocation formulas, including desirable and maximum amounts of special tax to be levied against any parcel;

MELLO-ROOS DISTRICTS (cont.)

5. Definitions, standards, and assumptions to be used in appraisals required by Government Code 53345.8; and
6. ~~Attendance priority, To the extent provided~~ AUTHORIZED by law, ~~to children of residents in the Mello-Reos District~~ PRIORITY FOR STUDENTS RESIDING WITHIN THE CFD TO ATTEND SCHOOLS FINANCED IN WHOLE OR IN PART BY THE CFD, IN A MANNER THAT ~~The degree of priority must reflect~~S the proportion of each school's financing provided through the ~~Mello-Reos District~~ CFD.

(cf. 5116 - School Attendance Boundaries)

~~The Board may initiate the proceedings to establish a Mello-Reos District. In addition, the Board shall initiate such proceedings when any two Board members have filed a written request or a specified percentage of voters or landowners have filed a petition requesting such a district be formed. The petition or request must describe the boundaries of the territory and specify the types of facilities and services to be financed by the proposed district. (Government Code 53317)~~

WITHIN 45 DAYS OF RECEIVING A WRITTEN REQUEST OR PETITION TO ESTABLISH A CFD, THE BOARD SHALL DETERMINE A FEE TO BE PAID BY THE REQUESTERS OR PETITIONERS WHICH SHALL BE SUFFICIENT TO COMPENSATE THE DISTRICT FOR THE COSTS INCURRED IN CONDUCTING PROCEEDINGS TO CREATE THE CFD. PROCEEDINGS FOR ESTABLISHING THE CFD SHALL ONLY BE INITIATED AFTER PAYMENT OF THE FEE. (Government Code 53318)

Upon Board action to form a ~~Mello-Reos District~~ CFD, or WITHIN 90 DAYS AFTER THE receipt of a petition or request TO FORM A CFD AND THE PAYMENT OF ANY APPLICABLE FEE, the Board shall adopt a Resolution of Intention and conduct a hearing in accordance with law. The resolution shall fix the time and place for holding a public hearing on the establishment of the ~~Mello-Reos District~~ CFD, which shall be within 30-60 days after the adoption of the resolution. Notice of the hearing shall be given by publishing ~~a copy~~ THE TEXT OR A SUMMARY of the Resolution of Intention ONCE, in a newspaper of general circulation PUBLISHED IN THE AREA OF THE PROPOSED CFD, ~~pursuant to Government Code 6061, starting~~ at least seven days before the hearing, and shall include the OTHER requirements specified in Government Code 53322. NOTICE OF THE HEARING MAY ALSO BE SENT BY FIRST-CLASS MAIL TO EACH REGISTERED VOTER AND TO EACH LANDOWNER WITHIN THE PROPOSED CFD. (Government Code 53320, 53321, 53322, 53322.4)

If, after the hearing, the Board ~~determines~~ DECIDES to establish a CFD, the Board shall adopt a Resolution of Formation in accordance with law. (Government Code 53325, 53325.1)

MELLO-ROOS DISTRICTS (cont.)

IF A SPECIAL TAX IS PROPOSED TO BE LEVIED IN THE CFD, THE BOARD SHALL SUBMIT THE RESOLUTION OF FORMATION AND OTHER INFORMATION SPECIFIED IN GOVERNMENT CODE 53326 TO THE ELECTIONS OFFICIAL WITHIN THREE BUSINESS DAYS AFTER THE ADOPTION OF THE RESOLUTION OF FORMATION, AND THE QUESTION OF LEVYING THE SPECIAL TAX SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE PROPOSED CFD IN ACCORDANCE WITH LAW. (Government Code 53326)

Upon approval by two-thirds of the voters in the proposed ~~Mello-Roos District~~ CFD, the tax may be levied ~~The proceeds of any bonds, notes, or other securities issued pursuant to the Mello-Roos Community Facilities Act shall be deposited or invested~~ in accordance with Government Code 53340. (Government Code 53328)

WHENEVER THE BOARD DEEMS IT NECESSARY FOR THE CFD TO INCUR A BONDED INDEBTEDNESS, IT SHALL FOLLOW THE PROCEDURES SPECIFIED IN GOVERNMENT CODE 53345-53365.7, AS APPLICABLE.

THE PROCEEDS OF ANY BONDS, NOTES, OR OTHER SECURITIES ISSUED PURSUANT TO THE MELLO-ROOS COMMUNITY FACILITIES ACT SHALL BE DEPOSITED OR INVESTED IN ACCORDANCE WITH GOVERNMENT CODE 53356.03.

THE SUPERINTENDENT OR DESIGNEE SHALL, WITHIN SEVEN MONTHS AFTER THE LAST DAY OF EACH FISCAL YEAR, PROMINENTLY DISPLAY THE FOLLOWING REPORTS ON THE DISTRICT'S WEBSITE: (Government Code 53343.2)

1. A COPY OF AN ANNUAL REPORT FOR THAT FISCAL YEAR, IF REQUESTED PURSUANT TO GOVERNMENT CODE 53343.1
2. A COPY OF THE REPORT PROVIDED TO THE CALIFORNIA DEBT AND INVESTMENT ADVISORY COMMISSION PURSUANT TO GOVERNMENT CODE 53359.5
3. A COPY OF THE REPORT PROVIDED TO THE STATE CONTROLLER'S OFFICE PURSUANT TO GOVERNMENT CODE 12463.2

(cf. 3460 - Financial Reports and Accountability)

Legal Reference:EDUCATION CODE

15300-15425 School Facilities Improvement Districts

17060-17066 Joint Venture School Facilities Construction Projects

GOVERNMENT CODE

6061 One Time Notice

MELLO-ROOS DISTRICTS (cont.)

12463.2 Reports

17556 Payment of costs mandated by the state

53311-53368.3 Mello-Roos Community Facilities Act of 1982

53753 Assessment Notice And Hearing Requirements

53753.5 Exemptions

54954.1 Mailed Notice to Property Owners

54954.6 New or Increased Tax or Assessment; Public Meetings and Hearings; Notice

65970-65981 School Facilities Development Project

65995 Levies against Development Projects

CODE OF REGULATIONS, TITLE 2

1859-1859.106 School Facility Program

Management Resources:

CSBA PUBLICATIONS

Bond Sales - Questions and Considerations for Districts, 2012

WEBSITES

California School Boards Association: www.csba.org

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

California Office of Public School Construction: www.opsc.dgs.ca.gov

Coalition for Adequate School Housing: www.cashnet.org

Chino Valley Unified School District

Policy Adopted: October 2, 2008

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: September 7, 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 4312.1 MANAGEMENT,
SUPERVISORY AND CONFIDENTIAL PERSONNEL –
CONTRACTS**

=====

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 4312.1 Management, Supervisory and Confidential Personnel – Contracts is being revised to clarify the limited circumstances under which salary and benefits may be discussed in closed session.

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 4312.1 Management, Supervisory and Confidential Personnel – Contracts.

FISCAL IMPACT

None.

WMJ:LF:SH:RR:mcm

CONTRACTS

The Board of Education recognizes the importance of qualified and competent individuals to lead District programs and to assist the Superintendent in coordinating efforts to achieve District goals and objectives. To that end, the Board may fill certificated administrative and supervisory positions and classified senior management positions on a contract basis.

(cf. 0000 - Vision)
(cf. 2121 - Superintendent's Contract)
(cf. 4111/4211/4311 - Recruitment and Selection)
(cf. 4300 - Administrative and Supervisory Personnel)
(cf. 4313.2 - Demotion/Reassignment)
(cf. 4314 - Transfers)

The Board may offer a continuing contract of up to four years to any deputy, associate, or assistant superintendent; any certificated employee holding a position requiring a supervision or administration credential; or any senior manager of the classified service. (Education Code 35031, 44929.20)

Prior to entering into any such contract, the Board and Superintendent shall consider the financial impact of the contract on the District. The proposed contract shall also be reviewed by legal counsel to ensure that all legally required provisions are included in the contract and to address any potentially adverse obligations to the District.

(cf. 3460 - Financial Reports and Accountability)

The Board shall deliberate in the closed session of a regular meeting about the terms of an employment contract for a deputy, associate, or assistant superintendent; other certificated employee holding a position requiring a supervision or administration credential; or a senior manager of the classified service. DISCUSSIONS REGARDING SALARY, SALARY SCHEDULE, OR OTHER COMPENSATION MAY OCCUR IN THE CLOSED SESSION OF A REGULAR MEETING ONLY BETWEEN THE BOARD AND ITS DESIGNATED REPRESENTATIVE(S), AS PERMITTED UNDER GOVERNMENT CODE 54957.6 (THE "LABOR EXCEPTION") FOR THE PURPOSE OF REVIEWING THE BOARD'S POSITION AND/OR INSTRUCTING THE DESIGNATED REPRESENTATIVE(S) PRIOR TO OR DURING BONA FIDE NEGOTIATIONS WITH THE EMPLOYEE. (Government Code 54956, 54957, 54957.6)

(cf. 9320 - Meetings and Notices)
(cf. 9321 - Closed Session Purposes and Agendas)
(cf. 9321.1 - Closed Session Actions and Reports)

CONTRACTS (cont.)

Any such employment contract shall be ratified by the Board during an open session of a regularly scheduled Board meeting and reflected in the Board's minutes. (Government Code 3511.1, 53262, 54953)

Copies of the contracts shall be available to the public upon request. (Education Code 53262, 54953)

(cf. 1340 - Access to District Records)
(cf. 9322 - Agenda/Meeting Materials)
(cf. 9324 - Minutes and Recordings)

Extension of Contract and Reemployment

A contract shall be extended only by Board action and subsequent to a satisfactory evaluation of the employee's performance. No employment contract shall include a provision for automatic renewal of the contract.

(cf. 4315 - Evaluation/Supervision)

During the term of the contract and with the consent of the employee involved, the Board may reelect or reemploy the employee starting on the next succeeding first day of July and based on terms and conditions mutually agreed upon by the Board and the employee. (Education Code 35031)

If the Board decides not to reelect or reemploy a deputy, associate or assistant superintendent, or a senior manager of the classified service upon the expiration of his/her term, it shall notify the employee in writing 45 CALENDAR days prior to the expiration of the term of the contract. (Education Code 35031)

Termination of Contract

THE BOARD MAY TERMINATE AN EMPLOYMENT CONTRACT PRIOR TO ITS EXPIRATION DATE IN ACCORDANCE WITH THE TERMS AND CONDITIONS AND PROCESS SPECIFIED IN THE CONTRACT.

Every employee contract shall include a provision specifying the legal maximum cash settlement that the employee may receive in the event that the Board finds it necessary to terminate the contract prior to its expiration date. (Government Code 53260)

(cf. 4117.5/4217.5/4317.5 - Termination Agreements)

CONTRACTS (cont.)

In addition, all employee contracts shall include a provision that, if the employee is convicted of a crime involving an abuse of his/her office or position, he/she shall fully reimburse the District for payments he/she receives as paid leave salary pending investigation or as cash settlement upon his/her termination and for any funds expended by the District in his/her criminal legal defense. (Government Code 53243-53243.4, 53260)

Legal Reference:

EDUCATION CODE

35030 Title of deputy, associate or assistant superintendent for certain positions

35031 Term of employment

44842 Automatic declining of employment

44843 Notice of employment (to county superintendent)

44929.20 Continuing contract

44951 Continuation in position unless notified

GOVERNMENT CODE

3511.1-3511.2 Local agency executives

53243-53243.4 Abuse of office

53260-53264 Employment contracts

54953 Oral summary of recommended salary and benefits of district executive

54954 Time and place of regular meetings

54956 Brown Act - Open meeting laws; special meetings

54957 Closed session, personnel matters

ATTORNEY GENERAL PUBLICATIONS

57 Ops.Cal.Atty.Gen. 209 (1974)

Management Resources:

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Local Legislative Bodies, 2003

WEBSITES

California School Boards Association: www.csba.org Association of California School Administrators:
www.acsa.org

California Office of the Attorney General: www.oag.ca.gov

Chino Valley Unified School District

Policy adopted: November 16, 1995

Revised: June 27, 1996

Revised: April 1, 1999

Revised: March 23, 2000

Revised: June 28, 2012

REVISED: