



**CHINO VALLEY**  
UNIFIED SCHOOL DISTRICT

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

# BOARD OF EDUCATION AGENDA

**April 18, 2019**

## **BOARD OF EDUCATION**

James Na, President  
Irene Hernandez-Blair, Vice President  
Andrew Cruz, Clerk  
Christina Gagnier, Member  
Joe Schaffer, Member

Alexi Magallanes, Student Representative



**SUPERINTENDENT**  
Norm Enfield, Ed.D.

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5130 Riverside Drive. Chino. California 91710  
[www.chino.k12.ca.us](http://www.chino.k12.ca.us)

**CHINO VALLEY UNIFIED SCHOOL DISTRICT**  
**REGULAR MEETING OF THE BOARD OF EDUCATION**  
**5130 Riverside Drive, Chino, CA 91710**  
**3:50 p.m. - Closed Session • 7:00 p.m. - Regular Meeting**  
**April 18, 2019**

**AGENDA**

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

**I. OPENING BUSINESS**

**I.A. CALL TO ORDER – 3:50 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 54954.5 (c) and 54956.9 (d)(1)): Oxford Preparatory Academy v. Chino Valley Unified School District, et. al. SBC No. CIVDS1710045. (Chidester, Margaret A. & Associates) (5 minutes)
- b. Conference with Real Property Negotiators (Government Code 54956.8): Property: APN #1019-511-06, APN #1019-441-03, APN #1019-441-04 and APN #1019-511-04. Agency negotiator: Terry Tao, Esquire. Under negotiation: Terms and Price. (5 minutes)
- c. Conference with Legal Counsel Anticipated Litigation (Government Code 54954.5(c) and 54956.9 (d)(2) and (e)(1)): One possible case. (Terry Tao, Esquire) (30 minutes)
- d. Conference with Legal Counsel Existing Litigation (Subdivisions (c) and (d)(1) of section 54956.9): Associated Chino Teachers v. Chino Valley Unified School District, San Bernardino Superior Court Case No. CIVDS1621798. (Atkinson, Andelson, Loya, Ruud & Romo) (25 minutes)
- e. Public Employee Discipline/Dismissal/Release (Government Code 54957): (5 minutes)
- f. Conference with Labor Negotiators (Government Code 54957.6): A.C.T. and CSEA negotiations. Agency designated representatives: Frank Arce, Sandra Chen, Lea Fellows, and Richard Rideout. (30 minutes)
- g. Public Employee Performance Evaluation (Government Code 54957): Superintendent. (90 minutes)

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

1. Report Closed Session Action
2. Pledge of Allegiance

**I.C. PRESENTATIONS**

1. LCAP Annual Update: Goal 2

The proceedings of this meeting are being recorded.

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

<b>II. CONSENT</b>
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Motion \_\_\_ Second \_\_\_  
 Preferential Vote: \_\_\_  
 Vote: Yes \_\_\_ No \_\_\_

**II.A. ADMINISTRATION**

**II.A.1. Minutes of the Regular Meeting of April 4, 2019**

Page 7 Recommend the Board of Education approve the minutes of the regular meeting of April 4, 2019.

**II.A.2. Revision of Board Bylaw 9323.2 Bylaws of the Board—Actions by the Board**

Page 14 Recommend the Board of Education approve the revision of Board Bylaw 9323.2 Bylaws of the Board—Actions by the Board.

**II.B. BUSINESS SERVICES**

**II.B.1. Warrant Register**

Page 20 Recommend the Board of Education approve/ratify the warrant register, provided under separate cover.

**II.B.2. Fundraising Activities**

Page 21 Recommend the Board of Education approve/ratify the fundraising activities.

**II.B.3. Donations**

Page 23 Recommend the Board of Education accept the donations.

**II.B.4. Legal Services**

Page 25 Recommend the Board of Education approve payment for legal services to the law office of The Tao Firm.

**II.B.5. Resolution 2018/2019-38 Temporary Borrowing Between Funds of the School District**

Page 26 Recommend the Board of Education adopt Resolution 2018/2019-38 Temporary Borrowing Between Funds of the School District.

**II.C. CURRICULUM, INSTRUCTION, INNOVATION, AND SUPPORT**

**II.C.1. School-Sponsored Trips**

Page 28 Recommend the Board of Education approve/ratify the school-sponsored trips for Ayala HS, Chino HS, and Don Lugo HS.

**II.D. FACILITIES, PLANNING, AND OPERATIONS**

**II.D.1. Purchase Order Register**

Page 30 Recommend the Board of Education approve/ratify the purchase order register, provided under separate cover.

**II.D.2. Agreements for Contractor/Consultant Services**

Page 31 Recommend the Board of Education approve/ratify the Agreements for Contractor/Consultant Services.

**II.D.3. Surplus/Obsolete Property**

Page 35 Recommend the Board of Education declare the District property surplus/obsolete and authorize staff to sell/dispose of said property.

**II.D.4. Bid 18-19-33F, Borba ES HVAC Retrofit**

Page 39 Recommend the Board of Education award Bid 18-19-33F, Borba ES HVAC Retrofit to Leading Edge Air Conditioning & Heating.

**II.D.5. Bid 18-19-34F, Newman ES HVAC Retrofit**

Page 40 Recommend the Board of Education award Bid 18-19-34F, Newman ES HVAC Retrofit to Pacific West Industries, Inc.

**II.D.6. Bid 18-19-35F, Glenmeade ES HVAC Retrofit**

Page 41 Recommend the Board of Education award Bid 18-19-35F, Glenmeade ES HVAC Retrofit to Pacific West Industries, Inc.

**II.D.7. Bid 18-19-36F, Magnolia JHS HVAC Retrofit**

Page 42 Recommend the Board of Education award Bid 18-19-36F, Magnolia JHS HVAC Retrofit to RT Contractor Corp.

**II.D.8. CUPCCAA Bid 18-19-33I, Rolling Ridge ES Playground Equipment Installation**

Page 43 Recommend the Board of Education award CUPCCAA Bid 18-19-33I, Rolling Ridge ES Playground Equipment Installation to John Buck dba J2 Builders.

**II.D.9. CUPCCAA Bid 18-19-34I, Litel ES Playground Equipment Installation**

Page 44 Recommend the Board of Education award CUPCCAA Bid 18-19-34I, Litel ES Playground Equipment Installation to NextGen Construction Inc.

**II.D.10. CUPCCAA Bid 18-19-35I, Oak Ridge ES Playground Equipment Installation**

Page 45

Recommend the Board of Education award CUPCCAA Bid 18-19-35I, Oak Ridge ES Playground Equipment Installation to NextGen Construction Inc.

**II.D.11. Notice of Completion for CUPCCAA Projects**

Page 46

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

**II.D.12. Change Order and Notice of Completion for Phase 3 Project Design and Construction of Energy Efficiency Measures 1, 2, and 3 at Various Sites**

Page 48

Recommend the Board of Education approve the change order and Notice of Completion for Phase 3 Project Design and Construction of Energy Efficiency Measures 1, 2, and 3 at Various Sites.

**II.E. HUMAN RESOURCES**

**II.E.1. Certificated/Classified Personnel Items**

Page 53

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

<b>III. INFORMATION</b>
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**III.A. CURRICULUM, INSTRUCTION, INNOVATION, AND SUPPORT**

**III.A.1. Revision of Board Policy and Administrative Regulation 0460 Philosophy, Goals, Objectives, and Comprehensive Plans—Local Control and Accountability Plan**

Page 60

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.

**III.A.2. Revision of Board Policy 6162.5 Instruction—Student Assessment**

Page 74

Recommend the Board of Education receive for information the revision of Board Policy 6162.5 Instruction—Student Assessment.

**III.A.3. Revision of Board Policy 6170.1 Instruction—Transitional Kindergarten**

Page 78

Recommend the Board of Education receive for information the revision of Board Policy 6170.1 Instruction—Transitional Kindergarten.

**III.A.4. Revision of Board Policy and Administrative Regulation 6174  
Page 83 Instruction—Education for English Learners**

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

**IV. COMMUNICATIONS**

**BOARD MEMBERS AND SUPERINTENDENT**

**V. ADJOURNMENT**

Date posted: April 12, 2019  
Prepared by: Patricia Kaylor, Administrative Secretary, Board of Education

**CHINO VALLEY UNIFIED SCHOOL DISTRICT**  
**REGULAR MEETING OF THE BOARD OF EDUCATION**  
April 4, 2019

**MINUTES**

<b>I. OPENING BUSINESS</b>
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**I.A. CALL TO ORDER – 4:50 P.M.**

1. Roll Call

President Na called to order the regular meeting of the Board of Education, Thursday, April 4, 2019, at 4:53 p.m. with Blair, Gagnier, Schaffer, and Na present. Mr. Cruz arrived at 4:56 p.m.

Administrative Personnel

Norm Enfield, Ed.D., Superintendent  
Sandra H. Chen, Associate Superintendent, Business Services  
Grace Park, Ed.D., Associate Superintendent, CIIS  
Lea Fellows, Assistant Superintendent, CIIS  
Richard Rideout, Assistant Superintendent, Human Resources  
Gregory J. Stachura, Assistant Supt., Facilities, Planning, & Operations

2. Public Comment on Closed Session Items

None.

3. Closed Session

President Na adjourned to closed session at 4:53 p.m. regarding conference with legal counsel existing and anticipated litigation; conference with real property negotiators; public employee discipline/dismissal/release; conference with labor negotiators: A.C.T. and CSEA negotiations; and public employee performance evaluation: Superintendent.

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

1. Report Closed Session Action

President Na reconvened the regular meeting of the Board of Education at 7:00 p.m. with Blair, Cruz, Gagnier, Schaffer, and Na present. Student representative Alexi Magallanes was present. The Board met in closed session from 4:53 p.m. to 6:45 p.m. regarding conference with legal counsel existing and anticipated litigation; conference with real property negotiators; public employee discipline/dismissal/release; conference

with labor negotiators: A.C.T. and CSEA negotiations; and public employee performance evaluation: Superintendent. No action was taken that required public disclosure.

2. Pledge of Allegiance

John Miller, Chino HS principal, led the Pledge of Allegiance.

**I.C. PRESENTATIONS**

1. Hidden Trails ES

Music teacher Matthew Robertson led students in an instrumental performance.

2. Teaching and Learning Task Force Committee Update

Staff reported on the Teaching and Learning Task Force Committee including its purpose, process, implementations, and outcomes.

**I.D. COMMENTS FROM STUDENT REPRESENTATIVE**

Alexi Magallanes reported on the Superintendent's Student Advisory Council April 2 meeting; and shared the third *Spark the Light of Kindness* campaign video.

**I.E. COMMENTS FROM EMPLOYEE REPRESENTATIVES**

Danny Hernandez, CSEA President, said that CSEA will host its first car show on May 18, 2019, at the Adult School campus; said that the District sent five employees to the paraeducator conference on March 5-8; and said there is a need for health technicians to be on campus while students are present.

Yvette Farley, CHAMP President, reminded CHAMP members of scholarship opportunities; said Tom Mackessy has been selected as the new CHAMP president; spoke about her tenure as president; and thanked administrators for what they do to support students.

**I.F. COMMENTS FROM COMMUNITY LIAISONS**

Melissa Compani, San Bernardino County Supervisor Curt Hagman's Field Representative, announced the April 6 Prado Park Master Plan workshop at the Chaffey College community center; and said San Bernardino County is offering free compost on April 27.

Alexi Magallanes left the meeting at 7:48 p.m.



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

Leann Rodriguez; Amanda Arrey; Geri Rasmussen; Hilda Beckman; Arcie Velez Lynch; Caroll Elder; Gina Solis; and Ayo Coker addressed the Board regarding Eagle Canyon ES principal; Jeff Morabito addressed the Board regarding Sycamore Academy Chino Valley; and Daniel Ceballos addressed the Board regarding school safety.

**I.H. CHANGES AND DELETIONS**

None.

<b>II. ACTION</b>
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**II.A. ADMINISTRATION**

**II.A.1. Committee for the Arts**

Moved (Blair) seconded (Schaffer) carried unanimously (5-0) to approve Board member Irene Hernandez-Blair’s request to solicit volunteers with grant writing experience for the Committee for the Arts.

**II.B. BUSINESS SERVICES**

**II.B.1. Chino Hills HS Bingo Fundraiser**

Stephen Huff; Mike West; April Cardoza; Joy Tyson; Karen Hassett; Reema Khan; Tricia Cauley; and Catherine Li addressed the Board in support of the item. Moved (Blair) seconded (Gagnier) carried unanimously (5-0) to approve the Chino Hills HS bingo fundraiser through June 30, 2019.

<b>III. CONSENT</b>
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Joe Schaffer pulled for separate action item III.D.9. and III.E.2.; and Andrew Cruz pulled for separate action item III.E.1. Moved (Blair) seconded (Schaffer) carried unanimously (5-0) to approve the consent items.

**III.A. ADMINISTRATION**

**III.A.1. Minutes of the Regular Meeting of March 21, 2019**

Approved the minutes of the regular meeting of March 21, 2019.

**III.B. BUSINESS SERVICES**

**III.B.1. Warrant Register**

Approved/ratified the warrant register.

**III.B.2. Fundraising Activities**

Approved/ratified the fundraising activities.

**III.B.3. Donations**

Accepted the donations.

**III.B.4. Legal Services**

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

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

**III.C.1. School-Sponsored Trips**

Approved/ratified the school-sponsored trips for Liberty ES, Ayala HS, and Chino Hills HS.

**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. CUPCCAA Bid 18-19-30I, Woodcrest JHS Installation of New Single Ply Roofing—Behavioral Intervention Program**

Awarded CUPCCAA Bid 18-19-30I, Woodcrest JHS Installation of New Single Ply Roofing—Behavioral Intervention Program to Best Contracting Services, Inc.

**III.D.5. CUPCCAA Bid 18-19-32I, Chino Hills HS and Don Lugo HS Condensation Line Replacement**

Awarded CUPCCAA Bid 18-19-32I, Chino Hills HS and Don Lugo HS Condensation Line Replacement to Carver Air Conditioning & Heating.

**III.D.6. Rejection of Request for Proposal 18-19-11, Uninterruptible Power Supply Equipment and Authorization to Re-Bid**

Rejected the bids received for RFP 18-19-11, Uninterruptible Power Supply Equipment and authorized staff to re-bid the project.

- III.D.7. **Notice of Completion for CUPCCAA Project**  
Approved the Notice of Completion for CUPCCAA Project.
- III.D.8. **Change Orders for Bid 18-19-06F, Cattle ES, Litel ES, and Oak Ridge ES Modernization Projects—Interim Housing**  
Approved the change orders for Bid 18-19-06F, Cattle ES, Litel ES, and Oak Ridge ES Modernization Projects—Interim Housing.
- III.D.9. **Reimbursement Agreement with Lewis Community Developers Santa Barbara at Chino Hills for Improvements to the Junior Varsity Baseball Field at Chino Hills HS**  
Moved (Blair) seconded (Gagnier) carried unanimously (5-0) to approve the Reimbursement Agreement with Lewis Community Developers Santa Barbara at Chino Hills for Improvements to the Junior Varsity Baseball Field at Chino Hills HS.
- III.E. **HUMAN RESOURCES**
- III.E.1. **Certificated/Classified Personnel Items**  
Moved (Blair) seconded (Gagnier) to discuss the item. Moved (Cruz) seconded (Na) motion failed (2-3, Blair, Gagnier, and Schaffer voted no) to separate and table the item under classified personnel, *Release of Probationary Employee Without Prejudice*, employee #26174 effective date 03/18/2019. Carried unanimously (5-0) to approve/ratify the certificated/classified personnel items.
- III.E.2. **Student Internship Agreement with California State University, Dominguez Hills**  
Moved (Blair) seconded (Gagnier) carried unanimously (5-0) to approve the student internship agreement with California State University, Dominguez Hills.

<b>IV. INFORMATION</b>
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- IV.A. **ADMINISTRATION**
- IV.A.1. **Revision of Board Bylaw and Exhibit 9323.2 Bylaws of the Board—Actions by the Board**  
Received for information the revision of Board Bylaw and Exhibit 9323.2 Bylaws of the Board—Actions by the Board.

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

**IV.B.1. Williams Settlement Legislation Quarterly Uniform Complaint Report Summary for January Through March 2019**

Received for information the Williams Settlement Legislation Quarterly Uniform Complaint Report Summary for January through March 2019.

<p><b>V. COMMUNICATIONS</b></p>
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**BOARD MEMBERS AND SUPERINTENDENT**

Joe Schaffer thanked Hidden Trails ES student performers; announced the Board study session regarding the Preserve scheduled for April 25; said he attended the March 26 Chino Hills council meeting where phase 2 of the Pomona Rincon project was approved and said he would like the District to reach out to the city regarding a development timeline and mitigate any negative impacts to students and families; and reported on a special governance session of the Baldy View ROP.

Christina Gagnier said that she would be meeting with Preserve community members on April 17 regarding boundary issue concerns; and said she would be providing information for another community coffee opportunity towards the end of April or early May once the location is determined.

Andrew Cruz commended Laurie Warner on her leadership; asked President Na to speak to Mr. Ceballos regarding his concerns; and said that today is Autism Awareness month and hopes the cause of autism can be discovered in the near future.

Irene Hernandez-Blair acknowledged parent Mr. Ceballos for his concerns regarding his son and school safety; read the article regarding the alleged threat; spoke about recently approved Board policy revisions regarding sexual harassment of personnel and nondiscrimination/harassment of students; said there is language in the policy of which parents need to be aware; said the District has yet to address an incident that took place with the freshman football team at one of the high schools last year; spoke about unlawful discrimination, retaliation, and the Board's responsibility to uphold related policies; said that she is not stopping and will not give up on the subject; and expressed her concerns regarding sexual harassment and retaliation of employees who file or participate in the complaint process, and said now is the time to fix things.

Superintendent Enfield made no comment.

President Na attended former Chino Hills mayor Bill Kruger’s celebration for life; thanked Laurie Warner for doing a great job during the last five years at Eagle Canyon ES; agreed with CSEA President Danny Hernandez regarding health technicians; addressed parent Mr. Ceballos on his concern; asked Dr. Enfield to meet with Mr. Ceballos again to work out the problem; thanked the Chino Hills HS booster group for their attendance; and commented on the Preserve issue.

**VI. ADJOURNMENT**

President Na adjourned the regular meeting of the Board of Education at 9:31 p.m.

\_\_\_\_\_  
James Na, President

\_\_\_\_\_  
Andrew Cruz, Clerk

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

**CHINO VALLEY UNIFIED SCHOOL DISTRICT**

**Our Motto:**

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

**DATE:** April 18, 2019  
**TO:** Members, Board of Education  
**FROM:** Norm Enfield, Ed.D., Superintendent  
**SUBJECT: REVISION OF BOARD BYLAW 9323.2 BYLAWS OF THE BOARD—  
ACTIONS BY THE BOARD**

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**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 Bylaw 9323.2 Bylaws of the Board—Actions by the Board is being revised to reference the timelines by which a civil action may be filed to determine the applicability of the Brown Act to past board actions, and to clarify the circumstances under which a Board action cannot be invalidated. This item was presented to the Board as information on April 4, 2019.

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 Bylaw 9323.2 Bylaws of the Board—Actions by the Board.

**FISCAL IMPACT**

None.

NE:pk

Bylaws of the Board

**ACTIONS BY THE BOARD**

The Board of Education shall act by a majority vote of all of the membership constituting the Board, unless otherwise required by law. (Education Code 35164)

(cf. 9000 - Role of the Board)  
(cf. 9005 - Governance Standards)  
(cf. 9012 - Board Member Electronic Communications)  
(cf. 9200 - Limits of Board Member Authority)

An "action" by the Board means: (Government Code 54952.6)

1. A collective decision by a majority of the Board members
2. A collective commitment or promise by a majority of the members to make a positive or negative decision
3. A vote by a majority of the Board members when sitting as the Board upon a motion, proposal, resolution, order, or ordinance

The Board shall not take action by secret ballot, whether preliminary or final. (Government Code 54953)

Actions taken by the Board in open session shall be recorded in the Board minutes. (Education Code 35145)

(cf. 9324 - Minutes and Recordings)

**ACTION ON NON-AGENDA ITEMS**

After publicly identifying the item, the Board may take action on a subject not appearing on the posted meeting agenda under any of the following conditions: (Government Code 54954.2)

1. When a majority of the Board determines that an emergency situation exists, as defined for emergency meetings pursuant to Government Code 54956.5
2. When two-thirds of the members present, or if less than two-thirds of the members are present then by a unanimous vote of all members present, determine that the need to take immediate action came to the District's attention after the agenda was posted
3. When an item appeared on the agenda of, and was continued from, a meeting that occurred not more than five days earlier

## **ACTIONS BY THE BOARD (cont.)**

(cf. 9320 - Meetings and Notices)  
(cf. 9322 - Agenda/Meeting Materials)

### **Challenging Board Actions**

~~The district attorney's office or any interested person may file an action in court to stop or prevent the Board's violation or threats of violations of the Brown Act, to determine the applicability of the Brown Act to ongoing or future threatened board actions, to determine the validity, under California or federal law, of any Board rule or action to penalize any of its members or otherwise discourage the member's expression, or to compel the Board to audio record its closed sessions because of its violation of any applicable Government Code provision. (Government Code 54960)~~

THE DISTRICT ATTORNEY'S OFFICE OR ANY INTERESTED PERSON MAY FILE AN ACTION IN COURT FOR THE PURPOSE OF: (Government Code 54960, 54960.2)

1. STOPPING OR PREVENTING THE BOARD'S VIOLATION OR THREATENED VIOLATION OF THE BROWN ACT
2. DETERMINING THE APPLICABILITY OF THE BROWN ACT TO ONGOING OR FUTURE THREATENED BOARD ACTIONS
3. DETERMINING THE APPLICABILITY OF THE BROWN ACT TO A PAST ACTION OF THE BOARD THAT IS NOT SPECIFIED IN GOVERNMENT CODE 54960.1, PROVIDED THAT:
  - A. WITHIN NINE MONTHS OF THE ALLEGED VIOLATION, A CEASE AND DESIST LETTER IS SUBMITTED TO THE BOARD, CLEARLY DESCRIBING THE PAST BOARD ACTION AND THE NATURE OF THE ALLEGED VIOLATION.
  - B. THE TIME FOR THE BOARD TO RESPOND HAS EXPIRED AND THE BOARD HAS NOT PROVIDED AN UNCONDITIONAL COMMITMENT TO CEASE AND DESIST FROM AND NOT REPEAT THE PAST ACTION ALLEGED TO HAVE VIOLATED THE BROWN ACT.
  - C. THE ACTION IS BROUGHT WITHIN THE TIME REQUIRED BY GOVERNMENT CODE 54960.2.
4. DETERMINING THE VALIDITY, UNDER STATE OR FEDERAL LAW, OF ANY BOARD RULE OR ACTION WHICH PENALIZES ANY OF ITS MEMBERS OR OTHERWISE DISCOURAGES THEIR EXPRESSION
5. COMPELLING THE BOARD TO AUDIO RECORD ITS CLOSED SESSIONS BECAUSE OF A COURT'S FINDING OF THE BOARD'S VIOLATION OF ANY APPLICABLE GOVERNMENT CODE PROVISION



**ACTIONS BY THE BOARD** (cont.)

The district attorney or any interested person may present a demand that the Board cure and correct a Board action which he/she alleges is in violation of law regarding any of the following: (Government Code 54960.1)

1. Open Meeting and Teleconferencing (Government Code 54953)
2. Agenda Posting (Government Code 54954.2)
3. Closed Session Item Descriptions (Government Code 54954.5)
4. New or Increased Tax Assessments (Government Code 54954.6)
5. Special Meetings (Government Code 54956)
6. Emergency Meetings (Government Code 54956.5)

PRIOR TO BRINGING ANY ACTION TO NULLIFY A BOARD ACTION, THE DISTRICT ATTORNEY OR ANY OTHER INTERESTED PERSON SHALL PRESENT A ~~Any~~ demand to "cure and correct" ~~an~~ THE alleged violation. THE DEMAND shall clearly describe the challenged action and the nature of the alleged violation and shall be presented to the Board in writing within 90 days of the date when the action was taken. If the alleged violation concerns action taken in an open session, but in violation of Government Code 54954.2 (Agenda Posting), the written demand must be made within 30 days of the date when the alleged action took place. (Government Code 54960.1)

Within 30 days of receiving the demand, the Board shall do one of the following: (Government Code 54960.1)

1. Cure or correct the challenged action and inform the demanding party in writing of its actions to cure or correct.
2. Determine not to cure or correct the alleged violation and inform the demanding party in writing of its decision to not cure or correct.
3. Take no action. If the Board takes no action within the 30-day review period, its inaction shall be considered a decision not to cure or correct the action.

~~In addition, the district attorney's office or any interested party may file an action in court to determine the applicability of the Brown Act to any past Board action not specified in Government Code 54960.1, if the following conditions are met: (Government Code 54960.2)~~

- ~~1. Within nine months of the alleged violation, a cease and desist letter is submitted to the Board, clearly describing the past Board action and the nature of the alleged violation.~~

**ACTIONS BY THE BOARD (cont.)**

- ~~2. The time for the Board to respond has expired and the Board has not provided an unconditional commitment to cease and desist from and not repeat the past action alleged to have violated the Brown Act.~~

**Legal Reference:**

EDUCATION CODE

15266 School construction bonds  
17466 Declaration of intent to sell or lease real property  
17481 Lease of property with residence for nondistrict purposes  
17510-17512 Leasing for production of gas, resolution requiring unanimous vote  
17546 Private sale of personal property  
17556-17561 Dedication of real property  
35140-35149 Meetings  
35160-35178.4 Powers and duties  
48660-48661 Community day schools, establishment and restrictions

CODE OF CIVIL PROCEDURE

425.16 Special motion to strike in connection with a public issue  
1245.240 Eminent domain vote requirements  
1245.245 Eminent domain, resolution adopting different use

GOVERNMENT CODE

53090-53097.5 Regulation of local agencies by counties and cities  
53724 Parcel tax resolution requirements  
53790-53792 Exceeding the budget  
53820-53833 Temporary borrowing  
53850-53858 Temporary borrowing  
54950-54963 The Ralph M. Brown Act, especially:  
54952.6 Action taken, definition  
54953 Meetings to be open and public; attendance; prohibition against secret ballots  
54960-54960.5 Actions to prevent violations  
65352.2 Coordination with planning agency

PUBLIC CONTRACT CODE

3400 Bid specifications  
20111 Contracts over \$50,000; contracts for construction; award to lowest responsible bidder  
20113 Emergencies, award of contracts without bids  
20114 Repairs, maintenance, and improvements to district facilities by day labor or force account  
22034 Uniform Public Construction Cost Accounting Act informal bidding ordinance  
22035 Repair or replacement of facilities in case of emergency  
22050 Emergency contracting procedures

COURT DECISIONS

Los Angeles Times Communications LLC v. Los Angeles County Board of Supervisors (2003) 112 Cal.App.4th 1313  
McKee v. Orange Unified School District (2003) 110 Cal.App.4th 1310  
Bell v. Vista Unified School District (2002) 82 Cal.App.4th 672  
Boyle v. City of Redondo Beach (1999) 70 Cal.App.4th 1109

**Management Resources:**

CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, 2014

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Local Legislative Bodies, 2003

**ACTIONS BY THE BOARD (cont.)**

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

Open and Public IV: A Guide to the Ralph M. Brown Act 2nd Edition, rev. July 2010

WEBSITES

California School Boards Association: [www.csba.org](http://www.csba.org)

Institute for Local Government: [www.ca-ilg.org](http://www.ca-ilg.org)

Office of the Attorney General: [www.oag.ca.gov](http://www.oag.ca.gov)

**Chino Valley Unified School District**

Bylaw adopted: August 17, 1995

Revised: July 17, 2003

Revised: September 8, 2011

Revised: March 21, 2013

REVISED:

**CHINO VALLEY UNIFIED SCHOOL DISTRICT**

**Our Motto:**

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

**DATE:** April 18, 2019  
**TO:** Members, Board of Education  
**FROM:** Norm Enfield, Ed.D., Superintendent  
**PREPARED BY:** Sandra H. Chen, Associate Superintendent, Business Services  
Liz Pensick, Director, Fiscal 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**

\$5,143,108.18 to all District funding sources.

NE:SHC:LP:wc

**CHINO VALLEY UNIFIED SCHOOL DISTRICT**

**Our Motto:**

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Humility • Civility • Service

**DATE:** April 18, 2019  
**TO:** Members, Board of Education  
**FROM:** Norm Enfield, Ed.D., Superintendent  
**PREPARED BY:** Sandra H. Chen, Associate Superintendent, Business Services  
Liz Pensick, Director, Fiscal 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.

NE:SHC:LP:wc

**CHINO VALLEY UNIFIED SCHOOL DISTRICT**  
**April 18, 2019**

<u>SITE/DEPARTMENT</u>	<u>ACTIVITY/DESCRIPTION</u>	<u>DATE</u>
<b><u>Borba ES</u></b>		
PFA	Festival Night	5/17/19
<b><u>Rhodes ES</u></b>		
PEP Club	Someone Special Luau	4/26/19
<b><u>Woodcrest JHS</u></b>		
ASB	Penny Donation Drive	4/22/19 - 4/29/19
<b><u>Ayala HS</u></b>		
Theatre Arts Boosters	Panera Bread Family Night Out	5/1/19
Computer Science Club	Chipotle Family Night Out	5/21/19
Summer Camp Boosters	Youth Summer Camps	6/5/19 - 6/30/19
Athletics	High School Summer Camps	6/5/19 - 6/30/19
<b><u>Chino HS</u></b>		
Class of 2022	After School Otter Pop Sale	4/19/19 - 5/30/19
Public Service Club	Applebee's Flapjack Breakfast	4/27/19
Clay Club	After School Pottery Sale	5/6/19 - 5/10/19
<b><u>Chino Hills HS</u></b>		
Boys Basketball	Off Campus Krispy Kreme Donut Sale	4/19/19 - 4/26/19
Boys Basketball	Championship T-Shirt Sale	4/19/19 - 5/30/19
Boys Basketball	Yogurtland Spirit Day	4/23/19 - 5/21/19
Spirit Boosters	Project Pie Spirit Night	4/25/19
Boys Basketball	Championship Night @ Roscoe's	5/9/19
Boys Basketball	Chipotle Family Night Out	5/22/19
Boys Basketball	Youth Basketball Camp	6/3/19 - 6/7/19
Football Boosters	Summer Camp	6/3/19 - 6/15/19
Aquatics Boosters	Summer Camp	6/10/19 - 6/30/19
Theatre Club	"Alice in Wonderland" Summer Bridge	6/17/19 - 6/19/19

**CHINO VALLEY UNIFIED SCHOOL DISTRICT**

**Our Motto:**

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Humility • Civility • Service

**DATE:** April 18, 2019  
**TO:** Members, Board of Education  
**FROM:** Norm Enfield, Ed.D., Superintendent  
**PREPARED BY:** Sandra H. Chen, Associate Superintendent, Business Services  
Liz Pensick, Director, Fiscal 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.

NE:SHC:LP:wc

**CHINO VALLEY UNIFIED SCHOOL DISTRICT**  
**April 18, 2019**

<u>DEPARTMENT/SITE DONOR</u>	<u>ITEM DONATED</u>	<u>APPROXIMATE VALUE</u>
<b><u>Cortez ES</u></b>		
Kroger	Cash	\$36.00
<b><u>Townsend JHS</u></b>		
Pepsi Bottling Group	Cash	\$89.00
<b><u>Woodcrest JHS</u></b>		
Southern California Edison	Ice Machine	\$3,200.00
<b><u>Don Lugo HS</u></b>		
Robert Grebel	Cash	\$22.00



**CHINO VALLEY UNIFIED SCHOOL DISTRICT**  
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**DATE:** April 18, 2019

**TO:** Members, Board of Education

**FROM:** Norm Enfield, Ed.D., Superintendent

**PREPARED BY:** Sandra H. Chen, Associate Superintendent, Business Services  
 Liz Pensick, Director, Fiscal 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	2018/2019 YEAR-TO-DATE
Atkinson, Andelson, Loya, Ruud & Romo	-	-	\$ 133,491.73
Fagen Friedman & Fulfroost LLP	-	-	\$ 11,009.63
Margaret A. Chidester & Associates	-	-	\$ 884,404.91
The Tao Firm	March 2019	\$3,587.50	\$ 36,745.00
	<b>Total</b>	<b>\$3,587.50</b>	<b>\$1,065,651.27</b>

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 The Tao Firm.

**FISCAL IMPACT**

\$3,587.50 to the General Fund.

NE:SHC:LP:wc

**CHINO VALLEY UNIFIED SCHOOL DISTRICT**

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**DATE:** April 18, 2019  
**TO:** Members, Board of Education  
**FROM:** Norm Enfield, Ed.D., Superintendent  
**PREPARED BY:** Sandra H. Chen, Associate Superintendent, Business Services  
Liz Pensick, Director, Fiscal Services  
**SUBJECT: RESOLUTION 2018/2019-38 TEMPORARY BORROWING  
BETWEEN FUNDS OF THE SCHOOL DISTRICT**

=====

**BACKGROUND**

The cash flow of revenues for certain funds in the District does not always match the cash flow of expenditures during that year. When a mismatch between receipt of projected revenues and ongoing expenditures occur, it could cause a shortage of cash.

Interfund borrowing is a form of borrowing on a temporary basis between other available funds of the District. Education Code 42603 specifies that the governing board of any school district may direct funds to be temporarily transferred to another fund or account of the District. Interfund borrowing must be repaid in the same fiscal year, or the following year, if borrowing takes place within 120 days of fiscal year end.

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

**RECOMMENDATION**

It is recommended the Board of Education adopt Resolution 2018/2019-38 Temporary Borrowing Between Funds of the School District.

**FISCAL IMPACT**

None.

NE:SHC:LP:wc

**Chino Valley Unified School District  
Resolution 2018/2019-38,  
Resolution to Authorize Temporary Borrowing  
Between Funds of the School District**

**WHEREAS**, the San Bernardino County Treasurer does not have authority to honor warrants drawn on school district funds with insufficient cash balances in the absence of an approved borrowing arrangement with the District;

**WHEREAS**, the Board of Education of any school district may direct that moneys held in any fund or account may be temporarily transferred to another fund or account of the District for payment of obligations as authorized by Education Code 42603;

**WHEREAS**, actual interfund transfers shall be accounted for as temporary loans between funds and shall not be available for appropriation or be considered income to the borrowing fund or account; and

**WHEREAS**, amounts transferred shall be repaid either in the same fiscal year, or in the following fiscal year if the transfer takes place within the final 120 calendar days of a fiscal year.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Board of Education of the Chino Valley Unified School District hereby authorizes, for fiscal year 2019/2020, temporary transfers between the following funds and authorizes the San Bernardino County Treasurer to honor warrants drawn on those funds, regardless of their cash balances, provided the aggregate cash balance of all those funds is positive: All funds.

2. The Board of Education of the Chino Valley Unified School District hereby authorizes the Superintendent or his designee to approve any actual interfund transfers processed between the above-mentioned funds and requires that any actual transfer of funds pursuant to this resolution be ratified by the Board as soon as practicable.

**APPROVED, PASSED, AND ADOPTED** by the Board of Education of the Chino Valley Unified School District this 18<sup>th</sup> day of April 2019.

Blair: \_\_\_\_\_  
Cruz: \_\_\_\_\_  
Gagnier: \_\_\_\_\_  
Na: \_\_\_\_\_  
Schaffer: \_\_\_\_\_

I, Norm Enfield, Ed.D., 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.

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Norm Enfield Ed.D., Superintendent  
Secretary, Board of Education

**CHINO VALLEY UNIFIED SCHOOL DISTRICT**

**Our Motto:**

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Humility • Civility • Service

**DATE:** April 18, 2019  
**TO:** Members, Board of Education  
**FROM:** Norm Enfield, Ed.D., Superintendent  
**PREPARED BY:** Lea Fellows, Assistant Superintendent, Curriculum, Instruction, Innovation, and Support  
**SUBJECT: SCHOOL-SPONSORED TRIPS**

=====

**BACKGROUND**

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

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

**RECOMMENDATION**

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

<b>School-Sponsored Trips</b>	<b>Date</b>	<b>Fiscal Impact</b>
Site: Ayala HS Event: Future Business Leaders of America - 2019 State Conference Place: Sacramento, CA Chaperone: 22 students/2 chaperones	April 25-28, 2019	Cost: \$215.00 per student Funding Source: Parents
Site: Ayala HS Event: Dance Team - Dance Production at Disney World Place: Orlando, FL Chaperone: 10 students/4 chaperones	June 5-12, 2019	Cost: \$2,015.00 per student Funding Source: Parents

Site: Chino HS Event: Girls Basketball - Tournament Place: Las Vegas, NV Chaperone: 14 students/3 chaperones	July 21-23, 2019	Cost: \$150.00 per student Funding Source: Fundraising
Site: Don Lugo HS Event: Future Farmers of America - State Finals Place: San Luis Obispo, CA Chaperone: 4 students/2 chaperones	May 3-5, 2019	Cost: \$100.00 per student Funding Source: Fundraising

**FISCAL IMPACT**

None.

NE:LF:rtr

**CHINO VALLEY UNIFIED SCHOOL DISTRICT**

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**DATE:** April 18, 2019

**TO:** Members, Board of Education

**FROM:** Norm Enfield, Ed.D., Superintendent

**PREPARED BY:** Gregory J. Stachura, Assistant Superintendent, 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**

\$7,517,501.45 to all District funding sources.

NE:GJS:AGH:pw

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**DATE:** April 18, 2019

**TO:** Members, Board of Education

**FROM:** Norm Enfield, Ed.D., Superintendent

**PREPARED BY:** Gregory J. Stachura, Assistant Superintendent, 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.

NE:GJS:AGH:pw

<b>BUSINESS SERVICES</b>	<b>FISCAL IMPACT</b>
<b>B-1819-018 Vavrinek, Trine, Day &amp; Co., LLP.</b> To provide training workshops for parent organizations and booster clubs. Submitted by: Business Services Duration of Agreement: April 19, 2019 - June 30, 2020	Contract amount: Per rate sheet  Funding source: General Fund

<b>CURRICULUM, INSTRUCTION, INNOVATION, AND SUPPORT</b>	<b>FISCAL IMPACT</b>
<b>CIIS-1819-183 ViaTRON.</b> To provide content management integrator & document scanning conversion. Submitted by: Technology Duration of Agreement: June 1, 2019 - June 1, 2020	Contract amount: \$7,832.00  Funding source: General Fund
<b>CIIS-1819-184 CDW-G.</b> To provide protection stops from malware, exploits, and ransomware. Submitted by: Technology Duration of Agreement: April 19, 2019 - May 21, 2021	Contract amount: \$41,460.00  Funding source: General Fund
<b>CIIS-1819-185 Mary C Walls dba Action Driven Inquiry.</b> To provide professional learning sessions to increase learner engagement. Submitted by: Access and Equity Duration of Agreement: May 1, 2019 - June 30, 2020	Contract amount: \$62,000.00  Funding source: Every Student Succeeds/Comprehensive Support and Improvement (CSI) Grant
<b>CIIS-1819-186 Faronics Technologies USA, Inc.</b> To provide computer program for viewing all student use of computer screens. Submitted by: Magnolia JHS Duration of Agreement: May 1, 2019 - May 1, 2020	Contract amount: \$1,374.75  Funding source: General Fund
<b>CIIS-1819-187 Pathways Consultants.</b> To provide web-based access to workforce education and youth development consulting for Generation GO! participants. Submitted by: Alternative Education/Workforce Innovation and Opportunity Act Duration of Agreement: March 11, 2019 - June 11, 2020	Contract amount: \$498.96  Funding source: General Fund
<b>CIIS-1920-001 opentext.</b> To provide fax and RightFax services and maintenance. Submitted by: Technology Duration of Agreement: July 1, 2019 - June 30, 2020	Contract amount: \$4,877.05  Funding source: General Fund
<b>CIIS-1920-002 Solarwinds.</b> To provide network topology mapper service and maintenance. Submitted by: Technology Duration of Agreement: July 1, 2019 - June 30, 2020	Contract amount: \$421.00  Funding source: General Fund
<b>CIIS-1920-003 Tools4ever.</b> To provide service and maintenance for User Management Resource Administrator. Submitted by: Technology Duration of Agreement: July 1, 2019 - June 30, 2020	Contract amount: \$11,650.00  Funding source: General Fund
<b>CIIS-1920-004 Blackboard Inc.</b> To provide CVUSD website and content management system software and web hosting. Submitted by: Technology Duration of Agreement: July 1, 2019 - June 30, 2020	Contract amount: \$41,646.50  Funding source: General Fund



CURRICULUM, INSTRUCTION, INNOVATION, AND SUPPORT	FISCAL IMPACT
<p><b>CIIS-1920-005 806 Technologies, Inc.</b>            To provide documentation compliance tool for Title I monitoring.            Submitted by: Access and Equity            Duration of Agreement: July 1, 2019 - June 30, 2020</p>	<p>Contract amount: \$11,500.00            Funding source: Title I</p>
<p><b>CIIS-1920-006 CDW-G.</b>            To provide software and cloud solution to protect computers and servers.            Submitted by: Technology            Duration of Agreement: July 1, 2019 - June 30, 2020</p>	<p>Contract amount: \$3,748.50            Funding source: General Fund</p>
<p><b>CIIS-1920-007 FastBridge Learning.</b>            To provide universal screening for Multi-Tier System of Support (MTSS) A &amp; B Grades K-8.            Submitted by: Technology            Duration of Agreement: July 1, 2019 - June 30, 2020</p>	<p>Contract amount: \$129,500.00            Funding source: Title I</p>
<p><b>CIIS-1920-008 SHI.</b>            To provide maintenance of backup batteries in the CVUSD data center.            Submitted by: Technology            Duration of Agreement: July 1, 2019 - June 30, 2020</p>	<p>Contract amount: \$14,065.00            Funding source: General Fund</p>
<p><b>CIIS-1920-009 SHI.</b>            To provide software and maintenance for administrator remote access.            Submitted by: Technology            Duration of Agreement: July 1, 2019 - June 30, 2020</p>	<p>Contract amount: \$510.00            Funding source: General Fund</p>
<p><b>CIIS-1920-010 WestED/SVMI Mathematics Network.</b>            To provide professional development in common core standards for mathematics.            Submitted by: Elementary Curriculum &amp; Instruction            Duration of Agreement: July 1, 2019 - June 30, 2020</p>	<p>Contract amount: \$11,000.00            Funding source: LCAP</p>
<p><b>CIIS-1920-011 SHI.</b>            To provide service and maintenance for all network-connected devices, inventory hardware, and software.            Submitted by: Technology            Duration of Agreement: June 30, 2019 - June 30, 2020</p>	<p>Contract amount: \$53,435.40            Funding source: General Fund</p>
<p><b>CIIS-1920-012 Safari Montage.</b>            To provide service and maintenance to servers and disc drivers which hold video library.            Submitted by: Technology            Duration of Agreement: July 1, 2019 - June 30, 2020</p>	<p>Contract amount: \$100,657.60            Funding source: General Fund</p>
<p><b>CIIS-1920-013 Davis Demographics.</b>            To provide subscription renewal for SchoolSite Locator            Submitted by: Technology            Duration of Agreement: July 1, 2019 - June 30, 2020</p>	<p>Contract amount: \$1,395.00            Funding source: General Fund</p>
<p><b>CIIS-1920-014 Sidepath.</b>            To provide maintenance and support for the Aeries load balancers.            Submitted by: Technology            Duration of Agreement: July 1, 2019 - June 30, 2022</p>	<p>Contract amount: \$53,948.00            Funding source: General Fund</p>

<b>CURRICULUM, INSTRUCTION, INNOVATION, AND SUPPORT</b>	<b>FISCAL IMPACT</b>
<b>CIIS-1920-015 AVID Center.</b> To provide Advancement Via Individual Determination (AVID) to elementary and secondary programs. Submitted by: Elementary and Secondary Curriculum Duration of Agreement: July 1, 2019 - June 30, 2020	Contract amount: \$42,616.00  Funding source: LCAP
<b>CIIS-1920-016 ClassLink.</b> To provide service and maintenance for the capability to tie into Google Apps for education. Submitted by: Technology Duration of Agreement: July 1, 2019 - June 30, 2020	Contract amount: \$61,000.00  Funding source: General Fund
<b>CIIS-1920-017 SHI.</b> To provide service and maintenance to onboard managing internet devices. Submitted by: Technology Duration of Agreement: July 1, 2019 - June 30, 2020	Contract amount: \$31,853.80  Funding source: General Fund
<b>CIIS-1920-018 K12 Insight.</b> To provide engagement and customer survey services for school sites. Submitted by: Access and Equity Duration of Agreement: July 1, 2019 - June 30, 2020	Contract amount: \$26,550.00  Funding source: LCAP

<b>FACILITIES, PLANNING, AND OPERATIONS</b>	<b>FISCAL IMPACT</b>
<b>F-1819-057 Elite Modular Leasing &amp; Sales Inc.</b> To provide one year lease of four portable classrooms for Briggs K-8. Submitted by: Facilities, Planning, and Operations Duration of Agreement: May 1, 2019 - April 30, 2020	Contract amount: \$104,044.00  Funding source: Building Fund 21

<b>MASTER CONTRACTS</b>	<b>FISCAL IMPACT</b>
<b>MC-1819-083 Castle Park.</b> To provide amusement/rides. Submitted by: Marshall ES Duration of Agreement: May 23, 2019 - June 30, 2022	Contract amount: Per rate sheet  Funding source: ASB/USB/PFA/PTA/Boosters
<b>MC-1819-084 Mr. Poppers Kettle Korn.</b> To provide kettle corn, funnel cakes, and fresh squeezed lemonade. Submitted by: Chaparral ES Duration of Agreement: April 19, 2019 - June 30, 2020	Contract amount: Per rate sheet  Funding source: ASB/USB/PFA/PTA/Boosters

<b>APPROVED CONTRACT TO BE AMENDED</b>	<b>AMENDMENT</b>
<b>BID 17-18-17F Interactive Flat Panel Displays and Accessories. CDW-G.</b> To provide ViewSonic interactive flat panels, accessories and installation. Submitted by: Purchasing Duration of Agreement: May 4, 2018 - May 3, 2019 Original Agreement Board Approved: May 3, 2018	Contract Amount: Per rate sheet  Funding Source: Various  Extend contract one year through May 3, 2020 with pricing on products remaining the same and a 1.9% increase on installation. The installation increase is due to the District requesting a change to the original installer.

**CHINO VALLEY UNIFIED SCHOOL DISTRICT**

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Humility • Civility • Service

**DATE:** April 18, 2019

**TO:** Members, Board of Education

**FROM:** Norm Enfield, Ed.D., Superintendent

**PREPARED BY:** Gregory J. Stachura, Assistant Superintendent, Facilities, Planning, and Operations

**SUBJECT: SURPLUS/OBSOLETE PROPERTY**

=====

**BACKGROUND**

The Board of Education recognizes that the District may own personal property which is unusable, obsolete, or no longer needed by the District. The Superintendent or designee shall arrange for the sale or disposal of District personal property in accordance with Board policy and the requirements of Education Code 17545.

Lists of surplus items are emailed to the Facilities/Planning Department to be placed on an upcoming Board agenda. After Board approval, items may be picked up by District warehouse or a liquidation company for public auction. Proceeds of the sale are deposited into the General Fund.

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

**RECOMMENDATION**

It is recommended the Board of Education declare the District property surplus/obsolete and authorize staff to sell/dispose of said property.

**FISCAL IMPACT**

Increase to the General Fund from proceeds of sale.

NE:GJS:pw

**CHINO VALLEY UNIFIED SCHOOL DISTRICT  
SURPLUS/OBSOLETE PROPERTY**

April 18, 2019

<u>DESCRIPTION</u>	<u>MAKE/MODEL</u>	<u>I.D./SERIAL</u>	<u>DEPT/SITE</u>
Computer	Mac	23080	Chaparral ES
Computer	Mac	23082	Chaparral ES
Computer	Mac	23048	Chaparral ES
Computer	Mac	23039	Chaparral ES
Computer	Mac	23148	Chaparral ES
Computer	Mac	23012	Chaparral ES
Computer	Mac	23081	Chaparral ES
Computer	Mac	23091	Chaparral ES
Computer	Mac	23010	Chaparral ES
Computer	Mac	23021	Chaparral ES
Computer	Mac	23135	Chaparral ES
Computer	Mac	23010	Chaparral ES
Computer	Mac	23018	Chaparral ES
Computer	Mac	23011	Chaparral ES
Computer	Mac	23099	Chaparral ES
Computer	Mac	23044	Chaparral ES
Computer	Mac	23086	Chaparral ES
Computer	Mac	23062	Chaparral ES
Computer	Mac	23019	Chaparral ES
Computer	Mac	23001	Chaparral ES
Computer	Mac	23013	Chaparral ES
Computer	Mac	23062	Chaparral ES
Computer	Mac	23019	Chaparral ES
Computer	Mac	23001	Chaparral ES
Computer	Mac	23034	Chaparral ES
Computer	Mac	23076	Chaparral ES
Computer	Mac	23022	Chaparral ES
Computer	Mac	23055	Chaparral ES
Computer	Mac	41543	Chaparral ES
Computer	Mac	23139	Chaparral ES
Computer	Mac	23133	Chaparral ES
Computer	Mac	23097	Chaparral ES
Computer	Mac	41547	Chaparral ES
Computer	Mac	23145	Chaparral ES
Computer	Mac	23067	Chaparral ES
Computer	Mac	23058	Chaparral ES
Computer	Mac	23068	Chaparral ES
Computer	Mac	23131	Chaparral ES

<u>DESCRIPTION</u>	<u>MAKE/MODEL</u>	<u>I.D./SERIAL</u>	<u>DEPT/SITE</u>
Computer	Mac	23103	Chaparral ES
Computer	Mac	23051	Chaparral ES
Computer	Mac	23056	Chaparral ES
Computer	Mac	23005	Chaparral ES
Computer	Mac	23059	Chaparral ES
Computer	Mac	23046	Chaparral ES
Computer	Mac	23110	Chaparral ES
Computer	Mac	23138	Chaparral ES
Computer	Mac	23147	Chaparral ES
Computer	Mac	23114	Chaparral ES
Computer	Mac	23136	Chaparral ES
Computer	Mac	23137	Chaparral ES
Computer	Mac	21325	Chaparral ES
Computer	Mac	23050	Chaparral ES
Computer	Mac	23115	Chaparral ES
Computer	Mac	23113	Chaparral ES
Computer	Mac	26923	Chaparral ES
Computer	Mac	26925	Chaparral ES
Computer	Mac	30152	Chaparral ES
Computer	Mac	30165	Chaparral ES
Computer	Mac	30161	Chaparral ES
Computer	Mac	W89161GK4R2	Chaparral ES
Computer	Mac	W89161HX4R2	Chaparral ES
Computer	Mac	30164	Chaparral ES
Computer	Mac	W89161C14R2	Chaparral ES
Computer	Mac	W89161HC4R2	Chaparral ES
Computer	Mac	22972	Chaparral ES
Printer	HP	VNB3Y66850	Chaparral ES
Printer	HP	29893	Chaparral ES
Computer	Mac	23142	Chaparral ES
Computer	Mac	23117	Chaparral ES
Computer	Mac	23024	Chaparral ES
Computer	Mac	23109	Chaparral ES
Computer	Mac	23071	Chaparral ES
Computer	Mac	23036	Chaparral ES
Computer	Mac	23091	Chaparral ES
Computer	Mac	23028	Chaparral ES
Computer	Mac	23040	Chaparral ES
Computer	Mac	23033	Chaparral ES
Computer	Mac	23084	Chaparral ES
Computer	Mac	23064	Chaparral ES
Computer	Mac	23063	Chaparral ES

<u>DESCRIPTION</u>	<u>MAKE/MODEL</u>	<u>I.D./SERIAL</u>	<u>DEPT/SITE</u>
Computer	Mac	23096	Chaparral ES
Computer	Mac	23094	Chaparral ES
Computer	Mac	23060	Chaparral ES
Computer	Mac	23016	Chaparral ES
Computer	Mac	23002	Chaparral ES
Computer	Mac	23098	Chaparral ES
Computer	Mac	23049	Chaparral ES
Computer	Mac	3221 MAC-24 -02	Chaparral ES
Computer	Mac	3221MAC-24-03	Chaparral ES
Computer	Mac	3221MAC-24-04	Chaparral ES
Computer	Mac	3221MAC-24-05	Chaparral ES
Computer	Mac	3221MAC-24-06	Chaparral ES
Computer	Mac	3221MAC-24-01	Chaparral ES
Computer	Mac	23029	Chaparral ES
Computer	Mac	23025	Chaparral ES
Computer	Mac	23111	Chaparral ES
Laptop	Mac	Chaptch1-1646	Chaparral ES
Computer	Mac	23027	Chaparral ES
Computer	Mac	23126	Chaparral ES
Computer	Mac	23077	Chaparral ES
Computer	Mac	23140	Chaparral ES
Computer	Mac	23035	Chaparral ES
Computer	Mac	23083	Chaparral ES
Printer	Epson		Hidden Trails ES
Projector	Dell	32189	Rhodes ES
Computer	Dell	44107	Rhodes ES
Computer	Dell	44106	Rhodes ES
Computer	Dell	44827	Rhodes ES

**CHINO VALLEY UNIFIED SCHOOL DISTRICT**

**Our Motto:**

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

**DATE:** April 18, 2019  
**TO:** Members, Board of Education  
**FROM:** Norm Enfield, Ed.D., Superintendent  
**PREPARED BY:** Gregory J. Stachura, Assistant Superintendent, Facilities, Planning, and Operations  
Anna G. Hamilton, Director, Purchasing  
**SUBJECT: BID 18-19-33F, BORBA ES HVAC RETROFIT**

=====

**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 Bid 18-19-33F, Borba ES HVAC Retrofit was Published in the Inland Valley Daily Bulletin on March 14, 2019, and March 21, 2019. Bids were opened at 10:00 a.m. on April 8, 2019. The results are as follows:

<b>Contractor</b>	<b>Bid Amount</b>
Leading Edge Air Conditioning & Heating	\$267,300.00
RT Contractor Corp.	\$370,000.00
ACS (Air Control Specialties)	\$395,889.00
K&J Air Conditioning	\$495,750.00

The basic scope of work for this project includes removal and disposal of all old HVAC systems and installation of BARD I-Tech H-Series AC Units in Building K & L.

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

**RECOMMENDATION**

It is recommended the Board of Education award Bid 18-19-33F, Borba ES HVAC Retrofit to Leading Edge Air Conditioning & Heating.

**FISCAL IMPACT**

\$267,300.00 to Deferred Maintenance, Fund 14.

**CHINO VALLEY UNIFIED SCHOOL DISTRICT**

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**TO:** Members, Board of Education

**FROM:** Norm Enfield, Ed.D., Superintendent

**PREPARED BY:** Gregory J. Stachura, Assistant Superintendent, Facilities, Planning, and Operations  
Anna G. Hamilton, Director, Purchasing

**SUBJECT: BID 18-19-34F, NEWMAN ES HVAC RETROFIT**

=====

**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 Bid 18-19-34F, Newman ES HVAC Retrofit was Published in the Inland Valley Daily Bulletin on March 14, 2019, and March 21, 2019. Bids were opened at 10:00 a.m. on April 8, 2019. The results are as follows:

<b>Contractor</b>	<b>Bid Amount</b>
Pacific West Industries, Inc.	\$309,000.00
RT Contractor Corp.	\$442,000.00
K&J Air Conditioning	\$468,750.00

The basic scope of work for this project includes removal and disposal of existing HVAC system and installation of new Variable Refrigerant Flow (VRF) system in Buildings C & J.

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

**RECOMMENDATION**

It is recommended the Board of Education award Bid 18-19-34F, Newman ES HVAC Retrofit to Pacific West Industries, Inc.

**FISCAL IMPACT**

\$309,000.00 to Deferred Maintenance Fund 14.

NE:GJS:AGH:pw



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**DATE:** April 18, 2019

**TO:** Members, Board of Education

**FROM:** Norm Enfield, Ed.D., Superintendent

**PREPARED BY:** Gregory J. Stachura, Assistant Superintendent, Facilities, Planning, and Operations  
Anna G. Hamilton, Director, Purchasing

**SUBJECT: BID 18-19-35F, GLENMEADE ES HVAC RETROFIT**

=====

**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 Bid 18-19-35F, Glenmeade ES HVAC Retrofit was Published in the Inland Valley Daily Bulletin on March 14, 2019, and March 21, 2019. Bids were opened at 10:00 a.m. on April 8, 2019. The results are as follows:

Contractor	Bid Amount
Pacific West Industries, Inc.	\$459,000.00
RT Contractor Corp.	\$545,000.00
K&J Air Conditioning	\$621,750.00

The basic scope of work for this project includes removal and disposal of existing HVAC system and installation of new Variable Refrigerant Flow (VRF) system in Buildings C, D, and E.

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

**RECOMMENDATION**

It is recommended the Board of Education award Bid 18-19-35F, Glenmeade ES HVAC Retrofit to Pacific West Industries, Inc.

**FISCAL IMPACT**

\$459,000.00 to Deferred Maintenance Fund 14.

NE:GJS:AGH:pw

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

**DATE:** April 18, 2019

**TO:** Members, Board of Education

**FROM:** Norm Enfield, Ed.D., Superintendent

**PREPARED BY:** Gregory J. Stachura, Assistant Superintendent, Facilities, Planning, and Operations  
Anna G. Hamilton, Director, Purchasing

**SUBJECT: BID 18-19-36F, MAGNOLIA JHS HVAC RETROFIT**

=====

**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 Bid 18-19-36F, Magnolia JHS HVAC Retrofit was Published in the Inland Valley Daily Bulletin on March 14, 2019, and March 21, 2019. Bids were opened at 10:00 a.m. on April 8, 2019. The results are as follows:

Contractor	Bid Amount
RT Contractor Corp.	\$545,000.00
K&J Air Conditioning	\$597,750.00

The basic scope of work for this project includes removal and disposal of existing HVAC system and installation of new Bard I-Tech H-Series AC unit in Room 15 and installation of Variable Refrigerant Flow (VRF) system in Building C.

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

**RECOMMENDATION**

It is recommended the Board of Education award Bid 18-19-36F, Magnolia JHS HVAC Retrofit to RT Contractor Corp.

**FISCAL IMPACT**

\$545,000.00 to Deferred Maintenance Fund 14.

NE:GJS:AGH:pw

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**DATE:** April 18, 2019  
**TO:** Members, Board of Education  
**FROM:** Norm Enfield, Ed.D., Superintendent  
**PREPARED BY:** Gregory J. Stachura, Assistant Superintendent, Facilities, Planning, and Operations  
Anna G. Hamilton, Director, Purchasing  
**SUBJECT: CUPCAA BID 18-19-33I, ROLLING RIDGE ES PLAYGROUND EQUIPMENT INSTALLATION**

=====

**BACKGROUND**

Pursuant to Public Contract Code 22032(b) public projects in the amount of \$200,000.00 or less can be use informal bidding procedures as defined by the Uniform Public Construction Cost Accounting Act.

A Notice to Contractors Calling for Bids for CUPCAA Bid 18-19-33I, Rolling Ridge ES Playground Equipment Installation was emailed on March 13, 2019, to contractors currently listed on the 2019 list of qualified contractors. Bids were opened at 1:00 p.m. on April 3, 2019. The results are as follows:

<b>Contractor</b>	<b>Bid Amount</b>
John Buck dba J2 Builders	\$161,100.00

The basic scope of work for this project includes three (3) playgrounds (kindergarten, primary, and upper). All playgrounds include the removal and disposal of existing equipment, site preparation, and installation of owner provided Miracle Recreation playground equipment in the same location as the existing equipment.

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

**RECOMMENDATION**

It is recommended the Board of Education award CUPCAA Bid 18-19-33I, Rolling Ridge ES Playground Equipment Installation to John Buck dba J2 Builders.

**FISCAL IMPACT**

\$161,100.00 to Building Fund 21.

**CHINO VALLEY UNIFIED SCHOOL DISTRICT**

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**DATE:** April 18, 2019  
**TO:** Members, Board of Education  
**FROM:** Norm Enfield, Ed.D., Superintendent  
**PREPARED BY:** Gregory J. Stachura, Assistant Superintendent, Facilities, Planning, and Operations  
Anna G. Hamilton, Director, Purchasing  
**SUBJECT: CUPCCAA BID 18-19-34I, LITEL ES PLAYGROUND EQUIPMENT INSTALLATION**

=====

**BACKGROUND**

Pursuant to Public Contract Code 22032(b) public projects in the amount of \$200,000.00 or less can be use informal bidding procedures as defined by the Uniform Public Construction Cost Accounting Act.

A Notice to Contractors Calling for Bids for CUPCCAA Bid 18-19-34I, Litel ES Playground Equipment Installation was emailed on March 13, 2019, to contractors currently listed on the 2019 list of qualified contractors. Bids were opened at 1:00 p.m. on April 3, 2019. The results are as follows:

<b>Contractor</b>	<b>Bid Amount</b>
NextGen Construction Inc.	\$159,700.00

The basic scope of work for this project includes two (2) playgrounds (kindergarten and primary). All playgrounds include the removal and disposal of existing equipment, site preparation, and installation of owner provided Miracle Recreation playground equipment in the same location as the existing equipment.

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

**RECOMMENDATION**

It is recommended the Board of Education award CUPCCAA Bid 18-19-34I, Litel ES Playground Equipment Installation to NextGen Construction Inc.

**FISCAL IMPACT**

\$159,700.00 to Building Fund 21.

**CHINO VALLEY UNIFIED SCHOOL DISTRICT**

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Humility • Civility • Service

**DATE:** April 18, 2019

**TO:** Members, Board of Education

**FROM:** Norm Enfield, Ed.D., Superintendent

**PREPARED BY:** Gregory J. Stachura, Assistant Superintendent, Facilities, Planning, and Operations  
Anna G. Hamilton, Director, Purchasing

**SUBJECT: CUPCAA BID 18-19-35I, OAK RIDGE ES PLAYGROUND EQUIPMENT INSTALLATION**

=====

**BACKGROUND**

Pursuant to Public Contract Code 22032(b) public projects in the amount of \$200,000.00 or less can be use informal bidding procedures as defined by the Uniform Public Construction Cost Accounting Act.

A Notice to Contractors Calling for Bids for CUPCAA Bid 18-19-35I, Oak Ridge ES Playground Equipment Installation was emailed on March 13, 2019, to contractors currently listed on the 2019 list of qualified contractors. Bids were opened at 1:00 p.m. on April 3, 2019. The results are as follows:

<b>Contractor</b>	<b>Bid Amount</b>
NextGen Construction Inc.	\$144,800.00

The basic scope of work for this project includes two (2) playgrounds (kindergarten and primary). All playgrounds include the removal and disposal of existing equipment, site preparation, and installation of owner provided Miracle Recreation playground equipment in the same location as the existing equipment.

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

**RECOMMENDATION**

It is recommended the Board of Education award CUPCAA Bid 18-19-35I, Oak Ridge ES Playground Equipment Installation to NextGen Construction Inc.

**FISCAL IMPACT**

\$144,800.00 to Building Fund 21.

**CHINO VALLEY UNIFIED SCHOOL DISTRICT**

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**DATE:** April 18, 2019

**TO:** Members, Board of Education

**FROM:** Norm Enfield, Ed.D., Superintendent

**PREPARED BY:** Gregory J. Stachura, Assistant Superintendent, Facilities, Planning, and Operations

**SUBJECT: NOTICE OF COMPLETION FOR CUPCCAA PROJECTS**

=====

**BACKGROUND**

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

<b>CUPCCAA Project</b>	<b>Project Description</b>	<b>Contractor</b>	<b>Original Quotation</b>	<b>Change Order</b>	<b>Total</b>	<b>Funding Source</b>
CC2019-33	Adult School HVAC Classroom renovations	Carver Air Conditioning	\$44,535.00	N/A	\$44,535.00	11
CC2019-34	Dickey ES Main Gas Line Repair	Sweetwater Plumbing	\$34,702.50	N/A	\$34,702.50	01
CC2019-36	Newman ES Exterior Fascia Painting	Omega Construction Co. Inc.	\$34,850.00	N/A	\$34,850.00	14
CC2019-40	Chino HS Installation of Lochinvar Pool Heater	Horizon Mechanical	\$19,148.00	N/A	\$19,148.00	14

Documentation indicating satisfactory completion and compliance with specifications has been obtained from: school site administrator; Alex Rivera, Project Manager; and Greg Stachura, Assistant Superintendent, Facilities, Planning, and Operations.

Staff recommends approval of the Notice of Completion for these projects.

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

## **RECOMMENDATION**

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

## **FISCAL IMPACT**

\$34,702.50 to General Fund 01.

\$44,535.00 to Adult Education Fund 11.

\$53,998.00 to Deferred Maintenance Fund 14.

NE:GJS:pw

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**DATE:** April 18, 2019

**TO:** Members, Board of Education

**FROM:** Norm Enfield, Ed.D., Superintendent

**PREPARED BY:** Gregory J. Stachura, Assistant Superintendent, Facilities, Planning, and Operations  
Anna G. Hamilton, Director, Purchasing

**SUBJECT: CHANGE ORDER AND NOTICE OF COMPLETION FOR PHASE 3 PROJECT DESIGN AND CONSTRUCTION OF ENERGY EFFICIENCY MEASURES 1, 2, AND 3 AT VARIOUS SITES**

=====

**BACKGROUND**

On February 4, 2016, the Board of Education approved Trane Energy Solutions as its partner for Proposition 39 Consultation, Engineering, and Project Management of Design – Build Energy Efficiency Projects at Various Sites. On February 18, 2016, the Board approved Trane Energy Solutions to proceed with Phase 2 energy efficiency measures (EEM) 1, 2, and 3 at various sites, and on September 7, 2017, the Board approved Trane Energy Solutions to proceed with the implementation of Phase 3 of the (EEM) 1, 2, and 3 at various sites.

During the course of construction, modifications to the original approved plans are made due to unforeseen conditions, revisions, or amended project scope. The following change order has been reviewed and recommended for approval by District staff.

<b>Change Order</b>	<b>Description</b>	<b>Amount</b>
3	Replacement of 149 light fixtures	\$11,820.00
	Previously Approved Change Orders:	(\$46,060.00)
	Original Contract Amount:	\$2,492,870.00
	Revised Total Contract Amount:	\$2,458,630.00
	Retention Amount:	\$122,931.50

The change order results in an increase of \$11,820.00 to the construction cost and no change in contract time. The revised total project cost, including all change orders, is \$2,458,630.00. Approval of the change order will allow for compensation to the contractor for the additional work as described. All contracted work was completed on March 15, 2019. Contract summary is provided below.



Documentation indicating satisfactory completion and compliance with specifications has been obtained from: school site administrators; Carla Kleinjan, Project Manager; James Costa Construction Coordinator; and Greg Stachura, Assistant Superintendent, Facilities, Planning, and Operations.

Staff recommends the approval of the change order and Notice of Completion for this bid. The final retention payment of 5% of the value of work done under this contract shall be made 35 days after the Notice of Completion is recorded with the County Recorder.

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

### **RECOMMENDATION**

It is recommended the Board of Education approve the change order and Notice of Completion for Phase 3 Project Design and Construction of Energy Efficiency Measures 1, 2, and 3 at Various Sites.

### **FISCAL IMPACT**

\$11,820.00 to Prop 39 Fund 01.

NE:GJS:AGH:pw



# Change Order

Southern California Trane  
Tyler Clemmer  
District Manager  
CA State Contractors License # 561796  
Commercial Sales  
Expiration Date: 3/31/19

3253 E. Imperial Hwy.  
Brea, CA 92821  
TEL 626 913-7123  
FAX 626 913-8419

To: Chino Valley USD  
5130 Riverside Dr.  
Chino, CA 91710

Date: 7/27/18

Change Order: 3

Attn: Martin Silveira

Payment Terms: Net 30 Days

Re: **Don Lugo Prop 39 Implementation, Phase III**  
**Trane job no. PID61064**

Subject: Change Order 3

Trane received a change order that included replacing two (2) 1x4 fixtures at Magnolia because the existing lenses were obsolete and either two brittle to re-install or disclosed, having a direct effect on the light level and color. During the installation, we found 147 additional 1x4 fixtures with obsolete lenses. Trane proposes replacing all these fixtures with new surface mounted fixtures, model number WRP-4FT-4000K.

- Magnolia - 147 fixtures

**Total Cost Differential: \$11,820.00**

Respectfully,

*Ron Miller*

Ron Miller  
Project Manager

**ACCEPTANCE: Please sign and return one copy.**

THIS PROPOSAL IS ACCEPTED THIS 28TH DAY OF MARCH, 18 2019

PURCHASE ORDER \_\_\_\_\_ FIRM \_\_\_\_\_

BY [Signature] GREG STACHURA TITLE ASST. SUPT



## Standard Contract Terms and Conditions

**Acceptance.** A proposal made upon these terms is subject to acceptance within thirty days from date and the prices are subject to change without notice prior to acceptance by Customer. If your order is an acceptance of a written proposal, on a form provided by Trane, without the addition of any other terms and conditions of sale or any other modification, this document shall be treated solely as an acknowledgment of such order, subject to credit approval. If your order is not such an acceptance, then this document is Trane's offer, subject to credit approval, to provide the goods and/or Work solely in accordance with the following terms and conditions of sale. If we do not hear from you within two weeks from the date hereof, Trane shall rely upon your silence as an acceptance of these terms and conditions and performance will be made in accordance herewith. Customer's acceptance of goods and/or Work by Trane on this order will in any event constitute an acceptance by Customer of these terms and conditions.

**Contract Price.** The Contract Price includes standard ground transportation and all sales, consumer, use and similar taxes legally enacted as of the date hereof only for equipment and material installed by Trane and labor as required by law. Equipment sold on an uninstalled basis does not include sales tax and applicable taxes will be added.

**Exclusions From Work.** Trane's obligation is limited to the Work as defined and does not include any modifications to the Premises under the Americans With Disabilities Act or any other law or building code(s).

**Construction Procedures.** Trane shall supervise and direct the Work using its best skill and attention and have exclusive control over construction means, methods, techniques, sequences and procedures.

**Payment Terms.** Customer shall pay Trane's invoices within net thirty (30) days of invoice date. Trane may invoice Customer for all equipment or material furnished, whether delivered to the installation site or to an off-site storage facility and for all work performed on-site or off-site. No retention shall be withheld from any payments except as expressly agreed in writing by Trane, in which case retention shall be reduced per the contract documents and released no later than the date of substantial completion. Under no circumstances shall any retention be withheld for the equipment portion of the order. If payment is not received as required hereby, Trane may suspend performance and the time for completion shall be extended for a reasonable period of time not less than the period of suspension. Customer shall be liable to Trane for all reasonable shutdown, standby and start-up costs as a result of the suspension. All amounts outstanding 10 days beyond the due date are subject to a service charge not to exceed 1.5% of the principal amount due or the maximum allowable legal interest rate, retroactive to the due date. Customer shall pay all costs (including attorneys' fees) incurred by Trane in attempting to collect amounts due and otherwise enforcing these terms and conditions.

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

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

**Permits And Governmental Fees.** Trane shall secure (with Customer's assistance) and pay for building and other permits and governmental fees, licenses, and inspections necessary for proper performance and completion of the Work, which are legally required when bids from Trane's subcontractors are received, negotiations thereon concluded, or the effective date of a relevant Change Order, whichever is later. Customer is responsible for necessary approvals, easements, assessments and charges for construction, use or occupancy of permanent structures or for permanent changes to existing facilities.

**Utilities During Construction.** Trane shall be provided without charge all water, heat, and utilities during performance of the Work.

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

**Asbestos And Hazardous Materials.** Trane's Work and other services in connection with this Agreement expressly excludes any identification, abatement, cleanup, control, disposal, removal or other work connected with asbestos, polychlorinated biphenyl ("PCB"), or other hazardous materials (hereinafter, collectively, "Hazardous Materials"). Customer warrants and represents that, except as set forth in a writing signed by Trane, there are no Hazardous Materials on the Premises that will in any way affect Trane's Work and Customer has disclosed to Trane the existence and location of any Hazardous Materials in all areas within which Trane will be performing the Work. Should Trane become aware of or suspect the presence of Hazardous Materials, Trane may immediately stop work in the affected area and shall notify Customer. Customer will be responsible for taking any and all action necessary to correct the condition in accordance with all applicable laws and regulations. Customer shall be exclusively responsible for any claims, including the payment thereof, arising out of or relating to any Hazardous Materials on or about the Premises, not brought onto the Premises by Trane. Trane shall be required to resume performance of the Work in the affected area only in the absence of Hazardous Materials or when the affected area has been rendered harmless. In no event shall Trane be obligated to transport or handle Hazardous Material, to provide any notices to any governmental agency, or to examine the Premises for the presence of Hazardous Materials.

**Conditions Beyond Control Of Parties.** If Trane shall be unable to carry out any material obligation under this Agreement due to events beyond its control, such as acts of God, governmental or judicial authority, insurrections, riots, labor disputes, labor or material shortages, fires, or explosions, this Agreement shall at Trane's election (i) remain in effect but Trane's obligations shall be suspended until the uncontrollable event terminates; or (ii) be terminated upon ten (10) days notice to Customer, in which event Customer shall pay Trane for all parts of the Work furnished to the date of termination.

**Customer's Breach.** Each of the following events or conditions shall constitute a breach by Customer and shall give Trane the right, without an election of remedies, to terminate this Agreement by delivery of written notice declaring termination, upon which event Customer shall be liable to Trane for all Work furnished to date and all damages sustained by Trane (including lost profit and overhead): (1) Any failure by Customer to pay amounts due more than thirty (30) days after the date of the invoice therefor, or (2) Any failure by Customer to perform or comply with any material provision of this Agreement.

**Indemnification.** Trane and Customer shall indemnify, defend and hold each other harmless from any and all claims, actions, costs, expenses, damages and liabilities, including reasonable attorneys' fees, resulting from death or bodily injury or damage to real or personal property, to the extent caused by the negligence or misconduct of their respective employees or other authorized agents in connection with their activities within the scope of this Agreement. However, neither party shall indemnify the other against claims, damages, expenses or liabilities to the extent attributable to the negligence or misconduct of the other party. If the parties are both at fault, the obligation to indemnify shall be proportional to their relative fault. The duty to indemnify will continue in full force and effect, notwithstanding the expiration or early termination hereof, with respect to any claims based on facts or conditions that occurred prior to expiration or termination. Notwithstanding any contrary provision, neither party shall be liable to the other for any special, incidental, consequential or punitive damages.

**Workmanship And Equipment Warranty.** Trane warrants that, for a period of one year from the date of substantial completion (the "Warranty Period"), Trane equipment installed hereunder and Work (i) shall be free from defects in material, manufacture, and workmanship and (ii) shall have the capacities and ratings set forth in Trane's catalogs and bulletins; substantial completion shall be the earlier of the date that the Work is sufficiently complete so that Customer can utilize the Work for its intended use or the date that Customer receives beneficial use of the Work. For Trane equipment not installed by Trane, the Warranty Period is the lesser of 12 months from initial start-up or 18 months from the date of shipment. If such defect is discovered within the Warranty Period, Trane will correct the defect or furnish replacement equipment (or, at its option, parts therefor) and, if said equipment was installed pursuant hereto, labor associated with the replacement of parts or equipment not conforming to this warranty. No liability whatever shall attach to Trane until said equipment and Work have been paid for in full and then said liability shall be limited to Trane's cost to correct the defective Work and/or the purchase price of the equipment shown to be defective. Equipment and/or parts that are not manufactured by Trane are not warranted by Trane and have such warranties as may be extended by the respective manufacturer. Trane's warranties expressly exclude any remedy for damage or defect caused by corrosion, erosion, or deterioration, abuse, modifications or repairs not performed by Trane, improper operation, or normal wear and tear under normal usage. Trane shall not be obligated to pay for the cost of lost refrigerant.

**THE WARRANTY AND LIABILITY SET FORTH IN THE PRECEDING PARAGRAPH ARE IN LIEU OF ALL OTHER WARRANTIES AND LIABILITIES, WHETHER IN CONTRACT OR IN NEGLIGENCE, EXPRESS OR IMPLIED, IN LAW OR IN FACT, INCLUDING IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR USE OR FITNESS FOR A PARTICULAR PURPOSE. IN NO EVENT SHALL TRANE BE LIABLE FOR ANY INCIDENTAL, CONSEQUENTIAL, OR PUNITIVE DAMAGES.**

**Applicable Law.** This Agreement is made and shall be interpreted and enforced in accordance with the laws of the State of Minnesota.

**Assignment.** Customer may not assign, transfer, or convey this Agreement, or any part hereof, or its right, title or interest herein, without the written consent of Trane. Subject to the foregoing, this Agreement shall be binding upon and inure to the benefit of Customer's successors and assigns.

Page 3 of 3

**Complete Agreement.** This Agreement shall constitute the entire Agreement between both parties and this Agreement may not be amended, modified or terminated except by a writing signed by the parties hereto. No documents shall be incorporated herein by reference except to the extent Trane is a signatory thereon.

**The Trane Company**

1-26.251-10--(Back)--(1297)  
Supersedes 1-26.251-10--(Back)--(795)

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

**DATE:** April 18, 2019

**TO:** Members, Board of Education

**FROM:** Norm Enfield, Ed.D., Superintendent

**PREPARED BY:** Richard Rideout, Assistant Superintendent, Human Resources  
Frank Arce, Director, Human Resources  
Isabel Brenes, Director, Human Resources

**SUBJECT: CERTIFICATED/CLASSIFIED PERSONNEL ITEMS**

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**BACKGROUND**

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

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

**RECOMMENDATION**

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

**FISCAL IMPACT**

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

NE:RR:FA:IB:mcm

**CERTIFICATED PERSONNEL**

<b><u>NAME</u></b>	<b><u>POSITION</u></b>	<b><u>LOCATION</u></b>	<b><u>EFFECTIVE DATE</u></b>
<b><u>HIRED AT THE APPROPRIATE PLACEMENT ON THE CERTIFICATED MANAGEMENT SALARY SCHEDULE AND APPROPRIATE CREDENTIAL FOR THE 2019/2020 SCHOOL YEAR</u></b>			

WARNER, Laurie	Coordinator, Charter Schools	Curriculum, Instruction, Innovation, and Support	07/01/2019
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**HIRED AT THE APPROPRIATE PLACEMENT ON THE CERTIFICATED SALARY SCHEDULE AND APPROPRIATE CREDENTIAL FOR THE 2018/2019 SCHOOL YEAR**

KEUROGHELIAN, Shant	Band Teacher	Ayala HS	04/22/2019
MOSQUEDA, Ashley	Counselor	Ayala HS	04/22/2019

**RETIREMENT**

EVERHART, Helene (30 years of service)	Elementary Teacher	Eagle Canyon ES	06/01/2019
HAGAR, Martha (22 years of service)	Elementary Teacher	Hidden Trails ES	06/01/2019
EINSPAHR, Pamela (21 years of service)	Elementary Teacher	Oak Ridge ES	06/01/2019
CHICK, Robin (31 years of service)	Elementary Teacher	Oak Ridge ES	06/01/2019
LYALL, Heidi (25 years of service)	Elementary Teacher	Wickman ES	06/01/2019
TOBIAS, Terri (6 years of service)	Elementary Teacher	Wickman ES	06/01/2019
AKER, Carol (30 years of service)	PE Teacher	Canyon Hills JHS	06/01/2019
FEWINS, Nancy (36 years of service)	TOA – Instructional Coach	Access & Equity	06/01/2019
RICH, Nancy (30 years of service)	Music Teacher	Access & Equity	06/30/2019
LUSTRO, Sharon (10 years of service)	ESL Teacher	Adult School	06/01/2019
ASTUDILLO, Claudia (20 years of service)	Speech and Language Pathologist	Special Education	06/01/2019

**RESIGNATION**

ACEVEDO, Fiorella	Intervention Teacher on Leave of Absence	Dickson ES	06/30/2019
BALDERRAMA, Donald	ESL Teacher (hourly)	Adult School	05/30/2019
PEERY, Holly	ESL Teacher (hourly)	Adult School	05/30/2019

**CERTIFICATED PERSONNEL** (cont.)

<b><u>NAME</u></b>	<b><u>POSITION</u></b>	<b><u>LOCATION</u></b>	<b><u>EFFECTIVE DATE</u></b>
<b><u>APPOINTMENT - EXTRA DUTY</u></b>			
BEAUDION, Joseph (NBM)	Football (B)	Chino HS	04/19/2019
MURILLO, Daniel (NBM)	Football (B)	Chino HS	04/19/2019
VASQUEZ, George (NBM)	Football (B)	Chino Hills HS	04/19/2019

**APPOINTMENT – SUMMER SCHOOL TEACHERS – EXTENDED SCHOOL YEAR**

BORCHARDT, Paige	M/M 4 <sup>th</sup> – 6 <sup>th</sup> Grade	Newman ES	06/05/2019
BROWN, Steven	M/M 4 <sup>th</sup> – 6 <sup>th</sup> Grade	Newman ES	06/05/2019
CELIS, Adelina	M/M 1 <sup>st</sup> – 3 <sup>rd</sup> Grade	Newman ES	06/05/2019
DEL ROSARIO, Michael	M/M 4 <sup>th</sup> – 6 <sup>th</sup> Grade	Newman ES	06/05/2019
DELORIA, Denise	M/M K – 1 <sup>st</sup> Grade	Newman ES	06/05/2019
ESCOBEDO, Maggie	Autism K – 1 <sup>st</sup> Grade	Newman ES	06/05/2019
GONZALES, Denise	Autism K – 1 <sup>st</sup> Grade	Newman ES	06/05/2019
HIGA, Christine	M/M 1 <sup>st</sup> – 3 <sup>rd</sup> Grade	Newman ES	06/05/2019
KAHN, Bruce	M/M 4 <sup>th</sup> – 6 <sup>th</sup> Grade	Newman ES	06/05/2019
MCGEE, Sarah	M/M 4 <sup>th</sup> – 6 <sup>th</sup> Grade	Newman ES	06/05/2019
MORALES, Dana	Autism 1 <sup>st</sup> – 3 <sup>rd</sup> Grade	Newman ES	06/05/2019
SAITO, Steven	Autism 4 <sup>th</sup> – 6 <sup>th</sup> Grade	Newman ES	06/05/2019
TICKENOFF, Jill	M/M 1 <sup>st</sup> – 3 <sup>rd</sup> Grade	Newman ES	06/05/2019
GRISSOM, Austin	M/S K – 3 <sup>rd</sup> Grade	Walnut ES	06/05/2019
HAYS, Kristi	M/S Pre. K	Walnut ES	06/05/2019
SAGER, Bonnie	M/S 4 <sup>th</sup> – 6 <sup>th</sup> Grade	Walnut ES	06/05/2019
CUADRAS, Cori	M/S Adult Transition	Ayala HS	06/05/2019
ESSIG, Kristyn	M/S 7 <sup>th</sup> – 8 <sup>th</sup> Grade	Ayala HS	06/05/2019
KNIGHT, Kristen	M/S Adult Transition	Ayala HS	06/05/2019
LEMEN, Matthew	M/S 9 <sup>th</sup> – 12 <sup>th</sup> Grade	Ayala HS	06/05/2019
OLIVAS, Miranda	M/S 9 <sup>th</sup> – 12 <sup>th</sup> Grade	Ayala HS	06/05/2019
ARMIJO, Michelle	M/M 8 <sup>th</sup> Grade	Don Lugo HS	06/05/2019
CARLOS, Clarita	M/M Intervention ELA 9 <sup>th</sup> – 12 <sup>th</sup> Grade	Don Lugo HS	06/05/2019
GREGORY, Nikki	M/M 7 <sup>th</sup> Grade	Don Lugo HS	06/05/2019
SHARP, Erin	M/M Intervention Math 9 <sup>th</sup> – 12 <sup>th</sup> Grade	Don Lugo HS	06/05/2019
UY, Erika	M/M Study Skills 9 <sup>th</sup> – 12 <sup>th</sup> Grade	Don Lugo HS	06/05/2019
FIANDACA, Tony	Adaptive P.E.	Newman ES Walnut ES Ayala HS Don Lugo HS	06/05/2019

**CERTIFICATED PERSONNEL** (cont.)

<b><u>NAME</u></b>	<b><u>POSITION</u></b>	<b><u>LOCATION</u></b>	<b><u>EFFECTIVE DATE</u></b>
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**APPOINTMENT – SUMMER SCHOOL TEACHERS – EXTENDED SCHOOL YEAR** (cont.)

FREDERICKS, Kathryn	Adaptive P.E.	Newman ES Walnut ES Ayala HS	06/05/2019
REYES, Traci	Psychologist	Don Lugo HS Newman ES Walnut ES Ayala HS Don Lugo HS	06/05/2019
SANCHEZ, Gerard	Psychologist	Newman ES Walnut ES Ayala HS Don Lugo HS	06/05/2019
WOOLERY, Deborah	Speech/Language	Newman ES Walnut ES Ayala HS Don Lugo HS	06/05/2019

**APPOINTMENT OF CERTIFICATED SUBSTITUTES EFFECTIVE JULY 1, 2018, THROUGH  
JUNE 30, 2019**

ANTUNA, Charles HALL, Megan KLEPPE, Lee	CALLES, Scott INIGUEZ, Pablo	GARCIA-ROLON, Lisandra KIRWAN, Holly
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**CLASSIFIED PERSONNEL**

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

CASILLAS, Sylvia	IA/Special Education/SH (SELPA/GF)	Rolling Ridge ES	04/22/2019
PALACIOS, Christina	Nutrition Services Assistant I (NS)	Wickman ES	04/22/2019
SIRIBAN, Ethel	Playground Supervisor (GF)	Cal Aero K-8	04/22/2019
MISSERI, Monica	IA/Special Education (SELPA/GF)	Magnolia JHS	04/22/2019
KORVER, Kayla	Nutrition Services Assistant II (NS)	Chino HS	04/22/2019
GONZALEZ, Obdulia	Nutrition Services Roving Asst. (NS)	Nutrition Services	04/22/2019

**PROMOTION**

KUHNS, Richelle	FROM: IA/Special Education (SELPA/GF) 5 hrs./181 work days	Cattle ES	04/29/2019
	TO: High School Receptionist (GF) 8 hrs./200 work days	Chino HS	

**APPOINTMENT - SUPPLEMENTAL INSTRUCTION - SUMMER SCHOOL**

FEHLOW, Deborah	Nutrition Services Manager I (SS)	Newman ES	06/06/2019
HOHALEK, Kaitlynn	School Secretary I (SS)	Newman ES	06/05/2019
HORSLEY-SUAREZ, Jane	Health Technician (SS)	Newman ES	06/05/2019
DELROSARIO, Michelle	Custodian I (SS)	Walnut ES	06/06/2019
FOGLESONG, Rebecca	Nutrition Services Manager I (SS)	Walnut ES	06/06/2019
PEREZ, Ranelle	School Secretary I (SS)	Walnut ES	06/05/2019
GUZMAN, Guadalupe	Security Person (SS)	Ayala HS	06/10/2019
KUHNS, Richelle	School Secretary I (SS)	Ayala HS	06/05/2019
MELENDEZ, Joy	Health Technician (SS)	Ayala HS	06/05/2019
REZA, Shirley	Custodian I (SS)	Ayala HS	06/06/2019
VILLEGAS, Wendy	Secondary Library/Media Center Assistant (SS)	Ayala HS	05/20/2019
CASTILLO BIZARRON, Arely	School Secretary I (SS)	Buena Vista HS	06/05/2019
KOMORA, Lisa	Nutrition Services Manager II (SS)	Buena Vista HS	06/06/2019
ELLSWORTH, Judy	Health Technician (SS)	Chino HS	06/05/2019
FREEMAN, Sandra	School Secretary I (SS)	Chino HS	06/05/2019
MEDINA, Blanca	Custodian I (SS)	Chino HS	06/06/2019
NIXON, Angie	Secondary Library/Media Center Assistant (SS)	Chino HS	05/20/2019
RAGAY, Vivian	High School Receptionist (SS)	Chino HS	06/05/2019
THURLO, David	Security Person (SS)	Chino HS	06/10/2019
XAVIER, Kristine	Nutrition Services Manager II (SS)	Chino HS	06/06/2019
CASTILLO, Diane	Health Technician (SS)	Chino Hills HS	06/05/2019

**CLASSIFIED PERSONNEL** (cont.)

<b><u>NAME</u></b>	<b><u>POSITION</u></b>	<b><u>LOCATION</u></b>	<b><u>EFFECTIVE DATE</u></b>
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**APPOINTMENT - SUPPLEMENTAL INSTRUCTION - SUMMER SCHOOL** (cont.)

GONZALES, Gregory	Nutrition Services Manager II (SS)	Chino Hills HS	06/06/2019
GRIJALVA, Jonathan	School Secretary I (SS)	Chino Hills HS	06/05/2019
GUTIERREZ, Gabriel D.	Security Person (SS)	Chino Hills HS	06/10/2019
LOPEZ, Elizabeth	High School Receptionist (SS)	Chino Hills HS	06/05/2019
BAEZA, Lourdes	School Secretary I (SS)	Don Lugo HS	06/05/2019
BOYER, Deanna	Secondary Library/Media Center Assistant (SS)	Don Lugo HS	05/20/2019
CERDA, Misty	Health Technician (SS)	Don Lugo HS	06/05/2019
DAVIS, Donald	Security Person (SS)	Don Lugo HS	06/10/2019
NAVARRO, Cherrish	High School Receptionist (SS)	Don Lugo HS	06/05/2019
VELHAGEN-DIZON, Claire	Nutrition Services Manager II (SS)	Don Lugo HS	06/06/2019
WILEY, Jason	Custodian I (SS)	Don Lugo HS	06/06/2019

**PLACED ON 39-MONTH RE-EMPLOYMENT LIST**

MERCADO, Melissa	Registrar (ASF)	Adult School	04/02/2019
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**RETIREMENT**

CHELINE, Marylynne (12 Years of Service)	Payroll Clerk III (GF)	Business Services	06/29/2019
BONDE, Nicole (2 Years of Service)	Elementary Library/Media Center Assistant (C/GF) and Playground Supervisor (GF)	Walnut ES	05/31/2019
TOOLEY, Pearl (14 Years of Service)	IA/Special Education/SH (SELPA/GF)	Chino Hills HS	05/02/2019
GONZALEZ, Marisela (17 Years of Service)	Administrative Secretary I (GF)	Elementary Curriculum	07/01/2019

**RESIGNATION**

KECK, Amanda	IA/Childhood Education (CDF)	Oak Ridge FC	04/08/2019
BORCHARDT, Dan	Bus Driver (GF)	Transportation	04/23/2019

**APPOINTMENT OF SHORT TERM EMPLOYEES EFFECTIVE APRIL 1, 2019, THROUGH JUNE 30, 2019**

ORTEGA, Victoria	IA/Special Education/Collab.	Cal Aero K-8	
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**CLASSIFIED PERSONNEL** (cont.)

<b><u>NAME</u></b>	<b><u>POSITION</u></b>	<b><u>LOCATION</u></b>	<b><u>EFFECTIVE DATE</u></b>
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**APPOINTMENT OF CLASSIFIED SUBSTITUTES EFFECTIVE JULY 1, 2018, THROUGH JUNE 30, 2019**

AMOS, Catherine	BLOM, Heather	FREGOSO, Phoebe
GUPTA, Kriti	LOPEZ, Judith	MAJOWICZ, Martha
ORODPOUR, Kristi	SALAZAR, Amanda	SOLORZANO, Annete
TORENO, Brooke		

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

**Chino Valley Unified School District**

**Our Motto:**

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

**DATE:** April 18, 2019

**TO:** Members, Board of Education

**FROM:** Norm Enfield, Ed.D., Superintendent

**PREPARED BY:** Lea Fellows, 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**

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**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 0460 Philosophy, Goals, Objectives and Comprehensive Plans – Local Control and Accountability Plan are being revised to reflect new law (AB 2878) which expands the state priority involvement that must be addressed in the Local Control and Accountability Plan (LCAP) to include family engagement. Policy also reflects new law (AB 1808) which requires consultation on plan development with special education plan administrator(s) and, by July 1, 2019, requires districts to develop a local control funding formula budget overview for parents/guardians in conjunction with the LCAP.

Policy reflects new law (AB 1840) which requires the State Board of Education to expand the LCAP template by January 31, 2020, to include specified information. Section on "Technical Assistance/Intervention" updated to reflect AB 1808 which establishes a single statewide system of support for districts and schools, and AB 1840 which provides that a district receiving an emergency apportionment will be deemed to have been referred to the California Collaborative for Educational Excellence. Regulation updated to reflect AB 1840 which requires data in the LCAP to be reported in a manner consistent with the California School Dashboard and requires districts to post their LCAP prominently on the homepage of their website. Section on "Annual Updates" deleted since the annual updates follow the same process and adhere to the same template as the initial LCAP.

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.

NE:LF:rtr

## **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 comprehensive, data-driven planning process shall be used to identify annual goals and specific actions WHICH ARE ALIGNED WITH THE DISTRICT BUDGET 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), based on the template adopted by the State Board of Education (SBE), 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" or are part of any numerically significant student subgroup that is at risk of or is underperforming.

Unduplicated students include students who are eligible for free or reduced-price meals, English learners, and foster youth, as defined in Education Code 42238.01 for purposes of the local control funding formula (LCFF). (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, STUDENTS WITH DISABILITIES, 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 52052)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)  
(cf. 6173 - Education for Homeless Children)

The Superintendent or designee shall review the ~~Single~~ SCHOOL 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)

**LOCAL CONTROL AND ACCOUNTABILITY PLAN (cont.)**

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

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

AS PART OF THE LCAP ADOPTION AND ANNUAL UPDATE TO THE LCAP, THE BOARD SHALL SEPARATELY ADOPT AN LCFF BUDGET OVERVIEW FOR PARENTS/GUARDIANS, BASED ON THE TEMPLATE DEVELOPED BY THE SBE, WHICH INCLUDES SPECIFIED INFORMATION RELATING TO THE DISTRICT'S BUDGET. THE BUDGET OVERVIEW SHALL BE ADOPTED, REVIEWED, AND APPROVED IN THE SAME MANNER AS THE LCAP AND THE ANNUAL UPDATE. (Education Code 52064.1)

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)

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

**LOCAL CONTROL AND ACCOUNTABILITY PLAN (cont.)****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~~ parentS/guardianS of an unduplicated studentS 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 TO REVIEW AND COMMENT ON THE LCAP. (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)

AS PART OF THE PARENT/GUARDIAN AND COMMUNITY ENGAGEMENT PROCESS, THE DISTRICT SHALL SOLICIT INPUT ON EFFECTIVE AND APPROPRIATE INSTRUCTIONAL METHODS, INCLUDING, BUT NOT LIMITED TO, ESTABLISHING LANGUAGE ACQUISITION PROGRAMS TO ENABLE ALL STUDENTS, INCLUDING ENGLISH LEARNERS AND NATIVE ENGLISH SPEAKERS, TO HAVE ACCESS TO THE CORE ACADEMIC CONTENT STANDARDS AND TO BECOME PROFICIENT IN ENGLISH. (Education Code 305-306)

THE SUPERINTENDENT OR DESIGNEE SHALL CONSULT WITH THE ADMINISTRATOR(S) OF THE SPECIAL EDUCATION LOCAL PLAN AREA OF WHICH THE DISTRICT IS A MEMBER TO ENSURE THAT SPECIFIC ACTIONS FOR STUDENTS WITH DISABILITIES ARE INCLUDED IN THE LCAP AND ARE CONSISTENT WITH STRATEGIES INCLUDED IN THE ANNUAL ASSURANCES SUPPORT PLAN FOR THE EDUCATION OF STUDENTS WITH DISABILITIES. (Education Code 52062)

(cf. 0430 - Comprehensive Local Plan for Special Education)



## **LOCAL CONTROL AND ACCOUNTABILITY PLAN (cont.)**

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

(cf. 9320 - Meetings and Notices)

### **Adoption of the Plan**

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

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

### **Submission of Plan to County Superintendent of Schools**

Not later than five days after adoption of the LCAP, THE DISTRICT BUDGET, AND THE BUDGET OVERVIEW FOR PARENTS/GUARDIANS, the Board shall file the LCAP, THE BUDGET, AND THE BUDGET OVERVIEW with the County Superintendent of Schools. (Education Code 42127, 52064.1, 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)

IF THE COUNTY SUPERINTENDENT DOES NOT APPROVE THE DISTRICT'S LCAP, THE BOARD SHALL ACCEPT TECHNICAL ASSISTANCE FROM THE COUNTY SUPERINTENDENT FOCUSED ON REVISING THE PLAN SO THAT IT CAN BE APPROVED. (Education Code 52071)

### **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~~ THE SUPERINTENDENT 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 reported on the California School Dashboard. Evaluation Data SHALL be used to recommend any necessary revisions to the LCAP.

**LOCAL CONTROL AND ACCOUNTABILITY PLAN (cont.)**

(cf. 0500 - Accountability)

**Technical Assistance/Intervention**

~~When it is in the best interest of the District~~ AT ITS DISCRETION, 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 ~~YING~~ of District strengths and weaknesses in regard to state priorities, ~~WHICH INCLUDES and THE review OF PERFORMANCE DATA ON THE STATE AND LOCAL INDICATORS INCLUDED IN THE DASHBOARD AND OTHER RELEVANT LOCAL DATA, AND IN IDENTIFYING of effective, evidence-based programs OR PRACTICES that apply ADDRESS to the District's goals~~ ANY AREAS OF WEAKNESS.
2. Assistance from an academic, PROGRAMMATIC, OR FISCAL expert, OR team of academic experts, ~~or another district in the county~~ in identifying and implementing effective programs AND PRACTICES THAT ARE DESIGNED to improve the outcomes for student subgroups PERFORMANCE IN ANY IDENTIFIED AREAS OF WEAKNESS. THE DISTRICT MAY ENGAGE OTHER SERVICE PROVIDERS, INCLUDING, BUT NOT LIMITED TO, OTHER SCHOOL DISTRICTS, COUNTY OFFICES OF EDUCATION, OR CHARTER SCHOOLS, TO PROVIDE SUCH ASSISTANCE.
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 BASED ON ONE OR MORE NUMERICALLY SIGNIFICANT STUDENT SUBGROUPS MEETING THE CRITERIA ESTABLISHED pursuant to Education Code ~~52074~~ 52064.5, the Board shall ~~review all recommendations received from~~ WORK WITH the County Superintendent, or ~~other advisor~~ ANOTHER SERVICE PROVIDER AT DISTRICT EXPENSE, and shall ~~consider~~ PROVIDE revisions to the COUNTY SUPERINTENDENT LCAP as appropriate in accordance with the process specified in ~~Education Code 52062~~ TIMELY DOCUMENTATION OF THE DISTRICT'S COMPLETION OF THE ACTIVITIES LISTED IN ITEMS #1-2 ABOVE OR SUBSTANTIALLY SIMILAR ACTIVITIES. (Education Code 52071)

IF REFERRED TO THE CALIFORNIA COLLABORATIVE FOR EDUCATIONAL EXCELLENCE BY EITHER THE COUNTY SUPERINTENDENT OR THE SUPERINTENDENT OF PUBLIC INSTRUCTION (SPI), THE DISTRICT SHALL IMPLEMENT THE RECOMMENDATIONS OF THAT AGENCY IN ORDER TO ACCOMPLISH THE GOALS SET FORTH IN THE DISTRICT'S LCAP. (Education Code 52071, 52074)

**LOCAL CONTROL AND ACCOUNTABILITY PLAN (cont.)**

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

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

41320-41322 Emergency apportionments

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 Numerically significant student subgroups

52059.5 Statewide system of support

52060-52077 Local control and accountability plan

52302 Regional occupational centers and programs

52372.5 Linked learning 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

64001 Single plan for student achievement

99300-99301 Early Assessment Program

WELFARE AND INSTITUTIONS CODE

300 Dependent child of the court

CODE OF REGULATIONS, TITLE 5

15494-15497 Local control and accountability plan and spending requirements

UNITED STATES CODE, TITLE 20

6312 Local educational agency plan

6826 Title III funds, local plans

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

The California School Dashboard and Small Districts, October 2018

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

LCFF Rubrics, Issue 1: What Boards Need to Know About the New Rubrics, Governance Brief, rev. October 2016

**LOCAL CONTROL AND ACCOUNTABILITY PLAN (cont.)**

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

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](http://www.csba.org)

California Department of Education: [www.cde.ca.gov](http://www.cde.ca.gov)

California School Dashboard: [www.caschooldashboard.org](http://www.caschooldashboard.org)

**Chino Valley Unified School District**

Policy adopted: August 7, 2014

Revised: April 7, 2016

Revised: September 7, 2017

Revised: December 14, 2017

REVISED:

## **LOCAL CONTROL AND ACCOUNTABILITY PLAN**

### **Goals and Actions Addressing State and Local Priorities**

The District's Local Control and Accountability Plan (LCAP) AND ANNUAL UPDATES 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 AND FAMILY ENGAGEMENT, 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) 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
  - (3) The percentage of English learners who make progress toward English proficiency as measured by the SBE-certified assessment of English proficiency
  - (4) The English learner reclassification rate
  - (5) The percentage of students who have passed an Advanced Placement examination with a score of 3 or higher
  - (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~~ THE CALIFORNIA SCHOOL DASHBOARD. (Education Code 52060)

**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 GRANT 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 SUCH 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.

**Annual Updates**

~~On or before July 1 of each year, the LCAP shall be updated using the template 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 PROMINENTLY post the LCAP, and any updates or revisions to the LCAP, AND THE LCFF BUDGET OVERVIEW FOR PARENTS/GUARDIANS on the HOMEPAGE OF THE District's website. (Education Code 52064.1, 52065)

(cf. 1113 - District and School Websites)

**Chino Valley Unified School District**

Regulation approved: March 17, 2016

Revised: November 16, 2017

REVISED:

**CHINO VALLEY UNIFIED SCHOOL DISTRICT**

**Our Motto:**

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

**DATE:** April 18, 2019

**TO:** Members, Board of Education

**FROM:** Norm Enfield, Ed.D., Superintendent

**PREPARED BY:** Grace Park, Ed.D., Associate Superintendent, Curriculum, Instruction, Innovation, and Support  
Tracy Freed, Ed.D., Director, Assessment and Instructional Technology

**SUBJECT: REVISION OF BOARD POLICY 6162.5 INSTRUCTION – STUDENT ASSESSMENT**

=====

**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 6162.5 Instruction – Student Assessment is being updated to reflect new law, Assembly Bill 1035, which addresses the use and purpose of interim and formative assessments that are part of the California Assessment of Student Performance and Progress, prohibits their use for high-stakes purposes as defined, and requires that teachers who administer the assessments have access to all pertinent functions and information.

New language is provided in UPPERCASE.

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

**RECOMMENDATION**

It is recommended the Board of Education receive for information the revision of Board Policy 6162.5 Instruction – Student Assessment.

**FISCAL IMPACT**

None.

NE:GP:TF:smr

**STUDENT ASSESSMENT**

The Board of Education recognizes that student assessments are an important instructional and accountability tool. To obtain the most accurate evaluation of student performance, the District shall use a variety of measures, including District, state, and/or national assessments.

(cf. 6162.51 - State Academic Achievement Tests)

Assessment data shall be used to help determine individual students' progress, mastery of academic standards, appropriate placement in District programs, and/or eligibility for graduation. In addition, summary data on student assessment results shall be used by the District to identify and review student achievement goals in the District's Local Control and Accountability Plan and evaluate District educational programs.

(cf. 0460 - Local Control and Accountability Plan)  
(cf. 0500 - Accountability)  
(cf. 2140 - Evaluation of the Superintendent)  
(cf. 4115 - Evaluation/Supervision)  
(cf. 4315 - Evaluation/Supervision)  
(cf. 5121 - Grades/Evaluation of Student Achievement)  
(cf. 5123 - Promotion/Acceleration/Retention)  
(cf. 6011 - Academic Standards)  
(cf. 6142.7 - Physical Education and Activity)  
(cf. 6190 - Evaluation of the Instructional Program)

In selecting or developing a District assessment, the Superintendent or designee shall examine evidence of its reliability, its validity for the intended purpose and for various student populations, and the extent to which it aligns with material that is being taught.

The Superintendent or designee shall ensure that assessments are administered in accordance with law and the test publisher's directions, and that test administration procedures are fair and equitable for all students.

(cf. 0410 - Nondiscrimination in District Programs and Activities)  
(cf. 6162.54 - Test Integrity/Test Preparation)

As appropriate, assessment results shall be disaggregated by student subgroup, classroom, grade level, or school site to allow for critical analysis of student needs.

(cf. 3553 - Free and Reduced Price Meals)

The Superintendent or designee shall provide professional development as needed to assist administrators, and teachers in interpreting and using assessment data to improve student performance and the instructional program.

(cf. 4131/4313 - Staff Development)

**STUDENT ASSESSMENT (cont.)**

When districtwide and school-level results of student assessments are published by the state, the Superintendent or designee may provide supplementary information to assist parents/guardians and the community in understanding test results.

(cf. 0510 - School Accountability Report Card)

**INTERIM AND FORMATIVE ASSESSMENTS**

STATE INTERIM AND FORMATIVE ASSESSMENTS MAY BE USED IN COMBINATION WITH OTHER SOURCES OF INFORMATION TO GAIN TIMELY FEEDBACK ABOUT STUDENT PROGRESS IN AN EFFORT TO CONTINUALLY ADJUST INSTRUCTION TO IMPROVE LEARNING. RESULTS FROM INTERIM AND FORMATIVE ASSESSMENTS SHALL NOT BE USED FOR ANY HIGH-STAKES PURPOSE, INCLUDING, BUT NOT LIMITED TO, TEACHER OR OTHER SCHOOL STAFF EVALUATION, ACCOUNTABILITY, STUDENT GRADE PROMOTION OR RETENTION, GRADUATION, COURSE OR CLASS PLACEMENT, IDENTIFICATION FOR GIFTED OR TALENTED EDUCATION, RECLASSIFICATION OF ENGLISH LEARNERS, OR IDENTIFICATION AS AN INDIVIDUAL WITH EXCEPTIONAL NEEDS. (Education Code 60642.6, 60642.7)

(cf. 5123 - Promotion/Acceleration/Retention)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6152 - Class Assignment)

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

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6174 - Education for English Learners)

THE SUPERINTENDENT OR DESIGNEE SHALL ENSURE THAT TEACHERS WHO ADMINISTER INTERIM AND FORMATIVE ASSESSMENTS HAVE ACCESS TO ALL FUNCTIONS AND INFORMATION DESIGNED FOR TEACHER USE RELATED TO SUCH ASSESSMENTS AND STUDENT PERFORMANCE ON THE ASSESSMENTS. (Education Code 60642.6)

**Individual Record of Accomplishment**

The Superintendent or designee shall ensure that each student, by the end of grade 12, has an individual record of accomplishment that includes the following: (Education Code 60607)

1. The results of the state achievement tests REQUIRED AND administered AS PART OF THE CALIFORNIA ASSESSMENT OF STUDENT PERFORMANCE AND PROGRESS, or any predecessor assessments, pursuant to Education Code 60640-60649
2. The results of any end-of-course examinations taken

## **STUDENT ASSESSMENT (cont.)**

### 3. The results of any vocational education certification examinations taken

(cf. 6178 - Career Technical Education)

No individual record of accomplishment shall be released to any persons, other than the student's parent/guardian or a teacher, counselor, or administrator directly involved with the student, without the written consent of the student's parent/guardian, or the student if her/she is an adult or emancipated minor. The student or his/her parent/guardian may authorize the release of the record of accomplishment to a postsecondary educational institution for the purposes of credit, placement, or admission. (Education Code 60607)

(cf. 5125 - Student Records)

#### **Legal Reference:**

##### EDUCATION CODE

313 Assessment of English language development

10600-10610 California Education Information System

44660-44665 Evaluation and assessment of performance of certificated employees (Stull Act)

49558 Free and reduced-price meals; use of individual applications and records

51041 Evaluation of educational program

51450-51455 Golden State Seal Merit Diploma

52052 Academic Performance Index; numerically significant student subgroups

52060-52077 Local control and accountability plan

60600-60649 Assessment of academic achievement, especially:

60640-60649 California Assessment of Student Performance and Progress

60800 Physical fitness testing

60810-60812 Assessment of English language development

60900 California Longitudinal Pupil Achievement Data System

##### CODE OF REGULATIONS, TITLE 5

850-864 California Assessment of Student Performance and Progress

##### UNITED STATES CODE, TITLE 20

9622 National Assessment of Educational Progress

#### **Management Resources:**

##### WEBSITES

California School Boards Association: [www.csba.org](http://www.csba.org)

California Department of Education, Testing and Accountability: [www.cde.ca.gov/ta](http://www.cde.ca.gov/ta)

Smarter Balanced Assessment Consortium: [www.smarterbalanced.org](http://www.smarterbalanced.org)

U.S. Department of Education: [www.ed.gov](http://www.ed.gov)

## **Chino Valley Unified School District**

Policy adopted: August 21, 1997

Revised: August 20, 2009

Revised: January 6, 2011

Revised: May 5, 2016

REVISED:

**CHINO VALLEY UNIFIED SCHOOL DISTRICT**

**Our Motto:**

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

**DATE:** April 18, 2019

**TO:** Members, Board of Education

**FROM:** Norm Enfield, Ed.D., Superintendent

**PREPARED BY:** Grace Park, Ed.D., Associate Superintendent, Curriculum, Instruction, Innovation, and Support  
Luke Hackney, Director, Elementary Curriculum and Instruction  
Stephanie Johnson, Director, Student Support Services

**SUBJECT: REVISION OF BOARD POLICY 6170.1 INSTRUCTION – TRANSITIONAL KINDERGARTEN**

=====

**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 6170.1 Instruction – Transitional Kindergarten is being revised to reflect minor changes.

New language is provided in UPPERCASE 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 6170.1 Instruction – Transitional Kindergarten.

**FISCAL IMPACT**

None.

NE:GP:LH:SJ:smr

**TRANSITIONAL KINDERGARTEN**

The Board of Education desires to offer a high-quality transitional kindergarten (TK) program for eligible children who do not yet meet the minimum age criterion for kindergarten. The TK program shall assist ~~(TK) children~~ STUDENTS in developing the academic, social, and emotional skills they need to succeed in kindergarten and beyond.

The District's TK PROGRAM shall be the first year of a two-year kindergarten program. (Education Code 48000)

The Board encourages ongoing collaboration among District preschool staff, other preschool providers, elementary teachers, administrators, and parents/guardians in ~~program~~ THE development, implementation, and evaluation OF THE DISTRICT'S TK PROGRAM.

(cf. 1220 - Citizen Advisory Committees)  
(cf. 6020 - Parent Involvement)

**Eligibility**

The District's TK program shall admit children whose fifth birthday is from September 2 through December 2 (Education Code 48000)

Parents/guardians of eligible children shall be notified of the availability of the TK program and the age, residency, immunization, and any other enrollment requirements. Enrollment in the TK program shall be voluntary.

(cf. 5111 - Admission)  
(cf. 5111.1 - District Residency)  
(cf. 5141.22 - Infectious Diseases)  
(cf. 5141.3 - Health Examinations)  
(cf. 5141.31 - Immunizations)  
(cf. 5141.32 - Child Health and Disability Prevention Program)

Upon request of a child's parents/guardians, the District may, on a case-by-case basis after the Superintendent or designee determines that it is in the child's best interest, admit into the District's TK program a child whose fifth birthday is on or before September 1 and who is therefore eligible for kindergarten.

**Curriculum and Instruction**

The District's TK program shall be based on a modified kindergarten curriculum that is age and developmentally appropriate. (Education Code 48000)

(cf. 6141 - Curriculum Development Implementation and Evaluation)  
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

**TRANSITIONAL KINDERGARTEN (cont.)**

The program shall be aligned with the preschool learning foundations and preschool curriculum frameworks developed by the California Department of Education. It shall be designed to facilitate students' development in essential skills related to language and literacy, mathematics, physical development, health, visual and performing arts, science, history-social science, English language development, and social-emotional development.

(cf. 5148.3 - Preschool/Early Childhood Education)  
 (cf. 6011 - Academic Standards)  
 (cf. 6174 - Education for English Language Learners)

TK students may be placed in the same classrooms as kindergarten students when necessary, provided that the instructional program is differentiated to meet student needs.

**Staffing**

The Superintendent or designee shall ensure that the teachers assigned to teach in TK classes possess a teaching credential or permit from the Commission on Teacher Credentialing (CTC) that authorizes such instruction.

(cf. 4112.2 - Certification - All Personnel)

A credentialed teacher who is first assigned to a TK class after July 1, 2015, shall, by August 1, 2020, have at least 24 units in early childhood education and/or child development, comparable experience in a preschool setting, and/or a child development teacher permit issued by the CTC. (Education Code 48000)

The Superintendent or designee may provide professional development as needed to ensure that TK teachers are knowledgeable about the District standards and effective instructional methods for teaching young children.

(cf. 4131 - Staff Development)

**Continuation to Kindergarten**

Students who complete the TK program shall be eligible to continue in kindergarten the following school year. Parents/guardians of such students shall not be required to submit a signed ~~parental permission~~ KINDERGARTEN CONTINUANCE Fform for kindergarten attendance.

However, whenever children who would otherwise be age-eligible for kindergarten are enrolled in TK, the Superintendent or designee shall obtain a Kindergarten Continuance Form signed by the parent/guardian near the end of the TK year consenting to the child's enrollment in kindergarten the following year.



## **TRANSITIONAL KINDERGARTEN (cont.)**

A student shall not attend more than two years in a combination of TK and kindergarten.  
(Education Code 46300)

(cf. 5123 - Promotion/Acceleration/Retention)

### **Assessment**

The Superintendent or designee may develop or identify appropriate formal and/or informal assessments of TK students' development and progress. He/she shall monitor and regularly report to the Board regarding program implementation and the progress of students in meeting related academic standards.

(cf. 0500 - Review and Evaluation)

(cf. 6162.5 - Student Assessment)

### **Legal Reference:**

#### EDUCATION CODE

8235 California State Preschool Program

8973 Extended-day kindergarten

37202 School calendar; equivalency of instructional minutes

44258.9 Assignment monitoring by county superintendent of schools

46111 Kindergarten, hours of attendance

46114-46119 Minimum school day, kindergarten

46300 Computation of ADA, inclusion of kindergarten and transitional kindergarten

48000 Age of admission, kindergarten and transitional kindergarten

48002 Evidence of minimum age required to enter kindergarten or first grade

48003 Kindergarten annual report

48200 Compulsory education, starting at age six

### **Management Resources:**

#### CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS

What Boards of Education Can Do About Kindergarten Readiness, Governance Brief, May 2016

#### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Transitional Kindergarten FAQs

Desired Results Developmental Profile, 2015

Transitional Kindergarten Implementation Guide: A Resource for California Public School District Administrators and Teachers, 2013

California Preschool Curriculum Framework, Vol. 3, 2013

California Preschool Learning Foundations, Vol. 3, 2012

California Preschool Curriculum Framework, Vol. 2, 2011

California Preschool Learning Foundations, Vol. 2, 2010

California Preschool Curriculum Framework, Vol. 1, 2010

California Preschool Learning Foundations, Vol. 1, 2008

**TRANSITIONAL KINDERGARTEN (cont.)**

WEBSITES

California School Boards Association: [www.csba.org](http://www.csba.org)

California Department of Education: [www.cde.ca.gov](http://www.cde.ca.gov)

California Kindergarten Association: [www.ckanet.org](http://www.ckanet.org)

Commission on Teacher Credentialing: [www.ctc.ca.gov](http://www.ctc.ca.gov)

Transitional Kindergarten California: [www.tkcalifornia.org](http://www.tkcalifornia.org)

**Chino Valley Unified School District**

Policy adopted: February 16, 2012

Revised: September 3, 2015

REVISED:

**Chino Valley Unified School District**

**Our Motto:**

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

**DATE:** April 18, 2019  
**TO:** Members, Board of Education  
**FROM:** Norm Enfield, Ed.D., Superintendent  
**PREPARED BY:** Lea Fellows, Assistant Superintendent, Curriculum, Instruction, Innovation, and Support  
Yvette Farley, Director, Access & Equity  
**SUBJECT: REVISION OF BOARD POLICY AND ADMINISTRATIVE REGULATION 6174 INSTRUCTION – EDUCATION FOR ENGLISH LEARNERS**

=====

**BACKGROUND**

Board policies, administrative regulations, and bylaws of the Board are routinely developed and revised as a result of changes in law, mandates, federal regulations, and current practice. Board Policy and Administrative Regulation 6174 Instruction – Education for English Learners are being revised to reflect new state regulations (Register 2018, No. 20) governing the implementation of Proposition 58 requirements pertaining to language acquisition programs. Administrative regulation adds definitions of designated and integrated English language development, rennumbers cites to state regulations related to testing accommodations pursuant to new state regulations (Register 2018, No. 4), and reflects new law (AB 81, 2017) which requires specified information related to "long-term English learners" or "students at risk of becoming a long-term English learner" to be included in the Title I or Title III parental notification of a student's assessment of English proficiency.

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

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

**RECOMMENDATION**

It is recommended the Board of Education receive for information the revision of Board Policy and Administrative Regulation 6174 Instruction – Education for English Learners.

**FISCAL IMPACT**

None.

NE:LF:YF:rtr

## **EDUCATION FOR ENGLISH LEARNERS**

The Board of Education intends to provide English learners with challenging curriculum and instruction that ~~develop~~ MAXIMIZE THE ATTAINMENT OF HIGH LEVELS OF proficiency in English, ADVANCE MULTILINGUAL CAPABILITIES, ~~while~~ AND facilitating E student achievement in the District's regular course of study.

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

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

**THE SUPERINTENDENT OR DESIGNEE SHALL ENCOURAGE PARENT/GUARDIAN AND COMMUNITY INVOLVEMENT IN THE DEVELOPMENT AND EVALUATION OF PROGRAMS FOR ENGLISH LEARNERS.**

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

English learners shall be provided DIFFERENTIATED English language development instruction WHICH IS targeted to their English proficiency level, INTEGRATED ACROSS ALL SUBJECT AREAS, and aligned with state content standards ~~and curriculum framework~~. The District's program shall be based on sound instructional theory, use standards-aligned instructional materials, EMPHASIZE INQUIRY-BASED LEARNING AND CRITICAL THINKING SKILLS, and ~~assist~~ PROVIDE students ~~in~~ WITH accessing TO the full educational program.

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

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

(cf. 4112.22 - Staff Teaching English Language Learners)

The District shall provide effective professional development to teachers, administrators, and other school ~~staff~~ PERSONNEL to improve the instruction and assessment of English learners and enhance staff's ability to understand and use curricula, assessment, and instructional strategies for English learners. SUCH PROFESSIONAL DEVELOPMENT SHALL BE OF SUFFICIENT INTENSITY AND DURATION TO PRODUCE A POSITIVE AND LASTING IMPACT ON TEACHERS' PERFORMANCE IN THE CLASSROOM. (20 USC 6825)

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

**EDUCATION FOR ENGLISH LEARNERS (cont.)**

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

**Identification and Assessment**

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

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

English learners' academic achievement in English language arts, mathematics, science, and any additional subject required by law shall be assessed using the California Assessment of Student Performance and Progress. As necessary, the test shall be administered with testing variations in accordance with 5 CCR 854.1 and 854.3. English learners who are in their first 12 months of attending a school in the United States shall be exempted from taking the English language arts assessment to the extent allowed by federal law. (Education Code 60603, 60640; 5 CCR 854.1-854.3)

(cf. 6162.51 - State Academic Achievement Tests)

FORMATIVE ASSESSMENTS MAY BE UTILIZED TO ANALYZE STUDENT PERFORMANCE AND APPROPRIATELY ADAPT TEACHING METHODOLOGIES AND INSTRUCTIONS.

(cf. 6162.5 - Student Assessment)

**Language Acquisition Programs**

THE DISTRICT SHALL OFFER RESEARCH-BASED Language acquisition programs ~~are educational programs~~ that are designed to ensure English acquisition as rapidly and as effectively as possible and that provide instruction to students on the state-adopted academic content standards, including the English language development standards. ~~The language acquisition programs provided to students shall be informed by research and shall lead to grade-level proficiency achievement in both English and another language.~~ (Education Code 306; 5 CCR 11300)

AT A MINIMUM, ~~the District shall offer A STRUCTURED English learner a structured English immersion program to ensure that English learners have access to the core academic content standards,~~ WHICH includingES the DESIGNATED AND INTEGRATED English language development standards and become proficient in English. In the structured English immersion program, nearly all of the classroom instruction shall be provided in English, but with the curriculum and presentation designed for students who are learning English. (Education Code 305-306; 5 CCR 11309)

**EDUCATION FOR ENGLISH LEARNERS (cont.)**

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

IN ADDITION, LANGUAGE ACQUISITION PROGRAMS OFFERED BY THE DISTRICT MAY INCLUDE, BUT IS NOT LIMITED TO OFFERING A DUAL-LANGUAGE IMMERSION PROGRAM THAT PROVIDES INTEGRATED LANGUAGE LEARNING AND ACADEMIC INSTRUCTION FOR NATIVE SPEAKERS OF ENGLISH AND NATIVE SPEAKERS OF ANOTHER LANGUAGE, WITH THE GOALS OF HIGH ACADEMIC ACHIEVEMENT, FIRST AND SECOND LANGUAGE PROFICIENCY, AND CROSS-CULTURAL UNDERSTANDING. (Education Code 305-306)

(cf. 6142.2 - World/Foreign Language Instruction)

IN ESTABLISHING THE DISTRICT’S LANGUAGE ACQUISITION PROGRAMS, THE SUPERINTENDENT OR DESIGNEE SHALL CONSULT WITH PARENTS/GUARDIANS AND THE COMMUNITY DURING THE LCAP DEVELOPMENT PROCESS. HE/SHE SHALL ALSO CONSULT WITH ADMINISTRATORS, TEACHERS, AND OTHER PERSONNEL WITH APPROPRIATE AUTHORIZATIONS AND EXPERIENCE IN ESTABLISHING A LANGUAGE ACQUISITION PROGRAM. (Education Code 305)

AT THE BEGINNING OF EACH SCHOOL YEAR OR UPON A STUDENT’S ENROLLMENT, PARENTS/GUARDIANS SHALL BE PROVIDED INFORMATION ON THE TYPES OF LANGUAGE ACQUISITION PROGRAMS AVAILABLE TO STUDENTS ENROLLED IN THE DISTRICT, INCLUDING, BUT NOT LIMITED TO, A DESCRIPTION OF EACH PROGRAM, THE PROCESS TO BE FOLLOWED IN MAKING A PROGRAM SELECTION, IDENTIFICATION OF ANY LANGUAGE TO BE TAUGHT IN ADDITION TO ENGLISH WHEN THE PROGRAM INCLUDES INSTRUCTION IN ANOTHER LANGUAGE, AND THE PROCESS TO REQUEST ESTABLISHMENT OF A LANGUAGE ACQUISITION PROGRAM. (Education Code 310; 5 CCR 11310)

(cf. 5145.6 - Parental Notifications)

**Placement of English Learners RECLASSIFICATION**

When an English learner is determined pursuant to BASED ON state and District reclassification criteria to have acquired a reasonable level of English proficiency pursuant to Education Code 313 and 52164.6, or upon request by the student’s parent/guardian, the student shall be transferred from a language acquisition program into an English language mainstream classroom.

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

1. Assessment of English language proficiency using an objective assessment instrument, including, but not limited to, the state’s English language proficiency assessment

**EDUCATION FOR ENGLISH LEARNERS (cont.)**

2. Participation of the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions related to the student
3. Parent/guardian opinion and consultation

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

4. Student performance on an objective assessment of basic skills in English that shows whether the student is performing at or near grade level.

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

The Superintendent or designee shall monitor students for at least ~~two~~ FOUR years following their reclassification to determine whether the student needs any additional academic support to ensure his/her language and academic success.

**Program Evaluation**

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

1. Progress of English learners towards proficiency in English
2. The number and percentage of English learners reclassified as fluent English proficient
3. The number and percentage of English learners who are or at risk of being classified as long-term English learners; in accordance with Education Code 313.1
4. The achievement of English learners on standards-based tests in core curricular areas
5. ANY LANGUAGE ACQUISITION PROGRAM THAT INCLUDES INSTRUCTION IN A LANGUAGE OTHER THAN ENGLISH, STUDENT ACHIEVEMENT IN THE NON-ENGLISH LANGUAGE
- ~~5-6.~~ Progress toward any other goals for English learners identified in the District's LCAP
- ~~6-7.~~ A comparison of current data with data from at least the previous year

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

**EDUCATION FOR ENGLISH LEARNERS (cont.)****Legal Reference:**EDUCATION CODE

300-340 English language education, especially:  
 305-310 Language acquisition programs  
 313-313.5 Assessment of English proficiency  
 430-446 English Learner and Immigrant Pupil Federal Conformity Act  
 33050 State Board of Education waiver authority  
 42238.02-42238.03 Local control funding formula  
 44253.1-44253.11 Qualifications for teaching English learners  
 48980 Parental notifications  
 48985 Notices to parents in language other than English  
 52052 Academic Performance Index; numerically significant student subgroups  
 52060-52077 Local control and accountability plan  
 52160-52178 Bilingual Bicultural Act  
 56305 CDE manual on English learners with disabilities  
 60603 Definition, recently arrived English learner  
 60640 California Assessment of Student Performance and Progress  
 60810-60812 Assessment of language development  
 62005.5 Continuation of advisory committee after program sunsets

CODE OF REGULATIONS, TITLE 5

854.1-854.3 CAASPP and universal tools, designated supports, and accommodations  
 854.9 CAASPP and unlisted resources for students with disabilities  
 11300-11316 English learner education  
 11510-11517.5 California English Language Development Test  
 11517.6-11519.5 English Language Proficiency Assessments for California

UNITED STATES CODE, TITLE 20

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

CODE OF FEDERAL REGULATIONS, TITLE 34

100.3 Discrimination prohibited  
 200.16 Assessment of English learners

COURT DECISIONS

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

ATTORNEY GENERAL OPINIONS

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

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

English Learners in Focus: The English Learner Roadmap: Providing Direction for English Learner Success, Governance Brief, February 2018  
 English Learners in Focus: The English Learner Roadmap: Providing Direction for English Learner Success, Governance Brief, February 2018  
 English Learners in Focus, Issue 4: Expanding Bilingual Education in California after Proposition 58, Governance Brief, March 2017  
 English Learners in Focus, Issue 1: Updated Demographic and Achievement Profile of California's English Learners, Governance Brief, rev. September 2016  
 English Learners in Focus, Issue 3: Ensuring High-Quality Staff for English Learners, Governance Brief, July 2016



**EDUCATION FOR ENGLISH LEARNERS (cont.)**

English Learners in Focus, Issue 2: The Promise of Two-Way Immersion Programs, Governance Brief, September 2014

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

California English Learner Roadmap: Strengthening Comprehensive Educational Policies, Programs and Practices for English Learners, 2018

Matrix One: Universal Tools, Designated Supports, and Accommodations for the California Assessment of Student Performance and Progress for 2017-18, rev. August 2017

Reclassification Guidance for 2017-18, CDE Correspondence, April 28, 2017

Integrating the CA ELD Standards into K-12 Mathematics and Science Teaching and Learning, December 2015

Next Generation Science Standards for California Public Schools, Kindergarten through Grade Twelve, rev. March 2015

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

Common Core State Standards for Mathematics, rev. 2013

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

**THE EDUCATION TRUST- WEST PUBLICATIONS**

Unlocking Learning II: Math as a Lever for English Learner Equity, March 2018

Unlocking Learning: Science as a Lever for English Learner Equity, January 2017

**U.S. DEPARTMENT OF EDUCATION PUBLICATIONS**

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

Innovative Solutions for Including Recently Arrived English Learners in State Accountability Systems: A Guide for States, January 2017

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

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

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

**WEBSITES**

California Association for Bilingual Education: [www.gocabe.org](http://www.gocabe.org)

California Department of Education: [www.cde.ca.gov/sp/el](http://www.cde.ca.gov/sp/el)

National Clearinghouse for English Language Acquisition: [www.ncele.us](http://www.ncele.us)

The Education Trust-West: [www.west.edtrust.org](http://www.west.edtrust.org)

U.S. Department of Education: [www.ed.gov](http://www.ed.gov)

**Chino Valley Unified School District**

Policy Adopted: August 21, 1997

Revised: February 22, 2001

Revised: September 4, 2003

Revised: June 18, 2009

Revised: March 21, 2013

Revised: March 3, 2016

Revised: September 7, 2017

REVISED:

**EDUCATION FOR ENGLISH LEARNERS****Definitions**

English learner means a student who is age 3-21 years, who is enrolled or is preparing to enroll in an elementary or secondary school, and whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the student the ability to meet state academic standards, the ability to successfully achieve in classrooms where the language of instruction is English, or the opportunity to participate fully in society. An English learner may include a student who was not born in the United States or whose native language is a language other than English; a student who is Native American or Alaska Native, or a native resident of the outlying areas, who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or a student who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant. (Education Code 306; 20 USC 7801)

DESIGNATED ENGLISH LANGUAGE DEVELOPMENT MEANS INSTRUCTION PROVIDED DURING A TIME SET ASIDE IN THE REGULAR SCHOOL DAY FOR FOCUSED INSTRUCTION ON THE STATE-ADOPTED ENGLISH LANGUAGE DEVELOPMENT STANDARDS TO ASSIST ENGLISH LEARNERS TO DEVELOP CRITICAL ENGLISH LANGUAGE SKILLS NECESSARY FOR ACADEMIC CONTENT LEARNING IN ENGLISH. (5 CCR 11300)

INTEGRATED ENGLISH LANGUAGE DEVELOPMENT MEANS INSTRUCTION IN WHICH THE STATE-ADOPTED ENGLISH LANGUAGE DEVELOPMENT STANDARDS ARE USED IN TANDEM WITH THE STATE-ADOPTED ACADEMIC CONTENT STANDARDS. INTEGRATED ENGLISH LANGUAGE DEVELOPMENT INCLUDES SPECIALLY DESIGNED ACADEMIC INSTRUCTION IN ENGLISH. (5 CCR 11300)

Native speaker of English means a student who has learned and used English in his/her home from early childhood and English has been his/her primary means of concept formation and communication. (Education Code 306)

**Identification and Assessments**

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

Any student who is identified as having a primary language other than English as determined by the home language survey, and who has not been previously identified as an English learner by a California public school or for whom there is no record of results from an administration ~~for~~ OF an English language proficiency test, shall be INITIALLY assessed FOR English proficiency using the state's ~~designed~~ English Language Proficiency test ASSESSMENTS FOR CALIFORNIA (ELPAC). (Education Code 313; 52164.1; 5 CCR 11511)

**EDUCATION FOR ENGLISH LEARNERS (cont.)**

Each year after a student is identified as an English learner and until he/she is redesignated as English proficient, the summative assessment shall be administered to the student during a four-month period after January 1 as determined by the California Department of Education. (Education Code 313)

The state assessment shall be administered in accordance with test publisher instructions and 5 CCR 11518.5-11518.20. Variations and accommodations in test administration may be provided TO ENGLISH LEARNERS pursuant to 5 CCR 11516-11516.7.

Any student with a disability WHO IS IDENTIFIED AS AN ENGLISH LEARNER shall be allowed to take the assessment with those accommodations for testing that the student has regularly used during instruction and classroom assessment as delineated in the student's Individualized Education Program (IEP) or Section 504 plan ~~that are appropriate and necessary to address the student's individual needs.~~ If ~~he/she~~ A STUDENT is unable to participate in the assessment or a portion of the assessment EVEN with such accommodations, ~~he/she shall be administered~~ an alternate assessment for English language proficiency SHALL BE ADMINISTERED TO THE STUDENT as set forth in his/her IEP. (5 CCR 11518.25-11518.35; 20 USC 1412)

(cf. 6159 - Individualized Education Program)

(cf. 6162.51 - State Academic Achievement Tests)

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

**Parental Notifications**

THE SUPERINTENDENT OR DESIGNEE SHALL NOTIFY PARENTS/GUARDIANS OF THEIR CHILD'S RESULTS ON THE ELPAC WITHIN 30 CALENDAR DAYS FOLLOWING RECEIPT OF THE RESULTS FROM THE TEST CONTRACTOR. (Education Code 52164.1; 5 CCR 11511.5)

(cf. 5145.6 - Parental Notifications)

The parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by Federal Title I or Title III funds shall receive notification of the assessment of his/her child's English proficiency. Such notice shall be provided not later than 30 calendar days after the beginning of the school year or, if the student is identified for program participation during the school year, within two weeks of the student's placement in the program. The notice shall include all of the following: (Education Code 313.2, 440; 20 USC 6312)

- ~~3a.~~ 1. The reason for the IDENTIFICATION OF THE student's ~~classification~~ as an English learner AND THE NEED FOR PLACEMENT IN A LANGUAGE ACQUISITION PROGRAM

**EDUCATION FOR ENGLISH LEARNERS (cont.)**

3b.2. The level of English proficiency, how the level was assessed, and the status of the student's academic achievement

~~1. Assessment notification: The District shall notify parents/guardians of their child's results on the state's English language proficiency assessment within 30 calendar days following receipt of the results from the test contractor. (Education Code 52164.1; 5 CCR 11511.5)~~

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

3.4. A description of the language acquisition program in which the student is, or will be, participating including all of the following:

~~a. The reason for the student's classification as an English learner~~

~~b. The level of English proficiency, how the level was assessed, and the status of the student's academic achievement~~

~~c. A description of the language acquisition program, including a description of all of the following:~~

(1)a. The methods of instruction used in the program and in other available programs, including how such programs differ in content, instructional goals, and the use of English and native language in instruction

(2)b. The manner in which the program will meet the educational strengths and needs of the student

(3)c. The manner in which the program will help the student develop his/her English proficiency and meet age-appropriate academic standards for grade promotion and graduation

(4)d. The specific exit requirements for the program, the expected rate of transition from the program into classes not tailored for English learners, and the expected rate of graduation from secondary school if applicable

(5)e. Where the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP

**EDUCATION FOR ENGLISH LEARNERS (cont.)**

- d-5. Information ~~regarding~~ ABOUT a THE parent/guardian's ~~option~~ RIGHT to ~~decline to allow~~ HAVE the student to be enrolled in the REMOVED FROM A program or to choose to allow the student to be enrolled in an alternative program UPON THE PARENT/GUARDIAN'S REQUEST
6. INFORMATION REGARDING A PARENT/GUARDIAN'S OPTION TO DECLINE TO ENROLL THE STUDENT IN THE PROGRAM OR TO CHOOSE ANOTHER PROGRAM OR METHOD OF INSTRUCTION, IF AVAILABLE
- e-7. Information designed to assist a parent/guardian in selecting among available programs, if more than one program is offered

**Parental Exception Waivers**

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

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

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

**EDUCATION FOR ENGLISH LEARNERS (cont.)**

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

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

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

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

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

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

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

## **EDUCATION FOR ENGLISH LEARNERS (cont.)**

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

### **Reclassification/Redesignation**

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

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

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

The following measures shall be used to determine whether an English learner shall be reclassified as fluent English proficient SHALL INCLUDE, but not be limited to: (Education Code 313; 525164.6; 5 CCR 11303)

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

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

4. Student performance on an objective assessment of basic skills in English that shows whether the student is performing at or near grade level.

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

## **EDUCATION FOR ENGLISH LEARNERS (cont.)**

The Superintendent or designee shall monitor students for at least ~~two~~ FOUR years following their reclassification to determine whether the student needs any additional academic support ~~to ensure his/her language and academic success.~~

### **Advisory Committee**

A parent/guardian advisory committee shall be established at the District level when there are more than 50 English learners in the District and at the school level when there are more than 20 English learners at the school. Parents/guardians of English learners shall constitute committee membership in at least the same percentage as English learners represent of the total number of students in the school. (Education Code 52176; 5 CCR 11308)

The District's English Language Advisory Committee shall advise the Board on at least the following tasks: (5 CCR 11308)

1. The development of a ~~District master~~ plan of education programs and services for English learners, taking into consideration the school site plans for English learners
2. The Districtwide needs assessment on a school-by-school basis
3. Establishment of a District program, goals and objectives for programs and services for English learners
4. Development of a plan to ensure compliance with applicable teacher or aide requirements
5. Administration of the annual language census
6. Review of and comment on the District's reclassification procedures

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

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



**EDUCATION FOR ENGLISH LEARNERS (cont.)**

**LCAP Advisory Committee**

When there are at least 15 percent English learners in the District, with at least 50 students who are English learners, a District-level English learner parent advisory committee shall be established to review and comment on the District's Local Control and Accountability Plan (LCAP) in accordance with BP 0460 - Local Control and Accountability Plan. The committee shall be composed of a majority of parents/guardians of English learners. (Education Code 52063; 5 CCR 15495)

(cf. 0460 - Local Control and Accountability Plan)

The advisory committee established pursuant to 5 CCR 11308, as described in the section "Advisory Committee" above, could serve as the LCAP English Learner Advisory Committee if its composition includes a majority of parents/guardians of English learners.

**Chino Valley Unified School District**

Regulation approved: August 21, 1997

Revised: February 22, 2001

Revised: September 4, 2003

Revised: May 7, 2009

Revised: March 7, 2013

Revised: February 18, 2016

Revised: August 17, 2017

REVISED: