



CHINO VALLEY
UNIFIED SCHOOL DISTRICT

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

BOARD OF EDUCATION AGENDA

November 16, 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
5130 Riverside Drive, Chino, CA 91710

District Board Room

5:10 p.m. – Closed Session • 7:00 p.m. – Regular Meeting

November 16, 2017

AGENDA

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

I. OPENING BUSINESS

I.A. CALL TO ORDER – 5:10 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) (15 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. (20 minutes)
- e. Public Employee Discipline/Dismissal/Release (Government Code 54957): (15 minutes)
- f. Public Employee Appointment (Government Code 54957): Junior High School Principal (10 minutes)
- g. Conference with Labor Negotiators (Government Code 54957.6): Agency designated representatives Sylvia Orozco and James Na with unrepresented employee: New Superintendent Dr. Norm Enfield (5 minutes).

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

1. Report Closed Session Action
2. Pledge of Allegiance

I.C. STUDENT SHOWCASE

1. Townsend Junior High School

- 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. ADMINISTRATION

- II.A.1.** **Nominations for CSBA Delegate Assembly**
Page 8 Recommend the Board of Education nominate up to nine (9) candidate(s) to the California School Boards Association Delegate Assembly.

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 Meetings of October 19, 2017, and November 2, 2017**
Page 10 Recommend the Board of Education approve the minutes of the regular meetings of October 19, 2017, and November 2, 2017.

- III.A.2.** **Establishment of Date and Time for Annual Organizational Meeting**
Page 24 Recommend the Board of Education establish December 14, 2017, at 7:00 p.m. as the annual organizational meeting of the Chino Valley Unified School District Board of Education.

III.B. BUSINESS SERVICES

- III.B.1.** **Warrant Register**
Page 25 Recommend the Board of Education approve/ratify the warrant register, provided under separate cover.

- III.B.2.** **Fundraising Activities**
Page 26 Recommend the Board of Education approve/ratify the fundraising activities.

III.B.3. Donations

Page 29 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 office of Atkinson, Andelson, Loya, Ruud & Romo.

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

III.C.1. School Sponsored Trips

Page 33 Recommend the Board of Education approve/ratify the following school-sponsored trips: Briggs K-8 and Chino Hills HS.

III.C.2. 2018 Supplemental Summer Instruction Program and Special Education Extended School Year

Page 34 Recommend the Board of Education approve the 2018 Supplemental Summer Instruction Program and Special Education Extended School Year.

III.C.3. Chino Valley Unified School District Strategic Plan and 2017/2020 Goals

Page 36 Recommend the Board of Education approve the Chino Valley Unified School District Strategic Plan and 2017/2020 Goals.

III.C.4. Revision of Board Policy 6164.2 Instruction—Guidance/Counseling Services

Page 39 Recommend the Board of Education approve the revision of Board Policy 6164.2 Instruction—Guidance/Counseling Services.

III.D. FACILITIES, PLANNING, AND OPERATIONS

III.D.1. Purchase Order Register

Page 45 Recommend the Board of Education approve/ratify the purchase order register, provided under separate cover.

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

Page 46 Recommend the Board of Education approve/ratify the Agreements for Contractor/Consultant Services.

III.D.3. Resolution 2017/2018-29 and 2017/2018-30 for Authorization to Utilize Piggyback Contracts

Page 48 Recommend the Board of Education adopt Resolution 2017/2018-29 and 2017/2018-30 for authorization to utilize piggyback contracts.

III.D.4. Bid 17-18-07F, Rhodes ES Portable Classroom/Site Work Improvements
Page 54

Recommend the Board of Education award Bid 17-18-07F, Rhodes ES Portable Classroom/Site Work Improvements to Single Source Construction & Maintenance, Inc.

III.D.5. Appointment of Member to the Measure G Bond Citizens' Oversight Committee
Page 55

Recommend the Board of Education appoint Lou Alfonso as senior citizen organization representative on the Measure G Bond Citizens' Oversight Committee.

III.D.6. Revision of Board Policy 3280 Business and Noninstructional Operations—Sale or Lease of District-Owned Real Property
Page 56

Recommend the Board of Education approve the revision of Board Policy 3280 Business and Noninstructional Operations—Sale or Lease of District-Owned Real Property.

III.E. HUMAN RESOURCES

III.E.1. Certificated/Classified Personnel Items
Page 62

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

III.E.2. Revision of Board Policy 1160 Community Relations—Political Processes
Page 68

Recommend the Board of Education approve the revision of Board Policy 1160 Community Relations—Political Processes.

III.E.3. Revision of Board Policy 4119.25, 4219.25, and 4319.25 All Personnel—Political Activities of Employees
Page 75

Recommend the Board of Education approve the revision of Board Policy 4119.25, 4219.25, and 4319.25 All Personnel—Political Activities of Employees.

III.E.4. Revision of Board Policy 4127, 4227, and 4327 All Personnel—Temporary Athletic Team Coaches
Page 79

Recommend the Board of Education approve the revision of Board Policy and Administrative Regulation 4127, 4227, and 4327 All Personnel—Temporary Athletic Team Coaches.

III.E.5. Review of Board Bylaw and Exhibit 9270—Conflict of Interest
Page 83

Recommend the Board of Education approve the review of Board Bylaw and Exhibit 9270—Conflict of Interest.

IV. INFORMATION**IV.A. CURRICULUM, INSTRUCTION, INNOVATION, AND SUPPORT****IV.A.1. Revision of Board Policy 0400 Philosophy-Goals-Objectives and Comprehensive Plans—Comprehensive Plans**
Page 104

Recommend the Board of Education receive for information the revision of Board Policy 0400 Philosophy-Goals-Objectives and Comprehensive Plans—Comprehensive Plans.

IV.A.2. Revision of Board Policy and Administrative Regulation 0460 Philosophy-Goals-Objectives and Comprehensive Plans—Local Control and Accountability Plan
Page 107

Recommend the Board of Education receive for information the revision of Board Policy and Administrative Regulation 0460 Philosophy-Goals-Objectives and Comprehensive Plans—Local Control and Accountability Plan.

IV.A.3. Revision of Board Policy 0500 Philosophy-Goals-Objectives and Comprehensive Plans – Accountability
Page 119

Recommend the Board of Education receive for information the revision of Board Policy 0500 Philosophy-Goals-Objectives and Comprehensive Plans—Accountability.

IV.A.4. Deletion of Board Policy and Administrative Regulation 0520.2 Philosophy-Goals-Objectives and Comprehensive Plans—Title I Program Improvement Schools
Page 123

Recommend the Board of Education receive for information the deletion of Board Policy and Administrative Regulation 0520.2 Philosophy-Goals-Objectives and Comprehensive Plans—Title I Program Improvement Schools.

IV.A.5. Revision of Board Policy and Administrative Regulation 5113 Students—Absences and Excuses
Page 131

Recommend the Board of Education receive for information the revision of Board Policy and Administrative Regulation 5113 Students—Absences and Excuses.

IV.A.6. New Board Policy 5116.2 Students—Involuntary Student Transfers
Page 139

Recommend the Board of Education receive for information new Board Policy 5116.2 Students—Involuntary Student Transfers.

IV.A.7. Revision of Board Policy and Administrative Regulation 6142.7 Instruction—Physical Education and Activity
Page 143

Recommend the Board of Education receive for information the revision of Board Policy and Administrative Regulation 6142.7 Instruction – Physical Education and Activity.

IV.A.8. New Board Policy and Administrative Regulation 6172.1 Instruction—Concurrent Enrollment in College Classes
Page 156

Recommend the Board of Education receive for information new Board Policy and Administrative Regulation 6172.1 Instruction—Concurrent Enrollment in College Classes.

IV.B. FACILITIES, PLANNING, AND OPERATIONS

IV.B.1. Deletion of Board Policy 3515.6 Business and Noninstructional Operations—Monitoring of District Vehicles
Page 161

Recommend the Board of Education receive for information the deletion of Board Policy 3515.6 Business and Noninstructional Operations—Monitoring of District Vehicles.

IV.B.2. New Administrative Regulation 3515.6 Business and Noninstructional Operations—Criminal Background Checks for Contractors
Page 163

Recommend the Board of Education receive for information new Administrative Regulation 3515.6 Business and Noninstructional Operations—Criminal Background Checks for Contractors.

IV.B.3. Revision of Board Policy 3540.2 Business and Noninstructional Operations—Pool Vehicle Use
Page 167

Recommend the Board of Education receive for information the revision of Board Policy 3540.2 Business and Noninstructional Operations—Pool Vehicle Use.

V. COMMUNICATIONS

BOARD MEMBERS AND SUPERINTENDENT

VI. ADJOURNMENT

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 16, 2017
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
SUBJECT: NOMINATIONS FOR CSBA DELEGATE ASSEMBLY

=====

BACKGROUND

The Delegate Assembly is the primary policy-making body of the California School Boards Association (CSBA). Delegates adopt the association's platform, take positions on other critical issues that come before it, elect officers and directors, and adopt bylaw changes. Delegates serve as a two-way communications link between the board members in the region and the regional director, and play an important role in fostering collegiality within their region. Delegate assembly nominations within each geographic subregion or area must be made by member boards within the respective subregion or area. Each board may nominate as many individuals as it chooses; however, nominees must be members of CSBA member boards within the subregion or area and must have given permission to place his or her name into nomination. Members serve two-year terms beginning April 1, 2018, through March 31, 2020. In accordance with CSBA bylaws, nominations for Delegate assembly must be postmarked or faxed no later than January 7, 2018, without exception.

The Chino Valley Unified School District belongs to Subregion 16B, San Bernardino County. The present delegation includes the following nine elected representatives whose terms are expiring in 2018:

Christina Cameron-Otero (Needles USD)
Niccole Childs (Hesperia USD)
Barbara J. Dew (Victor Valley Union HSD)
Barbara Flores (San Bernardino City USD)
Caryn Payzant (Alta Loma ESD)
Barbara Schneider (Helendale SD)
Matt Slowik (Fontana USD)
Jane Smith (Yucaipa-Calimesa Joint USD)
Donna West (Redlands USD)

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

RECOMMENDATION

It is recommended the Board of Education nominate up to nine (9) candidate(s) to the California School Boards Association Delegate Assembly:

- | | |
|----------|----------|
| 1) _____ | 6) _____ |
| 2) _____ | 7) _____ |
| 3) _____ | 8) _____ |
| 4) _____ | 9) _____ |
| 5) _____ | |

FISCAL IMPACT

None.

WMJ:pk

CHINO VALLEY UNIFIED SCHOOL DISTRICT
REGULAR MEETING OF THE BOARD OF EDUCATION
October 19, 2017

MINUTES

I. OPENING BUSINESS

I.A. CALL TO ORDER

1. Roll Call

President Orozco called to order the regular meeting of the Board of Education, Thursday, October 19, 2017, at 5:11 p.m. with Cruz, Na, and Orozco present. Mrs. Blair arrived at 5:51 p.m. and Mrs. Feix was absent.

Administrative Personnel

Wayne M. Joseph, Superintendent

Norm Enfield, Ed.D., Deputy Superintendent

Sandra H. Chen, Assistant Superintendent, Business Services

Lea Fellows, Assistant Superintendent, Human Resources

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

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

2. Public Comment on Closed Session Items

None.

3. Closed Session

President Orozco adjourned to closed session at 5:11 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: Director of Technology.

I.B. RECONVENE TO REGULAR OPEN MEETING

1. President Orozco reconvened the regular meeting of the Board of Education at 7:00 p.m. The Board met in closed session from 5:11 p.m. to 6:49 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: Director of Technology. The Board appointed Maggie Bunten as Director of Technology, by a vote of 3-0 (Feix absent and Blair absent at the time of the vote). No further action was taken that required public disclosure.

2. Pledge of Allegiance

Butterfield Ranch ES 6th grade student Julia Framan led the Pledge of Allegiance.

I.C. STUDENT SHOWCASE1. Butterfield Ranch ES

Music teacher Mike Nofsinger led Butterfield Ranch ES's Junior Chorus (grades 1-4) and 5th and 6th grade band members in a musical performance.

I.D. COMMENTS FROM STUDENT REPRESENTATIVE

None.

I.E. EMPLOYEE REPRESENTATIVES' COMMUNICATIONS

Denise Arroyo, CSEA President, acknowledged the Butterfield Ranch ES student performance; attended the Dealing Successfully with Customers conference; congratulated Maggie Bunten on her appointment as Director of Technology; acknowledged cafeteria workers in recognition of National School Lunch Week; acknowledged National School Bus Safety Week; and thanked all employees.

Steve Ball, A.C.T. President, expressed condolences at the passing of community member and part of the District family Pastor Dave King; said A.C.T. is coordinating a food drive this holiday season to support Isaiah's Rock ongoing efforts; congratulated Alexis King for being awarded the 2017/2018 Milken Educator Award; said the A.C.T. bargaining team is thankful and hopeful that both sides will come to an agreement; congratulated Dr. Enfield on becoming the next Superintendent and said A.C.T. looks forward to working with him.

I.F. COMMUNITY LIAISONS' COMMUNICATIONS

Paul Rodriguez, Chino Council, reported on the 2nd Annual Young Mens' Leadership Conference sponsored by Senator Connie Leyva; announced Senator Connie Leyva's 2017 Fall Young Women's Leadership Conference *Finding Your Drive!* scheduled for November 2 at Chaffey College Chino Community Center; reported on after school programs located in the Chino Valley; said that he facilitated a donation for EJ Marshall ES PTO from Bornstein Enterprises; and spoke about an Educator of the Year, Region 10, banquet in January 2018.

Art Bennett, Chino Hills City Council, congratulated Dr. Enfield on his appointment as Superintendent; recognized Alexis King, Ayala HS English teacher, for winning the Milken Educator Award; spoke about the winners of the Music in Motion event on October 14; announced Halloween events taking place at *The Shoppes* in Chino Hills; and spoke about the loss of Pastor Dave King.

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

Laura Silva addressed the Board regarding Eagle Canyon ES policy.

I.H. CHANGES AND DELETIONS

The following change was read into the record: Item III.E.1. Certificated/Classified Personnel Items, was yellow-sheeted; and Item III.C.1., School-sponsored Trips, under Chino Hills HS added CIF Northern Regional Individuals Playoffs, Ojai, CA, 1 student/2 chaperones, October 22-23, 2017, \$366.28 per student, ASB funded.

ACTION

II.A. HUMAN RESOURCES

II.A.1. Memorandum of Understanding for Extra Duty Stipends

Moved (Na) seconded (Blair) motion carried (4-0, Feix absent) to approve the Memorandum of Understanding for extra duty stipends. Student representative voted yes.

III. CONSENT

Moved (Na) seconded (Blair) motion carried (4-0, Feix absent) to approve the consent items. Student representative voted yes.

III.A. ADMINISTRATION

III.A.1. Minutes of the Special Meeting of October 3, 2017, and Regular Meeting of October 5, 2017

Approved the minutes of the special meeting of October 3, 2017, and regular meeting of October 5, 2017.

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

Approved/ratified the warrant register.

III.B.2. Fundraising Activities

Approved/ratified the fundraising activities.

III.B.3. Donations

Accepted the donations.

III.B.4. Legal Services

Approved payment for legal services to the law office of Margaret A. Chidester & Associates.

III.B.5. Revision of Board Policy 3314.3 Business and Noninstructional Operations—Use of District Credit Cards

Approved the revision of Board Policy 3314.3 Business and Noninstructional Operations—Use of District Credit Cards.

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

Approved/ratified the following school-sponsored trips: Cattle ES, Rhodes ES, and Chino Hills HS, as amended.

III.C.2. Amendment to Local Agreement for Child Development Services CSPP-7420

Approved the amendment to Local Agreement for Child Development Services CSPP-7420.

III.C.3. Amendment to Local Agreement for Child Development Services CCTR-7195

Approved the amendment to Local Agreement for Child Development Services CCTR-7195.

III.C.4. Revision of Board Policy 0000 Philosophy-Goals-Objectives and Comprehensive Plans—Concepts and Goals

Approved the revision of Board Policy 0000 Philosophy-Goals-Objectives and Comprehensive Plans—Concepts and Goals.

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

Approved/ratified the purchase order register.

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

Approved/ratified the Agreements for Contractor/Consultant Services.

III.D.3. Surplus/Obsolete Property

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

III.D.4. Change Order and Notice of Completion for Bid 16-17-03, Installation of New Single Ply Roofing at Don Lugo HS

Approved the Change Order and Notice of Completion for Bid 16-17-03, Installation of New Single Ply Roofing at Don Lugo HS.

III.D.5. Resolutions 2017/2018-22, 2017/2018-23, and 2017/2018-24

Adopted Resolutions 2017/2018-22, 2017/2018-23, and 2017/2018-24 for authorization to utilize piggyback contracts.

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

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

III.E.2. Rejection of Claims

Rejected the claims and referred them to the District's insurance adjuster.

III.E.3. Revisions to the Job Descriptions for Director of Nutrition Services and Licensed Vocational Nurse

Approved the revisions to the job descriptions for Director of Nutrition Services, and Licensed Vocational Nurse.

III.E.4. Fieldwork Agreement with Azusa Pacific University

Approved the fieldwork agreement with Azusa Pacific University.

IV. INFORMATION

IV.A. CURRICULUM, INSTRUCTION, INNOVATION, AND SUPPORT**IV.A.1. Revision of Administrative Regulation 5145.3 Students—Nondiscrimination/Harassment of Students**

Received for information the revision of Administrative Regulation 5145.3 Students—Nondiscrimination of Students.

IV.A.2. Williams Settlement Legislation Quarterly Uniform Complaint Report Summary for July Through September 2017

Received for information the Williams Settlement Legislation Quarterly Uniform Complaint Report Summary for July Through September 2017.

IV.B. HUMAN RESOURCES**IV.B.1. Revision of Board Policy 1160 Community Relations—Political Processes**

Received for information the revision of Board Policy 1160 Community Relations—Political Processes.

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

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

V. COMMUNICATIONS

BOARD MEMBERS AND SUPERINTENDENT

Andrew Cruz said he attended the award ceremony for Alexis King; and attended the Music in Motion event.

Irene Hernandez-Blair made no comment.

James Na spoke about the passing of Pastor Dave King; and asked Superintendent Joseph to look into Eagle Canyon ES's "AR" program concerns.

Superintendent Joseph said three robotics teams comprised of CVUSD students recently qualified for the VEX Robotics California State Championships scheduled for early 2018; said the teams are: boys' team "Bluebots," girls' team "Omega" both from Canyon Hills JHS, and Chino Hills Girls Robotics, comprised of girls attending Ayala HS in Chino Hills; and said the District's State of the District Reception and Address is scheduled for November 14 at Chino Hills HS, which features students providing food, flowers, art, performances, and a special video.

President Orozco acknowledged retirees on the agenda; congratulated Alexis King; said Chino Hills HS chamber singers performed at the Riverside and San Bernardino County School Boards Association Fall Joint meeting; and closed with expressing condolences and thoughts to Pastor Dave King's family.

VI. ADJOURNMENT

President Orozco adjourned the regular meeting of the Board of Education at 7:50 p.m.

Sylvia Orozco, President

James Na, Clerk

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

CHINO VALLEY UNIFIED SCHOOL DISTRICT
REGULAR MEETING OF THE BOARD OF EDUCATION
November 2, 2017

MINUTES

I. OPENING BUSINESS

I.A. CALL TO ORDER – 4:40 P.M.

1. Roll Call

President Orozco called to order the regular meeting of the Board of Education, Thursday, November 2, 2017, at 4:40 p.m. with Cruz, Feix, and Orozco present. Mr. Na arrived at 4:55 p.m. and Mrs. Blair arrived at 6:29 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 4:41 p.m. regarding conference with legal counsel existing and anticipated litigation; a student matter: parent request to change grade; a student readmission; conference with labor negotiators (A.C.T. and CSEA); public employee discipline/dismissal/release; public employee appointment: HS principal and JHS assistant principal; and conference with labor negotiators, new Superintendent's contract.

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 7:07 p.m. The Board met in closed session from 4:41 p.m. to 7:00 p.m. regarding conference with legal counsel existing and anticipated litigation; a student matter: parent request to change grade; a student readmission; conference with labor negotiators (A.C.T. and CSEA); public employee discipline/dismissal/release; public employee appointment:

HS principal and JHS assistant principal; and conference with labor negotiators, new Superintendent's contract. The Board accepted the resignation of certificated employee #137 effective June 30, 2018, by a vote of 4-0 with Cruz, Feix, Na, and Orozco voting yes and Blair absent; and appointed John Miller as principal of Chino HS effective November 3, 2017, by a vote of 5-0 with Blair, Cruz, Feix, Na, and Orozco voting yes. No further action was taken that required public disclosure.

2. Pledge of Allegiance

Lisa Sura, Principal, Hidden Trails ES, led the Pledge of Allegiance.

I.C. STUDENT SHOWCASE

1. Hidden Trails ES

Yasmine Garcia, Hidden Trails ES 6th grade student, was highlighted for her debating skills.

I.D. COMMENTS FROM STUDENT REPRESENTATIVE

Jonah Botello attended the Student Advisory Council meeting and communicated the topics covered at the meeting.

I.E. EMPLOYEE REPRESENTATIVES' COMMUNICATIONS

Steve Ball, A.C.T. President, said six teachers are receiving Lions Club Teacher Grants; said A.C.T. is coordinating a Thanksgiving food drive to support the ongoing efforts at Isaiah's Rock; and reminded teachers of the *Road Way Adoption Clean Up Day*; and thanked the District for being open to collaboration with A.C.T. on the PLC process.

Yvette Farley, CHAMP President, said CHAMP will begin a clothing drive to help the CARE Program; said ACSA Region 12 is hosting a women's leadership network conference on November 13 in Ontario; spoke about the ending of schools' first trimester; and spoke about being inspired.

I.F. COMMUNITY LIAISONS' COMMUNICATIONS

Paul Rodriguez, Chino City Council, reported on the YMCA's Lights on After School program; spoke about the Great American Smokeout event taking place at the (Chino) Teen Center in November; said he attended the National Hispanic Association of Colleges and Universities Conference; attended Alliance for Education at West End; and attended the Young Women's Career Path sponsored by Senator Connie Leyva.

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

Cal Aero K-8 parent Purvi Brahmshatri addressed the Board regarding bullying; Veronica Domato addressed the Board regarding Ayala HS bullying concerns; and Tom Ayino addressed the Board regarding Ayala HS basketball concerns.

I.H. CHANGES AND DELETIONS

The following changes were read into the record: Item II.A.1., Administration, Oxford Preparatory Academy – Rise Charter School Petition, 5th paragraph on page 46, corrected the date to read 2017; Item III.D.1., Human Resources, Certificated/Classified Personnel, under hired at the appropriate placement on the certificated salary schedule and appropriate credential for 2017/2018 added the name Li Yang, Mandarin Teacher, Chino Hills HS, effective November 6, 2017; and Item IV.D.3., Human Resources, of the agenda index, deleted the words “receive for information” and inserted the word “review.”

ACTION

II.A. ADMINISTRATION**II.A.1. Oxford Preparatory Academy – Rise Charter School Petition**

Katia Hashemi Tari, Kiana Hashemi Tari, Albert Diaz, Sandra Garner, Lisa Hall, Deanna Campagna, Denise Hobbensiefken, Garrett Bridges, Patty Plascencia, Caitlyn Welsh, Mona Hermocillo, Stella Tumenta-Hashemi Tari and Lisa Czarnocki addressed the Board opposed to the recommendation to deny the petition. President Orozco called for a recess from 8:27 p.m. to 8:31 p.m. Moved (Feix) seconded (Cruz) motion carried (4-1) by roll call with Blair, Cruz, Feix, and Orozco voting yes and Na voting no to adopt Resolution 2017/2018-27 Adopting Recommended Findings of Fact Regarding the Oxford Preparatory Academy – Rise Charter School Petition pursuant to Education Code section 47605(b), as amended. Student representative voted no.

II.B. HUMAN RESOURCES**II.B.1. Public Hearing and Variable Term Waiver for Dorinda Sullivan**

President Orozco opened the public hearing regarding the Variable Term Waiver for Dorinda Sullivan at 8:42 p.m. There were no speakers, and the hearing was closed at 8:42 p.m. Moved (Blair) seconded (Na) carried unanimously 5-0 to approve the Variable Term Waiver for Dorinda Sullivan. Student representative voted yes.

III. CONSENT

Irene Hernandez-Blair pulled for separate action Item III.B.3. Moved (Blair) seconded (Na) carried unanimously (5-0) to approve the consent items, as amended. Student representative voted yes.

III.A. BUSINESS SERVICES

III.A.1. Warrant Register

Approved/ratified the warrant register.

III.A.2. Fundraising Activities

Approved/ratified the fundraising activities.

III.A.3. Donations

Accepted the donations.

III.A.4. Legal Services

Approved payment for legal services to the law office of Atkinson, Andelson, Loya, Ruud & Romo.

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

Page Approved the signature authorizations for Chino Valley Unified School District.

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

III.B.1. Student Readmission Case 16/17-09

Approved student readmission case 16/17-09.

III.B.2. School Sponsored Trips

Approved/ratified the following school-sponsored trips: Butterfield Ranch ES; Ayala HS; Chino Hills HS; and Don Lugo HS.

III.B.3. Proclamation for The Great American Smokeout on November 16, 2017

Moved (Blair) seconded (Na) carried unanimously (5-0) to adopt the proclamation for The Great American Smokeout on November 16, 2017. Student representative voted yes.

III.C. FACILITIES, PLANNING, AND OPERATIONS

III.C.1. Purchase Order Register

Approved/ratified the purchase order register.

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

Approved/ratified the Agreements for Contractor/Consultant Services.

III.C.3. Surplus/Obsolete Property

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

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

Approved the Notice of Completion for CUPCCAA Projects.

III.C.5. Notice of Completion for CUPCCAA Bid 17-18-06I, Asphalt Repair at Cattle ES

Approved the Notice of Completion for CUPCCAA Bid 17-18-06I, Asphalt Repair at Cattle ES.

III.C.6. Resolution 2017/2018-25 and 2017/2018-26 for Authorization to Utilize Piggyback Contracts

Adopted Resolution 2017/2018-25 and 2017/2018-26 for authorization to utilize piggyback contracts.

III.C.7. Community Facilities District No. 4 (College Park) Special Tax Accountability Report for Fiscal Year 2016/2017

Accepted and filed the Community Facilities District No. 4 (College Park) Special Tax Accountability Report for Fiscal Year 2016/2017.

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

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

III.D.2. New Job Description for Nutrition Supervisor

Recommend the Board of Education approved the new job description of Nutrition Supervisor, and authorized the creation of Nutrition Supervisor.

III.D.3. Student Internship Agreement with Alliant International University

Approved the student internship agreement with Alliant International University.

III.D.4. Designated Subjects Adult and Career Technical Education Credentials Program Agreement with the San Diego County Superintendent of Schools

Approved the Designated Subjects Adult and Career Technical Education Credentials Program agreement with the San Diego County Superintendent of Schools.

IV. INFORMATION

IV.A. BUSINESS SERVICES

- IV.A.1. Adopted 2017/2018 Organized and Unorganized Student Body Budgets**
Received for information the adopted 2017/2018 organized and unorganized student body budgets.

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

- IV.B.1. Chino Valley Unified School District 2017/2020 Strategic Plan**
Received for information the Chino Valley Unified School District 2017/2020 Strategic Plan.

- IV.B.2. Revision of Board Policy 6164.2 Instruction—Guidance/Counseling Services**
Received for information the revision of Board Policy 6164.2 Instruction—Guidance/Counseling Services.

IV.C. FACILITIES, PLANNING, AND OPERATIONS

- IV.C.1. Cash Management Program**
Received for information the report on the Cash Management Program.

- IV.C.2. Revision of Board Policy 3280 Business and Noninstructional Operations—Sale or Lease of District-Owned Real Property**
Received for information the revision of Board Policy 3280 Business and Noninstructional Operations—Sale or Lease of District-Owned Real Property.

IV.D. HUMAN RESOURCES

- IV.D.1. Revision of Board Policy and Administrative Regulation 4127, 4227, 4327 All Personnel—Temporary Athletic Team Coaches**
Received for information the revision of Board Policy and Administrative Regulation 4127, 4227, 4327 All Personnel—Temporary Athletic Team Coaches.

- IV.D.2. Revision of Administrative Regulation 4112.22 Certificated Personnel—Staff Teaching English Language Learners**
Received for information the revision of Administrative Regulation 4112.22 Certificated Personnel—Staff Teaching English Language Learners.

- IV.D.3. Revision of Board Bylaw and Exhibit 9270—Conflict of Interest**
Recommend the Board of Education receive for information the review of Board Bylaw and Exhibit 9270—Conflict of Interest, as amended.

V. COMMUNICATIONS

BOARD MEMBERS AND SUPERINTENDENT

Andrew Cruz asked that staff look into the Cal Aero Preserve Academy parent bullying concerns; announced that November 4 is the last day of Ayala HS's play Curious Savage; attended the Chaffey College Report to the Community address on October 24; spoke about hardships facing college students; and closed by imploring parents to take an active part in their child's education.

Irene Hernandez-Blair asked that the Cal Aero Preserve Academy bullying concerns be followed-up, as well as Briggs K-8 bullying concerns; said that her freshman son played his last football game of the season and thanked the Board and Superintendent Joseph for being understanding about missing parts of closed session during the football season.

James Na said he attended Pastor Dave King's funeral on Saturday; and said that Isaiah's Rock food and toy drive efforts need to be continued for the holidays.

Pamela Feix attended the Student Advisory Council meeting with Board of Education student representative Jonah Botello; said that it is important for principals to confirm safety protocols/plans with students; and extended thoughts to her friends at Riverside USD regarding the recent events.

Superintendent Joseph extended good luck wishes to the Ayala HS Mock Trial team who compete in the 36th annual San Bernardino County Mock Trial Competition; extended good luck wishes to Briggs K-8 students who participate in the second annual San Bernardino County Rube Goldberg competition scheduled for November 4 in San Bernardino; said the annual Districtwide Marching Band Showcase is scheduled for November 15 from 7:00 p.m. to 8:35 p.m. at the Chino HS stadium; and said more than 56 school marching bands will participate in the 47th Annual Chino Invitational Band Review and Field Tournament on November 4 at Chino HS.

President Orozco extended well wishes to Felix Melendez; thanked Steve Ball for A.C.T.'s collaborative efforts; attended the Chaffey College Report to the Community; announced the Lions Clubs Student Speaker Contest and asked that Superintendent Joseph send the information to the high schools and post information on the District Facebook page; encouraged parents to access grades online through the Aeries Portal for parents; and closed by saying that the Board did make an honest effort to keep OPA Chino open, and looks forward to being able to disclose the District's fair proposal terms.

VI. ADJOURNMENT

President Orozco adjourned the regular meeting of the Board of Education at 9:02 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: November 16, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

SUBJECT: ESTABLISHMENT OF DATE AND TIME FOR ANNUAL ORGANIZATIONAL MEETING

=====

BACKGROUND

Education Codes 5017, 35143 and 72000(c)(2)(a) require that governing boards hold an annual organizational meeting and that each member of the board be notified in writing of the date and time selected. The 2017 organizational meeting must be held at the first meeting within 15 days commencing with and including the first Friday in December between December 1 and December 15.

The annual organizational meeting will be held on December 14, 2017, at 7:00 p.m. At that time, a president, vice president, clerk, and representatives to various organizations will be selected.

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

RECOMMENDATION

It is recommended the Board of Education establish December 14, 2017, at 7:00 p.m. as the annual organizational meeting of the Chino Valley Unified School District Board of Education.

FISCAL IMPACT

None.

WMJ:pk

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 16, 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

\$1,860,127.70 to all District funding sources.

WMJ:SHC:LP:wc

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 16, 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
November 16, 2017

<u>SITE/DEPARTMENT</u>	<u>ACTIVITY/DESCRIPTION</u>	<u>DATE</u>
<u>Borba ES</u>		
PFA	Christmas Boutique	12/11/17 - 12/15/17
<u>Cortez ES</u>		
PFA	Tuesdays After School Smoothie Sale	11/28/17 - 6/2/18
PFA	Cannataro's Family Night Out	12/5/17
PFA	Santa Shop	12/18/17 - 12/22/17
PFA	IHOP Restaurant Day	1/23/18
PFA	Chipotle Family Night Out	2/13/18
PFA	Yogurtland Family Night Out	3/13/18
PFA	Pump-It-Up Day	4/24/18
PFA	Color Run	5/18/18
<u>Dickey ES</u>		
PTO	Penny Donation Drive	11/28/17 - 12/12/17
<u>Glenmeade ES</u>		
PTA	Ontario Reign Hockey Family Night Out	1/12/18
<u>Litel ES</u>		
ASB	Leukemia Lymphoma Society Donation Drive	11/17/17 - 12/13/17
<u>Marshall ES</u>		
PTO	Cookies with Santa Ticket Sale	12/4/17 - 12/8/17
PTO	Winter Boutique	12/7/17 - 12/8/17
PTO	McDonald's McTeacher Night	1/11/18
<u>Rhodes ES</u>		
PEP Club	Family Fun Night	1/19/18
<u>Ayala HS</u>		
Choral Boosters	Cookie Dough Sale	11/17/17 - 11/30/17
BAC Boosters	Pancake Breakfast Ticket Sale	11/17/17 - 12/10/17
Choral Boosters	Madrigal Feaste Concessions	12/4/17 - 12/10/17

CHINO VALLEY UNIFIED SCHOOL DISTRICT
November 16, 2017

<u>SITE/DEPARTMENT</u>	<u>ACTIVITY/DESCRIPTION</u>	<u>DATE</u>
<u>Ayala HS</u> (cont.)		
Christian Club	Chick-fil-A Family Night Out	12/5/17
BAC Boosters	Applebee's Pancake Breakfast	12/10/17
Drama Club	Chipotle Family Night Out	12/11/17
Science Olympiad Club	Off Campus Candy Sale	1/10/18 - 1/31/18
<u>Chino Hills HS</u>		
World Vision Club	7 Leaves Café Day	11/17/17
Creative Writing Club	Off Campus Candy Sale	11/17/17 - 12/8/17
Digital Club	T-Shirt/Hoodie Sale	11/17/17 - 5/31/18
Girls Water Polo Boosters	Sponsorship Drive	11/18/17 - 5/15/18
Girls Water Polo Boosters	Snack Bar at Home Games	11/30/17 - 5/20/18
Spirit Boosters	Poinsettia Sale	12/1/17 - 12/25/17
FCCLA	After School Snack Sale	12/8/17
Digital Club	Overwatch Tournament Ticket Sale	12/9/17 - 5/31/18
Baseball Boosters	Golf Tournament	3/19/18

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 16, 2017
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Sandra H. Chen, Assistant Superintendent, Business Services
Liz Pensick, Director, Business Services
SUBJECT: DONATIONS

=====

BACKGROUND

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

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

RECOMMENDATION

It is recommended the Board of Education accept the donations.

FISCAL IMPACT

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

WMJ:SHC:LP:wc

CHINO VALLEY UNIFIED SCHOOL DISTRICT
November 16, 2017

<u>DEPARTMENT/SITE DONOR</u>	<u>ITEM DONATED</u>	<u>APPROXIMATE VALUE</u>
<u>C.A.R.E. Program</u>		
Veterans of Foreign Wars	Gift Cards	\$500.00
<u>P.R.E.P. Preschool Program</u>		
Sam's Club	Gift Cards	\$50.00
<u>Chaparral ES</u>		
Chaparral Heat PTO	Cash	\$5,000.00
<u>Cortez ES</u>		
The Kula Foundation	Cash	\$6.00
Bottling Group LLC-FSV	Cash	\$65.00
Kroger	Cash	\$114.00
<u>Country Springs ES</u>		
Country Springs PFA	Cash	\$2,229.00
<u>Hidden Trails ES</u>		
Melissa Compani	Cash	\$25.00
Keshava Datta	Cash	\$25.00
Rutherford DeArmas	Cash	\$25.00
May Evangelista	Cash	\$25.00
Amy Fulkerson	Cash	\$25.00
Leighana Gonzales	Cash	\$25.00
Samantha Hu	Cash	\$25.00
Yunji Anh Hwang	Cash	\$25.00
Sophie Oh Kam	Cash	\$25.00
Myoung Jin Kim	Cash	\$25.00
Tae Woo Kim	Cash	\$25.00
Suruchi Kumari	Cash	\$25.00
Yuen W. Lai	Cash	\$25.00

CHINO VALLEY UNIFIED SCHOOL DISTRICT
November 16, 2017

<u>DEPARTMENT/SITE DONOR</u>	<u>ITEM DONATED</u>	<u>APPROXIMATE VALUE</u>
<u>Hidden Trails ES</u> (cont.)		
Miran Lee	Cash	\$25.00
Fivina Lie	Cash	\$25.00
Jerry Mao	Cash	\$25.00
Rosio Rodriguez-Mariscal	Cash	\$25.00
Mamta Mihta	Cash	\$25.00
Tammy Mendoza	Cash	\$25.00
Esther Oh	Cash	\$25.00
Nancy Pavelsky	Cash	\$25.00
Rebecca Reger	Cash	\$25.00
Amanda Tinoco	Cash	\$25.00
Becky Tse	Cash	\$25.00
Sheila Vega	Cash	\$25.00
Fuyang Wang	Cash	\$25.00
Wei Xu	Cash	\$25.00
Juhun Kim	Cash	\$50.00
<u>Briggs K-8</u>		
Briggs PFA	Cash	\$284.00
<u>Cal Aero K-8</u>		
Cal Aero Preserve Flight Crew	Cash	\$1,500.00
<u>Don Lugo HS</u>		
Rancho Del Chino Rotary Foundatio	Cash	\$250.00

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

DATE: November 16, 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	September 2017 Invoice Revision	\$142.50	\$ 62,398.28
Margaret A. Chidester & Associates	-	-	\$105,583.46
McCune & Harber, LLP	-	-	\$ 45.00
Parker & Covert LLP	-	-	\$ 247.50
	Total	\$142.50	\$168,274.24

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

FISCAL IMPACT

\$142.50 to the General Fund.

WMJ:SHC:LP:wc

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 16, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

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

SUBJECT: SCHOOL-SPONSORED TRIPS

BACKGROUND

The Board of Education recognizes that school-sponsored trips are an important component of a student's development and supplement and enrich the classroom learning experience. School-sponsored trips may be conducted in connection with the District's course of study or school related social, educational, cultural, athletic, school band activities, or other extracurricular or cocurricular activities. Resources will be identified and established at the school site to assist economically disadvantaged students in obtaining funding for field trips and, in some cases, student travel. School sponsored trips that require overnight stay or are in excess of 250 miles (one way) require board approval.

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

RECOMMENDATION

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

School-Sponsored Trips	Date	Fiscal Impact
Site: Briggs K-8 Event: Pali Institute Science Camp Place: Running Springs, CA Chaperone: 70 students/19 chaperones	March 19-21, 2018	Cost: \$325.00 per student Funding Source: Parents
Site: Chino Hills HS Event: Family, Career and Community Leaders of America Hospitality Around the World Event Place: Orlando, FL Chaperone: 20 students/2 chaperones	April 27-30, 2018	Cost: \$1,100.00 per student Funding Source: Parents and Fundraising

FISCAL IMPACT

None.

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 16, 2017

TO: Members, Board of Education

FROM: Norm Enfield, Ed.D., Deputy Superintendent
Preston R. Carr, Ed.D., Director, Alternative Education
Anne Ingulsrud, Director, Special Education

**SUBJECT: 2018 SUPPLEMENTAL SUMMER INSTRUCTION PROGRAM AND
SPECIAL EDUCATION EXTENDED SCHOOL YEAR**

BACKGROUND

The Board of Education recognizes that summer school provides valuable opportunities for students to improve their skills and make academic progress. The District's summer school program may be used to provide supplemental instruction for students failing to meet academic requirements in accordance with the law, board policy, and administrative regulation.

Supplemental Summer Instruction Program

Elementary	June 6 – July 3, 2018	Monday – Friday	8:00 a.m. – 12:15 p.m.
Junior High	June 6 – July 3, 2018	Monday – Friday	Period 1, 7:30 a.m. – 9:30 a.m. Period 2, 9:45 a.m. – 11:45 a.m.
High School <i>*Priority to seniors</i>	June 11 – June 26, 2018 June 28 – July 18, 2018	Monday – Friday	7:30 a.m. – 11:45 a.m.
Continuation High School	June 11 – June 26, 2018 June 28 – July 18, 2018	Monday – Friday	7:30 a.m. – 11:45 a.m.

Special Education Extended School Year

Elementary	June 6 – July 3, 2018	Monday – Friday	8:00 a.m. – 12:15 p.m.
Junior High	June 6 – July 3, 2018	Monday – Friday	Period 1, 7:30 a.m. – 9:30 a.m. Period 2, 9:45 a.m. – 11:45 a.m.
High School	June 11 – July 18, 2018	Monday – Friday	Period 1, 7:30 a.m. – 9:30 a.m. Period 2, 9:45 a.m. – 11:45 a.m.

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

RECOMMENDATION

It is recommended the Board of Education approve the 2018 Supplemental Summer Instruction Program and Special Education Extended School Year.

FISCAL IMPACT

Supplemental Summer Instruction Program and Special Education Extended School Year are funded by the State.

WMJ:NE:PRC:Al:eb

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 16, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

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

**SUBJECT: CHINO VALLEY UNIFIED SCHOOL DISTRICT STRATEGIC PLAN
AND 2017/2020 GOALS**

=====

BACKGROUND

On November 7, 2013, the Board of Education approved the District's 2014/2017 Strategic Plan. Board Policy 0000 – Philosophy-Goals-Objectives and Comprehensive Plan, requires the Board of Education to review the Strategic Plan which includes the vision, mission, motto, core values and goals in conjunction with the Local Control and Accountability Plan (LCAP).

This item was presented to the Board of Education for information at its November 2, 2017, meeting. It was the recommendation of the Superintendent to align the goals in the 2017/2020 Strategic Plan with the District's LCAP.

New language is provided in UPPER CASE while old language to be deleted in 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 Chino Valley Unified School District Strategic Plan and 2017/2020 goals.

FISCAL IMPACT

None.

WMJ:NE:smr

CVUSD Strategic Plan

Our Vision

United together, the CVUSD staff, parents/guardians, community, and Governing Board work to provide an educational environment whereby:

Our students possess the personal and academic skills to be successful, responsible and productive. They are motivated, self-confident, and life-long learners. They exhibit integrity and contribute to the well-being of their communities. They successfully solve problems using their intellectual capacity and appropriate technology tools. They respect the ideas of other people, while holding true to their own convictions. Students recognize that academic achievement is essential to competing in the global economic setting. They face the future knowing that their goals are within their reach, by continuing their education and through their individual commitment and hard work.

Our Mission

The CVUSD provides all students a rigorous and relevant education in a safe learning environment.

Our Core Values

- All students can learn.
- High academic expectations can be met through excellent teaching and active learning.
- Each student has unique strengths that are recognized and nurtured.
- Each student has unique needs that are recognized and addressed.
- Building character is as important as building minds.
- Parents/guardians are our partners in the educational process.
- Collaboration, cooperation and respectfulness are essential in the learning environment.
- Community partners are essential to enriching the lives of students.
- We provide excellent service to all students.
- Positive school climate supports student learning.

Our Motto

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

Goals for ~~2014/2017~~ 2017/2020

- ~~Each student will gain at least one proficiency level each year as the result of highly skilled instruction and the use of instructional technology.~~
- ~~All students receive skilled instruction based on the common core standards, which will lead to graduation and success in college and career.~~
- ~~High school students will have the opportunity to participate in one of two well-developed pathways.~~
- ~~All students and staff will possess the 21st century skills required to access and use appropriate technology to increase student academic achievement.~~
- ~~Students, parents, staff and the community receive ongoing and timely communication through a variety of formats.~~
- ALL STUDENTS ARE PROVIDED A HIGH-QUALITY TEACHING AND LEARNING ENVIRONMENT.
- STAFF, PARENTS, FAMILIES, AND STUDENTS ARE CONNECTED AND ENGAGED TO THEIR SCHOOL TO ENSURE STUDENT SUCCESS.
- ALL STUDENTS ARE PREPARED FOR COLLEGE AND CAREER BEYOND GRADUATION.

Chino Valley Unified School District

Our Motto:

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

DATE: November 16, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

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

SUBJECT: REVISION OF BOARD POLICY 6164.2 INSTRUCTION – GUIDANCE/COUNSELING SERVICES

=====

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 6164.2 Instruction – Guidance/Counseling Services is being updated to reflect new law (SB 451, 2015) which expresses legislative intent regarding the responsibilities of school counselors, specifies components to be included in a comprehensive counseling program. Policy also clarifies options regarding access to students by college and employment recruiters, including military recruiters. This item was presented to the Board of Education on November 2, 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 6164.2 Instruction – Guidance/Counseling Services.

FISCAL IMPACT

None.

WMJ:GP:PC:JR:rtt

GUIDANCE/COUNSELING SERVICES

The Board of Education recognizes that a STRUCTURED, COHERENT, comprehensive counseling program ~~can help~~ promoteS academic achievement and serveS the diverse needs of all District students. Counseling staff shall be available to ~~meet with~~ PROVIDE students to ~~discuss academic, social, or personal difficulties, as well as other issues that may impact student learning~~ WITH INDIVIDUALIZED REVIEWS OF THEIR EDUCATIONAL PROGRESS TOWARD ACADEMIC AND/OR CAREER AND VOCATIONAL GOALS AND, AS APPROPRIATE, MAY DISCUSS SOCIAL, PERSONAL, OR OTHER ISSUES THAT MAY IMPACT STUDENT LEARNING.

THE SUPERINTENDENT OR DESIGNEE SHALL ENSURE THAT ALL PERSONS EMPLOYED TO PROVIDE SCHOOL COUNSELING, SCHOOL PSYCHOLOGY, AND/OR SCHOOL SOCIAL WORK SERVICES SHALL POSSESS THE APPROPRIATE CREDENTIAL FROM THE COMMISSION ON TEACHER CREDENTIALING AUTHORIZING THEIR EMPLOYMENT IN SUCH POSITIONS.

(cf. 4112.2 - Certification)

~~Academic and Career Counseling~~ EDUCATIONAL COUNSELING

The District's ~~academic~~ EDUCATIONAL counseling program shall help students establish immediate and long-range educational plans, achieve academic standards, ~~prepare for the high school exit examination,~~ and, complete the required curriculum in accordance with their individual needs, abilities, and interests. Each student shall, with the support of counseling staff, develop a 6-year plan in grade 7 and a 4-year plan in grade 9 to achieve this goal. Insofar as possible, parents/guardians shall be included when making educational plans.

(cf. 5145.6 - Parental Notifications)

Counseling staff shall help students plan for the future and become aware of their career potential. Academic planning for higher education shall include information about courses needed for admission to colleges and universities, standardized admission tests, financial aid, and scholarships. Counseling staff shall monitor each student's progress toward achieving the goals set forth in his 6-year or 4-year plan.

THE DISTRICT'S EDUCATIONAL COUNSELING PROGRAM ALSO MAY INCLUDE, BUT NOT BE LIMITED TO, IDENTIFICATION OF STUDENTS WHO ARE AT RISK OF NOT GRADUATING WITH THE REST OF THEIR CLASS, DEVELOPMENT OF A LIST OF COURSEWORK AND EXPERIENCE NECESSARY TO ASSIST STUDENTS TO SATISFY THE CURRICULAR REQUIREMENTS FOR COLLEGE ADMISSION AND SUCCESSFULLY TRANSITION TO POSTSECONDARY EDUCATION OR EMPLOYMENT, AND COUNSELING REGARDING AVAILABLE OPTIONS FOR A STUDENT TO CONTINUE HIS/HER EDUCATION IF HE/SHE FAILS TO MEET GRADUATION REQUIREMENTS.

GUIDANCE/COUNSELING SERVICES (cont.)

The Superintendent or designee shall establish and maintain a program of guidance, placement, and follow-up for all district HIGH SCHOOL students subject to compulsory continuation education. (Education Code 48431)

(cf. 6184 - Continuation Education)

NO COUNSELOR SHALL UNLAWFULLY DISCRIMINATE AGAINST ANY STUDENT. GUIDANCE COUNSELING REGARDING SCHOOL PROGRAMS AND CAREER, VOCATIONAL, OR HIGHER EDUCATION OPPORTUNITIES SHALL NOT BE DIFFERENTIATED ON THE BASIS OF ANY PROTECTED CATEGORY SPECIFIED IN BOARD POLICY 0410 – NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES.

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

(cf. 5145.3 - Nondiscrimination/Harassment of Students)

Colleges and prospective employers, including military recruiters, shall have ~~same~~ EQUAL access to students for recruiting purposes. (20 USC 7908; 10 USC 503; Education Code 49603)

(cf. 5125.1 - Release of Directory Information)

Supplemental School Counseling Program for Students in Grades 7-12

The Board-adopted supplemental school counseling program for students in grades 712 shall be delivered by personnel who hold a valid pupil personnel services credential.

The District's program shall provide for: (Education Code 52378)

1. An individualized review of academic and deportment records.
2. An individualized review of the career goals of students, the available academic/career technical education opportunities and community/workplace experiences available to students to support their goals.
3. An opportunity for a counselor to meet with students and, if practicable the parent/guardian, to discuss available educational and career technical options.
4. Specialized counseling services for students identified as at risk.

(cf. 6179 - Supplemental Instruction)

Personal OR MENTAL HEALTH Counseling

A SCHOOL ~~G~~counselingOR, staff SCHOOL PSYCHOLOGIST shall MAY identify and

GUIDANCE/COUNSELING SERVICES (cont.)

~~work with~~ PROVIDE INDIVIDUALIZED PERSONAL OR FAMILY COUNSELING TO students whose personal problems may prevent them from reaching their potential IN ACCORDANCE WITH THE SPECIALIZATION(S) AUTHORIZED BY HIS/HER CREDENTIAL. SUCH SERVICES MAY INCLUDE, BUT ARE NOT LIMITED TO, SUPPORT RELATED TO THE STUDENT'S SOCIAL AND EMOTIONAL DEVELOPMENT OR BEHAVIOR. As appropriate, students AND THEIR PARENTS/GUARDIANS shall be informed about COMMUNITY agencies, ORGANIZATIONS, OR HEALTH CARE PROVIDERS that offer qualified professional assistance ~~with substance abuse, physical or emotional problems, or other personal problems.~~

(cf. 1020 - Youth Services)
(cf. 5113 - Absences and Excuses)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5141.6 - School Health Services)
(cf. 5145.9 - Hate-Motivated Behavior)
(cf. 5147 - Dropout Prevention)
(cf. 6164.5 - Student Success Teams)

WRITTEN PARENT/GUARDIAN CONSENT SHALL BE OBTAINED BEFORE MENTAL HEALTH COUNSELING OR TREATMENT SERVICES ARE PROVIDED TO A STUDENT, EXCEPT WHEN THE STUDENT IS AUTHORIZED TO CONSENT TO SERVICE PURSUANT TO FAMILY CODE 6920-6929, HEALTH AND SAFETY CODE 12420, OR OTHER APPLICABLE LAW.

ANY INFORMATION OF A PERSONAL NATURE DISCLOSED TO A SCHOOL COUNSELOR BY A STUDENT AGE 12 YEARS OR OLDER OR BY HIS/HER PARENT/GUARDIAN IS CONFIDENTIAL AND SHALL NOT BECOME PART OF THE STUDENT RECORD WITHOUT THE WRITTEN CONSENT OF THE PERSON WHO DISCLOSED THE CONFIDENTIAL INFORMATION. THE INFORMATION SHALL NOT BE REVEALED, RELEASED, DISCUSSED, OR REFERRED TO EXCEPT UNDER THE LIMITED CIRCUMSTANCES SPECIFIED IN EDUCATION CODE 49602. (Education Code 49602)

A Gcounselors shall ~~respect student confidentiality, as appropriate, and shall~~ consult with the Superintendent or designee, AS APPROPRIATE, WITH THE DISTRICT'S LEGAL COUNSEL whenever unsure of how to respond to a student's personal problem ~~Parent/guardian consultation and consent shall be obtained as appropriate~~ OR WHEN QUESTIONS ARISE REGARDING THE POSSIBLE RELEASE OF CONFIDENTIAL INFORMATION REGARDING A STUDENT.

(cf. 5022 - Student and Family Privacy Rights)
(cf. 5125 - Student Records)

GUIDANCE/COUNSELING SERVICES (cont.)

Crisis Counseling

The Board recognizes the need for a prompt and effective response when students are confronted with a traumatic incident. School counselors shall assist in the development of the comprehensive school safety plan, emergency and disaster preparedness plan and other prevention and intervention practices designed to assist students AND PARENTS/GUARDIANS before, DURING, and after a crisis.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)

In addition, the Superintendent or designee shall identify crisis counseling resources to train District staff in EFFECTIVE THREAT ASSESSMENT, appropriate response techniques and/or METHODS to directly help students cope with ~~such crises~~ A CRISIS if they IT occurS.

Early identification and intervention plans shall be developed to help identify those students who may be at risk for violence so that support may be provided before they engage in violent or disruptive behavior.

(cf. 5136 - Gangs)
(cf. 5141.52 - Suicide Prevention)

Legal Reference:

EDUCATION CODE

221.5 Prohibited sex discrimination
44266 Pupil personnel services credential
48431 Establishing and maintaining high school guidance and placement program
49600-49604 Educational counseling
51250-51251 School age military dependents
51513 Personal beliefs

FAMILY CODE

6920-6929 Consent by minor for treatment or counseling

HEALTH AND SAFETY CODE

124260 Mental health services; consent by minors age 12 and older

PENAL CODE

11166-11170 Reporting known or suspected cases of child abuse

WELFARE AND INSTITUTIONS CODE

5850-5883 Mental Health Services Act

CODE OF REGULATIONS, TITLE 5

4930-4931 Counseling
80049-80049.1 Pupil personnel services credential
80632-80632.5 Preparation programs for pupil personnel services

UNITED STATES CODE, TITLE 10

503 Military recruiter access to directory information

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act
7908 Armed forces recruiter access to students and student recruiting information

GUIDANCE/COUNSELING SERVICES (cont.)

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family educational rights and privacy

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California Results-Based School Counseling and Student Support Guidelines, 2007

WEBSITES

American School Counselor Association: www.schoolcounselor.org

California Association of School Counselors: www.schoolcounselor-ca.org

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

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

United States Department of Education, access to military recruiters:
www.ed.gov/policy/gen/guid/fpco/hottopics/ht10-09-02.html

Chino Valley Unified School District

Policy adopted: January 18, 2007

Revised: August 20, 2009

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 16, 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

\$1,149,584.58 to all District funding sources.

WMJ:GJS:AGH:pw

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 16, 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

CURRICULUM, INSTRUCTION, INNOVATION, AND SUPPORT	FISCAL IMPACT
CIIS-1718-098 SMG. To provide commencement ceremony facility use at Citizens Business Bank Arena. Submitted by: Communications Duration of Agreement: May 29, 2018 – May 30, 2018	Contract amount: \$109,880.00 Funding source: General Fund
CIIS-1718-099 Educational Equity for All. To provide professional development for AbleNet curriculum programs. Submitted by: Special Education Duration of Agreement: October 20, 2017 – June 30, 2018	Contract amount: \$3,000.00 Funding source: Special Education
CIIS-1718-100 GetGo, Inc. To provide video conference software for students and teachers. Submitted by: Alternative Education Center Duration of agreement: August 16, 2017 – August 15, 2018	Contract amount: \$4,176.00 Funding source: School Site Budget
CIIS-1718-101 Essential Education. To provide GED academy study program 1-yr license. Submitted by: Boys Republic HS Duration of Agreement: November 8, 2017 – November 8, 2018	Contract amount: \$630.00 Funding source: School Site Budget

FACILITIES, PLANNING, AND OPERATIONS	FISCAL IMPACT
F-1718-010 KCB Inspection Services, Inc. To provide DSA Inspector of Record (IOR) services. Submitted by: Facilities, Planning, and Operations Duration of Agreement: November 17, 2017 – June 30, 2018	Contract amount: \$45,000.00 Funding source: Capital Facilities

MASTER CONTRACTS	FISCAL IMPACT
MC-1718-032 Omar Khan Productions. To provide DJ services. Submitted by: Ramona JHS Duration of Agreement: October 27, 2017 – June 30, 2020	Contract amount: Per rate sheet Funding source: Various
MC-1718-033 TBP Productions, LLP dba SNO Sites. To provide online school newspaper. Submitted by: Chino HS Duration of Agreement: October 8, 2017 – June 30, 2020	Contract amount: Per rate sheet Funding source: Various
MC-1718-034 Continental Vending, Inc. To provide FDA compliant vending machines. Submitted by: Chino Hills HS ASB Duration of Agreement: November 16, 2017 – June 30, 2020	Contract amount: Per rate sheet Funding source: Various

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 16, 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: RESOLUTION 2017/2018-29 AND 2017/2018-30 FOR
AUTHORIZATION TO UTILIZE PIGGYBACK CONTRACTS**

BACKGROUND

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

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

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

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

Resolution	Contract	Contractor	Description	Term
2017/2018-29	Fullerton Joint Union High School District 1516-15 Shade Structure Brand DSA Preapproved Fabric Shade Structures	Shade Structures, Inc.	DSA Preapproved Fabric Shade Structures With all Costs for Materials and Installation Included	7/18/2016-6/30/2018

Resolution	Contract	Contractor	Description	Term
2017/2018-30	Santa Rita Union School District Bid #2015-16-1A	American Modular	Facility Supply Services Contract, Modular Classroom Buildings, and Modular Toilet Room Buildings	5/29/2016-6/30/2019

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

RECOMMENDATION

It is recommended the Board of Education adopt Resolution 2017/2018-29 and 2017/2018-30 for authorization to utilize piggyback contracts.

FISCAL IMPACT

Unknown.

WMJ:GJS:AGH:pw

**Chino Valley Unified School District
Resolution 2017/2018-29
Authorization to Utilize the Fullerton Joint Union High School District 1516-15
Shade Structure Brand DSA Preapproved Fabric Shade Structures
With Shade Structures, Inc.
to Purchase DSA Preapproved Fabric Shade Structures With all Costs for
Materials and Installation Included
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 DSA preapproved fabric shade structures with all costs for materials and installation included for the District;

WHEREAS, Fullerton Joint Union High School District currently has a piggyback contract, 1516-15 Shade Structure Brand DSA Preapproved Fabric Shade Structures, in accordance with Public Contract Code 20118 with Shade Structures, 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 DSA preapproved fabric shade structures with all costs for materials and installation included through the piggyback contract procured by the Fullerton Joint Union High School District 1516-15 Shade Structure Brand DSA preapproved Fabric Shade Structures.

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 DSA preapproved fabric shade structures with all costs for materials and installation included through the piggyback contract originally procured by the Fullerton Joint Union High School District 1516-15 Shade Structure Brand DSA Preapproved Fabric Shade Structures 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 DSA preapproved fabric shade structures with all costs for materials and installation included in accordance with Public Contract Code 20118 through the piggyback contract originally procured by the Fullerton Joint Union High School District 1516-15 Shade Structure Brand DSA Preapproved Fabric Shade Structures.

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

Section 5. Effective Date. This resolution shall be effective as of July 18, 2016, for the term ending June 30, 2018.

APPROVED, PASSED, AND ADOPTED by the Board of Education of the Chino Valley Unified School District this 16th day of November 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 2017/2018-30
Authorization to Utilize the Santa Rita Union School District Bid #2015-16-1A
With American Modular
to Purchase Facility Supply Services Contract, Modular Classroom Buildings, and
Modular Toilet Room Buildings
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 facility supply services contract, modular classroom buildings, and modular toilet room buildings for the District;

WHEREAS, Santa Rita Union School District currently has a piggyback contract, Bid #2015-16-1A, in accordance with Public Contract Code 20118 with American Modular 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 facility supply services contract, modular classroom buildings, and modular toilet room buildings through the piggyback contract procured by the Santa Rita Union School District Bid #2015-16-1A.

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 facility supply services contract, modular classroom buildings, and modular toilet room buildings through the piggyback contract originally procured by the Santa Rita Union School District Bid #2015-16-1A 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 facility supply services contract, modular classroom buildings, and modular toilet room buildings in accordance with Public Contract Code 20118 through the piggyback contract originally procured by the Santa Rita Union School District Bid #2015-16-1A.

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 May 29, 2016, for the term ending June 30, 2019.

APPROVED, PASSED, AND ADOPTED by the Board of Education of the Chino Valley Unified School District this 16th day of November 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: November 16, 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: BID 17-18-07F, RHODES ES PORTABLE CLASSROOM/SITE WORK IMPROVEMENTS

=====

BACKGROUND

Public Contract Code 20111 requires that contracts for public works exceeding \$15,000.00 be legally advertised and awarded to the lowest responsible bidder, who shall have such surety as the Board requires.

A Notice to Contractors Calling for Bids for Bid 17-18-07F Rhodes ES Portable Classroom/ Site Work Improvements was published in the Inland Valley Daily Bulletin on October 20 and 28, 2017. Bids were opened at 2:00 p.m. on November 3, 2017. The results are as follows:

Contractor	Bid Amount
Single Source Construction & Maintenance Inc.	\$335,000.00
JM Builders Inc.	\$339,000.00
Epsilon Engineering	\$402,140.00

The basic scope of work for this project includes installation of utility infrastructure, paving and concrete, and utility connections for two 24' x 40' portable classrooms at Rhodes ES.

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

RECOMMENDATION

It is recommended the Board of Education award Bid 17-18-07F, Rhodes ES Portable Classroom/Site Work Improvements to Single Source Construction & Maintenance, Inc.

FISCAL IMPACT

\$335,000.00 to Capital Facilities Fund 25.

WMJ:GJS:AGH:pw

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 16, 2017
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Gregory J. Stachura, Asst. Supt., Facilities, Planning, and Operations
**SUBJECT: APPOINTMENT OF MEMBER TO THE MEASURE G BOND
CITIZENS' OVERSIGHT COMMITTEE**

=====

BACKGROUND

On November 8, 2016, voters within the Chino Valley Unified School District approved bond Measure G for the issuance and sale of general obligation bonds, the proceeds of which are to be used for school construction and improvements. Under the requirements of Proposition 39, on January 12, 2017, the Board of Education approved the District to establish, populate, and empower an independent Measure G bond, citizens' oversight committee.

At its February 2, 2017 Board meeting, the Board of Education approved the appointment of eleven (11) members to the committee. The member appointed to represent a senior citizen organization stepped down due to personal reasons; therefore, it is necessary to refill this position.

During the month of October, the District sought applicants for this position via the Chino Champion and the District website and two applications were received. The applications were reviewed by District staff and their recommendation is attached.

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

RECOMMENDATION

It is recommended that the Board of Education appoint Lou Alfonso as senior citizen organization representative on the Measure G Bond Citizens' Oversight Committee.

FISCAL IMPACT

None.

WMJ:GJS:pw

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 16, 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 3280 BUSINESS AND NONINSTRUCTIONAL OPERATIONS – SALE OR LEASE OF DISTRICT-OWNED REAL PROPERTY**

=====

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 3280 Business and Noninstructional Operations – Sale or Lease of District-Owned Real Property is being updated to reflect new laws.

Policy updated to delete the requirement to first offer surplus property to a charter school with at least 80 students. Material regarding the appointment of the District advisory committee expanded to specify the circumstances under which the District is not required to appoint a committee, including the exception for the sale, lease, or rental of excess property to be used for teacher or other employee housing pursuant to new law (AB1157, 2017). Policy expands section on “Use of Proceeds” to reflect additional legal requirements, and deletes the authority (repealed) to use the proceeds from the sale of surplus property for any one-time general fund purpose provided that the District adopted a plan and made certain certifications to the State Allocation Board. This agenda item was presented to the Board of Education on November 2, 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 3280 Business and Noninstructional Operations – Sale or Lease of District-Owned Real Property.

FISCAL IMPACT

None.

WMJ:GJS:pw

SALE OR LEASE OF DISTRICT-OWNED REAL PROPERTY

The Board of Education believes that ~~the~~ District FACILITIES AND RESOURCES should BE utilized ~~its facilities and resources in the most~~ IN AN economical and practical manner. The Superintendent or designee shall periodically study the current and projected use of all District facilities to ensure the efficient utilization of space and FOR the effective delivery of instruction.

(cf. 1330 - Use of School Facilities)
(cf. 7110 - Facilities Master Plan)
(cf. 7111 - Evaluating Existing Buildings)
(cf. 7160 - Charter School Facilities)

~~Upon determination that District property is no longer needed or may not be needed until some future time, the Board shall offer to sell or lease District-owned real property in accordance with priorities and procedures specified in law, including, but not limited to, Education Code 17230, 17464, 17485-17500, and Government Code 54222.~~

~~(cf. 5148 - Child Care and Development)
(cf. 5148.2 - After School Programs)~~

~~When required by law, T~~he Board shall appoint a District advisory committee PRIOR TO THE SALE OR LEASE OF ANY SURPLUS REAL PROPERTY to advise the Board ~~in the development of policies and procedures governing~~ REGARDING the use or disposition of schools or school building space which is not needed for school purposes. RENTALS OF SURPLUS PROPERTY NOT EXCEEDING 30 DAYS ARE EXEMPTED FROM THIS REQUIREMENT. WHEN THE SALE, LEASE, OR RENTAL OF SURPLUS PROPERTY IS FOR THE PURPOSE OF TEACHER OR OTHER EMPLOYEE HOUSING OR FOR THE OFFERING OF SUMMER SCHOOL BY A PRIVATE EDUCATIONAL INSTITUTION, THE BOARD MAY ELECT NOT TO APPOINT A DISTRICT ADVISORY COMMITTEE. (Education Code 17387-17391)

(cf. 1220 - Citizen Advisory Committees)

IF THE LOCAL PLANNING AGENCY HAS ADOPTED A GENERAL PLAN THAT AFFECTS OR INCLUDES THE AREA WHERE THE SURPLUS PROPERTY IS LOCATED, THE BOARD SHALL SUBMIT A REPORT TO THE LOCAL PLANNING AGENCY DESCRIBING THE LOCATION OF THE SURPLUS PROPERTY AND THE PURPOSE AND EXTENT OF THE PROPOSED SALE OR LEASE. (Government Code 65402)

THE BOARD SHALL DETERMINE WHETHER THE SALE OR LEASE OF THE SURPLUS PROPERTY IS SUBJECT TO REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. (Public Resources Code 21000-21177; 14 CCR 15061-15062)

SALE OR LEASE OF DISTRICT-OWNED REAL PROPERTY (cont.)

WHEN SELLING OR LEASING DISTRICT REAL PROPERTY, THE BOARD SHALL COMPLY WITH THE PRIORITIES AND PROCEDURES SPECIFIED IN APPLICABLE LAW. (Education Code 17230,17464,17485-17499; Government Code 54222)

(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 5148.3 - Preschool/Early Childhood Education)

IN ADDITION, WHEN SELLING REAL PROPERTY PURCHASED, CONSTRUCTED, OR MODERNIZED WITH FUNDS RECEIVED WITHIN THE PAST 10 YEARS FROM A STATE SCHOOL FACILITIES FUNDING PROGRAM, THE BOARD SHALL CONSIDER WHETHER ANY OF THE PROCEEDS FROM THE SALE WILL NEED TO BE RETURNED TO THE STATE ALLOCATION BOARD (SAB) PURSUANT TO EDUCATION CODE 17462.3.

Resolution of Intention to Sell or Lease

Before ordering the sale or lease of any real property, the Board shall adopt a resolution by a two-thirds vote of all its members at a regularLY SCHEDULED open meeting. The resolution shall describe the property proposed to be sold or leased in such a manner as to identify it, specify the minimum price or rent, describe the terms upon which it will be sold or leased, and specify the commission or rate, if any, which the Board will pay to a licensed real estate broker out of the minimum price or rent. The resolution shall fix a time, not less than three weeks thereafter, for a public meeting, held at the Board's regular meeting place, at which sealed proposals to purchase or lease will be received and considered. (Education Code 17466)

(cf. 9320 - Meetings and Notices)
(cf. 9323.2 - Actions by the Board)

The Superintendent or designee shall provide notice of the adoption of the resolution and of the time and place of the meeting that will be held to consider bids by posting copies of the resolution, signed by the Board, in three public places not less than 15 days before the date of the meeting. In addition, the notice shall be published at least once a week for three successive weeks before the meeting, in a newspaper of general circulation published in the county in which the District is located, if such a paper exists. (Education Code 17469)

IN ACCORDANCE WITH Education Code 17470,tThe Superintendent or designee shall take reasonable steps to provide notification to the former owners of the property of the District's intent to sell it. ~~in accordance with Education Code 17470.~~

SALE OR LEASE OF DISTRICT-OWNED REAL PROPERTY (cont.)

Acceptance/Rejection of Bids

At the public meeting specified in the resolution of intention to sell or lease property, the Board shall open, examine, and declare all sealed bids. Before accepting A any written proposal, the Board shall call for oral bids in accordance with law. (Education Code 17472, 17473)

The Board may reject any and all bids, either written or oral, and withdraw the properties from sale when the Board determines that rejection is in the best public interest. If no proposals are submitted or the submitted proposals do not conform to all the terms and conditions specified in the resolution of intention to lease, the Board may lease the property in accordance with Education Code 17477. (Education Code 17476, 17477)

Of the proposals submitted by responsible bidders which conform to all terms and conditions specified in the resolution of intention to sell or lease, the Board shall finally accept the highest bid after deducting the commission, if any, to be paid to a licensed real estate broker, unless the Board accepts a higher oral bid or rejects all bids. (Education Code 17472)

The final acceptance of the bid may be made either at the same meeting specified in the resolution or at any adjourned/continued meeting held within 10 days. Upon acceptance of the bid, the Board may adopt a resolution of acceptance that directs the Board president, or any other Board member, to execute the deed or lease and to deliver the document upon performance and compliance by the successful bidder of all of the terms and conditions of the contract. (Education Code 17475-17478)

(cf. 1431 - Waivers)

Use of Proceeds

The Superintendent or designee shall ensure that proceeds from the sale or lease with an option to purchase of surplus District property are used FOR ONE-TIME EXPENDITURES AND NOT FOR ONGOING EXPENDITURES SUCH AS SALARIES AND GENERAL OPERATING EXPENSES. ~~in accordance with law.~~ (Education Code 17462)

PROCEEDS FROM A SALE OF SURPLUS DISTRICT PROPERTY SHALL BE USED FOR CAPITAL OUTLAY OR MAINTENANCE COSTS THAT THE BOARD DETERMINES WILL NOT RECUR WITHIN A FIVE-YEAR PERIOD. (Education Code 17462)

PROCEEDS FROM A LEASE OF DISTRICT PROPERTY WITH AN OPTION TO PURCHASE MAY BE DEPOSITED INTO A RESTRICTED FUND FOR THE ROUTINE

SALE OR LEASE OF DISTRICT-OWNED REAL PROPERTY (cont.)

REPAIR OF DISTRICT FACILITIES, AS DEFINED BY THE SAB, FOR UP TO A FIVE-YEAR PERIOD. (Education Code 17462)

IF THE BOARD AND SAB DETERMINE THAT THE DISTRICT HAS NO ANTICIPATED NEED FOR ADDITIONAL SITES OR BUILDING CONSTRUCTION FOR THE NEXT 10 YEARS AND NO MAJOR DEFERRED MAINTENANCE REQUIREMENTS, THE PROCEEDS FROM THE SALE OR LEASE WITH AN OPTION TO PURCHASE MAY BE DEPOSITED IN A SPECIAL RESERVE FUND FOR THE FUTURE MAINTENANCE AND RENOVATION OF SCHOOL SITES OR IN THE DISTRICT'S GENERAL FUND. PROCEEDS FROM THE SALE OR LEASE WITH OPTION TO PURCHASE OF DISTRICT PROPERTY MAY ALSO BE DEPOSITED IN A SPECIAL RESERVE FUND FOR CAPITAL OUTLAY OR MAINTENANCE COSTS OF DISTRICT PROPERTY THAT THE BOARD DETERMINES WILL NOT RECUR WITHIN A FIVE-YEAR PERIOD. (Education Code 17462)

(cf. 3100 - Budget)

(cf. 3460 - Financial Reports and Accountability)

~~Until January 1, 2012, the District may expend proceeds from the sale of surplus real property, along with the proceeds from any personal property located on that real property, for any one-time general fund purpose(s). Prior to exercising this authority, the Board shall certify to the State Allocation Board that: (Education Code 17463.7)~~

- ~~1. The District has no major deferred maintenance requirements not covered by existing capital outlay resources.~~
- ~~2. The sale of real property pursuant to Education Code 17463.7 does not violate the provisions of a local bond act.~~

~~(cf. 7214 - General Obligation Bonds)~~

- ~~3. The real property is not suitable to meet projected school construction needs in the next 10 years.~~

~~Prior to exercising this authority, the Superintendent or designee shall present to the Board, at a regularly scheduled meeting, a plan for expending these one-time resources. The plan shall identify the source and use of the funds and shall describe the reasons that the expenditure shall not result in ongoing fiscal obligations for the District. (Education Code 17463.7)~~

Legal Reference:

EDUCATION CODE

17219-17224 Acquisition of property not utilized as school site; nonuse payments; exemptions

17230-17234 Surplus property

17385 Conveyances to and from school districts

SALE OR LEASE OF DISTRICT-OWNED REAL PROPERTY (cont.)

17387-17391 Advisory committees for use of excess school facilities

17400-17429 Leasing property

17430-17447 Leasing facilities

17453 Lease of surplus district property

17455-17484 Sale or lease of real property, especially:

17462.3 State Allocation Board program to reclaim funds

17485-17500 Surplus school playground (Naylor Act)

17515-17526 Joint occupancy

17527-17535 Joint use of district facilities

33050 Request for waiver

38130-38139 Civic Center Act

GOVERNMENT CODE

50001-50002 Definitions

54220-54232 Surplus land, especially:

54222 Offer to sell or lease property

54950-54963 Brown Act, especially:

54952 Legislative body, definition

PUBLIC RESOURCES CODE

21000-21177 California Environmental Quality Act

CODE OF REGULATIONS, TITLE 2

1700 Definitions related to surplus property

COURT DECISIONS

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

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Closing a School Best Practices Guide

OFFICE OF PUBLIC SCHOOL CONSTRUCTION PUBLICATIONS

Unused Site Program Handbook, December 2015

WEBSITES

California School Boards Association: www.csba.org

California Department of Education, School Facilities Planning Division: www.cde.ca.gov/ls/fa

Coalition for Adequate School Housing: www.cashnet.org

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

Chino Valley Unified School District

Policy adopted: November 16, 1995

Revised: September 18, 2008

Revised: October 21, 2010

Revised: October 6, 2011

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 16, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

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

SUBJECT: CERTIFICATED/CLASSIFIED PERSONNEL ITEMS

=====

BACKGROUND

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

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

RECOMMENDATION

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

FISCAL IMPACT

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

WMJ:LF:SH:RR:mcm

CERTIFICATED PERSONNEL

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

HIRED AT THE APPROPRIATE PLACEMENT ON THE CERTIFICATED SALARY SCHEDULE AND APPROPRIATE CREDENTIAL FOR THE 2017/2018 SCHOOL YEAR

GREEN, Keziah	Instructional Coach	Woodcrest JHS	11/17/2017
CORMACK, Leyla	ESL Teacher	Adult School	11/27/2017
KIM, Sonia	ESL Teacher	Adult School	11/27/2017

RETIREMENT

ROSENDAHL, April (37 years of service)	Home Economics Teacher	Chino HS	11/08/2017
---	------------------------	----------	------------

APPOINTMENT – EXTRA DUTY – DEPARTMENT CHAIR

INMAN LEGG, Jill	Dept. Chair Special Ed.	Woodcrest JHS	11/17/2017
		TOTAL	\$1,772.66

DELETE – EXTRA DUTY – DEPARTMENT CHAIR

GREGORY, Nikki	Dept. Chair Special Ed.	Woodcrest JHS	11/17/2017
LACKEY, Teresa	Dept. Chair Special Ed.	Don Lugo HS	11/13/2017
		TOTAL	\$2,806.49

APPOINTMENT – EXTRA DUTY – ACTIVITIES

BERG, Alison	After School Activity Stipend:	Canyon Hills JHS	11/17/2017
	School Dances		
CAREW, Kimberly	After School Activity Stipend:	Canyon Hills JHS	11/17/2017
	School Dances		
CABRERA, Richard	Jr. High AVID Advisor	Ramona JHS	11/17/2017
ASHLEY, Mary Jane	Agriculture Advisor	Don Lugo HS	11/17/2017
BERRY, Alyssa	Agriculture Advisor	Don Lugo HS	11/17/2017
		TOTAL	\$6,804.00

DELETE – EXTRA DUTY – ACTIVITIES

BERG, Alison	Drama Director	Canyon Hills JHS	11/17/2017
CAREW, Kimberly	Drama Director	Canyon Hills JHS	11/17/2017
CURETON, Ashley	Agriculture Advisor	Don Lugo HS	11/17/2017
		TOTAL:	\$4,341.00

CERTIFICATED PERSONNEL (cont.)

<u>NAME</u>	<u>POSITION</u>	<u>LOCATION</u>	<u>EFFECTIVE DATE</u>
<u>APPOINTMENT – EXTRA DUTY</u>			
LACHEMANN, Bret	Football (GF)	Magnolia JHS	11/17/2017
LACHEMANN, Bret	8th Grade Boys Basketball (GF)	Magnolia JHS	11/17/2017
LACHEMANN, Bret	Soccer (GF)	Magnolia JHS	11/17/2017
LACHEMANN, Bret	Track (GF)	Magnolia JHS	11/17/2017
BARBARIA, Mariah (NBM)	Color Guard (B)	Townsend JHS	11/17/2017
GRANT, Donald	Baseball (GF)	Boys Republic HS	11/17/2017
GRANT, Donald	Basketball (GF)	Boys Republic HS	11/17/2017
TRAN, Cesar	Cross Country (GF)	Boys Republic HS	11/17/2017
ANTON, Racquel (NBM)	Girls Water Polo (B)	Ayala HS	11/17/2017
CORDTS, Michael (NBM)	Girls Water Polo (B)	Ayala HS	11/17/2017
FALLS, Steven (NBM)	Boys Basketball (B)	Ayala HS	11/17/2017
OSSO, Gabriel	Football (B)	Ayala HS	11/17/2017
PEZZOLLA, Amber	Boys Water Polo (B)	Ayala HS	11/17/2017
ANGULO, Alex	Wrestling (GF)	Chino HS	11/17/2017
ARCIAGA, Armina (NBM)	Girls Basketball (GF)	Chino HS	11/17/2017
BLANK, Charles (NBM)	Girls Soccer (GF)	Chino HS	11/17/2017
CASTANEDA, Saray (NBM)	Girls Soccer (GF)	Chino HS	11/17/2017
COBARRUBIAS, Gerardo (NBM)	Boys Soccer (GF)	Chino HS	11/17/2017
DAVIS, Jonathon	Girls Basketball (GF)	Chino HS	11/17/2017
DIAZ III, Jorge (NBM)	Girls Soccer (GF)	Chino HS	11/17/2017
GAMBOA, Alysia (NBM)	Girls Basketball (B)	Chino HS	11/17/2017
HARREN, Ashley (NBM)	Girls Water Polo (B)	Chino HS	11/17/2017
HOWER, Teresa (NBM)	Girls Water Polo (B)	Chino HS	11/17/2017
INGLIMA, Heather	Softball (GF)	Chino HS	11/17/2017
LEDESMA, Matthew (NBM)	Wrestling (GF)	Chino HS	11/17/2017
MURILLO, Joseph (NBM)	Boys Basketball (B)	Chino HS	11/17/2017
OCHOA, Daniella (NBM)	Softball (B)	Chino HS	11/17/2017
ROZALEZ, Victor	Boys Soccer (GF)	Chino HS	11/17/2017
STARICKA, Damian	Girls Basketball (GF)	Chino HS	11/17/2017
SWERTNIK, Demi (NBM)	Girls Soccer (B)	Chino HS	11/17/2017
TAYLOR, Lucas (NBM)	Wrestling (GF)	Chino HS	11/17/2017
WUERTZ, Sarah (NBM)	Girls Water Polo (B)	Chino HS	11/17/2017
ZARAGOZA, Zibley (NBM)	Girls Basketball (GF)	Chino HS	11/17/2017
BARCENAS, Ruben (NBM)	Boys Basketball (B)	Chino Hills HS	11/17/2017
KENT, Shannon (NBM)	Girls Soccer (B)	Chino Hills HS	11/17/2017
MATTHEWS, Scott (NBM)	Boys Soccer (GF)	Chino Hills HS	11/17/2017
MERITO, Alina (NBM)	Girls Water Polo (B)	Chino Hills HS	11/17/2017
OLIVER, Jennifer (NBM)	Girls Soccer (GF)	Chino Hills HS	11/17/2017
SANTOS, Remencito (NBM)	Boys Basketball (GF)	Chino Hills HS	11/17/2017
SOUTHWORTH, Michael (NBM)	Softball (GF)	Chino Hills HS	11/17/2017
TIBBETS, Samuel (NBM)	Wrestling (GF)	Chino Hills HS	11/17/2017
WALTERS, Eric (NBM)	Wrestling (GF)	Chino Hills HS	11/17/2017

CERTIFICATED PERSONNEL (cont.)

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

APPOINTMENT – EXTRA DUTY (cont.)

AYALA, Joshua (NBM)	Wrestling (GF)	Don Lugo HS	11/17/2017
BECERRIL, Cesar (NBM)	Girls Soccer (GF)	Don Lugo HS	11/17/2017
BOYER, Francisco (NBM)	Boys Basketball (GF)	Don Lugo HS	11/17/2017
CALDERON, Lisa (NBM)	Girls Soccer (GF)	Don Lugo HS	11/17/2017
CHEEVER, Gary (NBM)	Boys Basketball (B)	Don Lugo HS	11/17/2017
GALDAMEZ, Nathan (NBM)	Wrestling (GF)	Don Lugo HS	11/17/2017
GARMAN, David (NBM)	Boys Basketball (GF)	Don Lugo HS	11/17/2017
JENSEN, Gage (NBM)	Girls Soccer (GF)	Don Lugo HS	11/17/2017
JUAREZ, Marcos (NBM)	Boys Soccer (GF)	Don Lugo HS	11/17/2017
RESENDIZ, Liliana (NBM)	Girls Basketball (GF)	Don Lugo HS	11/17/2017

TOTAL: \$100,554.00

DELETE – EXTRA DUTY

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

TOTAL: \$7,166.00

APPOINTMENT – ELEMENTARY STIPENDS

BUFFUM, Nicole	PBIS	Cal Aero K-8	11/17/2017
LEE, Brian	PBIS/Student Council	Cal Aero K-8	11/17/2017
ARREY, Amanda	ASB Facilitator	Cattle ES	11/17/2017
JACK, Karen	Green Team Coordinator	Cattle ES	11/17/2017
OSUNA, Jena	ASB Facilitator	Cattle ES	11/17/2017
SPICER, Sarah	Green Team Coordinator	Cattle ES	11/17/2017
BUSS, Tracy	STEAM Night Coordinator	Liberty ES	11/17/2017
GASIO, Janet	STEAM Night Coordinator	Liberty ES	11/17/2017

TOTAL: \$2,340.00

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

ALDAS, Eduardo	ARAIZA, Solmyra	BARBEE, Alice
ENRIQUEZ, Benjamin	HANNON, Mary	INDABURU, Christian
LATORRE, Erica	MACKESSY, Linda	TRAN TRUONG, Nhat Phuong

CLASSIFIED PERSONNEL

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

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

LIN, Roberta	Bilingual Typist Clerk I - Mandarin (GF)	Country Springs ES	11/17/2017
YOUNG, Shirley	Nutrition Services Asst. I (NS)	Marshall ES	11/17/2017
GOMEZ, Eduardo	Custodian I (GF)	Rhodes ES	11/17/2017
NUNEZ, Imelda	IA/Secondary (C/GF)	Boys Republic HS	11/17/2017
ALVAREZ, Andrew	Maintenance III–Painter (GF)	Maintenance	11/20/2017
VARGAS, Daniel	Maintenance III–Electrician (GF)	Maintenance	11/17/2017
SAVAGLIO, Marie	Accountant II (NS)	Nutrition Services	11/20/2017

CHANGE IN ASSIGNMENT

VRIELING, Karen	FROM: IA/Special Education (SELPA/GF) 3.5 hrs./181 work days TO: IA/Special Education/SH (SELPA/GF) 6 hrs./181 work days	Magnolia JHS Magnolia JHS	11/17/2017
YZABAL, Nancy	FROM: Central Kitchen Asst. I (NS) 3.5 hrs./181 work days TO: Nutrition Services Asst. II (NS) 3 hrs./181 work days	Townsend JHS Chino HS	11/17/2017

RESIGNATION

LOPEZ, Jezebel	IA/Elementary Physical Ed. (GF)	Butterfield Ranch ES /Eagle Canyon ES	01/02/2018
KIM, Sonia	IA/Biling.-Bilit. Korean (ABG)	Adult School	11/24/2017

RETIREMENT

GALLARDO, Alexander (16 years of service)	Custodian I (GF)	Townsend JHS	10/21/2017
RANGEL, Gloria (19 years of service)	Central Kitchen Asst. I (NS)	Townsend JHS	12/27/2017
BENSON, Jeanne (18 years of service)	Accountant II (GF)	Business Services	12/30/2017

CLASSIFIED PERSONNEL (cont.)

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

**APPOINTMENT OF SHORT TERM EMPLOYEES EFFECTIVE JULY 1, 2017, THROUGH
DECEMBER 31, 2017**

ARTUKOVICH, Denise	IA/Special Education/SH	Cal Aero K-8	
PICHARDO, Diana	IA/Special Education/SH	Cal Aero K-8	

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

GUZMAN, Guadalupe	KANG, Jennie	MAWHORTER, Richard	
MANUEL, Kalilah	WAKE, Alyssa		

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

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 16, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Lea Fellows, Assistant Superintendent, Human Resources

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

BACKGROUND

A Board member requested that Board Policy 1160 Community Relations – Political Processes be revised to clarify the restrictions regarding the posting/distribution of campaign materials on District property. This item was presented to the Board of Education on April 6, 2017, for first reading, July 20, 2017, for second reading, and October 19, 2017, for third reading, as information. The District has consulted with both the California School Employees Association and the Associated Chino Teachers.

Date	Reading	Legend
April 6, 2017	1 st Reading	New language added in the first reading is provided in UPPER CASE .
July 20, 2017	2 nd Reading	New language added in the second reading is provided in bold UPPER CASE . New language that was added in the first reading but was deleted from the second reading is provided in UPPER CASE lined through . Old language that was lined through in the first reading but added back in the second reading is provided in <i>italics</i> .
October 19, 2017	3 rd Reading	New subsequent changes in the third reading are provided in <u>underlined UPPER CASE</u> . New language that was added in the first reading but deleted from the third reading is provided in underlined UPPERCASE lined through . New language that was added in the second reading but deleted in the third reading is provided in <u>underlined bold UPPERCASE lined through</u> .

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 1160 Community Relations – Political Processes.

FISCAL IMPACT

None.

WMJ:LF:mcm

POLITICAL PROCESSES

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

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)

(cf. 9000 - Role of the Board)

(cf. 9010 - Public Statements)

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

NO ONE WHO HOLDS, OR WHO IS SEEKING ELECTION OR APPOINTMENT TO, ANY OFFICE OR EMPLOYMENT IN A LOCAL AGENCY SHALL, DIRECTLY OR INDIRECTLY, USE, PROMISE, THREATEN OR ATTEMPT TO USE, ANY OFFICE, AUTHORITY, OR INFLUENCE, WHETHER THEN POSSESSED OR MERELY ANTICIPATED, TO CONFER UPON OR SECURE FOR ANY PERSON, OR TO AID OR OBSTRUCT ANY PERSON IN SECURING, OR TO PREVENT ANY PERSON FROM SECURING, ANY POSITION, NOMINATION, CONFIRMATION, PROMOTION, CHANGE IN COMPENSATION OR POSITION, WITHIN THE LOCAL AGENCY UPON CONSIDERATION OR CONDITION THAT THE VOTE OR POLITICAL INFLUENCE OR ACTION OF SUCH PERSON OR ANOTHER SHALL BE GIVEN OR USED IN BEHALF OF, OR WITHHELD FROM, ANY CANDIDATE, OFFICER, OR PARTY, OR UPON ANY OTHER CORRUPT CONDITION OR CONSIDERATION. THE PROHIBITIONS OF THIS SECTION SHALL APPLY TO EITHER URGING OR DISCOURAGING ANY POLITICAL ACTION OF AN EMPLOYEE. (Education Code 7053)

Ballot Measures/Candidates

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

The Board may discuss and study the potential effect of proposed or qualified ballot measures on the District's schools at an open and agendized board meeting. The Board's discussion of the effect of such measures shall include an opportunity for staff and members of the public to speak on all sides of the issue. At that meeting, the Board may adopt a position or resolution in support of or in opposition to a ballot measure. The

POLITICAL PROCESSES (cont.)

language in any resolution adopted by the Board shall not urge the public to take any action regarding the measure.

(cf. 9320 - Meetings and Notices)

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

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

(cf. 1100 - Communication with the Public)

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

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

WITH THE EXCEPTION OF POSTINGS EXPRESSLY PERMITTED BY THE EDUCATIONAL EMPLOYMENT RELATIONS ACT (EERA), AND/OR EDUCATION CODE SECTION 7056 (B), CAMPAIGN LITERATURE SHALL NOT BE POSTED OR DISTRIBUTED ON DISTRICT PROPERTY. THE SUPERINTENDENT OR DESIGNEE MAY AUTHORIZE THE REMOVAL AND DISPOSAL OF ANY PROHIBITED CAMPAIGN LITERATURE POSTED ON DISTRICT PROPERTY.

WITH THE EXCEPTION OF DISTRIBUTIONS BY EMPLOYEE ORGANIZATIONS POSTINGS EXPRESSLY PERMITTED BY THE EERA, AND/OR EDUCATION CODE SECTION 7056(B), MEMBERS OF THE COMMUNITY MAY NOT DISTRIBUTE/POST CAMPAIGN LITERATURE ON DISTRICT PROPERTY. PRINCIPALS MAY EXCLUDE PARENTS, COMMUNITY MEMBERS, OR ANY MEMBER OF THE PUBLIC OR OTHER MEMBERS OF THE COMMUNITY FROM A SCHOOL SITE WHEN, IN THEIR JUDGMENT, THE PERSON'S CONTINUAL PRESENCE MAY POSE A THREAT TO STUDENTS PUPILS OR STAFF DUE TO INAPPROPRIATE CONDUCT OR A PREVIOUS INCIDENT ON CAMPUS INVOLVING STUDENTS PUPILS OR STAFF.

POLITICAL PROCESSES (cont.)

(cf. 1325 - Advertising and Promotion)

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

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

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

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

Legislation

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

(cf. 1020 - Youth Services)

(cf. 1112 - Media Relations)

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

(cf. 7131 - Relations with Local Agencies)

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

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

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

POLITICAL PROCESSES (cont.)

Legal Advocacy

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

(cf. 9124 - Attorney)

(cf. 9321 - Closed Session Purposes and Agendas)

Political Forums

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

(cf. 1330 - Use of School Facilities)

Legal Reference:

EDUCATION CODE

7050-7058 Political activities of school officers and employees, including: 7054 Use of district property

7054.1 Requested appearance

7056 Soliciting or receiving political funds 35160 Authority of governing boards 35172 Promotional activities

ELECTIONS CODE

9501 School district elections, arguments for or against a measure

GOVERNMENT CODE

8314 Unlawful use of state resources

53060.5 Attendance at legislative body; expenses 54953.5 Right to record proceedings

54953.6 Broadcasts of proceedings

81000-91015 Political Reform Act, including: 82031 Definition of independent expenditure

CODE OF REGULATIONS, TITLE 2

18600-18640 Lobbyists

18901.1 Campaign related mailings sent at public expense

COURT DECISIONS

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

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

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

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

League of Women Voters v. Countywide Criminal Justice Coordination Committee, (1988) 203

Cal.App.3d 529

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

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

ATTORNEY GENERAL OPINIONS

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

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

POLITICAL PROCESSES (cont.)

Management Resources:

CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS

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

Legal Guidelines for Lobbying Activity, Fact Sheet, February 2011

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

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

WEBSITES

California School Boards Association: www.csba.org

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

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

Chino Valley Unified School District

Policy adopted: October 19, 1995

Revised: May 20, 1999

Revised: September 8, 2011

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 16, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Lea Fellows, Assistant Superintendent, Human Resources

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

BACKGROUND

A Board member requested that Board Policy 4119.25, 4219.25, and 4319.25 All Personnel – Political Activities of Employees be revised to enact rules regarding the political activity of employees and campaign activity on District property. This item was presented to the Board of Education on April 6, 2017, for first reading, July 20, 2017, for second reading, and October 19, 2017, for third reading, as information. The District has consulted with both the California School Employees Association and the Associated Chino Teachers.

Date	Reading	Legend
April 6, 2017	1 st Reading	New language added in the first reading is provided in UPPER CASE .
July 20, 2017	2 nd Reading	New language added in the second reading is provided in bold UPPER CASE , while old language to be deleted is bold lined through . New language that was added in the first reading but was deleted from the second reading is provided in UPPER CASE lined through .
October 19, 2017	3 rd Reading	New subsequent changes in the third reading is provided in underlined UPPER CASE . New language that was added in the first reading but being deleted in the third reading is provided in underlined UPPER CASE lined through . New language that was added in the second reading but being deleted in the third reading is provided in bold underlined UPPER CASE lined through . Current language that is being deleted from the third reading is provided in Sentence case 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 4119.25, 4219.25, and 4319.25 All Personnel – Political Activities of Employees.

FISCAL IMPACT

None.

WMJ:LF:mcm

POLITICAL ACTIVITIES OF EMPLOYEES

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

(cf. 1160 - Political Processes)

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

NO ON-DUTY EMPLOYEE SHALL ENGAGE IN POLITICAL ACTIVITIES UPON PROPERTY UNDER THE JURISDICTION OF THE CHINO VALLEY UNIFIED SCHOOL DISTRICT. "PROPERTY" AS USED HEREIN, INCLUDES SCHOOL PREMISES, PROPERTY OWNED BY THE DISTRICT, AND PROPERTY IN POSSESSION OF THE DISTRICT, WHETHER THE POSSESSION BE THROUGH LEASE OR OTHERWISE. HOWEVER, OUTSIDE OF ON-DUTY HOURS AND OFF DISTRICT PROPERTY, EMPLOYEES HAVE THE SAME RIGHT AS ALL OTHER PERSONS TO PARTICIPATE IN POLITICAL ACTIVITIES. ADDITIONALLY, EMPLOYEE ORGANIZATIONS ARE GUARANTEED CERTAIN RIGHTS OF COMMUNICATION PURSUANT TO THE EDUCATIONAL EMPLOYMENT RELATIONS ACT, AND THIS POLICY IS NOT INTENDED TO INFRINGE UPON THOSE RIGHTS.

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

(cf. 1330 - Use of School Facilities)

Employees shall refrain from prohibited activities identified in law and administrative regulations. Employees who engage in these activities shall be subject to disciplinary action. ~~and/or criminal penalties.~~ ADDITIONALLY, EDUCATION CODE SECTION 7054 PROVIDES FOR CRIMINAL PENALTIES IN THE EVENT OF A VIOLATION.

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

(cf. 1325 - Advertising and Promotion)

(cf. 4118 - Suspension/Disciplinary Action)

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

POLITICAL ACTIVITIES OF EMPLOYEES (cont.)

Legal Reference:

EDUCATION CODE

7050-7057 Political activities of school officers and employees 38130-38139 Civic Center Act

51520 Prohibited solicitations on school premises

GOVERNMENT CODE

3543.1 Rights of employee organizations

COURT DECISIONS

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

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

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

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

ATTORNEY GENERAL OPINIONS

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

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

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

PUBLIC EMPLOYMENT RELATIONS BOARD RULINGS

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

Management Resources:

CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS

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

WEBSITES

California School Board Association: www.csba.org

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

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

Chino Valley Unified School District

Policy Adopted: November 16, 1995

Revised: April 1, 1999

Revised: October 18, 2012

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 16, 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 4127, 4227, AND 4327 ALL PERSONNEL – TEMPORARY ATHLETIC TEAM COACHES

=====

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 4127, 4227, and 4327 All Personnel – Temporary Athletic Team Coaches is being revised to reflect new law which requires coaches, beginning July 1, 2017, to complete a training course related to the nature and warning signs of sudden cardiac arrest and to retake such course every two years thereafter. Policy also allows a coach to submit either the Activity Supervisor Clearance Certificate or the Department of Justice and Federal Bureau of Investigation criminal background check. Material regarding certification of coaches' qualifications to the board and the State Board of Education moved from administrative regulation to board policy. This item was presented to the Board of Education on November 2, 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 4127, 4227, and 4327 All Personnel – Temporary Athletic Team Coaches.

FISCAL IMPACT

None.

WMJ:LF:SH:RR:mcm

TEMPORARY ATHLETIC TEAM COACHES

The Board of Education desires to employ highly qualified coaches for the District's sports and interscholastic athletic programs in order to enhance the knowledge, skills, motivation, and safety of student athletes.

(cf. 6142.7 - Physical Education and Activity)
(cf. 6145.2 - Athletic Competition)

The Superintendent or designee may employ a certificated or non-certificated employee, other than a substitute employee, to supervise or instruct interscholastic athletic activities as a temporary employee in a limited assignment capacity. (5 CCR 5590)

(cf. 4121 - Temporary/Substitute Personnel)

When hiring a person to fill a position as a temporary athletic team coach, the position shall first be made available to qualified certificated teachers currently employed by the District. (Education Code 44919)

All coaches shall be subject to board policies, administrative regulations, and California Interscholastic Federation bylaws and codes of ethical conduct.

(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5131.1 - Bus Conduct)
(cf. 5131.63 - Steroids)
(cf. 5141.1 - Child Abuse Prevention and Reporting)

Non-certificated coaches have no authority to give grades to students. (5 CCR 5591)

(cf. 5121 - Grades/Evaluation of Student Achievement)

QUALIFICATIONS

The Superintendent or designee shall establish qualification criteria for all athletic coaches in accordance with law and District standards. These criteria shall ensure that coaches possess an appropriate level of competence, knowledge, and skill.

Any non-certificated employee or volunteer who works with students in a District-sponsored interscholastic athletic program shall, prior to beginning his/her duties, ~~possess~~ SUBMIT an activity supervisor clearance certificate issued by the Commission on Teacher Credentialing AND A DEPARTMENT OF JUSTICE AND FEDERAL BUREAU OF INVESTIGATION CRIMINAL BACKGROUND CLEARANCE. (Education Code 49024)

TEMPORARY ATHLETIC TEAM COACHES (cont.)

~~Any non-certificated employee or volunteer who works with students in a District-sponsored interscholastic athletic program shall, prior to beginning his/her duties, obtain a Department of Justice and Federal Bureau of Investigation criminal background check through the District. (Education Code 49024)~~

(cf. 1240 - Volunteer Assistance)
(cf. 4112.5/4312.5 - Criminal Record Check)
(cf. 4212.5 - Criminal Record Check)

FOLLOWING THE SELECTION OF A TEMPORARY ATHLETIC TEAM COACH, THE SUPERINTENDENT OR DESIGNEE SHALL CERTIFY TO THE BOARD, AT THE NEXT REGULAR BOARD MEETING THAT THE COACH MEETS THE QUALIFICATIONS AND COMPETENCIES REQUIRED BY 5 CCR 5593. BY APRIL 1 OF EACH YEAR, THE BOARD SHALL CERTIFY TO THE STATE BOARD OF EDUCATION THAT THE PROVISIONS OF 5 CCR 5593 HAVE BEEN MET. (5 CCR 5594)

Legal Reference:

EDUCATION CODE

35179-35179.7 Interscholastic athletics
33479-33479.9 The Eric Parades Sudden Cardiac Arrest Prevention Act
44010 Sex offense
44011 Controlled substance offense
44332-44332.5 Temporary certificates
44424 Conviction of a crime
44808 Liability when students are not on school property
44916 Written statement indicating employment status
44919 Classification of temporary employees
45125.01 Interagency agreements for criminal record information
45347 Instructional aides subject to requirements for classified staff
45349 Use of volunteers to supervise or instruct students
49024 Activity Supervisor Clearance Certificate
49030-49034 Performance-enhancing substances
49406 Examination for tuberculosis

CODE OF REGULATIONS, TITLE 5

5531 Supervision of extracurricular activities
5590-5596 Duties of temporary athletic team coaches

COURT DECISIONS

Neily v. Manhattan Beach Unified School District, (2011) 192 Cal. App. 4th 187
Kavanaugh v. West Sonoma County Union High School District, (2003) 29 Cal. 4th 911
CTA v. Rialto Unified School District, (1997) 14 Cal. 4th 627
San Jose Teachers Association, CTA, NEA v. Barozzi, (1991) 230 Cal.App.3d 1376

TEMPORARY ATHLETIC TEAM COACHES (cont.)

Management Resources:

CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Steroids and Students: What Boards Need to Know, Policy Brief, July 2005

CALIFORNIA INTERSCHOLASTIC FEDERATION PUBLICATIONS

California Interscholastic Federation Constitution and Bylaws

Pursuing Victory with Honor, 1999

COMMISSION ON TEACHER CREDENTIALING CODED CORRESPONDENCE

10-11 Information on Assembly Bill 346 Concerning the Activity Supervisor Clearance Certificate (ASCC),
July 20, 2010

WEBSITES

California School Boards Association: www.csba.org

California Athletic Trainers' Association: www.ca-at.org

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

California Interscholastic Federation: www.cifstate.org

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

National Athletic Trainers' Association: www.nata.org

Chino Valley Unified School District

Policy adopted: November 16, 1995

Revised: October 6, 2011

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 16, 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: REVIEW OF BOARD BYLAW AND EXHIBIT 9270 - CONFLICT OF INTEREST

=====

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. Review of Board Bylaw and Exhibit 9270 - Conflict of Interest has been reviewed and no changes are recommended.

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

RECOMMENDATION

It is recommended the Board of Education approve the review of Board Bylaw and Exhibit 9270 - Conflict of Interest.

FISCAL IMPACT

None.

WMJ:LF:SH:RR:mcm

Conflict of Interest

Incompatible Offices and Activities

Board of Education members and employees shall not engage in any employment or activity which is inconsistent with, incompatible with, in conflict with or inimical to their duties with the District. (Government Code 1099 and 1126)

Conflict of Interest Code

Board members and designated employees shall adhere to the District's Conflict of Interest Code adopted pursuant to the provisions of Government Code 87300. This code shall comprise the terms of the California Code of Regulations, Title 2, 18730 and any amendments to it duly adopted by the Fair Political Practices Commission (FPPC), together with a District attachment specifying designated positions and the specific types of disclosure required for each position.

Board members and designated employees shall submit statements of economic interests to the District in accordance with requirements of the Conflict of Interest Code. These statements shall be available for public inspection and reproduction. (Government Code 81008)

Upon receiving the statements of Board members and the Superintendent, the District shall make and retain a copy and shall forward the original to the code reviewing body. Statements for all other designated employees will be retained by the Division of Human Resources at the District Office.

When reviewing and preparing conflict of interest codes, the District shall provide officers, employees, consultants and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

The Board shall review the District's conflict of interest code in even-numbered years and send the code reviewing body either an amended code, by October 1 of that year, or a statement to the effect that no change is necessary. (Government Code 87306.5)

Financial Interest

The determination as to whether a conflict of interest exists must be analyzed under two separate sets of statutes: (1) The conflict of interest provisions of the Political Reform Act (PRA) (Government Code 87100-87500.1), and (2) Government Code 1090-1098.

Conflict of Interest (cont.)

The FPPC has adopted an eight-step analysis detailed in Government Code 87100-87500, Title 2 California Code of Regulations 18700-18755, and interpretive opinions, to determine whether a conflict of interest exists under the PRA. A board member or designated employee shall not make, participate in making, or in any way use or attempt to use his or her official position to influence a governmental decision in which he or she knows or has reason to know that he or she has a disqualifying conflict of interest. A conflict of interest exists if the decision will have a "reasonably foreseeable material financial effect" on one or more of the board member's or designated employee's "economic interests," unless the effect is indistinguishable from the effect on the public generally or the board member's or designated employee's participation is legally required.

Pursuant to Government Code 1090, Board members and designated employees shall not be financially interested in any contract made by the Board or in any contract they make in their capacity as Board members or designated employees. (Government Code 1090)

A Board member shall not be considered to be financially interested in a contract if any of the exceptions set forth in Government Code 1091.5 apply.

A Board member shall not be deemed to be financially interested in a contract if he or she has only a remote interest in the contract and if the remote interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member to enter into the contract. A remote interest shall be any of those defined in Government Code 1091 including the interest of a parent in the earnings of his/her minor child. (Government Code 1091)

A Board member shall not be deemed to be financially interested in a contract between the board member's spouse and the District provided the contract concerns the same employment as that held by the spouse when the Board member was elected or appointed, and provided the spouse has been employed in that same position for at least one (1) year prior to the Board member's election or appointment. (Government Code 1091.5(a)(6) and 69 Ops. Cal. Atty. Gen. 255)

If a Board member or designated employee determines that he or she has a financial interest in a decision, this determination shall be disclosed and made part of the board's official minutes. In the case of a designated employee, this announcement shall be made in writing and submitted to the Board. (Code of Regulations, Title 2, 18700) pursuant to government code 87105, a board member's disclosure of a financial interest must include detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required.

Conflict of Interest (cont.)

Additionally, the Board member must recuse himself or herself from discussing and voting on the matter and also leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters. If the item is on the consent calendar, the Board member must recuse himself or herself from discussing or voting on that matter, but the Board member is not required to leave the room during consideration of the consent calendar.

A Board member shall abstain from voting on personnel matters that uniquely affect a relative of the Board member. A Board member may vote; however, on collective bargaining agreements and personnel matters that affect a class of employees to which the relative belongs. (Education Code 35107)

Gifts/Honoraria

Except as reimbursement for actual travel expenses and reasonable related subsistence, Board members shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law. Designated employees shall not accept gifts from any single source in any calendar year in excess of the prevailing gift limitation specified in law if the employee would be required to report the receipt of the gifts from that source on his or her statement of economic interests. (Government Code 89503)

The above limitation does not apply to any gift from an individual's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle or first cousin or the spouse of any such person unless the donor is acting as an agent or intermediary for a person not herein identified. (Code of Regulations, Title 2, 18942)

Board members, without regard to whether an honorarium is required to be reported, and designated employees, if required to report an honorarium on his or her statement of economic interest, shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering. This prohibition does not apply to earned income for personal services customarily provided in connection with a bona fide business, trade or profession unless the sole or predominant activity of the business, trade or profession is making speeches, or any honorarium which is not used and, within 30 days of receipt, is either returned to the donor or delivered to the District for donation into the general fund without being claimed as a deduction from income for tax purposes. (Government Code 89501 and 89502)

Conflict of Interest (cont.)

Legal Reference:

EDUCATION CODE

1006 Qualifications for holding office

35107 School district employees

35233 Prohibitions applicable to members of governing boards

GOVERNMENT CODE

1090-1098 Prohibitions applicable to specified officers

1125-1129 Incompatible activities

81000-91015 Political Reform Act of 1974, especially:

82019 Definition of "Designated Employee"

82028 Definition of "Gifts"

82030 Definition of "Income"

82033 Definition of "Interest in real property"

82034 Definition of "Investment"

87100-87103.6 General prohibitions

87200-87210 Disclosure

87300-87313 Conflict of interest code

87500 Statements of economic interests

89501-89505 Honoraria and gifts

91000-91015 Enforcement

CODE OF REGULATIONS, TITLE 2

18100 et seq. Regulations of the Fair Political Practices Commission

68 Ops.Cal.Atty.Gen. 171 (1985)

65 Ops.Cal.Atty.Gen. 606 (1982)

Chino Valley Unified School District

Bylaws adopted: August 17, 1995

Revised: November 7, 2013

REVIEWED:

Regulations of the
FAIR POLITICAL PRACTICES COMMISSION
Title 2, Division 6
of the
California Code of Regulations

18730. Provisions of Conflict of Interest Codes

Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Government Code 87300 or the amendment of a conflict of interest code within the meaning of Government Code 87307 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of Article 2 of Chapter 7 of the Political Reform Act, Government Code 81000 et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Government Code 87100, and to other state or local laws pertaining to conflicts of interest.

The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

1. Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 California Code of Regulations, 18100 et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

2. Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on financial interests.

3. Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Government Code 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their financial interests pursuant to Article 2 of Chapter

7 of the Political Reform Act, Government Code 87200, et seq.

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

- a. The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;
- b. The disclosure assigned in the code of the other agency is the same as that required under Article 2 of Chapter 7 of the Political Reform Act, Government Code 87200; and
- c. The filing officer is the same for both agencies.^{1/}

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those financial interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

4. Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.^{2/}

5. Section 5. Statements of Economic Interests: Time of Filing.

- a. Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

- b. Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.
- c. Annual Statements. All designated employees shall file statements no later than April 1.
- d. Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person, who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

- a. Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:
 - 1. File a written resignation with the appointing power; and
 - 2. File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in making or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

6. Section 6. Contents of and Period Covered by Statements of Economic Interests.

- a. Contents of Initial Statements. Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.
- b. Contents of Assuming Office Statements. Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and

income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

- c. Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office, whichever is later or for a board or commission member subject to Government Code 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to 2 California Code of Regulations, 18754.
- d. Contents of Leaving Office Statements. Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

7. Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

- a. Investments and Real Property Disclosure. When an investment or an interest in real property^{3/} is required to be reported^{4/}, the statement shall contain the following:
 - 1. A statement of the nature of the investment or interest;
 - 2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
 - 3. The address or other precise location of the real property;
 - 4. A statement whether the fair market value of the investment or interest in real property equal or exceeds two thousand dollars (\$2,000.00), exceeds ten thousand dollars (\$10,000.00), or exceeds one million dollars (\$100,000,000.00).

b. Personal Income Disclosure. When personal income is required to be reported^{5/}, the statement shall contain:

1. The name and address of each source of income aggregating five hundred dollars (\$500.00) or more in value or fifty dollars (\$50.00) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement of whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was one thousand dollars (\$1,000.00) or less, greater than one thousand dollars (\$1,000.00), greater than ten thousand dollars (\$10,000.00) or greater than one hundred thousand dollars (\$100,000.00);
3. A description of the consideration, if any, for which the income was received;
4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;
5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

c. Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported^{6/}, the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;
2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000.00).

d. Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

- e. Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

8. Section 8. Prohibition on Receipt of Honoraria.

- a. No member of a state board or commission, and no designated employee of a state or local government agency shall accept any honorarium from any source on his or her economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (a), (b), (c), and of Government Code 89501 shall apply to the prohibitions in this section.

This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Government Code 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts of \$420.

- a. No member of a state board or commission, and no designated employee of a state or local government agency shall accept gifts with a total value of more than \$420.00 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivision (e), (f), and (g) of Government Code 89503 shall apply to this section.

(8.2) Section 8.2. Loans To Public Officials.

- a. No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

- b. No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.
- c. No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a person loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.
- d. No public official who is exempt from the state civil service system pursuant to subdivision (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.
- e. This section shall not apply to the following:
 - 1. Loans made to the campaign committee of an elected officer or candidate for elective office.

2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent of intermediary for any person not otherwise exempted under this section.
3. Loans from a person which, in the aggregate, do not exceed five hundred dollars (\$500.00) at any given time.
4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

- a. Except as set forth in subdivision (b), no elected officer of a state or local government agency shall, from the date of his or her election through the date he or she vacates office, receive a personal loan of five hundred dollars (\$500.00) or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, amount of the loan, date of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments and the rate of interest paid on the loan.
- b. This section shall not apply to the following types of loans:
 1. Loans made to the campaign committee of the elected officer.
 2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent of intermediary for any person not otherwise exempted under this section.
 3. Loans made, or offered in writing, before January 1, 1998.
 4. Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

- a. Except as set forth in subdivision (b), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstance:
 - 1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.
 - 2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:
 - a. The date the loan was made.
 - b. The date the last payment of one hundred dollars (\$100.00) or more was made on the loan.
 - c. The date upon which the debtor has made payments on the loan aggregating to less than two hundred fifty dollars (\$250.00) during the previous 12 months.
- b. This section shall not apply to the following types of loans:
 - 1. A loan made to the campaign committee of an elected officer or a candidate for elective office.
 - 2. A loan that would otherwise not be a gift as defined in this title.
 - 3. A loan that would otherwise be a gift as set forth under subdivision (a), but on which the creditor has taken reasonable action to collect the balance due.
 - 4. A loan that would otherwise be a gift as set forth under subdivision (a), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.
 - 5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

- c. Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

9. Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

- a. Any business entity in which the designated employee has a direct or indirect investment worth two thousand dollars (\$2,000.00) or more;
- b. Any real property in which the designated employee has a direct or indirect interest worth two thousand dollars (\$2,000.00) or more;
- c. Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating \$500.00 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;
- d. Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position or management; or
- e. Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$420.00 or more in value provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie vote does not make his or her participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provision of Section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

- a. Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or
- b. Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value one thousand dollars (\$1,000.00) or more.

10. Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act must be accompanied by disclosure of the disqualifying interest.

11. Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Government Code 83114 and 2 California Code of Regulations 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

12. Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Government Code 87100 or 87450 has occurred maybe set aside as void pursuant to Government Code 91003.

^{1/} Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under Article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Government Code 81004.

^{2/} See Government Code 81010 and the Code of Regulations, Title 2, 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

^{3/} For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

^{4/} Investments and interests in real property which have a fair market value of less than \$2,000.00 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

^{5/} A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

^{6/} Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

Authority: Government Code 83112

Reference: Government Code 87103(e), 87300-87302, 89501, 89502, and 89503

(Appendix is on following pages)

Appendix
Chino Valley Unified School District

Conflict of Interest Code

The Political Reform Act (PRA), Government Code 8100, et. seq., requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission (FPPC) has adopted a regulation, 2 California Code of Regulations 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the FPPC after public notice and hearings to conform to amendments in the PRA. Therefore, the terms of 2 California Code of Regulations 18730 and any amendments to its duly adopted by the FPPC are hereby incorporated by reference and, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, constitute the Conflict of Interest Code for the Chino Valley Unified School District (CVUSD).

Pursuant to Section 4 of the Standard Code, designated officials and employees shall file statement of economic interest with the CVUSD. Upon receipt of the statements of the Superintendent and members of the Board of Education, the CVUSD shall make and retain a copy and forward the original of these statements to the San Bernardino County Board of Supervisors. Statements for all other designated employees will be retained in the Division of Human Resources of the CVUSD.

Chino Valley Unified School
District Conflict of Interest
Code

1.0 Filing of Statements

Designated employees and officials shall file statements with the Chino Valley Unified School District who will make statements available for public inspection and reproduction. (Government Code 81008)

- 1.1 It has been determined that the positions listed below manage public investments and will file a statement of economic interests pursuant to Government Code 87200 and the disclosable financial interests set forth in Section 3.0 below.

Officials who Manage Public Investments

Member, Board of Education

- 1.2 Designated positions and disclosure categories are as follows:

<u>Designated Positions</u>	<u>Disclosure Categories</u>	<u>Schedules Associated</u>
Superintendent	1, 2, 3	All
Assistant Superintendent(s)	1, 2, 3	All
Director, Business Services	1, 2, 3	All
Director, Purchasing	1, 2, 3	All
Facilities Planner	2, 3	All
(All) Directors	2	A-1, A-2, C, D, & E
(All) Coordinators	2	A-1, A-2, C, D, & E
(All) Managers	2	A-1, A-2, C, D, & E
(All) Principals	2	A-1, A-2, C, D, & E
(All) Supervisors	2	A-1, A-2, C, D, & E
Nutrition Services Asst. Director	2	A-1, A-2, C, D, & E

2.0 Consultants

Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest category in the code, subject to the following limitation:

The superintendent or designee may determine in writing that a particular consultant, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant’s duties, and based upon that description, a statement of the extent of disclosure requirements. The Superintendent’s or designee’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

3.1 Officials who Manage Public Investments

Subject to the provisions of Government Code 87200 and 87210, an official in this category shall disclose:

- a. Interests in real property located within the jurisdiction of the District.
- b. Business positions or investments in business entities or income from sources of the type which plan to do business, are currently doing business, or have done business within the jurisdiction of the District during the previous two (2) years.

4.1 Disclosure Categories

CATEGORY 1: Designated employees whose duties are broad and undefinable.

A designated employee in this category shall disclose:

1. Interests in real property located within the jurisdiction of the District.
2. Business positions or investments in business entities or income from sources of the type which plan to do business, are currently doing business, or have done business with the District within the previous two (2) years.

CATEGORY 2: Designated employees whose duties involve contracting or purchasing.

A designated employee in either of the two following sub-categories shall disclose:

1. Contracts or makes purchases for entire District:

Investments and business positions in business entities or income from sources of the type which plan to do business, are currently doing business, or have done business with the District or school within the previous two (2) years and which provide services, supplies, materials, machinery or equipment of the type utilized by the District.

2. Contracts or makes purchases for specific department:

Investments and business positions in business entities or income from sources of the type which plan to do business, are currently doing business, or have done business with the District or school within the previous two (2) years and which provide services, supplies, materials, machinery, or equipment of the type utilized by the designated employee's department or division.

CATEGORY 3: Designated employees whose decisions may affect real property interests.

A designated employee in this category shall disclose:

Investments and business positions in business entities or income from sources of the type which plan to do business, are currently doing business, or have done business with the District or school within the previous two (2) years and which provide services, supplies, materials, machinery, or equipment of the type utilized by the designated employee's department or division.

Chino Valley Unified School District
Exhibit adopted: August 17, 1995
Revised: November 7, 2013
REVIEWED:

Chino Valley Unified School District

Our Motto:

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

DATE: November 16, 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 0400 PHILOSOPHY-GOALS-OBJECTIVES AND COMPREHENSIVE PLANS – COMPREHENSIVE PLANS

=====

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 0400 Philosophy-Goals-Objectives and Comprehensive Plans – Comprehensive Plans is being updated to include the Local Control and Accountability Plan as a comprehensive plan of the District and to emphasize the need for consistency among the documents that set direction for the District.

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 0400 Philosophy-Goals-Objectives and Comprehensive Plans – Comprehensive Plans.

FISCAL IMPACT

None.

WMJ:GP:rtt

COMPREHENSIVE PLANS

The Board of Education believes that careful planning is essential to effective implementation of District programs and policies. Comprehensive plans shall identify cohesive strategies for school improvement and, provide stability in District operations, AND BE ALIGNED TO ENSURE CONSISTENCY AMONG DISTRICT APPROACHES FOR STUDENT ACADEMIC GROWTH AND ACHIEVEMENT.

~~The Superintendent or designee shall develop c~~Comprehensive plans for the implementation of ADOPTED BY the District's vision and goals, on specific policy topics SHALL INCLUDE THE LOCAL CONTROL AND ACCOUNTABILITY PLAN (LCAP) and on other areas as PLANS required by law OR DETERMINED BY THE BOARD TO BE IN THE BEST INTEREST OF THE DISTRICT. ~~As appropriate, comprehensive~~ SUCH plans may describe, but not be limited to, anticipated short- and long-term needs, measurable outcomes, priorities, activities, available resources, timelines, staff responsibilities, and strategies for internal and external communications regarding the plan.

(cf. 0000 - Vision)
 (cf. 0200 - Goals for the School District)
 (cf. 0430 - Comprehensive Local Plan for Special Education)
 (cf. 0440 - District Technology Plan)
 (cf. 0450 - Comprehensive Safety Plan)
 (cf. 0460 - Local Control and Accountability Plan)
 (cf. 0500 - Accountability)
 (cf. 1112 - Media Relations)
 (cf. 3516 - Emergencies and Disaster Preparedness Plan)
 (cf. 3543 - Transportation Safety and Emergencies)
 (cf. 4141.6/4241.6 - Concerted Action/Work Stoppage)
 (cf. 6171 - Title I Programs)
 (cf. 7110 - Facilities Master Plan, Determining Needs)

~~Comprehensive plans may be subject to review and approval by the Board of Education.~~ The process for developing comprehensive plans shall ~~invite~~ INCLUDE broad participation of school and community representatives. Committees may, AND WHEN REQUIRED BY LAW SHALL, be appointed to assist in the development of SUCH plans. DISTRICT ~~C~~comprehensive plans ~~shall be available to the public and shall be~~ ARE SUBJECT TO reviewed at regular intervals as specified within the plan AND APPROVAL BY THE BOARD OF EDUCATION.

(cf. 1220 - Citizen Advisory Committees)
 (cf. 2230 - Representative and Deliberative Groups)
 (cf. 6020 - Parent Involvement)
 (cf. 9130 - Board Committees)

~~In addition, s~~School-level plans may be developed to meet the unique circumstances of individual school sites, provided that they are consistent with law, BOARD

COMPREHENSIVE PLANS (cont.)

POLICIES, DISTRICT ADMINISTRATIVE REGULATIONS, THE District vision, ~~Board policies, administrative regulations~~ THE LCAP, and OTHER Districtwide plans. School plans may be subject to review and approval of the Superintendent or designee, ~~and/~~ EXCEPT WHEN LAW or the Board of Education POLICY REQUIRES BOARD APPROVAL OF THE PLAN.

Legal Reference:

EDUCATION CODE

32280-32289 School safety plans

35035 Powers and Duties of Superintendent

35291 Rules (Power of Governing Board)

39831.3 Transportation safety plan

52060-52077 Local Control and Accountability Plan

56195-56195.10 Comprehensive local plans for special education

56205-56208 Requirements for special education plan

64001 Single School Plan for Student Achievement, consolidated application programs

CODE OF REGULATIONS, TITLE 5

560 Civil defense and disaster preparedness plans

UNITED STATES CODE, TITLE 20

6312 Local educational agency plan

Management Resources:

WEBSITES

California School Board Association: www.csba.org

Chino Valley Unified School District

Policy adopted: May 1, 2008

REVISED:

Chino Valley Unified School District

Our Motto:

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

DATE: November 16, 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 AND ADMINISTRATIVE REGULATION 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. The revision of Board Policy and Administrative Regulation 0460 Philosophy-Goals-Objectives and Comprehensive Plans – Local Control and Accountability Plan (LCAP) are being updated to delete references to 5 CCR 15497.5 (repealed) which formerly contained the LCAP template. The LCAP template continues to be approved by the State Board of Education and is available on the California Department of Education website. Policy also adds a definition of “numerically significant student subgroups” whose needs must be addressed in the LCAP. Regulation also deletes requirement to use the state’s Academic Performance Index (API) as a measure of student achievement, as the API has been replaced by a new state accountability system.

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

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

RECOMMENDATION

It is recommended the Board of Education receive for information the revision of Board Policy and Administrative Regulation 0460 Philosophy-Goals-Objectives and Comprehensive Plans – Local Control and Accountability Plan.

FISCAL IMPACT

None.

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~~ **BASED ON** the template ~~provided in 5 CCR 15497.5, which~~ **ADOPTED BY THE STATE BOARD OF EDUCATION**, THAT 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 52060,52064, 5 CCR 15494-15497)

(cf. 3100 - Budget)

The LCAP shall focus on improving outcomes for all students, particularly those who are "unduplicated students" ~~and other~~ **OR ARE PART OF ANY NUMERICALLY SIGNIFICANT STUDENT SUBGROUP THAT IS AT RISK OF OR IS 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~~, **AS DEFINED IN EDUCATION CODE 42238.01 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)

NUMERICALLY SIGNIFICANT STUDENT SUBGROUPS INCLUDE ETHNIC SUBGROUPS, SOCIOECONOMICALLY DISADVANTAGED STUDENTS, ENGLISH LEARNERS, FOSTER YOUTH, AND HOMELESS STUDENTS, WHEN THERE ARE AT LEAST 30 STUDENTS IN THE SUBGROUP OR AT LEAST 15 FOSTER YOUTH OR HOMELESS STUDENTS, OR AS OTHERWISE DEFINED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION (SPI). (Education Code 42238.02)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6173 - Education for Homeless Children)

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.

LOCAL CONTROL AND ACCOUNTABILITY PLAN (cont.)

(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 are consistent with strategies included in the SPSA. (Education Code 52062)

(cf. 0420 - School Plans/Site Councils)

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 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)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (cont.)

(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 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)

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.

LOCAL CONTROL AND ACCOUNTABILITY PLAN (cont.)

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)

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 REPORTED ON THE CALIFORNIA SCHOOL DASHBOARD. 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.

LOCAL CONTROL AND ACCOUNTABILITY PLAN (cont.)

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.

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

LOCAL CONTROL AND ACCOUNTABILITY PLAN (cont.)

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

California School Dashboard

LCFF Frequently Asked Questions

Local Control and Accountability Plan and Annual Update (LCAP) Template

Family Engagement Framework: A tool for California School Districts, 2014

California Career Technical Education Model Curriculum Standards, 2013

California Common Core State Standards: English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects, rev. 2013

California Common Core State Standards: Mathematics, rev. 2013

California English Language Development Standards, 2012

WEBSITES

California School Boards Association: www.csba.org

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

California School Dashboard: www.caschooldashboard.org

Chino Valley Unified School District

Policy adopted: August 7, 2014

Revised: April 7, 2016

Revised: September 7, 2017

REVISED:

LOCAL CONTROL AND ACCOUNTABILITY PLAN**Goals and Actions Addressing State and Local Priorities**

The District's Local Control and Accountability Plan (LCAP) shall include, for the District and each District school: (Education Code 52060)

1. A description of the annual goals established for all students and for each numerically significant subgroup as defined in education code 52052, including ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students. The LCAP shall identify goals for each of the following state priorities:

- a. The degree to which District teachers are appropriately assigned in accordance with Education Code 44258.9 and fully credentialed in the subject areas and for the students they are teaching; every District student has sufficient access to standards-aligned instructional materials as determined pursuant to Education Code 60119; and school facilities are maintained in good repair as specified in Education Code 17002

(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 3517 - Facilities Inspection)
(cf. 4112.2 - Certification)
(cf. 4113 - Assignment)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

- b. Implementation of the academic content and performance standards adopted by the State Board of Education (SBE), including how the programs and services will enable English learners to access the Common Core State Standards and the English language development standards for purposes of gaining academic content knowledge and English language proficiency

(cf. 6011 - Academic Standards)
(cf. 6174 - Education for English Learners)

- c. Parent/guardian involvement, including efforts the District makes to seek parent/guardian input in District and school site decision making and how the District will promote parent/guardian participation in programs for unduplicated students, as defined in Education Code 42238.02 and Board policy

(cf. 3553 - Free and Reduced Price Meals)
(cf. 6020 - Parent Involvement)
(cf. 6173.1 - Education for Foster Youth)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (cont.)

d. Student achievement, as measured by all of the following as applicable:

(1) Statewide assessments of student achievement

~~(2) Academic performance index~~

~~(3)~~(2) The percentage of students who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study that satisfy specified requirements and align with SBE-approved career technical education standards and frameworks, including, but not limited to, those described in Education Code 52302, 52372.5, or 54692

~~(4)~~(3) The percentage of English learners who make progress toward English proficiency as measured by the SBE-certified assessment of English proficiency

~~(5)~~(4) The English learner reclassification rate

~~(6)~~(5) The percentage of students who have passed an Advanced Placement examination with a score of 3 or higher

~~(7)~~(6) The percentage of students who participate in and demonstrate college preparedness in the Early Assessment Program pursuant to Education Code 99300-99301

(cf. 0500 - Accountability)

(cf. 6141.5 - Advanced Placement)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6178 - Career Technical Education)

e. Student engagement, as measured by school attendance rates, chronic absenteeism rates, middle school dropout rates, high school dropout rates, and high school graduation rates, as applicable

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5147 - Dropout Prevention)

(cf. 6146.1 - High School Graduation Requirements)

f. School climate, as measured by student suspension and expulsion rates and other local measures, including surveys of students, parents/guardians, and teachers on the sense of safety and school connectedness, as applicable

LOCAL CONTROL AND ACCOUNTABILITY PLAN (cont.)

(cf. 5137 - Positive School Climate)

(cf. 5144 - Discipline)

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

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

- g. The extent to which students have access to and are enrolled in a broad course of study that includes all of the subject areas described in Education Code 51210 and 51220, as applicable, including the programs and services developed and provided to unduplicated students and students with disabilities, and the programs and services that are provided to benefit these students as a result of supplemental and concentration GRANT funding pursuant to Education Code 42238.02 and 42238.03

(cf. 6143 - Courses of Study)

(cf. 6159 - Individualized Education Program)

- h. Student outcomes, if available, in the subject areas described in Education Code 51210 and 51220, as applicable

- 2. Any goals identified for any local priorities established by the Board.

(cf. 0200 - Goals for the School District)

- 3. A description of the specific actions the District will take during each year of the LCAP to achieve the identified goals, including the enumeration of any specific actions necessary for that year to correct any deficiencies in regard to the state and local priorities specified in items #1-2 above. Such actions shall not supersede provisions of existing collective bargaining agreements within the District.

For purposes of the descriptions required by items #1-3 above, the Board may consider qualitative information, including, but not limited to, findings that result from any school quality reviews conducted pursuant to Education Code 52052 or any other reviews. (Education Code 52060)

For any local priorities addressed in the LCAP, the Board and Superintendent or designee shall identify and include in the LCAP the method for measuring the District's progress toward achieving those goals. (Education Code 52060)

To the extent practicable, data reported in the LCAP shall be reported in a manner consistent with how information is reported on a School Accountability Report Card. (Education Code 52060)

(cf. 0510 - School Accountability Report Card)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (cont.)**Increase or Improvement in Services for Unduplicated Students**

The LCAP shall demonstrate how the District will increase or improve services for unduplicated students at least in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated students. (5 CCR 15494-15496)

When the District expends supplemental and/or concentration funds on a Districtwide or schoolwide basis during the year for which the LCAP is adopted, the District's LCAP shall: (5 CCR 15496)

1. Identify those services that are being funded and provided on a Districtwide or schoolwide basis
2. Describe how services are principally directed towards, and are effective in, meeting the District's goals for unduplicated students in the state priority areas and any local priority areas
3. If the enrollment of unduplicated students is less than 55 percent of District enrollment or less than 40 percent of school enrollment, describe how these services are the most effective use of the funds to meet the District's goals for its unduplicated students in the state priority areas and any local priority areas. The description shall provide the basis for this determination, including, but not limited to, any alternatives considered and any supporting research, experiences, or educational theory. (5 CCR 15496)

Annual Updates

On or before July 1 of each year, the LCAP shall be updated using the template in ~~5 CCR 15497.5~~ ADOPTED BY THE SBE and shall include all of the following: (Education Code 52061)

1. A review of any changes in the applicability of the goals described in the existing LCAP pursuant to the section "Goals and Actions Addressing State and Local Priorities" above
2. A review of the progress toward the goals included in the existing LCAP, an assessment of the effectiveness of the specific actions described in the existing LCAP toward achieving the goals, and a description of changes to the specific actions the District will make as a result of the review and assessment
3. A listing and description of the expenditures for the fiscal year implementing the specific actions included in the LCAP and the changes to the specific actions made as a result of the reviews and assessment required by items #1-2 above

LOCAL CONTROL AND ACCOUNTABILITY PLAN (cont.)

4. A listing and description of expenditures for the fiscal year that will serve unduplicated students and students redesignated as fluent English proficient

Availability of the Plan

The Superintendent or designee shall post the LCAP and any updates or revisions to the LCAP on the District's website. (Education Code 52065)

(cf. 1113 - District and School Websites)

Chino Valley Unified School District

Regulation approved: March 17, 2016

REVISED:

Chino Valley Unified School District

Our Motto:

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

DATE: November 16, 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 0500 PHILOSOPHY-GOALS-OBJECTIVES AND COMPREHENSIVE PLANS – ACCOUNTABILITY

=====

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 0500 Philosophy-Goals-Objectives and Comprehensive Plans – Accountability is being updated to reflect the new state accountability system (the California School Dashboard), which consists of both state and local indicators to assist districts in identifying strengths and areas in need of improvement in each priority area addressed by the Local Control and Accountability Plan.

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 0500 Philosophy-Goals-Objectives and Comprehensive Plans – Accountability.

FISCAL IMPACT

None.

WMJ:GP:rtt

ACCOUNTABILITY

The Board of Education recognizes its responsibility to ensure accountability to the public for the performance of THE District AND EACH DISTRICT schools. The Board of Education shall regularly review the effectiveness of the District's programs, personnel, and fiscal operations, with a focus on the District's effectiveness in CAPACITY TO improvingE student achievement. The Board of Education shall establish appropriate processes and measures to monitor results and to evaluate progress toward accomplishing the District's vision and goals SET FORTH IN THE LOCAL CONTROL AND ACCOUNTABILITY PLAN (LCAP).

(cf. 0000 - Concepts and Roles)
 (cf. 0200 - Goals for the School District)
 (cf. 0460 - Local Control and Accountability Plan)
 (cf. 2140 - Evaluation of the Superintendent)
 (cf. 3460 - Financial Reports and Accountability)
 (cf. 4115 - Evaluation/Supervision)
 (cf. 4215 - Evaluation/Supervision)
 (cf. 4315 - Evaluation/Supervision)
 (cf. 6011 - Academic Standards)
 (cf. 6141 - Curriculum Development and Evaluation)
 (cf. 6190 - Evaluation of the Instructional Program)
 (cf. 9400 - Board Self-Evaluation)

~~Indicators of District AND SCHOOL progress PERFORMANCE in improving student achievement shall include, but not be limited to, the Academic Performance Index (API) and the~~ SHALL BE ANNUALLY EVALUATED BASED ON MULTIPLE measures of ~~"Adequate Yearly Progress" (AYP) required under the federal~~ SPECIFIED IN THE CALIFORNIA aAccountability AND CONTINUOUS IMPROVEMENT sSystem AS REPORTED ON THE CALIFORNIA SCHOOL DASHBOARD.

(cf. 6162.5 - Student Assessment)
 (cf. 6162.51 - State Academic Achievement Tests)

THE DISTRICT'S Aalternative schools serving high-risk student populations, including continuation high schools, opportunity schools, and community day schools, shall be subject to an alternative accountability system established by the Superintendent of Public Instruction. (Education Code 52052)

(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)
 (cf. 6184 - Continuation Education)
 (cf. 6185 - Community Day School)

The District and each District school shall demonstrate comparable improvement in academic achievement, ~~as measured by the API,~~ for all numerically significant student subgroups. Numerically significant subgroups include ethnic subgroups,

ACCOUNTABILITY (cont.)

socioeconomically disadvantaged students, English learners, students with disabilities, and foster youth, AND HOMELESS STUDENTS, when the subgroup consists of at least 30 students with a valid test score or 15 foster youth OR HOMELESS STUDENTS. (Education Code 52052)

The Superintendent or designee shall provide regular reports to the Board and the public regarding District and school performance. Opportunities for feedback from students, parents/guardians, staff, and community members shall be made available as part of any review and evaluation of District programs and operations and as part of the development or annual update of the Local Control and Accountability Plan (LCAP).

(cf. 0510 - School Accountability Report Card)
 (cf. 1100 - Communication with the Public)
 (cf. 1112 - Media Relations)
 (cf. 1113 - District and School Websites)
 (cf. 1220 - Citizen Advisory Committees)
 (cf. 6020 - Parent Involvement)

Evaluation results may be used as a basis for revising District or school goals, updating the LCAP or other comprehensive plans, identifying and developing strategies to address disparities in achievement among student subgroups, implementing programmatic changes, determining the need for additional support or assistance, awarding incentives or rewards, and establishing other performance-based consequences.

(cf. 0400 - Comprehensive Plans)
 (cf. 0420 - School Plans/Site Councils)

Legal Reference:**EDUCATION CODE**

33127-33129 Standards and criteria for fiscal accountability
 33400-33407 California Department of Education evaluation of district programs
 44660-44665 Evaluation of certificated employees
 51041 Evaluation of the educational program
 52052-52052.1 Public school performance accountability program
 52060-52077 Local control and accountability plan
 56366 Nonpublic, nonsectarian schools
 60640-60649 California Assessment of Student Performance and Progress

CODE OF REGULATIONS, TITLE 5

1068-1074 Alternative schools accountability model, assessments
 15440-15463 Standards and criteria for fiscal accountability

UNITED STATES CODE, TITLE 20

6311 Accountability, state plan
 6312 Local educational agency plan

CODE OF FEDERAL REGULATIONS, TITLE 34

200.13-200.20 Adequate yearly system
 200.30-200.48 State and LEA report cards and plans

ACCOUNTABILITY (cont.)

Management Resources:

WEBSITES

California School Boards Association: www.csba.org

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

California School Dashboard: www.caschooldashboard.org

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

Chino Valley Unified School District

Policy adopted: September 21, 1995

Revised: May 20, 1999

Revised: May 15, 2008

Revised: August 7, 2014

REVISED:

Chino Valley Unified School District

Our Motto:

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

DATE: November 16, 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: DELETION OF BOARD POLICY AND ADMINISTRATIVE REGULATION 0520.2 PHILOSOPHY-GOALS-OBJECTIVES AND COMPREHENSIVE PLANS – TITLE I PROGRAM IMPROVEMENT SCHOOLS

=====

BACKGROUND

Board policies, administrative regulations, and bylaws of the Board are routinely developed and revised as a result of changes in law, mandates, federal regulations, and current practice. Board Policy and Administrative Regulation 0520.2 Philosophy-Goals-Objectives and Comprehensive Plans – Title I Program Improvement Schools are being deleted as federal program improvement requirements have been suspended for the 2017/2018 school year and will, beginning in the 2018/2019 school year, be replaced by a new system of comprehensive and targeted improvement established by the Every Student Succeeds Act.

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 deletion of Board Policy and Administrative Regulation 0520.2 Philosophy-Goals-Objectives and Comprehensive Plans – Title I Program Improvement Schools.

FISCAL IMPACT

None.

WMJ:GP:MS:rtt

TITLE I PROGRAM IMPROVEMENT SCHOOL

~~The Board of Education is committed to enabling all District students to meet state academic achievement standards and to narrowing the achievement gap among student groups. To that end, the district shall provide support and assistance to increase student achievement in any school that receives federal Title I funding, and has been identified by the California Department of Education as a Program Improvement (PI) school.~~

~~(cf. 6011– Academic Standards)
(cf. 6162.5– Student Assessment)
(cf. 6162.51– State Academic Achievement Tests)
(cf. 6171– Title I Programs)~~

~~The Superintendent or designee shall ensure that school improvement strategies developed for any PI school are coordinated, aligned and effectively implemented in accordance with administrative regulation and the Board-Approved school improvement plan.~~

~~(cf. 0420– School Plans/Site Councils)
(cf. 0460– Local Control and Accountability Plan)
(cf. 5116.1– Intradistrict Open Enrollment)
(cf. 6179– Supplemental Instruction)~~

~~As necessary, the Superintendent or designee shall determine corrective actions for schools in year 3 of PI and/or restructuring options for schools in year 4 of PI or beyond.~~

~~Whenever a school is identified for year 4 PI but is not identified as a “persistently lowest achieving school” pursuant to Education Code 53201, the parents/guardians of students attending that school may petition the Board to implement an intervention for the purpose of improving academic achievement or student safety, provided that the state limit on the number of such schools has not yet been reached. To be considered by the Board, the petition shall contain all required content and signatures and specify one.~~

~~Of four intervention models (i.e., turnaround model, restart model, school closure, or transformation model) or an alternative governance arrangement, as described in 5 CCR 4803-4807. The District shall implement the option requested by the parents/guardians unless, at a regularly scheduled public hearing, the Board makes a finding in writing stating the reason it cannot implement the recommended option and instead designates one of the other options to be implemented. (Education Code 53300- 53303; 5 CCR 4800-4808)~~

TITLE I PROGRAM IMPROVEMENT SCHOOLS (cont.)**PROGRAM EVALUATION**

~~The Superintendent or designee shall develop an annual report card that includes the information specified in 20 USC 6311 for each District school and for the District as a whole. The required information may be incorporated into each school's school accountability report card. (20 USC 6311)~~

~~(cf. 0510–School Accountability Report Card)~~

~~(cf. 6190–Evaluation of the Instructional Program)~~

~~The report card shall be concise, presented in an understandable and uniform format, and, to the extent practicable, in a language that parents/guardians can understand. It shall be made accessible to the public on the District's web site. (20 USC 6311)~~

~~(cf. 1113–District and School Websites)~~

~~As necessary based on the results of this evaluations, the Board may require the Superintendent or designee to review and revise any of the school's reform plans, including the school's Single Plan for Student Achievement, allocate additional resources toward the implementation of the plan, and/or require more frequent monitoring of the school's progress in order to raise student achievement.~~

Legal Reference:**EDUCATION CODE**

~~35256 School accountability report card~~

~~53200-53203 Persistently lowest achieving schools~~

~~53300-53303 Parent Empowerment Act~~

~~64000 Categorical programs included in consolidated application~~

~~64001 Single school plan for student achievement, consolidated application programs~~

CODE OF REGULATIONS, TITLE 5

~~11992-11994 Persistently dangerous schools, definition~~

~~4800-4808 Parent Empowerment petitions~~

UNITED STATES CODE, TITLE 20

~~1232g Family Educational Rights and Privacy Act~~

~~6301 Title I program purpose~~

~~6311 State plan; state and local educational agency report cards~~

~~6312 Local educational agency plan~~

~~6313 Eligibility of schools and school attendance areas; funding allocation~~

~~7912 Persistently dangerous schools~~

UNITED STATES CODE, TITLE 29

~~794 Section 504 of the Rehabilitation Act~~

CODE OF FEDERAL REGULATIONS, TITLE 34

~~99.1-99.67 Family Educational Rights and Privacy~~

~~200.49-200.51 State responsibilities~~

~~200.52-200.53 District improvement~~

TITLE I PROGRAM IMPROVEMENT SCHOOLS (cont.)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Every Student Succeeds Act 2016-17 School Year Transition Plan, April 2016-

FEDERAL REGISTER

Final Rule and Supplementary Information, October 29, 2008. Vol. 73, No. 210, pages-
64436-64513-

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

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

WEBSITES

California School Boards Association: www.csba.org

California Department of Education, Program Improvement: www.cde.ca.gov/ta/ac/ti/programimprov.asp

United States Department of Education: www.ed.gov

Chino Valley Unified School District

Policy Adopted: September 4, 2003

Revised: August 18, 2011

Revised: January 19, 2017

TITLE I PROGRAM IMPROVEMENT SCHOOLS**Year 1 Program Improvement**

For any District school in its first year of Program Improvement (PI), the Superintendent or designee shall implement a school improvement plan that was approved by the Board of Education.

(cf. 6171 – Title I Programs)

The Superintendent or designee shall ensure that the school receives technical assistance from the District, California Department of Education (CDE), an institution of higher education, a private organization, an educational service agency, or another entity with experience in helping schools improve academic achievement, including assistance in:

1. Analyzing data from state assessments and other examples of student work to identify and address problems in instruction and/or problems in implementing Title I requirements pertaining to parent involvement, professional development, or school and District responsibilities identified in the school plan.
2. Identifying and implementing professional development, instructional strategies, and methods of instruction that are derived from scientifically based research and that have proven effective in addressing the specific instructional issues that caused the school to be identified for PI.
3. Analyzing and revising the school's budget so that the school's resources are more effectively allocated to the activities most likely to increase student achievement and remove the school from PI status.

(cf. 3100 – Budget)

Year 2 Program Improvement

For any District school in its second year of PI, the Superintendent or designee shall continue to implement the school improvement plan and to provide for technical assistance in accordance with the section "Year 1 Program Improvement" above.

In addition, the Superintendent or designee shall arrange for the provision of alternative supports to eligible students from low-income families, as described below in the section "Alternative Supports."

TITLE I PROGRAM IMPROVEMENT SCHOOLS (cont.)**Year 3 Program Improvement: Corrective Action**

~~After the second full school year after identification for PI, the Superintendent or designee shall continue to implement all elements of Year 1 and Year 2 PI specified above, as well as the corrective action(s) determined by the Board, which may include:~~

- ~~1. Replacing school staff relevant to the failure~~

~~(cf. 4113 Assignment)~~

~~(cf. 4114 Transfers)~~

~~(cf. 4314 Transfers)~~

- ~~2. Implementing a new curriculum and related professional development~~

~~(cf. 4131 Staff Development)~~

~~(cf. 4231 Staff Development)~~

~~(cf. 4331 Staff Development)~~

~~(cf. 6141 Curriculum Development and Evaluation)~~

- ~~3. Significantly decrease management authority at the school~~

- ~~4. Appointing an outside expert to advise the school~~

- ~~5. Extending the school year or school day for the school~~

~~(cf. 6111 School Calendar)~~

~~(cf. 6112 School Day)~~

- ~~6. Restructuring the internal organization of the school~~

Year 4 Program Improvement and Beyond: Restructuring

~~For any school in year 4 of PI or beyond, the Superintendent or designee shall continue to implement all elements of Year 1 and Year 2 PI specified above, as well as one of the following options for alternative governance and restructuring, as determined by the Board:~~

- ~~1. Reopening the school as a charter school~~

- ~~2. Replacing all or most of the school staff relevant to the failure~~

- ~~3. Entering into a contract with an entity with a demonstrated record of effectiveness to operate the school~~

- ~~4. Turning the operation of the school over to the CDE~~

TITLE I PROGRAM IMPROVEMENT SCHOOLS (cont.)

5. Instituting any other major restructuring of the school's governance arrangements that makes fundamental reforms

Alternative Supports

In any school identified for year 2 PI or beyond, eligible students from low-income families shall be offered District-selected alternative supports designed to improve their academic achievement. Alternative supports may include, but are not limited to, any of the following:

1. Academic support offered during school hours, before school, after school, during intercession, and/or during summer learning programs

~~(cf. 5148.2 – Before/After School Programs)–
(cf. 6176 – Weekend/Saturday Classes)
(cf. 6177 – Summer Learning Programs)–
(cf. 6179 – Supplemental Instruction)~~

2. Small group instruction and/or pull-out interventions offered during the regular school day
3. Interventions offered during after school education and safety or 21st century community learning center programs
4. High quality academic tutoring
5. Provision of supplemental materials that support alternative support services
6. Provision of a crisis, intervention, and/or academic counselor to meet with eligible students
7. Services and programs that remove barriers to promote academic achievement of eligible students

The types of alternative supports and the criteria used to identify eligible students may be included in the District's Local Control and Accountability Plan and shall be consistent and aligned with local priorities.

~~(cf. 0460 – Local Control and Accountability Plan)~~

TITLE I PROGRAM IMPROVEMENT SCHOOLS (cont.)

~~If the District contracts with outside entities or community partners to provide alternative supports to eligible students, the Superintendent or designee shall ensure that no electronic device or other items of value are given, retained, or used as an incentive or achievement award and that funds are expended only on direct services to eligible students.~~

~~The District shall set aside a reasonable amount of Title I, Part A funds for alternative supports. Whenever the District does not have sufficient funds to serve all eligible students, it may give priority to the lowest achieving PI schools or the lowest achieving eligible students attending a PI school. The Superintendent or designee may identify the lowest achieving eligible students based on assessment scores, grades, teacher evaluations, or another locally defined measure.~~

~~Chino Valley Unified School District~~

~~Regulation approved: September 4, 2003~~

~~Revised: July 14, 2011~~

~~Revised: December 15, 2016~~

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 16, 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 ADMINISTRATIVE
REGULATION 5113 STUDENTS – ABSENCES AND EXCUSES**

=====

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 5113 Students – Absences and Excuses adds language regarding absences related to confidential medical appointments. The regulation is being revised to reflect new law (AB 1593, 2016) which provides that a student's attendance at his/her own naturalization ceremony constitutes an excused absence. Additionally, includes parent notification requirement formerly in board policy, and adds notifications that a student may be excused for religious exercises or instruction and that a student's grade will not be lowered following an excused absence provided that missed schoolwork is completed within a reasonable time.

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

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

RECOMMENDATION

It is recommended the Board of Education receive for information the revision of Board Policy and Administrative Regulation 5113 Students – Absences and Excuses.

FISCAL IMPACT

None.

WMJ:NE:SJ:smr

ABSENCES AND EXCUSES

The Board of Education believes that regular attendance plays an important role in student achievement. ~~The Board recognizes its responsibility under the law to ensure that students attend school regularly. Parents/guardians of children aged six to 18 are obligated to send their children to school unless otherwise provided by law.~~ THE SUPERINTENDENT OR DESIGNEE SHALL WORK WITH PARENTS/GUARDIANS AND STUDENTS TO ENSURE THEIR COMPLIANCE WITH ~~The Board shall abide by~~ all state attendance laws and may use appropriate legal means to correct the problems of ~~excessive~~ CHRONIC absence or truancy.

(cf. 5112.1 - Exemptions from Attendance)

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 6154 - Homework/Makeup Work)

~~Excused Absences~~

Absence from school shall be excused only for health reasons, family emergencies and justifiable personal reasons, as permitted by law, Board policy and administration regulations. (Education Code ~~46010, 48216, 48205~~)

Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to law and administrative regulations ~~and law~~. (Education Code 46014)

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

Inasmuch as SCHOOL ATTENANCE AND class participation ~~is an~~ ARE integral part of TO students' learning experiences, parents/guardians and students shall be encouraged to schedule medical AND OTHER appointments during non-school hours.

STUDENTS SHALL NOT BE ABSENT FROM SCHOOL WITHOUT THEIR PARENTS/GUARDIANS' KNOWLEDGE OR CONSENT, EXCEPT IN CASES OF MEDICAL EMERGENCY OR, AS AUTHORIZED PURSUANT TO EDUCATION CODE 46010.1, FOR A CONFIDENTIAL MEDICAL APPOINTMENT.

~~At the beginning of each academic year, notifications shall be sent to the parents/guardians of all students and to all students in grades 7 through 12, informing them that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian. It shall be the policy of the District that students in grades K-6 shall not be released from school for the purpose of obtaining confidential medical services without the consent of the student's parent/guardian. (Education Code 46010.1)~~

ABSENCES AND EXCUSES (cont.)

~~(cf. 5145.6 -- Parental Notifications)~~

~~Students in grades K-6 should not be absent from school without their parents/guardians' knowledge or consent except in cases of medical emergency. Students in grades 7-12 shall not be absent from school without their parents/guardians' knowledge or consent except in cases of medical emergency or confidential medical appointment.~~

~~A student's grades may be affected by excessive unexcused absences in accordance with Board policy.~~

~~(cf. 5121 -- Grades/Evaluation of Student Achievement)~~

~~(cf. 6154 -- Homework/Makeup Work)~~

Legal Reference:

EDUCATION CODE

1740 Employment of Personnel to Supervise Attendance (County Superintendent)

37201 School Month

37223 Weekend Classes

41601 Reports of Average Daily Attendance

42238-42250.1 Apportionments

46000 Records (Attendance)

46010-46014 Absences

46100-46119 Attendance in Kindergarten and Elementary Schools

46140-46147 Attendance in Junior High and High Schools

48200-48208 Children ages 6-18 (Compulsory Full-time Attendance)

48210-48216 Exclusions from Attendance

48240-48246 Supervisors of Attendance

48260-48273 Truants

48292 Filing Complaint Against Parent

48320-48324 School Attendance Review Boards

48340-48341 Improvement of Student Attendance

48980 Parental Notifications

49067 Unexcused Absences as Cause of Failing Grade

49701 Provisions of the Interstate Compact on Educational Opportunities for Military Children

ELECTIONS CODE

12302 Student Participation on Precinct Boards

FAMILY CODE

6920-6929 Consent by Minor for Medical Treatment

VEHICLE CODE

13202.7 Driving Privileges; Minors; Suspension or Delay for Habitual Truancy

WELFARE AND INSTITUTIONS CODE

601-601.4 Habitually Truant Minors

11253.5 Compulsory School Attendance

CODE OF REGULATIONS, TITLE 5

306 Explanation of Absence

420-421 Record of Verification of Absence Due to Illness and Other Causes

ABSENCES AND EXCUSES (cont.)

ATTORNEY GENERAL OPINIONS

87 Ops.Cal.Atty.Gen. 168 (2004)

66 Ops.Cal.Atty.Gen. 244 (1983)

COURT DECISIONS

American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307

Management Resources:

CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Improving Student Achievement by Addressing Chronic Absence, Policy Brief, December 2010

WEBSITES

California School Boards Association: www.csba.org

Chino Valley Unified School District

Policy adopted: January 23, 1997

Revised: February 4, 1999

Revised: June 29, 2000

Revised: June 18, 2009

REVISED:

ABSENCES AND EXCUSES**Excused Absences**

A student's absence shall be excused for the following reasons:

1. Personal illness. (Education Code 48205)
2. Quarantine under the direction of a county or city health officer. (Education Code 48205)

(cf. 5112.2 - Exclusions from Attendance)

3. Medical, dental, optometrical, or chiropractic appointments. (Education Code 48205)
4. Attendance at funeral services for a member of the immediate family, WHICH SHALL BE LIMITED TO ONE DAY IF THE SERVICE IS CONDUCTED IN CALIFORNIA OR THREE DAYS IF THE SERVICE IS CONDUCTED OUT OF STATE. (Education Code 48205)
 - a. ~~Excused absence in this instance shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state. (Education Code 48205)~~
 - ba. Immediate family shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister, or any relative living in the student's immediate household. (Education Code 45194, 48205)
5. Jury duty in the manner provided by law. (Education Code 48205)
6. The illness or medical appointment ~~during school hours~~ of a child to whom the student is the custodial parent (Education Code 48205)

(cf. 5146 Married/Pregnant/Parenting Students)

7. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to: (Education Code 48205)
 - a. Appearance in court
 - b. Attendance at a funeral service

ABSENCES AND EXCUSES (cont.)

- c. Observation of a holiday or ceremony of his/her religion
 - d. Attendance at religious retreats ~~not to exceed~~ FOR NO MORE THAN four hours per semester
 - e. Attendance at an employment conference
 - f. Attendance at an educational conference offered by a nonprofit organization on the legislative or judicial process
8. Service as a member of a precinct board for an election pursuant to Elections Code 12302 (Education Code 48205)

(cf. 6142.3 - Civic Education)

9. TO SPEND TIME WITH AN IMMEDIATE FAMILY MEMBER WHO IS AN ACTIVE DUTY MEMBER OF THE UNIFORMED SERVICES, AS DEFINED IN Education Code 49701, AND HAS BEEN CALLED TO DUTY FOR DEPLOYMENT TO A COMBAT ZONE OR A COMBAT SUPPORT POSITION OR IS ON LEAVE FROM OR HAS IMMEDIATELY RETURNED FROM SUCH DEPLOYMENT (Education Code 48205)

(cf. 6173.2 - Education of Children of Military Families)

10. TO ATTEND HIS/HER NATURALIZATION CEREMONY TO BECOME A UNITED STATES CITIZEN (Education Code 48205)

911. Participation in religious ~~instruction or~~ exercises OR TO RECEIVE MORAL AND RELIGIOUS INSTRUCTION in accordance with District policy, SUBJECT TO THE FOLLOWING CONDITIONS. (Education Code 46014) ~~In such instances:~~

- A. THE STUDENT'S PARENTS/GUARDIAN SHALL PROVIDE WRITTEN CONSENT FOR THE ABSENCE.
- ab. The student shall attend at least the minimum school day.
- bc. The student shall be excused FROM SCHOOL for this purpose on no more than four days per school month.

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

Method of Verification

When a student who has been absent returns to school, he/she ~~must~~ SHALL present a satisfactory explanation verifying the reason for the absence. Absences shall be verified by the student's parent/guardian, ~~or~~ other person having control of the minor, or the student if age 18 or older. (Education Code 46012; 5 CCR 306)

ABSENCES AND EXCUSES (cont.)

The following methods may be used to verify student absences:

1. Written note, fax, ~~or~~ email, OR VOICE MAIL from parent/guardian, parent representative, ~~or student if 18 or older.~~
2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:
 - a. Name of student
 - b. Name of parent/guardian or parent representative
 - c. Name of verifying employee
 - d. Date(s) of absence
 - e. Reason for absence

~~Verification must be completed within five (5) school days of the student's return to school. On the sixth day, the absence becomes unverified and cannot be changed after this date.~~

3. Visit to the student's home by the verifying employee, or any other reasonable method which establishes the fact that the student was absent for the reasons stated. The employee shall document the verification and include the information specified in item #2 above.
4. Physician's Verification
 - a. When excusing students for confidential medical services or verifying such appointments, District staff shall not ask the purpose of such appointments but may REQUEST A NOTE FROM THE ~~contact~~ a medical office to confirm the time of the appointment.
 - b. ~~When a student has had 10 absences in the school year for illness verified by methods listed in #1-#3 above, any further absences for illness may require verification by a physician. IF A STUDENT SHOWS A PATTERN OF CHRONIC ABSENTEEISM DUE TO ILLNESS, DISTRICT STAFF MAY REQUIRE VERIFICATION OF ANY FURTHER STUDENT ABSENCES.~~

ABSENCES AND EXCUSES (cont.)

PARENTAL NOTIFICATIONS

AT THE BEGINNING OF EACH SCHOOL YEAR, THE SUPERINTENDENT OR DESIGNEE SHALL:

1. NOTIFY PARENTS/GUARDIANS OF THE RIGHT TO EXCUSE A STUDENT FROM SCHOOL IN ORDER TO PARTICIPATE IN RELIGIOUS EXERCISES OR TO RECEIVE MORAL AND RELIGIOUS INSTRUCTION AT THEIR PLACES OF WORSHIP, OR AT OTHER SUITABLE PLACES AWAY FROM SCHOOL PROPERTY DESIGNATED BY A RELIGIOUS GROUP, CHURCH, OR DEMONIMNATION (Education Code 46014, 48980)
2. NOTIFY STUDENTS IN GRADES 7 – 12 AND THE PARENTS/GUARDIANS OF ALL STUDENTS THAT SCHOOL AUTHORITIES MAY EXCUSE ANY STUDENT FROM SCHOOL TO OBTAIN CONFIDENTIAL MEDICAL SERVICES WITHOUT THE CONSENT OF THE STUDENT'S PARENT/GUARDIANS (Education Code 46010.1)
3. NOTIFY PARENTS/GUARDIANS THAT A STUDENT SHALL NOT HAVE HIS/HER GRADE REDUCED OR LOSE ACADEMIC CREDIT FOR ANY EXCUSED ABSENCE IF MISSED ASSIGNMENTS AND TESTS THAT CAN REASONABLY BE PROVIDED ARE SATISFACTORILY COMPLETED WITHIN A REASONABLE PERIOD OF TIME, AND INCLUDE THE FULL TEXT OF EDUCATION CODE 48205 IN THE NOTICE (Education Code 48980)

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 5145.6 - Parental Notification)

(cf. 6154 - Homework/Makeup Work)

Chino Valley Unified School District

Regulation approved: January 23, 1997

Revised: February 4, 1999

Revised: June 29, 2000

Revised: May 6, 2004

Revised: May 7, 2009

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 16, 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: NEW BOARD POLICY 5116.2 STUDENTS – INVOLUNTARY STUDENT TRANSFERS

=====

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 District practice. Board Policy 5116.2 Students – Involuntary Student Transfers is being created to reflect new law Senate Bill 1343, 2016, which authorizes districts to involuntary transfer a student who has been convicted of a specified violent felony or a misdemeanor associated with possession of a firearm, whenever the student is enrolled at the same school as the victim of the crime for which he/she was convicted. In order to exercise this authority, the District is mandated to adopt policy with specified components and provide notice of the policy to parents/guardians as part of the annual parental notification.

New language is provided in UPPER CASE.

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

RECOMMENDATION

It is recommended the Board of Education receive for information new Board Policy 5116.2 Students – Involuntary Student Transfers.

FISCAL IMPACT

None.

WMJ:NE:SJ:smr

INVOLUNTARY STUDENT TRANSFERS

THE BOARD OF EDUCATION DESIRES TO ENROLL STUDENTS IN THE SCHOOL OF THEIR CHOICE BUT RECOGNIZES THAT CIRCUMSTANCES SOMETIMES NECESSITATE THE INVOLUNTARY TRANSFER OF SOME STUDENTS TO ANOTHER SCHOOL OR PROGRAM IN THE DISTRICT. THE SUPERINTENDENT OR DESIGNEE SHALL DEVELOP PROCEDURES TO FACILITATE THE TRANSITION OF SUCH STUDENTS INTO THEIR NEW SCHOOL OF ENROLLMENT.

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5116.1 - Intradistrict Open Enrollment)

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

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

AS APPLICABLE, WHEN DETERMINING THE BEST PLACEMENT FOR A STUDENT WHO IS SUBJECT TO INVOLUNTARY TRANSFER, THE SUPERINTENDENT OR DESIGNEE SHALL REVIEW ALL EDUCATIONAL OPTIONS FOR WHICH THE STUDENT IS ELIGIBLE, THE STUDENT'S ACADEMIC PROGRESS AND NEEDS, THE ENROLLMENT CAPACITY AT DISTRICT SCHOOLS, AND THE AVAILABILITY OF SUPPORT SERVICES AND OTHER RESOURCES.

WHENEVER A STUDENT IS INVOLUNTARILY TRANSFERRED, THE SUPERINTENDENT OR DESIGNEE SHALL PROVIDE TIMELY WRITTEN NOTIFICATION TO THE STUDENT AND HIS/HER PARENT/GUARDIAN AND AN OPPORTUNITY FOR THE STUDENT AND PARENT/GUARDIAN TO MEET WITH THE SUPERINTENDENT OR DESIGNEE TO DISCUSS THE TRANSFER.

STUDENTS CONVICTED OF VIOLENT FELONY OR MISDEMEANOR

A STUDENT MAY BE TRANSFERRED TO ANOTHER DISTRICT SCHOOL IF HE/SHE IS CONVICTED OF A VIOLENT FELONY, AS DEFINED IN PENAL CODE 667.5(c), OR A MISDEMEANOR LISTED IN PENAL CODE 29805 AND IS ENROLLED AT THE SAME SCHOOL AS THE VICTIM OF THE CRIME FOR WHICH HE/SHE WAS CONVICTED. (Education Code 48929)

BEFORE TRANSFERRING SUCH A STUDENT, THE SUPERINTENDENT OR DESIGNEE SHALL ATTEMPT TO RESOLVE THE CONFLICT. HE/SHE SHALL ALSO NOTIFY THE STUDENT AND HIS/HER PARENT/GUARDIAN OF THE RIGHT TO REQUEST A MEETING WITH THE PRINCIPAL OR DESIGNEE. (Education Code 48929)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

(cf. 6164.2 - Guidance and Counseling Services)

INVOLUNTARY STUDENT TRANSFERS (CONT.)

PARTICIPATION OF THE VICTIM IN ANY CONFLICT RESOLUTION PROGRAM SHALL BE VOLUNTARY, AND HE/SHE SHALL NOT BE SUBJECTED TO ANY DISCIPLINARY ACTION FOR HIS/HER REFUSAL TO PARTICIPATE IN CONFLICT RESOLUTION.

THE PRINCIPAL OR DESIGNEE SHALL SUBMIT TO THE SUPERINTENDENT OR DESIGNEE A RECOMMENDATION AS TO WHETHER OR NOT THE STUDENT SHOULD BE TRANSFERRED. IF THE SUPERINTENDENT OR DESIGNEE DETERMINES THAT A TRANSFER WOULD BE IN THE BEST INTEREST OF THE STUDENTS INVOLVED, THE TRANSFER SHALL BE GRANTED.

THE DECISION TO TRANSFER A STUDENT SHALL BE SUBJECT TO PERIODIC REVIEW BY THE SUPERINTENDENT OR DESIGNEE.

THE SUPERINTENDENT OR DESIGNEE SHALL ANNUALLY NOTIFY PARENTS/GUARDIANS OF THE DISTRICT'S POLICY AUTHORIZING THE TRANSFER OF A STUDENT PURSUANT TO EDUCATION CODE 48929. (Education Code 48980)

(cf. 5145.6 - Parental Notifications)

OTHER INVOLUNTARY TRANSFERS

STUDENTS MAY BE INVOLUNTARILY TRANSFERRED FOR THE FOLLOWING CIRCUMSTANCES:

1. IF A HIGH SCHOOL STUDENT COMMITS AN ACT ENUMERATED IN EDUCATION CODE 48900 OR IS HABITUALLY TRUANT OR IRREGULAR IN SCHOOL ATTENDANCE, HE/SHE MAY BE TRANSFERRED TO A CONTINUATION SCHOOL. (Education Code 48432.5)
2. IF THE STUDENT IS EXPELLED FROM SCHOOL FOR ANY REASON, IS PROBATION-REFERRED PURSUANT TO WELFARE AND INSTITUTIONS CODE 300 OR 602, OR IS REFERRED BY A SCHOOL ATTENDANCE REVIEW BOARD OR ANOTHER FORMAL DISTRICT PROCESS, HE/SHE MAY BE TRANSFERRED TO A COMMUNITY DAY SCHOOL. (Education Code 48662)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6185 - Community Day School)

INVOLUNTARY STUDENT TRANSFERS (CONT.)

Legal Reference:

EDUCATION CODE

35146 Closed sessions; student matters

48430-48438 Continuation classes, especially:

48432.5 Involuntary transfer to continuation school

48660-48666 Community day schools, especially:

48662 Involuntary transfer to community day school

48900 Grounds for suspension and expulsion

48929 Transfer of student convicted of violent felony or misdemeanor

48980 Notice at beginning of term

PENAL CODE

667.5 Violent felony, definition

29805 Misdemeanors involving firearms

WELFARE AND INSTITUTIONS CODE

300 Minors subject to jurisdiction

602 Minors violating laws defining crime; ward of court

Management Resources:

WEBSITES

California School Boards Association: www.csba.org

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

CHINO VALLEY UNIFIED SCHOOL DISTRICT POLICY ADOPTED:

Chino Valley Unified School District

Our Motto:

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

DATE: November 16, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

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

SUBJECT: REVISION OF BOARD POLICY AND ADMINISTRATIVE REGULATION 6142.7 INSTRUCTION – PHYSICAL EDUCATION AND ACTIVITY

=====

BACKGROUND

Board policies, administrative regulations, and bylaws of the Board are routinely developed and revised as a result of changes in law, mandates, federal regulations, and current practice. The revision of Board Policy and Administrative Regulation 6142.7 Instruction – Physical Education and Activity are being updated to add information regarding required qualifications of physical education teachers. Regulation updated to clarify instructional time requirements, describe recent lawsuits alleging districts' noncompliance with these requirements, provide optional methods for documenting the number of instructional minutes provided, and reflect related California School Board Association Legal Alert. Regulation also reflects new law (AB 1391, 2015) which authorizes the use of uniform complaint procedures for any complaint that an elementary school has not complied with the instructional minute requirement.

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

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

RECOMMENDATION

It is recommended the Board of Education receive for information the revision of Board Policy and Administrative Regulation 6142.7 Instruction – Physical Education and Activity.

FISCAL IMPACT

None.

WMJ:GP:rtt

PHYSICAL EDUCATION AND ACTIVITY

The Board of Education recognizes the positive benefits of physical activity on student health and academic achievement. The Board DISTRICT shall provide all students the opportunity to be physically active on a regular basis through high-quality physical education instruction and may provide additional opportunities for physical activity throughout the school day. The District's physical education and activity programs shall support the District's coordinated student wellness program and encourage students' lifelong fitness.

(cf. 5030 - Student Wellness)
(cf. 6142.8 - Comprehensive Health Education)

The District's physical education program shall provide a developmentally appropriate sequence of instruction aligned with state's model content standards and curriculum framework.

(cf. 6011 - Academic Standards)
(cf. 6143 - Courses of Study)

For grades 9-12, the overall course of study shall include the effects of physical activity upon dynamic health, the mechanics of body movement, aquatics, gymnastics and tumbling, individual and dual sports, rhythms and dance, team sports, and combatives. (Education Code 33352; 5 CCR 10060)

The Board shall approve the courses in grades 9-12 for which physical education credit may be granted.

(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.11 - Alternative Credits Toward Graduation)

The District's physical education program shall engage students in moderate to vigorous physical activity, as defined in the accompanying administrative regulation, for at least 50 percent of class or session time. The Superintendent or designee shall develop strategies to monitor the amount of moderate to vigorous physical activity that takes place in the physical education instructional program.

The Superintendent or designee shall ensure that the District's program provides students with equal opportunities for instruction and participation regardless of gender in accordance with law.

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

Students with disabilities shall be provided instruction in physical education in accordance with their Individualized Education Program or Section 504 accommodation plan.

PHYSICAL EDUCATION AND ACTIVITY (cont.)

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

During air pollution episodes, extreme weather, or other inclement conditions, physical education staff shall make appropriate adjustments to the program or shall seek alternative indoor space to enable students to participate in active physical education.

(cf. 3514 - Environmental Safety)
(cf. 5141.7 - Sun Safety)

~~Additional Opportunities for Physical Activity~~

The Superintendent or designee shall develop strategies to supplement physical education instruction with additional opportunities for students to be physically active before, during, and after the school day.

(cf. 1330.1 - Joint Use Agreements)
(cf. 5148 - Child Care and Development Program)
(cf. 5148.2 - Before/After School Program)
(cf. 6145 - Extracurricular and Cocurricular Activities)

Staffing

Physical education instruction shall be delivered by appropriately credentialed teachers who may be assisted by instructional aides, paraprofessionals, and/or volunteers.

(cf. 1240 - Volunteer Assistance)
(cf. 4112.2 - Certification)
(cf. 4112.21 - Interns)
(cf. 4113 - Assignment)
(cf. 4222 - Teacher Aides/Paraprofessionals)

The District shall provide physical education teachers with continuing professional development, including classroom management and instructional strategies designed to keep students engaged and active and to enhance the quality of physical education instruction and assessment.

(cf. 4131 - Staff Development)
(cf. 5121 - Grades/Evaluation of Student Achievement)

Physical Fitness Testing

The Superintendent or designee shall annually administer the physical fitness test designated by the State Board of Education (FITNESSGRAM) to students in grades 5, 7, and 9. (Education Code 60800; 5 CCR 1041)

PHYSICAL EDUCATION AND ACTIVITY (cont.)**Temporary Exemptions**

The Superintendent or designee may grant a temporary exemption from physical education under either of the following conditions: (Education Code 51241)

1. The student is ill or injured and a modified program to meet his/her needs cannot be provided.
2. The student is enrolled for one-half time or less.

Two-Year Exemptions

With a student's consent, the Superintendent or designee may exempt the student from physical education courses for any two years during grades 10-12 provided that the student has satisfactorily met at least five of the six standards of the ~~state's physical fitness test~~ FITNESSGRAM in grade 9. (Education Code 51241)

Upon request by students and/or their parents/guardians, the Superintendent or designee may administer the ~~physical fitness test~~ FITNESSGRAM to students in grades 10-12 who need to pass the test in order to qualify for a two-year exemption from physical education courses.

SUCH STUDENTS SHALL NOT BE PERMITTED TO ATTEND FEWER TOTAL HOURS OF COURSES AND CLASSES THAN THEY WOULD HAVE ATTENDED IF ENROLLED IN A PHYSICAL EDUCATION COURSE. (Education Code 51241)

(cf. 6112 - School Day)

Permanent Exemptions

The Superintendent or designee may grant a permanent exemption from physical education ~~to an individual student~~ under any of the following conditions: (Education Code 51241)

1. The student is AGE 16 years ~~of age~~ or older and has been enrolled in grade 10 for one or more academic years. HOWEVER, SUCH A STUDENT SHALL NOT BE PERMITTED TO ATTEND FEWER TOTAL HOURS OF COURSES AND CLASSES THAN HE/SHE WOULD HAVE ATTENDED IF ENROLLED IN A PHYSICAL EDUCATION COURSE.
2. The student is enrolled as a postgraduate student.
3. The student is enrolled in a juvenile home, ranch, camp, or forestry camp school with scheduled recreation and exercise.

PHYSICAL EDUCATION AND ACTIVITY (cont.)**Other Exemptions**

The Superintendent or designee may grant A STUDENT an exemption from physical education under the following special circumstances:

1. WHEN ~~t~~the student IS in ANY OF grades 10-12 AND is excused for up to 24 clock hours in order to participate in automobile driver training. HOWEVER, ANY SUCH STUDENT SHALL ATTEND A MINIMUM OF 7,000 MINUTES OF PHYSICAL EDUCATION INSTRUCTION DURING THE SCHOOL YEAR. (Education Code 51222)
2. WHEN ~~t~~The student IS in ANY OF grades 10-12, attends a regional occupational center or program, and, because of the travel time involved, would experience hardship to attend PHYSICAL EDUCATION COURSES. ANY SUCH STUDENT SHALL HAVE A MINIMUM SCHOOL DAY OF 180 MINUTES. (Education Code 52316)
3. WHEN ~~t~~The student is in high school and is engaged in a regular school-sponsored interscholastic athletic program carried on wholly or partially after regular school hours. (Education Code 51242)

(cf. 6145.2 - Athletic Competition)

Program Evaluation

The Superintendent or designee shall annually report to the Board ~~the EACH SCHOOL'S FITNESSGRAM results of the state physical fitness testing for each school and FOR EACH applicable grade level.~~ He/she shall also report to the Board regarding the number of instructional minutes offered in physical education for each grade level, the number of two-year and permanent exemptions granted pursuant to Education Code 51241, and any other data agreed upon by the Board and the Superintendent or designee to evaluate program quality and the effectiveness of the District's program in meeting goals for physical activity.

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference:**EDUCATION CODE**

33126 School accountability report card

33350-33354 CDE responsibilities re: physical education

35256 School accountability report card

44250-44277 Credential types

49066 Grades; physical education class

51210 Course of study, grades 1-6

PHYSICAL EDUCATION AND ACTIVITY (cont.)

51220 Course of study, grades 7-12

51222 Physical education

51223 Physical education, elementary schools

51241 Temporary, two-year or permanent exemption from physical education

51242 Exemption from physical education for athletic program participants

52316 Excuse from attending physical education classes

60800 Physical performance test

CODE OF REGULATIONS, TITLE 5

1040-1048 Physical performance test

3051.5 Adapted physical education for individuals with exceptional needs

4600-4687 Uniform complaint procedures

10060 Criteria for high school physical education programs

80020 Additional assignment authorizations for specific credentials

80037 Designated subjects teaching credential; special teaching authorization in physical education

80046.1 Added authorization to teach adapted physical education

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

UNITED STATES CODE, TITLE 42

1758b Local wellness policy

ATTORNEY GENERAL OPINIONS

53 Ops.Cal.Atty.Gen. 230 (1970)

COURT DECISIONS

Doe v. Albany Unified School District (2010) 190 Cal.App.4th 668

Cal200 et al. v. San Francisco Unified School District et al. (2013), San Francisco Superior Court, Case No. CGC-13-534975

Cal200 et al. v. Oakland Unified School District et al. (San Francisco Superior Court, Case No. CPF-14-513959

Management Resources:

CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Districts at Risk from Lawsuits Regarding PE Instructional Minute Requirement, Legal Alert, May 2015

Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, 2012

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. 2012

Active Bodies, Active Minds: Physical Activity and Academic Achievement, Fact Sheet, February 2010

Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, rev. February 2010

Maximizing Opportunities for Physical Activity During the School Day, Fact Sheet, November 2009

Moderate to Vigorous Physical Activity in Physical Education to Improve Health and Academic Outcomes, Fact Sheet, November 2009

Physical Education and California Schools, Policy Brief, rev. October 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Physical Education Framework for California Public Schools: Kindergarten Through Grade 12, 2009

Physical Education Model Content Standards for California Public Schools: Kindergarten Through Grade 12, January 2005

Adapted Physical Education Guidelines for California Schools, 2003

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

School Health Index (SHI): Self-Assessment and Planning Guide 2014

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

The Administrator's Assignment Manual, 2007

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

2008 Physical Activity Guidelines for Americans, October 2008

PHYSICAL EDUCATION AND ACTIVITY (cont.)

WEBSITES

CALIFORNIA SCHOOL BOARDS ASSOCIATION: www.csba.org
California Department of Education, Physical Fitness Testing: www.cde.ca.gov/ta/tg/pf
California Healthy Kids Resource Center: www.californiahealthykids.org
California Project LEAN (Leaders Encouraging Activity and Nutrition): www.californiaprojectlean.org
Centers for Disease Control and Prevention: www.cdc.gov
Commission on Teacher Credentialing: www.ctc.ca.gov
Educational Data System, California physical fitness: www.eddata.com/projects/current/cpf
Healthy People 2010: www.healthypeople.gov
National Association for Sport and Physical Education: www.aahperd.org/naspe
President's Council on Physical Fitness and Sports: www.fitness.gov
U.S. Department of Health and Human Services: www.health.gov

Chino Valley Unified School District

Policy adopted: August 21, 1997

Revised: May 3, 2000

Revised: March 5, 2009

Revised: August 6, 2009

Revised: May 20, 2010

REVISED:

PHYSICAL EDUCATION AND ACTIVITY

Definitions

Physical education is a sequential educational program that teaches students to understand and participate in regular physical activity for developing and maintaining physical fitness throughout their lifetime, understand and improve their motor skills, enjoy using their skills and knowledge to establish a healthy lifestyle, and understand how their bodies work.

Physical activity is bodily movement that is produced by the contraction of skeletal muscle and that substantially increases energy expenditure, including exercise, sport, dance, and other movement forms.

Moderate physical activity is any activity which generally requires sustained, rhythmic movements and refers to a level of effort a healthy individual might expend while, for example, walking briskly, dancing, swimming, or bicycling on level terrain. A person should feel some exertion but should be able to carry on a conversation comfortably during the activity.

Vigorous physical activity is any activity which generally requires sustained, rhythmic movements and refers to a level of effort a healthy individual might expend while, for example, jogging, participation in high-impact aerobic dancing, swimming continuous laps, or bicycling uphill. Vigorous physical activity may be intense enough to result in a significant increase in heart and respiration rate.

Instructional Time

Instruction in physical education shall be provided for ~~a total~~ AT LEAST THE FOLLOWING MINIMUM period of time: ~~of not less than 200 minutes each 10 school days for students in grades 1-6 and not less than 400 minutes each 10 school days for students in grades 7-12.~~ (Education Code 51210, 51222, 51223)

1. FOR STUDENTS IN GRADES 1-6, 200 MINUTES EACH 10 SCHOOL DAYS, EXCLUSIVE OF RECESSES AND THE LUNCH PERIOD
2. FOR STUDENTS IN GRADES 7-8 ATTENDING AN ELEMENTARY SCHOOL, 200 MINUTES EACH 10 SCHOOL DAYS, EXCLUSIVE OF RECESSES AND THE LUNCH PERIOD
3. FOR STUDENTS IN GRADES 7-8 ATTENDING A MIDDLE SCHOOL OR JUNIOR HIGH SCHOOL, 400 MINUTES EACH 10 SCHOOL DAYS

PHYSICAL EDUCATION AND ACTIVITY (cont.)**4. FOR STUDENTS IN GRADES 9-12, 400 MINUTES EACH 10 SCHOOL DAYS**

Students in grades 10-12 who have been granted a two-year exemption pursuant to Education Code 51241(b) shall be offered a variety of elective physical education courses of not less than 400 minutes each 10 school days. (Education Code 51222)

Students in grades 10-12 who have been granted a two-year or permanent exemption from physical education pursuant to Education Code 51241(b)(1) or (c) shall not be permitted to attend fewer total hours of courses and classes than they would have attended if enrolled in a physical education course. (Education Code 51241) Students in a regional occupational program or center who are exempted from physical education pursuant to Education code 52316 shall have a minimum school day of 180 minutes. (Education Code

IF THE INSTRUCTIONAL MINUTE REQUIREMENT CANNOT BE MET DURING ANY 10-DAY PERIOD DUE TO INCLEMENT WEATHER, A SCHOOL ASSEMBLY, FIELD TRIP, STUDENT ASSESSMENT, OR OTHER CIRCUMSTANCE, THE SCHOOL SHALL MAKE UP THOSE MINUTES ON ANOTHER DAY IN ORDER TO SATISFY THE INSTRUCTIONAL MINUTE REQUIREMENT.

THE SUPERINTENDENT OR DESIGNEE SHALL DETERMINE A METHOD TO DOCUMENT COMPLIANCE WITH THE REQUIRED NUMBER OF INSTRUCTIONAL MINUTES. SUCH DOCUMENTATION MAY INCLUDE, BUT NOT BE LIMITED TO, A MASTER SCHEDULE, TEACHER ROSTER, OR LOG FOR STAFF OR STUDENTS TO RECORD THE NUMBER OF PHYSICAL EDUCATION MINUTES COMPLETED.

ANY COMPLAINT ALLEGING NONCOMPLIANCE WITH THE INSTRUCTIONAL MINUTE REQUIREMENT FOR ELEMENTARY SCHOOLS MAY BE FILED IN ACCORDANCE WITH THE DISTRICT'S PROCEDURES IN AR 1312.3 – UNIFORM COMPLAINT PROCEDURES. A COMPLAINANT NOT SATISFIED WITH THE DISTRICT'S DECISION MAY APPEAL THE DECISION TO THE CALIFORNIA DEPARTMENT OF EDUCATION (CDE). IF THE DISTRICT OR THE CDE FINDS MERIT IN A COMPLAINT, THE DISTRICT SHALL PROVIDE A REMEDY TO ALL AFFECTED STUDENTS AND PARENTS/GUARDIANS. (Education Code 51210, 51223; 5 CCR 4600-4687)

Monitoring Moderate to Vigorous Physical Activity

To monitor whether students are engaged in moderate to vigorous physical activity for at least 50 percent of physical education class or session time, the Superintendent or designee may:

PHYSICAL EDUCATION AND ACTIVITY (cont.)

1. Develop methods to estimate the amount of time students spend in moderate to vigorous physical activity or the number of students who are inactive during physical education classes
2. Provide physical education teachers with staff development, self-monitoring tools, stopwatches, and/or heart rate monitors to assist them in planning and assessing the level of activity in their classes

(cf. 4115 - Evaluation/Supervision)

Physical Fitness Testing

During the annual assessment window between the month of February through May, students in grades 5, 7, and 9 shall be administered the physical fitness test designated by the State Board of Education (FITNESSGRAM). (Education Code 60800; 5 CCR 1041)

(cf. 6162.5 - Student Assessment)

The Superintendent or designee may provide a make-up date for students who are unable to take the test based on absence or temporary physical restriction or limitations, such as students recovering from illness or injury. (5 CCR 1043)

On or before November 1 of each school year, the Superintendent may designate an employee to serve as the District's physical fitness test coordinator and so notify the test contractor. The test coordinator shall serve as the liaison between the District and California Department of Education for all matters related to the physical fitness test. His/her duties shall be those specified in 5 CCR 1043.4, including, but not limited to, overseeing the administration of the test and the collection and return of all test data to the test contractor. (5 CCR 1043.4)

Students shall be provided with their individual results after completing the ~~physical performance testing~~ FITNESSGRAM. The test results may be provided in writing or orally as the student completes the testing and shall be included in his/her cumulative record. (Education Code 60800; 5 CCR 1043.10, 1044)

(cf. 5125 - Student Records)

Each student's test results shall also be provided to his/her parents/guardians.

The Superintendent or designee shall report the aggregate results of the ~~physical fitness testing~~ FITNESSGRAM in the annual school accountability report card required by Education Code 33126 and 35256. (Education Code 60800)

PHYSICAL EDUCATION AND ACTIVITY (cont.)

(cf. 0510 - School Accountability Report Card)

Testing Variations

All students may be administered the ~~state's physical fitness test~~ FITNESSGRAM with the following test variations: (5 CCR 1047)

1. Extra time within a testing day
2. Test directions that are simplified or clarified

All students may have the following test variations if they are regularly used in the classroom: (5 CCR 1047)

1. Audio amplification equipment
2. Separate testing for individual students provided that they are directly supervised by the test examiner
3. Manually Coded English or American Sign Language to present directions for test administration

Students with a physical disability and students who are physically unable to take all of the test shall undergo as much of the test as their physical condition will permit. (Education Code 60800; 5 CCR 1047)

Students with disabilities may be provided the following accommodations if specified in their Individualized Education Program (IEP) and Section 504 Plan: (5 CCR 1047)

1. Administration of the test at the most beneficial time of day to the student after consultation with the test contractor
2. Administration of the test by a test examiner to the student at home or in the hospital
3. Any other accommodation specified in the student's IEP or Section 504 Plan for the physical fitness test

(cf. 6159 - Individualized Education Program)

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

Identified English learners may be allowed the following additional test variations if regularly used in the classroom: (5 CCR 1048)

PHYSICAL EDUCATION AND ACTIVITY (cont.)

1. Separate testing with other English learners, provided that they are directly supervised by the test examiner
2. Test directions translated into their primary language, and the opportunity to ask clarifying questions about the test directions in their primary language

Additional Opportunities for Physical Activity

The Superintendent or designee shall implement strategies for increasing opportunities for physical activity outside the physical education program, which may include, but not be limited to:

1. Training recess and lunch supervisors on methods to engage students in moderate to vigorous physical activity

(cf. 1240 - Volunteer Assistance)

(cf. 4231 - Staff Development)

(cf. 5030 - Student Wellness)

2. Encouraging teachers to incorporate physical activity into the classroom
3. Establishing extracurricular activities that promote physical activity, such as school clubs, intramural athletic programs, dance performances, special events, and competitions

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.5 - Student Organizations and Equal Access)

4. Incorporating opportunities for physical activity into before- or after-school programs and/or child care and development programs

(cf. 5148 - Child Care and Development Program)

(cf. 5148.2 - Before/After School Programs)

5. Exploring opportunities for joint use of facilities or grounds in order to provide adequate space for students and community members to engage in recreational activities
6. Developing business partnerships to maximize resources for physical activity equipment and programs

(cf. 1700 - Relations Between Private Industry and the Schools)

PHYSICAL EDUCATION AND ACTIVITY (cont.)

7. Developing programs to encourage and facilitate walking, bicycling, or other active transport to and from school

Chino Valley Unified School District

Regulation approved: August 21, 1997

Revised: February 19, 2009

Revised: May 6, 2010

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 16, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Norm Enfield, Ed.D., Deputy Superintendent
Preston R. Carr, Ed.D., Director, Alternative Education

**SUBJECT: NEW BOARD POLICY AND ADMINISTRATIVE REGULATION
6172.1 INSTRUCTION – CONCURRENT ENROLLMENT IN
COLLEGE CLASSES**

=====

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 creation of Board Policy and Administrative Regulation 6172.1 Instruction – Concurrent Enrollment in College Classes provides the District with a process for CVUSD students to achieve college credit at the same time they are earning a high school diploma.

New language is provided in UPPER CASE.

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

RECOMMENDATION

It is recommended the Board of Education receive for information new Board Policy and Administrative Regulation 6172.1 Instruction – Concurrent Enrollment in College Classes.

FISCAL IMPACT

None.

WMJ:NE:PRC:smr

CONCURRENT ENROLLMENT IN COLLEGE CLASSES

THE BOARD OF EDUCATION DESIRES TO PROVIDE OPPORTUNITIES FOR ELIGIBLE DISTRICT STUDENTS TO ENROLL CONCURRENTLY IN COURSES OFFERED AT POSTSECONDARY INSTITUTIONS IN ORDER TO FOSTER INDIVIDUAL STUDENT ACHIEVEMENT, INCREASE OPPORTUNITIES FOR STUDENTS TO COMPLETE COLLEGE PREPARATORY COURSE REQUIREMENTS OR CAREER TECHNICAL EDUCATION PREPARATION, AND PREPARE STUDENTS FOR A SMOOTH TRANSITION INTO COLLEGE BY PROVIDING EXPOSURE TO THE COLLEGIATE ENVIRONMENT.

(cf. 6143 - Courses of Study)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 6178 - Career Technical Education)
(cf. 6178.2 - Regional Occupational Center/Program)

WHEN IT IS DETERMINED THAT THE POSTSECONDARY COURSE IN WHICH THE STUDENT INTENDS TO ENROLL IS SUBSTANTIALLY EQUIVALENT TO A COURSE PROVIDED BY THE DISTRICT, THE STUDENT MAY RECEIVE CREDIT TOWARD HIGH SCHOOL GRADUATION REQUIREMENTS IN ADDITION TO CREDIT RECEIVED FROM THE COLLEGE.

(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.11 - Alternative Credits Toward Graduation)

APPROVAL OF CONCURRENT ENROLLMENT

THE SUPERINTENDENT OR DESIGNEE MAY APPROVE A LIMITED NUMBER OF STUDENTS OF ANY AGE OR GRADE LEVEL TO APPLY FOR PART-TIME OR FULL-TIME CONCURRENT ENROLLMENT IN A COMMUNITY COLLEGE OR FOUR-YEAR COLLEGE WHEN IT IS DETERMINED TO BE IN THE STUDENT'S BEST INTEREST AND THE STUDENT IS ADEQUATELY PREPARED FOR SUCH COURSEWORK.

UPON RECOMMENDATION OF THE PRINCIPAL AND WITH PARENT/GUARDIAN CONSENT, THE SUPERINTENDENT OR DESIGNEE MAY AUTHORIZE A STUDENT TO APPLY FOR ATTENDANCE AT A COMMUNITY COLLEGE DURING ANY SESSION OR TERM AS A SPECIAL PART-TIME OR FULL-TIME STUDENT AND TO UNDERTAKE ONE OR MORE COURSES OF INSTRUCTION OFFERED AT THE COMMUNITY COLLEGE LEVEL. (Education Code 48800)

WITHIN THE ENROLLMENT LIMITS AND EXCEPTIONS ALLOWED BY LAW, THE PRINCIPAL MAY RECOMMEND A STUDENT FOR COMMUNITY COLLEGE SUMMER SESSION IF THAT STUDENT DEMONSTRATES ADEQUATE PREPARATION IN THE DISCIPLINE TO BE STUDIED AND EXHAUSTS ALL OPPORTUNITIES TO ENROLL IN AN EQUIVALENT COURSE, IF ANY, AT HIS/HER SCHOOL OF ATTENDANCE. (Education Code 48800)

CONCURRENT ENROLLMENT IN COLLEGE CLASSES (CONT.)

ANY STUDENT'S PARENT/GUARDIAN MAY PETITION THE SUPERINTENDENT OR DESIGNEE TO AUTHORIZE FULL-TIME ATTENDANCE AT A COMMUNITY COLLEGE IF HE/SHE BELIEVES THE STUDENT WOULD BENEFIT FROM ADVANCED SCHOLASTIC OR CAREER TECHNICAL WORK THAT WOULD BE AVAILABLE. (Education Code 48800.5)

IF THE SUPERINTENDENT OR DESIGNEE DENIES A REQUEST FOR SPECIAL PART-TIME OR FULL-TIME ENROLLMENT AT A COMMUNITY COLLEGE FOR A STUDENT WHO IS IDENTIFIED AS HIGHLY GIFTED AND TALENTED, THE SUPERINTENDENT OR DESIGNEE SHALL ISSUE ITS WRITTEN RECOMMENDATION AND THE REASONS FOR THE DENIAL WITHIN 15 DAYS. THE STUDENT'S PARENT/GUARDIAN MAY THEN SUBMIT AN APPEAL TO THE BOARD. THE BOARD SHALL ISSUE ITS WRITTEN DECISION WITHIN 30 DAYS BUT NO MORE THAN 60 DAYS OF THE APPEAL.

PROGRAM EVALUATION

THE SUPERINTENDENT OR DESIGNEE SHALL REGULARLY REPORT TO THE BOARD REGARDING THE NUMBER OF DISTRICT STUDENTS PARTICIPATING IN THE CONCURRENT ENROLLMENT OPTION, THEIR SUCCESS IN COMPLETING IN POSTSECONDARY COURSES, AND ANY IMPACT ON THEIR ACHIEVEMENT IN DISTRICT COURSES.

(cf. 0500 - Accountability)
(cf. 6162.5 - Student Assessment)
(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference:

EDUCATION CODE

46145-46147 Minimum day, High School
48800-48802 Enrollment of Gifted Students in Community College
51225.3 Alternative Means of Satisfying Graduation Requirements
52200-52212 Gifted and Talented Education Program
76000-76002 Enrollment in Community College

Management Resources:

WEBSITES

California Community Colleges System: www.cccco.edu
California Department of Education: www.cde.ca.gov
California Postsecondary Education Commission: www.cpec.ca.gov
California State University: www.calstate.edu
Foundation for California Community Colleges, Early College High School Initiative:
www.foundationccc.org/ECHS
University of California: www.universityofcalifornia.edu

CHINO VALLEY UNIFIED SCHOOL DISTRICT POLICY ADOPTED:

CONCURRENT ENROLLMENT IN COLLEGE CLASSES**CREDIT**

SPECIAL PART-TIME STUDENTS MAY ENROLL IN UP TO 11 UNITS PER SEMESTER, OR THE EQUIVALENT, IN A COMMUNITY COLLEGE. SUCH STUDENTS SHALL RECEIVE CREDIT FOR COMMUNITY COLLEGE COURSES THAT THEY COMPLETE IN AN AMOUNT JOINTLY DETERMINED APPROPRIATE BY THE DISTRICT AND THE COMMUNITY COLLEGE GOVERNING BOARD. (Education Code 48800, 76001)

(cf. 6146.11 - Alternative Credits Toward Graduation)

A WRITTEN AGREEMENT REGARDING THE STUDENT'S ENROLLMENT IN POSTSECONDARY COURSES AND THE CREDITS TO BE AWARDED FOR SUCCESSFUL COMPLETION SHALL BE SIGNED BY THE STUDENT, PARENT/GUARDIAN, PRINCIPAL, AND COLLEGE REPRESENTATIVE. THE STUDENT SHALL BE INFORMED WHETHER THE CREDITS TO BE EARNED ARE CONSIDERED ACADEMIC CREDITS OR ELECTIVE CREDITS AND WHETHER THE COURSE WOULD NEED TO BE COMPLETED AGAIN DURING THE COLLEGE YEARS TO SATISFY COLLEGE REQUIREMENTS.

TO RECEIVE DISTRICT CREDIT FOR COURSEWORK COMPLETED AT A COMMUNITY COLLEGE OR FOUR-YEAR COLLEGE, THE STUDENT OR PARENT/GUARDIAN SHALL SUBMIT A TRANSCRIPT SHOWING COMPLETION OF THE COURSE WITH A PASSING GRADE.

(cf. 5125 - Student Records)

MINIMUM SCHOOL DAY

EXCEPT UNDER THE CONDITIONS SPECIFIED IN EDUCATION CODE 46146, THE MINIMUM DAY OF ATTENDANCE IN DISTRICT SCHOOLS SHALL BE 180 MINUTES FOR ANY STUDENT WHO IS ENROLLED PART-TIME IN A COMMUNITY COLLEGE AND ANY STUDENT IN GRADES 11-12 WHO IS ENROLLED PART-TIME IN THE CALIFORNIA STATE UNIVERSITY OR UNIVERSITY OF CALIFORNIA, WHEN THE STUDENT IS ENROLLED IN CLASSES FOR WHICH ACADEMIC CREDIT WILL BE PROVIDED UPON SATISFACTORY COMPLETION OF ENROLLED COURSES. (Education Code 46146, 48801)

(cf. 6112 - School Day)

A STUDENT ENROLLED FULL-TIME AT A COMMUNITY COLLEGE SHALL BE EXEMPTED FROM FULL-TIME ATTENDANCE IN THE DISTRICT'S REGULAR EDUCATION PROGRAM. (Education Code 48800.5)

CONCURRENT ENROLLMENT IN COLLEGE CLASSES (CONT.)

(cf. 5112.1 - Exemptions from Attendance)

HOWEVER, BOTH PART-TIME AND FULL-TIME COMMUNITY COLLEGE STUDENTS SHALL BE REQUIRED TO UNDERTAKE COURSES OF INSTRUCTION OF A SCOPE AND DURATION SUFFICIENT TO SATISFY THE REQUIREMENTS OF LAW. (Education Code 48800.5, 48801)

COMMUNITY COLLEGE CLASSES ON HIGH SCHOOL CAMPUS

IF A COMMUNITY COLLEGE CLASS IS TO BE OFFERED AT A DISTRICT HIGH SCHOOL CAMPUS, THE CLASS SHALL NOT BE HELD DURING THE TIME THE CAMPUS IS CLOSED TO THE GENERAL PUBLIC. (Education Code 76002)

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: November 16, 2017
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Gregory J. Stachura, Asst. Supt., Facilities, Planning, and Operations
**SUBJECT: DELETION OF BOARD POLICY 3515.6 BUSINESS AND
NONINSTRUCTIONAL OPERATIONS—MONITORING OF DISTRICT
VEHICLES**

=====

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 3515.6 Business and Noninstructional Operations – Monitoring of District Vehicles is now included in Board Policy 3540.2 Business and Noninstructional Operations – District Vehicle Use.

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 deletion of Board Policy 3515.6 Business and Noninstructional Operations – Monitoring of District Vehicles.

FISCAL IMPACT

None.

WMJ:GJS:pw

MONITORING OF DISTRICT VEHICLES

It may be in the best interest of the District to monitor the use of all district vehicles. This may be done for the safety of district personnel, for the verification of adherence to district policies concerning the use of district vehicles, or for other reasons in the furtherance of district goals and objectives.

To ensure proper use of district vehicles, the Superintendent or designee may monitor the use of any district vehicle at any time. Employees will be given prior written notice.

Use of District Vehicles

District vehicles are provided for specified employees as tools to accomplish and fulfill their job duties. Vehicles are to be utilized during the performance of job duties and not for personal uses. Vehicles are not to be taken home with employees or used after hours for personal uses. Specific exception is granted to a Maintenance and Operations employee in 24-hour on-call status. Any other exception must be granted by the appropriate division head.

Chino Valley Unified School District

Policy adopted: July 19, 2001

Revised: August 21, 2008

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 16, 2017

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

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

**SUBJECT: NEW ADMINISTRATIVE REGULATION 3515.6 BUSINESS AND
NONINSTRUCTIONAL OPERATIONS – CRIMINAL BACKGROUND
CHECKS FOR CONTRACTORS**

=====

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. New Administrative Regulation 3515.6 Business and Noninstructional Operations – Criminal Background Checks for Contractors is being created to reflect regulation updates and new law (AB 949, 2017) which requires criminal background checks for sole proprietors who contract with the District to provide specified services, if they will have contact with children, and provides that it is the responsibility of the District to prepare and submit the fingerprints of the sole proprietor to the Department of Justice. Regulation also reorganized to clarify criminal background check requirements applicable to entities contracting for construction, reconstruction, rehabilitation, or repair of a school facility.

New language is provided in UPPER CASE.

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

RECOMMENDATION

It is recommended the Board of Education receive for information new Administrative Regulation 3515.6 Business and Noninstructional Operations–Criminal Background Checks for Contractors.

FISCAL IMPACT

None.

WMJ:GJS:pw

CRIMINAL BACKGROUND CHECKS FOR CONTRACTORS

WHEN THE EMPLOYEES OF ANY ENTITY CONTRACTING WITH THE DISTRICT TO PROVIDE SPECIFIED SERVICES WILL HAVE CONTACT WITH STUDENTS, THE ENTITY SHALL CERTIFY IN WRITING TO THE SUPERINTENDENT OR DESIGNEE THAT NONE OF THOSE EMPLOYEES HAS BEEN CONVICTED OF A VIOLENT OR SERIOUS FELONY AS DEFINED IN EDUCATION CODE 45122.1. IN THE CASE OF A SOLE PROPRIETOR, THE SUPERINTENDENT OR DESIGNEE SHALL PREPARE AND SUBMIT THE EMPLOYEE'S FINGERPRINTS TO THE DEPARTMENT OF JUSTICE. IF ANY CONTRACTING EMPLOYEE WHO MAY HAVE CONTACT WITH STUDENTS HAS BEEN CONVICTED OF A VIOLENT OR SERIOUS FELONY AS DEFINED, A CERTIFICATE OF REHABILITATION AND A PARDON AS REQUIRED PURSUANT TO EDUCATION CODE 45125.1 SHALL BE SUBMITTED TO THE SUPERINTENDENT OR DESIGNEE BEFORE THE CONTRACTING EMPLOYEE IS AUTHORIZED TO PERFORM THE WORK FOR THE DISTRICT. (Education Code 45125.1)

THESE REQUIREMENTS SHALL APPLY TO A SOLE PROPRIETOR OR ENTITY CONTRACTING WITH THE DISTRICT TO PROVIDE ANY OF THE FOLLOWING SERVICES: (Education Code 45125.1, 45125.2)

1. SCHOOL AND CLASSROOM JANITORIAL SERVICES
2. SCHOOL SITE ADMINISTRATIVE SERVICES
3. SCHOOL SITE GROUNDS AND LANDSCAPE MAINTENANCE SERVICES
4. STUDENT TRANSPORTATION SERVICES
5. SCHOOL SITE FOOD-RELATED SERVICES
6. CONSTRUCTION, RECONSTRUCTION, REHABILITATION, OR REPAIR OF A SCHOOL FACILITY

(cf. 3540 - Transportation)

(cf. 3551 - Food Service Operations/Cafeteria Fund)

(cf. 3600 - Consultants)

(cf. 7140 - Architectural and Engineering Services)

ON A CASE-BY-CASE BASIS, THE SUPERINTENDENT OR DESIGNEE MAY REQUIRE A CONTRACTING ENTITY PROVIDING SCHOOL SITE SERVICES OTHER THAN THOSE LISTED ABOVE TO COMPLY WITH THESE REQUIREMENTS. (Education Code 45125.1)

CRIMINAL BACKGROUND CHECKS FOR CONTRACTORS (cont.)

THE SUPERINTENDENT OR DESIGNEE MAY DETERMINE THAT CRIMINAL BACKGROUND CHECKS WILL NOT BE REQUIRED IF:

1. THE CONTRACTING ENTITY IS PROVIDING SERVICES IN AN EMERGENCY OR EXCEPTIONAL SITUATION, SUCH AS WHEN STUDENT HEALTH OR SAFETY IS ENDANGERED OR WHEN REPAIRS ARE NEEDED TO MAKE SCHOOL FACILITIES SAFE AND HABITABLE. (Education Code 45125.1)
2. THE EMPLOYEES OF THE CONTRACTING ENTITY WILL HAVE LIMITED CONTACT WITH STUDENTS. IN DETERMINING WHETHER A CONTRACT EMPLOYEE HAS LIMITED CONTACT WITH STUDENTS, THE SUPERINTENDENT OR DESIGNEE SHALL CONSIDER THE TOTALITY OF THE CIRCUMSTANCES, INCLUDING FACTORS SUCH AS THE LENGTH OF TIME THE CONTRACTORS WILL BE ON SCHOOL GROUNDS, WHETHER STUDENTS WILL BE IN PROXIMITY WITH THE SITE WHERE THE CONTRACTORS WILL BE WORKING, AND WHETHER THE CONTRACTORS WILL BE WORKING BY THEMSELVES OR WITH OTHERS. (Education Code 45125.1)

UPON A DETERMINATION THAT AN EMPLOYEE WILL HAVE LIMITED CONTACT WITH STUDENTS, THE SUPERINTENDENT OR DESIGNEE SHALL TAKE APPROPRIATE STEPS TO PROTECT THE SAFETY OF ANY STUDENTS WHO MAY COME IN CONTACT WITH THIS EMPLOYEE. (Education Code 45125.1)

THESE STEPS MAY INCLUDE, BUT ARE NOT LIMITED TO, ENSURING THAT THE EMPLOYEE IS WORKING DURING NONSCHOOL HOURS, PROVIDING FOR REGULAR PATROLS OR SUPERVISION OF THE SITE FROM DISTRICT SECURITY OR PERSONNEL, ENSURING THAT THE EMPLOYEE IS NOT WORKING ALONE WHEN STUDENTS ARE PRESENT, LIMITING THE EMPLOYEE'S ACCESS TO SCHOOL GROUNDS, AND/OR PROVIDING THE EMPLOYEE WITH A VISIBLE MEANS OF IDENTIFICATION.

(cf. 3515.3 - District Police/Security Department)

3. THE CONTRACT IS FOR THE CONSTRUCTION, RECONSTRUCTION, REHABILITATION, OR REPAIR OF A SCHOOL FACILITY AND EITHER ITEM #1 OR #2 ABOVE APPLIES OR THE DISTRICT USES ONE OR MORE OF THE FOLLOWING METHODS TO ENSURE STUDENT SAFETY: (Education Code 45125.2)
 - A. THE INSTALLATION OF A PHYSICAL BARRIER AT THE WORKSITE TO LIMIT CONTACT WITH STUDENTS

CRIMINAL BACKGROUND CHECKS FOR CONTRACTORS (cont.)

- B. CONTINUAL SUPERVISION AND MONITORING OF ALL EMPLOYEES OF THE ENTITY BY AN EMPLOYEE OF THE ENTITY WHOM THE DEPARTMENT OF JUSTICE HAS ASCERTAINED HAS NOT BEEN CONVICTED OF A VIOLENT OR SERIOUS FELONY
- C. SURVEILLANCE OF EMPLOYEES OF THE ENTITY BY SCHOOL PERSONNEL

Legal Reference:

EDUCATION CODE

41302.5 School districts, definition

45122.1 Classified employees, conviction of a violent or serious felony

45125.1 Criminal background checks for contractors

45125.2 Criminal background checks for construction

PENAL CODE

667.5 Prior prison terms, enhancement of prison terms

1192.7 Plea bargaining limitation

Management Resources:

WEBSITES

Department of Justice: www.oag.ca.gov/fingerprints

**CHINO VALLEY UNIFIED SCHOOL DISTRICT
POLICY ADOPTED:**

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 16, 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 3540.2 BUSINESS AND
NONINSTRUCTIONAL OPERATIONS – POOL VEHICLE USE**

=====

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 3540.2 Business and Noninstructional Operations – Pool Vehicle Use now includes material formerly in Board Policy 3515.6 – Business and Noninstructional Operations – Monitoring of District Vehicles.

New language is provided in UPPER CASE while old policy language 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 3540.2 Business and Noninstructional Operations – Pool Vehicle Use.

FISCAL IMPACT

None.

WMJ:GJS:pw

~~POOL VEHICLE USE~~ DISTRICT VEHICLE USE

DISTRICT VEHICLES ARE PROVIDED FOR SPECIFIED EMPLOYEES AS TOOLS TO ACCOMPLISH AND FULFILL THEIR JOB DUTIES. VEHICLES ARE TO BE UTILIZED DURING THE PERFORMANCE OF JOB DUTIES AND NOT FOR PERSONAL USES. VEHICLES ARE NOT TO BE TAKEN HOME WITH EMPLOYEES OR USED AFTER HOURS FOR PERSONAL USES. SPECIFIC EXCEPTION IS GRANTED TO A MAINTENANCE AND OPERATIONS EMPLOYEE IN 24-HOUR ON-CALL STATUS. ANY OTHER EXCEPTION MUST BE GRANTED BY THE APPROPRIATE DIVISION HEAD.

~~Pool Vehicle Use~~ MAINTENANCE

District ~~pool~~ vehicles shall undergo a regularly scheduled maintenance and safety inspection. They shall be driven only by authorized school employees.

The Director of Transportation or designee shall check the driving records of all District employees requesting to drive District pool cars, or any other District vehicle. The records will be checked through the Department of Motor Vehicles annually.

The passenger capacity rating posted in each vehicle shall be adhered to at all times.

MONITORING OF DISTRICT VEHICLES

IT MAY BE IN THE BEST INTEREST OF THE DISTRICT TO MONITOR THE USE OF ALL DISTRICT VEHICLES. THIS MAY BE DONE FOR THE SAFETY OF DISTRICT PERSONNEL, FOR THE VERIFICATION OF ADHERENCE TO DISTRICT POLICIES CONCERNING THE USE OF DISTRICT VEHICLES, OR FOR OTHER REASONS IN THE FURTHERANCE OF DISTRICT GOALS AND OBJECTIVES.

TO ENSURE PROPER USE OF DISTRICT VEHICLES, THE SUPERINTENDENT OR DESIGNEE MAY MONITOR THE USE OF ANY DISTRICT VEHICLE AT ANY TIME. EMPLOYEES WILL BE GIVEN PRIOR WRITTEN NOTICE.

Chino Valley Unified School District

Policy adopted: November 16, 1995

Revised: August 21, 2008

REVISED: