



CHINO VALLEY
UNIFIED SCHOOL DISTRICT

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

BOARD OF EDUCATION AGENDA

November 7, 2019

BOARD OF EDUCATION

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

Audrey Ing, Student Representative

—◆◆—
SUPERINTENDENT

Norm Enfield, Ed.D.

CHINO VALLEY UNIFIED SCHOOL DISTRICT
REGULAR MEETING OF THE BOARD OF EDUCATION
5130 Riverside Drive, Chino, CA 91710
4:55 p.m. - Closed Session • 6:00 p.m. - Regular Meeting
November 7, 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 – 4:55 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 Legal Counsel Anticipated Litigation (Government Code 54954.5(c) and 54956.9 (d)(2) and (e)(1)): One possible case. (Terry Tao, Esquire) (5 minutes)
- c. Student Discipline Matters (Education Code 35146, 48918 (c) & (j):): Expulsion cases 19/20-11 and 19/20-12. (20 minutes)
- d. Conference with Labor Negotiators (Government Code 54957.6): A.C.T. and CSEA negotiations. Agency designated representatives: Frank Arce, Isabel Brenes, Sandra Chen, and Richard Rideout. (5 minutes)
- e. Public Employee Discipline/Dismissal/Release (Government Code 54957): (10 minutes)
- f. Public Employee Performance Evaluation (Government Code 54957): Superintendent (20 minutes)

I.B. RECONVENE TO REGULAR OPEN MEETING – 6:00 P.M.

1. Report Closed Session Action
2. Pledge of Allegiance

I.C. COMMENTS FROM STUDENT REPRESENTATIVE

I.D. COMMENTS FROM EMPLOYEE REPRESENTATIVES

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

The proceedings of this meeting are being recorded.

I.F. CHANGES AND DELETIONS

II. ACTION

II.A. HUMAN RESOURCES

II.A.1. Public Notice and Hearing Regarding the California School Employees Association, Chapter 102, Initial Bargaining Proposal to the Chino Valley Unified School District for a Reopener Collective Bargaining Agreement Effective July 1, 2018

Page 8

Recommend the Board of Education give public notice, and conduct a public hearing regarding the California School Employees Association, Chapter 102, initial bargaining proposal to the Chino Valley Unified School District for a Reopener Collective Bargaining Agreement effective July 1, 2018.

Open Hearing _____

Close Hearing _____

Motion ___ Second ___

Preferential Vote: _____

Vote: Yes ___ No ___

II.A.2. Public Notice and Hearing Regarding the District's Initial Bargaining Proposal to the California School Employees Association, and its Chino Chapter 102, for a Reopener Collective Bargaining Agreement Effective July 1, 2018

Page 12

Recommend the Board of Education give public notice, and conduct a public hearing regarding the District's initial bargaining proposal to the California School Employees Association, and its Chino Chapter 102, for a reopener Collective Bargaining Agreement effective July 1, 2018.

Open Hearing _____

Close Hearing _____

Motion ___ Second ___

Preferential Vote: _____

Vote: Yes ___ No ___

III. CONSENT

Motion ___ Second ___

Preferential Vote: _____

Vote: Yes ___ No ___

III.A. ADMINISTRATION

III.A.1. Minutes of the Regular Meeting of October 17, 2019

Page 14

Recommend the Board of Education approve the minutes of the regular meeting of October 17, 2019.

III.A.2. Resolution 2019/2020-20 Board Compensation for Irene Hernandez-Blair for Missed Meeting of October 17, 2019

Page 20

Recommend the Board of Education adopt Resolution 2019/2020-20 Board compensation for Irene Hernandez-Blair for missed meeting of October 17, 2019.

III.B. BUSINESS SERVICES

III.B.1. Warrant Register

Page 22

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

III.B.2. 2019/2020 Application to Operate Fundraising Activities and Other Activities for the Benefit of Students

Page 23

Recommend the Board of Education approve/ratify the 2019/2020 application to operate fundraising activities and other activities for the benefit of students.

III.B.3. Fundraising Activities

Page 25

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

III.B.4. Donations

Page 29

Recommend the Board of Education accept the donations.

III.B.5. Legal Services

Page 31

Recommend the Board of Education approve payment for legal services to the law offices of Atkinson, Andelson, Loya, Ruud & Romo; Margaret A. Chidester & Associates; and The Tao Firm.

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

III.C.1. Student Expulsion Cases 19/20-11 and 19/20-12

Page 32

Recommend the Board of Education approve student expulsion cases 19/20-11 and 19/20-12.

III.C.2. School-Sponsored Trips

Page 33

Recommend the Board of Education approve/ratify the following school-sponsored trips for: Butterfield Ranch ES, Rhodes ES, Chino HS, Chino Hills HS, and Don Lugo HS.

III.C.3. Amendment to Local Agreement for Child Development Services CCTR-9188

Page 35

Recommend the Board of Education approve the amendment to Local Agreement for Child Development Services CCTR-9188.

III.C.4. Amendment to Local Agreement for Child Development Services CSPP-9420

Page 38

Recommend the Board of Education approve the amendment to Local Agreement for Child Development Services CSPP-9420.

III.C.5. Proclamation for the Great American Smokeout on November 21, 2019
Page 40 Recommend the Board of Education adopt the proclamation for The Great American Smokeout on November 21, 2019.

III.D. FACILITIES, PLANNING, AND OPERATIONS

III.D.1. Purchase Order Register
Page 42 Recommend the Board of Education approve/ratify the purchase order register, provided under separate cover.

III.D.2. Agreements for Contractor/Consultant Services
Page 43 Recommend the Board of Education approve/ratify the Agreements for Contractor/Consultant Services.

III.D.3. Surplus/Obsolete Property
Page 47 Recommend the Board of Education declare the District property surplus/obsolete and authorize staff to sell/dispose of said property.

III.D.4. Resolution 2019/2020-19 Annual and Five-Year Developer Fee Reports for Fiscal Year 2018/2019
Page 50 Recommend the Board of Education adopt Resolution 2019/2020-19 Annual and Five-Year Developer Fee Reports for Fiscal Year 2018/2019.

III.D.5. Bid 19-20-17F, Chino HS Reconstruction—Phase I
Page 55 Recommend the Board of Education award Bid 19-20-17F, Chino HS Reconstruction Phase I, with the exception of Bid Package #20 HVAC, to:
a) James McMinn, Inc., Hamel Contracting, Bogh Engineering, Winegardner Masonry Inc., Muhlhauser Steel Inc., Sierra Lathing Company, San Marino Roof Co. Inc., Challenger Sheet Metal Inc., Construction Hardware, Velocity Glazing Inc., Inland Pacific Tile, Inc., CG Acoustics, Continental Flooring, D&M Painting, David M Bertino Manufacturing Inc., JPI Development Group Inc., Valley Pipeline Services, Kamran and Company Inc., Pierre Landscaping, and Econo Fence; and
b) Reject the bids received for Bid Package #20 HVAC and approve authorization to re-bid.

III.D.6. Change Order for Bid 18-19-10F, Cattle ES, Litel ES, and Oak Ridge ES Alteration Project
Page 57 Recommend the Board of Education approve the Change Order for Bid 19-18-10F, Cattle ES, Litel ES, and Oak Ridge ES Alteration Project.

III.D.7. Change Order for Bid 18-19-26F, Ayala HS Alteration HVAC Upgrades—Gym and Kitchen
Page 63 Recommend the Board of Education approve the Change Order for Bid 18-19-26F, Ayala HS Alteration HVAC Upgrades—Gym and Kitchen.

III.D.8. Notice of Completion for CUPCCAA Projects
Page 67 Recommend the Board of Education approve the Notice of Completion for CUPCCAA Projects.

III.D.9. Change Order and Notice of Completion for CUPCCAA Bid 18-19-38I, Country Springs ES Playground Equipment Installation
Page 69 Recommend the Board of Education approve the Change Order and Notice of Completion for CUPCCAA Bid 18-19-38I, Country Springs ES Playground Equipment Installation.

III.D.10. Notice of Completion for RFQ 15-16-01, Trane Energy Solutions for Proposition 39 Consultation, Engineering and Project Management of Design—Build Energy Efficiency Projects at Various Sites
Page 72 Recommend the Board of Education approve the Notice of Completion for RFQ 15-16-01, Trane Energy Solutions for Proposition 39 Consultation, Engineering and Project Management of Design—Build Energy Efficiency Projects at Various Sites.

III.E. HUMAN RESOURCES

III.E.1. Certificated/Classified Personnel Items
Page 74 Recommend the Board of Education approve/ratify the certificated/classified personnel items.

III.E.2. Memorandum of Understanding for Induction Program College Credit with Whittier College
Page 80 Recommend the Board of Education approve the Memorandum of Understanding for Induction Program College Credit with Whittier College.

IV. INFORMATION

IV.A. ADMINISTRATION

IV.A.1. Revision of Bylaws of the Board 9100—Organization
Page 83 Recommend the Board of Education receive for information the revision of Bylaws of the Board 9100—Organization.

IV.A.2. Revision of Bylaws of the Board 9321—Closed Session Purposes and Agendas and New Exhibits 9321 (1 and 2); and Deletion of Bylaws of the Board 9321.1—Closed Session Actions and Reports
Page 86 Recommend the Board of Education receive for information the revision of Bylaws of the Board 9321—Closed Session Purposes and Agendas and new Exhibits 9321(1 and 2); and deletion of Bylaws of the Board 9321.1—Closed Session Actions and Reports.

IV.A.3. Revision of Bylaws of the Board 9323—Meeting Conduct

Page 112 Recommend the Board of Education receive for information the revision of Bylaws of the Board 9323—Meeting Conduct.

IV.B. BUSINESS SERVICES

IV.B.1. Adopted 2019/2020 Organized and Unorganized Student Body Budgets

Page 118 Recommend the Board of Education receive for information the adopted 2019/2020 organized and unorganized student body budgets.

IV.C. FACILITIES, PLANNING, AND OPERATIONS

IV.C.1. Revision of Board Policy and Administrative Regulation 7140 Facilities—Architectural and Engineering Services

Page 120 Recommend the Board of Education receive for information the revision of Board Policy and Administrative Regulation 7140 Facilities—Architectural and Engineering Services.

V. COMMUNICATIONS

BOARD MEMBERS AND SUPERINTENDENT

VI. ADJOURNMENT

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 7, 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: PUBLIC NOTICE AND HEARING REGARDING THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 102, INITIAL BARGAINING PROPOSAL TO THE CHINO VALLEY UNIFIED SCHOOL DISTRICT FOR A REOPENER COLLECTIVE BARGAINING AGREEMENT EFFECTIVE JULY 1, 2018

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BACKGROUND

The present Collective Bargaining Agreement between the Chino Valley Unified School District and the California School Employees Association (CSEA), Chapter 102, expired on June 30, 2018. Pursuant to Article 21.1 of the Agreement, CSEA, Chapter 102 gave notice to the District regarding its initial proposal for a reopener Collective Bargaining Agreement.

Based on Administrative Regulation 4243.1, Public Notice – Personnel Negotiations, CSEA, Chapter 102 is hereby announcing to the public its initial proposal for a reopener Collective Bargaining Agreement to be effective July 1, 2018.

The unit membership approved the initial bargaining proposal on October 29, 2019, and CSEA submits the following:

CSEA desires to alter or amend the following articles as indicated and presents its proposals for public discussion in accordance with Government Code § 3547:

Article 9 – Vacancies/Promotions

CSEA’s interest in adding language for inter District interview and testing opportunities.

Article 12 – Wages and Benefits

CSEA's interest includes updating The Equity Compensation Package dates.

CSEA's interest includes increasing the Health and Wealth Benefits cap.

CSEA's interest includes increasing the salary schedule for 2019-2020 and 2020-2021 school year.

As determined through the negotiation process, additional articles may be reopened as mutually agreed to between the parties.

RECOMMENDATION

It is recommended the Board of Education give public notice, and conduct a public hearing regarding the California School Employees Association, Chapter 102, initial bargaining proposal to the Chino Valley Unified School District for a Reopener Collective Bargaining Agreement effective July 1, 2018.

FISCAL IMPACT

To be determined through the bargaining process and disclosed prior to any Board action being taken pursuant to Board Policy 4243.1 and Government Code 3547.5.

NE:RR:FA:IB:mcm

**THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION
AND ITS
CHINO CHAPTER 102**

2019-2020

INITIAL CONTRACT REOPENER PROPOSAL

October 10, 2019



October 10, 2019

The California School Employees Association and its Chino Chapter 102 (CSEA), in accordance with **Article 21** –Negotiations Procedures desires to alter or amend the following articles as indicated and presents our proposals for public discussion in accordance with Government Code § 3547:

Article 12 Wages and Benefits

CSEA’s interest includes updating The Equity Compensation Package dates.

CSEA’s interest includes increasing the Health and Wealth Benefits cap.

CSEA’s interest included increasing the salary schedule for 2019-2020 and 2020-2021 school year.

Article 9 Vacancies/Promotions

CSEA’s interest in adding language for inter District interview and testing opportunities.

CHINO VALLEY UNIFIED SCHOOL DISTRICT

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DATE: November 7, 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: PUBLIC NOTICE AND HEARING REGARDING THE DISTRICT'S INITIAL BARGAINING PROPOSAL TO THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, AND ITS CHINO CHAPTER 102, FOR A REOPENER COLLECTIVE BARGAINING AGREEMENT EFFECTIVE JULY 1, 2018

=====

BACKGROUND

The present Collective Bargaining Agreement between the Chino Valley Unified School District and the California School Employees Association (CSEA), and its Chino Chapter 102 was approved on October 17, 2019, for July 1, 2018, through June 30, 2021. Pursuant to Article 21.1 of the Agreement, CSEA, and its Chino Chapter 102 gave notice to the District regarding its initial proposal for a reopener Collective Bargaining Agreement and for a public hearing.

Based on Administrative Regulation 4243.1, Public Notice – Personnel Negotiations, CSEA, and its Chino Chapter 102, the District is hereby announcing to the public its initial proposal for a reopener Collective Bargaining Agreement, to be effective July 1, 2018. The District has given notice to CSEA regarding its initial bargaining proposal for the reopener Collective Bargaining Agreement.

The Chino Valley Unified School District presents the following initial proposal to reach an agreement in negotiations with the California School Employees and its Chino Chapter 102 on a reopener agreement to the parties' contract:

ARTICLE 10: INVOLUNTARY TRANSFER

The District proposes to make changes to clarify existing language.

The District reserves the right to make proposals and counter proposals in response to the Association's proposal and to introduce new subjects of negotiation during the course of bargaining consistent with the notice requirements in Government Code section 3547(d).

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

RECOMMENDATION

It is recommended the Board of Education give public notice, and conduct a public hearing regarding the District's initial bargaining proposal to the California School Employees Association, and its Chino Chapter 102, for a reopener Collective Bargaining Agreement effective July 1, 2018.

FISCAL IMPACT

To be determined through the bargaining process and disclosed prior to any Board action being taken pursuant to Board Policy 4243.1 and Government Code 3547.5.

NE:RR:FA:IB:mcm

CHINO VALLEY UNIFIED SCHOOL DISTRICT
REGULAR MEETING OF THE BOARD OF EDUCATION
October 17, 2019

MINUTES

I. OPENING BUSINESS

I.A. CALL TO ORDER – 4:40 P.M.

1. Roll Call

President Na called to order the regular meeting of the Board of Education, Thursday, October 17, 2019, at 4:40 p.m. with Cruz, Gagnier, Schaffer, and Na present. Mrs. Blair was absent.

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 4:40 p.m. regarding conference with legal counsel existing and anticipated litigation; student discipline matters; public employee discipline/dismissal/release; and public employee performance evaluation: Superintendent.

I.B. RECONVENE TO REGULAR OPEN MEETING – 6:00 P.M.

1. Report Closed Session Action

President Na reconvened the regular meeting of the Board of Education at 6:00 p.m. with Cruz, Gagnier, Schaffer, Na present, and Blair absent. The Board met in closed session from 4:40 p.m. to 5:58 p.m. regarding conference with legal counsel existing and anticipated litigation; student discipline matters; public employee discipline/dismissal/release; and public employee performance evaluation: Superintendent. No action was taken that required public disclosure.

- 2. Pledge of Allegiance
Joe McTarsney led the Pledge of Allegiance.

I.C. STAFF REPORT

- 1. Positive Behavioral Interventions and Supports
Dr. Grace Park, Associate Superintendent of Curriculum, Instruction, Innovation, and Support, and Dr. Sherri Johnson, Director, Health Services/ Child Development, reported on LCAP Goal 2 and Positive Behavioral Interventions and Supports (PBIS).

I.D. COMMENTS FROM STUDENT REPRESENTATIVE

Audrey Ing reported on the last Student Advisory Council meeting and theme for the year, "Kindness and Inclusivity"; and provided a report on each high school's events and activities.

I.E. COMMENTS FROM EMPLOYEE REPRESENTATIVES

Tom Mackessy, CHAMP President, spoke about PBIS.

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

Nathan Knuebuhler, Joe McTarsney, Dyane McTarsney, Derek Ogura, Doug Ogura, Tiffany Cheuvront, Roy Nelson Cook, and Chris Rix addressed the Board regarding Chino Hills HS football coach Chris Stevens; Cheryl Manor addressed the Board regarding Chino Hills HS Athletic Director Sam Sabbara and football coach Chris Stevens; Scott Peltomaa, Assembly member Freddie Rodriguez's office, provided information regarding Educator of the Year Awards 2019 Nominations; Chau Nguyen addressed the Board regarding unfilled substitute teaching assignments, custodian jobs, and traffic/parking issues at Chaparral ES; Barbara Hale, Jon Kirkpatrick, Sara Kirkpatrick, Larry Hatley, and Sindi Wasserman addressed the Board regarding Sycamore Academy internet and basic necessary services.

I.G. CHANGES AND DELETIONS

The following changes were read into the record: Item III.C.1., Student Expulsion Case 19/20-10, remanded the recommendation to Student Support Services for a supplemental hearing; and Item III.E.1. was yellow-sheeted.

II. ACTION

II.A. HUMAN RESOURCES

II.A.1. Public Hearing and Ratification of the Tentative Agreement Between the Chino Valley Unified School District and the California School Employees Association and its Chino Chapter 102 Effective July 1, 2018, through June 30, 2021

President Na opened the public hearing at 7:18 p.m., there were no speakers, and the hearing was closed at 7:18 p.m. Moved (Gagnier) seconded (Schaffer) motion carried (4-0, Blair absent) to ratify the Tentative Agreement between the Chino Valley Unified School District and the California School Employees Association and its Chino Chapter 102 effective July 1, 2018, through June 30, 2021. Student representative voted yes.

III. CONSENT

Christina Gagnier pulled for separate action Item III.C.1., Student Expulsion cases 19/20-08 and 19/20-09, only. Moved (Gagnier) seconded (Schaffer) motion carried (4-0, Blair absent) to approve the consent items, as amended. Student representative voted yes.

III.A. ADMINISTRATION

III.A.1. Minutes of the Regular Meeting of October 3, 2019

Approved the minutes of the regular meeting of October 3, 2019.

III.A.2. Appointment to the Richard Gird Educational Hall of Fame Committee

Appointed Joe Marcos to the Richard Gird Educational Hall of Fame Committee.

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. Student Expulsion Cases 19/20-07, 19/20-08, 19/20-09, and 19/20-10**

Approved student expulsion cases 19/20-07 and 19/20-10 (as amended). Moved (Schaffer) and seconded (Gagnier) motion carried (3-1, Cruz voted no, and Blair absent) to approve student expulsion cases 19/20-08 and 19/20-09.

III.C.2. School-Sponsored Trips

Approved/ratified the following school-sponsored trips for: Ayala HS and Chino Hills HS.

III.C.3. 2019/2020 School Plan for Student Achievement for Boys Republic HS, Buena Vista HS, and Chino Valley Learning Academy

Approved the 2019/2020 School Plan for Student Achievement for Boys Republic HS, Buena Vista HS, and Chino Valley Learning Academy.

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

Approved/ratified the purchase order register.

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

Approved/ratified the Agreements for Contractor/Consultant Services.

III.D.3. Surplus/Obsolete Property

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

III.D.4. Change Order and Notice of Completion for CUPCCAA Bid 18-19-23I, Marshall ES Playground Equipment Installation

Approved the Change Order and Notice of Completion for CUPCCAA Bid 18-19-23I, Marshall ES Playground Equipment Installation.

III.D.5. Bid 19-20-16F, Cal Aero K-8 Additional Portables and Lunch Shelter

Awarded Bid 19-20-16F, Cal Aero K-8 Additional Portables and Lunch Shelter to R. Jenson, Co. Inc.

III.D.6. Bid 19-20-18F, Briggs K-8 Science Building—Rebid

Awarded bid 19-20-18F, Briggs K-8 New Science Building—Rebid to the following contractors: BP #2 to Inland Building Construction Co.; BP #4 to Tomahawk Builders, Inc.; BP #5 to Stolo Cabinets, Inc.; BP #6 to Caston Inc.; BP #7 to United Contractors; BP #8 to Letner Roofing Co.; BP #9 to Star Hardware, Inc.; BP #10 to McKernan Inc.; BP #11 to Riccardi Floor Covering; BP # 12 to Cramer Painting, Inc.; BP #13 to RVH Constructors; BP #15 to Continental Plumbing Inc.; BP #16 to Daart Engineering, Co., Inc.; and BP #17 to All Star Air Systems, Inc.

- III.D.7. Bid 19-20-19F, Chino Hills HS Administrative Office Reconfiguration**
Awarded Bid 19-20-19F, Chino Hills HS Administrative Office Reconfiguration to R. Dependable Construction, Inc.

- III.D.8. Change Order for Bid 18-19-10F, Cattle ES, Litel ES, and Oak Ridge ES Alteration Project**
Approved the Change Order for Bid 18-19-10F, Cattle ES, Litel ES, and Oak Ridge ES Alteration Project.

- III.D.9. Change Orders for Bid 18-19-26F, Ayala HS Alteration HVAC Upgrades—Gym and Kitchen**
Approved the Change Orders for Bid 18-19-26F, Ayala HS Alteration HVAC Upgrades—Gym and Kitchen.

- III.E. HUMAN RESOURCES**

- III.E.1. Certificated/Classified Personnel Items**
Approved/ratified the certificated/classified personnel items, as amended.

IV. INFORMATION

Cathy Osman addressed the Board on Item IV.A.1.

IV.A. ADMINISTRATION

- IV.A.1. Request by Cathy Osman to Put Item on the Agenda Regarding Technology Pursuant to Bylaw of the Board 9322—Agenda/Meeting Materials**
Received for information Cathy Osman’s request to not place smart boards on the walls in kindergarten, first, second, and possibly third grade classrooms.

IV.B. FACILITIES, PLANNING, AND OPERATIONS

- IV.B.1. Annual Report Per Board Policy 3470—Debt Issuance and Management**
Received for information the annual report required per Board Policy 3470—Debt Issuance and Management.

V. COMMUNICATIONS

BOARD MEMBERS AND SUPERINTENDENT

Joe Schaffer recognized National School Administrators Day; said October is Breast Cancer Awareness month; said Channel 11 news at 10:00 p.m. is featuring Mckenzie Aguilera, a Don Lugo HS freshman place kicker on the frosh and varsity football team; attended Don Lugo HS's football and homecoming game on October 4 and 11, respectively; attended the college fair at Chino Hills HS on October 7; attended the Music in Motion program at Ayala HS on October 13; said he shadowed Carrie Bradford, an instructional aide at Woodcrest JHS, on October 15 and recognized the work all instructional aides do; attended the October 9 Baldy View ROP meeting and said an open house and ribbon cutting ceremony for the logistics facility and new training building is scheduled for October 19; said the Parks and Recreation commission approved the addition of four pickleball courts located at Torrey Pines Park; and said the city will be opening/dedicating the new Los Serranos Park on November 16.

Christina Gagnier thanked those who attended the meeting and for speaking; thanked those who attended her community coffee event at Ayala Park and said her next event is scheduled for November 14; and announced the Chino Valley Chamber of Commerce is holding its annual business expo at The Shoppes at Chino Hills this weekend.

Andrew Cruz attended the Music in Motion program; shadowed a bus driver and said that drivers build relationships with students; commented on the emails sent to him regarding the need of having good people; and asked President Na to consider placing on the next agenda the reinstatement of football coach Chris Sevens and Athletic Director Sam Sabbara.

Superintendent Enfield made no comment.

President Na spoke about coach Chris Stevens; said he shadowed a custodian at the Chino Hills HS campus; said his vision is to support our students; thanked the parents who spoke on behalf of Sycamore Academy and asked Superintendent Enfield to follow-up on the school's technology needs; said he attended the Music in Motion program; and thanked principals for the job they do.

VI. ADJOURNMENT

President Na adjourned the regular meeting of the Board of Education at 7:37 p.m.

James Na, President

Andrew Cruz, Clerk

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 7, 2019
TO: Members, Board of Education
FROM: Norm Enfield, Ed.D, Superintendent
SUBJECT: RESOLUTION 2019/2020-20 BOARD COMPENSATION FOR IRENE HERNANDEZ-BLAIR FOR MISSED MEETING OF OCTOBER 17, 2019

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BACKGROUND

Board Bylaw 9250, Remuneration, Reimbursement, Board Development and Other Benefits, authorizes a Board member to receive the monthly compensation as provided for in law. Additionally, Bylaws of the Board Exhibit 9250, Resolution on Board Compensation for Missed Meetings authorizes that a member is entitled to be paid for missed meetings if he/she was absent due to limited circumstances.

This resolution recognizes that Vice President Irene Hernandez-Blair was absent from the October 17, 2019, regular meeting of the Board of Education due to illness.

RECOMMENDATION

It is recommended the Board of Education adopt Resolution 2019/2020-20 Board compensation for Irene Hernandez-Blair for missed meeting of October 17, 2019.

FISCAL IMPACT

None.

NE:pk

RESOLUTION 2019/2020-20
BOARD COMPENSATION FOR IRENE HERNANDEZ-BLAIR
FOR MISSED MEETING OCTOBER 17, 2019

WHEREAS, the Board of Education of the Chino Valley Unified School District appreciates the services provided by members of the Board and provides compensation for meeting attendance in accordance with Education Code 35120 and Board Bylaw 9250; and

WHEREAS, Education Code 35120 provides that the monthly compensation provided to Board members shall be commensurate with the percentage of meetings attended during the month unless otherwise authorized by Board resolution; and

WHEREAS, Education Code 35120 specifies limited circumstances under which the Board is authorized to compensate a Board member for meetings he/she missed; and

WHEREAS, the Board finds that Irene Hernandez-Blair did not attend the Board meeting on October 17, 2019, for the following reason(s):

- Performance of other designated duties for the District during the time of the meeting
- Illness or jury duty
- Hardship deemed acceptable by the Board

NOW THEREFORE BE IT RESOLVED that the Board of the Chino Valley Unified School District approves compensation of the Board member for the October 17, 2019 missed meeting.

APPROVED, PASSED, AND ADOPTED this 7th day of November 2019 at a regular meeting, by the following vote:

Blair	_____
Cruz	_____
Gagnier	_____
Na	_____
Schaffer	_____

James Na, President

Andrew Cruz, Clerk

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 7, 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

\$ 9,107,044.63 to all District funding sources.

NE:SHC:LP:wc

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 7, 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: 2019/2020 APPLICATION TO OPERATE FUNDRAISING ACTIVITIES
AND OTHER ACTIVITIES FOR THE BENEFIT OF STUDENTS**

=====

BACKGROUND

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

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

RECOMMENDATION

It is recommended the Board of Education approve/ratify the 2019/2020 application to operate fundraising activities and other activities for the benefit of students.

FISCAL IMPACT

None.

NE:SHC:LP:wc

**CHINO VALLEY UNIFIED SCHOOL DISTRICT
November 7, 2019**

**2019/2020 AUTHORIZATION TO OPERATE FUNDRAISING ACTIVITIES
AND OTHER ACTIVITIES FOR THE BENEFIT OF STUDENTS**

School

Organization

Chino Hills HS

PTSA

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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Humility • Civility • Service

DATE: November 7, 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
November 7, 2019

<u>SITE/DEPARTMENT</u>	<u>ACTIVITY/DESCRIPTION</u>	<u>DATE</u>
<u>Borba ES</u>		
PFA	Smencil Sale	11/8/19 - 5/28/20
<u>Butterfield Ranch ES</u>		
PTA	BJ's Restaurant Family Night Out	11/13/19
PTA	Friendship Gram Sale	2/3/20 - 2/14/20
PTA	Mother/Son Dance	2/26/20
PTA	Father/Daughter Dance	2/28/20
PTA	Book Fair	4/2/20 - 4/8/20
<u>Cattle ES</u>		
PFA	Marquee Birthday Announcement Sale	11/22/19 - 5/30/20
PFA	Holiday Boutique	12/9/19 - 12/13/19
<u>Hidden Trails ES</u>		
PTA	Yearbook Sale	11/12/19 - 3/18/20
ASB	Santa Gram Sale	12/9/19 - 12/13/19
ASB	Penny Donation Drive	1/13/20 - 5/17/20
PTA	CPK Family Night Out	1/15/20
<u>Liberty ES</u>		
ASB	Off Campus See's Candy Sale	11/8/19 - 12/6/19
<u>Rolling Ridge ES</u>		
PTA	California Pizza Kitchen Family Night Out	11/20/19
<u>Briggs K-8</u>		
PFA	Panda Express Spirit Day	11/13/19
<u>Ramona JHS</u>		
Travel Club	Chipotle Family Night Out	12/4/19

CHINO VALLEY UNIFIED SCHOOL DISTRICT
November 7, 2019

<u>SITE/DEPARTMENT</u>	<u>ACTIVITY/DESCRIPTION</u>	<u>DATE</u>
<u>Townsend JHS</u>		
East Coast Travel Club	After School Kona Ice Sale	4/15/20
<u>Ayala HS</u>		
Stage Craft Club	Recycling Collection	11/8/19 - 11/12/19
Choral Boosters	Off Campus See's Candy Sale	11/8/19 - 11/18/19
Stage Craft Club	Flamingo Flocking Yards Service	11/8/19 - 11/30/19
Comp Cheer Boosters	Off Campus Candy Sale	11/8/19 - 2/1/20
Grad Night 2021 Boosters	Smileamazon.com	11/8/19 - 5/28/20
Wrestling	Wrestling Under the Lights Ticket Sale	11/9/19
Choral Boosters	Chipotle Family Night Out	11/15/19
Theatre Arts Boosters	Panera Bread Family Night Out	11/15/19
Dance Production	Applebee's Breakfast	11/16/19
Comp Cheer Boosters	Chick-fil-A Family Night Out	11/18/19
Dance Production	Fall Dance Concert Ticket Sale	11/22/19
Dance Production	Fall Dance Concert Concessions	11/22/19
Choral Boosters	Ding Tea Family Night Out	11/22/19
Choral Boosters	Madrigal Feast Ticket Sale	12/5/19 - 12/7/19
Dance Production	Off Campus Donut Sale	1/14/20 - 2/14/20
Choral Boosters	Chipotle Family Night Out	1/16/20
Dance Production	Dancing With The Staff Ticket Sale	3/15/20
Dance Production	Dancing With The Staff Concessions	3/15/20
Dance Production	Spring Dance Concert Concessions	4/30/20 - 5/1/20
<u>Buena Vista HS</u>		
ASB	Student Store	11/8/19 - 5/28/20
<u>Chino HS</u>		
Basketball Boosters	Chipotle Family Night Out	11/8/19
Pep Squad Boosters	Car Show Concessions	11/9/19
Chino Cowboy Huddle	Los Portales Family Night Out	11/10/19
Basketball Boosters	Banner Sponsorship Sale	11/11/19 - 11/15/19
Boys Soccer Boosters	Chipotle Family Night Out	11/17/19
Basketball Boosters	Free Throw-A-Thon	11/18/19 - 11/22/19
Basketball Boosters	Cannataro's Family Night Out	11/19/19
LJPS	Applebee's Pancake Breakfast	12/14/19

CHINO VALLEY UNIFIED SCHOOL DISTRICT
November 7, 2019

<u>SITE/DEPARTMENT</u>	<u>ACTIVITY/DESCRIPTION</u>	<u>DATE</u>
<u>Chino Hills HS</u>		
Girls Basketball	Spirit Pack Sale	11/8/19 - 12/1/19
PTSA	eWaste Recycling Event	11/9/19
Girls Basketball	Sponsorship Drive	11/9/19 - 12/31/19
Robotics Club	Corner Bakery Café Family Night Out	11/13/19
Baseball Boosters	Donation Drive	11/14/19 - 5/31/20
Girls Basketball	Off Campus See's Candy Sale	11/15/19 - 11/29/19
Girls Basketball	Off Campus Car Wash	11/16/19
Dance Boosters	Jr. Dance Day	12/7/19
Choir	Applebee's Pancake Breakfast	12/7/19
Dance Boosters	Dance Preview Show	12/8/19
PTSA	Valentine's Gram Sale	2/11/20 - 2/14/20
<u>Don Lugo HS</u>		
Spirit Leader Boosters	Tahoe Joe's Family Night Out	11/19/19
Girls Basketball	Off Campus Candy Sale	11/24/19 - 12/20/19
Sports & Spirit Boosters	Comedy Night Ticket Sale	12/7/19
Spirit Leader Boosters	Applebee's Pancake Breakfast	1/18/20

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 7, 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
November 7, 2019

<u>DEPARTMENT/SITE DONOR</u>	<u>ITEM DONATED</u>	<u>APPROXIMATE VALUE</u>
<u>Assessment & Instructional Technology</u>		
The Edcamp Foundation	Cash	\$200.00
<u>H.O.P.E. Program</u>		
Patricia Rodriguez	Gift Card	\$50.00
Michelle Meza	Gift Cards	\$120.00
<u>Borba ES</u>		
American Legion Auxiliary	School Supplies	\$250.00
<u>Cortez ES</u>		
Kroger	Cash	\$108.00
<u>Rhodes ES</u>		
Rhodes PEP Club	Cash	\$5,000.00
<u>Rolling Ridge ES</u>		
Ida Jaimes	Cash	\$140.00
<u>Canyon Hills JHS</u>		
Canyon Hills PTSA	Cash	\$225.00
<u>Don Lugo HS</u>		
Vivian Saldana	Cash	\$165.00
Robert Rohrer	Cash	\$200.00

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

DATE: November 7, 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	2019/2020 YEAR-TO-DATE
Atkinson, Andelson, Loya, Ruud & Romo	September 2019	\$ 16,491.00	\$ 37,042.27
Margaret A. Chidester & Associates	August 2019	\$108,910.48	\$174,352.48
The Tao Firm	September 2019	\$ 4,350.00	\$ 16,025.00
	Total	\$129,751.48	\$227,419.75

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

RECOMMENDATION

It is recommended the Board of Education approve payment for legal services to the law offices of Atkinson, Andelson, Loya, Ruud & Romo; Margaret A. Chidester & Associates; and The Tao Firm.

FISCAL IMPACT

\$129,751.48 to the General Fund.

NE:SHC:LP:wc

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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Humility • Civility • Service

DATE: November 7, 2019
TO: Members, Board of Education
FROM: Norm Enfield, Ed.D., Superintendent
PREPARED BY: Lea Fellows, Assistant Superintendent, Curriculum, Instruction, Innovation, and Support
Stephanie Johnson, Director, Student Support Services
SUBJECT: STUDENT EXPULSION CASES 19/20-11 AND 19/20-12

=====

BACKGROUND

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

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

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

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

RECOMMENDATION

Based upon the recommendation of the Expulsion Hearing Administrative Panel, it is recommended the Board of Education approve student expulsion cases 19/20-11 and 19/20-12.

FISCAL IMPACT

None.

NE:LF:SJ:ss

CHINO VALLEY UNIFIED SCHOOL DISTRICT

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DATE: November 7, 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:

School-Sponsored Trips	Date	Fiscal Impact
Site: Butterfield Ranch ES Event: Thousand Pines Outdoor Science Camp Place: Crestline, CA Chaperone: 100 students/23 chaperones	January 7-10, 2020	Cost: \$285.00 per student Funding Source: Parents
Site: Rhodes ES Event: Sacramento Day Trip Place: Sacramento, CA Chaperone: 70 students/40 chaperones	May 15, 2020	Cost: \$430.00 per student Funding Source: Parents and fundraising

Site: Chino HS Event: Boys Basketball Tournament Place: Las Vegas, NV Chaperone: 12 students/3 chaperones	December 17-21, 2019	Cost: \$450.00 per student Funding Source: Parents and fundraising
Site: Chino Hills HS Event: California Interscholastic Federation Girls Golf Individual Regionals Place: Ojai, CA Chaperone: 3 students/2 chaperones	October 27-28, 2019	Cost: \$400.00 per student Funding Source: Athletics
Site: Chino Hills HS Event: California Interscholastic Federation Girls Golf State Championships Place: Pebble Beach, CA Chaperone: 3 students/2 chaperones	November 18-19, 2019	Cost: \$400.00 per student Funding Source: Athletics
Site: Chino Hills HS Event: California Interscholastic Federation State Cross Country Finals Place: Fresno, CA Chaperone: 20 students/2 chaperones	November 29-30, 2019	Cost: \$150.00 per student Funding Source: Athletics
Site: Chino Hills HS Event: Junior Varsity Girls Basketball Competition Place: Temecula, CA Chaperone: 12 students/3 chaperones	December 26-30, 2019	Cost: \$125.00 per student Funding Source: Fundraising
Site: Chino Hills HS Event: Jazz Band - Las Vegas Jazz Invitational Place: Las Vegas, NV Chaperone: 45 students/4 chaperones	March 27-29, 2020	Cost: \$350.00 per student Funding Source: Parents and fundraising
Site: Don Lugo HS Event: Advancement Via Individual Determination College Campus Tour Place: San Diego, CA Chaperone: 30 students/4 chaperones	November 4-5, 2019	Cost: \$50.00 per student Funding Source: Parents and ASB

FISCAL IMPACT

None.

NE:LF:trr

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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DATE: November 7, 2019
TO: Members, Board of Education
FROM: Norm Enfield, Ed.D., Superintendent
PREPARED BY: Lea Fellows, Assistant Superintendent, Curriculum, Instruction, Innovation, and Support
Sherri Johnson, Psy.D., Director, Health Services/Child Development
SUBJECT: AMENDMENT TO LOCAL AGREEMENT FOR CHILD DEVELOPMENT SERVICES CCTR-9188

=====

BACKGROUND

The Local Agreement for Child Development Services represents the annual contract with the California Department of Education (CDE) to provide state-subsidized general child care to low income families in the Chino Valley Unified School District. The Board approved the CCTR-9188 agreement at its June 20, 2019, meeting. The program award CCTR-9188 funds general child care and development services to programs located at the Buena Vista Infant/Toddler Center, Liberty Fun Club, and Newman Fun Club. It is being amended to reflect two revisions: an increase to the Maximum Reimbursable Amount of \$592,546.00 to \$638,786.00, which equates to a per child increase from \$47.98 to \$49.54; and an increase in service requirements to minimum Child Days of Enrollment from 12,351.0 to 12,894.0 to reflect enrollment data submitted to the state by the Child Development program.

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

RECOMMENDATION

It is recommended the Board of Education approve the amendment to Local Agreement for Child Development Services CCTR-9188.

FISCAL IMPACT

An additional award of \$46,240.00 to the Child Development program.

NE:LF:SJ:rtr



CALIFORNIA DEPARTMENT OF EDUCATION

1430 N Street

Sacramento, CA 95814-5901

F.Y. 19 - 20

Amendment 01

LOCAL AGREEMENT FOR CHILD DEVELOPMENT SERVICES

Budget Act/Rate

DATE: July 01, 2019

CONTRACT NUMBER: CCTR-9188

PROGRAM TYPE: GENERAL CHILD CARE & DEV PROGRAMS

PROJECT NUMBER: 36-6767-00-9

CONTRACTOR'S NAME: CHINO VALLEY UNIFIED SCHOOL DISTRICT

This agreement with the State of California dated July 01, 2019 designated as number CCTR-9188 shall be amended in the following particulars but no others:

The Maximum Reimbursable Amount (MRA) payable pursuant to the provisions of this agreement shall be amended by deleting reference to \$592,546.00 and inserting \$638,786.00 in place thereof.

The Maximum Rate per child day of enrollment payable pursuant to the provisions of the agreement shall be amended by deleting reference to \$47.98 and inserting \$49.54 in place thereof.

SERVICE REQUIREMENTS

The minimum Child Days of Enrollment (CDE) Requirement shall be amended by deleting reference to 12,351.0 and inserting 12,894.0 in place thereof.

Minimum Days of Operation (MDO) Requirement shall be 248. (No Change)

EXCEPT AS AMENDED HEREIN all terms and conditions of the original agreement shall remain unchanged and in full force and effect.

STATE OF CALIFORNIA		CONTRACTOR				
BY (AUTHORIZED SIGNATURE)		BY (AUTHORIZED SIGNATURE)				
PRINTED NAME OF PERSON SIGNING Jaymi Brown,		PRINTED NAME AND TITLE OF PERSON SIGNING				
TITLE Contract Manager		ADDRESS				
AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 46,240	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs	FUND TITLE		Department of General Services use only		
PRIOR AMOUNT ENCUMBERED FOR THIS CONTRACT \$ 592,546	(OPTIONAL USE) See Attached					
TOTAL AMOUNT ENCUMBERED TO DATE \$ 638,786	ITEM See Attached	CHAPTER	STATUTE			FISCAL YEAR
	OBJECT OF EXPENDITURE (CODE AND TITLE) 702					
I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above.		T.B.A. NO.	B.R. NO.			
SIGNATURE OF ACCOUNTING OFFICER See Attached		November 7, 2019 Page 36				

CONTRACTOR'S NAME: CHINO VALLEY UNIFIED SCHOOL DISTRICT

CONTRACT NUMBER: CCTR-9188

Amendment 01

AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 0	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs	FUND TITLE Federal		
PRIOR AMOUNT ENCUMBERED \$ 138,712	(OPTIONAL USE)0656 13609-6767	FC# 93.596	PC# 000321	
TOTAL AMOUNT ENCUMBERED TO DATE \$ 138,712	ITEM 30.10.020.001 6100-194-0890	CHAPTER B/A	STATUTE 2019	FISCAL YEAR 2019-2020
OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-5025 Rev-8290				

AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 0	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs	FUND TITLE Federal		
PRIOR AMOUNT ENCUMBERED \$ 63,765	(OPTIONAL USE)0656 15136-6767	FC# 93.575	PC# 000324	
TOTAL AMOUNT ENCUMBERED TO DATE \$ 63,765	ITEM 30.10.020.001 6100-194-0890	CHAPTER B/A	STATUTE 2019	FISCAL YEAR 2019-2020
OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-5025 Rev-8290				

AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 46,240	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs	FUND TITLE General		
PRIOR AMOUNT ENCUMBERED \$ 390,069	(OPTIONAL USE)0656 23254-6767			
TOTAL AMOUNT ENCUMBERED TO DATE \$ 436,309	ITEM 30.10.020.001 6100-194-0001	CHAPTER B/A	STATUTE 2019	FISCAL YEAR 2019-2020
OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-6105 Rev-8590				

I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above.	T.B.A. NO.	B.R. NO.
SIGNATURE OF ACCOUNTING OFFICER	November 7, 2019 Page 37	DATE

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 7, 2019

TO: Members, Board of Education

FROM: Norm Enfield, Ed.D., Superintendent

PREPARED BY: Lea Fellows, Assistant Superintendent, Curriculum, Instruction, Innovation, and Support
Sherri Johnson, Psy.D., Director, Health Services/Child Development

SUBJECT: AMENDMENT TO LOCAL AGREEMENT FOR CHILD DEVELOPMENT SERVICES CSPP-9420

=====

BACKGROUND

The Local Agreement for Child Development Services represents the annual contract with the California Department of Education to provide state-subsidized general child care to low income families in the Chino Valley Unified School District. The Board approved the CSPP-9420 agreement at its June 20, 2019, meeting. The program award CSPP-9420 funds the California state preschool program located at the Chino Children’s Center. It is being amended to reflect an increase to the Maximum Reimbursable Amount of \$298,078.00 to \$307,774.00, which equates to a per child increase from \$48.28 to \$49.85 to reflect enrollment data submitted to the state by the Child Development program.

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

RECOMMENDATION

It is recommended the Board of Education approve the amendment to Local Agreement for Child Development Services CSPP-9420.

FISCAL IMPACT

An additional award of \$9,696.00 to the Child Development program.

NE:LF:SJ:rtr



CALIFORNIA DEPARTMENT OF EDUCATION

1430 N Street

Sacramento, CA 95814-5901

F.Y. 19 - 20

Amendment 01

LOCAL AGREEMENT FOR CHILD DEVELOPMENT SERVICES

Budget Act/Rate Change

DATE: July 01, 2019

CONTRACT NUMBER: CSPP-9420

PROGRAM TYPE: CALIFORNIA STATE PRESCHOOL PROGRAM

PROJECT NUMBER: 36-6767-00-9

CONTRACTOR'S NAME: CHINO VALLEY UNIFIED SCHOOL DISTRICT

This agreement with the State of California dated July 01, 2019 designated as number CSPP-9420 shall be amended in the following particulars but no others:

The Maximum Reimbursable Amount (MRA) payable pursuant to the provisions of this agreement shall be amended by deleting reference to \$298,078.00 and inserting \$307,774.00 in place thereof.

The Maximum Rate per child day of enrollment payable pursuant to the provisions of the agreement shall be amended by deleting reference to \$48.28 and inserting \$49.85 in place thereof.

SERVICE REQUIREMENTS

The minimum Child Days of Enrollment (CDE) Requirement shall be 6,174.0. (No Change)

Minimum Days of Operation (MDO) Requirement shall be 248. (No Change)

EXCEPT AS AMENDED HEREIN all terms and conditions of the original agreement shall remain unchanged and in full force and effect.

Table with columns for STATE OF CALIFORNIA and CONTRACTOR, including fields for signatures, titles, amounts, and program details.

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto

Student Achievement • Safe Schools • Positive School Climate
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DATE: November 7, 2019

TO: Members, Board of Education

FROM: Norm Enfield, Ed.D., Superintendent

PREPARED BY: Lea Fellows, Assistant Superintendent, Curriculum, Instruction, Innovation, and Support
Sherri Johnson, Psy.D., Director, Health Services/Child Development

SUBJECT: PROCLAMATION FOR THE GREAT AMERICAN SMOKEOUT ON NOVEMBER 21, 2019

=====

BACKGROUND

Each year on the third Thursday in November, the American Cancer Society sponsors the Great American Smokeout. This is an annual event that encourages and offers support to smokers to make a plan to quit smoking on the day of the event. About 34 million Americans still smoke cigarettes, and tobacco use remains the single largest preventable cause of disease and illness in the world. Quitting smoking improves health immediately and over the long term – at any age.

The Chino Valley Unified School District is a tobacco-free District and has a strong commitment to provide tobacco use prevention education to its students. The proclamation is a means of recognizing the District's support of the American Cancer Society's The Great American Smokeout on November 21, 2019.

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

RECOMMENDATION

It is recommended the Board of Education adopt the proclamation for The Great American Smokeout on November 21, 2019.

FISCAL IMPACT

None.

NE:LF:SJ:rtr

**Chino Valley Unified School District
Proclamation
The Great American Smokeout
November 21, 2019**

WHEREAS, the American Cancer Society's nationally recognized event, The Great American Smokeout, challenges people to stop using tobacco and raises awareness around the many effective ways to quit for good;

WHEREAS, increasing numbers of children are experimenting with a product that can produce lifetime addiction with an increased risk of cancer;

WHEREAS, the health benefits of not smoking are substantiated and well known;

WHEREAS, nicotine is an addictive drug; and

WHEREAS, youth-related promotions such as The Great American Smokeout Pledge encourages youth not to start smoking.

NOW, THEREFORE, BE IT RESOLVED the Board of Education of the Chino Valley Unified School District does hereby support November 21, 2019, as The Great American Smokeout day in this District, and in doing so, urges all smokers and smokeless tobacco users to demonstrate to themselves and our children that they can quit and to further encourage our children not to start smoking.

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

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 7, 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

\$4,840,986.99 to all District funding sources.

NE:GJS:AGH:pw

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 7, 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

SUPERINTENDENT	FISCAL IMPACT
S-1920-005 SHI. To provide access to Adobe Creative Cloud software. Submitted by: Communications Duration of Agreement: November 8, 2019 - November 9, 2020	Contract amount: \$481.76 Funding source: General Fund

BUSINESS SERVICES	FISCAL IMPACT
B-1920-022 Academic Superstore. To provide Adobe Creative Cloud software suite. Submitted by: Printing, Graphics, and Mail Services Duration of Agreement: November 1, 2019 - June 30, 2020	Contract amount: \$4,195.00 Funding source: General Fund
B-1920-023 LumaPix Inc. To provide yearbook software. Submitted by: Printing, Graphics, and Mail Services Duration of Agreement: November 1, 2019 - November 30, 2020	Contract amount: \$11,800.00 Funding source: General Fund

CURRICULUM, INSTRUCTION, INNOVATION, AND SUPPORT	FISCAL IMPACT
CIIS-1920-161 UC Davis Center for Integrated Computing and STEM Education. To provide annual subscription for C-STEM and integrated math with computing and robotics. Submitted by: Secondary Curriculum Duration of Agreement: July 1, 2019 - June 30, 2020	Contract amount: \$1,000.00 Funding source: LCAP
CIIS-1920-162 Pathways Consultants. To provide Career Hub account services. Submitted by: Alternative Education Center/WIOA Duration of Agreement: October 1, 2019 - June 30, 2020	Contract amount: \$498.96 Funding source: WIOA
CIIS-1920-163 Committee for Children. To provide Mind Yeti software subscription. Submitted by: Glenmeade ES Duration of Agreement: July 1, 2019 - June 30, 2020	Contract amount: \$499.00 Funding source: Title I
CIIS-1920-164 Newsela, Inc. To provide PRO teacher license. Submitted by: Rhodes ES Duration of Agreement: September 13, 2019 - June 30, 2020	Contract amount: \$2,909.25 Funding source: LCAP
CIIS-1920-165 Design Science Inc. To provide math type software subscription for math department use. Submitted by: Don Lugo HS Duration of Agreement: November 8, 2019 - June 30, 2020	Contract amount: \$482.04 Funding source: Title I
CIIS-1920-166 Accelerate Learning Inc. To provide online software to support early learning, Next Generation Science Standards (NGSS) and state-aligned curriculum. Submitted by: Magnolia JHS Duration of Agreement: September 1, 2019 - June 30, 2020	Contract amount: \$148.75 Funding source: Title I
CIIS-1920-167 STS Global Studies, Inc. To provide marketing service to recruit qualified international students. Submitted by: Alternative Education Center Duration of Agreement: November 8, 2019 - June 30, 2020	Contract amount: \$600.00 Funding source: General Fund
CIIS-1920-168 SHI. To provide access to Adobe Acrobat software. Submitted by: Don Lugo HS Duration of Agreement: November 8, 2019 - November 9, 2020	Contract amount: \$356.00 Funding source: General Fund

CURRICULUM, INSTRUCTION, INNOVATION, AND SUPPORT	FISCAL IMPACT
CIIS-1920-169 University of Oregon. To provide software for Multi-tiered Systems of Support (MTSS) for behavior counselors. Submitted by: Health Services Duration of Agreement: July 1, 2019 - June 30, 2020	Contract amount: \$8,505.00 Funding source: LCAP

FACILITIES, PLANNING, AND OPERATIONS	FISCAL IMPACT
F-1920-047 Department of Toxic Substances Control. To provide environmental oversight agreement for Preserve school # 2. Submitted by: Facilities, Planning, and Operations Duration of Agreement: November 8, 2019 - November 9, 2020	Contract amount: \$19,536.00 Funding source: Capital Facilities Fund 25
F-1920-048 Elite Modular Leasing & Sales Inc. To provide lease agreement for portable classroom buildings at Cal Aero K-8. Submitted by: Facilities, Planning, and Operations Duration of Agreement: December 1, 2019 - November 30, 2022	Contract amount: \$520,700.00 Funding source: Capital Facilities Fund 25

HUMAN RESOURCES	FISCAL IMPACT
HR-1920-021 Agility Recovery Solutions Inc. To provide emergency notification system. Submitted by: Risk Management Duration of Agreement: November 8, 2019 - November 8, 2022	Contract amount: \$37,800.00 Funding source: General Fund
HR-1920-022 Thompson & Colegate LLP. To provide legal services. Submitted by: Risk Management Duration of Agreement: November 8, 2019 - June 30, 2020	Contract amount: Per rate sheet Funding source: General Fund

MASTER CONTRACTS	FISCAL IMPACT
MC-1920-038 Cinemark USA, Inc. To provide movie theater field trip experience. Submitted by: Walnut ES Duration of Agreement: November 8, 2019 - June 30, 2022	Contract amount: Per rate sheet Funding source: ASB/USB/PFA/PTA/Boosters
MC-1920-039 Noras Fruit Inc. To provide fruit smoothies, diced fruits and fruit cups for fundraising opportunities. Submitted by: Chino Hills HS Duration of Agreement: November 8, 2019 - June 30, 2022	Contract amount: Per rate sheet Funding source: ASB/USB/PFA/PTA/Boosters
MC-1920-040 School Datebooks. To provide agendas for students. Submitted by: Ayala HS Duration of Agreement: November 8, 2019 - June 30, 2022	Contract amount: Per rate sheet Funding source: ASB/USB/PFA/PTA/Boosters

APPROVED CONTRACTS TO BE AMENDED	AMENDMENT
B-1617-005 American Fidelity Administrative Services, LLC. To provide affordable care act employee tracking and employer reporting services. Submitted by: Business Services Duration of Agreement: September 1, 2016 - September 30, 2019 Original Agreement Board Approved: September 1, 2016	Extend contract term through June 30, 2022 Funding source: General Fund

APPROVED CONTRACTS TO BE AMENDED	AMENDMENT
<p>B-1920-013 ImageSource. To provide software maintenance. Submitted by: Printing, Graphics, and Mail Services Duration of Agreement: July 1, 2019 - June 30, 2020 Original Agreement Board Approved: July 18, 2019</p>	<p>Increase contract amount from \$17,075.00 to \$19,147.72 to cover Xerox color 1000i server software upgrade</p> <p>Funding source: General Fund</p>
<p>CIIS-1920-100 International Academy of Science. To provide Acellus student licenses for online based curriculum. Submitted by: Alternative Education Center Duration of Agreement: July 1, 2019 - June 30, 2020 Original Agreement Board Approved: June 20, 2019</p>	<p>Increase contract amount from \$35,000.00 to \$41,000.00</p> <p>Funding source: School Site Budget</p>
<p>CIIS-1920-141 Wendy W. Murawski dba 2 Teach LLC. To provide professional development training for teachers. Submitted by: Chino HS Duration of Agreement: September 20, 2019 - June 30, 2020 Original Agreement Board Approved: September 19, 2019</p>	<p>Change duration of agreement to July 1, 2019 through June 30, 2020 to cover professional development training</p> <p>Contract amount: \$50,000.00</p> <p>Funding source: Title I</p>
<p>F-1819-005 Elite Modular Leasing & Sales Inc. To provide 1 year lease of 15 portable classrooms for Cattle ES. Submitted by: Facilities, Planning, and Operations Duration of Agreement: June 15, 2018 - June 30, 2019 Original Agreement Board Approved: June 14, 2018</p>	<p>Amend current lease to continue leasing 5 relocatable classrooms for 3 years with an annual rent of \$49,000.00</p> <p>Increase contract amount from \$253,250.00 to \$400,250.00</p> <p>Funding Source: Capital Facilities Fund 25</p>
<p>F-1920-033 Zonar Systems, Inc. To provide fleet management software system. Submitted by: Transportation Duration of Agreement: July 1, 2019 - June 30, 2020 Original Agreement Board Approved: September 19, 2019</p>	<p>Increase contract amount from \$29,952.00 to \$50,000.00 to cover additional vehicles to fleet</p> <p>Funding source: General Fund</p>
<p>F-1920-036 American Power Wash. To provide mobile washing services for District vehicles. Submitted by: Transportation Duration of Agreement: July 1, 2019 - June 30, 2020 Original Agreement Board Approved: October 3, 2019</p>	<p>Increase contract amount from \$8,000.00 to Per rate sheet</p> <p>Funding Source: General Fund</p>
<p>HR-1920-012 All City Management Services, Inc. To provide crossing guard services. Submitted by: Human Resources Duration of Agreement: July 1, 2019 - June 30, 2020 Original Agreement Board Approved: July 18, 2019</p>	<p>Increase contract amount from \$381,333.51 to \$390,389.94 to add services for Townsend JHS</p> <p>Funding source: General Fund</p>
<p>HR-1920-020 Steven Ray Ellis. To provide annual security trainings. Submitted by: Risk Management Duration of Agreement: September 20, 2019 - June 30, 2020 Original Agreement Board Approved: September 19, 2019</p>	<p>Increase contract amount from \$4,300.00 to \$10,000.00</p> <p>Funding source: General Fund</p>

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 7, 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

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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
November 7, 2019**

<u>DESCRIPTION</u>	<u>MAKE/MODEL</u>	<u>I.D./SERIAL</u>	<u>DEPT/SITE</u>
Printer	Xerox	28958	Assess. & Instr. Tech.
Laptop	Dell	32451	Special Ed.
Laptop	Dell	45170	Special Ed.
Laptop	Dell	33839	Special Ed.
iPad	Apple	54059	Special Ed.
Laptop	Dell	40967	Special Ed.
Printer	HP	CN898181KT	Special Ed.
CCTV	ACUE13A	48578	Special Ed.
CCTV	ACUE13A	48917	Special Ed.
Chrome Book	Dell	BZ1Q0N2	Litel ES
Computers (15)	Dell Thin Client		Rhodes ES
Computer	Dell	58193	Rolling Ridge ES
Computer	Dell	201-LAB33-29	Ramona JHS
Electric Typewriter	Nakajima		Ramona JHS
Window Blinds			Ramona JHS
Band Hats (108)			Ramona JHS
Band Shoes (28)			Ramona JHS
TV	Samsung	30201	Townsend JHS
Printer	HP	133420	Townsend JHS
VCR	Panasonic	C06191	Townsend JHS
DVD Player	Philips	SG280529029289	Townsend JHS
Computer	Dell	32276	Townsend JHS
Computer	Dell	32275	Townsend JHS
Computer	Dell	32273	Townsend JHS
Computer	Dell	32269	Townsend JHS
Computer	Dell	43157	Townsend JHS
Computer	Dell	32272	Townsend JHS
Computer	Dell	32274	Townsend JHS
Computer	Dell	32259	Townsend JHS
Computer	Dell	32263	Townsend JHS
Computer	Dell	32271	Townsend JHS
Computer	Dell	32270	Townsend JHS
Computer	Dell	32264	Townsend JHS
Computer	Dell	32257	Townsend JHS
Computer	Dell	32258	Townsend JHS
Computer	Dell	32261	Townsend JHS
Computer	Dell	32262	Townsend JHS
Computer	Dell	35192	Townsend JHS
Printer	HP	14626	Townsend JHS

<u>DESCRIPTION</u>	<u>MAKE/MODEL</u>	<u>I.D./SERIAL</u>	<u>DEPT/SITE</u>
Printer	Xerox	22751	Townsend JHS
Printer	HP	VCVRA-0304	Townsend JHS
Printer	HP	SDGOB-0605	Townsend JHS
Projector	Epson	29417	Townsend JHS
DVD Player	Panasonic	PV-D4745S	CVLA
DVD Player	Samsung	DVDV6700	CVLA
Computer	Optiplex	41273	CVLA
Computer	Optiplex	35014	CVLA
Computer	Optiplex	41232	CVLA
Computer	Optiplex	39428	CVLA
Computer	Optiplex	39820	CVLA
Computer	Optiplex	35311	CVLA
Laptop	Latitude	39125	CVLA
Laptop	Latitude	40602	CVLA
Computer	Optiplex	32877	CVLA
Computer	Optiplex	41233	CVLA
Computer	Optiplex	50844	CVLA
Computer	Optiplex	41019	CVLA
Computer	Optiplex	39359	CVLA
Computer	Optiplex	32288	CVLA
Computer	Optiplex	39265	CVLA

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 7, 2019
TO: Members, Board of Education
FROM: Norm Enfield, Ed.D., Superintendent
PREPARED BY: Gregory J. Stachura, Assistant Superintendent, Facilities, Planning, and Operations
SUBJECT: RESOLUTION 2019/2020-19 ANNUAL AND FIVE-YEAR DEVELOPER FEE REPORTS FOR FISCAL YEAR 2018/2019

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BACKGROUND

Pursuant to Government Codes 66006(b) and 66001(d), the District is required to prepare Annual and Five-Year Reports of the developer fees collected for residential, commercial and industrial development projects within 180 days of the end of the fiscal year, which must be reviewed by the Board of Education at a regularly scheduled public meeting.

The Chino Valley Unified School District Annual and Five-Year Developer Fee Reports for fiscal year 2018/2019 are attached.

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

RECOMMENDATION

It is recommended the Board of Education adopt Resolution 2019/2020-19 Annual and Five-Year Developer Fee Reports for Fiscal Year 2018/2019.

FISCAL IMPACT

None.

NE:GJS:pw

**Chino Valley Unified School District
Resolution 2019/2020-19
Annual and Five-Year Developer Fee Reports
For Fiscal Year 2018/2019**

WHEREAS, pursuant to its authority under Education Code 17620, *et seq.*, and Government Code 65995, *et seq.*, the Board of Education has previously adopted and imposed statutory Level 1 school fees for the 2018/2019 fiscal year on residential, commercial, and industrial development (Developer Fees) to mitigate the impact of new development on the Chino Valley Unified School District (District);

WHEREAS, the District has deposited all Developer Fees that it has received in a separate, non-comingled capital facilities fund (Capital Facilities Fund) established for such a purpose, pursuant to Government Code 66006(a) and (b);

WHEREAS, the District has made available to the public within one hundred and eighty (180) days of the end of the 2018/2019 fiscal year the Annual and Five-Year Developer Fee Reports for Fiscal Year 2018/2019;

WHEREAS, the District has reviewed the information provided in the Annual and Five-Year Developer Fee Reports and has determined the information contained therein to be true and correct;

WHEREAS, the Annual Developer Fee Report was prepared in accordance with Government Code 66006(b)(1);

WHEREAS, the Five-Year Developer Fee Report was prepared in accordance with Government Code 66001(d); and

WHEREAS, the Board of Education has reviewed and considered the Annual and Five-Year Developer Fee Reports at a duly noticed, regularly scheduled public meeting at least fifteen (15) days after the District made this information publicly available, pursuant to Government Code 66006(b)(2).

NOW, THEREFORE, BE IT RESOLVED as follows:

- Section 1. The Board has reviewed the information provided in the Annual and Five-Year Developer Fee Reports and finds it to be true and correct.
- Section 2. The Board, based upon the information contained in the Annual Developer Fee Report, finds as follows:
 - 2.1 That the Annual Developer Fee Report describes the types of fees contained in the Capital Facilities Fund, including the amount of the fees, the beginning and ending balance of the Capital Facilities Fund, as well as the amount of fees collected, and the interest earned thereon.

- 2.2 That the Annual Developer Fee Report identifies each public improvement on which Developer Fees were expended.
- 2.3 That sufficient funds have not been collected to complete the financing on any incomplete public improvement.
- 2.4 That sufficient funds have not been collected to complete the financing of any incomplete public improvement, and that there were refunds made of Developer Fees.

Section 3. The Board, based upon the information contained in the Five-Year Developer Fee Report, finds as follows:

- 3.1 That the purpose of Developer Fees imposed on new residential, commercial, and industrial development within the District is to fund the school facilities required to serve the additional grade K-12 students generated by such new development and that the Developer Fees will be used for the construction and/or acquisition of additional school facilities and the remodeling of existing school facilities to provide additional capacity.
- 3.2 That there is a proportional and reasonable relationship between the Developer Fees imposed on new development and the need for additional District school facilities because new development will generate new students to be enrolled in the District which will lead to increased need for school facilities, and that the Developer Fees imposed do not exceed the cost of providing such additional school facilities.
- 3.3 That there is a further proportional and reasonable relationship between the unexpended Developer Fees contained in the Capital Facilities Fund and the need for additional school facilities because the Developer Fees imposed on new developments will not fully cover the costs of providing such school facilities for these new students.
- 3.4 That the portion of the Capital Facilities Fund that remains unexpended will be used for the construction and/or acquisition of additional school facilities, remodeling existing school facilities in order to increase capacity, and the acquisition of additional portable classrooms to accommodate students generated from new development.
- 3.5 That the funding anticipated completing the financing of incomplete projects would be obtained from the State School Facilities Program and additional Developer Fees as set forth in the Five-Year Developer Fee Report.

3.6 That the dates upon which the District's school facilities projects employing the unexpended funds in the Capital Facilities Fund will commence are not presently known.

Section 4. The Annual and Five-Year Developer Fee Reports have been made available to the public within one hundred and eighty (180) days after the last day of the fiscal year pursuant to Government Code 66001(d) and 66006(b).

Section 5. The District made the Annual and Five-Year Developer Fee Reports available for public review at least fifteen (15) days prior to the Board's consideration of these reports.

APPROVED, PASSED, AND ADOPTED by the Board of Education of the Chino Valley Unified School District this 7th day of November 2019 by the following vote:

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.

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

Developer Fees and Special Tax A
 Summary of Revenues, Expenditures and Changes in Fund Balance
 Fiscal Year Ending June 30, 2019

	Special Tax A Fund 25.9812	General Fund 25.9815	CFD4 Fund 25.9816	Preserve Fund 25.9817	Total
REVENUES					
Fees and Taxes	328,049.10	3,294,796.99			3,622,846.09
Interest	100,380.23	685,081.67	48,110.00	67,851.97	901,423.87
All Other Local Revenue	31,475.00				31,475.00
All Other State Revenue					0.00
Transfers In From Other Funds					0.00
Total Revenues	459,904.33	3,979,878.66	48,110.00	67,851.97	4,555,744.96
EXPENDITURES					
Supplies	29,389.11	55,727.90		8,832.20	93,949.21
Other Operating Expenses		15,888.29			15,888.29
Rentals & Leases	13,800.00	90,646.78		40,000.00	144,446.78
Repairs					0.00
Contracts/Legal Expenses/Administration Fees	103,075.55	608,444.15			711,519.70
Improvements to Sites	206,971.46	1,126,865.27			1,333,836.73
Buildings & Improvements to Buildings	152,704.66	525,044.33			677,748.99
Indirect Costs to General Fund		98,843.91			98,843.91
Total Expenditures	505,940.78	2,521,460.63	0.00	48,832.20	3,076,233.61
TRANSFERS OUT					
Transfers Out To Other Funds		168,587.50			168,587.50
Transfers to Debt Service					0.00
Total Transfers Out	0.00	168,587.50	0.00	0.00	168,587.50
Total Expenditures and Transfers	505,940.78	2,690,048.13	0.00	48,832.20	3,244,821.11
Excess (Deficiency) of Revenues over Expenditures/Transfers	(46,036.45)	1,289,830.53	48,110.00	19,019.77	1,310,923.85
BEGINNING BALANCE 7/1/18	5,142,211.71	33,649,865.44	2,449,353.05	3,476,778.29	44,718,208.49
ENDING BALANCE 6/30/19	5,096,175.26	34,939,695.97	2,497,463.05	3,495,798.06	46,029,132.34

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 7, 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 19-20-17F, CHINO HS RECONSTRUCTION – PHASE I

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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 19-20-17F, Chino HS Reconstruction - Phase I, was published in the Inland Valley Daily Bulletin on September 5, 2019, and September 12, 2019. Bids were opened at 1:00 p.m. on October 15, 2019. The results are as follows:

Bid Package	# of Bids Received	Low Bidder	Bid Amount
BP #1 Survey, Demo, Earthwork	10	James McMinn, Inc.	\$2,025,009.00
BP #2 Structural Concrete	4	Hamel Contracting	\$6,798,000.00
BP #3 Site Concrete	5	Bogh Engineering	\$2,889,000.00
BP #4 Masonry	3	Winegardner Masonry Inc.	\$9,851,000.00
BP #5 Structural Steel, Misc. Metals, and Metal Decking	5	Muhlhauser Steel Inc.	\$9,310,000.00
BP #6 Insulation, Drywall, Metal Studs, Metal Decking	2	Sierra Lathing Company	\$8,712,954.00
BP #7 Waterproofing and Membrane Roofing	3	San Marino Roof Co. Inc.	\$2,585,070.00
BP #8 Sheet Metal, Metal Roofing & Metal Panels	4	Challenger Sheet Metal Inc.	\$7,272,000.00
BP #9 Doors, Frames, & Hardware	7	Construction Hardware	\$724,498.00
BP #10 Curtain Wall, Glass & Glazing	3	Velocity Glazing Inc.	\$4,088,000.00

Bid Package	# of Bids Received	Low Bidder	Bid Amount
BP #11 Tile	5	Inland Pacific Tile, inc.	\$367,500.00
BP #12 Acoustical Ceilings & Treatments	4	CG Acoustics	\$787,426.00
BP #13 Flooring	3	Continental Flooring	\$359,103.00
BP #14 Painting	7	D&M Painting	\$948,800.00
BP #15 Specialties	6	Bogh Engineering	\$1,999,000.00
BP #16 Laboratory Casework & Finish Carpentry	3	David M Bertino Manufacturing Inc.	\$1,819,935.00
BP #17 Automatic Fire Sprinklers	5	JPI Development Group Inc.	\$1,275,000.00
BP #18 Plumbing	7	JPI Development Group Inc.	\$3,563,000.00
BP #19 Site Utilities	8	Valley Pipeline Services	\$2,396,000.00
BP #20 HVAC	7		
BP #22 Food Service Equipment	3	Kamran and Company Inc.	\$450,000.00
BP #23 Landscaping	3	Pierre Landscaping	\$898,140.00
BP #24 Fencing	2	Econo Fence	\$555,570.00

The basic scope of work for this project includes: Construction of Buildings A, B, C, D, and E. New two-story administration building, two new two-story classroom buildings, two-story library/science building, and single-story vocational building. New parking lot, hardscape, fire lanes, and accessible path of travel. Includes new utility tie-ins in the public right-of-way and city off-site improvements.

Upon receipt of bids for BP #20 HVAC, staff has reviewed all documents and determined that all bids be rejected due to the lack of prequalified subcontractors 5 days prior to bid submittal.

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

RECOMMENDATION

It is recommended the Board of Education award Bid 19-20-17F, Chino HS Reconstruction - Phase I, with the exception of Bid Package #20 HVAC, to:

- a) James McMinn, Inc., Hamel Contracting, Bogh Engineering, Winegardner Masonry Inc., Muhlhauser Steel Inc., Sierra Lathing Company, San Marino Roof Co. Inc., Challenger Sheet Metal Inc., Construction Hardware, Velocity Glazing Inc., Inland Pacific Tile, Inc., CG Acoustics, Continental Flooring, D&M Painting, David M Bertino Manufacturing Inc., JPI Development Group Inc., Valley Pipeline Services, Kamran and Company Inc., Pierre Landscaping, and Econo Fence; and
- b) Reject the bids received for Bid Package #20 HVAC and approve authorization to re-bid.

FISCAL IMPACT

\$69,675,005.00 to Measure G Bond Fund 21.

NE:GJS:AGH:pw

CHINO VALLEY UNIFIED SCHOOL DISTRICT

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

DATE: November 7, 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 FOR BID 18-19-10F, CATTLE ES, LITEL ES, AND OAK RIDGE ES ALTERATION PROJECT

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BACKGROUND

On December 13, 2018, the Board of Education awarded Bid 18-19-10F, Cattle ES, Litel ES, and Oak Ridge ES Alteration Project to the following contractors: Bid Package 02-01, Precision Contracting; Bid Package 03-01, KAR Construction; Bid Package 06-01, Miller Construction; Bid Package 06-02, Stolo Cabinets; Bid Package 07-01, Letner Roofing; Bid Package 08-01, Construction Hardware; Bid Package 09-01, Mirage Builders; Bid Package 09-02, Continental Marble & Tile; Bid Package 09-03, CG Acoustics; Bid Package 09-04, Signature Flooring, Inc.; Bid Package 09-05, AJ Fistes Corp.; Bid Package 10-01, Bogh Engineering, Inc.; Bid Package 11-01, Kitcor Corp.; Bid Package 22-01, Emyrean Plumbing; Bid Package 23-01, Aire-Masters Air Conditioning; Bid Package 26-01, RDM Electric; and Bid Package 32-01, General Consolidated. 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.

Change Order	Contractor	Amount
2	Bid Package 22-01-Plumbing-Emyrean Plumbing	\$28,483.00
	Bid Amount:	\$1,613,316.00
	Previously Approved Change Orders:	\$11,760.00
	Revised Total Project Amount:	\$1,653,559.00

The change order results in a net increase of \$28,483.00 to the construction cost and no change in contract time. The revised total project cost, including all change orders, is \$27,392,537.00. Approval of the change order allows for compensation to the contractor to perform the additional work as described.

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

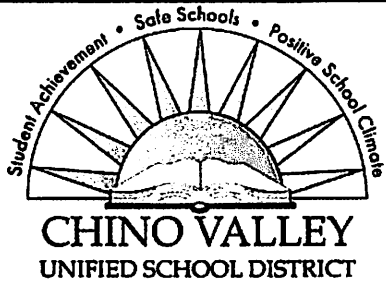
RECOMMENDATION

It is recommended the Board of Education approve the Change Order for Bid 18-19-10F, Cattle ES, Litel ES, and Oak Ridge ES Alteration Project.

FISCAL IMPACT

\$28,483.00 to Building Fund 21.

NE:GJS:AGH:pw



CHINO VALLEY UNIFIED SCHOOL DISTRICT

Facilities, Planning and Operations Division
5130 Riverside Drive
Chino, CA 91710
Telephone: 909.628.1202, Ext. 145 Fax: 909.548.6034

CHANGE ORDER

DATE: 10/09/19 BID #: 18-19-10F CHANGE ORDER: 002

PROJECT: Cattle, Oak Ridge & Litel Elementary School Modernization Projects – Alterations

DSA APPLICATION #: See below DSA FILE #: See below

OWNER: Chino Valley Unified School District

ARCHITECT: WLC Architects, Inc. CONTRACTOR: Empyrean Plumbing Inc.

The Contractor is hereby authorized to make the following changes to your construction contract when this change order has been approved by the undersigned parties:

Cattle Elementary School

DSA Application #A04-117035 / DSA File #36-11

ITEM NO. 1: Description: Remove and Replace Existing Water Valve at Building C
Reason: The water valve was found to be broken and needed to be repaired/replaced at Building C (new Building A) per RFI #023. (ref: Empyrean COR #003R1)
Document Ref: Change Order Request No. C-012 (PCO No. C-101)
Requested by: District
Change in Contract Sum: \$5,289.00 / ADD
Time Extension: 0 Calendar days

ITEM NO. 2: Description: Remove and Replace Existing Storm Drain Line at MDF
Reason: In order to install the new glulam beam at the MDF, the existing storm drain piping needed to be removed and replaced per RFI #151. (ref: Empyrean COR #015)
Document Ref: Change Order Request No. C-012 (PCO No. C-101)
Requested by: District
Change in Contract Sum: \$3,031.00 / ADD
Time Extension: 0 Calendar days

- ITEM NO. 3:** Description: Remove and Replace Existing Roof Drain Line at Kitchen
Reason: The existing roof drain line conflicted with the installation of the new ductwork for the new AC unit at the Kitchen. The roof drain line needed to be removed and replaced per RFI #157. (ref: Empyrean COR #018)
Document Ref: Change Order Request No. C-012 (PCO No. C-101)
Requested by: District
Change in Contract Sum: \$4,313.00 / ADD
Time Extension: 0 Calendar days
- ITEM NO. 4:** Description: Remove and Replace Existing Hose Bibbs at Building B and C
Reason: There were some additional existing hose bibbs that needed to be replaced at Building B and C per RFI #121. (ref: Empyrean COR #012)
Document Ref: Change Order Request No. C-013 (PCO No. C-072)
Requested by: District
Change in Contract Sum: \$2,161.00 / ADD
Time Extension: 0 Calendar days
- ITEM NO. 5:** Description: Remove and Replace Existing Floor Drains at Kitchen
Reason: The (3) existing floor drains in the Kitchen needed to be removed and replaced per RFI #126. (ref: Empyrean COR #013)
Document Ref: Change Order Request No. C-013 (PCO No. C-072)
Requested by: District
Change in Contract Sum: \$7,426.00 / ADD
Time Extension: 0 Calendar days
- ITEM NO. 6:** Description: Add Condensate and Gas Lines for AC Units at Building B
Reason: Additional condensate and gas lines to the new AC units at Building B were added per RFI #167. (ref: Empyrean COR #020)
Document Ref: Change Order Request No. C-013 (PCO No. C-072)
Requested by: District
Change in Contract Sum: \$6,263.00 / ADD
Time Extension: 0 Calendar days

END OF CHANGE ORDER NO. 002 ITEMS

SCHOOL SITE SUMMARY

School	Original Contract Amount	Previous Change Orders	This Change Order	Revised Amount
Cattle ES	\$544,047.00	\$3,466.00	\$28,483.00	\$575,996.00
Litel ES	\$513,631.00	\$8,294.00	\$0.00	\$521,925.00
Oak Ridge ES	\$555,638.00	\$0.00	\$0.00	\$555,638.00
Total	\$1,613,316.00	\$11,760.00	\$28,483.00	\$1,653,559.00

CONTRACT SUMMARY

The original contract amount was:	<u>\$1,613,316.00</u>
Net change by previous Change Order:	<u>\$11,760.00</u>
The contract amount will be increased by this Change Order:	<u>\$28,483.00</u>
The new contract amount including this change order will be:	<u>\$1,653,559.00</u>
The original contract completion date:	<u>04/16/20</u>
The contract time will be increased/decreased by days:	<u>0</u>
The date of completion as a result of this Change Order is:	<u>04/16/20</u>

The cumulative adjustment of the Contract Price and the Contract Time for each Change included in this Change Order represents and reflects the entire adjustment of the Contract Price and the Contract Time due Contractor for such items of Changes. The Contract Price adjustment herein for the items included in this Change Order includes without limitation, all costs for labor, materials, services and/or equipment as well as any and all costs arising out of or associated in any manner with impacts, disruptions, interference, delays or hindrances in performing or providing the Changes included in this Change Order. By executing this Change Order, Contractor acknowledges the foregoing and agrees that any rights or claims of Contractor, whether known or unknown, for costs or times associated with providing or performing the Changes included in this Change Order and not specifically reflected and included in this Change Order are waived, relinquished and released by Contractor; in connection with the foregoing, Contractor waives and releases any rights under Civil Code Section 1542 with regard to any unknown costs or additional time associated with the changes included in this Change Order.

APPROVED BY:

Nicholas E. Farmer
Empyrean Plumbing Inc. (Contractor)

Nicholas Farmer, Project Manager
Print Name / Title

10/9/19
Date

Frank Sand
DSA Inspector of Record (Team Inspections)

Frank Sand / Inspector

10/9/19
Date

Hung Truong
Construction Manager (CW Driver)

Hung Truong / Project Manager

10/9/19
Date

Samuel Sousa
CVUSD

Samuel Sousa / Construction Coordinator,
Maintenance, Operations & Construction

10/9/19
Date

Greg Stachura
Owner (authorized agent)

Greg Stachura / Assistant Superintendent, Facilities,
Planning & Operations Department

10/24/19
Date

Jim DiCamillo
WLC Architects Inc. (Architect)

Jim DiCamillo / President
Print Name / Title

10.15.19
Date

MARIN SIMONDS

MARIN SIMONDS.

10/22/19

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 7, 2019

TO: Members, Board of Education

FROM: Norm Enfield, Ed.D., Superintendent

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

SUBJECT: CHANGE ORDER FOR BID 18-19-26F, AYALA HS ALTERATION HVAC UPGRADES – GYM AND KITCHEN

=====

BACKGROUND

On March 7, 2019, the Board of Education awarded Bid 18-19-26F, Ayala HS Alteration HVAC Upgrades – Gym and Kitchen to the following contractors: Bid Package 01, General Construction to RVH Constructors; Bid Package 02, Structural/Misc. Steel to RND Contractors; Bid Package 03, Plumbing/Site Utilities to Continental Plumbing Inc.; Bid Package 04, HVAC to Franklin Mechanical Systems, Inc.; and Bid Package 05, Electrical/Low Voltage to Ryan Electric, Inc. 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.

Change Order	Contractor	Amount
1	Bid Package 03-Plumbing/Site Utilities-Continental Plumbing, Inc.	(\$9,703.00)
	Bid Amount:	\$87,000.00
	Revised Total Project Amount:	\$77,297.00

The change order result in a net decrease of \$9,703.00 to the construction cost and no change in contract time. The revised total project cost, including all change orders, is \$2,530,878.99. Approval of the change order allows for compensation to the contractor to perform the additional work as described.

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 for Bid 18-19-26F, Ayala HS Alteration HVAC Upgrades – Gym and Kitchen.

FISCAL IMPACT

(\$9,703.00) to Building Fund 21.

NE:GJS:MS:pw

bd110719



CHINO VALLEY UNIFIED SCHOOL DISTRICT

Facilities, Planning and Operations Division
5130 Riverside Drive
Chino, CA 91710
Telephone: 909.628.1202, Ext. 1200 Fax: 909.548.6034

CHANGE ORDER

DATE: 10/10/19 BID #: 18-19-26F CHANGE ORDER: 001

PROJECT: Ayala High School Alteration HVAC Upgrades – Gymnasium & Kitchen

DSA APPLICATION #: 04-117632 DSA FILE #: _____

OWNER: Chino Valley Unified School District

ARCHITECT: WLC Architects CONTRACTOR: Continental Plumbing (BP #03)

The Contractor is hereby authorized to make the following changes to your construction contract when this change order has been approved by the undersigned parties:

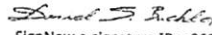
ITEM NO. 1	Description:	CREDIT All Unused Allowances
	Reason:	Unused amounts of Composite cleanup, Fire Sprinkler Repairs, Journeyman Overtime Hours, and Unforeseen Allowances to be credited back to CVUSD
	Document Ref:	Change Order Request No. 001
	Requested by:	Balfour Beatty
	Change in Contract Sum:	<\$9,703> / DEDUCT
	Time Extension:	0 Calendar days

END OF CHANGE ORDER NO. 001 ITEMS

CONTRACT SUMMARY

The original contract amount was:	<u>\$87,000.00</u>
Previously approved change order amount(s):	<u>\$0.00</u>
The contract amount will be <u>decreased</u> by this Change Order:	<u><\$9,703.00></u>
The new contract amount including this change order will be:	<u>\$77,297.00</u>
The original contract completion date:	<u>08/01/19</u>
The contract time will be increased/decreased by days:	<u>00</u>
The date of completion as a result of this Change Order is:	<u>08/01/19</u>

APPROVED BY:


SignNow e-signature ID: a86088ae4e...
10/21/2019 23:10:01 UTC

Daniel S. Buckley Vice President 10/21/2019

Contractor
(Continental Plumbing)

Print Name / Title **Date**



SignNow e-signature ID: dd30c15504...
10/22/2019 16:54:20 UTC

Ken Burr / DSA Inspector 10/22/2019

DSA Inspector of Record
(Knowland Construction Services)

Print Name / Title **Date**



SignNow e-signature ID: acf1bfe56e...
10/10/2019 15:55:03 UTC

Mark Mercado / Project Manager 10/10/2019

Construction Manager (Balfour Beatty)

Print Name / Title **Date**



SignNow e-signature ID: bc9344b876...
10/22/2019 18:23:25 UTC

James Costa / Construction Coordinator,
Maintenance, Operations & Construction 10/22/2019

CVUSD

Print Name / Title **Date**



Gregory Stachura / Assistant Superintendent, Facilities,
Planning & Operations Department

10/24/19

Owner (authorized agent)

Print Name / Title **Date**


SignNow e-signature ID: fa4c9bc986...
10/22/2019 16:20:27 UTC

Jim Dicamillo / President, Architect, AIA LEEP AP 10/22/2019

Architect

Print Name / Title **Date**



MARTIN SILVETTI.

10/23/19

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 7, 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.

CUPCCAA Project	Project Description	Contractor	Original Quotation	Change Order	Total	Funding Source
CC2020-07	Maintenance Department Plan Room and Key Shop Repairs	Angelo Construction	\$15,366.00	N/A	\$15,366.00	01
CC2020-09	Rhodes ES Concrete Pad Under Shade Structure & Backstop	J2 Builders	\$20,600.00	N/A	\$20,600.00	25
CC2020-10	Chino HS Gym Water Damage Repairs & Resurfacing	KYA Services LLC	\$47,095.00	N/A	\$47,095.00	14
CC2020-11	Rhodes ES Fun Club Safety & Security	Angelo Construction	\$24,292.50	N/A	\$24,292.50	25

Documentation indicating satisfactory completion and compliance with specifications has been obtained from: school site administrator; Cesar Portugal, Project Manager; Alex Rivera Project Manager; and Martin Silveira, Director, Maintenance, Operations, and Construction.

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

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

RECOMMENDATION

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

FISCAL IMPACT

\$15,366.00 to General Fund 01.
\$47,095.00 to Deferred Maintenance Fund 14.
\$20,600.00 Facilities Fund 25.
\$24,292.50 RDA Fund 25.

NE:GJS:pw

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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Humility • Civility • Service

DATE: November 7, 2019

TO: Members, Board of Education

FROM: Norm Enfield, Ed.D., Superintendent

PREPARED BY: Gregory J. Stachura, Assistant Superintendent, Facilities, Planning, and Operations
Martin Silveira, Director, Maintenance and Operations

SUBJECT: CHANGE ORDER AND NOTICE OF COMPLETION FOR CUPCCAA BID 18-19-38I, COUNTRY SPRINGS ES PLAYGROUND EQUIPMENT INSTALLATION

=====

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 project listed below:

On May 2, 2019, the Board of Education awarded CUPCCAA Bid 18-19-38I, Country Springs ES Playground Equipment Installation to John Buck dba J2 Builders. All contracted work was completed on September 30, 2019. Contract summary is provided below.

CUPCCAA Bid	Project Description	Contractor	Total Contract	Change Order	Total	5% Retention Amount	Funding Source
18-19-38I	Country Springs ES Playground Equipment Installation	John Buck dba J2 Builders	\$174,100.00	\$16,100.00	\$190,200.00	\$9,510.00	21

Documentation indicating satisfactory completion and compliance with specifications and project requirements has been obtained from the following individuals: Alex Rivera, Project Manager; and Martin Silveira, Director, Maintenance and Operations.

Staff recommends approval of the 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 CUPCCAA Bid 18-19-38I, Country Springs ES Playground Equipment Installation.

FISCAL IMPACT

\$16,100.00 to Building Fund 21.

NE:GJS:MS:pw



Chino Valley Unified School District
Facilities, Planning, and Operations Division

CHANGE ORDER

Date: 9/30/2019 BID/ CUPCCAA #: 18-19-38I Change Order #: 1

Project Title: Country Springs ES Playground Equipment Installation

Owner: Chino Valley Unified School District DSA Application #: N/A DSA File #: N/A

Architect: N/A Contractor: N/A

The Contractor is hereby authorized to do the following:

Relocate irrigation mainline due to relocation of playground. Move one irrigation control valve and connect to existing laterals. Add new sidewalk extension for path of travel from existing playground to new. Remove and dispose of two trees and roots.

Item # 1 _____

Requested By: Project Manager Increase/Decrease amount: \$16,100.00

Reason: Had to relocate the playground due to interim housing electrical poles being set in original playground location.

Item # 2 _____

Requested By: _____ Increase/Decrease amount: _____

Reason: _____

Item # 3 _____

Requested By: _____ Increase/Decrease amount: _____

Reason: _____

Original contract completion date:	<u>8/12/2019</u>	Original contract amount:	<u>\$174,100.00</u>
Increase/Decrease of days:	<u>30</u>	Increase/Decrease amount:	<u>\$ 16,100.00</u>
New contract completion date:	<u>9/30/2019</u>	New contract amount:	<u>\$190,200.00</u>


Approved by:

N/A _____ Signature _____ Date _____
DSA Inspector of Record

N/A _____ Signature _____ Date _____
Architect / Engineer

N/A _____ Signature _____ Date _____
Construction/Project Manager

N/A _____ Signature _____ Date _____
CVUSD Construction Coordinator

Alex Rivera _____ Signature  Date 10.1.2019
CVUSD Project Manager

Martin Silveira _____ Signature  Date 10.2.19
Director, Maintenance, Operations & Construction

Greg Stachura _____ Signature  Date 10/2/19
Owner (Authorized Agent)

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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Humility • Civility • Service

DATE: November 7, 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 RFQ 15-16-01, TRANE ENERGY SOLUTIONS FOR PROPOSITION 39 CONSULTATION, ENGINEERING AND PROJECT MANAGEMENT OF DESIGN – BUILD ENERGY EFFICIENCY PROJECTS AT VARIOUS SITES

=====

BACKGROUND

At the February 4, 2016 Board meeting, the Board approved Trane Energy Solutions as its partner for Proposition 39 Consultation, Engineering and Project Management of Design – Build Energy Efficiency Projects at Various Sites.

Trane’s work involved a detailed engineering study necessary to verify the feasibility of the following energy projects:

- EEM 1: HVAC Rooftop Unit Replacement at Cattle ES and Don Lugo HS.
- EEM 2: Lighting Retrofits at all sites.
- EEM 3: Vending Machine Energy Efficiency at all sites.

At its May 19, 2016 meeting, the Board approved Trane Energy Solutions to proceed with the design-build construction of energy project EEM’s 1 and 2 at the following sites under Government Code 4217:

- EEM 1: HVAC Rooftop Unit Replacement at Don Lugo HS.
- EEM 2: Lighting Retrofits at all sites.

All contracted work was completed on October 18, 2019. Contract summary is provided below.

Original Bid Amount	Approved Change Orders	Total Contract	5% Retention Amount
\$3,516,824.50	\$260,327.11	\$3,777,151.61	\$188,857.58

Documentation indicating satisfactory completion and compliance with specifications and Division of the State Architect (DSA) requirements has been obtained from the following individuals: school site administrators; Ken Burr, DSA Inspector; Joshua Massey, Architect/Engineer; Bernie Bricker, Construction/Project Manager; James Costa, Construction Coordinator; Carla Kleinjan, Project Manager; and Martin Silveira, Director, Maintenance, Operations, and Construction.

Staff recommends approval of the 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 Notice of Completion for RFQ 15-16-01, Trane Energy Solutions for Proposition 39 Consultation, Engineering and Project Management of Design – Build Energy Efficiency Projects at Various Sites.

FISCAL IMPACT

None.

NE:GJS:pw

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

DATE: November 7, 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

=====

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

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

HIRED AT APPROPRIATE PLACEMENT ON THE CERTIFICATED SALARY SCHEDULE AND APPROPRIATE CREDENTIAL FOR THE 2019/2020 SCHOOL YEAR

SANDOVAL, Caroline	Special Education Teacher	Cortez ES 70%/ Rhodes ES 30%	11/08/2019
ASAM, Erin	Elementary Teacher	Eagle Canyon ES	11/08/2019
AMINI, Lisa	Special Education Teacher	Litel ES	11/08/2019

RESIGNATION

LUPARELLO, Michelle	Elementary Teacher	Walnut ES	10/17/2019
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TEACHER INDUCTION MENTOR 2019/2020 SCHOOL YEAR

HIGA, Christine	Teacher Induction Mentor	Dickey ES	11/08/2019
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APPOINTMENT – EXTRA DUTY

FLORES, Bryan (NBM)	Baseball (B)	Ayala HS	11/08/2019
HARGETT, Daniel (NBM)	Boys Soccer (B)	Ayala HS	11/08/2019
HARO, Ruben (NBM)	Girls Basketball (GF)	Ayala HS	11/08/2019
HERNANDEZ, Ana (NBM)	Girls Soccer (B)	Ayala HS	11/08/2019
JACKSON, Amber (NBM)	Girls Basketball (GF)	Ayala HS	11/08/2019
PEREZ, Derick (NBM)	Boys Soccer (B)	Ayala HS	11/08/2019
COOPER, Eileen (NBM)	Boys Basketball (B)	Chino HS	11/08/2019
HERNANDEZ, Armando (NBM)	Baseball (B)	Chino HS	11/08/2019
LIRA, Alex (NBM)	Track & Field (B)	Chino HS	11/08/2019
MACHUCA, Fabian (NBM)	Boys Soccer (GF)	Chino HS	11/08/2019
ADAMS, Timothy (NBM)	Girls Basketball (GF)	Chino Hills HS	11/08/2019
ANDERSEN, David (NBM)	Boys Golf (B)	Chino Hills HS	11/08/2019
CHAVEZ, Henry (NBM)	Wrestling (GF)	Chino Hills HS	11/08/2019
GROM, Ian (NBM)	Band (B)	Chino Hills HS	11/08/2019
VIVANCO, Patrick (NBM)	Boys Basketball (B)	Chino Hills HS	11/08/2019
OLIVER, Jennifer (NBM)	Girls Soccer (B)	Chino Hills HS	11/08/2019
BAYLON, Cherry (NBM)	Boys Volleyball (GF)	Don Lugo HS	11/08/2019
BECERRIL, Cesar (NBM)	Girls Soccer (GF)	Don Lugo HS	11/08/2019
BELLOSO, Rodrigo	Boys Basketball (B)	Don Lugo HS	11/08/2019
FAVELA, Serena (NBM)	Boys Volleyball (GF)	Don Lugo HS	11/08/2019
NICODEMUS, Howard (NBM)	Swim (B)	Don Lugo HS	11/08/2019
SANCHEZ, Mayte (NBM)	Boys Volleyball (B)	Don Lugo HS	11/08/2019

TOTAL:			\$12,436.00
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CERTIFICATED PERSONNEL (cont.)

<u>NAME</u>	<u>POSITION</u>	<u>LOCATION</u>	<u>EFFECTIVE DATE</u>
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APPOINTMENT - EXTRA DUTY - ACTIVITIES

LINDSEY, Patrick	Jr. High Renaissance	Woodcrest JHS	11/01/2019
CAHILL, Daniel	After School Activity Stipend: Art Showcase Advisor	Chino HS	08/12/2019
NELSON, Lindsey	After School Activity Stipend: Link Learning Advisor	Chino HS	08/12/2019
ROSENDAHL, John	High School Photo Advisor	Chino HS	08/12/2019
TOTAL:			\$5,406.74

DELETE - EXTRA DUTY - ACTIVITIES

IVEY, Steven	Jr. High Renaissance	Woodcrest JHS	11/01/2019
TOTAL:			\$1,468.74

APPOINTMENT- EXTRA DUTY - DEPARTMENT CHAIR

HALL, Jennifer	TK-1 Grade Level Chair	Country Springs ES	08/12/2019
HUSAIN, Sukaina	2-3 Grade Level Chair	Country Springs ES	08/12/2019
TOTAL:			\$2,310.46

DELETE - APPOINTMENT- EXTRA DUTY - DEPARTMENT CHAIR

MORLEY, Jeannie	2-3 Grade Level Chair	Country Springs ES	08/12/2019
SMITH, Adrienne	TK-1 Grade Level Chair	Country Springs ES	08/12/2019
TOTAL:			\$2,310.46

DELETE - EXTRA DUTY - ELEMENTARY STIPENDS

MORLEY, Jeannie	Kids Run the OC	Country Springs ES	08/12/2019
TOTAL:			\$104.00

APPOINTMENT OF CERTIFICATED SUBSTITUTES EFFECTIVE JULY 1, 2019, THROUGH JUNE 30, 2020

AVILA, Jessica	BORGES, Rylee	BRESSEL, Ashley
KANTER III, Joseph	KRANAWETTER, Timothy	LOMASNEY, Emily
SCHROCK, Tayler		

CLASSIFIED PERSONNEL

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

HIRED AT THE APPROPRIATE PLACEMENT ON THE CLASSIFIED SALARY SCHEDULE

APPOINTMENT

RIVERA, Kim	Playground Supervisor (GF)	Butterfield Ranch ES	11/08/2019
SOLORZANO, Veronica	Playground Supervisor (GF)	Cortez ES	11/08/2019
BRIEVA, Alan	Playground Supervisor (GF)	Country Springs ES	11/08/2019
TORENO, Brooke	Health Technician (GF)	Eagle Canyon ES	11/08/2019
VILLARREAL, Jacqueline	Playground Supervisor (GF)	Hidden Trails ES	11/08/2019
SAMSON, Brandi	Playground Supervisor (GF)	Walnut ES	11/08/2019
DAVILA, Yicela	Playground Supervisor (GF)	Cal Aero K-8	11/08/2019
MURTIDJAJA, Maria	Nutrition Services Assistant I (NS)	Cal Aero K-8	11/18/2019
FILIO, Jedd Jari	Technology Technician (GF)	Technology	11/08/2019

PROMOTION

XAVIER, Kristine	FROM: Nutrition Services Assistant II (NS) 3 hrs./181 work days TO: Nutrition Services Manager I (NS) 6 hrs./183 work days	Chino HS Dickey ES	11/08/2019
DO, Kevin	FROM: Payroll Clerk III (GF) 8 hrs./261 contract days TO: Payroll Technician (GF) 8 hrs./261 contract days	Business Services Business Services	11/08/2019
BEGUE, Leah	FROM: Child Care Specialist (CDF) 5.6 hrs./188 work days TO: Child Development Program Technician (CDF) 8 hrs./255 contract days	Dickey SOAR Child Development	11/08/2019

CHANGE OF ASSIGNMENT

DUENAS, Prescilla	FROM: Counseling Assistant (GF) 3 hrs./187 work days TO: Counseling Assistant (GF) 8 hrs./205 work days	Buena Vista HS Alternative Education	11/08/2019
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CLASSIFIED PERSONNEL (cont.)

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

CHANGE OF ASSIGNMENT (cont.)

BRADLEY, Stephanie	FROM: Nutrition Services Assistant II (NS) 3.5 hrs./181 work days	Chino Hills HS	10/24/2019
	TO: Nutrition Services Assistant I (NS) 3 hrs./181 work days	Dickey ES	

INCREASE HOURS/DAYS

JARVIS, Shelly	FROM: Child Care Specialist (CDF) 3.8 hrs./180 work days	Butterfield Ranch FC	11/08/2019
	TO: Child Care Specialist (CDF) 5.65 hrs./180 work days	Butterfield Ranch FC	
RODRIGUEZ, Veronica	FROM: IA/Childhood Ed (CDF) 3.5 hrs./180 work days	Litel FC	11/08/2019
	TO: IA/Childhood Ed (CDF) 3.95 hrs./180 work days	Litel FC	
RAMOS, Rosa	FROM: IA/Childhood Ed (CDF) 2 hrs./180 work days	Oak Ridge FC	11/08/2019
	TO: IA/Childhood Ed (CDF) 2.8 hrs./180 work days	Oak Ridge FC	

PERSONAL LEAVE OF ABSENCE

YEPEZ, Valee	Playground Supervisor (GF)	Cattle ES	10/28/2019 through 12/15/2019
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RESCIND PLACEMENT ON 39 MONTH RE-EMPLOYMENT LIST

MORREIRA, Graca	Registrar (GF)	Ayala HS	09/24/2019
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PLACED ON 39 MONTH RE-EMPLOYMENT LIST

MERO, Margarita	IA/Special Education (SELPA/GF)	Ramona JHS	10/24/2019
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CLASSIFIED PERSONNEL (cont.)

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

ALVARADO, Patricia	Nutrition Services Assistant I (NS)	Cal Aero K-8	09/20/2019
BARILONE, Felicia	Playground Supervisor (GF)	Cal Aero K-8	10/16/2019
TURNER, Blanca	IA/Special Education/SH (SELPA/GF)	Special Education	11/08/2019
ELVIR, Gerald	Network Support Technician (GF)	Technology	10/25/2019

RETIREMENT

MEDINA, Mary Louise (2 Years of Service)	Playground Supervisor (GF)	Briggs K-8	11/30/2019
MORREIRA, Graca (23 Years of Service)	Registrar (GF)	Ayala HS	09/24/2019
RUST, Janet (15 Years of Service)	Secondary Library/Media Center Assistant (GF)	Ayala HS	12/31/2019

(504)	= Federal Law for Individuals with Handicaps
(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
(CDF)	= Child Development Fund
(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
(MAA)	= Medi-Cal Administrative Activities
(MG)	= Measure G – Fund 21
(MH)	= Mental Health – Special Ed.
(NBM)	= Non-Bargaining Member
(ND)	= Neglected and Delinquent
(NS)	= Nutrition Services Budget
(OPPR)	= Opportunity Program
(PFA)	= Parent Faculty Association
(R)	= Restricted
(ROP)	= Regional Occupation Program
(SAT)	= Saturday School
(SB813)	= Medi-Cal Admin. Activities Entity Fund
(SELPA)	= Special Education Local Plan Area
(SOAR)	= Students on a Rise
(SPEC)	= Spectrum Schools
(SS)	= Summer School
(SWAS)	= School within a School
(VA)	= Virtual Academy
(WIA)	= Workforce Investment Act

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 7, 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: MEMORANDUM OF UNDERSTANDING FOR INDUCTION PROGRAM COLLEGE CREDIT WITH WHITTIER COLLEGE

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BACKGROUND

The Chino Valley Unified School District has an opportunity to establish a Memorandum of Understanding for the Induction Program College Credit with Whittier College. This agreement will allow current teachers participating in the Chino Valley Unified School District's Induction Program to earn graduate level professional development credits for work completed through the program.

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

RECOMMENDATION

It is recommended the Board of Education approve the Memorandum of Understanding for Induction Program College Credit with Whittier College.

FISCAL IMPACT

None.

NE:RR:FA:IB:mcm



**Memorandum of Understanding for Induction Program College Credit
Between Chino Valley Unified School District Induction Program and Whittier College**

Whittier College desires to establish an agreement in which teachers currently participating in the Chino Valley Induction Program can earn graduate level professional development credits for work completed through the Chino Valley Induction Program.

This collaboration is based on the principles established between the college and induction consortium.

1. The college honors teachers participating in induction programs by providing them with the opportunity to earn up to 12 graduate level credits, 6 credits for year one and 6 credits for year two or 10 credits for Early Completion Option (ECO).
2. Only teachers clearing their credentials can earn induction units, mentor teachers are not eligible to receive the units.
3. The college only grants induction credits to teachers who have finished the induction program within the last two academic years.

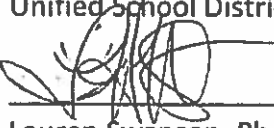
Consortium Responsibilities for College Credit Partnership:

- Coordinator of Teacher Support will provide Whittier College with an overview of their induction program. This should include an overview of year 1, year 2, and Early Completion Option (ECO). Also include a template of the Individual Learning Plan (ILP) being used by the program.
- The Coordinator of Teacher Support will communicate any major changes in accreditation or stipulations when the program is going through accreditation to Whittier College.
- The Coordinator of Teacher Support will maintain lines of communications with Whittier College, by inviting someone from the Department of Education and Child Development to attend either Advisory Board meetings as a board member or the Teacher Induction Colloquium at least once per year.
- The Coordinator of Teacher Support will provide induction candidates with a verification of successful program completion for each year of induction program prior to application of Whittier College graduate level credits.

College Responsibilities:

- The Credential Analyst will notify the Coordinator of Teacher Support of any changes related to the college credit program six months in advance of any change, this may include course description or fee changes.
- The Credential Analyst will provide the Coordinator of Teacher Support with the most current application, course description, and transcript request form at least 3 months before the application deadline.
- One member from the Department of Education and Child Development will attend either an Advisory Board meeting or the Teacher Induction Colloquium at least once per year.
- Whittier College reserves the right to audit three induction candidates records each year.

The following signatures verify agreement between Chino Valley Induction and Whittier College, for the academic years, September 1st, 2019 through June 30th, 2022, for induction college credit:

Teresa Shockley, Coordinator of Teacher Support, Chino Valley Unified School District Induction Program	Date
	9.18.19
Lauren Swanson, Ph.D., Whittier College, Education Department Chair	Date

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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Humility • Civility • Service

DATE: November 7, 2019
TO: Members, Board of Education
FROM: Christina Gagnier, Member, Board of Education
SUBJECT: REVISION OF BYLAWS OF THE BOARD 9100 —ORGANIZATION

=====

BACKGROUND

On October 29, 2019, Superintendent Enfield received a request from Board member Christina Gagnier to amend revising the language regarding the election of officers found in Bylaws of the Board 9100—Organization.

RECOMMENDATION

It is recommended the Board of Education receive for information the revision of Bylaws of the Board 9100—Organization.

FISCAL IMPACT

None.

pk

ORGANIZATION

Annual Organizational Meeting

EACH YEAR, the Board of Education shall hold an annual organizational meeting. ~~within the time limits prescribed by law.~~ IN ANY YEAR IN WHICH A REGULAR ELECTION OF DISTRICT BOARD MEMBERS IS CONDUCTED, THE ORGANIZATIONAL MEETING SHALL BE HELD WITHIN A 15-DAY PERIOD BEGINNING FROM THE DATE UPON WHICH A BOARD MEMBER ELECTED AT THAT ELECTION TAKES OFFICE. DURING NON-ELECTION YEARS, THE MEETING SHALL BE HELD WITHIN THE SAME 15-DAY PERIOD ON THE CALENDAR. (Education Code 35143)

ON BEHALF OF THE BOARD, THE SUPERINTENDENT SHALL NOTIFY THE COUNTY SUPERINTENDENT OF SCHOOLS OF THE DAY AND TIME SELECTED. WITHIN 15 DAYS PRIOR TO THE DATE OF THE ANNUAL MEETING, THE CLERK OF THE BOARD, WITH THE ASSISTANCE OF THE SUPERINTENDENT, SHALL NOTIFY IN WRITING ALL BOARD MEMBERS AND MEMBERS-ELECT OF THE DATE AND TIME SELECTED FOR THE MEETING. (Government Code 35143)

At this meeting the Board shall:

1. ~~Identify~~ ELECT a president, vice president, and a clerk from its members ~~on a rotating basis.~~
2. ~~Identify~~ APPOINT the Superintendent as the secretary to the Board.
3. Authorize signatures.
4. ~~Develop~~ APPROVE a schedule of regular meetings for the year.
5. ~~Develop a Board calendar for the year.~~
65. Designate Board representatives TO SERVE ON COMMITTEES OR COMMISSIONS OF THE DISTRICT, OTHER PUBLIC AGENCIES, OR ORGANIZATIONS WITH WHICH THE DISTRICT PARTNERS OR COLLABORATES.

(cf. 9140 - Board Representatives)

Election of Officers

~~The Board shall each year identify its entire slate of officers on a rotating basis, and a board trustee shall take the position of board member after serving one term as president.~~

Annual Organizational Meeting (cont.)

~~In a non-election year, each Board member will rotate into the next highest position on the slate.~~

~~In an election year, members who are reelected will follow their previously established rotation order. Newly elected Board members will enter into the remaining open positions and the newly elected board member with the highest number of popular votes will assume the remaining highest position and so on until a complete rotation order is established. The outgoing president will always assume the lowest position in the rotation order.~~

THE BOARD SHALL EACH YEAR ELECT ITS ENTIRE SLATE OF OFFICERS.

THE ELECTION OF BOARD OFFICERS SHALL BE CONDUCTED DURING AN OPEN SESSION OF THE ANNUAL ORGANIZATIONAL MEETING.

Legal Reference:

EDUCATION CODE

5017 Term of Office

35143 Annual organizational meeting date, and notice

35145 Public meetings

GOVERNMENT CODE

54953 Meetings to be open and public; attendance

ATTORNEY GENERAL OPINIONS

68 OPS. CAL. ATTY. GEN. 65 (1985)

59 OPS. CAL. ATTY. GEN. 619, 621-622 (1976)

Chino Valley Unified School District

Bylaw adopted: August 17, 1995

Revised: May 20, 1999

Revised March 16, 2006

Revised: November 6, 2008

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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Humility • Civility • Service

DATE: November 7, 2019

TO: Members, Board of Education

FROM: Norm Enfield, Ed.D., Superintendent

SUBJECT: REVISION OF BYLAWS OF THE BOARD 9321—CLOSED SESSION PURPOSES AND AGENDAS AND NEW EXHIBITS 9321 (1 and 2); AND DELETION OF BYLAWS OF THE BOARD 9321.1—CLOSED SESSION ACTIONS AND REPORTS

=====

BACKGROUND

Board policies, administrative regulations, and Bylaws of the Board are routinely developed and revised as a result of changes in law, mandates, federal regulations, and current practice. Bylaws of the Board 9321—Closed Session Purposes and Agendas is being updated to reflect new title and updated to incorporate material formerly in Bylaws of the Board 9321.1 - Closed Session Actions and Reports. The Bylaw also adds the requirement to provide final documents approved or adopted during closed session to persons who have submitted a request. Section on *Matters Related to Students* provides that student names should not be included on the agenda or reports of expulsion hearings pursuant to court decision. Section on *Security Matters* reflects the board's authority to meet in closed session with law enforcement officials to develop a tactical response plan. Section on *Real Property Negotiations* reflects Attorney General publication stating the board's authority to approve a final real property agreement in closed session. Section on *Pending Litigation* updates legal cites. Exhibit (1) added to provide examples of agenda descriptions of closed session items; and Exhibit (2) added to provide examples of reports of closed session actions that must be made when the board reconvenes in open session following the closed session.

Bylaws of the Board 9321.1—Closed Session Actions and Reports is deleted because the key concepts are incorporated in Bylaws of the Board 9321—Closed Session Purposes and Agendas.

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

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

RECOMMENDATION

It is recommended the Board of Education receive for information the revision of Bylaws of the Board 9321—Closed Session Purposes and Agendas and new Exhibits 9321 (1 and 2); and deletion of Bylaws of the Board 9321.1—Closed Session Actions and Reports.

FISCAL IMPACT

None.

NE:pk

CLOSED SESSION PURPOSES AND AGENDAS

The Board of Education is committed to complying with state open meeting laws and modeling transparency in its conduct of District business. The Board shall hold closed sessions ~~only for purposes authorized by law. A closed session may be held during a regular, special, or emergency meeting in accordance with law.~~ ONLY FOR PURPOSES AUTHORIZED BY LAW.

Each agenda shall contain a general description of each closed session item to be discussed at the meeting, as required by law, AND SPECIFIED BELOW. (Government Code 54954.2)

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

IN OPEN SESSION PRECEDING THE CLOSED SESSION, ~~the~~ Board shall disclose ~~in open session~~ the items to be discussed in closed session. In the closed session, the Board may consider only those matters covered in its statement. After the closed session, the Board shall reconvene in open session before adjourning the meeting, and when applicable, shall PUBLICLY disclose any action taken in the closed session, THE VOTES OR ABSTENTIONS THEREON, AND OTHER DISCLOSURES SPECIFIED BELOW THAT ARE APPLICABLE TO THE MATTER BEING ADDRESSED. SUCH REPORTS MAY BE MADE IN WRITING OR ORALLY AT THE LOCATION ANNOUNCED IN THE AGENDA FOR THE CLOSED SESSION ~~in the manner prescribed by Government Code 54957.4~~ (Education Code 32281; Government Code 54957.7, 54957.7)

WHEN AN ACTION TAKEN DURING A CLOSED SESSION INVOLVES FINAL APPROVAL OR ADOPTION OF A DOCUMENT SUCH AS A CONTRACT OR SETTLEMENT AGREEMENT, THE SUPERINTENDENT OR DESIGNEE SHALL PROVIDE A COPY OF THE DOCUMENT TO ANY PERSON PRESENT AT THE CONCLUSION OF THE CLOSED SESSION WHO SUBMITTED A WRITTEN REQUEST. IF THE ACTION TAKEN RESULTS IN ONE OR MORE SUBSTANTIVE AMENDMENTS, THE SUPERINTENDENT OR DESIGNEE SHALL MAKE THE DOCUMENT AVAILABLE THE NEXT BUSINESS DAY OR WHEN THE NECESSARY RETYPING IS COMPLETED. WHENEVER COPIES OF AN APPROVED AGREEMENT WILL NOT BE IMMEDIATELY RELEASED DUE TO AN AMENDMENT, THE BOARD PRESIDENT SHALL ORALLY SUMMARIZE THE SUBSTANCE OF THE AMENDMENT FOR THOSE PRESENT AT THE END OF THE CLOSED SESSION. (Government Code 54957.1)

CONFIDENTIALITY

A BOARD MEMBER SHALL NOT DISCLOSE CONFIDENTIAL INFORMATION RECEIVED IN CLOSED SESSION UNLESS THE BOARD AUTHORIZES THE DISCLOSURE OF THAT INFORMATION. (Government Code 54963)

CLOSED SESSION PURPOSES AND AGENDAS (cont.)

The Board shall not disclose any information that is protected by state or federal law. In addition, no victim or alleged victim of tortious sexual conduct or child abuse shall be identified in any Board agenda, notice, announcement, or report required by the Brown Act, unless the identity of the person has previously been publicly disclosed. (Government Code 54957.7, 54961)

(cf. 1340 – Access to District Records)

Personnel Matters

The Board may hold a closed session under the “personnel exception” to consider the appointment, employment, evaluation of performance, discipline, or dismissal of an employee. Such a closed session shall not include discussion or action on proposed compensation except for a reduction of compensation that results from the imposition of discipline. (Government Code 54957)

(cf. 2140 – Evaluation of the Superintendent)

(cf. 4115 – Evaluation/Supervision)

(cf. 4118 – Suspension/Demotion or Dismissal)

(cf. 4215 – Evaluation/Supervision)

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

(cf. 4315 – Evaluation/Supervision)

The Board may also hold a closed session to hear complaints or charges brought against an employee by another person or employee, unless the employee WHO IS THE SUBJECT OF THE COMPLAINT requests an open session. Before the Board holds a closed session on specific complaints or charges brought against an employee, the employee shall receive written notice of his/her right THE RIGHT to have the complaints or charges heard in open session if desired. This notice shall be delivered personally or by mail at least 24 hours before the time of the session. (Government Code 54957)

(cf. 1312.1 – Complaints Concerning District Employees)

(cf. 4112.9/4212.9/4312.9 – Employee Notifications)

The Board may hold a closed session to discuss a District employee's application for early withdrawal of funds in a deferred compensation plan when the application is based on financial hardship arising from an unforeseeable emergency due to illness, accident, casualty, or other extraordinary event, as specified in the deferred compensation plan. (Government Code 54957.10)

Agenda items related to District employee appointments and employment shall describe the position to be filled. Agenda items related to performance evaluations shall specify the title of the employee being reviewed. Agenda items related to employee discipline, dismissal or release require no additional information. (Government Code 54954.5)

CLOSED SESSION PURPOSES AND AGENDAS (cont.)

AFTER THE CLOSED SESSION, THE BOARD SHALL REPORT ANY ACTION TAKEN TO APPOINT, EMPLOY, DISMISS, ACCEPT THE RESIGNATION OF, OR OTHERWISE AFFECT THE EMPLOYMENT STATUS OF A DISTRICT EMPLOYEE AND SHALL IDENTIFY THE TITLE OF THE AFFECTED POSITION. THE REPORT SHALL BE GIVEN AT THE PUBLIC MEETING DURING WHICH THE CLOSED SESSION IS HELD, EXCEPT THAT THE REPORT OF A DISMISSAL OR NONRENEWAL OF AN EMPLOYMENT CONTRACT SHALL BE DEFERRED UNTIL THE FIRST PUBLIC MEETING AFTER ADMINISTRATIVE REMEDIES, IF ANY, HAVE BEEN EXHAUSTED. (Government Code 54957.1)

Negotiations/Collective Bargaining

Unless otherwise agreed upon by the parties involved, the following shall not be subject to the Brown Act: (Government Code 3549.1)

1. Any meeting and negotiating discussion between the District and a recognized or certified employee organization
2. Any meeting of a mediator with either party or both parties to the meeting and negotiating process
3. Any hearing, meeting or investigation conducted by a factfinder or arbitrator
4. Any executive (closed) session of the District or between the District and its designated representative for the purpose of discussing its position regarding any matter within the scope of representation and instructing its designated representatives

(cf. 4140/4240/4340 - Bargaining Units)
 (cf. 4143/4243 - Negotiations/Consultation)
 (cf. 4143.1/4243.1 - Public Notice—Personnel Negotiations)

The Board may meet in closed session, PRIOR TO AND DURING CONSULTATIONS AND DISCUSSIONS WITH REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS AND UNREPRESENTED EMPLOYEES, to review the Board's position and/or instruct its designated representative regarding salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees AND, FOR REPRESENTED EMPLOYEES, ANY OTHER MATTER WITHIN THE STATUTORILY PROVIDED SCOPE OF REPRESENTATION. Prior to the closed session, the Board shall identify its designated representatives in open session. Any closed session held for this purpose may include discussions of the District's available funds and funding priorities, but only insofar as they relate to providing instructions to the Board's designated representative. FINAL ACTION ON THE PROPOSED COMPENSATION OF ONE OR MORE UNREPRESENTED EMPLOYEES SHALL NOT BE TAKEN IN CLOSED SESSION. (Government Code 54957.6)

CLOSED SESSION PURPOSES AND AGENDAS (cont.)

(cf. 2121 – Superintendent’s Contract)

~~Closed sessions may take place prior to and during consultations and discussions with representatives of employee organizations and unrepresented employees. For unrepresented employees, closed sessions held pursuant to Government Code 54957.6 shall not include final action on the proposed compensation of one or more unrepresented employees. (Government Code 54957.6)~~

~~For represented employees, the Board may also meet in closed session regarding any other matter within the statutory provided scope of representation. (Government Code 54957.6)~~

The Board also may meet in closed session with a state conciliator or mediator who has intervened in proceedings regarding any of the purposes enumerated in Government Code 54957.6.

Agenda items related to negotiations shall specify the name of the District's designated representative(s) attending the closed session. If circumstances necessitate the absence of a specified designated representative, an agent or designee may participate in place of the absent representative as long as the name of the agent or designee is announced at an open session held prior to the closed session. The agenda shall also specify the name of the organization representing the employee(s) or the position title of the unrepresented employee who is the subject of the negotiations. (Government Code 54954.5)

APPROVAL OF AN AGREEMENT REGARDING LABOR NEGOTIATIONS WITH REPRESENTED EMPLOYEES PURSUANT TO GOVERNMENT CODE 54957.6 SHALL BE REPORTED AFTER THE AGREEMENT IS FINAL AND HAS BEEN ACCEPTED OR RATIFIED BY THE OTHER PARTY. THIS REPORT SHALL IDENTIFY THE ITEM APPROVED AND THE OTHER PARTY OR PARTIES TO THE NEGOTIATION. (Government Code 54957.1)

Matters Related to Students

~~IF A PUBLIC HEARING WOULD LEAD TO THE DISCLOSURE OF CONFIDENTIAL STUDENT INFORMATION, the Board shall meet in closed session to consider the expulsion of a SUSPENSION, DISCIPLINARY ACTION, ANY OTHER ACTION AGAINST A STUDENT EXCEPT EXPULSION, OR A CHALLENGE TO A STUDENT RECORD. student, unless the student submits a written request at least five days before the date of the hearing that the hearing be held in open session. Regardless of whether the expulsion hearing is conducted in open or closed session, the Board may meet in closed session for the purpose of deliberating and determining whether the student should be expelled. (Education Code 48918) IF A WRITTEN REQUEST FOR OPEN SESSION IS~~

CLOSED SESSION PURPOSES AND AGENDAS (cont.)

RECEIVED FROM THE PARENT/GUARDIAN OR ADULT STUDENT, THE MEETING SHALL BE PUBLIC, EXCEPT THAT ANY DISCUSSION AT THAT MEETING WHICH MAY BE IN CONFLICT WITH THE RIGHT TO PRIVACY OF ANY STUDENT OTHER THAN THE STUDENT REQUESTING THE PUBLIC MEETING SHALL BE IN CLOSED SESSION. (Education Code 35146, 48912, 49070)

(cf. 5117 – Interdistrict Attendance)
 (cf. 5119 – Student Expelled from Other Districts)
 (cf. 5125.3 – Challenging Student Records)
 (cf. 5144 – Discipline)

The Board shall meet in closed session to CONSIDER THE EXPULSION OF A STUDENT, UNLESS THE STUDENT SUBMITS A WRITTEN REQUEST AT LEAST FIVE DAYS BEFORE THE DATE OF THE HEARING THAT THE HEARING BE HELD IN OPEN SESSION. REGARDLESS OF WHETHER THE EXPULSION HEARING IS CONDUCTED IN OPEN OR CLOSED SESSION, THE BOARD MAY MEET IN CLOSED SESSION FOR THE PURPOSE OF DELIBERATING AND DETERMINING WHETHER THE STUDENT SHOULD BE EXPELLED. (Education Code 48918) ~~address any student matter that may involve disclosure of confidential student information, or to consider a suspension, disciplinary action, or any other action against a student except expulsion. If a written request for open session is received from the parent/guardian or adult student, it will be honored to the extent that it does not violate the privacy rights of any other student. (Education Code 35146, 48912, 49070)~~

(cf. 5144.1 – Suspension and Expulsion/Due Process)
 (cf. 5144.2 – Suspension and Expulsion/Due Process (Students with Disabilities))

Agenda items related to student matters shall briefly describe the reason for the closed session, such as "student expulsion hearing" or "grade change appeal," without violating the confidentiality rights of individual students. The student shall not be named on the agenda, but a number may be assigned to the student in order to facilitate record keeping. The agenda shall also state that the Education Code requires closed sessions in these cases in order to prevent the disclosure of confidential student record information.

FINAL ACTION ON A STUDENT MATTER DELIBERATED IN CLOSED SESSION SHALL BE TAKEN IN OPEN SESSION AND SHALL BE A MATTER OF PUBLIC RECORD. (Education Code 35146, 48918)

CLOSED SESSION PURPOSES AND AGENDAS (cont.)

HOWEVER, IN TAKING FINAL ACTION, THE BOARD SHALL NOT RELEASE ANY INFORMATION IN VIOLATION OF STUDENT PRIVACY RIGHTS PROVIDED IN 20 USC 1232G OR OTHER APPLICABLE LAWS. IN AN EXPULSION OR OTHER DISCIPLINARY ACTION, THE CAUSE FOR THE DISCIPLINARY ACTION SHALL BE DISCLOSED IN OPEN SESSION, BUT THE BOARD SHALL REFER TO THE STUDENT NUMBER OR OTHER IDENTIFIER AND SHALL NOT DISCLOSE THE STUDENT'S NAME.

(cf. 5125 – Student Records)

Security Matters

The Board may meet in closed session with the Governor, attorney general, district attorney, District legal counsel, sheriff or chief of police, or their respective deputies, or a security consultant or a security operations manager, on matters posing a threat to the security of public buildings, to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service, or to the public's right of access to public services or public facilities. SUCH DISCUSSIONS MAY BE HELD IN CLOSED SESSION DURING AN EMERGENCY MEETING CALLED PURSUANT TO GOVERNMENT CODE 54956.5 IF AGREED TO BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT, OR, IF LESS THAN TWO-THIRDS OF THE MEMBERS ARE PRESENT, BY A UNANIMOUS VOTE OF THE MEMBERS PRESENT. (Government Code 54956.5, 54957)

(cf. 0450 – Comprehensive Safety Plan)

(cf. 3515 – Campus Security)

(cf. 3516 – Emergencies and Disaster Preparedness Plan)

(cf. 9323.2 – Actions by the Board)

AGENDA ITEMS RELATED TO THESE SECURITY MATTERS SHALL SPECIFY THE NAME OF THE LAW ENFORCEMENT AGENCY AND THE TITLE OF THE OFFICER, OR NAME OF APPLICABLE AGENCY REPRESENTATIVE AND TITLE, WITH WHOM THE BOARD WILL CONSULT. (Government Code 54954.5)

~~The Board may meet in closed session during an emergency meeting held pursuant to Government Code 54956.5 to meet with law enforcement officials for the emergency purposes specified in Government Code 54957 if agreed to by a two-thirds vote of the Board members present.~~ TO CONSULT WITH LAW ENFORCEMENT OFFICIALS ON THE DEVELOPMENT OF A PLAN FOR TACTICAL RESPONSES TO CRIMINAL INCIDENTS AND TO APPROVE THE PLAN. FOLLOWING THE CLOSED SESSION, THE BOARD SHALL REPORT ANY ACTION TAKEN TO APPROVE THE PLAN, BUT NEED NOT DISCLOSE THE DISTRICT'S PLAN FOR TACTICAL RESPONSES. (Education Code 32281)

CLOSED SESSION PURPOSES AND AGENDAS (cont.)

~~If less than two-thirds of the members are present, then the Board must agree by a unanimous vote of the members present. (Government Code 54956.5)~~

~~Agenda items related to security matters shall specify the name of the law enforcement agency and the title of the officer, or name of applicable agency representative and title, with whom the Board will consult. (Government Code 54954.5)~~

Conference with Real Property Negotiator

The Board may meet in closed session with its real property negotiator prior to the purchase, sale, exchange, or lease of real property by or for the District in order to grant its negotiator authority regarding the price and terms of payment for the property. (Government Code 54956.8)

Before holding the closed session, the Board shall hold an open and public session to identify its negotiator(s) and the property under negotiation and to specify the person(s) with whom the negotiator may negotiate. For purposes of real property transactions, negotiators may include members of the Board. (Government Code 54956.8)

Agenda items related to real property negotiations shall specify the District negotiator attending the closed session. If circumstances necessitate the absence of a specified negotiator, an agent or designee may participate in place of the absent negotiator as long as the name of the agent or designee is announced at an open session held prior to the closed session. The agenda shall also specify the name of the negotiating parties and the street address of the real property under negotiation. If there is no street address, the agenda item shall specify the parcel number or another unique reference of the property. The agenda item shall also specify whether instruction to the negotiator will concern price, terms of payment, or both. (Government Code 54954.5)

WHEN THE BOARD APPROVES A FINAL AGREEMENT CONCLUDING REAL ESTATE NEGOTIATIONS PURSUANT TO GOVERNMENT CODE 54956.8, IT SHALL REPORT THAT APPROVAL AND THE SUBSTANCE OF THE AGREEMENT IN OPEN SESSION AT THE PUBLIC MEETING DURING WHICH THE CLOSED SESSION IS HELD. IF FINAL APPROVAL RESTS WITH THE OTHER PARTY TO THE NEGOTIATIONS, THE SUPERINTENDENT OR DESIGNEE SHALL DISCLOSE THE FACT OF THAT APPROVAL AND THE SUBSTANCE OF THE AGREEMENT UPON INQUIRY BY ANY PERSON, AS SOON AS THE OTHER PARTY OR ITS AGENT HAS INFORMED THE DISTRICT OF ITS APPROVAL. (Government Code 54957.1)

CLOSED SESSION PURPOSES AND AGENDAS (cont.)**Pending Litigation**

Based on the advice of its legal counsel, the Board may hold a closed session to confer with or receive advice from its legal counsel regarding a pending litigation when a discussion of the matter in open session would prejudice the District's position in the litigation. For this purpose, "litigation" means any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator. (Government Code 54956.9)

Litigation is considered "pending" in any of the following circumstances (Government Code 54956.9):

1. Litigation to which the District is a "party" has been initiated formally. (Government Code 54956.9(a))
2. A point has been reached where, in the Board's opinion based on the advice of its legal counsel regarding the "existing facts and circumstances," there is a "significant exposure to litigation" against the District, or the Board is meeting solely to determine whether, based on existing facts or circumstances, a closed session is authorized. (Government Code 54956.9(d)(2), (3))

Existing facts and circumstances for these purposes are limited to the following: (Government Code 54956.9)

- a. Facts and circumstances that might result in litigation against the District but which the District believes are not yet known to potential plaintiffs and which do not need to be disclosed.
- b. Facts and circumstances including, but not limited to, an accident, disaster, incident, or transactional occurrence which might result in litigation against the District, which are already known to potential plaintiffs, and which must be publicly disclosed before the closed session or specified on the agenda.
- c. The receipt of a claim pursuant to the Tort Claims Act or a written threat of litigation from a potential plaintiff. The claim or written communication must be available for public inspection.

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

- d. A threat of litigation made by a person in an open meeting on a specific matter within the responsibility of the Board.

CLOSED SESSION PURPOSES AND AGENDAS (cont.)

- e. A threat of litigation made by a person outside of an open meeting on a specific matter within the responsibility of the Board, provided that the District official or employee receiving knowledge of the threat made a record of the statement before the meeting and the record is available for public inspection. Such record does not need to identify an alleged victim of tortious sexual conduct or anyone making a threat on his/her behalf or identify an employee who is the alleged perpetrator of any unlawful or tortious conduct, unless the identity of this person has been publicly disclosed.
3. Based on existing facts and circumstances, the Board has decided to initiate or is deciding whether to initiate litigation. (Government Code 54956.9(d)(4))

Before holding a closed session pursuant to the pending litigation exception, the Board shall state on the agenda or publicly announce the subdivision of Government Code 54956.9 under which the closed session is being held. If authority is based on Government Code 54956.9(d)(1), the Board shall either state the title or specifically identify the litigation to be discussed or state that doing so would jeopardize the District's ability to effectuate service of process upon unserved parties or to conclude existing settlement negotiations to its advantage. (Government Code 54956.9)

Agenda items related to pending litigation shall be described as a conference with legal counsel regarding either "existing litigation" or "anticipated litigation." (Government Code 54954.5)

"Existing litigation" items shall identify the name of the case specified by either the claimant's name, names of parties, or case or claim number, unless the Board states that to identify the case would jeopardize service of process or existing settlement negotiations. (Government Code 54954.5)

"Anticipated litigation" items shall state that there is significant exposure to litigation pursuant to Government Code 54956.9(b) and shall specify the potential number of cases. When the District expects to initiate a suit, items related to anticipated litigation shall state that the discussion relates to the initiation of litigation pursuant to Government Code 54956.9(c) and shall specify the potential number of cases.

The agenda or an oral statement before the closed session may be required to provide additional information regarding existing facts and circumstances described in item #2 b-e above. (Government Code 54954.5)

FOLLOWING THE CLOSED SESSION, THE BOARD SHALL PUBLICLY REPORT, AS APPLICABLE: (Government Code 54957.1)

CLOSED SESSION PURPOSES AND AGENDAS (cont.)

1. APPROVAL TO LEGAL COUNSEL TO DEFEND, APPEAL OR NOT APPEAL, OR OTHERWISE APPEAR IN LITIGATION. THIS REPORT SHALL IDENTIFY THE ADVERSE PARTIES, IF KNOWN, AND THE SUBSTANCE OF THE LITIGATION.
2. APPROVAL TO LEGAL COUNSEL TO INITIATE OR INTERVENE IN A LAWSUIT. THIS REPORT SHALL STATE THAT DIRECTIONS TO INITIATE OR INTERVENE IN THE ACTION HAVE BEEN GIVEN AND THAT THE ACTION, DEFENDANTS, AND OTHER DETAILS WILL BE DISCLOSED TO INQUIRING PARTIES AFTER THE LAWSUIT IS COMMENCED UNLESS DOING SO WOULD JEOPARDIZE THE DISTRICT'S ABILITY TO SERVE PROCESS ON UNSERVED PARTIES OR ITS ABILITY TO CONCLUDE EXISTING SETTLEMENT NEGOTIATIONS TO ITS ADVANTAGE.
3. ACCEPTANCE OF A SIGNED OFFER FROM THE OTHER PARTY OR PARTIES WHICH FINALIZES THE SETTLEMENT OF PENDING LITIGATION. THIS REPORT SHALL STATE THE SUBSTANCE OF THE AGREEMENT.

IF APPROVAL IS GIVEN TO LEGAL COUNSEL TO SETTLE PENDING LITIGATION BUT FINAL APPROVAL RESTS WITH THE OTHER PARTY OR WITH THE COURT, THE DISTRICT SHALL REPORT THE FACT OF APPROVAL AND THE SUBSTANCE OF THE AGREEMENT THEREON TO PERSONS WHO INQUIRE ONCE THE SETTLEMENT IS FINAL. (Government Code 54957.1)

Joint Powers Agency Issues

The Board may meet in closed session to discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by a Joint Powers Agency (JPA) formed for the purpose of insurance pooling or self-insurance authority of which the District is a member. (Government Code 54956.95)

Closed session agenda items related to liability claims shall specify the claimant's name and the name of the agency against which the claim is made. (Government Code 54954.5)

(cf. 3530 – Risk Management/Insurance)

FOLLOWING THE CLOSED SESSION, THE BOARD SHALL PUBLICLY REPORT THE DISPOSITION OF JOINT POWERS AGENCY OR SELF-INSURANCE CLAIMS, INCLUDING THE NAME OF THE CLAIMANT(S), THE NAME OF THE AGENCY CLAIMED AGAINST, THE SUBSTANCE OF THE CLAIM, AND THE MONETARY SETTLEMENT AGREED UPON BY THE CLAIMANT. (Government Code 54957.1)

CLOSED SESSION PURPOSES AND AGENDAS (cont.)

When the board of the JPA has so authorized and upon advice of District legal counsel, the Board may meet in closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the JPA. During the Board's closed session, a Board member serving on the JPA board may disclose confidential information acquired during a closed session of the JPA to fellow Board members. (Government Code 54956.96)

~~The Board member may also disclose the confidential JPA information to District legal counsel in order to obtain advice on whether the matter has direct financial or liability implications for the District. (Government Code 54956.96)~~

Closed session agenda items related to conferences involving a JPA shall specify the closed session description used by the JPA and the name of the Board member representing the District on the JPA board. Additional information listing the names of agencies or titles of representatives attending the closed session as consultants or other representatives shall also be included. (Government Code 54954.5)

Review of Audit Report from California State Auditor's Office

Upon receipt of a confidential final draft audit report from the California State Auditor's Office, the Board may meet in closed session to discuss its response to that report. After public release of the report from the California State Auditor's Office, any Board meeting to discuss the report must be conducted in open session, unless exempted from that requirement by some other provision of law. (Government Code 54956.75)

Closed session agenda items related to an audit by the California State Auditor's Office shall state "Audit by California State Auditor's Office." (Government Code 54954.5)

FOLLOWING THE CLOSED SESSION, THE BOARD SHALL PUBLICLY CONFIRM THAT THE REPORT WAS REVIEWED AND A RESPONSE WAS PREPARED.

Review of Assessment Instruments

The Board may meet in closed session to review the contents of any student assessment instrument approved or adopted for the statewide testing system. Before any such meeting, the Board shall agree by resolution to accept any terms or conditions established by the State Board of Education for this review. (Education Code 60617)

(cf. 6162.51 – State Academic Achievement Tests)

Agenda items related to the review of student assessment instruments shall state that the Board is reviewing the contents of an assessment instrument approved or adopted for the statewide testing program and that Education Code 60617 authorizes a closed session for this purpose in order to maintain the confidentiality of the assessment under review.

CLOSED SESSION PURPOSES AND AGENDAS (cont.)

FOLLOWING THE CLOSED SESSION, THE BOARD SHALL CONFIRM THAT THE ASSESSMENT INSTRUMENTS WERE REVIEWED. ANY ACTIONS RELATED TO THE REVIEW SHALL BE TAKEN IN OPEN SESSION WITHOUT REVEALING ANY PROPRIETARY OR CONFIDENTIAL INFORMATION AND SHALL BE A MATTER OF PUBLIC RECORD.

Legal Reference:

EDUCATION CODE

32281 School safety plans
 35145 Public meetings
 35146 Closed session for student suspension or disciplinary action
 44929.21 Districts with ADA of 250 or more
 48912 Governing board suspension of student
 48918 Rules governing expulsion procedures; hearings and notice
 49070 Challenging content of student records
 49073-49079 Privacy of student records
 60617 Closed session (re review of contents of statewide assessment)

GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act
 6252-6270 California Public Records Act
 54950-54963 The Ralph M. Brown Act

CALIFORNIA CONSTITUTION

Article 1, Section 3 Public right to access information

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.8 Family Educational Rights and Privacy

COURT DECISIONS

Moreno v. City of King, (2005) 127 Cal.App.4th 17
 Morrison v. Housing Authority of the City of Los Angeles Board of Commissioners, (2003) 107 Cal.App.4th 860
 Rim of the World Unified School District v. San Bernardino County Superior Court, (2002) 104 Cal.App.4th 1393
 Bell v. Vista Unified School District, (2000) 82 Cal.App. 4th 672
 Fischer v. Los Angeles Unified School District, (1999) 70 Cal.App. 4th 87
 Kleitman v. Superior Court of Santa Clara County, (1999) 87 Cal Rptr. 2d
 Furtado v. Sierra Community College District, (1998) 68 Cal.App. 4th 876
 Roberts v. City of Palmdale, (1993) 5 Cal. 4th 363
 San Diego Union v. City Council, (1983) 146 Cal.App.3d 947
 Sacramento Newspaper Guild v. Sacramento County Board of Supervisors, (1968) 263 Cal.App. 2d 41

ATTORNEY GENERAL OPINIONS

94 Ops.Cal.Atty.Gen. 82 (2011)
 89 Ops.Cal.Atty.Gen. 110 (2006)
 86 Ops.Cal.Atty.Gen. 210 (2003)
 78 Ops.Cal.Atty.Gen. 218 (1995)
 59 Ops.Cal.Atty.Gen. 532 (1976)
 57 Ops.Cal.Atty.Gen. 209 (1974)

CLOSED SESSION PURPOSES AND AGENDAS (cont.)

Management Resources:

CSBA PUBLICATIONS

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

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Legislative Bodies, 2003

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

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

WEBSITES

California School Boards Association: www.csba.org

California Office of the Attorney General: www.oag.ca.gov

League of California Cities: www.cacities.org

Chino Valley Unified School District

Bylaw adopted: August 17, 1995

Revised: March 15, 2001

Revised: July 17, 2003

Revised: October 20, 2011

Revised: October 4, 2012

Revised: May 21, 2015

Revised: September 1, 2016

REVISED:

BOARD BYLAWS

EXHIBIT 1

BOARD MEETING AGENDA DESCRIPTIONS FOR CLOSED SESSION ITEMS

THE GOVERNING BOARD MEETING AGENDA SHALL INCLUDE THE FOLLOWING DESCRIPTION OF A CLOSED SESSION ITEM, AS APPLICABLE:

PERSONNEL MATTERS

PUBLIC EMPLOYEE APPOINTMENT: GOVERNMENT CODE 54957

TITLE: _____

PUBLIC EMPLOYMENT: GOVERNMENT CODE 54957

TITLE: _____

PUBLIC EMPLOYEE PERFORMANCE EVALUATION: GOVERNMENT CODE 54957

TITLE: _____

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE: GOVERNMENT CODE 54957 (NO ADDITIONAL INFORMATION IS REQUIRED. AN EMPLOYEE'S DISMISSAL OR NONRENEWAL SHALL NOT BE REPORTED UNTIL THE EMPLOYEE HAS FIRST EXHAUSTED ANY RIGHT TO A HEARING OR OTHER ADMINISTRATIVE REMEDY.)

SPECIFIC COMPLAINT OR CHARGE AGAINST EMPLOYEE: GOVERNMENT CODE 54957 (NO ADDITIONAL INFORMATION IS REQUIRED.)

EMPLOYEE APPLICATION FOR EARLY WITHDRAWAL OF FUNDS IN DEFERRED COMPENSATION PLAN: GOVERNMENT CODE 54957.10 (NO ADDITIONAL INFORMATION IS REQUIRED.)

NEGOTIATIONS/COLLECTIVE BARGAINING

CONFERENCE WITH LABOR NEGOTIATORS: GOVERNMENT CODE 54957.6

DISTRICT-DESIGNATED REPRESENTATIVES: _____
(SPECIFY NAMES OF REPRESENTATIVES ATTENDING THE CLOSED SESSION. IF CIRCUMSTANCES NECESSITATE THE ABSENCE OF A SPECIFIED DESIGNATED REPRESENTATIVE, AN AGENT OR DESIGNEE MAY PARTICIPATE IN PLACE OF THE ABSENT REPRESENTATIVE AS LONG AS THE NAME OF THE AGENT OR DESIGNEE IS ANNOUNCED AT AN OPEN SESSION HELD PRIOR TO THE CLOSED SESSION.)

BOARD BYLAWS

EMPLOYEE ORGANIZATION: _____
(SPECIFY NAME OF EMPLOYEE ORGANIZATION WITH WHICH NEGOTIATIONS ARE BEING HELD.)

OR

UNREPRESENTED EMPLOYEE: _____
(SPECIFY POSITION OF UNREPRESENTED EMPLOYEE WHO IS THE SUBJECT OF THE NEGOTIATIONS.)

MATTERS RELATED TO STUDENTS

STUDENT SUSPENSION/OTHER DISCIPLINARY ACTION: EDUCATION CODE 35146
STUDENT IDENTIFICATION NUMBER: _____
(IT IS RECOMMENDED THAT THE STUDENT'S NAME NOT BE LISTED. THE DISTRICT MAY USE OTHER MEANS TO IDENTIFY THE STUDENT FOR RECORD-KEEPING PURPOSES.)

STUDENT EXPULSION: EDUCATION CODE 48912
STUDENT IDENTIFICATION NUMBER: _____
(IT IS RECOMMENDED THAT THE STUDENT'S NAME NOT BE LISTED. THE DISTRICT MAY USE OTHER MEANS TO IDENTIFY THE STUDENT FOR RECORD-KEEPING PURPOSES.)

STUDENT GRADE CHANGE APPEAL: EDUCATION CODE 49070
STUDENT IDENTIFICATION NUMBER: _____
(IT IS RECOMMENDED THAT THE STUDENT'S NAME NOT BE LISTED. THE DISTRICT MAY USE OTHER MEANS TO IDENTIFY THE STUDENT FOR RECORD-KEEPING PURPOSES.)

CONFIDENTIAL STUDENT MATTER

ACTION UNDER CONSIDERATION: _____
(IF THE BOARD IS CONSIDERING A CONFIDENTIAL STUDENT MATTER OTHER THAN THOSE LISTED ABOVE, SPECIFY TYPE OF ACTION.)

STUDENT IDENTIFICATION NUMBER: _____
(IT IS RECOMMENDED THAT THE STUDENT'S NAME NOT BE LISTED. THE DISTRICT MAY USE OTHER MEANS TO IDENTIFY THE STUDENT FOR RECORD-KEEPING PURPOSES.)

BOARD BYLAWS

SECURITY MATTERS

THREAT TO PUBLIC SERVICES OR FACILITIES: GOVERNMENT CODE 54957

CONSULTATION WITH: _____
(SPECIFY NAME OF LAW ENFORCEMENT AGENCY AND TITLE OF OFFICER, OR NAME OF APPLICABLE AGENCY REPRESENTATIVE AND TITLE, WITH WHOM THE BOARD WILL CONSULT.)

DEVELOPMENT/APPROVAL OF TACTICAL RESPONSE PLAN: EDUCATION CODE 32281

CONSULTATION WITH: _____
(SPECIFY NAME OF LAW ENFORCEMENT AGENCY AND TITLE OF OFFICER, OR NAME OF APPLICABLE AGENCY REPRESENTATIVE AND TITLE, WITH WHOM THE BOARD WILL CONSULT.)

REAL PROPERTY NEGOTIATIONS

CONFERENCE WITH REAL PROPERTY NEGOTIATORS: GOVERNMENT CODE 54956.8

PROPERTY: _____
(SPECIFY STREET ADDRESS OR, IF NO STREET ADDRESS, THE PARCEL NUMBER OR OTHER UNIQUE REFERENCE OF THE REAL PROPERTY UNDER NEGOTIATION.)

DISTRICT NEGOTIATOR: _____
(SPECIFY NAMES OF NEGOTIATORS ATTENDING THE CLOSED SESSION. IF CIRCUMSTANCES NECESSITATE THE ABSENCE OF A SPECIFIED NEGOTIATOR, AN AGENT OR DESIGNEE MAY PARTICIPATE IN PLACE OF THE ABSENT NEGOTIATOR AS LONG AS THE NAME OF THE AGENT OR DESIGNEE IS ANNOUNCED AT AN OPEN SESSION HELD PRIOR TO THE CLOSED SESSION.)

NEGOTIATING PARTIES: _____
(SPECIFY NAME OF PARTY, NOT AGENT.)

UNDER NEGOTIATION: _____
(SPECIFY WHETHER INSTRUCTION TO NEGOTIATOR WILL CONCERN PRICE, TERMS OF PAYMENT, OR BOTH.)

BOARD BYLAWS

PENDING LITIGATION

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: GOVERNMENT CODE 54956.9(D)(1)

NAME OF CASE: _____
(SPECIFY BY REFERENCE TO CLAIMANT'S NAME, NAMES OF PARTIES, OR CASE OR CLAIM NUMBERS.)

OR

CASE NAME UNSPECIFIED, AS IDENTIFICATION OF THE CASE WOULD JEOPARDIZE SERVICE OF PROCESS OR EXISTING SETTLEMENT NEGOTIATIONS.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: GOVERNMENT CODE 54956.9(D)(2) OR (3)

SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE 54956.9(D)(2) OR (3). NUMBER OF POTENTIAL CASES: _____

OR

INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE 54956.9(D)(4). NUMBER OF POTENTIAL CASES: _____

IF APPLICABLE, FACTS AND CIRCUMSTANCES: _____
(THE DISTRICT MAY BE REQUIRED TO PROVIDE ADDITIONAL INFORMATION ON THE AGENDA OR IN AN ORAL STATEMENT PRIOR TO THE CLOSED SESSION PURSUANT TO GOVERNMENT CODE 54956.9(E)(2)-(5). THESE INCLUDE FACTS AND CIRCUMSTANCES, SUCH AS AN ACCIDENT, DISASTER, INCIDENT, OR TRANSACTIONAL OCCURRENCE THAT MIGHT RESULT IN LITIGATION AGAINST THE DISTRICT AND THAT ARE KNOWN TO POTENTIAL PLAINTIFF(S).)

JOINT POWERS AUTHORITY ISSUES

LIABILITY CLAIMS FOR INSURANCE-RELATED JOINT POWERS AGENCY: GOVERNMENT CODE 54956.95

NAME OF CLAIMANT(S): _____

BOARD BYLAWS

(SPECIFY NAME, EXCEPT PURSUANT TO GOVERNMENT CODE 54961 WHEN THE CLAIMANT IS A VICTIM OR ALLEGED VICTIM OF TORTIOUS SEXUAL CONDUCT OR CHILD ABUSE UNLESS THE IDENTITY OF THE PERSON HAS BEEN PUBLICLY DISCLOSED.)

NAME OF AGENCY AGAINST WHICH THE CLAIM IS MADE: _____

CONFERENCE INVOLVING INFORMATION FROM A JOINT POWERS AGENCY WITH DIRECT FINANCIAL OR LIABILITY IMPLICATIONS FOR DISTRICT: GOVERNMENT CODE 54956.96

NAME OF JPA: _____

DISCUSSION WILL CONCERN: _____
(SPECIFY CLOSED SESSION DESCRIPTION USED BY THE JPA.)

NAME OF DISTRICT REPRESENTATIVE ON JPA BOARD: _____

NAMES OF AGENCIES OR TITLES OF REPRESENTATIVES ATTENDING THE CLOSED SESSION AS CONSULTANTS OR OTHER REPRESENTATIVES, IF APPLICABLE: _____

REVIEW OF AUDIT FROM STATE AUDITOR'S OFFICE

AUDIT BY CALIFORNIA STATE AUDITOR'S OFFICE: GOVERNMENT CODE 54956.75
(NO ADDITIONAL INFORMATION IS REQUIRED.)

REVIEW OF ASSESSMENT INSTRUMENTS

REVIEW OF STUDENT ASSESSMENT INSTRUMENT: EDUCATION CODE 60617
THE BOARD IS REVIEWING THE CONTENTS OF AN ASSESSMENT INSTRUMENT APPROVED OR ADOPTED FOR THE STATEWIDE TESTING PROGRAM. EDUCATION CODE 60617 AUTHORIZES A CLOSED SESSION FOR THIS PURPOSE IN ORDER TO MAINTAIN THE CONFIDENTIALITY OF THE ASSESSMENT UNDER REVIEW.

REPORTS OF CLOSED SESSION ACTIONS

FOLLOWING A CLOSED SESSION DURING ANY BOARD OF EDUCATION MEETING, THE BOARD SHALL RECONVENE IN OPEN SESSION TO PRESENT, ORALLY OR IN WRITING, A REPORT OF ANY OF THE FOLLOWING ACTIONS TAKEN DURING THE CLOSED SESSION, AS APPLICABLE:

BOARD BYLAWS

PERSONNEL MATTERS

TITLE OF POSITION: _____

ACTION TAKEN: _____
(E.G., APPOINTMENT/EMPLOYMENT/EVALUATION/DISCIPLINE/DISMISSAL/RELEASE)

BOARD MEMBER VOTES/ABSTENTIONS: _____

NEGOTIATIONS/COLLECTIVE BARGAINING

APPROVAL OF FINAL AGREEMENT WITH REPRESENTED EMPLOYEES

ITEM APPROVED: _____

OTHER PARTY/PARTIES TO THE NEGOTIATION: _____

BOARD MEMBER VOTES/ABSTENTIONS: _____

MATTERS RELATED TO STUDENTS

(FINAL ACTION MUST BE TAKEN IN OPEN SESSION. IT IS RECOMMENDED THAT THE STUDENT'S NAME NOT BE DISCLOSED.)

SECURITY MATTERS

ACTION TAKEN: _____
(E.G., CONSULTATION WITH LAW ENFORCEMENT; APPROVAL OF CONTRACT OR MEMORANDUM OF UNDERSTANDING; APPROVAL OF TACTICAL RESPONSE PLAN, WITHOUT DISCLOSING THE DETAILS OF THE PLAN)

BOARD MEMBER VOTES/ABSTENTIONS: _____

REAL PROPERTY NEGOTIATIONS

ACTION TAKEN: _____
(REPORT IF BOARD APPROVES A FINAL AGREEMENT CONCLUDING REAL ESTATE NEGOTIATIONS. IF FINAL APPROVAL RESTS WITH THE OTHER PARTY, REPORT AS SOON AS THE OTHER PARTY HAS APPROVED THE AGREEMENT.)

SUBSTANCE OF THE AGREEMENT: _____

BOARD MEMBER VOTES/ABSTENTIONS: _____

BOARD BYLAWS

EXISTING LITIGATION

ACTION TAKEN RELATED TO EXISTING LITIGATION: _____
(E.G., APPROVAL TO LEGAL COUNSEL TO DEFEND, APPEAL OR NOT APPEAL, OR OTHERWISE APPEAR IN LITIGATION; OR APPROVAL TO LEGAL COUNSEL OF A SETTLEMENT OF PENDING LITIGATION AT ANY STAGE PRIOR TO OR DURING A JUDICIAL OR QUASI-JUDICIAL PROCEEDING. IF FINAL APPROVAL OF SETTLEMENT RESTS WITH THE OTHER PARTY, REPORT TO ANY PERSON UPON REQUEST ONCE THE SETTLEMENT IS FINAL.)

ADVERSE PARTY/PARTIES, IF KNOWN: _____

SUBSTANCE OF THE LITIGATION: _____

BOARD MEMBER VOTES/ABSTENTIONS: _____

ANTICIPATED LITIGATION

ACTION TAKEN: THE BOARD HAS GIVEN APPROVAL TO LEGAL COUNSEL TO INITIATE OR INTERVENE IN A LAWSUIT. THE ACTION, DEFENDANTS, AND OTHER DETAILS WILL BE DISCLOSED TO ANY PERSON UPON REQUEST AFTER THE LAWSUIT IS COMMENCED, UNLESS DOING SO WOULD JEOPARDIZE THE DISTRICT'S ABILITY TO SERVE PROCESS ON UNSERVED PARTIES OR ITS ABILITY TO CONCLUDE EXISTING SETTLEMENT NEGOTIATIONS TO ITS ADVANTAGE. (THE REPORT DOES NOT NEED TO INITIALLY IDENTIFY THE ACTION, DEFENDANTS, OR OTHER DETAILS.)

BOARD MEMBER VOTES/ABSTENTIONS: _____

JOINT POWERS AGENCY ISSUES

LIABILITY CLAIMS FOR INSURANCE-RELATED JOINT POWERS AGENCY

NAME OF CLAIMANT(S): _____

NAME OF AGENCY AGAINST WHICH THE CLAIM IS MADE: _____

SUBSTANCE OF THE CLAIM: _____

MONETARY SETTLEMENT AGREED UPON BY THE CLAIMANT: _____

BOARD MEMBER VOTES/ABSTENTIONS: _____

BOARD BYLAWS

CONFERENCE INVOLVING INFORMATION FROM A JOINT POWERS AGENCY WITH DIRECT FINANCIAL OR LIABILITY IMPLICATIONS FOR DISTRICT

NAME OF JPA: _____

ACTION TAKEN: _____
(LAW DOES NOT INCLUDE ANY SPECIFIC DISCLOSURES TO BE REPORTED.)

BOARD MEMBER VOTES/ABSTENTIONS: _____

REVIEW OF AUDIT FROM STATE AUDITOR'S OFFICE

ACTION TAKEN: THE BOARD REVIEWED THE CONFIDENTIAL FINAL DRAFT AUDIT REPORT RECEIVED FROM THE CALIFORNIA STATE AUDITOR'S OFFICE AND HAS PREPARED A RESPONSE. (NO ADDITIONAL INFORMATION IS REQUIRED. UNLESS OTHERWISE EXEMPTED BY LAW, AFTER THE AUDIT REPORT IS SUBSEQUENTLY RELEASED TO THE PUBLIC, ANY BOARD DISCUSSION OF THE REPORT MUST BE CONDUCTED IN OPEN SESSION.)

REVIEW OF ASSESSMENT INSTRUMENTS

ACTION TAKEN: THE BOARD REVIEWED THE CONTENTS OF A STUDENT ASSESSMENT INSTRUMENT APPROVED OR ADOPTED FOR THE STATEWIDE TESTING SYSTEM.

EXHIBIT ADOPTED:

~~CLOSED SESSION ACTIONS AND REPORTS~~

~~No matters other than those announced in open session shall be acted upon during the closed session. (Government Code 54957.7)~~

~~(cf. 9321 – Closed Session Purposes and Agendas)~~

~~The Board shall reconvene in open session before adjourning and report closed session actions, the votes or abstentions thereon, and other disclosures required by Government Code 54957.1. These disclosures may be made at the location announced in the agenda for the closed session, as long as the public is allowed to be present at that location for the purpose of hearing them. (Government Code 54957.7)~~

Personnel Matters

~~The Board shall report any personnel action taken and the votes or abstentions thereon at the public meeting during which the closed session is held. This report shall identify the title of the position. However, the report of a dismissal or nonrenewal of an employment contract shall be deferred until the first public meeting after administrative remedies, if any, have been exhausted. (Government Code 54957.1)~~

~~(cf. 1312.1 – Complaints Concerning District Employees)~~

~~(cf. 2140 – Evaluation of the Superintendent)~~

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

~~(cf. 4218 – Dismissal/Suspension/Disciplinary Action)~~

Negotiations/Collective Bargaining

~~Final action on the proposed compensation of one or more unrepresented employees shall not be taken during the closed session. (Government Code 54957.6)~~

~~Approval of an agreement concluding closed session labor negotiations with represented employees shall be reported after the agreement is final and has been accepted or ratified by the other party. This report shall identify the item approved and the other party or parties to the negotiation. (Government Code 54957.1)~~

~~(cf. 4143 .1 – Public Notice – Personnel Negotiations)~~

Student Matters

~~Actions related to student matters shall be taken in open session and shall be a matter of public record, except that students shall not be named on the records. No information shall be released in violation of student privacy rights provided in law. (Education Code 35146, 48918; 20 USC 1232)~~

CLOSED SESSION ACTIONS AND REPORTS (cont.)

~~(cf. 5117 – Interdistrict Attendance)
 (cf. 5119 – Students Expelled from Other Districts)
 (cf. 5125 – Student Records)
 (cf. 5125.3 – Challenging Student Records)
 (cf. 5144 – Discipline)
 (cf. 5144.1 – Suspension and Expulsion/Due Process)~~

Real Estate Negotiations

~~Approval of an agreement concluding real estate negotiations shall be reported after the agreement is final. If the Board renders the agreement final, it shall report that approval, the votes or abstentions thereon, and the substance of the agreement in open session at the public meeting during which the closed session is held. If final approval rests with the other party, the Superintendent or designee shall disclose the fact of that approval and the substance of the agreement upon inquiry by any person, as soon as the other party or its agent has informed the district of its approval. (Government Code 54957.1)~~

Pending Litigation

~~The Board shall report the following actions related to pending litigation, and the votes or abstentions thereon, at the public meeting during which the closed session is held:~~

- ~~1. Approval to legal counsel to defend, appeal or not appeal, or otherwise appear in litigation. This report shall identify the adverse parties, if known, and the substance of the litigation.~~
- ~~2. Approval to legal counsel to initiate or intervene in a lawsuit. This report shall state that details will be disclosed to inquiring parties after the lawsuit is commenced unless doing so would jeopardize the district's ability to serve process on unserved parties or its ability to conclude existing settlement negotiations to its advantage.~~
- ~~3. Acceptance of a signed offer from the other party or party which finalizes the settlement of pending litigation. This report shall state the substance of the agreement.~~

~~If approval is given to legal counsel to settle pending litigation and if final approval rests with the other party or with the court, the district shall report the fact of approval, the substance of the agreement and the vote and abstentions thereon to persons who inquire once the settlement is final. (Government Code 54957.1)~~

JPA/Self-Insurance Claims

~~CLOSED SESSION ACTIONS AND REPORTS (cont.)~~

~~The Board shall report the disposition of Joint Powers Authority or self-insurance claims and the votes or abstentions thereon at the public meeting during which the closed session is held. This report shall include the name of the claimant(s), the name of the agency claimed against, the substance of the claim and the monetary settlement agreed upon by the claimant. (Government Code 54957.1)~~

~~(cf. 3320 - Claims and Actions Against the District)
(cf. 3530 - Insurance Management)~~

Review of Assessment Instruments

~~At the public meeting during which the Board holds a closed session to review student assessment instruments, the Board shall confirm that this review was made. Any actions relating to the review shall be taken in open session without revealing any proprietary or confidential information and shall be a matter of public record.~~

~~(cf. 6162.5 - Student Assessment)~~

Legal Reference:

EDUCATION CODE

~~35145 Public meetings~~

~~35146 Closed session (re student matters)~~

~~48918 Rules governing expulsion procedures; hearings and notice~~

~~49073-49079 Privacy of student records~~

~~60617 Meetings of governing board~~

GOVERNMENT CODE

~~54950-54962 The Ralph M. Brown Act, especially~~

~~54957.1 Closed sessions; public report of action taken~~

~~54957.6 Closed sessions; representatives to employee organization(s)~~

~~54957.7 Disclosure of items to be discussed~~

UNITED STATES CODE, TITLE 20

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

CODE OF FEDERAL REGULATIONS, TITLE 34

~~99.1-99.8 Family Educational Rights and Privacy~~

COURT DECISIONS

~~Kleitman v. Superior Court (1999) 87 Cal.Rptr.2d 813~~

ATTORNEY GENERAL OPINIONS

~~80 Ops.Cal.Atty.Gen. 85 (1997)~~

Chino Valley Unified School District

~~Bylaw adopted: August 17, 1995~~

~~Revised: May 20, 1999~~

~~Revised: February 16, 2012~~

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 7, 2019
TO: Members, Board of Education
FROM: Norm Enfield, Ed.D., Superintendent
SUBJECT: REVISION OF BYLAWS OF THE BOARD 9323—MEETING CONDUCT

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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. Bylaws of the Board 9323—Meeting Conduct is being updated to clarify circumstances under which the Board may exercise flexibility in allocating time for public input to ensure full opportunity for public input and presentation of the diversity of viewpoints.

New language is provided in CAPS while old language to be deleted is ~~lined through~~. Time changes are provided in **BOLD**.

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

RECOMMENDATION

It is recommended the Board of Education receive for information the revision of Bylaws of the Board 9323—Meeting Conduct.

FISCAL IMPACT

None.

NE:pk

MEETING CONDUCT

Meeting Procedures

All Board of Education meetings shall begin on time and shall be guided by an agenda prepared in accordance with Board bylaws and posted and distributed in accordance with the Ralph M. Brown Act (Open Meeting Requirements) and other applicable laws.

(cf. 9322 - Agenda/Meeting Materials)

The Board president shall conduct Board meetings in accordance with Board bylaws and procedures that enable the Board to efficiently consider issues and carry out the will of the majority.

(cf. 9121 - President)

The Board believes that late night meetings deter public participation, can affect the board's decision-making ability, and can be a burden to staff. Regular Board meetings shall be adjourned at ~~10:00~~ **9:00** p.m. unless extended TO A SPECIFIC TIME DETERMINED by a majority of the Board. THE MEETING SHALL BE EXTENDED NO MORE THAN ONCE AND SUBSEQUENTLY MAY BE ADJOURNED TO A LATER DATE.

Quorum and Abstentions

The Board shall act by majority vote of all of the membership constituting the Board. (Education Code 35164)

(cf. 9323.2 - Actions by the Board)

The Board believes that when no conflict of interest requires abstention, its members have a duty to vote on issues before them. When a member abstains, his/her abstention shall not be counted for purposes of determining whether a majority of the membership of the Board has taken action.

(cf. 9270 - Conflict of Interest)

Public Participation

Members of the public are encouraged to attend Board meetings and to address the Board concerning any item on the agenda or within the Board's jurisdiction. Persons addressing the Board are encouraged to complete an information card. So as not to inhibit public participation, persons attending Board meetings shall not be requested to sign in, complete a questionnaire, or otherwise provide their name or other information as a condition of attending the meeting.

MEETING CONDUCT (cont.)

In order to conduct District business in an orderly and efficient manner, the Board requires that public presentations to the Board comply with the following procedures:

1. The Board shall give members of the public an opportunity to address the Board on any item of interest to the public that is within the subject matter jurisdiction of the Board, either before or during the Board's consideration of the item. (Education Code 35145.5, Government Code 54954.3)
2. At a time so designated on the agenda at a regular meeting, members of the public may bring before the Board matters that are not listed on the agenda. The Board shall take no action or discussion on any item not appearing on the posted agenda, except as authorized by law. (Education Code 35145.5, Government Code 54954.2)
3. Without taking action, Board members or District staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda. Additionally, on their own initiative or in response to questions posed by the public, a Board or staff member may ask a question for clarification, make a brief announcement, or make a brief report on his/her own activities. (Government Code 54954.2)

Furthermore, the Board or a Board member may provide a reference to staff or other resources for factual information, ask staff to report back to the Board at a subsequent meeting concerning any matter, or take action directing staff to place a matter of business on a future agenda. (Government Code 54954.2)

4. The Board need not allow the public to speak on any item that has already been considered by a committee composed exclusively of Board members at a public meeting where the public had the opportunity to address the committee on that item. However, if the Board determines that the item has been substantially changed since the committee heard the item the Board shall provide an opportunity for the public to speak. (Government Code 54954.3)

(cf. 9130 - Board Committees)

5. A person wishing to be heard by the Board shall first be recognized by the president and shall then proceed to comment as briefly as the subject permits.

Individual speakers will be allowed three minutes to address the Board regarding non-agenda items, as well as three additional minutes regarding items that are on the agenda, AND THE BOARD WILL LIMIT THE TOTAL TIME FOR PUBLIC INPUT ON EACH ITEM TO 30 MINUTES. A speaker may not use the podium for purposes other than addressing the Board directly. If there are no further comments, a speaker will be considered to have relinquished his or her allotted three minutes.

MEETING CONDUCT (cont.)

~~The Board may limit the total time for public input on each agenda item to 30 minutes. With Board consent, the president may increase or decrease the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard.~~

~~The president may take a poll of speakers for or against a particular issue and ask that additional persons speak only if they have something new to add. HOWEVER, IN EXCEPTIONAL CIRCUMSTANCES WHEN NECESSARY TO ENSURE FULL OPPORTUNITY FOR PUBLIC INPUT, THE BOARD PRESIDENT MAY, WITH BOARD CONSENT, ADJUST THE AMOUNT OF TIME ALLOWED FOR PUBLIC INPUT AND/OR THE TIME ALLOTTED FOR EACH SPEAKER. ANY SUCH ADJUSTMENT SHALL BE DONE EQUITABLY SO AS TO ALLOW A DIVERSITY OF VIEWPOINTS. THE PRESIDENT MAY ALSO ASK MEMBERS OF THE PUBLIC WITH THE SAME VIEWPOINT TO SELECT A FEW INDIVIDUALS TO ADDRESS THE BOARD ON BEHALF OF THAT VIEWPOINT.~~

~~At any time a member of the public attempts to use their three minutes to disrupt the Board meeting or act out of compliance with this policy they will be asked to return to their seat or leave the meeting room.~~

In order to ensure that non-English speakers receive the same opportunity to directly address the Board, any member of the public who utilizes a translator shall be provided at least twice the allotted time to address the Board, unless simultaneous translation equipment is used to allow the Board to hear the translated public testimony simultaneously. (Government Code 54954.3)

6. The Board president may rule on the appropriateness of a topic, SUBJECT TO THE FOLLOWING CONDITIONS:
 - A) If the topic would be more suitably addressed at a later time, the BOARD president may indicate the time and place when it should be presented;
 - B) The Board shall not prohibit public criticism of its policies, procedures, programs, services, acts, or omissions (Government Code 54954.3);
 - C) ~~In addition,~~ The Board ~~may~~ SHALL not prohibit public criticism of District employees. However, whenever a member of the public initiates specific complaints or charges against an individual employee, the Board president shall inform the complainant of the appropriate complaint procedures.

(cf. 1312.1 - Complaints Concerning District Employees)
 (cf. 9321 - Closed Session Purposes and Agendas)

MEETING CONDUCT (cont.)

7. The Board president shall not permit any disturbance or willful interruption of Board meetings. Persistent disruption by an individual or group or any conduct or statements that threaten the safety of any persons(s) at the meeting shall be grounds for the president to terminate the privilege of addressing the Board.

The Board may remove disruptive individuals and order the room cleared if necessary. In this case, members of the media not participating in the disturbance shall be allowed to remain, and individuals not participating in such disturbances may be allowed to remain at the discretion of the Board. When the room is ordered cleared due to a disturbance, further Board proceedings shall concern only matters appearing on the agenda. (Government Code 54957.9)

When such disruptive conduct occurs, the Superintendent or designee shall contact local law enforcement as necessary.

Recording by the Public

Members of the public may record an open Board meeting using an audio or video recorder, still or motion picture camera, cell phone, or other device, provided that the noise, illumination, or obstruction of view does not persistently disrupt the meeting. The Superintendent or designee may designate locations from which members of the public may make such recordings without causing a distraction.

(cf. 9324 - Board Minutes and Recordings)

If the Board finds that noise, illumination or obstruction of view related to these activities would persistently disrupt the proceedings; these activities shall be discontinued or restricted as determined by the Board. (Government Code 54953.5, 54953.6)

Legal Reference:**EDUCATION CODE**

5095 Powers of remaining board members and new appointees
 32210 Willful disturbance of public school or meeting a misdemeanor
 35010 Prescription and enforcement of rules
 35145.5 Agenda; public participation; regulations
 35163 Official actions, minutes and journal
 35164 Vote requirements
 35165 Effect of vacancies upon majority and unanimous votes by seven member board

CODE OF CIVIL PROCEDURE

527.8 Workplace Violence Safety Act

GOVERNMENT CODE

54953.3 Prohibition against conditions for attending a board meeting
 54953.5 Audio or video recording of proceedings
 54953.6 Broadcasting of proceedings
 54954.2 Agenda; posting; action on other matters
 54954.3 Opportunity for public to address legislative body; regulations
 54957 Closed sessions
 54957.9 Disorderly conduct of general public during meeting; clearing of room

MEETING CONDUCT (cont.)

PENAL CODE

403 Disruption of assembly or meeting

COURT DECISIONS

City of San Jose v. Garbett (2010) 190 Cal.App.4th 526

Norse v. City of Santa Cruz (9th Cir. 2010) 629 F3d 966

McMahon v. Albany Unified School District (2002) 104 Cal.App.4th 1275

Rubin v. City of Burbank (2002) 101 Cal.App.4th 1194

Baca v. Moreno Valley Unified School District (1996) 936 F.Supp. 719

ATTORNEY GENERAL OPINIONS

90 Ops.Cal.Atty.Gen. 47 (2007)

76 Ops.Cal.Atty.Gen. 281 (1993)

66 Ops.Cal.Atty.Gen. 336 (1983)

63 Ops.Cal.Atty.Gen. 215 (1980)

61 Ops.Cal.Atty.Gen. 243, 253 (1978)

59 Ops.Cal.Atty.Gen. 532 (1976)

55 Ops.Cal.Atty.Gen. 26 (1972)

Management Resources:

CSBA PUBLICATIONS

Call to Order: A Blueprint for Great Board Meetings, 2015

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

ATTORNEY GENERAL PUBLICATIONS

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

WEBSITES

California School Boards Association: www.csba.org

California Attorney General's Office: <http://oag.ca.gov>

Chino Valley Unified School District

Bylaw adopted: February 1, 1996

Revised: January 20, 2000

Revised: April 17, 2003

Revised: March 1, 2012

Revised: May 4, 2017

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 7, 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: ADOPTED 2019/2020 ORGANIZED AND UNORGANIZED STUDENT
BODY BUDGETS**

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BACKGROUND

Board Policy 3452 Business and Noninstructional Operations – Student Activity Funds requires organized and unorganized student body budgets to be submitted to the Board of Education each year for information. The list that follows reflects the adopted student body budgets for fiscal year 2019/2020.

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 adopted 2019/2020 organized and unorganized student body budgets.

FISCAL IMPACT

None.

NE:SHC:LP:wc

**CHINO VALLEY UNIFIED SCHOOL DISTRICT
ASSOCIATED STUDENT BODY
ADOPTED BUDGET 2019/2020**

ORGANIZED STUDENT BODIES

COMPREHENSIVE HIGH SCHOOLS	TOTAL	
Ayala HS	\$ 1,903,793	
Chino HS	\$ 725,478	
Chino HS	\$ 1,352,103	
Don Lugo HS	\$ 1,024,945	
TOTAL HIGH SCHOOLS		\$ 5,006,319
JUNIOR HIGH SCHOOLS		
Briggs K-8	\$ 74,978	
Cal Aero K-8	\$ 65,676	
Canyon Hills JHS	\$ 262,058	
Magnolia JHS	\$ 168,932	
Ramona JHS	\$ 90,822	
Townsend JHS	\$ 160,071	
Woodcrest JHS	\$ 66,962	
TOTAL JUNIOR HIGH SCHOOLS		\$ 889,499
TOTAL ORGANIZED STUDENT BODIES		\$ 5,895,818

UNORGANIZED STUDENT BODIES

CONTINUATION HIGH SCHOOL		
Buena Vista HS	\$ 42,105	\$ 42,105
ELEMENTARY SCHOOLS		
Elementary General	\$ 10,528	
Borba ES	\$ 1,937	
Butterfield Ranch ES	\$ -	
Cattle ES	\$ 54,746	
Chaparral ES	\$ 42,220	
Cortez ES*	\$ -	
Country Springs ES*	\$ -	
Dickey ES	\$ 1,607	
Dickson ES	\$ 44,813	
Eagle Canyon ES	\$ 56,599	
Glenmeade ES*	\$ -	
Hidden Trails ES	\$ 1,475	
Liberty ES	\$ 56,616	
Litel ES	\$ 19,096	
Marshall ES	\$ 26,253	
Newman ES	\$ 18,149	
Oak Ridge ES	\$ 5,645	
Rhodes ES	\$ 524	
Rolling Ridge ES	\$ 62,617	
Walnut ES	\$ 12,865	
TOTAL ELEMENTARY SCHOOLS		\$ 415,690
TOTAL UNORGANIZED STUDENT BODIES		\$ 457,795
TOTAL ASB BUDGETS		\$ 6,353,613

* ASB Dormant Accounts/Zero Balances

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: November 7, 2019

TO: Members, Board of Education

FROM: Norm Enfield, Ed.D., Superintendent

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

SUBJECT: REVISION OF BOARD POLICY AND ADMINISTRATIVE REGULATION 7140 FACILITIES – ARCHITECTURAL AND ENGINEERING SERVICES

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BACKGROUND

Board policies, administrative regulations, and bylaws are routinely developed and revised as a result of changes in law, mandates, federal regulations, and current practice.

Revision of Board Policy 7140 Facilities – Architectural and Engineering Services is being updated to clarify the District’s responsibility to select a licensed architect and/or structural engineer as required by law when professional design services are used for construction or modernization of school facilities and to address the need to comply with state safety and design standards. Policy adds the general duties of the architect and/or structural engineer and the circumstances under which design specifications must be submitted to the California Department of Education and the Division of the State Architect. The Administrative Regulation 7140 Facilities – Architectural and Engineering Services updates the components of the selection process to more directly reflect law and adds the District’s authority, if negotiations with the most qualified firm are unsuccessful, to negotiate a contract with the second most qualified firm and then the third most qualified firm. The Regulation also includes the option to award a contract to a single entity for both the design and construction of a school facility in excess of \$1,000,000.00 (“design build” contract).

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 7140 Facilities – Architectural and Engineering Services.

FISCAL IMPACT

None.

NE:GJS:pw

ARCHITECTURAL AND ENGINEERING SERVICES

~~In order to ensure safe construction and protect the investment of public funds,~~ THE BOARD OF EDUCATION DESIRES TO PROVIDE SCHOOL FACILITIES ~~requires~~ that SUPPORT THE EDUCATIONAL PROGRAM AND MEET ALL APPLICABLE SAFETY AND DESIGN STANDARDS. WHEN REQUIRED BY LAW, THE BOARD SHALL EMPLOY OR CONTRACT WITH A licensed and certified architect AND/or structural engineer ~~be employed~~ to design and supervise the construction of District schools and other facilities.

(cf. 7110 - Facilities Master Plan)

THE ARCHITECT AND/OR STRUCTURAL ENGINEER SHALL BE RESPONSIBLE FOR PREPARING ALL CONSTRUCTION PLANS, SPECIFICATIONS, AND ESTIMATES AND FOR THE OBSERVATION OF THE WORK OF CONSTRUCTION. (Education Code 17302)

TO ENSURE COMPLIANCE WITH STATE DESIGN AND SAFETY STANDARDS, PRELIMINARY AND FINAL PLANS FOR ANY STATE-FUNDED SCHOOL FACILITY PROJECT, INCLUDING BOARD-APPROVED EDUCATIONAL SPECIFICATIONS FOR SCHOOL DESIGN WHEN NECESSARY, SHALL BE SUBMITTED TO THE CALIFORNIA DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF GENERAL SERVICES, DIVISION OF THE STATE ARCHITECT. (Education Code 17267; 5 CCR 14030-14032)

The Superintendent or designee shall devise a competitive process for the selection of architects, structural engineers, AND OTHER DESIGN PROFESSIONALS that is based on demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required. For each project, THE SUPERINTENDENT OR DESIGNEE ~~he/she~~ shall recommend ~~specific~~ architectural and engineering firms to the Board FOR APPROVAL. The Board shall pay fair and reasonable amounts warranted by the provider's qualifications and competence. The Board need not select the lowest responsible bidder. ~~The Board may require bids, however, whenever it determines that this would be in the public interest because the services needed are more of a technical nature and involve little professional judgment.~~

(cf. 3311 - Bids)

(cf. 3311.3 - Design-Build Contracts)

Legal Reference:

EDUCATION CODE

17070.10-17079.30 Leroy F. Greene School Facilities Act, especially:

17070.50 Conditions for Apportionment

17250.10-17250.55 Design-Build Contracts

17251 School Construction; Duties of the California Department of Education

17262-17268 School Construction Plans

17280-17316 Approvals, especially:

ARCHITECTURAL AND ENGINEERING SERVICES (cont.)

17302 Persons Qualified to Prepare Plans, Specifications and Estimates and Supervise Construction;
17316 Contract Provision Regarding School District Property
17371 Limitation on Liability of Governing Board

BUSINESS AND PROFESSIONS CODE

5500-5502 Architecture
5550-5558 Architects, Licensure
6700-6706.3 Engineers
6750-6766 Engineers, Licensure

GOVERNMENT CODE

4525-4529.5 Contracts with Private Architects, Engineering, Land Surveying, and Construction Project Management Firms
14837 Definition of Small Business
87100 Public Officials; Financial Interest

PUBLIC CONTRACT CODE

20111 School District Contracts

CODE OF REGULATIONS, TITLE 5

14001 Minimum Standards for School Facilities
14030-14036 Standards, Planning, and Approval of School Facilities

CODE OF REGULATIONS, TITLE 24

101 et. Seq. California Building Standards Code

CALIFORNIA CONSTITUTION

Article 22 Architectural and Engineering Services

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Plan Submission Requirements for Modernization Projects, Form SFPD 4.08
Plan Submission Requirements for New Construction, Form SFPD 4.07

OFFICE OF PUBLIC SCHOOL CONSTRUCTION PUBLICATIONS

School Facility Program Handbook, January 2019

WEBSITES

American Institute of Architects California Council: aiacalifornia.org
California Department of Education, Facilities: www.cde.ca.gov/ls/fa
Department of General Services, Division of the State Architect: www.dgs.ca.gov/DSA
Department of General Services, Office of Public School Construction: www.dgs.ca.gov/OPSC

Chino Valley Unified School District

Policy adopted: November 2, 1995

Revised: September 4, 2008

REVISED:

ARCHITECTURAL AND ENGINEERING SERVICES

~~The Board of Education shall engage the services of a licensed architect(s) holding a valid certificate or engineer(s) holding a valid certificate for the preparation of plans, specifications or estimates for any construction project, through a signed contract. (Education Code 39148)~~

~~(cf. 3312 - Contracts)~~

Contractors for any architectural, landscape architectural, engineering, environmental, land surveying, or construction project management services shall be selected, at fair and reasonable prices, on the basis of demonstrated competence and professional qualifications necessary for the satisfactory performance of the services required. (Government Code 4526)

~~Contracts shall specify that all plans, specifications and estimates prepared by the contractor shall become the property of the District. (Education Code 39159)~~

The Superintendent or designee shall ensure that the selection process for projects receiving state funding: (Government Code 4526)

1. ~~ASSURES Ensures that projects entail~~ maximum participation by small business firms as defined pursuant to Government Code 14837
2. Prohibits practices which might result in unlawful activity such as rebates, kickbacks, or other unlawful consideration ~~and~~
3. Prohibits District employees from participating in the selection process when they have a relationship with a person or business entity seeking a contract which would subject the employee to the prohibition of Government Code 87100

~~(cf. 9270 - Conflict of Interest)~~

The selection process may also include: (Government Code 4527)

1. ~~Detailed~~ Evaluations of current statements of ~~prospective contractors'~~ qualifications and performance data ON FILE WITH THE DISTRICT AND EVALUATION OF STATEMENTS THAT MAY BE SUBMITTED BY OTHER FIRMS REGARDING THE PROPOSED PROJECT
2. Discussion of ~~alternative approaches for furnishing the services~~ with at least three firms REGARDING ANTICIPATED CONCEPTS AND THE RELATIVE UTILITY OF ALTERNATIVE APPROACHES FOR FURNISHING THE REQUIRED SERVICES
3. Selection, IN ORDER OF PREFERENCE, of at least three firms deemed to be the most highly qualified to provide the required services in accordance with established DISTRICT criteria ~~and recommended in order of preference.~~

ARCHITECTURAL AND ENGINEERING SERVICES (cont.)

THE DISTRICT SHALL NEGOTIATE A CONTRACT WITH THE BEST QUALIFIED FIRM AT COMPENSATION DETERMINED BY THE DISTRICT TO BE FAIR AND REASONABLE. IF THE DISTRICT IS UNABLE TO NEGOTIATE A CONTRACT WITH THE MOST QUALIFIED FIRM, THE DISTRICT SHALL NEGOTIATE A CONTRACT WITH THE SECOND MOST QUALIFIED FIRM AND, IF UNSUCCESSFUL, WITH THE THIRD MOST QUALIFIED FIRM. IF THE DISTRICT IS UNABLE TO NEGOTIATE A SATISFACTORY CONTRACT WITH ANY OF THE SELECTED FIRMS, THE DISTRICT SHALL SELECT ADDITIONAL FIRMS IN ORDER OF THEIR COMPETENCE AND QUALIFICATION AND CONTINUE NEGOTIATIONS UNTIL AN AGREEMENT IS REACHED. (Government Code 4528)

THE ABOVE PROCEDURES SHALL NOT APPLY IF THE SUPERINTENDENT OR DESIGNEE DETERMINES THAT THE SERVICES NEEDED ARE MORE OF A TECHNICAL NATURE AND INVOLVE LITTLE PROFESSIONAL JUDGMENT AND THAT REQUIRING BIDS WOULD BE IN THE PUBLIC INTEREST. (Government Code 4529)

(cf. 3311 - Bids)

CONTRACTS SHALL SPECIFY THAT ALL PLANS, INCLUDING, BUT NOT LIMITED TO, RECORD DRAWINGS, SPECIFICATIONS, AND ESTIMATES PREPARED BY THE ARCHITECT OR STRUCTURAL ENGINEER SHALL BECOME THE PROPERTY OF THE DISTRICT. THE CONTRACT SHALL ALSO SPECIFY TERMS AND CONDITIONS FOR REUSE WITHIN THE DISTRICT OF ANY PLANS PREPARED BY THE ARCHITECT OR STRUCTURAL ENGINEER. (Education Code 17316)

A CONTRACT MAY BE AWARDED TO A SINGLE ENTITY FOR BOTH DESIGN AND CONSTRUCTION OF ANY SCHOOL FACILITY IN EXCESS OF \$1,000,000.00 IN ACCORDANCE WITH AR 3311.3 - DESIGN-BUILD CONTRACTS. (Education Code 17250.20)

(cf. 3311.3 - Design-Build Contracts)

Chino Valley Unified School District

Regulation approved: November 2, 1995

Revised: August 21, 2008

REVISED: