

CHINO VALLEY
UNIFIED SCHOOL DISTRICT

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

BOARD OF EDUCATION AGENDA

August 15, 2013

BOARD OF EDUCATION
Sylvia Orozco, President
James Na, Vice President
Irene Hernandez-Blair, Clerk
Andrew Cruz, Member
Charles E. Dickie, Member
Stephanie Lewis, Student Representative



SUPERINTENDENT
Wayne M. Joseph

5130 Riverside Drive • Chino, California 91710
909.628.1201 • www.chino.k12.ca.us

CHINO VALLEY UNIFIED SCHOOL DISTRICT
REGULAR MEETING OF THE BOARD OF EDUCATION
5130 Riverside Drive, Chino, CA 91710
4:45 p.m. – Closed Session • 7:00 p.m. – Regular Meeting
August 15, 2013

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.

I. OPENING BUSINESS

I.A. CALL TO ORDER – 4:45 P.M.

1. Roll Call
2. Public Comment on Closed Session Items
3. Closed Session

Discussion and possible action:

- a. Student Expulsion (Education Code 35146, 48918 (c) & (j): Case 13/14-01. (10 minutes)
- b. Student Readmission Matters (Education Code 35146, 48916 (c)): Cases 12/13-10, 12/13-20, and 12/13-35. (15 minutes)
- c. Public Employee Discipline/Dismissal/Release (Government Code 54957): (5 minutes)
- d. Conference with Labor Negotiators (Government Code 54957.6): A.C.T. and CSEA negotiations. Agency designated representatives: Dr. Norm Enfield, Sandra Chen, and Dr. Michelle Harold. (30 minutes)
- e. Public Employee Appointment (Government Code 54957): Elementary and junior high principal; Director, Assessment and Instructional Technology; Director, Human Resources; Director, Special Education, Director, Transportation. (30 minutes)
- f. Conference with Labor Negotiators (Government Code 54957.6): Agency designated representatives Sylvia Orozco and Charles E. Dickie with unrepresented employee, Superintendent. (30 minutes)

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

1. Report Closed Session Action
2. Pledge of Allegiance
3. Invocation

I.C. PRESENTATION

1. FairKids Field Trips and Big Yellow Bus Programs

The proceedings of this meeting are being recorded.

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

In accordance with Board Bylaw 9323 Bylaws of the Board – Meeting Conduct, please:
a) limit remarks to three minutes (total for all remarks); b) if a topic has been covered, limit remarks to new points; and c) please contact the Superintendent’s Office for procedures regarding complaints against employees, or see the Administrative Secretary, Board of Education, for the form.

I.E. COMMENTS FROM STUDENT REPRESENTATIVE

I.F. COMMENTS FROM EMPLOYEE REPRESENTATIVES

I.G. COMMENTS FROM COMMUNITY LIAISONS

I.H. CHANGES AND DELETIONS

II. ACTION

II.A. ADMINISTRATION

II.A.1. Restoration of Previously Approved Budget Reduction Items

Page 1

Recommend the Board of Education approve the Superintendent’s restoration of previously approved budget reduction items.

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 July 18, 2013

Page 3

Recommend the Board of Education approve the minutes of the regular meeting of July 18, 2013.

III.B. BUSINESS SERVICES

III.B.1. Purchase Order Register

Page 10

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

III.B.2. Warrant Register

Page 11 Recommend the Board of Education approve/ratify the warrant register, provided under separate cover.

III.B.3. Fundraising Activities

Page 12 Recommend the Board of Education approve/ratify the fundraising activities.

III.B.4. Donations

Page 15 Recommend the Board of Education accept the donations.

III.B.5. Legal Services

Page 17 Recommend the Board of Education approve payment for legal services to the law offices of Atkinson, Andelson, Loya, Ruud & Romo; Chidester, Margaret A. & Associates; and Fagen, Friedman & Fulfroost, LLP.

III.C. CURRICULUM AND INSTRUCTION

III.C.1. School Sponsored Trips

Page 18 Recommend the Board of Education approve the following school sponsored trips: Don Lugo HS.

III.D. EDUCATIONAL SERVICES

III.D.1. Student Expulsion Case 13/14-01

Page 19 Recommend the Board of Education approve student expulsion case 13/14-01.

III.D.2. Student Readmission Cases 12/13-10, 12/13-20, and 12/13-35

Page 20 Recommend the Board of Education approve the student readmission cases 12/13-10, 12/13-20, and 12/13-35.

III.D.3. Waiver of Requirement to Successfully Pass the California High School Exit Exam Cases 13-53, 13-54, and 13-55

Page 21 Recommend the Board of Education approve the waiver of requirement to successfully pass the California High School Exit Exam Cases 13-53, 13-54, and 13-55.

III.D.4. Parent Representative on the Community Advisory Committee for the West End Special Education Local Plan Area

Page 23 Recommend the Board of Education approve KumKum Mukerjhee as the parent representative on the Community Advisory Committee for the West End Special Education Local Plan Area.

III.E. FACILITIES, PLANNING, AND OPERATIONS

III.E.1. Agreements for Contractor/Consultant Services

Page 24

Recommend the Board of Education approve/ratify the Agreements for Contractor/Consultant Services with: Illuminate Education, Inc., Assessment; Z & S Tutoring, Special Education; Creative Child Care Solutions, Child Development; San Bernardino County Superintendent of Schools, Facilities, Planning, and Operations (2 contracts), and Transportation (1 contract); Chino D.E.S. Club, Facilities, Planning, and Operations; and approved contract to be amended: City of Chino Hills, Educational Services/Security.

III.E.2. Surplus/Obsolete Property

Page 26

Recommend the Board of Education declare the District property surplus/obsolete and authorize the Purchasing Department to sell/dispose of said property.

III.E.3. Resolutions 2013/2014-04, 2013/2014-05, and 2013/2014-06 for Authorization to Utilize Piggyback Contracts

Page 29

Recommend the Board of Education adopt Resolutions 2013/2014-04, 2013/2014-05, and 2013/2014-06 for authorization to utilize piggyback contracts.

III.E.4. Resolution 2013/2014-07, Approving Application for Funding from the California Energy Commission to Implement Energy Efficiency Measures

Page 37

Recommend the Board of Education adopt Resolution 2013/2014-07, Approving Application for Funding from the California Energy Commission to Implement Energy Efficiency Measures.

III.F. HUMAN RESOURCES

III.F.1. Certificated/Classified Personnel Items

Page 39

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

III.F.2. Rejection of Claim

Page 48

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

III.F.3. New Job Descriptions for Director, Assessment and Instructional Technology; Director, Technology-Certificated; and Behavior Intervention Specialist

Page 49

Recommend the Board of Education approve the new job descriptions for:

- a) Director, Assessment and Instructional Technology,
- b) Director, Technology-Certificated, and
- c) Behavior Intervention Specialist.

IV. INFORMATION

IV.A. EDUCATIONAL SERVICES

IV.A.1. Revision of Board Policy 0410 Philosophy-Goals-Objectives and Comprehensive Plans—Nondiscrimination in District Programs and Activities
Page 64

Recommend the Board of Education receive for information the revision of Board Policy 0410 Philosophy-Goals-Objectives and Comprehensive Plans—Nondiscrimination in District Programs and Activities.

IV.A.2. Revision of Administrative Regulation 5145.7 Students—Sexual Harassment
Page 69

Recommend the Board of Education receive for information the revision of Administrative Regulation 5145.7 Students—Sexual Harassment.

IV.A.3. Revision of Board Policy and Administrative Regulation 6164.6 Instruction—Identification and Education Under Section 504
Page 77

Recommend the Board of Education receive for information the revision of Board Policy and Administrative Regulation 6164.6 Instruction–Identification and Education Under Section 504.

IV.A.4. San Bernardino County Superintendent of Schools Williams Findings Decile 1-3 Schools Fourth Quarterly Report 2012/2013
Page 89

Recommend the Board of Education receive for information the San Bernardino County Superintendent of Schools Williams Findings Decile 1-3 Schools Fourth Quarterly Report 2012/2013.

IV.A.5. 2012/2013 Second Semester Student Expulsion

Page 93
Recommend the Board of Education receive for information the 2012/2013 second semester expulsion report.

IV.B. HUMAN RESOURCES

IV.B.1. Revision of Board Policy and Administrative Regulation 1312.3 Community Relations—Uniform Complaint Procedures
Page 96

Recommend the Board of Education receive for information the revision of Board Policy and Administrative Regulation 1312.3 Community Relations—Uniform Complaint Procedures.

IV.B.2. Revision of Board Policy and Administrative Regulation 4030 All Personnel—Nondiscrimination in Employment

Page 109

Recommend the Board of Education receive for information the revision of Board Policy and Administrative Regulation 4030 All Personnel—Nondiscrimination in Employment.

IV.B.3. Revision of Administrative Regulation 4031 All Personnel—Complaints Concerning Discrimination in Employment

Page 116

Recommend the Board of Education receive for information the revision of Administrative Regulation 4031 All Personnel—Complaints Concerning Discrimination in Employment.

IV.B.4. Revision of Board Policy 5145.3 Students—Nondiscrimination/Harassment of Students

Page 121

Recommend the Board of Education receive for information the revision of Board Policy 5145.3 Students—Nondiscrimination/Harassment of Students.

V. COMMUNICATIONS

BOARD MEMBERS AND SUPERINTENDENT

VI. ADJOURNMENT

Date posted: August 12, 2013

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

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

Student Achievement • Safe Schools • Positive School Climate
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DATE: August 15, 2013
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
**SUBJECT: RESTORATION OF PREVIOUSLY APPROVED BUDGET
REDUCTION ITEMS**

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BACKGROUND

As part of the District-wide Budget Reduction Plan, the Board of Education voted on February 2, 2012 to eliminate and reduce various positions in the District. These Board approved budget reductions, coupled with the passage of Proposition 30, allowed the District to attain fiscal solvency for 2012/2013, 2013/2014, and 2014/2015.

At its August 8, 2013 budget study meeting, Board members requested several previously approved budget reduction items, along with the Superintendent's recommended restoration items, be placed on the August 15, 2013 Board agenda for discussion and action.

The Superintendent is recommending the restoration of specific budget items for one fiscal year only with the intention of maintaining District fiscal solvency.

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

RECOMMENDATION

It is recommended the Board of Education approve the Superintendent's restoration of previously approved budget reduction items.

FISCAL IMPACT

\$1,483,147.00 to the General Fund for the remainder of 2013/2014 school year.

WMJ:pk

SUPERINTENDENT'S RECOMMENDATIONS

Board Meeting 08/15/13

SUPERINTENDENT'S RECOMMENDED RESTORATIONS		2013-2014
1	Increase Typist Clerk II at HS (4 FTE)	(\$167,319)
2	Increase Custodian I at HS (4 FTE)	(\$207,037)
3	Increase Student Personnel Specialist (1 FTE)	(\$53,962)
4	Increase Maintenance II/Painter (2 FTE)	(\$119,824)
5	Increase Maintenance III/Locksmith (1 FTE)	(\$65,254)
6	Restore Maintenance II/Carpenter (1 FTE)	(\$63,862)
7	Increase Maintenance III/HVAC (1 FTE)	(\$74,293)
8	Increase work year for A.P. Secretaries at HS by 10 days (190 to 200)	(\$15,466)
9	Increase work year for Receptionists at HS by 12 days (185 to 197)	(\$7,951)
10	Increase work year for Counseling Assistants at HS by 2 days (208 to 210)	(\$3,436)
11	Increase work year for Counseling Assistants at JHS by 2 days (208 to 210)	(\$2,594)
12	Increase work year for Secretaries at JHS by 1 day (210 to 211)	(\$2,257)
13	Increase work year for Secretaries at ES by 1 day (210 to 211)	(\$4,318)
14	Increase work year for 19 Psychologists by 10 days (185 to 195)	(\$95,154)
15	Increase HS Assistant Principal Secretary to three per HS (4 FTE)	(\$191,491)
16	Increase Grounds Worker I (3 FTE)	(\$168,571)
17	Restore JHS Activities Stipends	(\$85,036)
18	Increase work hours for 29 Special Ed Instructional Aides to 2010/11 work hours	(\$155,323)
TOTAL		(\$1,483,147)

CONSENT

CHINO VALLEY UNIFIED SCHOOL DISTRICT
REGULAR MEETING OF THE BOARD OF EDUCATION
5130 Riverside Drive, Chino, CA 91710
July 18, 2013

MINUTES

I. OPENING BUSINESS

I.A. CALL TO ORDER – 4:30 P.M.

1. Roll Call

President Orozco called to order the regular meeting of the Board of Education, Thursday, July 18, 2013, at 4:30 p.m. with Cruz, Dickie, Na, and Orozco present. Mrs. Blair arrived at 4:31 p.m.

Administrative Personnel

Wayne M. Joseph, Superintendent

Victoria Broberg, Asst. Superintendent, Curriculum and Instruction (absent)

Sandra H. Chen, Assistant Superintendent, Business Services

Norm Enfield, Ed.D., Assistant Superintendent, Human Resources

Patricia M. Miller, Assistant Superintendent, Educational Services

Gregory J. Stachura, Assistant Supt., Facilities, Planning, and Operations

2. Public Comment on Closed Session Items

None.

3. Closed Session

President Orozco adjourned to closed session at 4:30 p.m. regarding student expulsions; public employee discipline/dismissal/release; conference with labor negotiators for A.C.T. and CSEA; public employee appointment: elementary principal, junior high school principal, directors of curriculum and instruction, assessment, and human resources; and conference with labor negotiators, Superintendent.

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

1. Report Closed Session Action

President Orozco reconvened the regular meeting of the Board of Education at 7:00 p.m. The Board met in closed session from 4:30 p.m. to 6:51 p.m. regarding student expulsions; public employee discipline/dismissal/release; conference with labor negotiators for A.C.T. and CSEA; public employee appointment: elementary principal, junior high school

principal, directors of curriculum and instruction, assessment, and human resources; and conference with labor negotiators, Superintendent. In closed session, the Board voted to make the following appointments by a unanimous vote (5-0): Amy Nguyen-Hernandez as Director of Elementary Curriculum and Instruction with an effective date to be determined; Sara Peckham as principal of Cattle ES effective July 19, 2013; John S. Miller as principal of Magnolia JHS effective July 19, 2013; and adopted by a unanimous vote (5-0) Resolution 2013/2014-03 Regarding Termination, pursuant to Education Code 44937, to immediately terminate District employment of permanent certificated employee number 2176.

2. Pledge of Allegiance

Joseph Gonzales, Boy Scout, led the Pledge of Allegiance.

3. Invocation

Pastor Ruben Montoya, Calvary Chapel Chino Valley, gave the invocation.

I.C. STUDENT RECOGNITION

1. Ayala HS: Change for A Cure/Making Strides Against Breast Cancer

President Orozco presented certificates of recognition to Ayala HS student-athletes, Class of 2014, who have actively participated in fundraising for Change for a Cure/Making Strides Against Breast Cancer.

I.D. PRESENTATION

1. Facilities, Planning, and Operations: Moving Toward Sustainable Energy Management

Michael Chapko, Director of Maintenance/Operations/Construction, and Carla Kleinjan, Energy/Resource Conservation Technician, presented a report regarding sustainable energy management.

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

Chris Ramos addressed the Board regarding the Chino Parks and Recreation Commission.

I.F. COMMENTS FROM EMPLOYEE REPRESENTATIVES

Todd Hancock, A.C.T. President, spoke to Boy Scout Joseph Gonzales about the Boy Scout citizenship merit badge; spoke about speech writing every two weeks; read inspirational leadership quotes; said open communication is needed among leaders to find solutions to challenges; spoke about pending Association concerns; and said the Association wants to be part of the leadership team and part of the decision-making process.

Denise Arroyo, CSEA President, said CSEA met with District administrators and resolved some issues and that they are optimistic more will be resolved in the coming weeks; and closed by saying that today was a very good day and thanked everyone for their efforts.

President Orozco welcomed Stephanie Lewis, student representative, to her first Board meeting.

I.G. COMMENTS FROM COMMUNITY LIAISONS

Art Bennett, Chino Hills City Council, addressed the Board regarding leadership and said he is impressed with our school Board because they lead by example; said the District’s energy conservation efforts are impressive and encouraging; spoke about the victory over Southern California Edison; announced that from August 16 to September 27, the Shoppes at Chino Hills is challenging all four CVUSD high schools to compete for cash prizes ranging from \$10,000.00 for first place, \$5,000.00 for second place, and \$2,500.00 for third and fourth based on sales generated by each school; and spoke about Veterans Park *Concerts in the Park* series.

I.H. CHANGES AND DELETIONS

The following changes were read into the record: Item III.F.1., Certificated/Classified Personnel Items, under appointments added Ibis Cordero, assistant principal, Chaparral ES, effective date 8/1/2013; added Debra Letcher Boeve assistant principal, Oak Ridge ES, effective 8/1/2013; added Mari Silva, counselor, Don Lugo HS, effective 8/9/2013; and added Richard Finch, counselor, Don Lugo HS, effective 8/9/2013.

II. DISCUSSION

II.A. ADMINISTRATION

II.A.1. Employee Use of Technology

The Board discussed language contained in Board Policy and Administrative Regulation 4040 All Personnel—Employee Use of Technology.

III. CONSENT

Irene Hernandez-Blair pulled for separate action Item III.B.1., and Item III.E.3. Moved (Na) seconded (Cruz) carried unanimously (5-0) to approve the remainder of consent items, as amended. Student representative voted yes.

III.A. ADMINISTRATION

III.A.1. Minutes of the Special Meeting of June 20, 2013, and Regular Meeting of June 27, 2013

Approved the minutes of the special meeting of June 20, 2013, and regular meeting of June 27, 2013.

III.B. BUSINESS SERVICES

III.B.1. Purchase Order Register

Moved (Na) seconded (Cruz) carried unanimously (5-0) to approve/ratify the purchase order register. Student representative voted yes.

III.B.2. Warrant Register

Approved/ratified the warrant register.

III.B.3. Fundraising Activities

Approved/ratified the fundraising activities.

III.B.4. Donations

Accepted the donations.

III.B.5. Legal Services

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

III.C. CURRICULUM AND INSTRUCTION

III.C.1. School Sponsored Trips

Approved the following school sponsored trips: Country Springs ES; Rolling Ridge ES; Ayala HS; Chino HS; Chino Hills HS; and Don Lugo HS.

III.C.2. Textbook Adoption

Adopted the 9th Edition of Chemistry by Zumdahl/Zumdahl.

III.C.3. Course Revision: Public Speaking

Approved the course revision: Public Speaking.

III.C.4. New Courses: English 7/8 Intensive; Grade 7 Mathematics; Accelerated Grade 7 Mathematics; Grade 8 Mathematics; English 9 Intensive; Health Careers; Environmental Science; Exploratory Work Experience; Da Vinci Algebra 1 – Math (UCCI); Constructing Algebra 2 – Math (UCCI); Engineering Geometry with Physics – Math (UCCI); Green Up and Go Clean Energy-Neering (UCCI); and Microcontrollers and Robotics

Approved the following new courses: English 7/8 Intensive; Grade 7 Mathematics; Accelerated Grade 7 Mathematics; Grade 8 Mathematics;

English 9 Intensive; Health Careers; Environmental Science; Exploratory Work Experience; Da Vinci Algebra 1 – Math (UCCI); Constructing Algebra 2 – Math (UCCI); Engineering Geometry with Physics – Math (UCCI); Green Up and Go Clean Energy-Neering (UCCI); and Microcontrollers and Robotics.

III.D. EDUCATIONAL SERVICES

III.D.1. Student Expulsion Cases 12/13-51 and 12/13-52

Approved the student expulsion cases 12/13-51 and 12/13-52.

III.D.2. Local Agreement for Child Development Services CCTR-3201 and CSPP-3400 and Adoption of Resolution 2013/2014-01

Approved the Local Agreement for Child Development Services CCTR-3201 and CSPP-3400 and adoption of Resolution 2013/2014-01.

III.D.3. Inland Empire United Way Experiences in Career, Education, and Leadership Program Grant

Approved the Inland Empire United Way Experiences in Career, Education, and Leadership Program Grant.

III.D.4. ACE Driving & Traffic School Inc. License Agreement

Approved the ACE Driving & Traffic School Inc. license agreement.

III.E. FACILITIES, PLANNING, AND OPERATIONS

III.E.1. Agreements for Contractor/Consultant Services

Approved/ratified the Agreements for Contractor/Consultant Services.

III.E.2. Surplus/Obsolete Property

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

III.E.3. Bid 12-13-13, Asphalt Slurry Seal at Various Sites

Moved (Na) seconded (Cruz) carried unanimously (5-0) to award Bid 12-13-13, Asphalt Slurry Seal at Various Sites, to WCCR Construction. Student representative voted yes.

III.E.4. Resolution 2013/2014-02 Identifying District Representatives to File the Necessary School Facilities Program Documents to the State Allocation Board

Adopted Resolution 2013/2014-02 identifying District Representatives to file the necessary School Facilities Program documents to the State Allocation Board.

III.E.5. Revision of Board Policy 1330 Community Relations—Use of School Facilities

Approved the revision of Board Policy 1330 Community Relations—Use of School Facilities.

III.E.6. Revision of Board Policy 3514.1 Business and Noninstructional Operations—Hazardous Substances

Approved the revision of Board Policy 3514.1 Business and Noninstructional Operations—Hazardous Substances.

III.F. HUMAN RESOURCES

III.F.1. Certificated/Classified Personnel Items

Approved/ratified the certificated/classified personnel items.

III.F.2. Rejection of Claims

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

<p>IV. COMMUNICATIONS</p>

BOARD MEMBERS AND SUPERINTENDENT

Charles Dickie spoke about the California Public Utilities Commission decision to approve undergrounding a portion of the Tehachapi Renewable Transmission Project high-voltage power lines through Chino Hills.

Andrew Cruz thanked President Orozco for inviting Board members to attend the School Services of California School Finance and Management conference in Ontario and he shared some of the key issues presented; thanked President Orozco and the Board for approving and appointing community members to the newly formed Committee for the Arts; said the NASA charter school was not approved; addressed AB 1266, a K-12 transgender rights bill, and expressed his concern regarding the potential for abuse of the system as there is no test for this gender expression determination; spoke about the future of the republic and the adoption of the Constitution; and closed by reading from Isaiah 6:9.

Irene Hernandez-Blair congratulated the members of the newly formed Committee for the Arts and thanked them for their willingness to research grants to benefit students; thanked Pat Kaylor and Don Schenkel for being supportive to her as a new school Board member; said that she does not lend credibility or validity to anonymous letters, and if a writer wants a response, to provide contact information; and reminded the community about *Chino Relay for Life* scheduled for August 3 at Ayala Park.

James Na said he agrees with Board member Cruz regarding AB 1266, and said citizens must look carefully into what is being passed in Sacramento; congratulated Mr. Dickie for his six-year battle with Southern California Edison; thanked President Orozco working with and supporting the Citizens for Kids Educational Foundation; said he took Todd Hancock’s speech to heart; thanked Denise Arroyo for her comments and said that the Board shares the Association’s desires of working together; thanked Cabinet members and employee groups for their service; thanked Superintendent Joseph for meeting with special education parents last week; and attended a 4th of July parade in Ontario, and said he was touched by everyone shouting God Bless the USA.

Superintendent Joseph said he was heartened by seeing the students from Ayala HS and the nice gesture for his birthday and it represents the kind of District we are about despite the recent difficult economic times; said that trust among people needs to be rebuilt; and closed by saying he is honored and privileged to serve as Superintendent.

President Orozco thanked Boy Scout Joseph Gonzales for leading the Pledge of Allegiance and for staying for the entire meeting; said it was heartwarming to see what our young men do for the *Change for a Cure* campaign; thanked Board member Cruz for attending the budget conference; said there was talk at the conference about energy conservation and working with employee groups; thanked everyone who worked on the Citizens for Kids firework booth, and that she will provide an update at the next Board meeting regarding the amount raised; and closed by remembering Hue Hollins and Richard Meyer.

<p>V. ADJOURNMENT</p>

President Orozco closed the regular meeting of the Board of Education at 8:51 p.m. in memory of Mr. Hollins and Mr. Meyer.

Sylvia Orozco, President

Irene Hernandez-Blair, Clerk

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

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: August 15, 2013
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Sandra H. Chen, Assistant Superintendent, Business Services
Liz Pensick, Director, Business Services
SUBJECT: PURCHASE ORDER REGISTER

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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 items 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

\$8,260,405.88 to all District funding sources.

WMJ:SHC:LP:wc

CHINO VALLEY UNIFIED SCHOOL DISTRICT

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DATE: August 15, 2013
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Sandra H. Chen, Assistant Superintendent, Business Services
Liz Pensick, Director, Business Services
SUBJECT: WARRANT REGISTER

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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

\$6,009,267.29 to all District funding sources.

WMJ:SHC:LP:wc

CHINO VALLEY UNIFIED SCHOOL DISTRICT

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DATE: August 15, 2013
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Sandra H. Chen, Assistant Superintendent, Business Services
Liz Pensick, Director, Business Services
SUBJECT: FUNDRAISING ACTIVITIES

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BACKGROUND

Board Policy 3452 Business and Noninstructional Operations – Student Activity Funds and Board Policy 1230 Community Relations – School Connected Organizations require that fundraising activities be submitted to the Board of Education for approval.

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

RECOMMENDATION

It is recommended the Board of Education approve/ratify the fundraising activities.

FISCAL IMPACT

None.

WMJ:SHC:LP:wc

CHINO VALLEY UNIFIED SCHOOL DISTRICT
August 15, 2013

<u>SITE/DEPARTMENT</u>	<u>ACTIVITY/DESCRIPTION</u>	<u>DATE</u>
<u>GATE</u>		
AdvoGATE	Membership Drive	8/16/13 - 6/10/14
AdvoGATE	Donation Drive	8/16/13 - 6/10/14
AdvoGATE	Community Discount Card Sale	9/1/13 - 6/30/14
AdvoGATE	Discovery Science Center Ticket Sale	10/12/13
AdvoGATE	Skyzone Ticket Sale	11/16/13
<u>Borba ES</u>		
PFA	PFA Membership Drive	8/26/13 - 6/30/14
PFA	Box Tops for Education	8/26/13 - 6/30/14
PFA	Campbell Soup Can Labels	8/26/13 - 6/30/14
PFA	Spirit Wear Sale	8/26/13 - 6/30/14
PFA	Student Store	8/26/13 - 6/30/14
PFA	Popcorn Sale	9/5/13 - 9/21/13
<u>Canyon Hills JHS</u>		
Renaissance	School Agenda Sale	8/16/13 - 6/6/14
<u>Chino HS</u>		
Leadership	Hydration Station	8/16/13 - 6/30/14
Girls Volleyball Boosters	Volleyball Camp	8/18/13 - 8/23/13
Cross Country Boosters	Jog-A-Thon	8/21/13
Leadership	Hydration Station	9/1/13 - 6/30/14
ASB	Before School Juice It Up Sale	9/12/13 - 9/19/13
Leadership	After School Juice It Up Sale	8/26/13 - 6/10/14
Music Department	Cannataro's Night Out	9/25/13
Music Department	Zendejas Night Out	10/16/13
Music Department	Ranch Burger Night Out	11/6/13
<u>Chino Hills HS</u>		
Girls Volleyball	Off Campus Candy Sale	8/16/13 - 10/16/13
Girls Volleyball	Off Campus Car Wash	8/31/13

CHINO VALLEY UNIFIED SCHOOL DISTRICT
August 15, 2013

<u>SITE/DEPARTMENT</u>	<u>ACTIVITY/DESCRIPTION</u>	<u>DATE</u>
<u>Don Lugo HS</u>		
Grad Night 2014	Philly's Best Restaurant Night Out	9/17/13
Spirit Boosters	Cheer Clinic	9/21/13

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: August 15, 2013
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Sandra H. Chen, Assistant Superintendent, Business Services
Liz Pensick, Director, Business Services
SUBJECT: DONATIONS

=====

BACKGROUND

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

Approximate values are determined by the donor.

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

RECOMMENDATION

It is recommended the Board of Education accept the donations.

FISCAL IMPACT

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

WMJ:SHC:LP:wc

CHINO VALLEY UNIFIED SCHOOL DISTRICT
August 15, 2013

<u>DEPARTMENT/SITE DONOR</u>	<u>ITEM DONATED</u>	<u>APPROXIMATE VALUE</u>
<u>Communications Office</u>		
Watson Land Company	Cash	\$3,000.00
<u>Superintendent's Office</u>		
Schools First Federal Credit Union	Cash	\$300.00
<u>Don Lugo HS</u>		
John Shea	Rabbit Cage	\$55.00

CHINO VALLEY UNIFIED SCHOOL DISTRICT
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DATE: August 15, 2013
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Sandra H. Chen, Assistant Superintendent, Business Services
 Liz Pensick, Director, Business Services
SUBJECT: LEGAL SERVICES

=====

BACKGROUND

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

FIRM	MONTH	INVOICE AMOUNTS	2012/2013 YEAR-TO-DATE
Atkinson, Andelson, Loya, Ruud & Romo	June 2013	\$ 7,704.93	\$124,023.25
Chidester, Margaret A. & Associates	June 2013	\$81,109.82	\$580,669.16
Fagen, Friedman & Fulfroost, LLP	June 2013	\$ 455.00	\$ 16,675.84
Parker & Covert LLP	-	-	\$ 6,320.90
Thompson & Colegate LLP	-	-	\$ 410.65
Total			\$728,099.80

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; Chidester, Margaret A. & Associates; and Fagen, Friedman & Fulfroost, LLP.

FISCAL IMPACT

\$89,269.75 to the General Fund.

WMJ:SHC:LP:wc

CHINO VALLEY UNIFIED SCHOOL DISTRICT

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DATE: August 15, 2013
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Victoria L. Broberg, Asst. Superintendent, Curriculum and Instruction
SUBJECT: SCHOOL SPONSORED TRIPS

=====

BACKGROUND

Board Policy 6153 Instruction – School Sponsored Trips, states that field trips are to be considered a method of instruction and shall be planned as such, with definite instructional objectives to advance the learning of the District’s adopted course of study. The purpose of student travel is to provide the student with educational experiences other than those provided within the regular classroom setting and/or experiences.

School Sponsored Trips requires Board approval for all overnight trip(s) and trip(s) in excess of 250 miles (one way). 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.

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

RECOMMENDATION

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

School Sponsored Trips	Date	Fiscal Impact
Site: Don Lugo HS Event: ASB Officer Retreat Place: Ontario, CA Chaperone Ratio: 20 students/3 chaperones	August 16-18, 2013	Cost: \$106.00 per student Funding Source: ASB/ Parent
Site: Don Lugo HS Event: Leadership Locked-In Place: Buena Park, CA Chaperone Ratio: 7 students/2 chaperones	August 23-24, 2013	Cost: \$40.00 per student Funding Source: FFA/ Parent

FISCAL IMPACT

As indicated above.

WMJ:VLB:jaf

Chino Valley Unified School District

Our Motto:

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DATE: August 15, 2013
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Patricia M. Miller, Assistant Superintendent, Educational Services
Stephanie Johnson, Director, Student Support Services
SUBJECT: STUDENT EXPULSION CASE 13/14-01

=====

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 the student expulsion case 13/14-01.

FISCAL IMPACT

None.

WMJ:PMM:SJ:Imc

Chino Valley Unified School District

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DATE: August 15, 2013
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Patricia M. Miller, Assistant Superintendent, Educational Services
Stephanie Johnson, Director, Student Support Services
SUBJECT: STUDENT READMISSION CASES 12/13-10, 12/13-20, AND 12/13-35

=====

BACKGROUND

Administrative Regulation 5144.1 Students, Suspension and Expulsion/Due Process Readmission after Expulsion states:

- The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference, the student’s rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met.
- School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
- The Superintendent or designee shall transmit his/her recommendation regarding readmission to the Board. The Board shall consider this recommendation, in closed session, if information disclosed would be in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.

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

RECOMMENDATION

It is recommended the Board of Education approve the student readmission cases 12/13-10, 12/13-20, and 12/13-35.

FISCAL IMPACT

None.

WMJ:PMM:SJ:Imc

CHINO VALLEY UNIFIED SCHOOL DISTRICT

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DATE: August 15, 2013

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Patricia M. Miller, Assistant Superintendent, Educational Services
Shawna Petit-Dinkins, Ed.D., Director, Special Education

SUBJECT: WAIVER OF REQUIREMENT TO SUCCESSFULLY PASS THE CALIFORNIA HIGH SCHOOL EXIT EXAM CASES 13-53, 13-54, AND 13-55

=====

BACKGROUND

Senate Bill 1476 requires a school principal to submit to the governing board of the school district a request for a waiver of the requirement to successfully pass the high school exit examination for a pupil with a disability who has taken the high school exit exam with modifications that alter what the test measures and has received the equivalent of a passing score on one or both subject matter parts of the exam.

This waiver can be granted if the principal certifies that the pupil has all of the following:

- A current Individualized Education Plan that requires modifications to be provided to the pupil when taking the high school exit exam.
- High school level coursework either satisfactorily completed or in progress in a high school level curriculum sufficient to have attained the skills and knowledge otherwise needed to pass the high school exit exam.
- An individual score report for the pupil showing that the pupil has received the equivalent of a passing score (350) on the high school exit exam while using a modification that fundamentally alters what the high school exit exam measures.

The student cases included in this agenda item have met the requirements specified above as described in SB 1476.

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

RECOMMENDATION

It is recommended the Board of Education approve the waiver of requirement to successfully pass the California High School Exit Exam Cases 13-53, 13-54, and 13-55.

FISCAL IMPACT

None.

WMJ:PMM:SPD:Imc

CHINO VALLEY UNIFIED SCHOOL DISTRICT

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DATE: August 15, 2013

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Patricia M. Miller, Assistant Superintendent, Educational Services
Shawna Petit-Dinkins, Ed.D., Director, Special Education

SUBJECT: PARENT REPRESENTATIVE ON THE COMMUNITY ADVISORY COMMITTEE FOR THE WEST END SPECIAL EDUCATION LOCAL PLAN AREA

=====

BACKGROUND

The Community Advisory Committee (CAC) for the West End Special Education Local Plan Area (WESELPA) is an organization of volunteers which is established in accordance with Education Code 56190.

The goal of the CAC is to involve interested parents, students, teachers, community members, and education specialists in advising and providing input to the WESELPA of the unique needs of students exceptional needs, to assist the administration in furthering and improving the functioning of the Special Education Local Plan Area, and to support local and regional activities organized on behalf of special education students. Each district appoints one parent representative of a student residing and enrolled in the school district or district offered school program for a two year term of office. Through a process of interviews, KumKum Mukerjhee has been nominated to be the parent representative.

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

RECOMMENDATION

It is recommended the Board of Education approve KumKum Mukerjhee as the parent representative on the Community Advisory Committee for the West End Special Education Local Plan Area.

FISCAL IMPACT

None.

WMJ:PMM:SPD:lmc

CHINO VALLEY UNIFIED SCHOOL DISTRICT

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DATE: August 15, 2013
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Gregory J. Stachura, Asst. Supt., Facilities, Planning, and Operations
SUBJECT: AGREEMENTS FOR CONTRACTOR/CONSULTANT SERVICES

=====

BACKGROUND

All contracts between the District and outside agencies shall conform to standards required by law and shall be prepared under the direction of the Superintendent or designee. To be valid or to constitute an enforceable obligation against the District, all contracts must be approved and/or ratified by the Board of Education.

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

RECOMMENDATION

It is recommended the Board of Education approve/ratify the Agreements for Contractor/Consultant Services.

FISCAL IMPACT

As indicated.

WMJ:GJS:lt

CURRICULUM AND ASSESSMENT	FISCAL IMPACT
<p>C-1314-001-Illuminate Education, Inc. To provide student data analysis software. Submitted by: Assessment Duration of Agreement: July 1, 2013 – June 30, 2014</p>	<p>Contract Amount: \$120,000.00 Funding Source: Assessment</p>

EDUCATIONAL SERVICES	FISCAL IMPACT
<p>E-1314-051-Z & S Tutoring. To provide tutoring services for special needs students. Submitted by: Special Education Duration of Agreement: July 1, 2013 – June 30, 2014</p>	<p>Contract Amount: Per rate sheet Funding Source: Special Education</p>
<p>E-1314-056-Creative Child Care Solutions. To provide environment rating/assessment for CDE-funded child care. Submitted by: Child Development Duration of Agreement: July 1, 2013 – June 30, 2014</p>	<p>Contract Amount: \$2,280.00 Funding Source: Child Development</p>

FACILITIES, PLANNING, AND OPERATIONS	FISCAL IMPACT
<p>F-1314-003-San Bernardino County Superintendent of Schools. County owns and will operate special education classes at Chaparral ES (2), Eagle Canyon ES (2), Liberty ES (2), Marshall ES (2), Rhodes ES (2), Walnut ES (2), Wickman ES (2), Woodcrest JHS (1), Chino HS (2), and Chino Hills HS (1). Submitted by: Facilities, Planning, and Operations Duration of Agreement: July 1, 2013 – June 30, 2014</p>	<p>Contract Amount: No charge to the County Funding Source: N/A</p>
<p>F-1314-004-San Bernardino County Superintendent of Schools. County to establish and District to maintain special education classes at Cattle ES (2) and Woodcrest JHS (1). Submitted by: Facilities, Planning, and Operations Duration of Agreement: July 1, 2013 – June 30, 2014</p>	<p>Contract Amount: No charge to the County Funding Source: N/A</p>
<p>F-1314-006-San Bernardino County Superintendent of Schools. To provide transportation services for District WESELPA students. Submitted by: Transportation Duration of Agreement: July 1, 2013 – June 30, 2014</p>	<p>Contract Amount: \$1,289,494.08 Funding Source: General Fund</p>
<p>F-1314-007-Chino D.E.S. Club. To renew rental agreement for parking lot for District use. Submitted by: Facilities, Planning, and Operations Duration of Agreement: July 1, 2013 – June 30, 2016</p>	<p>Contract Amount: \$1,150.00 per month Funding Source: General Fund</p>

APPROVED CONTRACT TO BE AMENDED	AMENDMENT
<p>E-1314-021-M1-City of Chino Hills. To provide resource officers at Ayala HS and Chino Hills HS. Submitted by: Educational Services/Security Duration of Agreement: August 16, 2013 – June 30, 2015</p>	<p>Increase contract amount from \$187,349.00 to \$190,353.50.</p>

CHINO VALLEY UNIFIED SCHOOL DISTRICT

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DATE: August 15, 2013
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Gregory J. Stachura, Asst. Supt., Facilities, Planning, and Operations
SUBJECT: SURPLUS/OBSOLETE PROPERTY

=====

BACKGROUND

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

Lists of surplus items are emailed to the Purchasing 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 the Purchasing Department to sell/dispose of said property.

FISCAL IMPACT

Increase to the General Fund from proceeds of sale.

WMJ:GJS:ljt

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

August 15, 2013

<u>DESCRIPTION</u>	<u>BRAND</u>	<u>I.D./SERIAL</u>	<u>DEPT/SITE</u>
Laptop	Dell Latitude D600	CVUSD 19523	Special Education
Laptop	Dell Latitude D610	CVUSD 22114	Special Education
Laptop	Dell Latitude D620	CVUSD 23703	Special Education
Laptop	Dell Latitude D630	CVUSD 28376	Special Education
Laptop	Dell Latitude D630	CVUSD 26803	Special Education
Laptop	Dell Latitude D630	CVUSD 25664	Special Education
eMac Computer	Apple	21694	Woodcrest JHS
eMac Computer	Apple	21719	Woodcrest JHS
eMac Computer	Apple	21095	Woodcrest JHS
eMac Computer	Apple	21093	Woodcrest JHS
eMac Computer	Apple	21097	Woodcrest JHS
eMac Computer	Apple	21094	Woodcrest JHS
eMac Computer	Apple	21117	Woodcrest JHS
eMac Computer	Apple	21096	Woodcrest JHS
eMac Computer	Apple	21133	Woodcrest JHS
eMac Computer	Apple	21116	Woodcrest JHS
eMac Computer	Apple	21118	Woodcrest JHS
eMac Computer	Apple	21692	Woodcrest JHS
eMac Computer	Apple	21705	Woodcrest JHS
eMac Computer	Apple	21659	Woodcrest JHS
eMac Computer	Apple	21652	Woodcrest JHS
eMac Computer	Apple	21658	Woodcrest JHS
eMac Computer	Apple	21657	Woodcrest JHS
eMac Computer	Apple	21644	Woodcrest JHS
eMac Computer	Apple	21637	Woodcrest JHS
eMac Computer	Apple	21684	Woodcrest JHS
eMac Computer	Apple	21711	Woodcrest JHS
eMac Computer	Apple	Unknown	Woodcrest JHS
iMac-Blue	Apple	YM0475ZUJWQ	Woodcrest JHS
iMac-Blue	Apple	YM0472UFJWQ	Woodcrest JHS
iMac-Blue	Apple	YM04766ZJWQ	Woodcrest JHS
iMac-Blue	Apple	YM047682JWQ	Woodcrest JHS
iMac-Teal	Apple	YMO145ACJ88	Woodcrest JHS
iBook G4	Apple	UV4490DTRER	Woodcrest JHS
iBook G4	Apple	4H5130L7S87	Woodcrest JHS
iBook G4	Apple	UV44902BRER	Woodcrest JHS
iBook G4	Apple	4H5130M7S87	Woodcrest JHS
iBook G4	Apple	4H5130LVS87	Woodcrest JHS

<u>DESCRIPTION</u>	<u>BRAND</u>	<u>I.D./SERIAL</u>	<u>DEPT/SITE</u>
iBook G4	Apple	UV44904ERER	Woodcrest JHS
iBook G4	Apple	UV44909PRER	Woodcrest JHS
iBook G4	Apple	UV44916HRER	Woodcrest JHS
iBook G4	Apple	UV44916XRER	Woodcrest JHS
iBook G4	Apple	UV44905QRER	Woodcrest JHS
iBook G4	Apple	4H5130MPS87	Woodcrest JHS
iBook G4	Apple	UV44906WRER	Woodcrest JHS
iBook G4	Apple	UV44910QRER	Woodcrest JHS
iBook G4	Apple	4H5130MVS87	Woodcrest JHS
iBook G4	Apple	UV4490AGRER	Woodcrest JHS
iBook G4	Apple	UV40614BPGW	Woodcrest JHS
Business Inkjet 3000	HP	SG3C3D10TS	Woodcrest JHS
Deskjet 612c	HP	SG7691Q08S	Woodcrest JHS
Intellifax 2800	Brother	U56577D4J453489	Woodcrest JHS
Deskjet 970cxi	HP	MY9AK111NR	Woodcrest JHS
Backup G50	APC	BP0203121152	Woodcrest JHS
Sound sticks 2	Harmon/Kardon	Unknown	Woodcrest JHS
Airport	Apple	HS4050DLQ4P	Woodcrest JHS
Deskjet 970cxi	HP	SG9961V00R	Woodcrest JHS
Deskjet 970cxi	HP	MY01C1KZKD	Woodcrest JHS
Intel Tower	Intel	35917	Woodcrest JHS
Computer	Dell	9X9Q301	Woodcrest JHS
Creative 52xmx	Creative	36111	Woodcrest JHS
M1050 Desktop	Apple	WI3380BWC97	Woodcrest JHS
M1212 Desktop	Apple	S132446TE04	Woodcrest JHS
VHS/DVD Player	Go Video	S292150107682	Woodcrest JHS
Multimedia M50	View Sonic	ET92905963	Woodcrest JHS
Graphic G70M	View Sonic	607003301106	Woodcrest JHS
Imagewriter 2 Printer	Apple	1734343	Woodcrest JHS
M1296 Desktop	Apple	M11200UFDTO	Woodcrest JHS
Desktop	View Sonic	20E00SZ01918	Woodcrest JHS
Video Camera	Panasonic	L8MH02063	Woodcrest JHS
Laserjet 4350n	HP	CNGXF06475	Woodcrest JHS

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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DATE: August 15, 2013
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Gregory J. Stachura, Asst. Supt., Facilities, Planning, and Operations
SUBJECT: RESOLUTIONS 2013/2014-04, 2013/2014-05, AND 2013/2014-06 FOR AUTHORIZATION TO UTILIZE PIGGYBACK CONTRACTS

=====

BACKGROUND

Public Contract Code (PCC) 20111 requires school district governing boards to competitively bid and award any contracts involving an expenditure of more than \$83,400.00 to the lowest responsible bidder.

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

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

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

Resolution	Contract	Contractor	Description
2013/2014-04	Pomona Valley Co-Op, Chaffey Joint High School District, Lead Agency	A&R Wholesale, American Paper, P & R Paper, Sysco Food, Team Distributing, US Foods, and Wallace Packaging	Food Service Paper Goods and Supplies

Resolution	Contract	Contractor	Description
2013/2014-05	Pomona Valley Co-Op, Val Verde Unified School District, Lead Agency	A&R Wholesale	Snack Foods and Beverages
2013/2014-06	Pomona Valley Co-Op, Alta Loma School District, Lead Agency	A&R Wholesale, Bernard Food Industries, Leobo Foods, Shamrock Foods, Sysco Los Angeles/Sysco Riverside, and US Foods	Canned Goods and Condiments

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

RECOMMENDATION

It is recommended the Board of Education adopt Resolutions 2013/2014-04, 2013/2014-05, and 2013/2014-06 for authorization to utilize piggyback contracts.

FISCAL IMPACT

Unknown.

WMJ:GJS:ljt

**Chino Valley Unified School District
Resolution 2013/2014-04
Authorization to Utilize the Pomona Valley Co-Op, Chaffey Joint Union High
School District Contract to Purchase Food Service Paper Goods and Supplies
Through the Piggyback Contract**

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

WHEREAS, Pomona Valley Co-Op, Chaffey Joint Union High School District (Lead District) currently has a piggyback contract in accordance with Public Contract Code 20118 with A&R Wholesale, American Paper, P & R Paper, Sysco Foods, Team Distributing, US Foods, and Wallace Packaging that contains the materials, supplies, equipment and/or other personal property the District currently requires;

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

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

WHEREAS, the Board has determined that it is in the best interest of the District to authorize the purchase of food service paper goods and supplies through the piggyback contract procured by the Pomona Valley Co-Op, Chaffey Joint Union High School District.

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

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

Section 2. Determination re: Purchase through Other Public Agency. Pursuant to Public Contract Code 20118, that authorizing the purchase of food service paper goods and supplies through the piggyback contract originally procured by the Pomona Valley Co-Op, Chaffey Joint Union High School District is in the best interests of the District because there is volume pricing that can be used to reduce the District's overall price.

Section 3. Authorization. The Board hereby authorizes the acquisition of food service paper goods and supplies in accordance with Public Contract Code 20118 through the piggyback contract originally procured by the Pomona Valley Co-Op, Chaffey Joint Union High School District.

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

Section 5. Effective Date. This resolution shall be effective as of the date of its adoption.

APPROVED, PASSED, AND ADOPTED by the Board of Education of the Chino Valley Unified School District this 15th day of August 2013 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINED:

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

Wayne M. Joseph, Superintendent
Secretary, Board of Education

**Chino Valley Unified School District
Resolution 2013/2014-05
Authorization to Utilize the Pomona Valley Co-Op, Val Verde Unified School
District Contract to Purchase Snack Foods and Beverages
Through the Piggyback Contract**

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

WHEREAS, Pomona Valley Co-Op, Val Verde Unified School District (Lead District) currently has a piggyback contract in accordance with Public Contract Code 20118 with A&R Wholesale that contains the materials, supplies, equipment and/or other personal property the District currently requires;

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

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

WHEREAS, the Board has determined that it is in the best interest of the District to authorize the purchase of snack foods and beverages through the piggyback contract procured by the Pomona Valley Co-Op, Val Verde Unified School District.

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

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

Section 2. Determination re: Purchase through Other Public Agency. Pursuant to Public Contract Code 20118, that authorizing the purchase of snack foods and beverages through the piggyback contract originally procured by the Pomona Valley Co-Op, Val Verde Unified School District is in the best interests of the District because there is volume pricing that can be used to reduce the District's overall price.

Section 3. Authorization. The Board hereby authorizes the acquisition of snack foods and beverages in accordance with Public Contract Code 20118 through the

piggyback contract originally procured by the Pomona Valley Co-Op, Val Verde Unified School District.

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

Section 5. Effective Date. This resolution shall be effective as of the date of its adoption.

APPROVED, PASSED, AND ADOPTED by the Board of Education of the Chino Valley Unified School District this 15th day of August 2013 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINED:

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

Wayne M. Joseph, Superintendent
Secretary, Board of Education

**Chino Valley Unified School District
Resolution 2013/2014-06
Authorization to Utilize the Pomona Valley Co-Op, Alta Loma School District
Contract to Purchase Canned Goods and Condiments
Through the Piggyback Contract**

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

WHEREAS, Pomona Valley Co-Op, Alta Loma School District (Lead District) currently has a piggyback contract in accordance with Public Contract Code 20118 with A&R Wholesale, Bernard Food Industries, Leobo Foods, Shamrock Foods, Sysco Los Angeles/Sysco Riverside, and US Foods that contains the materials, supplies, equipment and/or other personal property the District currently requires;

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

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

WHEREAS, the Board has determined that it is in the best interest of the District to authorize the purchase of canned goods and condiments through the piggyback contract procured by the Pomona Valley Co-Op, Alta Loma School District.

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

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

Section 2. Determination re: Purchase through Other Public Agency. Pursuant to Public Contract Code 20118, that authorizing the purchase of canned goods and condiments through the piggyback contract originally procured by the Pomona Valley Co-Op, Alta Loma School District is in the best interests of the District because there is volume pricing that can be used to reduce the District's overall price.

Section 3. Authorization. The Board hereby authorizes the acquisition of canned goods and condiments in accordance with Public Contract Code 20118 through the

piggyback contract originally procured by the Pomona Valley Co-Op, Alta Loma School District.

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

Section 5. Effective Date. This resolution shall be effective as of the date of its adoption.

APPROVED, PASSED, AND ADOPTED by the Board of Education of the Chino Valley Unified School District this 15th day of August 2013 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINED:

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

Wayne M. Joseph, Superintendent
Secretary, Board of Education

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: August 15, 2013
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Gregory J. Stachura, Asst. Supt., Facilities, Planning, and Operations
SUBJECT: RESOLUTION 2013/2014-07, APPROVING APPLICATION FOR FUNDING FROM THE CALIFORNIA ENERGY COMMISSION TO IMPLEMENT ENERGY EFFICIENCY MEASURES

=====

BACKGROUND

As part of the ongoing effort to institute best practices whenever possible, the District is currently engaged in a review and update of energy consumption and conservation. This effort is being undertaken by the District in concert with water, gas, and electric utilities, consultants, Maintenance, Operations, and Construction staff, site staff, students, and vendors.

A key component of this initiative is the focus on low cost and no cost opportunities for energy cost avoidance.

The California Energy Commission’s Bright Schools Program offers technical assistance to school districts demonstrating a willingness and desire to seek funding to implement feasible recommended energy-efficient measures.

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

RECOMMENDATION

It is recommended the Board of Education adopt Resolution 2013/2014-07, Approving Application for Funding from the California Energy Commission to Implement Energy Efficiency Measures.

FISCAL IMPACT

None.

WMJ:GJS:ljt

**Chino Valley Unified School District
Resolution 2013/2014-07
Approving Application for Funding from the California Energy Commission
to Implement Energy Efficiency Measures**

WHEREAS, the California Energy Commission's Bright Schools Program provides technical assistance to school districts;

WHEREAS, the Board of Education (Board) of the Chino Valley Unified School District (District) authorizes staff to apply for technical assistance; and

WHEREAS, the District recognizes that the California Energy Commission has limited funds available to provide technical assistance and that primary consideration will be given to those school districts that have a desire and willingness to seek funding to implement the feasible recommended energy-efficiency measures.

NOW THEREFORE BE IT RESOLVED that the District is willing to seek funding to implement viable energy-saving measures and therefore requests technical assistance to identify such measures as may be economically feasible.

BE IT FURTHER RESOLVED that the Superintendent or designee is hereby authorized and empowered to execute in the name of the Chino Valley Unified School District all necessary documents to implement and carry out the purposes of this resolution.

APPROVED, PASSED, AND ADOPTED by the Chino Valley Unified School District Board of Education on August 15, 2013, by the following vote:

AYES:
NOES:
ABSENT:

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

Wayne M. Joseph, Superintendent
Secretary, Board of Education

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: August 15, 2013
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Norm Enfield, Ed.D., Assistant Superintendent, Human Resources
Michelle J. Harold, Ed.D., 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 class size reduction.

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

RECOMMENDATION

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

FISCAL IMPACT

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

WMJ:NE:MJH:smr

CERTIFICATED PERSONNEL

HIRED AT APPROPRIATE PLACEMENT ON THE CERTIFICATED SALARY SCHEDULE AND APPROPRIATE CREDENTIAL FOR THE 2013/2014 SCHOOL YEAR

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

LEE, Corinna	Elementary Teacher	Hidden Trails ES	08/20/2013
HOLLYFIELD, Myla	Science Teacher	Briggs K-8	08/22/2013
HORTON, Cynthia	Elementary Teacher	Wickman ES	08/20/2013
HYPOLITE, Melissa	Elementary Teacher	Wickman ES	08/20/2013
TOBIAS, Terri	Elementary Teacher	Wickman ES	08/20/2013
WRIGHT, Sharon	Assistant Principal	Rhodes ES	08/16/2013
SHIN, Jeanee	English Teacher	Magnolia JHS	08/20/2013
BENAVIDEZ, Kirstie	Science Teacher	Ramona JHS	08/20/2013
WHEELER, David	RSP Teacher	Woodcrest JHS	08/20/2013
ALEMAN, Katherine	Biology Teacher	Ayala HS	08/20/2013
DEVILLEZ, Christina	PE Teacher	Ayala HS	08/20/2013
DINH, Jaime	English Teacher	Ayala HS	08/20/2013
KEANEY, Grant	English Teacher	Ayala HS	08/20/2013
PARK, Joanne	Spanish Teacher	Ayala HS	08/20/2013
REYNOLDS, Claudia	Spanish Teacher	Ayala HS	08/20/2013
WINANS, Doug	Earth Science Teacher	Ayala HS	08/22/2013
GRACIA, Art	Social Science Teacher	Buena Vista HS	08/20/2013
COLLINS, Michael	Band Director	Chino Hills HS	08/20/2013
HO, Helen	Math Teacher	Chino Hills HS	08/20/2013
LAZARO, Marisol	Math Teacher	Chino Hills HS	08/20/2013
DOMICOLI, Cristina	Counselor	Don Lugo HS	08/08/2013
GUTIERREZ, Michael	Math Teacher	Don Lugo HS	08/20/2013
NEUNER, Jeremy	School Nurse Pract. 40%	Health Services	08/21/2013
ZHANG, Xincan	School Nurse Practitioner	Health Services	08/21/2013
BALLARD, Michelle	School Psychologist	Special Education	08/26/2013
FRINK, Nenoska	Program Specialist	Special Education	08/16/2013

ADMINISTRATIVE REASSIGNMENT

BEEMER, Beverly	From: Director, Assessment & Evaluation To: Director, Technology - Certificated	Curr. & Instruction	08/16/2013
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LEAVE OF ABSENCE – 2013/2014 - CORRECTION

ACEVEDO, Fiorella ELD Intervention Teacher Dickson ES 2013/2014
(.5 % of employment contract)

CERTIFICATED PERSONNEL (cont.)

RESIGNATION

GAGNON, Denise	SDC Teacher	Woodcrest JHS	08/07/2013
JUAREZ, Isabel	Teacher	Adult School	08/07/2013
TOOLEY, Harry	Teacher	Adult School	08/07/2013
HOLST-GARVIN, Jennifer	Chemistry Teacher	Ayala HS	08/01/2013
PINEDA, Caitlin	RSP English Teacher	Chino Hills HS	08/08/2013
VOLKMER, Megan	English Teacher	Chino Hills HS	08/09/2013
LARSSON, Garrett	Math Teacher	Don Lugo HS	06/30/2013

TERMINATION FROM THE 39-MONTH REEMPLOYMENT LIST

GASCA, Stephen Coordinator, IB/AVID Educational Services 07/21/2013

VACATION PAY OUT

WILLIAMS, Heather Director Human Resources 40.0 days
at per diem
rate of pay

**APPOINTMENT OF CERTIFICATED SUBSTITUTES EFFECTIVE JULY 1, 2013,
THROUGH JUNE 30, 2014**

ADAMS, Christopher
ADAMS, Krystle
BELLER, Joshua
BEYER, Cynthia
BUCK, William
CERVANTES, Anna
COHEN, Lauren
FAULKNER, Andrew
FELBERG, Karen
FILPI, Coral
GARCIA, Samuel
GOLIGHTLY, Edwina
GONZALES, Sandra
GREENLER, Ashley
HERRERA, Tina
HILL, Rebecca
HOPE, Susan
HUISMAN, Sarah

CERTIFICATED PERSONNEL (cont.)

APPOINTMENT OF CERTIFICATED SUBSTITUTES EFFECTIVE JULY 1, 2013, THROUGH JUNE 30, 2014 (cont.)

JUCKNISS-KEMERER, Andrea
KRIVAN, Beatriz
MENTZER, Amy
MITCHELL, Marissa
MONTES, Angel
MONTES, Violeta
PARK, Joanne
PENNETT, Wendy
RAMIREZ, Yessenia
REESE, Alison
ROBERTS, Tamara
SANDOVAL, Ana
SCHLEGEL, Kimberly
SILVAVALDIVIA, Bianca
URENO, Vanessa
VARGA, Todd
VASQUEZ, Marissa
VERA, Cynthia
VILLAGOMEZ, Graciela
WENDLING, Fredrick

RETURN FROM LEAVE OF ABSENCE

ATWELL, Melissa	Elementary Teacher	Rhodes ES	08/21/2013
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CLASSIFIED PERSONNEL

HIRED AT THE APPROPRIATE PLACEMENT ON THE CLASSIFIED MANAGEMENT SALARY SCHEDULE

APPOINTMENT

GALVEZ, Christine	Behavior Intervention Counselor (G)	Special Education	08/19/2013
GUERRERO, Christine	Behavior Intervention Counselor (G)	Special Education	08/19/2013
ISLAS, Anita	Behavior Intervention Counselor (G)	Special Education	08/19/2013
BENGALI, Munira	Operations Manager (NS)	Nutrition Services	08/16/2013

HIRED AT THE APPROPRIATE PLACEMENT ON THE CLASSIFIED SALARY SCHEDULE

APPOINTMENT

OGLE, Kim	Nutrition Svcs. Asst. I (NS)	Chino HS	08/23/2013
FOWLER, Melissa	IA/Sped. (SELPA/GF)	Chino Hills HS	08/26/2013

PROMOTION

CHELINE, Marylynne	FROM: Payroll Clerk II (GF) 8 hrs./261 contract days TO: Payroll Clerk III (GF) 8 hrs./261 contract days	Business Services	08/16/2013
TRIMBACH, Regan	FROM: Elem. Lib. Media Center Assistant (C) 3.5 hrs./150 contract days IA/RSP (SELPA/GF) 3.5 hrs./202 contract days TO: Personnel Clerk III 8.0 hrs./261 contract days	Cattle ES Don Lugo HS Human Resources	08/16/2013
MURILLO, Danny	FROM: Custodian I (GF) 8 hrs./233 work days TO: Custodian II (GF) 8 hrs./261 contract days	Glenmeade ES Glenmeade ES	08/16/2013

CLASSIFIED PERSONNEL (cont.)

PROMOTION (cont.)

RAZZAK, Amreen	FROM: IA/ECE (CDF) 3.2 hrs./180 work days TO: Elem. Lib. Media Center Assistant (C) 3.5 hrs./150 contract days	Dickey SOAR Glenmeade ES	08/16/2013
RANGEL, Paula	FROM: Nutrition Svcs. Manager II (NS) 6 hrs./183 work days TO: Nutrition Svcs. Manager III (NS) 8 hrs./184 work days	Borba ES Townsend JHS	08/16/2013
SEVILLANO, Dawn	FROM: Nutrition Svcs. Assistant I (NS) 2 hrs./181 work days TO: Nutrition Svcs. Assistant II (NS) 3 hrs./181 work days	Cal Aero K-8 Don Lugo HS	08/16/2013
TERRY, George	FROM: Custodian I (GF) 2.25 hrs./180 work days TO: Custodian II (GF) 8 hrs./233 work days	Hidden Trails ES Chino Hills HS	08/16/2013

CHANGE IN ASSIGNMENT

RAYA, Darlene	FROM: Attend. Clerk (GF) 4 hrs./195 work days Noon Ground Supv. (GF) 1.75 hrs./195 work days TO: High School Receptionist (GF) 8 hrs./185 work days	Woodcrest JHS Chino Hills HS	08/16/2013
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ADDITIONAL ASSIGNMENT

ALVAREZ, Ruth	Secretary I (GF)	CVLA	08/16/2013
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CLASSIFIED PERSONNEL (cont.)

TRANSFER

NARETTA, Leslie	FROM: Central Kitchen Assistant I (NS) 6.5 hrs./181 work days TO: Central Kitchen Assistant I (NS) 6.5 hrs./181 work days	Ramona JHS Canyon Hills JHS	08/23/2013
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PERSONAL LEAVE OF ABSENCE

NICHOLS, Katrina (Unpaid leave)	Personnel Clerk III (GF)	Human Resources	08/12/2013 through 10/11/2013
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RESIGNATION

SCHOTT, Carri	IA/Sped. (SELPA/GF)	Ayala HS	07/18/2013
HOPKINS, Timothy	IA/Sped. (SELPA/GF)	Chino Hills HS	08/02/2013
BOER, Jennifer	Childcare Specialist (CDF)	Oak Ridge FC	07/30/2013
NATION, Deborah	Childcare Specialist (CDF)	Children's Center	07/31/2013
LOPEZ, Jose	Comp. Support Asst. (GF)	Technology	07/26/2013

RETIREMENT

WELCH, John (5 years of service)	Custodian I (GF)	Cal Aero K-8	07/31/2013
VILLANUEVA, Sylvia (14 years of service)	Custodian I (GF)	Boys Republic/ Litel Fun Club	09/30/2013
WHITE, Shelley (19 years of service)	Bus Driver (GF)	Transportation	08/30/2013

**APPOINTMENT OF SHORT TERM EMPLOYEES EFFECTIVE AUGUST 26, 2013,
THROUGH JANUARY 10, 2014**

HERRERA, Bianca	IA/Sped./SH (SELPA/GF)	Cortez ES
MANSOUR, Sameena	IA/Sped./SH (SELPA/GF)	Cortez ES
ANGEL-GILLIARD, Nicholas	IA/Sped./SH (SELPA/GF)	Country Springs ES
BOZOIAN, Sheril	IA/Sped./SH (SELPA/GF)	Country Springs ES
HAWKINS, Alisha	IA/Sped./SH (SELPA/GF)	Country Springs ES
KENT, Brittany	IA/Sped./SH (SELPA/GF)	Country Springs ES
PATEL, Meena	IA/Sped./SH (SELPA/GF)	Country Springs ES
RUSK-HERRERA, Judy	IA/Sped./SH (SELPA/GF)	Eagle Canyon ES
SABUHA, Syeda	IA/Sped./SH (SELPA/GF)	Eagle Canyon ES
DEPINO, Loren	IA/Sped./SH (SELPA/GF)	Glenmeade ES

CLASSIFIED PERSONNEL (cont.)

**APPOINTMENT OF SHORT TERM EMPLOYEES EFFECTIVE AUGUST 26, 2013,
THROUGH JANUARY 10, 2014** (cont.)

AUERBACH, Janine	IA/Sped./SH (SELPA/GF)	Hidden Trails ES
MARTINEZ, Esther	IA/Sped./SH (SELPA/GF)	Liberty ES
ARRISON, Shannon	IA/Sped./SH (SELPA/GF)	Litel ES
MACANAS, Maileen	IA/Sped./SH (SELPA/GF)	Litel ES
MORALES, Kathleen	IA/Sped./SH (SELPA/GF)	Litel ES
PEARSON, Joanne	IA/Sped./SH (SELPA/GF)	Litel ES
DIAZ, Diana	IA/Sped./SH (SELPA/GF)	Marshall ES
KEIR, Barbara	IA/Sped./SH (SELPA/GF)	Newman ES
CORDOVA, Nicole	IA/Sped./SH (SELPA/GF)	Oak Ridge ES
IBARRA, Pedro	IA/Sped./SH (SELPA/GF)	Oak Ridge ES
PALMER, Ann	IA/Sped./SH (SELPA/GF)	Rhodes ES
PATTEN, Barbara	IA/Sped./SH (SELPA/GF)	Rhodes ES
SHELLEY, Ann	IA/Sped./SH (SELPA/GF)	Rhodes ES
CAMPBELL, Karynne	IA/Sped./SH (SELPA/GF)	Rolling Ridge ES
NEAL, Nicole	IA/Sped./SH (SELPA/GF)	Rolling Ridge ES
REYNOSA, Rhonda	IA/Elementary (C)	Rolling Ridge ES
SPAGNOLA, Rebecca	IA/Sped./SH (SELPA/GF)	Rolling Ridge ES
BALLESTEROS, Venus	IA/Sped./SH (SELPA/GF)	Walnut ES
STOUT, Brenda	IA/Sped./SH (SELPA/GF)	Walnut ES
MATTHEWS, Stacy	IA/Sped./SH (SELPA/GF)	Wickman ES
VAKA, Nancy	IA/Sped./SH (SELPA/GF)	Wickman ES
BIEDERMANN, Sandra	IA/Sped./SH (SELPA/GF)	Cal Aero K-8
CRUMP, Laura	IA/Sped./SH (SELPA/GF)	Cal Aero K-8
DAVISON, Donna	IA/Sped./SH (SELPA/GF)	Canyon Hills JHS
HUIE, Kelly	IA/Sped./SH (SELPA/GF)	Canyon Hills JHS
WESTERN, Diana	IA/Sped./SH (SELPA/GF)	Canyon Hills JHS
YRIARTE, Lydia	IA/Sped./SH (SELPA/GF)	Ramona JHS
ORRIS, Nancy	IA/Sped./SH (SELPA/GF)	Ayala HS
PAMINTUAN, Brittany	IA/Sped./SH (SELPA/GF)	Ayala HS
BAYONA, Karen	IA/Sped./SH (SELPA/GF)	Chino Hills HS
BILLINGS, Lisa	IA/Sped./SH (SELPA/GF)	Chino Hills HS
BUJONS, Adriana	IA/Sped./SH (SELPA/GF)	Chino Hills HS
TAGLE, Liezyl	IA/Sped./SH (SELPA/GF)	Chino Hills HS
FRANCO, Dora	IA/Sped./SH (SELPA/GF)	Special Education
RUIZ, Blanca	IA/Sped./SH (SELPA/GF)	Special Education

**APPOINTMENT OF CLASSIFIED SUBSTITUTES EFFECTIVE JULY 1, 2013,
THROUGH JUNE 30, 2014**

BENTO, Susy
CARL, Jenifer
CEBREROS, Karen

CLASSIFIED PERSONNEL (cont.)

**APPOINTMENT OF CLASSIFIED SUBSTITUTES EFFECTIVE JULY 1, 2013,
THROUGH JUNE 30, 2014** (cont.)

FERNANDEZ, Deborah
GARCIA, Citlally
GORDON, Diane
GUZMAN, Lastelle
HILL, Kimberly
LARIDA, Nazarina
MARTINEZ, Shirley
MCELROY, Nicole
MCMILLEN, Linda
MEZA, Mary
MOYA, Jonathan
MUSTAFA, Sakiroh
RAMOS, Erica
RICH, Heather
SCHMIDT, Lydia
SEGOVIANO, Danielle
THRUSH, Sheena
WESTERN, Diana
YARC, Erica

(504) = Federal Law for Individuals with Handicaps
(ACE) = Ace Driving School
(ASB) = Associated Student Body
(ASF) = Adult School Funded
(ATE) = Alternative to Expulsion
(B) = Booster Club
(BTSA) = Beginning Teacher Support & Assessment
(C) = Categorically Funded
(CAHSEE)= California High School Exit Exam
(CC) = Children's Center (Marshall)
(CDF) = Child Development Fund
(CSR) = Class Size Reduction
(CVLA) = Chino Valley Learning Academy
(E-rate) = Discount Reimbursements for Telecom.
(G) = Grant Funded
(GF) = General Fund
(HBE) = Home Base Education
(MM) = Measure M – Fund 21
(MAA) = Medi-Cal Administrative Activities
(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: August 15, 2013

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Norm Enfield, Ed.D., Assistant Superintendent, Human Resources
Daniel P. Mellon, ARM-P, Director, Risk Management and Human Resources

SUBJECT: REJECTION OF CLAIM

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BACKGROUND

Claim 13-07-13 submitted on July 31, 2013, by Emily M. Lao, parent at Ayala HS. Claimant alleges that her vehicle sustained damages after being backed into by a security person on school grounds. Claimant makes a settlement demand for reimbursement of vehicle damages of \$1,397.37.

The Board is requested to reject the claim against the District to allow the insurance carriers to investigate the merits of the claim and make a recommendation regarding disposition.

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

RECOMMENDATION

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

FISCAL IMPACT

Unknown at present.

WMJ:NE:DPM:lag

CHINO VALLEY UNIFIED SCHOOL DISTRICT

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DATE: August 15, 2013
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Norm Enfield, Ed.D., Assistant Superintendent, Human Resources
Michelle J. Harold, Ed.D., Director, Human Resources
SUBJECT: NEW JOB DESCRIPTIONS FOR DIRECTOR, ASSESSMENT AND INSTRUCTIONAL TECHNOLOGY; DIRECTOR, TECHNOLOGY – CERTIFICATED; AND BEHAVIOR INTERVENTION SPECIALIST

=====

BACKGROUND

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

It is recommended these job descriptions be approved to better serve the goals and objectives of the District as they relate to educational and instructional achievement.

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

RECOMMENDATION

It is recommended the Board of Education approve the new job descriptions for:

- a) Director, Assessment and Instructional Technology,
- b) Director, Technology - Certificated, and
- c) Behavior Intervention Specialist.

FISCAL IMPACT

None.

WMJ:NE:MJH:smr

CHINO VALLEY UNIFIED SCHOOL DISTRICT
Position Description

TITLE: DIRECTOR, ASSESSMENT AND
INSTRUCTIONAL TECHNOLOGY

REPORTS: ASSISTANT SUPERINTENDENT
CURRICULUM & INSTRUCTION

DEPARTMENT: CURRICULUM & INSTRUCTION **CLASSIFICATION:** CERTIFICATED
MANAGEMENT

FLSA: EXEMPT

WORK YEAR: 226

ISSUED: AUGUST 15, 2013

SALARY: RANGE 15

BASIC FUNCTION:

UNDER THE DIRECTION OF THE ASSISTANT SUPERINTENDENT, CURRICULUM AND INSTRUCTION, RESPONSIBLE FOR SUPERVISING STUDENT ASSESSMENT AND EVALUATION; PROVIDES TECHNICAL ASSISTANCE TO ALL DISTRICT PERSONNEL IN THE USE OF EDUCATIONAL TECHNOLOGY; PROVIDES AND SUPERVISES STAFF DEVELOPMENT REGARDING EDUCATIONAL TECHNOLOGY; AND IN PROVIDING LEADERSHIP IN THE ONGOING DEVELOPMENT AND IMPROVEMENT OF ASSESSMENTS AND EDUCATIONAL TECHNOLOGY IN THE DISTRICT.

REPRESENTATIVE DUTIES:

INCUMBENTS MAY PERFORM ANY COMBINATION OF THE ESSENTIAL FUNCTIONS SHOWN BELOW. THIS POSITION DESCRIPTION IS NOT INTENDED TO BE AN EXHAUSTIVE LIST OF ALL DUTIES, KNOWLEDGE, OR ABILITIES, ASSOCIATED WITH THIS CLASSIFICATION BUT IS INTENDED TO ACCURATELY REFLECT THE PRINCIPLE JOB ELEMENTS.

E = ESSENTIAL FUNCTIONS

RESPONSIBLE FOR SCREENING, INTERVIEWING, SELECTING, ASSIGNING AND EVALUATING ALL CERTIFICATED AND CLASSIFIED EMPLOYEES TO THE DEPARTMENT. **(E)**

EXERCISES LEADERSHIP IN ACHIEVING DISTRICT GOALS AND OBJECTIVES RELATED TO ASSESSING THE STUDENT EDUCATION PROGRAM AND OVERALL PROGRAM EFFECTIVENESS. **(E)**

SUPERVISES AND DEVELOPS DISTRICT-WIDE PLAN FOR THE ASSESSMENT OF STUDENT PROGRESS. DEVELOPS APPROPRIATE ASSESSMENT STRATEGIES AND INSTRUMENTS FOR EVALUATING BOTH INDIVIDUAL STUDENT PROGRESS AND OVERALL EDUCATIONAL PROGRAM EFFECTIVENESS. **(E)**

DEVELOPS A SYSTEM FOR POSTING AND ANALYZING THE RESULTS OF STUDENT ASSESSMENT PROGRAMS, INCLUDING PREPARATION OF REPORTS FOR ADMINISTRATION, STAFF, AND THE BOARD OF EDUCATION. (E)

COORDINATES THE ADMINISTRATION OF STATE AND DISTRICT MANDATED TESTING PROGRAMS. (E)

ANALYZES RESULTS OF A VARIETY OF ASSESSMENT PROGRAMS AND REPORTS FINDINGS TO THE ADMINISTRATION, SUPERINTENDENT, AND THE BOARD OF EDUCATION. (E)

DEVELOPS PLANS AND EMPLOYS APPROPRIATE METHODOLOGIES FOR EVALUATION OF EFFECTIVENESS OF INSTRUCTION AND INSTRUCTIONAL SUPPORT PROGRAMS; DESIGNS AND CARRIES OUT A VARIETY OF RESEARCH PROJECTS, AS DIRECTED. (E)

TRAINS CERTIFICATED AND CLASSIFIED PERSONNEL IN COURSEWARE EVALUATION CRITERIA AND USE OF PUBLISHED COURSEWARE REVIEW RESOURCES. (E)

ADVISES THE DISTRICT ON DEVELOPMENTS IN EDUCATIONAL TECHNOLOGY, AND MAINTAINS LEADERSHIP IN THIS FIELD. (E)

COLLABORATES WITH THE DIRECTOR OF CURRICULUM TO ESTABLISH THE VISION, GOALS AND OBJECTIVES FOR PROFESSIONAL STAFF DEVELOPMENT PROGRAMS THAT SUPPORT A HIGH LEVEL OF TECHNOLOGY INTEGRATED INSTRUCTIONAL PRACTICES IN CLASSROOMS.

COLLABORATES WITH THE DIRECTOR OF TECHNOLOGY AND THE DIRECTOR OF CURRICULUM TO PRESENT A COHESIVE INTEGRATION OF CURRICULUM AND TECHNOLOGY ACROSS THE DISTRICT AND UNDERSTANDS THE NEEDS AND DEMANDS FOR IMPLEMENTATION OF "CLASSROOMS OF THE FUTURE." (E)

DEVELOPS STANDARDS-BASED CURRICULUM INTEGRATION. (E)

SUPPORTS INSTRUCTIONAL MATERIALS SELECTION COMMITTEES WITH INTEGRATED TECHNOLOGY OUTCOMES AND PRACTICES ACCORDING TO DISTRICT ADMINISTRATIVE REGULATIONS AND PROCEDURES.

SEEKS, IMPLEMENTS, MONITORS, AND EVALUATES VARIOUS GRANT PROJECTS RELATED TO THE CURRENT TECHNOLOGY PLAN. (E)

PREPARES BUDGET AND FUNDING STRATEGIES FOR INSTRUCTIONAL TECHNOLOGY PROJECTS AND PROFESSIONAL DEVELOPMENT PROGRAMS. (E)

DEVELOPS ASSESSMENTS FOR INTEGRATED TECHNOLOGY LEARNING. (E)

WORKS CLOSELY WITH VENDORS AND SUPPLIERS TO PROMOTE THE BEST UTILIZATION OF DISTRICT RESOURCES.

PERFORMS OTHER DUTIES AS ASSIGNED.

MINIMUM REQUIREMENTS:

EDUCATION, EXPERIENCE, LICENSES, AND OTHER REQUIREMENTS:

POSSESSION OF A VALID CALIFORNIA PRELIMINARY OR PROFESSIONAL CLEAR MULTIPLE OR SINGLE SUBJECT TEACHING CREDENTIAL AUTHORIZING SERVICE AS AN ELEMENTARY OR SECONDARY TEACHER.

POSSESSION OF A VALID CALIFORNIA ADMINISTRATIVE CREDENTIAL AUTHORIZING SERVICE AS AN ADMINISTRATOR.

EMPLOYMENT ELIGIBILITY THAT MAY INCLUDE FINGERPRINTS, HEALTH (TB), AND/OR OTHER EMPLOYMENT CLEARANCES.

MUST HAVE VALID CALIFORNIA DRIVER'S LICENSE AND AUTOMOBILE AVAILABLE FOR USE. MUST BE WILLING TO ATTEND EVENING, NIGHT, AND WEEKEND MEETINGS.

KNOWLEDGE AND ABILITIES:

KNOWLEDGE OF:

- PRINCIPLES AND METHODS OF CURRICULUM, INSTRUCTION, ASSESSMENT AND PROFESSIONAL DEVELOPMENT.
- PRINCIPLES AND METHODS OF PROGRAM MANAGEMENT AND EVALUATION.
- PRINCIPLES, PRACTICES, AND TECHNIQUES OF PROBLEM-SOLVING AND CONFLICT RESOLUTION.
- PRINCIPLES AND TECHNIQUES OF PUBLIC RELATIONS.
- TECHNIQUES OF STATISTICAL ANALYSIS, TESTS AND MEASUREMENTS.
- PRINCIPLES AND TECHNIQUES OF BUDGET DEVELOPMENT AND ADMINISTRATION.
- PRINCIPLES AND PRACTICES OF ORGANIZATION AND PERSONNEL MANAGEMENT.
- APPLICABLE FEDERAL, STATE, AND DISTRICT RULES, REGULATIONS AND PROCEDURES.
- COMPUTER SOFTWARE PROGRAMS THAT INCLUDE SPREADSHEETS, DATABASES, STATISTICAL ANALYSIS, GRAPHICS, AND WORD PROCESSING IN THE MACINTOSH AND PC PLATFORMS.
- INTEGRATED TECHNOLOGY AND EDUCATION TECHNOLOGY.
- APPLICABLE FEDERAL, STATE, AND LOCAL LAWS, CODES, REGULATIONS, POLICIES, AND PROCEDURES RELATED TO ASSIGNED ACTIVITIES.
- ORAL AND WRITTEN COMMUNICATION SKILLS, INCLUDING ENGLISH USAGE, GRAMMAR, SPELLING, PUNCTUATION, VOCABULARY, COMPOSITION, AND MATHEMATICS.

ABILITY TO:

- ORGANIZE AND PRESENT IDEAS EFFECTIVELY IN ORAL AND WRITTEN FORM.
- MAINTAIN EFFECTIVE, COOPERATIVE WORKING RELATIONSHIPS WITH CENTRAL SERVICES AND SITE PERSONNEL.
- COLLECT AND ANALYZE DATA AND INFORMATION.
- ANALYZE SITUATIONS CAREFULLY AND ADOPT EFFECTIVE COURSES OF ACTION.

- SUPERVISE, TRAIN, AND EVALUATE ASSIGNED PERSONNEL.
- PREPARE AND PRESENT STAFF DEVELOPMENT SESSIONS IN THE ASSIGNED AREAS OF RESPONSIBILITY.
- INTERPRET AND APPLY ADMINISTRATIVE AND SCHOOL BOARD POLICIES, LAWS, AND REGULATIONS.
- PREPARE CLEAR, COMPLETE, CONCISE, GENERAL AND STATISTICAL REPORTS.
- PREPARE AND IMPLEMENT SYSTEMS AND PROCEDURES RELATED TO ASSIGNED AREAS OF RESPONSIBILITY.

WORKING CONDITIONS:

ENVIRONMENT:

- DISTRICT OFFICE ENVIRONMENT AND SCHOOL SITES.
- DEMANDING TIMELINES.
- SUBJECT TO DRIVING TO A VARIETY OF LOCATIONS TO CONDUCT WORK DURING DAY AND EVENING HOURS.
- SUBJECT TO FREQUENT INTERRUPTIONS AND EXTENSIVE CONTACT WITH STUDENTS, STAFF, PARENTS, AND THE PUBLIC.
- INDOOR AND OUTDOOR ENVIRONMENT.

PHYSICAL DEMANDS:

- BENDING AT THE WAIST, KNEELING OR CROUCHING, AND REACHING TO RETRIEVE AND MAINTAIN FILES AND RECORDS.
- REACHING OVERHEAD, ABOVE THE SHOULDERS AND HORIZONTALLY.
- DEXTERITY OF HANDS AND FINGERS TO OPERATE STANDARD OFFICE EQUIPMENT, COMPUTER KEYBOARD, AND OTHER EQUIPMENT NECESSARY TO COMPLETE THE REQUIRED DUTIES.
- HEARING AND SPEAKING TO EXCHANGE INFORMATION IN PERSON AND ON THE TELEPHONE.
- VISUAL ABILITY TO READ, AND TO PREPARE/PROCESS DOCUMENTS AND TO MONITOR VARIOUS SERVICES AND PERSONNEL.
- SITTING FOR EXTENDED PERIODS. .
- STANDING FOR EXTENDED PERIODS.
- WALKING OVER ROUGH OR UNEVEN SURFACES.
- CLIMBING, OCCASIONAL USE OF STEPLADDERS.
- PHYSICAL ACTIVITY MAY BE REQUIRED, WHICH COULD INCLUDE MODERATE LIFTING.

HAZARDS:

- EXTENDED VIEWING OF COMPUTER MONITOR.
- WORKING AROUND AND WITH OFFICE EQUIPMENT HAVING MOVING PARTS.

I HAVE READ THE ABOVE POSITION DESCRIPTION AND FULLY UNDERSTAND THE REQUIREMENTS SET FORTH THEREIN. I HEREBY ACCEPT THE POSITION OF DIRECTOR, ASSESSMENT AND INSTRUCTIONAL TECHNOLOGY AND AGREE TO ABIDE BY THE REQUIREMENTS AND DUTIES SET FORTH. I WILL PERFORM ALL DUTIES AND RESPONSIBILITIES TO THE BEST OF MY ABILITY.

(SIGNATURE OF EMPLOYEE)

(DATE)

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, THE CHINO VALLEY UNIFIED SCHOOL DISTRICT WILL PROVIDE REASONABLE ACCOMMODATIONS TO QUALIFIED INDIVIDUALS WITH DISABILITIES, AND ENCOURAGES BOTH PROSPECTIVE AND CURRENT EMPLOYEES TO DISCUSS POTENTIAL ACCOMMODATIONS WITH THE DIVISION OF HUMAN RESOURCES.

BOARD APPROVED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT
Position Description

TITLE:	DIRECTOR, TECHNOLOGY - CERTIFICATED	REPORTS:	ASSISTANT SUPERINTENDENT, CURRICULUM & INSTRUCTION
DEPARTMENT:	CURRICULUM & INSTRUCTION	CLASSIFICATION:	CERTIFICATED MANAGEMENT
FLSA:	EXEMPT	WORK YEAR:	226
ISSUED:	AUGUST 15, 2013	SALARY:	RANGE 15

BASIC FUNCTION:

UNDER THE DIRECTION OF THE ASSISTANT SUPERINTENDENT, CURRICULUM AND INSTRUCTION, PROVIDES TECHNICAL ASSISTANCE TO ALL DISTRICT PERSONNEL IN THE USE OF TECHNOLOGY; PROVIDES AND SUPERVISES STAFF DEVELOPMENT REGARDING TECHNOLOGY; ASSISTS IN THE COORDINATION, IMPLEMENTATION AND SUPERVISION OF THE DISTRICT'S TECHNOLOGY MASTER PLAN; SUPERVISES STAFF; COORDINATES DISTRICT HUMAN RESOURCES IN SUPPORT OF DISTRICT TECHNOLOGY; DEMONSTRATES UNDERSTANDING OF DEVELOPMENT OF NETWORKING, I.E. LOCAL AREA NETWORKS AND WIDE AREA NETWORKS; AND IS THE DISTRICT'S MANAGER FOR ALL PROJECTS ASSOCIATED WITH TECHNOLOGY. DEVELOPS AND COORDINATES DISTRICT'S APPLICATIONS FOR STATE AND FEDERAL DISCOUNTS.

REPRESENTATIVE DUTIES:

INCUMBENTS MAY PERFORM ANY COMBINATION OF THE ESSENTIAL FUNCTIONS SHOWN BELOW. THIS POSITION DESCRIPTION IS NOT INTENDED TO BE AN EXHAUSTIVE LIST OF ALL DUTIES, KNOWLEDGE, OR ABILITIES, ASSOCIATED WITH THIS CLASSIFICATION BUT IS INTENDED TO ACCURATELY REFLECT THE PRINCIPLE JOB ELEMENTS.

E = ESSENTIAL FUNCTIONS

RESPONSIBLE FOR SCREENING, INTERVIEWING, SELECTING, ASSIGNING AND EVALUATING ALL CERTIFICATED AND CLASSIFIED EMPLOYEES TO THE DEPARTMENT. **(E)**

EXERCISES LEADERSHIP IN ACHIEVING DISTRICT GOALS AND OBJECTIVES RELATED TO TECHNOLOGY AND ASSESSING THE STUDENT EDUCATION PROGRAM AND OVERALL PROGRAM EFFECTIVENESS. **(E)**

DEVELOPMENT AND IMPLEMENTATION OF STAFF DEVELOPMENT IN-SERVICE PROGRAMS FOR CERTIFICATED AND CLASSIFIED STAFF, WHICH EMPHASIZE AND ENCOURAGE THE USE OF TECHNOLOGY. **(E)**

DIRECTS THE REVIEW AND SELECTION OF EDUCATIONAL TECHNOLOGY HARDWARE AND SOFTWARE; CONSULTS WITH STAFF ON FUTURE EDUCATIONAL HARDWARE SELECTIONS TO ENSURE MAXIMUM COMPATIBILITY OF NEW HARDWARE WITH EXISTING DISTRICT TECHNOLOGY RESOURCES AND MAINTENANCE COORDINATION. (E)

COORDINATES AND SUPERVISES THE IMPLEMENTATION OF A DISTRICT-WIDE TECHNOLOGY MASTER PLAN, TO INCLUDE INSTALLATION AND MAINTENANCE OF INFRASTRUCTURE AND NEEDED EQUIPMENT. (E)

SUPERVISES AND DIRECTS THE AUDIO/VIDEO PRODUCTION OF THE DISTRICT INCLUDING SCHOOL BOARD MEETINGS, GRADUATIONS, AND OTHER DISTRICT FUNCTIONS. (E)

PREPARES AND COORDINATES THE DISTRICT'S APPLICATION FOR FEDERAL AND STATE PROGRAMS THAT SUPPORT TELECOMMUNICATIONS AND INFRASTRUCTURE DEVELOPMENT. (E)

DIRECTS AND SUPERVISES THE DISTRICT NETWORK AND ASSURES THAT IT IS SAFE AND EFFICIENT. (E)

RECOMMENDS THE PURCHASE OF HARDWARE AND SOFTWARE NEEDED TO CARRY OUT THE DISTRICT'S TECHNOLOGY PLAN; DEVELOPS APPROPRIATE BID AND QUOTATION SPECIFICATIONS; CONSOLIDATES RECORD KEEPING FOR ASSET MANAGEMENT AND SOFTWARE LICENSING. (E)

DEVELOPS AND MAINTAINS SYSTEMS FOR IMPROVING ARTICULATION BETWEEN ELEMENTARY, SECONDARY, ADULT, AND COLLEGE LEVELS IN EDUCATIONAL TECHNOLOGY. (E)

ASSISTS IN ENDURING DISTRICT-WIDE COMPLIANCE WITH VARIOUS LICENSING AND COPYRIGHT REQUIREMENTS. (E)

INITIATES LIAISON WITH BUSINESS SOURCES; SOLICITS DONATIONS OF HARDWARE, COURSEWARE, AND EXPERT TIME TO FURTHER ENHANCE THE DISTRICT'S USE OF TECHNOLOGY. (E)

MEETS WITH STAFF AND ARCHITECTS REGARDING THE DESIGN FOR AND IMPLEMENTATION OF TECHNOLOGY IN THE CLASSROOMS, LIBRARIES, AND OFFICES; DEVELOPS TECHNOLOGY SPECIFICATIONS FOR FACILITIES. (E)

REPRESENTS THE DISTRICT AT EDUCATIONAL TECHNOLOGY COUNCILS, COMMITTEES, BOARDS, AND TECHNOLOGY/MEDIA SUPPORT GROUPS, AND KEEPS CURRENT ON TRENDS AND DEVELOPMENTS IN THE USE OF EDUCATIONAL TECHNOLOGY TO IMPROVE STUDENT ACHIEVEMENT. (E)

WORKS EFFECTIVELY WITH THE DISTRICT'S TECHNOLOGY ADVISORY GROUP IN PLANNING FOR AND IMPLEMENTING BOARD APPROVED ACTIONS RELATED TO THE USE OF EDUCATIONAL TECHNOLOGY; AND PERFORMS RELATED DUTIES AS ASSIGNED. (E)

DIRECTS THE DISTRICT'S TELEPHONE, SECURITY, INTERCOM, BELLS AND FIRE ALARM SYSTEMS BY DEVELOPING AND SUPERVISING NEW PROJECTS AND DIRECTING THE SUPPORT AND MAINTENANCE OF THESE SYSTEMS. (E)

PERFORMS OTHER DUTIES AS ASSIGNED.

MINIMUM REQUIREMENTS:

EDUCATION, EXPERIENCE, LICENSES, AND OTHER REQUIREMENTS:

BACHELOR'S DEGREE REQUIRED IN MATHEMATICS, TECHNOLOGY OR RELATED FIELD. MASTER'S DEGREE IN RELATED FIELD PREFERRED.

A MINIMUM OF THREE (3) YEARS OF INCREASINGLY RESPONSIBLE EXPERIENCE SUPPORTING INSTRUCTIONAL PROGRAMS THROUGH TECHNOLOGY, EXPERIENCE PROVIDING STAFF DEVELOPMENT IN TECHNOLOGY UTILIZATION, SUCCESSFUL EXPERIENCE IN THE SUPERVISION OF PERSONNEL, AND K-12 CLASSROOM TEACHING.

POSSESSION OF A VALID CALIFORNIA PRELIMINARY OR PROFESSIONAL CLEAR MULTIPLE OR SINGLE SUBJECT TEACHING CREDENTIAL AUTHORIZING SERVICE AS AN ELEMENTARY OR SECONDARY TEACHER.

POSSESSION OF A VALID CALIFORNIA ADMINISTRATIVE CREDENTIAL AUTHORIZING SERVICE AS AN ADMINISTRATOR.

EMPLOYMENT ELIGIBILITY THAT MAY INCLUDE FINGERPRINTS, HEALTH (TB), AND/OR OTHER EMPLOYMENT CLEARANCE.

MUST HAVE VALID CALIFORNIA DRIVER'S LICENSE AND AUTOMOBILE AVAILABLE FOR USE. MUST BE WILLING TO ATTEND EVENING, NIGHT, AND WEEKEND MEETINGS.

KNOWLEDGE AND ABILITIES:

KNOWLEDGE OF:

- VARIOUS FORMS OF EDUCATIONAL TECHNOLOGY, INCLUDING STATE-OF-THE-ART TECHNOLOGY.
- LAWS, RULES, AND REGULATIONS AFFECTING THE SELECTION, PURCHASE, COMPUTERS, AND OTHER TECHNOLOGY.
- COMPUTER HARDWARE AND SOFTWARE, MAJOR OPERATING SYSTEMS, AND HARDWARE PLATFORMS, INCLUDING METHODS OF INTEGRATING INSTRUCTIONAL TECHNOLOGY WITHIN BOARD-ADOPTED CURRICULUM.
- COMPUTER NETWORKING AND TELECOMMUNICATIONS TRENDS AND PRACTICES, INCLUDING METHODS TO EFFECTIVELY ANALYZE AND INTERPRET DATA; APPLY AND COMMUNICATE APPLICABLE FEDERAL, STATE, AND LOCAL POLICIES, PROCEDURES, LAWS AND REGULATION.
- PREPARE AND PRESENT ORAL AND WRITTEN REPORTS AND FINDINGS TO A DIVERSE AUDIENCE, AND EFFECTIVELY REPRESENT THE DISTRICT IN THE COMMUNITY.
- SUCCESSFUL STRATEGIES TO SUPERVISE CERTIFICATED AND TECHNICAL STAFF.
- INTEGRATION OF TELEPHONE AND DATA OVER A WIDE AREA NETWORK TO PRODUCE SAVINGS.
- ELEMENTARY, SECONDARY, AND ADULT SCHOOL CURRICULUM APPLICABLE TO EDUCATIONAL TECHNOLOGY.

- DISTRICT ORGANIZATION, OPERATIONS, POLICIES, AND PROCEDURES.
- PRINCIPLES OF ORGANIZATION, OPERATION, AND SUPERVISION.
- MODERN TECHNOLOGY AND OFFICE PROCEDURES AND METHODS, COMPUTER EQUIPMENT, AND COMPUTER SOFTWARE NECESSARY TO PERFORM REQUIRED DUTIES.
- BUDGET PREPARATION AND CONTROL.

ABILITY TO:

- PLAN, PRESENT, AND DIRECT HIGH QUALITY PROFESSIONAL DEVELOPMENT.
- PLAN AND IMPLEMENT THE EFFECTIVE USE OF EDUCATIONAL AND ADMINISTRATIVE TECHNOLOGY.
- TRAIN STAFF IN A VARIETY OF TECHNOLOGY SKILLS.
- ADMINISTER ASSIGNED BUDGETS AND ALLOCATE FUNDS.
- DEMONSTRATE LEADERSHIP QUALITIES AND UTILIZE MOTIVATIONAL TECHNIQUES AND STRATEGIES IN THE DEVELOPMENT OF AN OPERATIONAL MODE THAT IS COST EFFECTIVE.
- OPERATE A COMPUTER TERMINAL AND AUDIO-VISUAL EQUIPMENT.
- COMMUNICATE EFFECTIVELY, BOTH ORALLY AND IN WRITING.
- WRITE IN A CLEAR AND CONCISE MANNER FOR BROAD PUBLIC APPEAL AND INTERPRETATION.
- GAIN COOPERATION THROUGH DISCUSSION AND PERSUASION.
- COORDINATE AND SUPERVISE THE WORK OF OTHERS.
- ANALYZE SITUATIONS CAREFULLY AND ADOPT AN EFFECTIVE COURSE OF ACTION.
- PLAN, ORGANIZE, AND PRIORITIZE WORK TO MEET MULTIPLE SCHEDULES AND DEADLINES, AND MANAGE SIMULTANEOUS TASKS WITH MANY INTERRUPTIONS.
- WORK INDEPENDENTLY WITH MINIMUM DIRECTION AND SUPERVISION; WORK UNDER PRESSURE.
- UNDERSTAND, ANALYZE, AND PREPARE COMPREHENSIVE, NARRATIVE, AND STATISTICAL REPORTS.
- ESTABLISH AND MAINTAIN COOPERATIVE AND EFFECTIVE WORKING RELATIONSHIPS WITH DISTRICT PERSONNEL, COMMUNITY MEMBERS, AND EXTERNAL COMPANIES AND AGENCIES IN THE COURSE OF PERFORMING ASSIGNED DUTIES.
- SUPERVISE AND EVALUATE THE PERFORMANCE OF ASSIGNED STAFF.

WORKING CONDITIONS:

ENVIRONMENT:

- DISTRICT OFFICE ENVIRONMENT AND SCHOOL SITES.
- DEMANDING TIMELINES.
- SUBJECT TO DRIVING TO A VARIETY OF LOCATIONS TO CONDUCT WORK DURING DAY AND EVENING HOURS.
- SUBJECT TO FREQUENT INTERRUPTIONS AND EXTENSIVE CONTACT WITH STUDENTS, STAFF, PARENTS, AND THE PUBLIC.
- INDOOR AND OUTDOOR ENVIRONMENT.

PHYSICAL DEMANDS:

- BENDING AT THE WAIST, KNEELING OR CROUCHING, AND REACHING TO RETRIEVE AND MAINTAIN FILES AND RECORDS.
- REACHING OVERHEAD, ABOVE THE SHOULDERS AND HORIZONTALLY.
- DEXTERITY OF HANDS AND FINGERS TO OPERATE STANDARD OFFICE EQUIPMENT, COMPUTER KEYBOARD, AND OTHER EQUIPMENT NECESSARY TO COMPLETE THE REQUIRED DUTIES.
- HEARING AND SPEAKING TO EXCHANGE INFORMATION IN PERSON AND ON THE TELEPHONE.
- VISUAL ABILITY TO READ, AND TO PREPARE/PROCESS DOCUMENTS AND TO MONITOR VARIOUS SERVICES AND PERSONNEL.
- SITTING FOR EXTENDED PERIODS.
- STANDING FOR EXTENDED PERIODS.
- WALKING OVER ROUGH OR UNEVEN SURFACES.
- CLIMBING, OCCASIONAL USE OF STEPLADDERS.
- PHYSICAL ACTIVITY MAY BE REQUIRED, WHICH COULD INCLUDE MODERATE LIFTING.

HAZARDS:

- EXTENDED VIEWING OF COMPUTER MONITOR.
- WORKING AROUND AND WITH OFFICE EQUIPMENT HAVING MOVING PARTS.

I HAVE READ THE ABOVE POSITION DESCRIPTION AND FULLY UNDERSTAND THE REQUIREMENTS SET FORTH THEREIN. I HEREBY ACCEPT THE POSITION OF DIRECTOR, TECHNOLOGY - CERTIFICATED AND AGREE TO ABIDE BY THE REQUIREMENTS AND DUTIES SET FORTH. I WILL PERFORM ALL DUTIES AND RESPONSIBILITIES TO THE BEST OF MY ABILITY.

(SIGNATURE OF EMPLOYEE)

(DATE)

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, THE CHINO VALLEY UNIFIED SCHOOL DISTRICT WILL PROVIDE REASONABLE ACCOMMODATIONS TO QUALIFIED INDIVIDUALS WITH DISABILITIES, AND ENCOURAGES BOTH PROSPECTIVE AND CURRENT EMPLOYEES TO DISCUSS POTENTIAL ACCOMMODATIONS WITH THE DIVISION OF HUMAN RESOURCES.

BOARD APPROVED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT
Position Description

TITLE: BEHAVIOR INTERVENTION SPECIALIST **REPORTS:** BEHAVIOR INTERVENTION COORDINATOR

DEPARTMENT: SPECIAL EDUCATION **CLASSIFICATION:** CLASSIFIED MANAGEMENT

FLSA: EXEMPT **WORK YEAR:** 220

ISSUED: AUGUST 15, 2013 **SALARY:** RANGE 29

BASIC FUNCTIONS:

UNDER THE SUPERVISION OF THE DIRECTOR OF SPECIAL EDUCATION AND THE DIRECTION OF THE COORDINATOR OF THE BEHAVIOR INTERVENTION PROGRAM OR DESIGNEE, PLANS AND PROVIDES BEHAVIOR MANAGEMENT PROGRAMS AND IMPLEMENTS POSITIVE BEHAVIORAL INTERVENTIONS FOR PUPILS, CLASSROOMS, AND SCHOOL SITES, AS WELL AS RELATED SERVICES TO TEACHERS, ADMINISTRATORS, OTHER SPECIAL EDUCATION STAFF, PARENTS, AND THE COMMUNITY, AS APPROPRIATE. THE EMPLOYEE IN THIS CLASSIFICATION TRAINS AND MONITORS THE PARAPROFESSIONALS (BEHAVIOR SUPPORT AIDES) WHO WORK WITH STUDENTS WITH BEHAVIOR PLANS.

REPRESENTATIVE DUTIES:

INCUMBENT MAY PERFORM ANY COMBINATION OF THE ESSENTIAL FUNCTIONS SHOWN BELOW. THIS POSITION DESCRIPTION IS NOT INTENDED TO BE AN EXHAUSTIVE LIST OF ALL DUTIES, KNOWLEDGE, OR ABILITIES ASSOCIATED WITH THIS CLASSIFICATION, BUT ARE INTENDED TO ACCURATELY REFLECT THE PRINCIPLE JOB ELEMENTS.

E = ESSENTIAL FUNCTIONS

MINIMUM REQUIREMENTS:

PERFORMS A VARIETY OF PROFESSIONAL ACTIVITIES INVOLVED IN THE OBSERVATION, ASSESSMENT AND IDENTIFICATION OF BEHAVIORAL NEEDS AMONG REFERRED AND IDENTIFIED STUDENTS WITH DISABILITIES. (E)

DEVELOPS AND IMPLEMENTS STRATEGIES FOR POSITIVE STUDENT BEHAVIOR MANAGEMENT. (E)

PROVIDES CONSULTATION, TRAINING AND TECHNICAL ASSISTANCE TO FAMILIES, EDUCATORS, AND OTHERS CONCERNING BEHAVIORAL ISSUES AND PROBLEMS. (E)

ATTENDS/PARTICIPATES IN INDIVIDUAL EDUCATION PLAN (IEP) MEETINGS AND VARIOUS OTHER MEETINGS CONCERNING STUDENTS WITH SPECIAL NEEDS;

COLLABORATES WITH PARENTS, SCHOOL STAFF AND ADMINISTRATORS IN THE DEVELOPMENT AND IMPLEMENTATION OF IEPS, BEHAVIOR SUPPORT PLANS (BSP'S), AND BEHAVIOR INTERVENTION PLANS (BIP'S) AS REQUIRED. (E)

RESPONSIBLE FOR THE ONGOING TRAINING AND SUPPORT OF BEHAVIOR SUPPORT AIDES AND OTHER SCHOOL PERSONNEL.

ASSIST IN ASSURING EDUCATIONAL ACTIVITIES FOR IDENTIFIED STUDENTS.

COMPLY WITH ESTABLISHED STANDARDS, REQUIREMENTS, LAWS, CODES, REGULATIONS, POLICIES, AND PROCEDURES.

PERFORMS OTHER RELATED DUTIES AS ASSIGNED.

EDUCATION, EXPERIENCE, LICENSES, AND OTHER REQUIREMENTS:

A MASTER'S DEGREE IN PSYCHOLOGY, BEHAVIOR PSYCHOLOGY, COUNSELING, OR RELATED FIELD.

BOARD CERTIFIED BEHAVIOR ANALYST (BCBA) OR DOCUMENTED EVIDENCE OF EQUIVALENT EDUCATION, PROFESSIONAL TRAINING, AND/OR EXPERIENCE IN APPLIED BEHAVIOR ANALYSIS (ABA) LEADING TO A BCBA CERTIFICATION.

PREFERRED CURRENT NONVIOLENT CRISIS INTERVENTION (CPI) TRAINED.

A VALID CALIFORNIA CLASS C DRIVER'S LICENSE, A GOOD DRIVING RECORD AND THE ABILITY TO MAINTAIN INSURABILITY UNDER THE DISTRICT'S VEHICLE INSURANCE POLICY.

KNOWLEDGE AND ABILITIES:

KNOWLEDGE OF:

- FEDERAL, STATE AND LOCAL REGULATIONS INCLUDING LEGISLATION RELATING TO GENERAL EDUCATION, SPECIAL EDUCATION, CONFIDENTIALITY, SCHOOL RECORDS, ATTENDANCE, PROGRAM ELIGIBILITY AND SUSPENSION/EXPULSION.
- APPLICABLE AND APPROPRIATE PSYCHOLOGICAL AND ACHIEVEMENT APPRAISAL INSTRUMENTS, TECHNIQUES AND PROCEDURES.
- BEHAVIOR INTERVENTIONS, FUNCTIONAL BEHAVIOR ASSESSMENTS, AND/OR CRISIS INTERVENTIONS.
- DEVELOPMENTAL, SOCIAL/EMOTIONAL AND BEHAVIORAL CHARACTERISTICS OF PRE-SCHOOL AND SCHOOL AGE STUDENTS.
- COMPUTER PROGRAMS APPLICABLE TO ASSESSMENTS.

ABILITY TO:

- IMPLEMENT AND SUPPORT BEHAVIORAL MANAGEMENT PROGRAMS.
- TRAIN AND SUPERVISE STAFF.
- INTERACT EFFECTIVELY WITH PARENTS AND CHILDREN OF DIVERSE BACKGROUNDS AND EXPERIENCES.

- EFFECTIVELY DEAL WITH SITE AND DISTRICT PERSONNEL, SOCIAL SERVICES, AND OTHER AGENCIES IN RESOLVING STUDENT PROBLEMS AND CONCERNS.
- COMMUNICATE EFFECTIVELY IN ORAL AND WRITTEN FORM, ENSURING UNDERSTANDABLE AND THOROUGH COMMUNICATION.
- UNDERSTAND AND CARRY OUT ORAL AND WRITTEN DIRECTIONS WITH MINIMAL ACCOUNTABILITY CONTROLS.
- ESTABLISH AND MAINTAIN EFFECTIVE ORGANIZATIONAL, PUBLIC, AND COMMUNITY RELATIONSHIPS.
- OPERATE COMPUTER AND COMPUTER PROGRAMS.

WORKING CONDITIONS:

ENVIRONMENT:

- DISTRICT OFFICE ENVIRONMENT AND SCHOOL SITES.
- DEMANDING TIMELINES.
- MUST HAVE VALID CALIFORNIA DRIVER'S LICENSE AND AUTOMOBILE AVAILABLE FOR USE.
- SUBJECT TO DRIVING TO A VARIETY OF LOCATIONS TO WORK DURING DAY AND EVENING HOURS.
- SUBJECT TO FREQUENT INTERRUPTIONS AND EXTENSIVE CONTACT WITH STUDENTS, STAFF, PARENTS AND THE PUBLIC.
- INDOOR AND OUTDOOR ENVIRONMENT.

PHYSICAL DEMANDS:

- BENDING AT THE WAIST, KNEELING OR CROUCHING, AND REACHING TO RETRIEVE AND MAINTAIN FILES AND RECORDS.
- REACHING OVERHEAD, ABOVE THE SHOULDERS, AND HORIZONTALLY.
- DEXTERITY OF HANDS AND FINGERS TO OPERATE STANDARD OFFICE EQUIPMENT, COMPUTER KEYBOARD, AND OTHER EQUIPMENT NECESSARY TO COMPLETE THE REQUIRED DUTIES.
- HEARING AND SPEAKING TO EXCHANGE INFORMATION IN PERSON AND ON THE TELEPHONE.
- VISUAL ABILITY TO READ, AND TO PREPARE/PROCESS DOCUMENTS AND TO MONITOR VARIOUS SERVICES AND PERSONNEL.
- SITTING FOR EXTENDED PERIODS.
- STANDING FOR EXTENDED PERIODS.
- WALKING OVER ROUGH OR UNEVEN SURFACES.
- CLIMBING, OCCASIONAL USE OF STEPLADDERS.
- PHYSICAL ACTIVITY MAY BE REQUIRED, WHICH COULD INCLUDE MODERATE LIFTING.
- ABILITY TO APPROPRIATELY CONDUCT CRISIS PREVENTION INTERVENTION (CPI).

HAZARDS:

- EXTENDED VIEWING OF COMPUTER MONITOR.
- WORKING AROUND AND WITH OFFICE EQUIPMENT HAVING MOVING PARTS.

- SUBJECT TO DRIVING TO A VARIETY OF LOCATIONS TO CONDUCT WORK DURING DAY AND EVENING HOURS.

FUNDING:

CONTINUITY OF THIS POSITION IS BASED ON CONTINUED AVAILABILITY OF FUNDING.

I HAVE READ THE ABOVE POSITION DESCRIPTION AND FULLY UNDERSTAND THE REQUIREMENTS SET FORTH THEREIN. I HEREBY ACCEPT THE POSITION OF BEHAVIOR INTERVENTION SPECIALIST AND AGREE TO ABIDE BY THE REQUIREMENTS AND DUTIES SET FORTH. I WILL PERFORM ALL DUTIES AND RESPONSIBILITIES TO THE BEST OF MY ABILITY.

(SIGNATURE OF EMPLOYEE)

(DATE)

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, THE CHINO VALLEY UNIFIED SCHOOL DISTRICT WILL PROVIDE REASONABLE ACCOMMODATIONS TO QUALIFIED INDIVIDUALS WITH DISABILITIES, AND ENCOURAGE BOTH PROSPECTIVE AND CURRENT EMPLOYEES TO DISCUSS POTENTIAL ACCOMMODATIONS WITH THE DIVISION OF HUMAN RESOURCES.

BOARD APPROVED:

Chino Valley Unified School District

Our Motto:

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

DATE: August 15, 2013
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Patricia M. Miller, Assistant Superintendent, Educational Services
SUBJECT: **REVISION OF BOARD POLICY 0410 PHILOSOPHY-GOALS-OBJECTIVES AND COMPREHENSIVE PLANS - NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES**

=====

BACKGROUND

Board policies, administrative regulations, and bylaws of the Board are routinely developed and revised as a result of changes in law, mandates, federal regulations, and current practice. The revised Board Policy 0410 Philosophy-Goals-Objectives and Comprehensive Plans - Nondiscrimination in District Programs and Activities reflects new law (AB 887 and SB 559) which expands the prohibited bases of discrimination. The revision also reflects federal regulations which requires newly constructed district facilities to comply with the Americans with Disabilities Act Standards for Accessible Designs.

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 0410 Philosophy-Goals-Objectives and Comprehensive Plans - Nondiscrimination in District Programs and Activities.

FISCAL IMPACT

None.

WMJ:PMM:Imc

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES

The Board of Education is committed to equal opportunity for all individuals in education. District programs, ~~and activities,~~ AND PRACTICES shall be free from discrimination based on RACE, COLOR, ANCESTRY, NATIONAL ORIGIN, ETHNIC GROUP IDENTIFICATION, AGE, RELIGION, MARITAL OR PARENTAL STATUS, PHYSICAL OR MENTAL DISABILITY, SEX, SEXUAL ORIENTATION, GENDER, GENDER IDENTITY OR EXPRESSION, OR GENETIC INFORMATION; THE PERCEPTION OF ONE OR MORE OF SUCH CHARACTERISTICS; OR ASSOCIATION WITH A PERSON OR GROUP WITH ONE OR MORE OF THESE ACTUAL OR PERCEIVED CHARACTERISTICS ~~gender, sex, race, color, religion, ancestry, national origin, ethnic group identification, marital or parental status, physical or mental disability, sexual orientation or the perception of one or more of such characteristics.~~ The Board shall promote programs which ensure that discriminatory practices are eliminated in all district activities.

- (cf. 4030 - Nondiscrimination in Employment)
- (cf. 4032 - Reasonable Accommodation)
- (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
- (cf. 5131.2 - Bullying)
- (cf. 5145.3 - Nondiscrimination/Harassment)
- (cf. 5145.7 - Sexual Harassment)
- (cf. 5146 - Married/Pregnant/Parenting Students)
- (cf. 6145.2 - Athletic Competition)
- (cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
- (cf. 6164.6 - Identification and Education under Section 504)
- (cf. 6178 - Career Technical Education)
- (cf. 6200 - Adult Education)

PURSUANT TO 34 CFR 104.8 AND 34 CFR 106.9, THE SUPERINTENDENT OR DESIGNEE SHALL NOTIFY STUDENTS, PARENTS/GUARDIANS, EMPLOYEES, EMPLOYEE ORGANIZATIONS, APPLICANTS FOR ADMISSION AND EMPLOYMENT, AND SOURCES OF REFERRAL FOR APPLICANTS ABOUT THE DISTRICT'S POLICY ON NONDISCRIMINATION AND RELATED COMPLAINT PROCEDURES. SUCH NOTIFICATION SHALL BE INCLUDED IN EACH ANNOUNCEMENT, BULLETIN, CATALOG, APPLICATION FORM, OR OTHER RECRUITMENT MATERIALS DISTRIBUTED TO THESE GROUPS.

- (cf. 1312.3 - Uniform Complaint Procedures)
- (cf. 4031 - Complaints Concerning Discrimination in Employment)
- (cf. 4112.9/4212.9/4312.9 - Employee Notifications)
- (cf. 5145.6 - Parental Notifications)

THE DISTRICT'S NONDISCRIMINATION POLICY AND RELATED INFORMATIONAL MATERIALS SHALL BE PUBLISHED IN A FORMAT THAT PARENTS/GUARDIANS CAN UNDERSTAND AND, WHEN REQUIRED BY LAW, IN A LANGUAGE OTHER THAN ENGLISH.

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (cont.)

ACCESS FOR INDIVIDUALS WITH DISABILITIES

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act AND ANY IMPLEMENTING STANDARDS AND/OR REGULATIONS.

(cf. 6163.2 - Animals at School)
(cf. 7110 - Facilities Master Plan)
(cf. 7111 - Evaluating Existing Buildings)

The Superintendent or designee shall ensure that the District provides auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, note takers, written materials, taped text, and Braille or large print materials.

(cf. 6020 - Parent Involvement)

Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to the school-sponsored function, program, or meeting.

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

~~The Superintendent or designee shall notify students, parents/guardians, employees, employee organizations and applicants for admission and employment, and sources of referral for applicants about the District's policy on nondiscrimination. Such notification shall be included in each announcement, bulletin, catalog, application form or other recruitment materials distributed to these groups. (34 CFR 104.8, 106.9)~~

~~The Superintendent or designee shall also provide information about related complaint procedures.~~

~~(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 4031 - Complaints Concerning Discrimination in Employment)~~

~~In compliance with law, the District's nondiscrimination policy shall be published in the individual's primary language to the extent practicable.~~

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

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (cont.)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48985 Notices to parents in language other than English

51007 Legislative intent: state policy

GOVERNMENT CODE

11000 Definitions

11135 Nondiscrimination in programs or activities funded by state

11138 Rules and regulations

12900-12996 Fair Employment and Housing Act

54953.2 Brown Act compliance with Americans with Disabilities Act

PENAL CODE

422.55 Definition of hate crime

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities in Education Act

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

2301-2415 Carl D. Perkins Vocational and Applied Technology Act

6311 State plans

6312 Local education agency plans

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

2000h-2000h-6 Title IX

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

36.303 Auxiliary aids and services

CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

106.1-106.61 Discrimination on the basis of sex, effectuating Title IX, especially:

106.9 Dissemination of policy

Management Resources:

CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010

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

Notice of Non-Discrimination, January 1999

Protecting Students from Harassment and Hate Crime, January 1999

Nondiscrimination in Employment Practices in Education, August 1991

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (cont.)

WEB SITES

California School Boards Association: www.csba.org

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

Safe Schools Coalition: www.casafeschoolscoalition.org

Pacific ADA Center: www.adapacific.org

U.S. Department of Education, Office for Civil Rights: www.ed.gov/about/offices/list/ocr

Chino Valley Unified School District

Policy adopted: September 21, 1995

Revised: December 9, 2010

REVISED:

Chino Valley Unified School District

Our Motto:

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

DATE: August 15, 2013
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Patricia M. Miller, Assistant Superintendent, Educational Services
Norm Enfield, Ed.D., Assistant Superintendent, Human Resources
**SUBJECT: REVISION OF ADMINISTRATIVE REGULATION 5145.7
STUDENTS – SEXUAL HARASSMENT**

=====
BACKGROUND

Board policies, administrative regulations, and bylaws of the Board are routinely developed and revised as a result of changes in law, mandates, federal regulations, and current practice. The revised Administrative Regulation 5145.7 Students – Sexual Harassment pursuant to 34 CFR 106.8 has been updated to include the name, office, address, and telephone number of the employee appointed to coordinate the efforts to comply with and carry out the responsibilities, including any investigation of any complaints alleging noncompliance

New language is provided in UPPER CASE.

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

RECOMMENDATION

It is recommended the Board of Education receive for information the revision of Administrative Regulation 5145.7 Students – Sexual Harassment.

FISCAL IMPACT

None.

WMJ:PMM:NE:Imc

SEXUAL HARASSMENT

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances; unwanted requests for sexual favors; or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the educational setting, when made on the basis of sex and under any of the following conditions: (Education Code 212.5; 5 CCR 4916)

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the students
3. The conduct has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment
4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through any district program or activity

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

Examples of types of conduct which are prohibited in the district and which may constitute sexual harassment include, but are not limited to:

1. Unwelcome leering, sexual flirtations, or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions
3. Graphic verbal comments about an individual's body or overly personal conversations
4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sexual rumors

SEXUAL HARASSMENT (cont.)

6. Teasing or sexual remarks about students enrolled in a predominantly single-gender class
7. Massaging, grabbing, fondling, stroking, or brushing the body
8. Touching an individual's body or clothes in a sexual way
9. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex
10. Displaying sexually suggestive objects
11. Sexual assault, sexual battery, or sexual coercion

Investigation of Complaints of School Employees or Other Adults toward Students

Complaints of sexual harassment, harassment, discrimination according to Board Policy by school employees toward students shall be investigated according to Administrative Regulation 4031 and referred to the Coordinator of Nondiscrimination and Employment:

NORM ENFIELD, ED.D.
Assistant Superintendent, Human Resources
5130 Riverside Drive, Chino, CA
(909) 628-1201 ext. 1110

Investigation of Complaints of Students towards Other Students

The Board of Education designates the following position as Coordinator for Nondiscrimination Regarding Student-On-Student Complaints:

STEPHANIE JOHNSON
Director, Student Support Services
13453 Ramona Avenue, Chino, CA 91710
(909) 628-1201 ext. 7750

SEXUAL HARASSMENT (cont.)**Site-Level Grievance Procedure**

Complaints of sexual harassment, harassment or any behavior prohibited by the district's Nondiscrimination/Harassment Policy - 5145.3 and Bullying Policy – 5131.2, shall be handled in accordance with the following procedure:

1. **Notice and Receipt of Complaint:** Any student who believes he/she has been subjected to sexual harassment or who has witnessed sexual harassment may file a complaint with any school employee. Within 24 hours of receiving a complaint, the school employee shall report it to the principal or district coordinator for nondiscrimination. In addition, any school employee who observes any incident of sexual harassment involving a student shall, within 24 hours, report this observation to the principal or district coordinator for nondiscrimination, whether or not the victim files a complaint.
2. **Initiation of Investigation:** The principal or district coordinator for nondiscrimination shall initiate an impartial investigation of an allegation of sexual harassment within five school days of receiving notice of the harassing behavior, regardless of whether a formal complaint has been filed. The district shall be considered to have "notice" of the need for an investigation upon receipt of information from a student who believes he/she has been subjected to harassment, the student's parent/guardian, an employee who received a complaint from a student, or any employee or student who witnessed the behavior.

If the principal or district coordinator for nondiscrimination receives an anonymous complaint or media report about alleged sexual harassment, he/she shall determine whether it is reasonable to pursue an investigation considering the specificity and reliability of the information, the seriousness of the alleged incident, and whether any individuals can be identified who were subjected to the alleged harassment.

3. **Initial Interview with Student:** When a student or parent/guardian has complained or provided information about sexual harassment, the principal or district coordinator for nondiscrimination shall describe the district's grievance procedure and discuss what actions are being sought by the student in response to the complaint. The student who is complaining shall have an opportunity to describe the incident, identify witnesses who may have relevant information, provide other evidence of the harassment, and put his/her complaint in writing. If the student requests confidentiality, he/she shall be informed that such a request may limit the district's ability to investigate.

SEXUAL HARASSMENT (cont.)

4. Investigation Process: The principal or district coordinator for nondiscrimination shall keep the complaint and allegation confidential, except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

The principal or district coordinator for nondiscrimination shall interview individuals who are relevant to the investigation, including, but not limited to, the student who is complaining, the person accused of harassment, anyone who witnessed the reported harassment, and anyone mentioned as having relevant information. The principal or district coordinator for nondiscrimination may take other steps such as reviewing any records, notes, or statements related to the harassment or visiting the location where the harassment is alleged to have taken place.

When necessary to carry out his/her investigation or to protect student safety, the principal or district coordinator for nondiscrimination also may discuss the complaint with the Superintendent or designee, the parent/guardian of the student who complained, the parent/guardian of the alleged harasser, a teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth, law enforcement and/or child protective services, and district legal counsel or the district's risk manager.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

5. Interim Measures: The principal or district coordinator for nondiscrimination shall determine whether interim measures are necessary during and pending the results of the investigation, such as placing students in separate classes or transferring a student to a class taught by a different teacher.
6. Optional Mediation: For student-on-student harassment, when the student who complained and the alleged harasser so agree, the principal or district coordinator for nondiscrimination may arrange for them to resolve the complaint informally with the help of a counselor, teacher, or administrator. The student who complained shall never be asked to work out the problem directly with the accused person unless such help is provided and both parties agree, and he/she shall be advised of the right to end the informal process at any time.

(cf. 5138 - Conflict Resolution)

SEXUAL HARASSMENT (cont.)

7. Factors in Reaching a Determination: In reaching a decision about the complaint, the principal or district coordinator for nondiscrimination may take into account:
- a. Statements made by the persons identified above
 - b. The details and consistency of each person's account
 - c. Evidence of how the complaining student reacted to the incident
 - d. Evidence of any past instances of harassment by the alleged harasser
 - e. Evidence of any past harassment complaints that were found to be untrue

To judge the severity of the harassment, the principal or district coordinator for nondiscrimination may take into consideration:

- a. How the misconduct affected one or more students' education
 - b. The type, frequency, and duration of the misconduct
 - c. The identity, age, and sex of the harasser and the student who complained, and the relationship between them
 - d. The number of persons engaged in the harassing conduct and at whom the harassment was directed
 - e. The size of the school, location of the incidents, and context in which they occurred
 - f. Other incidents at the school involving different students
8. Written Report on Findings and Follow-Up: No more than 30 days after receiving the complaint, the principal or district coordinator for nondiscrimination shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause. If an extension is needed, the principal or district coordinator for nondiscrimination shall notify the parent/guardian of the student who complained and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If it is determined that harassment occurred, the report shall also state that corrective actions have been taken to address the harassment and prevent any retaliation or further harassment. This report shall be presented to the student who complained, the person accused, the parents/guardians of the student who complained and the student, who was accused, and the Superintendent or designee.

In addition, the principal or district coordinator for nondiscrimination shall ensure that the harassed student and his/her parent/guardian are informed of the procedures for reporting any subsequent problems. The principal or district coordinator for nondiscrimination shall make follow-up inquiries to see if there have been any new incidents or retaliation and shall keep a record of this information.

SEXUAL HARASSMENT (cont.)

Enforcement of District Policy

The Superintendent or designee shall take appropriate actions to reinforce the district's sexual harassment policy. As needed, these actions may include any of the following;

1. Removing vulgar or offending graffiti

(cf. 5131.5 - Vandalism and Graffiti)

2. Providing information to students, staff, and parents/guardians about how to recognize harassment and how to respond

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

3. Disseminating and/or summarizing the district's policy and regulation regarding sexual harassment

4. Communicating the school's response to parents/guardians and the community which are consistent with the laws regarding the confidentiality of student and personnel records

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 5125 - Student Records)

5. Taking appropriate disciplinary action.

In addition, disciplinary measures may be taken against any person who is found to have made a complaint of sexual harassment which he/she knew was not true

(cf. 4118 - Suspension/Disciplinary Action)

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

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

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

Notifications

A copy of the district's sexual harassment policy and regulation shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)

(cf. 5145.6 - Parental Notifications)

SEXUAL HARASSMENT (cont.)

2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted, including district websites (Education Code 231.5)
3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session (Education Code 231.5)
4. Appear in any school or district publication that sets forth the schools or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
5. Be provided to employees and employee organizations

(cf. 5145.6 - Parental Notifications)

Chino Valley Unified School District

Regulation approved: January 23, 1997

Revised: October 7, 1999

Revised: August 15, 2002

Revised: May 7, 2009

Revised: April 18, 2013

REVISED:

Chino Valley Unified School District

Our Motto:

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

DATE: August 15, 2013

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Patricia M. Miller, Assistant Superintendent, Educational Services

**SUBJECT: REVISION OF BOARD POLICY AND ADMINISTRATIVE
REGULATION 6164.6 INSTRUCTION – IDENTIFICATION AND
EDUCATION UNDER SECTION 504**

=====

BACKGROUND

Board policies, administrative regulations, and bylaws of the Board are routinely developed and revised as a result of changes in law, mandates, federal regulations, and current practice. The revised Board Policy 6164.6 Instruction – Identification and Education under Section 504 reflects new guidance from the U.S. Department of Education's Office for Civil Rights (OCR) clarifying districts' responsibility to provide opportunities for students with disabilities to participate in extracurricular athletic and other nonacademic programs or activities that constitute the overall educational program. The policy also adds new material regarding compliance with procedural safeguards and required notifications and contains a paragraph formerly in the Administrative Regulation regarding maintenance of a list of impartial hearing officers qualified to conduct Section 504 hearings. The Administrative Regulation has been updated to reflect OCR guidance which clarifies the extent to which the Americans with Disabilities Act (ADA) affects the definitions of "disability" and "substantially limits" for Section 504 purposes and also adds the designation of a district employee to serve as the district's Section 504 Coordinator, updates definitions of key terms to ensure consistency with federal law, and streamlines the section on "Procedural Safeguards."

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 6164.6 Instruction – Identification and Education under Section 504.

FISCAL IMPACT

None.

WMJ:PMM:lmc

IDENTIFICATION AND EDUCATION UNDER SECTION 504

The Board of Education BELIEVES THAT ALL CHILDREN, INCLUDING CHILDREN WITH DISABILITIES, SHOULD HAVE AN OPPORTUNITY TO LEARN IN A SAFE AND NURTURING ENVIRONMENT. THE DISTRICT SHALL WORK TO IDENTIFY CHILDREN WITH DISABILITIES WHO RESIDE WITHIN ITS JURISDICTION IN ORDER TO ENSURE THAT THEY RECEIVE EDUCATIONAL AND RELATED ~~recognizes the need to identify and evaluate children with disabilities in order to provide them with the services required by law.~~

The SUPERINTENDENT OR DESIGNEE ~~District~~ shall provide IDENTIFIED STUDENTS WITH DISABILITIES a free appropriate public education, ~~to students who reside within the District and who are classified as disabled~~ AS DEFINED under Section 504 of the federal Rehabilitation Act of 1973. Such students shall receive regular or special education and related aids and services designed to meet their individual educational needs as adequately as the needs of nondisabled students are met. (34 CFR 104.33)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 0430 - Comprehensive Local Plan for Special Education)
(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.23 - Asthma Management)
(cf. 5141.24 - Specialized Health Care Services)
(cf. 5141.27 - Food Allergies/Special Dietary Needs)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

IN ADDITION, QUALIFIED STUDENTS WITH DISABILITIES SHALL BE PROVIDED AN EQUAL OPPORTUNITY TO PARTICIPATE IN PROGRAMS AND ACTIVITIES THAT ARE INTEGRAL COMPONENTS OF THE DISTRICT'S BASIC EDUCATION PROGRAM, INCLUDING, BUT NOT LIMITED TO, EXTRACURRICULAR ATHLETICS, INTERSCHOLASTIC SPORTS, AND/OR OTHER NONACADEMIC ACTIVITIES. (34 CFR 104.37)

(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6145.5 - Student Organizations and Equal Access)

In providing services to students with disabilities under Section 504, the Superintendent or designee shall ensure district compliance with law, including providing the students and their parents/guardians with applicable procedural safeguards and required notifications. Any dispute as to the identification, evaluation, or placement of any student with a disability shall be resolved in accordance with the processes specified in the "Procedural Safeguards" section of the accompanying administrative regulation.

The Superintendent or designee shall maintain a list of impartial hearing officers who are qualified and willing to conduct Section 504 hearings. To ensure impartiality, such

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (cont.)

officers shall not be employed by or under contract with the district in any other capacity except as hearing officer and shall not have any professional or personal involvement that would affect their impartiality or objectivity in the matter.

Legal Reference:

EDUCATION CODE

49423.5 Specialized physical health care services

CODE OF REGULATIONS, TITLE 5

3051.12 Health and Nursing Services

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

705 Definitions; Vocational Rehabilitation Act

794 Rehabilitation Act of 1973, Section 504

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 34

104.1-104.61 Nondiscrimination on the basis of handicap, especially:

104.1 Purpose to effectuate Section 504 of the Rehabilitation Act of 1973

104.3 Definitions

104.32 Location and notification

104.33 Free appropriate public education

104.34 Educational setting

104.35 Evaluation and placement

104.36 Procedural safeguards

COURT DECISIONS

Christopher S. v. Stanislaus County Office of Education, (2004) 384 F.3d 1205

Management Resources:

CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Rights of Students with Diabetes under IDEA and Section 504, Policy Brief, November 2007

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007

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

Dear Colleague Letter; January 2013

Dear Colleague Letter and Questions and Answers on ADA Amendments Act of 2008 for Students with Disabilities Attending Public Elementary and Secondary Schools; January 2012

Free Appropriate Public Education for Students with Disabilities: Requirements under Section 504 of the Rehabilitation Act of 1973, September 2007

WEBSITES

California School Boards Association: www.csba.org

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

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

Chino Valley Unified School District

Policy adopted: August 21, 1997

Revised: June 18, 2009

Reviewed: May 5, 2011

REVISED:

IDENTIFICATION AND EDUCATION UNDER SECTION 504

THE SUPERINTENDENT DESIGNATES THE FOLLOWING POSITION AS THE DISTRICT'S 504 COORDINATOR TO IMPLEMENT THE REQUIREMENTS OF SECTION 504 OF THE FEDERAL REHABILITATION ACT OF 1973: (34 CFR 104.7)

COLLEEN ALTON
COORDINATOR, CHILD WELFARE AND ATTENDANCE
5130 RIVERSIDE DRIVE, CHINO, CA 91710
(909) 628-1201 EXT 1322

Definitions

FOR THE PURPOSE OF IMPLEMENTING SECTION 504 OF THE REHABILITATION ACT OF 1973, THE FOLLOWING TERMS AND PHRASES SHALL HAVE ONLY THE MEANINGS SPECIFIED BELOW:

Free Appropriate Public Education (FAPE) ~~under Section 504 of the Federal Rehabilitation Act of 1973~~ means the provision of either regular or special education and related aids and services designed to meet the student's individual educational needs OF A STUDENT WITH DISABILITIES as adequately as the needs of nondisabled students are met, WITHOUT COST TO THE STUDENT OR HIS/HER PARENT/GUARDIAN, EXCEPT WHEN A FEE IS IMPOSED ON NONDISABLED STUDENTS. (34 CFR 104.33)

(cf. 3260 – Fees and Charges)

STUDENTS WITH A DISABILITY MEANS A STUDENT WHO HAS A PHYSICAL OR MENTAL IMPAIRMENT WHICH SUBSTANTIALLY LIMITS ONE OR MORE MAJOR LIFE ACTIVITIES. (34 CFR 104.3)

PHYSICAL IMPAIRMENT MEANS ANY PHYSIOLOGICAL DISORDER OR CONDITION, COSMETIC DISFIGUREMENT, OR ANATOMICAL LOSS AFFECTING ONE OR MORE OF THE FOLLOWING BODY SYSTEMS: NEUROLOGICAL; MUSCULOSKELETAL, SPECIAL SENSE ORGANS; RESPIRATORY, INCLUDING SPEECH ORGANS; CARDIOVASCULAR; REPRODUCTIVE, DIGESTIVE, GENITO-URINARY; HEMIC AND LYMPHATIC; SKIN; AND ENDOCRINE. (34 CFR 104.3)

MENTAL IMPAIRMENT MEANS ANY MENTAL OR PSYCHOLOGICAL DISORDER, SUCH AS MENTAL RETARDATION, ORGANIC BRAIN SYNDROME, EMOTIONAL OR MENTAL ILLNESS, AND SPECIFIC LEARNING DISABILITIES. (34 CFR 104.3)

SUBSTANTIALLY LIMITS MAJOR LIFE ACTIVITIES MEANS LIMITING A PERSON'S ABILITY TO PERFORM FUNCTIONS SUCH AS CARING FOR HIMSELF/HERSELF, PERFORMING MANUAL TASKS, SEEING, HEARING, EATING, SLEEPING, WALKING, STANDING, LIFTING, BENDING, SPEAKING, BREATHING, LEARNING, READING, CONCENTRATING, THINKING, COMMUNICATING AND WORKING.

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (cont.)

MAJOR LIFE ACTIVITIES ALSO INCLUDES MAJOR BODILY FUNCTIONS SUCH AS FUNCTIONS OF THE IMMUNE SYSTEM, NORMAL CELL GROWTH, AND DIGESTIVE, BOWEL, BLADDER, NEUROLOGICAL, BRAIN, RESPIRATORY, CIRCULATORY, ENDOCRINE, AND REPRODUCTIVE FUNCTIONS. SUBSTANTIALLY LIMITS SHALL BE DETERMINED WITHOUT REGARD TO THE AMELIORATIVE EFFECTS OF MITIGATING MEASURES OTHER THAN ORDINARY EYEGLASSES OR CONTACT LENSES. MITIGATING MEASURES INCLUDE, BUT ARE NOT LIMITED TO, MEDICATIONS, PROSTHETIC DEVICES, ASSISTIVE DEVICES, LEARNED BEHAVIORAL, OR ADAPTIVE NEUROLOGICAL MODIFICATIONS WHICH AN INDIVIDUAL MAY USE TO ELIMINATE OR REDUCE THE EFFECTS OF AN IMPAIRMENT. (42 USC 12102; 34 CFR 104.3)

~~Eligibility to receive FAPE under Section 504 means a student has a physical or mental impairment which substantially limits one or more major life activities. (34 CFR 104.33) Major life activities means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. (34 CFR 104.3)~~

~~Physical or mental impairment means any of the following: (34 CFR 104.3)~~

- ~~1. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genito-urinary; hemic and lymphatic; skin; and endocrine~~
- ~~2. Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities~~

District Coordinator for Implementation of Section 504

~~The District has designated the following individual to coordinate its efforts to comply with the requirements of law, board policy, and administrative regulation pertaining to the implementation of Section 504: (34 CFR 104.7)~~

~~Coordinator of Child Welfare and Attendance
13453 Ramona Avenue, Chino, CA 91710
909-628-1201 ext 7750~~

~~(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 5145.3 - Nondiscrimination/Harassment of Students)~~

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (cont.)

Referral, Identification, and Evaluation

ANY ACTION OR DECISION TO BE TAKEN BY THE DISTRICT INVOLVING THE REFERRAL, IDENTIFICATION, OR EVALUATION OF A STUDENT WITH DISABILITIES SHALL BE IN ACCORDANCE WITH THE FOLLOWING PROCEDURES:

1. ~~Any student may be referred by~~ A parent/guardian, teacher, other school employee, student success team, or community agency MAY REFER A STUDENT TO THE PRINCIPAL OR SCHOOL 504 COORDINATOR FOR IDENTIFICATION ~~for consideration of eligibility as a disabled student WITH A DISABILITY under Section 504. This referral may be made to the principal or School Section 504 Coordinator.~~

(cf. 6164.5 - Student Success Teams)

2. Upon receipt of a referral ~~for eligibility determination~~, the principal, ~~or~~ School Section 504 Coordinator, OR OTHER QUALIFIED INDIVIDUAL WITH EXPERTISE IN THE AREA OF THE STUDENT'S SUSPECTED DISABILITY shall consider the referral and determine whether an evaluation is appropriate. This determination shall be based on a review of the student's school records, including THOSE IN academic and nonacademic areas of the school program; consultation with the student's teacher(s), other professionals, and the parent/guardian, as appropriate; and analysis of the student's needs.

If it is determined that an evaluation is unnecessary, the principal or School Section 504 Coordinator shall inform the parents/guardians in writing of this decision and of the procedural safeguards AVAILABLE, as described in the "procedural safeguards" section below.

3. If it is determined that a student needs or is believed to need special education or related services under Section 504, the District shall conduct an evaluation of the student prior to initial placement ~~and before any significant change in placement.~~ (34 CFR 104.35)

Prior to conducting an initial evaluation of a student for eligibility under Section 504, the District shall obtain written parent/guardian consent.

The district's evaluation procedures shall ensure that tests and other evaluation materials: (34 CFR 104.35)

- a. Have been validated and are administered by trained personnel in conformance with the instruction provided by the test publishers

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (cont.)

- b. Are tailored to assess specific areas of educational need and are not MERELY DESIGNED TO PROVIDE ~~based solely on~~ a single GENERAL INTELLIGENCE QUOTIENT ~~IQ score~~
- c. Reflect THE STUDENT'S aptitude or achievement or whatever else the tests purport to measure RATHER THAN HIS/HER ~~and do not reflect the student's~~ impaired sensory, manual, or speaking skills, EXCEPT WHERE THOSE SKILLS ARE THE FACTORS THAT ~~unless the test~~ PURPORT TO MEASURE ~~is designed to measure these particular deficits~~

Section 504 Services Plan and Placement

SERVICES AND PLACEMENT DECISIONS FOR STUDENTS WITH DISABILITIES SHALL BE DETERMINED AS FOLLOWS:

1. A multi-disciplinary School Section 504 team shall be convened to review the evaluation data in order to make placement decisions.

The School Section 504 team shall consist of a group of persons knowledgeable about the student, the meaning of the evaluation data, and the placement options. (34 CFR 104.35)

In interpreting evaluation data and making placement decisions, the School Section 504 team shall draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior. The team shall also ensure that information obtained from all such sources is documented and carefully considered and that the placement decision is made in conformity with 34 CFR 104.34. (34 CFR 104.35)

2. If, upon evaluation, a student is determined to be eligible for services under Section 504, the School Section 504 team shall meet to develop a written Section 504 Accommodation Plan which shall specify the types of regular or special education services, accommodations, and supplementary aids and services necessary to ensure that the student receives a FAPE.

The parents/guardians shall be invited to participate in the meeting and shall be given an opportunity to examine all relevant records.

- (cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
- (cf. 5141.22 - Infectious Diseases)
- (cf. 5141.23 - Asthma Management)
- (cf. 5141.24 - Specialized Health Care Services)
- (cf. 5141.26 - Tuberculosis Testing)
- (cf. 5141.27 - Food Allergies/Special Dietary Needs)

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (cont.)

3. If the School Section 504 team determines that no services are necessary for the student, the record of the team's meeting shall reflect whether or not the student has been identified as a disabled person under Section 504 and shall state the basis for the decision that no special services are presently needed. The student's parent/guardian shall be informed in writing of his/her rights and procedural safeguards, as described in the "procedural safeguards" section below.
4. The student shall be placed in the regular educational environment, unless the District can demonstrate that the education of the student in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. The student shall be educated with those who are not disabled to the maximum extent appropriate to his/her individual needs. (34 CFR 104.34)
5. The District shall complete the identification, evaluation, and placement process within a reasonable time frame.
6. A copy of the student's Section 504 Accommodation Plan shall be kept in his/her student record. The student's teacher(s) and any other staff who provide services to the student shall be informed of the accommodation plan requirements.

If a student transfers to another school within the District, the principal or designee at the school from which the student is transferring shall ensure that the principal or designee at the new school receives a copy of the accommodation plan prior to the student's enrollment in the new school.

(cf. 5125 - Student Records)

Review and Reevaluation

The School Section 504 team shall monitor the progress of the student and, AT LEAST ANNUALLY, SHALL REVIEW the effectiveness of the student's Section 504 Accommodation Plan to determine whether the services are appropriate and necessary and whether the student's needs are being met as adequately as the needs of nondisabled students. ~~The team shall review the student's accommodation plan annually.~~ In addition, EACH STUDENT WITH A DISABILITY UNDER SECTION 504 the student's eligibility under Section 504 shall be reevaluated at least once every three years.

A reevaluation of the student's needs shall be conducted before any subsequent significant change in placement. (34 CFR 104.35)

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

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

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (cont.)**Procedural Safeguards**

THE SUPERINTENDENT OR DESIGNEE SHALL NOTIFY THE parents/guardians OF STUDENTS WITH DISABILITIES OF ALL ACTIONS AND DECISIONS BY THE DISTRICT ~~shall be notified in writing of all district decisions~~ regarding the identification, evaluation, or educational placement of CHILDREN ~~students with disabilities or suspected disabilities~~. HE/SHE ALSO SHALL NOTIFY THE PARENTS/GUARDIANS OF ALL THE PROCEDURAL SAFEGUARDS AVAILABLE TO THEM IF THEY DISAGREE WITH THE DISTRICT'S ACTION OR DECISION, INCLUDING AN OPPORTUNITY TO EXAMINE ALL RELEVANT RECORDS AND AN IMPARTIAL HEARING IN WHICH THEY SHALL HAVE THE RIGHT TO PARTICIPATE. ~~Notifications shall include a statement of their right to:~~ (34 CFR 104.36)

(cf. 6159.1 – Procedural Safeguards and Complaints for Special Education)

1. ~~Examine relevant records~~
2. ~~Have an impartial hearing with an opportunity for participation by the parents/guardians and their counsel~~
3. ~~Have a review procedure~~

~~Notifications shall also detail the parent/guardian's right to file a grievance with the district over an alleged violation of Section 504; have an evaluation that draws on information from a variety of sources; be informed of any proposed actions related to eligibility and Section 504 Accommodation Plan for services; receive all information in the parent/guardian's native language and primary mode of communication; periodic reevaluations and an evaluation before any significant change in program/service modifications; an impartial hearing if there is a disagreement with the district's proposed action; be represented by counsel in the impartial hearing process; and appeal the impartial hearing officer's decision.~~

If a parent/guardian disagrees with ANY DISTRICT ACTION OR ~~the~~ decisions regarding the identification, evaluation, or educational placement of his/her child under Section 504, he/she may request a Section 504 due process hearing WITHIN 30 DAYS OF THAT ACTION OR DECISION. ~~in accordance with the following procedures:~~

PRIOR TO REQUESTING A SECTION 504 DUE PROCESS HEARING, THE PARENT/GUARDIAN MAY, AT HIS/HER DISCRETION, BUT WITHIN 30 DAYS OF THE DISTRICT'S ACTION OR DECISION, REQUEST AN ADMINISTRATIVE REVIEW OF THE ACTION OR DECISION. THE SCHOOL 504 COORDINATOR SHALL DESIGNATE AN APPROPRIATE ADMINISTRATOR TO MEET WITH THE PARENT/GUARDIAN TO ATTEMPT TO RESOLVE THE ISSUE AND THE ADMINISTRATIVE REVIEW SHALL BE HELD WITHIN 14 DAYS OF RECEIVING THE PARENT/GUARDIAN'S REQUEST. IF THE PARENT/GUARDIAN IS NOT SATISFIED WITH THE RESOLUTION OF THE ISSUE, HE/SHE MAY REQUEST A SECTION 504 DUE PROCESS HEARING.

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (cont.)

SECTION 504 DUE PROCESS HEARING SHALL BE CONDUCTED IN ACCORDANCE WITH THE FOLLOWING PROCEDURES:

1. THE PARENT/GUARDIAN SHALL SUBMIT ~~Within 30 days of receiving the Section 504 Accommodation Plan,~~ file a written REQUEST TO ~~complaint with the~~ Section 504 Coordinator WITHIN 30 DAYS OF RECEIVING THE DISTRICT'S DECISION OR, IF AN ADMINISTRATIVE REVIEW IS HELD, ~~detailing his/her disagreement and request that the Section 504 Team review the plan in an attempt to resolve the disagreement. This review shall be held within 14 days of~~ THE COMPLETION OF THE REVIEW. THE REQUEST FOR THE DUE PROCESS HEARING SHALL INCLUDE: ~~receiving the parent/guardian's request and the parent/guardian shall be invited to attend the meeting at which the review is conducted.~~
2. ~~If disagreement continues, request in writing that the Superintendent or designee review the plan. This review shall be held within 14 days of receiving the parent/guardian's request, and the parent/guardian shall be invited to meet with the Superintendent or designee to discuss the review.~~
3. ~~If disagreement continues, request in writing a Section 504 Due Process Hearing. The request shall include:~~
 - a. The specific nature of the decision with which the HE/SHE ~~parent/guardian~~ disagrees
 - b. The specific relief HE/SHE ~~the parent/guardian~~ seeks
 - c. Any other information HE/SHE ~~the parent/guardian~~ believes IS pertinent TO RESOLVING THE DISAGREEMENT
2. Within 30 work days of receiving the parent/guardian's request, the Superintendent or designee and District Section 504 Coordinator shall select an impartial hearing officer. This 30-day deadline may be extended for good cause or by mutual agreement of the parties.

~~The District Section 504 Coordinator shall maintain a list of impartial hearing officers who are qualified and willing to conduct Section 504 hearings. To ensure impartiality, such officers shall not be employed by or under contract with the district in any capacity other than that of hearing officer and shall not have any professional or personal involvement that would affect their impartiality or objectivity in the matter.~~

3. Within 45 work days of the selection of the hearing officer, the Section 504 due process hearing shall be conducted and a written decision mailed to all parties. This 45 workday deadline may be extended for good cause or by mutual agreement of the parties.

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (cont.)

4. THE PARTIES ~~Any party~~ to the hearing shall be afforded the right to:
- a. Be accompanied and advised by counsel and by individuals with special knowledge or training related to the problems of students WITH DISABILITIES ~~who are qualified as disabled~~ under Section 504
 - b. Present written and oral evidence
 - c. Question and cross-examine witnesses
 - d. Receive written findings by the hearing officer STATING THE DECISION AND EXPLAINING THE REASONS FOR THE DECISION

If desired, either party may seek a review of the hearing officer's decision by a federal court of competent jurisdiction.

Notifications

The Superintendent or designee shall ensure that the district has taken appropriate steps to notify students and parents/guardians of the district's duty under Section 504. (34 CFR 104.32)

Chino Valley Unified School District

Regulation approved: August 21, 1997

Revised: May 7, 2009

Revised: April 7, 2011

Reviewed: December 8, 2011

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: August 15, 2013
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Patricia M. Miller, Assistant Superintendent, Educational Services
SUBJECT: **SAN BERNARDINO COUNTY SUPERINTENDENT OF SCHOOLS
WILLIAMS FINDINGS DECILE 1-3 SCHOOLS FOURTH
QUARTERLY REPORT 2012/2013**

=====

BACKGROUND

California Education Code 1240 requires that the San Bernardino County Superintendent of Schools visit all decile 1-3 schools (Williams monitored schools currently based on the 2009 Academic Performance Index and all Quality Education Investment Act schools) identified in the county and report the results of findings on a quarterly basis to ensure compliance with the Williams Legislation. The San Bernardino County Superintendent of Schools office is required to file quarterly reports on schools progress in rectifying any findings. The attached report serves as the district fourth quarterly report for the 2012/2013 school year.

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 San Bernardino County Superintendent of Schools Williams Findings Decile 1-3 Schools Fourth Quarterly Report 2012/2013.

FISCAL IMPACT

None.

WMJ:PMM:lmc



Gary S. Thomas, Ed.D., Superintendent

San Bernardino County Superintendent of Schools

July 15, 2013

Mr. Wayne M. Joseph, Superintendent
Chino Valley Unified School District
5130 Riverside Drive
Chino, CA 91710

Dear Mr. Joseph,

California Education Code section 1240 requires that I visit all deciles 1-3 schools (*Williams* monitored schools currently based on the 2009 Academic Performance Index [API]) identified in our county and report to you the results of my findings on a quarterly basis. Commencing with 2008/09, Education Code section 52055.740 (4) requires that my visits include Quality Education Investment Act schools (even if they are not currently identified as *Williams* monitored schools) as they are subject to meeting all of the *Williams* Settlement requirements.

The instructional materials sufficiency reviews, facilities inspections, School Accountability Report Card (SARC) reviews, and California High School Exit Examination (CAHSEE) site validation reviews (as appropriate) were conducted during the first quarter of the 2012/13 fiscal year and the findings were reported to you in October 2012. The *Valenzuela* Documentation Review (as appropriate) was conducted during the third quarter of 2012/13 and the findings were reported to you in April 2013. The teacher assignment monitoring review was completed in the fourth quarter of 2012/13 and the results are included in this report.

In summary, there are no findings to report in the following areas:

1. **Instructional Materials**
2. **School Facilities**
3. **SARC**
4. **CAHSEE Intensive Instruction and Services**

In summary, my findings were as follows:

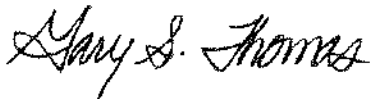
5. **Teacher Assignment Monitoring**

The teacher assignment monitoring and review process for the 2012/13 fiscal year began November 30, 2012 and concluded by report to the California Commission on Teacher Credentialing on July 10, 2013. Please see attachment for teacher assignment monitoring findings. Keep in mind the totals in columns B and C reflect numbers of classroom periods – not number of teachers.

This report serves as your district's *fourth quarterly report* for the 2012/13 fiscal year. Please agendaize this report for your next regularly scheduled Board meeting.

It has been a pleasure to work in partnership with you and the staff of the Chino Valley Unified School District.

Sincerely,

A handwritten signature in cursive script that reads "Gary S. Thomas".

Gary S. Thomas, Ed.D.
County Superintendent

Enclosure

cc: Ms. Sylvia Orozco, Board President
Mrs. Patricia M. Miller, Williams Liaison
Mr. Theodore Alejandre, SBCSS Assistant Superintendent, Business Services

**Chino Valley Unified School District
Williams Teacher Assignment Monitoring Data
2012-13**

2009 API Cohort District	School Name	Enrollment	EL Enrollment	Decile	(A)	(B)	(C)
					Number of classes with 20% or more English Learners	Number of a teacher holding appropriate English Learner Authorization	Number of a teacher with a teacher not holding appropriate English Learner Authorization
Chino Valley	Dickson Elementary	647	242	3	20	20	0
		647	242		20	20	0

Chino Valley Unified School District

Our Motto:

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DATE: August 15, 2013

TO: Members, Board of Education

FROM: Wayne M. Joseph, Superintendent

PREPARED BY: Patricia M. Miller, Assistant Superintendent, Educational Services
Stephanie Johnson, Director, Student Support Services

SUBJECT: 2012/2013 SECOND SEMESTER STUDENT EXPULSION REPORT

=====

BACKGROUND

In order to provide the Board of Education with regular and summative expulsion information, an expulsion report will be presented on a semester basis. This report will indicate the number of students recommended for expulsion, the offense, and the disposition of each case. The second semester of 2012/2013 there were 31 students recommended for expulsion, 16 students were expelled.

In accordance with Board Policy 5144.1, policies and standards of behavior are established 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 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.

The zero tolerance approach makes the removal of potentially dangerous students from the classroom a top priority, ensures fair and equal treatment of all students, and requires that all offenders be punished to the fullest extent allowed by law. Staff shall immediately report to the Superintendent or designee any incidence of offenses specified in law, board policy and administrative regulation as cause for suspension or expulsion.

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 2012/2013 second semester expulsion report.

FISCAL IMPACT

None.

WMJ:PMM:SJ:mg

Chino Valley Unified School District
Student Expulsion Report
2012/2013 Second Semester

Expulsion Hearing Administrative Panel/Board Recommendation	Full Expulsion	Full Expulsion	Suspended Enforcement	Not Recommended	Not Recommended
Each expelled pupil is ordered to complete a plan of rehabilitation prior to application for readmission.	<u>Timeline</u> One calendar year.	<u>Timeline</u> Current semester and/or next semester.	<u>Timeline</u> Current semester and/or next semester.	Rescinded by School Site Principal.	Expulsion Hearing Administrative Panel or Board decision.
48900(a)(1) Caused, attempted to cause, or threatened to cause physical injury to another person.		3		2	
48900 (a)(2) Willfully used force or violence upon the person of another, except in self -defense.				1	
48900(b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object.				2	
48900 (c) Unlawfully possessed, used, sold otherwise furnished, or been under the influence of any controlled substance.		1		2	
48900(r) Engaged in an act of bullying.				2	
48900.4 Intentionally engaged in harassment, threats, or intimidation, against school personnel, a pupil or group of pupils.				1	
48915 (a)(1) Causing serious physical injury to another person, except in self-defense.		1			
48915 (a)(2) Possession of any knife or other dangerous object of no reasonable use to the pupil.		2		1	1
48915 (a)(3) Unlawful possession of any controlled substance.		2		1	1
48915 (a)(5) Assault or battery upon any school employee.		2	2		1
48915 (c)(2) Brandishing a knife at another person.				1	
48915 (c)(3) Unlawfully selling a controlled substance.	2				
48915(c)(4) Committing or attempting to commit a sexual assault	1				
TOTALS	3	11	2	13	2

CHINO VALLEY UNIFIED SCHOOL DISTRICT

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Humility • Civility • Service

DATE: August 15, 2013
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Norm Enfield, Ed.D., Assistant Superintendent, Human Resources
Michelle J. Harold, Ed.D., Director, Human Resources
**SUBJECT: REVISION OF BOARD POLICY AND ADMINISTRATIVE
REGULATION 1312.3 COMMUNITY RELATIONS – UNIFORM
COMPLAINT PROCEDURES**

=====

BACKGROUND

Board policies, administrative regulations, and bylaws of the Board are routinely developed and revised as a result of changes in law, mandates, federal regulations, and current practice. Board Policy and Administrative Regulation 1312.3 Community Relations – Uniform Complaint Procedures are being updated to include California Code of Regulations, Title 5 requirement that the name, title, office address, and telephone number of the compliance officer be made available to students, parents, and employees of the District.

New language is provided in UPPER CASE.

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

RECOMMENDATION

It is recommended the Board of Education receive for information the revision of Board Policy and Administrative Regulation 1312.3 Community Relations – Uniform Complaint Procedures.

FISCAL IMPACT

None.

WMJ:NE:MJH:smr

UNIFORM COMPLAINT PROCEDURES

The Board of Education recognizes the District has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The District shall investigate and seek to resolve any complaints alleging failure to comply with such laws and/or alleging unlawful discrimination, harassment, intimidation, or bullying in accordance with the District's uniform complaint procedures.

The District shall use the uniform complaint procedures to address any complaint alleging unlawful discrimination, harassment, intimidation, or bullying in District programs and activities based on actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Penal Code 422.55, or Government Code 11135, or based on association with a person or group with one or more of these actual or perceived characteristics.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 4030 - Nondiscrimination in Employment)
(cf. 4031 - Complaints Concerning Discrimination in Employment)
(cf. 5131.2 - Bullying)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

Uniform complaint procedures shall also be used to address any complaints alleging the District's failure to comply with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities, the requirements for the development and adoption of a school safety plan, and state and/or federal laws in adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 3260 - Fees and Charges)
(cf. 3320 - Claims and Actions Against the District)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 3555 - Nutrition Program Compliance)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5148 - Child Care and Development)

UNIFORM COMPLAINT PROCEDURES (cont.)

(cf. 6159 - Individualized Education Program)
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English Language Learners)
(cf. 6175 - Migrant Education Program)
(cf. 6178 - Career Technical Education)
(cf. 6178.1 - Work-Based Learning)
(cf. 6178.2 - Regional Occupational Center/Program)
(cf. 6200 - Adult Education)

The Board prohibits any form of retaliation against any complainant in the complaint process. Participation in the complaint process shall not in any way affect the status, grades, or work assignments of the complainant.

The Board encourages the early, informal resolution of complaints at the site level whenever possible.

The Board recognizes that a neutral mediator can often suggest a compromise that is agreeable to all parties in a dispute. In accordance with uniform complaint procedures, whenever all parties to a complaint agree to try resolving their problem through mediation, the Superintendent or designee shall initiate that process. The Superintendent or designee shall ensure that the results are consistent with state and federal laws and regulations.

In investigating complaints, the confidentiality of the parties involved and the integrity of the process shall be protected. As appropriate, for any complaint alleging discrimination, harassment, intimidation, or bullying, the Superintendent or designee may keep the identity of a complainant confidential to the extent that the investigation of the complaint is not obstructed.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

The District's Williams uniform complaint procedures, Administrative Regulation 1312.4, shall be used to investigate and resolve any complaint related to the following:

1. Sufficiency of textbooks or instructional materials.
2. Emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff.
3. Teacher vacancies and misassignments.

UNIFORM COMPLAINT PROCEDURES (cont.)

4. Deficiency in the District's provision of instruction and/or services to any student who, by the completion of grade 12, has not passed one or both parts of the high school exit examination.

(cf. 1312.4 - Williams Uniform Complaint Procedures)

This complaint procedure will be disseminated to all employees, in written form, and a signed certification by the site/department administrator will be obtained. This procedure is being provided as part of the parent/pupil information packet distributed annually to parents/guardians at the beginning of the first semester of each school year.

Additionally, the procedure will be posted at a prominent place at each school site and at the District office and will become a part of every employee and pupil handbook.

Complaint forms are available at each school site and District office.

COMPLIANCE OFFICERS

THE BOARD OF EDUCATION DESIGNATES THE FOLLOWING COMPLIANCE OFFICER(S) TO RECEIVE AND INVESTIGATE COMPLAINTS AND ENSURE DISTRICT COMPLIANCE WITH LAW:

WAYNE M. JOSEPH, SUPERINTENDENT
(909) 628-1201 ext. 1100

NORM ENFIELD, ED.D., ASSISTANT SUPERINTENDENT OF HUMAN
RESOURCES (*COMPLIANCE OFFICER*)
(909) 628-1201 ext. 1110

CHINO VALLEY UNIFIED SCHOOL DISTRICT
5130 RIVERSIDE DRIVE, CHINO, CA 91710

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
8200-8498 Child care and development programs
8500-8538 Adult basic education
18100-18203 School libraries
32289 School safety plan, uniform complaint procedures
35186 Williams uniform complaint procedures
37254 Intensive instruction and services for students who have not passed exit exam
41500-41513 Categorical education block grants
48985 Notices in language other than English
49010-49013 Student fees
49060-49079 Student records
49490-49590 Child nutrition programs

UNIFORM COMPLAINT PROCEDURES (cont.)

52160-52178 Bilingual education programs
52300-52490 Career technical education
52500-52616.24 Adult schools
52800-52870 School-based program coordination
54000-54028 Economic impact aid programs
54100-54145 Miller-Unruh Basic Reading Act
54400-54425 Compensatory education programs
54440-54445 Migrant education
54460-54529 Compensatory education programs
56000-56867 Special education programs
59000-59300 Special schools and center
64000-64001 Consolidated application process

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state
12900-12996 Fair Employment and Housing Act

PENAL CODE

422.55 Hate crime; definition
422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

3080 Application of section
4600-4687 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

6301-6577 Title I basic programs
6601-6777 Title II preparing and recruiting high quality teachers and principals
6801-6871 Title III language instruction for limited English proficient and immigrant students
7101-7184 Safe and Drug-Free Schools and Communities Act
7201-7283g Title V promoting informed parental choice and innovative programs
7301-7372 Title V rural and low-income school programs

Management Resources:

WEBSITES

California School Boards Association: www.csba.org
California Department of Education: www.cde.ca.gov
U.S. Department of Education, Office for Civil Rights: www.ed.gov/about/offices/list/ocr

Chino Valley Unified School District

Policy adopted: October 19, 1995

Revised: September 4, 2003

Revised: December 9, 2004

Revised: September 1, 2005

Revised: October 15, 2009

Revised: August 16, 2012

Revised: June 13, 2013

REVISED:

UNIFORM COMPLAINT PROCEDURES

Except as the Board of Education may otherwise specifically provide in other board policies, the Uniform Complaint Procedures shall be used only to investigate and resolve complaints alleging violations of federal or state laws or regulations governing specific educational programs, the prohibition against requiring students to pay fees, deposits, or other charges for participating in educational activities, and unlawful discrimination, harassment, intimidation, or bullying, as specified in accompanying board policy.

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 4031 - Complaints Concerning Discrimination in Employment)

The District's Uniform Complaint Procedures policy and administrative regulation shall be posted in all District schools and offices, including staff lounges and student government meeting rooms. If fifteen (15) percent or more of students enrolled in a particular school district speak a single primary language other than English, the District's policy, regulation, forms, and notices concerning uniform complaint procedures shall be translated into that language. (Education Code 234.1, 48985)

(cf. 5145.6 - Parental Notifications)

Compliance Officers

The Board of Education designates the following compliance officer(s) to receive and investigate complaints and ensure District compliance with law:

WAYNE M. JOSEPH, Superintendent
(909) 628-1201 ext. 1100

NORM ENFIELD, ED.D., Assistant Superintendent of Human Resources
(*Compliance Officer*)
(909) 628-1201 ext. 1110

Chino Valley Unified School District
5130 Riverside Drive, Chino, CA 91710

At the direction of the compliance officer additional District administrators will assist in investigations within their area of expertise as follows:

- a) SANDRA H. CHEN, Assistant Superintendent of Business Services, or designee;
- b) VICTORIA L. BROBERG, Assistant Superintendent of Curriculum and Instruction, or designee;

UNIFORM COMPLAINT PROCEDURES (cont.)

- c) PATRICIA M. MILLER, Assistant Superintendent of Educational Services, or designee; or
- d) GREGORY J. STACHURA, Assistant Superintendent of Facilities, Planning and Operations, or designee.

The Superintendent or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Superintendent or designee.

(cf. 9124 - Attorney)

Notifications

The compliance officer or designee shall annually provide written notification of the District's uniform complaint procedures to employees, the District advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (Education Code 262.3, 49013; 5 CCR 4622)

The Director of Student Support Services shall annually provide written notification of the District's uniform complaint procedures to students and parents/guardians through its annual distribution of the parent information handbook.

(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committees)
(cf. 3260 - Fees and Charges)
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

The notice shall:

1. Identify the person(s), positions(s), or unit(s) responsible for receiving complaints.
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination laws, if applicable.
3. Advise the complainant of the appeal process pursuant to Education Code 262.3, including the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies.

UNIFORM COMPLAINT PROCEDURES (cont.)

4. Include statements that:
 - a. The District has primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.
 - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
 - c. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying.
 - d. The complainant has a right to appeal the District's decision to the CDE by filing a written appeal within 15 days of receiving the District's decision.
 - e. The appeal to the CDE must include a copy of the complaint filed with the District and a copy of the District's decision.
 - f. Copies of the District's uniform complaint procedures are available free of charge.

Procedures

The following procedures shall be used to address all complaints which allege that the District has violated federal or state laws or regulations governing educational programs or has committed unlawful discrimination.

All complaints shall be investigated and resolved within 60 days of the District's receipt of the complaint.

Compliance officers shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with 5 CCR 4631 and 4633.

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

UNIFORM COMPLAINT PROCEDURES (cont.)

Step 1: Filing of Complaint

Any individual, public agency or organization may file a written complaint of the District's alleged noncompliance with federal or state law or regulations governing educational programs. (5 CCR 4630)

A complaint concerning unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation, or bullying or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged discrimination, harassment, intimidation, or bullying occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying. However, upon written request by the complainant, the Superintendent or designee may extend the filing period for up to 90 days. (5 CCR 4630)

A complaint alleging noncompliance with the law regarding the prohibition against requiring students to pay student fees, deposits, and charges may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. (Education Code 49013)

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, District staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

Step 2: Mediation

Within three days of receiving the complaint, the compliance officer may informally discuss with all the parties the possibility of using mediation. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging discrimination, harassment, intimidation, or bullying, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

UNIFORM COMPLAINT PROCEDURES (cont.)

The use of mediation shall not extend the District's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. (5 CCR 4631)

Step 3: Investigation of Complaint

Within ten (10) days of receiving the complaint, the compliance officer or designee shall provide the complainant and/or his/her representative an opportunity to present the complaint and any evidence, or information leading to evidence, to support the allegations in the complaint. The compliance officer or designee also shall collect all documents and interview all witnesses with information pertinent to the complaint.

A complainant's refusal to provide the District's compliance officer or designee with documents or other evidence related to the allegations in the complaint, or his/her failure or refusal to cooperate in the investigation, or his/her engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of lack of evidence to support the allegation. (5 CCR 4631)

In accordance with law, the District shall provide the investigator with access to records and/or other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the District to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

Step 4: Response

Unless extended by written agreement with the complainant, the compliance officer or designee shall prepare and send to the Superintendent and the complainant a written report of the District's investigation and decision (findings), as described in Step 5 below, within 60 days of the District's receipt of the complaint. (5 CCR 4631)

Step 5: Final Written Decision

The District's decision shall be in writing and sent to the complainant. (5 CCR 4631)

The District's decision shall be written in English and, when required by Education Code 48985, in the complainant's primary language.

UNIFORM COMPLAINT PROCEDURES (cont.)

For all complaints, the decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered.
2. The conclusion(s) of law.
3. Disposition of the complaint.
4. Rationale for such disposition.
5. Corrective actions, if any are warranted.
6. Notice of the complainant's right to appeal the District's decision within 15 calendar days to the CDE and procedures to be followed for initiating such an appeal.
7. If an investigation of a complaint results in discipline to a student or an employee, the decision shall simply state that effective action was taken and that the student or employee was informed of District expectations. The report shall not give any further information as to the nature of the disciplinary action.
8. Any support or services offered and/or provided to complainant.

In addition, any decision concerning a discrimination, harassment, intimidation, or bullying complaint based on state law shall include a notice that the complainant must wait until 60 CALENDAR days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. (Education Code 262.3)

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges is found to have merit, the District shall provide a remedy to all affected students and parents/guardians, which, where applicable, shall include reasonable efforts to ensure full reimbursement to them. (Education Code 49013)

Appeals to the Department of Education

If dissatisfied with the District's decision, the complainant may appeal in writing to the CDE within 15 days of receiving the District's decision. (Education Code 49013; 5 CCR 4632)

UNIFORM COMPLAINT PROCEDURES (cont.)

The complainant shall file his/her appeal within 15 calendar days of receiving the District's decision and the appeal shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the District's decision. (5 CCR 4632)

Upon notification by the CDE that the complainant has appealed the District's decision, the Superintendent or designee shall forward the following documents to the CDE: (5 CCR 4633)

1. A copy of the original complaint.
2. A copy of the decision.
3. A summary of the nature and extent of the investigation conducted by the District, if not covered by the decision.
4. A copy of the investigation file, including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator.
5. A report of any action taken to resolve the complaint.
6. A copy of the District's complaint procedures.
7. Other relevant information requested by the CDE.

The CDE may directly intervene in the complaint without waiting for action by the District when one of the conditions listed in 5 CCR 4650 exists, including when the District has not taken action within 60 calendar days of the date the complaint was filed with the District. (5 CCR 4650)

Civil Law Remedies

A complainant may pursue available civil law remedies outside of the District's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders.

For complaints alleging discrimination, harassment, intimidation, and bullying based on state law, a complainant shall wait until 60 calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies, provided the District has appropriately and in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622. The moratorium does not apply to injunctive relief and to discrimination complaints based on federal law. (Education Code 262.3)

UNIFORM COMPLAINT PROCEDURES (cont.)

Chino Valley Unified School District

Regulation approved: October 19, 1995

Revised: November 20, 1997

Revised: May 9, 2002

Revised: December 9, 2004

Revised: October 1, 2009

Revised: July 19, 2012

Revised: May 23, 2013

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: August 15, 2013
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Norm Enfield, Ed.D., Assistant Superintendent, Human Resources
Michelle J. Harold, Ed.D., Director, Human Resources
**SUBJECT: REVISION OF BOARD POLICY AND ADMINISTRATIVE
REGULATION 4030 ALL PERSONNEL – NONDISCRIMINATION
IN EMPLOYMENT**

=====

BACKGROUND

Board policies, administrative regulations, and bylaws of the Board are routinely developed and revised as a result of changes in law, mandates, federal regulations, and current practice. Board Policy and Administrative Regulation 4030 All Personnel – Nondiscrimination in Employment are being updated to include California Code of Regulations, Title 5 requirement that the name, title, office address, and telephone number of the compliance officer be made available to students, parents, and employees of the District.

New language is provided in UPPER CASE.

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

RECOMMENDATION

It is recommended the Board of Education receive for information the revision of Board Policy and Administrative Regulation 4030 All Personnel – Nondiscrimination in Employment.

FISCAL IMPACT

None.

WMJ:NE:MJH:smr

NONDISCRIMINATION IN EMPLOYMENT

The Board of Education desires to provide a positive work environment where employees and job applicants are free from harassment and are assured of equal access and opportunities in accordance with law. The Board of Education prohibits any District employee from harassing or discriminating against any other District employee or job applicant on the basis of the person's actual or perceived race, religion, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, veteran status, gender, gender identity, gender expression, sex, or sexual orientation.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 4032 - Reasonable Accommodation)
(cf. 4033 - Lactation Accommodation)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)
(cf. 4154/4254/4354 - Health and Welfare Benefits)
(cf. 5145.7 - Sexual Harassment)

Prohibited discrimination consists of any adverse employment action, including termination or denial of promotion, job assignment, or training, based on any of the prohibited categories of discrimination listed above. Harassment consists of any unwelcome verbal, physical, or visual conduct that is based on any of the prohibited categories of discrimination listed above and that is so severe and pervasive that it adversely affects an individual's employment opportunities, has the purpose or effect of unreasonably interfering with the individual's work performance, or creates an intimidating, hostile, or offensive work environment.

The Board also prohibits retaliation against any District employee or job applicant who complains, testifies, assists, or in any way participates in the District's complaint procedures instituted pursuant to this policy.

Any District employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

(cf. 4117.4 - Dismissal)
(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

NONDISCRIMINATION IN EMPLOYMENT (cont.)

The Board designates the following position(s) as coordinator(s) for Nondiscrimination in Employment:

NORM ENFIELD, ED.D.
Assistant Superintendent, Human Resources
5130 Riverside Drive
Chino, California 91710-4310
(909) 628-1201 ext. 1110

Any employee or job applicant who believes that he/she has been or is being discriminated against or harassed in violation of District policy should, as appropriate, immediately contact his/her supervisor, the coordinator, or the Superintendent who shall advise the employee or applicant about the District's procedures for filing, investigating, and resolving any such complaint.

Any District employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to the principal, District administrator or Superintendent as soon as practical after the incident. Failure of a District employee to report discrimination or harassment may result in disciplinary action.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to the coordinator or Superintendent as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately.

Complaints regarding employment discrimination or harassment shall immediately be investigated in accordance with Administrative Regulation 4031 - Complaints Concerning Discrimination in Employment.

(cf. 4031 - Complaints Concerning Discrimination in Employment)

The Superintendent or designee shall regularly publicize within the District and in the community, the District's nondiscrimination policy and the availability of complaint procedures. Such publication shall be included in each announcement, bulletin or application form that is used in employee recruitment. (34 CFR 100.6, 106.9)

The District's policy and administrative regulation shall be posted in all schools and offices including staff lounges and student government meeting rooms. (5 CCR 4960)

NONDISCRIMINATION IN EMPLOYMENT (cont.)**Other Remedies**

An employee may, in addition to filing a discrimination complaint with the District, file a complaint with either the Equal Employment Opportunity Commission (EEOC) or the California Department of Fair Employment and Housing (DFEH). The time limits for filing such complaints are as follows:

1. To file a valid complaint directly with EEOC, the employee must file his/her complaint within 180 days of the alleged discriminatory act(s). To file a valid complaint with EEOC after filing a complaint with DFEH, the employee must file the complaint within 300 days of the alleged discriminatory acts(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier. (42 USC 2000e-5)
2. To file a valid complaint with DFEH, the employee must file his/her complaint within one year of the alleged discriminatory act(s) unless an exception exists pursuant to Government Code 12960. (Government Code 12960)

Employees wishing to file complaints with the DFEH and EEOC should contact the nondiscrimination coordinator for more information.

Legal Reference:EDUCATION CODE

200-262.4 Prohibition of discrimination

CIVIL CODE

51.7 Freedom from violence or intimidation

GOVERNMENT CODE

11135 Unlawful discrimination

12900-12996 Fair Employment and Housing Act

PENAL CODE

422.56 Definitions, hate crimes

CODE OF REGULATIONS, TITLE 2

7287.6 Terms, conditions and privileges of employment

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 29

621-634 Age Discrimination in Employment Act

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964, as amended

2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended

2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age discrimination in federally assisted programs

12101-12213 Americans with Disabilities Act

NONDISCRIMINATION IN EMPLOYMENT (cont.)

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 34

100.6 Compliance information

104.7 Designation of responsible employee for Section 504

104.8 Notice

106.8 Designation of responsible employee and adoption of grievance procedures

106.9 Dissemination of policy

110.1-110.39 Nondiscrimination on the basis of age

COURT DECISIONS

Thompson v. North American Stainless LP, (2011) 131 S.Ct. 863

Shephard v. Loyola Marymount, (2002) 102 Cal.App.4th 837

Management Resources:

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

Questions and Answers: Religious Discrimination in the Workplace, 2008

Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act, October 2002

Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999

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

Notice of Non-Discrimination, August 2010

WEBSITES

California Department of Fair Employment and Housing: www.dfeh.ca.gov

U.S. Department of Education, Office for Civil Rights: www.ed.gov/about/offices/list/ocr

U.S. Equal Employment Opportunity Commission: www.eeoc.gov

Chino Valley Unified School District

Policy adopted: November 16, 1995

Revised: March 23, 2000

Revised: April 20, 2000

Revised: September 16, 2010

Revised: September 6, 2012

REVISED:

NONDISCRIMINATION IN EMPLOYMENT**Discriminatory Harassment**

Harassment is unwelcome conduct that is based on a person's actual or perceived race, religion, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, veteran status, gender, gender identity, gender expression, sex or sexual orientation, or other attributes listed in the District's nondiscrimination policy.

1. Offensive conduct may include, but not limited to the following:
2. Slurs, epithets, threats, or verbal abuse.
3. Derogatory or degrading comments, descriptions, drawings, pictures or gestures.
4. Unwelcome jokes, stories or teasing.

Any other verbal, visual or physical conduct which adversely affects the individual's employment opportunities or has the purpose or effect of unreasonably interfering with his/her work performance or creating an intimidating, hostile or offensive working environment.

Harassment can occur in a variety of circumstances, including, but not limited to the following:

1. The harasser can be the victim's supervisor, a supervisor in another area, an agent of the employer, a co-worker, or a non-employee.
2. The victim does not have to be the person harassed, but can be anyone affected by the offensive conduct.
3. Unlawful harassment may occur without economic injury to, or discharge of, the victim.

Harassment becomes unlawful when enduring the offensive conduct becomes a condition of continued employment, or the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

NONDISCRIMINATION IN EMPLOYMENT (cont.)

Any employee or applicant for employment who feels that s/he is being unlawfully harassed should immediately contact his/her supervisor or the Superintendent or designee in order to obtain procedures for reporting a complaint. Such complaints can be filed in accordance with Administrative Regulation 4031 - Complaints Concerning Discrimination in Employment.

Any supervisor who receives a harassment complaint shall notify NORM ENFIELD, ED.D., the Assistant Superintendent of Human Resources, who shall ensure that the complaint is appropriately investigated. Discrimination complaint procedures prohibit retaliatory behavior against any complainant or any participant in the complaint process.

Chino Valley Unified School District

Regulation approved: November 16, 1995

Revised: September 2, 2010

Revised: August 16, 2012

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: August 15, 2013
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Norm Enfield, Ed.D., Assistant Superintendent, Human Resources
Michelle J. Harold, Ed.D., Director, Human Resources
SUBJECT: REVISION OF ADMINISTRATIVE REGULATION 4031 ALL PERSONNEL – COMPLAINTS CONCERNING DISCRIMINATION IN EMPLOYMENT

=====

BACKGROUND

Board policies, administrative regulations, and bylaws of the Board are routinely developed and revised as a result of changes in law, mandates, federal regulations, and current practice. Administrative Regulation 4031 All Personnel – Complaints Concerning Discrimination in Employment is being updated to include California Code of Regulations, Title 5 requirement that the name, title, office address, and telephone number of the compliance officer be made available to students, parents, and employees of the District.

New language is provided in UPPER CASE.

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

RECOMMENDATION

It is recommended the Board of Education receive for information the revision of Administrative Regulation 4031 All Personnel – Complaints Concerning Discrimination in Employment.

FISCAL IMPACT

None.

WMJ:NE:MJH:smr

COMPLAINTS CONCERNING DISCRIMINATION IN EMPLOYMENT

The Board of Education designates the following position(s) as Coordinator(s) for Nondiscrimination in Employment:

NORM ENFIELD, ED.D.
Assistant Superintendent, Human Resources
5130 RIVERSIDE DRIVE
CHINO, CA 91710
(909) 628-1201 ext. 1110

COMPLAINT PROCEDURE

Any complaint by an employee or job applicant alleging discrimination or harassment shall be addressed in accordance with the following procedures:

1. **Notice and Receipt of Complaint:** Any employee or job applicant (the "complainant") who believes he/she has been subjected to prohibited discrimination or harassment shall promptly inform his/her supervisor, the District's coordinator for Nondiscrimination in Employment, or the Superintendent.

The complainant may file a written complaint in accordance with this procedure, or if he/she is an employee, may first attempt to resolve the situation informally with his/her supervisor.

A supervisor or manager who has received information about an incident of discrimination or harassment, or has observed such an incident, shall report it to the coordinator or designee, whether or not the complainant files a written complaint.

The written complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, any witnesses who may have relevant information, other evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 4030 - Nondiscrimination in Employment)
(cf. 4032 - Reasonable Accommodation)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

2. **Investigation Process:** The coordinator or designee shall initiate an impartial investigation of an allegation of discrimination or harassment within ten (10) days of receiving notice of the behavior, regardless of whether a written complaint has been filed or whether the written complaint is complete. The coordinator may assign a staff member as his/her designee to conduct the investigation.

COMPLAINTS CONCERNING DISCRIMINATION IN EMPLOYMENT (cont.)

The coordinator or designee shall meet with the complainant to describe the District's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. The coordinator or designee shall inform the complainant that the allegations will be kept confidential to the extent possible, but that some information may be revealed as necessary to conduct an effective investigation.

(cf. 3580 - District Records)

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

If the coordinator or designee determines that a detailed fact-finding investigation is necessary, he/she shall begin the investigation immediately. As part of this investigation, the coordinator or designee should interview the complainant, the person accused, and other persons who could be expected to have relevant information.

When necessary to carry out his/her investigation or to protect employee or student safety, the coordinator or designee may discuss the complaint with the Superintendent or designee, District legal counsel, or the District's risk manager.

The coordinator or designee also shall determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed to ensure that further incidents do not occur. The coordinator or designee shall ensure that such interim measures do not constitute retaliation.

3. **Written Report on Findings and Corrective Action:** No more than sixty (60) working days after receiving the complaint, the coordinator shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause. If an extension is needed, the coordinator shall notify the complainant and explain the reasons for the extension.

For all complaints, the decision shall include:

- a. The findings of fact based on the evidence gathered.
- b. The conclusion(s) of law.
- c. Disposition of the complaint.
- d. Rationale for such disposition.
- e. Corrective actions, if any are warranted.
- f. Include a copy of Board Policy 4144, prohibiting retaliation.

COMPLAINTS CONCERNING DISCRIMINATION IN EMPLOYMENT (cont.)

The report shall be presented to the complainant, the person accused, and the Superintendent or designee.

4. **Appeal to the Superintendent:** The complainant or the person accused may appeal any findings to the Superintendent within ten (10) days of receiving the written report of the coordinator's findings. The Superintendent shall review the coordinator's findings, including the written complaint and all responses from District staff. The Superintendent shall respond to the complainant or the person accused in writing within thirty (30) days.
5. **Appeal to the Board of Education:** The complainant or the person accused may appeal any findings to the Board within ten (10) days of receiving the written report of the coordinator's findings. The Superintendent or designee shall provide the Board with all information presented during the investigation. Upon receiving an appeal, the Board shall schedule a hearing as soon as practicable. Any complaint against a District employee shall be addressed in closed session in accordance with law. The Board shall render its decision within ten (10) days.

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

Other Remedies

In addition to filing a discrimination or harassment complaint with the District, a person may also file a complaint with either the California Department of Fair Employment and Housing (DFEH) or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

1. To file a valid complaint with DFEH, within one year of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960 (Government Code 12960)
2. To file a valid complaint directly with EEOC, within 180 days of the alleged discriminatory act(s) (42 USC 2000e-5)
3. To file a valid complaint with EEOC after first filing a complaint with DFEH, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier (42 USC 2000e-5)

COMPLAINTS CONCERNING DISCRIMINATION IN EMPLOYMENT (cont.)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

GOVERNMENT CODE

12920-12921 Nondiscrimination

12940-12948 Discrimination prohibited; unlawful practices, generally

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 29

621-634 Age Discrimination in Employment Act

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964, as amended

2001e-2001e-17 Title VII, Civil Rights Act of 1964, as amended

2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008

2001h-2-2001h-6 Title IX of the Civil Rights Act of 1964

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 34

106.8 Designation of responsible employee for Title IX

Management Resources:

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act, October 2002

Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999

WEBSITES

California Department of Fair Employment and Housing: www.dfeh.ca.gov

U.S. Equal Employment Opportunity Commission: www.eeoc.gov

Chino Valley Unified School District

Regulation approved: November 16, 1995

Revised: March 23, 2000

Revised: September 16, 2010

Revised: August 16, 2012

REVISED:

CHINO VALLEY UNIFIED SCHOOL DISTRICT

Our Motto:

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

DATE: August 15, 2013
TO: Members, Board of Education
FROM: Wayne M. Joseph, Superintendent
PREPARED BY: Norm Enfield, Ed.D., Assistant Superintendent, Human Resources
Michelle J. Harold, Ed.D., Director, Human Resources
**SUBJECT: REVISION OF BOARD POLICY 5145.3 STUDENTS –
NONDISCRIMINATION/HARASSMENT OF STUDENTS**

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BACKGROUND

Board policies, administrative regulations, and bylaws of the Board are routinely developed and revised as a result of changes in law, mandates, federal regulations, and current practice. Board Policy 5145.3 Students – Nondiscrimination/Harassment of Students is being updated to include California Code of Regulations, Title 5 requirement that the name, title, office address, and telephone number of the compliance officer be made available to students, parents, and employees of the District.

New language is provided in UPPER CASE.

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

RECOMMENDATION

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

FISCAL IMPACT

None.

WMJ:NE:MJH:smr

NONDISCRIMINATION/HARASSMENT OF STUDENTS

The Board of Education desires to ensure equal opportunities for all students in admission and access to the District's Educational programs, guidance and counseling programs, athletic programs, testing procedures, and other activities. All District programs and activities shall be free from discrimination, including harassment, with respect to a student's actual or perceived sex, gender, ethnic group identification, race, national origin, religion, color, physical or mental disability, age, or sexual orientation.

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

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

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

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

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

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

NONDISCRIMINATION/HARASSMENT OF STUDENTS (cont.)

Students who engage in discrimination, including harassment and retaliation in violation of law, board policy, or administrative regulation shall be subject to discipline, up to and including counseling, suspension, and/or expulsion. Any employee who permits or engages in harassment, retaliation, or other prohibited discrimination shall be subject to disciplinary action, up to and including dismissal.

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

Grievance Procedures

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

NORM ENFIELD, ED.D.
Assistant Superintendent, Human Resources
Chino Valley Unified School District
5130 Riverside Drive, Chino, CA 91710
(909) 628-1201 ext. 1110

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

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

Upon receiving a complaint of discrimination including harassment and retaliation, the coordinator shall immediately investigate the complaint in accordance with site-level grievance procedures specified in Administrative Regulation 5145.7 – Sexual Harassment.

- (cf. 5145.7 - Sexual Harassment)

NONDISCRIMINATION/HARASSMENT OF STUDENTS (cont.)

The Superintendent or designee shall ensure that the student handbook clearly describes the District's nondiscrimination policy, procedures for filing a complaint regarding discrimination including harassment and retaliation, and the resources that are available to students and parents/guardians, who feel that they have been the victim of discrimination or harassment. The District's policy may also be posted on the District's website or any other location that is easily accessible to students and parents/guardians.

Legal Reference:EDUCATION CODE

200-262.4 Prohibition of discrimination
 48900.3 Suspension or expulsion for act of hate violence
 48900.4 Suspension or expulsion for threats or harassment
 48904 Liability of parent/guardian for willful student misconduct
 48907 Student exercise of free expression
 48950 Freedom of speech
 49020-49023 Athletic programs
 51500 Prohibited instruction or activity
 51501 Prohibited means of instruction
 60044 Prohibited instructional materials

CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

PENAL CODE

422.55 Definition of hate crime
 422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform Complaint Procedures
 4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 42

2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
 2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

CODE OF FEDERAL REGULATIONS, TITLE 34

100.3 Prohibition of discrimination on basis of race, color or national origin
 104.7 Designation of responsible employee for Section 504
 106.8 Designation of responsible employee for Title IX
 106.9 Notification of nondiscrimination on basis of sex

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567
 Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

NONDISCRIMINATION/HARASSMENT OF STUDENTS (cont.)

Management Resources:

CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

California Student Safety and Violence Prevention - Laws and Regulations, April 2004

FIRST AMENDMENT CENTER PUBLICATIONS

Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Dealing with Legal Matters Surrounding Students' Sexual Orientation and Gender Identity, 2004

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

Notice of Non-Discrimination, January 1999

WEBSITES

California School Boards Association: www.csba.org

California Safe Schools Coalition: www.casafeschools.org

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

First Amendment Center: www.firstamendment.org

National School Boards Association: www.nsba.org

U.S. Department of Education, Office for Civil Rights: www.ed.gov/about/offices/list/ocr

Chino Valley Unified School District

Policy adopted: January 23, 1997

Revised: September 3, 1998

Revised: August 5, 2010

Revised: January 17, 2013

REVISED: