ORCUTT UNION SCHOOL DISTRICT
Regular Meeting of the Board of Trustees
Wednesday, August 14, 2019
Closed Session – 6:00 P.M.
Public Session – 6:30 P.M.
District Office Board Room
500 Dyer Street, Orcutt, CA 93455

CALL TO ORDER 6:00 P.M.

A. Pledge of Allegiance

CLOSED SESSION PUBLIC COMMENTS

This section of the agenda is intended for members of the public to address the Board of Trustees on items that are being considered in Closed Session.

ADJOURN TO CLOSED SESSION

Adjourn to Closed Session for the purpose of discussing matters expressly authorized by Government Code Section 3549.1, 54956.95, 54957, and 54957.6.

1. Public Employment per Personnel Report.
2. Public Employee Employment/Discipline/Dismissal/Release.
3. Conference with labor negotiator Dr. Deborah Blow, Superintendent and/or Susan Salucci
   a. OEA
   b. CSEA
4. Conference with labor negotiators for unrepresented employees:
   a. Certificated and Classified Management, and Confidential.
   b. Agency representative – Superintendent.
   c. Superintendent. Agency representative – Board of Trustees
5. Student disciplinary/expulsion matters.
6. Conference with Legal Counsel: Anticipated Litigation Pursuant to California Government section 54956.9(d) (2).

RECONVENE TO PUBLIC SESSION 6:30 P.M.

B. Public Report on Action Taken in Closed Session

C. Adoption of August 14, 2019 Agenda

Moved _____ Second _____ Vote _____

PUBLIC COMMENT ANNOUNCEMENT

The Board of Trustees wishes to afford an opportunity for the public to provide input. Those wishing to speak about a specific agenda item may do so during the Public Comment segment coming up later in the agenda or when the item is being considered. Any request to speak must be submitted on a *Request for Public Comment Form* which can be obtained from the Superintendent's Administrative Assistant and must be submitted prior to the time the presiding officer calls for public comment. If you choose to speak when an item is before the Board, your name will be called before Board consideration. An item not on the agenda must be addressed during the Public Comment segment of the agenda.

D. Superintendent's Report

An opportunity for the Superintendent to share matters of special interest or importance which are not on the board agenda and/or special presentations of district programs or activities such as curriculum/instructional updates, timely events/information, and district activities.

1. OAHS ASB update
2. OCAF Report
3. Director of Child Care Services – Pam English

E. **ITEMS SCHEDULED FOR INFORMATION/DISCUSSION**

1. Items from the Board

F. **Public Comment**

The Board of Trustees welcomes comments about items appearing or not appearing on tonight's agenda. The audience members wishing to address the Board during the Public Comment segment of the agenda are reminded to fill out a *Public Comment Form* from the Superintendent's Administrative Assistant and submit it prior to the time the presiding officer calls for Public Comment. A maximum of thirty (30) minutes is set aside for Public Comment; speakers are allowed a maximum of three (3) minutes to address the Board on any items within the Board's jurisdiction in accordance with the Brown Act. The Board will limit any response to public comments to brief statements, referral to staff, or referral to a future board meeting. In accordance with the Ralph M. Brown Act, the Board is limited in its ability to, or may not be able to respond to comments during this time.

G. **Written Communication**

Documents addressed to or by board members as communications during a Board of Education meeting are defined as letters from parents or community members regarding issues within the jurisdiction of authority of the Board of Education; information or reports from professional organizations, i.e., CSBA, SBCSBA, etc.; letters or reports from other public agencies; letters or reports from legislators; or letters or reports from district schools or staff.

CONSENT AGENDA ITEMS

Actions proposed for Consent Agenda (block vote) items are consistent with approved practices of the district and are deemed routine in nature. Since trustees receive board agenda backup information in advance of scheduled meetings, they are prepared to vote with knowledge on the block vote items. Consent Agenda items are voted on at one time, although any such item can be considered separately at a board member's request.

A. Classified Personnel Action Report
B. Certificated Personnel Action Report
C. Approval of Warrants
D. Minutes, Board Meeting, June 5, 2019
E. Minutes, Special Board Meeting, June 12, 2019
F. Dannis Woliver Kelley 2019-2020 Agreement for Professional Services
G. Quarterly Report on Williams/Valenzuela Uniform Complaints April-June 2019
H. 2019-2020 Early Learning Center Resolution No. 1

It is recommended that the Board of Trustees approve Consent Agenda Items A through H, as submitted.

Moved _____ Second _____ Vote _____

ITEMS SCHEDULED FOR ACTION

A. GENERAL

1. Acceptance of Gifts

Orcutt Academy High School received a donation cash donation for $250 from Anthony Forney – Atlas Copco Mafi-Trench Company, LLC to be used for Boys Golf.

Lakeview JHS received a cash donation from Smart and Final Charitable Foundation to be put toward any school need.

It is recommended that the Board of Trustees accept these gifts and request that a letter of acceptance and appreciation be forwarded to Anthony Forney-Atlas Copco Mafi-Trench Company, LLC and to Smart and Final Charitable Foundation.

Moved _____ Second _____ Vote _____

2. Board Policy 0420 School Plans/Site Councils

It is recommended that the Board of Trustees accept Board Policy 0420, School Plans/Site Councils, for the first reading and that it is placed on the next Consent Agenda for the second reading.

Moved _____ Second _____ Vote _____

3. Board Policy 0420.4, Charter School Authorization

It is recommended that the Board of Trustees accept Board Policy 0420.4, Charter School Authorization, for the first reading and that it is placed on the next Consent Agenda for the second reading.

Moved _____ Second _____ Vote _____

4. Board Policy 0420.41, Charter School Oversight

It is recommended that the Board of Trustees accept Board Policy 0420.41, Charter School Oversight, for the first reading and that it is placed on the next Consent Agenda for the second reading.

Moved _____ Second _____ Vote _____

5. Board Policy 1312.1, Complaints Concerning District Employees

It is recommended that the Board of Trustees accept Board Policy 1312.1, Complaints Concerning District Employees, for the first reading and that it is placed on the next Consent Agenda for the second reading.

Moved _____ Second _____ Vote _____

6. Board Policy 1312.3, Uniform Complaint

It is recommended that the Board of Trustees accept Board Policy 1312.3, Uniform Complaint Procedures, for the first reading and that it is placed on the next Consent Agenda for the second reading.

Moved _____ Second _____ Vote _____

7. Board Bylaw 9323, Meeting Procedures

It is recommended that the Board of Trustees accept Board Bylaw 9323, Meeting Procedures, for the first reading and that it is placed on the next Consent Agenda for the second reading.

Moved _____ Second _____ Vote _____

B. BUSINESS SERVICES

1. Surplus Items

Staff recommends that the Board of Trustees approve the surplus items, as submitted.

Moved _____ Second _____ Vote _____

2. Approve the Purchase of Two Vehicles for Maintenance, Operations and Transportation Department

It is recommended that the Board of Trustees approve the purchase of two vans for the Maintenance, Operations and Transportation Department, as submitted.

Moved _____ Second _____ Vote _____

C. EDUCATIONAL SERVICES

1. Continued Funding Application Fiscal Year 2019-20 California State Preschool Program

It is recommended that the Board of Trustees approve the Continued Funding Application for Fiscal Year 2019-20, as submitted.

Moved _____ Second _____ Vote _____

2. Board Policy 5131.2, Bullying

It is recommended that the Board of Trustees accept Board Policy 5131.2, Bullying, for the first reading and that it is placed on the next Consent Agenda for the second reading.

Moved _____ Second _____ Vote _____

3. Board Policy 5132, Dress and Grooming

It is recommended that the Board of Trustees accept Board Policy 5132 Dress and Grooming, for the first reading and that it is placed on the next Consent Agenda for the second reading.

Moved _____ Second _____ Vote _____

4. Board Policy 5141, Health Care and Emergencies

It is recommended that the Board of Trustees accept Board Policy 5141, Health Care and Emergencies, for the first reading and that it is placed on the next Consent Agenda for the second reading.

Moved _____ Second _____ Vote _____

5. Board Policy 6142.1, Sexual Health and HIV/Aids Prevention

It is recommended that the Board of Trustees accept Board Policy 6142.1, Sexual Health and HIV/Aids Prevention, for the first reading and that it is placed on the next Consent Agenda for the second reading.

Moved _____ Second _____ Vote _____

6. Board Policy 6142.6, Visual and Performing Arts Education

It is recommended that the Board of Trustees accept Board Policy 6142.6, Visual and Performing Arts Education, for the first reading and that it is placed on the next Consent Agenda for the second reading.

Moved _____ Second _____ Vote _____

7. Board Policy 6146.1, High School Graduation Requirements

It is recommended that the Board of Trustees accept Board Policy 6146.1, High School Graduation Requirements, for the first reading and that it is placed on the next Consent Agenda for the second reading.

Moved _____ Second _____ Vote _____

D. HUMAN RESOURCES

1. Board Policy 4030, Nondiscrimination in Employment

It is recommended that the Board of Trustees accept the revisions to Board Policy 4030, Nondiscrimination in Employment, for the first reading and that it is placed on the next Consent Agenda for the second reading.

Moved _____ Second _____ Vote _____

2. Board Policy 4119.22, Dress and Grooming

It is recommended that the Board of Trustees accept the revisions to Board Policy 4119.22, Dress and Grooming, for the first reading and that it is placed on the next Consent Agenda for the second reading.

Moved _____ Second _____ Vote _____

3. 2019-20 Resolution No. 3 Waiver of Credential Authorization

It is recommended that the Board of Trustees adopt the 2019-20 Resolution No. 3 Waiver of Credential Authorization, as submitted.

Moved _____ Second _____ Vote _____

4. Ratification of Assistant Superintendent Business Services Contract

It is recommended that the Board of Trustees ratify the Employment Agreement with Assistant Superintendent, Business Services, William (Bill) Young.

Moved _____ Second _____ Vote _____

5. Approval of Administrative Position: One (1) Executive Director of Special Education

It is recommended that the Board of Trustees approve the Employment Agreement with Executive Director of Special Education, Kathy Long.

Moved _____ Second _____ Vote _____

E. TECHNOLOGY DEPARTMENT

1. Approve the Purchase of Two Vehicles for the Technology Department

It is recommended that the Board of Trustees approve the purchase of two vans for the Technology Department, as submitted.

Moved _____ Second _____ Vote _____

GENERAL ANNOUNCEMENTS

Unless otherwise noticed, the next regular board meeting is scheduled for Wednesday, September 11, 2019, beginning with Closed Session starting at 6:00 p.m., Public Session at 6:30 p.m. in the District Office Board Room, 500 Dyer Street, Orcutt, CA.

RECOVENE TO CLOSED SESSION (IF NEEDED)

A. Public Report on Action Taken in Closed Session

ADJOURN

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Superintendent's Office at (805) 938-8907. Notification 48 hours prior to the meeting will enable the district to make reasonable arrangements to ensure accessibility to this meeting.

All documents related to the open session agenda are available for review 72 hours prior to the meeting at the Orcutt Union School District Office, 500 Dyer Street, Orcutt, CA.

Classified Personnel Action Report
Orcutt Union School District
August 14, 2019

TO: Deborah Blow, Ed.D.

SUBMITTED BY: Susan Salucci, Assistant Superintendent/Human Resources

SUBJECT: Recommendations for Board Approval

Name	Site/Dept.	Classification	Step/ Range	Hours	Rate of Pay	Effective	Action/Information
Alvarez, Sydney	Patterson, Campus Connection	Child Care Assistant	6/3	3.75	$14.11 per hr.	8/12/19	Increase in hours
Arguilles, Maria	Transportation	Bus Attendant	11/6	5.936	$18.48 per hr.	8/12/19	Reinstate from layoff
Badenell, LIsa	Transportation	Bus Attendant	11/6	6.37	$18.48 per hr.	8/12/19	Reinstate from layoff
Bressem, Mark	Transportation	Bus Driver	18/3	3.0	$18.98 per hr.	8/1/19	Permanent/Probationary
Carey, Dalila	Pine Grove	Instructional Assistant, I	11/2	3.5	$15.20 per hr.	7/15/19	Permanent/Probationary
Chacon, Erica	Transportation	Bus Attendant	11/3	3.0	$15.96 per hr.	7/24/19	Return to previous position
Chenoweth, Arial	Health Services	Licensed Vocational Nurse	27/3	6.0	$23.68 per hr.	8/2/19	Permanent/Probationary
Coll, Brenda	Alice Shaw	Instructional Assistant, I	11/6	6.0	$18.48 per hr.	7/1/19	Voluntary transfer
Cuevas, Allison	Alice Shaw, Campus Connection	Child Care Assistant	6/2	3.75	$13.44 per hr.	8/1/19	Increase in hours/additional site
Day, Michelle	Dunlap	Instructional Assistant, I	11/6	6.0	$18.48 per hr.	6/30/19	Resignation
English, Pamela	Campus Connection	Director of Child Care Services			$50.00 per mo.	6/6/19	Phone stipend
English, Pamela	Campus Connection	Director of Child Care Services			$150.00 per mo.	6/6/19	Travel stipend
Gaitan, Martin	Operations	Utility Worker, Substitute	18		$16.36 per hr.	8/6/19	Substitute
Garnica, Raymond	Pine Grove	Custodian	17/3	8.0	$3,221 per mo.	7/2/19	Resignation from permanent position
Garnica, Raymond	Operations	Utility Worker, Substitute	18		$16.36 per hr.	7/3/19	Substitute
Gerber, Jill	Lakeview JHS	Instructional Assistant, I	11/4	3.5	$16.76 per hr.	7/1/19	Voluntary transfer
Gonzalez, Reyes	Olga Reed/Oak-8	Office Assistant	14/6	3.0	$19.90 per hr.	7/1/19	Voluntary change in assignment

Classified Personnel Action Report
Orcutt Union School District
August 14, 2019

TO: Deborah Blow, Ed.D.

SUBMITTED BY: Susan Salucci, Assistant Superintendent/Human Resources

SUBJECT: Recommendations for Board Approval

Name	Site/Dept.	Classification	Step/ Range	Hours	Rate of Pay	Effective	Action/Information
Heisler, Cheryl	Lakeview JHS	Instructional Assistant, I	11/6	6.0	$18.48 per hr.	7/1/19	Voluntary transfer/change in salary placement
Hernandez, Daniel	Maintenance	Maintenance Craftsperson	26/3	8.0	$4,021 per mo.	7/18/19	Permanent/Probationary
Hernandez, Daniel	Maintenance	Maintenance Craftsperson	26/3	8.0	5% of salary	7/18/19	Stipend, Backflow Certification
Heuchert, Marianne	Child Nutrition Office	Office Manager, Child Nutrition	21/6	8.0	$23.64 per hr.	4/4/19	Reclassification from range 20 to 21
Holford, Bianca	Alice Shaw	Instructional Assistant, I	11/3	6.0	$15.96 per hr.	6/12/19	Resignation
Hyatt, Donna	Alice Shaw	Instructional Assistant II	12/6	6.0	$18.94 per hr.	7/1/19	Voluntary transfer
Ito, Beverly	Alice Shaw, Campus Connection	Child Care Assistant	6/1	2.0	$13.00 per hr.	7/22/19	Resignation
James, Melisa	Orcutt JHS	Instructional Assistant, II	12/3	6.0	$16.36 per hr.	8/12/19	Promotion
Jimenez, Michelle	Alice Shaw	Licensed Vocational Nurse		Not to exceed 100 hrs. combined	$50.00 per hr.	6/18-7/17/19	Extended School Year Modification of pay rate
Kell, Ashley	Patterson	Instructional Assistant, I	11/2	3.5	$15.20 per hr.	8/1/19	Permanent/Probationary
Kell, Ashley	Patterson	Instructional Assistant, I			2.5% of salary	8/12/19	Special Needs Stipend
Lara, Charlene	Transportation	Office Assistant, Sub	14/6		$19.90 per hr.	7/2/19	Substitute, Out of Class
Lara, Charlene	Transportation	Bus Attendant	11/6	3.0	$18.48 per hr.	8/12/19	Reinstate from layoff
Lew, Timothy	Maintenance	Senior Maintenance Worker	21/6	8.0	$4,114 per mo.	8/17/19	Extend layoff date
Lewis, Robin	Pine Grove	Instructional Assistant, I	11/6	6.0	$18.48 per hr.	7/2/19	Increase in hours
McAlister, Susan	Orcutt JHS	Instructional Assistant, I	11/2	3.5	$15.20 per hr.	8/1/19	Permanent/Probationary
Monahan, Ashley	Orcutt JHS	Instructional Assistant, I	11/4	6.0	$16.76 per hr.	7/1/19	Voluntary transfer

Classified Personnel Action Report
Orcutt Union School District
August 14, 2019

TO: Deborah Blow, Ed.D.

SUBMITTED BY: Susan Salucci, Assistant Superintendent/Human Resources

SUBJECT: Recommendations for Board Approval

Name	Site/Dept.	Classification	Step/ Range	Hours	Rate of Pay	Effective	Action/Information
Nunez, Jessica	Dunlap, Campus Connection	Child Care Assistant	6/3	3.75	$14.11 per hr.	8/12/2019	Increase in hours
Pirouz, Rachel	Pupil Services	Occupational Therapist	1/6	8.0	$72,892.36 per yr.	8/30/19	Resignation
Roberts, Jenifer	Alice Shaw, Campus Connection	Child Care Coordinator	16/3	3.75	$18.06 per hr.	8/1/19	Promotion
Rowe, Sky	Child Nutrition	Child Nutrition Transport Worker	11/3	8.0	$15.96 per hr.	7/22/19	Increase in hours and work days
Ruiz, Crystal	Dunlap	Child Nutrition Cook	9/2	1.5	$14.47 per hr.	8/1/19	Additional position
Singh, Amita	Pine Grove, Campus Connection	Child Care Assistant	6/6	3.75	$16.33 per hr.	8/1/19	Voluntary Transfer
Stites, Jennette	Pine Grove	Instructional Assistant, I	11/6	3.5	$18.48 per hr.	7/16/19	Promotion
Swack, Stephani	Nightingale	Noon Duty Supervisor	6/1	1.5	$13.00 per hr.	8/14/19	Permanent/Probationary
Teniente, Jaime	Patterson, Campus Connection	Child Care Assistant	6/1	3.75	$13.00 per hr.	8/12/19	Permanent/Probationary
Torres, Christopher	Orcutt Academy HS	Instructional Assistant, I	11/2	6.0	$15.20 per hr.	9/2-10/2/19	Request unpaid leave of absence
Torres, Christopher	Orcutt Academy HS	Instructional Assistant, I	11/2	6.0	$1,000 per yr.	8/1/19	Educational Stipend - Bachelors
Torres, Christopher	Orcutt Academy HS	Instructional Assistant, I	11/2	6.0	$1,000 per yr.	8/1/19	Educational Stipend - Masters
Tosches, Marc	Orcutt Academy HS	Instructional Assistant, I	11/6	3.5	$18.48 per hr.	7/1/19	Voluntary transfer
Vega, Lisa	Transportation	Driver	15/2	3.0	$16.78 per hr.	8/12/19	Permanent/Probationary
Walling, Robert	Orcutt Academy HS	Custodian, Head	18/6	8.0	$3,822 per mo.	7/1/19	Promotion
Watson, Ken	Maintenance	Maintenance Craftsperson, Lead	30/6	8.0	$5,138 per mo.	7/1/19	Promotion
Watson, Ken	Maintenance	Maintenance Craftsperson, Lead			$25.00 per mo.	7/1/19	Phone Stipend

Classified Personnel Action Report
Orcutt Union School District
August 14, 2019

TO: Deborah Blow, Ed.D.

SUBMITTED BY: Susan Salucci, Assistant Superintendent/Human Resources

SUBJECT: Recommendations for Board Approval

Name	Site/Dept.	Classification	Step/ Range	Hours	Rate of Pay	Effective	Action/Information
Weddle, Rosemary	Nightingale, Campus Connection	Child Care Assistant	6/1	3.75	$13.00 per hr.	8/12/19	Increase in hours
Wilkin, Roxiena	Pine Grove, Campus Connection	Child Care Assistant	6/6	2.0	$16.33 per hr.	7/18/19	Increase in hours
Winters, Nicole	Alice Shaw	Instructional Assistant		Not to exceed 90 hrs.	$16.00 per hr.	6/18-7/17/19	Extended School Year
Woo, Kristen	Orcutt Academy HS	Child Nutrition Cook	9/6	3.75	$17.59 per hr.	7/1/19	Increase in hours

Certificated Personnel Action Report
Orcutt Union School District
August 14, 2019

TO: Dr. Deborah Blow, Superintendent

FROM: Susan Salucci, Assistant Superintendent / Human Resources

RE: Recommendations for Board Approval and Ratification

NAME	SCHOOL	CLASS/ STEP	SALARY	EFFECTIVE DATE	ACTION INFORMATION
Ayers, Kelly	Orcutt Academy K-8	Extra Duty	$47.10/hr	5/13-6/5/19	IEP Meetings, 4 hrs
Baldwin, Beth	Lakeview JHS	Extra Duty	$40/hr	2018-19 5/31/19	Locker Room Coverage, 22 hrs Worked Prep, 1 hr
Barba, Patricia	Alice Shaw	Extra Duty	$40/hr	5/6-5/21/19	After School Computer, 6 hrs
Barbour, Katherine	Patterson Road	Extra Duty	$40/hr	5/2-5/24/19	After School Computer, 5 hrs
Barnewolt, Janene	Joe Nightingale	Extra Duty	$47.10/hr	5/6-6/10/19	IEP Meetings, 14.17 hrs
Beal, Donna	Joe Nightingale	Extra Duty	$40/hr	5/28/19	IEP Meeting, .5 hr
Belanger, Rebecca	Pine Grove	Extra Duty	$40/hr	5/23/19	IEP Meeting, 1.33 hrs
Benedict, Patricia	District	Hourly	$25	5/1-5/24/19 2019-20	Dibels, 14.5 hrs SBAC, 43 hrs Academy Intervention, 34 hrs Academic Intervention, 24 hrs wk
Birdsall, Swapna	Orcutt Academy K-8	III-1 Hourly	$48,325 $25	2019-20 5/29/19	Temporary Long Term Sub Open House, 1.5 hrs
Blanchard, Kimberly	District	Hourly	$25	5/22-5/24/19	Dibels, 14 hrs
Bormes, Lori	Ralph Dunlap	Hourly	$25	5/1-5/29/19 5/15-5/31/19	Art Enrichment, 85 hrs SBAC, 19.5 hrs
Brickey, Patrick	Lakeview JHS	Extra Duty	$40/hr	4/2-5/28/19 5/11-6/1/19 6/4/19	After School Computer, 8 hrs Saturday School, 6.25 hrs Worked Prep, 1 hr
Brown, Matthew	Joe Nightingale	III-3	$51,620	2019-20	Completed Units for Movement
Byrne, Jennifer	Patterson Road	V-1	$53,008	2019-20	Temporary
Callaghan, Christy	Patterson Road	VI-20	$97,555	6/12/19	Resignation
Camacho, Diane	District	Hourly	$25	5/22-5/28/19	Dibels, 23 hrs
Cave, Kelsey	Patterson Road	Extra Duty	$47.10/hr	5/5-5/28/19	IEP Meetings, 6.58 hrs

*To be prorated

NAME	SCHOOL	CLASS/ STEP	SALARY	EFFECTIVE DATE	ACTION INFORMATION
Cedillo, Monica	Orcutt Academy HS	Extra Duty	$446.36/day $40/hr	2019-20 5/20-5/30/19	13 Additional Days IEP Meetings, 1.75 hrs
Chamberlain, Beth	Orcutt Academy HS	Hourly	$25	5/20-5/21/19	After school Detention, 2 hrs
Chambless, Amy	Alice Shaw	Extra Duty	$47.10/hr	5/2-6/4/19	IEP Meeting, 1.17 hr
Chartier, Victoria	Pine Grove	V-20	$93,119	2019-20	Completed units for movement
Chvala, Nancy	District	Hourly	$25	4/30-5/31/19	Dibels, 31.5 hrs
Clayton, Michelle	Orcutt Academy K-8	Extra Duty	$40/hr	6/5/19	IEP Meeting, 1 hr
Cleveland, Paul	Lakeview JHS	Extra Duty	$40/hr	4/3/19 5/17-5/31/19 5/6-5/17/19	Articulation, 2.5 hrs Worked Prep, 2 hrs SysOp, 5 hrs
Coburn, Josie	Orcutt Academy HS Patterson / Joe Nightingale	V-9 Extra Duty	$69,046 $40/hr	2019-20 5/2-6/4/19	Additional 20% Temporary Contract Before and After School Band, 17 hrs
Coffey, Daylan	Pine Grove	IV-5	$57,754	8/5/19	Resignation
Coffey, Jody	Alice Shaw	Extra Duty	$40/hr	5/30/19	IEP Meeting, 1 hr
Cooper, Lisa	Joe Nightingale	Extra Duty	$40/hr	5/16-5/20/19	IEP Meetings, 1.25 hrs
Cordero, Linda	Olga Reed	Hourly	$25	5/24/19	Title 1 Support Teacher, 3.84 hrs Art Enrichment, 2.2 hrs
Craft, Cheri	Ralph Dunlap	Extra Duty	$40/hr	6/6/19	IEP Meeting, .5 hr
Crawford, Cory-Brooke	Pine Grove	Hourly	$25	5/24-5/28/19	Long term sub planning day and report card prep, 12 hrs
Cunningham, Tiffany	Orcutt JHS	Extra Duty	$40/hr	5/10-5/24/19	Worked Prep, 2 hrs
Cutler, Elizabeth	Lakeview JHS	Extra Duty VI-8	$40/hr 69,972*	5/30/19 4/3-5/29/19 2019-20	Worked Prep, 1 hr After School Computer, 7 hrs Additional .10 Temporary Contract
Dacus, Cody	District Patterson	Hourly	$25	5/3-5/31/19 5/21-5/24/19 5/2-5/16/19 5/1-6/5/19 2019-20	NWEA, 19 hrs SBAC, 49.5 hrs Dibels, 6.5 hrs After School Computer, 5 hrs Academic Intervention, 41 hrs Academic Intervention, 24 hrs/wk
Day, Michelle	Unknown	III-1	$48,325 $5,000	2019-20	Probationary Signing bonus paid over 2 years
Day, Shannon	Ralph Dunlap	Extra Duty	$40/hr	11/16/19	IEP Meeting, 1.5 hrs
DelCarmen, Maria	Lakeview JHS	Extra Duty	$50/ea	10/2/19	Sports Supervisor, 1 game
DelValle, Abel	Alice Shaw	Daily	$300	5/31-6/11/19	Administrative Sub, 6 days

*To be prorated

NAME	SCHOOL	CLASS/ STEP	SALARY	EFFECTIVE DATE	ACTION INFORMATION
Dell'Armo, John	Orcutt Academy HS	Extra Duty	$40/hr	5/2-6/6/19	Academic Intervention, 14 hrs
Dell'Armo, Sarah	Orcutt JHS	Extra Duty	$40/hr	5/3-6/4/19	Worked Prep, 2 hrs
Devereaux, William	Joe Nightingale	Extra Duty	$40/hr	5/6-6/5/19	IEP Meetings, 4 hrs
Dunne, Anthony	Patterson Road	Extra Duty	$40/hr	5/23-5/29/19	IEP Meeting, 2 hrs
Ebner, Karen	Lakeview JHS	Extra Duty	$40/hr	5/20-5/31/19	Transition Meetings, 3.5 hrs
Ederer, Sherri	Pine Grove	V-13	$78,827	6/13/19	Resignation
Fenske, Christina	Olga Reed Orcutt Academy K-8	Hourly	$25	5/7-5/29/19 5/3-5/31/19	Garden Educator, 15 hrs Garden Educator, 24.75 hrs
Ferrari, Ted	Orcutt JHS	Extra Duty	$40/hr	6/3/19	Worked Prep, 3 hrs
Fichter, Megan	Lakeview JHS	Extra Duty	$40/hr	5/21/19	Detention, 1 hr
Flores, Debra	District	Hourly	$30	5/13-6/5/19	Home & Hospital, 22 hrs
Frantz, Michele	Joe Nightingale	Extra Duty	$40/hr	5/8-5/30/19	IEP Meetings, 2.25 hrs
Fraser, Jamie	Pine Grove	Extra Duty	$47.10/hr	5/6-5/30/19	IEP Meetings, 4.75 hrs
Fredriks, Ginger	Orcutt JHS	Extra Duty	$40/hr	5/17/19	Worked Prep, 1.5 hrs
Fredriks, Tymen	Orcutt Academy HS	Extra Duty	$40/hr	5/2-6/6/19	After School Intervention, 13 hrs
Freeland, Susan	District	Hourly	$25	5/22-5/24/19	Dibels, 17.25 hrs
Freitas, Jennifer	District	Hourly	$25	5/1/19 5/22-6/10/19	SBAC, 1 hr Long Term Sub Planning Day, Class Performance and Staff Meeting, 9 hrs
Galanti, Alena	Orcutt JHS	Extra Duty	$40/hr	3/27/19	Articulation, 1 hr
Garza, Linda	District	Hourly	$50	3/20-4/4/19 5/13-6/6/19 5/13-6/6/19	CASC Mentor, 6.5 hrs Intern and New Teacher Support, 64.5 hrs Resource Support Teacher, 43 hrs
Gelotti, Scott	Orcutt Academy HS	Extra Duty Hourly	$40/hr	5/7-6/6/19 7/29-8/9/19	Detention, 9 hrs Summer Credit Recovery Program, 70 hrs max
Ginter, Emily	Alice Shaw	V-3	$56,625	2019-20	Completed Units for Movement
Graunke, Alissa	Orcutt Academy HS	Extra Duty	$40/hr	5/22-5/30/19 5/22-6/10/19	Academic Intervention, 2 hrs Home & Hospital, 8 hrs
Greenelsh, David	Alice Shaw	Extra Duty	$40/hr	5/2/19	IEP Meeting, .5 hr
Gularte, Thomas	Alice Shaw	IV-20	$77,784	8/2/19	Resignation

*To be prorated

NAME	SCHOOL	CLASS/ STEP	SALARY	EFFECTIVE DATE	ACTION INFORMATION
Harris, Steven	Orcutt JHS	Extra Duty	$40/hr	5/30/19	Open House (2nd site), 1.5 hrs
Hawkins, Markie	Joe Nightingale	Extra Duty	$40/hr	5/21-5/24/19	IEP Meetings, .83 hr
Hemphill, Juliann	Orcutt Academy HS	Hourly	$20/hr	5/3-5/31/19	Webmaster, 12 hrs
Henry, Kristi	Joe Nightingale	Extra Duty	$47.10/hr	5/6-6/7/19	IEP Meetings, 8.25 hrs
Hernandez, Selina	Lakeview JHS	Extra Duty	$40/hr	4/3/19	Articulation, 2.5 hrs
Hinden, Susan	Patterson Road	Extra Duty	$40/hr	5/3-6/4/19	IEP Meeting, 1.5 hrs
Hodson, Joslyn	Patterson Road	Extra Duty	$40/hr	5/30/19	IEP Meeting, 1 hr
Hughes, Michelle	District	Hourly	$25	5/6-6/7/19 5/1-6/6/19	NWEA, 42 hrs SBAC, 76 hrs
Iannoli-Ballard, Juliet	District	Hourly	$50	6/18-7/17/19	Extended School Year Teacher, 102.5 hrs
Jackson, Kacie	Orcutt JHS	Extra Duty	$40/hr	5/31/19	SysOp, 2.5 hrs
Johnson, Melissa	Ralph Dunlap	Hourly	$25	5/20-5/23/19	Long term sub planning day and open house, 7.5 hrs
Kantorowski, Jennifer	District	Hourly	$25	5/3-5/30/19 5/24-6/6/19	SBAC, 93 hrs NWEA, 48 hrs
Kirby, Jeff	Orcutt JHS	Extra Duty	$40/hr	6/4/19	Worked Prep, 1 hr
Kuykendall, Colleen	Patterson Road	Extra Duty	$40/hr	5/2-5/16/19 5/8-6/1/19 5/17/19	After School Computer, 4 hrs Home & Hospital, 24.5 hrs IEP Meeting, .75 hr
Lara, Nichol	District	Hourly	$25	4/8-4/17/19 4/1-4/17/19	Dibels, 33.25 hrs ELPAC, 5.5 hrs
Larrabee, Jennifer	Patterson Road	Hourly	$25	2/20-2/22/19 1/5-5/31/19 2019-20	Staff meeting and grading, 4 hrs Art Enrichment, 103.5 hrs Art Enrichment, 18 hrs wk
Leach, Veronica	Orcutt Academy K-8	II-2 Extra Duty	$47,690 $40/hr	6/12/19 5/17/19	Resignation IEP Meeting, 1 hr
Lee, Tanya	Olga Reed	Extra Duty	$40/hr	5/15/19	IEP Meeting, .5 hr
Leyden, Candance	District	Hourly	$25	5/23-5/24/19	Dibels, 11 hrs
Liddi, Scott	Lakeview JHS / Orcutt Academy HS	Daily	$110	5/8/19	Shadowed for long term sub assignment, 1 day
Long, Katherine	District	II	$121,256	2019-20	Executive Director of Special Education
Lopez, Desiree	Orcutt Academy HS	Extra Duty	$40/hr	5/16-5/30/19	After School Intervention, 3 hrs
Lopez, Shannon	Joe Nightingale	Extra Duty	$47.10/hr	5/2-5/30/19	IEP Meetings, 3.17 hrs
Lyon, Shane	Orcutt Academy HS	Extra Duty	$25	6/3/19	Worked Prep, 1 hr

*To be prorated

NAME	SCHOOL	CLASS/ STEP	SALARY	EFFECTIVE DATE	ACTION INFORMATION
Macdonald, Christa	Alice Shaw	Extra Duty	$40/hr	5/6-5/21/19	After School Computer, 6 hrs
Majewski, Katlin	Alice Shaw Pine Grove	Hourly	$25	5/1-6/12/19	Art Enrichment, 80 hrs Art Enrichment, 80 hrs
Malins, Deborah	District	Hourly	$40	7/8-7/17/19	ESY Speech, 40 hrs plus 4 sessions of after school speech, 80 min max
Manfredi, Patricia	Lakeview JHS	Extra Duty	$40/hr	4/2-5/29/19	Academic Intervention, 15 hrs
Mason, Caryn	Orcutt Academy I/S	Hourly	$30	5/1-5/30/19 2019-20	Support Teacher, 112 hrs Support Teacher, 30 hr wk, 132 days max
Mason, Joshua	Orcutt Academy HS	Extra Duty	$40/hr	5/2-6/6/19	Academic Intervention, 9 hrs
Matautia, Jewelee	Orcutt Academy K-8 / Olga Reed	Hourly	$25	5/3-5/30/19 5/2-6/4/19	Art Enrichment, 3.5 hrs SIPPS, 108.5 hrs
McGarity, Susan	Pine Grove / Olga Reed / Orcutt Academy K8	Extra Duty	$40/hr	5/2-6/6/19	Before and After School Band, 13.5 hrs
McKee, Vada	Orcutt JHS	Extra Duty	$40/hr	5/2-5/9/19	IEP Meetings, 3.5 hrs
Miller, Ashley	District Alice Shaw	Hourly Extra Duty	$40/hr $47.10/hr	7/2-7/17/19 4/3-5/16/19	Extended School Year Teacher, 51.25 hrs IEP Meetings, 4.42 hrs
Miller, Heidi	Orcutt Academy HS District	Extra Duty	$40/hr	5/3/19 4/11-6/4/19	Worked Prep, 1 hr Home & Hospital, 7 hrs
Montgomery, Megan	District	Extra Duty	$40/hr	5/13-6/10/19	Home & Hospital, 6.17 hrs
Murch, Tamara	Orcutt JHS	Hourly	$25	5/2-6/7/19	ELD 1 Support Teacher, 79.25 hrs
Mussell, Katelyn	Pine Grove	III-1	$48,325	2019-20	Temporary
Naess, Jennifer	Patterson Road	Extra Duty	$47.10/hr	5/3-5/30/19	IEP Meetings, 6.26 hrs
Nicholson, Donald	Alice Shaw	Daily	$300	6/3-6/6/19	Administrative Sub, 3 days
Nordwall, Jubilee	Orcutt JHS	Extra Duty	$40/hr	6/4/19	Worked Prep, 1 hr
Norling, Michaela	District	Extra Duty	$47.10/hr	5/14/19	IEP Meeting, 1 hr
Olson-Sanchez, Alysha	Orcutt Academy HS	V-2	$54,786	2019-20	Temporary
Papworth, Lara	Alice Shaw	Hourly	$25	5/17-5/24/19	ELPAC, 2 hrs
Parker, Elizabeth	Joe Nightingale	Extra Duty	$40/hr	5/21/19	IEP Meeting, .75 hr
Parker, Jessica	Joe Nightingale	Extra Duty	$47.10/hr	5/13/19	IEP Meeting, .75 hr

*To be prorated

NAME	SCHOOL	CLASS/ STEP	SALARY	EFFECTIVE DATE	ACTION INFORMATION
Pawley, Lise	Joe Nightingale	Extra Duty	$40/hr	5/15-5/23/19	IEP Meeting, 1.5 hrs
Penk, Heather	Orcutt Academy HS	VI-10 Extra Duty	$74,764* $40/hr	2019-20 5/6-6/3/19 5/1-5/28/19	Additional .20 Temporary Contract After School Intervention, 5 hrs Morning Library Support, 9 hrs
Perales, Anita	Joe Nightingale	Extra Duty	$47.10/hr	5/2-6/10/19	IEP Meetings, 13 hrs
Perez, Anayeli	Orcutt Academy HS	Extra Duty	$390.96/day	2019-20	13 Additional Days
Perez, Cecilia	Orcutt JHS	Extra Duty	$40/hr $47.10/hr	5/17/19 5/3-5/23/19	Worked Prep, 1.5 hrs IEP Meetings, 6.4 hrs
Peterson, Mary Jane	Orcutt JHS	Extra Duty	$40/hr	2018-19	Locker Room Coverage, 39.6 hrs
Pollock, Christin	Ralph Dunlap	Extra Duty	$40/hr	5/6-5/31/19	IEP Meetings, 1.8 hrs
Provost, Janell	Alice Shaw	Extra Duty	$40/hr	5/16/19	IEP Meeting, 1 hr
Pugh, Caline	Pine Grove	V-3	$56,625	2019-20	Temporary
Qian, Revell, Susan	Alice Shaw	Extra Duty	$47.10/hr	5/15-5/30/19	IEP Meeting, 2 hrs
Ramin, Ginger	Orcutt JH	Extra Duty	$47.10/hr	4/10-6/7/19	IEP Meetings, 5.25 hrs
Ramirez, Amanda	Pine Grove	Daily	$110	5/16-5/28/19	Shadow for long term sub assignment, 2 days
Ramos, Rosalynn	Joe Nightingale	Extra Duty	$40/hr	5/13-5/20/19	IEP Meetings, 1.5 hrs
Reyes, Emily	Orcutt JHS	IV-2	$52,310	2019-20	Temporary
Rhyne, Suzi	Joe Nightingale	Extra Duty	$40/hr	5/6-5/28/19	IEP Meeting, 2 hrs
Richardson, Laura	Joe Nightingale	Hourly	$25	5/1-6/5/19 6/4-6/31/19 6/22/19 6/9-6/31/19	Art Enrichment, 75.5 hrs NWEA, 22.25 hrs Dibels, 2.5 hrs SBAC, 30.75 hrs
Riezebos, Devin	Pine Grove	Extra Duty	$40/hr	5/6-5/8/19	IEP Meetings, 1.75 hrs
Riezebos, Stacy	Patterson Road	Extra Duty	$40/hr	5/2/19	IEP Meeting, 1 hr
Rohwedder, Audrey	Alice Shaw	Extra Duty	$40/hr	6/4/19	IEP Meeting, .67 hr
Saleen, Julie	Patterson Road	Extra Duty	$40/hr	9/17-6/6/19	IEP Meetings, 5 hrs
Salvesen, Kristin	District	Hourly	$25	5/1-5/31/19	NWEA, 66.25 hrs SBAC, 42.25 hrs
Sanders, Bobette	Lakeview JHS	Extra Duty	$40/hr	5/23-5/29/19	Math placement testing, 3 hrs
Sanders, Greg	Lakeview HS	Extra Duty V-14	$40/hr $81,481*	5/23/19 4/4-5/30/19 2019-20	Worked Prep, 1 hr After School Computer, 8 hrs Additional .10 Temporary Contract
Savaso, Lisa	Joe Nightingale	Extra Duty	$40/hr	5/29/19	IEP Meeting, 1.17 hrs
Saylor, Jennifer	Joe Nightingale	Extra Duty	$40/hr	5/2/19	IEP Meeting, 1 hr

*To be prorated

NAME	SCHOOL	CLASS/ STEP	SALARY	EFFECTIVE DATE	ACTION INFORMATION
Schmid, John	Ralph Dunlap	Extra Duty	$40/hr	5/16-6/11/19	IEP Meeting, 1.75 hrs
Schmid, Renee	Joe Nightingale	Extra Duty	$40/hr	5/16-5/17/19	IEP Meetings, 1.5 hrs
Schmidt, Christopher	Orcutt JHS	VI-20	$97,555*	2019-20	Additional .20 Temporary Contract
Schneider, Heidi	Lakeview JHS	Extra Duty	$40/hr	5/31/19 6/4-6/6/19	Worked Prep, 1 hr Detention, 2 hrs
Schubert, Danielle	Orcutt JHS	Extra Duty	$40/hr	5/30-6/4/19 4/10-4/30/19	Worked Prep, 2 hrs IEP Meetings, 2 hrs
Severance, Robert	District	Hourly	$25	5/1-5/16/19	SBAC, 24 hrs
Sharp, Augusta	Orcutt JHS	Extra Duty	$47.10/hr	5/8-5/23/19 6/6/19	IEP meetings, 4 hrs Worked Prep, 1.5 hrs
Shaw, Michael	Orcutt Academy HS	Stipend	$1,200*	5/1-6/12/19	PLC Stipend, pro-rated for 1.5 months and docked from Culbara
Sherer, Diana	Orcutt Academy I/S	Hourly	$30	5/1-5/30/19 2019-20	Support Teacher, 118 hrs Support Teacher, 30 hr wk, 132 days max
Shuffield, Jamie	Patterson Road Alice Shaw	IV-1 Hourly	$50,614 $25	2019-20 5/1-5/22/19	Temporary Long term sub staff meeting and open house, 2.5 hrs
Silva, Julie	Pine Grove	Extra Duty	$40/hr	5/15/19	IEP Meeting, 1 hr
Slezak, Sarah	Orcutt Academy HS	V-7 Extra Duty	$64,625 * $40/hr	2019-20 5/2-5/30/19	Additional 20% Temporary Contract Jazz Band, 9 hrs
Smith, Timothy	Lakeview JHS	Extra Duty	$40/hr	5/23-5/24/19	Worked Prep, 2 hr
Smithson, Allen	Ralph Dunlap / Alice Shaw	Extra Duty	$40/hr	5/2-5/28/19	Before/After School Band, 13.5 hrs
Stapp, Haylee	Patterson Road	Extra Duty Stipend V-4	$47.10/hr $750 $58,525	5/2-5/31/19 2019-20	IEP Meetings, 6 hrs One Time Stipend for Added Authorization – Ortho Impairment Completed Units for Movement
Soriano, Yvette	Patterson Road	Extra Duty	$40/hr	10/16- 4/16/19	IEP Meetings, 1.83 hrs
Sullivan, Katherine	Lakeview JHS / Pine Grove Ralph Dunlap/ Alice Shaw	Extra Duty VI-5	$40/hr $63,363	5/16-5/23/19 2019-20	Worked Prep, 10 hrs Tenure
Sternjacob, Zachary	Orcutt JHS	Extra Duty	$40/hr	5/15-6/7/19	Worked Prep, 15 hrs
Taubenheim, Michael	Orcutt JHS	Extra Duty VI-20	$40/hr $97,555*	5/23/19 2019-20	Worked Prep, 1 hr Additional .20 Temporary Contract
Thompson, Linda	Alice Shaw	VI-20	$97,555*	2019-20	Temporary, 45% Contract
Trujillo, Elizabeth	Joe Nightingale	Extra Duty	$40/hr	5/29/19	IEP Meeting, 1 hr
Tullis, Polly	Lakeview JHS	Extra Duty	$40/hr	5/23/19	Worked Prep, 1 hr

*To be prorated

NAME	SCHOOL	CLASS/ STEP	SALARY	EFFECTIVE DATE	ACTION INFORMATION
Turner, Kathryn	Patterson Road	Hourly	$25	5/31-6/6/19	Long term sub report cards and open house, 6.5 hrs
Tuttle, Melissa	Patterson Road	Hourly	$25	5/14-6/6/19	Long term sub Planning Day, Open House, Report Card Day and Staff Meeting, 14.5 hrs
Ungefug, Randy	District	Hourly	$25	3/13-5/17/19	Proctoring, 38.5 hrs
VanAllen, Williams	Lakeview JHS	Extra Duty	$40/hr	2018-19	Locker Room Coverage, 20.75 hrs
Vidal, Jerred	Lakeview JHS	V-6	$62,524*	2019-20	Additional .20 Temporary Contract
Voss, Caitlin	Ralph Dunlap	Extra Duty V-2	$40/hr $54,786	1/25/19 2019-20	IEP Meeting, .5 hr Completed Units for Movement
Washburn, Scott	Orcutt Academy I/S	Hourly	$30	5/1-5/30/19	Support Teacher, 112 hrs
Wellard, Amy	Alice Shaw	III-6	$56,991	2019-20	Temporary
Westhoff, Kazan	Joe Nightingale	Extra Duty	$47.10/hr	5/20-6/10/19	IEP Meetings, 2.25 hrs
Westman, Christian	District	VI	$103,850	2019-20	Psychologist
Whitehair, Steven	Patterson Road	Extra Duty	$47.10/hr	5/14/19	IEP Meeting, 1 hr
Whitted, Dana	Olga Reed	Hourly	$25	5/2-6/4/19 5/2-5/23/19	Academic Intervention, 101.25 hrs Art Enrichment, 8 hrs
Wilson, Shauna	Orcutt Academy K-8	Extra Duty	$40/hr	5/2-5/28/19	IEP Meetings, 14 hrs
Winkelpleck, Dustin	Patterson Road	Extra Duty	$40/hr	5/1-5/16/19	After School Computer, 5 hrs
Winkelpleck, Lyn	Orcutt JHS	Extra Duty	$40/hr	5/24-5/30/19 5/2-5/30/19	Worked Prep, 2 hrs Academic Intervention, 9 hrs
Winters, Gabriella	Ralph Dunlap	Extra Duty	$47.10/hr	5/4-5/13/19	IEP Meetings, 4.5 hrs
Woodruff, Jenna	Ralph Dunlap	Hourly	$25	5/13-6/6/19	Long term planning day, IEP Meeting, Open House and Planning Day, 15.5 hrs
Yamaichi, Anna	Olga Reed	Hourly	$25	5/3-5/31/19 5/2-6/4/19	Art Enrichment, 6.5 hrs ELD Support Teacher, 85.75 hrs
Yamamoto, Alana	Ralph Dunlap	Extra Duty	$47.10/hr	5/16-6/11/19	IEP Meetings, 5.42 hrs
York, Sarah	District Patterson Road	Hourly	$25 $25	5/1-5/2/19 5/3-5/10/19 5/23-5/24/19 5/1/19 5/2/19 2019-20	SIPPS, 12 hrs NWEA, 18 hrs Dibels, 10 hrs SBAC, 1 hr After School Computer, 1 hr Academic Intervention, 24 hrs wk
Zimmerman, Liz	Pine Grove	Extra Duty	$40/hr	5/23/19	IEP Meeting, 1.5 hrs
Zucker, Anna	Orcutt JHS	Extra Duty	$40/hr	5/2-5/30/19	Detention, 9 hrs

*To be prorated

Warrants

These materials are not included in this copy of the agenda. The warrants are available for review at the District Office, 500 Dyer Street, Orcutt, CA. Monday-Friday from 7:30 am – 4:30 pm.

This procedure is in compliance with the Public Document Law, Government Code Section Number 6257.

ORCUTT UNION SCHOOL DISTRICT
BOARD OF TRUSTEES
REGULAR MEETING MINUTES
June 5, 2019

CALL TO ORDER

A regular meeting of the Board of Trustees of the Orcutt Union School District was held on Wednesday, June 5, 2019, beginning with Lisa Morinini calling Public Session to order at 6:01 p.m. The Pledge of Allegiance was led by Walter Con. Members Present: Morinini, Phillips, Waffle, Steller and Henderson. Administrators Present: Blow, Edds, Salucci, Con, and Fell. Due to the amount of public in attendance, the meeting was moved to Orcutt Junior High School Gym.

ADJOURN TO CLOSED SESSION

It was moved by Mark Steller, seconded by Liz Phillips and carried to adjourn to Closed Session at 6:02 p.m. Ayes: Morinini, Phillips, Waffle, Steller, and Henderson.

RECONVENE TO PUBLIC SESSION

The meeting reconvened to Public Session at 6:52 p.m. at the Orcutt JHS Gym. Lisa Morinini reported that no action was taken in closed session. It was moved by Liz Phillips, seconded by Melanie Waffle and carried to adopt the June 5, 2019, agenda as presented. Ayes: Morinini, Phillips, Waffle, Steller and Henderson.

SUPERINTENDENT'S REPORT

Dona Kintzi and the Orcutt Academy High School Barbershop Quarter performed two songs. Josie Coburn and the Orcutt Academy Jazz Ensemble performed two songs that they performed in their high school drama performance of the “Peacock Lounge”.

ITEMS FROM THE BOARD

Shaun Henderson, Liz Phillips, Melanie Waffle, Mark Steller and Lisa Mornini commented on all the hard work teachers and staff put forth on the open houses, assemblies, school interviews and site visits.

PUBLIC COMMENT

Phyllis Jackson gave a CSEA update, Monique Segura gave a OEA update, Robert Schmalbach, Shannon Day, and Becky Marks commented on social media concerns. Chris Perez, OFFER organizer presented the PACT document

Written Communication

Dr. Blow received communication from the CA Honor Roll stating that Joe Nightingale, Lakeview JHS, Pine Grove Elementary and Ralph Dunlap were recognized on the 2018-2019 Honor Roll. The schools demonstrated consistent high levels of student academic achievement.

CONSENT AGENDA ITEMS

A. Classified Personnel Action Report
B. Certificated Personnel Action Report
C. Approval of Warrants
D. Minutes, Regular Board Meeting, May 8, 2019
E. Consolidated Application: Application for Funding
F. Santa Maria Valley Physical Therapy Memorandum of Understanding (MOU)
G. Board Policy 3100, Budget, for second reading
H. Board Policy 3260, Fees and Charges, for second reading
I. Board Policy 3290, Gift, Grants and Bequests
J. Board Policy 3515.4, Recovery for Property Loss or Damage
K. Board Policy 5117, Interdistrict Attendance
L. Board Policy 5127, Graduation Ceremonies and Activities

It was moved by Liz Phillips and seconded by Melanie Waffle to revise item D, Minutes of Regular Board Meeting, April 10, 2019. The minutes are to be revised to include Liz Phillips comments regarding wanting a Board meeting in Los Alamos in June. Ayes: Morinini, Phillips, Steller, Waffle and Henderson. It was moved by Liz Phillips, seconded by Melanie Waffle, and carried to approve Consent Agenda Items A-I with the revisions to item D, as submitted. Ayes: Morinini, Phillips, Steller, Waffle and Henderson.

ACTION AGENDA ITEMS

Acceptance of Gifts

It was moved by Liz Phillips, seconded by Shaun Henderson, and carried to approve the acceptance of gifts, and that a letter of acceptance and appreciation be sent to Tamara Hart and Moira Gil High Sky Farm. Ayes: Morinini, Phillips, Waffle, Steller and Henderson.

Award Bid for the Olga Reed Site Safety and Security

It was moved by Melanie Waffle, seconded by Liz Phillips and carried to approve Bid Package 2, Fencing, Gates and Stone Veneer, to Big Wakoo Fence, Inc. for $140,000, as they were the lowest, responsive and responsible bidder. Ayes: Morinini, Phillips, Steller, Waffle and Henderson.

Piggyback Bid Authorization for the Purchase of School Bus

It was moved by Shaun Henderson, seconded by Mark Steller and carried to approve the Piggyback Bid Authorization, as submitted. Ayes: Morinini, Phillips, Waffle, Steller, and Henderson.

Board Policy 3100, Budget

It was moved by Shaun Henderson, seconded by Mark Steller and carried to adopt the revisions to Board Policy 3100, Budget, for the first reading and that it be placed on the next Consent Agenda for the second reading. Ayes: Morinini, Phillips, Steller, Waffle and Henderson.

Board Policy 3260, Fees and Charges

It was moved by Melanie Waffle, seconded by Shaun Henderson and carried to adopt the revisions to Board Policy 3260, Fees and Charges, for the first reading and that it be placed on the next Consent Agenda for the second reading. Ayes: Morinini, Phillips, Steller, Waffle and Henderson.

Board Policy 3290, Gifts, Grants and Bequests

It was moved by Melanie Waffle, seconded by Shaun Henderson and carried to adopt the revisions to Board Policy 3290, Gift, Grants, and Bequests, for the first reading and that it be placed on the next Consent Agenda for the second reading. Ayes: Morinini, Phillips, Steller, Waffle and Henderson.

Board Policy 3515.4, Recovery for Property Loss or Damage

It was moved by Melanie Waffle, seconded by Shaun Henderson and carried to adopt the revisions to Board Policy 3515.4, Recovery for Property Loss or Damage, with the selection of option 1, for the first reading and that it be placed on the next Consent Agenda for the second reading. Ayes: Morinini, Phillips, Steller, Waffle and Henderson.

Approval of Staff to Attend Staff Development for Educators conference in Las Vegas, Nevada, July 9-12, 2019 (Out of State)

It was moved by Liz Phillips, seconded by Shaun Henderson and carried to approve the travel request for Cassidy Langley to attend the Staff Development for Educators conference in Las Vegas, Nevada, July 9-12, 2019, Out of State Travel, as submitted. Ayes: Morinini, Phillips, Waffle, Steller, and Henderson.

History Social Science – Recommendation for Adoption

It was moved by Liz Phillips, seconded by Shaun Henderson and carried to adopt the History Social Science Instructional Materials, as submitted. Ayes: Morinini, Phillips, Waffle, Steller and Henderson.

Board Policy 5117, Interdistrict Attendance

It was moved by Liz Phillips, seconded by Melanie Waffle and carried to adopt the revisions to Board Policy 5117, Interdistrict Attendance, for the first reading and that it be placed on the next Consent Agenda for the second reading. Ayes: Morinini, Phillips, Steller, Waffle and Henderson.

Board Policy 5127, Graduation Ceremonies and Activities

It was moved by Mark Steller, seconded by Liz Phillips and carried to adopt the revisions to Board Policy 5127, Graduation Ceremonies and Activities, for the first reading and that it be placed on the next Consent Agenda for the second reading. Ayes: Morinini, Phillips, Steller, Waffle and Henderson.

2018/2019 Resolution No. 8, Declaration of Need

It was moved by Shaun Henderson, seconded by Mark Steller and carried to approve 2018/2019 Resolution No. 8, Declaration of Need for Fully Qualified Educators, as submitted. Ayes: Morinini, Phillips, Waffle, Steller, and Henderson.

2019/2020 revised School Calendar

It was moved by Shaun Henderson, seconded by Mark Steller and carried to approve 2019/2020, revised School Calendar, as submitted. Ayes: Morinini, Phillips, Waffle, Steller, and Henderson.

2018/2019 Resolution No. 14 Classified Lay-offs as a Result of Lack of Work and/or Lack of Funds

It was moved by Shaun Henderson, seconded by Liz Phillips and carried to approve the 2018/2019 Resolution No. 14, Classified Lay-offs as a Result of Lack of Work and/or Lack of Funds, as submitted. Ayes: Morinini, Phillips, Waffle, Steller, and Henderson.

Resolution No. 12, for 2018-19 School Year For Exemption to the Separation-From-Service Requirement Pursuant to Section 24214.5 or 268122 of the Education Code

It was moved by Liz Phillips, seconded by Shaun Henderson and carried to approve Resolution No. 12, 2018/2019 School Year For Exemption to the Separation-From-Service Requirement Pursuant to Section 24214.5 or 268122 of the Education Code, as submitted. Ayes: Morinini, Phillips, Waffle, Steller, and Henderson.

GENERAL ANNOUNCEMENTS

Unless otherwise noticed, the next regular board meeting is scheduled for Wednesday, June 12, 2019, with Closed Session beginning at 6:00 p.m. followed by Public Session at 6:30 p.m. in the District Office Board Room, 500 Dyer Street, Orcutt, CA.

ADJOURN

It was moved by Liz Phillips, seconded by Melanie Waffle and carried to adjourn the meeting at 8:14 p.m.

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Deborah L. Blow, Ed.D. Board Secretary

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Liz Phillips, Clerk, Board of Trustees

ORCUTT UNION SCHOOL DISTRICT
BOARD OF TRUSTEES
SPECIAL BOARD MEETING MINUTES
June 12, 2019

CALL TO ORDER

A regular meeting of the Board of Trustees of the Orcutt Union School District was held on Wednesday, June 12, 2019, beginning with Lisa Morinini calling Public Session to order at 12:10 p.m. The Pledge of Allegiance was led by Shaun Henderson. Members Present: Morinini, Phillips, Waffle, Steller and Henderson. Administrators Present: Blow, Edds, Salucci, Con, and Fell.

ACTION AGENDA ITEMS

2018/2019 Resolution No. 17, Recognition of Walter Con

It was moved by Liz Phillips, seconded by Shaun Henderson, and carried to adopt the 2018/2019 Resolution No. 17 Recognition of Walter Con, as submitted. Ayes: Morinini, Phillips, Waffle, Steller and Henderson.

2019/2020 Adopted District Budget

It was moved by Liz Phillips, seconded by Shaun Henderson and carried to adopt the 2019/2020 Budget, as presented on June 5, 2019. Ayes: Morinini, Phillips, Steller, Waffle and Henderson.

2018/2019 Resolution No. 18 Delegation of Authority to District Staff

It was moved by Shaun Henderson, seconded by Liz Phillips and carried to adopt 2018/2019 Resolution No. 18, Delegation of Authority to District Staff, as submitted. Ayes: Morinini, Phillips, Waffle, Steller, and Henderson.

Local Control Accountability Plan (LCAP)

It was moved by Liz Phillips, seconded by Shaun Henderson and carried to approve the 2019/2019 Local Control Accountability Plan (LCAP), as presented on June 5, 2019. Ayes: Morinini, Phillips, Steller, Waffle and Henderson.

Local Control Accountability Plan (LCAP) ESSA Addendum

It was moved by Mark Steller, seconded by Shaun Henderson and carried to approve the Local Control Accountability Plan (LCAP) ESSA Addendum, as submitted. Ayes: Morinini, Phillips, Steller, Waffle and Henderson.

Local Control Accountability Plan (LCAP) Orcutt Academy Charter School

It was moved by Melanie Waffle, seconded by Shaun Henderson and carried to approve the 2019/2019 Local Control Accountability Plan (LCAP) Orcutt Academy Charter School, as presented on June 5, 2019. Ayes: Morinini, Phillips, Steller, Waffle and Henderson.

GENERAL ANNOUNCEMENTS

Unless otherwise noticed, the next regular board meeting is scheduled for Wednesday, August 14, 2019, with Closed Session beginning at 6:00 p.m. followed by Public Session at 6:30 p.m. in the District Office Board Room, 500 Dyer Street, Orcutt, CA.

ADJOURN TO CLOSED SESSION

It was moved by Shaun Henderson, seconded by Melanie Waffle and carried to adjourn to Closed Session at 12:17 p.m. Ayes: Morinini, Phillips, Waffle, Steller, and Henderson.

RECONVENE TO PUBLIC SESSION

The meeting reconvened to Public Session at 12:21 p.m. Lisa Morinini reported that the Board of Trustees approved the Expulsion Agreement for Student ID No. 201300334 as presented. Ayes: Morinini, Phillips, Waffle, Steller and Henderson.

ADJOURN

It was moved by Liz Phillips, seconded by Melanie Waffle and carried to adjourn the meeting at 12:22 p.m.

_____

Deborah L. Blow, Ed.D. Board Secretary

_____

Liz Phillips, Clerk, Board of Trustees

AGREEMENT FOR PROFESSIONAL SERVICES

This Agreement is made and entered into on June 4, 2019, by and between the Orcutt Union School District, hereinafter referred to as District, and Dannis Woliver Kelley, a professional corporation, hereinafter referred to as Attorney.

In consideration of the promises and the mutual agreements hereinafter contained, District and Attorney agree as follows:

SCOPE OF SERVICES. District appoints Attorney to represent, advise, and counsel it from July 1, 2019, through and including June 30, 2020, and continuing thereafter as approved. Any services performed during the period between the above commencement date and the date of Board action approving this Agreement are hereby ratified by said Board approval. Attorney agrees to prepare periodic reviews of relevant court decisions, legislation, and other legal issues. Attorney agrees to keep current and in force at all times a policy covering incidents of legal malpractice.

CLIENT DUTIES. District shall be truthful with Attorney, cooperate with Attorney, keep Attorney informed of developments, perform the obligations it has agreed to perform under this Agreement and pay Attorney bills in a timely manner.

FEES AND BILLING PRACTICES. Except as hereinafter provided, District agrees to pay Attorney two hundred sixty-five dollars ($265) to three hundred sixty dollars ($360) per hour for Shareholders and Of Counsel; two hundred forty-five dollars ($245) to two hundred ninety-five dollars ($295) for Special Counsel; one hundred ninety-five dollars ($195) to two hundred sixty dollars ($260) per hour for Associates; and one hundred thirty dollars ($130) to one hundred eighty dollars ($180) per hour for Paralegals and Law Clerks. The rate for Gregory J. Dannis will be three hundred eighty dollars ($380) per hour. Rates for individual attorneys may vary within the above ranges depending on the level of experience and qualifications and the nature of the legal services provided. Agreements for legal fees at other than the hourly rate set forth above may be made by mutual agreement for special projects, particular scopes of work, or for attorneys with specialized skills. The rates specified in this agreement are subject to change at any time by Attorney by written notice to Client and shall apply to all services rendered after such notice is given. Substantive communications advice (telephone, voice-mail, e-mail) is billed in a minimum increment of one-tenth (.1) of an hour, except for the first such advice in any business day, which is charged in a minimum of three-tenths (.3) of an hour. Actual travel time is charged at the rates above. In the course of travel it may be necessary for Attorney to work for and bill other clients while in transit. If, during the course of representation of District, an insurance or other entity assumes responsibility for payment of all or partial fees of Attorney on a particular case or matter, District shall remain responsible for the difference between fees paid by the other entity and Attorney's hourly rates as specified in this Agreement unless otherwise agreed by the parties.

OTHER CHARGES. District further agrees to reimburse Attorney for actual and necessary expenses and costs with respect to providing the above services, including support services such as copying charges (charged at $0.10 per page), express postage (only charged if in excess of $1.00), and computerized legal research (i.e. Westlaw). Any discount received on computerized legal research is passed along to Client by Attorney. District agrees that such actual and necessary expenses may vary according to special circumstances necessitated by request of District or emergency conditions which occasionally arise. Such expenses shall be provided at cost unless otherwise specified.

District further agrees to pay third parties, directly or indirectly through Attorney, for major costs and expenses including, but not limited to, costs of serving pleadings, filing fees

and other charges assessed by courts and other public agencies, arbitrators' fees, court reporters' fees, jury fees, witness fees, investigation expenses, consultants' fees, and expert witness fees. Upon mutual consent of District and Attorney, District may either advance or reimburse Attorney for such costs and expenses.

Occasionally Attorney may provide District officials and/or employees with food or meals at Attorney-sponsored trainings or when working with District officials and/or employees. Attorney may provide such food or meals without additional charge in exchange for the consideration provided by the District under this Agreement.

BILLING STATEMENT. Attorney shall send District a statement for fees and costs incurred every calendar month. Attorney's statements shall clearly state the basis thereof, including the amount, rate and basis for calculations or other methods of determination of Attorney's fees. Upon District office's request for additional statement information, Attorney shall provide a bill to District no later than ten (10) days following the request. District is entitled to make subsequent requests for bills at intervals of no less than thirty (30) days following the initial request. District shall pay Attorney's statements within thirty (30) days after each statement's date.

INDEPENDENT CONTRACTOR. It is expressly understood and agreed to by both parties that Attorney, while carrying out and complying with any of the terms and conditions of this Agreement, is an independent contractor and is not an employee of the District.

CONFLICT OF INTEREST. Because Attorney represents many school and community college districts, county offices of education, joint powers authorities, SELPAs and other entities, conflicts of interest may arise in the course of Attorney's representation. If Attorney becomes aware of any conflicts of interest, Attorney will comply with the legal and ethical requirements to fulfill its duties of loyalty and confidentiality to District. If District has any question about whether Attorney has a conflict of interest in its representation of District in any matter, it may contact Attorney or other legal counsel for clarification.

TERMINATION OF CONTRACT. District or Attorney may terminate this Agreement by giving reasonable written notice of termination to the other party.

IN WITNESS WHEREOF, the parties hereto have signed this Agreement for Professional Services.

ORCUTT UNION SCHOOL DISTRICT

_____ _____

Dr. Deborah Blow
Superintendent

Date

DANNIS WOLIVER KELLEY

_____ June 6, 2019

Christian M. Keiner
Attorney at Law

Date

At its public meeting of_____, 2019, the Board approved this Agreement and authorized the Board President, Superintendent or Designee to execute this Agreement.

Quarterly Report
on
Williams/Valenzuela Uniform Complaints

[Education Code § 35186]

2019

District: Orcutt Union School District

Name of person completing this form: Alice Salazar

Title of person completing this form: Administrative Assistant, Superintendent

Please provide the date when this information will be reported publicly at the district governing board meeting:
August 14, 2019

Quarterly report submission date (check one):	
☐	April (Jan.—March)
✔	July (April—June)
☐	October (July—Sept.)
☐	January (Oct.—Dec.)

General Subject Area	Total no. of complaints	No. of complaints resolved	No. of complaints unresolved
Textbooks and instructional materials	0	0	0
Teacher vacancy or misassignment	0	0	0
Facilities conditions	0	0	0
Valenzuela/CAHSEE intensive instruction and services	0	0	0
TOTALS	0	0	0

Signature of district superintendent

Date

Orcutt Union School District

Orcutt, California County of Santa Barbara

2019/2020 Resolution No. 1
For the 2019/2020 School Year

RESOLUTION for ORCUTT UNION ELEMENTARY SCHOOL DISTRICT EARLY LEARNING CENTER

WHEREAS, the Orcutt Union School District has received funding from the State Department of Education to provide state preschool program services beginning January, 2001; and

WHEREAS, the state preschool program will be called Orcutt Union School District Early and Learning Center;

WHEREAS, in order to provide services at the preschool, an application for a Child Care Center License must be obtained through the State of California Community Care Licensing Division; and

WHEREAS, a representative must be designated to represent the Orcutt Union School District on all matters regarding obtaining and maintaining the license for the school;

THEREFORE, BE IT RESOLVED, that Dr. Holly Edds be designated to act as the Orcutt Union School District representative on all matters regarding obtaining and maintaining the license for the Orcutt Union Elementary School District Early Learning Center; and

THEREFORE, BE IT FURTHER RESOLVED, Dr. Holly Edds be approved as the authorized person at the facility to represent the facility and to accept reports of licensing visits, consultations, accusations and documents of civil and administrative process and to sign these transactions for the Governing Board. In her absence, we authorize her to delegate these responsibilities to the site supervisor, Michelle Valencia, when necessary.

PASSED AND ADOPTED THIS 14th day of August, 2019 at a regular meeting, by the following vote:

AYES:____ NOES: _____ ABSENT: _____

Attest:

Superintendent Date	Clerk/Board of Trustees Date
Deborah Blow Ed.D.	Liz Phillips

ORCUTT UNION SCHOOL DISTRICT

REQUEST FOR ACCEPTANCE OF GIFT

SCHOOL: Orcutt Academy High School Date: 6/4/19

DONOR:
Name: Anthony Forney - Atlas Copco Mafi-Trench Company LLC
Address: 3037 Industrial Parkway, Santa Maria, CA 93455
Phone No. _____

GIFT:
Item Donated _____ or Cash Donation $250.00 chk #67891
(Fill in if money is donated)
Designated for: Boys Golf
General Description: _____
Model No.: _____ Condition: [X] New [X] Used
Value (estimated): _____
Purpose of Gift: Donation to Boys Golf Program

Will gift be purchased through Business Services Office? ☐ Yes ☐ No
Donor Conditions of Acceptance: _____

INSTALLATION AND OPERATION (If answer to A is *yes*, answer B and C)

A. Will gift require installation? ☐ Yes ☒ No
B. What type of installation is required? _____
C. Will donor pay installation costs? ☐ Yes ☐ No
D. Will there be operating costs? ☐ Yes ☐ No
If yes, what type?

Acceptance Requested By (OUSD Staff Member): Lauren Whalen
Acceptance Approved By (Administrator): [signature]
RECOMMENDATIONS: Principal or District Representative _____

BOARD ACTION: Date Accepted: _____ Date Denied: _____

Please submit request to the Superintendent's Office. (If denied, explanation is on reverse side of this form.)

ORCUTT UNION SCHOOL DISTRICT

REQUEST FOR ACCEPTANCE OF GIFT

SCHOOL: Lakeview Date: 06/03/2019

DONOR:
Name: Smart and Final - Charitable Foundation
Address: 600 Citadel Dr, Commerce, CA 90040
Phone No. (800) 793-7470

GIFT:
Item Donated _____ or Cash Donation $ 500 (Fill in if money is donated)
Designated for: Lakeview Use
General Description: _____
Model No.: _____ Condition: [X] New [X] Used
Value (estimated): $500
Purpose of Gift: _____

Will gift be purchased through Business Services Office? ☐ Yes ■ No
Donor Conditions of Acceptance: N/A

INSTALLATION AND OPERATION (If answer to A is *yes* , answer B and C)

A. Will gift require installation? ☐ Yes ☒ No
B. What type of installation is required? _____
C. Will donor pay installation costs? ☐ Yes ☐ No
D. Will there be operating costs? ☐ Yes ☐ No
If yes, what type?

Acceptance Requested By (OUSD Staff Member): Janinne Salinas
Acceptance Approved By (Administrator): Jonathan Dollahite
RECOMMENDATIONS: Principal or District Representative _____

BOARD ACTION: Date Accepted: _____ Date Denied: _____

Please submit request to the Superintendent's Office. (If denied, explanation is on reverse side of this form.)

Orcutt Union School District

Where a Dedicated Staff Means
KIDS COME FIRST

BOARD OF TRUSTEES
SHAUN HENDERSON
LISA MORININI
LIZ PHILLIPS
MARK STELLER
MELANIE WAFFLE

DEBORAH BLOW, Ed.D.
District Superintendent
HOLLY EDDS, Ed.D.
Assistant Superintendent
SUSAN SALUCCI
Assistant Superintendent
KIRBY FELL
Chief Technology Officer

TO: Board of Trustees

FROM: Deborah Blow, Ed.D.
Superintendent

BOARD MEETING DATE: August 14, 2019

BOARD AGENDA ITEM: BP 0420 School Plans/Site Councils

BACKGROUND: Policy updated to reflect NEW LAW (AB 716) which renames the single plan for student achievement as the school plan for student achievement (SPSA), authorizes the use of uniform complaint procedures for complaints alleging noncompliance with requirements related to the establishment of school site councils or the development of the SPSA, and authorizes the use of the SPSA to satisfy the requirement for a school improvement plan when a school is identified for targeted or comprehensive support. Regulation updated to reflect AB 716 which eliminates the authority to use a school advisory committee other than a school site council to develop the SPSA, allows certain small schools to share a school site council, requires a needs assessment to identify school goals, and, if applicable, requires consultation with the school's English learner advisory committee on review of the SPSA.

RECOMMENDATION: It is recommended that the Board of Trustees accept the revisions to BP 0420.

FUNDING: No funding implications

Philosophy, Goals, Objectives and Comprehensive Plans

SCHOOL PLANS/SITE COUNCILS

The ~~Board of Trustees~~ Governing Board believes that comprehensive planning ~~that~~ is ~~aligned with the district's local control and accountability plan (LCAP)~~ is necessary at each school ~~is necessary~~ in order to focus school improvement efforts on student academic achievement and facilitate the effective use of ~~district~~ available resources. The Superintendent or designee shall ensure that school plans provide clear direction and identify cohesive strategies aligned with school and district goals.

(cf. 0000 - Mission)
(cf. 0200 – Goals for the School District)
(cf. 0400 - Comprehensive Plans)
(cf. 0415 – Equity)
(cf. 0450 – Comprehensive Safety Plan)
(cf. 0460 – Local Control and Accountability Plan)

~~For any~~ Each district school that participates in ~~specified state~~ one or more ~~and/or~~ federal and/or state categorical programs funded through the state's consolidated application process pursuant to Education Code 64000 shall establish a, ~~the~~ school site council in accordance with Education Code 65000-65001. The school site council shall develop, approve, and annually review and update a school plan ~~or other school-wide advisory committee shall consolidate the plans required into a single plan~~ for student achievement (SPSA), which consolidates the plans required for those categorical programs into a single plan, unless otherwise prohibited by law. (Education Code ~~52055.755~~, 64001)

(cf. 1220 - Citizen Advisory Committees)
(cf. 1431 – Waivers)
(cf. 6020 - Parent Involvement)
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English Language Learners)
(cf. 6190 - Evaluation of the Instructional Program)

~~As appropriate, a school may incorporate any other school plan into the SPSA. (Education Code 64001)~~

The Superintendent or designee shall review each school's SPSA to ensure that it meets the content requirements for all programs included, is based on an analysis of current practices and student academic performance, and reasonably links improvement strategies to identified needs of the school and students. The Superintendent or designee ~~He/she~~ shall also ensure consistency between the ~~that~~ specific actions included in the district's LCAP ~~are consistent with~~ and the strategies identified in each school's SPSA.

SCHOOL PLANS/SITE COUNCILS

The Board shall, at a regularly scheduled Board meeting, review and approve each school's SPSA ~~and any subsequent~~ whenever there are material revisions affecting the academic programs for students participating in the~~se~~ categorical programs addressed in the SPSA. ~~The Board shall certify that, to the extent allowable under federal law, the plan is consistent with district local improvement plans as a condition of receiving federal funding~~. (Education Code 64001)

The Superintendent or designee shall ensure that school administrators and school site council members receive training on the roles and responsibilities of the school site council.

The SPSA may serve as the school improvement plan required when a school is identified for targeted or comprehensive support pursuant to 20 USC 6303. (Education Code 64001)

(cf. 0500 - Accountability)

Any complaint alleging noncompliance with requirements related to the establishment of school site councils or the development of the SPSA may be filed with the district in accordance with the district's uniform complaint procedures pursuant to 5 CCR 4600-4670 and BP/AR 1312.3 - Uniform Complaint Procedures. (Education Code 64001)

(cf. 1312.3 - Uniform Complaint Procedures)

Legal Reference:
EDUCATION CODE
52-53 Designation of schools
33133 Information guide for school site councils
35147 Open meeting laws exceptions
41540-41544 Targeted instructional improvement block grants
52060-52077 Local control and accountability plan
52176 Advisory committees
~~52852 School site councils~~
~~54000-54028 Educationally Disadvantaged Youth Programs~~
~~54425 Advisory committees (compensatory education)~~
56000-56867 Special education
64000 Categorical programs included in consolidated application
64001 Single school plan for student achievement, consolidated application programs
65000-65001 School site councils
CODE OF REGULATIONS, TITLE 5
3930-3937 Compliance plans
4600-4670 Uniform complaint procedures
11308 English learner advisory committee

SCHOOL PLANS/SITE COUNCILS

UNITED STATES CODE, TITLE 20
6303 School improvement
6311 Accountability, adequate yearly progress
6314 School wide programs; school wide program plan
~~6312-6319 Title I programs; p~~lans
6421-6472 Programs for neglected, delinquent, and at-risk children and youth
6601-6651 Teacher and Principal Training and Recruitment program
6801-7014 Limited English proficient and immigrant students
~~7101-7165 7122 Safe and Drug-Free Schools and Communities Student Support and Academic Enrichment Grants~~
7341-7355c Rural Education Initiative
Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council, February 2013
WEST ED PUBLICATIONS
California Healthy Kids Survey
California School Climate Survey
WEB SITES
California Department of Education, Single Plan for Student Achievement: http://www.cde.ca.gov/nclb/sr/le/singleplan.asp
U.S. Department of Education: http://www.ed.gov
WestEd: http://www.wested.org

Policy Adopted: ~~01/13/16~~ 09/11/2019 ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Where KIDS Come First! Orcutt Union School District

BOARD OF TRUSTEES
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LISA MORININI
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DEBORAH BLOW, Ed.D.
District Superintendent
HOLLY EDDS, Ed.D.
Assistant Superintendent
SUSAN SALUCCI
Assistant Superintendent
KIRBY FELL
Chief Technology Officer

Where a Dedicated Staff Means
KIDS COME FIRST

TO: Board of Trustees

FROM: Deborah Blow, Ed.D.
Superintendent

BOARD MEETING DATE: August 14, 2019

BOARD AGENDA ITEM: BP 0420.4 Charter School Authorization

BACKGROUND: Policy updated to delete the legal citation for the Parent Empowerment Act, as the criteria for that program to include the Academic Performance Index which is no longer calculated, and to delete the outdated legal citation for California Department of Education (CDE) standards for the identification of academically low-achieving students. Policy also reflects NEW LAW (SB 126, 2019) which requires charter schools to comply with the Brown Act, California Public Records Act, and other specified state laws governing transparency and public integrity, and NEW LAW (AB 406, 2018) which, for any charter petition submitted on or after July 1, 2019, prohibits the charter school from operating as or by a for-profit corporation or organization. Regulation updated to reflect NEW LAW (AB 1747, 2018) which requires that the charter petition include provisions for the development and annual update of a school safety plan.

RECOMMENDATION: It is recommended that the Board of Trustees accept the revisions to BP 0420.4.

FUNDING: No funding implications

CHARTER SCHOOLS AUTHORIZATION

The Governing Board ~~Board of Trustees~~ recognizes that charter schools may assist the district in offering diverse learning opportunities for district students. In considering any petition to establish a charter school within the district, the Board shall give careful consideration to the potential of the charter school to provide students with a high-quality education that enables them to achieve to their fullest potential.

The district shall not require any district student to attend the charter school nor shall it require any district employee to work at the charter school. (Education Code 47605)

One or more persons may submit a petition for a start-up charter school to be established within the district~~. In addition, an~~ or for the conversation of an existing district school ~~may be converted~~ to a charter school. (Education Code 47605) ~~when deemed beneficial by the district and community or when state or federal law requires restructuring of the school because of low performance.~~

~~(cf. 0520.2 - Title I Program Improvement Schools)~~

Any petition for a start-up charter school or conversion charter school shall include all components and signatures required by law and shall be submitted to the Board. The Superintendent or designee shall consult with legal counsel, as appropriate, regarding compliance of the charter petition with legal requirements.

The Superintendent or designee may work with charter school petitioners prior to the formal submission of the petition in order to ensure compliance of the petition with legal requirements. As needed, the Superintendent or designee ~~he/she~~ may also meet ~~work~~ with the petitioners to establish workable plans for technical assistance or contracted services which the district may provide to the proposed charter school.

Within 30 days of receiving a petition to establish a charter school, the Board shall hold a public hearing to determine the level of support for the petition by teachers, other employees of the district, and parents/guardians. (Education Code 47605)

(cf. 9320 - Meetings and Notices)

Within 60 days of receiving a petition, or within 90 days with mutual consent of the petitioners and the Board, the Board shall either approve or deny the request to establish the charter school. (Education Code 47605)

The approval or denial of a charter petition shall not be controlled by collective bargaining agreements nor subject to review or regulation by the Public Employment Relations Board. (Education Code 47611.5)

Approval of Petition

The Board shall approve the charter petition if doing so is consistent with sound educational practice. In granting charters, the Board shall give preference to petitions that demonstrate the capability ~~schools best able~~ to provide comprehensive learning experiences for students who are identified by the petitioner as academically low-achieving. ~~students according to standards established by the California Department of Education (CDE) under Education Code 54032.~~ (Education Code 47605)

The Board shall verify ~~ensure~~ that any approved charter contains adequate processes and measures for holding the school accountable for complying with applicable law, including Education Code 47604.1, and for fulfilling the terms of its charter. These shall include, but not be limited to, fiscal accountability systems, multiple measures for evaluating the educational program, including student outcomes aligned with state priorities as described in Education Code 52060 and regular reports to the Board.

(cf. 0420.41 - Charter School Oversight)

The Board may approve one or more memoranda of understanding to clarify the financial and operational agreements between the district and the charter school. Any such memorandum of understanding shall be annually reviewed by the Board and charter school governing body and amended as necessary.

The Board may initially grant a charter for a specified term not to exceed five years. (Education Code 47607)

(cf. 0420.42 - Charter School Renewal)
(cf. 0420.43 - Charter School Revocation)

~~The district shall not require any student to attend a charter school and shall not require any district employee to work at a charter school. (Education Code 47605)~~

It shall be the responsibility of the petitioners to provide written notice of the Board's approval and a copy of the charter to the County Superintendent of Schools, the CDE, and the State Board of Education (SBE). (Education Code 47605)

Denial of Petition

The Board shall deny any charter petition that: ~~to authorize the conversion of a private school to a charter school or that proposes to serve students in a grade level that is not served by the district, unless the petition proposes to serve students in all the grade levels served by the district. (Education Code 47602, 47605; 5 CCR 11965)~~

1. Proposes to operate a charter school as or by a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization (Education Code 47604)

2. Authorizes the conversion of a private school to a charter school (Education Code 47602)

3. Proposes to serve students in a grade level that is not served by the district, unless the petition proposes to serve students in all the grade levels served by the district (Education Code 47605)

Any other charter petition shall be denied only if the Board presents written factual findings specific to the petition that one or more of the following conditions exist: (Education Code 47605)

1. The charter school presents an unsound educational program for the students to be enrolled in the charter school.

2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

3. The petition does not contain the number of signatures required.

4. The petition does not contain an affirmation of each of the conditions described in Education Code 47605(d).

5. The petition does not contain reasonably comprehensive descriptions of the charter provisions in Education Code 47605(b).

6. The petition does not contain a declaration as to whether or not the charter school shall be deemed the exclusive public school employer of the school's employees for purposes of collective bargaining pursuant to Government Code 3540-3549.3.

The Board shall not deny a petition based on the actual or potential costs of serving students with disabilities, nor shall it deny a petition solely because the charter school might enroll ~~disabled~~ students with disabilities who reside outside the special education local plan area in which the district participates. (Education Code 47605.7, 47647)

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

If the Board denies a petition, the petitioners may choose to submit the petition to the County Board of Education and, if then denied by the County Board, to the SBE. (Education Code 47605)

Legal Reference:
EDUCATION CODE

200 Equal rights and opportunities in state educational institutions
220 Nondiscrimination
17078.52-17078.66 Charter schools facility funding; state bond proceeds
17280-17317 Field Act
17365-17374 Field Act, fitness for occupancy
32282 Comprehensive safety plan
33126 School Accountability Report Card
41365 Charter school revolving loan fund
42238.51-42238.53 Funding for charter districts
44237 Criminal record summary
44830.1 Certificated employees, conviction of a violent or serious felony
45122.1 Classified employees, conviction of a violent or serious felony
46201 Instructional minutes
47600-47616.7 Charter Schools Act of 1992
47640-47647 Special education funding for charter schools
47650-47652 Funding of charter schools
49011 Student fees
51745-51749.3 Independent study
52060-52077 Local control and accountability plan
~~53300-53303 Parent Empowerment Act~~
56026 Special education
56145-56146 Special education services in charter schools
CORPORATIONS CODE
5110-6910 Nonprofit public benefit corporations
GOVERNMENT CODE
1090-1099 Prohibitions applicable to specified officers
3540-3549.3 Educational Employment Relations Act
6250-6270 California Public Records Act
54950-54963 Ralph M. Brown Act
81000-91014 Political Reform Act of 1974
CODE OF REGULATIONS, TITLE 5
~~4800-4808 Parent Empowerment Act~~
11700.1-11705 Independent study
11960-11969 Charter schools
~~CODE OF REGULATIONS, TITLE 24~~
UNITED STATES CODE, TITLE 20
7223-7225 Charter schools
~~101 et seq. California Building Standards Code~~
~~6316 Program improvement~~
COURT DECISIONS
Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986
ATTORNEY GENERAL OPINIONS
Opinion No. 11-201 (2018)
89 Ops.Cal.Atty.Gen. 166 (2006)
80 Ops.Cal.Atty.Gen. 52 (1997)
78 Ops.Cal.Atty.Gen. 297 (1995)
Management Resources:
CSBA PUBLICATIONS
~~The Role of the Charter School Authorizer, Online Course~~

~~Charter Schools: A Manual for Governance Teams, rev. 2009~~
~~Charter School Facilities and Proposition 39: Legal Implications for School Districts, 2005~~
Uncharted Waters: Recommendations for Prioritizing Student Achievement and Effective Governance in California's Charter Schools, September 2018
Charter Schools in Focus, Issue 1: Managing the Petition Review Process, Governance Brief, November 2016
Charter Schools and Board Member Responsibilities, Education Insights Legal Update Webcast, March 2016
Charter Schools: A Guide for Governance Teams, rev. February 2016
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Sample Copy of a Memorandum of Understanding
~~Special Education and Charter Schools: Questions and Answers, September 10, 2002~~
U.S. DEPARTMENT OF EDUCATION GUIDANCE
Dear Colleague Letter: Guidance Regarding the Oversight of Charter Schools Program and Regulatory Requirements, including the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, August 2016
Charter Schools Program, Title V, Part B of the ESEA, Nonregulatory Guidance, January 2014
~~July 2004~~
Guidance on the Voluntary Use of Race to Achieve Diversity and Avoid Racial Isolation in Elementary and Secondary Schools, December 2011
~~The Impact of the New Title I Requirements on Charter Schools, July 2004~~
WEB SITES
CSBA: http://csba.org
California Charter Schools Association: http://www.calcharters.org
California Department of Education, Charter Schools: http://www.cde.ca.gov/sp/cs
National Association of Charter School Authorizers: http://charterauthorizers.org
U.S. Department of Education: http://www.ed.gov

Policy Adopted: ~~10/10/12~~ 09/11/19

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Where KIDS Come First! Orcutt Union School District

BOARD OF TRUSTEES
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LIZ PHILLIPS
MARK STELLER
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DEBORAH BLOW, Ed.D.
District Superintendent
HOLLY EDDS, Ed.D.
Assistant Superintendent
SUSAN SALUCCI
Assistant Superintendent
KIRBY FELL
Chief Technology Officer

Where a Dedicated Staff Means
KIDS COME FIRST

TO: Board of Trustees

FROM: Deborah Blow, Ed.D.
Superintendent

BOARD MEETING DATE: August 14, 2019

BOARD AGENDA ITEM: BP 0420.41 Charter School Oversight

BACKGROUND: Policy updated to include the California School Dashboard as a means for monitoring charter school performance and identifying the need for technical assistance. Policy also deletes material related to the identification of schools for federal Program Improvement, which is no longer operational.

Policy also reflects NEW LAW (SB 126, 2019) and NEW ATTORNEY GENERAL OPINION which clarify that charter schools are subject to the Brown Act, California Public Records Act, Political Reform Act, and conflict of interest laws, and other new laws requiring Charter Schools to conform to the same requirements as other public schools.

RECOMMENDATION: It is recommended that the Board of Trustees approve the revisions to BP 0420.41.

FUNDING: No funding implications

CHARTER SCHOOL OVERSIGHT

The ~~Board of Trustees~~ Governing Board recognizes its ongoing responsibility to ~~ensure~~ oversee that any charter school authorized by the Board is successfully fulfilling the terms of its charter and is providing a high-quality educational program for students enrolled in the charter school.

(cf. 0420.4 - Charter School Authorization)
(cf. 0500 - Accountability)

The Superintendent or designee shall identify at least one staff member to serve as a contact person for each charter school authorized by the board. (Education Code 47604.32)

The ~~Board and~~ Superintendent or designee shall visit each charter school at least annually and may inspect or observe any part of the charter school at any time. (Education Code 47604.32, 47607)

~~Whenever a charter school operates as or is operated by a nonprofit public benefit corporation as authorized by Education Code 47604, the Superintendent shall recommend and the Board shall appoint a district representative, who may be the district's charter school contact, on the corporation's board of directors.~~

Waivers

If the charter school wishes to request a general waiver of any state law or regulation, it shall request that the district submit a general waiver request to the State Board of Education (SBE) on its behalf. Upon approval of the Board, the Superintendent or designee shall ~~apply~~ submit such ~~for the~~ waiver request to the SBE on behalf of the charter school.

(cf. 1431 - Waivers)

Provision of District Services

The charter school may purchase administrative or other services from the district or any other source. (Education Code 47613)

Whenever the district agrees to provide administrative or support services, the district and charter school shall develop a memorandum of understanding which clarifies the financial and operational agreements between the district and charter school.

At the request of a charter school, the Superintendent or designee shall create and submit any reports required by the State Teachers' Retirement System or Public Employees' Retirement System on behalf of the charter school. The ~~charter~~ district ~~school~~ may ~~be~~ charge~~d~~ ~~for~~ the charter school for the actual costs of the reporting services, but shall not ~~be~~ require~~d~~ the charter school to purchase payroll processing services from the district as a condition for creating and submitting these reports. (Education Code 47611.3)

CHARTER SCHOOL OVERSIGHT

Material Revisions to Charter BP 0420.41(b)

Material revisions to a charter may be only made with Board approval. Material revisions shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605 and shall include, but not be limited to, a reasonably comprehensive description of any new requirement for charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

If an approved charter school proposes to establish or move ~~expand~~ operations to one or more additional sites ~~within the district's boundaries,~~ the charter school shall request a material revision to its charter and shall notify the Board of those additional locations. The Board shall consider approval of the additional locations at an open meeting. (Education Code 47605)

The Board shall have the authority to determine whether a proposed change in charter school operations constitutes a material revision of the approved charter.

Monitoring Charter School Performance

The Superintendent or designee shall monitor the charter school to determine whether it complies with all legal requirements applicable to charter schools, including making all reports required of charter schools in accordance with Education Code 47604.32. Any violations of law shall be reported to the Board.

The Board shall monitor each charter school to determine whether it is achieving it's academic goals, both schoolwide and for each numerically significant student subgroup ~~all groups of students~~ served by the school, as defined in Education Code 52052. ~~the measurable student outcomes set forth in the charter.~~ This determination shall be based on the measures specified in the approved charter petition and any applicable memorandum of understanding, and on the charter school's annual review and assessment of its progress toward the goals and actions identified in its local control and accountability plan (LCAP), as reported in the California School Dashboard. ~~and shall include, at a minimum, a consideration of whether the school is meeting its Academic Performance Index growth targets established pursuant to Education Code 52052 and is making "adequate yearly progress" (AYP) pursuant to 20 USC 6311, as applicable.~~

The Board shall monitor the fiscal condition of the charter school based on any financial information obtained from the charter school, including, but not limited to, the charter school's preliminary budget; an annual update of the charter school's LCA~~F~~P, ~~aligned to the template adopted by the SBE, of school goals, actions, and related expenditures;~~ first and second interim financial reports; and final unaudited report for the full prior year. (Education Code 47604.32, 47604.33, 47606.5)

The district may charge up to one percent of a charter school's revenue for the actual costs of supervisorial oversight of the school. However, if the district is able to provide substantially rent-free facilities to the charter school, the district may charge up to three percent of the charter school's revenue for actual costs of supervisorial oversight or, if the facility is provided under

Education Code 47614, the pro-rata share facilities costs calculated pursuant to 5 CCR 11969.7. If the district charges the pro-rata share, it may also charge one percent of the charter school's revenue in oversight fees. (Education Code 47613)

(cf. 7160 - Charter School Facilities)

Technical Assistance/Intervention

~~If a charter school receiving federal Title I funding fails to make AYP, as defined pursuant to 20 USC 6311, for two or more consecutive years, the school shall be identified for program improvement and shall implement improvement strategies in accordance with 20 USC 6316.~~

~~*(cf. 0520.2 - Title I Program Improvement Schools)*~~

If, in three out of four consecutive school years, a charter school fails to improve outcomes for three or more numerically significant student subgroups ~~identified in Education Code 52052,~~ or for all of the student subgroups if the school has fewer than three, in regard to one or more state or school priorities identified in the charter, the district: (Education Code 47607.3)

1. Shall provide technical assistance to the charter school based on the California School Dashboard ~~using an evaluation rubric adopted by the SBE pursuant to Education Code 52064.5~~

2. May request that the Superintendent of Public Instruction (SPI), with SBE approval, assign the California Collaborative for Educational Excellence to provide advice and assistance to the charter school pursuant to Education Code 52074

In accordance with law, the Board may deny a charter's renewal petition or may revoke a charter based on the charter school's poor performance, especially with regards to the academic achievement of all numerically significant subgroups of students served by the charter school.

(cf. 0420.42 - Charter School Renewal)
(cf. 0420.43 - Charter School Revocation)

Complaints

Each charter school shall establish and maintain policies and procedures ~~processes~~ to enable any person to file a complaint, in accordance with the uniform complaint procedures as specified in 5 CCR 4600-4687, alleging the school's noncompliance with Education Code 47606.5 or 47607.3. (Education Code 52075)

(cf. 1312.3 - Uniform Complaint Procedures)

A complainant who is not satisfied with the decision may appeal the decision to the SPI. (Education Code 52075)

If the charter school finds merit in the complaint or the SPI finds merit in an appeal, a remedy shall be provided to all affected students and parents/guardians. (Education Code 52075)

School Closure

In the event that the Board revokes or denies renewal of a charter or the charter school ceases ~~closes~~ for any other reason, the Superintendent or designee shall, when applicable in accordance with the charter and/or a memorandum of understanding, provide assistance to facilitate the transfer of the charter school's former students and to finalize financial reporting and close-out.

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days, if the charter school will cease operation for any reason.

Such notification shall include, but not be limited to, a description of the circumstances of the closure, the effective date of the closure, and the location of student and personnel records. (Education Code 47604.32; 5 CCR 11962.1)

Legal Reference:
EDUCATION CODE

215 Suicide prevention policy
215.5 Suicide prevention hotline contact information on student identification cards
220 Nondiscrimination
221.61 Posting of Title IX information on web site
221.9 Sex equity in competitive athletics
222 Lactation accommodations for students
222.5 Pregnant and parenting students, notification of rights
234.4 Mandated policy on bullying prevention
234.7 Student protections relating to immigration and citizenship status
17070.10-17079.30 Leroy F. Greene School Facilities A
17280-17317 Field Act
17365-17374 Field Act, fitness for occupancy
32282 Comprehensive safety plan
32283.5 Online training on bullying prevention
33479-33479.9 The Eric Parades Sudden Cardiac Arrest Prevention Act
35179.4-35179.6 Interscholastic athletic programs, safety
35183.1 Graduation ceremonies; tribal regalia or recognized object of religious/cultural significance
35330 Field trips and excursions; student fees
38080-38086 School meals
39831.3 Transportation safety plan
39843 Disciplinary action against bus driver; report to Department of Motor Vehicles
41024 Report of expenditure of state facility funds

42100 Annual statement of receipts and expenditures
44030.5 Reporting change in employment status due to alleged misconduct
44237 Criminal record summary
44691 Information on detection of child abuse
44830.1 Certificated employees, conviction of a violent or serious felony
45122.1 Classified employees, conviction of a violent or serious felony
45125.1 Fingerprinting; employees of contracting entity
46015 Accommodations for pregnant and parenting students; parental leave
45125.1 Fingerprinting; employees of contracting entity
46015 Accommodations for pregnant and parenting students; parental leave
~~46201 Instructional minutes~~
47600-47616.7 Charter Schools Act of 1992
47634.2 No classroom-based instruction
47640-47647 Special education funding for charter schools
47651 Apportionment of funds, charter schools
48000 Minimum age of admission for kindergarten; transitional kindergarten
48010-48011 Minimum age of admission (first grade)
48206.3-48208 Students with temporary disabilities; individual instruction
48850-48859 Educational placement of foster youth and homeless students
48907 Students' exercise of free expression; rules and regulations
48950 Student speech and other communication
49005-49006.4 Seclusion and restraint
49011 Student fees
49014 Public School Fair Debt Collection Act
49061 Student records
49110 Authority of issue work permits
49381 Human trafficking prevention
49414 Epinephrine auto-injectors
49414.3 Administration of opioid antagonist
49428 Notification of mental health services
49430-49434 The Pupil Nutrition, Health, and Achievement Act of 2001, especially:
49431.9 Advertisement of non-nutritious foods
49475 Health and safety, concussions and head injuries
49557.5 Child Hunger Prevention and Fair Treatment Act of 2017
49564 Meals for needy students
51224.7 Mathematics placement policy
51225.1-51225.2 Exemption from local graduation requirements; acceptance of coursework
51225.6 Instruction in cardiopulmonary resuscitation
51513 Diploma of graduation, without passage of high school exit examination
51745-51749.~~3~~6 Independent study
51930-51939 California Healthy Youth Act
~~52051.5~~-52052 Academic ~~performance index, applicability to charter schools~~ Accountability; numerically significant student subgroups
52060-52077 Local control and accountability plans

52075 Uniform complaint procedures
56026 Special education
56145-56146 Special education services in charter schools
60600-60649 Assessment of academic achievement
~~60850-60859 High school exit examination~~
64000 Categorical programs included in consolidated application
64001 School plan for student achievement, consolidated application programs
65000-65001 School site councils
69432.9-69432.92 Cal Grant program; notification of grade point average and high school graduation
CORPORATIONS CODE
5110-6910 Nonprofit public benefit corporations
GOVERNMENT CODE
1090-1099 Prohibitions applicable to specified officers
3540-3549.3 Educational Employment Relations Act
6250-6270 California Public Records Act
54950-54963 The Ralph M. Brown Act
81000-91014 Political Reform Act of 1974
LABOR CODE
1198.5 Personnel records related to performance and grievance
PENAL CODE
667.5 Definition of violent felony
1192.7 Definition of serious felony
VEHICLE CODE
28160 Child safety alert system
CALIFORNIA CONSTITUTION
Article 9, Section 5 Common school system
CODE OF REGULATIONS, TITLE 5
4600-4687 Uniform complaint procedures
11700.1-11705 Independent study
11960-11969 Charter schools
CODE OF REGULATIONS, TITLE 24
101 et seq. California Building Standards Code
UNITED STATES CODE, TITLE 20
1681-1688 Title IX of the Education Amendments of 1972; discrimination based on sex
6311 Adequate ~~yearly progress~~ State plan
~~6319 Qualifications of teachers and paraprofessionals~~
7221-7221j Charter schools
~~7223-7225 Charter schools~~
UNITED STATES CODE, TITLE 42
11431-11435 McKinney-Vento Homeless Assistance Act
CODE OF FEDERAL REGULATIONS, TITLE 34
200.1-200.78 Accountability
~~300.18 Highly qualified special education teachers~~

COURT DECISIONS
Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986
ATTORNEY GENERAL OPINIONS
89 Ops.Cal.Atty.Gen. 166 (2006)
80 Ops.Cal.Atty.Gen. 52 (1997)
78 Ops.Cal.Atty.Gen. 297 (1995)
CALIFORNIA OFFICE OF ADMINISTRATIVE HEARINGS DECISIONS
Student v. Horizon Instructional Systems Charter School, (2012) OAH Case No. 2011060763
Management Resources:
CSBA PUBLICATIONS
Uncharted Waters: Recommendations for Prioritizing Student Achievement and Effective Governance in California's Charter Schools, September 2018
Charter Schools in Focus, Issue 2: Ensuring Effective Oversight, Governance Brief, October 2017
~~The Role of the Charter School Authorizer, Online Course~~
Charter Schools: A ~~Manual~~ Guide for Governance Teams, rev. 20~~09~~ 16
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
California School Accounting Manual
Sample Copy of a Memorandum of Understanding
Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory ~~11~~ 17-01, ~~November 9, 2011~~ July 28, 2017
Special Education and Charter Schools: Questions and Answers, September 10, 2002
U.S. DEPARTMENT OF EDUCATION GUIDANCE
Charter Schools Program: Title V, Part B of the ESEA, ~~April 2011~~ January 2014
~~The Impact of the New Title I Requirements on Charter Schools, July 2004~~
WEB SITES
CSBA: http://www.csba.org
California Charter Schools Association: http://www.calcharters.org
California Department of Education, Charter Schools: http://www.cde.ca.gov/sp/cs
National Association of Charter School Authorizers: http://www.qualitycharters.org
U.S. Department of Education: http://www.ed.gov

Policy Adopted: ~~2/12/2014~~ 09/11/19

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Where KIDS Come First! Orcutt Union School District

Where a Dedicated Staff Means
KIDS COME FIRST

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Assistant Superintendent
SUSAN SALUCCI
Assistant Superintendent
KIRBY FELL
Chief Technology Officer

TO: Board of Trustees

FROM: Deborah Blow, Ed.D.
Superintendent

BOARD MEETING DATE: August 14, 2019

BOARD AGENDA ITEM: BP 1312.1 Complaints Concerning District Employees

BACKGROUND: Policy updated to reflect a court decision which held that a district cannot bar criticism of employees at public board meetings, and to add referral of complainants to the appropriate complaint procedures when concerns are expressed at a board meeting or to an individual board member outside a board meeting. Policy includes material formerly in the corresponding Administrative Regulation (AR)regarding reports against employees for child abuse or neglect, and adds circumstances under which complaints should be addressed in accordance with BP/AR 1312.3 - Uniform Complaint Procedures or AR 4030 - Nondiscrimination in Employment. Policy also adds material related to the investigation of a complaint, including an anonymous complaint, and includes material formerly in the corresponding AR regarding appeals to the board. Regulation reorganized and updated to require that complaints be made in writing and to add steps regarding the investigation of the complaint and the notification of the complainant and employee regarding the final decision.

RECOMMENDATION: It is recommended that the Board of Trustees accept the revisions to BP 1312.1.

FUNDING: No funding implications

Community Relations

COMPLAINTS CONCERNING DISTRICT EMPLOYEES

The Governing Board ~~of Trustees~~ recognizes its accountability to the public for the quality of the district's educational program and the performance of district employees. The district shall provide a process by which a complaint submitted by any person regarding an employee can be resolved impartially, ~~accepts responsibility for providing a means by which the public can hold employees accountable for their actions. The Board desires that complaints be resolved~~ expeditiously and with minimal disruption to the district operations and ~~without disrupting~~ the educational program ~~process.~~

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

When a concern regarding an employee is presented during a Board meeting or to an individual Board member or employee outside of a Board meeting, the complainant shall be informed of the appropriate complaint procedure.

(cf. 9323 - Meeting Conduct)

Any complaint regarding the Superintendent shall be initially filed in writing with the Board. The Board shall consult with legal counsel or appoint an appropriate agent to conduct the investigation.

The Superintendent or designee shall determine whether a complaint against any other employee should be considered a complaint against the district and/or an individual employee, and whether it should be resolved by the district's process for complaints concerning personnel and/or other district procedures. Any complaint of child abuse or neglect alleged against a district employee shall be reported to the appropriate local agencies in accordance with law and BP 5141.4 - Child Abuse Prevention and Reporting. Any complaint alleging that an employee engaged in unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) in district programs and activities shall be filed in accordance with BP/AR 1312.3 - Uniform Complaint Procedures. Any complaint by an employee, job applicant, volunteer, intern, or independent contractor alleging unlawful discrimination or harassment by an employee shall be filed in accordance with AR 4030 - Nondiscrimination in Employment.
~~develop regulations which permit the public to submit complaints against district employees in an appropriate way. These regulations shall protect the rights of involved parties. The Board may serve as an appeals body if the complaint is not resolved.~~

(cf. 1312.2 - Complaints Concerning Instructional Material)
(cf. 1312.3 - Uniform Complaint Procedures)
~~(cf. 3515.2 - Disruptions)~~
(cf. 3555 - Nutrition Program Compliance)
(cf. 4030 - Nondiscrimination in Employment)
(cf. 4144/4244/4344 - Complaints)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

Community Relations

COMPLAINTS CONCERNING DISTRICT EMPLOYEES

Any complaint subject to this policy and the accompanying administrative regulation shall be investigated by the principal, the employee's immediate supervisor, the Superintendent or designee, legal counsel, agent of the Board, and/or other appropriate person who is not the subject of the complaint or subordinate to the employee charged in the complaint. The complainant and the employee shall have an opportunity to present information relevant to the complaint.

A complaint that is filed anonymously may be investigated by the Superintendent or designee depending on the specificity and reliability of the information.

If a complainant requests confidentiality, the Superintendent or designee shall inform the complainant that the request may limit the district's ability to investigate the employee's conduct or take other necessary action. However, the Superintendent or designee shall take all reasonable steps to investigate and resolve the complaint without divulging the complainant's identity.

The Board prohibits retaliation against complainants. ~~The Superintendent or designee at his/her discretion may keep a complainant's identity confidential, except to the extent necessary to investigate the complaint. The district will not investigate anonymous complaints unless it so desires.~~

Appeals

If either the complainant or the employee submits an appeal of the Superintendent's decision to the Board, the Board shall determine whether to uphold the Superintendent's decision without hearing the complaint, appoint an appeals committee to advise the Board, or hear the appeal itself.

(cf. 9130 - Board Committees)

If the Board decides to hear the complaint, the matter shall be addressed in closed session in accordance with Government Code 54957 unless the employee requests that it be heard in open session. The Board shall review the original complaint and additional information provided by the Superintendent or designee regarding the steps taken to resolve the issue.

(cf. 9321 - Closed Session Purposes and Agendas)
(cf. 9323 - Meeting Conduct)

The Board's decision shall be final.

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

Community Relations

COMPLAINTS CONCERNING DISTRICT EMPLOYEES

Legal Reference:
EDUCATION CODE
33308.1 Guidelines on procedure for filing child abuse complaints
35146 Closed sessions
44031 Personnel file contents and inspection
44811 Disruption of public school activities
44932-44949 Resignation, dismissal and leaves of absence (rights of employee; procedures to follow)
48987 Child abuse guidelines
GOVERNMENT CODE
54957 Closed session; complaints re employees
54957.6 Closed session; salaries or fringe benefits
PENAL CODE
273 Cruelty or unjustifiable punishment of child
11164-11174.3 Child Abuse and Neglect Reporting Act
WELFARE AND INSTITUTIONS CODE
300 Minors subject to jurisdiction of juvenile court
COURT DECISIONS
Baca v. Moreno Valley Unified School District, (1996) 936 F. Supp. 719
~~Management Resources:~~
~~CDE LEGAL ADVISORIES~~
~~0910.93 Guidelines for parents to report suspected child abuse by school district employees or other persons against a pupil at school site (LO:4-93)~~

Policy Adopted: ~~11/8/06~~ 09/11/19

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Where KIDS Come First! Orcutt Union School District

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KIRBY FELL
Chief Technology Officer

Where a Dedicated Staff Means
KIDS COME FIRST

TO: Board of Trustees

FROM: Deborah Blow, Ed.D.
Superintendent

BOARD MEETING DATE: August 14, 2019

BOARD AGENDA ITEM: BP 1312.3 Uniform Complaint Procedures

BACKGROUND: Policy and regulation updated to reflect NEW LAWS authorizing the use of uniform complaint procedures (UCP) to resolve allegations of noncompliance with accommodations for pregnant and parenting students (AB 2289), the development and adoption of an LCFF budget overview for parents/guardians (AB 1808), the development of a school plan for student achievement (AB 716), and specified educational rights of migrant students and immigrant students enrolled in a newcomer program (AB 2121). Policy also updates section on "Non-UCP Complaints" to reflect NEW LAW (AB 1808) which provides that complaints alleging health and safety violations in license-exempt California State Preschool Programs are subject to Williams UCP. Regulation also updates section on "Notifications" to more closely reflect the California Department of Education's (CDE) Federal Program Monitoring instrument, deletes section on "District Responsibilities" which duplicates material in other sections, reorganizes section on "Report of Findings" for clarity, and revises section on "Corrective Actions" to delete item #9 which is not a remedy.

RECOMMENDATION: It is recommended that the Board of Trustees accept the revisions to BP 1312.3

FUNDING: No funding implications

UNIFORM COMPLAINT PROCEDURES

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

Complaints Subject to the UCP

The district's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints:

1. Any complaint alleging district violation of applicable state or federal law or regulations governing any program subject to the UCP which is offered by the district, including adult education programs, After School Education and Safety programs, agricultural career technical and technical ~~vocational~~ education;~~,~~ American Indian education centers and early childhood education program assessments; bilingual education, California ~~p~~ Peer ~~a~~ Assistance and ~~r~~ Review programs for teachers, state career technical and technical education and training programs, federal career technical education; child care and development programs, child nutrition programs, compensatory education, consolidated categorical aid programs, Economic Impact Aid, the federal Every Student Succeeds Act, ~~English learner programs, federal education programs in Title I-VII~~, migrant education, Regional Occupational Centers and Programs, school safety plans, special education programs, State Preschool Programs, Tobacco-Use Prevention Education programs, and any other district-implemented program which is listed in Education Code 64000~~(a)~~

(cf. 3553 - Free and Reduced Price Meals)
(cf. 355~~0~~ 5 - Nutrition Program Compliance)
(cf. 5131.62 – Tobacco)
(cf. 5148 - Child Care and Development)
(cf. 5148.2 – Before/After School Programs)
(cf. 5148.3 – Preschool/Early Childhood Education Program)
(cf. 6159 - Individualized Education
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English Language Learners)
(cf. 6175 – Migrant Education Program)
(cf. 6178 - Career Technical Education)
(cf. 6178.1 – Work-Based Learning)
(cf. 6178.2 - Regional Occupational Center/Program)
(6200 – Adult Education)

2. Any complaint by a student, employee, or other person participating in a district program or activity, alleging the occurrence of unlawful discrimination, (such as discriminatory harassment, intimidation, or bullying) ~~against any student, employee, or other person participating~~ in district programs and activities, including, ~~but not limited to~~ in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on his/her 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, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic

information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her 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. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

3. Any complaint alleging district noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student (Education Code 222)

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

4. Any complaint alleging district noncompliance with requirements to provide a pregnant or parenting student the accommodations specified in Education Code 46015, including those related to the provision of parental leave, right of return to the school or previous enrollment or to an alternative education program, if desired, and possible enrollment in school for a fifth year of instruction to enable the student to complete state and Board-imposed graduation requirements.~~the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities (5 CCR 4610)~~ (Education Code 46015)

5. Any complaint alleging district noncompliance with legal requirements related to the implementation of the local control and accountability plan (Education Code 52075)

(cf. 3260 - Fees and Charges)
(cf. 3320 – Claims and Actions Against the District)

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

6. Any complaint, ~~by or on behalf of any student who is a foster youth~~, alleging district noncompliance with ~~any legal~~ applicable requirements of Education Code 52060-52077 related to the implementation of the local control and accountability plan, including the development of a local control funding formula budget overview for parents/guardians (Education Code 52075) ~~applicable to the student regarding placement decisions, the responsibilities of the district's educational liaison to the student, the award of credit for coursework satisfactorily completed in another school or district, school transfer, or the grant of an exemption from Board-imposed graduation requirements (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)~~

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3100 - Budget)
~~(cf. 6173.1 - Education for Foster Youth)~~

7. Any complaint, ~~by or on behalf of a homeless student as defined in 42 USC 11434a, , a former juvenile court school student, or a child of a military family as defined in Education Code 49701 who transfers into the district after his/her second year of high school~~, alleging ~~district~~ noncompliance with ~~any~~ requirements related to the devlopment of a school plan for

student achievement or the establishment of a school site council, as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64000-64001, 65000-65001) ~~applicable to the student regarding the award of credit for coursework satisfactorily completed in another school or district or the grant of an exemption from Board-imposed graduation requirements (Education Code 51225.1, 51225.2)~~

(cf. 6173.1 - Education for Foster Youth)
~~(cf. 6173 - Education for Homeless Children)~~
~~(cf. 6173.2 - Education of Children of Military Families)~~
~~(cf. 6173.3 - Education for Juvenile Court School Students~~)

8. Any complaint, by or on behalf of a student who is a foster youth as defined in Education Code 51225.2, alleging district noncompliance with the requirements~~s~~ applicable to the student regarding placement decisions; the respnsibilites of the district's educational liaison to the student; the award of credit for coursework satisfactorily completed in another school, district, or contry; school or records transfer; or the grant of an exemption from Board-imposed graduation requirements (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2) ~~of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student in grades 9-12 to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions (Education Code 51228.3)~~

(cf. 6173.1 - Education for Foster Youth)
~~(cf. 6152 - Class Assignment)~~

9. Any complaint, by or on behalf of a student who transfers into the district after the second year of high school and is a homeless child or youth as defined in 42 USC 11434a, a former juvenile court school student currently enrolled in the district, a child of a military family as defined in Education Code 49701, or a migrant student as defined in Education Code 54441, or by or on behalf of an immigrant student participating in a newcomer program as defined in Education Code 51225.2 in the third or fourth year of high school, alleging district noncompliance with any requirement applicable to the student regarding the grant of an exemption from Board-imposed graduation requirements (Education Code 51225.1) ~~alleging district noncompliance with the physical education instructional minutes r equirement for students in elementary school (Education Code 51210, 51223)~~

(cf. 6173 - Education for Homeless Children)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6173.3 - Education for Juvenile Court School Students)
~~(cf. 6142.7 - Physical Education and Activity)~~

10. Any complaint, by or on behalf of a student who is a homeless child or youth as defined in 42 USC 11434a, a former juvenile court school student, a child of a military family as defined in Education Code 49701, a migrant child as defined in Education Code 54441, or a newly arrived immigrant student who is participating in a newcomer program as defined in Education Code 51225.2, alleging district noncompliance with requirements for the award of credit for coursework satisfactorily

completed in another school, district, or country (Education Code 51225.2) ~~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~~

11. Any complaint alleging district noncompliance with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student in grades 9-12 to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions (Education Code 51228.3)

(cf. 6152 - Class Assignment)

12. Any complaint alleging district noncompliance with the physical education instructional minutes requirement for students in elementary school (Education Code 51210, 51223)

(cf. 6142.7 - Physical Education and Activity)

13. 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

14. Any other complaint as specified in a district policy

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is acceptable to all parties. ADR 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 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 confidential the identity of the complainant and/or the subject of the complaint, if ~~he/she is~~ different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

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

When an allegation that is not subject to the 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 Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and related requirements, including the steps and timelines specified in this policy and the accompanying administrative regulation.

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

UNIFORM COMPLAINT PROCEDURES

The Superintendent or designee shall maintain records of each complaint and subsequent related actions, including steps taken during all UCP complaints and the investigations and all information required for compliance with 5 CCR 4631 and 4633 of those complaints in accordance with applicable state law and district policy.

(cf. 3580 - District Records)

Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency: (5 CCR 4611)

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency

(cf. 5141.4 – Child Abuse and Reporting)

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.

3. Any complaint alleging fraud shall be referred to the Legal, Audits, and Comliance Branch of the California Department of Education.

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.

Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments, or health and safety violations in any license-exempt California State Preschool Program shall be investigated and resolved in accordance with the procedures in AR 1312.4 – Williams Uniform Complaint Procedures. . (Education Code 8235.5, 35186)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Legal Reference:
EDUCATION CODE
200-262.4 Prohibition of discrimination
222 Reasonable accommodations; lactating students
8200-8498 Child care and development programs 8500-8538 Adult basic education
18100-18203 School libraries
32280-32289 School safety plan, uniform complaint procedures
33380-32284 California Indian Education Centers
35186 Williams uniform complaint procedure
44500-44508 California Peer Assistance and Review Program for Teachers
46015 Parental leave for students
48853-48853.5 Foster youth
48985 Notices in language other than English

UNIFORM COMPLAINT PROCEDURES

49010-4901~~3~~ 4 Student fees
49060-49079 Student records
49069.~~4~~ 5 ~~Rights of parents~~ Records of foster youth
49490-49590 Child nutrition programs

49701 Interstate Compact on Educational Opportunity for Military Children
51210 Courses of study grades 1-6
51223 Physical education, elementary schools
51225.1 Foster youth, homeless children, former juvenile court school students, and military-connected students; course credits; graduation requirements
51226-51226.1 Career technical education
51228.1-51228.3 Course periods without educational content
52060-52077 Local control and accountability plan, especially
520~~60-52077~~ 75 Compliant for lack of compliance with local control and accountability plan requirements
52160-52178 Bilingual education programs
52300-52490 Career-technical education
52500-52616.24 Adult schools
54400-54425 Compensatory education programs
54440-54445 Migrant education
54460-54529 Compensatory education programs 56000-56867 Special education programs
56000-56865 Special education programs
59000-59300 Special schools and centers
64000-64001 Consolidated application process 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
104420 Tobacco-Use Prevention Education
PENAL CODE
422.55 Hate crime; definition
422.6 Interference with constitutional right or privilege
CODE OF REGULATIONS, TITLE 2
11023 Harassment and discrimination prevention and correction
CODE OF REGULATIONS, TITLE 5
3080 ~~Application of section~~ Applicability of uniform complaint procedures to complaints regarding students with disabilities
4600-4670 Uniform complaint procedures
~~460~~ 80-4687 Williams ~~U~~uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs
UNITED STATES CODE, TITLE 20
1221 Application of laws
1232g Family Educational Rights and Privacy Act
1681-1688 Title IX of the Education Amendments of 1972
6301-657~~7~~6 Title I Improving the Academic Achievement of the Disadvantaged ~~basic programs~~
6801-~~6871~~ 7014 Title III language instruction for limited English proficient and immigrant students
~~7101-7184 Safe and Drug-Free Schools and Communities Act~~
~~7201-7283g Title V promoting informed parental choice and innovative programs~~
~~7301-7372 Title V rural and low-income school programs~~
~~12101-12213 Title II equal opportunity for individuals with disabilities~~

UNIFORM COMPLAINT PROCEDURES

UNITED STATES CODE, TITLE 29
794 Section 504 of Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age Discrimination Act of 1975
CODE OF FEDERAL REGULATIONS, TITLE 28
35.107 Nondiscrimination on basis of disability; complaints
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy Act
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
106.9 Notification of nondiscrimination on basis of sex
110.25 Notification of nondiscrimination on the basis of age

Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Sample UCP Board Policies and Procedures
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Dear Colleague Letter, September 22, 2017
Dear Colleague Letter: Title IX Coordinators, April 2015
Dear Colleague Letter: Responding to Bullying of Students with Disabilities, ~~August 2013,~~ October 2014
Dear Colleague Letter: Harassment and Bullying, October 2010
Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001
U.S. DEPARTMENT OF JUSTICE PUBLICATIONS
Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2002
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
Family Policy Compliance Office: http://familypolicy.ed.gov
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/offices/OCR
U.S. Department of Justice: http://www.justice.gov

Policy Adopted: ~~05/09/2018~~ 09/11/2019 ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Where KIDS Come First! Orcutt Union School District

Where a Dedicated Staff Means
KIDS COME FIRST

BOARD OF TRUSTEES
SHAUN HENDERSON
LISA MORININI
LIZ PHILLIPS
MARK STELLER
MELANIE WAFFLE

DEBORAH BLOW, Ed.D.
District Superintendent
HOLLY EDDS, Ed.D.
Assistant Superintendent
SUSAN SALUCCI
Assistant Superintendent
KIRBY FELL
Chief Technology Officer

TO:	Board of Trustees
FROM:	Deborah Blow, Ed.D. Superintendent
BOARD MEETING DATE:	August 14, 2019
BOARD AGENDA ITEM:	BB 9323 Meeting Conduct
BACKGROUND:	Bylaw updated to reflect NEW LAW (AB 1787,2016) which requires the Board to provide a member of the public who uses a translator at least twice the allotted time to address the board during board meetings, unless simultaneous translation equipment is used. Bylaw also clarifies that the board may refer a member of the public to an appropriate complaint procedure, but cannot prohibit criticism of district employees, programs, or policies during a board meeting.
RECOMMENDATION:	It is recommended that the Board of Trustees accept the revisions to BB 9323, Meeting Conduct.
FUNDING:	No funding implications

Board Bylaws

MEETING CONDUCT BB 9323 (a)

Meeting Procedures

All Governing Board ~~Board of Trustees~~ meetings shall begin on time and shall be guided by an agenda prepared in accordance with Board bylaws and posted and distributed in accordance with the Ralph M. Brown Act (open meeting requirements) and other applicable laws.

(cf. 9322 - Agenda/Meeting Materials)

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

(cf. 9121 - President)

The Board believes that late night meetings deter public participation, can affect the Board's decision-making ability, and can be a burden to staff. Regular Board meetings shall be adjourned at 10:30 p.m. unless extended to a specific time determined by a majority of the Board. The meeting shall be extended no more than once and subsequently may be adjourned to a later date.

(cf. 9320 - Meetings and Notices)

Quorum and Abstentions

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

(cf. 9323.2 - Actions by the Board)

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

(cf. 9270 - Conflict of Interest)

Provided the Board typically has ~~seven~~ five members and there are no more than two vacancies on the Board, the vacant position(s) shall not be counted for purposes of determining how many members of the Board constitute a majority. In addition, whenever any provisions of the Education Code require unanimous action of all or a specific number of the members, the vacant position(s) shall not be counted for purposes of determining the total membership constituting the Board. (Education Code 35165)

Public Participation

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

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

1. The Board shall give members of the public an opportunity to address the Board on any item of interest to the public that is within the subject matter jurisdiction of the Board, either before or during the Board's consideration of the item. (Education Code 35145.5, Government Code 54954.3)

2. At a time so designated on the agenda at a regular meeting, members of the public may bring before the Board matters that are not listed on the agenda. The Board shall take no action or discussion on any item not appearing on the posted agenda, except as authorized by law. (Education Code 35145.5, Government Code 54954.2)

3. Without taking action, Board members or district staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda. Additionally, on their own initiative or in response to questions posed by the public, a Board or staff member may ask a question for clarification, make a brief announcement, or make a brief report on his/her own activities. (Government Code 5 4954.2)

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

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

   (cf. 9130 - Board Committees)

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

Individual speakers shall be allowed three ~~five~~ minutes to address the Board on each agenda or nonagenda item. The Board shall limit the total time for public input to 20~~30~~ minutes. With Board consent, the president may increase or decrease the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard. The president may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add.

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

6. The Board president may rule on the appropriateness of a topic, subject to the following conditions:
   a. If the topic would be more suitably addressed at a later time, the president may indicate the time and place when it should be presented.

   b. The Board shall not prohibit public criticism of its policies, procedures, programs, services, acts, or omissions. (Government Code 54954.3)

   c. In addition, the Board may not prohibit public criticism of district employees. However, whenever a member of the public initiates specific complaints or charges against an individual employee, the Board president shall inform the complainant of the appropriate complaint procedure.

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

7. The Board president shall not permit any disturbance or willful interruption of Board meetings. Persistent disruption by an individual or group shall be grounds for the president to terminate the privilege of addressing the Board.

~~Whenever a member of the public initiates specific complaints or charges against an employee, the Board president shall inform the complainant that in order to protect the employee's right to adequate notice before a hearing of such complaints and charges, and also to preserve the ability of the Board to legally consider the complaints or charges in any subsequent evaluation of the employee, it is the policy of the Board to hear such complaints or charges in closed session unless otherwise requested by the employee pursuant to Government Code 54957. The Board president shall also encourage the complainant to file a complaint using the appropriate district complaint procedure.~~

Board Bylaws

MEETING CONDUCT BB 9323 (d)

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

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

Recording by the Public

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

(cf. 9324 - Board Minutes and Recordings)

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

Legal Reference:
EDUCATION CODE
5095 Powers of remaining board members and new appointees
32210 Willful disturbance of public school or meeting a misdemeanor
35010 Prescription and enforcement of rules
35145.5 Agenda; public participation; regulations
35163 Official actions, minutes and journal
35164 Vote requirements
35165 Effect of vacancies upon majority and unanimous votes by seven member board
CODE OF CIVIL PROCEDURE
527.8 Workplace Violence Safety Act
GOVERNMENT CODE
54953.5 Audio or video tape recording of proceedings
54953.6 Broadcasting of proceedings
54954.2 Agenda; posting; action on other matters
54954.3 Opportunity for public to address legislative body; regulations
54957 Closed sessions
54957.9 Disorderly conduct of general public during meeting; clearing of room

PENAL CODE
403 Disruption of assembly or meeting
COURT DECISIONS
City of San Jose v. Garbett, (2010) 190 Cal.App.4th 526
Norse v. City of Santa Cruz, (9th Cir. 2010) 629 F3d 966
McMahon v. Albany Unified School District, (2002) 104 Cal.App.4th 1275
Rubin v. City of Burbank, (2002) 101 Cal.App.4th 1194
Baca v. Moreno Valley Unified School District, (1996) 936 F.Supp. 719
ATTORNEY GENERAL OPINIONS
90 Ops.Cal.Atty.Gen. 47 (2007)

76 Ops.Cal.Atty.Gen. 281 (1993)
66 Ops.Cal.Atty.Gen. 336 (1983)
63 Ops.Cal.Atty.Gen. 215 (1980)
61 Ops.Cal.Atty.Gen. 243, 253 (1978)
55 Ops.Cal.Atty.Gen. 26 (1972)
59 Ops.Cal.Atty.Gen. 532 (1976)
Management Resources:
CSBA PUBLICATIONS
Call to Order: A Blueprint for Great Board Meetings, 2015
The Brown Act: School Boards and Open Meeting Laws, rev. 20~~05~~14
~~Board Presidents' Handbook, rev. 2002~~
Maximizing School Board Governance: Boardsmanship
ATTORNEY GENERAL PUBLICATIONS
The Brown Act: Open Meetings for Legislative Bodies, 2003
WEB SITES
CSBA: http://www.csba.org
California Attorney General's Office: http://www.caag.state.ca.us

Bylaw Approved: ~~11/08/06~~ 09/11/19

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

BUSINESS SERVICES MEMORANDUM

TO: Board of Trustees
Deborah Blow, Ed.D.

FROM: Bob Klempen
Interim Assistant Superintendent, Business Services

BOARD MEETING DATE: August 14, 2019

BOARD AGENDA ITEM: Surplus Items

BACKGROUND: In accordance with Education Code Sections 39520- 39530 and BP 3260; staff has inspected the equipment turned in and recommends that the following items be declared surplus and unusable property.

Quantity	Item
0	(0) built-in desks with attached storage units were removed from Patterson Road and Ralph DunlapΣ hƭƎl· wŜŜŘ school offices during ǘKŜ {ƛǘŜ Safety and Security Project. The units were old and out ŘI·ǘŜŘΣ I·yŘ will be replaced with new office furniture.

RECOMMENDATION: Staff recommends that the Board of Trustees declare these items to be surplus and authorize staff to place these items up for Public Auction.

FUNDING: N/A

BUSINESS SERVICES MEMORANDUM

TO: Board of Trustees
Deborah Blow, Ed.D.

FROM: Bob Klempen, Interim, Assistant Superintendent, Business Services

BOARD MEETING DATE: August 14, 2019

BOARD AGENDA ITEM: Purchase of District Vehicles

BACKGROUND: Currently the District has one (1) 8 passenger van and two (2) Toyota Corollas, one of which is taken out of rotation during the school year to privately transport children per IEP's. Staff has done analysis on the specific needs of the District. To lessen the need and expense of rental vehicles and paying the Federal rental rate, The Maintenance, Operation, and Transportation Department recognizes that is it time to purchase vehicles specifically for the use for District staff for conference, training, and inter-district travel. Staff has done analysis on the specific needs of the District. They have selected two (2) Ford Escapes due to additional safety features in addition to being capable of carrying 4 adults and supplies in each Escape.

The District has an opportunity to purchase two (2) 2019 Ford Escapes from Santa Maria Ford for a unit cost per vehicle of $28,094.17; two (2) vehicle total of $56,188.34.

Santa Maria Ford	2019 Escape SEL	$28,094.17
Vreeland Ford	2019 Escape SE	$27,495.00
Mullahey Ford	2019 Escape SE	$27,595.00

RECOMMENDATION: Staff recommends that the Board of Trustees approve the purchase of two (2) 2019 Ford SEL Escapes at a unit cost of $28,094.17 which includes tax, license documentation fee, and add safety features from Santa Maria Ford for a total out the door cost of $56,188.34.

FUNDING: The fiscal impact will be on the General Fund in the amount of $56,188.34.

EDUCATIONAL SERVICES MEMORANDUM

To:	Board of Trustees Deborah Blow, Ed.D.
From:	Dr. Holly Edds, Assistant Superintendent, Educational Services
Board Meeting Date:	August 14, 2019
Board Agenda Item:	Continued Funding Application Fiscal Year 2019-20 California State Preschool Program
Background:	California Department of Education Management Bulletin (MB) 17-18 offers existing California Department of Education (CDE), Early Education and Support Division (EESD) (former Child Development Division) contractors the opportunity to request continued funding for Fiscal Year (FY) 2018–19. *California Code of Regulations*, Title 5 (5 *CCR*), Section 18010(d) states, "Contractors that intend to accept the offer to continue services in the subsequent contract period shall respond to a Continued Funding Application request from the Child Development Division in accordance with the instructions and timelines specified in the request." The Orcutt Union School District Early Learning Center has a track record of servicing preschool-aged children in the Orcutt Union School District with a high quality program. The program is currently self-sufficient and is serving forty-eight children ages three and four with a part-day program.
Recommendation:	This evening the Continued Funding Application for Fiscal Year 2019-20 is submitted for board approval. Staff recommends the application be approved as submitted.
Funding:	The program is currently self-sufficient.

Continued Funding Application Fiscal Year 2019–20

Contractors must read the accompanying instructions when completing the Continued Funding Application (CFA). Failure to accurately complete the CFA may delay the issuance of the fiscal year 2019–20 contract(s). Instructions may be accessed on the CFA Web page at: http://www.cde.ca.gov/sp/cd/ci/cfaforms1920.asp

Section I - Contractor Information

Legal Name of Contractor:	OUSD Early Learning Center
Contractor "Doing Business As" (DBA):	
Headquartered County:	42 Santa Barbara
Vendor Number:	6926
Executive Director Name:	Dr. Holly Edds
Executive Director Telephone Number:	805-938-8929
Executive Director Fax Number:	805-938-8919
Executive Director E-mail Address:	hedds@orcutt-schools.net
Legal Business Address:	500 Dyer St.
City:	Orcutt
Zip Code:	93455
Mailing Address (if different from above):	
City:	
Zip Code:	
Name of Person Completing Application:	Michelle Valencia
Title of Contact Person Completing Application:	Site Supervisor and Teacher
Contact Person Telephone Number:	805-938-85888
Contact Person E-mail Address:	mvalencia@orcutt-schools.net

Contractor Name	Vendor #	County
OUSD Early Learning Center	6926	42 Santa Barbara

Section II – Contract Types

Check all applicable boxes indicating the programs the contractor intends to continue to administer for the Fiscal Year 2019–20. The contractor agrees to continue implementation of these programs with funds provided by the CDE.

Center-Based Programs

- [x] California State Preschool Program (CSPP)
  - [ ] Full-Year
  - [x] Part-Year
- [ ] California Center-Based (CCTR)
  - [ ] Infant/Toddler
  - [ ] School-age
- [ ] Program for Special Needs (Handicapped) Children (CHAN)
- [ ] Migrant Center-Based (CMIG) and Migrant Special Services (CMSS)

Alternative Payment Programs

- [ ] Alternative Payment Program (CAPP)
- [ ] CalWORKs Stage 2 (C2AP)
- [ ] CalWORKs Stage 3 (C3AP)
- [ ] Migrant Alternative Payment (CMAP)

Resource and Referral Programs

- [ ] Resource and Referral (CRRP)

Family Child Care Home Programs

- [ ] Family Child Care Home Education Network (CFCC)

Contractor Name	Vendor #	County
OUSD Early Learning Center	6926	42 Santa Barbara

Section III – Contractor's Officers and Board of Directors Information

Does the contractor have a board of directors?	☑ Yes ☐ No
If no, please explain the entity type and the governance structure (i.e., number of owners and partnership)	List all officers and board members/governing individuals (i.e., owner, director, etc.). Attach additional sheets as necessary.

Officer, Board Member, Owner or Governing Individual Name	Title	Telephone Number	Mailing Address	E-mail Address
Deborah Blow	Superintendent	805-938-8908	500 Dyer St Orcutt, CA 93455	dblow@orcutt-schools.net
Lisa Morinini	Board Presdient	805-938-8907	500 Dyer St Orcutt, CA 93455	lmorinini@orcutt-schools.net
Liz Phillips	Board Clerk	805-938-8907	500 Dyer St Orcutt, CA 93455	lphillips@orcutt-schools.net
Melanie Waffle	Board Member	805-938-8907	500 Dyer St Orcutt, CA 93455	mwaffle@orcutt-schools.net
Mark Steller	Board Member	805-938-8907	500 Dyer St Orcutt, CA 93455	msteller@orcutt-schools.net
Shaun Henderson	Board Member	805-938-8907	500 Dyer St Orcutt, CA 93455	shenderson@orcutt-schools.net

Contractor Name	Vendor #	County
OUSD Early Learning Center	6926	42 Santa Barbara

Section IV – Allocation of Funds

Contractor's Fiscal Contact Name: Dr. Holly Edds

Contractor's Fiscal Contact E-mail Address: hedds@orcutt-schools.net

Telephone Number: 805-938-8929 Date:

If you have any questions regarding this form, please contact Robert Hom, Fiscal & Administrative Services Unit by telephone at 916-322-5090 or by e-mail at RHom@cde.ca.gov.

Contract Type	Contract Number
CSPP	6926
County Name	**% of Total**
42 Santa Barbara	100 %
00 Select One	%
00 Select One	%
00 Select One	%
Total	100 %

Contract Type	Contract Number
Select One	
County Name	**% of Total**
00 Select One	%
00 Select One	%
00 Select One	%
00 Select One	%
Total	0 %

Contract Type	Contract Number
Select One	
County Name	**% of Total**
00 Select One	%
00 Select One	%
00 Select One	%
00 Select One	%
Total	0 %

Contract Type	Contract Number
Select One	
County Name	**% of Total**
00 Select One	%
00 Select One	%
00 Select One	%
00 Select One	%
Total	0 %

Contract Type	Contract Number
Select One	
County Name	**% of Total**
00 Select One	%
00 Select One	%
00 Select One	%
00 Select One	%
Total	0 %

Contract Type	Contract Number
Select One	
County Name	**% of Total**
00 Select One	%
00 Select One	%
00 Select One	%
00 Select One	%
Total	0 %

Contractor Name	Vendor #	County
OUSD Early Learning Center	6926	42 Santa Barbara

Section V – Program Narrative

A. The following types of contracts **do not** have programmatic **or** calendar changes (select all that apply). ***NOTE***: Program calendars must be submitted for all contract types.

- [x] California State Preschool Program (CSPP)
- [ ] California Center-Based (CCTR)
- [ ] Program for Special Needs (Handicapped) Children (CHAN)
- [ ] Migrant, Center-Based (CMIG) and Migrant Specialized Services (CMSS)
- [ ] Alternative Payment Program (CAPP)
- [ ] CalWORKs Stage 2 (C2AP)
- [ ] CalWORKs Stage 3 (C3AP)
- [ ] Migrant Alternative Payment (CMAP)
- [ ] Resource and Referral (CRRP)
- [ ] Family Child Care Home Education Network (CFCC)

B. The following types of contracts **do** have programmatic and/or calendar changes (select all that apply). For each contract type selected in this section, complete a separate form EESD 3704A. This form is available on the CFA web page at: http://www.cde.ca.gov/sp/cd/ci/cfaforms1920.asp.
NOTE: Program calendars must be submitted for all contract types. Making changes to Minimum Days of Operation (MDO) does not change the contract Maximum Reimbursable Amount (MRA).

- [ ] California State Preschool Program (CSPP)
- [ ] California Center-Based (CCTR)
- [ ] Program for Special Needs (Handicapped) Children (CHAN)
- [ ] Migrant, Center-Based (CMIG) and Migrant Specialized Services (CMSS)
- [ ] Alternative Payment Program (CAPP)
- [ ] CalWORKs Stage 2 (C2AP)
- [ ] CalWORKs Stage 3 (C3AP)
- [ ] Migrant Alternative Payment (CMAP)
- [ ] Resource and Referral (CRRP)
- [ ] Family Child Care Home Education Network (CFCC)

Contractor Name	Vendor #	County
OUSD Early Learning Center	6926	42 Santa Barbara

Section VI – Personnel Certification for Center-Based Programs and Family Child Care Home Education Networks
The State of California requires any contractor receiving child care and development funds, disbursed by the California Department of Education (CDE) to employ fully qualified personnel as stipulated in California *Education Code (EC); California Code of Regulations*, Title 5; and Funding Terms and Conditions.
I certify, as the authorized agent representing this contractor, that I have read and understand the staffing requirements for Program Director, Site Supervisor, and Teacher. All child care staff employed in CDE funded program(s) are fully qualified for their respective positions. The exception to this certification is a person employed as Program Director or Site Supervisor who possesses a current Staffing Qualifications Waiver approved by the Early Education and Support Division (EESD).

Signature of Authorized Representative:	
Printed Name and Title of Authorized Representative:	Dr. Holly Edds
Date of Signature:	
Authorized Representative's Telephone Number:	805-983-8929
Authorized Representative's E-mail Address:	hedds@orcutt-schools.net

Contractor Name	Vendor #	County
OUSD Early Learning Center	6926	42 Santa Barbara

Section VII – Subcontract Certification

A. The following types of contracts **do not** have subcontractors (check all that apply):

- [x] California State Preschool Program (CSPP)
- [ ] California Center-Based (CCTR)
- [ ] Program for Special Needs (Handicapped) Children (CHAN)
- [ ] Migrant Center-Based (CMIG)

B. The following types of contracts **do** have subcontractors (check all that apply). For each contract type selected, submit a separate form EESD 3704B. The form is available on the CFA Web page: http://www.cde.ca.gov/sp/cd/ci/cfaforms1920.asp.

- [ ] California State Preschool Program (CSPP)
- [ ] California Center-Based (CCTR)
- [ ] Program for Special Needs (Handicapped) Children (CHAN)
- [ ] Migrant Center-Based (CMIG)

I certify that the contractual arrangement(s) listed above are made in adherence to the required subcontract provisions contained in the *California Code Regulations*, Title 5, and the Funding Terms and Conditions.

I understand that signing this certificate does not lessen the legal responsibility for the child care and development service contract requirements. As the contractor, it is my responsibility to monitor the performance of the subcontractor to ensure services are provided appropriately through the entire contract term.

Signature of Contractor's Authorized Representative:	
Printed Name and Title of Contractor's Authorized Representative:	Dr. Holly Edds
Date of Signature:	
Authorized Representative's Telephone Number:	805-938-8929
Authorized Representative's E-mail Address:	hedds@orcutt-schools.net

Contractor Name	Vendor #	County
OUSD Early Learning Center	6926	42 Santa Barbara

Section VIII – Contractor Certification

Under penalty of perjury, I certify the following:

- I am authorized by the Contractor's Board of Directors or other governing authority to execute this Continued Funding Application.
- On behalf of Contractor and its governing authority, we understand some information requested in this application is intended for use by CDE auditors in connection with future audit work and performance reviews and may not be used or even reviewed or considered by the CDE until well after the contract has expired, if ever. Therefore, we further understand that the information (and any underlying transactions) disclosed by this Application shall not be considered properly noticed to the CDE nor approved, accepted or authorized by the CDE, even if our request for continued funding by the CDE is subsequently approved.
- The governing board members have been trained in understanding conflict of interest requirements associated with their positions on the board and have reported all known conflicts of interest.
- I have supervisory authority over the child development program, have actual, personal knowledge of the information provided in this Application and certify that it is true and correct in all material respects.
- I am familiar with and will ensure that the Contractor complies with all applicable program statutes and regulations, including:
  - Subcontracting requirements, including competitive bidding, CDE approval, and audit requirements in California Code of Regulations (CCR) Title 5, §18026 et. seq.
  - Prohibitions on conflicts of interests, including (i) the assurances required to establish that transactions with officers, directors and other related party transactions are conducted at arm's length, and (ii) employment limitations stated in Education Code §8406.9.
  - Cost reimbursement requirements, including reimbursable and non-reimbursable costs, documentation requirements, the provisions for determining the reimbursable amount and other provisions in Title 5, §18033 et. seq.
  - Accounting and reporting requirements in Title 5, §18063 et. seq.
  - Operational and programmatic requirements.

Signature of Contractor's Authorized Representative:	
Printed Name and Title of Authorized Representative:	Dr. Holly Edds
Date of Signature:	
Authorized Representative's Telephone Number:	805-938-8929
Authorized Representative's E-mail Address:	hedds@orcutt-schools.net

Contractor Name	Vendor #	County
OUSD Early Learning Center	6926	42 Santa Barbara

Section IX – Required Attachments
All attachments must be completed and attached to the application. These attachments are located on the Continued Funding Application Web page at: http://www.cde.ca.gov/sp/cd/ci/cfaforms1920.asp
A. Fiscal Year 2019–20 Program Calendar (EESD-9730)
B. Update and Certification of Contractor Information in the Child Development Management Information System (CDMIS) Database
C. Payee Data Record (STD. 204) (Non-public agencies only)
D. Secretary of State (Non-public agencies only)
E. Verification of School District Name and Address
F. Program Narrative Change (EESD 3704A)
G. Subcontractor Certification (EESD 3704B)

Contractor Name	Vendor #	County
OUSD Early Learning Center	6926	42 Santa Barbara

Section X – Application Checklist

Section Number*	Section Description	Page #	Check Box
Section I	Contractor Information	1	☑
Section II	Types of Contracts	2	☑
Section III	Contractor's Officers and Board of Directors Information	3	☑
Section IV	Allocation of Funds	4	☑
Section V	Program Narrative Change	5	☑
Section VI*	Personnel Certification for Center-Based Programs and Family Child Care Home Education Networks	6	☑
Section VII*	Subcontractor Certification	7	☑
Section VIII*	Contractor Certification	8	☑
Section IX A.	Program Calendar (EESD-9730) (one for each contract type)	9	☑
Section IX B.*	Certification of Contractor Information in the Child Development Management Information System (CDMIS) Database	9	☑
Section IX C.*	State of California, Payee Data Record (STD. 204) (non-public agencies only)	9	☐
Section IX D.	Secretary of State search results (non-public agencies only)	9	☐
Section IX E.	Verification of School District Name and Address search	9	☑
Section IX F.	Program Narrative Change (EESD 3704A)	Insert after page 5	☐
Section IX G.	Subcontract Certification (EESD 3704B)	Insert after page 7	☐

***Bolded sections require a signature**

Child Development Division
Agency Information Certification

I certify, as the authorized representative of the agency listed below, I have reviewed all the information for **Orcutt Union Elem School Dist (6926)** and updates, additions, or deletions have been submitted as needed for information in all of the areas below:

Executive Director/Superintendent information
Program Director information
Sites and Licenses and/or Office information
Family Child Care Home summary information

To the best of my knowledge, the information on the CDMIS Web site reflects accurate information for **Orcutt Union Elem School Dist (6926)** as of the date this certification was signed.

_____

Program Director/Authorized Representative Signature Date Signed

_____

Printed Name of Program Director/Authorized Representative

Name of Agency User Generating Certification: Michelle Valencia

Date Generated: 8/2/2019

Assigned CDD Consultant: Rosanne Pitz

- Orcutt Union Elementary

California School Directory

Orcutt Union Elementary

County	Santa Barbara
District	Orcutt Union Elementary List of active district's schools
CDS Code	42 69260 0000000
Website	www.orcutt-schools.net/public Link opens new browser tab
E-mail	
Phone Number	(805) 938-8900
Fax Number	(805) 938-8919
District Address	500 Dyer St. Orcutt, CA 93455-5300 Google Map Link opens new browser tab
Mailing Address	500 Dyer St. Orcutt, CA 93455-5300
Superintendent	Dr. Deborah Blow Superintendent (805) 938-8900 dblow@orcutt-schools.net
Chief Business Officer	Information Not Available
Status	Active
Low Grade	K
High Grade	12
District Type	Elementary School District
NCES/Federal District ID	0628710
Statistical Info	Link to District Profile
CDS Coordinator (Contact for Data Updates)	Carol Sutton (805) 938-8946 Update Data Request

California Department of Education
Early Education and Support Division

EESD-9730
January 2018

Fiscal Year 2019–20 Program Calendar

Name of Contractor	Vendor Number	County	Contract Type
OUSD Early Learning Center	6926	[Enter County]	CSPP - Part Year

Enter an "X" for Days of Operation.

July 2019

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Days of Operation: 0

August 2019

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	X	X	X	X	17
18	X	X	X	X	X	24
25	X	X	X	X	X	31

Days of Operation: 14

September 2019

S	M	T	W	T	F	S
1	2	3	X	X	X	7
8	X	X	X	X	X	14
15	X	X	X	X	X	21
22	X	X	X	X	X	28
29	X					

Days of Operation: 19

Quarterly Subtotal: 33

October 2019

S	M	T	W	T	F	S
		X	X	X	X	5
6	X	X	X	X	X	12
13	X	X	X	X	X	19
20	X	X	X	X	X	26
27	X	X	X	X		

Days of Operation: 23

November 2019

S	M	T	W	T	F	S
					1	2
3	X	X	X	X	X	9
10	11	X	X	X	X	16
17	X	X	X	X	X	23
24	X	X	27	28	29	30

Days of Operation: 16

December 2019

S	M	T	W	T	F	S
1	X	X	X	X	X	7
8	X	X	X	X	X	14
15	X	X	X	X	X	21
22	23	24	25	26	27	28
29	30	31				

Days of Operation: 15

Quarterly Subtotal: 54

January 2020

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	X	X	X	X	X	18
19	20	X	X	X	X	25
26	X	X	X	X	X	

Days of Operation: 14

February 2020

S	M	T	W	T	F	S
						1
2	X	X	X	X	X	8
9	10	X	X	X	X	15
16	17	X	X	X	X	22
23	X	X	X	X	X	29

Days of Operation: 18

March 2020

S	M	T	W	T	F	S
1	X	X	X	X	X	7
8	X	X	X	X	X	14
15	X	X	X	X	X	21
22	23	X	X	X	X	28
29	X	X				

Days of Operation: 21

Quarterly Subtotal: 53

April 2020

S	M	T	W	T	F	S
			X	X	X	4
5	X	X	X	X	10	11
12	13	14	15	16	17	18
19	X	X	X	X	X	25
26	X	X	X	X		

Days of Operation: 16

May 2020

S	M	T	W	T	F	S
					X	2
3	X	X	X	X	X	9
10	X	X	X	X	X	16
17	X	X	X	X	X	23
24	25	X	X	X	X	30
31						

Days of Operation: 20

June 2020

S	M	T	W	T	F	S
	X	X	X	X	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

Days of Operation: 4

Quarterly Subtotal: 40

Total Days of Operation: 180

EESD Consultant Initials _____

Date approved by EESD Consultant _____

EDUCATIONAL SERVICES MEMORANDUM

TO:	Board of Trustees Deborah Blow, Ed.D.
FROM:	Dr. Holly Edds, Assistant Superintendent, Educational Services
BOARD MEETING DATE:	August 14, 2019
BOARD AGENDA ITEM:	Board Policy 5131.2 BULLYING
BACKGROUND:	Policy updated to reflect new law (AB 2291, 2018) which mandates districts to adopt on or before December 31, 2019, procedures for preventing acts of bullying, including cyberbullying.
RECOMMENDATION:	It is recommended that the Board of Trustees approve the proposed revisions to BP 5131.2.
FUNDING:	No funding implications

Students

BULLYING

The Board of Trustees recognizes the harmful effects of bullying on student well-being, student learning, and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. ~~District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.~~ No individual or group shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, retaliate, cyberbully, cause bodily injury to, or commit hate violence against any ~~other~~ student or school personnel~~.~~ or retaliate against them for filing a complaint or participating in the complaint resolution process.

(cf. 5131 - Conduct)
(cf. 5136 - Gangs)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

~~Cyberbullying includes the creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images as defined in Education Code 48900. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.~~

~~(cf. 5145.2 - Freedom of Speech/Expression)~~

The Superintendent or designee shall develop ~~S~~strategies for addressing bullying in district schools ~~may be developed~~ with involvement of key stakeholders, including students, parents/guardians, and staff. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.

(cf. 1220 - Citizen Advisory Committees)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 6020 - Parent Involvement)

Such strategies ~~and~~ may be incorporated into the comprehensive safety plan, the local control and accountability plan, and other applicable district and school plans.

(cf. 0420 - School Plans/Site Councils)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 0460 – Local Control and Accountability Plan)
~~(cf. 1220 - Citizen Advisory Committees)~~
~~(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)~~
~~(cf. 6020 - Parent Involvement)~~

~~As appropriate, the Superintendent or designee may collaborate with law enforcement, courts, social services, mental health services, other agencies, and community organizations in the development and implementation of joint strategies to promote safety in schools and the community and to provide services for alleged victims and perpetrators of bullying.~~

Students

BULLYING

~~To the extent possible, district and school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and implementing strategies to promote a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying.~~

~~As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.~~

~~(cf. 6142.8 - Comprehensive Health Education)~~
~~(cf. 6142.94 - History-Social Science Instruction)~~
~~(cf. 6163.4 - Student Use of Technology)~~

~~Such instruction shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.~~

~~The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:~~

~~1. Discuss the diversity of the student body and school community, including their varying immigration experiences~~

~~2. Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims~~

~~3. Identify the signs of bullying or harassing behavior~~

~~4. Take immediate corrective action when bullying is observed~~

~~5. Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior~~

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

~~Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, cafeterias.~~

Students

BULLYING

~~Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.~~

~~School staff who witness bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)~~

~~When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.~~

~~The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)~~

~~(cf. 6164.2 - Guidance/Counseling Services)~~

~~**Reporting and Filing of Complaints**~~

~~Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee. Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report his/her observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.~~

~~Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3 - Uniform Complaint Procedures.~~

~~(cf. 1312.3 - Uniform Complaint Procedures)~~

~~When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee shall file a request with the networking site or service to suspend the privileges of the student and to have the material removed.~~

~~When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.~~

Students

BULLYING

Investigation and Resolution of Complaints

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

(cf. 1312.3 - Uniform Complaint Procedures)

~~**Discipline**~~

~~Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.~~

~~(cf. 5144 - Discipline)~~
~~(cf. 5144.1 - Suspension and Expulsion/Due Process)~~
~~(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))~~
~~(cf. 6159.4 - Behavioral Interventions for Special Education Students)~~

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 – Dismissal/Suspension/Disciplinary Action)
(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference:
EDUCATION CODE
200-262.4 Prohibition of discrimination
32282 Comprehensive safety plan
32283.5 Bullying; online training
35181 Governing board policy on responsibilities of students
35291-35291.5 Rules
48900-48925 Suspension or expulsion
48985 Translation of notices
52060-52077 Local control and accountability plan
PENAL CODE
422.55 Definition of hate crime
647 Use of camera or other instrument to invade person's privacy; misdemeanor
647.7 Use of camera or other instrument to invade person's privacy; punishment
653.2 Electronic communication devices, threats to safety
CODE OF REGULATIONS, TITLE 5
4600-4670 Uniform complaint procedures
UNITED STATES CODE, TITLE 47
254 Universal service discounts (e-rate)

Students

BULLYING

CODE OF FEDERAL REGULATIONS, TITLE 28
35.107 Nondiscrimination on basis of disability; complaints
CODE OF FEDERAL REGULATIONS, TITLE 34
104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
110.25 Notification of nondiscrimination on the basis of age
COURT DECISIONS
Wynar v. Douglas County School District, (2013) 728 F.3d 1062
J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094
Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources:
CSBA PUBLICATIONS
Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014
Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012
Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009
Cyberbullying: Policy Considerations for Boards, Policy Brief, July ~~2007~~ Revised 2010
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Bullying Module
California's Social and Emotional Learning: Guiding Principles, 2018
Social and Emotional Learning in California: A Guide to Resources, 2018
Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008
Bullying at School, 2003
CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS
Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California K-12 Schools in Responding to Immigration Issues, April 2018
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Guidance to America's Schools: Bullying of Students with Disabilities, October 2014
Dear Colleague Letter: Bullying of Students with Disabilities, August 2013
Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
Dear Colleague Letter: Guidance on Schools' Obligations to Protect Students from Student-on-Student Harassment on the Basis of Sex; Race, Color and National Origin; and Disability, October 26, 2010
~~Student-on-Student Harassment on the Basis of Sex; Race, Color and National Origin; and Disability, October 26, 2010~~
Dear Colleague Letter: Harassment and Bullying, October 2010
WEB SITES
CSBA: http://www.csba.org
California Department of Education, Safe Schools Office: http://www.cde.ca.gov/ls/ss
California Office of the Attorney General: http://oag.ca.gov
Center on Great Teachers and Leaders: http://gtlcenter.org
Collaborative for Academic Social and Emotional Learning: http://casel.org
Common Sense Media: http://www.commonsensemedia.org
National School Safety Center: http://www.schoolsafety.us
Partnership for Children and Youth: http://www.partnerforchildren.org
U.S. Department of Education: http://www.ed.gov

Policy Adopted: ~~08/08/2018~~ 09/11/2019

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

EDUCATIONAL SERVICES MEMORANDUM

TO:	Board of Trustees Deborah Blow, Ed.D.
FROM:	Dr. Holly Edds, Assistant Superintendent, Educational Services
BOARD MEETING DATE:	August 14, 2019
BOARD AGENDA ITEM:	Board Policy 5132 DRESS AND GROOMING
BACKGROUND:	Policy updated to address communication of the dress code to students and staff; grant enforcement authority to the principal or designee; prohibit discriminatory enforcement of the dress code, including, but not limited to, discrimination based on gender identity, gender expression, or religious or cultural observance; and address disciplinary action for repeated violations or refusal to comply with the dress code. Policy also provides that the determination of specific items of clothing defined as gang apparel shall be free from bias based on race, ethnicity, national origin, immigration status or other protected characteristics.
RECOMMENDATION:	It is recommended that the Board of Trustees approve the proposed revisions to BP 5132.
FUNDING:	No funding implications

Students

DRESS AND GROOMING

The Board of Trustees believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students ~~to give proper attention to personal cleanliness and~~ to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or likely cause a ~~distraction~~ substantial disruption ~~which would interfere with~~ to the educational process.

(cf. 4119.22/4219.22/4319.22 - Dress and Grooming)
~~(cf. 5145.2 - Freedom of Speech/Expression)~~

District and school rules pertaining to student attire shall be included in student handbooks, may be posted in school offices and classrooms, and may be periodically reviewed with all students as necessary.

Students shall not be prohibited from dressing in a manner consistent with their gender identity or gender expression or with their religious or cultural observance.

(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

The principal or designee is authorized to enforce this policy and shall inform any student who does not reasonably conform to the dress code. The dress code shall not be enforced in a manner that discriminates against a particular viewpoint or results in a disproportionate application of the dress code based on students' gender, sexual orientation, race, ethnicity, household income, or body type or size.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 0415 - Equity)
(cf. 5145.2 - Freedom of Speech/Expression)

School administrators, teachers, and other staff shall be notified of appropriate and equitable enforcement of the dress code.

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

When practical, students shall not be directed to correct a dress code violation during instructional time or in front of other students.

Students

DRESS AND GROOMING

~~Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate disciplinary action.~~ Repeated violations or refusal to comply with the district's dress code may result in disciplinary action.

(cf. 5144 - Discipline)

Gang-Related Apparel

The principal, staff and parents/guardians at a school may establish a reasonable dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities. Such a proposed dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school environment ~~students~~.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 5136 - Gangs)

When determining specific items of clothing that may be defined as gang apparel, the school shall ensure that the determination is free from bias based on race, ethnicity, national origin, immigration status, or other protected characteristics.

Uniforms

The Board may approve a school-initiated dress code requiring students at the school to wear a school uniform whenever the Board determines that such a dress code will promote student achievement, a positive school climate, and/or student safety.

The Superintendent or designee shall establish procedures whereby parents/guardians may choose to have their children exempted from the school uniform policy. Students shall not be penalized academically, otherwise discriminated against, or denied attendance to school if their parents/guardians so decide. (Education Code 35183)

The Superintendent or designee shall ensure that resources are identified to assist economically disadvantaged students in obtaining uniforms. (Education Code 35183)

Students

DRESS AND GROOMING

Legal Reference:
EDUCATION CODE
220 Nondiscrimination
32281 School safety plans
35183 School dress codes; uniforms
35183.5 Sun-protective clothing
48907 Student exercise of free expression
49066 Grades; effect of physical education class apparel
~~CODE OF REGULATIONS, TITLE 5~~
~~302 Pupils to be neat and clean on entering school~~
COURT DECISIONS
Jacobs v. Clark County School District, (2008) 26 F. 3d 419
Harper v. Poway Unified School District, (2006) 445 App. 3d 166
Marvin H. Jeglin et al v. San Jacinto Unified School District et al 827 F.Supp. 1459 (C.D. Cal. 1993)
Arcadia Unified School District v. California Department of Education, (1992) 2 Cal. 4th 251
Hazelwood School District v. Kuhlmeier, (1988) 108 S. Ct. 562
Hartzell v. Connell (1984) 35 Cal. 3d 899
Tinker v. Des Moines Independent Community School District, (1969) 393 U.S. 503

Policy Adopted: ~~10/15/08~~ 09/11/2019

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

EDUCATIONAL SERVICES MEMORANDUM

TO:	Board of Trustees Deborah Blow, Ed.D.
FROM:	Dr. Holly Edds, Assistant Superintendent, Educational Services
BOARD MEETING DATE:	August 14, 2019
BOARD AGENDA ITEM:	Board Policy 5141 HEALTH CARE AND EMERGENCIES
BACKGROUND:	Policy updated to include required language for the use of defibrillators (AEDs) to be used to treat victims of sudden cardiac arrest.
RECOMMENDATION:	It is recommended that the Board of Trustees approve the proposed revisions to BP 5141.
FUNDING:	No funding implications

Students

HEALTH CARE AND EMERGENCIES

The Board of Trustees recognizes the importance of taking appropriate action whenever an emergency threatens the safety, health, or welfare of a student at school or during school-sponsored activities.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
(cf. 5141.22 - Infectious Diseases)
(cf. 5142 - Safety)

The Superintendent or designee shall develop procedures to ensure that first aid and/or medical attention is provided as quickly as possible when student accidents and injuries occur and that parents/guardians are notified as appropriate.

(cf. 3530 - Risk Management/Insurance)
(cf. 5143 - Insurance)
(cf. 6145.2 - Athletic Competition)

The Superintendent or designee shall ask parents/guardians to provide emergency contact information in order to facilitate communication in the event of an accident or illness.

District staff shall appropriately report and document student accidents.

Automated External Defibrillators

The Board authorizes the Superintendent or designee to place automated external defibrillators (AEDs) at designated school sites for use by school employees in an emergency.

The Superintendent or designee shall develop guidelines for employees regarding these devices and shall ensure that employees receive information that describes sudden cardiac arrest, the school's emergency response plan, and the proper use of an AED. The guidelines shall also specify the placement, security, and maintenance of the AED.

Students

HEALTH CARE AND EMERGENCIES

The authorization of AEDs in district schools shall not be deemed to create a guarantee that an AED will be present or will be used in the case of an emergency, or that a trained employee will be present and/or able to use an AED in an emergency, or that the AED will operate properly.

Legal Reference:
EDUCATION CODE
32040-32044 First aid equipment
49300-49307 School safety patrols
49407 Liability for treatment
49408 Emergency information
49409 Athletic events; physicians and surgeons; emergency medical care; immunity
49417 Automated external defibrillators
49470 Medical and hospital services for athletic program
49471 Medical and hospital services not provided or available
49472 Medical and hospital services for pupils
49474 Ambulance services
51202 Instruction in personal and public health and safety
CIVIL CODE
1714.21 Defibrillators; CPR; immunity from civil liability
FAMILY CODE
6550-6552 Caregivers
HEALTH AND SAFETY CODE
1797.196 Automatic external defibrillators, immunity from civil liability
1797.200 Emergency medical services agency
1799.102 Personal liability immunity
CODE OF REGULATIONS, TITLE 8
5193 California Bloodborne Pathogens Standard
CODE OF REGULATIONS, TITLE 22
100031-100042 Automated external defibrillators
Management Resources:
WEB SITES
American Heart Association: http://www.americanheart.org
American Red Cross: http://www.redcross.org
California Department of Health Services: http://www.dhs.ca.gov

Policy Adopted: ~~10/15/08~~ 9/11/2019 ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

EDUCATIONAL SERVICES MEMORANDUM

TO:	Board of Trustees Deborah Blow, Ed.D.
FROM:	Dr. Holly Edds, Assistant Superintendent, Educational Services
BOARD MEETING DATE:	August 14, 2019
BOARD AGENDA ITEM:	Board Policy 6142.1 SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION
BACKGROUND:	Policy updated to more directly reflect the goals of the California Healthy Youth Act, incorporate the legal requirement for districts whose graduation requirements include completion of a health education course to include instruction on the affirmative consent standard, and reflect new law (SB 1104, 2018) which requires districts offering grades 6-12 to provide information on human trafficking prevention resources to parents/guardians by January 1, 2020. Policy also adds timeline for notification to parents/guardians that they may request to excuse their child from comprehensive sexual health and HIV prevention education.
RECOMMENDATION:	It is recommended that the Board of Trustees approve the proposed revisions to BP 6142.1.
FUNDING:	No funding implications

SEXUALLY HEALTH AND HIV/AIDS PREVENTION INSTRUCTION

The Governing Board desires to provide a well-planned, integrated sequence of medically accurate and inclusive instruction on comprehensive sexual health and human immunodeficiency virus (HIV) prevention. The district's educational program shall ~~provide students with the knowledge and skills necessary to protect them from sexually transmitted infections and unintended pregnancy and to have healthy, positive, and safe relationships and behaviors~~. address the goals of the California Healthy Youth Act pursuant to Education Code 51930-51939, including providing students with the knowledge and skills necessary to protect them from risks presented by sexually transmitted infections, unintended pregnancy, sexual harassment, sexual assault, sexual abuse, and human trafficking and to have healthy, positive, and safe relationships and behaviors. The district's educational program shall also promote students' understanding of sexuality as a normal part of human development and the development of healthy attitudes and behaviors concerning adolescent growth and development, body image, gender, gender identity, sexual orientation, relationships, marriage, and family.

(cf. 5030 - Student Wellness)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.25 - Availability of Condoms)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 6142.8 - Comprehensive Health Education)

The district shall respect the rights of parents/guardians to supervise their children's education on these subjects and to impart values regarding human sexuality to their children.

Comprehensive sexual health education and HIV prevention education shall be offered to all students in grades 7-12 at least once in junior high or middle school and at least once in high school. (Education Code 51934)

(cf. 6143 - Courses of Study)

The district's comprehensive sexual health education program shall include information on the affirmative consent standard. Affirmative consent is defined as affirmative, conscious, and voluntary agreement to engage in sexual activity. Teachers delivering such instruction shall consult information related to sexual harassment and violence in the state health curriculum framework. (Education Code 51225.36, 67386)

The Superintendent or designee shall identify appropriate methods for informing the school community about subjects related to the district's comprehensive sexual health and

SEXUALLY HEALTH AND HIV/AIDS PREVENTION INSTRUCTION

HIV prevention education. The Superintendent or designee shall use such identified methods to inform parents/guardians of students in grades 6-12 about human trafficking prevention resources, as required pursuant to Education Code 49381.

Parent/Guardian Consent

~~Annually~~ At the beginning of each school year or at the time of a student's enrollment, parents/guardians shall be notified, in the manner specified in the accompanying administrative regulation, that they may request in writing that their child be excused from participating in comprehensive sexual health and HIV prevention education. Students so excused by their parents/guardians shall be given an alternative educational activity. (Education Code 51240, 51938, 51939)

(cf. 5022 – Student and Family Privacy Rights)

A student shall not be subject to disciplinary action, academic penalty, or other sanction if the student's parent/guardian declines to permit the student to receive the instruction. (Education Code 51939)

Legal Reference:
EDUCATION CODE
220 Prohibition of discrimination
33544 Inclusion of sexual harassment and violence in health curriculum framework
48980 Notice at beginning of term
49381 Human trafficking prevention resources
51202 Instruction in personal and public health and safety
51210.8 Health education curriculum
51225.36 Instruction in sexual harassment and violence; districts that require health education for graduation
51240 Excuse from instruction due to religious beliefs
51513 Materials containing questions about beliefs or practices
51930-51939 California Healthy Youth Act
51950 Abuse, sexual abuse, and human trafficking prevention education
67386 Student safety; affirmative consent standard
HEALTH AND SAFETY CODE
1255.7 Parents surrendering physical custody of a baby
PENAL CODE
243.4 Sexual battery
261.5 Unlawful sexual intercourse
271.5 Parents voluntarily surrendering custody of a baby
UNITED STATES CODE, TITLE 20
1232h Protection of Student Rights
7906 Sex education requirements and prohibited use of funds
Management Resources:
CSBA PUBLICATIONS
Promoting Healthy Relationships for Adolescents: Board Policy Considerations, Governance Brief, August 2014

SEXUALLY HEALTH AND HIV/AIDS PREVENTION INSTRUCTION

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Health Education Content Standards for California Public Schools, Kindergarten through Grade 12, 2008
Health Framework for California Public Schools: Kindergarten through Grade 12, 2003
HUMAN RIGHTS CAMPAIGN FOUNDATION PUBLICATIONS
California LGBTQ Youth Report, January 2019

WEB SITES
CSBA: http://www.csba.rog
California Department of Education, Sex Education and HIV/STD Instruction: http://www.cde.ca.gov/ls/he/se/
California Partnership to End Domestic Violence: http://www.cpedv.org
California Department of Public Health: http://www.cdph.ca.gov
California Healthy Kids Resource Center: http://www.californiahealthykids.org
California Safe Schools Coalition: http://www.casafeschools.org
Centers for Disease Control and Prevention: http://www.cdc.gov
Human Rights Campaign: http://www.hrc.org/hrc-story/hrc-foundation
U.S. Food and Drug Administration: http://www.fda.gov

Policy Adopted: ~~06/08/2016~~ 9/11/2019 ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

EDUCATIONAL SERVICES MEMORANDUM

TO:	Board of Trustees Deborah Blow, Ed.D.
FROM:	Dr. Holly Edds, Assistant Superintendent, Educational Services
BOARD MEETING DATE:	August 14, 2019
BOARD AGENDA ITEM:	Board Policy 6142.6 VISUAL AND PERFORMING ARTS EDUCATION
BACKGROUND:	Policy updated to reflect revised content standards for visual and performing arts, including media arts, adopted by the State Board of Education in January 2019. Policy incorporates the philosophical foundation, lifelong goals, and artistic processes upon which the state standards are based.
RECOMMENDATION:	It is recommended that the Board of Trustees approve the proposed revisions to BP 6142.6.
FUNDING:	No funding implications

Instruction

VISUAL AND PERFORMING ARTS EDUCATION

The Board of Trustees recognizes that by studying visual and performing arts, students learn to develop initiative, discipline, perceptual abilities and critical and creative thinking skills that extend to all areas of life. The Board believes that a comprehensive visual and performing arts education program should be an integral part of the course of study offered to all students in all grades. The district's arts education program shall provide opportunities for appreciation, creation, and performance of the arts. The Board encourages all teachers to use the arts to facilitate learning in the subjects they teach.

(cf. 6143 – Courses of Study)
(cf. 6146.1 – High School Graduation Requirements)

The Board shall adopt academic standards for dance, media arts, music, theater, and visual arts that ~~describe the skills, knowledge, and abilities that students shall be expected to possess at each grade level. The district's standards shall meet or exceed state content standards for each of these disciplines~~. lead to artistic literacy and promote access and equity in the arts. District standards shall describe the skills, knowledge, and abilities that students are expected to possess at each grade level and shall meet or exceed state standards.

(cf. 0415 - Equity)
(cf. 6011 - Academic Standards)

The Superintendent or designee shall develop a sequential curriculum for dance, media arts, music, theatre, and visual arts which is consistent with the state curriculum framework and includes the following artistic processes:

1. Creating: conceiving and developing new artistic ideas and work

2. Performing/producing/presenting: realizing artistic ideas and work through interpretation and presentation

3. Responding: understanding and evaluating how the arts convey meaning

4. Connecting: relating artistic ideas and work with personal meaning and external content

(cf. 6141 - Curriculum Development and Evaluation)

Instruction

VISUAL AND PERFORMING ARTS EDUCATION

The Board shall adopt standards-based instructional materials for visual and performing arts which may incorporate a variety of media and technologies.

(cf. 0440 - District Technology Plan)
(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6161.11 - Supplementary Instructional Materials)
(cf. 6162.6 - Use of Copyrighted Materials)
(cf. 6163.1 - Library Media Centers)

As appropriate, the Superintendent or designee shall provide a standards-based professional development program designed to increase teachers' knowledge of and ability to teach the arts and to implement the district's arts education program.

(cf. 4131 - Staff Development)

The Superintendent or designee shall encourage the integration of community arts resources into the educational program. Such resources may include opportunities for students to attend musical and theatrical performances, observe the works of accomplished artists, and work directly with artists-in-residence and volunteers. In addition, the Superintendent or designee may collaborate with community organizations to share resources and seek grant opportunities.

(cf. 1230 - School-Connected Organizations)
(cf. 1240 - Volunteer Assistance)
(cf. 1260 - Educational Foundation)
(cf. 1700 - Relations Between Private Industry and the Schools)
(cf. 3290 - Gifts, Grants and Bequests)
(cf. 6020 - Parent Involvement)
(cf. 6153 - School-Sponsored Trips)

The Superintendent or designee shall regularly evaluate the implementation of the district's arts education program at each grade level and report to the Board regarding its effectiveness in enabling students to meet academic standards.

(cf. 0500 - Accountability)
(cf. 6162.5 - Student Assessment)

Instruction

VISUAL AND PERFORMING ARTS EDUCATION

In addition, the Superintendent or designee shall encourage the integration of community arts resources into the school program. Students shall have opportunities to attend musical and theatrical performances, observe the work of accomplished artists and work directly with visiting artists.

The Board supports collaboration with community arts agencies through the Orcutt Children's Arts Foundation (OCAF).

~~SB 77 appropriated arts and music block grants to districts to be used to supplement existing resources for art and music education in grades K – 12. These funds may only be used for (1) hiring of additional staff; (2) purchase of new materials, books, supplies, and equipment; and (3) implementing or increasing staff development opportunities.~~

~~However, the Board may allocate block grant funds for districtwide expenditures that support program purposes on behalf of all district schools. If the Board elects to do so, it shall adopt a resolution at a public meeting which specifies how the funds will be allocated among schools and for districtwide purposes and the reasons for those allocations. Prior to the public meeting, the Board shall inform school site councils, schoolwide advisory groups, or school support groups, as applicable, of the content of the proposed resolution and of the time and location where the resolution is proposed to be adopted. (SB 77, Item 6110-265-0001, Statutes of 2007)~~

(cf. 1220 – Citizen Advisory Committees)
(cf. 9320 – Meetings and Notices)

Legal Reference:
Education Code
~~8820–8830 Arts work visual and performing arts educational program~~
8950–8957 California summer school of the arts
32060-32066 Toxic art supplies
35330-35332 Field Trips
~~51204 Course of study designed for students' needs~~
51210 Course of study, grades 1-6
51220 Course of study, grades 7-12
51225.3 Graduation requirements
58800–58805 Specialized secondary programs
60200-60213 Instructional materials, elementary schools
60400-60411 Instructional materials, high schools
99200-99205 Subject matter projects
~~UNCODIFIED STATUTE~~
~~SB 77, Ch. 171, Statues of 2007, Item 6110-265-0001 Arts and Music Block Grant~~
Management Resources:
CALIFORNIA ALLIANCE FOR ARTS EDUCATION PUBLICATIONS
Parents' Guide to the Visual and Performing Arts in California Public Schools

Instruction

VISUAL AND PERFORMING ARTS EDUCATION

CDE Publications
California Arts Framework for Public Schools, Kindergarten through Grade Twelve
California Arts Standards for Public Schools, Prekindergarten through Grade Twelve, January 2019
~~The Visual and Performing Arts Framework for California Public Schools—Kindergarten through Grade Twelve, 2004~~
~~Visual and Performing Arts Content Standards, January 2001~~
~~Arts Education Program Toolkit: A Visual and Performing Arts Program Assessment Process, 2001~~
~~Literature for the Visual and Performing Arts, Kindergarten through Grade Twelve~~
~~Prelude to Performance Assessments in the Arts, K—12, 1994~~
~~The Arts: Partnerships as a Catalyst for Educational Reform, 1994~~
~~Arts Work: A Call for Arts Education for All California Students, 1997~~
Web Sites:
CDE: http://www.cde.ca.gov/ci/vp
CSBA: http://csba.org
TCAP: http://www.ucop.edu/tcap
Arts Education Partnership: http://aep-arts.org
California Alliance for Arts Education: http://www.artsed411.org
California Arts Council: http://www.cac.ca.gov
California Art Education Association: http://www.caea-arteducation.org
California Association for Music Education: http://www.actaonline.org/content/california-association-music-education
California Dance Education Association: http://www.cdeadance.org
California Department of Education, Visual and Performing Arts: http://www.cde.ca.gov/ci/vp
California Educational Theatre Association: http://www.cetoweb.org
California Music Educators Association: http://www.calmusiced.com

Policy Adopted: ~~2/11/09~~ 9/11/2019 ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

EDUCATIONAL SERVICES MEMORANDUM

TO:	Board of Trustees Deborah Blow, Ed.D.
FROM:	Dr. Holly Edds, Assistant Superintendent, Educational Services
BOARD MEETING DATE:	August 14, 2019
BOARD AGENDA ITEM:	Board Policy 6146.1 HIGH SCHOOL GRADUATION REQUIREMENTS
BACKGROUND:	Policy includes minor revision to clarify that immigrant students enrolled in a newcomer program in grades 11-12 may be eligible for an exemption from locally established graduation requirements, regardless of whether they transferred between schools after the completion of the second year of high school.
RECOMMENDATION:	It is recommended that the Board of Trustees approve the proposed revisions to BP 6146.1.
FUNDING:	No funding implications

HIGH SCHOOL GRADUATION REQUIREMENTS
(Charter High School Grades 9-12)

The Board of Trustees desires to prepare all students to obtain a high school diploma so that they can take advantage of opportunities for postsecondary education and employment.

(cf. 5127 – Graduation Ceremonies and Activities)
(cf. 5147 - Dropout Prevention)
(cf. 6011 - Academic Standards)
(cf. 6143 - Courses of Study)
(cf. 6146.3 – Reciprocity of Academic Credit)

Course Requirements

To obtain a high school diploma, students shall complete at least the following courses in grades 9-12, with each course being one year unless otherwise specified:

1. Four courses in English (Education Code 51225.3)

(cf. 6142.91 – Reading/Language Arts Instruction)

2. Two courses in mathematics (Education Code 51225.3)

At least one mathematics course, or a combination of the two mathematics courses shall meet or exceed state academic content standards for Algebra I or Mathematics I. Completion of such coursework prior to grade 9 shall satisfy the Algebra I or Mathematics I requirement, but shall not exempt a student from the requirement to complete two mathematics courses in grades 9-12. (Education Code 51224.5)

3. Two courses in science, including biological and physical sciences (Education Code 51225.3)

(cf. 6142.93 - Science Instruction)

4. Three courses in social studies, including United States history and geography; world history, culture, and geography; a one-semester course in American government and civics; and a one-semester course in economics (Education Code 51225.3)

(cf. 6142.3 - Civic Education)
(cf. 6142.93 – History-Social Science Instruction)

5. One course in visual or performing arts, foreign language, including American Sign Language; or career technical education (CTE) (Education Code 51225.3)

To be counted towards meeting graduation requirements, a CTE course shall be aligned to the CTE model curriculum standards and framework adopted by the State Board of Education.

(cf. 6142.2 - World/Foreign Language Instruction)
(cf. 6142.6 - Visual and Performing Arts Education)
(cf. 6178 - Career Technical Education)
(cf. 6178.2 - Regional Occupational Center/Program)

HIGH SCHOOL GRADUATION REQUIREMENTS
(Charter High School Grades 9-12)

6. Two courses in physical education, unless the student has been otherwise exempted pursuant to other sections of the Education Code (Education Code 51225.3)

(cf. 6142.7 – Physical Education and Activity)

To obtain high school graduation, students must have documented 40 hours of community service, participation in at least one school-developed career technical education class and successfully participate in the senior exit interview. These requirements are over and above the course requirements.

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.

(cf. 6146.11 – Alternative Credits Toward Graduation)
(cf. 6146.2 – Certificate of Proficiency/High School Equivalency).
(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)

Exemptions ~~and Waivers~~ from District-Adopted Graduation Requirements

District students are required to complete graduation course requirements specified above, including the requirements imposed by Education Code 51225.3 and those adopted by the Board. However, a foster youth, homeless student, former juvenile court school student, child of a military family, migrant student who transfers into the district or between district schools any time after completing the second year of high school, or newly arrived immigrant student who is in the third or fourth year of high school and is participating in a newcomer program, ~~who transfers into the district any time after completing his/her second year of high school~~ shall be exempted from any graduation requirements adopted by the Board that are in addition to statewide course requirements. This exemption shall not apply if ~~required to complete all graduation requirements specified in Education Code 51225.3 but shall be exempt from any additional district-adopted graduation requirements, unless~~ the Superintendent or designee makes a finding that the student is reasonably able to complete the requirements in time to graduate by the end of the fourth year of high school. Within 30 days of the transfer or of the commencement of participation in a newcomer program, as applicable, the Superintendent or designee shall notify any eligible ~~such~~ student ~~shall be notified~~ of the availability of the exemption and whether the student qualifies for it. (Education Code 51225.1)

(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 5145.6 - Parental Notifications)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 – Education for Foster Youth)
(cf. 6173.2 – Education for Children of Military Families)
(cf. 6173.3 - Education for Juvenile Court School Students)
(cf. 6175 - Migrant Education Program)

Retroactive Diplomas

Any student who completed grade 12 in the 2003-04 through the 2014-15 school year and met all applicable graduation requirements other than the passage of the high school exit examination shall be granted a high school diploma. (Education Code 51413)

HIGH SCHOOL GRADUATION REQUIREMENTS
(Charter High School Grades 9-12)

Legal Reference:
EDUCATION CODE
47612 Enrollment in charter school
48200 Compulsory attendance
48204.4 Parents/guardians departing California against their will
48412 Certificate of proficiency
48430 Continuation education schools and classes
48645.5 Acceptance of coursework
48980 Required notification at beginning of term
49701 Interstate Compact on Educational Opportunity for Military Children
51224 Skills and knowledge required for adult life
51224.5 Algebra instruction
51225.1 Exemption from district graduation requirements
51225.2 Pupil in foster care defined; acceptance of coursework, credits, retaking of course
51225.3 High school graduation
51225.35 Mathematics course requirements; computer science
51225.36 Instruction in sexual harassment and violence; districts that require health education for graduation
51225.5 Honorary diplomas; foreign exchange students
51225.6 Compression-only cardiopulmonary resuscitation
51228 Graduation requirements
51240-51246 Exemptions from requirements
51250-51251 Assistance to military dependents
51410-51413 Diplomas
51420-51427 High school equivalency certificates
51430 Retroactive high school diplomas
51440 Retroactive high school diplomas
51450-51455 Golden State Seal Merit Diploma
51745 Independent study restrictions
56390-56392 Recognition for educational achievement, special education
66204 Certification of high school courses as meeting university admissions criteria
67386 Student safety; affirmative consent standard
CODE OF REGULATIONS, TITLE 5
1600-1651 Graduation of students from grade 12 and credit toward graduation
4600-4687 Uniform complaint procedures
COURT DECISIONS
O'Connell v. Superior Court (Valenzuela), (2006) 141 Cal.App.4th 1452
Management Resources:
WEB SITES
CSBA: http://www.csba.org
California Department of Education, California High School: http://www.cde.ca.gov/ci/gs/hs
University of California, List of Approved a-g Courses:
http://www.universityofcalifornia.edu/admissions/freshman/requirements

Policy Adopted: ~~03/13/2019~~ 09/11/2019

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Where KIDS Come First! Orcutt Union School District

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Where a Dedicated Staff Means
KIDS COME FIRST

TO: Dr. Deborah Blow, Superintendent
Board of Trustees

FROM: Susan Salucci, Assistant Superintendent, Human Resources

BOARD MEETING DATE: August 14, 2019

BOARD AGENDA ITEM: Board Policy 4030, NONDISCRIMINATION IN EMPLOYMENT

BACKGROUND: Policy reflects NEW STATE REGULATIONS (Register 2018, No. 20) which add a definition of national origin and make it an unlawful employment practice to inquire into or discriminate against an employee on the basis of immigration status. Policy also reflects NEW LAW (SB 1300) which (1) prohibits districts from requiring an employee, in exchange for a raise or bonus or as a condition of employment or continued employment, to sign a nondisparagement agreement or release the right to file a claim against the district for unlawful acts in the workplace, including sexual harassment, and (2) provides that a district may be responsible for any harassment (not just sexual harassment) of employees by nonemployees if the district knows or should have known of the conduct and failed to take action. Regulation revises section on "Measures to Prevent Discrimination" to reflect a requirement, to post the California Department of Fair Employment and Housing (DFEH) poster on workplace discrimination and harassment and to add the requirement to post the DFEH poster on the rights of transgender employees. Regulation also reflects NEW LAW (SB 1300) which authorizes training on bystander.

RECOMMENDATION: It is recommended that the Board of Trustees approve the proposed changes to BP 4030.

FUNDING: No funding implications

NONDISCRIMINATION IN EMPLOYMENT

All Personnel

The Governing Board is determined to provide ~~district employees, interns, volunteers, and job applicants~~ a safe, positive environment where all district employees ~~they~~ are assured of full and equal employment access and opportunities, protection from harassment or intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. ~~T~~this policy shall apply to all district employees, job applicants, ~~and, to the extent required by law, to~~ interns, volunteers, and persons who contracted with the district to provide services, as applicable.

(cf. 1240 - Volunteer Assistance)
(cf. 1240 - Volunteer Assistance)
(cf. 3312 - Contracts)
(cf. 3600 - Consultants)
(cf. 4111/4211/4311 - Recruitment and Selection)

No district employee shall be discriminated against or harassed by any coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment, on the basis of the employee's actual or perceived race, color, ancestry, national origin, age, religious creed, marital status, pregnancy, ~~physical or~~ mental disability, medical condition, genetic information, military and veteran status, gender, sex, sexual orientation, gender, gender identity, gender expression, or ~~his/her~~ association with a person or group with one or more of these actual or perceived characteristics.

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

Discrimination in employment based on the characteristics listed above is prohibited in all areas of employment and in all employment-related practices, including the following:

1. Discrimination in hiring, compensation, terms, conditions, and other privileges of employment

(cf. 4151/4251/4351 - Employee Compensation)
(cf. 4154/4254/4354 - Health and Welfare Benefits)

2. Taking of an adverse employment action, such as termination or the denial of employment, promotion, job assignment, or training

3. Unwelcome conduct, whether verbal, physical, or visual, that is so severe or pervasive as to adversely affect an employee's employment opportunities, or that has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment

4. Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as:

a. Sex discrimination based on an employee's pregnancy, childbirth, breastfeeding, or any related medical condition or on an employee's gender, gender expression, or gender identity, including transgender status

NONDISCRIMINATION IN EMPLOYMENT

(cf. 4033 - Lactation Accommodation)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

b. Religious creed discrimination based on an employee's religious belief or observance, including ~~his/her~~ religious dress or grooming practices, or based on the district's failure or refusal to use reasonable means to accommodate an employee's religious belief, observance, or practice which conflicts with an employment requirement.

c. ~~Disability discrimination based on a district r~~Requirement for a medical or psychological examination of a job applicant, or an inquiry into whether a job applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity

(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

d. ~~Disability discrimination based on the district's~~ F~~f~~ailure to make reasonable accommodation for the known physical or mental disability of an employee or to engage in a timely, good faith, interactive process with an employee~~, to determine effective reasonable accommodations for the employee, when he/she has~~ who has requested ~~reasonable~~ such accommodations in order to determine the effective reasonable accommodations, if any to be provided to the employee. ~~for a known physical or mental disability or medical condition~~

(cf. 4032 - Reasonable Accommodation)

The Board also prohibits retaliation against any district employee who opposes any discriminatory employment practice by the district or its employees, agents, or representatives or who complains, testifies, assists, or in any way participates in the district's complaint process pursuant to this policy. No employee who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted. (Government Code 12940; CCR 11028)

No employee shall, in exchange for a raise or bonus or as a condition of employment or continued employment, be required to sign any document that releases the employee's right to file a claim against the district or to disclose information about harassment or other unlawful employment practices. (Government Code 12964.5)

Complaints ~~regarding~~ concerning employment discrimination or harassment or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment, including harassment of an employee or nonemployee, shall report the incident to the Superintendent or designated coordinator as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately. The district shall protect any employee who reports such incidents from retaliation.

NONDISCRIMINATION IN EMPLOYMENT

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy~~.~~ , including ~~He/she shall~~ provide~~e~~ing training and information to employees about how to recognize harassment, discrimination, or other related conduct, how to respond appropriately, and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

~~In addition, the Superintendent or designee shall post, in a conspicuous place on district premises, the California Department of Fair Employment and Housing publication on workplace discrimination and harassment issued pursuant to 2 CCR 11013~~.

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

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

Legal Reference:
EDUCATION CODE
200-262.4, Prohibition o discrimination
CIVIL CODE
51.7 Freedom from violence or intimidation
GOVERNMENT CODE
11135 Unlawful discrimination
11138 Rules and regulations
12900-12996 Fair Employment and Housing Act
PENAL CODE
422.56 Definitions, hate crimes
CODE OF REGULATIONS, TITLE 2
11006-11086 Discrimination in employment
11013 Recordkeeping
11019 Terms, conditions and privileges of employment
11023 Harassment and discrimination prevention and correction
11024 Sexual harassment training and education
CODE OF REGULATIONS, TITLE 5
4900-4965 Nondiscrimination in elementary and secondary education programs
UNITED STATES CODE, TITLE 20
1681-1688 Title IX of the Education Amendments of 1972
UNITED STATES CODE, TITLE 29
621-634 Age Discrimination in Employment Act
794 Section 504 of the Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2000d-2000d-7 Title VI, Civil Rights Act of 1964, as amended

NONDISCRIMINATION IN EMPLOYMENT

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended
2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008
2000h-2-2000h-6 Title IX, of the Civil Rights Act of 1964
6101-6107 Age discrimination in federally assisted programs
12101-12213 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 28
35.101-35.190 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 34
100.6 Compliance information
104.7 Designation of responsible employee for Section 504
104.8 Notice
106.8 Designation of responsible employee and adoption of grievance procedures
106.9 Dissemination of policy
110.1-110.39 Nondiscrimination on the basis of age
COURT DECISIONS
Thompson v. Noath American Stainless LP, (2011) 131 S. Ct. 863
Shephard v. Loyola Marymount (2002) 102 CalApp.4th 837
Management Resources:
CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS
California Law Prohibits Workplace Discrimination and Harassment, December 2014
U.S. DEPARTMENT OF EDUCATION, OFFICE OF CIVIL RIGHTS
Notice of Non-Discrimination, August 2010
U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
EEOC Compliance Manual
~~Questions and Answers: Religious Discrimination in the Workplace 2008~~
~~New Compliance Manual Section 15: Race and Color Discrimination, April 2006~~
Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999
WEB SITES
California Department of Fair Employment and Housing: http://www.dfeh.ca.gov
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr
U.S. Equal Employment Opportunity Commission: http://www.eeoc.gov

Policy Adopted: ~~03/14/2018~~ 09-11-19 ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Orcutt Union School District

Where a Dedicated Staff Means
KIDS COME FIRST

BOARD OF TRUSTEES
SHAUN HENDERSON
LISA MORININI
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MARK STELLER
MELANIE WAFFLE

DEBORAH BLOW, Ed.D.
District Superintendent
HOLLY EDDS, Ed.D.
Assistant Superintendent
SUSAN SALUCCI
Assistant Superintendent
KIRBY FELL
Chief Technology Officer

TO:	Dr. Deborah Blow, Superintendent Board of Trustees
FROM:	Susan Salucci, Assistant Superintendent, Human Resources
BOARD MEETING DATE:	August 14, 2019
BOARD AGENDA ITEM:	Board Policy 4119.22, DRESS AND GROOMING
BACKGROUND:	Policy updated to reflect laws which allow employees to appear and dress in a manner consistent with their gender identity, gender expression, or religious creed. Policy also adds material regarding the communication of the district's dress and grooming policy to employees.
RECOMMENDATION:	It is recommended that the Board of Trustees approve the proposed changes to BP 4119.22.
FUNDING:	No funding implications

Personnel

DRESS AND GROOMING

The Governing Board ~~of Trustees~~ believes that appropriate dress and grooming by district employees contribute to a productive learning environment and model positive behavior. During school hours and at school activities, employees shall maintain professional standards of dress and grooming that demonstrate their high regard for education, present an image consistent with their job responsibilities and assignment, and not endanger the health or safety of employees or students. All employees shall be held to the same standards unless their assignment provides for modified dress as approved by their supervisor.

(cf. 0415 - Equity)
(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4112.21/4212.21/4312.21 - Professional Standards)
(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
~~(cf. 5132 - Dress and Grooming)~~

The district shall allow employees to appear and dress in a manner consistent with their gender identity or gender expression. (Government Code 12949)

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

In addition, the district shall not dismiss an employee, discriminate against an employee in compensation or in terms, conditions, or privileges of employment, or refuse to hire a job applicant on the basis of religious dress or grooming practices. (Government Code 12926, 12940)

This policy shall be presented to employees upon employment, through the employee handbook or other appropriate means, and may be periodically reviewed with all employees as necessary

Legal Reference:
EDUCATION CODE
35160 Authority of governing boards
35160.1 Broad authority of school districts
GOVERNMENT CODE
3543.2 Scope of representation
12926 Definitions
12940 Unfair employment practices
12949 Dress standards, consistency with gender identity

Personnel

DRESS AND GROOMING

COURT DECISIONS
San Mateo City School District v. PERB (1983) 33 Cal. 3d 850
Domico v. Rapides Parish School Board (5th Cir. 1982) 675 F.2d 100
East Hartford Education Assn. v. Board of Education (2d Cir. 1977) 562 F. 2d 856
Finot v. Pasadena Board of Education (1967) 250 Cal.App.2d 189
PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS
Santa Ana Unified School District (1998) 22 PERC P29, 136
Inglewood Unified School District (1985) 10 PERC P17, 000

Management Resources:
CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS
Transgender Rights in the Workplace
WEB SITES
California Department of Fair Employment and Housing: http://www.dfeh.ca.gov
Public Employment Relations Board: http://www.perb.ca.gov

Policy Adopted: ~~10/15/08~~ 09/11/19

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California 93455

2019-20 RESOLUTION NO.3
WAIVER OF CREDENTIAL AUTHORIZATION

WHEREAS, current statutes and regulations recognize that there may be situations of a temporary nature in which a teacher with the appropriate credential is not available to the school district; and

WHEREAS, Title 5 Code Section 80020.4 allows the Governing Board to authorize by resolution, the holder of a Credential based on a Bachelors Degree and Student Teaching; or credential in the subject area of staff development to provide support/perform, with his or her consent, staff development at a school site, school district or county level; and

WHEREAS, the teachers named below meet the requirements of Title 5 Code Section 80020.4.

NOW, THEREFORE BE IT RESOLVED, that the Governing Board of the Orcutt Union School District hereby authorizes the following teachers to teach in the indicated subject areas for the 2019-20 school year:

Karen Cornwell	Teacher on Special Assignment
Elaine Furst	Teacher on Special Assignment
Tamara Hart	Teacher on Special Assignment
Colleen Kuykendall	Teacher on Special Assignment
Cathy Lake	Teacher on Special Assignment
Cher Manich	Teacher on Special Assignment
Heather Penk	Teacher on Special Assignment

PASSED AND ADOPTED by the Board of Trustees of the Orcutt Union School District, Santa Barbara County, California, this 14th day of August 2019 by the following vote:

AYES:_____
NOES:_____
ABSENT:_____

STATE OF CALIFORNIA]
COUNTY OF SANTA BARBARA]

_____
President, Board of Trustees

I, Liz Phillips, Clerk of the Board of Trustees of the ORCUTT UNION SCHOOL DISTRICT, hereby certify that the foregoing is a true copy of a resolution duly and legally adopted as a consent action item by the District's Governing Board at a legal meeting of said Board duly and regularly held on August 14, 2019 and that said resolution has not been revoked.

Clerk, Board of Trustees

Orcutt Union School District
Human Resources

500 Dyer Street • Orcutt, California, 93455 • 805.938.8914

TO: Board of Trustees

FROM: Dr. Deborah Blow, Superintendent
Susan Salucci, Assistant Superintendent/Human Resources

BOARD MEETING DATE: August 14, 2019

BOARD AGENDA ITEM: Ratification of Assistant Superintendent, Business Services Contract

BACKGROUND: In order to secure the most qualified candidate, this position was flown, and two interview panels vetted the selected candidates down to two finalists. The Superintendent selected Mr. William Young.

FINANCIAL CONSIDERATIONS:
The Assistant Superintendent of Business Services will be appropriately placed on the Cabinet salary schedule, commensurate with other Cabinet positions. All other compensation including health and life insurance benefits will be the same as those granted all other senior management personnel.

RECOMMENDATION: It is recommended that the Board of Trustees ratify the Employment Agreement with William Young, Assistant Superintendent, Business Services.

EMPLOYMENT AGREEMENT
BETWEEN
THE BOARD OF TRUSTEES OF THE ORCUTT UNION SCHOOL DISTRICT
AND
WILLIAM YOUNG, ASSISTANT SUPERINTENDENT OF BUSINESS SERVICES

The Orcutt Union School District ("District"), a public school District in the State of California, and William Young, an individual, hereby enter into this employment agreement ("Agreement") in order to employ William Young as the Assistant Superintendent of Business Services ("Assistant Superintendent").

I. DUTIES

The Assistant Superintendent shall have the powers and duties set forth in applicable law, in the position description adopted by the Board, and subject to the terms and conditions of employment set forth herein, including the following:

A. The Assistant Superintendent shall effectively and competently do and perform the duties as the Chief Business Official of the District subject to provisions established by law and the policies set by the Board of Trustees.

B. The Assistant Superintendent is responsible for the management of all business services functions of the District.

C. The Assistant Superintendent is responsible for administrative oversight of the Business Services Department. The position shall answer directly to the District Superintendent.

II. GENERAL TERMS AND CONDITIONS

This Agreement shall be subject to, and interpreted in accordance with, all applicable laws of the State of California, the rules and regulations of the California State Board of Education, and the rules and regulations of the District's Board of Education. Said laws, rules and regulations, as amended from time to time, are hereby made a part of the terms and conditions of this Agreement as though fully set forth herein provided; however, that the express terms of this Agreement shall prevail over any conflicting District rules and regulations.

III. CERTIFICATED MANAGEMENT

The Assistant Superintendent's position shall be a certificated management position.

IV. WORK YEAR

The work year of the Assistant Superintendent shall be 223 days, commencing July 1 and terminating June 30 of each fiscal year. The Year 1 work year shall be 186 days based upon the September 1, 2019 start date.

V. EVALUATION

The Assistant Superintendent reports to the Superintendent and shall be evaluated in writing once each year by June 30. The evaluation shall be based on mutually agreed upon written goals and objectives, the current position description, applicable Board Policies, and California Law.

VI. COMPENSATION

For the first year (September 1, 2019 through June 30, 2020), all compensation described below shall be prorated (10 of 12 months) based upon the contract start date and the work year being September through June.

Salary: The salary of the Assistant Superintendent shall be $158,575.00 per year commencing September 1, 2019, and payable in twelve (12) equal installments on the last day of each month. The Assistant Superintendent shall receive annual increases in an amount at least equal to the same on-schedule and off-schedule salary and benefit adjustment(s) as other senior management personnel. The Assistant Superintendent shall be awarded same longevity increments as other senior management personnel. Reimbursements for necessary travel beyond the District boundaries shall be reimbursed in accordance with District policy.

The District encourages participation in professional organizations and will reimburse the Assistant Superintendent for the full cost of membership dues in the Association of California School Administrators ("ACSA") and the California Association of School Business Officials ("CASBO").

Health Benefits for the Assistant Superintendent will be the same as those granted to other District senior management personnel.

Term Life Insurance of not less than $150,000 shall be provided by the District for the Assistant Superintendent, who may elect a beneficiary of choice.

The District shall reimburse the Assistant Superintendent for all actual and necessary expenses incurred within the course and scope of employment. This shall include the cost of meals for services organizations, civic or social functions that benefit the District.

Vacation shall be earned at a rate of twenty-three (23) days per year. Carry-over from one year to the next shall be limited to twenty (20) days. Vacation time in excess of twenty (20) days may be accumulated and carried forward to the next school year with written approval of the

Superintendent or paid out at the then current daily rate of pay. Vacation days and accumulation shall be adjusted for a 10 month work year in the first year of this agreement.

Upon separation or retirement from the District, the Assistant Superintendent shall be paid for any accrued vacation days at the then current daily rate of pay.

Sick Leave shall be earned at a rate of twelve (12) days per year (one [1] day per month) and shall be credited in advance during the month of July. Sick leave shall be adjusted for a 10 month work year in the first year of the agreement.

Relocation Expenses. The District shall reimburse the Assistant Superintendent for actual relocation expenses in an amount up to $3,500.00.

VII. RENEWAL OF AGREEMENT

Renewal of the Agreement for employment of the Assistant Superintendent shall take place no later than March 15 prior to the expiration of this Agreement. The Board shall inform the Assistant Superintendent, in writing, of its intent not to renew the Agreement no later than March 15 prior to the expiration of this Agreement. If the Board does not provide the written notice as required, this Agreement shall automatically renew for one year from the date of expiration. All Sections of this Agreement shall be subject to review no later than the month prior to renewal.

VIII. TERM OF AGREEMENT

The term of the Agreement shall be 3 years and 10 months beginning September 1, 2019 through June 30, 2023.

IX. TERMINATION OF AGREEMENT

The Board at its sole discretion, upon ninety (90) days written notice to the Assistant Superintendent may terminate this Agreement for any reason(s) whatsoever.

The provisions of Government Code Section 53260, et seq., apply to this Agreement. In summary, if this Agreement is terminated, the maximum cash settlement that an employee may receive shall be an amount equal to the monthly salary of the employee multiplied by the number of months left on the unexpired term of the Agreement. However, if the unexpired term of the Agreement is greater than 18 months, the maximum cash settlement shall be an amount equal to the monthly salary of the employee multiplied by 18. No other or additional non-cash settlement may be agreed to, except that health benefits (as outlined in Section VI. Compensation) may be continued at the option of the employee, limited to the same time restrictions as for a cash settlement, or until new employment is found, whichever occurs first. Copies of this Agreement and any settlement shall be made available to the public upon request.

This Agreement may also be terminated by written mutual consent of the Board of Trustees

and the Assistant Superintendent, which may be effective no sooner than thirty (30) days following execution of such written, mutual consent.

X. MODIFICATION TO AGREEMENT

This Agreement may be modified at any time with the mutual written consent of the parties.

XI. INDEMNIFICATION

In accordance with the provisions of Government Codes 825 and 995, the District shall defend the Assistant Superintendent from any and all demands, claims, suits, actions, and legal proceedings brought against the Assistant Superintendent in Assistant Superintendent's individual capacity, or official capacity as an agent and employee of the District.

Upon separation or retirement from the District, the Assistant Superintendent will continue to be indemnified for any actions taken against him related to his role as the Assistant Superintendent.

XII. OUTSIDE PROFESSIONAL ACTIVITIES

By prior approval of the Superintendent, the Assistant Superintendent may undertake for consideration outside professional activities, including consulting, speaking and writing. The Assistant Superintendent's outside professional activities shall not interfere with Assistant Superintendent's ability to satisfactorily perform the duties of the position, as solely and exclusively determined by the Superintendent. The Assistant Superintendent agrees that he will not utilize District staff or property in performing these outside activities without prior written approval by the Superintendent. In no case will the District be responsible for any expenses related to the performance of such outside activities unless prior approval is obtained.

XIII. PROFESSIONAL MEETINGS AND MEMBERSHIPS

The Assistant Superintendent is expected to attend appropriate professional meetings at local, state and national levels. Prior approval of the Superintendent shall be obtained when the Assistant Superintendent attends a function outside of the State of California. The Assistant Superintendent shall endeavor to maintain and improve his professional competence, including subscriptions to, and readings of, appropriate periodicals, maintenance of membership in appropriate professional organizations, attendance in education programs, and attendance at professional meetings at the local, state, and national level. The expense of said subscriptions, memberships and attendance shall be paid by the District, upon approval of the Superintendent.

XIV. EXECUTION OF AGREEMENT

In witness herein we affix our signatures to the Agreement as the full and complete understanding between the Parties.

Approved by the Board of Trustees on:_____

Lisa Morinini, President	Liz Phillips
Shaun Henderson	Mark Steller
Melanie Waffle	

William Young, Assistant Superintendent of Business Services

Signed	AUGUST 1, 2019 Date

Orcutt Union School District
Human Resources

500 Dyer Street • Orcutt, California, 93455 • 805.938.8914

TO: Board of Trustees
Dr. Deborah Blow, Superintendent

FROM: Susan Salucci, Assistant Superintendent/Human Resources

BOARD MEETING DATE: August 14, 2019

BOARD AGENDA ITEM: Approval of Administrative Position: One (1) Executive Director of Special Education.

BACKGROUND: The Opening for the position of Executive Director of Special Education was flown, interviews were held, and a final selection made.

FINANCIAL CONSIDERATIONS: The Executive Director of Special Education. is placed at the appropriate step of the Executive Director of Special Education salary schedule.

RECOMMENDATION: It is recommended that the Board of Trustees approve the hiring of one (1) Executive Director of Special Education.

Where KIDS Come First! Orcutt Union School District

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BOARD OF TRUSTEES
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DEBORAH BLOW, Ed.D.
District Superintendent
HOLLY EDDS, Ed.D.
Assistant Superintendent
SUSAN SALUCCI
Assistant Superintendent
KIRBY FELL
Chief Technology Officer

TO: Dr. Deborah Blow, Superintendent
Board of Trustees

FROM: Kirby Fell, Chief Technology Officer

BOARD MEETING DATE: August 14, 2019

BOARD AGENDA ITEM: Purchase of two District Vehicles

BACKGROUND: The Technology department currently has two vehicles, a Toyota Tacoma and a Ford Astro Van. Both vehicles are old and becoming unreliable. The van will be brought to the board for surplus and the Tacoma will be returned to the Maintenance and Operations department.

Staff recommends the purchase of two new vans, that will be used to transport technology staff and equipment to our ten school sites. The Technology Department can also use the vehicles to attend seminars and workshops, which will save the district in rental fee costs.

District staff received three quotes and they are as follows:

Vendor	Vehicle	Quote
Vreeland Ford, Buellton	2019 Transit Connect Van	$24,963.14
Mulhahey Ford, AG	2019 S7EO Connect Van	$24, 998.44
Santa Maria Ford	2019 Transit Connect Van	$24,110.94

RECOMMENDATION: Staff recommends the Board of Trustees approve the purchase of two 2019 Transit Connect Vans from Santa Maria Ford for $24,1110.94 each with a total cost of $48,221.88.

FUNDING: General Fund (01) One-Time Money