

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

A G E N D A

REGULAR MEETING – November 15, 2023

CLOSED SESSION – 4 P.M.

OPEN SESSION – 6 P.M.

BOARD OF EDUCATION

**KATE BISHOP • DELIA DOMINGUEZ CERVANTES •
CESAR T. FERNANDEZ • FRANCISCO TAMAYO • LUCY UGARTE**

**EDUARDO REYES, Ed.D.
SECRETARY/SUPERINTENDENT**



THIS MEETING IS BEING RECORDED

In accordance with the Brown Act, all public Board meeting recordings are available for review for 30 days following the meeting, after which they are recycled. Audio recordings are available on the District website at www.cvesd.org.

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IF YOU WISH TO ADDRESS THE BOARD OF EDUCATION

Persons wishing to address the Board of Education on any agenda item may attend in person and should complete a "Request to Be Heard" card and submit it to the Recording Secretary before the start of the meeting or call 619-679-9001 to the start of the meeting. Telephone line opens one hour prior to the start of the meeting. No action or discussion shall be undertaken on any item not appearing on the posted agenda, except the Board of Education or District staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Government Code Section 54954.3. Speakers must limit remarks to three minutes (generally, statements of 390 words may be spoken out loud within three minutes) and speak in a respectful and professional manner. The Board shall limit the total time for public input on each topic to 20 minutes. With Board consent, the President may increase or decrease the time allowed for public presentation depending on the subject and the number of persons wishing to be heard. The meeting will also be livestreamed. For access to the livestream, please [click here](#) (English) and [click here](#) (Spanish) or on the links at the bottom of this page.

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AGENDA AND DISTRIBUTION OF WRITINGS TO MEMBERS OF THE PUBLIC

In compliance with Government Code Section 54957.5, nonexempt writings that are distributed to a majority or all of the Board of Education in advance of a meeting may be reviewed on our website by clicking on the following link:

http://cvesd.org/board_of_education/board_meetings.

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EQUAL OPPORTUNITY EMPLOYER

The Chula Vista Elementary School District prohibits discrimination, harassment, intimidation and bullying based on race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender 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 in any program, practice or activity it conducts. The Chula Vista Elementary School District is committed to providing equal educational, contracting, and employment opportunity to all in strict compliance with all applicable State and Federal laws and regulations. Any individual who believes they have been a victim of unlawful discrimination in employment, contracting or in an education program or activity may file a formal complaint.

To watch the livestream of the Regular Board Meeting click on the link below or cut and paste it into your browser:

https://youtube.com/live/TAfs72_CHy8

To watch the livestream of the Regular Board Meeting in Spanish click on the link below or cut and paste it into your browser:

<https://youtube.com/live/FI6OsgztBM8>

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

84 EAST "J" STREET • CHULA VISTA, CALIFORNIA 91910 • (619) 425-9600
EACH CHILD IS AN INDIVIDUAL OF GREAT WORTH

**AGENDA
BOARD OF EDUCATION**

Regular Meeting – November 15, 2023

Closed Session – 4 P.M.

Open Session – 6 P.M.

Dr. Lowell J. Billings Board Room, Education Service and Support Center
Streamed Online

ORDER OF BUSINESS**1. OPENING PROCEDURES***Opening Procedures*

A. Call to Order

B. Roll Call

Members Present:

Members Absent:

Others Present:

2. APPROVE AGENDA (Action)*Approve Agenda*

*Motion:*_____, *Second:*_____, *Vote:*_____

3. ORAL COMMUNICATIONS ON CLOSED SESSION ITEMS*Oral Communications
on Closed Session
Items*

The Oral Communications section provides the public with an opportunity to address the Board on closed session items only. Persons wishing to be heard may attend in person and should complete a "Request to Be Heard" card and submit it to the Recording Secretary before the start of the meeting or call 619-679-9001 prior to the start of the meeting. Telephone line opens one hour prior to the start of the meeting. Speakers are requested to limit their remarks to three minutes and speak in a respectful and professional manner. The Board shall limit the total time for public input on each topic to 20 minutes. With Board consent, the President may increase or decrease the time allowed for public comments depending on the number of persons wishing to be heard. No Board action can be taken.

4. ADJOURN TO CLOSED SESSION*Closed Session*

Government Code Sections 3549.1(d) and 54957.6: Collective Bargaining/Employee Negotiations; Agency Negotiators: Fagen Friedman & Fulfroost, LLP and Adams Silva & McNally LLP; Employee Organizations: Chula Vista Classified Employees Organization (CVCEO); Chula Vista Educators (CVE); Nonrepresented Employees; Administrators Association of Chula Vista (AACV)

Government Code Section 54957: Public Employee Discipline/Dismissal/Release

Government Code Section 54956.9(d)(2): Conference with Legal Counsel – Threatened Litigation – Petition for Late Claim of Minor J.D.

Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in Office of Administrative Hearings, Case No. 2023050972

Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in Office of Administrative Hearings, Case No. 2023090036

Government Code Section 54957: Public Employee Appointment/ Employment:

Title:

- Director of Leadership Development, Equity, and Access
- Principal (1)

5. RECONVENE TO OPEN SESSION*Reconvene to Open Session*

A. Call to Order

B. Roll Call

Members Present:

Members Absent:

Others Present:

C. Pledge of Allegiance

6. APPROVE AGENDA (Action)*Approve Agenda*

Motion: _____, Second: _____, Vote: _____

7. SPECIAL RECOGNITION, AWARDS, AND HONORS*Special Recognition/ Awards, Honors*

A. Recognition of Ella B. Allen and Liberty Elementary School Teams for Participation in the South Bay Pumpkin Smash – “Game of Throws”

- B. Recognition of Veterans Day and the Work of Chula Vista Elementary School District's Military School Liaisons

8. COMMUNICATIONS TO THE BOARD OF EDUCATION

*Communications
to the Board*

- A. Chula Vista Classified Employees Organization
- B. Chula Vista Educators
- C. Administrators Association of Chula Vista

9. ORAL COMMUNICATIONS

*Oral
Communications*

The Oral Communications section provides the public with an opportunity to address the Board on non-agenda items. Persons wishing to be heard may attend in person and should complete a "Request to Be Heard" card and submit it to the Recording Secretary before the start of the meeting or call 619-679-9001 prior to the start of the meeting. Telephone line opens one hour prior to the start of the meeting. Speakers are requested to limit their remarks to three minutes and speak in a respectful and professional manner. The Board shall limit the total time for public input on each topic to 20 minutes. With Board consent, the President may increase or decrease the time allowed for public comments depending on the number of persons wishing to be heard. No Board action can be taken.

10. ORAL PRESENTATIONS AND WRITTEN REPORTS

*Oral Presentations/
Written Reports*

- A. District Safety/Health Update

11. APPROVE CONSENT CALENDAR (Action)

Consent Calendar

The following items listed under Consent Calendar are considered by the Board in one action. There will be no discussion on these items prior to the time the Board votes on the motion unless members of the Board, staff, or public request specific items to be discussed and/or removed from the Consent Calendar.

*Motion:*_____, *Second:*_____, *Vote:*_____

- A. Adopt Board of Education Meeting Minutes: Regular Meeting October 18, 2023
- B. Approve and/or Ratify Human Resources Items A Through M
- C. Adopt Resolution Regarding Absence of Board Vice President Francisco Tamayo from the October 18, 2023, Board Meeting Due to Illness

- D. Adopt Resolution Acknowledging and Establishing the Month of November as National Native American Heritage Month
- E. Approve District and School Level Parent and Family Engagement Policy
- F. Ratify Agreement with the YMCA of San Diego County for Participation in the Outdoor Education Program for Harborside, Thurgood Marshall, Parkview, Lilian J. Rice, Saburo Muraoka, Sunnyside, and Valley Vista Elementary Schools, and Robert L. Mueller Charter School for the 2023-24 School Year
- G. Ratify Amendment to Agreements with the San Diego County Office of Education for:
 - (1) Participation in the Outdoor Education Program for the Period of July 1, 2023, Through June 30, 2024; and
 - (2) Participation in the Science Outreach Program for the Period of July 1, 2023, Through June 30, 2024
- H. Ratify Memorandum of Understanding with Parent Institute for Quality Education (PIQE) for a Family Literacy Program for the Period of October 26, Through December 14, 2023
- I. Approve Medi-Cal Collaborative's Recommendations for Additional Use of Medi-Cal Funds for the 2023-24 School Year
- J. Ratify Nonpublic, Nonsectarian Individual Services Agreement with San Diego Center for Children for Student No. 495561 for the 2023-24 School Year
- K. Ratify Nonpublic, Nonsectarian Individual Services Agreement with The Institute for Effective Education for Student No. 306358 for the 2023-24 School Year
- L. Approve the Submission of Application to the California Department of Education for Continued Funding for Fiscal Year 2024-25
- M. Ratify Memorandum of Understanding with San Diego State University Research Foundation and YMCA of San Diego County for the Conmigo Program for the 2023-24 School Year
- N. Adopt Resolution Authorizing Designated Agents to Enter Into Contracts with the Child Development Division, California Department of Education, for Fiscal Year 2024-25
- O. Adopt Resolution Authorizing Utilization of the Downey Unified School District Bid No. 23/24-11 for Apple Computer Products &

Services, with Apple, Inc., for the Period of November 16, 2023, Through June 30, 2024

- P. Approve Consultants for As-Needed California Environment Quality Act (CEQA) Services
- Q. Adopt Resolution Approving Change Order No. 1 to Agreement for Installation of Energy Generation and Resilience Systems
- R. Adopt Resolution Authorizing Utilization of Sourcewell Contract No. 030122-EFM for Fleet Management Services, with Enterprise Fleet Management, Inc., for the Period of November 16, 2023, Through April 18, 2025
- S. (1) Approve Retention Release for Bid No. 22/23-3 for Inter-Pacific, Inc., dba Inter-Pacific Systems, Inc. for the Security Camera Project;
- (2) Approve Change Order to Inter-Pacific, Inc., dba Inter-Pacific Systems, Inc. for a Decrease in the Amount of <\$4,640.65>; and
- (3) Approve Notice of Completion for Inter-Pacific, Inc., dba Inter-Pacific Systems, Inc.
- T. Approve Contract with School Services of California, Inc., for Fiscal Information Services in the Amount of \$5,060 for the Period of December 1, 2023, Through November 30, 2024
- U. Approve Acceptance of Work and Notice of Completion for Bid No. 22/23-7 to W2W Sport, to Provide and Install Artificial Turf in the Large Playground Surface Area for Robert L. Mueller Charter School
- V. Approve Overnight Study Trip for Fifth Grade Students from Sunnyside Elementary School to the Star of India on April 19-20, 2024
- W. Accept Donations
- X. Ratify Purchase Orders, Warrants, and Checks Written/Issued Through October 31, 2023
- Y. Approve and/or Ratify Inservice/Travel Requests

12. PUBLIC HEARINGS

Public Hearings

The Public Hearings section provides the public with an opportunity to address the Board on specific items. Persons wishing to address the Board on any public hearing items must complete a "Request to Be Heard" card and submit it to the Recording Secretary start of the meeting or call 619-679-9001 prior to the start of the meeting. Telephone line opens one hour prior to the start of the meeting. Speakers are requested

to limit their remarks to three minutes and speak in a respectful and professional manner. The Board shall limit the total time for input on each public hearing item to 20 minutes. With Board consent, the President may increase or decrease the time allowed for public comments on each public hearing item depending on the topic and the number of persons wishing to be heard.

None.

13. ADMINISTRATIVE ACTION ITEMS

*Administrative
Action Items*

- A. Adopt December 13, 2023, at 6 P.M. as the Date and Time for the Annual Organizational Meeting of the Board of Education of the Chula Vista Elementary School District

*Motion:*_____, *Second:*_____, *Vote:*_____

- B. Approve Proposed Attendance Boundaries for Sonia Sotomayor Elementary School

*Motion:*_____, *Second:*_____, *Vote:*_____

- C. Adopt Resolution Approving an Agreement and Escrow Instructions for Purchase of Real Property in Eastern Urban Center of Otay Ranch and Delegating Authority to Complete the Purchase

*Motion:*_____, *Second:*_____, *Vote:*_____

14. FIRST AND SECOND READINGS, BOARD POLICIES, ADMINISTRATIVE REGULATIONS, AND BOARD BYLAWS

*First and Second
Readings*

- A. First Reading and Second Reading/Possible Revision: Proposed Revisions to Administrative Regulation AR 1240 and Board Policy BP 1240, Volunteer Assistance

*Motion:*_____, *Second:*_____, *Vote:*_____

- B. First Reading and Second Reading/Possible Revision: Proposed Revisions to Administrative Regulation AR 6163.2, Board Policy BP 6163.2 and Exhibit 6163.2, Service Animals in Schools

*Motion:*_____, *Second:*_____, *Vote:*_____

- C. First Reading and Second Reading/Possible Revision: Proposed Revisions to Administrative Regulation AR 1312.3 and Board Policy BP 1312.3, Uniform Complaint Procedures

*Motion:*_____, *Second:*_____, *Vote:*_____

- D. First and Second Reading/Possible Revision: Proposed Revisions to Board Policy 5141.52, Suicide Prevention

*Motion:*_____, *Second:*_____, *Vote:*_____

15. GENERAL INFORMATION ITEMS/REPORTS*Information Items/
Reports*

None.

16. BOARD COMMUNICATIONS*Board
Communications***17. SUPERINTENDENT'S COMMUNICATION***Supt's
Communication***18. ADJOURNMENT***Adjournment*

THE NEXT REGULAR MEETING OF THE BOARD OF EDUCATION OF THE CHULA VISTA ELEMENTARY SCHOOL DISTRICT IS SCHEDULED ON WEDNESDAY, DECEMBER 13, 2023, AT 4 P.M. CLOSED SESSION AND 6 P.M. OPEN SESSION.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Instructional Services
and Support

ITEM TITLE:

Recognition of Ella B. Allen and Liberty Elementary School Teams for Participation in the South Bay Pumpkin Smash – “Game of Throws”

_____ **Action**

_____ **X** **Information**

BACKGROUND INFORMATION:

Sponsored by the STEAM Ahead Foundation in partnership with Friends of Chula Vista Parks and Recreation and co-sponsored by the Sweetwater Union High School District, this festival of flying fruit provides students with the opportunity to learn science, technology, engineering, arts, and math (STEAM) by participating in a fun, hands-on project that challenge their creativity and develop their skills in engineering, design, and construction.

South Bay Pumpkin Smash also known as “Game of Throws” is an annual event where teams of students in Grades 3-12 participate. Their aim is to hurtle leftover Halloween pumpkins with both accuracy and distance using Medieval-style technology.

ADDITIONAL DATA:

The 7th annual “Game of Throws” took place on Saturday, November 4, 2023 at Montgomery Middle School. Teams of students from Grades 3-12 participated, with the Liberty Legends winning first place and farthest throw, and one of Allen Eagle’s three teams winning third place.

FISCAL IMPACT/FUNDING SOURCE:

None.

STAFF RECOMMENDATION:

On behalf of the Board of Education, the President will present Certificates of Recognition to Principal John Greenwell and Teacher Melissa Farlow who will accept on behalf of Allen Elementary, and Principal Nicole Dougherty and Teacher Scott Crellin who will accept on behalf of Liberty Elementary.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Instructional Services
and Support

ITEM TITLE:

Recognition of Veterans Day and the Work of Chula Vista Elementary School District's Military School Liaisons

_____ **Action**

_____ **X** **Information**

BACKGROUND INFORMATION:

Veterans Day is a special day set aside to honor and recognize the service and sacrifice of all military veterans in the United States. Veterans Day pays tribute to all veterans, living or deceased, and acknowledges their contributions to the nation. It's a day to express gratitude for the sacrifices and selfless contributions made by those who have served in the armed forces to protect the freedoms and values of the United States.

In honor of Veterans Day, we want to express our deep gratitude to all those who have served our country. Their dedication, sacrifice, and bravery have ensured our freedom and security. Their commitment to protecting our nation is truly appreciated, and their contributions will never be forgotten. We want to thank them, honor them, and celebrate them today and every day.

The District is proud to not only have employees who are veterans serving in our schools and District office, but we also have over 2,290 students from military families across the District. Military School Liaisons help support the implementation of military school life counselors at schools with highly impacted military student populations. On-site school counselors work with Arroyo Vista Charter, Enrique S. Camarena, Anne and William Hedenkamp, Heritage, Fahari L. Jeffers, Corky McMillin, Saburo Muraoka, Olympic View, Salt Creek, Burton C. Tiffany, and Wolf Canyon.

ADDITIONAL DATA:

Additional information is available for review in the Office of the Executive Director of Curriculum and Instruction.

FISCAL IMPACT/FUNDING SOURCE:

None.

STAFF RECOMMENDATION:

On behalf of the Board of Education, the President will present Certificates of Recognition to Naval Base San Diego School Liaison Chanin Massaglia, and Naval Base Coronado School Liaison Mindy Hayes who support CVESD military families.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Human Resources
Services and Support

ITEM TITLE:

District Safety/Health Update

_____ **Action**

_____ **X** **Information**

BACKGROUND INFORMATION:

At the August 25, 2021 Board meeting, it was approved to form a District-level Safety Committee, with representation from certificated, classified, and non-represented employees, as well as parents, to advise on the creation and implementation of District safety and health measures, and to oversee site level committees.

Also, all school sites will create a site Safety Committee, with representation from certificated, classified, and non-represented employees, as well as parents, to address site specific safety concerns and help implement District safety measures.

ADDITIONAL DATA:

Tonight, District staff members will provide an update on the District Safety Committee. The District will also share details related to mental health and physical health programs.

FISCAL IMPACT/FUNDING SOURCE:

None.

STAFF RECOMMENDATION:

This is an information item.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

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CHULA VISTA, CALIFORNIA 91910 • (619) 425-9600
EACH CHILD IS AN INDIVIDUAL OF GREAT WORTH

AGENDA BOARD OF EDUCATION

Regular Meeting – October 18, 2023

Closed Session – 3 P.M.

Open Session – 6 P.M.

Dr. Lowell J. Billings Board Room, Education Service and Support Center
Streamed Online

ORDER OF BUSINESS

1. OPENING PROCEDURES

Opening Procedures

A. Call to Order

President Ugarte called the meeting to order at 3:00 P.M.

B. Roll Call

Members Present:

Ms. Lucy Ugarte, President

Mr. Cesar T. Fernandez, Clerk

Ms. Kate Bishop, Member

Ms. Delia Dominguez Cervantes, Member

Members Absent:

Mr. Francisco Tamayo, Vice President

Others Present:

Dr. Eduardo Reyes, Superintendent

Mr. Oscar Esquivel, Deputy Superintendent

Ms. Sharon Casey, Asst. Supt. Student Services

Ms. Jessica Morales, Area Asst. Supt., Innovation and Instruction

Mr. Jason Romero, Asst. Supt. Human Resources

Ms. Lisa Riggs, Area Asst. Supt., Innovation and Instruction

Ms. Rochelle Carroll, Executive Director of Curriculum and Instruction Services and Support
Ms. Giovanna Castro, Director of Communications
Ms. Araceli Guzman, Supt. and Board of Education Administrative Manager
Ms. Paloma Romo, Secretary II

2. APPROVE AGENDA (Action)

Approve Agenda

*Motion: FERNANDEZ, Second: DOMINGUEZ CERVANTES,
Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, UGARTE
Absent: TAMAYO; Noes: NONE; Abstain: NONE*

3. ORAL COMMUNICATIONS ON CLOSED SESSION ITEMS

*Oral Communications
on Closed Session
Items*

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No speakers.

4. ADJOURN TO CLOSED SESSION

Closed Session

President Ugarte adjourned to closed session at 3:04 P.M. in accordance with the following:

Government Code Sections 3549.1(d) and 54957.6: Collective Bargaining/Employee Negotiations; Agency Negotiators: Fagen Friedman & Fulfron, LLP and Adams Silva & McNally LLP; Employee Organizations: Chula Vista Classified Employees Organization (CVCEO); Chula Vista Educators (CVE); Nonrepresented Employees; Administrators Association of Chula Vista (AACV)

Government Code Section 54957: Public Employee Discipline/Dismissal/Release

Government Code Section 54956.9(d): Conference with Legal Counsel – Anticipated Litigation, Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: one potential case

Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in Office of Administrative Hearings, Case No. 2023060657

Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in Office of Administrative Hearings, Case No. 2023080357

Government Code Section 54957: Public Employee Appointment/ Employment:

Title:

- Principal (2)

5. RECONVENE TO OPEN SESSION

Reconvene to Open Session

President Ugarte reconvened to open session at 6:06 P.M. with all Board Members present.

Clerk Fernandez announced that in closed session the Board:

Government Code Sections 3549.1(d) and 54957.6: Collective Bargaining/Employee Negotiations; Agency Negotiators: Fagen Friedman & Fulfroost, LLP and Adams Silva & McNally LLP; Employee Organizations: Chula Vista Classified Employees Organization (CVCEO); Chula Vista Educators (CVE); Nonrepresented Employees; Administrators Association of Chula Vista (AACV)

Government Code Section 54957: Public Employee Discipline/Dismissal/Release

Government Code Section 54956.9(d): Conference with Legal Counsel – Anticipated Litigation, Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: one potential case

Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in Office of Administrative Hearings, Case No. 2023060657

Approved.

Motion: DOMINGUEZ CERVANTES, Second: BISHOP

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, UGARTE

Absent: TAMAYO; Noes: NONE; Abstain: NONE

Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in Office of Administrative Hearings, Case No. 2023080357

Approved.

Motion: FERNANDEZ, Second: BISHOP

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, UGARTE

Absent: TAMAYO; Noes: NONE; Abstain: NONE

Government Code Section 54957: Public Employee Appointment/
Employment:

Approved appointment of Cristina Quiroga as Principal, Otay Elementary.

Motion: BISHOP, Second: FERNANDEZ

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, UGARTE

Absent: TAMAYO; Noes: NONE; Abstain: NONE

Government Code Section 54957: Public Employee Appointment/
Employment:

Approved appointment of Lizcett Porras as Principal, Greg Rogers
Elementary.

Motion: DOMINGUEZ CERVANTES, Second: BISHOP

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, UGARTE

Absent: TAMAYO; Noes: NONE; Abstain: NONE

A. Call to Order

President Ugarte reconvened to open session at 6:08 P.M. with all
Board Members present, except Vice President Tamayo.

B. Roll Call

Members Present:

Ms. Lucy Ugarte, President

Mr. Cesar T. Fernandez, Clerk

Ms. Kate Bishop, Member

Ms. Delia Dominguez Cervantes, Member

Members Absent:

Mr. Francisco Tamayo, Vice President

Others Present:

Dr. Eduardo Reyes, Superintendent

Mr. Oscar Esquivel, Deputy Superintendent

Ms. Sharon Casey, Asst. Supt. Student Services

Ms. Jessica Morales, Area Asst. Supt., Innovation and Instruction

Mr. Jason Romero, Asst. Supt. Human Resources

Ms. Lisa Riggs, Area Asst. Supt., Innovation and Instruction

Ms. Rochelle Carroll, Executive Director of Curriculum and Instruction Services and Support
Ms. Giovanna Castro, Director of Communications
Ms. Araceli Guzman, Supt. and Board of Education Administrative Manager
Ms. Paloma Romo, Secretary II

C. Pledge of Allegiance

President Ugarte asked Board Member Dominguez Cervantes to lead the Pledge of Allegiance.

6. APPROVE AGENDA (Action)

Approve Agenda

Motion: BISHOP, Second: FERNANDEZ

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, UGARTE

Absent: TAMAYO; Noes: NONE; Abstain: NONE

7. SPECIAL RECOGNITION, AWARDS, AND HONORS

*Special Recognition/
Awards, Honors*

A. Recognition of Hilltop Drive and Corky McMillin Elementary Schools for Being Awarded a Save the Music Grant

Executive Director of Curriculum and Instruction Ms. Rochelle Carroll was proud to announce Hilltop Drive and Corky McMillin as the recipients of approximately \$25,000 worth of instruments each, including class sets of ukuleles, xylophones, drums, and more, from Save The Music Foundation (STM) and Sound Start.

Board Members had an opportunity to congratulate and present Certificates of Recognition to Principal Dr. Charles Grisier who accepted on behalf of Hilltop Drive, and Principal Dr. Savannah Sturges, along with Music Teacher Jessandra Kono who accepted on behalf of McMillin.

8. COMMUNICATIONS TO THE BOARD OF EDUCATION

*Communications
to the Board*

A. Chula Vista Classified Employees Organization

President Angela Reed commended Sharon Casey. Ms. Casey established a task force to develop a plan to support student behavior needs. This plan addresses the growing need for a proactive approach to student maladaptive behaviors instead of reacting after the fact. One aspect of the plan places a behavior support specialist at every site to support students at the beginning of their journey instead of at the end when the behavior is out of control. It also supports districtwide training for behavior norms for staff districtwide, certificated and classified. These supports will help students succeed rather than flounder.

B. Chula Vista Educators

President Rosi Martinez is appreciative of the District's response to the concerns that CVE has been expressing about issues and impact with student behaviors. She commended Ms. Sharon Casey. Ms. Casey scheduled meetings during the fall break and led the work with a team to establish supports to alleviate the situation. It is clear we share responsibility in the interest of safety and positive school environment with students, parents, and staff and have created clear expectations to provide the appropriate supports.

CVE asks that there be a reporting process of incidents across the district so that everyone feels safe at school. CVE has started a reporting form to keep track of members being assaulted and would like to standardize the form.

She thanked Mr. Jason Romero, the Board, and Dr. Reyes for their support in having a productive and meaningful bargaining process and publicly thanked the CVE bargaining Team for best representing its members.

Of concern is cost-of-living increases. CVE presented a proposal based around wages. CVESD is the lowest paid in the county, currently ranked 33. She asked that the Board review the presentation given last month of unaudited actuals and strongly consider the wages proposal.

9. ORAL COMMUNICATIONS

*Oral
Communications*

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There were three speakers.

- Parent Kristina Mojica addressed safety concerns at Finney Elementary.
- Classified Staff Kathy Rodriguez shared concerns about wages and benefits.

- Employee B. Johson expressed frustration with wage loss resulting from job position change.

10. ORAL PRESENTATIONS AND WRITTEN REPORTS

*Oral Presentations/
Written Reports*

Mr. Jason Romero announced new principals Cristina Quiroga from Otay and Lizcett Porras from Greg Rogers. Each expressed appreciation for the opportunity to represent the district.

A. District Safety/Health Update

Mr. Jason Romero provided an update on safety.

We are launching the WeTip program, an anonymous crime or incident reporting system. He asked Board members to test it by scanning the QR code.

48 schools have been assessed by the Sobel Group and CVESD Security Manager with an estimated completion date in November.

We are done scheduling the second lockdown drill for quarters three and four. Trainings include active shooter/critical response at the sites and emergency response procedures for new staff and ELOP site leads. All school sites' Single School Safety Plan (CSSP) will be submitted for review. Security camera access has been setup for principals of the 20 designated school sites.

As requested at last month's meeting, to support the Emergency Preparedness and Security Manager, the job description for new position of Security Program and Safety Operations Manager has been brought forward for Board approval. Mr. Romero explained how the two positions differ.

Campus Clinic Mental Wellness Program served 285 students, 46 staff, and 12 students in therapy during the 2022-23 academic school year. During the 2023-24 academic school year, 631 students have been served, 54 staff, and 15 students in therapy. Mr. Romero shared that any service to students require parent consent.

Board Members had an opportunity to comment and ask questions.

11. APPROVE CONSENT CALENDAR (Action)

Consent Calendar

The following items listed under Consent Calendar are considered by the Board in one action. There will be no discussion on these items prior to the time the Board votes on the motion unless members of the Board, staff, or public request specific items to be discussed and/or removed from the Consent Calendar.

Items 11.B., Subsections D, F, H, and J, 11.C., 11.D., 11.E., 11.F., 11.Q., and 11.R. were pulled by Board Member Dominguez Cervantes; Item 11.B., Subsection G was pulled by Board Member Bishop; Item 11.F. was pulled by President Ugarte.

Motion: BISHOP, Second: DOMINGUEZ CERVANTES

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, UGARTE

Absent: TAMAYO; Noes: NONE; Abstain: NONE

A. Adopt Board of Education Meeting Minutes: Regular Meeting
September 13, 2023

B. Approve and/or Ratify Human Resources Items A Through J

2023-24.028

Subsection D. JOB DESCRIPTIONS.

Board Member Dominguez Cervantes shared concerns with the vacancy that will be created by pulling a teacher out of the classroom to serve as a Teacher on Special Assignment Special Education. Ms. Casey explained this is a revision to the current job description, and the position will not be filled until the classroom teacher has been replaced.

Subsection F. CHANGE OF ASSIGNMENT.

Board Member Dominguez Cervantes acknowledged Mr. Perezchica for mentoring and providing moral support to his colleagues. She feels he should stay in his current position. Mr. Romero explained that the role of the new assignment will be working with community schools three days, and two days as resource to teachers. Ms. Casey explained that special education coordinators provide IEP and litigation support to IEP teams, trainings, and background work.

Subsection G. PROMOTIONS.

Board Member Bishop acknowledged Melissa Noble, Impact Teacher for her dedication at Clear View and congratulated her on promoting to Instructional Services Coordinator for Literacy.

Subsection H. RESIGNATIONS.

Board Member Dominguez Cervantes counted 20 resignations. Mr. Romero clarified that the resignations primarily reflect our ELOP program. She would like exiting employees to have an exit interview which would show why they choose to leave our district. He will establish a process to standardize exit interviews.

Subsection J. CONSULTANTS.

Board Member Dominguez Cervantes inquired on:

Higher Level Leadership: Ms. Lisa Riggs explained they are conducting assemblies on the culture of the schools, help students to interact with peers, help community with reaching out to teachers.

Kagan Professional Development: Mr. Oscar Esquivel explained Title I funds are provided by the federal government for private schools. The district records the funds and passes them along to these schools.

San Diego Youth Symphony for "Opus": Ms. Rochelle Carroll will provide more information on how many served in a Board update.

The Regents of the University of California San Diego: Ms. Jessica Morales explained the process of approving consultants/trainings for each individual site.

The Solis Group: Mr. Oscar Esquivel explained that areas of improvement are needed to complete projects.

Stradling Yocca Carlson & Rauth: Dr. Reyes explained that a feasibility study will be conducted so that the District can decide if it should move forward with placing a bond on the ballot.

Motion: FERNANDEZ, Second: BISHOP

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, UGARTE

Absent: TAMAYO; Noes: NONE; Abstain: NONE

- C. Approve Memorandum of Understanding with Chula Vista Educators Regarding Transitional Kindergarten Combination Class Size, Retain Special Transitional Kindergarten Teachers, and Affected Special Day Class Transitional Kindergarten Teachers

Mr. Jason Romero shared that the District is recognizing work that staff is doing and addressing needs at the TK level. This prevents opening more TK classes.

Motion: FERNANDEZ, Second: BISHOP

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, UGARTE

Absent: TAMAYO; Noes: NONE; Abstain: NONE

- D. Review and Accept Quarterly Report to the San Diego County Office of Education on *Williams* Complaints for the Period of July Through September 2023

Ms. Rochelle Carroll explained there is a formal process posted in every office and every classroom for formal. When looking at instructional materials, this applies to required textbooks. As for facilities, it looks at safety of the school. The sites are inspected by the school principal, the facilities team, and the executive director of curriculum and instruction. At this time, there are no formal complaints.

Mr. Jason Romero explained substitute credentialing, substitute classroom short/long term coverage, and the priority of coverage for special education classrooms.

Motion: BISHOP, Second: FERNANDEZ

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, UGARTE

Absent: TAMAYO; Noes: NONE; Abstain: NONE

- E. Ratify Addendum to the Agreement with YMCA of San Diego County for the Expanded Learning Opportunities Program Dynamic After-School Hours/Junior Academy Program and Chula Vista Elementary School District for the Period of July 1, 2023, Through June 30, 2024

Ms. Jessica Morales explained that this addendum reflects the additional cost of increasing the session by 11 days.

Motion: BISHOP, Second: FERNANDEZ

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, UGARTE

Absent: TAMAYO; Noes: NONE; Abstain: NONE

- F. Ratify Memorandum of Understanding Between Chula Vista Elementary School District and Sweetwater Union High School District for Cross-Age Tutoring Program for the Period of September 12, 2023, Through September 1, 2024

Dr. Reyes explained that high school students from Sweetwater Union High School District have been tutoring students during the day in our district for many years. The MOU formally establishes the service. There is no cost involved.

Motion: BISHOP, Second: DOMINGUEZ CERVANTES

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, UGARTE

Absent: TAMAYO; Noes: NONE; Abstain: NONE

- G. Approve Report on Annual Community Facilities Districts Activity for Fiscal Year 2022-23

- H. Approve Annual Report on Statutory Fees and Mitigation Payments for Fiscal Year 2022-23 and Five-Year Report for Fiscal Years 2018-19 Through 2022-23

- I. Adopt Resolution Authorizing Utilization of the Region 4 Education Service Center Request for Proposal No. 20-12 for Audio Visual Equipment, Accessories, and Services from October 19, 2023, Through March 31, 2024 **2023-24.029**

- J. Approve Renewal of Customer Agreement with Frontline Technologies Group, LLC, dba Frontline Education in the Amount of \$16,608.70 for Absence Management and Substitute Placement

Services for the Period of November 1, 2023, Through October 31, 2024

K. Ratify Award of Bid No. 22/23-10, Produce Products, to Gold Star Foods; Food 4 Thought; and Sunrise Produce for the Period of August 14, 2023, Through August 13, 2024

L. Approve Renewal for Bid No. 22/23-1, Transportation Service, with HopSkipDrive, Inc., for the Period of November 14, 2023, Through November 13, 2024

M. Adopt Resolution Authorizing Utilization of the Santa Cruz City Schools Bid No. 2020 Facility Supply Services Contract, for the Purchase of Portable Classroom Buildings with American Modular Systems, Inc., for the Period of October 19, 2023, Through June 11, 2024 **2023-24.030**

N. Approve Agreement to Purchase Two (2) 24' x 40' Portable Classroom Buildings from American Modular Systems, Inc., in the Amount of \$239,690 Pursuant to Reef-Sunset Bid 2018 Facility Supply Service Contract

O. Approve Ratification of Contract with PowerSchool Group, LLC, for the Online Registration Platform to Include Enrollment Add-on Form in the Amount of \$116,392.27 for the Period of October 16, 2023, Through October 15, 2024

P. Adopt Resolution Authorizing Utilization of Val Verde Unified School District Bid No. 21/22-001 for Just N Time Classroom and Office Supplies, with Southwest School & Office Supply for the Period of October 19, 2023, Through June 30, 2024 **2023-24.031**

Q. Approve Overnight Study Trip for Fourth Grade Students from Corky McMillin Elementary School to the Star of India on January 17-18 and January 24-25, 2024

Dr. Reyes will have Ms. Jessica Morales and Ms. Riggs reach out to parents of students not attending due to cost so they also have the opportunity to participate.

Motion: BISHOP, Second: FERNANDEZ

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, UGARTE

Absent: TAMAYO; Noes: NONE; Abstain: NONE

R. Approve Overnight Study Trip for Sixth Grade Students from Silver Wing Elementary School to Sacramento/San Francisco on March 24-25, 2024

Dr. Reyes will have Ms. Jessica Morales and Ms. Riggs reach out to parents of students not attending due to cost so they also have the opportunity to participate.

Motion: BISHOP, Second: FERNANDEZ

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, UGARTE

Absent: TAMAYO; Noes: NONE; Abstain: NONE

S. Ratify Purchase Orders, Warrants, and Checks Written/Issued Through September 30, 2023 **2023-24.032**

T. Approve and/or Ratify Inservice/Travel Requests **2023-24.033**

Prior to continuing to the Public Hearings section, President Ugarte called on Assistant Superintendent of Human Resources Mr. Jason Romero.

Mr. Romero proudly announced newly hired employees and promoted employees. He feels great pride to be able to promote employees who have grown with the District.

Dr. Reyes took a brief moment to recognize the artwork on the wall. We are preparing our students for the District's speech contest. This year's theme is "How Can We Unleash Our Superpowers for a Positive Change?" We look forward to having our fourth-eighth grade students participate. Grade level finals will be the last week of February. He invited the Board to attend or to participate in judging the finals.

12. PUBLIC HEARINGS

The Public Hearings section provides the public with an opportunity to address the Board on specific items. Persons wishing to address the Board on any public hearing items must complete a "Request to Be Heard" card and submit it to the Recording Secretary start of the meeting or call 619-679-9001 prior to the start of the meeting. Telephone line opens one hour prior to the start of the meeting. Speakers are requested to limit their remarks to three minutes and speak in a respectful and professional manner. The Board shall limit the total time for input on each public hearing item to 20 minutes. With Board consent, the President may increase or decrease the time allowed for public comments on each public hearing item depending on the topic and the number of persons wishing to be heard.

- A. (1) Conduct Public Hearing on a General Waiver Request to Provide a Reduced-Day Extended School Year Program from June 10 Through July 1, 2024; and

President Ugarte opened the public hearing and asked if anyone wished to address this item.

No speakers.

(2) Authorize Application for the General Waiver Request

Ms. Sharon Casey stated the District wishes to apply for a General Waiver to hold a 15-day program instead of the required 20-day by extending the daily hours (slightly longer day).

Motion: BISHOP, Second: FERNANDEZ

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, UGARTE

Absent: TAMAYO; Noes: NONE; Abstain: NONE

B. Conduct Public Hearing Regarding Proposed Attendance Boundaries for Sonia Sotomayor Elementary School

Ms. Oscar Esquivel stated this public hearing is required to establish proposed attendance boundaries. By creating Sotomayor Elementary boundaries, the Muraoka Elementary School boundaries will be adjusted. He shared the map of the attendance boundaries for both schools.

President Ugarte opened the public hearing and asked if anyone wished to address this item.

There was one speaker.

- Parent Nicholas DiPanfilo inquired on the proposed school boundary lines.

13. ADMINISTRATIVE ACTION ITEMS

None.

*Administrative
Action Items*

**14. FIRST AND SECOND READINGS, BOARD POLICIES,
ADMINISTRATIVE REGULATIONS, AND BOARD BYLAWS**

*First and Second
Readings*

A. First and Second Reading/Possible Revision: Proposed Revisions to Administrative Regulation 6159, Individualized Education Program

Ms. Casey explained it is being revised to align with current State and Federal guidelines. We last updated this in December 2011.

Motion: BISHOP, Second: FERNANDEZ

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, UGARTE

Absent: TAMAYO; Noes: NONE; Abstain: NONE

B. First and Second Reading/Possible Revision: Proposed Revisions to Administrative Regulation 6159.1, Procedural Safeguards and Complaints for Special Education

Ms. Casey explained it is being revised to align with current State and Federal guidelines. It was last updated March 2000.

Motion: FERNANDEZ, Second: BISHOP

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, UGARTE

Absent: TAMAYO; Noes: NONE; Abstain: NONE

- C. First and Second Reading/Possible Revision: Proposed Revisions to Board Policy and Administrative Regulation 6159.2, Nonpublic, Nonsectarian School and Agency Services for Special Education

Ms. Casey explained it is being revised to align with current State and Federal guidelines. It was last updated March 2000.

Motion: BISHOP, Second: DOMINGUEZ CERVANTES

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, UGARTE

Absent: TAMAYO; Noes: NONE; Abstain: NONE

- D. First and Second Reading/Possible Revision: Proposed Revisions to Board Policy 6159.3, Appointment of Surrogate Parent for Special Education Students

Ms. Casey explained it is being revised to align with current State and Federal guidelines. It was last updated April of 2000.

Motion: BISHOP, Second: DOMINGUEZ CERVANTES

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, UGARTE

Absent: TAMAYO; Noes: NONE; Abstain: NONE

- E. First and Second Reading/Possible Revision: Proposed Revisions to Administrative Regulation 6164.4, Identification of Individuals for Special Education

Ms. Casey explained it is being revised to align with current State and Federal guidelines. It was last updated December 2011.

Motion: FERNANDEZ, Second: BISHOP

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, UGARTE

Absent: TAMAYO; Noes: NONE; Abstain: NONE

- F. First and Second Reading/Possible Revision: Proposed Revisions to Board Policy 6164.5, Student Success Teams

Ms. Casey explained it is being revised to align with current State and Federal guidelines. It was last updated January 2005.

Motion: BISHOP, Second: DOMINGUEZ CERVANTES

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, UGARTE

Absent: TAMAYO; Noes: NONE; Abstain: NONE

15. GENERAL INFORMATION ITEMS/REPORTS

*Information Items/
Reports*

A. Report Calendar to Board of Education

Board Member Dominguez Cervantes requested the following reports: 1) impact on student attendance since the attendance and wellness director position was created; 2) employee retention as requested during Consent Calendar; 3) data on students, by school, by grade, not meeting CAASPP requirements; 4) how many TK students we have at each school; 5) number of classified and certificated vacancies; 6) what funds were lobbied at the Coast2Coast conference.

16. BOARD COMMUNICATIONS

*Board
Communications*

Board Member Dominguez Cervantes commended Ms. Sharon Casey and Executive Cabinet for their dedication and work. She thanked Ms. Casey for her work on de-escalation strategies trainings. She recommended additional support for student services.

Board Member Dominguez Cervantes attended Chula Vista City Council meetings, Liberty Elementary's 'Let's Family Read', Chula Vista Chamber of Commerce First Friday Breakfast, and Parent/Teacher Meetings.

Board Member Bishop mentioned the October 11th LGBTQ and National Coming Out Day and gave a shout out to the individuals and the allies for creating safe spaces. Some of the events she attended include Southwestern College's undocumented students' legislative lunch, Southwest Administrators Association (SAA) Superintendents' Breakfast, and Chula Vista Chamber First Friday Breakfast. She looks forward to next quarter and thanked staff for the work in preparing for board meetings.

Clerk Fernandez thanked Ms. Sharon Casey, Ms. Rosi Martinez, and Ms. Angela Reed for their efforts to help staff with student behavior needs and hope they continue working on solutions. He recently lost a friend from the community and thanked staff for their support to those affected by the loss and trauma.

*Supt's
Communication*

President Ugarte thanked all the staff for their dedication and work. She attended the celebration event for teachers earning permanent status. The event was well attended. She was happy to celebrate with them and congratulate them for their accomplishment.

17. SUPERINTENDENT'S COMMUNICATION

Dr. Reyes recognized Executive Director Lani Perez and the Language Acquisition team for the DI (Dual Immersion) Café at Rice Elementary and thanked the principal for hosting the event. Teachers and classified staff were invited to attend. Presentations included different models of lessons

and how to integrate technology and best teaching practices to work with DI students.

18. ADJOURNMENT

Adjournment

President Ugarte adjourned the meeting at 8:22 P.M.

Motion: BISHOP, Second: DOMINGUEZ CERVANTES

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, UGARTE

Absent: TAMAYO; Noes: NONE; Abstain: NONE

THE NEXT REGULAR MEETING OF THE BOARD OF EDUCATION OF THE CHULA VISTA ELEMENTARY SCHOOL DISTRICT IS SCHEDULED ON WEDNESDAY, NOVEMBER 15, 2023, AT 4 P.M. CLOSED SESSION AND 6 P.M. OPEN SESSION

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Human Resources
Services and Support

ITEM TITLE:

Approve and/or Ratify Human Resources Items A Through M

 X Action

 Information

BACKGROUND INFORMATION:

A. NEW EMPLOYMENT

Monica Armenta Garcia, Student Attendant, 6.3 hours per day, 5 days per week, Range 22, Step 7, \$24.51 per hour, effective October 11, 2023

Brianna Arroyo, Instructional Assistant Special Education, 5.8 hours per day, 5 days per week, Range 18, Step 1, \$17.38 per hour, plus 4 percent, effective October 17, 2023

Ashton Bradshaw, Expanded Learning Site Lead, 200 days, 5 hours per day, 5 days per week, Range 42, Step 1, \$30.54 per hour, plus 4 percent, effective October 24, 2023

Maria Olympia Cabrera, Instructional Assistant Special Education, 5.8 hours per day, 5 days per week, Range 18, Step 1, \$17.38 per hour, plus 4 percent, effective October 30, 2023

Nycole Cabrera, Instructional Assistant Special Education, 5.8 hours per day, 5 days per week, Range 18, Step 1, \$17.38 per hour, effective September 21, 2023

Marisa Carrillo, Student Attendant, 6.3 hours per hour, 5 days per week, Range 22, Step 1, \$19.04 per hour, effective October 10, 2023

Nohemi Cordero, School Health Clerk, 5 hours per day, 5 days per week, Range 22, Step 1, \$19.04 per hour, effective October 25, 2023

Andrea Cortez, Student Attendant, 6.3 hours per hour, 5 days per week, Range 22, Step 1, 19.04 per hour, effective October 10, 2023

Mariana Covarrubias, Instructional Assistant (Preschool), 3.5 hours per day, 5 days per week, Range 18, Step 1, \$17.38 per hour, plus 4 percent, effective October 10, 2023

Emma Delgadillo, Noon Duty Supervisor, 3 hours per day, 5 days per week, Range 15, Step 1, \$16.24 per hour, effective October 10, 2023

Karina Diaz, Student Attendant, 6.3 hours per day, 5 days per week, Range 22, Step 3, \$20.92 per hour, plus 2 percent, effective November 1, 2023

Janet Eleazar, Coordinator of Athletic Programs, 223 Days, Management Salary Schedule, Range I, Step 5, \$625.84 per day, effective November 28, 2023

Ryan Espeleta, Expanded Learning Site Lead, 200 days, 8 hours per day, 5 days per week, Range 42, Step 1, \$30.54 per hour, plus 2 percent, effective October 25, 2023

Alethea Go, Web Content Manager/Graphic Media Specialist, 261 Days, Classified Salary Schedule, Range 48, Step 6, \$7,789.37 monthly, effective December 1, 2023

Saiyel Gonzalez, Instructional Assistant Special Education, 5.8 hours per day, 5 days per week, \$17.38 per hour, effective October 31, 2023

Valerie Gonzalez, Temporary School Counselor, (per Education Code Section 44920), 92 days, Class IV Step 1, salary \$29,109.72, effective October 20, 2023, through June 6, 2024

Brittaney Hernandez, Instructional Assistant, 3.6 hours per day, 5 days per week, Range 15, Step 7, \$20.85 per hour, plus 4 percent, effective October 12, 2023

Rebecca Hernandez, Instructional Assistant Special Education, 5.8 hours per day, 5 days per week, Range 18, Step 3, \$19.04 per hour, effective October 24, 2023

Laryssa Kune, Instructional Assistant Special Education, 5.8 hours per day, 5 days per week, Range 18, Step 1, \$17.38 per hour, effective October 30, 2023

Katelynn Leonard, Temporary Teacher, (per Education Code Section 44920), 136 days, Class III, Step 4, salary \$46,609.92, effective October 9, 2023, through June 6, 2024

Isis Lopez Garcia, Instructional Assistant Special Education, 5.8 hours per day, 5 days per week, Range 18, Step 1, \$17.38 per hour, effective October 10, 2023

Marisol Lopez-Castillo, Temporary Teacher, (per Education Code Section 44920), 136 days, Class III, Step 4, salary \$46,609.92, effective October 9, 2023, through June 6, 2024

Alexis McWilliams, Temporary Teacher, (per Education Code Section 44920), 136 days, Class III, Step 1, salary \$41,708.48, effective October 9, 2023, through June 6, 2024

Brenda Mendez, Clerk Typist III, 210 days, 7 hours per day, 5 days per week, Range 22, Step 7, \$24.51 per hour, effective October 12, 2023

Annelise Owens, Expanded Learning Site Lead, 200 days, 5 hours per day, 5 days per week, Range 42, Step 1, \$30.54 per hour, plus 4 percent, effective October 19, 2023

Karla Perez, Student Attendant, 6.3 hours per day, 5 days per week, Range 22, Step 1, \$19.04 per hour, effective October 23, 2023

Susan Ponce, Library Technology Technician, 5 hours per day, 1 day per week, Range 26, Step 1, \$20.92 per hour, effective October 20, 2023

Katie Ranson, Library Media Technician, 3.75 hours per day, 2 days per week, Range 23, Step 1, \$19.60 per hour, plus 4 percent, effective October 19, 2023

Amber Rasmussen, Instructional Assistant Special Education, 5.8 hours per day, 5 days per week, Range 18, Step 1, \$17.38 per hour, effective October 18, 2023

Astrid Rea Preciado, Temporary Teacher , (per Education Code Section 44920), 136 days, Class III, Step 1, salary \$41,708.48, effective October 9, 2023, through June 6, 2024

Brittany Remley, Van Driver, 5 hours per day, 5 days per week, Range 22, Step 1, \$19.04 per hour, effective October 19, 2023

Kylee Rivera, Instructional Assistant Special Education, 5.8 hours per day, 5 days per week, Range 18, Step 1, \$17.38 per hour, effective October 23, 2023

Lia Rivera, Instructional Assistant Behavioral Specialist, 5.8 hours per day, 5 days per week, Range 22, Step 1, \$19.04 per hour, plus 4 percent, effective October 11, 2023

Viviana Rivera, Instructional Assistant-Parent Implementation Program Behavior Support, 7 hours per day, 5 days per week, Range 20, Step 1, \$18.17 per hour, plus 4 percent, effective November 1, 2023

Ivette Rodriguez, Instructional Assistant, 3 hours per day, 5 days per week, Range 15, Step 1, \$16.24 per hour, plus 2 percent, effective October 30, 2023

Maria Rodriguez, Teacher, 136 days, Class V, Step 1, salary \$45,373.68, effective October 9, 2023

Yesenia Ruiz, Student Attendant, 6.3 hours per day, 5 days per week, Range 22, Step 2, \$19.99 per hour, effective October 24, 2023

Gretchen Schultz, Language Speech Hearing Specialist (LSH), 119 days, LSH Salary Schedule, Class III, Step 1, salary \$52,518.27, effective November 1, 2023

Tyler Twilegar, Instructional Assistant Special Education, 5.8 hours per day, 5 days per week, Range 18, Step 1, \$17.38 per hour, effective October 30, 2023

Anibal Urzua-Fonesca, Temporary Teacher, (per Education Code Section 44920), 121 days, Class III, Step 1, salary \$37,108.28, effective October 9, 2023, through June 6, 2024

Erin Valenzuela, Instructional Assistant Special Education, 5.8 hours per day, 5 days per week, Range 18, Step 1, \$17.38 per hour, effective October 20, 2023

Ramon Vela Ramirez, Gardener-Groundskeeper, 261 days, 10 hours per day, 4 days per week, Range 26, Step 1, \$20.92 per hour, effective October 19, 2023

Mitzy Vidauri, Student Attendant, 6.3 hours per day, 5 days per week, Range 22, Step 5, \$23.01 per hour, plus 4 percent, effective October 10, 2023

Ahmed Wiggins, Security Program and Safety Operations Manager, 223 Days, Management Salary Schedule, Range K, Step 4, \$483.92 per day, effective November 7, 2023

Rachel Wingert, Instructional Assistant Special Education, 5.8 hours per day, 5 days per week, Range 18, Step 1, \$17.38 per hour, effective October 27, 2023

B. REEMPLOYMENT OF TEMPORARY CERTIFICATED EMPLOYEES PREVIOUSLY EMPLOYED UNDER EDUCATION CODE SECTIONS 44909, 44911, OR 44920 FOR THE 2023-24 SCHOOL YEAR

Victoria Brazil, Part-Time Support Temporary Teacher, per Education Code Section 44920), 103 days, Class III, Step 3, salary \$16,897.15, effective October 23, 2023, through June 6, 2024

Ruth Hill, Temporary Teacher, (per Education Code Section 44920), 126 days, Class IV, Step 3, salary \$43,548.12, effective October 23, 2023, through June 6, 2024

C. REEMPLOYMENT OF CLASSIFIED EMPLOYEES UNDER EDUCATION CODE SECTIONS 45114, 45298. AND 45308

Othman Farham, Noon Duty Supervisor, 1 hour per day, 5 days per week, Range 15, Step 6, \$20.49 per hour, effective October 30, 2023

Fernanda Jimenez, Instructional Assistant Special Education, 5.8 hours per day, 5 days per week, Range 18, Step 1, \$17.38 per hour, effective November 6, 2023

Jessica Mercado, Noon Duty Supervisor, 2.42 hours per day, 5 days per week, Range 15, Step 1, \$16.24 per hour, effective October 30, 2023

D. REEMPLOYMENT OF CERTIFICATED EMPLOYEE UNDER EDUCATION CODE SECTION 44252(b), WAIVER OF BASIC SKILLS REQUIREMENT AND/OR TITLE 5 SECTION 80021.1. WAIVER FOR EDUCATION SPECIALIST INSTRUCTION CREDENTIAL AUTHORIZATION CREDENTIAL, EFFECTIVE AUGUST 1, 2023

Lisa Anne Riggs

E. ADDITIONAL ASSIGNMENT

Samuel Bledsoe III, Noon Duty Supervisor, .75 hours per day, 5 days a week, Range 15, Step 1, \$16.24 per hour, effective July 19, 2023

Karla Ramirez, Noon Duty Supervisor, .75 hours per day, 5 days a week, Range 15, Step 1, \$16.24 per hour, effective July 19, 2023

F. EXHAUSTED ALL PAID LEAVE—PLACED ON 39-MONTH REEMPLOYMENT LIST

Employee No. 2011723666

G. LEAVE OF ABSENCE

Alexis Abarca, Instructional Assistant Special Education, effective July 27, 2023

Diajaira Agpalza, Teacher, effective December 12, 2023

Erika Anaya, Noon Duty Supervisor, effective November 8, 2023

Martin Duarte, Teacher, effective November 13, 2023

Jermaine Evans, Custodian I, effective December 18, 2023

Cheryl Ingco, Teacher, effective October 9, 2023

Audrey Jarahzadeh, District Social Worker, effective November 27, 2023

Leonor Miramontes, Instructional Assistant Special Education, effective October 14, 2023

Leticia Pickett, Teacher, effective November 13, 2023

Emma Schopler, VAPA Teacher, effective December 5, 2023

Karem Sepulveda Gonzalez, Noon Duty Supervisor, effective November 6, 2023

Courtney Thomas, Teacher, effective September 18, 2023

Christine Virgo, VAPA Teacher, effective November 29, 2023

H. PROMOTIONS

Jeffrey Cabanillas, from Van Driver to Plant Operator Assistant , 261 days, Range 25, Step 4, \$23.61 per hour, effective October 30, 2023

Mayra Cortes, from Noon Duty Supervisor to Van Driver, 5 hours per day, 5 days per week, Range 22, Step 1, effective October 23, 2023

Claudia Gonzalez Rojo, from Instructional Assistant Special Education to Student Attendant, 6.3 hours per day, 5 days per week, Range 22, Step 1, \$19.04 per hour, effective October 10, 2023

Karla Marin, from Noon Duty Supervisor to Instructional Assistant Special Education, 5.8 hours per day, 5 days per week, Range 18, Step 1, \$17.38 per hour, plus 4 percent, effective October 20, 2023

I. RECLASSIFICATION OF TITLE AND RANGE CHANGE FOR CLASSIFIED EMPLOYEE EFFECTIVE APRIL 17, 2023

Steven Porter, Trades III HVAC to Trades IV HVAC from Range 44, Step 6

J. RETIREMENTS

Marilyn Allen, Bus Attendant, effective December 16, 2023

Irma Nieto, Child Nutrition Program Supervisor, effective December 29, 2023

Michelle Reza, School Secretary, effective December 16, 2023

K. RESIGNATIONS

Jessica Blas, Teacher, effective October 21, 2023

Mariana Bolland Leon, Instructional Assistant Special Education, effective October 21, 2023

Iris Castro, Noon Duty Supervisor, effective September 9, 2023

Lesly Cervantes-Amezcuca, Noon Duty Supervisor, effective May 16, 2023

Brianda Cortez Castillo, Instructional Assistant (Preschool), effective November 3, 2023

Liliana Espinoza, Noon Duty Supervisor, effective October 20, 2023

Blanca Georgalaz, Noon Duty Supervisor, effective October 27, 2023

Martha Gomez, Instructional Assistant Special Education, effective September 23, 2023

Emily Johnson, Psychologist, effective January 13, 2024

Maria Monroy, Custodian I, effective November 1, 2023

Alma Rivera, Student Attendant, effective October 26, 2023

Maria Rua Morales, Noon Duty Supervisor, effective November 3, 2023

Nubia Santiago Ramos, Student Attendant, effective November 2, 2023

Angel Torres, Expanded Learning Site Lead, effective October 25, 2023

Holly Wolfblack, Instructional Assistant Special Education, effective November 1, 2023

L. RELEASE

Employee No: 2011623738, 2011623481, 2011823744, and 2011323067

M. CONSULTANTS

Campus Clinic, LLC, will provide family therapist to staff members at Wolf Canyon Elementary. Services will be provided September 18, 2023 through December 31, 2023. The sum not to exceed \$50 per person/per session up to a total of four sessions and will be paid from the Benefits Fund.

Jumbula will provide an online registration and class/camp management software for the Expanding Learning Opportunities Program (ELOP) at school sites. Services will be provided November 1, 2023, through June 30, 2026. The annual rate will be \$32,702 and will be paid from ELOP Funds.

Higher Level Leadership will provide executive leadership coaching for the principal and staff at Hedenkamp Elementary School. Services will be provided October 10, 2023, through June 15, 2024. The sum not to exceed \$1,950 will be paid from Title 1 Funds.

Perfection on Wheels will provide a BMX school assembly at Liberty Elementary School. Services will be provided between July 1, 2023, through June 30, 2024. The sum not to exceed \$1,597 will be paid from the reimbursable account.

Royale Management Group, LLC, will provide a safe BMX assembly and a safe route to school message at Tiffany Elementary School. Services will be provided on October 24, 2023. The sum not to exceed \$1,697 will be paid from the reimbursable account.

Ruhnau Clarke Architect (RCA) will provide as-needed architectural, civil engineering, and electrical engineering services to assist with the addition of two portable classrooms at Discovery Charter School. The fixed fee cost of \$64,900 will be paid from Discovery Charter School funds. Services will commence November 16, 2023, and will continue through the completion of the project.

On September 14, 2022, the Board approved a fee of \$447,500 for Ruhnau Clark Architects to provide architectural design and engineering services for an eight (8) classroom, two-story stand-alone classroom addition at Sonia Sotomayor Elementary School based on a \$6,000,000 construction budget. On May 24, 2023, the Board approved a revised construction bid in the amount of \$8,951,713 (Bid Packages Nos. 1-6, 8-12 and 14). In addition, on July 12, 2023, the Board approved a revised construction bid of \$726,174 (Bid Packages Nos. 7 and 13). The revised construction bid packages equal a total revised sum of \$9,677,887. These bid changes necessitate a fee adjustment from Ruhnau Clark Architects, resulting in a proposed fee increase of \$220,396.48, elevating the total fee to \$667,896.48. Final payment will be calculated based on the Office of Public-School Construction's sliding scale and will be funded through the General Obligation Bond and/or Capital Improvement funds.

On September 9, 2020, the Board approved a fee of \$515,327 for Ruhnau Clark Architects to provide architectural design and engineering services for the District's transportation bus yard service addition based on an initial construction budget of \$6.8 million. On May 24, 2023, the Board approved a revised construction bid of \$13,317,000. This change necessitates a fee adjustment for Ruhnau Clark Architects of \$303,023, increasing the total fee amount to \$818,350. Final payment will be calculated based on the Office of Public-School Construction's sliding scale, will be funded through the General Obligation Bond and/or Capital Improvement funds.

The Solis Group will provide project labor coordination services for Phase 7 Heating Ventilating Air Conditioning (HVAC) and Roof Renovations Project at Chula Vista Learning Community Charter (CVLCC). The cost not to exceed \$15,800 will be paid from General Obligation Bond and/or other Capital funds. Services commenced August 1, 2023, and will continue through the completion of the project.

ADDITIONAL DATA:

Additional information is available for review in the Office of the Assistant Superintendent for Human Resources Services and Support.

STAFF RECOMMENDATION:

Recommend approval and/or ratification:-

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Superintendent's Office

ITEM TITLE:

Adopt Resolution Regarding Absence of Board Vice President Francisco Tamayo from the October 18, 2023, Board Meeting Due to Illness

 X Action

 Information

BACKGROUND INFORMATION:

Pursuant to Education Code Section 35120 and Board Bylaw 9250, a Board Member shall be paid for any meeting when absent if the Board, by resolution duly adopted and included in its minutes, finds that at the time of the meeting the Member was absent due to a hardship deemed acceptable by the Board.

ADDITIONAL DATA:

Board Vice President Francisco Tamayo was absent from the October 18, 2023, Board Meeting due to illness.

FISCAL IMPACT/FUNDING SOURCE:

None.

STAFF RECOMMENDATION:

Recommend adoption.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

RESOLUTION NO. _____

Resolution Regarding Absence of Board)
Vice President Francisco Tamayo from)
the October 18, 2023, Board Meeting)
Due to Illness)

On motion of Member _____, seconded by Member _____, the following resolution is adopted:

WHEREAS, pursuant to Education Code Section 35120 and Board Bylaw 9250, a Board Member may be paid for a meeting from which he or she is absent if the Board, by resolution duly adopted and included in its minutes, finds that at the time of the meeting he or she was absent due to performing designated duties of the District or the absence was because of illness, jury duty, or a hardship deemed acceptable by the Board.

NOW, THEREFORE, BE IT RESOLVED that the Board of Education of the Chula Vista Elementary School District recognizes that Board Vice President Francisco Tamayo was absent from the Board Meeting held October 18, 2023, due to illness and that Mr. Tamayo shall receive the maximum monthly compensation for October 2023.

PASSED AND ADOPTED by the Board of Education of the Chula Vista Elementary School District, County of San Diego, State of California, this 15th day of November 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

.....

STATE OF CALIFORNIA)
) ss
COUNTY OF SAN DIEGO)

I, Eduardo Reyes, Secretary to the Board of Education of the Chula Vista Elementary School District of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board at its regular meeting thereof on the date and by the vote above stated, which resolution is on file and of record in the Office of said Board.

Secretary to the Board of Education

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Superintendent's Office

ITEM TITLE:

Adopt Resolution Acknowledging and Establishing the Month of November as National Native American Heritage Month

 X **Action**

 Information

BACKGROUND INFORMATION:

The District recognizes the invaluable contributions of Native peoples that have shaped our country. This is an opportunity for the District to recognize the Native American heritage, culture, traditions and contributions of the students, parents and community members who participate in the educational programs and opportunities in this district. *The History-Social Science Framework for California Public Schools* supports the recognition of different ethnic groups through incorporating a multicultural perspective in the curriculum. Students learn that the national history is the story of many peoples and one nation.

ADDITIONAL DATA:

On October 31, 2023, President Biden issued the presidential proclamation recognizing Native peoples and their invaluable contributions that have shaped our country and honor the hundreds of Tribal Nations who continue exercising their inherent sovereignty as vital members of the overlapping system of governments in the United States. Schools' leaders are urged to involve students in appropriate lessons and meaningful instructional activities and programs during this special month to commemorate National Native American Heritage Month.

The District seeks to join the hundreds of other municipalities and school districts that recognize the November of as National Native American Heritage Month and to utilize this month as an opportunity to reflect upon the significant sacrifices made by Native peoples to this country and celebrate the thriving cultures and values.

FISCAL IMPACT/FUNDING SOURCE:

None.

STAFF RECOMMENDATION:

Recommend adoption.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

RESOLUTION NO. _____

Resolution Acknowledging and Establishing)
the Month of November as National Native)
American Heritage Month)

On motion of Member _____, seconded by Member _____, the following resolution is adopted:

WHEREAS, this country was home to generations of native peoples long before the arrival of European explorers, and each of these tribes has a unique and vibrant culture as well as a system of social order; and

WHEREAS, the European settlers were aided in their survival by the teachings of this country's first inhabitants, and the contributions of the Native American to this nation's government, history, and culture are as numerous and varied as the tribes themselves; and

WHEREAS, every tribe has celebrated heroes of their own in sports, the arts, film, literature, engineering, medicine, education, and environmental science; and

WHEREAS, the American culture has been greatly influenced by traditions of native peoples and their close relationship to the earth and all its inhabitants; and

WHEREAS, the California State Board of Education recognized in its Multicultural Education Policy that each student needs an opportunity to understand the common humanity underlying all people; and

WHEREAS, the History-Social Science Framework for California Public Schools, Kindergarten Through Grade Twelve, states that the history curriculum of community, state, region, nation, and world must reflect the experiences of men and women of different racial, religious, and ethnic groups, which is integrated at every level; and

WHEREAS, educational leaders throughout the state are urged to involve themselves and their schools in a statewide focus on improvement in education about National Native American Heritage and to create ways in which communities can participate in helping California's schools meet the national goals set forth by the White House Conference on Indian Education.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Chula Vista Elementary School District proclaims the month of November 2023, as National Native American Heritage Month, and encourages all educators to commemorate this occasion with appropriate instructional activities.

PASSED AND ADOPTED by the Board of Education of the Chula Vista Elementary School District, County of San Diego, State of California, this 15th day of November 2023 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

STATE OF CALIFORNIA)
) ss
COUNTY OF SAN DIEGO)

I, Eduardo Reyes, Secretary to the Board of Education of the Chula Vista Elementary School District of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board at a regular meeting thereof on the date and by the vote above stated, which resolution is on file and of record in the Office of said Board.

Secretary to the Board of Education

CHULA VISTA ELEMENTARY SCHOOL DISTRICT
GOVERNING BOARD AGENDA ITEM

Prepared by: Instructional Services
and Support

ITEM TITLE:

Approve District and School Level Parent and Family Engagement Policy

 X **Action**

 Information

BACKGROUND INFORMATION:

A Local Education Agency (LEA) that receives Title I, Part A funds shall develop jointly with, agree on with, and distribute to, parents and family members of participating children a written Parent and Family Engagement Policy (Policy). The Policy shall be incorporated into the LEA's plan developed under the Every Student Succeeds Act (ESSA) Section 1112, establish the agency's expectations and objectives for meaningful parent and family involvement.

Each school served under Title I, Part A shall jointly develop with, and distribute to, parents and family members of participating children a written Policy, agreed on by such parents, that shall describe the means for carrying out the requirements of ESSA Section 1116(c-f). Parents shall be notified of the Policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents can understand. Such Policy shall be made available to the local community and updated periodically to meet the changing needs of parents and the school (ESSA Section 1116[b][1]).

ADDITIONAL DATA:

The District-level Policy is attached as "Exhibit A" and posted on the District website. School-level Policies are posted on each school's website.

Additional information is available for review in the Office of the Executive Director of Language Development and Instruction.

FISCAL IMPACT/FUNDING SOURCE:

None.

STAFF RECOMMENDATION:

Recommend approval.

“EXHIBIT A”

Title I LEA-Level Parent and Family Engagement Policy Chula Vista Elementary School District September 2023

- 1.0 The local governing board of each local educational agency (LEA), or agency, receiving Title I, Part A funding shall establish and implement a written parent and family engagement policy and program. (California *Education Code [EC]* sections [§§] 11500-11504, 51101[b]; 20 United States Code [U.S.C.] § 6318[a][1], 6318[a][2])
- 1.1 *Chula Vista Elementary School District* has developed jointly with, agreed on with, and distributed to, parents and family members of participating children, an LEA-level written parent and family engagement policy. (20 U.S.C. § 6318[a][2]).) *Input is gathered through our District Advisory Council (DAC) and District English Learner Advisory Committee (DELAC). The Parent and Family Engagement Policy is distributed to families through the Annual Notification, School Messenger, posted on the District’s website, and available at the CVESD front office.* The LEA incorporates the parent and family engagement policy into the LEA level plan. (20 U.S.C. § 6312, 6318[a][2]) *CVESD Local Control and Accountability Plan (LCAP) includes a goal that addresses improving and increasing equity initiatives for all families. Actions and strategies are also included in the LCAP Federal Addendum that addresses family engagement at the District and site level, including meaningful participation and opportunities to provide input on decisions.*

To involve parents and family members in the Title I program at the *Chula Vista Elementary School District*, the following practices have been established:

- a) The LEA involves parents and family members in the joint development of the agency’s plan, and in the development of support and improvement plans. (20 U.S.C. § 6318[a][2][A])
CVESD annually surveys and engages parents and family members to gather feedback about what is working and areas of improvement for the LCAP, the LCAP Federal Addendum, as well as school goals and actions on the School Plan for Student Achievement (SPSA). Educational Partner feedback is also gathered at school meetings, District and school parent advisory committee meetings, and through other means. The information gathered is used to revise the District’s LCAP, the LCAP Federal Addendum, and the sites’ SPSA. District and site level parent training on the LCAP and SPSAs are provided to support in the understanding of the purpose, goals, actions and expenditures of these plans. Trainings and tutorials are provided in a variety of formats for parents to access.
- b) The LEA provides coordination, technical assistance, and other support necessary to assist and build the capacity of all participating schools within the LEA in planning and implementing effective parent and family involvement activities to improve student academic achievement and school performance. (20 U.S.C. § 6318[a][2][B])
District staff support site administrators in planning and implementing parent and

family engagement activities that support academics. Support includes Title I training and specific toolkits that provide resources to implement and conduct successful and effective engagement in School Site Council (SSC), English Learner Advisory Committee (ELAC), and DAC/DELAC. In collaboration with Instructional Services, the District provides parent workshops, both live and pre-recorded, that support parents in knowing how to improve academic achievement for their student. Site level events such as Family Math and Family Reading nights are encouraged, and support and resources for training materials can be requested. School specific parent and family engagement activities are described in the school level Parent and Family Engagement Policy, School-Parent Compact and included in the SPSA. A District Parent Engagement Liaison provides additional support to increase parent and family engagement both at the District and site level.

- c) To the extent feasible and appropriate, the LEA coordinates and integrates Title I, Part A parent and family engagement strategies with parent and family engagement strategies of other relevant Federal, State, and local laws and programs. (20 U.S.C. § 6318[a][2][C])

Parent and family engagement strategies and activities for all programs, including English Learners and Special Education, and integrated with those offered through Title I, Part A. Site level activities are to support LCAP Goal 1, which addresses equity initiatives for all families.

- d) The LEA conducts, with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of the parent and family engagement policy in improving the academic quality of the schools served under Title I, Part A. (20 U.S.C. § 6318[a][2][D])

The District annually gathers input and feedback from educational partners through the LCAP survey, discussion forums, as well as site and District advisory committees to evaluate the effectiveness of the Parent and Family Engagement Policy.

The LEA identifies the following:

1. Barriers to greater participation by parents in activities authorized by this section (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background). (20 U.S.C. § 6318[a][2][D][i])

Barriers to greater participation are addressed by providing child care, translation services, holding meetings at times convenient for parents, offering virtual and hybrid options for engagement, providing pre-recorded presentations available online, and providing various forms of communication and reminders. CVESD ensures that communication, information and participation is accessible to our parent community, and when possible, a calendar or schedule of parent workshops and events are provided in advance so that parents can plan accordingly.

2. The needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers. (20 U.S.C. §

6318[a][2][D][iii])

CVESD provides information, resources, workshops and guidance to families to help them develop a partnership with the school and staff to support their child's learning, progress and well-being. Support is provided through DAC/DELAC general meetings, Parent Leadership trainings, District and site level parent workshops, District level events, community partnerships as well as our Family Resource Centers.

3. Strategies to support successful school and family interactions. (20 U.S.C. § 6318[a][2][D][iii])

To facilitate increased and effective school and family interactions, the District supports school sites in creating welcoming environments that include childcare, translation services, and incentives for parent participation. The District shall support sites in marketing and advertising their events to further support increased engagement. Each site develops a School Level Parent and Family Engagement Policy and School-Parent Compact designed to meet the needs of their families. Schools may host events such as Back to School Night, Coffee with the Principal, family information nights, parent workshops, and other opportunities for families to engage with staff. The compact describes how families and school staff share the responsibility for improving student achievement and how the school and families will collaborate to assist students in achieving the state academic standards.

- e) The LEA uses the findings of such evaluation in section 1.1(d) of the CE program instrument to design evidence-based strategies for more effective parental involvement, and to revise, if necessary, the parent and family engagement policy. (20 U.S.C. § 6318[a][2][E])

The District, with input from DAC/DELAC, annually evaluates the District's Parent and Family Engagement Policy and the results are used to design evidence-based strategies to improve family engagement and revise the policy as needed.

- f) The LEA involves parents in activities of schools served under Title I, Part A to adequately represent the needs of the population served by such agency for the purposes of developing, revising, and reviewing the parent and family engagement policy. (20 U.S.C. § 6318[a][2][F])

Each school elects parents to serve on the DAC/DELAC as site representatives and/or alternates. The DAC/DELAC, along with their site principals, attend monthly DAC/DELAC meetings to engage at a District level around topics relevant to the education of their children. The DAC/DELAC assists in the annual evaluation by providing input to develop, revise, and review the District Parent and Family Engagement Policy.

- 1.2 The LEA policy on parent and family engagement for all schools (including Title I and non-Title I) in the LEA shall be consistent with the following goals and purposes: (EC §§ 11502, 11504, 11506)

- a) Engage parents and family members positively in their children's education by providing assistance and training on topics such as state academic standards and assessments to develop knowledge and skills to use at home to support their children's academic efforts at school and their children's development as

responsible future members of our society. (EC § 11502[a])

DAC/DELAC engages parents of both Title I and non-Title I schools in presentations and discussions around topics such as Multilingual English Learner Services, Reclassification, and the Multilingual English Learner Master Plan. Additional topics may include how to access and interpret state and local assessment data such as CAASPP and ELPAC, the importance of attendance, how to support your child with Special Needs, and social-emotional learning.

- b) Inform parents that they can directly affect the success of their children's learning, by providing parents with techniques and strategies that they may utilize to improve their children's academic success and to assist their children in learning at home. (EC § 11502[b])

Parent workshops at the District and site level may be based on surveys or a Needs Assessment and may focus on specific strategies and resources that parents can utilize to support their child's success in areas such as attendance, academics, language development, social emotional wellness, health and physical wellness, responsible use of social media and internet, fostering a growth mindset and other parenting-related topics.

- c) Build consistent and effective two-way communication between family members and the school so that parents and family members may know when and how to assist their children in support of classroom learning activities. (EC § 11502[c])
Each School Level Parent and Family Engagement Policy describes the specific ways the school maintains effective two-way communication between families and the school staff. All CVESD schools utilize School Messenger as a consistent means to facilitate communication, and schools develop systems that work for their community to ensure that staff are accessible to parents for the purpose of effective two-way communication regarding a child's educational progress. Strategies may include phone calls, email, virtual meetings, in-person meetings and parent forums. District and school websites are up to date with contact information and current events, meetings and activities. The use of banners, site marquees, signage, flyers and bulletins are also encouraged and practiced to ensure that parents are aware and informed of District and site level parent engagement events.

- d) Train teachers, school administrators, specialized instructional support personnel, and other staff to communicate effectively with parents as equal partners. (EC § 11502[d])

District level leadership and site principals work with staff at the school level to ensure that communication and interaction with parents is supportive and effective, including ensuring that parents are provided with directory of key staff to contact for specific inquiries.

- e) Integrate and coordinate parent and family engagement activities with the local control and accountability plan (LCAP), as applicable, with other programs. (EC § 11502[e])

District level community events, DAC/DELAC, SSC, ELAC and other District level and site level parent engagement events support Goal 1 of our Local Control Accountability Plan (LCAP) which states that the District will continue to learn, reflect, and improve or increase equity initiatives for all students and families.

The District Parent Liaison, funded by our LCAP, also assists in integrating and coordinating events and activities Districtwide.

- 1.3 Parents and family members of children receiving Title I, Part A services shall be involved in the decisions regarding how funds reserved are allotted for parental involvement activities. (20 U.S.C. Section 6318[a][3][B])

CVESD ensures that Title I schools across the district hold their Annual Title I Parent Meeting at the beginning of the school year at multiple times. Parents are also invited to participate in School Site Council (SSC) where school improvement decisions are made relevant to the school's specific goals. Decisions about how to spend Title I, Part A Parent Participation funds are developed and approved by SSC. Title I, Part A Parent Participation funds must also support the school's overarching goals for student achievement.

- 1.4 Funds reserved by an LEA shall be used to carry out activities and strategies consistent with the LEA's parent and family engagement policy, including not less than one of the following: (20 U.S.C. § 6318[a][3][D])

- a) Supporting schools and nonprofit organizations in providing professional development for LEA and school personnel regarding parent and family engagement strategies. (20 U.S.C. § 6318[a][3][D][i])
- b) Supporting programs that reach parents and family members at home, in the community, and at school. (20 U.S.C. § 6318[a][3][D][ii])
- c) Disseminating information on best practices focused on parent and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents and family members. (20 U.S.C. § 6318[a][3][D][iii])
- d) Collaborating, or providing subgrants to schools to enable such schools to collaborate, with community-based or other organizations or employers with a record of success in improving and increasing parent and family engagement. (20 U.S.C. § 6318[a][3][D][iv])
- e) Engaging in any other activities and strategies that the LEA determines are appropriate and consistent with such agency's parent and family engagement policy. (20 U.S.C. § 6318[a][3][D][v])

Funds reserved by the District for family engagement activities are used to support the activities and strategies addressed in this policy.

**It may be helpful to include the parent and family engagement policy review in the annual review of the Local Control and Accountability Plan Federal Addendum.*

***The policy must be updated periodically to meet changing needs of parents and family members and the LEA. If the LEA has a process in place for involving parents and family members in planning and designing the school's programs, the LEA may use that process if it includes adequate representation of parents and family members of children receiving Title I, Part A services.*

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Instructional Services
and Support

ITEM TITLE:

Ratify Agreement with the YMCA of San Diego County for Participation in the Outdoor Education Program for Harborside, Thurgood Marshall, Parkview, Lilian J. Rice, Saburo Muraoka, Sunnyside, and Valley Vista Elementary Schools, and Robert L. Mueller Charter School for the 2023-24 School Year

 X **Action**

 Information

BACKGROUND INFORMATION:

The YMCA of San Diego County (YMCA) operates the Outdoor Education Program, which allows Grade 6 students to stay for four or five days at a designated site where they are provided with hands-on learning opportunities that incorporate Next Generation Science Standards. The program's curriculum includes life science, biology, botany, earth science, geology, meteorology, astronomy, outdoor skills, Native American lore, recreation activities, and crafts.

YMCA requests each participating district to enter into an agreement to allow for scheduling and other necessary preparations for use of outdoor education facilities. The agreement requires the District to guarantee payment for students in order to cover instructional fees, food, and lodging at YMCA facilities. This agreement does not change the obligation of the individual schools to provide funding for participating students.

ADDITIONAL DATA:

Additional information is available for review in the Office of the Area Assistant Superintendent of Instructional Services and Support.

FISCAL IMPACT/FUNDING SOURCE:

The cost of the program is covered by students, fundraisers, and site-based funds. A discounted rate will apply based on the percentage of Title I students at individual schools. Program fees are listed below.

Description	Base Cost
Four-day program	\$259 per student
Five-day program	\$299 per student

STAFF RECOMMENDATION:

Recommend ratification.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Instructional Services
and Support

ITEM TITLE:

Ratify Amendment to Agreements with the San Diego County Office of Education for:

- (1) Participation in the Outdoor Education Program for the Period of July 1, 2023, Through June 30, 2024; and
- (2) Participation in the Science Outreach Program for the Period of July 1, 2023, Through June 30, 2024

 X **Action**

 Information

BACKGROUND INFORMATION:

The San Diego County Office of Education (SDCOE) operates the Outdoor Education Program, which allows Grade 6 students to stay four or five days at a designated site where they are provided with hands-on learning opportunities that incorporate the Next Generation Science Standards and Common Core State Standards. The program's curriculum includes life science, biology, botany, earth science, geology, meteorology, astronomy, outdoor skills, recreation activities, and crafts. The SDCOE requests districts to sign an agreement for each of their participating schools. The agreement allows for scheduling and other necessary preparations for use of outdoor education facilities. The agreement does not change the obligation of the individual schools to provide funding for participating students.

The SDCOE coordinates the Science Outreach Program, which includes the Green Machine, the Splash Science Mobile Lab, and the Marine Science Floating Lab.

- The Green Machine curriculum aligns with the California Science Content Standards for Kindergarten through Grade 4. It consists of a presentation that describes the journey from seed to dinner table through hands-on learning stations that enable students to learn where their food comes from. A musical and dramatic wrap-up reinforces the learning.
- The Splash Science Mobile Lab curriculum aligns with the California Science Content Standards for Grades 4 through 6. It consists of hands-on learning

- opportunities for students at multiple learning stations—watershed and storm drains, water conservation, San Diego estuary, and microscope.
- The Marine Science Floating Lab program consists of half-day field trips on San Diego Bay with hands-on science instruction and materials.

District schools may want to take advantage of these field trip opportunities. In order for the District to participate, an agreement approved by the Board of Education is required. The agreement does not obligate the District but allows schools to participate should they choose to do so.

ADDITIONAL DATA:

At its June 14, 2023 meeting, the Board approved the agreement with SDCOE for the Outdoor Education Program for 12 sites. Since then, Loma Verde and Greg Rogers schools have been added to the agreement to participate in the Outdoor Education Program. Currently, students from the schools listed below will participate in the Outdoor Education Program during the 2023-24 school year.

- | | |
|------------------------|---------------------|
| • Arroyo Vista Charter | • Loma Verde |
| • Discovery Charter | • Greg Rogers |
| • Clear View | • Burton C. Tiffany |
| • Myrtle S. Finney | • Silver Wing |
| • Halecrest | • Veterans |
| • Fahari L. Jeffers | • Vista Square |
| • Karl H. Kellogg | • Wolf Canyon |

Additional information is available in the Office of the Area Assistant Superintendent of Instructional Services and Support.

FISCAL IMPACT/FUNDING SOURCE:

The cost of the Outdoor Education Program is covered by students, fundraisers, and site-based funds. A discounted rate will apply to the percentage of students who have been identified as socioeconomically disadvantaged at individual schools. Outdoor Education Program fees are listed below.

Description	Cost
Five-day program	\$345 per student
Four-day program	\$295 per student

The participation fee for the Green Machine Lab is \$616 per trip, serving up to four one-hour classes of up to 30 students each.

The participation fee for the Splash Science Lab is \$855 per trip, serving up to four one-hour classes of up to 30 students each.

The participation fee for the Marine Science Floating Lab is \$900 per morning trip and \$855 per afternoon/twilight trip, serving up to 40 people on one of two boats.

Schools utilize site-based funds to finance the field trips.

STAFF RECOMMENDATION:

Recommend ratification.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Student Services

ITEM TITLE:

Ratify Memorandum of Understanding with Parent Institute for Quality Education (PIQE) for a Family Literacy Program for the Period of October 26, Through December 14, 2023

 X Action

 Information

BACKGROUND INFORMATION:

Parent Institute for Quality Education (PIQE) will provide a Family Literacy Program for the parents/legal guardians of children three to five years of age that are enrolled in the District. The literacy program is designed to introduce the five elements of literacy, equipping families with strategies to support literacy at home. A minimum of fifteen parents is required to open a class in either English or Spanish. Classes will take place at Marshall and Otay Schools.

ADDITIONAL DATA:

A copy of the MOU is available for review in the office of the Director of Early Childhood Education.

FISCAL IMPACT/FUNDING SOURCE:

The cost of the training will be covered by a grant funded through the San Diego and Dr. Seuss Foundations. The cost of the "Family Time Reading" workbook is \$30 and \$45 for Spanish and English, respectively, and will be paid from the California State Preschool Program.

STAFF RECOMMENDATION:

Recommend ratification.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Student Services

ITEM TITLE:

Approve Medi-Cal Collaborative's Recommendations for Additional Use of Medi-Cal Funds for the 2023-24 School Year

 X Action

 Information

BACKGROUND INFORMATION:

On July 16, 1996, the Board approved a contract with the California School Boards Association to prepare and submit reimbursement claims for qualifying services provided to Medi-Cal eligible students. The Medi-Cal Collaborative, which is comprised of District administrators, certificated and classified staff, and other representatives of the community, sets priorities for reinvestment of such funds.

The intent of the Local Educational Agency (LEA) Medi-Cal Billing Option is outlined in Education Code Section 8800 et seq. School districts applying for and administering Healthy Start and similar operational grants and programs utilize the LEA Medi-Cal Billing Option as a mechanism to generate new funds to sustain and expand these services. A wide range of health and social services for targeted children through consortia and collaboration are permissible as called for in the Education Code.

Reimbursements must be used to supplement and not supplant existing state and federal funding.

ADDITIONAL DATA:

Additional information is available for review in the office of the Assistant Superintendent of Student Services.

FISCAL IMPACT/FUNDING SOURCE:

The estimated beginning balance for the 2023-24 school year as of May 1, 2023, was \$1,177,103. On June 14, 2023, the Board approved the Medi-Cal Collaborative's allocation of funds in the amount of \$731,931.

Additional reimbursement was received from the Department of Health Care Services between May 1 and June 30, 2023, and this resulted in a new estimated beginning balance of \$3,159,254.

On October 19, 2023, the Medi-Cal Collaborative approved the following:

1. Purchase of Welch Allyn OAE Hearing Screener in the amount of \$10,000.
2. Increase the automatic reimbursement percentage allocated to the Special Education Department from 30% to 50% of what is being generated in the future, and of what is currently available for immediate use. As of October 16, 2023, the available amount is \$1,988,039 plus \$428,281 in this year's reserve, for a total of \$2,416,320. Fifty percent of this amount will be \$1,208,160 available to Special Education.

These figures may change based on additional reimbursement received, as well as payment of additional vendor fees.

STAFF RECOMMENDATION:

Recommend approval.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Student Services

ITEM TITLE:

Ratify Nonpublic, Nonsectarian Individual Services Agreement with San Diego Center for Children for Student No. 495561 for the 2023-24 School Year

 X Action

 Information

BACKGROUND INFORMATION:

Contracting for the provision of Special Education and/or related services for a child with exceptional needs in a California nonpublic school (NPS) is made under three basic provisions of the law:

1. An eligible pupil is one for whom an Individualized Education Program (IEP) Team determines that there are no other appropriate public school programs available that meet the student's needs as specified by the IEP, or a student moves into the District from another school district with an existing IEP.
2. Each placement is made through a contract between the placing local education agency and the appropriate NPS/agency.
3. The NPS must be certified by the California Department of Education.

The Special Education Department has complied with the provisions listed above and contracted with San Diego Center for Children for Student No. 495561 for the 2023-24 school year.

ADDITIONAL DATA:

Additional information is available for review in the office of the Assistant Superintendent of Student Services.

FISCAL IMPACT/FUNDING SOURCE:

The estimated cost for Student No. 495561 to attend San Diego for Children for 207 days at a daily rate of \$265.59 is as follows:

Special Education Funding (Assembly Bill 602)	\$ 5,632.29
Special Education Average Daily Attendance	
Local Control Funding Formula	14,002.64
Other General Fund Revenues	<u>35,342.20</u>
Estimated Total Revenues	\$54,977.13

Summary:

Total cost for Student No. 495561 to attend the above-mentioned NPS is:

San Diego Center for Children	<u>\$54,977.13</u>
Estimated Total Expenditures	\$54,977.13

STAFF RECOMMENDATION:

Recommend ratification.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Student Services

ITEM TITLE:

Ratify Nonpublic, Nonsectarian Individual Services Agreement with The Institute for Effective Education for Student No. 306358 for the 2023-24 School Year

 X Action

 Information

BACKGROUND INFORMATION:

Contracting for the provision of Special Education and/or related services for a child with exceptional needs in a California nonpublic school (NPS) is made under three basic provisions of the law:

1. An eligible pupil is one for whom an Individualized Education Program (IEP) Team determines that there are no other appropriate public school programs available that meet the student's needs as specified by the IEP, or a student moves into the District from another school district with an existing IEP.
2. Each placement is made through a contract between the placing local education agency and the appropriate NPS/agency.
3. The NPS must be certified by the California Department of Education.

The Special Education Department has complied with the provisions listed above and contracted with The Institute for Effective Education for Student No. 306358 for the 2023-24 school year.

ADDITIONAL DATA:

Additional information is available for review in the office of the Assistant Superintendent of Student Services.

FISCAL IMPACT/FUNDING SOURCE:

The estimated cost for Student No. 306358 to attend The Institute for Effective Education for 174 days at a daily rate of \$383.20 is as follows:

Special Education Funding (Assembly Bill 602)	\$ 5,632.29
Special Education Average Daily Attendance	
Local Control Funding Formula	11,745.89
Other General Fund Revenues	<u>49,298.62</u>
Estimated Total Revenues	\$66,676.80

Summary:

Total cost for Student No. 306358 to attend the above-mentioned NPS is:

The Institute for Effective Education	<u>\$66,676.80</u>
Estimated Total Expenditures	\$66,676.80

STAFF RECOMMENDATION:

Recommend ratification.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Student Services

ITEM TITLE:

Approve the Submission of Application to the California Department of Education for Continued Funding for Fiscal Year 2024-25

 X Action

 Information

BACKGROUND INFORMATION:

District receives funding from the California Department of Education (CDE) to operate the California State Preschool Program (CSPP). Each year, CVESD completes the Continued Funding Application (CFA) to CDE. If approved, CSPP contract will automatically renew for fiscal year 2024-25.

ADDITIONAL DATA:

The CFA is available for review in the office of Director of Early Childhood Education.

FISCAL IMPACT/FUNDING SOURCE:

The 2023-24 school year maximum reimbursement amount is \$7,048,601.

STAFF RECOMMENDATION:

Recommend approval.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Student Services

ITEM TITLE:

Ratify Memorandum of Understanding with San Diego State University Research Foundation and YMCA of San Diego County for the Connigo Program for the 2023-24 School Year

 X Action

 Information

BACKGROUND INFORMATION:

This Agreement is to provide Connigo Program offerings, which is a health and wellbeing program for Latina girls in grades three through five and their mothers. Program goals are to increase physical activity, healthy eating, and other health behaviors to improve family communication, self-esteem, mental health and other socioemotional outcomes, and connect families with each other and with community resources to improve their wellness.

Connigo can accommodate up to twenty families at four different school sites, with the goal to serve up to eighty families over the course of the school year.

ADDITIONAL DATA:

A copy of this Agreement is available in the office of the Assistant Superintendent of Student Services.

FISCAL IMPACT/FUNDING SOURCE:

No cost to the District.

STAFF RECOMMENDATION:

Recommend ratification.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Business Services and
Support

ITEM TITLE:

Adopt Resolution Authorizing Designated Agents to Enter Into Contracts with the Child Development Division, California Department of Education, for Fiscal Year 2024-25

 X **Action**

 Information

BACKGROUND INFORMATION:

In accordance with various sections of the Education Code dealing with business matters, the Board of Education may authorize certain District personnel to execute documents on behalf of the District. In order to receive State Preschool funding, the Child Development Division of the California Department of Education is requiring the District to submit its Continuing Application for State Preschool funding for the 2024-25 fiscal year.

ADDITIONAL DATA:

A copy of the Resolution is attached.

FISCAL IMPACT/FUNDING SOURCE:

None.

STAFF RECOMMENDATION:

Recommend authorization and adoption.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

RESOLUTION NO. _____

Resolution Authorizing Designated Agents)
to Enter Into Contracts with the Child)
Development Division, California Department)
of Education, for Fiscal Year 2024-25)

On motion of Member _____, seconded by Member
_____, the following resolution is adopted:

BE IT RESOLVED that the Board of Education of the Chula Vista Elementary School District authorizes the following persons to enter into contracts with the Child Development Division, California Department of Education, for fiscal year 2024-25, and that the persons who are listed below are authorized to sign the transactions for the Board of Education:

Eduardo Reyes
Oscar Esquivel
Sharon Casey
Jason Romero
Jessica Morales
Lisa Riggs

PASSED AND ADOPTED by the Board of Education of the Chula Vista Elementary School District, County of San Diego, State of California, this 15th day of November 2023 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chula Vista Elementary School District
Resolution No. _____
Page 2

STATE OF CALIFORNIA)
) ss
COUNTY OF SAN DIEGO)

I, Eduardo Reyes, Secretary to the Board of Education of the Chula Vista Elementary School District of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board at a regular meeting thereof on the date and by the vote above stated, which resolution is on file and of record in the Office of said Board.

Secretary to the Board of Education

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Business Services and
Support

ITEM TITLE:

Adopt Resolution Authorizing Utilization of the Downey Unified School District Bid No. 23/24-11 for Apple Computer Products & Services, with Apple, Inc., for the Period of November 16, 2023, Through June 30, 2024

 X Action

 Information

BACKGROUND INFORMATION:

On October 3, 2023, the Downey Unified School District (DUSD) awarded its Bid No. 23/24-11 to Apple, Inc., (Apple) for the purchase of Apple computer products and services. The initial contract term was awarded through June 30, 2024, with the option to extend the bid for two additional one year terms.

The Chula Vista Elementary School District (CVESD) is eligible to use the DUSD bid per Public Contract Code Sections 20118. This bid will allow CVESD to purchase or lease Apple computers and related products to support student and staff needs. In addition, service for any Apple-related equipment will be provided directly from Apple or an Apple-certified technician.

ADDITIONAL DATA:

Copies of bid and contract documents are available for review in the Office of the Deputy Superintendent.

FISCAL IMPACT/FUNDING SOURCE:

Pricing structure for this bid is based on the United States Education Institution current government and educational price list for Apple products which is published several times each year. Due to the rapid advances in technology, the DUSD included a Technology Clause that allows functionally similar or identical products that have been improved or enhanced in both price and performance to be included under the umbrella of compatible product lines and thus specifically included as part of this bid. A representative list of commonly purchased items is attached as Exhibit "A." Purchase of Apple equipment and services will be paid from General, Categorical Program, and other District funds.

STAFF RECOMMENDATION:

Recommend adoption.

EXHIBIT “A”

**Bid No. 23/24-11
Representative Pricing for
Downey Unified School District
Apple Computer Products & Services
(US Education Institution Price List - September 13, 2023)**

MacBook Pro	
13” M2 Chip, 256GB SSD (MNEP3LL/A)	\$1,199.00
3 Year Apple Care for 13” (S9890LL/A)	\$ 159.00

MacBook Air	
13” 128 GB, M1 Chip (MGN83LL/A)	\$ 799.00
3 Year Apple Care (S7732LL/A)	\$ 129.00

Mac Mini	
M2 chip, 256SSD (MMFJ3LL/A)	\$ 499.00
3 Year Apple Care (S7730LL/A)	\$ 79.00

iPad 9th Generation	
10.2” 64 GB WiFi (MK2L3LL/A)	\$ 299.00
3 Year Apple Care for above item (S7743LL/A)	\$ 79.00
10.2” 32GB WiFi, 10 Pack Bundle (MK403LL/A)	\$2,940.00

Apple TV	
Apple TV – 4K WIFI + Ethernet (MN893LL/A)	\$ 149.00

Pricing above is based on the current government and educational price list for Apple Inc. that is published several times a year.

Pricing is subject to change.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

RESOLUTION NO. _____

Resolution Authorizing Utilization of the)
Downey Unified School District Bid)
No. 23/24-11 for Apple Computer)
Products & Services with Apple, Inc.,)
for the Period of November 16, 2023,)
Through June 30, 2024)

On motion of Member _____, seconded by Member
_____, the following resolution is adopted:

WHEREAS, the Downey Unified School District (DUSD) has conducted a cooperative bid process that named the Chula Vista Elementary School District (District), which may purchase, lease, or contract under the bid at the same prices and upon the same terms and conditions as DUSD pursuant to Sections 20118 of the Public Contract Code of California; and

WHEREAS, Apple, Inc., (Apple) agrees to provide Apple computer products and services to the District under the terms and conditions of the bid with DUSD; and

WHEREAS, this Board has determined it to be in the best interest of the District to contract with Apple to meet the needs of the District.

NOW, THEREFORE, BE IT RESOLVED, ORDERED, AND DECLARED that participation by the District in the DUSD Bid No. 23/24-11 for Apple computer products and services is hereby authorized and approved and is subject to all terms, conditions, and documents as specified in the DUSD bid documents.

BE IT FURTHER RESOLVED, ORDERED, AND DECLARED that Eduardo Reyes, Superintendent and Secretary to the Board of Education of the Chula Vista Elementary School District, or his designee, is hereby authorized to execute the necessary contract documents with Apple.

PASSED AND ADOPTED by the Board of Education of the Chula Vista Elementary School District, County of San Diego, State of California, this 15th day of November 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

STATE OF CALIFORNIA)
) ss
COUNTY OF SAN DIEGO)

I, Eduardo Reyes, Secretary to the Board of Education of the Chula Vista Elementary School District of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board at a regular meeting thereof on the date and by the vote above stated, which resolution is on file and of record in the Office of said Board.

Secretary to the Board of Education

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Business Services and
Support

ITEM TITLE:

Approve Consultants for As-Needed California Environment Quality Act (CEQA) Services

 X Action

 Information

BACKGROUND INFORMATION:

On September 26, 2023, a Request for Qualifications (RFQ) for California Environment Quality Act (CEQA) Services was made available. On October 17, 2023, Statements of Qualifications (SOQ) were received from four firms before the 4:00 PM deadline stated in the RFQ.

District Staff evaluated and scored each SOQ using a rubric based on a variety of criteria including:

- Conforms with Requirements of RFQ
- Timely Submission
- Cover Letter/Introduction
- Company Profile and Business Information, Certification
- Project Organization/Qualifications of Key Personnel
- Relevant/Related Experience
- References
- Fee Schedule
- Exceptions/Deviations Noted
- Litigation History
- Insurance

All four firms, including Dudek, ECORP Consulting, Inc., Michael Baker International, and Placeworks, were selected based on the SOQ submittals to be used as a pool from which to choose for future projects.

ADDITIONAL DATA:

Copies of the RFQ and SOQs received are available for review in the Office of the Deputy Superintendent.

FISCAL IMPACT/FUNDING SOURCE:

Costs will be negotiated depending on the project and paid from Capital funds or other appropriate District funds, as needed.

STAFF RECOMMENDATION:

Recommend approval.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT
GOVERNING BOARD AGENDA ITEM

Prepared by: Business Services and
Support

ITEM TITLE:

Adopt Resolution Approving Change Order No. 1 to Agreement for Installation of Energy Generation and Resilience Systems

 X **Action**

 Information

BACKGROUND INFORMATION:

On November 18, 2020, the Board of Education approved an agreement with Engie Services U.S., Inc. (“Engie”) entitled “Agreement for Installation of Energy Generation and Resilience Systems” (“Installation Agreement”). The Installation Agreement provides for installation of photovoltaic solar-energy generation systems at 47 District schools and administrative facilities, and for installation of a battery-energy storage system at the District’s primary offices at 84 East J Street (each a “System”). The Board of Education also concurrently approved an associated “Agreement for Maintenance and Operation of Energy Generation and Resilience Systems” (“M&O Agreement”) which provides for Engie to maintain and operate the Systems installed by Engie.

Subsequently, the District and Engie determined that existing solar equipment at Mueller Charter School precluded installation of a System at that location. Therefore, on September 13, 2023, the Board of Education approved an amendment to the M&O Agreement to delete Mueller Charter from the scope of the M&O Agreement. As indicated in Exhibit A attached to the proposed resolution, the amount payable by the District pursuant to the Installation Agreement was also reduced to accommodate elimination of the System to be installed at Mueller Charter.

In connection with installation of the Systems, the California Department of General Services, Division of State Architect (“DSA”) indicated that access improvements were required at various of the District schools. The District authorized Engie to proceed with the additional work required by the DSA, and Engie has completed all of the additional work except at Chula Vista Hills. The District has determined that it will be more cost-effective and result in less interference with operations at Chula Vista Hills, if the District completes that installation work itself. All that is left for Engie to do at CVH is to obtain DSA approval of the plans for the work that the District will perform. As also indicated in Exhibit A to the proposed resolution, there were other changes to the scope of Engie’s work directed by the District.

As indicated in Exhibit A, the original amount payable pursuant to the Installation Agreement was \$31,587,551.00, and the total net change to the contract amount is \$1,646,027.66, for a total final contract amount of \$33,233,578.66. Because the Board of Education previously authorized a District-controlled contingency for the project in the amount of \$1 million, the District anticipates using the contingency to pay a portion of the increased contract amount. Therefore, the net increase in the total contract amount from the funding that the Board of Education previously approved for the project will be \$646,027.66.

Notably also, the Board of Education approved the Energy Services Agreement and M&O Agreement pursuant to Government Code Section 4217.10 *et seq.* In accordance with Section 4217.12, the Board of Education made the finding that the anticipated energy-cost savings attributable to the project will exceed the anticipated costs to the District of the project. The District had contracted with a third-party consultant, which estimated that the District would realize a net savings of approximately \$68,900,000 over the 25-year life of the project. Because the difference between the originally anticipated savings and the final contract amount of \$33,233,578.66 is expected to exceed \$35 million, the District has determined that, even with the net increase in project cost of \$646,027.66, the anticipated energy-cost savings attributable to the project are in excess of the anticipated costs of the project.

By approving this resolution, the Board of Education will thereby reiterate the finding required by Government Code Section 4217.12 and will approve the change order to the Installation Agreement in the amount of \$1,646,027.66.

ADDITIONAL DATA:

Copies of the Installation Agreement and the M&O Agreement are available for review in the Office of the Deputy Superintendent.

FISCAL IMPACT/FUNDING SOURCE:

The District will pay the change order costs using the previously approved contingency, Measure M Bond proceeds, and/or other capital facilities funds.

STAFF RECOMMENDATION:

Recommend adoption.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT
RESOLUTION NO. _____

Resolution Approving Change)
Order No. 1 to Agreement for)
Installation of Energy Generation)
and Resilience Systems)

On motion of Member _____, seconded by Member _____, the following resolution is adopted:

WHEREAS, the Chula Vista Elementary School District (“District”) and Engie Systems U.S., Inc. (“Engie”) are parties to that certain “Agreement for Installation of Energy Generation and Resilience Systems” dated November 18, 2020 (“Installation Agreement”);

WHEREAS, the Installation Agreement sets forth the terms and conditions for Engie to perform the planning, design work, engineering, development, delivery, construction, installation, integration, connection, and commissioning of: (i) solar photo-voltaic energy generation systems at 47 District school and administrative facilities (each a “PV System”); and (ii) a battery-energy storage system at the District offices located at 84 East J Street, in the City of Chula Vista, California (the “BESS”); and

WHEREAS, the District and Engie are also parties to that certain “Agreement for Maintenance and Operation of Energy Generation and Resilience Systems” dated November 18, 2020 (“M&O Agreement”), which provides for Engie to maintain and operate the PV Systems and BESS that it installs pursuant to the Installation Agreement; and

WHEREAS, prior to approval of the Installation Agreement and the M&O Agreement, the District contracted with a third-party energy consultant (“Energy Consultant”) to perform the calculations necessary to determine and confirm the anticipated total and net energy-cost savings associated with the Project; and

WHEREAS, the Board of Education of the Chula Vista Elementary School District (“Board of Education”) approved the Installation Agreement and the M&O Agreement pursuant to Government Code Section 4217.10 *et seq.* and, in connection with such approval and based on the information provided by the Energy Consultant, made a finding that the anticipated energy cost savings attributable to the work and services to be provided by Engie pursuant to the Installation Agreement and M&O Agreement (collectively, the “Project”) will exceed the anticipated costs to the District of the Project; and

WHEREAS, in connection with approving the Installation Agreement and for purposes of the work and services to be performed by Engie pursuant to the Installation Agreement ("Installation Work"), the Board of Education approved a District-held and District-controlled contingency in the amount of \$1 million ("District Contingency"), and the District Contingency was included for purposes of determining the anticipated energy-cost savings and anticipated costs to the District attributable to the Project; and

WHEREAS, the Board of Education subsequently approved that certain "First Amendment to Agreement for Maintenance and Operation of Energy Generation and Resilience Systems" dated September 13, 2023, to thereby remove Mueller Charter School ("Mueller") from the scope of the M&O Agreement; and

WHEREAS, District staff believes that, as of the date of this Resolution, Engie has completed all of its obligations pursuant to the Installation Agreement, including certain changes to the Installation Work required by the California Department of General Services, Division of State Architect ("DSA") and as otherwise directed by the District, and except for: (i) completing certain DSA close-out obligations; (ii) obtaining DSA approval of certain drawings and specifications for fire-access road improvements as described below in this Resolution; and (iii) completion of the construction of those fire-access road improvements, which the District intends shall be deleted from the scope of the Installation Work; and

WHEREAS, among other things, the DSA has required fire-access road improvements at Chula Vista Hills Elementary School, which, as noted above, the District intends to delete from the scope of the Installation Work, although Engie shall remain responsible on behalf of the District for obtaining DSA approval of the drawings and specifications for the fire-access road improvements; and

WHEREAS, the changes to the Installation Work required by the DSA and otherwise directed by the District, together with the cost or credit attributable to each such change (including, among others, the credit attributable to removal of Mueller from the scope of the Installation Agreement) and the net amount of such costs and credits, are specified in the change order to the Installation Agreement attached as Exhibit A to this Resolution ("Change Order No. 1"); and

WHEREAS, Change Order No. 1 provides for a net increase in the amount payable to Engie pursuant to the Installation Agreement ("Installation Price"), and the District intends to use the District Contingency to pay a portion of the net increase in the Installation Price; and

WHEREAS, the Energy Consultant has confirmed for the District that the combined impact of the removal of Mueller from the scope of the Project ("Mueller Removal") and the net increase in the Installation Price ("Installation Price Increase") does not alter or undermine the prior finding by the Board of Education that the anticipated energy-cost savings attributable to the Project will exceed the anticipated costs to the District of the Project; and

WHEREAS, District staff desires that the Board of Education hereby: (i) find that the anticipated energy-cost savings attributable to the Project will exceed the anticipated costs to the District of the Project, notwithstanding the combined impact of the Mueller Removal and the Installation Price Increase; and (ii) approve Change Order No. 1 and authorize District staff to pay the increase in the Installation Price using the District Contingency, other Measure M Bond proceeds, and/or other District capital facility funds; and

NOW, THEREFORE, the Board of Education of the Chula Vista Elementary School District hereby finds, resolves, and orders as follows:

- Section 1. The foregoing Recitals are true and correct, and the Board of Education hereby adopts those Recitals as findings of the Board of Education.
- Section 2. The Board of Education hereby finds that, notwithstanding the combined impacts of the Mueller Removal and the Installation Price Increase, the anticipated energy-cost savings attributable to the Project will exceed the anticipated costs to the District of the Project.
- Section 3. The Board of Education hereby approves Change Order No. 1 and authorizes and directs District staff to pay the Increased Installation Price using and authorize District staff to pay the increase in the Installation Price using the District Contingency, other Measure M Bond proceeds, and/or other District capital facility funds.
- Section 4. The Board of Education hereby authorizes the Superintendent and the Deputy Superintendent of the Chula Vista Elementary School District, and/or their designees to take any and all such actions as are reasonably necessary or convenient to implement the intent and purposes of this Resolution.

Section 5. This Resolution shall take effect immediately upon approval and adoption by the Board of Education.

PASSED AND ADOPTED by the Board of Education of the Chula Vista Elementary School District, County of San Diego, State of California, this 15th day of November 2023, by the following vote:

AYES:

NOES:

ABSTENSIONS:

ABSENTEES:

STATE OF CALIFORNIA)
) ss
COUNTY OF SAN DIEGO)

I, Eduardo Reyes, Secretary to the Board of Education of the Chula Vista Elementary School District of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board of Education at a regular meeting thereof on the date and by the vote above stated, which resolution is on file and of record in the Office of said Board of Education.

Secretary to the Board of Education

EXHIBIT A

CHANGE ORDER NO. 1 TO AGREEMENT FOR INSTALLATION OF ENERGY GENERATION AND RESILIENCE SYSTEMS

Chula Vista ESD - Solar and Resiliency Project

ENGIE Services US

Change Log

Change	Description	Dated	Amount	Notes
1	Group 1 schools footings	8/6/2021	\$ 79,285.00	1
2	Valley Vista Switchgear replacement	8/12/2021	\$ 62,773.00	1
3	Group 2 schools footings	9/20/2021	\$ 56,442.00	1
4	Group 3 schools footings, Groups 1,2,3 schools structure height	10/20/2021	\$ 33,900.00	1
5	Mueller Charter deduct	10/26/2021	\$ (432,215.34)	1
6	District Office rooftop to carport solar	1/13/2022	\$ 297,294.00	1
7	Arroyo Vista design change and structure relocation	1/13/2022	\$ 53,442.00	1
8	Group 4 schools footings and structure height	1/31/2022	\$ 41,243.00	1
9	Otay and Valle Lindo asphalt under arrays	1/31/2022	\$ 112,220.00	1
10	Group 5 schools footings & structure height	3/21/2022	\$ 21,520.00	1
	Juarez Lincoln and Rice design change/relocation		\$ 45,402.00	1
11	SDG&E delay and contract time extension	3/25/2022	\$ -	1
12	Asphalt repair - Kellogg, Allen, Silver Wing	6/17/2022	\$ 85,429.00	1
13	Group 6 schools footings & structure height, Clear View design change/relocation	5/17/2022	\$ 46,656.00	1
14	Jeffers changes, acceleration, broken modules	6/17/2022	\$ 20,049.00	1
15	Rosebank irrigation repair/modification	7/14/2022	\$ 22,094.00	1
16	Module credit	7/13/2022	\$ (31,354.00)	1
17	Electric room Panic hardware at 4 sites	7/14/2022	\$ 31,040.00	2
18	Additional asphalt repair scope at Allen and Silver Wing due to unsuitable soils	7/8/2022	\$ 44,684.00	1
19	Hedenkamp and Valle Vista fire lane striping	7/26/2022	\$ 18,537.00	2
20	ADA upgrades at 12 sites	8/19/2022	\$ 391,691.00	2
21	ADA pedestrian gate upgrades and Silver Wing Fire lane gate	8/22/2022	\$ 82,580.00	2
22	Additional work caused by new SDG&E transformer	12/13/2022	\$ 136,550.00	1
23	Fire lanes at Chula Vista Hills ES & Silver Wing ES	4/19/2023	\$ 241,178.00	2
24	ADA upgrades at 8 sites	7/31/2023	\$ 329,372.00	2
25	SDGE overtime, pad and bollards	8/14/2023	\$ 29,775.00	1
26	CV Hills fire lane deduct and design	10/27/2023	\$ (173,559.00)	2
Total			\$ 1,646,027.66	

Original Contract Amount	\$ 31,587,551.00
Net Changes	\$ 1,646,027.66
Revised Contract Amount	\$ 33,233,578.66

¹ RFP related scope changes/ Unforeseen condition changes	\$ 725,188.66
² Division of State Architect (DSA) required changes	\$ 920,839.00
Total Changes	\$ 1,646,027.66

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Business Services and
Support

ITEM TITLE:

Adopt Resolution Authorizing Utilization of Sourcewell Contract No. 030122-EFM for Fleet Management Services, with Enterprise Fleet Management, Inc., for the Period of November 16, 2023, Through April 18, 2025

 X Action

 Information

BACKGROUND INFORMATION:

Sourcewell is a State of Minnesota local government unit and service cooperative that offers cooperative procurement solutions to government entities. Participation is open to eligible Federal, State, and municipal government entities, higher education, K-12 education, nonprofit, tribal government and other public entities located in the United States and Canada. The Request for Proposal No. 030122 was solicited nationwide. On March 1, 2022, thirteen (13) proposals were received. The proposals were evaluated by the Sourcewell evaluation committee who determined the offering from Enterprise Fleet Management, Inc., (Enterprise) to be one of the most competitive proposals submitted. On May 17, 2022, the Sourcewell Board of Directors awarded Contract No. 030122-EFM to Enterprise.

Enterprise provides a range of customizable fleet solutions from selection and acquisition to ongoing management services. Enterprise is offering solid acquisition terms along with significant discounts off Manufacturer Suggested Retail Prices (MSRP).

The District has experienced long lead times for new vehicle purchases and is in urgent need of delivery trucks and vans. Enterprise has the stock available to provide the District the vehicles needed in a timely matter.

The District as a K-12 educational entity is eligible to utilize this contract under Public Contract Code Section 20118. Use of this contract will allow the District to purchase new vehicles as needed to support the district in its operations.

ADDITIONAL DATA:

Copies of the contract documents are available for review in the Office of the Deputy Superintendent.

FISCAL IMPACT/FUNDING SOURCE:

Enterprise offers a variety of fleet leasing options as well as outright purchases. Discounts range from 5 to 25 percent off the MSRP, in addition to any incentives that may be applicable to the purchase/lease being made. Funding will be determined at the time of purchase.

STAFF RECOMMENDATION:

Recommend adoption.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

RESOLUTION NO. _____

Resolution Authorizing Utilization of)
Sourcewell Contract No. 030122-EFM)
for Fleet Management Services with)
Enterprise Fleet Management, Inc., for)
the Period of November 16, 2023,)
Through April 18, 2025)

On motion of Member _____, seconded by Member
_____, the following resolution is adopted:

WHEREAS, Sourcewell, a State of Minnesota local government unit and service cooperative that offers cooperative procurement solutions to government entities publicly solicited proposals nationwide for Fleet Management Services; and,

WHEREAS, the Chula Vista Elementary School District as a local K-12 educational entity is authorized to utilize this contract pursuant to Public Contract Code Section 20118; and

WHEREAS, Sourcewell awarded Contract Number 030122-EFM, to Enterprise Fleet Management, Inc. and agrees to provide vehicles to the Chula Vista Elementary School District under the terms and conditions of the Sourcewell contract; and

WHEREAS, this Board has determined it to be in the best interest of the District to utilize the Sourcewell contract to meet the needs of the Chula Vista Elementary School District.

NOW, THEREFORE, BE IT RESOLVED, ORDERED, AND DECLARED that participation by the Chula Vista Elementary School District, in the Sourcewell Contract No. 030122-EFM for Fleet Management Services is hereby authorized and approved and is subject to all terms, conditions, and documents as specified in the contract documents.

BE IT FURTHER RESOLVED, ORDERED, AND DECLARED that Eduardo Reyes, Superintendent and Secretary to the Board of Education of the Chula Vista Elementary School District, or his designee is hereby authorized to execute the necessary contract documents with Enterprise Fleet Management, Inc., as needed.

Chula Vista Elementary School District

Resolution No.

Page 2

PASSED AND ADOPTED by the Board of Education of the Chula Vista Elementary School District, County of San Diego, State of California, this 15th day of November 2023 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

STATE OF CALIFORNIA)

) ss

COUNTY OF SAN DIEGO)

I, Eduardo Reyes, Secretary to the Board of Education of the Chula Vista Elementary School District of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board at a regular meeting thereof on the date and by the vote above stated, which resolution is on file and of record in the Office of said Board.

Secretary to the Board of Education

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Business Services and
Support

ITEM TITLE:

- (1) Approve Retention Release for Bid No. 22/23-3 for Inter-Pacific, Inc., dba Inter-Pacific Systems, Inc. for the Security Camera Project;
- (2) Approve Change Order to Inter-Pacific, Inc., dba Inter-Pacific Systems, Inc. for a Decrease in the Amount of <\$4,640.65>; and
- (3) Approve Notice of Completion for Inter-Pacific, Inc., dba Inter-Pacific Systems, Inc.

 X **Action**

 Information

BACKGROUND INFORMATION:

On March 8, 2023, the Board approved the award of Bid Package No. 22/23-3 to Inter-Pacific, Inc., dba Inter-Pacific Systems, Inc., for the District Security Camera Project covering 19 school sites. Work commenced on March 27, 2023, and was substantially completed June 30, 2023. This contractor has satisfactorily completed its work sufficient to release the 5% retention held on their progress payments.

The contract with Inter-Pacific, Inc., contained allowances for unforeseen conditions and/or scope modifications. The entire amount of those allowances was not needed to complete the project; therefore, the actual cost of the project was less than the original contract amount. The change order amount for the Bid Package on the chart below represents the original contract amount less the actual cost of the project.

Contractor	Original Contract Amount	Actual Costs	Change Order Amount
Inter-Pacific Systems, Inc.	\$256,576.45	\$251,935.80	-\$4,460.65
			-2.00%

The District has inspected the work and found it to be substantially complete and satisfactory. The final payments of funds owed will be paid no later than 60 days after the Acceptance of Work and Notice of Completion have been filed.

ADDITIONAL DATA:

Copies of the change orders are available for review in the Office of the Deputy Superintendent. A copy of the Notice of Completion of Public Work is attached as Exhibit "A".

FISCAL IMPACT/FUNDING SOURCE:

These change orders result in a decrease of <\$4,640.65> to the total contract amount. The total contract sum will be adjusted from \$256,576.45 to \$251,935.80. Funding will be provided from the United States Department of Justice Federal Grant and District Capital funds.

STAFF RECOMMENDATION:

Recommend approval.

**Recording Requested By and
When Recorded Mail to:**

Chula Vista Elementary
School District
Attention: Facilities Department
84 East "J" Street
Chula Vista, CA 91910

"EXHIBIT A"

Space above for Recorder's use only.
Exempt from recording fee pursuant to Government Code § 6103.

NOTICE OF COMPLETION OF PUBLIC WORK

Project Owner:

Chula Vista Elementary School District,
84 East "J" Street, Chula Vista, CA 91910

Project Site:

Ella B. Allen, Castle Park, Hazel Goes Cook, Halecrest, J. Calvin Lauderbach, Loma Verde, Thurgood Marshall, John J. Montgomery, Otay, Palomar, Parkview, Lillian J. Rice, Greg Rogers, Rohr, Rosebank, Sunnyside, Burton C. Tiffany, Valle Lindo, and Vista Square Elementary Schools, 84 East J Street, Chula Vista, CA 91910

Project Owner Interest in Project Site(s): Fee Simple Ownership

Description of Public Work:

Name/Bid Package(s): Bid Package for Security Camera Project
Direct Contractor: Inter-Pacific, Inc., dba Inter-Pacific Systems, Inc.
Date of Contract: March 8, 2023
Name of Surety: United Fire & Casualty Company
Nature of Work: Bid No. 22/23-3 for Inter-Pacific, Inc., dba Inter-Pacific Systems, Inc. for the Security Camera Project at Ella B. Allen, Castle Park, Hazel Goes Cook, Halecrest, J. Calvin Lauderbach, Loma Verde, Thurgood Marshall, John J. Montgomery, Otay, Palomar, Parkview, Lillian J. Rice, Greg Rogers, Rohr, Rosebank, Sunnyside, Burton C. Tiffany, Valle Lindo, and Vista Square Elementary Schools

Acceptance/Completion Date: The Project Owner's Board of Education accepted the above-described public work as being complete on November 15, 2023.

Verification: The undersigned hereby declares subject to penalty for perjury that I am an officer of the Project Owner (i.e., Secretary to the Board of Education of the Chula Vista Elementary School District), I am authorized to make this verification on behalf of the Project Owner, I have read this notice and understand its contents, and I am informed and believe that the matters set forth herein are true and correct.

Executed in Chula Vista, California, on November 15, 2023

Dr. Eduardo Reyes
Secretary to the Board of Education of the Chula
Vista Elementary School District

Page 3 of 3
Agenda Item 11.S.
November 15, 2023

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Business Services and
Support

ITEM TITLE:

Approve Contract with School Services of California, Inc., for Fiscal Information Services in the Amount of \$5,060 for the Period of December 1, 2023, Through November 30, 2024

 X Action

 Information

BACKGROUND INFORMATION:

School Services of California, Inc. (SSC), is a Sacramento-based consulting firm that provides a broad range of services including fiscal/budget services, analyses of all major school finance legislation, and other special projects. Through this contract, the District receives timely analyses of major legislative issues as well as updates on any changes made by the California Department of Education that impact education. The District's current agreement with SSC will expire on November 30, 2023.

ADDITIONAL DATA:

The District would continue to receive the latest information regarding State finance throughout the year, especially during the crucial budget development phase.

A copy of the agreement is available for review in the Office of the Deputy Superintendent.

FISCAL IMPACT/FUNDING SOURCE:

The cost for services for the period of December 1, 2023, through November 30, 2024, is \$4,500, which is an increase of \$240 over the previous year. To this base contract, the District is adding the purchase of the Comparative Analysis of District Income and Expenditures Report and the Salary and Benefits Report at the client rate of \$800, which is the same as the previous year. Costs will be paid from the General Fund.

STAFF RECOMMENDATION:

Recommend approval.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Business Services and
Support

ITEM TITLE:

Approve Acceptance of Work and Notice of Completion for Bid No. 22/23-7 to W2W Sport, to Provide and Install Artificial Turf in the Large Playground Surface Area for Robert L. Mueller Charter School

 X Action

 Information

BACKGROUND INFORMATION:

On June 14, 2023, the Board approved the award of Bid No. 22/23-7 to W2W Sport, to provide and install 4,600 square feet of artificial turf over the existing poured in place surfacing at the large playground area to include all necessary in-fill to conform with design specifications and 30 play fall tiles at fall areas for \$58,513.

The District has inspected the work and found it to be substantially complete and satisfactory. The final payments of funds owed will be paid no later than 60 days after the Acceptance of Work and Notice of Completion have been filed.

ADDITIONAL DATA:

The Acceptance of Work and Notice of Completion is attached as exhibit "A."

FISCAL IMPACT/FUNDING SOURCE:

Funding will be paid by Mueller Charter School funds and State Charter School Facilities Grant funds.

STAFF RECOMMENDATION:

Recommend approval.

**Recording Requested By and
When Recorded Mail to:**

Chula Vista Elementary
School District
Attention: Facilities Department
84 East "J" Street
Chula Vista, CA 91910

Space above for Recorder's use only.
Exempt from recording fee pursuant to Government Code § 6103.

NOTICE OF COMPLETION OF PUBLIC WORK

Project Owner:

Chula Vista Elementary School District,
84 East "J" Street, Chula Vista, CA 91910

Project Site:

Robert L. Mueller Charter School
715 I Street
Chula Vista, CA 91910

Project Owner Interest in Project Site(s): Fee Simple Ownership

Description of Public Work:

Name/Bid Package(s): Bid No. 22/23-7 for Artificial Turf Installation
Direct Contractor: W2W Sport
Date of Contract: June 15, 2023
Name of Surety: United Fire & Casualty Company
Nature of Work: Bid No. 22/23-7 to W2W Sport, to Provide and Install Artificial
Turf in the Large Playground Surface Area for Rober L.
Mueller Charter School

Acceptance/Completion Date: The Project Owner's Board of Education accepted the
above-described public work as being complete on November 15, 2023.

Verification: The undersigned hereby declares subject to penalty for perjury that I am an
officer of the Project Owner (i.e., Secretary to the Board of Education of the Chula Vista
Elementary School District), I am authorized to make this verification on behalf of the
Project Owner, I have read this notice and understand its contents, and I am informed and
believe that the matters set forth herein are true and correct.

Executed in Chula Vista, California, on November 15, 2023.

Eduardo Reyes
Secretary to the Board of Education of the Chula
Vista Elementary School District

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Business Services
and Support

ITEM TITLE:

Approve Overnight Study Trip for Fifth Grade Students from Sunnyside Elementary School to the Star of India on April 19-20, 2024

 X Action

 Information

BACKGROUND INFORMATION:

Fifth grade students from Sunnyside Elementary School request Board approval for an overnight study trip to the Star of India on April 19-20, 2024. This trip matches the history/social studies curriculum for fifth grade. The program provides information and hands-on experience allowing students to relive the turbulent year of 1774 on a tall ship; role play with maritime instructors, raise sails, load cargo, and protect the vessel from pirates.

Approximately 26 students will participate in the trip. Two teachers and three parents will accompany each group of students.

ADDITIONAL DATA:

None.

FISCAL IMPACT/FUNDING SOURCE:

The cost of the study trip is \$125 per student. This includes lodging, meals, and admission to the Star of India. Students have had opportunities to earn monies for their trip by participating in fundraisers. No child will be excluded on the basis of ability to pay.

STAFF RECOMMENDATION:

Recommend approval.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Business Services and
Support

ITEM TITLE:

Accept Donations

 X Action

 Information

BACKGROUND INFORMATION:

1. On October 15, 2023, the Bonita Optimist Club awarded a grant in the amount of \$1,000 to Rosebank Elementary School. The funds will be used to purchase supplemental Physical Education equipment.
2. On October 20, 2023, The Blackbaud Giving Fund/Sempra Foundation donated \$600 to Karl H. Kellogg Elementary School. The funds will be used to supplement the school's site funds.
3. In October 25, 2023, the Corky McMillin PTA donated \$40,000 to Corky McMillin Elementary. The funds will be used for field trips, classroom libraries, technology, equipment and/or other supplemental materials for students.

ADDITIONAL DATA:

District staff will write a letter of appreciation for the above donations.

FISCAL IMPACT/FUNDING SOURCE:

None.

STAFF RECOMMENDATION:

Recommend acceptance.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Business Services and
Support

ITEM TITLE:

Ratify Purchase Orders, Warrants, and Checks Written/Issued Through
October 31, 2023

 X Action

 Information

BACKGROUND INFORMATION AND FISCAL IMPACT:

The following purchase orders, warrants, and checks were written/issued through
October 31, 2023

- | | |
|--|------------------|
| i. Purchase Orders: 24003075-24004078 | \$8,543,477.05 |
| ii. Alternative Revolving Cash: #1435-1448 | \$ 2,050.00 |
| iii. Commercial Warrants: 351633-352542 | \$ 11,739,930.65 |
| Cafeteria Warrants: 10449-10495 | \$ 1,029,904.05 |
| iv. Payroll Warrants: Series 10 | \$21,642,400.04 |
| 13437951-13439133; N 4020199-4108894 | |
| v. Revolving Cash Checks: 12495-12563 | \$ 9,135.20 |

ADDITIONAL DATA:

Additional information is available for review in the Office of the Deputy
Superintendent in accordance with Board Policies 3310, 3314, and 3314.2.

STAFF RECOMMENDATION:

Recommend ratification.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Business Services and
Support

ITEM TITLE:

Approve and/or Ratify Inservice/Travel Requests

 X Action

 Information

BACKGROUND INFORMATION:

See attached listing.

ADDITIONAL DATA:

Inservice/travel requests are available for review in the Office of the Deputy Superintendent in accordance with Board Policies 4133, 4233, and 4333.

FISCAL IMPACT/FUNDING SOURCE:

See attached listing.

STAFF RECOMMENDATION:

Recommend approval and/or ratification.

Exhibit A

[illegible]

*Estimated cost per participant. Funds may vary by site for this event
NOTE: Actual Inservice/Travel costs may differ from estimated costs as shown above.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Superintendent's Office

ITEM TITLE:

Adopt December 13, 2023, at 6 P.M. as the Date and Time for the Annual Organizational Meeting of the Board of Education of the Chula Vista Elementary School District

 X **Action**

 Information

BACKGROUND INFORMATION:

In California, the annual organizational meetings of school districts' governing boards must be held within a specified 15-day period identified in Education Code Section 35143. The date and time of the annual organizational meeting shall be selected by a school district governing board at the regular meeting held immediately prior to the 15-day period. This information shall then be provided to the district's county superintendent of schools. In 2023, the 15-day period has been identified as December 13-28, inclusive. Three Wednesdays fall within this period—December 13, 20, and 27. It has been determined that December 13, 2023, at 6 P.M., is most appropriate for holding the organizational meeting of the Chula Vista Elementary School District Board of Education.

An annual organizational meeting is deemed by Education Code Section 35149 to be a regular meeting; as such, regular business of the Board of Education may be transacted at the meeting.

ADDITIONAL DATA:

The Board of Education convenes for meetings at the Education Service and Support Center, 84 East "J" Street, Chula Vista. Meetings are also livestreamed in English and Spanish.

Copies of Education Code Sections 35143 and 35149 are accessible online at <http://leginfo.legislature.ca.gov/>.

FISCAL IMPACT/FUNDING SOURCE:

None.

STAFF RECOMMENDATION:

Recommend adoption.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Business Services and
Support

ITEM TITLE:

Approve Proposed Attendance Boundaries for Sonia Sotomayor Elementary School

 X Action

 Information

BACKGROUND INFORMATION:

Construction is underway at Sonia Sotomayor Elementary School (Sotomayor Elementary) located at 1789 Santa Carolina Avenue in Otay Ranch Village 2 and is on schedule to open in July 2024. This is the second elementary school to be built in Otay Ranch Village 2. The first was Saburo Muraoka Elementary (Muraoka Elementary). By creating Sotomayor Elementary boundaries, the Muraoka Elementary School boundaries will be adjusted. District staff has assessed future housing developments and the resulting student enrollment. The proposed Sotomayor attendance area encompasses the community within clearly defined boundaries, including Olympic Parkway on the north and west, Muraoka Elementary School boundaries on the east, and the northern boundaries of Jeffers Elementary as the most southern point, as depicted on the map of the proposed attendance area.

ADDITIONAL DATA:

On October 18, 2023, a public hearing was conducted regarding the proposed boundaries. Prior to reporting this proposal to the Board, District staff invited parents to a community forum on November 1, 2023, to exchange dialogue and address questions or concerns regarding the proposed attendance boundaries. As usual, the District will offer Sotomayor Elementary fifth graders the option to attend their current school as sixth graders. However, District transportation will not be provided for students wishing to remain at their current school.

A map of the proposed boundaries is attached as Exhibit "A."

FISCAL IMPACT/FUNDING SOURCE:

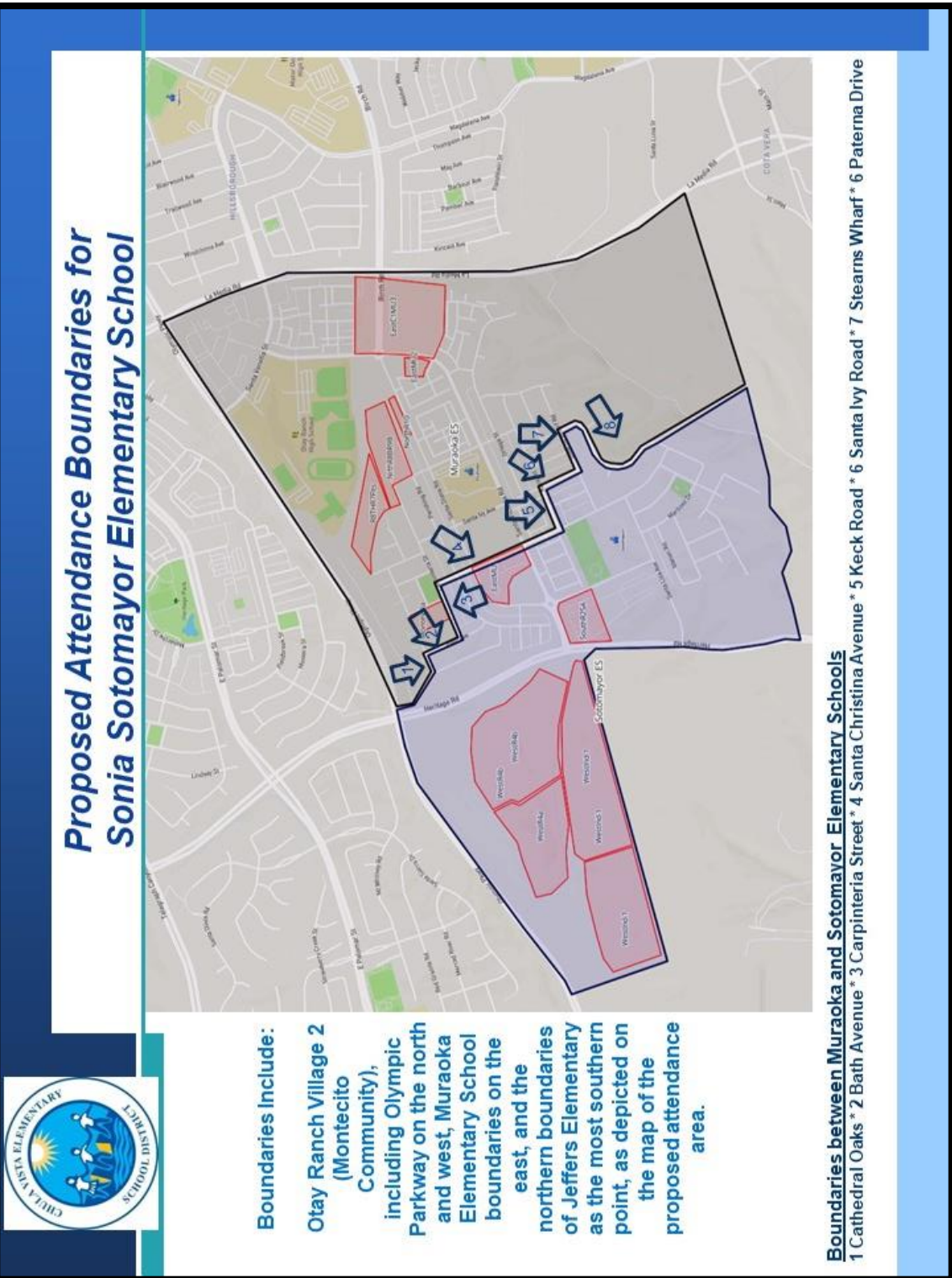
None.

STAFF RECOMMENDATION:

Recommend approval.

EXHIBIT "A"

PROPOSED ATTENDANCE BOUNDARIES FOR SONIA SOTOMAYOR ELEMENTARY SCHOOL



CHULA VISTA ELEMENTARY SCHOOL DISTRICT
GOVERNING BOARD AGENDA ITEM

Prepared by: Business Services and
Support

ITEM TITLE:

Adopt Resolution Approving an Agreement and Escrow Instructions for Purchase of Real Property in Eastern Urban Center of Otay Ranch and Delegating Authority to Complete the Purchase

 X Action

 Information

BACKGROUND INFORMATION:

The Chula Vista Elementary School District (“District”) and Millenia 2022, LLC (“Developer”) are the current parties to a certain “School Mitigation Agreement” dated July 15, 1998 (“Mitigation Agreement”). The Mitigation Agreement provides that, as partial mitigation of the impacts on the District’s school facilities attributable to development within Sectional Plan Area 3 of the Eastern Urban Center of the Otay Ranch Development Project (“SPA 3”), the District is entitled to purchase real property that can be used as a site for a new elementary school (“Millenia Site”). Because the District established Community Facilities Districts that assisted in mitigating the impacts attributable to development of SPA 3, the Mitigation Agreement establishes a price for the Millenia Site that is significantly below fair market value, although it has been increased over the years based on the building cost index published by Engineering News Record.

However, the Mitigation Agreement requires that the District purchase the Millenia Site by the later of (i) 180 days after the Developer completes all site improvements or (ii) issuance of a building permit for the “final” residential dwelling unit within SPA 3. The Developer previously completed all site improvements, and the Developer has indicated to the District that it will not be seeking any additional building permits for residential dwelling units within SPA 3. The Developer has indicated its belief that the District is subject to a shrinking window of opportunity to purchase the Millenia Site. Therefore, the District must purchase the Millenia Site or it will forego the opportunity to purchase the Millenia Site at the price determined pursuant to the Mitigation Agreement.

The District and the Developer have negotiated the terms and conditions for purchase of the Millenia Site by the District. Those terms and conditions have been set forth in a proposed “Agreement and Escrow Instructions for Purchase of Real Property (SPA 3 Site)” (“Purchase Agreement”), and District staff has provided copies of the Purchase Agreement for review by the Board.

sd

The California Department of Toxic Substances Control (“DTSC”) has approved the environmental condition of the Millenia Site for use as a public elementary school. However, the District has not yet determined that it will actually construct a new public elementary school on the Millenia Site, and the District is considering alternatives for development of the Millenia Site, including, among others, workforce housing, teacher training facilities, or a combination of different types of District-owned facilities. In accordance with the Purchase Agreement, if the District is unable to obtain approvals for development of the Millenia Site, the District may sell the Millenia Site and use the resulting funds for authorized purposes. Because the District has not yet determined how it will develop the Millenia Site, the District has yet not undertaken procedures pursuant to the California Environmental Quality Act (“CEQA”). Thus, the District intends to purchase the Millenia Site on what essentially is a “land banking” basis, because it would otherwise lose the opportunity to purchase the Millenia Site at the currently-contemplated price. The Purchase Agreement provides that completion of CEQA procedures is a condition precedent to close of escrow, but the District intends to waive that condition in order to acquire the Millenia Site within the required time period. The District intends to complete required CEQA procedures upon determining how the District will develop the Millenia Site.

By approving this resolution, the Board will thereby approve the Purchase Agreement and authorize the Superintendent, the Deputy Superintendent, or their designees, to execute the Purchase Agreement and take other actions necessary to complete acquisition of the Millenia Site.

ADDITIONAL DATA:

A copy of the purchase agreement and additional information are available for review in the Office of the Deputy Superintendent.

FISCAL IMPACT/FUNDING SOURCE:

The purchase price for the approximately 6.36 acre school site will be a net total of \$3,343,110.59. The District will also pay escrow and related fees and costs. All costs will be paid from Measure M Bond proceeds and/or other capital funds.

STAFF RECOMMENDATION:

Recommend adoption.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT
RESOLUTION NO. _____

Resolution Approving an Agreement)
and Escrow Instructions for Purchase)
of Real Property in Eastern Urban)
Center of Otay Ranch and Delegating)
Authority to Complete the Purchase)

On motion of Member _____, seconded by Member _____, the following resolution is adopted:

WHEREAS, the Chula Vista Elementary School District ("District") desires to acquire property located in the Eastern Urban Center of the Otay Ranch Development Project, City of Chula Vista, County of San Diego, State of California, and identified as County of San Diego Assessor Parcel Number 643-065-01-00 ("Property"); and

WHEREAS, District staff and Millenia 2022, LLC, the owner of the Property ("Owner") have negotiated the terms and conditions for acquisition of the Property by the District, which terms and conditions are set forth in that certain agreement dated November 15, 2023, and entitled "Agreement and Escrow Instructions for Purchase of Real Property (SPA 3 Site)" ("Purchase Agreement"), and District staff provided copies of the Purchase Agreement to the Board of Education of the Chula Vista Elementary School District ("Board") prior to the meeting at which it considered this Resolution; and

WHEREAS, the California Department of Toxic Substances Control ("DTSC") has approved the Property for use as a public elementary school site, although the Board has not yet determined whether it will develop the Property with a public elementary school, workforce housing, teacher training facility, or some combination of District-owned facilities; and

WHEREAS, the District intends to complete any and all necessary procedures pursuant to the California Environmental Quality Act ("CEQA") upon determining how the District will develop the Property; and

WHEREAS, the District desires that the Board approve and adopt this Resolution to thereby approve the Purchase Agreement and authorize District staff to complete the District's purchase of the Property; and

WHEREAS, Government Code Section 27281 provides that instruments conveying any interest in real estate to a governmental agency for public purposes shall not be accepted for recording without the consent of the governmental

agency, as evidenced by a certificate or resolution of acceptance attached to or printed on the instrument; and

WHEREAS, pursuant to Government Code Section 27281, the Board may adopt a resolution authorizing one or more of the District's officers or agents to accept and consent to the recording of deeds and other granting instruments; and

NOW, THEREFORE, the Board of Education of the Chula Vista Elementary School District hereby finds, resolves, and orders as follows:

Section 1. The foregoing Recitals are true and correct, and the Board hereby adopts those Recitals as findings of the Board.

Section 2. The Board hereby approves the Purchase Agreement and the acquisition of the Property on the terms and conditions set forth in the Purchase Agreement, and the Board hereby authorizes and directs that the Deputy Superintendent of the Chula Vista Elementary School District ("Deputy Superintendent") execute and deliver the Purchase Agreement on behalf of the District;

Section 3. Prior to execution and delivery of the Purchase Agreement, the Deputy Superintendent, in consultation with District legal counsel, may make any non-substantive corrections and/or revisions to the Purchase Agreement that they deem necessary and appropriate.

Section 4. The Board hereby authorizes and directs that the Deputy Superintendent: (i) accept, on behalf of the District, the interests in the Property to be conveyed to the District; and (ii) consent to the recording of one or more deeds and/or other instruments providing for conveyance of the Property to the District. Such acceptance and consent shall be evidenced by the signature of the Deputy Superintendent on a "Certification of Acceptance" attached to or set forth on the face of each deed and other instrument conveying interests in the Property to the District.

Section 5. The Board hereby authorizes the Superintendent of the Chula Vista Elementary School District, the Deputy Superintendent, and/or their respective designees to: (i) take any and all such actions, and execute any and all other documents, as necessary or convenient

for purposes of completing the acquisition of the Property by the District; and (ii) cause to be disbursed all funds necessary to complete the acquisition of the Property by the District consistent with the Purchase Agreement and all other approvals and directions of the Board related thereto.

Section 6. The Board hereby authorizes and directs that, upon the Board determining how the District will propose to develop the Property, the Superintendent, the Deputy Superintendent, and/or their respective designees, shall undertake and complete all procedures required to comply with CEQA prior to approval of the proposed project.

Section 7. This Resolution shall take effect immediately upon approval and adoption by the Board.

PASSED AND ADOPTED by the Board of Education of the Chula Vista Elementary School District, County of San Diego, State of California, this 15th day of November, 2023, by the following vote:

AYES:

NOES:

ABSTENSIONS:

ABSENTEES:

STATE OF CALIFORNIA)
) ss
COUNTY OF SAN DIEGO)

I, Eduardo Reyes, Secretary to the Board of Education of the Chula Vista Elementary School District of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board at a regular meeting thereof on the date and by the vote above stated, which resolution is on file and of record in the Office of said Board.

Secretary to the Board of Education

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Human Resources
Services and Support

ITEM TITLE:

First Reading and Second Reading/Possible Revision: Proposed Revisions to Administrative Regulation AR 1240 and Board Policy BP 1240, Volunteer Assistance

BACKGROUND INFORMATION:

The District continues to review and evaluate Administrative Regulations (ARs) and Board Policies (BPs). During this process, a number of current BPs and ARs have been identified for revision or deletion and others have been identified for addition.

AR 1240 and BP 1240 have been updated to align with the California School Boards Association. Revisions to the AR and the proposed BP serve to update and improve the District's processes and practices.

ADDITIONAL DATA:

Copies of the proposed revisions to the revised AR and BP are attached.

FISCAL IMPACT/FUNDING SOURCE:

None.

STAFF RECOMMENDATION:

Recommend revision and approval.

Community Relations

VOLUNTEER ASSISTANCE

Duties of Volunteers

Volunteers may assist certificated personnel in the performance of their duties, in the supervision of students, and in instructional tasks which, in the judgment of the certificated personnel to whom the instructional aide is assigned, may be performed by a person not licensed as a classroom teacher. These duties shall not include assignment of grades to students. (Education Code 45343, 45344, 45349)

Volunteers may supervise students during lunch and/or breakfast periods or may serve as nonteaching aides under the immediate supervision and direction of certificated personnel to perform noninstructional work which assists certificated personnel in the performance of teaching and administrative responsibilities. (Education Code 35021, 44814, 44815)

Volunteers may work on short-term facilities projects pursuant to Governing Board Policy and Administrative Regulation.

Qualifications of Volunteers

Volunteers providing supervision or instruction of students pursuant to Education Code 45349 shall give evidence of basic skills proficiency. (Education Code 45344.5, 45349)

A person who is required to register as a sex offender pursuant to Penal Code 290 shall not serve as a volunteer instructional aide or as a volunteer nonteaching aide under the direct supervision of a certificated employee. (Education Code 35021) A person who has pled guilty to, or has been convicted of, a felony at any time shall not serve as a volunteer instructional aide or as a volunteer nonteaching aide under the direct supervision of a certificated employee.

The District will verify by reasonable means that persons serving as volunteer instructional aides and nonteaching volunteer aides are not required to register as a sex offender pursuant to Penal Code 290.

Community Relations

VOLUNTEER ASSISTANCE (continued)

The District may require any volunteer to satisfy the Education Code 45125 fingerprinting requirements. Regular volunteers shall satisfy the Education Code 45125 fingerprinting requirements. Regular volunteers, as that term is used in this Administrative Regulation, assist the school on average more than two days per school ~~week~~ month.

The schools will fund all costs incurred in the fingerprinting process.

Regular volunteers (working with students on average more than two days per school ~~week~~ month) shall be tested for tuberculosis and file the current results of this testing with the District. Regular volunteers who test negative shall thereafter be required to take a tuberculosis test every four years in accordance with Education Code 49406. (Education Code 45106, 45347, 45349, 49406)

Regulation

Reviewed: 09/15/09

Reviewed: 12/15/09

CHULA VISTA ELEMENTARY SCHOOL DISTRICT
Chula Vista, California

Community Relations

VOLUNTEER ASSISTANCE

The wealth of experience available in the community is a resource that should be used in appropriate ways to enrich the educational program and strengthen our schools' relationships with the homes, businesses, industries, public agencies, and private institutions of our community. The Governing Board encourages parents/guardians and other members of the community to share their special knowledge and abilities with our students.

The Superintendent or designee may authorize the use of volunteers. Volunteers shall work with students under the immediate supervision of certificated personnel and are not to be left alone in the classroom or any other environment with students or paraprofessionals.

Volunteers shall not be used to displace regularly authorized school personnel. (Education Code 35021) Projects assigned to volunteers are those which supplement and enrich the regular school program and which would not be offered without volunteer assistance.

Unsalaries volunteers shall be considered employees of the District for Workers' Compensation Insurance purposes. If injured while serving as volunteers in the District, they should file Workers' Compensation Insurance forms provided by the District office. (Labor Code 3364.5)

All volunteers working with students on a regular basis (more than two days per ~~week~~ **month**) are required to file with the school results of current tuberculosis testing.

Volunteers shall fulfill the tuberculosis testing and loyalty oath qualifications. (Education Code 45347 and 45349)

The District may require any volunteer to satisfy the (Education Code 45125) fingerprinting requirements. Regular volunteers (more than two days per ~~week~~ **month**) shall satisfy the Education Code 45125 fingerprinting requirements.

The schools will fund all costs incurred in the fingerprinting process.

This policy does not apply to activities sponsored by parent organizations.

Community Relations

VOLUNTEER ASSISTANCE (Continued)

Legal Reference:

EDUCATION CODE

EDUCATION CODE

35021 Volunteer aides

35021.1 Automated records check

44010 Sex offense; definition

44814-44815 Supervision of students during lunch and other nutrition periods

45125 Fingerprinting requirements

45340-45349 Instructional aides

45360-45367 Teachers aides

49406 Examination for tuberculosis

GOVERNMENT CODE

3100-3109 Oath or affirmation of allegiance

3543.5 Prohibited interference with employees' rights

HEALTH AND SAFETY CODE

1596.871 Fingerprints of individuals in contact with child day care facility clients

LABOR CODE

3364.5 Persons performing voluntary services for school districts

PENAL CODE

290 Registration of sex offenders

290.4 Information re sex offenders

CODE OF REGULATIONS, TITLE 22

101170 Criminal record clearance

101216 Health screening volunteers in child care centers

UNITED STATES CODE, TITLE 20

6319 Qualifications and duties of paraprofessionals, Title I programs

ATTORNEY GENERAL OPINIONS

62 Ops. Cal. Atty. Gen. 325 (1979)

COURT DECISIONS

Whisman Elementary School District, 15 Public Employee Reporter for California, 22043

Management Resources:

NATIONAL PTA PUBLICATIONS

National Standards for Parent/Family Involvement Programs, 1997

Building Successful Partnerships: A Guide for Developing Parent and Family Involvement Programs, 2000

WEB SITES

California PTA: <http://www.capta.org>

National PTA: <http://www.pta.org>

California Partners in Education: <http://www.capie.org>

National Coalition for Parent Involvement in Education: <http://www.ncpie.org>

Community Relations

VOLUNTEER ASSISTANCE (continued)

U.S. Department of Education, Partnership for Family Involvement in Education:
<http://pfie.ed.gov>

CDE: <http://www.cde.ca.gov>

California Department of Justice, Megan's Law mapping: <http://www.meganslaw.ca.gov>

Policy

Adopted: 11/13/90

Revised: 06/07/94

Revised: 10/20/09

Revised:

CHULA VISTA ELEMENTARY SCHOOL DISTRICT
Chula Vista, California

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Human Resources
Services and Support

ITEM TITLE:

First Reading and Second Reading/Possible Revision: Proposed Revisions to Administrative Regulation AR 6163.2, Board Policy BP 6163.2, and Exhibit 6163.2, Service Animals in Schools

BACKGROUND INFORMATION:

The District continues to review and evaluate Administrative Regulations (ARs), Board Policies (BPs), and Exhibits. During this process, a number of current BPs and ARs have been identified for revision or deletion and others have been identified for addition.

ADDITIONAL DATA:

Copies of the proposed revisions to the revised AR, BP, and Exhibit are attached.

FISCAL IMPACT/FUNDING SOURCE:

None.

STAFF RECOMMENDATION:

Recommend revision and approval.

Instruction

SERVICE ANIMALS IN SCHOOLS

Students, staff, and other visitors are permitted to access District facilities, events, and activities with service animals as permitted by state and federal law. The principal or designee may provide written notification to all parents/guardians of the students in the affected class, asking them to verify whether their child has any known allergies, asthma, or other health condition that may be aggravated by the animal's presence. When a parent/guardian has provided notification that their child has an allergy, asthma, or other health condition that may be aggravated by the animal, the principal shall take lawful and appropriate measures to protect the student from exposure to the animal. The principal or designee shall provide each student's parent, staff member, and visitor with the Acknowledgment Regarding Service Animals. (See E 6163.2.)

(cf. 5141.21 – Administering Medication and Monitoring Health Conditions)

All animals brought to school must be in good physical condition and must be appropriately immunized. The teacher shall ensure that the species of animal is appropriate for the instructional purpose and age and maturity of the students.

All animals brought to school shall be adequately fed, effectively controlled, humanely treated, and properly housed in cages or containers suitable for the species. The teacher shall ensure that cages and containers are cleaned regularly and that the waste materials are removed and disposed of in an appropriate manner.

(cf. 5141 – Health Care and Emergencies)

(cf. 5142 – Safety)

The teacher shall ensure that students receive instructions regarding the proper handling of and good personal hygiene around animals.

(cf. 5141.22 – Infectious Diseases)

Except for service animals, as defined below, all animals are prohibited on school transportation services. (Education Code 39839; 13 CCR 1216.)

Instruction

SERVICE ANIMALS IN SCHOOLS (continued)

(cf. 3541.2 – Transportation for Students with Disabilities)
(cf. 5131.1 – Bus Conduct)

Use of Service Animals by Individuals with Disabilities

~~This regulation is designed to provide guidance regarding the use of service animals by students with disabilities enrolled in schools within the Chula Vista Elementary School District, as well as the use of such animals by school staff and visitors on District property and at school-sponsored programs and activities.~~

1. Definitions

~~a. Individual with a disability: As defined by Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA) of 1990, and the ADA Amendments of 2008. (29 U.S.C. Section 705 (20), 42 U.S.C. Section 12101)~~

~~b. Service animal:~~ **For an individual with a disability, service animal means** A-any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability **related to the individual's disability and for their benefit. For example, for an individual who is blind or has low vision, a service animal would mean a dog that helps him/her with vision, navigation, and other tasks; for an individual who is deaf or hard of hearing, a service animal would mean a dog that alerts him/her to the presence of people or sounds; and for an individual with psychiatric or neurological disabilities, a service animal would mean a dog that assists him/her by preventing or interrupting impulsive or destructive behaviors.** ~~, including a physical, sensory, psychiatric, intellectual, or other mental disability. (28 C.F.R. Sections 35.104, 35.136)~~

Individuals with disabilities may be accompanied on school premises and on school transportation by service animals, including specially trained guide dogs, signal dogs, or service dogs. (Education Code 39839; Civil Code 54.2; 28 CFR 35.136.)

(cf. 0410 – Nondiscrimination in District Programs and Activities)
(cf. 3541.2 – Transportation for Students with Disabilities)
(cf. 6159 – Individualized Education Program)
(cf. 6164.6 – Identification and Education Under Section 504)

Instruction

SERVICE ANIMALS IN SCHOOLS (continued)

The Superintendent or designee may permit the use of a miniature horse as a service animal when the horse has been individually trained to do work or perform tasks for the benefit of an individual with a disability, provided that: (28 CFR 35.136.)

1. **The district's facility can accommodate the type, size, and weight of the horse.**
2. **The individual has sufficient control of the horse.**
3. **The horse is housebroken.**
4. **The horse's presence in the specific facility does not compromise legitimate safety requirements that are necessary for safe operation of the facility.**

The Superintendent or designee may ask any individual with a disability to remove their service animal from school premises or transportation if the animal is out of control and the individual does not take effective action to control it or the animal is not housebroken. When an individual's service animal is excluded, they shall be given an opportunity to participate in the service, program, or activity without having the service animal present. (Education Code 39839; Civil Code 54.2; 28 CFR 35.136.)

- i. ~~Under limited circumstances, a service animal, as that term is defined in paragraph 1.b. above, may include a miniature horse that has been individually trained to do work or perform tasks for the benefit of an individual with a disability. However, a miniature horse may be excluded from District property or a school-sponsored program or activity if its presence results in a fundamental alteration to the nature of the program, activity, or service provided. In making this determination, the school principal or designee shall consider the following:~~
 1. ~~The type, size, and weight of the miniature horse and whether the school or facility can accommodate these features.~~
 2. ~~Whether the individual with a disability has sufficient control of the miniature horse.~~
 3. ~~Whether the miniature horse is housebroken.~~
 4. ~~Whether the miniature horse's presence on District property or at a school-sponsored program or activity compromises the legitimate safety requirements necessary for a safe school operation.~~
- ii. ~~Other species of animals, whether wild or domestic, trained or untrained, shall not constitute service animals.~~

Instruction

SERVICE ANIMALS IN SCHOOLS (continued)

- ~~c. User: An individual with a disability as defined in paragraph 1.a. above and persons authorized to train service animals for individuals with disabilities. (Civil Code Sections 54.1, 54.2)~~
 - ~~d. Work or tasks performed: The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, the following:~~
 - ~~i. Assisting individuals who are blind or have low vision with navigation and other tasks.~~
 - ~~ii. Alerting individuals who are deaf or hard of hearing to the presence of people or sounds.~~
 - ~~iii. Providing non-violent protection or rescue work.~~
 - ~~iv. Pulling a wheelchair.~~
 - ~~v. Assisting an individual during a seizure.~~
 - ~~vi. Alerting individuals to the presence of allergens.~~
 - ~~vii. Retrieving items, such as medication or the telephone.~~
 - ~~viii. Providing physical support and assistance with balance and stability to individuals with mobility disabilities.~~
 - ~~ix. Helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. (28 C.F.R. Section 35.104)~~
 - ~~e. The prime deterrent effects of an animal's presence and the provision of emotional support, well being, comfort, or companionship for an individual with a disability do not constitute work or tasks for the purposes of this definition. (28 C.F.R. Section 35.104)~~
- ~~2. Service Animals on District Property or at School Sponsored Programs and Activities~~
- ~~a. A user has the right to be accompanied on District property or to school-sponsored programs or activities by a service animal specially trained for an individual with a disability. (Civil Code Sections 54.1, 54.2; 28 C.F.R. Section 35.136)~~

Instruction

SERVICE ANIMALS IN SCHOOLS (continued)

- ~~b. Notification shall be provided to the school principal or designee on behalf of the user of the service animal before the service will be permitted on District property or at a school-sponsored program or activity. (CA Constitution Article I, Section 28(f)(1); 28 C.F.R. Section 35.130(h))~~
- ~~c. Prior to receiving permission to bring a service animal on District property or to a school-sponsored program or activity, the school principal or designee shall determine whether the animal qualifies as a service animal. In making this determination, the school principal or designee may ask the user whether the animal is required because of a disability and what work and/or tasks the animal has been trained to perform, unless it is readily apparent that the service animal is trained to do work or perform a task for an individual with a disability. However, one may not ask about the nature or extent of the individual's disability or require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal. (28 C.F.R. Section 35.136)~~
- ~~d. If the school principal or designee determines that the animal qualifies as a service animal, the following rules shall apply when the user is accompanied by a service animal on District property or to a school-sponsored program or activity:
 - ~~i. The service animal shall be under the user's control at all times.~~
 - ~~ii. The user shall ensure that the service animal is properly harnessed or on a leash or tether at all times. However, if the user is unable because of a disability to use a harness, leash, or tether, or the use of a harness, leash, or tether would interfere with the service animal's safe, effective performance of work or tasks, the service animal must otherwise be under the user's control (e.g., voice control, signals, or other effective means).~~
 - ~~iii. The user shall be responsible for the care, conduct, and supervision of the service animal at all times.~~~~

Instruction

SERVICE ANIMALS IN SCHOOLS (continued)

- ~~iv. The service animal shall not exhibit aggressive behavior toward students, school staff, or any other individuals; may not otherwise pose a direct threat to the health and/or safety of others' and may not be disruptive to the educational environment. The school principal or designee shall make a reasonable judgment that is based on available objective information regarding whether the service animal presents an unacceptable risk or threat to others or a disruption to the educational environment.~~
- ~~v. The user shall be responsible for the cleanliness of the service animal, including flea control, to protect the health and safety of others.~~
- ~~vi. Any service animal brought on District property or to a school-sponsored program or activity shall be taken home the same day. (CA Constitution Art. I, Section 28(f)(1); Civil Code Sections 54.1, 54.2; 28 C.F.R. Sections 35.130(h), 35.136, 35.139)~~
- ~~e. Before an individual with a disability may bring a service animal into a classroom, the school principal or designee shall first provide written notification to all staff, parents/guardians, or students in the particular class, requesting information regarding whether any child has any known allergies, asthma, or other health-related conditions that may be affected by the service animal's presence in the classroom. If the school principal or designee determines that a student and/or teacher has a health-related condition that would be affected by the presence of the service animal, the principal or designee shall make alternative arrangements to accommodate the individual with a disability. (CA Constitution Art. I, Section 28(f)(1); 28 C.F.R. Section 325.130(h))~~
- ~~f. Before granting permission to a student with a disability to bring a service animal to school as part of his or her Section 504 Plan or Individualized Education Program (IEP), the school principal or designee shall determine whether the student's Section 504 or IEP team has addressed the student's educational needs and has offered the student a free, appropriate public education (FAPE), such that he or she does not require the use of a service animal at school. Nothing shall preclude the school principal or designee, upon receiving a~~

Instruction

SERVICE ANIMALS IN SCHOOLS (continued)

- ~~g. request from or on behalf of a student with a disability to bring a service animal on District property or to a school-sponsored program or activity, from convening a Section 504 or IEP team meeting to further clarify the student's need for additional support in the classroom. (20 U.S.C. Section 1414 et seq, Education Code Section 56000 et seq.)~~
- ~~h. A user shall be required to immediately remove the service animal from District property or a school-sponsored program or activity if any of the following occur:~~
 - ~~i. The service animal is out of control, and the user does not take effective action to control it.~~
 - ~~ii. The service animal is not housebroken.~~
 - ~~iii. The circumstances where a service animal misbehaves or reasonably responds to a provocation or injury, the user shall be given a reasonable opportunity to gain control of the animal.~~
 - ~~iv. If the individual with a disability is required to remove his or her service animal from District property or a school-sponsored program or activity, the individual shall continue to have the opportunity to participate in the program, activity, or service without having the service animal on the premises. (28 C.F.R. Section 35.136)~~

3. Right to Use of School Transportation

~~Service animals trained to provide assistance to individuals with disabilities may be transported in a school bus when accompanied by students with disabilities enrolled in a public or private school, by disabled teachers employed in a public or private school or community college, or by individuals who train such animals. (Education Code Section 39839.)~~

Instruction

SERVICE ANIMALS IN SCHOOLS (continued)

~~4. Liability for Service Animals~~

- ~~a. The District assumes no responsibility for any service animal brought on District property or to school-sponsored programs or activities. (Civil Code Sections 54.1, 54.2; 28 C.F.R. Section 35.136)~~
- ~~b. The use of service animals must comply with all relevant federal and state laws and regulations.~~

Regulation
Reviewed: 02/15/11
Reviewed:

CHULA VISTA ELEMENTARY SCHOOL DISTRICT
Chula Vista, California

Instruction

SERVICE ANIMALS IN SCHOOLS

The Chula Vista Elementary School District recognizes that **animals can contribute to the district's instructional program by serving as effective teaching aids to students and by assisting individuals with disabilities to access district programs and activities. In addition, instruction related to the care and treatment of animals teaches students a sense of responsibility and promotes the humane treatment of living creatures.** ~~federal and state laws and regulations provide individuals with disabilities, including children with disabilities, the right to be accompanied by service animals in all public places, including schools. (CA Civil Code Sections 54.1, 54.2; 28 C.F.R. Section 104.36)~~

(cf. 0410 – Nondiscrimination in District Programs and Activities)
(cf. 6159 – Individualized Education Program)
(cf. 6164.4 – Identification and Evaluation of Individuals for Special Education)
(cf. 6164.6 – Identification and Education Under Section 504)

The Superintendent or designee shall develop rules and procedures to ensure that when animals are brought to school, the health, safety, and welfare of students, staff, and the animals are protected. However, the district assumes no liability for the safety of animals allowed on district property.

(cf. 3320 – Claims and Actions Against the District)
(cf. 3530 – Risk Management/Insurance)
(cf. 5141.21 – Administering Medication and Monitoring Health Conditions)

~~Individuals with disabilities, including students, school staff, and visitors, may be accompanied by service animals as that term is defined in Title 28 of the Code of Federal Regulations, Section 35.104, on District property or at school-sponsored programs or activities, subject to the rules set forth in Administrative Regulation 0411. (28 C.F.R. Sections 35.104, 35.136)~~

~~The Chula Vista Elementary School District assumes no liability and shall not be responsible for the provision of service animals brought on District property or to school-sponsored programs or activities. The user of the service animal shall be responsible for its care and conduct at all times. (CA Civil Code Sections 54.1, 54.2; 28 C.F.R. Section 35.136)~~

Instruction

SERVICE ANIMALS IN SCHOOLS

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Legal Reference:

CALIFORNIA CONSTITUTION

Article I, Section 28(f)(1) Right to safe schools

CODE OF REGULATIONS

13 C.C.R. 1216 Transportation of property

CIVIL CODE

54.1 Access to public places

54.2 Guide, signal, or service dogs; right to accompany

GOVERNMENT CODE

Section 810-996.6 Government Claims Act

Section 815 Liability for injuries generally; immunity of public entity

Section 835 Conditions of liability

VEHICLE CODE

Section 21113 Public grounds

Section 12926 Definitions

EDUCATION CODE

Section 233.5 Teaching of principles

Section 35160 Authority of governing boards

Section 39839 Transportation of guide dogs, signal, service dogs

Section 51202 Instruction in personal and public health and safety

Section 51540 Humane treatment of animals

Section 56363(b)(3) Designated instruction and services

FEDERAL LAW

Titles II and III of the Americans with Disabilities Act of 1990 (Public Law 101-336)

ADA Amendments Act of 2008 (Public Law 100-325)

20 U.S.C. 1400-1482 Individuals with Disabilities Education Act

29 U.S.C. 794 Rehabilitation Act of 1973; Section 504

FEDERAL REGULATIONS

28 C.F.R. Section 35.104 Definition of service animal

28 C.F.R. Section 35.130(h) Imposition of legitimate safety requirements

28 S.F.R. Section 35.136 Service animals

28 C.F.R. Section 35.139 Direct threat

34 C.F.R. Section 300.34(b)(7) Orientation and mobility

COURT DECISIONS

Sullivan v. Vallejo City Unified School District, 731 F. Supp. 947 (E.D. CA 1990)

CSBA Publications

Indoor Air Quality; Governing Board Actions for Creating Healthy School Environments;

Policy Brief, July 2008

Asthma Management in the Schools, Policy Brief, March 2008

Policy

Adopted: 03/08/11

Reviewed:

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

Chula Vista, California

Chula Vista Elementary School District

WAIVER AND RELEASE OF LIABILITY

Permission to Bring **Acknowledgement Regarding Service Animals** Guide Dogs, Signal Dogs, and Service Dogs on District Property or to School-Sponsored Programs/Activities

In consideration for receiving permission from the Chula Vista Elementary School District (District) to bring a guide dog, signal dog, or service dog on District property and/or to school-sponsored programs and activities, I _____, the undersigned, agree to the following *Waiver and Release of Liability* and make the following representations:

I _____ understand and acknowledge the District's expectations below.

I understand **and** acknowledge, and agree that bringing a **service animal** guide dog, signal dog, or service dog on District property or to school-sponsored programs or activities presents the potential for property damage, death, serious injury, and/or illness to myself, my child, students, District employees, and/or other third parties **and that I may be solely responsible for any and all such risks.**

I understand **and** acknowledge, and agree that at all times while on District property or at school-sponsored programs and/or activities, I am (or my child is) bringing **the service animal** guide dog, signal dog, or service dog **at my (or my child's) own risk.**

I hereby certify that My (or my child's) dog has received proper individualized training and/or certification to be a guide dog, signal dog, or service dog.

I further certify that I (or my child) understand our obligation to, and will, have received proper individualized training and/or certification to handle, control, and supervise a the service animal, unless my child s receiving assistance from the District to do so guide dog, signal dog, or service dog. I understand and acknowledge that our failure to do so may result in removal of the service animal.

Chula Vista Elementary School District

WAIVER AND RELEASE OF LIABILITY (continued)

I understand and acknowledge, ~~and agree~~ that my (or my child's) service animal dog shall remain properly harnessed or on a leash or tether at all times, or must otherwise be under the user's control (e.g., voice control, signals, or other effective means), or the control of the District representative assigned to provide assistance to my child, while on District property or at school-sponsored programs or activities ~~and shall wear an identification tag at all times that identifies the dog as a guide dog, signal dog, or service dog.~~

I understand and acknowledge, ~~and agree~~ that I or my child shall be responsible for the care and conduct of the service animal dog at all times while on District property or at school-sponsored programs or activities, except times when the District representative assigned to provide assistance to my child (if applicable).

I understand and acknowledge, ~~and agree~~ that I (or my child, except times when a District representative is assigned to provide assistance to my child) shall be responsible for the cleanliness of the service animal dog at all times while on District property or at school-sponsored programs or activities to protect the health and safety of others. I understand and acknowledge that my (or my child's) failure to comply with some or all of the requirements described herein may result in removal of the service animal.

I understand and acknowledge ~~do hereby forever release, discharge, indemnify, and hold harmless the District and its trustees, officers, employees, agents, insurers, contractors, servants, and volunteers from and against any and all claims or demands by myself, my child, students, District employees and/or other~~ I may be solely responsible to third parties for personal injury, illness, medical expenses, and death, as well as property damage and expenses of any nature whatsoever caused by my (or my child's) service animal dog while on District property or at school-sponsored programs or activities.

~~In the event that a third party brings a claim and/or demand against the District and/or its trustees, officers, employees, agents, insurers, contractors, servants, or volunteers for personal injury, illness, medical expenses, death, property damage, or any other expenses whatsoever caused by my (or my child's) dog while on District property or at school-sponsored programs or activities, I hereby agree to assume any and all liability resulting from such claims and/or demands~~

~~Chula Vista Elementary School District~~

~~WAIVER AND RELEASE OF LIABILITY~~ (continued)

~~and to pay any and all legal fees and costs that the District and/or its trustees, officers, employees, agents, insurers, contractors, servants, or volunteers may incur to respond to or defend such claims and/or demands.~~

~~The release and discharge of liability herein includes, but is not necessarily limited to, all claims, demands, losses, causes of action, suits, and/or judgments of any and every kind that may occur as a result of my (or my child's) dog's actions while on District property or at school-sponsored programs or activities.~~

~~If I am a parent or legal guardian of a student under eighteen (18) years of age, I have read and voluntarily agree that said minor has my permission to bring his/her guide dog, signal dog, or service dog on District property and/or to school-sponsored programs and activities, and I sign this release on his/her behalf. _____(Initials)~~

~~WAIVER AND RELEASE OF LIABILITY ACKNOWLEDGEMENT~~ (continued)

I HAVE READ THIS DOCUMENT IN ITS ENTIRETY AND FULLY UNDERSTAND **AND ACKNOWLEDGE** ITS CONTENT. ~~I UNDERSTAND THAT THIS IS A WAIVER AND RELEASE OF LIABILITY BETWEEN MYSELF AND THE CHULA VISTA ELEMENTARY SCHOOL DISTRICT. I VOLUNTARILY SIGN MY NAME AS EVIDENCE OF MY ACCEPTANCE OF ALL THE PROVISIONS IN THIS WAIVER AND RELEASE AND MY AGREEMENT TO BE BOUND BY THEM.~~

Signature
User of **Service Animal** ~~Guide Dog,~~
~~Signal Dog, or Service Dog~~

Date

Parent/Legal Guardian Signature (if
~~Individual is a minor under the age of 18)~~

Date

School District Representative
Approval

Date

Exhibit
Reviewed: 02/15/11
Reviewed:

CHULA VISTA ELEMENTARY SCHOOL DISTRICT
Chula Vista, California

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Human Resources
Services and Support

ITEM TITLE:

First Reading and Second Reading/Possible Revision: Proposed Revisions to Administrative Regulation AR 1312.3 and Board Policy BP 1312.3, Uniform Complaint Procedures

BACKGROUND INFORMATION:

The District continues to review and evaluate Administrative Regulations (ARs), Board Policies (BPs), During this process, a number of current BPs and ARs have been identified for revision or deletion and others have been identified for addition.

Revisions to the AR 1312.3 and BP 1312.3, Uniform Complaint Procedures serve to update and improve the District's processes and practices.

ADDITIONAL DATA:

Copies of the proposed revisions to the revised Administrative Regulation and Board Policy are attached.

FISCAL IMPACT/FUNDING SOURCE:

None.

STAFF RECOMMENDATION:

Recommend revision and approval.

Community Relations

UNIFORM COMPLAINT PROCEDURES

Except as the Governing Board may otherwise specifically provide in other Board Policies, the Uniform Complaint Procedure 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 **1312.3**.~~

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

~~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 15 percent or more of students enrolled in a particular District school speak a single primary language other than English, the District's Policy, Regulation, forms, and notices concerning uniform complaint procedures shall be translated into that language. (Education Code 234.1, 48985)~~

Compliance Officers

The District designates the following position, identified below, as responsible for receiving, coordinating, and investigating complaints and for complying with state and federal civil rights laws. The position also serves as the compliance officer(s) specified in AR 5145.3 – Nondiscrimination-Harassment responsible for handling complaints regarding unlawful discrimination, harassment, intimidation, or bullying and in AR 5145.7 - Sexual Harassment for handling complaints regarding sexual harassment.
The following compliance officer shall receive and investigate complaints and shall ensure District compliance with the law:

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

Name and Title: Assistant Superintendent of Innovation and Instruction
Services and Support
Chula Vista Elementary School District
84 East "J" Street
Chula Vista, CA 91910
(619) 425-9600

The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the complainant and respondent if another compliance officer is assigned to the complaint.

In no instance shall a compliance officer be assigned to a complaint in which the compliance officer has a bias or conflict of interest that would prohibit the fair investigation or resolution of the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or designee who shall determine how the complaint will be investigated.

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall cover current state and federal laws and regulations governing the program; applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination, harassment, intimidation, or bullying; applicable standards for reaching decisions on complaints; and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

The compliance officer or, if necessary, an appropriate administrator shall determine whether interim measures are necessary during an investigation and while the result is pending. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement one or more interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until the District issues its investigation report final written decision, whichever occurs first.

Notifications

~~The Superintendent/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/designee.~~ **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 15 percent or more of students enrolled in a particular District school speak a single primary language other than English, the District's Policy, Regulation, forms, and notices concerning uniform complaint procedures shall be translated into that language. (Education Code 234.1, 48985)**

In addition, ~~the~~ Superintendent ~~or~~ designee shall annually provide written notification of the District's Uniform Complaint Procedure to students, employees, parents/guardians of District students, the ~~D~~istrict ~~A~~dvisory ~~C~~ommittee members, school advisory committees members, appropriate private school officials or representatives, and other interested parties. (Education Code 262.3, 49013; 5 CCR 4622)

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

The notice shall:

1. Identify the **title of the position responsible for processing complaints, the identity of the person(s) currently occupying that position if known, and a statement that such persons will be knowledgeable**

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

about the laws and programs that they are assigned to investigate.
~~person(s), position(s), or unit(s) responsible for receiving complaints.~~

2. Advise the complainant of any civil law remedies **including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal laws prohibiting discrimination, harassment, intimidation, or bullying** ~~that may be available to him/her under state or federal discrimination laws, if applicable.~~
3. Advise the complainant of the appeal process **for programs within the scope of the UCP as specified in the accompanying Board policy; the complainant has a right to appeal the District's investigation report to the California Department of Education (CDE) by filing a written appeal, including a copy of the original complaint and the District's investigation report decision, within 30 calendar days of receiving the District's decision.** ~~, including, if applicable, 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.~~
4. Include statements that:
 - a. The District has the primary responsibility to ensure compliance with applicable state and federal laws and regulations, **including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group, and a list of all programs and activities that are subject to UCP as identified in the accompanying Board policy.** ~~governing educational programs.~~
 - b. The complaint review ~~shall be completed~~ **will be investigated in accordance with the District's UCP and an investigation report** ~~written decision~~ **will be sent to the complainant** within 60 calendar days from the date of receipt of the complaint, unless the complainant agrees in writing to an extension of the timeline.

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

- 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.** A UCP complaint, except a complaint alleging unlawful discrimination, harassment, intimidation, or bullying, must be filed no later than one year from the date the alleged violation occurred.
- e.** A student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the District's educational program, including curricular and extracurricular activities. ~~The complainant has a right to appeal the District's decision to the CDE by filing a written appeal within 15 calendar days of receiving the District's decision.~~
- f.** A complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint. ~~The appeal to the CDE must include a copy of the complaint filed with the District and a copy of the District's decision.~~
- g.** The District will post a standardized notice of the educational and graduation requirements of foster youth, homeless students, children of military families, and former juvenile court school students now enrolled in the District, as specified in Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process.
- h.** Copies of the District's Uniform Complaint Procedure are available free of charge.

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

Education Code 221.6 shall be posted on the District and District school web sites and may be provided through District-supported social media, if available.

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the District's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular District school speak a single primary language other than English, the District's UCP policy, regulation, forms, and notices shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the District shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

Procedures

~~All complaints shall be investigated and resolved within 60 calendar days of the District's receipt of the complaint. (5 CCR 4631)~~

Investigations of discrimination complaints shall be conducted in a manner such that the complainants are protected from retaliation and that the identity of a complainant alleging **unlawful** discrimination, harassment, intimidation or bullying will remain confidential as appropriate. (5 CCR 4621).

When a complaint alleging unlawful discrimination, harassment, intimidation, or bullying is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.

When a complainant of unlawful discrimination, harassment, intimidation, or bullying or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the District's ability to investigate the conduct or

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

take other necessary action. When honoring a request for confidentiality to the extent appropriate and permitted by law, the District shall nevertheless take all reasonable and appropriate steps to investigate and resolve/respond to the complaint consistent with the request.

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.

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 laws or regulations governing **the programs specified in BP 1312.3** -educational programs. (5 CCR 4630)

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 site administrator not designated as a compliance officer receives a complaint, the site administrator shall notify the compliance officer.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or **a disability** ~~other handicaps~~, District staff shall **assist in the filing of** ~~help him/her to file the complaint~~ (**5 CCR 4600** ~~Title 5, Section 4600~~).

~~The complaint shall be presented to the Superintendent/designee, who will then give it to the appropriate compliance officer. The~~

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

~~Superintendent/designee will maintain a log of complaints received, providing each with a code number and a date stamp.~~

A complaint concerning unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges **having** ~~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 **unlawful discrimination, or a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying.** ~~it.~~ The complaint shall be initiated no later than six months from the date when the alleged **unlawful** ~~discrimination, harassment, intimidation, or bullying~~ occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged **unlawful** ~~discrimination, harassment, intimidation, or bullying.~~ **The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.** However, ~~upon written request by the complainant, the Superintendent/designee may extend the filing period for up to 90 calendar days. (5 CCR 4630). (Title 5, Section 4630)~~

When a complainant of unlawful discrimination, harassment, intimidation, or bullying or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the District's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality to the extent permitted by law, the District shall take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

A complaint alleging noncompliance with the law regarding the prohibition against **student fees, deposits, and charges or any requirement related to the LCAP** ~~requiring students to pay student fees, deposits, and charges~~

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. **A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee.** (Education Code 49013)

A UCP complaint, except for a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying, shall be filed no later than one year from the date the alleged violation occurred. For complaints related to the LCAP, the date of the alleged violation is the date when the County Superintendent of Schools approves the LCAP that was adopted by the Governing Board. (5 CCR 4630)

~~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 ~~five~~ **three business** days **after** of receiving the complaint, the compliance officer ~~shall~~ may informally discuss with the complainant **all the parties** the possibility of using mediation **to resolve the complaint.** **Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate.** If all parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging **retaliation or unlawful** discrimination, harassment, intimidation, or bullying, the compliance officer shall ensure that all parties agree to **permit the mediator**

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

access to all relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time. ~~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 an ~~his/her~~ investigation of the complaint.

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. **If mediation is successful and the complaint is withdrawn, then the District shall take only the actions agreed upon through the mediation. If mediation is unsuccessful, the District shall then continue with subsequent steps specified in this administrative regulation.** (5 CCR 4631)

Step 3: Investigation of Complaint

Within 10 calendar ~~calendar~~ **business** days ~~after of the compliance officer receives~~ receiving the complaint, the compliance officer shall **begin an investigation into the complaint.**

Within one business day of initiating the investigation, the compliance officer shall provide an ~~opportunity for the complainant and/or the complainant's~~ his/her representative **the opportunity** to present **the information contained in the complaint to the compliance officer and shall notify the complainant and/or representative of the opportunity to present the compliance officer with** ~~the complaint and any evidence,~~ or information leading to evidence, to support the allegations in the complaint. **Such evidence or information may be presented at any time during the investigation.**

The compliance officer ~~also~~ shall collect all **available** documents and **review all available records, notes, or statements related to the complaint, including any additional evidence or information received**

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

from the parties during the course of the investigation. The compliance officer shall individually interview all available witnesses with information pertinent to the complaint and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform the parties of the status of the investigation. ~~interview all witnesses with information pertinent to the complaint.~~

To investigate a complaint alleging retaliation or unlawful discrimination, harassment, intimidation, or bullying, the compliance officer shall interview the alleged victim(s), any alleged offender(s), and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the District's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or ~~engagement in any other~~ obstruction of the investigation may result in the dismissal of the complaint because of a 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 other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Refusal by the District to provide the investigator with access to records and/or information related to the allegations in the complaint, ~~Failure or refusal of the District to cooperate in the investigation,~~ or any other obstruction of 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: Timeline for Investigation Report Response

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

Unless extended by written agreement with the complainant, the investigation report shall be sent to the complainant within 60 calendar days of the District's receipt of the complaint.

Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant, a written report of the District's investigation and decision, as described in Step 5 below. If the complainant is dissatisfied with the compliance officer's decision, ~~he/she~~ **the complainant** may, within five business days, file ~~a his/her~~ complaint in writing with the Board.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. **When required by law, the matter shall be considered in closed session.** The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 calendar days of the District's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

For any complaint alleging unlawful discrimination, harassment, intimidation, and bullying, the respondent shall be informed of any extension of the timeline agreed to by the complainant, and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

Step 5: **Investigation Report** ~~Final Written Decision~~

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

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

The report of the District's **investigation report** decision shall be written in English. **If the complaint involves a limited-English-proficient (LEP) student or parent/guardian, then the District's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed.** and in the language of the complainant whenever feasible or required by law. If it is not feasible to write this report in the complainant's primary language, the District will arrange a meeting at which a community member will interpret it for the complainant.

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

- 1.** The findings of fact based on the evidence gathered.
- 2.** **A conclusion providing a clear determination for each allegation as to whether the District is in compliance with the relevant law.**
The conclusion(s) of law.
- 3.** Rationale for such disposition.
- 4.** **Corrective action(s) whenever the District finds merit in the complaint, including, when required by law, a remedy to all affected students and parents/guardians and, for a student fees complaint, a remedy that complies with Education Code 49013 and 5 CCR 4600.** Corrective actions, if any are warranted.
- 5.** Notice of the complainant's right to appeal the District's decision **investigation report** within 15 calendar days to the CDE, **except when the District has used the UCP to address a complaint not specified in 5 CCR 4610.**
- 6.** and pProcedures to be followed for initiating such an appeal **to CDE.**

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UNIFORM COMPLAINT PROCEDURES (continued)

The investigation report may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

In consultation with District legal counsel, information about the relevant part of an investigation report may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the investigation report or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination, harassment, intimidation, and bullying, notice of the investigation report to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

~~In addition, any~~ **For complaints alleging unlawful** ~~decision concerning a discrimination, harassment, intimidation, and or bullying complaint based on state law, the investigative report shall include a notice that the complainant may pursue available civil law remedies outside of the District's complaint procedures, including, but not limited to, injunctions, restraining orders or other remedies or orders, 60 calendar days after the filing of an appeal with CDE. (Education Code 262.3) The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3) Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination. ~~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 the investigation of a complaint results in discipline to a student or an employee, the investigation report shall simply state that effective action was taken and that the student or employee was informed of

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

District expectations. The report shall not give any further information as to the nature of the disciplinary action.

Step 6: Corrective Actions

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or District environment may include, but are not limited to, actions to reinforce District policies; training for faculty, staff, and students; updates to school policies; or school climate surveys.

For complaints involving retaliation or unlawful discrimination, harassment, intimidation, or bullying, appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. **Counseling**
2. **Academic support**
3. **Health services**
4. **Assignment of an escort to allow the victim to move safely about campus**
5. **Information regarding available resources and how to report similar incidents or retaliation**
6. **Separation of the victim from any other individuals involved, provided the separation does not penalize the victim**
7. **Restorative justice**
8. **Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation**

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

For complaints of retaliation or unlawful discrimination, harassment, intimidation, or bullying involving a student as the respondent, appropriate corrective actions that may be provided to the student include, but are not limited to, the following:

1. **Transfer from a class or school as permitted by law**
2. **Parent/guardian conference**
3. **Education regarding the impact of the conduct on others**
4. **Positive behavior support**
5. **Referral to a student success team**
6. **Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law**
7. **Disciplinary action, such as suspension or expulsion, as permitted by law**

When an employee is found to have committed retaliation or unlawful discrimination, harassment, intimidation, or bullying, the District shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law, Board Policy, Administrative Regulation, and/or collective bargaining agreement.

The District may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination, harassment, intimidation, or bullying, that the District does not tolerate it, and how to report and respond to it.
When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person.

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

~~If 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.~~

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, **physical education instructional minutes, courses without educational content, or any requirement related to the LCAP** is found to have merit, the District shall provide a remedy to all affected students and parents/guardians **subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51222, 51223, 51228.3, 52075)** which, where applicable, shall include reasonable efforts to ensure full reimbursement to them. (Education Code 49013)

For complaints alleging noncompliance with the law regarding student fees, the District, by engaging in reasonable efforts, shall attempt in good faith to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

Appeal to the Governing Board

If a complainant is dissatisfied with the administrative designee's **compliance officer's** decision **investigative report, within five days of receiving the report, a complaint in writing may be filed,** ~~he/she may, within five days, file his/her complaint in writing~~ with the Governing Board. The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. The Board may decide not to hear the complaint, in which case the decision **investigation report** of the compliance officer shall be the District's final written decision. If the Board hears the complaint, the compliance officer shall send the Board's decision to the

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

complainant within 60 calendar days of the District's initially receiving the complaint or within an extended time period that has been specified in a written agreement with the complainant.

Appeals to the CDE

Any complainant who is dissatisfied with the District's investigation report on a complaint regarding any specified federal or state educational program subject to UCP may file an appeal in writing with CDE within 30 calendar days of receiving the District's investigation report. (5 CCR 4632) ~~If dissatisfied with the District's decision, the complainant may appeal in writing to the CDE. (Education Code 49013; 5 CCR 4632)~~

~~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~~ **as one of the following: the District failed to follow its complaint procedures; relative to the allegations of the complaint, the District's investigation report lacks material findings of fact necessary to reach a conclusion of law; the material findings of fact in the District's investigation report are not supported by substantial evidence; The legal conclusion in the District's investigation report is inconsistent with the law; or in a case in which the District found noncompliance, the corrective actions fail to provide a proper remedy.** ~~and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the original locally filed complaint and a copy of the District's decision investigation report for that complaint. (5 CCR 4632)~~

Upon notification by the CDE that the complainant has appealed the District's decision **investigation report**, the Superintendent **or** /designee shall forward the following documents to the CDE **within 10 days of the date of notification**: (5 CCR 4633)

1. A copy of the original complaint.

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

2. A copy of the **District's investigation report** ~~decision.~~
- ~~3. A summary of the nature and extent of the investigation conducted by the District, if not covered by the decision.~~
3. 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.
4. A report of any action taken to resolve the complaint.
5. A copy of the District's Uniform Complaint Procedure.
6. Other relevant information requested by the CDE.

The CDE may directly intervene in a 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)

If notified by CDE that the District's investigation report failed to address allegation(s) raised by the complaint, the District shall, within 20 days of the notification, provide CDE and the appellant with an amended investigation report that addresses the allegation(s) that were not addressed in the original investigation report. The amended report shall also inform the appellant of the right to separately appeal the amended report with respect to the allegation(s) that were not addressed in the original report. (5 CCR 4632)

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

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

that may be imposed by a court include, but are not limited to, injunctions and restraining orders.

For complaints alleging **unlawful** 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)(1/06 3/12 1/13)

Health and Safety Complaints in License-Exempt Preschool Programs

Any complaint regarding health or safety issues in a license-exempt California State Preschool Program (CSPP) shall be addressed through the procedures described in 5 CCR 4690-4694.

In order to identify appropriate subjects of CSPP health and safety issues pursuant to Health and Safety Code 1596.7925, a notice shall be posted in each license-exempt CSPP classroom in the District notifying parents/guardians, students, and teachers of the health and safety requirements of Title 5 regulations that apply to CSPP programs pursuant to Health and Safety Code 1596.7925 and the location at which to obtain a form to file any complaint alleging noncompliance with those requirements. For this purpose, the Superintendent or designee may download and post a notice available from the CDE web site. (Education Code 8212; 5 CCR 4691)

The District's annual UCP notification distributed pursuant to 5 CCR 4622 shall clearly indicate which of its CSPP programs are operating as exempt from licensing and which CSPP programs are operating pursuant to requirements under Title 22 of the Code of Regulations. (5 CCR 4691)

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

Any complaint regarding specified health or safety issues in a license-exempt CSPP program shall be filed with the preschool program administrator or designee, and may be filed anonymously. The complaint form shall specify the location for filing the complaint, contain a space to indicate whether the complainant desires a response to the complaint, and allow a complainant to add as much text as desired to explain the complaint. (Education Code 8212; 5 CCR 4690)

If it is determined that the complaint is beyond the authority of the preschool program administrator, the matter shall be forwarded to the Superintendent or designee in a timely manner, not to exceed 10 working days, for resolution. The preschool administrator or the Superintendent or designee shall make all reasonable efforts to investigate any complaint within their authority. (Education Code 8212; 5 CCR 4692)

Investigation of a complaint regarding health or safety issues in a license-exempt CSPP program shall begin within 10 days of receipt of the complaint. (Education Code 8212; 5 CCR 4692)

The preschool administrator or designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the preschool administrator or Superintendent's designee shall, within 45 working days of the initial filing of the complaint, report the resolution of the complaint to the complainant and CDE's assigned field consultant. If the preschool administrator makes this report, the information shall be reported at the same time to the Superintendent or designee. (Education Code 8212; 5 CCR 4692)

If a complaint regarding health or safety issues in a license-exempt CSPP program involves an LEP student or parent/guardian, then the District's response, if requested by the complainant, and the investigation report shall be written in English and the primary

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

language in which the complaint was filed.

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Board at a regularly scheduled hearing and, within 30 days of the date of the written report, may file a written appeal of the District's decision to the Superintendent of Public Instruction in accordance with 5 CCR 4632. (Education Code 8212; 5 CCR 4693, 4694)

All complaints and responses are public records. (5 CCR 4690)

On a quarterly basis, the Superintendent or designee shall report summarized data on the nature and resolution of all CSPP health and safety complaints, including the number of complaints by general subject area with the number of resolved and unresolved complaints, to the Board at a regularly scheduled Board meeting and to the County Superintendent. (5 CCR 4693)

Regulation

Reviewed: 10/20/92

Reviewed: 04/16/96

Reviewed: 12/11/13

Reviewed: 03/07/18

Reviewed:

CHULA VISTA ELEMENTARY SCHOOL DISTRICT
Chula Vista, California

Community Relations

UNIFORM COMPLAINT PROCEDURES

The Governing Board recognizes that 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 uniform complaint procedures. **The Board encourages the early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.**

The District shall use the uniform complaint procedures to **investigate and** resolve any complaint alleging unlawful discrimination, harassment, intimidation, or bullying in District programs and activities, **including in those programs or activities funded directly by or that receive or benefit from any state financial assistance,** based on **a person's** actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, **immigration status,** ethnic group identification, age, religion, marital **status, pregnancy,** ~~or~~ parental status, mental or physical disability, **medical condition,** sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristics identified in Education Code 200 and 220, Penal Code 422.55 and Government Code 11135, or based on association with a person or group with one or more of these actual or perceived characteristics **(5 CCR 4610).**

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

(cf. 1114 – District-Sponsored Social Media)

(cf. 4030 – Nondiscrimination in Employment)

(cf. 5131 – Conduct)

(cf. 5131.2– Bullying)

(cf. 5144 – Discipline)

(cf. 5144.1 Suspension and Expulsion, Due Process)

(cf. 5145.3 – Nondiscrimination-Harassment)(EEO, Title IX)

(cf. 5145.7 – Student Harassment)

(cf. 6145.2 – Athletic Competition)

(cf. 9000 – Role of the Board (Powers and Responsibilities)

Uniform complaint procedures shall also be used to address any complaint 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~~

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

~~requirements for the development and adoption of a school safety plan, and state and/or federal laws **regarding** 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, **the local control and accountability plan, accommodations for pregnant and parenting students, After School Education and Safety programs, agricultural career technical education, compensatory education, course periods without educational content, educational and graduation requirements for students in foster care, homeless students, students from military families, and students formerly in a juvenile court school. Every Student Succeeds Act, physical education instructional minutes, reasonable accommodations to a lactating student, regional occupational centers and programs, student fees, school plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding, school safety plans, school site councils as required for the consolidated application for specified federal and/or state categorical funding, state preschool programs, state preschool health and safety issues in license-exempt programs, any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy, any other state or federal educational program the Superintendent of Public Instruction or designee deems appropriate.**~~ Local Control Funding Formula programs and the Local Control Accountability Plan implementation process, and special education programs.

(cf. 0420 – School Plans – Site Councils)

(cf. 0402.41 – Charter School Oversight)

(cf. 0450 – Comprehensive Safety Plan)

(cf. 0460 – Local Control and Accountability Plan)

(cf. 1312 – Complaints Concerning the Schools)

(cf. 1312 E – Complaint Declaration Form)

(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. 5141.4 – Child Abuse and Neglect)

(cf. 5111.12 – Education for Homeless Children)

(cf. 5146 – Married/Pregnant/Parenting Students)

(cf. 5148 – Child Care)

(cf. 6142.7 – Physical Education)

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

~~(cf. 6159 – Individualized Education Program)~~

~~(cf. 6171 – Title I Programs)~~

(cf. 6173.1 – Education for Foster Youth)

~~(cf. 6174 – Education for English Language Learners)~~

(cf. 9000 – Role of the Board (Powers and Responsibilities) Complaints related to insufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, and teacher vacancies and misassignments shall be investigated pursuant to the District's ~~Williams Uniform Complaint Procedures.~~

~~(cf. 1312.4 – Williams Uniform Complaint Procedures)~~

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process for resolving a complaint in a manner that is acceptable to all parties. An ADR process such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations. ~~The Board encourages the early, informal resolution of complaints at the site level whenever possible.~~

The Superintendent ~~or~~ **or** designee shall **provide training to district staff to ensure awareness and knowledge of current law and requirements related to UCP, including the steps and timelines specified in this policy and the accompanying administrative regulation.** ~~ensure that employees designated to receive and investigate complaints are knowledgeable about the laws and programs for which they are responsible. Such employees may have access to legal counsel as determined by the Superintendent~~ **or** designee.

(cf. 4131 – Professional Development)

~~Complaints concerning Special Education programs shall be addressed in accordance with the regulations and procedures developed jointly with the Special Education Local Plan Area. The Board prohibits retaliation in any form for the filing of a complaint, the reporting of instances of discrimination, and/or for participation in complaint procedures. Such participation shall not in any way affect the status, grades, or work assignments of the complainant.~~

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep the identity of the complainant, and/or the subject of the complaint if different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

When an allegation that is not subject to UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district's UCP.

~~The Board acknowledges and respects student and employee rights to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the facts. This includes keeping the identity of the complainant confidential, as permitted by law and/or any other applicable authority, except to the extent necessary to carry out the investigation or proceedings, as determined by the Superintendent/designee on a case-by-case basis.~~

The Superintendent or designee shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.

(cf. 1100 – Communication with the Public)

(cf. 1340 – Access to District Records)

(cf. 3580 – District Records)

(cf. 4119.11 – Sexual Harassment)

(cf. 4119.23 – Unauthorized Release of Confidential, ~~Privileged~~ Information)

(cf. 5125 – Student Records; Confidentiality)

(cf. 5141.22 – Infectious Diseases)

(cf. 9011 – Disclosure of Confidential, ~~Privileged~~ Information)

The following complaints shall not be subject to the district's UCP but shall be investigated and resolved by the specified agency or through an alternative process:

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

Complaints related to insufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, and teacher vacancies and misassignments shall be investigated pursuant to the District's *Williams* Uniform Complaint Procedures.

(cf. 1312.2 – Complaints Concerning Instructional Materials)

(cf. 1312.4 – Williams Uniform Complaint Procedures)

(cf. 6142.2 – AIDS Prevention Instruction)

Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division or the appropriate law enforcement agency. (5 CCR 4611)

Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services. (5 CCR 4611)

(cf. 5141.4 – Child Abuse Prevention and Reporting)

Any complaint alleging that a student, while in an education program or activity in which the district exercises substantial control over the context and respondent, was subjected to sexual harassment as defined in 34 CFR 106.30 shall be addressed through the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as specified in AR 5145.7 - Sexual Harassment.

(cf. 5145.7 – Sexual Harassment)

Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.

(cf. 4030 – Nondiscrimination in Employment)

(cf. 4218 – Termination of Employment)

Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education (FAPE), failure or refusal to implement

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

a due process hearing order to which the district is subject, or a physical safety concern that interferes with the district's provision of FAPE shall be submitted to the California Department of Education (CDE) in accordance with AR 6159.1 - Procedural Safeguards and Complaints for Special Education. (5 CCR 3200-3205) Complaints concerning Special Education programs shall be addressed in accordance with the regulations and procedures developed jointly with the Special Education Local Plan Area.

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

(cf. 6159 – Individualized Education Program)

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

(cf. 6159.2 – Nonpublic, Nonsectarian School and Agency Services for Special Education)

(cf. 6159.3 Appointment of Surrogate Parent for Special Education Students)

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

(cf. 6164.5 – Student Success Teams)

Any complaint alleging noncompliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15580-15584)

Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15582)

(cf. 3555 – Nutrition Program Compliance)

~~The Board recognizes that a neutral mediator can often suggest an early compromise that is agreeable to all parties in a dispute. Whenever all parties to a complaint voluntarily agree to try resolving their problem through mediation, the Superintendent/designee may initiate a mediation process before beginning a formal compliance investigation. The Superintendent/designee shall ensure that mediation results are consistent with state and federal laws and regulations.~~

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

8200-8490 **Early Education Act**

8500-8538 Adult basic education

18100-18203 School libraries

32289 School safety plan, uniform complaint procedures

35186 *Williams* uniform complaint procedures

41500-41513 Categorical education block grants

46015 Parental leave for students

48645.7 Juvenile court schools

48853-48853.5 Foster youth

48985 Notices in language other than English

49010-49013 Student fees

49060-49079 Student records

49490-49590 Child nutrition programs

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

51210 Course of study for grades 1-6

51222 Physical education

51223 Physical education, elementary schools

51225.1-51225.2 Foster youth, homeless children, former juvenile court school students; course credits; graduation requirements

51226-51226.1 Career technical education

51228.1-51228.3 Course periods without educational content

52059.5 Statewide system of support

52060-52077 Local control and accountability plan

52075 Complaint for lack of compliance with local control and accountability plan requirements

52160-52178 Bilingual education programs

52300-52490 Career technical education

52500-52617 Adult schools

~~52800-52870 School-based coordinated programs~~

54000-54029 Educationally disadvantaged youth programs

~~54100-54145 Miller Unruh Basic Reading Act~~

54400-54425 Compensatory education programs

54440-54445 Migrant education

54460-54529 Compensatory education programs

56000-56865 Special Education programs

59000-59300 Special schools and centers

64000-64001 Consolidated application process; **school plan for student achievement**

65000-65001 School site councils

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

12900-12996 Fair Employment and Housing Act

HEALTH AND SAFETY CODE

1596.792 California Child Day Care Act; general provisions and definitions

1596.7925 California Child Day Care Act; health and safety regulations

CODE OF REGULATIONS, TITLE 2

11023 Harassment and discrimination prevention and correction

CODE OF REGULATIONS, TITLE 5

3080 Application of section

3200-3205 Special education compliance complaints

4600-4687 Uniform complaint procedures **and Williams complaints**

4690-4694 Complaints regarding health and safety issues in license-exempt

preschool programs

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

15580-15584 Child nutrition programs complaint procedures

PENAL CODE

422.55 Hate crime; definition

422.6 **Crimes; harassment** ~~Interference with constitutional right or privilege~~

UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act (FERPA) of 1974

1681-1688 Title IX of the Education Amendments of 1972; discrimination based on sex

6301-6576 Title I **Improving the Academic Achievement of the Disadvantaged** ~~basic~~ programs

6601-6777 Title II preparing and recruiting high-quality teachers and principals

6801-7014 ~~6874~~ Title III language instruction for limited English proficient and immigrant students

7101-7184 Safe and Drug-Free Schools and Communities Act

7201-7283(g) Title V promoting informed parental choice and innovative programs

7301-7372 Title V rural and low-income school programs

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973; Section 504

UNITED STATES CODE, TITLE 42

11431-11435 McKinney-Vento Homeless Assistance Act

12101-12213 Americans with Disabilities Act

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

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

6101-6107 Age Discrimination Act of 1975

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Section 504; Designation of responsible employee and adoption of grievances procedures

106.1-106.82 Nondiscrimination on the basis of sex in education programs

106.30 Discrimination on the basis of sex in education programs and activities; definitions

106.44 Recipient's response to sexual harassment

106.45 Grievance process for formal complaints of sexual harassment

106.8 Designation of coordinator; dissemination of policy, and adoption of grievance procedures

110.25 Notification of nondiscrimination on the basis of age

99.1-99.67 Family Educational Rights and Privacy

Management Resources:

WEBSITES

CSBA: www.csba.org

CDE: www.cde.ca.gov

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

CSBA District and County Office of Education Legal Services:

legalservices.csba.org/

Student Privacy Policy Office: www2.ed.gov/about/offices/list/oepd/sppo/index.html

U.S. Department of Agriculture: www.fns.usda.gov/cacfp

California Department of Social Services: www.cdss.ca.gov/

U.S. Department of Justice: www.justice.gov/

California Civil Rights Department: civildrights.ca.gov/

PUBLICATIONS

California Department of Education Publication - Uniform Complaint Procedure 2021-22 Program Instrument

California Department of Education Publication - Sample UCP Board Policies and Procedures

U.S. DOE, Office for Civil Rights Publication - Part 1: Questions and Answers Regarding the Department's Title IX Regulations, January 2021

U.S. DOE, Office for Civil Rights Publication - Questions and Answers on the Title IX Regulations on Sexual Harassment, July 2021

U.S. DOE, Office for Civil Rights Publication - Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014

U.S. DOJ Publication - Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 200

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

Management Resources:

WEB SITES

CSBA: www.csba.org

CDE: www.cde.ca.gov

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

Policy

Adopted: 04/16/96

Revised: 01/18/11

Revised: 09/11/13

Revised: 07/09/14

Revised:

CHULA VISTA ELEMENTARY SCHOOL DISTRICT
Chula Vista, California

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Student Services

ITEM TITLE:

First and Second Reading/Possible Revision: Proposed Revisions to Board Policy 5141.52, Suicide Prevention

 X Action

 Information

BACKGROUND INFORMATION:

Board Policy (BP) 5141.52 is being revised to align with current State legislation relative to suicide prevention.

ADDITIONAL DATA:

A copy of the proposed revisions is attached. Additional information is available for review in the office of the Assistant Superintendent of Student Services.

FISCAL IMPACT/FUNDING SOURCE:

None

STAFF RECOMMENDATION:

Recommend revision.

Students

SUICIDE PREVENTION

The Governing Board recognizes that suicide is a major cause of death among youth and should be taken seriously. In order to attempt to reduce suicidal behavior and its impact on students and families, the Superintendent/designee shall develop preventive strategies and intervention procedures.

The Superintendent/designee may involve school health professionals, school counselors, administrators, other staff, parents/guardians, students, local health agencies and professionals, and community organizations in planning, implementing, and evaluating the District's strategies for suicide prevention and intervention.

(cf. 1220 - Citizen Advisory Committees)

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

Prevention and Instruction

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

(cf. 5131 - Conduct)

(cf. 5145.3 - Nondiscrimination (EEO, Title IX)

(cf. 5145.7 - Student Harassment)

The District's comprehensive health education program shall promote the healthy mental, emotional, and social development of students including, but not limited to, the development of problem-solving skills, coping skills, and self-esteem.

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

Students

SUICIDE PREVENTION (continued)

Staff Development

Annual training for teachers and nurses shall be provided at a staff meeting by a site administrator or District psychologist on the warning signs of youth suicide and the District response protocol. Further training can be sought from the Pupil

Services Department for interested staff. Such training shall be designed to help staff identify and respond to students at risk of suicide. The training shall be offered in cooperation with one or more community mental health agencies and may include information on:

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

(cf. 5131.6 - Alcohol and Other Drugs)

2. Warning signs that may indicate suicidal intentions, including changes in students' appearance, personality, or behavior.
3. Research-based instructional strategies for promoting mental and emotional health.
4. School and community resources and services.

(cf. 5141.6 - School Health Services)

5. District procedures for intervening when a student attempts, threatens, or discloses the desire to commit suicide.

(cf. 4131 - Professional Development)

Students

SUICIDE PREVENTION (continued)

Intervention

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

(cf. 5141 - Health Care and Emergencies)

Staff members shall encourage students to notify a teacher, principal, psychologist, or other adult when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions.

(cf. 5138 - Conflict Resolution/Peer Mediation)

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

The School Board know that sometimes, young people feel sad and might think about hurting themselves. This is a big problem, and we want to make it better. The person who runs the District, the Superintendent, is going to make plans to help.

The Superintendent will talk to many people, like health experts, counselors, teachers, parents, and students. They will work together to make a plan. This plan will stop young people from feeling this way and give them help when they need it.

One way to prevent kids from feeling very sad is to make our schools nice places. We want everyone at school, like teachers and students, to be friends and treat each other kindly. This is one way we can help stop kids from feeling this way.

Our school also has a program that helps students grow in a healthy way. This means learning how to solve problems, handle tough times, and feel good about themselves. We also teach students how to deal with hard situations.

Students

SUICIDE PREVENTION (continued)

The Superintendent or someone they choose may talk to parents and families about important things. They will tell them how serious it is when young people think about hurting themselves. They will also talk about things that might make young people feel this way and signs that show they might be thinking about it. They will also give simple steps to help a person who feels this way. There are also resources in the school and community that can help young people during tough times.

Every year, teachers and nurses will receive special training during a staff meeting. This training will be led by either a school leader or a district psychologist. They will talk about the signs that might show a young person is thinking about suicide and what our district does to help.

The training offered by our district for interested staff is to assist them in identifying and helping students who may be at risk of suicide. This training is in partnership with one or more community mental health agencies. It may include the following:

1. We are studying things that can make someone very sad and think about hurting themselves, like past attempts, feeling very alone, family problems, or other difficult situations. This helps us understand and help kids who are having a tough time.
2. We pay attention to signs like if a student starts looking, acting, or feeling different, which could show they need help and support.
3. We use teaching methods from research to help students feel good inside their hearts and minds.
4. We have places and people at school and in the community that can help students when they're going through tough times.
5. We have steps we follow if a student tries or talks about wanting to hurt themselves. We make sure the student is safe and let their parents or guardians know so everyone can work together to give the student the help they need.

Students

SUICIDE PREVENTION (continued)

If a teacher or staff member thinks a student might want to hurt themselves, they will tell the principal or school psychologist right away. Then, the principal or psychologist will tell the student's parents or guardians as soon as they can, following the school's rules for helping in these situations. They might also connect the student with people who can help with their mental health at school or in the community.

Teachers and staff members will always tell students to talk to a teacher, principal, psychologist, or another adult they trust if they ever have thoughts of hurting themselves or if they think another student might feel this way. It's important to let someone know so they can help.

The Superintendent or someone they choose will create a plan for what to do if someone tries to hurt themselves or if something involving suicide happens at school or during a school event. This plan will make sure students are safe and that there's good communication to handle the situation.

Legal Reference:

EDUCATION CODE

32280-32289 Comprehensive safety plan

49060-49079 Student records

49602 Confidentiality of student information

49604 Suicide prevention training for school counselors

GOVERNMENT CODE

810-996.6 Government Claims Act

WELFARE AND INSTITUTIONS CODE

5698 Emotionally disturbed youth; legislative intent

5850-5883 Mental Health Services Act

COURT DECISIONS

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

Students

SUICIDE PREVENTION (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Health Education Content Standards for California Public Schools,
Kindergarten Through Grade Twelve, 2008
Youth Suicide-Prevention Guidelines for California Schools, 2005
Health Framework for California Public Schools, Kindergarten Through Grade
Twelve, 2003
CALIFORNIA DEPARTMENT OF MENTAL HEALTH PUBLICATIONS
California Strategic Plan for Suicide Prevention: Every Californian is Part of
the Solution, 2008
CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS
School Connectedness: Strategies for Increasing Protective Factors Among
Youth, 2009
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS
National Strategy for Suicide Prevention: Goals and Objectives for Action,
2001
WEB SITES
American Psychological Association: www.apa.org
California Department of Education, Mental Health: www.cde.ca.gov/ls/cg/mh
California Department of Mental Health, Children and Youth Programs:
www.dmh.ca.gov/Services_and_Programs/Children_and_Youth
Centers for Disease Control and Prevention, Mental Health:
www.cdc.gov/mental health
National Institute for Mental Health: www.nimh.nih.gov
U.S. Department of Health and Human Services, Substance Abuse and
Mental Health Services Administration: www.samhsa.gov

Policy

Adopted: 11/13/90

Revised: 02/11/15

Revised: 00/00/00

CHULA VISTA ELEMENTARY SCHOOL DISTRICT
Chula Vista, California